



# Meeting Agenda

## Land Use & Environment Committee

City Hall  
601 4th Avenue E  
Olympia, WA 98501

Information: 360.753.8244

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Thursday, April 27, 2023

5:30 PM

Online and Via Phone

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1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF AGENDA

4. PUBLIC COMMENT

*(Estimated Time: 0-15 Minutes)*

*During this portion of the meeting, community members may address the Committee for up to two (2) minutes regarding the Committee's business meeting topics.*

5. APPROVAL OF MINUTES

5.A [23-0381](#) Approval of March 23, 2023 Land Use & Environment Committee Meeting Minutes

**Attachments:** [Minutes](#)

6. COMMITTEE BUSINESS

6.A [23-0343](#) Amendments to Residential Parking Requirements Recommendation

**Attachments:** [Proposed Code Amendments](#)  
[Public Comments](#)

6.B [23-0357](#) Consolidating Land Use Permit Processes Ordinance Recommendation

**Attachments:** [Draft Ordinance](#)  
[Crosswalk of permit types](#)  
[Summary of Changes to Public Notice](#)  
[Public comments](#)

6.C [23-0347](#) Changes to International Building Codes Ordinance Recommendation

**Attachments:** [Draft Ordinance](#)

6.D [23-0359](#) Commercial Building Electrification/Decarbonization Code Changes Discussion

**Attachments:** [Electrification Code Concepts for Olympia](#)  
[Building Electrification Stakeholders Comments](#)

**6.E**     [23-0339](#)     Electric Vehicle Parking Requirements Discussion

**Attachments:**   [Focus Group Summary](#)

**7.        REPORTS AND UPDATES****8.        ADJOURNMENT**

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

**Land Use & Environment Committee**  
**Approval of March 23, 2023 Land Use &  
Environment Committee Meeting Minutes**

**Agenda Date: 4/27/2023**  
**Agenda Item Number: 5.A**  
**File Number:23-0381**

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**Type:** minutes **Version:** 1 **Status:** In Committee

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**Title**

Approval of March 23, 2023 Land Use & Environment Committee Meeting Minutes



# Meeting Minutes - Draft

## Land Use & Environment Committee

City Hall  
601 4th Avenue E  
Olympia, WA 98501  
Information: 360.753.8244

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**Thursday, March 23, 2023**                      **5:30 PM**                      **Council Chambers, Online and Via  
Phone**

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**1. CALL TO ORDER**

Chair Madrone called the meeting to order at 5:30 p.m.

**2. ROLL CALL**

**Present:** 2 - Chair Dani Madrone and Committee member Jim Cooper

**Excused:** 1 - Committee member Clark Gilman

**OTHERS PRESENT**

City Manager Jay Burney  
Assistant City Manager Rich Hoey

Community Planning and Development Staff:  
Deputy Director Tim Smith  
Principal Planner Joyce Phillips  
Housing Director Darian Lightfoot  
Housing Program Specialist Christa Lenssen

**3. APPROVAL OF AGENDA**

**The agenda was approved.**

**4. PUBLIC COMMENT - None**

**5. APPROVAL OF MINUTES**

**5.A**     [23-0272](#)                      Approval of February 23, 2023 Land Use and Environment Committee Meeting Minutes

**The minutes were approved.**

**6. COMMITTEE BUSINESS**

**6.A**     [23-0256](#)                      Joint Plan Update

Ms. Phillips provided an update on the Thurston County Joint Plan.

The Committee discussed several recommended amendments to the plan:

1. Revise reference of Priest Point Park to Squaxin Park on p. 38 and p.50.
2. Change “development of a climate action plan” to “implementation of the climate action plan”.
3. Revise PN2.4 on p. 36 to clarify that TDRs are about private transactions.

**Committee member Cooper moved, seconded by Chair Madrone, to recommend approval of the Joint Plan as amended. The motion passed unanimously.**

**Aye:** 2 - Chair Madrone and Committee member Cooper

**Excused:** 1 - Committee member Gilman

**6.B** [23-0254](#) Affordable Homeownership Study Scope of Work

Ms. Lenssen provided an overview of the scope of work.

**The discussion was completed.**

**7. REPORTS AND UPDATES**

At the request of Committee member Cooper, Mr. Smith provided an update on the proposed commercial/residential development on Lot 1 of the Briggs Urban Village.

**8. ADJOURNMENT**

The meeting adjourned at 6:28 p.m.



## Land Use & Environment Committee

### Amendments to Residential Parking Requirements Recommendation

**Agenda Date:** 4/27/2023  
**Agenda Item Number:** 6.A  
**File Number:** 23-0343

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**Type:** recommendation   **Version:** 1   **Status:** In Committee

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#### **Title**

Amendments to Residential Parking Requirements Recommendation

#### **Recommended Action**

##### **Committee Recommendation:**

Move to accept the Planning Commission recommendation to approve code amendments related to residential parking requirements and forward to City Council for decision.

##### **City Manager Recommendation:**

Move to accept the recommendation to approve code amendments related to residential parking requirements and forward to City Council for decision.

#### **Report**

##### **Issue:**

Whether to accept the recommendation to approve code amendments related to residential parking requirements and forward to City Council for decision.

##### **Staff Contact:**

Joyce Phillips, Principal Planner, Community Planning and Development, 360.570.3722

##### **Presenter(s):**

Joyce Phillips, Principal Planner, Community Planning and Development

#### **Background and Analysis:**

In September 2022, February 2023, and March 6, 2023, City staff briefed the Planning Commission on efforts to reduce residential parking standards for new residential projects. This is part of a state funded grant the City was awarded to help implement its Housing Action Plan (HAP). Specifically, this work addresses the following strategy and action step of the HAP:

Strategy: Expand the overall housing supply by making it easier to build all types of housing.

Action 3i: Reduce parking requirements for residential uses, including for multi-family developments near frequent transit routes.

A community questionnaire was open for approximately one month on the City's Engage Olympia webpage. The questionnaire was not a scientific survey; instead it was an opportunity for members of the public to share opinions with staff on questions surrounding residential parking requirements.

Staff considered survey responses, public comments, and the intent of the Housing Action Plan strategy and action to develop a first draft of code amendments. That draft included staff comments to help explain why some changes were proposed or what other changes may result from a proposed amendment. The public hearing draft considered comments from the Planning Commission as well as the additional public comments submitted.

### Planning Commission Guidance

The Planning Commission had briefings on this proposal in February and early March. In February the results of the questionnaire were reviewed. In March, the first draft of proposed amendments was reviewed. After reviewing the first draft, which proposed a range of 0.75 - 1.5 parking spaces per unit in multifamily developments, the Commission recommended staff remove the automobile parking minimums for apartments and reduce the maximum. In response, the public hearing draft of the amendments proposed a maximum of 1.25 automobile parking spaces per unit, with no minimum required for automobile parking. The short and long term bicycle parking requirements remain unchanged.

It is worth noting that in the Downtown, where new residential developments are not required to provide automobile parking, they provide parking at a rate of 0.7-0.8 parking spaces per residential unit. Additionally, provisions in our parking code would still allow a developer to propose a parking modification in order to increase the number of parking spaces provided. The parking modification language, while proposed to be modified in this set of amendments, is currently allowed but rarely requested.

### Planning Commission Recommendation

The Planning Commission left the public comment period open until noon on April 7, 2023. All comments received by that deadline were attached to the packet for the April 17, 2023 Planning Commission meeting, in order to allow time for the Commissioners to review the comments prior to deliberations. At its April 17<sup>th</sup> meeting a motion was made to approve the proposed amendments with a few minor modifications. A motion to amend the motion was made, which was to remove required minimum parking requirements for all residential uses. The motion to amend the original motion passed by a vote of five to four. The vote on the amended motion passed by a vote of seven to two.

The Commission will submit a minority report, to be finalized at its May 1, 2023, meeting. The minority report is likely to include comments about safety (emergency vehicle access and how far people may need to walk in the dark from their cars to their houses if convenient parking is not nearby), how some streets are narrower and more congested than others, and other issues that came up during the Commission's deliberations.

### **Climate Analysis:**

The proposed reduction in automobile parking spaces for new residences will help reduce greenhouse gas emissions by supporting alternative forms of transportation and promoting compact urban areas within the City. This would support a long-term reduction in greenhouse gas emissions. However, changes to parking requirements only impact new developments or substantial

redevelopment projects. While the impact of these amendments may be incremental and slow to accumulate, staff believes the amendments would support the Climate Mitigation Plan mitigation strategies as follows:

T1. Set land use policies that increase urban density and reduce urban sprawl: By reducing the amount of land that must be dedicated to automobile parking, that land could be used for additional housing units (or other things like open space, vegetation/gardens). Accommodating population growth within the City limits and Urban Growth Area (UGA) will reduce sprawl outside of the UGA in rural and resource lands.

T2. Increase the efficiency of the transportation system: As our community becomes more compact and urban over time, more goods and services (and schools and parks) will be available within walking or bicycling distances to a greater number of residences. Trips that are taken by car may be a shorter distance and those shorter trips will reduce fuel consumption. Many of the zoning districts that accommodate the most multifamily housing units are zones that also allow for a mix of commercial land uses within the development or in close proximity.

T4. Increase the use of public transit: More compact and urban neighborhoods provide densities that support transit. As demand for transit increases, the frequency of transit service is likely to increase as well.

T5. Increase the use of active forms of travel, such as walking and biking: See T2 above.

The proposed reduction of required automobile parking for new residences is also being considered at approximately the same time as Electric Vehicle parking standards are being considered. EV parking standards, if approved, would help the community transition to electric vehicles which would also result in the reduction of greenhouse gas emissions.

### **Equity Analysis:**

It can be challenging to tie residential parking requirement reductions to equity issues. Most of the proposed parking amendments will impact multifamily housing units. Rents are generally designed to cover the development and maintenance costs of the site. If less parking is provided and if more housing units are provided, the rent per unit could be lower than it otherwise would be. In some cases, property owners charge a rate for rent and a separate rate for per parking space, which would benefit those who do not own a car.

In Olympia, roughly 37% of all households are cost burdened, with almost half of those households being severely cost-burdened. BIPOC members of our community are more likely to be cost-burdened than others. Opportunities to provide more housing units will eventually lead to less pressure on the rental market, which will ease increases to rents. Supply of more housing units of all kinds will help meet demand.

Approximately 42% of Olympians have a household income of less than \$50,000. Approximately 15% of our population live in poverty. In 2021, 13.5% of people in Olympia were reported to have a disability, up from 12.9% in 2016. People living in poverty, or with lower incomes or a disability of some kind, may not own cars or multiple cars per household. By eliminating minimum parking requirements, there will eventually be a wider variety of housing options available. People may have a greater ability to choose housing that best matches their transportation needs, especially for those

who choose not to own a car or those who cannot afford car ownership.

Obesity rates have been rising in children and adults in Washington State. Residential parking reductions support use of more active forms of transportation, such as by pedestrians or bicyclists.

**Neighborhood/Community Interests (if known):**

Interest in parking issues vary by neighborhood and housing types. Some neighborhoods have wide streets with long and/or wide driveways serving one, two, or three car garages. Some have ample on-street parking. Others have narrower streets with or without sidewalks. Most apartment complexes have ample parking lots to accommodate tenants and guests, but some do not.

After its hearing on March 20<sup>th</sup>, the Planning Commission extended the public comment period through noon on Friday, April 7, 2023. The Commission considered the amendments and all comments received by the deadline at its meeting on April 17<sup>th</sup>. All public comments received to-date are attached.

**Financial Impact:**

This work is being funded by a Housing Action Plan Implementation (HAPI) grant from the Washington State Department of Commerce, Growth Management Services.

**Options:**

1. Accept the Planning Commission recommendation and forward the proposed code amendments to City Council.
2. Accept the Planning Commission recommendation, as modified by the Land Use and Environment Committee, and forward the proposed code amendments to City Council.
3. Remand the proposed code amendments back to the Planning Commission, with specific direction on what to reconsider.

**Attachments:**

Proposed Code Amendments  
Public Comments

Chapter 18.38  
PARKING AND LOADING

18.38.000 Chapter Contents

Sections:

- 18.38.020 Purpose.
- 18.38.040 Applicability.
- 18.38.060 Parking and loading general regulations.
- 18.38.080 Administrative modifications.
- 18.38.100 Vehicular and bicycle parking standards.
- 18.38.140 Loading berths required.
- 18.38.160 Specific zone district requirements.
- 18.38.180 Shared parking facility.
- 18.38.200 Parking facility location.
- 18.38.220 Design standards-General.
- 18.38.240 District design standards.

**18.38.020 Purpose**

The objectives of this chapter are:

- A. To provide accessible, attractive, well-maintained and screened off-street parking facilities;
- B. To reduce traffic congestion and hazards;
- C. To protect neighborhoods from the unwanted effects of vehicular traffic generated by adjacent non-residential land use districts;
- D. To assure the maneuverability of emergency vehicles;
- E. To provide aesthetically pleasing parking facilities in proportion to individual land use needs;
- F. To implement comprehensive plan transportation demand management policies, thereby lowering single occupancy vehicle trip;
- G. To reduce impervious parking surface through shared parking and median parking ratios;
- H. To provide required parking standards and to allow a reduction or increase in parking ratios using an administrative modification;
- I. To allow for more intense commercial development within predefined areas.

- J. To promote the development of housing, including affordable housing, through residential parking standards.

**18.38.080 Administrative modifications**

- A. Project applicants may request an administrative modification to increase or decrease the number of parking spaces for motor vehicles, bicycles and loading otherwise required by this chapter. No modification is required to increase or decrease the number of required spaces by up to ten percent.
- B. Administrative Modifications. A modification to increase or decrease the number of required parking spaces within the range of 10 percent to 40 percent shall be considered by the Director at the request of the project applicant. The project applicant shall present any modification request, and any evidence and reports.
  - 1. The general criteria for an administrative modification request are:
    - a. Modification requests may be granted based on the effectiveness of proposed transportation demand management strategies, significance and magnitude of the proposed modification, and compliance with this chapter.
    - b. Modification requests may be denied or altered if the Director has reason to believe based on experience and existing development practices that the proposed modification may lead to excessive or inadequate parking or may inhibit or prevent regular and intended functions of either the proposed or existing use, or adjacent uses.
    - c. Modification requests will consider proximity of the site to public transportation, sidewalk connectivity to the site and in the surrounding area, the presence of bike facilities in and around the site, and the amount and location of on-site short- and long-term bicycle parking to be provided (e.g. increased long term bicycle parking facilities on site to support a decrease in automobile parking).
  - 2. Submittal Requirements. A report shall be submitted by the applicant providing the basis for more or less parking and must include the following:
    - a. Describe site and use characteristics, specifically:
      - i. Site accessibility and proximity to transit infrastructure and transit times;
      - ii. Site accessibility and proximity to bicycle and pedestrian infrastructure;

- iii. Shared and combined parking opportunities; and
  - iv. Employee or customer density and transportation usage and patterns.
- b. Describe and demonstrate alternative transportation strategies such as carpooling, flexible work schedules, telecommuting, or parking fees, if used;
  - c. Demonstrate compliance with commute trip reduction measures as required by state law, if applicable;
  - d. Identify possible negative effects on adjacent uses and mitigation strategies, if applicable;
  - e. Demonstrate how the reduction will result in the construction of more housing units, if applicable; and
  - f. If increasing, provide a parking demand study prepared by a transportation engineer licensed in the state of Washington, which supports the need for more parking; or
  - g. If decreasing by more than 20 percent, the site must be within a quarter mile of a transit route.
  - h. If the site is less than 200 feet from a low density residential zone, the applicant shall provide an assessment of anticipated impacts to available on-street parking within 1,000 feet of the site.
3. To mitigate the need for motor vehicle parking or to minimize hard surfaces, the Director may require measures, such as more efficient parking geometrics and enhanced bicycle parking (e.g. location and number of spaces) and pedestrian amenities. As a condition of approval of any increase in motor vehicle parking, at minimum the Director shall require the compliance with the provisions below. Any exceptions shall be based on site and project constraints identified and described in the approval.
- a. Double the amount of required interior landscaping for that area of additional parking. This additional area may be dispersed throughout the parking area. Fifty percent of this requirement may be in the form of parking spaces surfaced with a driveable planted pervious surface, such as 'grasscrete' or 'turfblock.'
  - b. Without unduly compromising other objectives of this Chapter, 90 percent of the parking area shall be located behind a building. Any

parking area along a flanking street shall have added landscaping and a superior design to strengthen pedestrian qualities, such as low walls, arcades, seating areas, and public art.

- c. Any preferential parking shall be located near primary building entrances for employees who ride-share.
  - d. In locations where bus service is provided, the applicant shall install a transit shelter meeting Intercity Transit standards if none is available within 600 feet of the middle of the property abutting the right-of-way. Alternative improvements may be accepted if supported by Intercity Transit's Director.
4. Public Notification and Appeals. See OMC 18.72 (Administration) and 18.78 (Public Notification).

### **18.38.100 Vehicular and bicycle parking standards**

- A. Required Vehicular and Bicycle Parking. A minimum number of bicycle parking spaces are required as set forth in Table 38-01 below. The specific number of motor vehicle parking spaces set forth in Table 38-01 must be provided, however the project proponent may increase or decrease by 10 percent automatically. This is not exclusive of other modifications as outlined elsewhere in the chapter. Residential uses, when parking is on site and not located in a parking lot, shall provide parking space(s) that are at least eight feet wide by 18 feet in length.
- B. Building Area. All vehicle parking standards are based on the gross square feet of building area, unless otherwise noted.
- C. Residential Provisions. *(NOTE: SECTION C CAN BE DELETED IF THE MINIMUM RESIDENTIAL PARKING REQUIREMENT ADOPTED IS ZERO. LEAVING HERE FOR CONTEXT)*
  - 1. New residential land uses in the Downtown Exempt Parking Area do not require motor vehicle parking. See OMC [18.38.160](#).
  - 2. Single Family, Duplex, and Townhouse residential land uses in the CSH, RMU, and UR Districts require only one (1) vehicle parking space per unit.
  - 3. Residential uses, such as housing for seniors or people with disabilities, that comply with parking provisions in state law (RCW 36.70A.620), and do not meet the automobile parking standards established in Table 38.01, 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.

4. Single Family detached, duplex, and townhouses may provide one (1) or two (2) spaces per residence, at the property owner’s discretion, for properties within one-quarter mile of a transit route on a City designated arterial or collector street.
- D. Reserved Area for Bicycle Spaces. Where specified in Table 38.01 below, an area shall be designated for possible conversion to bicycle parking. Such reserve areas must meet the location requirements of short-term parking and may not be areas where pervious surfaces or landscaping is required. A cover is not required for such areas.

**TABLE 38.01**

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces (see OMC 18.38.220)	Minimum Required Short-Term Bicycle Spaces (see OMC 18.38.220)
<b>COMMERCIAL</b>			
Carpet and Furniture Showrooms	One and one-quarter (1.25) space per one thousand (1000) sq. ft. of gross showroom floor area. Each store shall have a minimum of four (4) spaces.	One (1) per sixteen thousand (16,000) square feet of showroom floor area. Minimum of two (2).	One (1) per eight thousand (8,000) square feet of showroom floor area. Minimum of two (2).
Child and Adult Day Care	One (1) space for each staff member plus one (1) space for each ten (10) children/adults if adequate drop-off facilities are provided. Adequate drop-off facilities must allow a continuous flow of vehicles which can safely load and unload children/adults. Compliance with this requirement shall be determined by the review authority.		
Hotel and Motel	One (1) space for each room or suite and one (1) space per manager’s unit. Hotel/motel banquet and meeting rooms shall provide six (6) spaces for each thousand (1000) square feet of seating area. Restaurants are figured separately.	One (1) per ten (10) rooms. Minimum of two (2).	One (1) per thousand (1,000) square feet of banquet and meeting room space. Minimum of two (2).

**TABLE 38.01**

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces (see OMC 18.38.220)	Minimum Required Short-Term Bicycle Spaces (see OMC 18.38.220)
Markets, Shopping Centers and Large Retail/Wholesale Outlets	Less than fifteen thousand (15,000) sq. ft = 3.5 spaces for each thousand (1000) sq. ft. of gross floor areas. 15,001 to 400,000 sq. ft = four (4) spaces for each thousand (1000) sq. ft. of gross floor area. More than 400,001 sq. ft. = four and one-half (4.5) spaces per thousand (1000) sq. ft. of gross floor area.	One (1) per six thousand (6,000) square feet. Maximum of five (5); minimum of one (1).	One (1) per three thousand (3,000) square feet. Maximum of ten (10) per tenant; minimum of two (2) within fifty (50) feet of each customer entrance.
Medical and Dental Clinics	Four (4) spaces per thousand (1000) sq. ft. of gross floor area.	One (1) per ten thousand (10,000) square feet. Minimum of two (2).	One (1) per ten thousand (10,000) square feet, minimum of two (2) within fifty (50) feet of each customer entrance; plus an equal reserved area for adding spaces.
<b>COMMERCIAL</b>			
Ministorage	Three (3) spaces minimum or (1) space for every one hundred (100) storage units, and two (2) spaces for permanent on-site managers.	None	None
Mixed Uses	Shared parking standards shall be used to calculate needed parking. This calculation is based upon the gross leasable area (GLA) for each shop or business and does not include atriums, foyers, hallways, courts, maintenance areas, etc. See shared parking 18.38.180.	See individual use standards.	See individual use standards

**TABLE 38.01**

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces (see OMC 18.38.220)	Minimum Required Short-Term Bicycle Spaces (see OMC 18.38.220)
Mortuaries and Funeral Parlors	One (1) space per seventy-five (75) square feet of assembly area or thirteen (13) stalls per 1000 sq. ft.	One (1)	Two (2)
Offices, General	Gross floor area up to two thousand (2000) sq. ft = One (1) space for each two hundred fifty (250) sq. ft. Gross floor area between two thousand and one (2001) to seven thousand five hundred (7500) sq. ft. = One (1) space for each 300 sq. ft. Gross floor area between seven thousand five hundred and one (7501) to forty thousand (40,000) sq. ft. = One (1) space for each three hundred fifty (350) sq. ft. Gross floor area of forty thousand and one (40001) and greater = One (1) space for each four hundred (400) sq. ft.	One (1) per ten thousand (10,000) square feet. Minimum of two (2).	One (1) per ten thousand (10,000) square feet; plus an equal reserved area for adding spaces. Minimum of two (2).
Offices, Government	Three and a half (3.5) spaces per one thousand (1000) sq. ft.	One (1) per five thousand (5,000) square feet. Minimum of two (2).	One (1) per five thousand (5,000) square feet; minimum of two (2); plus an equal reserved area for adding spaces.
Retail Uses	Three and a half (3.5) spaces per one thousand (1000) sq. ft.	One (1) per six thousand (6,000) square feet. Maximum of five (5); minimum of one (1).	One (1) per three thousand (3,000) square feet. Maximum of ten (10) per tenant; minimum of two (2) within fifty (50) feet of

**TABLE 38.01**

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces (see OMC 18.38.220)	Minimum Required Short-Term Bicycle Spaces (see OMC 18.38.220)
			each customer entrance.
Service Station (mini-marts are retail uses)	Three and a half (3.5) spaces per one thousand (1000) sq. ft. g.f.a. or 1 space per 300 sq. ft.	None.	None
Warehouse, Distribution	One (1) space for each thousand (1000) sq. ft. or one (1) space for each employee.	One (1) per forty thousand (40,000) square feet or one (1) per forty (40) employees. Minimum of one (1).	None.
Warehouse Storage	Gross Floor area of zero to ten thousand (0-10,000) sq. ft. = One (1) space for each one thousand (1000) sq. ft. Gross floor area between ten thousand and one (10,001) – twenty thousand (20,000) sq. ft. = ten (10) spaces plus .75 space for each additional one thousand (1000) sq. ft. beyond ten thousand (10,000) sq. ft. Over twenty thousand (20,000) sq. ft. = eighteen (18) spaces plus one-half (.50) for each additional one thousand (1000) sq. ft. beyond twenty thousand (20,000) sq. ft., or one (1) space for each employee.	One (1) plus one (1) for each eighty thousand (80,000) square feet above sixty-four thousand (64,000) square feet; or one (1) per forty (40) employees. Minimum of one (1).	None
<b>INDUSTRIAL</b>			
Manufacturing	One (1) for each two (2) employees on the largest shift, with a minimum of two (2) spaces.	One (1) for each thirty (30) employees on largest shift. Minimum of two (2).	One (1) for each thirty (30) employees on largest shift. Minimum of two (2).
<b>INSTITUTIONAL</b>			

**TABLE 38.01**

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces (see OMC 18.38.220)	Minimum Required Short-Term Bicycle Spaces (see OMC 18.38.220)
Beauty Salons/Barber Shops, Laundromats/Dry Cleaners, and Personal Services		One (1) per six thousand (6,000) square feet. Minimum of one (1).	One (1) per three thousand (3,000) square feet. Minimum of two (2).
Educational Facilities (to include business, vocational, universities, and other school facilities).		One (1) per five (5) auto spaces. Minimum of two (2).	One (1) per five (5) auto spaces. Minimum of four (4).
Elementary and Middle School	One (1) stall per twelve (12) students of design capacity.	One (1) per classroom.	Three (3) per classroom.
Farmers Market		None	One (1) per ten (10) auto stalls. Minimum of ten (10).
High School	One (1) space per classroom and office, plus one (1) space for each four (4) students that are normally enrolled and are of legal driving age. Public assembly areas, such as auditoriums, stadiums, etc. that are primary uses may be considered a separate use.	One (1) per five (5) classrooms, plus one (1) for each forty (40) students (may also require one (1) per four thousand five hundred (4,500) assembly seats). Minimum of two (2).	One (1) per five (5) classrooms, plus one (1) for each forty (40) students (may also require one (1) per four thousand five hundred (4,500) assembly seats). Minimum of four (4).
Hospitals, Sanitariums, Nursing Homes, Congregate Care, Rest Homes, Hospice Care Home and Mental Health Facilities.	One (1) for each two (2) regular beds, plus one (1) stall for every two (2) regular employees on the largest shift.	One (1) per thirty (30) beds, plus one (1) per thirty (30) employees on largest shift. Minimum of two (2).	One (1) per thirty (30) beds, plus one (1) per thirty (30) employees on largest shift. Minimum of two (2).
Libraries and Museums	One (1) space per three hundred (300) square feet of public floor area or 3.3 spaces per thousand (1000) sq. ft. Six (6) stalls either on-site or on-street directly adjacent to the property. The Director may	One (1) per six thousand (6,000) square feet of public floor area. Minimum of two (2).	One (1) per one thousand five hundred (1,500) square feet of public floor area. Minimum of four (4).

**TABLE 38.01**

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces (see OMC 18.38.220)	Minimum Required Short-Term Bicycle Spaces (see OMC 18.38.220)
	allow pervious-type parking surfaces.		
Marinas		Minimum of four (4).	One (1) per ten (10) auto stalls. Minimum of four (4).
Other Facilities Not Listed		None	One (1) per twenty-five (25) auto stalls. Minimum of two (2).
Park-N-Ride Lots and Public (Parking) Garages		One (1) per fifteen (15) auto stalls. Minimum of four (4).	Two (2).
Parks		None	One (1) per five (5) auto stalls. Minimum of four (4).
Transit Centers		Ten (10).	Ten (10).
<b>PLACES OF ASSEMBLY</b>			
Passenger Terminal Facilities	One (1) space for each one hundred (100) square feet of public floor area or ten (10) spaces per thousand (1000) sq. ft.	Minimum of ten (10)	Minimum of ten (10)
Place of Worship	One (1) space per four (4) seats. When individual seats are not provided, one (1) space for each six (6) feet of bench or other seating. The Director may use a ratio of six (6) stalls/one thousand (1000) sq. ft. of assembly area where seats or pews are not provided or when circumstances warrant increased parking; e.g., large regional congregations which attract a large congregation or one which has multiple	One (1) per 10,000 square feet of gross floor area.	One (1) per one hundred sixty (160) seats or two hundred forty (240) lineal feet of bench or other seating, and one (1) per six thousand (6,000) square feet of assembly area without fixed seats.

**TABLE 38.01**

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces (see OMC 18.38.220)	Minimum Required Short-Term Bicycle Spaces (see OMC 18.38.220)
	functions. See shared parking. 18.38.180		Minimum of four (4).
Private Clubs or Lodges (does not include health clubs or retail warehouse)	Six (6) spaces per thousand (1000) sq. ft.	One (1) per 6,000 square feet. Minimum of one (1).	One (1) per 6,000 square feet. Minimum of two (2).
Theater and Auditorium	One (1) space for each four and a half (4.5) fixed seats. If the theater or auditorium is a component of a larger commercial development the above parking standard may be modified to account for shared parking as provided in Section <a href="#">18.38.180</a> of this Code	One (1) per 450 fixed seats. Minimum of one (1).	One (1) per 110 fixed seats. Minimum of four (4).
Theater and Auditorium without fixed seats	One (1) space for each three (3) permitted occupants. Maximum building occupancy is determined by the Fire Marshal.	One (1) per 300 permitted occupants. Minimum of one (1).	One (1) per 75 permitted occupants. Minimum of four (4).
<b>RECREATION/AMUSEMENT</b>			
Bowling Alleys	Five (5) spaces for each alley.	One (1) per twelve (12) alleys. Minimum of one (1).	One (1) per four (4) alleys. Minimum of four (4).
Health Club	Four (4) spaces for each thousand (1000) sq. ft.	One (1) per 5,000 square feet. Minimum one (1).	One (1) per 2,500 square feet. Minimum of four (4).
Skating Rinks and Other Commercial Recreation	Five (5) spaces per thousand (1000) sq. ft.	One (1) per 8,000 square feet. Minimum of one (1).	One (1) per 4,000 square feet. Minimum of four (4).
<b>RESIDENTIAL</b>			
Accessory Dwelling Unit, Single Family Home, Duplex, Townhouses on individual lots, Mobile Home Parks	None	None	None
Bed and Breakfast	One (1) space.	One (1) per ten (10) rooms.	None

**TABLE 38.01**

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces (see OMC 18.38.220)	Minimum Required Short-Term Bicycle Spaces (see OMC 18.38.220)
		Minimum of one (1).	
Collegiate Greek system residences and dormitories	One (1) space for every three (3) beds, plus one (1) space for the manager.	One per fourteen (14) beds. Minimum of two (2).	Ten (10) per dormitory, or Collegiate Greek system residence
Community Club Houses		None	One (1) per ten (10) auto stalls. Minimum of two (2).
Cottage Housing	None	One per five (5) units, or one (1) per three (3) units if no on-street parking. Minimum of two (2).	One per ten (10) units, or one (1) per six (6) units if no on-street parking. Minimum of two (2).
Elder Care Home	One (1) space.	Minimum of two (2).	Minimum of two (2).
Group Home	One (1) space for each staff member plus one (1) space for every five (5) residents. Additionally, one (1) space shall be provided for each vehicle used in connection with the facility.	One (1) per ten (10) staff members plus one (1) per thirty (30) residents. Minimum of one (1). Additional spaces may be required for conditional uses.	None
Home Occupations	None, except as specifically provided in this table.	None	None

**TABLE 38.01**

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces (see OMC 18.38.220)	Minimum Required Short-Term Bicycle Spaces (see OMC 18.38.220)
Multifamily Dwellings (3 units or more)	None	One (1) storage space per unit.	One (1) per ten (10) units. Minimum of two (2) per building.
Short-Term Rental	One (1) additional space when there are more than two (2) bedrooms rented in one (1) dwelling unit, and one (1) additional space when there are two (2) vacation rentals on one (1) parcel and one (1) is a single-family home. EXCEPTION: A short-term rental in existence prior to September 26, 2021, need not provide the additional parking spaces required by the preceding sentence, provided all other applicable requirements are met and provided the unit is continuously operated as a short-term rental.	None	None
Residential units for seniors or people with disabilities, when located within one quarter mile of a transit stop that receives transit service at least four times per hour for twelve or more hours per day	None for the units. Staff and visitor parking may be required at a ratio of one (1) space per every four units. The City may require more parking in areas with a lack of access to street parking capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for the units.		
<b>RESTAURANT</b>			

**TABLE 38.01**

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces (see OMC 18.38.220)	Minimum Required Short-Term Bicycle Spaces (see OMC 18.38.220)
Cafes, Bars and other drinking and eating establishments.	Ten (10) spaces per thousand (1000) sq. ft.	One (1) per 2,000 square feet; minimum of one (1).	One (1) per 1,000 square feet; minimum of one (1).
Car Hop	One (1) for each fifteen (15) square feet of gross floor area.	One (1) per 300 square feet; minimum of one (1).	One (1) per 150 square feet; minimum of one (1).
Fast Food	Ten (10) spaces per thousand (1000) square feet plus one (1) lane for each drive-up window with stacking space for six (6) vehicles before the menu board.	One (1) per 2,000 square feet; minimum of one (1).	One (1) per 1,000 square feet; minimum of one (1).

**18.38.160 Specific zone district requirements**

- A. Ten (10) Percent Required Reduction in Parking Requirements.  
The median motor vehicle parking requirements contained in Section [18.38.100](#) shall be reduced by an additional ten (10) percent for uses in the High Density Corridor 1, 2, 3, and 4 Districts (see High Density Corridor Map), Neighborhood and Urban Villages, and within the Downtown (see Figure 38-2).
- B. Urban Residential (UR), Residential Mixed Use (RMU) and Commercial Services - High Density (CS-H) Zones.  
Residential uses shall be provided with one (1) motor vehicle parking space per unit unless otherwise exempted elsewhere in this chapter.
- 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), 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 shall meet the Parking Design, Pedestrian Street and Design Review Criteria (OMC [18.38.180](#) through [18.38.240](#) and applicable OMC [18.04](#) or [18.06](#), [18.16](#) and [18.20](#)). 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 standards (OMC [18.38.020](#) through [18.38.240](#)).
  4. 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.
- D. High Density Corridor 1 and 2, and Urban Residential (UR).
1. Small restaurants (up to 750 square feet of service area) shall provide two (2) parking spaces/1,000 square feet; and
  2. Small retail including food stores and laundries (up to 3,000 square feet) shall provide two (2) parking spaces per 1,000 square feet. (The first 350 square feet are exempt from parking requirements.) Small retail may provide additional parking up to three and one-half (3.5) parking spaces per 1,000 square feet.

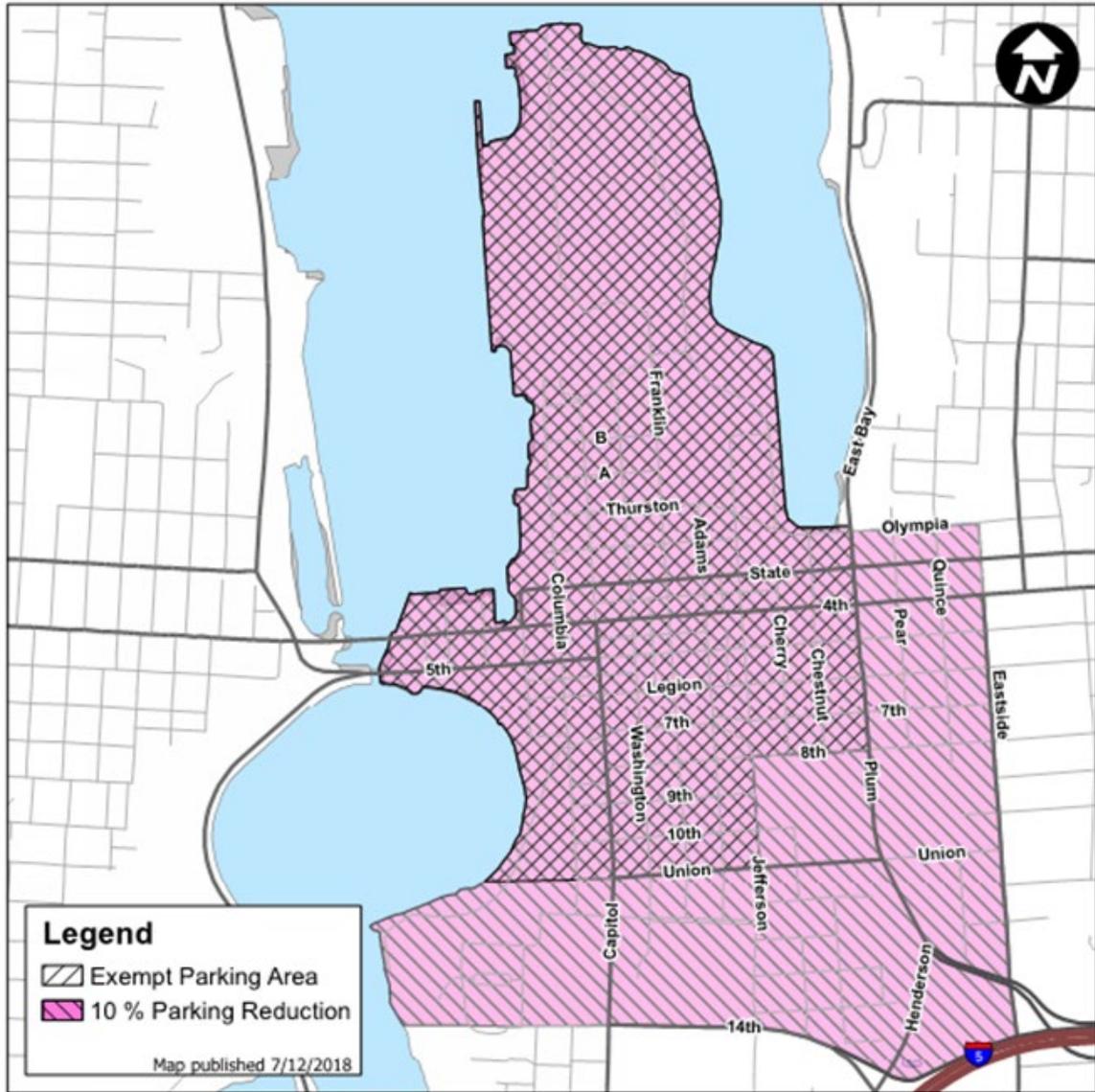


FIGURE 38-2

**From:** [Karen Messmer](#)  
**To:** [Gary Cooper](#)  
**Subject:** Bicycle parking and housing  
**Date:** Monday, October 31, 2022 11:36:13 AM

---

Hello Gary -

I was just reading on line about the plans to reduce parking requirements for some types of housing. Since the aim is to also encourage people to use walking, cycling and transit, it is important that bicycle parking be provided in multi-family buildings and at the outside of the buildings. This is an important element of encouraging active transportation.

The current requirements indicate that a 'storage space' must be provided indoors that is large enough to hold a bicycle. Looking at many apartment buildings, I see lots of bikes parked in the short term parking outside. Since we can assume some residents will use the short term bike parking outdoors, it is especially important that these be placed where the bike will be protected from rain. Bike parking also needs to be convenient to each building, which means that it should be a covered area outside the ground floor. And, the bike parking needs to be placed in such a way that it can truly handle several bikes. A central covered parking gazebo is not convenient and tends to invite vandalism.

I have seen some poorly designed and installed bike parking which likely means we need better oversight during permitting and construction. If the City wants to get people to bicycle then they need to spend the effort to make sure new housing truly supports that mode.

Karen Messmer

**From:** [News](#)  
**To:** [Gary Cooper](#)  
**Subject:** FW: Creating More Future Housing By Reducing Parking Requirements  
**Date:** Monday, November 07, 2022 4:52:47 PM

---

**From:** Robert Ahlschwede <[swedeberger@gmail.com](mailto:swedeberger@gmail.com)>  
**Sent:** Monday, October 31, 2022 12:38 PM  
**To:** City of Olympia <[news@olympiawa.gov](mailto:news@olympiawa.gov)>  
**Subject:** Re: Creating More Future Housing By Reducing Parking Requirements

So allowing a developer to lower their costs by eliminating the need for off street parking will help with the parking congestion in downtown Oly? Good idea..... Increase the profit for someone from outside Olympia to make it harder to park on the street in downtown('cause all those residents' cars have to park somewhere)--makes sense to me..... Oh, that's right, we need a parking garage in the downtown(what you in planning have wanted for years, decades now). Where there is a will there is a way.

Please forgive my attitude, but you in planning seem to be anxious to destroy the feel of the historic downtown Olympia.

Rob Ahlschwede

On Mon, Oct 31, 2022 at 11:06 AM City of Olympia <[news@olympiawa.gov](mailto:news@olympiawa.gov)> wrote:



Apartment or condo parking lot and people moving into home



## Creating More Future Housing By Reducing Parking Requirements

Later this year, the City of Olympia will consider ways to offer a wider range of off-street parking options to those who are bringing new or redevelopment housing projects to the community. City staff are inviting community feedback to understand where less space for parked vehicles – such as mutli-family housing parking areas – could benefit future occupants. An online questionnaire, available at [engage.olympiawa.gov/reducing-parking-requirements](https://engage.olympiawa.gov/reducing-parking-requirements) will be available for community feedback through mid-November.

Olympia has a housing shortage. Current housing development rates are about half of where they ought to be to meet Olympia’s projected needs. Reducing how much dedicated vehicle storage space is required per housing unit could increase supply for all types of future housing. It could also help support more affordable housing.

“We know that meeting minimum parking requirements can be a big part of the expense and square footage that’s currently needed to build new housing,” said City Planner Gary Cooper. “Providing the flexibility would let those who are building housing here consider reducing how much of that cost they want to dedicate towards space for vehicles. Some buyers may prefer a less vehicle-dependent lifestyle. The lower cost of these units could help more people find their future home within Olympia, something they

may not be able to do now even when they already work and play here.”

The changes being considered are the result of the City’s Housing Action Plan and a strategy to “expand the overall housing supply by making it easier to build all types of housing projects.” The plan calls for the City to consider how it can, “reduce parking requirements for residential uses, including for multifamily developments near frequent transit routes.”

To stay informed of this effort, sign up to receive Planning and Development updates from the City of Olympia at [olympiawa.gov](http://olympiawa.gov).

[Read More](#)

## Contact

Gary Cooper, Project Manager  
Community Planning & Development  
360.570.3808  
[gcooper@ci.olympia.wa.us](mailto:gcooper@ci.olympia.wa.us)



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--

Rob Ahlschwede 3726 Wesley Loop NW Olympia, Washington 98502 360-866-1935

**From:** [JUDITH BARDIN](#)  
**To:** [Gary Cooper](#)  
**Subject:** RE: Creating More Future Housing By Reducing Parking Requirements  
**Date:** Tuesday, November 08, 2022 2:39:39 PM

---

Hi Gary, thank you for getting back to me. I am a retired epidemiologist and have taken courses on survey design and have helped develop survey questions. The way the City conducts surveys and then draws inferences (conclusions) from their surveys really bothers me. First, the surveys are not random since it is a select group of people who have signed up for city emails and then take surveys. Survey questions themselves or as in the Parking survey on the webpage have a type of embedded promo piece that biases people to answer the question a certain way. In the cases of the parking survey, the City in its webpage (where the survey is posted). lists all the positive aspects of reducing parking and none of the negative aspects. I even question if some of these statements are true such as that reducing parking will make units more affordable. How do we know that developers will pass on these cost savings in lower rents? Lastly, when I take a survey in Engage Olympia I get an email with my survey answers. This leads me to think that someones' responses are not deidentified ( not linked with their name). This could lead to people to. not disclose their true feelings/thoughts on the survey questions if they think their responses are linked to their name. Most surveys guarantee confidentiality. Does the City do this?

I would be glad to talk to you more about this. You can include this in the public record.

Judy

On 11/08/2022 12:50 PM Gary Cooper <[gcooper@ci.olympia.wa.us](mailto:gcooper@ci.olympia.wa.us)> wrote:

Hi Judy:

This email is just to let you know that I have received and read your comments. I will include them in the record and make them available to the decision makers going forward.

Thank you,

Gary

---

**From:** News <[news@ci.olympia.wa.us](mailto:news@ci.olympia.wa.us)>  
**Sent:** Monday, November 7, 2022 4:53 PM  
**To:** Gary Cooper <[gcooper@ci.olympia.wa.us](mailto:gcooper@ci.olympia.wa.us)>  
**Subject:** FW: Creating More Future Housing By Reducing Parking Requirements

---

**From:** JUDITH BARDIN <[judybardin@comcast.net](mailto:judybardin@comcast.net)>  
**Sent:** Friday, November 4, 2022 2:06 AM  
**To:** City of Olympia <[news@olympiawa.gov](mailto:news@olympiawa.gov)>  
**Subject:** Re: Creating More Future Housing By Reducing Parking Requirements

Do you really think you will get an unbiased survey when you attach a big promo piece such as this ahead of a survey. I find the City's tactics appalling.

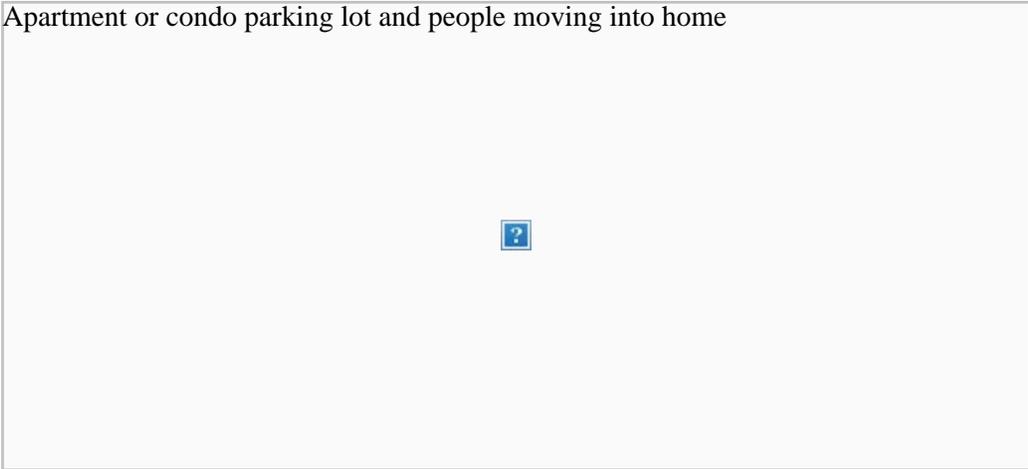
Judy

POn 10/31/2022 11:06 AM City of Olympia <[news@olympiawa.gov](mailto:news@olympiawa.gov)> wrote:

---



Apartment or condo parking lot and people moving into home



**Creating More Future Housing By Reducing Parking Requirements**

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The changes being considered are the result of the City's Housing Action Plan and a strategy to “expand the overall housing supply by making it easier to build all types of housing projects.” The plan calls for the City to consider how it can, “reduce parking requirements for residential uses, including for multifamily developments near frequent transit routes.”

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[Read More](#)

## Contact

Gary Cooper, Project Manager  
Community Planning & Development  
360.570.3808  
[gcooper@ci.olympia.wa.us](mailto:gcooper@ci.olympia.wa.us)



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**From:** [Adrienne Touart](#)  
**To:** [Gary Cooper](#)  
**Subject:** limiting parking please read  
**Date:** Tuesday, November 29, 2022 12:59:18 PM

---

Dear Gary:

I know the survey period has passed – I was out of town.

Most appreciated if you would consider my comments as I have lived in a neighborhood where this was implemented.

As an example, I went to the local post office; there was no parking available; I was told that the tenants in the apartment across the street (with limited parking) were now using PO spaces.

Ballard, Phinney Ridge and Greenlake neighborhoods where this is the rule for MF construction near transit have streets that are CHOCKABLOCK with cars because residents still have them. Go look at 60<sup>th</sup> off of 15<sup>th</sup> Ave. NW.

Several years ago the Seattle Times editorial stated, “Olympia – you have the chance to do density right and not repeat some of the bad decisions in Seattle.”

So far, Oly is repeating all. Please look at the impact of this before moving ahead.

Transit is NOT extensive in Olympia. For example, there isn’t even a bus on Henderson.

In the drive to pack people in, the roads are not keeping up and neither is parking. Infrastructure matters.

Thank you for paying attention and take a field trip to Seattle to view the impact.

Pandora Touart

**From:** [marti.walker](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Re: City of Olympia-Residential Parking Reductions  
**Date:** Monday, February 27, 2023 3:23:02 PM

---

Ms. Phillips,

I am opposed to the proposed automobile parking reductions for new residential uses. There is currently a lack of on street parking in many areas in Olympia. These proposed changes would exacerbate the problem.

Furthermore, striking par.4 (Public Notifications and Appeals) of the Administrative Modifications denies adjacent property owners the right to be informed of changes that would directly impact their properties and takes away their right to appeal administrative modification decisions pursuant to OMC Chapters 18.75, 18.72 and 18.78.

Martha Walker  
619 Central St SE  
Olympia, WA 98501

On Monday, February 27, 2023, 02:11:03 PM PST, Joyce Phillips <jphillip@ci.olympia.wa.us> wrote:

You are receiving this email as a "Party of Record" for proposed parking reductions for new residential development associated with the Housing Action Plan Implementation work.

This means you either requested to be on this list or you submitted written comments for consideration.

If you no longer wish to be on this list, please reply to this email and ask to be removed.

The first draft of proposed automobile parking reductions for new residential uses is available for review (see attached). A summary of proposed changes includes:

- Additional purpose statement to promote housing
- In the Administrative Modifications section, eliminate reference to Hearing Examiner for modifications over 40% since those would be reviewed as a variance under a separate chapter.
- Add language around criteria for what is considered in a modification request
- Make the submittal requirements the same for all modification requests of 10-40%.
- Remove notification and appeal info – refer to administrative and noticing chapters instead.
- Change "residential exceptions" to "residential provisions" and update language to reflect proposed changes.
- Reorganize residential section of Table 38.01 to put most frequent housing types at the top of the residential section. Changes are proposed to some residential parking standards.
- For apartments (3+ units) – make a parking range of 0.75-1.5 spaces per unit (which allows the City to eliminate studio apartments and other categories that currently fall within that range)
- Modify age restrictive use and covenant language in 18.38.100.C to be more widely usable to uses identified in RCW 36.70A.620.
- Add parking standard for Single Room Occupancy uses, a residential use that is allowed in several

commercial zoning districts.

- Remove reference to a zoning district we no longer use.

The Olympia Planning Commission will have a briefing on this proposal at its meeting on **Monday, March 6, 2023**. The meeting begins at 6:30. If you would like to attend this online meeting, please register at [https://us02web.zoom.us/webinar/register/WN\\_YI8nRLccR-maq89T3mr4Yw](https://us02web.zoom.us/webinar/register/WN_YI8nRLccR-maq89T3mr4Yw).

If you have comments you would like for me to share with the Planning Commission and City Council on this draft, please email your comments to me at [jphillip@ci.olympia.wa.us](mailto:jphillip@ci.olympia.wa.us).

Joyce

Joyce Phillips, AICP, Principal Planner

City of Olympia | Community Planning and Development

601 4th Avenue East | PO Box 1967, Olympia WA 98507-1967

360.570.3722 | [olympiawa.gov](http://olympiawa.gov)

***Note: Emails are public records and are eligible for release.***

**From:** [Rob LaFontaine](#)  
**To:** [Joyce Phillips](#)  
**Cc:** [Peter Stackpole](#); [Eric Phillips](#)  
**Subject:** RE: Olympia - Proposed Parking Code Amendments  
**Date:** Monday, March 06, 2023 1:28:59 PM

---

Hi Joyce,

I hope you're doing well. I looked at the draft parking code amendments you shared and wanted to raise awareness on one item that I suspect is very familiar to you. Bear with me as I channel my inner lawyer!

The proposed requirements note certain exceptions for projects that are located within certain proximities of existing transit service (or further, exceptions for projects near existing transit service with specified span and frequency). My hope for the City would be to avoid a future complication, conflict, or challenge resulting from a change in transit service. While Intercity Transit cheerfully enjoys being a community partner and service provider, we also seek to maintain jurisdictional autonomy when it comes to changes or adjustments to local transit service. Our recommendation would be for the City to adopt language that does not inadvertently bind transit service decisions to certain approved land development projects, thereby clouding Intercity Transit's autonomy to freely alter service. As a public transit agency we often strive for two seemingly paradoxical goals, one is to support and encourage the community's investment along existing service (i.e. routes, stops, etc.), and the second goal is to maintain the clear flexibility to adjust, relocate, or otherwise change those existing service lines at the exclusive will of Intercity Transit. As such we would encourage the City to test for any vulnerabilities of the proposed language against a future scenario whereby a decision from Intercity Transit to change bus service renders a project in or out of the defined proximity threshold. If the City shares this concern, regarding the potential for uncertainty [resulting from a transit affected change], we would support any necessary clarifying edits prior to adoption.

And here's where I get to switch back out of lawyer mode! As mentioned, I suspect the caution outlined above may be familiar, perhaps even anticipated from IT. That said, please let me know if there's anything further I can provide or explain regarding these comments. Note that I've included members of senior management on this thread who may wish to add, remove or otherwise edit the comments I have outlined above.

Collegially,

Rob LaFontaine  
Planning Manager  
Intercity Transit  
360-705-5832

---

**From:** Joyce Phillips <jphillip@ci.olympia.wa.us>  
**Sent:** Monday, February 27, 2023 11:07 AM  
**To:** Joyce Phillips <jphillip@ci.olympia.wa.us>  
**Subject:** Olympia - Proposed Parking Code Amendments

Greetings.

The City of Olympia is proposing code amendments to its Parking and Loading chapter, primarily regarding the amount of automobile parking required for new residential development. Please see the attached proposal and let me know if you have any questions, comments, or concerns. This is a first draft, with comments included. A revised draft will be issued prior to the public hearing.

If you are not the correct person to review the proposal, please forward as needed and let me know so I can update my routing form. Thank you!  
Joyce

Joyce Phillips, AICP, Principal Planner  
City of Olympia | Community Planning and Development  
601 4th Avenue East | PO Box 1967, Olympia WA 98507-1967  
360.570.3722 | olympiawa.gov

***Note: Emails are public records and are eligible for release.***

**From:** [Joyce Phillips](#)  
**To:** [Oly CNA](#)  
**Cc:** [Nicole Floyd](#); [Leonard Bauer](#)  
**Subject:** RE: Parking  
**Date:** Friday, March 03, 2023 12:55:00 PM

---

Hi, Larry.

Great questions! I hope my answers below are helpful. Please let me know if you have additional questions.

I am copying Nicole (so she can correct my response on Notices and Appeals if I didn't get it quite right) and Leonard (since he is working on the Permit Processing code amendments).

Joyce

---

**From:** Oly CNA <cna.olympia@gmail.com>  
**Sent:** Thursday, March 02, 2023 9:59 PM  
**To:** Joyce Phillips <jphillip@ci.olympia.wa.us>  
**Subject:** Parking

I'm trying to summarize what the parking proposal for a CNA email but am having a hard time. Perhaps you can help me. Please see below.

I don't understand the mechanics of it.

For apartments (3+ units) – make a parking range of 0.75-1.5 spaces per unit, how does the "range" work? Is it a .75 minimum and 1.5 space maximum and then the 40% factor is applied at either side of the scale? Can you work through some examples to show the math? **Yes, 0.75 is the minimum and 1.5 is the maximum. A proposed development could provide auto parking anywhere within that range and it would be allowed. The code also allows a project to be within 10% of that range, either above or below.**

**If a developer/owner wanted to have more or less parking than that range (by 11-40% above or below), they would have to request a parking modification as part of the land use approval process. My understanding is that parking modification requests are not that common – and that hopefully by having a range they would become even less common.**

**A proposed apartment complex of 100 units would need to provide 75-150 automobile parking spaces. If the applicant chooses to use the 10% reduction or increase, they would be able to propose 68 – 165 parking spaces.**

**Note: Currently, 1.5 spaces per unit would be 150 spaces or, if taking advantage of the 10% flexibility, 135-165 spaces.**

**BUT – for market rate housing within a ¼ mile of transit with service at least 4 x per hour for 12 or more hours a day, the current requirement is 75 parking spaces or, if taking advantage of the 10% flexibility, 68-83 parking spaces.**

AND – for studio apartments the rate is 1 space per unit, so 100 spaces (or 90-110). And there are other provisions around different types of housing (e.g. for seniors, people with disabilities, very low or extremely low income, etc.) that have various places within the proposed range, so it isn't always an immediately obvious number.

Modification over 40% from what starting point? The starting point would be from the upper or lower end of the range, depending on if they wanted an increase or decrease.

How does the variance process differ from the Hearing Examiner for modifications over 40%? Any modification request over 40% is actually a variance which has separate requirements (OMC 18.66). This is the case currently and the language hopefully removes any suggestion that it is an administrative decision. Variance criteria are very strict and approval of variances are rare. Variances do require a public hearing and are considered by the Hearing Examiner. It is not likely, in my professional opinion, that an applicant could meet the variance criteria for parking (whether it would be for an increase or a decrease).

Make the submittal requirements the same for all modification requests of 10-40%. Yes.

Remove notification and appeal info – refer to administrative and noticing chapters instead. How do the admin and noticing chapters differ from the current language? The intention here is to combine notice of the parking modification request with the notice of the underlying application – typically Land Use Review. These are usually administrative review with Notice of Application and comment periods.

HOWEVER, my comment here is that the City is also working on amendments to the Permit Processing chapters, so I want to make sure this is captured in the draft ordinance coming soon. We are not trying to “do away” with any notice or comment periods – we are working to consolidate them into one chapter (and remove them where they occur elsewhere in the code) and consider all comments during review.

Happy to talk more about this but it is on my radar. In looking at the current notice requirements for Land Use Review, it looks like the City mails notice (email primarily) to RNAs and Parties of Record 5 days before the meeting.

If SEPA is required, the City also posts the site and notifies the paper at the time of application and when the threshold determination is issued. These all include notification to Property Owners within 300 feet, RNAs, Parties of Record, and Agencies with jurisdiction.

To be honest, the requirements are spread across several different chapters and I would want to confirm my response to this question with Nicole. She is out of the office until Monday.

Why would, if **increasing**, (I guess from 10-40%) must the applicant provide a parking demand study prepared by a transportation engineer licensed in the state of Washington, which supports the need for more parking; BUT if **reducing** the parking by I guess 10-20% the applicant only has to self-assess the anticipated impacts? From a neighborhood impact perspective this lower threshold of analysis

doesn't wouldn't seem to add confidence to the analysis.

The intention is to demonstrate the need for additional parking in order to be granted additional parking. To request less parking by more than 20%, the applicant would need to show proximity to transit. And for any reduction proposed, if close to a low density zoning district, the applicant would need address the impact the parking reduction may have on the neighborhood.

This information would be part of the application and reviewed (by the city and community members) on a case-by-case basis.

I'm sure I got some of this complex topic wrong and would like to have you help me understand it better.

I hope that helps, a least a little. Let me know if you have additional follow up questions.  
Thanks!

Thanks.

--

Larry Dzieza, Chair  
CNA

[cna.olympia@gmail.com](mailto:cna.olympia@gmail.com)

**From:** [JUDITH BARDIN](#)  
**To:** [Joyce Phillips](#)  
**Subject:** RE: City of Olympia-Residential Parking Reductions  
**Date:** Monday, March 06, 2023 3:03:24 PM

---

Yes, thank you,

Judy

On 03/06/2023 2:41 PM Joyce Phillips <[jphillip@ci.olympia.wa.us](mailto:jphillip@ci.olympia.wa.us)> wrote:

Got it!

Would you like me to share your email with the Commissioners this evening? I will be sending the a couple of comments at 5 and can include these if you would like.

---

**From:** JUDITH BARDIN <[judybardin@comcast.net](mailto:judybardin@comcast.net)>  
**Sent:** Monday, March 06, 2023 2:38 PM  
**To:** Joyce Phillips <[jphillip@ci.olympia.wa.us](mailto:jphillip@ci.olympia.wa.us)>  
**Subject:** RE: City of Olympia-Residential Parking Reductions

On 03/06/2023 1:58 PM Joyce Phillips <[jphillip@ci.olympia.wa.us](mailto:jphillip@ci.olympia.wa.us)> wrote:

Joyce,

My point is even if people know the rules is the City taking it into consideration with its reduction in parking. When leaving space for a USPS delivery often that reduces on street parking from two spaces to one. Many people are now telecommuting during the day and their cars are parked at home.

I share you frustration. I lived next to an Airbnb and at times it would have a lot of guests who would park in front of my house by my mailbox.

Judy

On 03/06/2023 1:58 PM Joyce Phillips <[jphillip@ci.olympia.wa.us](mailto:jphillip@ci.olympia.wa.us)> wrote:

Thanks. For the most part, mailboxes are basically treated like fire hydrants, at least in that people are supposed to know the rules and follow them. But it can be very frustrating when they don't. Last year I had three days in a row when a pickup truck parked too close to the mailboxes and we didn't get mail delivery. USPS left a note on their truck and they finally moved.

---

**From:** JUDITH BARDIN <[judybardin@comcast.net](mailto:judybardin@comcast.net)>

**Sent:** Monday, March 06, 2023 1:52 PM

**To:** Joyce Phillips <[jphillip@ci.olympia.wa.us](mailto:jphillip@ci.olympia.wa.us)>

**Subject:** RE: City of Olympia-Residential Parking Reductions

Thanks Joyce you were very clear with you answers. I am away and won't get to view the OPC meeting tonight, but I will listen to it later.

I wonder if the City should be considering the USPS requirements. It seems it affects some areas but not all. In SE OLY near the high school where I now live the postman walks the route and mailboxes are at the door. However, in NW OLY where I used to live I had to leave space for delivery by mail truck and mailboxes are at the street.

Thank you for your help,

On 03/06/2023 1:36 PM Joyce Phillips <[jphillip@ci.olympia.wa.us](mailto:jphillip@ci.olympia.wa.us)> wrote:

Hi, Judy.

Thank you for your comments and questions. Hope you are doing well!

Yes – I am aware of the on-street parking and mailbox issue. It does come up from time to time.

1. If an administrative modification is requested and the units are within 200 ft of a low-density neighborhood how will a developer anticipate the impacts to on-street parking within 1000 feet? How will a developer know how many cars his tenant is likely to have?

The applicant would need to provide information about the situation nearby (is there on street parking, what is the capacity, what is the street like, is there a sidewalk on one or both sides, what is the grade, etc.) as well as any other pertinent information they think will help justify the request. Also, there are parking manuals that provide information about how much parking demand is associated with various types of uses, including for different types of apartments. They will likely pull information from those engineering manuals around parking. The City will consider this information as part of the request.

2. Parking for 3+ apartments or multifamily minimum parking requirements would be 0.75 spaces. Is that for triplexes, fouxplexes, sixplexes and courtyard apartments throughout Olympia? I see there is a separate section for triplexes, so it is a little confusing.

It is a little confusing, I agree. Our code defines apartments as three units or more. So, when the City approved allowing triplexes in the R4-8 and R6-12 zones a couple of years ago, we added a category for triplexes in the low density zoning districts to say that 5 parking spaces would be required. We did this so 5 would always have to be provided, otherwise – if they requested use of the 10% decrease that is otherwise allowed, they would only have had to provide 4 parking spaces because we would round down ( $1.5 \text{ spaces} \times 3 \text{ units} = 4.5 \text{ spaces}$ .  $4.5 - 10\% = 4.05 \text{ spaces}$ , which would be rounded down to 4).

So, in any of the 6 zoning districts with a maximum density of 12 units per acre or lower, the triplex would have to provide 5 parking spaces. This provision for triplexes is proposed to remain in place.

Other housing types, such as fourplexes/sixplexes/courtyard apartments/apartments would all fall into 0.75-1.5 spaces per unit in this current proposal.

3. Also it appears that for a number of housing types minimum parking requirements are being reduced by half. Can a developer get an administrative modification (up to 40%) over and above the already proposed reduced parking requirements?

The way it is currently drafted, yes – the modification request to increase or decrease by up to 39% would still be allowed. I do plan on discussing it with the Planning Commission tonight. We do not get very many parking modification requests, but it should still be discussed.

I hope that helps! Happy to chat in more detail or take any comments before or after tonight's meeting. I do anticipate issuing another draft before the public hearing.

Joyce

---

**From:** JUDITH BARDIN <[judybardin@comcast.net](mailto:judybardin@comcast.net)>  
**Sent:** Sunday, March 05, 2023 1:39 PM  
**To:** Joyce Phillips <[jphillip@ci.olympia.wa.us](mailto:jphillip@ci.olympia.wa.us)>  
**Subject:** Re: City of Olympia-Residential Parking Reductions

Joyce,

I am away and using my phone to reply, so I am sorry if this message is a little choppy.

I had a couple questions and just wanted to point out one thing. Right now the USPS requires that people leave 10 feet on either side of their mailbox so their delivery trucks can access the mailbox. If you don't do that they can refuse to deliver your mail. I had this issue when I lived in NW Olympia. If anyone parked in the parking space near my mailbox, mail would not be delivered. I think this should be considered with the parking regulations.

My first question is if an administrative modification is requested and the units are within 200 ft of a low-density neighborhood how will a developer anticipate the impacts to on-street parking within 1000 feet? I think it is an excellent idea to do this. I just don't know how it can be accurately done. How will a developer know how many cars his tenant is likely to have?

Parking for 3+ apartments or multifamily minimum parking requirements would be 0.75 spaces. Is that for triplexes, fourplexes, sixplexes and courtyard apartments throughout Olympia? I see there is a separate section for triplexes, so it is a little confusing.

Also it appears that for a number of housing types minimum parking requirements are being reduced by half. Can a developer get an administrative modification (up to 40%) over and above the already proposed reduced parking requirements?

Thank you for taking the time to answer these questions,

Judy

On 02/27/2023 2:10 PM Joyce Phillips <[jphillip@ci.olympia.wa.us](mailto:jphillip@ci.olympia.wa.us)> wrote:

You are receiving this email as a "Party of Record" for proposed parking reductions for new residential development associated with the Housing Action Plan Implementation work.

This means you either requested to be on this list or you submitted written comments for consideration.

If you no longer wish to be on this list, please reply to this email and ask to be removed.

The first draft of proposed automobile parking reductions for new residential uses is available for review (see attached). A summary of proposed changes includes:

- Additional purpose statement to promote housing
- In the Administrative Modifications section, eliminate reference to Hearing Examiner for modifications over 40% since those would be reviewed as a variance under a separate chapter.
- Add language around criteria for what is considered in a modification request
- Make the submittal requirements the same for all modification requests of 10-40%.
- Remove notification and appeal info – refer to administrative and noticing chapters instead.
- Change “residential exceptions” to “residential provisions” and update language to reflect proposed changes.
- Reorganize residential section of Table 38.01 to put most frequent housing types at the top of the residential section. Changes are proposed to some residential parking standards.
- For apartments (3+ units) – make a parking range of 0.75-1.5 spaces per unit (which allows the City to eliminate studio apartments and other categories that currently fall within that range)
- Modify age restrictive use and covenant language in 18.38.100.C to be more widely usable to uses identified in RCW 36.70A.620.
- Add parking standard for Single Room Occupancy uses, a residential use that is allowed in several commercial zoning districts.
- Remove reference to a zoning district we no longer use.

The Olympia Planning Commission will have a briefing on this proposal at its meeting on **Monday, March 6, 2023**. The meeting begins at 6:30. If you would like to attend this online meeting, please register at

[https://us02web.zoom.us/webinar/register/WN\\_YI8nRLccR-maq89T3mr4Yw](https://us02web.zoom.us/webinar/register/WN_YI8nRLccR-maq89T3mr4Yw).

If you have comments you would like for me to share with the Planning Commission and City Council on this draft, please email your comments to me at [jphillip@ci.olympia.wa.us](mailto:jphillip@ci.olympia.wa.us).

Joyce

Joyce Phillips, AICP, Principal Planner

City of Olympia | Community Planning and Development

601 4th Avenue East | PO Box 1967, Olympia WA 98507-1967

360.570.3722 | [olympiawa.gov](http://olympiawa.gov)

***Note: Emails are public records and are eligible for release.***

**From:** [rmvanderpool7@gmail.com](mailto:rmvanderpool7@gmail.com)  
**To:** [Joyce Phillips](#)  
**Subject:** Residential Parking Minimums (public comment)  
**Date:** Monday, March 06, 2023 6:50:08 PM

---

Good Evening Staff & Planning Committee,

Olympia, in order to meet housing demands, reduce climate impact, and help develop into a multi-modal community, we need to reduce parking minimums. This would eliminate the arbitrary nature of parking requirements. This is say I support reductions in parking requirements and then some.

Thank you,

Robert Vanderpool

**From:** [Ethan Magnuson](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Public Comment on Parking Modifications  
**Date:** Monday, March 06, 2023 8:25:07 PM

---

Ms. Phillips,

After attending the meeting today on reducing parking minimums, I wanted to say that I strongly support Commissioner Nejati and Commissioner Quetin's suggestions to eliminate the parking minimums altogether. I live on the Westside, and listening to all my neighbors' comments during the Capitol Triangle plan hearings, it seems like there's a strong consensus (at least over here) to move away from the assumption that auto-transport is the default, and instead build a city that's walkable, bikeable, and not filled with parking lots. I think this is an inspiring vision, and I hope that you take that course!

Thanks,  
Ethan Magnuson, local resident

**From:** [Shaun Dinubilo](#)  
**To:** [Joyce Phillips](#)  
**Subject:** RE: Olympia - Proposed Parking Code Amendments  
**Date:** Wednesday, March 08, 2023 10:14:38 AM

---

Hello Joyce,

Thank you for contacting the Squaxin Island Tribe Cultural Resources Department regarding the above listed project for our review and comment. We have no specific cultural resource concerns for this project. However, if DAHP recommends a survey, or any other additional recommendations, we concur with DAHP's recommendations. We would prefer to receive an electronic copy by email once completed. If any archaeological or cultural resources are uncovered during implementation, please halt work in the area of discovery and contact DAHP and the Squaxin Island Tribe's Archaeologist, Shaun Dinubilo via email at [sdinubilo@squaxin.us](mailto:sdinubilo@squaxin.us).



**Shaun Dinubilo**  
Archaeologist  
Cultural Resource Department  
Squaxin Island Tribe  
200 S.E. Billy Frank Jr. Way  
Shelton, WA 98584  
Office Phone: 360-432-3998  
Cell Phone: 360-870-6324  
**Email: [sdinubilo@squaxin.us](mailto:sdinubilo@squaxin.us)**  
Email is my preferred method of communication.

As per 43 CFR 7.18[a][1]) of the Archaeological Resource Protection Act, Section 304 of the National Historic Preservation Act, and RCW 42.56.300 of the Washington State Public Records Act- Archaeological Sites, all information concerning the location, character, and ownership of any cultural resource must be withheld from public disclosure.

---

**From:** Joyce Phillips <jphillip@ci.olympia.wa.us>  
**Sent:** Monday, February 27, 2023 11:07 AM  
**To:** Joyce Phillips <jphillip@ci.olympia.wa.us>  
**Subject:** Olympia - Proposed Parking Code Amendments

Greetings.

The City of Olympia is proposing code amendments to its Parking and Loading chapter, primarily regarding the amount of automobile parking required for new residential development. Please see the attached proposal and let me

know if you have any questions, comments, or concerns. This is a first draft, with comments included. A revised draft will be issued prior to the public hearing.

If you are not the correct person to review the proposal, please forward as needed and let me know so I can update my routing form. Thank you!  
Joyce

Joyce Phillips, AICP, Principal Planner  
City of Olympia | Community Planning and Development  
601 4th Avenue East | PO Box 1967, Olympia WA 98507-1967  
360.570.3722 | olympiawa.gov

***Note: Emails are public records and are eligible for release.***

**From:** [Craig Swalling](#)  
**To:** [Joyce Phillips](#)  
**Subject:** parking code amendments  
**Date:** Friday, March 10, 2023 3:15:27 PM

---

Hi Joyce,

Thanks for sharing this. I will not be attending the hearing but would like to share a thought below.

I do have a concern with;

18.38.080, B.2.b

This encourages the use of 'superior' pedestrian facilities, including low walls, arcades, and seating areas.

These were neat ideas a couple decades ago, but they have become a burden and eyesore. As you must recognize, the current social situation has turned these types of amenities into problems: drugs, illicit sex, homeless shelters, etc. Unless social norms or active policing return, this concept is failing.

I don't want to see more of these features built.

Thank you

Craig Swalling

2501 Columbia St. SW

**From:** [Larry of Nottingham](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking Minimums  
**Date:** Friday, March 10, 2023 3:32:20 PM

---

What happened to the recommendation and why don't truly large urban areas with truly robust transit have a 0 requirement?

<https://www.cnu.org/publicsquare/2022/12/27/portland-mandates-parking-u-turn#:~:text=In%20response%20to%20the%20outcry,depending%20on%20the%20building%20size>.

<https://bikeportland.org/2020/12/14/oregon-parking-reform-sightline-323931>

<https://www.seattle.gov/documents/Departments/SDCI/Codes/MultifamilyZoningSummary.pdf>

Please give me a call ASAP.

Thanks.

# PSQ (/publicsquare)



Fourplex in Portland with minimal parking. Source: Sightline Institute

PARKING (/PUBLICSQUARE/CATEGORY/PARKING)

## Portland mandates a parking U-turn

The city's parking policy has taken many turns, and now small buildings and those with affordable housing are not required to build parking at all.

CATIE GOULD (/node/9484) DEC. 27, 2022

 (<http://www.facebook.com/sharer/sharer.php?u=https%3A//www.cnu.org/node/9528&title=Portland%20mandates%20a%20parking%20U-turn>)

 (<http://twitter.com/intent/tweet?status=Portland%20mandates%20a%20parking%20U-turn%2Bhttps%3A//www.cnu.org/node/9528>)



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[mini=1&url=https%3A//www.cnu.org/node/9528&title=Portland%20mandates%20a%20parking%20U-turn&source=https%3A//www.cnu.org](http://www.linkedin.com/shareArticle?mini=1&url=https%3A//www.cnu.org/node/9528&title=Portland%20mandates%20a%20parking%20U-turn&source=https%3A//www.cnu.org))



([mailto:?subject=Check%20out%20Portland%20mandates%20a%20parking%20U-](mailto:?subject=Check%20out%20Portland%20mandates%20a%20parking%20U-turn&body=https%3A//www.cnu.orgpublicsquare/2022/12/27/portland-mandates-parking-u-turn)

[turn&body=https%3A//www.cnu.orgpublicsquare/2022/12/27/portland-mandates-parking-u-turn](mailto:?subject=Check%20out%20Portland%20mandates%20a%20parking%20U-turn&body=https%3A//www.cnu.orgpublicsquare/2022/12/27/portland-mandates-parking-u-turn))

It took almost a decade for a new apartment building with no parking to arrive in Portland after the city waived requirements near transit in 2002. The political backlash came more swiftly. As Portland's rental market tightened, the city found itself with the second-lowest vacancy rate in the country in 2012. Apartment construction was booming, and buildings without off-street parking were becoming increasingly common.

Then controversy erupted. The epicenter was a 13-block section of Division Street, a car-oriented commercial corridor experiencing a building boom. By the time the issue made it to the front pages of *Willamette Week* (<https://www.wweek.com/portland/article-19687-block-busters.html>), the local weekly paper, 11 new multifamily buildings were under development, seven with no parking at all.

A city-commissioned survey of 115 residents of new apartment buildings would show that 72 percent of the respondents owned cars, with the majority parking on neighborhood streets. Even though the same survey showed that the areas around the buildings had plenty of available parking, neighbors didn't perceive it that way.

Charlie Hales, who was mayor during the controversy and had championed the removal of parking mandates as a council member in 2002, even floated the idea of instituting a building moratorium until the zoning code could be sorted out. Hales told *Willamette Week* that he had anticipated (<https://www.wweek.com/portland/blog-29452-apartments-without-parking-dont-equal-apartments-without-cars-says-city-study.html>) developers might build one parking spot instead of two, but hadn't imagined banks would finance housing with no parking at all.

In response to the outcry, Portland's city council reinstated a parking requirement for multifamily developments with more than 30 units. Those larger buildings would need to provide one parking space for every three or four units, depending on the building size.

"That was the strategic retreat," Hales explained. "We decided to adjust our ideal slightly to a watered-down version in order to reduce the controversy."

Hales, who is no longer mayor, still believes strongly in eliminating parking requirements. “There’s some things we really don’t need to regulate,” he said recently. “Minimum number of parking spaces is one of them.” Given the political pressure of the time, he has a hard time imagining how things could have worked out differently.

While supporters of parking mandates prevailed in that case, the matter was far from settled. Several years after the 2013 brouhaha, regulated affordable housing near transit regained its exemption from parking requirements, after rising rents and economic displacement prompted Portland to declare a housing state of emergency and elect a tenant advocate to city council. Portland adopted an inclusionary zoning policy that same year, requiring multifamily buildings to set aside units for affordable housing—and waiving residential parking requirements for those buildings.

Looking back, Portland activist Tony Jordan, who went on to launch the national Parking Reform Network, thinks the city was foolish to derail the housing construction wave. “Why would you do anything” to make developers think twice about investing in larger buildings, he asked. The way the code was written, adding one more unit to a 30-unit building came with “a penalty of six parking spaces, incentivizing builders to stay under the limit. “Even if we only lost 60 apartments,” he said, “that’s a housing subsidy that we just threw away—and for what?”

### **Stopping parking spillover**

When parking complaints bubbled up in Portland’s Northwest neighborhood in 2016, the city was ready to try a different strategy: directly managing on-street parking. A local parking advisory committee had petitioned Portland’s city council to apply the citywide parking requirements to the growing district, which had historically been exempted. But when a study showed that those regulations would have made 23 percent of newly constructed homes in the neighborhood illegal, the council opted to improve the district’s fledgling parking permit program instead.

“When city staff manage on-street parking properly, they can prevent that on-street parking from getting overcrowded with a 99 percent success rate,” said planning consultant Patrick Siegman, who has spent much of his career studying spillover parking

concerns. The problem, he said, is that almost no one has training in how to manage street parking in a way that is both effective and politically popular. On-street parking management is not part of the core curriculum for planners or transportation engineers.

“What you’re essentially doing with on-street parking spaces is taking a valuable resource that belongs to the public and setting up rights to determine who gets to use it,” said Siegman. Any hotel manager knows that once the keys are gone, there is no vacancy. Yet cities often hand out multiple residential permits for every street space, and wait until the problem is so bad that neighbors have to petition for curbside management. When a neighborhood has more drivers seeking permits than there are on-street spaces, there are a number of ways to ensure balance. Boundaries for a parking district could exclude new buildings or households with driveways, or restrict the number of permits to the street frontage of the lot—forcing developers and incoming residents to make a plan for storing cars off-site.

*This is Part Four in a special four-part Public Square series that highlights the growing wave of parking reform. © 2022. Lincoln Institute of Land Policy. From Shifting Gears Why Communities Are Eliminating Off-Street Parking Requirements—and What Comes Next, Catie Gould. Land Lines October 2022. Find the original article here (<https://www.lincolninst.edu/publications/articles/2022-10-shifting-gears-eliminating-off-street-parking-requirements>).*



Catie Gould is a researcher with The Sightline Institute in Seattle, writing about climate and transportation policy. She brings a decade of experience in engineering and data analysis to Sightline’s efforts to decarbonize the transportation system.

(/publicsquare/author/catie-gould)

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## It's unanimous: Oregon says no to car parking minimums

December 14, 2020 by [Michael Andersen \(Contributor\)](#)



In many Oregon cities, this is how a fourplex would be legally required to look—1.5 off-street parking spaces per home—without the new state rules. (Notice that these driveways eliminated four or five curbside parking spaces.) Photo: Mark McClure, used with permission.

It's arguably the biggest state-level parking reform law in US history.

*Crossposted from [Sightline Institute](#). Senior researcher Michael Andersen is a former news editor at BikePortland.*

The movement to prioritize housing for people over storage for cars has reached a new high point in the Pacific Northwest.

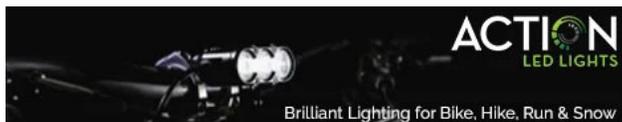
In the first action of this kind by any US state, Oregon's state land use board voted unanimously last week to sharply downsize dozens of local parking mandates on duplexes, triplexes, fourplexes, townhomes, and cottages.

Many cities have reduced or eliminated parking mandates in recent years, including Oregon's largest city, Portland. (As a result, this new rule won't directly affect Portland — just its suburbs.)

But Oregon's rule, which stems from its landmark 2019 legalization of so-called "middle housing" options statewide, is a much more unusual state-level action, affecting 58 jurisdictions simultaneously. And because middle housing will soon be legal throughout those 58 jurisdictions — the vast majority of the state's urban lots — it's arguably the biggest state-level parking reform law in US history.

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## Oregon's new rules hold mandatory parking ratios at or below one parking space per home



A fourplex with two off-street parking spaces (on the left). Photo: Kol Peterson, used with permission.

In all cases, **property owners will have the option to include as many off-street parking spaces as they feel the project needs.** Their projects simply can't be *required* to have more than one space per home,

even on the largest urban lots.

This new standard applies to areas that are home to 2.5 million Oregonians, or 60 percent of the state's population.

*[Related: [How car parking makes housing much more expensive.](#)]*

Last week's vote by the governor-appointed Land Conservation and Development Commission will strike down the current parking mandates in [Salem](#) (1.5 per home), [Eugene](#) (1 per home), [Gresham](#) (2 per home), [Hillsboro](#) (1 per home), [Beaverton](#) (as many as 1.75 per home), [Bend](#) (as many as 2 per home), [Medford](#) (1.5 per home), [Springfield](#) (as many as 2 per home), and many other cities.

In 22 smaller Oregon cities, those between 10,000 and 25,000 population, duplexes will be legalized on all lots. As part of that, duplexes in those cities will no longer be required to have more than one space per home. Another eight percent of Oregonians live in those cities.

"I think it's great for Oregonians," said Sara Wright, transportation program director for the [Oregon Environmental Council](#). "We have limited public and private space; we have increasing population. It's great to give us more flexibility in the way we build our communities."

"We can now use that space for more housing, more space for others," said Timothy Morris of the [Springfield Eugene Tenant Association](#), who sat on a state advisory committee that helped vet the rules. "We can even add entire units of housing where parking spaces would have been."

Wright and Scott were among a coalition of environmental and housing advocates and professionals from around the state, organized by Sightline, who had [urged](#) the state commission to pass such a policy.

Mary Kyle McCurdy, deputy director of the anti-sprawl group [1000 Friends of Oregon](#) and one of the architects of Oregon's middle housing legislation, sat on both advisory committees and watchdogged the commission process over the last year. She credited various factors, including direct input from middle-housing developers and good research by state staff, for building consensus around the change.

"I think it disproved the notion that some of these parking changes were coming from a Portland perspective," McCurdy said. "That was not at all the case."

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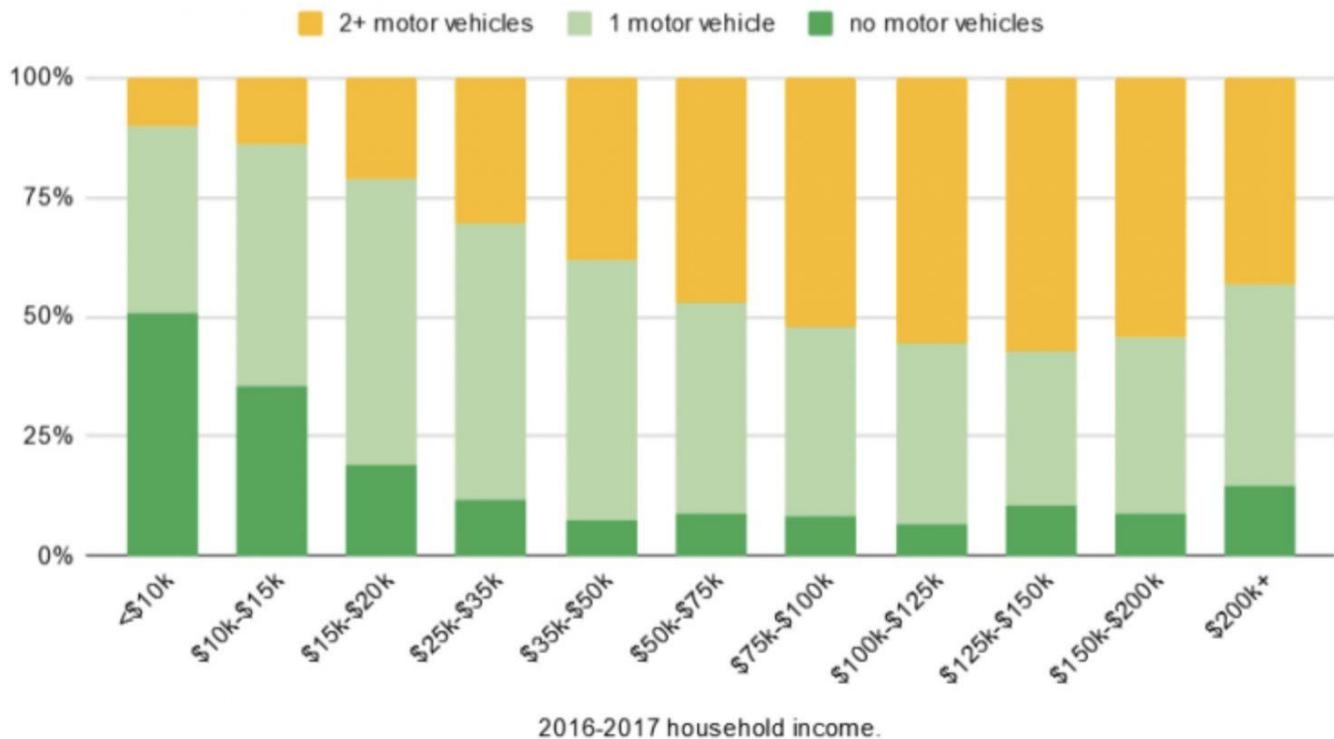
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**People should not be required to pay for parking spaces they don't need**

## Most tenant households in the United States own either zero or one cars.



Data: 2017 [National Household Transportation Survey](#).

The new rule was [approved](#) as part of the Oregon Land Conservation and Development Commission's [deliberation](#) on how to interpret a crucial two-word phrase in the state's landmark 2019 [law](#) that legalized middle housing statewide.

The phrase: "Unreasonable costs." Under the law, cities are not allowed to subject middle housing to unreasonable cost.

That phrase in the law required the state to define, alongside a "[middle housing model code](#)" that cities now have the option of adopting, a "minimum compliance standard" with which all cities will be required to comply or be declared "unreasonable."

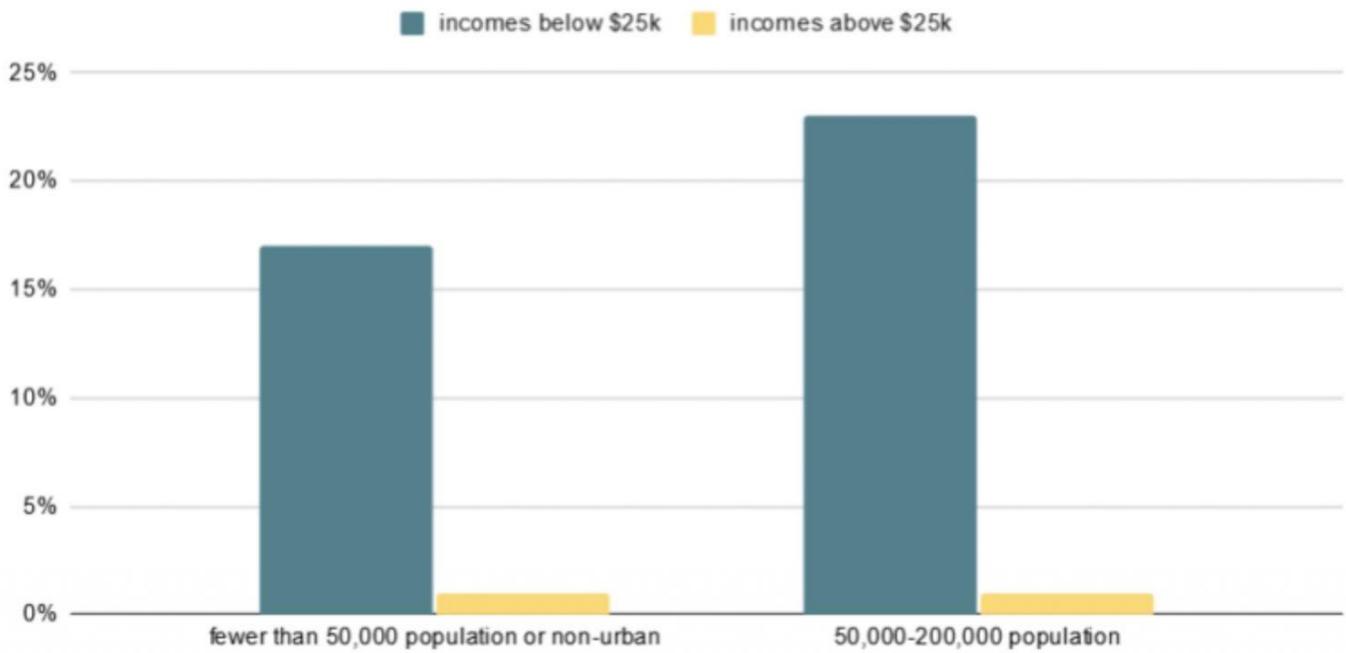
(Among the many other pro-housing aspects of the minimum compliance standard that'll be applied to larger cities and the Portland metro area: For townhouse projects, a minimum average lot size of no more than 1,500 square feet. Writing in CityLab in July, Emily Hamilton of Mercatus Center persuasively identified two crucial ingredients of effective middle-housing legalization: [low parking requirements and small minimum lot sizes](#).)

To arrive at the new parking standard, state staffers commissioned a [study](#) to examine possible costs and lot layouts for new duplexes, triplexes, and fourplexes. It concluded that for such structures "on small lots, even requiring more than one parking space per development creates feasibility issues."

Separately, drawing on [prior research](#) by Sightline, state staffers looked at car ownership rates around Oregon. They found that [in every affected city, at least 40 percent of tenant households own one or zero cars](#).

Even in smaller cities and rural areas of the United States, living without a car isn't all that unusual. It's simply concentrated among poorer people:

### Share of households without cars in small cities and rural areas (nationwide)



Data: 2017 National Household Transportation Survey.

In other words, building lots of off-street parking adds costs that can block projects. And many Oregon households, even in fairly small and rural cities, have little use for it.

Therefore, the staff concluded, it's unreasonable for a city to require parking spaces whether or not a home's resident is likely to want them. The reasonable approach is to make it a site-specific decision by the landowner.

The state commission agreed.

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### A lesson for advocates: Reform parking within the context of things people want, like housing



A historic fourplex in Southeast Portland. Photo: Sightline.

Fifteen years after Sightline was [among the first outlets](#) to call attention to an odd new book by [UCLA Professor Donald Shoup](#), *The High Cost of Free Parking*, there is now widespread belief among both housing advocates and environmentalists that citywide parking mandates are a bad idea.

If you want to mandate off-street parking, Jordan said, “you’re going to have to cut down trees and you’re going to have to pave more surfaces.”

“One-size-fits-all rules—they don’t take into account a lot of context,” said Tony Jordan, the Portland-based founder of the [Parking Reform Network](#), a national advocacy coalition launched last year that has Shoup, among others, on its advisory board. “They don’t take into account the fact that there are a lot of households that don’t have cars. They don’t take into account that there’s a lot of existing supply [of parking space] on the streets.”

If you want to mandate off-street parking, Jordan said, “you’re going to have to cut down trees and you’re going to have to pave more surfaces.”

It’s much better, Jordan and others are arguing, to let property owners make site-specific decisions about their parking needs.

But parking reformers face a political challenge. How to eliminate parking mandates without triggering a “war on cars” freakout?

Oregon’s latest win, along with recent reforms in [Washington](#), [California](#), [Minneapolis](#), and [Portland](#), offer one possible answer: Embed the parking reform inside other reforms.

By embedding their parking reforms in efforts to create more and cheaper homes, these states and cities focused attention not on what their residents stand to lose (abundant parking space) but instead on what residents stand to gain (abundant and cheaper homes).

Morris, the Eugene-Springfield tenant advocate, said that’s the way he thinks about the issue.

“Our health, our planet, our future—the benefits are really grand and the negatives are slightly less parking,” he said. “So I’ll take the pros with the con any day.”

— *Michael Andersen, Sightline senior researcher, writes about housing and transportation: (503) 333-7824, @andersem on Twitter.*

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**Michael Andersen (Contributor)**

Michael Andersen was news editor of BikePortland.org from 2013 to 2016 and still pops up occasionally.

📁 [Front Page](#)

🏷️ [housing](#), [missing middle](#), [Parking](#)



**How car parking makes new housing much more expensive**



**Speak up or sprawl out: "Missing middle" housing proposal hits the planning commission tonight**



**Guest Post: How to build a neighborhood with character(s)**



**Affordable-housing alliance to city: Legalize 'missing middle' in bikeable neighborhoods**



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Jonathan Maus  
Founder and Publisher, BikePortland

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84 COMMENTS

oldest ▼



**J\_R** 2 years ago

A little correction: It's the Land Conservation and Development Commission.

👍 4    Reply



**Momo** 2 years ago

Reply to [J\\_R](#)

Yep, the LCDC, not to be confused of course with the DLCD, the Department of Land Conservation and Development. Love all those acronyms!

 3  Reply



**Evan Manvel**  2 years ago

 Reply to [Momo](#)

And given the headline, not to be confused with the Land Use Board of Appeals. 😊

 1  Reply



**Michael Andersen**  2 years ago

 Reply to [J.R.](#)

Drat, thanks.

 1  Reply



**soren**  2 years ago

I'm just glad that I will never ever have to hear “housing free market” types drone on about a reform that is largely irrelevant to Portland’s low-income housing crisis.

(Note: there is absolutely no shortage of housing for rich people can buy a bungalow, luxury duplex, or even \$600K Orange Splott LLC “small home”.)

 1  Reply



**Momo**  2 years ago

 Reply to [soren](#)

Just because you don’t care about having an adequate supply of middle-income housing, that doesn’t mean other people don’t care about it or think it’s an important issue alongside the low-income affordability issue. I happen to think both are important and have completely different solutions. These “middle housing” reforms will help deal with the artificial scarcity of housing for middle-income households by tweaking the regulations that make market-rate housing more expensive than it needs to be. To deal with low-income housing shortages, we need direct subsidies to correct for a failure of the market to provide that product in any real sense.

 10  Reply



**Hello, Kitty**  2 years ago

 Reply to [Momo](#)

I believe that converting low end rental housing into upper end owned housing is an inequitable transfer of housing opportunity from those who desperately need it to those who have more options.

 5  Reply



**Chris I**  2 years ago

 Reply to [Hello, Kitty](#)

Agreed. Which is why it’s really important that we have new construction, to fill the demand for upper-end housing units.

 11  Reply



**Hello, Kitty**  2 years ago

 Reply to [Chris I](#)

What does all that new upper-end construction replace? In my neighborhood, it is the small houses and less expensive rental properties.

 4  Reply



**Alex Reedin**  2 years ago

 Reply to [Hello, Kitty](#)

But... what would happen in the absence of any new development? Would those abodes stay permanently affordable, or would their rents/prices just

## It's unanimous: Oregon says no to car parking minimums – BikePortland

go up and become relatively low-quality (but relatively close-in) middle-income housing?

There's no rule written anywhere about what middle-income people will accept as housing. For example, shockingly expensive abodes in New York City and San Francisco, that upper-income people reside in (not the ultra rich, but say at the 75th income percentile in those cities), don't have features that middle-income Americans in single-family housing in most of the country regard as basic amenities. I'm talking about, most obviously, in-unit washer and dryer hookups, but also dishwashers and garbage disposals.

👍 12    ➔ Reply



**cmh89** · 2 years ago

➔ Reply to [Alex Reedin](#)

If the California Bay Area has taught us anything, it's that not replacing low-density single family homes with high-density multi family homes results in cheap single family housing

/s

👍 9    ➔ Reply



**Hello, Kitty** · 2 years ago

➔ Reply to [Alex Reedin](#)

The prices will go up over time, of course. But more slowly than when a house gets demolished and replaced with a million dollar house. Also, the ceiling of appreciation is much lower for a smaller structure.

I'm not opposed to new development (though I wish builders would hire better architects); I'm opposed to demolishing existing housing. In my neighborhood, at least, it's usually possible to subdivide a lot and build on half, leaving an existing structure in place on the other half. It's not as profitable as demolishing and reconstructing, which is why it's not often done.

One thing I think we can all agree on is that (most) development is driven by profit, and top-tier housing is usually the most profitable.

I've always found it interesting that many who are skeptical about "capitalism" in other realms embrace it so uncritically when it comes to building housing they aspire to.

👍 4    ➔ Reply



**Alex Reedin** · 2 years ago

➔ Reply to [Hello, Kitty](#)

But, that ignores the potential add-on effects of net new market-rate housing units in pushing down demand for \*other\* existing, less-desired housing units. I know you think that every net new housing unit in Portland is filled by a net additional migrant household from California(/etc.), and I disagree, and we've already discussed it extensively so let's not argue about it now. But I just wanted to note that for anyone else reading this.

The construction without demolition I assume you're talking about is building ADUs, since that's all there's room for on the vast majority of Portland single-family lots. Building ADUs on a lot with an existing single-family home on it while minimizing disturbance to the existing structure is laborious – which makes it expensive. You can call that "unprofitable" but the fact is that even in cases where no profit is being made, ADUs are fairly expensive to build (relative to the per-unit costs to build an apartment complex).

I don't embrace capitalism uncritically; I would much rather have Soren's vision of 30-80% of Portland's housing stock being public/social housing than a world where the only change in the housing policy is more building of market-rate units. But we're nowhere near that level of social housing and won't be for years (if such a policy is ever adopted). It's

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worth being clear-headed about what impact new market-rate development has for low-income folks in the meantime. There are both positive and negative effects.

3   Reply



**Middle of the Road Guy** 2 years ago

Reply to [Hello, Kitty](#)

It just goes to show our value system changes when it is “us” and “them”. There’s some interesting literature out there on this phenomenon...from a sociobiological perspective.

2   Reply



**Chris I** 2 years ago

Reply to [Hello, Kitty](#)

Right, like the Red House, which was providing low cost (free for Sovereign Citizens!) rent, and they wanted to tear it down and build 10+ market rate units in a high-demand neighborhood. Good thing we nipped that one in the bud, right?

6   Reply



**Hello, Kitty** 2 years ago

Reply to [Chris I](#)

I don’t know how long you’ve been in Portland, but that neighborhood is a great example of what happens when development goes wild. Lots of new housing, little of it affordable to the people it displaced. It’s the model that some want to replicate across the city.

3   Reply



**Alex Reedin** 2 years ago

Reply to [Hello, Kitty](#)

N/NE Portland was, by and large, gentrified-in-place (by which I mean, large rises in rents and home prices, leading to much displacement of the previous residents) well \*before\* substantial new market-rate development occurred.

I don’t like \*either\* gentrified version of N/NE Portland – the 2005 one with little new development, or the 2020 one with a more sizeable amount of it.

5   Reply



**Middle of the Road Guy** 2 years ago

Reply to [Hello, Kitty](#)

I’ve lived in and around that area for nearly 20 years...and most of the big builds were on major streets that were commercial operations and not homes. Not that many people have been “displaced”. The homes that were there...I suspect they sold their lots and bigger stuff went up.

4   Reply



**Middle of the Road Guy** 2 years ago

Reply to [Chris I](#)

Ouch!

0   Reply



**Buzzwords Suck** 2 years ago

Reply to [Chris I](#)

The second pic, the 4 plex that looks like Bart Simpsons head, replaced a single family home that sold for less than each of the single condos in the plex. So it did not provide any new, more affordable housing. And (no surprise) there have been huge issues with the owner trying to sell them. They are now rentals. Also, the two condos that do NOT have garages have not been able to be sold OR

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rented. Idealism aside, people own cars and want somewhere safe to put them or to have a space to store stuff, have a workshop, a home gym, or other large, flexible space. The current definition we have for “affordable housing” is misleading and does not match up with the actual price middle or lower income folks can afford.

👍 12    ➔ Reply



**soren** 2 years ago

➔ Reply to [Momo](#)

“an adequate supply of middle-income housing”

Thanks for being honest about what you want. Instead of advocating for the actual housing that is in short supply — housing for working class and poor people — you want a greater supply of “nice housing” for households earning 70-120K (middle income in PDX). There is absolutely no shortage of high-end apartments for mostly-white middle income Portlanders — just a shortage of “nice” bungalows, mini-mcmansions, and 0.5+ million dollar duplexes.

“tweaking the regulations ”

The OP and most of P:NW had conceptions about the weak and ineffectual inclusionary housing mandate (because it might dry up supply of “middle class” housing). In my opinion, “all housing matters” types don't really want to tweak the market in any way that addresses housing justice.

“direct subsidies”

So even greater subsidies of housing speculation by a few? Perhaps instead of doing what we've been doing for generations, we could look at what has actually been successful — social housing (and its housing price-leveling power). Housingcare for all.

👍 6    ➔ Reply



**Momo** 2 years ago

➔ Reply to [soren](#)

You're completely conflating luxury housing with middle-class housing. It makes no sense to talk about “high-end” apartments for “middle income Portlanders.” If it's high-end, it's for rich people, not middle income people. There is an actual shortage of “middle” apartments for “middle' income Portlanders. You seem to be deliberately pretending that's not true, as a way of avoiding that you simply only care about one of the two main types of housing shortages that exist.

👍 1    ➔ Reply



**soren** 2 years ago

➔ Reply to [Momo](#)

Middle class Portlanders **are** high-income because median household income has rocketed up in Portland the past few decades. Moreover, based on HUD affordability guidelines the vast majority of “middle income” folk can afford the high-end housing that is in ample supply (thanks to overbuilding and the mad dash to buy a pandemic nest in the suburbs, exurbs or some town like Boise).

👍 1    ➔ Reply



**Keith** 2 years ago

➔ Reply to [Momo](#)

“we need direct subsidies to correct for a failure of the market to provide that product in any real sense.” Yes, because all of us wish to live amongst \$450k+ housing instead of somewhere I can afford?

👍 0    ➔ Reply



**Chris I** 2 years ago

➔ Reply to [soren](#)

Yawn.

👍 4    ➔ Reply

**Michael Andersen** 2 years agoReply to [soren](#)

Dream on, Soren! Still gotta prevent excessive parking mandates from driving up the prices of apartment buildings in the burbs. 😊

👍 3    ➔ Reply

**Middle of the Road Guy** 2 years agoReply to [soren](#)

That's the point of being rich – so you don't have to go without. I'm not saying that high end housing doesn't pervert the market or that lower cost housing isn't needed, but if you have enough money you should be able to buy what you want. Housing, bikes, sushi...

👍 3    ➔ Reply

**Jim Labbe** 2 years agoReply to [soren](#)

\$600K tiny home? That sounds like some hyperbole. Orange Splott LLC has built standard sized homes made permanently affordable via Proud Ground (affordable land trust) without public subsidy thanks in part to Portland's initial on-site parking requirement waivers.

👍 0    ➔ Reply

**soren** 2 years agoReply to [Jim Labbe](#)

Eli's is a for profit **owned housing developer**\* who sells “pergraniteel” single family homes/condos, many of which are sold at market rate. Eli also has financially benefited from a conflict of interest on the PSC by passing a policy that literally deregulated his business model.

Proud Ground does not provide housing for the low-income folk who are in desperate need but rather provides housing for middle income folk (80-100% MFI) who can afford\* to live in one of the many empty high-end apartments that our gloriously efficient market has overbuilt. Housing middle income people in “nice” single family homes is simply not something I care about in the midst of this dehumanizing housing crisis.

\*based on HUD 30% income metrics

👍 0    ➔ Reply

**Jim Labbe** 2 years agoReply to [soren](#)

Talk is cheap. Especially the heresy and hyperbole you seem to peddle. I might agree with the values and principles you seem to champion and your sense of urgency, but with all due respect I don't think you know who or what you are talking about. Eli has led a life and a career of action advocating for and building affordable housing for all income levels (yes including HUD 30%) as a non-profit affordable housing developer for many years and later with his own business building denser co-housing development for a range of income levels. He has done that by pushing the limits of exclusionary single family zoning to create denser, better designed, and more affordable infill community housing. So when he was invited to apply to join the PSC and help reform exclusionary zoning via Residential Infill Project and address other barriers to more affordable development, thankfully he accepted. Eli has been a tireless advocate of a range of policies and mechanisms to expand affordability for all income levels (including transitional housing for the houseless) and has advocated for specific policies (like the real estate transfer tax) to specifically combat the effect of real estate profiteering on rising housing costs. His actions and accomplishments speak volumes of his commitment and success in advancing housing justice.

👍 1    ➔ Reply

**Hello, Kitty** 2 years agoReply to [Jim Labbe](#)

All zoning is inherently exclusionary. That's its entire purpose!

👍 1    ➔ Reply



**Jim Labbe** · 2 years ago

➔ Reply to [Hello, Kitty](#)

True but that's beside the point here. Single family zoning is exclusionary to low-wealth, low income people in need of housing which is the subject of this post and thread.

👍 0    ➔ Reply



**Hello, Kitty** · 2 years ago

➔ Reply to [Jim Labbe](#)

Newly constructed "middle housing" is usually even more exclusionary to those people.

👍 0    ➔ Reply



**Jim Labbe** · 2 years ago

➔ Reply to [Hello, Kitty](#)

I don't see how that could possibly be the case in the near term or long term. All newly constructed, market rate housing is less affordable but single family residential is especially so. The affordability provisions in RIP will allow new missing middle housing in the near term to be more affordable in some instances. It remains to be seen if the more efficient land-use of missing middle housing, as well as its contribution to aggregate supply, will help keep housing costs down over the longterm. It seems to me there are reasons for skepticism about the magnitude of these affects but compared to the status quo and given other factors (rising transportation costs) there is a strong case to be made missing middle housing can contribute to a more affordable community (determined by more than housing costs) over all. RIP is a partial solution to a multifaceted, systemically exclusionary housing system.

👍 0    ➔ Reply



**Hello, Kitty** · 2 years ago

➔ Reply to [Jim Labbe](#)

I agree that newly constructed single family housing is likely to be even more expensive, but that's not the option I support. In most cases, it's less expensive (and more climatically sound) to leave existing housing in place. That's what I want, and by incentivizing demolition of functional housing, RIP is a step in the wrong direction.

👍 0    ➔ Reply



**Jim Labbe** · 2 years ago

➔ Reply to [Hello, Kitty](#)

It is potential for this to happen in particular instances but the evidence that new construction of missing middle housing would somehow be worse than a status quo that allows small affordable homes to be demolished and replaced massive very high-end single family homes, doesn't hold up. Moreover, your argument totally ignores the fact that RIP could just as well expand opportunities to preserve existing structures by increasing incentives to re-use and repurpose them, creating more small and more affordable units while preserving existing structures. Regardless, these issues were thoroughly vetted by the PSC, staff, the City Council and public debate leading up to RIP's adoption. Unfortunately a lot of people ignore the evidence because they are making a politically provocative not an evidence-based argument. In some cases that's because they oppose new housing and new neighbors in their neighborhood. Ironically these voices would appear to even oppose the discretely added, more affordable units allowed within existing structures or within the smaller new structures required by RIP. Since these position are politically unattractive, they retreat to evoking this argument about RIP destroying small affordable homes without a lot

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evidence. If we really care about preserving the character of our neighborhoods, I think we should focus tools that will preserve Portland's historically mix-income communities over the long term, mixed income communities being winnowed out by overly rigid single family zoning, among other factors. We should be focused on the people not on quaint old homes.

👍 0    ➔ Reply



**soren** 2 years ago

➔ Reply to [Jim Labbe](#)

RIP made replacement of existing low-density plex/shared housing with high-end single family housing more feasible and profitable. Given that this reservoir of naturally affordable housing is already at risk for replacement, RIP's deregulation may end up increasing "exclusion" of low-income folk in inner Portland neighborhoods. When this is paired with mounting evidence that urban core upzoning are associated increases in land value and that very high demand areas (e.g. inner Portland) experience filtering up, it's conceivable that RIP could end up being a disaster.

👍 1    ➔ Reply



**soren** 2 years ago

➔ Reply to [soren](#)

"urban core upzoning is associated with increases"

/editing-fail

👍 0    ➔ Reply



**Jim Labbe** 2 years ago

➔ Reply to [soren](#)

I don't know where you get your evidence in the code or on-the-ground but it strikes me as highly speculative. RIP code amendments don't actually go into effect until next summer. It is important point because a lot of opponents have been blaming RIP for development approved by the existing code, some of which might even be prohibited under RIP. I strongly suspect the immediate impact of RIP will be highly underwhelming for everyone.

👍 0    ➔ Reply



**soren** 2 years ago

➔ Reply to [Jim Labbe](#)

Hi Jim, I have followed RIP closely since its inception. In fact, my criticisms of RIP (that can be seen in repeated public testimony from myself and PTU) is that it was designed to be underwhelming while incentivizing housing types that do not address the low-income housing crisis. The provision for deeply affordable 4-6 plexes is good but should have allowed higher levels of density and been matched with greater incentives. It is also interesting that P:NW leadership pushed back hard against proposed amendments that would have limited market rate density as proposed by tenant and affordable housing organizations (which were designed to increase the relative value of the affordable housing bonus).

Note: As a tenant organizer, I along with other housing justice groups, proposed a deeply affordable housing bonus during the BHD stakeholders process. Despite this clear history documented in the meeting notes, P:NW leadership falsely claimed that this bonus was a result of their advocacy and not the advocacy of tenant and community groups.

*"blaming RIP for development approved by the existing code"*

I agree that RIP does little to change the exclusionary status quo. This is unfortunate because the status quo is increasingly awful with an

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increasing number of naturally affordable “plexes” and “shared houses” being sold, gutted, and flipped into high-end single family housing. By deregulating the number of SFHs allowed per lot and making it easier to subdivide lots, RIP has made the practice of converting a duplex, triplex, or “shared home” into a large single family home all the more profitable.

👍 0    ➡ Reply



**Hello, Kitty** 2 years ago

➡ Reply to [Jim Labbe](#)

I don't think the status quo is acceptable either. My current thinking is leave RIP in place and overlay it with demolition protections for sound structures.

It is really hard to take claims of “affordability” seriously in regard to RIP, when what it does is incentivize replacing (often) affordable housing with high-end housing. Offering bonuses for adding cheap housing has largely failed in Portland.

I do not like using the word “exclusionary” to indicate expensive housing, as all housing (including free government housing, if we had any) excludes people. I know you mean it as a pejorative, but it's just redundant. Maybe “RIP is a partial solution to a multifaceted housing system that tends to focus housing production on the most well off”? At least then we'd know what we're talking about, and we could discuss who actually benefits from RIP.

👍 1    ➡ Reply



**Steve Scarich** 2 years ago

This is a little off topic, but over here in Bend, parking requirements for new businesses have been dramatically reduced. The result is that bike lanes have become the go-to parking for these new businesses. A lot of these businesses are being built near the city core, and parking is already tight. Now, it is beyond tight and drivers just use bikes lanes. I don't see how it will be any different for housing developments in the future. and, with Portland basically throwing in the towel on traffic enforcement (sending those teams to precinct work), you can anticipate having lots of cars in bike lanes, and nobody at the city answering the phone, when you call to complain.

👍 6    ➡ Reply



**Todd/Boulanger** 2 years ago

➡ Reply to [Steve Scarich](#)

Steve, have you brought your concerns to the Parking Dept or City Council? (Another route may be the City's Risk Manager/ Legal if the City has traffic safety / parking enforcement code that it is not enforcing then they might want to be aware of the liability if a cyclist were to get injured by a blocked bike lane, etc.)

👍 7    ➡ Reply



**J\_R** 2 years ago

➡ Reply to [Todd/Boulanger](#)

Wouldn't enforcement hurt poor people or minorities? Can't do that.

👍 2    ➡ Reply



**Steve Scarich** 2 years ago

➡ Reply to [J\\_R](#)

I assume that you were tongue in cheek, but there are only four, or five minorities over here in Bend, and these restaurants pour \$7 pints, so no poor (pun intended) people allowed.

👍 2    ➡ Reply



**hedda** 2 years ago

➡ Reply to [Steve Scarich](#)

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JR can only talk about poor or Black people if he's mocking them.

👍 2    ➡ Reply



**Hello, Kitty** 2 years ago

➡ Reply to [hedda](#)

It sounds like they're mocking hand wringers rather than any particular demographic group.

👍 1    ➡ Reply



**Steve Scarich** 2 years ago

➡ Reply to [Todd/Boulanger](#)

Yes...I have talked to Traffic Enforcement. They made no promises, but, in the past, they have done enforcement sweeps in similar situations. Usually, it becomes an ongoing issue. In one case, after years of my complaining, then enforcement, a popular restaurant bulldozed an adjacent field, laid down gravel, and created additional parking. What will happen in this case, I'm certain, is that scofflaws will get the message, and park in the local neighborhoods, then the neighbors will complain, the City will eventually (usually takes several years) issue stickers for local residents. btw City Council over here is a lost cause. Their business bias is so strong that I have never, in 20 years seen them take significant actions to limit development.

👍 1    ➡ Reply



**bendite** 2 years ago

➡ Reply to [Steve Scarich](#)

I asked earlier but my question got bumped down. What businesses and which street sections are people parking in the bike lane in Bend? I don't see it very often.

👍 0    ➡ Reply



**Steve Scarich** 2 years ago

➡ Reply to [bendite](#)

4th ave at Penn, there were 4 cars in the bike lane the day that I called in. Big outdoor bar opened over the Summer.

👍 0    ➡ Reply



**Steve Scarich** 2 years ago

➡ Reply to [bendite](#)

Went by yesterday; bike lane full of parked cars.

👍 0    ➡ Reply



**Chris I** 2 years ago

➡ Reply to [Steve Scarich](#)

My theory is that a lack of parking minimums somehow generates more assholes. It sounds like Bend is full of them.

👍 0    ➡ Reply



**mark smith** 2 years ago

➡ Reply to [Steve Scarich](#)

Perhaps giving the person parked a 5 minute warning then torching their car is appropriate.

👍 4    ➡ Reply



**bendite** 2 years ago

➡ Reply to [Steve Scarich](#)

What streets/areas are people using bike lanes for parking? I only see it very occasionally.

👍 0    ➡ Reply



**stephan** 2 years ago

➡ Reply to [bendite](#)

## It's unanimous: Oregon says no to car parking minimums – BikePortland

Plastic wands would help. I noticed that at the Oregon Convention Center. People parked their cars on the bike lane regularly until the city put plastic wands in. Then the problem was resolved. I am not a big fan of plastic wands for protection, but they do seem to help with parking.

 5  Reply



[raktajino](#)  2 years ago

 Reply to [stephan](#)

Multnomah Blvd between the Moda Center and Lloyd Center is a good example. When I was commuting along there 2013-2016, there would be nice and clear bike lanes until MLK or so. When the wands and barricades stopped, cars would start being an obstacle. It helped that (iirc) there were also parking spots between those barricades, giving people an obvious alternative to the bike lanes.

 2  Reply



**Steve Scarich**  2 years ago

 Reply to [stephan](#)

In general I am opposed to any new 'street furniture'. Here in Bend, it won't work because of snow plowing requirements in the Winter. Similar issue in Portland, just not on a regular basis.

 0  Reply



**cmh89**  2 years ago

 Reply to [Steve Scarich](#)

There's this crazy thing you can do, you can actually make it physically impossible to park in bike lanes by building them above surface level or putting in hard infrastructure to keep cars out of them.

 5  Reply



**Evan Manvel**  2 years ago

 Reply to [Steve Scarich](#)

I'd argue the result you're frustrated with is not due to mandates being reduced, but parking being undermanaged. (And perhaps a need to flip to curbside parking-protected bike lanes, eliminating the conflict).

That is, in places with excess demand, cities can choose to manage who gets to park in the spots through permits, time limits, pricing, or a combination.

DLCD has published a [host of publications](#) on how to manage on-street parking better and works with cities who are interested in doing such (we presented at a webinar with Bend staff). I thought Bend is considering doing some pricing downtown.

Mandating a lot of parking – thereby subsidizing driving and usually making streetscapes less friendly to people walking and biking – often isn't the best approach to meet our many goals.

 5  Reply



[Todd/Boulanger](#)  2 years ago

So does this shift include any Parking Maximums? Or were the minimums just removed?

 2  Reply



**Michael Andersen**  2 years ago

 Reply to [Todd/Boulanger](#)

No maximums were created.

 4  Reply



[David Hampsten](#)  2 years ago

Is that top photo, with all the garages, in Sullivan's Gulch? Would Portland code even allow for such a structure these days?

 1  Reply



**Michael Andersen** · 2 years ago

Reply to [David Hampsten](#)

I believe this wide of a curb cut would be illegal. Not sure though.

1 · Reply



**qq** · 2 years ago

Reply to [David Hampsten](#)

Without looking things up, I think Michael is right that the curb cut is too wide to be approved, plus the parking between the front lot line and the building would be illegal, as would the high percentage of paving, and the percentage of front facade devoted to garage walls.

1 · Reply



**Chris I** · 2 years ago

Reply to [David Hampsten](#)

This building is on Halsey St. near Hollywood. I frequently walk by, and having cars parked right up against the sidewalk, combined with a huge curb cut next to a high-speed street is definitely not great. The other side of the street is much more comfortable, but then you hit a freeway offramp just west of here, which usually has someone blowing the red light to turn right.

5 · Reply



**EP** · 2 years ago

Reply to [Chris I](#)

I had to look that up. It's at 45th & Halsey. I was thinking it was another spot, on NE Irving between 20th and 21st. There are two older courtyard apartment buildings with this treatment for 15 garages, and they have the cut angled down much steeper to get to basement grade. It's great that all the garages are on one street, and the other apartments have the courtyard entrances off of 20th and 21st. This kind of (old) development is a nice look, I'd like to see more.

<https://goo.gl/maps/esSndtGcj851JLYC7>

2 · Reply



**PNWPhotoWalks** · 2 years ago

Reply to [EP](#)

Correct on the location. I don't geotag my shots, for privacy purposes. Here is my original snap – <https://www.flickr.com/photos/memcclore/46419179485>

0 · Reply



**raktajino** · 2 years ago

Reply to [EP](#)

That apartment management company, Bristol Urban, has all sorts of old Portland-y properties. (Clarification: they own the section that's further from the camera and in better condition. Not sure who owns the near one.) Generally in walkable/bikeable locations too!

0 · Reply



**David Hampsten** · 2 years ago

Reply to [EP](#)

Thank you! I was trying to figure out the tall concrete project behind it, the combo reminded me of some buildings in the Gulch where I lived for 5 years, but in fact it's a mile away in Hollywood – Homeforward's Hollywood East Apartments for the elderly, on Broadway near Grocery Outlet, TJ's, and Whole Foods.

0 · Reply



**citylover** · 2 years ago

Reply to [David Hampsten](#)

Yes, projects that meet the code but only need a building permit (no land use review) sneak through all the time. There are several in my neighborhood. Fortunately they are more

affordable and filled with nice neighbors so it's not too bad, but man it is ugly.

 0  Reply



**X**  2 years ago

 Reply to [David Hampsten](#)

I'm not up to speed on seismic building code but it looks a little fishy in terms of shear wall dimensions.

 0  Reply



**qqq**  2 years ago

 Reply to [X](#)

It should be fine as long as nobody leaves their garage door open during an earthquake.

Seriously, though, totally fishy. But it was built in 1938, decades before any meaningful seismic requirements.

 0  Reply



**qqq**  2 years ago

The caption's "In many Oregon cities, this is how a fourplex would be legally required to look" isn't quite true. In NE Portland's Eliot neighborhood, there are several four-plexes on 50' wide lots with a single standard garage door, leading to at least 6 spaces (1.5 per unit) inside the building, 1/2 level below grade so the garage door isn't prominent. Some had a few additional spaces in the back yard behind the building.

 1  Reply



**Keith**  2 years ago

While I totally support reducing or eliminating parking requirements, I think a one-size-fits-all approach has its downside. Reaching the multi-modal utopia will take time, and some areas will take longer than others. I believe a more nuanced and pragmatic approach to parking would yield better results in the long run. Off the top of my head – a few considerations:

- A big factor related to on-site parking cost is whether the jurisdiction requires a structure (garage/carport) or simply a spot to park on the property. Prohibiting requirements for garages/carports is a great start.
- If parking isn't provided on-site, cars won't disappear, they'll show up on the street. How many times have we had bike lane projects that became extremely difficult or impossible because of on-street parking demand and related political opposition? Instead of parking cost being borne by the car owner, it's publicly subsidized as on-street parking.
- More attention should be paid to minimum parking requirements for destinations like employment and commercial uses. One reason Americans drive is because it's been made relatively cheap and very convenient. Other than the Central City, parking is free and (overly) plentiful just about anywhere.
- Availability of travel options (walkable neighborhoods, bike infrastructure, transit) need to be available for households to realistically rely on fewer/no cars. The availability of these options varies widely across Portland metro and the state. What makes perfect sense near SE Division may be very different in Tigard or Gresham.

Like many issues, there's no silver bullet.

 7  Reply



**rick**  2 years ago

 Reply to [Keith](#)

Downtown Tigard has just about zero bicycle lanes except for parts of ODOT's stroad of Pacific Highway. Greenburg Road and Hall Blvd have smeared-away bike paint lanes. The Tigard Street Trail has an awful cargo bike-unfriendly gate by the sidewalk where the trail ends.

 1  Reply

**Evan Manvel** 2 years agoReply to [Keith](#)

To me, there's very little more one-size-fits all than parking mandates.

The data from [King County](#), the Bay Area, Hillsboro, Albany, Corvallis, and Portland show over and over the demand for car parking varies a lot from project to project, even in similar areas. Hence, I'm in favor of letting the market adjust to those nuances (while managing public on-street parking well — which is admittedly difficult work, but even places like La Grande have permits in high-demand areas).

What we've seen across Oregon is local builders usually include some car parking (as that's what their tenants want) even in places without costly, one-size-fits-all mandates.

Proposals in Eugene to develop parking-free housing downtown have had the lenders require builders to include very expensive structured parking (i.e. parking garages) to get the loans.

Yes, there's no silver bullet. And you may not be entirely correct that cars won't disappear — the [academic research \(albiet limited\)](#) is pretty clear providing off-street parking increases car ownership and use. The magnitude of that is [still up for debate](#).

3   Reply

**Fred** 2 years agoReply to [Evan Manvel](#)

I agree that one-size-fits-all solutions are usually terrible. A requirement to \*provide\* parking is just as bad as a requirement \*not\* to provide parking. And when developers are \*not\* required to provide parking, they often put the burden of providing it on the community generally, since people still own cars and they park them on the streets, making life worse for everyone else.

I'm interested in thinking in new ways about this issue — away from a model where people park in front of their houses to one where parking is an amenity, like shopping, and you pay for it separately. Wouldn't it be nice to have more developments like Culesac in Tempe, AZ (<https://www.fastcompany.com/90434128/if-you-want-to-live-in-this-new-arizona-neighborhood-you-cant-own-a-car>) where there is NO provision for cars of any type? I want a neighborhood where I don't have to worry about some driver running me over when I walk the dog. People in car-free communities will still own cars — they'll just have to figure out where to store them, by renting a stall in a garage nearby, perhaps.

I don't like the way this problem is framed b/c there's no good solution as long as we keep talking about "minimums." Instead we should be talking about about a more holistic framework that takes the total car-ownership challenge into account. Right now parking is considered a \*free\* amenity that comes with car ownership, and that's just wrong.

1   Reply

**Evan Manvel** 2 years agoReply to [Fred](#)

There's nothing in the rules that's a requirement not to provide parking.

As you note, there is a problem with mismanaged on-street parking.

That's mainly because cities decide to provide free/deeply subsidized car storage on the public street. And most areas aren't managed at all.

Want car storage/parking (200 square feet of storage), privately provided? That'll usually start at \$50 a month in low demand areas, going up from there. Probably at least \$100/month in areas Portland provides permits. So \$600 to \$1200/year.

Want an on-street parking permit from the City? That's \$75 a year (\$195 in Northwest, unless you're low income).

So the City is providing an item worth \$600-\$1200 item for \$75 (To be fair, many cities, such as Salem, are \$15/year — and it's hard to directly compare non-reserved spots in neighborhoods with a dedicated spot not near your home).

It's unanimous: Oregon says no to car parking minimums – BikePortland

The politics around this are difficult. People think they have the right to store a car (but not a storage item, or have a parklet, etc.) on the street for very little cost. (You can skim the [TGM guide to managing on-street residential parking here](#)).

👍 0    ➡ Reply



**Hello, Kitty** 2 years ago

➡ Reply to [Fred](#)

Fast forward 20 years, when the robot cars have arrived and are widely deployed... urban parking will simply no longer be an issue.

It's a problem that will solve itself. Squabbling about it now is just a waste of time.

👍 3    ➡ Reply



**Evan Manvel** 2 years ago

➡ Reply to [Hello, Kitty](#)

Unclear on the timeline (the promise of self-driving cars has been overhyped, but in theory we'll get there).

But yes, reducing costly mandates now makes sense given the future reduction in demand for on-site parking at each site. Forcing the building of spaces that will be unneeded in the future into building site plans for buildings that will last 80-100 years is pretty wasteful.

That's why managing the huge amount of existing parking better makes more sense than building a bunch more.

👍 0    ➡ Reply



**Scott Kocher** 2 years ago

Awesome! There are a surprising number of those garage-front multi-plexes around Portland. Most can fit one street tree between every third garage door, if large tree wells are added in the curb zone (which is currently wasted asphalt). Here's one in NW that shows the amount of space in the right-of-way that is available for trees or other placemaking: <https://goo.gl/maps/8nquTs2abdwCdXQf6>

👍 5    ➡ Reply



**qqq** 2 years ago

➡ Reply to [Scott Kocher](#)

That's a great idea. Dividing that long curb cut into several groups of two or three (so you'd drive at a slight angle right or left from the curb cut into the garage) so you had a row of street trees would totally transform the view towards that facade (plus give tenants views of trees instead street traffic).

I wonder if PBOT would balk at not having much clearance from the edge of the curb cuts to the trees (I think 5' min. is the standard)?

👍 0    ➡ Reply



**citylover** 2 years ago

I mean...that is sort of how some of them look in my neighborhood (Kerns). But yeah, I don't see Oregon going for parking minimums. Certainly not with any projects using public funds.

👍 0    ➡ Reply



**zuckerdog** 2 years ago

Two words:  
Frontage fees

👍 2    ➡ Reply

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# BikePortland

News that Moves



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# SEATTLE'S LOWRISE MULTIFAMILY ZONES

**IMPORTANT NOTE:** Some areas have neighborhood-specific regulations that are not reflected here. Please consult the Land Use Code for individual projects.

## **THIS ZONING SUMMARY IS FOR ILLUSTRATIVE PURPOSES ONLY**

This document describes development that is generally permitted in lowrise multifamily residential zones. For specific regulations and exceptions, please refer to Chapter 23.45 of the Seattle Municipal Code (SMC). If you have additional questions, you may email a Land Use Planner at [www.seattle.gov/sdci/about-us/contact-us](http://www.seattle.gov/sdci/about-us/contact-us), or visit the virtual Applicant Services Center (ASC) at [www.seattle.gov/sdci/about-us/who-we-are/applicant-services-center](http://www.seattle.gov/sdci/about-us/who-we-are/applicant-services-center) for assistance. For more detailed or project-specific information, please call the ASC at (206) 684-8850 to arrange for a paid appointment. Due to the complexity of the code, questions cannot be answered by phone.

## **Regulations common to all lowrise multifamily zones**

### **Green Factor**

Green Factor is a scoring system that increases the quantity and improves the quality of landscaping. Landscaping is required to achieve a Green Factor score of .60 or higher when more than one new dwelling unit is proposed. Credit is awarded for green roofs, rain gardens, planters, green walls, landscaping, plantings in the adjacent right-of-way, and other features.

### **Amenity Area**

Amenity area is space that provides active or passive recreational opportunities. It is either private space intended for occupants of a single dwelling unit, or common space available for use by all occupants. In LR zones, all amenity area must be unenclosed. Minimum dimensions and other standards apply.

### **Motor Vehicle Parking**

No parking is required in urban centers, station area overlays, or urban villages within a frequent transit service area. Development within Alki and the University District must provide 1.5 spaces per unit. In all other areas, 1 space per unit is required.

Required vehicular parking must be provided on-site, or off-site on a lot within 800' that is not in a single family zone. Alley access is required if an alley is present, with some allowances for street access under special circumstances.

### **Mandatory Affordable Housing (MHA)**

MHA requires new construction to include affordable housing or contribute to a City fund for affordable housing. New construction on lots in an LR zone with an MHA suffix of M, M1 or M2 are subject to Chapters 23.58B and 23.58C. The MHA suffix determines the payment or performance amount.

### **Design Standards**

Design standards provide visual interest and contribute to an attractive streetscape. Street-facing and side facades must be articulated, use varied building materials, or incorporate other architectural features. Street-facing facades must have prominent pedestrian entries and a minimum area of window openings. There are specific design standards for each multifamily housing type.

### **Design Review**

Development greater than 8,000 square feet is subject to design review. There are three types of design review: full, administrative, and streamlined. The project size and site characteristics determine which type applies. Full design review is conducted by a neighborhood Design Review Board. Administrative design review (ADR) and streamlined design review (SDR) are conducted by SDCI staff. Development undergoing design review is not subject to the multifamily design standards.

Projects may request departures or adjustments from a limited number of development standards if the resulting project better meets the intent of the adopted design guidelines.

### **Green Building**

Development may voluntarily meet a green building standard in exchange for additional development capacity, such as extra floor area or height. The green building standards save resources and promote renewable, clean energy. Development must demonstrate adherence to the LEED, Built Green, Passive House, Living Building Challenge, or Evergreen Sustainable Development certification program.

**Housing Types:**

Development standards apply according to the following housing types: cottage housing, rowhouses, townhouses or apartments.

Accessory Dwelling Units (ADUs) are allowed with single-family dwelling units, rowhouses, and townhouses in LR zones, subject to specific development standards per 23.45.545.1. ADUs do not count towards the density limit.

See SMC 23.84A.032 for complete housing type definitions.

**Cottage Housing**



Individual cottage house structures are arranged around a common open space; 950 square feet (sf) is the maximum size allowed for each cottage.

**Rowhouse**



Rowhouses are attached side by side along common walls. Each rowhouse directly faces the street with no other principal housing units behind the rowhouses. Rowhouses occupy the space from the ground to the roof. Units can not be stacked.

**Townhouse**



Townhouses are attached along common walls and occupy the space from the ground to the roof. Units can not be stacked. Townhouses may be located behind other townhouses as seen from the street.

**Apartments**



Multifamily housing that is not cottage housing, rowhouses, or townhouses is considered apartments. Apartment units may be stacked.

**LR1**

**Lowrise 1**

Areas characterized by low-density, small-scale multifamily housing types, which are similar in character to neighborhood residential zones. Most appropriate outside of Growth Areas<sup>1</sup>.

	MHA Suffix	No MHA Suffix	MHA Suffix	No MHA Suffix	MHA Suffix	No MHA Suffix	MHA Suffix	No MHA Suffix
<b>Floor Area Ratio (FAR)</b>	1.3	1.0	1.3	1.0	1.3	1.0	1.3	1.0
<b>Density</b>	No limit	1 unit / 1,300 sf	No limit; 1 unit / 1,300 sf on interior lots less than 3,000 sf		1 unit / 1,300 sf		No limit <sup>2</sup>	1 unit / 1,300 sf <sup>2</sup>
<b>Building Height<sup>3</sup></b>	22'		30'		30'		30'	
<b>Building Setbacks</b>	Front 7' ave., 5' min. Rear 0' w/ alley; 7' w/ no alley Side 5' min.		Front 5' min. Rear 0' w/ alley; 7' ave., 5' min w/ no alley Side 0' where abutting another rowhouse; 3.5' or 5' when abutting a SF zone		Front 7' ave., 5' min. Rear 7' ave., 5' min. Side 5' min.; 7' ave., 5' min. for facades greater than 40'		Front 5' min. Rear 10' w/ alley; 15' min w/ no alley Side 5' min.; 7' ave., 5' min. for facades greater than 40'	
<b>Building Width</b>	No limit		No limit		60'		45'	
<b>Façade Length</b>	The maximum combined length of all portions of façades within 15' of a lot line that is neither a rear, street, or alley lot line shall not exceed 65% percent of the length of that lot line, or 40' for a rowhouse development.							

**LR2**

**Lowrise 2**

Areas characterized by multifamily housing types in existing small-scale multifamily neighborhoods with arterial streets. Most appropriate within Growth Areas<sup>1</sup>.

	MHA Suffix		No MHA Suffix		MHA Suffix		No MHA Suffix		MHA Suffix		No MHA Suffix		MHA Suffix		No MHA Suffix	
	Growth Area	Outside Growth Area	Growth Area	Outside Growth Area	Growth Area	Outside Growth Area	Growth Area	Outside Growth Area	Growth Area	Outside Growth Area	Growth Area	Outside Growth Area	Growth Area	Outside Growth Area	Growth Area	Outside Growth Area
<b>Floor Area Ratio (FAR)</b>	1.4		1.1		1.4		1.1		1.4		1.1		1.4; 1.6 with specific amenity area requirements		1.1	
<b>Density</b>	No limit		1 unit / 1,300 sf		No limit		1 unit / 1,300 sf		No limit		1 unit / 1,300 sf		No limit		1 unit / 1,300 sf	
<b>Building Height<sup>3</sup></b>	22'		40'		30'		40'		30'		40'		30'		30'	
<b>Building Setbacks</b>	Same as LR1 with additional upper-level setback requirements based on height limit and proximity to a neighborhood residential zone per SMC 23.45.518.															
<b>Building Width</b>	No limit				No limit				90'				90'			
<b>Façade Length</b>	Same as LR1				Same as LR1				Same as LR1				Same as LR1			

**LR3**

**Lowrise 3**

Areas characterized by multifamily housing types in existing moderate-scale multifamily neighborhoods with good transit service along arterial street and near commercial zones. Most appropriate within Growth Areas<sup>1</sup>.

	MHA Suffix		No MHA Suffix		MHA Suffix		No MHA Suffix		MHA Suffix		No MHA Suffix		MHA Suffix		No MHA Suffix	
	Growth Area	Outside Growth Area	Growth Area	Outside Growth Area	Growth Area	Outside Growth Area	Growth Area	Outside Growth Area	Growth Area	Outside Growth Area	Growth Area	Outside Growth Area	Growth Area	Outside Growth Area	Growth Area	Outside Growth Area
<b>Floor Area Ratio (FAR)</b>	2.3	1.8	1.2	1.2	2.3	1.8	1.2	1.2	2.3	1.8	1.2	1.2	2.3	1.8	1.5	1.3
<b>Density</b>	No limit		1 unit / 1,300 sf		No limit		1 unit / 1,300 sf		No limit		1 unit / 1,300 sf		No limit		1 unit / 800 sf	
<b>Building Height<sup>3</sup></b>	22'		50'		40'		30'		50'		40'		30'		40'	
<b>Building Setbacks</b>	Same as LR1 with additional upper-level setback requirements based on height limit and proximity to a neighborhood residential zone per SMC 23.45.518.															
<b>Building Width</b>	No limit				No limit				150'				120'			
<b>Façade Length</b>	Same as LR1				Same as LR1				Same as LR1				Same as LR1			

<sup>1</sup> Growth Areas include urban centers, urban villages, and station area overlay districts.

<sup>2</sup> Family-sized housing requirement applies per SMC 23.45.512.B

<sup>3</sup> Additional height allowances apply per SMC 23.45.514.

**From:** [Phil Cornell](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Proposed parking regulations  
**Date:** Sunday, March 12, 2023 5:56:15 PM

---

Add me as a party of record for the proposed parking regulations.

Looks like the city is at it again, trying to force something on Olympia residents without our input. Scheduling a hearing with such short notice that almost no one can attend is a strategy of a government taken over by special interests.

As a resident of Olympia for over 50 years, I am ordering you to cease and desist any furtherance of this proposed plan until city residents have had a sufficient opportunity to review and comment on the proposed action. Eight days is not enough time to review this plan since you have made it so difficult to obtain any information about it. Eight days is not enough time to free up my schedule so that I may attend the hearing.

The City of Olympia has a long track record of holding these so-called public hearings and then disregarding all public input and proceeding with the plan as written. This is not democratic government, this is dictatorship.

We, the residents of Olympia, are your boss, failure to listen to our input is insubordination.

Phil Cornell  
1502 15th Ave SW  
Olympia, WA 98502  
360 515-1263

**From:** [Leah Melvoin](#)  
**To:** [Joyce Phillips](#)  
**Cc:** ["JUDITH BARDIN"](#)  
**Subject:** Reducing parking requirements  
**Date:** Tuesday, March 14, 2023 9:33:58 AM

---

Hi,

I understand you are the point person for the city's plan to reduce parking in Olympia. I feel strongly that the city is not considering the impacts to residents, neighborhoods, and the environment.

Specific concerns:

- The city says that reducing parking will increase housing and housing affordability but provides no guarantees that this will motivate developers to make new units more affordable. This was the case in Seattle and it has been disastrous for affordable housing there.
- This type of zoning is based on an assumption that in the future residents won't have cars. This has proven to be false in every city that has enacted the same zoning. In fact, the lack of parking hits dense neighborhoods the hardest and that in turn hurts families. When I lived in Seattle they reduced parking on Capitol Hill. The impact was felt by businesses and people alike. Capitol Hill is denser, but the cost for rent and housing has skyrocketed. Because of crime, the grocery stores are closing. Many seniors I know who live there (with no car) have to walk miles to go to a grocery store. There's no bus that connects. It's awful.
- Residents in dense neighborhoods have guests. They take up parking and displace residents. This REALLY hurts families.
- Olympia's bus service is infrequent in the later evening, on weekends, and holidays. Last Thanksgiving there was no bus service at all. Many destinations require a bus transfer which can take a lot of time.
  - Many people, especially those of lower income have two jobs and need a car to get between jobs.
  - Most bus stops have no shelter. People have to stand in the rain to wait for a bus.
  - Many streets have no sidewalks to walk to a bus. Accessing bus service without sidewalks is very difficult for persons with disabilities.
- The United States Postal Service requires residents to provide 10 ft on either side of a mailbox to give mail trucks access. This takes up a parking space. If someone parks too near a mailbox, mail will often not be delivered.
- The city has not provided a study of residential parking capacity in the different neighborhoods. Many neighborhoods, especially older ones have limited street parking available. Houses may not have garages or driveways and parking may already be tight.
- There has been very limited public outreach to neighborhoods that will be adversely affected by changes to parking. That's unacceptable.

I will close by saying that no one moves to Olympia to live in a "dense" situation. They come here for our beautiful single-family neighborhoods. If the city proceeds with these policies, only developers benefit. These policies will destroy the quality of life for every future generation. We will be the last to enjoy a yard, parking, trees, homes where kids can play safely.

Rather than doing this, focus efforts on repurposing Capitol mall and or rezone all of the other crappy strip malls. You don't need to destroy our way of life this way. There are other options!

I'd appreciate being kept in the loop on this.

Thank you,

Leah Melvoin.

**From:** [Linda Malanchuk-Finnan](#)  
**To:** [Joyce Phillips](#)  
**Cc:** [Linda Malanchuk-Finnan](#)  
**Subject:** City Parking Policies  
**Date:** Tuesday, March 14, 2023 3:56:46 PM

---

I am opposed to any changes in the City Of Olympia's current parking policies. It looks like the city representatives think no apartment dweller has a car when these days, every family has at least one car and usually two in order to get to work, go grocery shopping, get to facilities as needed. Most working class families still have both partners working to make ends meet. Our bus transportation system is pretty poor for someone to base getting to work and home and maybe to stores or pick up children from childcare. Every time there is a downturn in our economy, bus transportation services are cut back or dropped totally. So to expect families to depend on bus service for significant necessary daily travel is a lottery that does them a disservice.

In addition, we have seen that contractors can buy enough lots in a neighborhood, knock down the existing housing and build complexes that often are NOT affordable to low income and working families so we have lost housing instead of the promised gain. At the same time, having 8-plexes in a residential neighborhood with no parking puts a premium on the streets that we are trying to keep clear for the safety of school children, buses and fire trucks.

This sounds like a way to put money in the pocket of builders who make the most money from higher priced homes, not a way to help first time home buyers, especially people of color historically locked out, from getting one. There is no guarantee in the proposed policies that it will actually result in more affordable housing, only "a promise", and we have seen what "a promise" turns out not to be with the various tax concessions made to apartment and condo builders downtown.

I am strongly opposed to the proposed changes in parking policy as well as housing zoning brought to us by the Olympia City Council to date.

Linda Malanchuk-Finnan  
3122 28<sup>th</sup> Ave SE  
Olympia, WA 98501  
360-357-7272  
lryh@hotmail.com

**From:** [Cindy](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Olympia Planning Commission: Attn Joyce Phillips  
**Date:** Thursday, March 16, 2023 7:26:14 AM

---

One example ~ Sidewalk Café, 601 Capitol Way N

To eat there generally I have to park, at a meter, 2 blocks away.

Walking to the café I was approached by a homeless person, pan handling ~ I did not 'feel' comfortable

While I love their food, due to the lack of parking spaces, I rarely battle it  
Another thought

When people have company ~ their guests usually drive to visit them. And where do they park?

At a condo in Seattle I visited the family and again, parked blocks away, walking to their address in the wind and rain! Never got warmed up again, until I got home to Tumwater and took a hot bath.

My son lives in East Elmhurst, New York ~ he has a co-op, not enough parking, so his option is on the street.

Mind you, on certain days vehicles cannot park, as it blocks service vehicles, the signs are posted 'no parking', like we do for Lakefair parades ~ however, their signs are WEEKLY (very inconvenient).

Have you been to St Peter's Hospital lately? I spend more time looping their parking lot looking for a place to park than I do in the building!

Seems to me an off-site parking lot would be handy, with a shuttle for the staff ~ like SeaTac airport parking lot shuttle services.

Think outside of the box ~ give the developers more options ~

Thank you for your time ~ and goodluck!

Cindy Martin

Preciously owner of DC Cab (a local transportation service)  
360 791-8927

## Joyce Phillips

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**From:** Joyce Mercuri <Chela2@Q.com>  
**Sent:** Thursday, March 16, 2023 1:22 PM  
**To:** Joyce Phillips  
**Subject:** Olympia Planning Commission, Attn: Joyce Phillips: Residential Parking

Hello Joyce:

I am writing with comments about the proposed reductions in residential parking requirements.

I am strongly OPPOSED to the proposal. While it sounds great on paper to remove parking, it is impractical, is unfair to the lower income tenants of the buildings, and will result in crowded conditions in surrounding neighborhoods. It RAINS a lot in Olympia and people will always use cars or some other vehicular way of getting around, especially at night. There is not now, and will probably never be, enough bus service to get people where they need to be.

ALSO... It is unfair and unworkable for low income, marginalized people!

While this might somewhat help the cost of housing, it is inherently unfair to lower income people. The idea here is to reduce the number of people who have cars completely (unless you are assuming they will just crowd their cars into surrounding neighborhoods). If people living in these places don't have ability to have a car, then how can they get to their jobs (e.g., folks who work at the call centers way out in Lacey, or who have nighttime work?). How can they shuttle their kids around to school and activities? How can they run errands such as grocery shopping with toddlers in tow on a bus, carrying their purchases.

How are visitors to these buildings supposed to be accommodated, unless they park in the local neighborhood? That will result in overly full and jammed residential streets like in Seattle.

It does not make sense to remove parking!!!!

Sincerely,  
Joyce Mercuri  
804 Milas Avenue NE  
Olympia

**From:** [Janae Huber](#)  
**To:** [Joyce Phillips](#)  
**Cc:** [CityCouncil](#)  
**Subject:** Parking  
**Date:** Thursday, March 16, 2023 9:11:48 PM

---

Dear members of the Planning Commission -

The parking proposal you are considering lacks the urgency of our housing crisis and completely ignores the climate crisis.

The City has advertised this proposal as a reduction in parking requirements. Given that, I eagerly listened to your March 6th briefing. Yet, when I dug into the proposal, I saw that it actually represents very little reduction and in some categories a doubling of allowable parking. For example:

- For multifamily housing built for **low and extremely low income residents, there is no reduction** in required parking. Again, this proposal is being brought to you as part of the *Housing Action Plan* with the expressed goal of increasing Olympia's supply and improving the affordability of housing.
- For market rate **units built near transit, there is no reduction** in the parking minimum.
- For **studio apartments**, another option for people seeking more affordable units, **the reduction proposed is only 25% less** than the current requirement.

These three categories have the potential to benefit the most from reduction in parking requirements. Low income residents need access to more units built as affordably as possible and yet we're still proposing .75 parking spots per unit. This not only reduces the amount of space available for housing units, it adds approximately \$10,000 to the cost of each unit.

When we build multi-family housing near transit, we are creating precisely the scenario where people can live a car-lite lifestyle. And yet, we are proposing a minimum of .75 spots per unit (0% reduction from current). If that's built as structured parking, we're adding \$25,000-\$50,000 per unit to the price.

As written, this proposal wholly misses the mark. Olympia needs a compact development pattern that supports diverse housing, and prioritizes affordability and carbon reductions. This proposal does nothing to move Olympia toward that necessary future.

I urge you to help us join the more than 200 cities and towns nationwide that have eliminated parking minimums in their communities.

Janae Huber

Olympia

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**Janae Huber**

[janae.huber@gmail.com](mailto:janae.huber@gmail.com)

## Resolution to the Olympia Planning Commission

**The purpose of this resolution is to urge the Olympia Planning Commission’s March 20th hearing be delayed until such time that a thorough analysis of the proposed amendments to the residential parking requirement code can be performed and then disseminated at least 30 days before the hearing.**

Whereas, the Olympia Comprehensive Plan PL11.5 places this caveat on parking reductions:

*“...reduce parking space requirements but avoid significant overflow into residential areas; support parking structures, especially downtown and in urban corridors; designate streets for on-street parking where safe.”*

Whereas, the city did not meet its stated public outreach commitment made in its application for the Commerce Department grant (see below) and thus did not build a stronger understanding of the need for their recommendations, particularly by surrounding neighborhoods.

*“We anticipate conducting an especially high level of public outreach around the reduction of parking requirements (Objective One) so that we can build stronger understanding of why this is an important step for meeting housing, land use, transportation and climate adaption goals along with address concerns about parking impacts to surrounding neighborhoods.”* – Olympia HAPI Application 10/7/21

Whereas, a city commissioned survey in Portland found that despite robust and extensive transit alternatives, 72% of residents in new apartment buildings owned cars and the Census’ 2021 American Community Survey (ACS) showed that nationally 79% of those living in apartments had one or more vehicles and **90% of those living in apartments in Washington state** had one or more vehicle (1 ton or less),

Whereas, Olympia, lacking a transit system comparable to Portland, and

- is more likely to have a greater car ownership rate than Portland and be closer to the Washington average, and
- lower income individuals are more likely to have multiple part-time jobs and work in the service industry and Olympia’s definition of “frequent transit routes” and the level of service of our current transit system is inadequate to meet their needs in terms of hours, days of operation and frequency,

Whereas, no data has been presented demonstrating that the proposal would “avoid significant overflow into residential areas”,

- there is no provision proposed for managing such significant parking overflows when they do occur, and
- there is no process for a neighborhood to appeal the impact of a zero-parking policy in terms of analysis or remediation,

Whereas, there is no provision requiring developers to pass savings from reduced construction cost on to future renters,

Whereas, the City's commitment to “robust” public engagement has not happened,

Whereas, the Olympia Planning Commission instructed staff to make significant changes to the draft proposal shared with the Recognized Neighborhood Associations with the result that it changed it from a "reduction" to the complete "elimination" of minimum parking requirements for multi-family units with 3 or more units, and

- the significant changes were not presented until March 13, 2023, just seven days before the Planning Commission hearing on March 20<sup>th</sup>,
- no supporting documentation for the changes and its effects on overflow to neighborhoods were presented, and
- there is inadequate time and information for RNAs to evaluate and inform their members,

Therefore, we adopt this resolution requesting the March 20<sup>th</sup> hearing be delayed until such time that the parking impact analysis can be performed and disseminated at least 30 days before the hearing.

Approved by unanimous vote on 3-16-23

**From:** [Catherine Bander](#)  
**To:** [Joyce Phillips](#)  
**Subject:** City of Olympia new parking regulations  
**Date:** Friday, March 17, 2023 9:54:29 AM

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Dear people,

I am not in favor of reducing required parking spaces for residences. Yes, it is ideal to have residents use public transportation or their own legs. Not going to happen! Eliminating parking requirements will move the vehicles on to the street as has happened in my neighborhood, near St Michaels Church. The Easterly, an apartment building on Eastside street was built a few years ago with the idea that the residents could use the parking next door - used to be a credit union. Residents of the Easterly are parking on Eastside Street, and 9th Ave. There are 3 duplexes on 10 Ave, each unit has a garage and driveway. However, the residents own more than 2 cars and the excess vehicles are parked on both sides of 10 Ave.

These two examples show that family units have more than one vehicle. Also, even if they live on a bus line they still have vehicles.

Reducing parking requirements will not eliminate vehicle ownership, just moves the problem onto public roads, causing more congestion.

Catherine Bander  
Olympia resident

**From:** [Joy Griffin](#)  
**To:** [Joyce Phillips](#)  
**Subject:** No on no ...new developments need to provide parking  
**Date:** Friday, March 17, 2023 10:18:47 AM

---

I'm a voting citizen living in olympia, here on the westside, and we already have wars with our neighbors about parking. Please do not pass new development regulations that they don't need to provide parking. New developments should have 2 parking spaces per appt/townhouse. It's totally insane to propose no parking for folks. It will totally create more crime. My neighbor already threatens me when I'm forced to park in front of his house as somebody else is already parked in front of my house. Please make olympia a better place to live, not worse.

Joy Griffin

A concerned citizen of Olympia

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**From:** [Kathy McCormick](#)  
**To:** [Joyce Phillips](#)  
**Cc:** [CityCouncil](#)  
**Subject:** OPC discussion on Parking Requirements  
**Date:** Friday, March 17, 2023 12:04:18 PM

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Dear Planning Commission Members

The City of Olympia has been “nattering” around the edges of reduced parking requirements for 25 years. I know because I served as staff to the Olympia Planning Commission for many of those years. Once again I fear that valuable Olympia staff, Planning Commission and Council time is being spent without moving the City toward its housing goals for dealing with what has become a housing crisis of availability, affordability and environmental concern.

**Given the amount of publicly available parking on city streets, I believe there should be no minimum requirements.** Builders of housing are going to provide the amount of parking deemed necessary for the viability of the project. The city should be encouraging curbside parking.

Curbside parking:

- Uses the available asphalt as fully as possible
- Reduces the need to use more land to store cars and increase impervious surface in the process (requiring even more land and cost for water retention on site)
- Decreases car speed by increasing street edge “friction” increasing safety for all modes of travel
- Allows more land to be used for human habitable space rather than expensive square footage for car storage

**Given the housing and affordability crisis and the goals of the City Housing Action Plan - not to mention City and Regional Sustainability goals - this is NOT the time to once again make timid - or in some cases in this proposal - NO changes to parking minimums.**

**Use this opportunity to make a real difference in the way we use land:**

- Encourage full use of existing street edge parking
- Reduce the cost of building housing in every way possible
- Use the built environment as fully as possible to house People Not Cars!

Sincerely,

Kathy McCormick  
2420 Columbia St SW  
Olympia, WA 98501

**From:** [Jo Pierson](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Oly Planning Commission ATTN Joyce  
**Date:** Friday, March 17, 2023 5:43:15 PM

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## Re: Zero Parking Proposal

Restricting parking to zero parking serves no one but the developer. It does not serve the community. In fact, it lessens the quality of life for those living in multiplex dwellings and for their neighbors.

The article online did not offer a reason for the proposal--I will guess that it was on behalf of a developer who would not be willing to give up his own multi-car garage! Developers want all the property to generate income, and parking is not income generating.

I lived for many years in the high density/low to zero parking nightmare called the San Fernando Valley in Southern California. It was not uncommon to be forced to walk for blocks after parking my car, carrying groceries, my briefcase, and keeping my toddler close enough for safety's sake. Succinctly--it sucked.

Please remember that you serve the community.

Thank you,

Jo Pierson  
1616 11th Ave SW  
Olympia, 98502

**From:** [Andy Carter](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking Requirements for Developers  
**Date:** Sunday, March 19, 2023 10:11:01 AM

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I don't know if the story is true, that parking regulations for new developments are being reduced or eliminated, but if so I object. I believe that new single family homes are required to have at least one parking space; I further believe that multi-family homes are required to have at least one parking space per unit. Developers are required to mitigate their impact created by the development; requiring at least one (or mor) parking space per unit is a major mitigation that must be required for development in the City. New development may be beneficial for the city, but not at the expense of the public.  
Anthony Carter

Andy

**From:** [Barbara Buchan](#)  
**To:** [Joyce Phillips](#)  
**Cc:** [Bev Bassett on behalf of OSD&LN](#)  
**Subject:** Review 3/20/23 of new parking regulations  
**Date:** Sunday, March 19, 2023 2:41:54 PM

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Please allow more time for review of the proposed regulations. Some of the proposals just announced decry common sense or are not tenable.  
It appears that the City is not really interested in working with the neighborhoods.  
Please rethink your current proposals.

Thank you  
Barbara Buchan  
924Quince, N.E.



Virus-free [www.avast.com](http://www.avast.com)

**From:** [ComcastIMAP](#)  
**To:** [Joyce Phillips](#)  
**Cc:** [Leonard Bauer](#); [CityCouncil](#)  
**Subject:** Fwd: [Blog] Walkable archipelagos are emerging across the US  
**Date:** Sunday, March 19, 2023 4:24:57 PM

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Joyce,

Please provide this article to the Planning Commission for Monday nights hearing.  
This is another good article support about the value of minimizing parking.

Thank you.

Best, Mike

Mike McCormick  
360.754.2916

Begin forwarded message:

**From:** "Brandon G. Donnelly" <b@brandondonnelly.com>  
**Date:** March 19, 2023 at 3:02:36 AM PDT  
**To:** Mike <mike.mccormick@comcast.net>  
**Subject:** [Blog] Walkable archipelagos are emerging across the US  
**Reply-To:** us7-36ec175a20-20615f3b95@inbound.mailchimpapp.net

The daily blog for city builders

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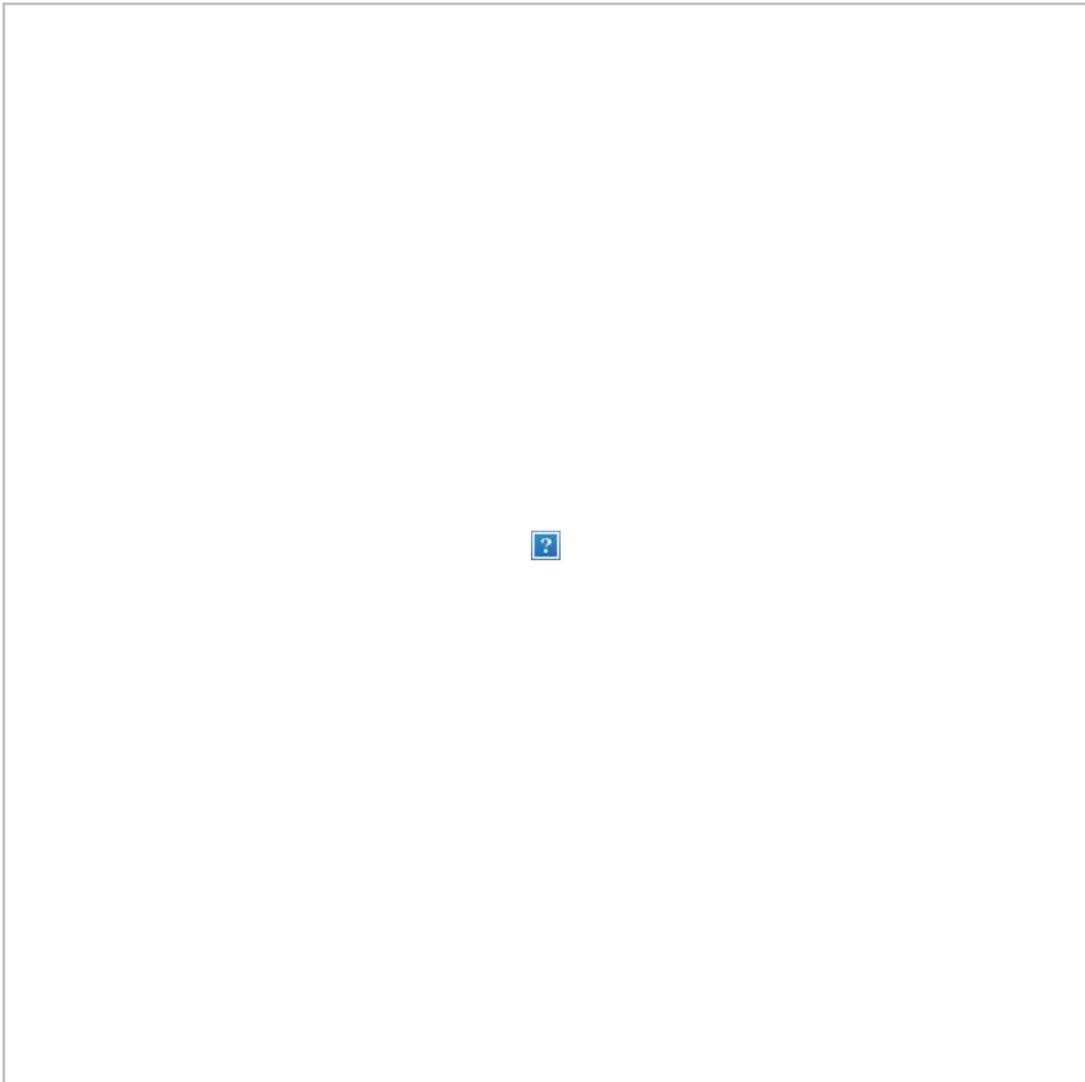
Walkable archipelagos are emerging across the US  
Mar 18, 2023 10:55 am | Brandon Graham Donnelly

We have *spoken before* about how walkable urban communities punch above their weight. In the US, only about 1.2% of land is, on average, designed and built for walkability. And yet, walkable neighborhoods in the top 35 metro areas account for about 19.1% of total US real GDP.

At the same time, because walkable communities are a rarified

commodity, they usually come at a premium. According to some sources, it's to the tune of 30-40% when you look at home prices and rental rates. This again suggests that humans actually like and want this type of urbanism.

Which is probably why there's a growing interest in building more of it. Here's a recent article from Bloomberg CityLab and here's a photo of Culatesac's new completely car-free community under construction in Tempe, Arizona (this doesn't look like the Arizona I know):



But in addition to just giving people more of what they want, there are also real economic benefits to stripping out parking and to overall more compact development. Charlotte-based Space Craft is another developer focused on car-light and transit-oriented apartments, and they have seemingly managed to make their

projects more affordable as a result:

*“Our product offered lower rents to residents, \$100 to \$200 below our competitors, and was the best product in the market because we were able to reinvest some of the savings from parking,” said [Harrison] Tucker, who sees walkable urban neighborhoods becoming their own real estate investment class. “The economic case was just very strong.”*

This also flies in the face of the common argument that developers will always profit maximize and charge whatever the market will bear for their spaces. So why even bother trying to make it easier and cheaper to build? But this is not true! Lower development costs, as we see here, can and will translate into lower rents and higher quality buildings.

I also agree with Tucker that we will see walkable urban neighborhoods, and their associated building typologies, become an important real estate asset class. For all of the reasons that we talk about on this blog, this is where our cities are headed.

However, it’s going to take some time. I like the metaphor (mentioned in the above article) that, right now, we are creating “walkable archipelagos” or walkable islands in seas of cars. With the right connectivity (transit, micromobility, and so on), these islands can do just fine. But over time, I suspect we’ll see a lot more land reclamation. Good.

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- My NFT photography [Foundation]
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*\*Some of these things generate \$, which helps to pay for this newsletter*

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### **Miss a post? Here's the last five:**

English-speaking countries don't like apartments

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The end of free money

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**From:** [Alice](#)  
**To:** [Joyce Phillips](#)  
**Subject:** City development  
**Date:** Monday, March 20, 2023 5:35:18 AM

---

Hello,

I'm concerned about the "no minimum parking" plan. I disagree with the proposal. Parking provides a safe place for vehicles, thefts, breaking, and hit and runs are already a problem that will become worse with parking on the street. Also safety for pedestrians is an issue as people walk, ride bikes and utilize side walls or streets when there are no sidewalks.

These are only a few of the problems with the proposal but public safety should come first.

Thank you, Alice Steele

Sent from my iPhone

**From:** [Beverly Bassett](#)  
**To:** [Joyce Phillips](#)  
**Cc:** [Beverly Bassett](#); [CityCouncil](#)  
**Subject:** New Regs with ZERO parking!  
**Date:** Monday, March 20, 2023 4:21:18 PM

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Developing Olympia with as little as ZERO parking for new residential development is simply preposterous! We have no rapid transit, obviously, and none is planned. Our bus service is hourly for most residents of this city. Bus stops may be blocks away from many people—if they are able to walk to a bus stop.

Many Olympians have young children and multiple jobs working odd hours and shifts. Most Olympians have a car and need that car to get around. Those are the facts. And there are no plans in place to improve our current bus service.

The street I live on, in the 1200 block of Marion northeast, currently has three black houses with little off-street parking, and residents park on both sides of the street blocking fire and emergency access much of the time. Most Olympia neighborhood streets have no sidewalks which forces people to walk down the middle of streets choked with cars already. When pedestrians, pets or young children, or elderly or infirm walkers are hit by cars, their blood will be on your hands.

I am infuriated and disgusted by the City's and Planning Commission's callous disregard for the ordinary people of Olympia that is demonstrated by the City's proposed new parking regulations which will turn our home into a dystopian hellscape of malevolent mis-planning which serves nobody but developers and their sycophants inside Olympia City government.

I demand that the City of Olympia and the Planning Commission reorder your standard operating procedure from one which prioritizes the wishes and desires of developers to one which prioritizes the needs and realities of our citizens and taxpayers first and foremost for a change!

Sincerely,

Beverly Bassett  
1218 Marion St NE  
Olympia, WA 98506  
[bev@bevinoly.com](mailto:bev@bevinoly.com)

March 19, 2023

Dear Chair Nejadi and Members of the Planning Commission:

Thank you for the opportunity to comment on the changes to Olympia's parking requirements. I have reviewed the current draft of the changes. I have also had a chance to read the March 16 email comments of Janae Huber and the March 17 email comments of Kathy McCormick and wholeheartedly concur with their analysis. I recommend you pay close attention to their comments.

My understanding is the reason the City pursued making these changes was from the recommendations in the *Housing Action Plan* on how to make housing more affordable. Further, a reduction in parking requirements would also help reduce greenhouse gas emissions by encouraging housing near transit and reduce the need to be dependent on an automobile. The current draft does little to assist with affordability or a reduction in greenhouse gas emissions impact on climate change.

Two bills before the Legislature, if passed, could institute requirements that could impact parking requirements and assist in the reduction of greenhouse gas emissions. HB 1110 has passed the House and is being considered by the Senate. This proposed legislation would prohibit requiring off street parking as a condition of development for middle housing within a quarter mile of a major transit stop. HB 1181 would require the City to plan for significant reductions in greenhouse gas emissions. HB 1181 does not address parking requirements specifically. Nevertheless, reducing automobile trips, one of the major contributors of greenhouse gas emissions, would help the City meet these requirements. Reducing parking requirements create incentives to reduce auto trips. Both bills have significant Legislative support. These possible amendments to the Growth Management Act should be considered as you make your recommendations on parking changes.

Thank you for the time and effort you devote to City planning issues. It is important work.

Best regards,  
Holly Gadbow  
1625 Sylvester Street SW  
Olympia, WA 98501  
(360) 789-3616

cc: Joyce Phillips  
Leonard Bauer  
Olympia City Council

**From:** [Leslie Wolff](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Olympia Planning Commission, Attn: Joyce Phillips  
**Date:** Monday, March 20, 2023 9:08:13 AM

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Good morning, Joyce.

I would like to submit my concerns regarding the Planning Commission's potential decision to not require any parking for future multifamily housing developments.

While I agree that moving away from individual vehicle dependency is a worthy goal, we simply aren't there yet.

We do not have adequate public transportation to make this vision a reality yet. A lack of buses outside of "regular business hours" including late night transit makes it impossible for many of our community members employed in the service industries, among others, to make it work without a car. The commission must use a big picture approach when creating policy. Our transit must be made more equitable and accessible before decisions that will potentially harm people's ability to hold a job are made. Without options, people will continue to drive and will be forced to park in expensive lots or on the streets.

In addition, without sufficient public transportation there is a very real possibility that small businesses in our downtown area will be hurt by a lack of options to get to businesses. And a lack of parking with those spots taken by residents. We need to make downtown easier to access for people who chose not to drive before we remove residential parking.

Thank you,  
Leslie Wolff

Sent from my iPhone

**From:** [Karen Messmer](#)  
**To:** [Joyce Phillips](#)  
**Subject:** please include for planning commission hearing info 3/20  
**Date:** Monday, March 20, 2023 9:53:06 AM

---

Please send to planning commission as hearing comments for 3/20 hearing on parking.

Karen Messmer

Parking –

Reducing parking requirements for some types of housing in some specific areas may be warranted. However, the current zoning table in the code to change these regulations is too blunt of an instrument. There are specific areas that would be negatively impacted by increased car parking with no on-site spots.

Along major streets such as Boulevard and Capitol Way, 22<sup>nd</sup> Avenue – there is no on street parking allowed. If units are added along these streets without any parking on site we could see problems with sidewalk, bike lane or shoulder parking. This already happens, for example, on 22<sup>nd</sup> and Boulevard when people have garage sales. This puts people who are walking at risk when their only choice is to walk around those vehicles into the street. This is along fairly busy streets, not just low traffic neighborhood streets.

This situation needs to be applied in theory to some situations throughout town to see how it actually will play out. This could show what could work in some areas and it seems likely it will not work in some locations.

Using the current parking code format for this – applying it to all housing in certain zones – is not be the best way to do this. Using overlay areas or specific street frontage designations might be a different way to apply this.

Also, in the draft for the hearing - the cottage housing bike parking references 'on street parking' which doesn't really have anything to do with bike parking. So this one seems confusing.

From the table -

Cottage Housing One (1) space per unit or one and one-half (1.5) spaces per unit if on-street parking is not available along street frontage (One (1) space per twenty (20) linear feet).

Long Term Bike Parking - One per five (5) units, or one (1) per three (3) units if no on-street parking.

**From:** [Rhonda Porter](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Hearing on Parking Regulations  
**Date:** Monday, March 20, 2023 10:10:42 AM

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I am urging the Olympia Planning Commission's hearing on parking today be delayed until such time that a thorough analysis of the proposed amendments to the residential parking requirement code can be performed and then disseminated at least 30 days before the hearing.

Olympia Resident  
Rhonda Porter

**From:** [Margaret and Jim](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Olympia Planning Commission, Attn: Joyce Phillips"  
**Date:** Monday, March 20, 2023 1:08:50 PM

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Good afternoon.

On behalf of the Eastside Neighborhood Association, I would like to submit the following comments on the proposal before the Planning Commission to eliminate parking space requirement for residential developments up to 100 units.

I have reviewed the proposal, the printed version of the City's survey and the comments that have been submitted to date as well as a summary of the process that has been followed to date.

The Eastside Neighborhood Association supports the resolution submitted by the Council of Neighborhood Associations to delay action on this proposal.

I am confident that City staff would get an A+ for ensuring the minimum outreach requirements that were all met. However, if the goal of public outreach is to engage the public in a meaningful dialog to inform decisions, the City has clearly fallen far short of that mark. It is truly disappointing that the city is relying so heavily on surveys, that as Judy Bardin pointed out in her comments, are severely flawed and designed, intentionally or un-intentionally, in a manner that favors the city's preferred outcome.

I would also like to convey the Eastside Neighborhood Association's objection to the proposal itself.

The Eastside Neighborhood is bordered by Eastside Street, 4<sup>th</sup> Avenue, Boulevard Road and I-5. Our neighborhood is well served by transit, but poorly served by the City in terms of sidewalks, bicycle facilities and, in some locations, stormwater infrastructure. The vast majority of our streets have no sidewalks at all and where they exist, they are likely broken and crumbling.

While we have a number of concerns with both the proposal and the process, our primary concern is pedestrian safety. Walking in our neighborhood means taking to the streets. The elderly, the handicapped, parents with strollers, small children all must use the street to travel through most of our neighborhood. Implicit in this proposal is that, if transit is nearby, walking a few hundred yards is acceptable. This is not the case when there are no sidewalks, the streets are lined by parked cars and pond-size puddles due to lack of stormwater facilities. This is exactly the situation on Frederick Street, between 4<sup>th</sup> Avenue and 7<sup>th</sup> Avenue. There are several other examples throughout the Eastside Neighborhood.

The description, prepared by City staff, that opens its survey naively suggests that apartments with no parking will attract people that choose to live without a car. Having grown up in a high-density urban east coast city I have already experienced the result. People will assume they will find parking somehow and the streets will be clogged with parked cars. This will only make worse the challenges to pedestrians where there are no safe facilities as is the case in most of the Eastside Neighborhood.

Sincerely,  
Jim Rioux on behalf of the Eastside Neighborhood Association's Board of Directors

**From:** [jacobsoly@aol.com](mailto:jacobsoly@aol.com)  
**To:** [Joyce Phillips](#)  
**Subject:** Public Hearing Comments, Proposed Residential Parking Code Amendments  
**Date:** Monday, March 20, 2023 1:12:06 PM

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Hi Joyce

I will be unable to attend this evening's Planning Commission public hearing re proposed residential parking code amendments.

Please make this email available to the Commission as my official comments.

Commissioners:

I am concerned about what appears to be a doctrinaire approach to some of these parking standards that ignores the practicalities of daily life.

The idea of zero minimums is especially troubling.

I have seen this approach work quite well -- when I lived in Manhattan, where the public transit system is extensive and where housing density is very high. The transit system, featuring both subways and buses, not to mention thousands of taxis, make it practical to get everywhere easily. And the high housing density allows for grocery stores and pharmacies, etc. to be present within a few blocks of all residences.

No place in Thurston County fits that description. And TRPC population projections make clear that this situation will not change for many, many years.

Everyday activities like grocery shopping and taking kids to soccer games and getting medical services require that many people have vehicles. That is why so many apartment dwellers have cars today and will need them in the future.

I urge you to think of everyday activities as you consider parking code amendments.

Bob Jacobs  
360-352-1346

720 Governor Stevens Ave. SE  
Olympia 98501

**From:** [Colleen](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking reduction  
**Date:** Monday, March 20, 2023 1:25:40 PM

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Dear Ms. Phillip,

I am opposed to decreasing the parking spaces required for all types of residential housing for the following reasons:

- 1) There are few sidewalks in my neighborhood, compromising pedestrian safety if more cars have to park on the street
  
- 2) I have physical limitations so walking to and from the bus stop nearest to my house would be very painful and difficult for me.
  
- 3) If parking space is decreased it would jeopardize my ability to drive my care for essential needs related to finding ample parking space throughout the city.
  
- 4) I really don't see why a reduction in parking space is necessary except to grab a few more feet for housing or to try to force people onto public transportation, which is very poor in Olympia.

Sincerely,  
Colleen Bradford  
1712 13th Ave SE  
Olympia, WA 98501  
(360) 970-8634  
c\_brad@comcast.net

Sent from my iPhone

**From:** [JUDITH BARDIN](#)  
**To:** [Joyce Phillips](#)  
**Subject:** My comments for the Parking Regulations  
**Date:** Monday, March 20, 2023 2:57:28 PM

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Hi Joyce,

Here are my comments for tonight's hearing on the proposed parking regulations. Can you please send them to the OPC.

Thank you, Judy

**Comments:**

My name is Judy Bardin and I presently live in Southeast Olympia, though I recently lived in Northwest Olympia. I feel that such a drastic reduction in parking requirements is a mistake. There is a lot I could say about what is wrong with the ordinance, but I will highlight a few considerations.

- Mail - in much of Northwest Olympia mail is delivered by a mail truck at mailboxes at the street. The United States Postal Service requires that residents leave 10 feet on either side of a mailbox so that mail can be delivered. This takes up a parking space. If that space is filled, the mailman will not deliver the mail.
- Electric car charging - electric cars are being incentivized nationally and locally and more and more people have electric cars. If there is no space to park a car, how will it be charged?
- On my street in southeast there is one side of the street utility barrel pickup taking up a lot of the parking space on that side of the street.
- Many streets in Olympia don't have sidewalks, so walking to buses is not safe and is very difficult for people with disabilities.
- The transportation system is not robust, service is nonexistent or limited in the later evening on weekends and holidays.

I want to share a recent experience. I had hired someone to help me with gardening on a Sunday summer afternoon. She lived in Northeast Olympia and coming from a second job. It took her close to two hours with a bus change to get to my house in the Northwest. When she arrived, she could only work for about an hour and a half before she had to leave because the last bus was at 6:30 pm. Based on that experience, I now often pick her up by car when she works for me.

No analysis had been done of parking conditions by various neighborhoods. Some neighborhoods have double car garages, and large driveways, and parking is ample. Other, especially in older neighborhoods, houses may not have garages, driveways, or sidewalks and the neighborhood may already be parked up. The City needs to look at different areas of the City in formulating regulations. It promised this type of data analysis and a robust public process in its grant application to the Department of Commerce. Neither have been done.

Judy Bardin  
3129 Hoadly St SE  
Olympia, WA 98501

**From:** [Phyllis Booth](#)  
**To:** [Joyce Phillips](#)  
**Subject:** New Parking Regulations  
**Date:** Monday, March 20, 2023 4:15:03 PM

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March 20, 2023

To the Olympia Planning Commission:

My family and I have lived within the City of Olympia since 1995. We moved from the Yelm area because we did not want a two car lifestyle and bus transportation was inadequate for our needs. Back in 1995, Boulevard Road had great bus service. However, when we had our second son I attempted to take him with me on the bus to shop and do a few errands. What I found was that riding the bus with an active young child and packages was dangerous, especially in the rain. I tried to adapt many times, but gave up as the bus rides added two hours to my day as well as a lot of stress.

What I did succeed with was going down to one car and carpooling and using the bus without children on the weekends. But I was successful without a car only when I had someone to watch my child or my husband did not have to travel outside of Olympia with work colleagues which was often.

Many times, I have written and testified in person to the Planning Commission. I even applied to be on the Planning Commission after watching in person the Olympia City Council for many years but was never granted that opportunity. What I have found over many decades is that the Olympia Planning Commission is stacked and told what to do and most of the time the commission does what developers want. But I am writing these comments to go on record as having tried.

When someone's child or someone's grandparent is tragically killed because the infrastructure for safe transportation was not in place such as parking, you will be held accountable.

Phyllis Booth  
Olympia WA

**From:** [Lisa Fleming](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking  
**Date:** Monday, March 20, 2023 7:11:06 PM

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30 year resident of Olympia. Decreasing parking will push people into parking on neighboring streets, taking away those neighbors' parking. I do not think it is realistic to expect that all households will only have one car. When I worked for a big box retailer almost all the part-time and full-time employees drove their own cars to work. The bus system didn't work for them, even with transfers.

Lisa Fleming

**From:** [marti walker](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Proposed Parking Code Amendments  
**Date:** Tuesday, March 21, 2023 5:45:06 PM

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Ms. Phillip,

I am very much opposed to the proposed parking code amendments. There are many areas in Olympia that currently have over crowded street parking forcing residents to park far from their homes. If these parking code amendments are passed it would allow developers to build apartment buildings with no required on site parking. This will cause competition and conflict for on street parking, making it impossible for all citizens to find adequate parking. Portland tried not requiring parking and had to back off from this policy because it was unworkable.

Martha Walker  
619 Central St SE  
Olympia, WA 98501

**From:** [Beverly Torguson](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking ordinance proposed changes  
**Date:** Tuesday, March 21, 2023 6:30:04 PM

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Hi,

We are opposed to changing the off street parking requirements to zero. It is not realistic. People love their cars and their trucks even more. It represents freedom and Americans love their freedom. We wish you would not listen to a very small group of very loud people, but think about this in a more realistic way. And, as far as those people that are concerned about the environment, gas powered vehicles will probably be replaced by electric vehicles but that will take time and electric vehicles will still need parking.

'Walkable city/neighborhoods' is a good sound bite that you use in an election campaign to get you elected. But, it is not realistic. Cities were walkable in the 50's with Mom and Pop stores in every neighborhood. But, those stores got out competed by the big box stores and they are never coming back. Their prices were too expensive. And, how many houses do you need to tear down to make room for all those Mom and Pop stores to try and retro fit into our city? Again, not realistic and counter productive.

As far as using public transit for every day errands and other activities, how do I carry lumber from Home Depot on a bus? Or, bags of mulch? How do I carry many bags of groceries from Costco? How about trying to carry a 40 inch TV on a bus? How do I get to Mt. Rainier without a car? What about us senior citizens that can't walk very well? Right now I have an injured knee and can not walk two blocks to the bus stop let alone many blocks to either shop or to see a friend. I can barely get out of my car and walk from the parking lot to the store.

If removing off street parking requirements is about reducing the cost of housing, again, not realistic as developers are in business to make as much money as they can. They will not pass the savings on down to customers. And, if they are a publicly held business, they are required to make as much money as possible for their investors.

If you think getting rid of cars is such a great idea, then I say, 'YOU GO FIRST!' Go ahead. Do it now and see how well that goes for you.

Bev Torguson

**From:** [Peter Trenholme](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Proposed new construction parking space requirements  
**Date:** Tuesday, March 21, 2023 8:17:02 PM

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Mr. Phillip:

First, an apology: I have not, actually, read your proposal, so this is a response to a hearsay note stressing that, if adopted, vehicle ownership and usage would become less desirable. (The writer of the note assumed that that was an obvious "bad thing.")

I'd like to suggest a more carrot-and-stick approach: Keep the number of spaces about the same as currently set, but require many of them to be "electric vehicle only" charging stations.

By the time (4 to 5 years? from adoption) the exponentially increasing degradation of the planet's carrying capacity will have become much more obvious.  
(In fact, you might consider a requirement that the archaic parking spots be pre-wired for conversion to electric vehicle support desirable.)

**Peter Trenholme**

2011 Roxburg CT SE  
Olympia, WA 98513-3428  
USA

(360) 489-9379 [Cell]

**From:** [Bill Bruns](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Residential Parking Proposal  
**Date:** Tuesday, March 21, 2023 8:50:44 PM

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Hi Joyce,

Residential parking minimums should be removed entirely.

Given the freedom to build housing without off-street parking, there is little doubt most developers would continue to build off-street parking at the current, established rate. This is because American car centrism--inept as it has generally proven at building anything except suburban sprawl that lacks sidewalk life and public life--is the order of the day. Americans have largely accepted suburban sprawl as if it were an inevitability, and developers will continue to build in accordance with this misconception. This is no surprise because most Americans have never been presented with an alternative. Residential parking minimums effectively preclude an alternative. When cities are built to make driving personal vehicles as easy and as cheap as possible, it is no surprise that most people who can afford it will drive.

Presented with an alternative, developers that lack creativity (most but not all) would not change their current parking strategy one mote. One need look no farther than Grass Lake Village or Woodbury Crossing for a flavor of what passes as residential development today. These are dreary places that lack vitality and interest. There is no joy to walk there and for this reason there are rarely people on the street. Unless action is taken to add interest to these developments (they are certainly not neighborhoods), they are destined to be tomorrow's slums.

To deprive developers of the *opportunity* to build housing without parking minimums is the same variety of misjudgment that *allowing* ADUs would result in all manner of societal chaos. Olympia has shown that allowing ADUs has in fact not proven an issue at all. In fact, based on my extremely informal review of walking around Olympia, ADUs have not been built on a major scale even many years after they were first permitted. From my understanding, the City is actively encouraging ADU development to address its insufficient housing: the very same housing crisis that is largely due to Olympia's car centric design, a core tenet of which is residential parking minimums.

Parking minimums are also discriminatory against people who are able to but choose not to drive. You may have guessed at this point in my argument that I am one of them.

NW Olympia where I live is a poor place to walk. I have lived in Olympia for less than a year and have almost been hit by cars more times than I can recall, despite extreme caution. I do not feel comfortable biking in Olympia and have fallen out of the habit entirely. Harrison Raceway and the other major roads around the monolithic, impermeable-to-foot-based-travel Capital Mall-Auto Row complex are representative of the type of madness parking minimums encourage. These are not places for people; these are places for cars.

Olympia prides itself in doing things differently. There is truth in this. However, as far as urban planning goes, Olympia is firmly in the more of the same category. Give people the option to make their own choice about parking and some people, slowly at first, will choose differently. Removing residential parking minimums presents no risk to Olympia and in fact

is necessary long-term for Olympia to become a livable, walkable, and community-oriented city.

Thank you,  
Bill Bruns

**From:** [Lorie Hewitt](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Comments on Olympia's Proposed Parking Amendments  
**Date:** Wednesday, March 22, 2023 11:40:50 AM

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Dear Planning Commission Staff:

After listening to the hearing on March 20th, I have some comments and questions.

First—I am confused about the overall objective for the parking changes down to zero spaces for multifamily buildings. Is the purpose to get more housing built OR is the purpose to create more affordable low income housing? If it's the latter (which appears in your Housing Action Plan), I would like to see the data showing that developers who have no obligation to provide parking spaces then go on to price their rentals as affordable for lower income residents. Is there a strong correlation between less parking spaces and lower rents?

In addition, I would like to see the data you have used that shows that buildings with no parking work well for low income residents. Have you surveyed lower income folks and found they don't have cars. Or they don't mind searching all over for a parking space downtown or in neighborhoods? Have you asked the Social Justice and Equity Commission to review this proposal? If yes, what were their comments? If no, I recommend that you ask them to review the current proposal.

What other strategies did the City consider to provide low income housing to residents? Instead of trying to leverage parking, how about direct subsidies to renters so they can afford market rate housing. You could collect this from developers through an impact fee.

Alternately, if you are just trying to make it expeditious/profitable for developers to build more housing (not necessarily low income) by eliminating the parking space requirement, do you have data that folks who can afford market rate housing are not owners of automobiles, or don't care if they have to search for a parking space in the area? Or do developers generally add parking spaces anyway to attract market rate renters who have cars?

Commenters at the hearing mentioned Portland's foray into zero parking space territory and withdrawal from it. What data has Portland gathered to answer these questions? What have you learned from their experience?

Second— I know it's difficult to balance the radical changes needed to combat climate change with today's reality and challenges. In general, I am glad to see some reductions in required parking spaces because some folks won't have cars and some are able to ride bikes or use transit easier than others. However, our transit system here in Olympia does not appear to be ready for this drastic change in parking to

zero. Several folks at the hearing yesterday mentioned their negative experiences with public transit in Olympia. From those comments it seems pretty clear that residents lodged in housing with no parking for their cars will not just be able to use buses to go everywhere. I suppose, looking into the future, maybe some of today's younger folks are opting not to own cars and your assumption might be that they use Uber/Lyft for transportation. Again, if this is an assumption, do you have data to support this? And if this is your future vision, how does this help lower income people/families, who maybe can't afford Ubers and Lyfts, thrive in housing with affordable transit?

In our efforts to curb climate change, someone at the March 20th hearing mentioned that there has been and continues to be a big push to transition to electric cars. Where will apartment dwellers charge them if there aren't any parking spaces?

Third--How does a zero parking requirement affect downtown Businesses? I have only had time to consult one business owner. This person thinks this strategy is awful. She is already challenged to find all day parking near her downtown business. She has to pay to park her car in a lot. How will more demand on parking affect her? Also, how will it affect me when I need my car to visit businesses downtown. Will it be even harder to find a parking place?

Fourth-- I'm confused why the new requirement for a tri-plex is still 5 spaces (why not a little less?). It appears that when you add one more unit to make it a fourplex, it is then zero. What's the logic to reduce to zero at the fourplex stage? Since fourplexes and garden apartments might be pretty common infill structures in existing neighborhoods with already full street parking, there should be some parking allotted per unit for these new buildings.

Lastly, I second the points made in testimony presented on March 20th by both Larry Dzieza and Judy Bardin. I hope you can take the time to reconsider your proposal in light of the very important comments people have made.

Thank you for the extension on the comment period and the opportunity to comment.

Sincerely,  
Lorie Hewitt  
401 18th Ave SE  
Olympia

**From:** [Garth Edwards](#)  
**To:** [Aiesa Johnston](#); [publicworks](#)  
**Cc:** [Joyce Phillips](#)  
**Subject:** Re: Opposed to reduction in parking spaces  
**Date:** Wednesday, March 22, 2023 11:57:26 AM  
**Attachments:** [image001.png](#)

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Hi I reached out to Max, he informed me that it is CPD and Joyce would be the contact. I have cc'd her on this. If I'm incorrect Joyce could you advise?  
Thanks  
Garth

Get [Outlook for iOS](#)

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**From:** Aiesa Johnston <[ajohnsto@ci.olympia.wa.us](mailto:ajohnsto@ci.olympia.wa.us)>  
**Sent:** Wednesday, March 22, 2023 11:53:00 AM  
**To:** [publicworks](#) <[publicworks@ci.olympia.wa.us](mailto:publicworks@ci.olympia.wa.us)>; [Garth Edwards](#) <[gedwards@ci.olympia.wa.us](mailto:gedwards@ci.olympia.wa.us)>  
**Subject:** FW: Opposed to reduction in parking spaces

I was unsure of who to send this to, so I sent it to both Public Works (pretty sure needs to go to transportation) and Garth.



**Aiesa (I-e-SA) Johnston (She/Her)** | Program Assistant  
Community Planning and Development  
[ajohnsto@ci.olympia.wa.us](mailto:ajohnsto@ci.olympia.wa.us)  
office: 360.570.3742  
601 4<sup>th</sup> Avenue East, Olympia  
PO Box 1967, Olympia, WA 98507

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**From:** Jean <[jeanmeyn3@gmail.com](mailto:jeanmeyn3@gmail.com)>  
**Sent:** Wednesday, March 22, 2023 11:00 AM  
**To:** [cpdinfo](#) <[cpdinfo@ci.olympia.wa.us](mailto:cpdinfo@ci.olympia.wa.us)>  
**Subject:** Opposed to reduction in parking spaces

Please forward this to Planning Commission and City Council.

I understand that the City is considering a reduction in the required parking spaces to assist development of new housing. As a 40+ year resident of the Olympia area and City resident continuously since 2008, I am opposed to any regulation that reduces parking spaces in downtown Olympia. It's already very difficult to find a parking space when go downtown to shop or go to an event. It is a deterrent to folks using downtown businesses. If you make it worse with this regulation, even fewer people will want to go downtown.

Apparently, one reason for proposed regulation is to encourage use of public transit. People have cars now, I doubt that this approach would force people to use public transit, at least not the Olympia public transit in its current form and limited schedules.

Thank you for recording and considering my opposition,  
Jean Meyn  
Parkwood Drive  
Olympia, WA

**From:** [Gwendolyn Nehs](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking Proposal  
**Date:** Wednesday, March 22, 2023 12:02:07 PM

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Good afternoon,

I strongly object to the be proposed parking plan. I believe it would be disadvantageous to folks who have more than one job or a job with odd hours. I also believe it will make our neighborhoods less walkable.

As a non- driver, I know that it is very challeng to live in Olympia without a car. Errands that would take two hours in a car take all day or weekend. Evening shifts are less desirable for me, especially in the winter when it is dark. I work near Martin Way and Sleater- Kinney and I do not feel safe walking to the bus stop and taking the bus after dark.

I also believe that not having parking at units does not mean folks moving in will not have cars. It just means folks will be parking elsewhere. I already feel unsafe as a pedestrian on some of the streets where there are no sidewalks and lots of parked cars. I feel that not requiring parking for me units will lead to more congestion and make it more difficult for folks to walk to the store or to the bus stop or to the park.

Please reconsider the new policy. Thank you.

Gwendolyn Nehs (she/ they)  
Squaxin Land (Olympia, WA)

**From:** [Pier Petersen](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Comment in support of new parking regulations  
**Date:** Wednesday, March 22, 2023 12:12:38 PM

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Reducing or eliminating requirements for off-street parking in certain new developments.

Thank you,  
Pier Petersen  
1724 Bigelow Ave NE  
Olympia, WA 98506

**From:** [Jamie Phelps](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Comment on Olympia Proposed Parking Code Amendments  
**Date:** Wednesday, March 22, 2023 2:06:37 PM  
**Attachments:** [signature.asc](#)

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I'm writing because I am opposed to the reduction in off-street parking requirements.

I live on the west side of Olympia and I regularly find streets in my neighborhood and other nearby neighborhoods are already overrun with parked cars. Many streets have cars lining both side, and this makes it difficult to navigate when there are cars traveling in opposite directions simultaneously and dangerous for vulnerable road users such as pedestrians and cyclists.

Unless prohibitions of street parking are correspondingly increased, reducing the off-street parking requirements will only serve to exacerbate the safety of navigating our neighborhood streets.

Respectfully,

—

Jamie Phelps  
Olympia, Washington

## Joyce Phillips

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**From:** Terry Furst <tlfurst@gmail.com>  
**Sent:** Wednesday, March 22, 2023 2:08 PM  
**To:** Joyce Phillips  
**Subject:** Proposed change in multi-family unit parking requirements

Dear Ms. Phillips,

I am writing to register my concerns about this proposed rule change in the City of Olympia.

I have lived in multi-family housing in Washington DC, and even with residential parking permits, it can take a half hour to find a parking spot even multiple blocks from your building. I have even been given a citation for stopping in front of my building to unload groceries before parking blocks away. It is truly a nightmare when there is not enough parking for the number of residents in an area.

Yes, there are now things like grocery delivery services, but these increase the cost of already high-cost groceries for the people most unable to afford such services. This parking plan also forces residents to look for paid parking opportunities nearby, which is also unaffordable for many multi-family housing residents.

I fully support the goal of increased use of public transportation and other forms of less- polluting types of transportation; however, Olympia has not kept up with this need. Our public transportation system is almost useless for many residents.

When I transferred my job at Providence Centralia Hospital to Providence St. Peter Hospital, I was very excited to start using Intercity Transit to commute to work. Unfortunately, It literally would have taken me 1 1/2 hours each way by bus for what was a 10-minute drive. I spoke personally to an IT employee to verify I was reading the schedule correctly and I was. Even she admitted it was not viable for me to use the bus.

This plan may be appropriate for the future in Olympia, but it must be considered in conjunction with major improvements to the public transportation system and likely other factors that play into the needed change in public behavior.

Terry Furst  
2004 Allegro Dr. SE  
Olympia, WA 98501

**From:** [Ann Margaret Phelps](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Concerns about parking  
**Date:** Wednesday, March 22, 2023 5:58:03 PM

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Hello,

I'm writing to express my concerns about reductions in off street parking requirements for new developments. There are already too many cars parked on the streets in our neighborhood! As a runner and cyclist I already feel unsafe enough due to the reduced visibility. I cannot understand why so many concessions are made for developers without any regard for the folks who already live here.

Thanks,  
Ann Margaret Phelps  
SWONA resident, taxpayer, and voter  
Sent from my iPhone

**From:** [Linda Myers](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking regulations  
**Date:** Wednesday, March 22, 2023 8:16:08 PM

---

Please require parking for multi family housing developments. Parking in neighborhoods around town is already horrible. Many people need to commute out of the area or at odd times and will never use public transit. This is a bad idea!

Get real!

Thank you

Linda Myers

**From:** [Linda Luther](#)  
**To:** [Joyce Phillips](#)  
**Subject:** MY COMMENT ON THE Olympia Proposed Parking Code Amendments  
**Date:** Thursday, March 23, 2023 12:48:39 AM  
**Attachments:** [Residential Parking Proposal Summary.pdf](#)  
[Chapter 18.38 - HEARING DRAFT Revised Sections Only Print to PDF.pdf](#)  
[CNA Resolution to Planning Commission.pdf](#)

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I am responding to your e-mail by telling you I am against any change in the current Olympia Parking Codes. In other words, I don't approve the proposed parking code amendments.

Sincerely,

Linda Luther  
1100 Fern St SW Apt 43-104  
Olympia, WA 98502

Begin forwarded message:

**From:** South West Olympia Neighborhood Association <swolyna@gmail.com>  
**Subject:** Fwd: Comment Period Extended - Olympia Proposed Parking Code Amendments  
**Date:** March 22, 2023 at 1:18:21 PM PDT  
**Cc:** Oly CNA <cna.olympia@gmail.com>

Hello Sou'Westiders -

Those of you at the SWONA meeting know that the Olympia Planning Commission is proposing some drastic reductions in off-street parking requirements for new developments. (A proposal with very little time allowed for public input)

Our friends at the Coalition of Neighborhood Association (CNA) successfully got the Commission to **extend public comment to April 7.**

Forwarded email below is from the city with info on **how to make public comment.**

**Get educated:** Attached are two city documents, plus the CNA resolution demanding an extension for public comment, and why. It's important reading.

Thanks,  
Ryan

----- Forwarded message -----

**From:** Joyce Phillips <[jphillip@ci.olympia.wa.us](mailto:jphillip@ci.olympia.wa.us)>  
**Date:** Tue, Mar 21, 2023 at 2:27 PM  
**Subject:** Comment Period Extended - Olympia Proposed Parking Code Amendments  
**To:** Joyce Phillips <[jphillip@ci.olympia.wa.us](mailto:jphillip@ci.olympia.wa.us)>

You are receiving this email as a designated contact person for your  
Recognized Neighborhood Association.

Please share this with your neighbors.

The Olympia Planning Commission extended the public comment period on the proposed residential parking code amendments. Comments will be accepted through Friday, April 7, 2023 at noon. A summary of the proposed changes with information on how to provide comments and the proposed code language are attached. The information is also being posted to the Housing Action Plan webpage at [www.olympiawa.gov/hap](http://www.olympiawa.gov/hap) but it may take a day or two for that to occur.

If you have questions or would like to submit comments, please contact Joyce Phillips, Principal Planner, at [jphillip@ci.olympia.wa.us](mailto:jphillip@ci.olympia.wa.us) or 360.570.3722.

Joyce Phillips, AICP, Principal Planner

City of Olympia | Community Planning and Development

601 4th Avenue East | PO Box 1967, Olympia WA 98507-1967

360.570.3722 | [olympiawa.gov](http://olympiawa.gov)

**Note: Emails are public records and are eligible for release.**

**From:** [Amy V](#)  
**To:** [Joyce Phillips](#)  
**Subject:** residential parking proposed modifications  
**Date:** Thursday, March 23, 2023 8:12:39 AM

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Hi.

I live in SW Olympia.

I am much more OK with the modifications than my neighbors who are more of the NIMBY/how-does-this-change-affect-me mindset.

However, I can understand why they felt blindsided, so thanks for extending the comment period.

I read through the suggested modifications on your website ([https://cms7files.revize.com/olympia/Document\\_center/Government/Codes,%20Plans%20&%20Standards/Housing-Action-Plan/Public-Hearing-Draft-Parking-Code-Amendments.pdf](https://cms7files.revize.com/olympia/Document_center/Government/Codes,%20Plans%20&%20Standards/Housing-Action-Plan/Public-Hearing-Draft-Parking-Code-Amendments.pdf)).

My only 2 comments are:

1) under 18.38.080 (p.4): looks like you're completely eliminating giving any written notice to homeowners: that seems extreme-I suggest modifying the paragraph to spell out exactly what the notice will be rather than adding the bit about See codes X and Y: that doesn't help people know what the modification is and there's not a link to the codes so I for one have no idea how what's there is different from what was in the paragraph.

2) in Table 28.01 (p.11): why keep required storage space by remove the requirement that the space be large enough for a bicycle? If we want people to use fewer cars, give them a place to store a bicycle (we moved out of an apt and bought a house after 2 bikes were stolen because there was no place to store them). As more people have the electric bikes, give them a place to store them. How much larger does a storage space have to be to have room for a bike? Answer: not that much bigger. Don't make that change.

Otherwise, I agree with your intent to provide more housing and wish you well in getting past those who just want to keep things the same.

Amy Viveiros  
830 Decatur St SW  
Oly WA 98502

**From:** [Hannah McLean](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Comment on Residential Parking Proposal  
**Date:** Thursday, March 23, 2023 8:29:51 AM

---

Good morning Joyce,

I would like to comment on the proposed changes to the parking requirements. Thank you for extending the date for public comment.

I am worried that there has been no (public) information provided looking at the effects of the reduction in parking requirements on surrounding neighborhoods.

Bike theft and crime downtown have been on the rise. I would love more short and long term bike parking but I'm not going to ride my bike downtown when it doesn't feel safe to lock it up outside.

Residents are already seeing the impact of the reduced/exempt parking requirements downtown. People who take evening classes at the Olympia Center often have to park several blocks away because the residents living in the new apt building on Columbia and State park in the parking lot. I am certainly not against walking extra blocks but when classes get out at 9pm, I don't always feel safe walking that far to my car, especially when people have been harassed and assaulted recently in the Percival Landing area. The available parking at night downtown is now in the areas where many homeless people camp for the night.

In addition to the issues raised by the CNA related to lower income individuals are more likely to have jobs that require cars, I wanted to reiterate safety concerns about bikes and access to downtown parking that exist today. Limiting access to safe parking will keep pushing people away from downtown and make it a less safe place.

Thank you,  
Hannah

**From:** [Owen Thompson](#)  
**To:** [Joyce Phillips](#)  
**Subject:** FW: Residential parking proposal comment period extended  
**Date:** Thursday, March 23, 2023 9:25:12 AM

---

I'm not sure if I qualify as the public but for what it is worth, I think this is a great idea!

Go Joyce!

Owen

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**From:** City of Olympia <news@olympiawa.gov>  
**Sent:** Thursday, March 23, 2023 9:17 AM  
**To:** Owen Thompson <othompso@ci.olympia.wa.us>  
**Subject:** Residential parking proposal comment period extended



## Residential Parking Requirements

The City of Olympia is proposing reductions in the amount of automobile parking spaces required for some residential uses, including residences

that are close to transit routes.

The changes proposed are the result of the City's Housing Action Plan and a strategy to "expand the overall housing supply by making it easier to build all types of housing projects." The plan calls for the City to consider how it can, "reduce parking requirements for residential uses, including for multifamily developments near frequent transit routes."

### What's Next:

- There is still time to comment on the proposal! The Planning Commission extended the public comment period until noon on Friday, April 7, 2023.

To stay informed of this effort, sign up to be a party of record for this proposal by contacting Ms. Phillips. You can also receive Planning and Development updates from the City of Olympia at [olympiawa.gov](http://olympiawa.gov).

To view the proposal summary for information about how to comment, and view the draft code amendments click the Read More button below.

[Read More](#)

### Contact

Joyce Phillips, AICP, Principal Planner  
Community Planning & Development  
360.570.3722  
[jphilip@ci.olympia.wa.us](mailto:jphilip@ci.olympia.wa.us)



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**From:** [Mike Lasch](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking Reduction Proposal comment  
**Date:** Thursday, March 23, 2023 9:44:45 AM

---

I just wanted to say that I'm all for some reduction as long as we're simultaneously expanding public transit in the area, e.g. running more often to more places for longer hours. Otherwise, folks get stuck at home between 7am-10pm, and not everyone works during normal business hours - especially low-income folks, who are the people who likely won't have cars. Without an increase in transit, those people will be forced to "bum" rides from friends and coworkers, pay for expensive ride-share and taxi services, and so on.

Also, again, I'm all for reduction but reducing the requirement to zero I think is an overstep, and will result in way too much all-day street-side parking with no place for folks to park when they want to visit businesses during the day. This will GREATLY impact downtown area business - I'm a business owner myself (EverWorks coworking office on Legion Way), and parking is *already* one of the biggest concerns for my customers.

Thanks for listening!

-

Mike Lasch // EverWorks LLC

**From:** [Jeremy Mott](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Residential Parking Proposal comment  
**Date:** Thursday, March 23, 2023 10:04:33 AM

---

Hi Joyce,

I wanted to mention that I appreciate your efforts on navigating the proposal and the outreach and engagement. I understand that some folks and the CNA have pushed back on the process but, despite only replying now, I feel that I have been informatively kept in the loop since the start.

I support the changes to the residential parking requirements. Existing parking requirements--which are excessive, fairly arbitrary, and auto-centric--contribute to sprawl and inflate development costs. The proposed changes are fairly modest, in my opinion, but represent a step in the right direction for Olympia's livability. These changes ("tweaks") will not, themselves, meet Olympia's environmental goals or appreciably make a dent in housing affordability but neither will they lead to some radical dearth of parking. For the reasons outlined by the city, these changes are a commonsense, incremental policy step that is in line with what residents want.

I live in a largely single-family residential area in Oly's SE. We are family of 4, not cost-burdened, and own and use a single car. We also walk, bike, and use transit regularly. Car dependency is a fact of life, but continuing to "roll out the red carpet" for cars is just untenable in 2023. To do so detracts from current residents' quality of life and--at the margins--keeps some residents out. My family \*loves\* the Wildwood center and that sort of vibrant and valuable neighborhood center is surely the result of grandfathered, albeit commercial in this case, parking requirements.

Also, Oly has fantastic transit service and that level of service is interdependent on use. Our 'supply' of transit is great and these parking changes (again, only marginally) might help with demand so we can retain great Intercity Transit service in the future.

Thanks,

Jeremy Mott  
3001 Edgewood Dr SE  
360-561-1939

-----  
Separate from my comment, but topical, I came across this recently. It promises to be an interesting read!:

<https://harpers.org/archive/2023/04/henry-grabar-paved-paradise/>

[\[Readings\]](#)

## Lots to Lose

by [Henry Grabar](#)

Adjust Share

*From Paved Paradise, which will be published next month by Penguin Press.*

**P**arking psychosis is a regular feature of American life. The former NFL safety T. J. Cunningham was killed over a parking dispute at a Denver-area high school. In Las Vegas, Shane Pacada died of a bullet to the chest in a fight over a parking space. In the suburbs of Washington, D.C., a man was charged with attempted murder for shooting a neighbor who had parked in his spot. Twenty-eight-year-old Thomas Rodriguez was killed in Dallas after an argument over a parking spot. All of this took place in February 2019.

These fits of rage are eruptions of a common urge that is also shared by non-homicidal drivers. They are expressions of the same fear that rises into view anytime our parking comes under threat, whether it's in the neighborhood lot or at the curb in front of your house. It's not hard to grasp what makes parking a fixation: without a place to park, you can never get out of the car. A parking space is nothing less than the link between driving and life itself, the nine-by-eighteen-foot portal beyond which lies whatever you got in the car to do in the first place. Every car trip must begin and end with a parking space, and in no uncertain terms. Whoever said life was about the journey and not the destination clearly never had to look for a place to park.

I once missed an entire summer afternoon at the beach because I refused to pay for parking. While I hunted for a spot, my passengers (wisely) took the ferry without me. We expect parking to be immediately available, directly in front of our destination, and most importantly, free. It would be unimaginable to hold any other good or service to the same standard.

But the forces of time, space, and money conspire in such a way that no thriving place can meet more than two of these three needs. Free and convenient but not easily available? That's street parking in any big-city neighborhood. Convenient and available but not free? That's the ferryboat parking lot I left in a huff. Free and available but not convenient? That's where I parked when I missed the boat. It is the expectation and pursuit of all three parking qualities that leads us into parking psychosis.

Many of us have brushed against the threat that undergirds a parking claim. In Hawaii, you might see a spot marked with an upside-down bucket labeled "kapu," a word borrowed from the ancient Hawaiian system of rules governing forbidden acts. Kapu violations are no longer capital offenses, but still worth taking seriously. In Chicago, "dibs" is in effect after a snowstorm, the implements of which might include a chair, a piano bench, a wheelchair, and all manner of nativity figurines. In my head I've always imagined the message is that you or your car might be attacked with the object being used to save the space.

The significance we assign to good parking in our personal lives is surpassed only by our ignorance of its systemic consequences. Parking is integral to the way things work and yet persistently overlooked. It determines the size, shape, and cost of new buildings, the fate of old ones, the patterns of traffic, the viability of mass transit, the life of public space, the character of neighborhoods, the state of the city budget: in short, every aspect of our spread-out environments in which it is virtually impossible to live without an automobile. In our quest to make it as easy as possible to park we've made it awfully hard to do anything else.

The need for a perfect parking space has shaped the country's physical landscape. It has become the organizing principle of American architecture, making our designs bigger, uglier, and farther apart, from the parking-first design of the strip mall, to office towers sitting atop their garage pedestals, to the house itself, in which the garage is often the largest room.

What's more, in many municipalities, there are laws requiring every building to include parking. These prevent us from creating more housing—especially affordable housing—because parking costs so much to construct and takes up so much space. If the Empire State Building had been built to the minimum parking requirements of a contemporary American city, the surface area of its parking lot would cover twelve blocks. In the Seattle area, parking makes up 10 to 20 percent of the cost of construction of multifamily buildings and drives up apartment rents by 15 percent.

Anybody who wants to build a small apartment building in the United States must first confront a multivariate financial geometry problem that begins with how many parking spaces can fit. The size, quantity, and shape of the housing follows from there. Sometimes, with just one parcel, it's hard to make anything work at all. Buy the lot next door and you could unlock some economies of scale—like a driveway with stalls on each side. Buy four and—well, most small-time developers couldn't afford four, even if they could find four adjacent properties. Parking is the immovable object at the heart of neighborhood architecture.

As a result, we have simply stopped building small buildings. Parking requirements have helped to trigger an extinction-level event for bite-size, infill apartment buildings like row houses, brownstones, and triple-deckers; the production of buildings with two to four units fell more than 90 percent between 1971 and 2021.

The apartments that do get built are clustered in megastructures whose designs are dictated by parking placement. One popular model is the "Texas donut," in which a ring of apartments encircles a five- or six-story parking garage (this is the type of building you see in the cool neighborhoods of growing cities). Another is the "parking podium," like Chicago's corn-cob Marina City, in which the housing sits atop the parking.

Requiring parking spaces is essentially levying a tax, one that drives up the cost of new homes and stops a countless number from being built at all—precisely in the neighborhoods where it is possible to live happily without a car. Parking requirements for new buildings function as a protection racket, forcing new residents to pay for something that old ones get for free on the street and do not want to share. More than half of baby boomers, a group that tends to dominate local politics, say that free parking is more important than affordable housing in their neighborhoods. This anxiety leads the way to Malthusian thinking about cities: when the impact of new neighbors is measured out in parking spaces, every place starts to look crowded.

While there are still some corners of this country where parking is worth fighting for, in most of the nation the fight was over decades ago. Parking is plentiful. The country builds more three-car garages than one-bedroom apartments. More square footage is dedicated to parking each car than to housing each person. By some estimates, there are as many as six parking spaces for every car. It is this sea of parking, in which destinations bob like distant buoys, that renders mass transit, biking, or walking difficult and dangerous.

The grayness of a city where it's easy to park is embedded in the word *parking* itself, which once referred to the patches of greenery, tiny parks, that sprang up curbside. Now it describes the opposite: the lifeless blacktop. Our cities are full of moonscapes used to store cars. In Los Angeles County, parking now occupies two hundred square miles of land. As a single parking lot it would form a square of asphalt stretching from LAX to Sherman Oaks to Pasadena to Downey. Or, for non-locals, a three-story garage the size of Washington, D.C. And this in a place where people routinely complain about how hard it is to find parking.

A world that wasn't organized around parking would allow us to find our feet. It seems clear that most people would like to be able to leave the car behind once in a while. One reason that Americans retain such nostalgia for college is that it was the only time in our lives when so much was within walking distance. We take our vacations to places where we can get out of the car—Charleston, Manhattan, Miami Beach, Rome. Housing prices reflect the desirability of such destinations, making anything but a brief stay off limits to all but a few.

Without parking baked into our streets and architecture, how many more people could live in walkable places like these? How many car-dependent places, freed from parking laws, could grow into neighborhoods where people could ride bikes? Where a family with three cars could get by with two, and a family with two cars might manage with just one? In

that world, it would be easier, not harder, to find a spot, and much easier to live in a place where you would not need to drive quite so often. Kids could walk to school and adults to the grocery store. In a world with better parking, there might be fewer places to park, but in place of those old parking spots would emerge a city so much richer and fuller and fairer that we would not think twice about the one we had lost.

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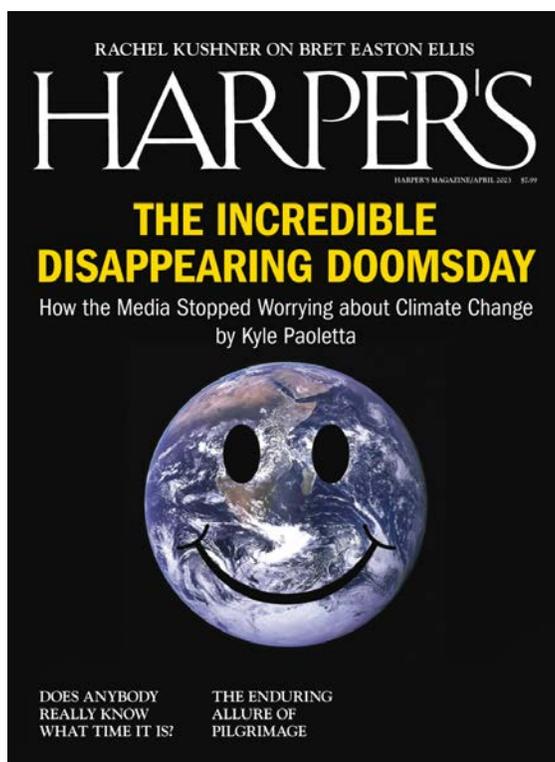
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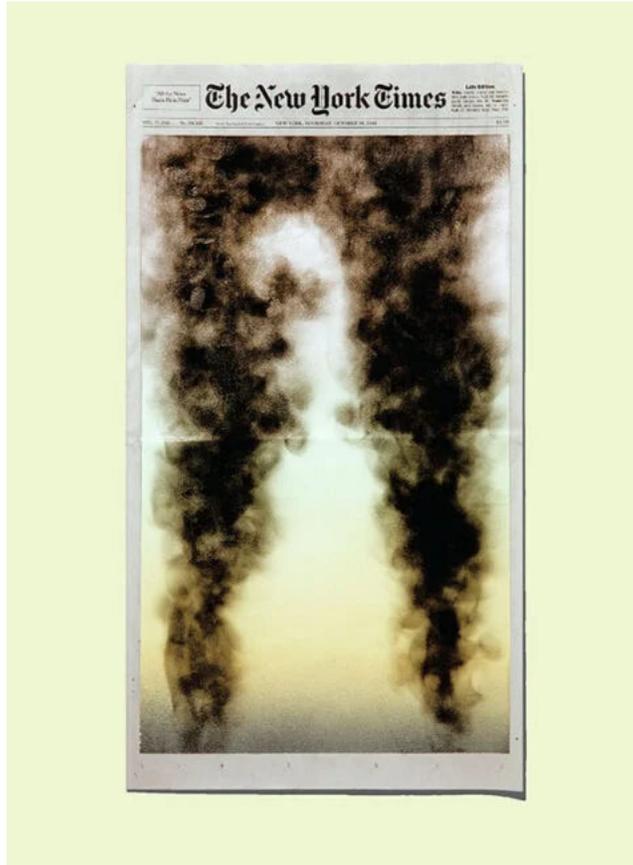
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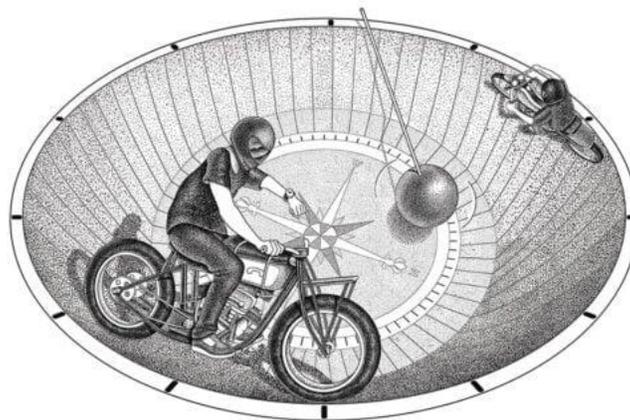


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**From:** [E. Pat Vernon](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking code amendments  
**Date:** Thursday, March 23, 2023 11:00:01 AM

---

Hello Joyce. I am reading over the summary of proposed amendments, and then looked at the code to see the actual modifications. What section of the code are the parking modifications in. Admittedly, I did a quick review trying to find them, if you could point out the reference it would be appreciated. Living downtown at the Boardwalk Apartments where parking is already scant, I am interested in the preserving what little we have. Once I see the actual language, I will be able to ask questions or comment officially if necessary. Thanks so much.

Pat

## Joyce Phillips

---

**From:** Beverly Torguson <bevtor@comcast.net>  
**Sent:** Thursday, March 23, 2023 12:28 PM  
**To:** Joyce Phillips  
**Subject:** re: proposed parking ordinance changes

Hi,

I've been thinking more about your proposed changes to the parking ordinance and it is starting to feel like this is a very regressive type of change. It will affect middle and low income people adversely and not the upper 1% wealthy people. Washington state already has a regressive style of taxation and this just seems like another regressive solution to try and fix a problem. I'm not sure it is fair to put an undue burden/sacrifice onto regular everyday people just trying to make their way through life when the upper 1% aren't doing their share. Not even close. They have large limos, multiple mansions, private jets, and even private islands. It's like kings and queens telling their serfs to live in huts and be happy because it's for the greater good, somehow. I am not willing to sacrifice my lifestyle until corporate America starts doing their share. And, when will that happen? Probably never. As far as doing this for the greater good to either help people get more housing or help the environment, that is a big assumption to be making. There is no proof that developers will pass down the savings or make more housing. As for the environment, electric vehicles are being pushed by the governor as the new future for cars.

Bev Torguson

**From:** [duncan.green](#)  
**To:** [Joyce.Phillips](#)  
**Subject:** Residential Parking Code Amendments  
**Date:** Thursday, March 23, 2023 12:43:34 PM

---

Hi Joyce,

I'd like to offer a personal comment on the proposed amendments to the residential parking code.

I am absolutely in favor of expediting the construction of affordable housing, and reducing car use in our city. It is my job and my passion to encourage people to get around by bike instead of driving, and my dream to see a world without cars.

And, there are people in need of housing that have so little income or have other barriers to car ownership that they would not need a parking space. On the other hand, many lower income folks must travel far to work and may have more than one job, making public transit and/or biking unviable options for a daily commute. Until transit options expand vastly, I see a potential for inequity in who bears the burden of reduced parking. So, I hope this is an issue that is being considered and addressed, and that the proposed changes do not negatively impact the very people they are intended to serve.

Thanks for the opportunity to share my thoughts.

Duncan Green

**From:** [Veronica Jarvis](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Residential parking proposal comments  
**Date:** Thursday, March 23, 2023 2:06:03 PM

---

Hi Joyce!

Here commenting on this proposal as a local resident, not through my work at TRPC. I think reducing parking requirements in any form is a great idea. I truly don't think they go far enough and would love if the City would propose eliminating all parking requirements as many cities have done.

<https://parkingreform.org/resources/mandates-map/>

I know I am preaching to the choir, but eliminating unnecessary parking can allow our community to build more housing, make trip distances shorter and more realistic for bike/walk/transit trips and generally improve the look and feel of our community without all the wasteful parking lots.

Thank you for the opportunity to comment.

Take care,

Veronica Jarvis

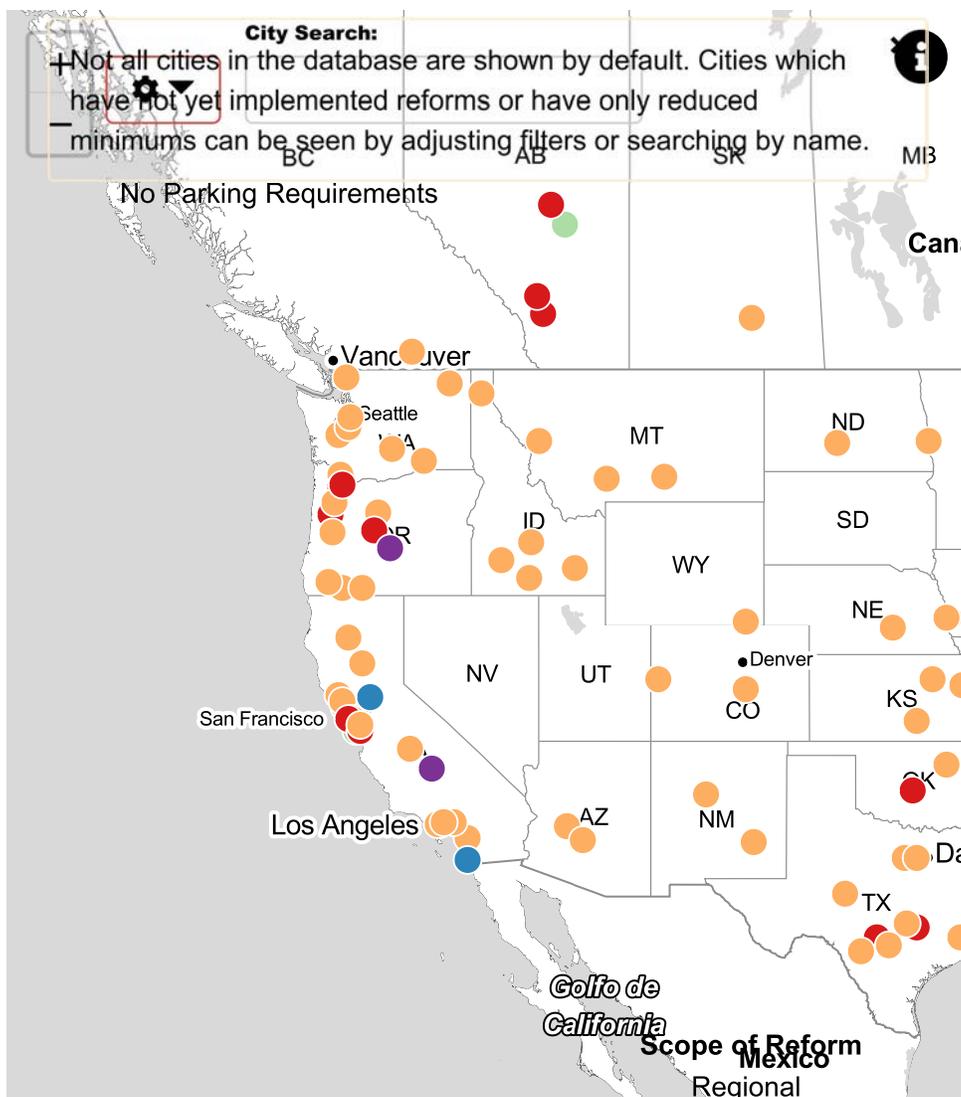
# Parking Reform Network



Explore the reforms of over 200 cities on the map below. Click the info icon in the upper right corner, or **scroll down on this page**, for definitions and insights. You can [submit an update or new report here](#) and send feedback to [map@parkingreform.org](mailto:map@parkingreform.org)

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## Progress on Parking Mandates



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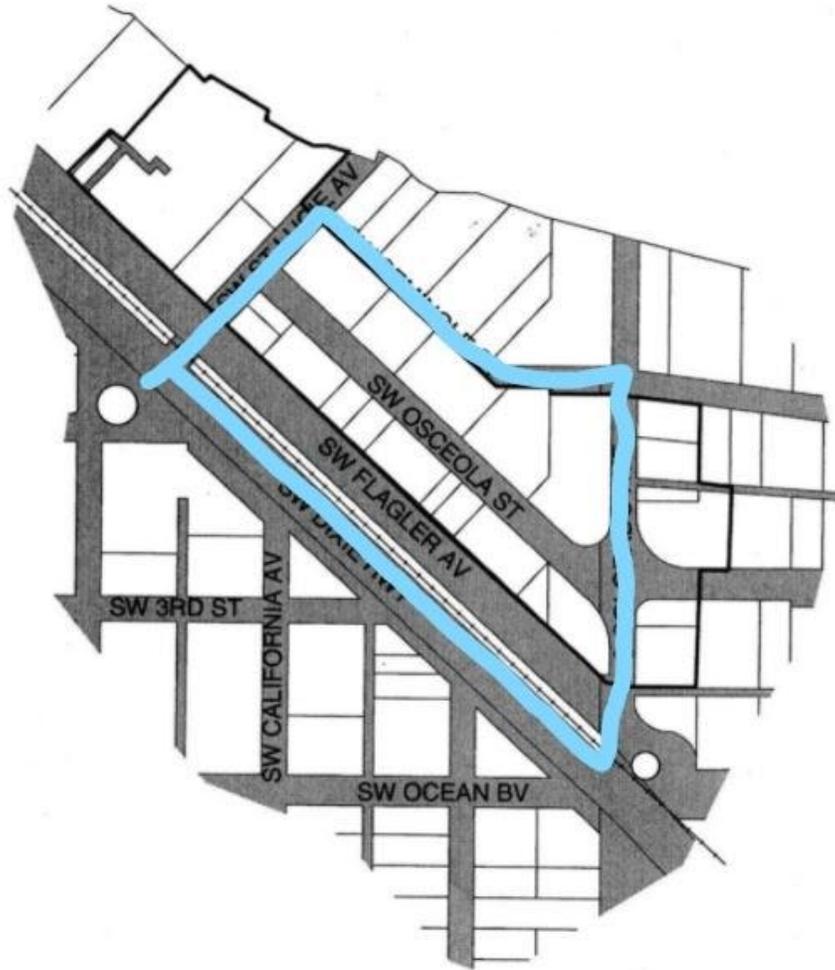
Costly car parking mandates are required for housing and commercial uses in most North American cities and towns. Over the last century, these costly requirements have contributed to urban sprawl, lack of abundant and affordable housing, car dependency, and climate change. In recent years, however, many places have implemented reforms to these mandates, exempting new buildings from parking. Sometimes these reforms are limited to certain streets or businesses, sometimes to particular land uses, and sometimes based on requirements like proximity to transit or inclusion of affordable housing, but it's clear that parking reform has momentum!

## Key Takeaways

- **When it comes to parking codes, multifaceted is the norm and simplicity is the exception.** The most simple way to integrate parking reform in a zoning code is simply: “there are no provisions that establish a minimum number of off-street parking spaces for development for all land uses”, this is easy to implement, clear for readers to understand, and a tremendous advancement in making your city more livable. But more often, communities address a variety of use cases through writing many, many provisions. A zoning code commonly includes provisions to eliminate minimums in a central business district for all land uses...another provision to eliminated requirements for just commercial land uses along a specific corridor...another provision to be eligible to reduce residential requirements in another area...another provision to reduce a percentage of parking requirements if additional bicycle parking is included on site...another provision about maximums along pedestrian-oriented or transit-oriented land uses...you get the picture. While these provisions are an important step to accomplish parking reform, high levels of intricacy can create confusion for incoming developments, make it more technically challenging for staff to make adjustments, and limit growth. As the success of citywide parking reforms

continue to increase, we hope the number of provisions will continue to decrease.

- **A very large number of cities have eliminated minimum requirements for a very small portion of their communities.** Of the 200 examined codes, approximately 20% have abolished or reduced parking mandates citywide. The remainder have eliminated parking requirements in specific areas such as a central business district, main street, or historic district. In fact, several codes limited parking reforms to two to four blocks within a downtown or commercial district, as seen below. Eliminating minimum parking requirements is progress no matter which way you cut it, but limiting it to such an insignificant area also limits the positive impacts of these policies. Cities with such boundaries should consider expanding them to mirror the pace of their population, density, and development growth.



ii. *Parking requirements.*

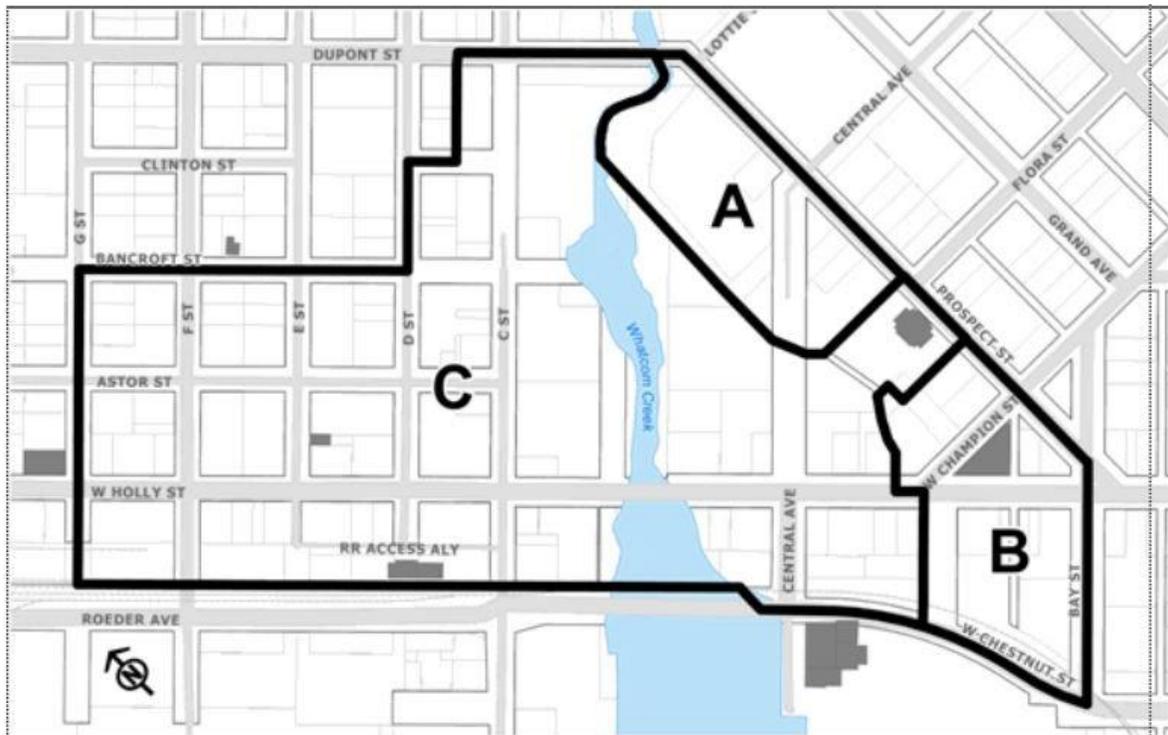
- a) Properties located in the "Old Downtown District" shall be exempt from the parking requirements of this Code.

One example of a small downtown district

## 20.35.075 Old town overlay district - Parking.



A. Uses on Tracts A and B as shown on Figure 20.35.075 are exempt from parking requirements, except for hotels and motels, which shall provide the number of spaces required in BMC [20.12.010\(B\)](#).



Another example of a district with parking exemptions

- Parking reform heavily leans toward commercial land uses.** More often than not, parking requirements for commercial land uses are the first to go. Nearly every map entry eliminates mandates for commercial/retail development, facilitating walkable downtowns and commercial districts, but residential reform is just as important and has much more conservative parking ratios. Parking requirements for residential land uses are typically reserved for individuals and remain vacant for large portions of the day. Tackling residential parking requirements remains a major opportunity in the parking reform movement.

- **Parking maximums are not uncommon.** Parking maximums (a required cap on the total number of parking spaces constructed) have been a polarizing reform strategy in recent years due to concerns surrounding developer push-back and vehicle access limitations. But with 45 code entries—many of which being in communities with under 50,000 people—they seem to be less controversial than anticipated. One of the many benefits of having a crowdsourced map is that communities adopting bold and progressive reforms can share their accomplishments, encourage others to do the same, and create a cycle of parking reform throughout the country. But don't take our word for it, check out the map to read more about these policies and check out what's new below.

## Definitions

### What does “implementation stage” mean?

- Proposed – This reform has been proposed by an elected/appointed official or by a planning department, etc. Bend Councilor Proposes...
- Planned – The city has approved a long range plan or other aspirational guide to study removal/reductions in car parking. Could also be planning commission passage.
  - <https://www.mlive.com/news/ann-arbor/2021/01/ann-arbor-kicks-off-new-round-of-talks-about-bigger-buildings-outside-of-downtown.html>
  - <https://www.sacbee.com/news/local/article248544635.html>
- Pilot – The city has temporarily reduced car parking requirements as a pilot.
  - Passed – City Council or the governing planning body has passed the parking reform policy. (Make note when the policy is to go into effect)
    - [https://www.berkeleyside.com/2021/01/27/berkeley-parking-reform?goal=0\\_aad4b5ee64-aa3e0327bf-333370437](https://www.berkeleyside.com/2021/01/27/berkeley-parking-reform?goal=0_aad4b5ee64-aa3e0327bf-333370437)
- Implemented – The policy has gone into effect and is the current law of the land.
  - <https://usa.streetsblog.org/2018/12/17/san-francisco-eliminates-parking-minimums/>

- <https://portland.gov/bps/better-housing/news/2019/12/19/city-council-votes-adopt-better-housing-design>
- Repealed – Parking reform has been reversed due to legal challenges or superceding legislation.
  - [https://www.oregonlive.com/front-porch/2013/04/porland\\_city\\_council\\_approves.html](https://www.oregonlive.com/front-porch/2013/04/porland_city_council_approves.html)

## What does “affected land use” mean?

- Commercial – the reform applies to commercial uses
- Industrial – the reform applies to industrial uses
- Other – the reform applies to other uses (eg: schools, churches, arenas)
- Low-Density Residential – the reform applies to single family homes, duplexes, triplexes, fourplexes...
- Multi-Family Residential – the reform applies to apartment buildings, midrise, etc.
- High-Density Residential – the reform applies to very large apartments, condos, towers.

## What does “Scope of Reform” mean?

- Citywide – the reform applies citywide (special exemptions, hazard zones, etc. are OK)
  - <https://wsbt.com/news/local/south-bend-city-council-votes-to-end-parking-space-minimum-for-businesses>
  - [https://www.berkeleyside.com/2021/01/27/berkeley-parking-reform?goal=0\\_aad4b5ee64-aa3e0327bf-333370437](https://www.berkeleyside.com/2021/01/27/berkeley-parking-reform?goal=0_aad4b5ee64-aa3e0327bf-333370437)
- City Center/Business District – Reform applies to certain centers, corridors and districts.
  - <https://www.advertiserandtimes.co.uk/parking-christchurch>
- Transit Oriented – Reform is based on transit stations and bus lines.
- Main Street/Special – Reform is specific to certain streets, historic districts, etc.
  - <https://abcnews4.com/news/local/city-council-allows-no-minimum-parking-requirements-on-king-street-to-drive-business>

- <https://www.msn.com/en-us/travel/news/charlotte-oks-car-free-residential-development-in-effort-to-reduce-housing-prices/ar-BB1adgEJ?ocid=msedgntp>

## What does “Policy Change” mean?

- Reduce minimum parking requirements – ratios have been lowered, but not eliminated. This could be overall or based on inclusionary housing, transit proximity, etc.
- Eliminate minimum parking requirements – parking requirements can be completely avoided, either by-right or by reasonable condition.
  - [https://www.berkeleyside.com/2021/01/27/berkeley-parking-reform?goal=0\\_aad4b5ee64-aa3e0327bf-333370437](https://www.berkeleyside.com/2021/01/27/berkeley-parking-reform?goal=0_aad4b5ee64-aa3e0327bf-333370437)
- Parking maximums – limits on the amount of parking which can be built.

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**From:** [Greg Griffith](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Residential Parking Proposal  
**Date:** Thursday, March 23, 2023 2:56:39 PM

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Hello, Joyce. I am glad the Planning Commission decided to extend the public comment period on proposed code amendments for parking for residential developments, as I did not get a chance to comment by the deadline on Monday.

That said, I support the proposed amendments that will eliminate mandates to provide parking in certain residential areas. I believe that developers should have the option to not provide parking if their market studies should show there is a viable market where car ownership is not a high priority. In essence, I think the market should determine if parking is needed to be provided by developers/property owners.

If not building parking helps housing affordability, so much the better to help increase the supply of affordable housing. However, in my mind, eliminating parking mandates is more about quality of life, enhancing our streetscape, community design, public safety, improving air and water quality. I also recommend eliminating parking mandates for commercial and office developments...I am sure you have data that shows how much of Olympia's ground surface is covered by asphalt/concrete and unused 99% of the time.

Having made the comments above, I also hasten to state that I entirely understand the pushback you are hearing for eliminating the parking mandate. After all, this is America where driving and parking one's car wherever and whenever we want 9 (and for free) is considered a sacred right. Certainly, developers should be afforded the option to provide parking in circumstances, settings, neighborhoods, and for populations where ready access to an automobile is necessary. How about guaranteed 24/7 ride access and/or neighborhood subscriber motor pools?

In conclusion, I support the proposed elimination of a minimum parking mandate and developers using market drivers to determine how much (if any) parking should be provided. I do support flexibility and affording developers options regarding providing parking...after all, "one size does not fit all" as the old saying goes. But in the long run, I believe this is a needed and important step to not only providing more affordable housing, but also for a safer, morfe walkable, greener, and more livable community.

Thank you for the opportunity to comment.  
Greg Griffith

**From:** [James King](#)  
**To:** [Joyce Phillips](#)  
**Cc:** [Bigelow Highlands](#)  
**Subject:** Parking Requirements  
**Date:** Thursday, March 23, 2023 3:18:37 PM

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Joyce Phillips

I sent an earlier e-mail and this is an amplification of that e-mail.

I agree with the maximum being 1.25 spots, but as pointed out in some comments to the Planning Commission ZERO does NOT allow for repair trucks, delivery trucks or guests and I would suggest at least one parking space per unit in apartments with 10 or more units. The example you use is downtown, but downtown in the evening has lots of on street parking, but when you move outside downtown on street parking is at a premium. Also I have noticed that when one chooses to go downtown in the evening to take advantage of the great businesses, parking is often full. Could it be that residents are taking the parking spaces?

Also I would require one bicycle parking space per unit instead of using that as a mitigation strategy, especially since we are attempting to move toward more of a bicycling culture.

Thank You

James King  
Humanity Over Flag

**From:** [Comcast Account](#)  
**To:** [Joyce Phillips](#)  
**Subject:** comment on parking proposal  
**Date:** Thursday, March 23, 2023 3:48:28 PM

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I support revisiting parking requirements, but the current approach is flawed.

1. To start, I would like to offer personal experience. **Multifamily units need at least one parking slot.** In the 1980s I resided in downtown San Francisco living what appears to be the ideal that the City is aiming for. I was one of three people living in an old “0 parking requirement” two bedroom apartment on the second floor of an apartment building that was situated directly at a stop of the J-Line light rail system, the ground floor shops included a vegetable stand, and we were within walking distance of the Noe Valley shops and grocery. Furthermore, my partner was able to take the J-Line directly to work. We did not have children, we were sub-lesers because the person holding the lease had divorced and could not afford a two-bedroom on his own, but nor could he afford to leave it so it was probably not a happy situation for him but he was very gracious about it. It was sufficiently cramped that he had to store his kayak on the kitchen ceiling. This, I think, was a typical reality of San Francisco in those “vibrant” days. It was enjoyable for young adults, but not a situation that we, or he, would have continued at the point where we had children. *Out of three adults* — despite extreme competition for parking where people would stare outside their windows to jump on open spaces, would travel several blocks to find a space (often where the vehicles were at greater risk of breakins and theft), and despite the need to move the cars of the street on a regular schedule to make way for the sweepers or risk towing and fines — *we had two cars*. Why? First, for *work purposes*. One lived on the J-line, and we other two each often commuted on the subway all the way across the bay for work, but usually we had work in directions that didn’t jibe with the public transportation system. In my case, I did catering gigs that were in the evening and could be all over the place. Second, we needed ability to visit family; and we all wanted to recreate, especially evenings and weekends (remember the kayak). Even the San Francisco public transportation system and density did not meet these needs. There were no car sharing services at the time, which may have been an option for dropping one car, but the household would without doubt have continued to have at least one car under the most ideal circumstances for density that can be realized in the United States.

Frankly, nowhere in Olympia offers the potential of access to work, services and recreational opportunities that I had in San Francisco, or even Portland, Ballard, Baltimore, or Oakland when I lived in those dense urban spaces. Only in Baltimore did I live without any access to a car or motorcycle, and I paid for it by being stuck in a food desert, having to rely on friends for occasional trips to a decent grocery store, and walking in bad weather and at night in unsafe areas. When I got a unit in a row house with room for a car in the alley, my quality of life and my level of personal safety shot up considerably. Clearly I am not anti-urban. But only a demographically small number of people would be able to make Olympia work for them as a quality lifestyle *over the long term* without a car. And now we are trying to encourage electric cars, so that means providing a charging infrastructure that encourages EV adoption. When considering affordability, you cannot isolate the cost of housing from all the other aspects of standards of living related to housing that also have their needs and costs. Market-rate builders must be held to standards that assure they are building for long term needs and quality of life, not to improve short term statistics.

2. Parking downtown on Friday or Saturday evening to enjoy the amenities can already be a

discouraging nightmare. Adding more and more residents to the competition for street parking will discourage access to nightlife in congested high density areas. This is not conjecture or downtown-bashing, it's the voice of experience in other places. It's one reason why successful nightlife districts are often connected to light industrial and/or commercial districts rather than residential ones — there's a reliable reservoir of vacant parking space during hours of recreation. But Olympia and also the Port seem to be heading toward wanting the street scenes and residential areas combined, so parking had better be very carefully considered. Residents cannot sustain a vibrant street scene.

3. There is **not a geographically sound, data-driven basis for trying to link restricted parking to changing the patterns of how people use transit in Olympia**. The data tells us that the city *cannot* achieve the scale and densities needed to actually impact use of public transit (ask the Department of Commerce and Puget Sound Regional Council about this). Also, the work transportation patterns are wrong for trying to accomplish this. Ask TRPC for the data. This problem is another way that cost savings to builders will simply shift the burden of paying for/accommodating to parking scarcity to people who have to travel by car to work.

It is an absolute joke to imagine that most Olympians can get to work via transit provided they live within a quarter mile of a route. If it is honest about the data collected on work transportation patterns, the city should stop using this concept of proximity to transit altogether in its planning. It is great when people can take transit to work, but it very rarely works out that way. **People live near transit routes that have nothing to do with the direction they go to work (or school).**

4. **Building scale and place should be more precisely accounted for based on what has worked in comparable communities.** It can make sense to allow 0 parking for a single ADU in an uncongested neighborhood. Residential areas and mixed use areas can cope with less parking for smaller units, if they are in the right places where there is a reservoir of street parking available. That is very different to allowing a larger scale developers with greater cumulative impacts to build to greatly reduced parking standards, especially in areas that are already congested.

5. Communities that have successfully reduced their parking requirements to help achieve affordability have done so in the context of **larger planning initiatives and where conditions are appropriate**, not just as a tweaking of code. See for example this Sightline article on Buffalo, New York: <https://www.sightline.org/2022/10/12/big-reforms-big-growth-buffalo-parking-rewrite-pays-off/> Buffalo and its "form-based Green Code" is clearly a model that many urbanists in Olympia want to emulate, but it involved completely throwing out the old code and, as a planning leader observes, Buffalo is a Rust Belt city dealing with losing population, not a west coast city dealing with population pressures; and "30 percent of households in Buffalo do not have a car at all, largely due to poverty not by choice." As a place without congestion issues, parking requirements didn't make sense for Buffalo, so taking parking out of permit requirements was a sensible tool for cutting house building costs without ending up just shifting the burden away from builders and onto car-owning residents.

The matrix proposed by Olympia seems to get it **exactly wrong** in some instances. It is reducing or taking away the parking requirement in the high congestion areas that are reliant on tourism; in the low income units where the income earners having a car can spell the difference between being able to travel to work and thus put a roof over their heads or not; and in larger-scale units. The only proposal that makes sense as a way to match need to building

cost, is the reduction to one per unit for studios. Depending on the circumstances, the commercial zone reductions might be possible, but it is hard to comment without a map.

6. It is a particularly bad mistake to assume that low income people will benefit more from (theoretically) lowered building costs than from having safe reliable access to their automobiles. One of the worst things about living in an apartment complex can be having your car, that you need to get to work, to shop at the faraway or dangerously traffic-heavy grocery store, and/or transport your kids or elderly/disabled family members to various services, repeatedly broken into or stolen because you have to park it on unsafe streets. Just consider the shopping issue alone. If you can't afford a babysitter and don't have the time for making arrangements like that anyway, you have to pack everybody up to come along with you to the store. You appreciate a residential complex that provides enough parking, and even perhaps gates it off at night and/or provides night security. If you have ever lived that way, you know this. This is why a policy like this should not even be considered without **targeted equity-based outreach to the impacted communities.**

**Helen Wheatley**  
**Olympia Resident**



## BIG REFORMS, BIG GROWTH: BUFFALO'S PARKING REWRITE PAYS OFF

A Q&A with one of the planners behind the mid-sized NY city's successes.



Author: **Catie Gould**

(@Citizen\_Cate) on October 12, 2022 at 12:30 pm

As more cities and states lift costly parking mandates, what will happen next? Chris Hawley has seen the future.

Hawley, first as an activist, then as a city planner in Buffalo, New York, worked to remove minimum parking requirements citywide in 2017 under the city's new form-based "Green Code." ("Form-based" focuses on building form, including its physical appearance and relation to the street, rather than regulating uses, like commercial or residential.) Now five years later, Buffalo's population is experiencing significant growth for the first time since the 1920s, and new homes and businesses are popping up left and right. Hawley shares the story behind the numbers.

### CAN YOU START BY INTRODUCING YOURSELF?

First, I was an activist advocating for a new zoning rewrite, along with friends of mine. We felt that the zoning code was the core problem behind a lot of our development controversies and was a stumbling block to get the walkable, mixed-use development that was consistent with our historic character. The 1953 zoning code—adopted the same year that Elvis Presley recorded his first song in Memphis—was ancient. It had been overlaid hundreds of times and grown to an unsustainable 1,804 pages of regulations.

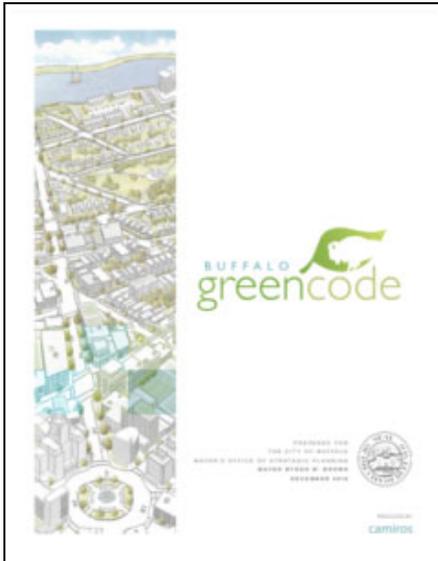
We were in a good position with our new mayor Byron Brown to throw everything in the garbage and start from scratch. He remained committed through politically difficult conversations, which included 242 public meetings over a seven-year period.



Chris Hawley. Photo by Buffalo Obscura, used with permission.

## SOUNDS GRUELING AND EXPENSIVE.

Writing a zoning code doesn't involve many ribbon cuttings. But I think that Mayor Byron Brown understood that once the new zoning code is adopted, every ribbon cutting is a victory for the Green Code, which is what we ended up calling it.



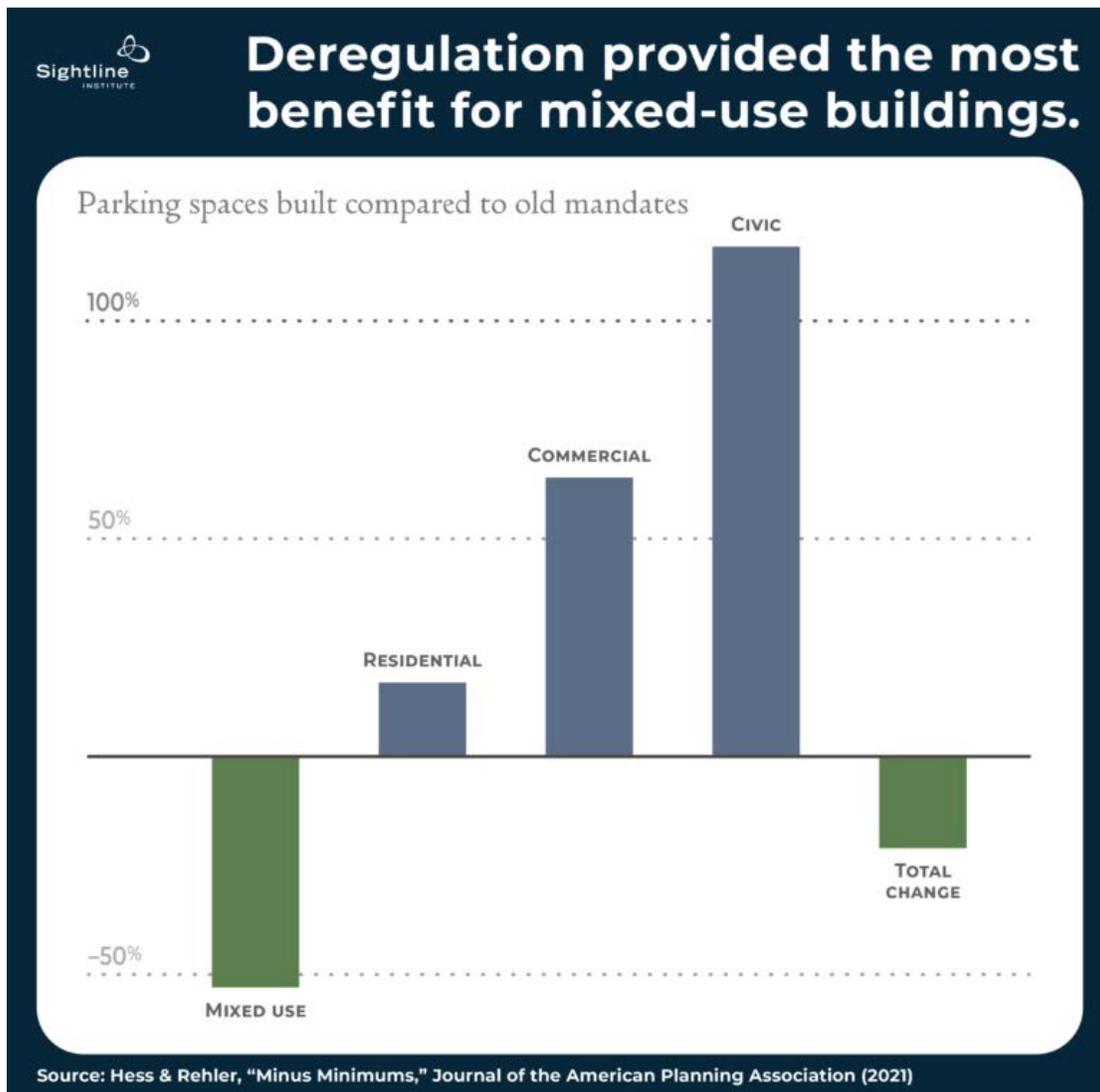
The new development code is 338 pages long, a fifth of the size of the previous code.

A lot of planners advocate for a much more incremental step-by-step approach to adopting form-based codes. That is expensive and doesn't provide a lot of returns for a municipality, if you are applying it only in very small areas.

There is an advantage to a complete rewrite of your land use and zoning regulations, which South Bend [Indiana] and Hartford [Connecticut] have also learned. When we tackle individual topics, particularly controversial ones, on a bite-sized basis it's easy to get stuck politically—the common council spent eight months on a chicken coop ordinance. But when it's one giant package, that can mute controversies about particular elements, whether it's height or density or certainly whether to have minimum parking requirements.

## WHAT KINDS OF CHANGES HAVE YOU SEEN IN BUFFALO SINCE GETTING RID OF PARKING REQUIREMENTS?

Daniel Hess, a professor at the University of Buffalo, looked at the first two years of development activity that went through major site review. He found that developments were **providing less parking than was required under the old code**. In particular, mixed-use projects often provided substantially less.



We have a few cases of new construction where zero parking was provided. 15 Allen Street was our first zero-parking construction project. It was one block from a metro rail station and had 12 units of housing and two shopfronts. Another one was for 201 dwelling units downtown close to a public library and adjacent to a new grocery store.

I really wish that study had looked at staff-level reviews for smaller-scale projects. I think if that had been undertaken, their findings would have been even more pleasantly surprising. Smaller projects in particular benefited the most from the elimination of minimum parking requirements. Big developers with big projects have a lot more capacity financially to provide parking if they want to. Under the old code they could always get variances: they have expensive attorneys and relationships in City Hall. Smaller-scale projects don't have those kinds of resources, or they're constrained by the size of the site.



New apartments and retail at 15 Allen Street, Buffalo, New York. Image from Google Earth.

Mixed-use is a lot easier now. We relaxed density restrictions in residential zones and eliminated them entirely in mixed-use and downtown zones. We even legalized some degree of mixed-use within most residential zones. We have a tradition in Buffalo of corner shops and taverns that are kind of mixed in with our neighborhoods, sometimes mid-block too.

One of my proudest achievements in the code allows commercial buildings built before 1953 to be reused for a wide range of commercial uses regardless of what zone it's located in. That has led to a [flourishing of new immigrant enterprises](#) in our working-class neighborhoods, where we're seeing the largest increases in population.

I bought a corner tavern, which had long been shuttered. It could not reopen without a use variance under the old code. There was no off-street parking. As a result of the new code, I was able to reopen the tavern as a nonprofit social hall. Dozens of entrepreneurs have been able to undertake [similar projects across the city](#) without any real regulatory hurdles.



A 1914 pre-prohibition bar reopened for the first time since 1991, after being purchased by Chris Hawley in 2020. Photo by Eugene V. Debs Hall.

## HAS OVERALL DEVELOPMENT ACTIVITY INCREASED?

Absolutely. They don't make the news as often as they used to because we increased the threshold for projects that require a public hearing, which is a significant change.

Under the old code, we basically adopted mandatory site plan review for virtually any project over \$50,000 in value regardless of its character or routine nature. Now on average, if it's a smaller-scale project that meets the letter of the code, they're guaranteed to get their building permit within 30 days.

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I can say with confidence that the increased level of development that we're seeing is much higher-quality. Before, conventional suburban development was the norm, and now walkable mixed-use development is the norm. Developers generally favored the code change because of the easier process. They told us consistently that the best thing for investment is predictability.

## Under Buffalo, NY's Green Code...



Source: Hess & Rehler, "Minus Minimums," Journal of the American Planning Association (2021)

## WHAT ARE THE POLITICS AROUND PARKING IN BUFFALO?

We are a Rust Belt city, and we've lost about 55 percent of our population [since the 1950s], so we don't have the congestion concerns you might see in other cities like Seattle or Boston, where on-street parking constraints are a major political football. There was only one neighborhood where parking was a significant concern. Most people were surprised we even had minimum parking requirements.

Our experience since 2017, when the code went into effect, has been very, very good. We're no longer requiring variances if you want to provide less parking or no parking, so it doesn't come up as often. Before the new code was adopted, when residents got a notice in the mail saying that a developer or business owner wanted to move forward on a project and provide less parking than the minimum, that created controversy and conflict. In meetings we have about development now, parking just doesn't come up as often. That's one of the most unexpected and pleasant surprises that have come out of these five years we've had the code in place.

## A QUESTION THAT REGULARLY COMES UP FOR ME IS, IF YOU GET REPEAL PARKING MINIMUMS, DO YOU NEED A HOLISTIC PARKING MANAGEMENT PLAN TO GO WITH IT?

To make the abolition of minimum parking requirements palatable, we adopted a required [transportation demand management] TDM plan for projects of a certain size, which requires a developer to explain what the anticipated travel demand is, and then how that travel demand will be

accommodated. It doesn't require you to provide parking but does require you to push for transportation alternatives like biking and walking.

I wouldn't say we have been tremendously successful with TDM—we're still trying to figure out that route. My only note of caution for other municipalities without large planning staffs is that managing a TDM plan requirement or other parking management strategies can be very time-consuming and burdensome on regulatory staff.

## ARE THERE NOTICEABLE PLACES WHERE ON-STREET PARKING HAS GOTTEN BUSIER? THAT IS ALWAYS AT THE TOP OF THE LIST OF CONCERNS.

As neighborhoods become more popular, certainly parking supply becomes more constrained. We're doing more to track this downtown than anywhere else, but the anecdotal experience is there is still available parking for folks. We're using market-based pricing to manage demand on our public parking supply. We're still, of course, emerging from the pandemic. There simply just isn't the kind of demand that existed before.

## WHAT PARKING MANAGEMENT TOOLS DO YOU DEPLOY?

Downtown, we have variable parking rates so parking can be anywhere from free to relatively expensive. That's a system of tools that we were putting into place before the pandemic started. The whole notion is that at any given time, at least 10 percent of the parking spaces will be open, so that people don't perceive that there is a parking constraint.

We have only one residential permit program in a neighborhood called the Fruit Belt. We have a growing medical campus on the edge of downtown with 17,000 employees, and some of those employees decided to park in the adjacent neighborhood rather than the paid ramps. The common council rushed to create this pilot residential permit program.

It's important to consider that about 30 percent of households in Buffalo do not have a car at all, largely due to poverty rather than by choice. All neighborhoods are still served by public transit, and we have a really strong bike culture in Buffalo. Relative to other American cities, we started off with a really good base. What we're trying to do is build a city where you can thrive without a car, rather than simply survive without a car.

*This transcript was edited for brevity and clarity.*



## Catie Gould

**Catie Gould**, senior researcher, Transportation, writes about climate and transportation policy. She brings a decade of experience in engineering and data analysis into Sightline's efforts to decarbonize our transportation system. Prior to coming to Sightline, she led advocacy work for better bike and bus infrastructure in Portland and wrote about local transportation issues. Originally from rural Maine, Catie loves exploring new cities on bikes, camping, and reading. Find her latest research [here](#). Email her at [catie \[at\] sightline \[dot\] org](mailto:catie@sightline.org), and follow her at [@Citizen\\_Cate](https://twitter.com/Citizen_Cate).

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*For press inquiries and interview requests, please contact [Serena Larkin](#)*

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**From:** [jacobsoly@aol.com](mailto:jacobsoly@aol.com)  
**To:** [growthtalkolywa@lists.riseup.net](mailto:growthtalkolywa@lists.riseup.net); [Joyce Phillips](#)  
**Subject:** Re: [growthtalkolywa] comment on parking proposal  
**Date:** Thursday, March 23, 2023 4:15:43 PM

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Thanks to Helen for taking the time to send some practical information to the city.

Let's hope it can break thru their doctrinaire mindset.

BobJ

In a message dated 3/23/2023 3:48:39 PM Pacific Standard Time, hwheatley22@comcast.net writes:

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achieve affordability have done so in the context of **larger planning initiatives and where conditions are appropriate**, not just as a tweaking of code. See for example this Sightline article on Buffalo, New York: <https://www.sightline.org/2022/10/12/big-reforms-big-growth-buffalos-parking-rewrite-pays-off/> Buffalo and its “form-based Green Code” is clearly a model that many urbanists in Olympia want to emulate, but it involved completely throwing out the old code and, as a planning leader observes, Buffalo is a Rust Belt city dealing with losing population, not a west coast city dealing with population pressures; and “30 percent of households in Buffalo do not have a car at all, largely due to poverty not by choice.” As a place without congestion issues, parking requirements didn’t make sense for Buffalo, so taking parking out of permit requirements was a sensible tool for cutting house building costs without ending up just shifting the burden away from builders and onto car-owning residents.

The matrix proposed by Olympia seems to get it **exactly wrong** in some instances. It is reducing or taking away the parking requirement in the high congestion areas that are reliant on tourism; in the low income units where the income earners having a car can spell the difference between being able to travel to work and thus put a roof over their heads or not; and in larger-scale units. The only proposal that makes sense as a way to match need to building cost, is the reduction to one per unit for studios. Depending on the circumstances, the commercial zone reductions might be possible, but it is hard to comment without a map.

6. It is a particularly bad mistake to assume that low income people will benefit more from (theoretically) lowered building costs than from having safe reliable access to their automobiles. One of the worst things about living in an apartment complex can be having your car, that you need to get to work, to shop at the faraway or dangerously traffic-heavy grocery store, and/or transport your kids or elderly/disabled family members to various services, repeatedly broken into or stolen because you have to park it on unsafe streets. Just consider the shopping issue alone. If you can’t afford a babysitter and don’t have the time for making arrangements like that anyway, you have to pack everybody up to come along with you to the store. You appreciate a residential complex that provides enough parking, and even perhaps gates it off at night and/or provides night security. If you have ever lived that way, you know this. This is why a policy like this should not even be considered without **targeted equity-based outreach to the impacted communities**.

**Helen Wheatley**  
**Olympia Resident**

The GrowthtalkOlyWA List Administrator/Moderator is Walt Jorgensen.  
Direct all questions about GrowthtalkOlyWA to him at [waltjorgensen@comcast.net](mailto:waltjorgensen@comcast.net)

Some of us use a pseudonym instead of or in addition to our real name. Here is a list to help you identify participants in the message thread.

Lisa R.....northbeachcomm  
Lisa R.....lee riner  
Kim Dobson.....Parallel University Radio Show  
Larry Dzieza.....Larry of Nottingham  
Bob Jacobs.....jacobsoly  
Zahid Chaudhry.....AZ  
Peggy Bruton.....Elsa ???  
Peggy Bruton.....Gimletoye  
Meryl Bernstein....space4now  
Deane Rimmerman....olyecology  
Helen Wheatley.....Comcast Account  
Steve Salmi.....Dr. Lemming

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**From:** [Comcast Account](#)  
**To:** [Joyce Phillips](#)  
**Subject:** parking and affordability  
**Date:** Thursday, March 23, 2023 6:37:34 PM

---

The affordability mantra of the Puget Sound Regional Council is Supply, Stability and Subsidy. There is not enough focus on the latter two elements, which are more resident/tenant-centered.

The most direct and impactful way to link affordable housing to parking for a significant number of multi-family unit dwellers right now and into the future, would be to prohibit landlords from charging extra rent for parking spots. This common practice effectively raises the rent on many units, as most people have no real choice but to pay the extra amount. (Proving, once again, that working people need their cars and will pay extra for them if forced to carry that burden, and that landlords charge according to what the market will bear.)

Not only should there be a sufficient number of parking spaces to provide for the real needs of tenants, but at least one space per unit should be provided at no extra charge.

Helen Wheatley  
Olympia Resident

**From:** [John Saunders](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Comment on Proposed Residential Parking Code Amendments  
**Date:** Friday, March 24, 2023 10:29:29 AM

---

Dear Ms. Phillip:

Thank you for the opportunity to comment on the proposed amendments to the residential parking requirements of the City of Olympia.

I am strongly in favor of the proposed amendments. I believe that Olympia needs to eliminate barriers to the construction of new housing for all levels of income and that reducing the burden of parking is one way to accomplish that goal. I appreciate that the proposed parking requirements are flexible depending on needs of specific residential projects and that they reflect the availability of frequent transit where possible.

Best of luck to you and the City in implementing these needed changes.

Sincerely,

John O. Saunders  
301 18th Ave SE  
Olympia, WA 98501  
johnosaunders@me.com  
M 360-259-0288

**From:** [Steven Hernandez](#)  
**To:** [Joyce Phillips](#)  
**Subject:** comment on the housing proposal  
**Date:** Friday, March 24, 2023 1:28:07 PM

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Building multi family housing without parking is wonderful in idea but sufficiently lacks foresight.

The city of olympia does not have the transit system nor drivers to accommodate such a proposal. It also feels like this is a hurried project to get more housing up and force the local city to just accommodate it, which will put a strain on parking in the area. I work in state government as does my wife.

Expecting those apartments to move and those families to not need vehicles for their jobs is profoundly incompetent. Please ensure you either follow the law as is or build parking as part of the complexes, like an underground garage. Otherwise it just screams of a cash grab to build housing to rent and then expect the locality to accommodate it.

**From:** [Sean Ferguson](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Support for more housing and less parking - support for changes to parking requirements  
**Date:** Friday, March 24, 2023 2:52:28 PM

---

I support the changes to the parking minimums as I understand that the goal is to provide the option to not include a parking space for each unit, which should lower the cost and offer the possibility of more affordable housing. Eliminating a mandatory minimum requirement can make it easier to build more housing and we need both more housing overall and ideally affordable housing and this is a good method to encourage that development.

Thanks,  
Sean Ferguson

**From:** [Esther Grace Kronenberg](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking requirements  
**Date:** Friday, March 24, 2023 3:16:36 PM

---

Dear Joyce Phillips,

At this time, it is unreasonable to expect new residents of Olympia's to-be constructed multifamily units not to have cars. I have lived in big cities like New York and San Francisco. Getting around New York without a car was easy. There are buses and subways every few blocks that go just about everywhere, all the way from the top of the Bronx to the tip of Brooklyn. San Francisco's public transit, though not bad, wasn't nearly as comprehensive as New York. There were places farther from the downtown area that had sparse service, and honestly, a person with children, an elderly person and those who are trying to shop and have to carry back heavy bags, still had a tough time. Bottom line - even in cities with decent public transit, there is a need for a car.

By contrast, Olympia is not at all pedestrian friendly. The entire West side was built after the onset of cars, and so that's the way it functions. Pedestrians are few and far between because there's almost no walkability to places people need to get to.

Additionally, public transit in Olympia is more a courtesy than an efficient way to get around. The bus routes are extremely limited. For example, you can't get from Harrison and Cooper Point to Black Lake Blvd and Cooper Point, a short ride of less than 2 miles, without having to get off one bus at the mall and hop on another and who knows how they're timed. For someone trying to shop, it's pretty impossible in terms of time and effort. I don't think it's any better for most people who are trying to get to work. Buses don't run after certain hours, or infrequently if they do, and they certainly don't go to many neighborhoods in the area. It shouldn't have to take you 2 hours to get to work by bus when you could get there in less than 30 minutes by car, but that's the way it is right now. To pretend otherwise is deceptive and foolish.

On top of that, I thought Olympia was going to encourage EV use. Where will people charge their EV's if there is no parking? It just doesn't make sense.

This is an idealistic but unworkable idea. It seems the only people who will benefit from the lack of a parking requirement are the developers. Frankly, I'm sick and tired of the City accommodating developer interests to the detriment of the residents of this City who pay your salaries. Like the tax breaks, this clearly is another giveaway.

It would be wonderful not to have to rely on cars - but the reality is we do. It's completely backwards to eliminate parking before a robust public transit and community/pedestrian infrastructure is in place. It's especially hard on those low-income families who rely on their cars and need to have a safe parking spot close to home.

Get the Capital Mall area right first. Make it a village that enhances community and makes getting to essential services easier on foot or public transit. Then you can propose reducing parking. To do so now is disrespectful to the needs of your fellow residents.

Thanks for your consideration.

Esther Kronenberg

**From:** [Gavin Plesko](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Olympia Parking  
**Date:** Friday, March 24, 2023 4:16:14 PM

---

Hello,

I am a resident of Olympia, I went to high school in Tumwater, and Evergreen for college. I now live downtown and have been loving all of the improvements to the downtown area in the past few years.

I think we should remove parking requirements for new construction throughout the entire city. The focus on cars in limits housing, as well as makes areas outside of downtown difficult to walk around. Olympia has invested in its transit so well, and we should continue to leverage that by removing requirements on parking. The giant parking lots also make the West side feel less safe to walk through than downtown. The Westside is a prime location for high density housing, and would make Evergreen students have so many more options. I graduated from Evergreen in 2017 because it was the most affordable school I could find, and with how expensive it is now to live on the westside, and the cost of cars these days - there is no way that I could have afforded to go to college without incurring some serious debt.

There are so many reasons for removing the restriction on parking, and I can't think of any reason why we would need much more parking, especially with how amazing our transit system is.

Thank you for taking my comment.

**From:** [Drew Beck](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Public Comment  
**Date:** Friday, March 24, 2023 4:18:10 PM

---

Hello, my name is Drew Beckvonpeccoz, I live in West Olympia. I would like to leave a public comment regarding the Proposed Parking Requirement Reduction. I am strongly in favor of this code change, I think it is very important to Olympia's future that we reduce the parking requirements for new housing. Olympia needs dense affordable housing desperately. Additionally, and this is very important, we absolutely must improve and expand the bus system in Olympia in order to accommodate this increased housing density. This is absolutely crucial to the success of this plan.

Thank you

**From:** [Keith Jewell](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking Proposal Comment  
**Date:** Friday, March 24, 2023 4:37:23 PM

---

Hello -

Thank you, thank you, for eliminating most of the parking requirements. Based on the pattern of construction, it's clear that the minimums will almost always be exceeded, so it may make little practical change. It's still an important message, and I appreciate that the City is considering it.

Best,

-K

**From:** [LARRY BLANTON](#)  
**To:** [Joyce Phillips](#)  
**Subject:** New parking rules  
**Date:** Saturday, March 25, 2023 3:21:28 PM

---

TO: Joyce Phillips

I am strongly opposed to the City of Olympia's misguided and punitive proposed change to residential building parking requirements.

Many families require both parents to work just to make ends meet, this means two cars. Your suggestion to take public transportation

is insulting, as crime has significantly increased in Olympia due to soft on crime policies. Addicts are now taking drugs on buses and

trains. How can you go grocery shopping or pick up kids from school without a car?

To allow buildings with zero parking spaces will reduce parking for struggling business.

This proposal even wants to limit parking spaces to 1.25 per unit, regardless of how many bedrooms the unit has? This is the height

of arrogance, forcing people to risk their personal safety and reduce their quality of life just to promote a neurotic crusade against cars

and personal freedom.

Lawrence Blanton  
Olympia WA  
98513

**From:** [Kurt Wochholz](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking restrictions  
**Date:** Saturday, March 25, 2023 4:08:40 PM

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Can public transportation take me to the addresses of my individual job sites with all of my tools, run me around to suppliers, take me back to the job sites, and then on to the next job as I determine throughout each day? Most contractors work out of their residences not some expensive office location.

How is wishing something were contrary to the population's existence supposed to make it so? This whole plan is putting the cart before the horse. Restricting the number of parking spaces at apartment complexes has backfired for Orange and LA counties in California in the past. They had to go back and increase the spaces to fit reality at great expense later.

Kurt Wochholz

**From:** [Elizabeth Carp](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking proposal: support  
**Date:** Saturday, March 25, 2023 6:37:11 PM

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Hi Joyce,

I am writing in support of the City's residential parking requirement proposal. The city should be doing everything it can to lower rents. We also need to make our city less car-dependent for quality of life and environmental reasons (I work in environmental permitting and every day I see how habitat is destroyed by parking lots and sprawl). Reducing parking requirements is an important step towards both.

Thank you,  
Lizzie Carp

**From:** [Carol Chestnut](#)  
**To:** [Joyce Phillips](#)  
**Subject:** New zero parking regulation for new development  
**Date:** Sunday, March 26, 2023 10:49:09 AM

---

I strongly oppose the proposed zero parking and other revamped parking regulations that the City of Olympia is “considering” planning for developers. I think developers in Olympia are given way too many “freebies” already! And taking away the requirement of one parking space per unit is just another hardship for our citizens. I recently heard that someone living in the City Olympia was being required to move because she could not afford to stay there as the landlord recently instituted a charge of \$100 per month for parking privileges. How does that help with our housing problems?

I urge you to reconsider this new perk for developers!

Carol Chestnut  
2304 22nd Ave SE  
Olympia WA 98501

**From:** [John Gear](#)  
**To:** [Joyce Phillips](#)  
**Cc:** [CityCouncil](#)  
**Subject:** Parking Minimums Proposal  
**Date:** Sunday, March 26, 2023 5:45:49 PM

---

Hello,

I STRONGLY support the staff recommendation on parking for multifamily housing.

Actually, I support something more aggressive — make the current minimum parking rule into a maximum, and eliminate the idea of mandated parking minimums in Olympia entirely.

As Prof. Douglas Shoup has shown again and again, including in his monumental book “The High Cost of Free Parking,” the minimum amount of parking to provide is a decision that should be left to the market, not to bureaucrats applying tables that have no basis in research or economic testing.

I am shocked to see that Olympia would be proposing to permit even more surface parking than is allowed today.

We have such a huge oversupply of parking in Olympia, meanwhile we have a terrible shortage of housing for people. Ultimately, those two things are intimately related — the more parking we require, the more unaffordable our housing becomes, while at the same time we make driving alternatives more difficult for people, because we’ve spread out to accommodate all that parking.

We are every day experiencing the negative economic and environmental consequences of centering automobiles rather than people in our development patterns, and parking minimums only aggravate every one of our problems.

Housing is becoming completely unaffordable to a greater and greater share of people, and yet we’re proposing to force developers to burden residents with the costs of parking, even when they would otherwise use the money to provide housing for people.

The current regional fire authority proposal is just another sign that we have bankrupted ourselves in the S. Sound region with an unproductive development pattern that doesn’t pay its own way, and parking is one of the greatest causes of development that is unproductive and unsustainable. As a recent Strong Towns video puts it, the root cause of our financial woes is “near rural densities with urban amenities.” Nothing hurts the provision of affordable urban amenities as badly as parking lots, which hurt water quality, climate emissions, and the likability of a place.

It is time to stop putting cars and only car users at the center of our thinking and start recognizing that our economic woes are almost entirely due to the way we build our places with cars at the center instead of amenities for all people, not just the ones who drive.

Our goal must be to make Olympia a place where everyone can participate fully in social, civic, religious, and economic life as first-class citizens without having to have a car.

People would fall over if you proposed that all developers must give all residents an electric

bike but, compared to a parking space, making developers give residents electric bikes would be far more helpful in terms of creating a cleaner city, with healthier people, and with a much more economically productive future.

Cordially,  
John Gear

Let's live on the planet as if we intend to stay.

From: [jhawk@gglbbs.com](mailto:jhawk@gglbbs.com)  
To: [Joyce Phillips](#)  
Subject: Parking  
Date: Monday, March 27, 2023 12:26:23 AM

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(Joyce, I tried sending this email to you TWICE....it was returned twice. I had to do quite some sleuthing to finally find that your address was wrong at the bottom of the page in the email you sent out entitled "Residential parking proposal comment period extended", on 3/23/23. Here:

### **Contact**

Joyce Phillips, AICP, Principal Planner  
Community Planning & Development  
360.570.3722  
[jphilip@ci.olympia.wa.us](mailto:jphilip@ci.olympia.wa.us)

That sure makes it hard to get a letter to a lead planner.  
Is that how all your letters are signed?  
Hope this reaches you...please confirm.)

Joyce, planners, and City Council....

Unlike many of my fellow residents who feel that downtown Olympia is a dangerous, predatory, or at the very least--a challenging environment to negotiate--I have spent years trying to encourage that if we don't support downtown businesses, arts, and events...we can't expect things to get any better.

I've attended classes and meetings at the Olympia Center for nearly 20 years, and continue to do so currently. I attend theater at Harlequin, shows at WA Center, readings at Browser's books, shop at the Farmer's Market, and can usually be found downtown each week at the Capitol Theater.

I bank there, I shop there, I eat and drink there every week. I have friends who own businesses there, and I make it a point to support all things 'downtown'.

But I can no longer find a place TO PARK.

I drive around at length for blocks and blocks, further and further from my destination.

To get downtown, I do not have the option to use the bus service because even though I live in the core of the city--next to OHS--there is only ONE bus that runs quite infrequently anywhere near my home...and it does NOT go downtown. I would need to transfer at Tumwater Square, after a wait, onto another bus to get there...and I live literally only a couple miles from downtown.

That's during the day--at night, the service ends by 8 or 9pm....less on weekends.

**Olympia does NOT have a vibrant or serviceable transit system.**

It does NOT serve the city in any way remotely similar to Portland or Seattle, or other urban areas which have changed their parking requirements to allow little or no parking with newer development.

They do that, as Olympia now wants to....claiming that transit will serve these residents' needs, so there is little or no need for parking.

There is some traction for truth in these larger cities which have fast & efficient & frequent bus service, light rail, metro, streetcars, and other means of transport.

**Olympia does not even have a decent bus service.**

I haven't seen the DASH in years, and there are few of us in the city who can get anywhere we would want to go on the bus.

I'd love to, I'd use it...but it's impossible.

If people in Olympia need to get to work, to school, to an appointment, to a Dr., want to frequent downtown, or get anywhere....

**WE MUST HAVE A CAR.**

I'm guessing upwards of 95% of Olympians do.

*Have you done the research on this, before proposing drastically lower parking requirements??*

**If people still need a car to get around...where are they**

**supposed to park in this new suggested scenario??**

*Parking downtown has quickly become a hot mess.*

It has been consumed by the quick increase in large downtown 'multi-family' complexes (a strange name given to housing which by its very nature--does not house many families at all).

**I now have to walk many blocks in the dark at 9:30 at night after my ceramics class at the Oly Center, because there is never parking anymore** at the free lot across the street from the Center.

You know, the one which was designed to serve people who take classes at the Oly Center....?

Why?

Because the folx in the new nearby apartment and condo buildings have discovered that great free parking. It's free from 4:30pm until the city would start any ticketing the next day at 10am....perfect for these downtown dwellers when they come home to roost each evening.

There is ALREADY INADEQUATE PARKING DOWNTOWN, yet you're suggesting encouraging this situation to get much worse.

Diamond lots are prohibitively priced, and the new residents downtown aren't using them...they're using the free spots on the street, and in the free City lots.

**It's then incredibly frustrating to see the City walking into illusionary magical thinking, in which cars are still completely needed to get anywhere in Thurston County, but you're considering housing which will need zero to little parking included.**

**WE SIMPLY ARE NOT READY FOR THAT in this region. The city has not provided the needed transport for such. This is the reality.**

I haven't even mentioned new housing in close-in neighborhoods and the chaos this will create for the already pressured street parking in those neighborhoods.

**Olympia cannot put the cart before the horse.**

**Please reconsider before you create a worse mess for those of us who work hard to frequent downtown with our business and leisure, and who deserve to find parking when we come.**

**Reconsider before you create neighborhoods where residents cannot find a spot to park in front of their own homes, duplexes, or apartments.**

**Thank you~**

**Janine Lindsey**

**Olympia**

## Joyce Phillips

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**From:** David Ginther  
**Sent:** Monday, March 27, 2023 8:09 AM  
**To:** Joyce Phillips  
**Subject:** FW: Parking around apartment complexes

-----Original Message-----

From: Susan Zemek <zemeks@comcast.net>  
Sent: Saturday, March 25, 2023 6:54 PM  
To: David Ginther <dginther@ci.olympia.wa.us>  
Subject: Parking around apartment complexes

Hi David,

I'm writing to express my concern about a proposal before the planning commission to exempt some apartments from providing parking. Please share this with them. No need to send me a response.

I am opposed to requiring no parking with new apartment complexes on arterials with transit service. While I applaud the plan to build denser housing and to find a way to incentivize it, to assume that the tenants won't have cars is faulty. What will end up happening is that the tenants will end up parking in the surrounding neighborhoods, making them even more undesirable. I assume that new apartments don't have to provide parking spaces for every tenant already, so maybe lessening the amount required is incentive enough. The neighbors shouldn't have to bear the full consequences so developers can make more money.

Susan Zemek  
360-259-5138  
zemeks@comcast.net

**From:** [Andy Barenberg](#)  
**To:** [Joyce Phillips](#)  
**Cc:** [CityCouncil](#)  
**Subject:** Parking Requirements  
**Date:** Monday, March 27, 2023 9:44:38 AM

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I am a resident of Olympia and a professor of economics at St. Martin's University. I am writing to support changes that would lower parking requirements.

Donald Shoup's estimates show that requiring parking spaces increases the cost of housing by up to 15%. This requirement can also make denser housing impossible on most lots and further increase housing prices. With a housing crisis in Olympia, we need to encourage more construction of affordable housing. Lower-income households are less likely to own cars and generally own fewer cars than wealthier households. Forcing developers to create parking spaces that their residents do not need prevents the creation of affordable housing for working-class Olympians.

The argument is often made that off-street parking is necessary to keep cars off the streets. However, adding off-street parking actually leads to more cars on the streets. A study of San Francisco housing lotteries found that families allocated to housing with parking owned more cars and drove more.

In order to meet the needs of working-class Olympians, provide affordable housing, and transition to more sustainable and less car-dependent transportation, we must do away with parking requirements

**From:** [Marg We](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking codes  
**Date:** Monday, March 27, 2023 12:14:10 PM

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Ms. Phillips—I have been following the discussion of the Proposed Residential Parking Code Amendments. I do not believe that Olympia has the correct population demographics or infrastructure to have success with reduced parking requirements. I am 70 years old and live in a fairly walkable neighborhood on Olympia's westside with good access to several bus routes, but cannot imagine life without a car. I do take public transportation when it is time efficient, like going downtown. But further trips, like going to St. Peter's Hospital area services, are not really feasible on public transportation. Even if I were to move downtown, I would still want my own car. Many, many things would have to change before our culture is ready to live with less access to cars, and therefore, parking. Very few people I know here in Olympia do not have a car and most of my friends are environmentally conscious and many (including me) have changed over to electric or hybrid vehicles. Many of us who are older are not ready to trade in our cars for bicycles, walking long distances, or maneuvering bulky packages on a bus. And I can imagine that families with children are even more car reliant than many of us. I don't think that the attitude that making parking inaccessible will force people to give up having cars. We're just not there yet and many other things have to change first. I see it as wishful thinking on the part of the Planning Commission that reduced parking would benefit the citizens and businesses of Olympia.

Thank you for considering my comments. Margaret Wehrle

**From:** [ibehatch](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking  
**Date:** Monday, March 27, 2023 1:48:44 PM

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What is being proposed in this bill will cause undo hardship on tenants and homeowners.

PLEASE vote this bill down !!!

Sent from [Mail](#) for Windows

**From:** [Tracey Harbert](#)  
**To:** [Joyce Phillips](#)  
**Subject:** residential parking code amendments comment  
**Date:** Monday, March 27, 2023 3:45:00 PM

---

Hi Joyce,

I'd like to add my comment on this issue.

Overall, I am not in favor of the amendment to decrease parking spaces. Particularly, I am against decreasing the required parking spaces for townhomes/duplexes/triplexes. Without being part of a comprehensive plan (better public transport, creation of villages with nearby grocery/restaurants and schools, requiring owner occupied ownership, etc), I think this amendment only benefits developers who can make more money by building more units and will leave owner occupants and tenants still paying a large sum of money for a home in a location that still requires them to drive to get where they need to go. For an example, please look at the plans that have been proposed for 1515 Middle St. The plan includes many pricey multiroom units but has difficulty providing parking spaces, lacks green space, would have traffic that is bothersome to the existing neighborhoods, and is in a location that still needs people to drive to get to work and grocery stores.

I am all for affordable denser housing, but it has to be done correctly so people can still maintain quality of life.

Thank you to the city planners for their efforts on this.

Tracey

**From:** [Tracey Harbert](#)  
**To:** [Joyce Phillips](#)  
**Subject:** residential parking code amendments comment  
**Date:** Monday, March 27, 2023 3:45:00 PM

---

Hi Joyce,

I'd like to add my comment on this issue.

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I am all for affordable denser housing, but it has to be done correctly so people can still maintain quality of life.

Thank you to the city planners for their efforts on this.

Tracey

**From:** [Ehren & Ariana](#)  
**To:** [Joyce Phillips](#)  
**Cc:** [Cheng Mayorga](#)  
**Subject:** Vote Yes - Residential Parking Proposed Code Amendments  
**Date:** Monday, March 27, 2023 8:40:03 PM

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Good evening Ms. Phillip.

We are Ehren Cheng and Ariana Mayorga, and we currently live in a single family home at State and Central. We believe that increasing housing availability will make housing more affordable for all, even if that means less parking area. We all could benefit from denser living and a better public transit network.

We vote yes to the proposed parking amendments to remove barriers to construct more housing.

Sincerely,  
Ehren and Ariana

**From:** [Anna Schlecht](#)  
**To:** [Joyce Phillips](#)  
**Cc:** [CityCouncil](#)  
**Subject:** Olympia's Proposed Revision of Parking Requirements  
**Date:** Tuesday, March 28, 2023 8:34:02 AM

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Greetings!

I'm writing to register **my strong support for the proposed changes to the City's parking requirements**. These changes will help to promote critically needed housing by right-sizing the required number of parking places. This is one of many changes needed to increase the housing stock and to keep the costs affordable to low & moderate income people.

We are living examples of the people who would benefit from such changes: we are keen to build another home on our lot to accommodate others in need of housing - a reduced parking requirement would greatly improve the overall design and would also keep the costs down. As LGBTQ seniors, we have many friends our age who are desperately in need of housing, we hope to be able to provide that in the most cost effective way.

When we first bought this place back in 1978, we intentionally picked a spot only half a block from a bus stop, a couple blocks away from a grocery with a pharmacy (Ralph's), a park (Lions Park) and our kids were delighted to grow up a few doors down from Eastside Big Tom's. More recently, our neighborhood's food offerings have expanded to include Left Bank Patisserie and rumor has it that a Vic's Pizzeria will go in across State Avenue in the old radio station. In short, we live quite happily with little need for a car.

In the decades we've been here, we've appreciated the walkability of the neighborhood as have our children, now grown & gone. As we age in place, we deeply appreciate living with a greatly reduced need for cars. Most of our trips are by foot or carpool (except of course for using the truck for painting projects - but that is a different story).

We urge you to press ahead on this proposed reduction of the parking requirement. And then onward to consider other changes to make it easier to increase the gentle density of neighborhoods like ours. As the sign says, we indeed are "**neighbors for more neighbors**".

Thanks & keep up the great work!

--

**Anna Schlecht**  
[annaschlecht@gmail.com](mailto:annaschlecht@gmail.com)  
(360) 402-0170

**From:** [John Johnston](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking Comments  
**Date:** Tuesday, March 28, 2023 8:34:41 AM

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Conflicted. Transit system functions as feeder system to transit centers. Not time friendly to take multiple points. Do like it from where I live because I can reach downtown, Fred Meyer lacey, AMTRAK. Use car when need to go to Tumwater or Medical at Hawks Prairie Lacey.

I can see street parking being an issue under proposal especially many areas of Olympia have narrow streets. Also can see demand for long term parking lots defeating the concept of land availability.

At this time I would prefer to see requirement for parking to be built under a multifamily building with requirement of 1 space per unit.

Maintain other current requirements pending review of transit patterns to improve usage of public transit.

John Johnston

**From:** [Ben Welna](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Residential Parking Code Amendment Comment  
**Date:** Tuesday, March 28, 2023 9:46:56 AM

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Good Morning,

I am an Olympia resident writing in support of the proposed amendment to the residential parking code. Reducing the amount of required parking will provide more space for housing, make public transit more accessible, reduce traffic, and encourage use of public transportation. Adopting the proposed amendment will mean more space for cyclists and pedestrians in our public spaces. This will make multi modal transit safer and more accessible, and reduce air pollution and carbon emissions from personal vehicles.

Thanks,

Ben Welna

**From:** [rmvanderpool7@gmail.com](mailto:rmvanderpool7@gmail.com)  
**To:** [Joyce Phillips](#)  
**Subject:** RE: Residential Parking Minimums (public comment)  
**Date:** Tuesday, March 28, 2023 3:50:59 PM  
**Attachments:** [Getting There.pdf](#)

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Good Afternoon,

I spent a little time thinking about this parking situation and wrote out some thought for the Planning Commission.

Attached is a quick 600 word argument for why the parking changes should and ought to occur.

Thanks again,

Robert Vanderpool

## Getting There: Building for the Future

By Robert Vanderpool

Imagine the community you would like to live in, or better yet what types of communities you'd like to experience. I, personally, think of Allan Jacob's 1993 book *Great Streets*. Jacob included a variety of masterful neighborhood street renders from all over the world. Some streets are centuries old, and some include street parking. What makes these streets great is the history and community presence of each. Each street includes closeness, walkability, and safety. People on foot become the top priority in our hierarchy of needs. Places built for people first.

We must consider all decisions with people first, yet growth and prosperity isn't easy. We must consider people of all ages and backgrounds. To me this means all forms of transportation improving requiring street design flexibility and variety. Olympia, today, rarely has more than apartments and detached single family homes. Land is not cheap and is limited. If we want a vibrant fabric, we are going to need to make changes: limits on parking, zoning, congestion pricing, road diets, protected bicycle infrastructure, and density. Without these changes the streets will only be available to a few and fewer in the future.

### Cities Most Grow

Cities are economic engines where people gather, growth, live, and die. Any city that doesn't grow, eventually dies. Furthermore, we don't own our cities ad infinitum. I have no claim to the land my ancestors purchased and stole. They, like myself, have no claim on what comes next. This is why the city is for new generations. Jeff Speck in his 2012 book *Walkable City* expresses the need for and the methods at which we can make cities more accessible through the focus on walkability. Speck expressed "the pent-up demand for walkable urban development..." and that "it will be a boon ... out of a foundation under the American economy for decades..." (Pg 23) We must consider where city growth is gaining traction. We must ask what type of community does the youth want? What features are important to a generation that drives less.

### The Chicken & the Egg.

Our current cycle of arguments seems to rely on parking and public transportation. Intercity Transit's Strategic Plan Executive Summary states that the transit system is limited to either more routes or more frequent services. We need density along main corridors to develop transit. Transit needs to be worth the cost of admission. We cannot build a high-speed rapid transit system under our current conditions. The cost benefit analysis says build closer.

The main opposition to limited new parking in new developments derives from the lack of proper transit frequency. This would be a legitimate concern if Olympia was banning and eliminating current parking. If the city began removing miles of current parking. It would be a concern to many who are not multimodal or live outside of transit accessibility. I have good news for you, even in the densest European cities, some people still own and drive cars. People just don't have to drive. This zoning change only limits it future developments. That means parking will become more limited over a long period of time. Seattle has a higher population than Olympia, with much less available parking per

person than Olympia. Yet, Seattle is doing fine because rather than focusing on the cost and maintenance associated with cars, they can afford to focus on transportation, bike lanes, and sidewalks. All I ask is that we can consider the optimistic opportunity we can have by focusing on community.

**From:** [earthographer2014@icloud.com](mailto:earthographer2014@icloud.com)  
**To:** [Joyce Phillips](#)  
**Subject:** Proposed Code Amendments on Parking  
**Date:** Tuesday, March 28, 2023 4:37:01 PM

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This household is opposed to the code amendments stated in the March 2023 digital flyer and public hearing draft as they apply to reducing required parking per unit for either single family homes or multi-family apartments.

We have lived in Cyrene since 2016. It is a 100 unit sub-division approved in 2008 with 30 townhouses and 70 single family houses, located within ¼ mi of transit. However, the design required by the city gave us very narrow streets and extraordinarily limited on street parking.

The reality of living in this constrained parking community makes life more difficult than a more thoughtful design would have permitted:

- 1) single family homes have 2 car garages but most only can park 2 vehicles in the driveway.
- 2) as we have neither attics nor cellars, garages typically serve out of necessity as long term storage space rather than for parking.
- 3) if one vehicle is a pick-up truck they often overflow onto the sidewalks because our garages are too small to park a pick-up truck inside.
- 4) In a 3 or 4 bedroom home, when the owner has adult roommates or the home is a rental with adult roommates (approximately 10% of our single family homes are rentals; all of the 30 townhouses are rentals ) parking is needed for 4 vehicles. These includes oddly sized “work” trucks and vans as attested by visible logos on the vehicles.
- 5) most homes and townhouses have no place for visitors, maintenance trucks, service vehicles, or delivery vans to either park or pull over to reduce street blockage. We had at least one incident during SuperBowl Sunday 2023 where an emergency vehicle could not operate properly as overflow parking occurred illegally in the cul-de-sac. Parking enforcement informed residents of this after the fact, as (after years of asking) they began showing up and ticketing. But they don’t tend to come on weekends or evenings when people are more likely to socialize and have company who arrive by private vehicles not transit.
- 6) Garbage collection services make moving through the streets difficult and many households place their collection cans in the street despite the efforts of the Homeowners Association.
- 7) Communities where there is a preponderance of rentals (40%+ of this subdivision) results in a great deal of moving-in and moving-out. These “moving” vehicles require physical space to park, though at Cyrene they are forced to completely block a street.
- 8) there is no safe temporary parking “pullout for the delivery or retrieval of mail from community mailbox locations.

The Proposed Amendment description “being by transit” creates a false narrative of our needs for mobility. During the Pandemic use of public transit halted or was severely truncated for some time as we adapted to social distancing. Some people had to give up public transit because of their high risk if they got Covid. This can happen again.

People need parking for company work vehicles along with their private cars. People need a place to plug in their Electric Vehicles. People work at places not readily accessible to transit, even at ¼ mile .

They need a vehicle for grocery shopping and carrying heavy purchases home. Try walking ¼ mile with a baby in a stroller, a 4 year old and 2 bags of groceries. Make sure you must cross a busy street like Cooper Point without a safe cross walk in order to get to your home as well.

If we have another large earthquake, vehicles can provide critical temporary shelter as we await emergency services or are required to relocate while response and reconstruction occurs.

While property developers would typically like to have fewer parking spaces to fit in more development and make more money in the short term, this does not mean the future users find the development functional.

It is suggested that less rubber stamping of “cookie-cutter” site design for residential development will create functional housing while meeting parking needs under the CURRENT provisions of Chapter 18.38.

While planning to meet a need for affordable housing is commendable, the City of Olympia should not become the self-appointed primary provider of such housing in Thurston County. We are geographically constrained by water, Tumwater/ Lacey boundaries and our stormwater drainage needs. Please consider the difficulties the residents of Cyrene experience daily because of a utopian ideal of getting people out of motor vehicles and onto transit.

submitted by: Judith A. Cichowicz M.S.  
2615 Placid Ave NW  
Olympia WA 98502

**From:** [Cary Westerbeck](#)  
**To:** [Joyce Phillips](#); [CityCouncil](#)  
**Subject:** Housing Action Plan, section 3i - parking reductions  
**Date:** Tuesday, March 28, 2023 10:15:36 PM

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Greetings, Olympia planning commissioners and city council,

I'm a planning commissioner (City of Bothell), and we are also working on housing and zoning code amendments, currently preparing to pass a middle housing code section we've worked on since fall of 2021, which includes parking reductions. As an architect and small developer it's hard to overstate how damaging parking mandates are to getting needed housing built. We research what we can park on a site, then we figure out what we can build. Parking is the tail that wags the dog. When we require dedicated on site parking we're prioritizing parking cars over housing people, and that's not right.

On the vast majority of housing projects, parking mandates **reduce** the number of homes dramatically. I have projects on the boards or completed that are four units that could've been twelve; six units that could've been twenty-four, with more like this that were planned but couldn't pencil out due to parking. Parking mandates kill much-needed projects on paper every day and most lawmakers have no idea how problematic they are.

Dr. Donald Shoup of UCLA has devoted his entire career to the study of parking and is now well known for his work. He wrote the 750 page book "The High Cost of Free Parking." He is quick to remind everyone that there is absolutely NO science behind parking mandates or minimums. Whether it's spots per bowling alley, or spots per cafe square footage, it's all arbitrary.

Developers and project owners are keenly aware of how much parking they need to make a project work. There is no need to mandate this. Free cities and counties of this ridiculous burden and the hubris that they know how much parking is needed. Parking mandates are hollowing out our downtowns, filled with massive parking lots that separate shops, services, and homes, making everyone drive more, and more car-dependent. Perhaps most importantly, they drive up the cost of housing construction significantly, and severely limit the number of homes that can be built on a site. Excessive mandated parking in turn causes air pollution, increased climate warming, increased traffic and congestion, and increased traffic violence. Nothing good comes from parking mandates, only problems.

The time of parking mandates and minimums is over, a damaging 20th c. relic. They have created nothing but problems, denuded our downtowns, driven up costs, polluted our air and streets, and taken away the ability to realize the highest and best use of countless properties. They are a scourge and cannot be eliminated fast enough. As you consider strategy 3i in your Housing Action Plan, I urge you to be bold in reducing or eliminating parking mandates if you want to see your city build more housing of all types. I guarantee it makes a difference.

Thank you for your consideration,

Cary Westerbeck

**westerbeck** | architecture llc

18234 98th AVE NE APT 301  
Bothell, WA 98011  
e: [cary@westerbeckarchitecture.com](mailto:cary@westerbeckarchitecture.com)  
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p: 206.941.2163

**From:** [Julian](#)  
**To:** [Joyce Phillips](#)  
**Subject:** housing plan  
**Date:** Tuesday, March 28, 2023 11:12:35 PM

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get rid of parking, build as much dense housing as possible, get rid of the zoning laws. Olympia needs to develop if it wants to grow and nimbys are only getting in the way. I want to see apartment blocks going up. Also, why dont we have the sounder here yet? we are the capitol. the amtrak stop is already there. Just extend the service please.  
Julian

**From:** [John Gear](#)  
**To:** [Joyce Phillips](#)  
**Cc:** [CityCouncil](#)  
**Subject:** Re: Parking Minimums Proposal  
**Date:** Tuesday, March 28, 2023 5:56:47 PM

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Please also share this great short video about the salutary effect of eliminating parking minima:



City of Olympia staff added this text box so the link address could be added:  
<https://youtu.be/vUhOFUQDLQk>

On Mar 26, 2023, at 17:45, John Gear <[gearjm@gmail.com](mailto:gearjm@gmail.com)> wrote:

Hello,

I STRONGLY support the staff recommendation on parking for multifamily housing.

Actually, I support something more aggressive — make the current minimum parking rule into a maximum, and eliminate the idea of mandated parking minimums in Olympia entirely.

As Prof. Douglas Shoup has shown again and again, including in his monumental book “The High Cost of Free Parking,” the minimum amount of parking to provide is a decision that should be left to the market, not to bureaucrats applying tables that have no basis in research or economic testing.

I am shocked to see that Olympia would be proposing to permit even more surface parking than is allowed today.

We have such a huge oversupply of parking in Olympia, meanwhile we have a terrible shortage of housing for people. Ultimately, those two things are intimately related — the more parking we require, the more unaffordable our housing becomes, while at the same time we make driving alternatives more difficult for people, because we’ve spread out to accommodate all that parking.

We are every day experiencing the negative economic and environmental consequences of centering automobiles rather than people in our development patterns, and parking minimums only aggravate every one of our problems.

Housing is becoming completely unaffordable to a greater and greater share of people, and yet we're proposing to force developers to burden residents with the costs of parking, even when they would otherwise use the money to provide housing for people.

The current regional fire authority proposal is just another sign that we have bankrupted ourselves in the S. Sound region with an unproductive development pattern that doesn't pay its own way, and parking is one of the greatest causes of development that is unproductive and unsustainable. As a recent Strong Towns video puts it, the root cause of our financial woes is "near rural densities with urban amenities." Nothing hurts the provision of affordable urban amenities as badly as parking lots, which hurt water quality, climate emissions, and the likability of a place.

It is time to stop putting cars and only car users at the center of our thinking and start recognizing that our economic woes are almost entirely due to the way we build our places with cars at the center instead of amenities for all people, not just the ones who drive.

Our goal must be to make Olympia a place where everyone can participate fully in social, civic, religious, and economic life as first-class citizens without having to have a car.

People would fall over if you proposed that all developers must give all residents an electric bike but, compared to a parking space, making developers give residents electric bikes would be far more helpful in terms of creating a cleaner city, with healthier people, and with a much more economically productive future.

Cordially,  
John Gear

Let's live on the planet as if we intend to stay.

Let's live on the planet as if we intend to stay.

**From:** [Mike McCormick](#)  
**To:** [Joyce Phillips](#)  
**Cc:** [CityCouncil](#); [Leonard Bauer](#)  
**Subject:** Olympia's Proposed Revisions of Parking Requirements  
**Date:** Wednesday, March 29, 2023 7:33:46 PM

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I am writing to support the adoption of the proposed changes to the city's parking requirements.

No single action is going to solve our housing affordability problems; nor meet our sustainability goals or fully address our climate change challenges. The proposed changes to our parking requirements will contribute to our overall progress on these issues. While I would go further and allow zero parking in all our residential zones, reducing the minimum in our multifamily zones will be a big improvement. Financing for housing is complicated. Reducing parking will potentially reduce the overall cost of all new projects. Developers have the flexibility to build what they determine to be required to make a project feasible. Information provided during the development of this proposal indicated that the average amount of parking on our multifamily projects is 0.7 spaces per unit.

I do want to speak about the opposition we are seeing to these proposals. These folks sound passionate in their opposition. I can understand that. And they are familiar voices against other recent changes to our plans and regulations. They are uncomfortable with change. They fear how their neighborhoods will evolve—preferring no change. That might be fine, if it weren't for the challenges we face. Finding solutions that make folks comfortable won't get us where we need to get. We need to embrace some discomfort and lengthen our reach. These changes won't bring immediate changes many fear. The changes will be incremental and accrue over time. We can monitor the results as they occur and can make future adjustments, if needed.

We need bold steps. These changes are really quite small. They will make a difference. Please do the right thing and recommend the proposed changes to the city council.

Thank you.

Mike McCormick  
360.754.2916

**From:** [Luke Bowerman](#)  
**To:** [Joyce Phillips](#)  
**Cc:** [CityCouncil](#)  
**Subject:** Support of Reducing Minimum Parking Requirements to Accommodate More Housing  
**Date:** Saturday, April 01, 2023 7:27:58 PM

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I am writing to express my support for reducing minimum parking requirements and specifically the city staff's most recent recommendation (on March 20th) to accommodate more housing. As our city continues to grow and housing becomes increasingly unaffordable, it is imperative that we take action to address this issue.

One of the main barriers to building more housing is the cost of providing parking. Minimum parking requirements can add significant costs to housing developments, making it harder for developers to build affordable units. By reducing or eliminating these requirements, we can help to lower the cost of building housing and increase the supply of affordable units.

In addition, reducing parking requirements can also have positive environmental impacts. Less parking means fewer cars on the road, which can lead to reduced greenhouse gas emissions and improved air quality. It can also free up valuable space for other uses, such as parks, bike lanes, and public transit.

I urge you to consider the benefits of reducing minimum parking requirements and support policies that promote more affordable housing and sustainable communities.

Thank you for your attention to this important issue.

Sincerely,

Luke Bowerman



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Olympia, WA 98506

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**Fax:** 360.754.7448

**Serving:**  
Thurston, Lewis, Grays Harbor,  
Pacific, and Mason Counties

April 3, 2023

City of Olympia Planning Commission  
Attn: Joyce Phillips, Staff Liaison  
601 4<sup>th</sup> Ave E  
Olympia, WA 98507

Re: OMB Support for Removal of Minimum Parking Requirements in Olympia's Housing Action Plan

Dear Commissioners:

Olympia master Builders (OMB) represents nearly 500 members who seek to provide affordable housing for all economic segments of society. Our community, as well as our entire state, is suffering from a lack of housing. More specifically, we are suffering from a lack of housing options at every economic level. The largest element of this crisis that we can control are development costs. That is why at Olympia Master Builders we believe that the removal of parking minimums is one piece of solving the housing puzzle.

OMB applauds city staff for the inclusion of this idea in the city's Housing Action Plan, and we believe removing minimum parking requirements should remain an element of the plan. We understand there are concerns around neighborhood traffic and residential parking, but we would like to remind others that the purpose of removing minimum parking requirements is to reduce the cost of building housing and that is the most immediate and visible crisis in our community. Providing parking can cost anywhere from \$30,000 to \$60,000 per space. That adds to the cost of development, which adds to the end cost to the consumer and can add to rents. And every \$1,000 added to the cost of housing translates to 2,200 families being priced out of the housing market. Therefore, the decision we are ultimately making here is whether we want to see more people in tents and on our streets, while an inanimate object has a parking space for the night.

Furthermore, there have been no minimum off-street parking requirements in the downtown corridor for some time. And many would agree we are seeing a resurgence of the popularity of downtown Olympia with housing and business beginning to take hold in the area once again. And there is parking still. No minimum doesn't mean that developers do not provide any parking, it just means that the market decides how much parking is necessary. Developers understand that a percentage of folks will still need parking, and they have been consistent with providing what is needed. Parking reductions have been implemented in now thriving

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cities across the country, and some communities have even eliminated parking requirements entirely when close to adequate public transit. Communities are realizing that people need shelter and not always a place for a vehicle.

Finally, as previously mentioned, OMB's stated mission is to provide affordable housing for all economic segments of society. Unfortunately, our state is currently failing at this mission. One might only look out their window as they traverse the city streets and see the evidence of that failure. Thus, it is not only our mission, but our responsibility and yours to utilize every tool and idea available to reduce the cost of housing. We can start with simple fixes to the local regulatory process for building and remove minimum parking requirements where feasible. Simple acts like this could mean that instead of only adding 300 new doors to our community like we did last year, we can get closer to the 700 per year that are really needed.

In addition to our letter of support, we suggest reading the following peer-reviewed article from the American Planning Association "People Over Parking":

<https://planning.org/planning/2018/oct/peopleoverparking/>

For further information or questions please contact our Government Affairs Director, Jessie Simmons, at [ga@omb.org](mailto:ga@omb.org) or (360)754-0912 ext. 102.

Sincerely,



Jessie Simmons  
Government Affairs Director  
Olympia Master Builders

**From:** [CityCouncil](#)  
**To:** [Joyce Phillips](#)  
**Subject:** FW: Lots to Lose, by Henry Grabar  
**Date:** Monday, April 03, 2023 11:22:33 AM

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Per our Jabber conversation....

**Dawn R Carvalho**

Executive Services Assistant  
Email: [dcarvalh@ci.olympia.wa.us](mailto:dcarvalh@ci.olympia.wa.us)  
Phone: 360.753.8065

---

**From:** John Gear <gearjm@gmail.com>  
**Sent:** Saturday, April 1, 2023 7:45 PM  
**To:** CityCouncil <citycouncil@ci.olympia.wa.us>  
**Subject:** Lots to Lose, by Henry Grabar

One more to share on parking —

<https://harpers.org/archive/2023/04/henry-grabar-paved-paradise/?apcid=0060f5c4aeb5b5bba4864700>

*From Paved Paradise, which will be published next month by Penguin Press.*

Parking psychosis is a regular feature of American life. The former NFL safety T. J. Cunningham was killed over a parking dispute at a Denver-area high school. In Las Vegas, Shane Pacada died of a bullet to the chest in a fight over a parking space. In the suburbs of Washington, D.C., a man was charged with attempted murder for shooting a neighbor who had parked in his spot. Twenty-eight-year-old Thomas Rodriguez was killed in Dallas after an argument over a parking spot. All of this took place in February 2019.

These fits of rage are eruptions of a common urge that is also shared by non-homicidal drivers. They are expressions of the same fear that rises into view anytime our parking comes under threat, whether it's in the neighborhood lot or at the curb in front of your house. It's not hard to grasp what makes parking a fixation: without a place to park, you can never get out of the car. A parking space is nothing less than the link between driving and life itself, the nine-by-eighteen-foot portal beyond which lies whatever you got in the car to do in the first place. Every car trip must begin and end with a parking space, and in no uncertain terms. Whoever said life was about the journey and not the destination clearly never had to look for a place to park.

I once missed an entire summer afternoon at the beach because I refused to pay for parking. While I hunted for a spot, my passengers (wisely) took the ferry without me. We expect parking to be immediately available, directly in front of our destination, and most importantly, free. It would be unimaginable to hold any other good or service to the same standard.

But the forces of time, space, and money conspire in such a way that no thriving place can meet more than two of these three needs. Free and convenient but not easily available? That's street parking in any big-city neighborhood. Convenient and available but not free? That's the ferryboat parking lot I left in a huff. Free and available but not convenient? That's where I parked when I missed the boat. It is the expectation and pursuit of all three parking qualities that leads us into parking psychosis.

Let's live on the planet as if we intend to stay.

Let's live on the planet as if we intend to stay.

[\[Readings\]](#)

## Lots to Lose

by [Henry Grabar](#)

Adjust Share

*From Paved Paradise, which will be published next month by Penguin Press.*

**P**arking psychosis is a regular feature of American life. The former NFL safety T. J. Cunningham was killed over a parking dispute at a Denver-area high school. In Las Vegas, Shane Pacada died of a bullet to the chest in a fight over a parking space. In the suburbs of Washington, D.C., a man was charged with attempted murder for shooting a neighbor who had parked in his spot. Twenty-eight-year-old Thomas Rodriguez was killed in Dallas after an argument over a parking spot. All of this took place in February 2019.

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Many of us have brushed against the threat that undergirds a parking claim. In Hawaii, you might see a spot marked with an upside-down bucket labeled "kapu," a word borrowed from the ancient Hawaiian system of rules governing forbidden acts. Kapu violations are no longer capital offenses, but still worth taking seriously. In Chicago, "dibs" is in effect after a snowstorm, the implements of which might include a chair, a piano bench, a wheelchair, and all manner of nativity figurines. In my head I've always imagined the message is that you or your car might be attacked with the object being used to save the space.

The significance we assign to good parking in our personal lives is surpassed only by our ignorance of its systemic consequences. Parking is integral to the way things work and yet persistently overlooked. It determines the size, shape, and cost of new buildings, the fate of old ones, the patterns of traffic, the viability of mass transit, the life of public space, the character of neighborhoods, the state of the city budget: in short, every aspect of our spread-out environments in which it is virtually impossible to live without an automobile. In our quest to make it as easy as possible to park we've

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The need for a perfect parking space has shaped the country's physical landscape. It has become the organizing principle of American architecture, making our designs bigger, uglier, and farther apart, from the parking-first design of the strip mall, to office towers sitting atop their garage pedestals, to the house itself, in which the garage is often the largest room.

What's more, in many municipalities, there are laws requiring every building to include parking. These prevent us from creating more housing—especially affordable housing—because parking costs so much to construct and takes up so much space. If the Empire State Building had been built to the minimum parking requirements of a contemporary American city, the surface area of its parking lot would cover twelve blocks. In the Seattle area, parking makes up 10 to 20 percent of the cost of construction of multifamily buildings and drives up apartment rents by 15 percent.

Anybody who wants to build a small apartment building in the United States must first confront a multivariate financial geometry problem that begins with how many parking spaces can fit. The size, quantity, and shape of the housing follows from there. Sometimes, with just one parcel, it's hard to make anything work at all. Buy the lot next door and you could unlock some economies of scale—like a driveway with stalls on each side. Buy four and—well, most small-time developers couldn't afford four, even if they could find four adjacent properties. Parking is the immovable object at the heart of neighborhood architecture.

As a result, we have simply stopped building small buildings. Parking requirements have helped to trigger an extinction-level event for bite-size, infill apartment buildings like row houses, brownstones, and triple-deckers; the production of buildings with two to four units fell more than 90 percent between 1971 and 2021.

The apartments that do get built are clustered in megastructures whose designs are dictated by parking placement. One popular model is the "Texas donut," in which a ring of apartments encircles a five- or six-story parking garage (this is the type of building you see in the cool neighborhoods of growing cities). Another is the "parking podium," like Chicago's corn-cob Marina City, in which the housing sits atop the parking.

Requiring parking spaces is essentially levying a tax, one that drives up the cost of new homes and stops a countless number from being built at all—precisely in the neighborhoods where it is possible to live happily without a car. Parking requirements for new buildings function as a protection racket, forcing new residents to pay for something that old ones get for free on the street and do not want to share. More than half of baby boomers, a group that tends to dominate local politics, say that free parking is more important than affordable housing in their neighborhoods. This anxiety leads the way to Malthusian thinking about cities: when the impact of new neighbors is measured out in parking spaces, every place starts to look crowded.

While there are still some corners of this country where parking is worth fighting for, in most of the nation the fight was over decades ago. Parking is plentiful. The country builds more three-car garages than one-bedroom apartments. More square footage is dedicated to parking each car than to housing each person. By some estimates, there are as many as six parking spaces for every car. It is this sea of parking, in which destinations bob like distant buoys, that renders mass transit, biking, or walking difficult and dangerous.

The grayness of a city where it's easy to park is embedded in the word *parking* itself, which once referred to the patches of greenery, tiny parks, that sprang up curbside. Now it describes the opposite: the lifeless blacktop. Our cities are full of moonscapes used to store cars. In Los Angeles County, parking now occupies two hundred square miles of land. As a single parking lot it would form a square of asphalt stretching from LAX to Sherman Oaks to Pasadena to Downey. Or, for non-locals, a three-story garage the size of Washington, D.C. And this in a place where people routinely complain about how hard it is to find parking.

A world that wasn't organized around parking would allow us to find our feet. It seems clear that most people would like to be able to leave the car behind once in a while. One reason that Americans retain such nostalgia for college is that it was the only time in our lives when so much was within walking distance. We take our vacations to places where we can get out of the car—Charleston, Manhattan, Miami Beach, Rome. Housing prices reflect the desirability of such destinations, making anything but a brief stay off limits to all but a few.

Without parking baked into our streets and architecture, how many more people could live in walkable places like these? How many car-dependent places, freed from parking laws, could grow into neighborhoods where people could ride

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that world, it would be easier, not harder, to find a spot, and much easier to live in a place where you would not need to drive quite so often. Kids could walk to school and adults to the grocery store. In a world with better parking, there might be fewer places to park, but in place of those old parking spots would emerge a city so much richer and fuller and fairer that we would not think twice about the one we had lost.

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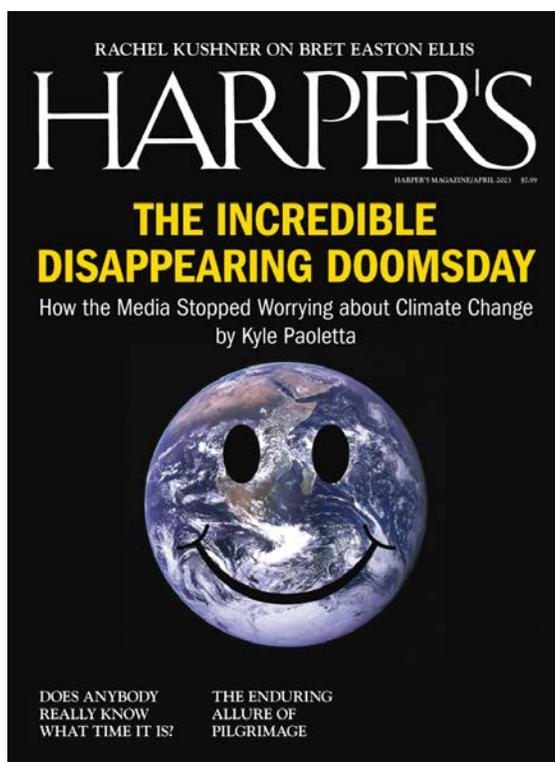
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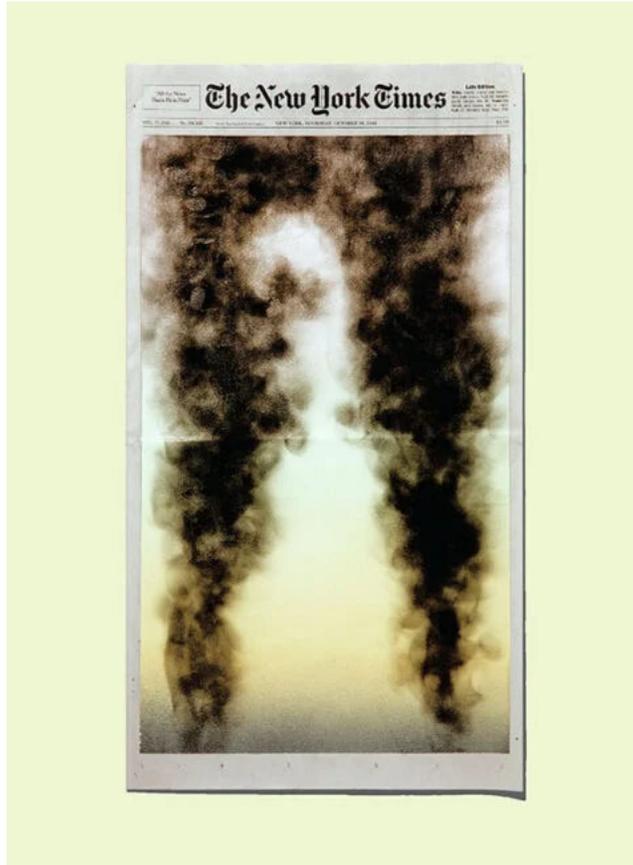
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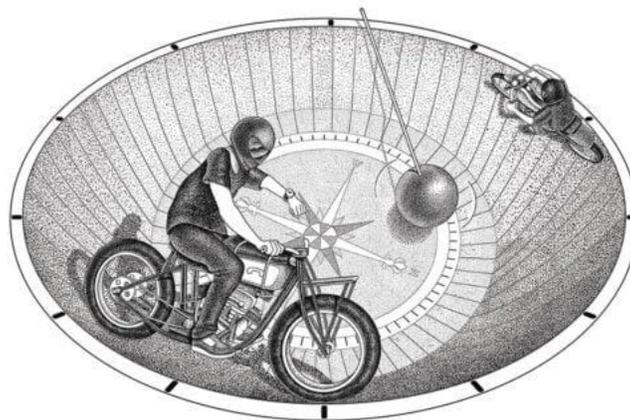


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**From:** [Karen Messmer](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Comment on changes to parking requirements  
**Date:** Monday, April 03, 2023 11:54:45 AM

---

Joyce - Here are my comments on the proposed parking code changes.

Karen Messmer

Members of the Planning Commission,

Changing minimum parking requirements may have merit in some locations. However, a city-wide approach could have negative consequences. A more carefully considered and targeted approach should be used. My concerns about the proposed changes to minimum parking requirements for new construction are as follows:

### **ADA Parking**

Downtown ADA parking is already reportedly a problem. This could exacerbate the situation. Reducing or eliminating minimum parking requirements should not remove ADA parking requirements.

### **Safety problems with increased parking on sidewalks and in bike lanes**

In neighborhoods where there is already tight street parking, I notice that people park on sidewalks and in bike lanes. You likely witness this periodically when a garage sale is being held and people park illegally along that street. This is a safety problem for people who walk and cycle. It forces them to move out onto the driving area of the street. Since the City does not enforce the regulations for parking on sidewalks and in bike lanes now, the problem could become worse.

On streets with no curbside parking, on-site parking should be available in garages and on driveways. When this does not offer enough parking, people park on sidewalks or in bike lanes. This is a safety problem and also an ADA access problem for those areas where this is common.

Specific streets where this could be made worse are those with segments without on-street parking. A few examples are Boulevard Road, 22<sup>nd</sup> Avenue SE, Division Street, Pacific Avenue, Martin Way and North Street. These happen to also be streets where there is bus service.

The Comprehensive Plan includes many goals and policies that support increased active transportation. Decreasing safety for people who walk or cycle is counter to these goals and policies.

### **EV Parking**

EV parking is currently regulated as a percent of number of parking spaces. Reducing minimum parking requirements will fail to provide EV parking.

The state has adopted EV charging requirements and the City has adopted requirements as

well for Multifamily buildings. How will the parking regulations still require EV parking if the total requirement is reduced to zero? This situation should be addressed since the City may be in conflict with the State goals and requirements. Also, the City has adopted the Thurston Climate Action plan and eliminating EV parking is counter to the goals of that Plan.

### **Climate impacts are not all positive**

In the analysis for this City action, there appears to be an assumption that reducing parking requirements positively supports walking, cycling and transit. If illegal parking makes walking and cycling less safe, this is not the whole story. If walking or cycling safety is made worse, this would not encourage more walking or cycling.

Also if EV charging is not provided at multifamily housing, those residents will be discouraged from purchasing or leasing an EV because of difficulty for charging. EV's can be a lower cost vehicle and this will likely be more true in the future. Relegating those who live in no-parking-provided housing to either no car or a gas car does not support affordability nor does it support climate goals.

**From:** [David Stowitts](#)  
**To:** [Joyce Phillips](#)  
**Subject:** In Support of Reducing Parking Minimums  
**Date:** Monday, April 03, 2023 8:28:35 PM

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To the Olympia Planning Commission,

Let me begin by thanking you and the entire city government for all your hard work. I know that public-facing work is often thankless, so I would like to be sure that I thank you.

I am in full support of the plan to reduce parking minimums.

Everyone has their own needs and not everyone needs a car or a parking space. Reducing parking minimums allows people who don't need parking to have a home and not have to pay for the extra space that parking would take up. Of course, people who do need a parking space will still be able to have parking. This would just take the form of them obtaining housing with included parking or them renting a space. Let people save money by only paying for what they want/need.

Thank you for your consideration. Olympia is a wonderful town and I look forward to seeing an even better Olympia tomorrow.

Regards,  
David Stowitts  
Olympia Resident

**From:** [Tom Dillon](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Comment on Residential Parking Proposal  
**Date:** Tuesday, April 04, 2023 8:50:47 PM

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Good evening,

I apologize if this message is a duplicate. I had sent these comments previously using the email address listed on the email the city sent out on 3/23, but it appears that there was a typo (with your address listed as jphilip rather than jphillip). In any event, below are my comments about the residential parking proposal:

I am writing in support of the proposed plan to reduce minimum parking requirements. Although this proposal generally aligns with my understanding of what makes a city a great place, I wanted to share the ways that parking requirements have impacted me directly.

When my partner and I first moved here over a decade ago, our first thought was to find a condo downtown or in a walkable neighborhood. At the time we were unable to find any such units on the market that fit both our needs and our budget. So we looked to buy a house, again in a walkable neighborhood and were unable to find anything. This process continued until we eventually ended up building a house in unincorporated Thurston county. To my thinking, had the current proposal been in place prior to our search for housing, there would have been two major differences:

1. Once we realized that the best option for us was to build a house, our preference would have been to build a house within city limits. I'm not sure if reduced parking requirements would have made doing so feasible for us, but there was more than one vacant lot that we looked at and liked but couldn't quite fit the house that we wanted to build. Had the parking requirements been less restrictive it is entirely possible that we would have been able to make one of those lots work.
2. By making multi-unit housing more affordable to build, there would have been more of it, and so the chance that we would have been able to find a unit that would fit our needs would have been greater.

Either of these outcomes would have been beneficial to us, and I hope that this proposal is enacted so that people who are looking for housing in the future have better options than we had.

Finally, I have had many coworkers who do not drive and so are paying for parking spaces as part of their rent that they cannot use. This is not fair, and is especially problematic given that the people who are paying for this parking that they cannot use are often the same people who are least able to afford extra rent. If it ends up that parking minimums are not reduced, I would hope that the city would consider finding a way to compel or incentivize the unbundling of housing from parking for renters.

Thank you for your time. I appreciate that the city is working towards improving the lives of its residents (and people like me who live outside of city limits but would nonetheless benefit from increased density).

Sincerely,  
Tom Dillon

**From:** [Roussa Cassel](#)  
**To:** [Joyce Phillips](#); [CityCouncil](#)  
**Subject:** Residential Parking Proposal  
**Date:** Wednesday, April 05, 2023 6:52:25 PM

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Dear Ms. Phillips,

I strongly support the staff recommendation on parking for multifamily housing. We need to reduce parking requirements to meet the goals of the housing action plan. As a local architect, I've seen first hand how the requirements for more parking can increase the cost of developments and doesn't improve the quality of living for anyone.

Thanks for your consideration,

Roussa

--

Roussa Cassel | T:+360.951.7903 | [www.artisansgroup.com](http://www.artisansgroup.com)

**From:** [Justin Bodeutsch](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking Requirements  
**Date:** Thursday, April 06, 2023 12:58:37 AM

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Hello Joyce,

I just wanted to write in to voice my support for the upcoming plans to reduce parking requirements. I expect Olympia will continue to grow and we can't afford to sprawl out more than we already are. Any short term issues caused can be solved with the other plans in the long term strategy and by increasing transit frequency. On the other hand, if we overbuild parking that is almost impossible to recover from in the future.

Thanks for your leadership on this issue.

**From:** [janalynwiley@aol.com](mailto:janalynwiley@aol.com)  
**To:** [Joyce Phillips](#)  
**Subject:** Lack of required off street parking for  
**Date:** Thursday, April 06, 2023 7:26:31 AM

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I am writing to oppose the measure allowing new developments to not have designated parking. Many streets in Olympia will become crowded and narrowed, creating issues for first responders, People stepping out in the road to get in their cars, children who may cross the street between cars and not be seen, or pets that seek to cross the road. The lack of visibility in these situations will forever change these neighborhoods that are currently friendly to those who walk in them and live there.

I am reflecting on the 25 years that I lived in San Francisco. They too allowed for massive in fill, gentrification, without parking, straining the ability of City services such as Garbage, Medical and Fire. The City had to create parking districts with sticker systems for those who lived in them, in order to park near your apartment or home. If you moved, you needed to apply and pay for a new sticker, and wait for that to arrive in order to avoid ticketing. I suppose if a City was looking for a flow of cash then perhaps this is just another way. Just understand, as the unchecked growth in Olympia continues, Olympia will face this problem eventually. I remember walking 6-8 blocks in the last parking district that I lived in. It would take upwards of 15-20' circling around to just find a spot. I know that most do not envision this, but the current model of the Missing Middle moves Olympia away from single dwellings to higher density.

One last comment on the above paragraph. We currently do not have enough hospital capacity, ER capacity, Physicians, nurses, firemen, and schools for the ballooning population Olympia is building towards. The annual increases in property taxes, to support this growth, is levied on fixed income seniors living here, and new young home buyers, is untenable and regressive.

Jana Wiley  
age 69

**From:** [Tim Koehler](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking restrictions  
**Date:** Thursday, April 06, 2023 7:54:04 AM

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I want to go on record against any change in reducing the parking restrictions in neighborhoods especially in the NE neighborhood. We have been struggling with dozens of cars parking on streets where there physically is no Legal Parking. They block traffic, degrade right-away and block access to privately owned homes. This also affects the value of homes in a negative way.

Tim Koehler  
Garrison St NE  
Olympia, Wa

**From:** [jnewman](#)  
**To:** [Joyce Phillips](#)  
**Subject:** New Parking Rules for Multi-Family Housing  
**Date:** Thursday, April 06, 2023 8:38:36 AM

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The idea of eliminating a parking requirement for multi-family housing is a very bad idea. Families with children have a car and they need to park the car. Electric vehicles need a space to charge the electric car. Eliminating parking is a burden of low income people. Their jobs change and cannot use a consistent bus service. In a way, eliminating parking is a bit cruel for lower wage people. There must be a 1 car requirement for each apartment in multi-family housing. Olympia resident of 30 years.  
John Newman. Olympia. WA. 360-956-0254

**From:** [Rae Eaton](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Public comment on minimum parking  
**Date:** Thursday, April 06, 2023 1:24:40 PM

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Hello,

I'm writing in support of removing the minimum parking requirements for housing in Olympia.

I'm a relatively young homeowner in SE Olympia, and I'm very concerned that lack of housing (especially middle housing like triplexes and 4 plexus) is keeping people my age from owning homes and is pushing more and more of my neighbors out of their homes due to rising rents. I understand that many of my neighbors are nervous about how removing requirements may decrease parking available on streets, but I don't think we should let that worry stop us from removing barriers to building housing. Also, I hope the city will see this as an opportunity to increase public transit and biking and walking infrastructure.

Thank you for your time,  
Rae Eaton

## Voice Mail Message Regarding Proposed Parking Code Amendments

Received Thursday, April 6, 2023, at 4:18 p.m.

Hello, Joyce. My name is Bonnie Knutson. My phone number is 360.XXX.XX45. I'm calling to give comment before Friday at noon regarding parking in our neighborhood and how incredibly difficult it is to find parking with the zoning the way it is. So, again, I want to put my comments in, but I realize you probably have a lot of people calling you, so I don't, I want to make sure my voice is heard, so I'll just leave a brief message and then if you want to call, that's great.

But basically, it is incredibly impossible, on our street, to park. We have no sidewalks on Galloway Street SE and multiple people living in one home, to afford the rent. Therefore, multiple cars and work vehicles. It is very, very difficult for us to park. Even to pull out of our driveway, we have a hard time turning to get out of it because of the cars on either side and across from us as we back out. So, I'm calling to say that the zoning is already at its max for parking in our neighborhood and I hate to see more cars.

Our neighbors have three people living in the house with four cars and the people on the other side have three vehicles. Its very, very difficult to park. So, I'm not in favor of decreasing parking requirements because it's pretty difficult to find parking in our neighborhood as it is. We're in the Wildwood neighborhood and its very difficult to find parking or to back out of our driveway.

Thank you very much. Again, 360-XXX-XX45.

Thank you, Joyce.

Bye-bye.

*Note: I reviewed the comments with Ms. Knutson over the phone on April 7, 2023. Minor modifications were made for clarification, so this is not an exact transcript of the voicemail message. Complete telephone number intentionally not included.*

*4/7/23 11:02 a.m., jmp*

6 April 2023

Good afternoon, Planning Commission members –

I am writing in support of staff-recommended changes to Olympia’s parking standards for housing located close to high frequency transit corridors. Reducing the cost and space impacts of parking on housing is an important implementation component of Olympia’s Housing Action Plan and is consistent with Sustainable Thurston and the Climate Action Plan.

The staff recommendation is smart. It allows developers to reduce the amount of parking for housing served by excellent transit, it doesn’t require it. The flexibility provided in the staff recommendation enables developers to assess the urban context in site-specific locations along with the investment options available to them. In this way developers can build housing that maximizes residential opportunities for the city while best meeting the mobility needs of the residents they intend to serve with new housing.

Fears of single-family property owners that residential developers will simply not provide any parking if minimums are removed and thus impact their own property access do not align with investment realities. Parking is a factor in the marketability and financial feasibility of housing products and will be for the foreseeable future. Similarly, while the proposed changes allow flexibility to provide *more* parking than currently required, investors would be hard pressed to justify the added expense and opportunity cost of unnecessary parking in lieu of other revenue-generating uses on a site. The proposed changes support the flexibility to adapt parking supply as Olympia’s needs change in different places at different times while maintaining compatibility with surrounding areas.

For a small but growing number of areas and housing markets there are new opportunities to reduce the amount of parking needed to accommodate vehicle storage needs of some Olympia households. Proposed changes to the parking standards support that transition as urban corridor land uses continue to mature over time to be less suburban and auto dependent. The proposed changes will have no impact on most of Olympia’s residential areas, which are quite suburban in character and where the higher parking ratios may be warranted because of their auto-dependent land use patterns.

This region committed to directing infill and redevelopment along its key urban corridors, accompanied by high quality transit service offering convenient, cost-effective alternatives to driving. The supply and cost of parking is a factor in both the land use and mobility options these corridors can support.

Olympia residents want to see housing affordability in the city increase. Parking standards are a part of that solution. Allowing reductions in costly residential parking where it is not needed is a prudent way to slow the growth and over-supply of parking that undermines not just housing affordability but other objectives as well.

Please support the staff recommendation. Let’s ensure Olympia’s parking standards better support our Housing Action Plan objectives and align with the transit and non-motorized investments we’ve been making for years to support more car-lite lifestyle opportunities for those who want them.

Thank you for your hard work on this tough topic.

Sincerely,

A handwritten signature in purple ink that reads "Thera Black" followed by a period.

Thera Black  
1905 Conger Ave



816 Second Ave, Suite 200, Seattle, WA 98104  
p. (206) 343-0681  
futurewise.org

April 6, 2023

Joyce Phillips, Principal Planner  
City of Olympia  
Community Planning & Development Department  
PO Box 1967  
Olympia, Washington 98507-1967

Dear Ms. Phillips:

**Subject: Comments on the Residential Parking Code Amendments.**

Send via email to: [jphillip@ci.olympia.wa.us](mailto:jphillip@ci.olympia.wa.us)

Thank you for the opportunity to comment on the Residential Parking Code Amendments. Futurewise supports the amendments and has a suggestion discussed below.

Futurewise works throughout Washington State to support land-use policies that encourage healthy, equitable and opportunity-rich communities, and that protect our most valuable farmlands, forests, and water resources. Futurewise has members and supporters throughout Washington State including Olympia.

We agree that reducing and eliminating parking minimums makes sense and we support the proposal. A study using American Housing Survey data found that “[m]inimum parking requirements in municipal zoning codes drive up the price of housing ....”<sup>1</sup> The study authors wrote:

We find that the cost of garage parking to renter households is approximately \$1,700 per year, or an additional 17% of a housing unit’s rent. In addition to the magnitude of this transport cost burden being effectively hidden in housing prices, the lack of rental housing without bundled parking imposes a steep cost on carless renters—commonly the lowest income households—who may be paying for

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<sup>1</sup> C. J. Gabbe & Gregory Pierce, *Hidden Costs and Deadweight Losses: Bundled Parking and Residential Rents in the Metropolitan United States* 27 HOUSING POLICY DEBATE 217, 217 (2017) last accessed on April 6, 2023, at:

<https://www.tandfonline.com/doi/abs/10.1080/10511482.2016.1205647?journalCode=rhpd20>.

Housing Policy Debate is peer reviewed. Housing Policy Debate Aims and scope webpage last accessed on April 6, 2023, at:

<https://www.tandfonline.com/action/journalInformation?show=aimsScope&journalCode=rhpd20>.

parking that they do not need or want. We estimate the direct deadweight loss for carless renters to be \$440 million annually. We conclude by suggesting cities reduce or eliminate minimum parking requirements, and allow and encourage landlords to unbundle parking costs from housing costs.<sup>2</sup>

Parking reforms work. A peer reviewed study of Seattle’s parking reforms showed “that (1) minimum parking requirements constrain developers, though not uniformly; and (2) reducing requirements leads to less parking provision, and presumably cost savings for developers and lower housing prices for consumers. These findings highlight the impact that policymakers can have by reducing or eliminating off-street parking requirements.”<sup>3</sup> “Seattle developers built 40% less parking than would have been required prior to the reforms, resulting in 18,000 fewer parking spaces and saving an estimated \$537 million.”<sup>4</sup>

In addition to saving money, “parking reform can lower tax rates, revive business districts, decrease property vacancies, and allow development of fewer off-street parking spaces as property becomes available for other uses (Hess, 2017).”<sup>5</sup>

We also support adopting maximum parking ratios in the Residential Parking Amendments as simply deregulating parking may not be sufficient to encourage affordable housing and mixed-use development.<sup>6</sup> The parking maximums should be improved by limiting the maximum number of parking spaces allowed to the number of automobile parking spaces currently required. The Seattle study documented that developers built 40 percent less parking than would have been required under the prior regulations.<sup>7</sup> So the parking required by the current minimum parking requirements adopted as a maximum should be more than enough to meet actual parking demand. The lower parking cap will also help achieve the benefits of parking reform.

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<sup>2</sup> *Id.*

<sup>3</sup> C.J. Gabbe, Gregory Pierce, Gordon Clowers, *Parking policy: The effects of residential minimum parking requirements in Seattle* 91 *LAND USE POLICY* 104053, 104053 (Feb. 2020) last accessed on April 6, 2023, at: <https://www.sciencedirect.com/science/article/abs/pii/S0264837718312870>. *Land Use Policy* is peer reviewed. *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> Daniel Baldwin Hess Jeffrey Rehler, *Minus Minimums: Development Response to the Removal of Minimum Parking Requirements in Buffalo (NY)* 87 *JOURNAL OF THE AMERICAN PLANNING ASSOCIATION* 396, 397 (2021) last accessed on April 6, 2023, at: <https://www.tandfonline.com/doi/pdf/10.1080/01944363.2020.1864225?needAccess=true&>. The *Journal of the American Planning Association* is peer reviewed.

<sup>6</sup> *Id.* at p. 407.

<sup>7</sup> C.J. Gabbe, Gregory Pierce, Gordon Clowers, *Parking policy: The effects of residential minimum parking requirements in Seattle* 91 *LAND USE POLICY* 104053 (Feb. 2020).

Subject: Comments on the Residential Parking Code Amendments

April 6, 2023

Page 3

Thank you for considering our comments. If you require additional information, please contact me at telephone 206-343-0681 Ext. 102 or email:

[tim@futurewise.org](mailto:tim@futurewise.org).

Very Truly Yours,

A handwritten signature in blue ink, consisting of a stylized 'S' shape with a horizontal line through it, and a second 'S' shape below it.

Tim Trohimovich  
Director of Planning and Law

**From:** [Melissa Allen](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Comments on Minimum Parking Requirements for new multi-family housing near City arterials/public transit  
**Date:** Thursday, April 06, 2023 5:14:47 PM

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To Olympia Planning Commission via Joyce Phillips, Senior Planner:

First, thank you for extending the deadline for comments on the above proposal. The issue deserves of as much public input as possible.

### GENERAL COMMENT

In the past three years, the City Planning Department has proposed several reductions to parking requirements for new construction. The overarching goal is to encourage more housing by making it less expensive to build. These changes will have a big impact on older Olympia neighborhoods but that is not addressed in any of the proposals. For example, many streets are narrow (one open auto lane), have no sidewalks, or sidewalks in disrepair. There is room for compromise: parking only on one side of the street; clearing and graveling street right-of-ways; assisting home owners with costs/labor to repair sidewalks. Why are such mitigations never included? Polarization (frequent occurrence in Olympia government) happens when those affected by change do not see any of their tangible concerns addressed.

From the outside, it looks like those who benefit most are property developers (significant tax breaks, zoning changes, reduced building costs, etc.). They, in turn, create market rate housing and pass much of their costs on to renters. Leaving the City with less tax revenue so more budget woes, no change in affordable housing, and less good will from the residents most affected. You may meet the goal of more housing stock but at what price? Can we find a compromise.

### MY COMMENT ABOUT THE PROPOSED ZERO PARKING SPACE REQUIREMENT FOR MULTIFAMILY HOUSING ON CITY ARTERIALS AND TRANSIT LINES

I live two blocks from State Street, on the Northeast side of Olympia. The proposed new multi-family housing with **no** required off-street parking will impact me and my neighbors directly. My street (Prospect Ave) is a favorite for dog walkers and other pedestrians on their way to Ralph's and other businesses along State and 4th. Since we have no sidewalks or shoulders along several blocks of Prospect, people must walk in the street. Most cars drive slowly, giving people time to step between cars parked on both sides. More cars will mean more street parking and less space for walkers and bikers.

For the 25 years I've live in Olympia, I've heard the City's often expressed hope that less available parking will encourage people to use public transportation. I doubt that work because our bus service is not robust (no 24hr service, etc.). For example, I considered it when moved here and worked in Tumwater. The bus connections was at least a 45 minute trip. Driving took 15 minutes.

Have you done any assessment to back up your belief that apartment dwellers will not need cars? For example, are parking spots in new apartments being utilized? What are the work hours of residents in the Olympia service industry? Can transit accommodate all schedules?

If multi-family housing is built near me, I expect most residents will have cars that must be parked elsewhere. Of course, they'll have to park in the nearby neighborhoods. We already have inadequate space for walking/biking. Street parking will increase as the "Missing Middle"(increased housing density/less required off street parking) zoning changes encourage new construction in all neighborhoods). Now, you want to add the street parking needs of large apartment building residents to the parking burden of existing neighborhoods.

Please reconsider the "zero" parking requirement for new multi-family buildings!

Thank you for the opportunity to speak about this important issue.

Melissa Allen  
1702 Prospect Ave NE  
Olympia, WA 98506

**From:** [oly43515@gmail.com](mailto:oly43515@gmail.com)  
**To:** [Joyce Phillips](#)  
**Cc:** [CityCouncil](#)  
**Subject:** Reducing parking requirements  
**Date:** Thursday, April 06, 2023 5:20:20 PM

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Hello,

I am writing in support of reducing the parking requirement for residential use. In fact, I support zero requirements. Developers should be able to tailor the amount of parking stalls to the location of the development. If a project on transit lines doesn't need the amount of parking currently required they shouldn't be required to provide it.

I read the recent Olympian article on this topic and was struck by the opposition's comments about this. Of course, every citizen is free to have an opinion on our city's planning and be free to express it. However, it is worth pointing out that the same people who aggressively opposed the Missing Middle also oppose this parking update, ostensibly because of the lack of transit in LESS dense areas of Olympia. Housing density will create a need for more transit options, but apparently that's beside the point to some. It seems to me that an effective Comp Plan makes these connections and creates a vision that is... comprehensive!

The opposition to these kind of updates isn't just about keeping things as they are, it's about moving us backward. I'm very encouraged by the direction you, our planning commissioners, the council and the city are taking with an eye to the future. Often you have to take verbal punches that aren't deserved, but sticking to what is shown to be best practices and is rooted in facts and data is the right thing to do.

Thank you for your work!

Best,  
Darren Mills

**From:** [Beverly Taylor](#)  
**To:** [Joyce Phillips](#)  
**Subject:** proposal to reduce parking requirement  
**Date:** Thursday, April 06, 2023 6:57:42 PM

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Hello city housing planning committee,

Thank you for extending the public comment period regarding the zero requirement of parking spacing for new housing developments.

I don't agree it is a good idea outside of the hyper urban downtown community that is walkable for all residents needs.

Developers will limit parking and a few residents will be asked to pay a premium for the few existing spaces available. That price will increase as well as the rent increases over time.

If the housing planning committee does go forward with this idea of zero required parking spaces , Please consider a parking area necessary for delivery, maintenance, city services (trash, recycling, yard collection), and emergency vehicles to park while tending to the residence of an apartment building.

Car manufacturers are pivoting towards electric vehicles, are they going to be embraced by the city of Olympia?

When I lived downtown in Olympia, my next door neighbor parked on his front lawn when all the street parking was taken up. I used to be shocked by how that looked, his lawn was small and he drove a van.

Beverly Taylor  
SWONA neighborhood

**From:** [Ben Wedeking](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Support for Code Amendments re Parking Requirements  
**Date:** Thursday, April 06, 2023 10:06:12 PM

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Dear Joyce Phillips,

My name is Ben Wedeking and I am a resident of Olympia. I strongly support the proposed code amendments relating to parking requirements. The shortage of affordable housing in Olympia lowers quality of life for all residents, housed and unhoused. We need fewer parking spaces and many more housing units. The proposed code amendments are a step in the right direction for Olympia and, if adopted, will improve pedestrian safety, make housing more affordable, and enhance Olympia's social and commercial fabric.

Again, I strongly support the proposed code amendments. Thank you for considering my comment.

Sincerely,  
Ben Wedeking  
Olympia Resident  
Jefferson Middle School Neighborhood

**From:** [Andy Carter](#)  
**To:** [Joyce Phillips](#)  
**Subject:** RE: Comment Period Extended - Olympia Proposed Parking Code Amendments  
**Date:** Friday, April 07, 2023 6:04:12 AM

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Thank you for the update. I have one proposed change.

Pursuant to 18.38.020 J, it appears that the primary purposes of the proposed amendments is “To promote the development of housing, including affordable housing, through residential parking standards.”

Pursuant to 18.38.080 2. e, Submittal Requirements, developers seeking an administrative modification to the Code’s parking requirements must “Demonstrate how the **reduction** will result in the construction of more housing units, **if applicable**...(emphasis added).

In order to be true to the purpose of the amendments, all requests for a modification of the parking standards **should** demonstrate “how the reduction will result in the construction of more housing units.”

Please delete the **if applicable** language.

Thank you for your consideration.

Anthony W. Carter  
1114 Woodard Ave NW  
Olympia 98502  
360-561-2727

April 7, 2023

Dear Chairman Nejati and Members of the Planning Commission,

I am writing in support of the proposed changes to the parking requirements. I would also support establishing parking maximums in areas close to regularly scheduled transit. A proposal moving through the Legislature may establish parking maximums near transit.

I appreciate the City Council's, staff and your efforts to bring these proposals forward that will incrementally assist the City in implementing its housing strategy by helping make housing more affordable. It will also help reduce greenhouse gas emissions.

Thank you for the engaging in this important work. I know changing the status quo is not easy and controversial when weighing it against long-term future benefit for the community. I believe that changing the parking requirements weighs in favor of long-term community benefit.

Best regards,  
Holly Gadbow  
1625 Sylvester Street SW  
Olympia, WA 98501  
(360)754-9401

Cc: Joyce Phillips  
Leonard Bauer  
Olympia City Council

**From:** [Esther Adams](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking Proposal - Thumb Down  
**Date:** Friday, April 07, 2023 9:16:37 AM

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I have been a resident of the City of Olympia for over 25 years. While I understand the desire to allow more housing to be built, I believe the current proposal to loosen City Parking Requirements has not been sufficiently studied. There has been no proof that home prices will be reduced through these changes. However, one thing that is certain, is that current neighbors will experience increased frustration and unavailability to park near their residences.

Thank you for considering this matter,  
Esther Adams

**To: Olympia Planning Commission**

### **Parking in Olympia**

The issue of how many parking spots to allow or require in new residential projects is not simple. Having a pat answer betrays an over reliance on ideology and/or self-interest instead of an open-minded look at facts and analysis.

But without a shared foundation of facts and analysis, ideology and self-interest are all we have. That is precisely why this policy change should be preceded by real data, studies, and analysis. That is also what the Council of Neighborhoods asked for in its resolution along with the time for the public to look at it and share their conclusions.

### **Itchy Twitter fingers**

In this age of itchy twitter fingers, it takes a lot of effort not to react reflexively to issues. Watching the Planning Commission meeting, where a bare quorum of the members made a sudden change without advance notice to go from a reduction to elimination off-street parking, is an example of shoot from the hip decision making. From experience, I know it takes willpower to refrain from the emotionally satisfying quick reaction and to think more fully about the issues. What passes for normal in a Twitter oriented world should not be applied to public and community issues like this. Issues of such wide sweep as parking deserve restraint from the personally emotionally satisfying reaction to a more community engaged dialog. The PC should be educating and informing the public about their reasoning and share it far enough in advance to hear concerns that they may not be thinking in their rush.

I find it most helpful to see where those whose opinions differ with mine regarding the desired outcome. Usually, I find that we all have good intentions and share laudable outcomes but disagree on the best way to get there. I care about housing affordability and personally supported a campaign to have Habitat lead the development of the city's Boulevard property rather than a market rate developer. I care about the environment, deeply. And I would support your proposal for zero parking if we had a NYC or SF level of transit alternatives – subways, buses 24/7 and light rail. But we don't and we won't until we reach those densities, which is unlikely to happen in 100 years.

It is important for you to acknowledge your obligation to current residents whose quality-of-life concerns need to be balanced with your plan for adding the 20,000 residents who you expect to live here in the next 10-20 years.

Often it is about different assumptions of the intended and unintended consequences, especially so when a policy issue like parking requires two or three or more leaps about anticipated human and corporate behavior before the presumed result happens.

Predicting the behavior of developers (who are not all alike) and individual choices on housing preferences (definitely not all alike) and the long-term future of transportation and development practices means that you have to understand these assumptions before you can understand why someone believes what they do about this issue. Sharing your assumptions and supporting them with facts is necessary in an informed democracy and a more cohesive community.

### **What you see depends on where you're standing**

We also often have different lenses about the intensity of the impact, the time scale for the effect and its locus. When parking adversely affects the livability of a neighborhood of a small city it has an immediate and direct effect on those experiencing it – an effect that is readily observable and within the lived experience of many residents. But when you see the parking issue as a small stepping stone towards saving the planet from ruin, you might react as if it is an existential threat – while even, perhaps, recognizing the indirect, long-time frame, contingent and incremental nature of the effort.

Olympians have not had this kind of robust conversation as a community. I still hope that the Planning Commission will be the forum, especially given the contentious "Missing Middle" (the legal action is still being appealed) and the neighborhood character issue. If not, then at least the Commission would advocate for a forum for civil and constructive conversation.

## Local issues still offer hope for compromise.

Most recognize that our ability to conduct a rational dialog on national issues has been rendered toxic. I hope that at the local level, where we share our day-to-day experiences and live side-by-side, we can figure out how to have the rational and civil discourse we need for a stronger, less divisive community. This parking discussion can make a good test case.

## Specific policy recommendations

I believe the first-round staff recommendation for parking reduction tried to strike a balance. It included a condition of applicability to transit corridors with frequent service, and that makes sense. But the Planning Commission's version discarded the transit requirement and dropped the reduction from the current 1.5 spaces and the .75 spaces (proposed by staff) to zero. And it did so with the predictable effect it has had.

In addition to the process points above, here are my recommendations for making changes to the parking amendments.

1. Neighborhoods need the assurance of mechanisms that protect them from adverse results. Those protections need to be implemented before approving a project and with the data and analysis you would expect from professional transportation engineers. That is just like the Planning Commission is recommending for amendment when developers are seeking approval for **increasing** parking ("transportation engineer licensed in the state of Washington").
2. We need to know whether the neighborhood streets have the infrastructure to support additional parking from new development without undue harm. Some neighborhood streets are clearly inappropriate, such as those with narrow street widths, no sidewalks or off-road pathways and mailboxes where parking means not getting mail and where transit is not sufficient. Any parking reduction approach should include a process to reveal, analyze and remediate identified problems before being approved.

In addition, wide boulevards and streets also present a problem. On many of our streets such as Yelm Highway and Boulevard for example, where transit is more available than in most places in Olympia, there is no place to park on the road. By default, that means residents of large-scale developments without parking will be searching for parking in the closest neighborhoods. A similar dynamic is what has happened near the Starbucks on Yelm highway when the Starbucks parking lot is filled, the customers park on the residential street Palomino Drive.

3. The city should also not allow developers to maximize their profits by allowing them to treat available neighborhood **on-street parking as an under-exploited asset**. In exchange for allowing less parking they should be required to provide some social equity benefit in return.

We need to achieve some modicum of social justice from this risk-benefit tradeoff. If a 50-unit apartment house indeed saves between \$6,000 and \$50,000 per parking space not provided (source: Gary Cooper CNA presentation 9/12/22), it is reasonable to require the developer to share in the savings.

For example, with a savings in the range of \$300,000 to \$2,500,000 for a 50-unit market rate apartment you should only allow reduced parking minimums **if 15% to 30% of the units' rents** (depending upon amount of reduced parking permitted) are set for people earning 70% or less of the area median income. This should be a permanent feature of the project, especially within the frequent transit area. In addition, the permit should require an upfront remediation requirement addressing any adverse neighborhood impacts.

4. For similar reasons, there should be reduced parking minimums for the very low and extremely low income and for non-profits providing low-income housing -- that strikes a balance between housing affordability and the interests of existing residents.

Particular attention should be paid to the critical need for lower-income workers to have a vehicle in Olympia in order to travel to their jobs. Too often our lower-income working residents have multiple part-time jobs or supplement their low wage full-time job with a second or third part-time job. Transit as it stands today cannot meet their needs. Therefore, you need to assess the needs of those in the housing you are permitting regarding the need to have easy access to a vehicle in terms of social equity and income equality.

Finally, do not let the artificial and external timing of the Commerce grant cause the Commission to shortchange this opportunity to avoid a costly and rushed decision that loses all the opportunity to have a valuable community conversation.

Thank you for the opportunity to make comments.

Sincerely,

Larry Dzieza

**From:** [Leonard Bauer](#)  
**To:** [Joyce Phillips](#)  
**Subject:** FW: In support of reduced parking requirements (re: Housing Action Plan)  
**Date:** Friday, April 07, 2023 11:53:11 AM

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Public comment came in before noon deadline on parking ordinance

Leonard Bauer, FAICP  
Community Planning & Development Director  
City of Olympia  
PO Box 1967  
Olympia, WA 98501  
(360) 753-8206  
[www.olympiawa.gov](http://www.olympiawa.gov)  
Remember: City e-mails are public records.

Working Together To Make A Difference

-----Original Message-----

From: Andrew Sullivan <[andrew@slvn.me](mailto:andrew@slvn.me)>  
Sent: Friday, April 7, 2023 11:43 AM  
To: Leonard Bauer <[lbauer@ci.olympia.wa.us](mailto:lbauer@ci.olympia.wa.us)>  
Subject: In support of reduced parking requirements (re: Housing Action Plan)

I live in downtown Olympia and am writing in support of reducing residential parking requirements.

The city is already full of parking: paid lots (mostly empty) and street parking (frequently empty). There simply is not a need for more parking, even with increased development. I'm disappointed when I read about projects like West Bay Yards adding 478 housing units and 833 (!!) parking spots. The extra cost must be enormous.

If we continue to require parking for new developments, we risk Olympia becoming "easy to get to but not worth arriving at".

Thank you,

Andrew Sullivan (98501)

**From:** [Sue Langhans](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Apartments without a place to park  
**Date:** Friday, April 07, 2023 11:53:24 AM

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Not having a parking area is just wrong on many levels. People who need to get to work where the buses do not go, children who need to be picked up at school when sick, repair people, emergency vehicles, babysitters, health care providers, gardeners for the property. Too many issues to not have parking lots for tenants that rent in these multi-units.

Thank you for considering the outcomes of your vote.

Judith Langhans  
2908 Country Club Rd. NW  
Olympia WA 98502.

**From:** [Karen Sweeney](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking for new development  
**Date:** Friday, April 07, 2023 11:54:19 AM

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Thank you to the Planning Commissioners who were willing to open up comments for a longer period of time. I did not like to see how some Commissioners seemed to “railroad” their ideas through. I know they have a vision that we should all be taking the bus, riding bikes or walking. That may be how things are in the future, but we sure don’t have the infrastructure to support that now. Plus there are some of us with mobility issues and building multi family housing without parking, means there will be overflow into the neighborhoods. This causes people to have to walk in the street because the Eastside, for example has few sidewalks.

I just think it’s a very flWed idea for this time period.

**From:** [Antonio M Ginatta](#)  
**To:** [Joyce Phillips](#)  
**Subject:** comments in support of parking code amendments  
**Date:** Friday, April 07, 2023 2:21:33 PM

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Hi Joyce. I'm an Olympia resident and would like to express my support for the parking-related code amendments under consideration by the city. Olympia will thrive as it facilitates the building of more housing and as it encourages the strengthening of its public transportation infrastructure. These amendments help further us along on both counts. I hope the city accepts the proposed language. Thank you for considering these comments.

Best,

Antonio Ginatta  
1617 Water St SW  
Olympia, WA 98501  
360-259-6600

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Sent with [HEY](#)

**From:** [Nolan Hibbard-Pelly](#)  
**To:** [Joyce Phillips](#)  
**Subject:** No parking minimums  
**Date:** Monday, April 10, 2023 3:43:17 PM

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Hi I'm emailing in support of funding transit and workers past 8pm and dropping the parking minimum requirement for all new developments

**From:** [Keith Spencer](#)  
**To:** [Joyce Phillips](#)  
**Subject:** Parking  
**Date:** Tuesday, April 11, 2023 7:00:23 PM

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What are you thinking? Make the developers include parking.



## Land Use & Environment Committee

### Consolidating Land Use Permit Processes Ordinance Recommendation

**Agenda Date:** 4/27/2023  
**Agenda Item Number:** 6.B  
**File Number:** 23-0357

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**Type:** recommendation   **Version:** 1   **Status:** In Committee

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#### **Title**

Consolidating Land Use Permit Processes Ordinance Recommendation

#### **Recommended Action**

##### **Committee Recommendation:**

The Olympia Planning Commission recommends the City Council adopt the Ordinance consolidating land use permit processes, as recommended by.

##### **City Manager Recommendation:**

Move to approve the recommended Ordinance for land use permit processes and forward to the City Council for adoption.

#### **Report**

##### **Issue:**

Whether to approve the recommended Ordinance for land use permit processes and forward to the City Council for adoption.

##### **Staff Contact:**

Leonard Bauer, Director, Community Planning and Development 360.753.8206

##### **Presenter(s):**

Leonard Bauer, Director, Community Planning and Development

#### **Background and Analysis:**

##### Purpose of this Project

The City of Olympia adopted its Housing Action Plan in June of 2021, putting forth strategies and establishing a long-term approach to increase the City's housing supply, promote a variety of housing choices, and to facilitate the development of stable, affordable housing. The City was subsequently awarded a Housing Action Plan Implementation Grant in the amount of \$100,000 from the Washington State Department of Commerce (DOC) to implement the following strategies of the Housing Action Plan:

- *Action 3i: Reduce parking requirements for residential uses, including for multi-family developments near frequent transit routes.*

- *Action 3k: Increase flexibility in the permit process as part of a larger scope to review fees/regulations to identify housing cost reductions/remove barriers.*

The timeline for this project is set under the terms of the grant. The final deliverable in the form of ordinance code changes is due to DOC by June 30, 2023.

The attached ordinance has been drafted to implement Action 3k. The objective of this action, as described in the grant contract with DOC, is to:

“Prepare and adopt an ordinance to increase flexibility and predictability in the permit process by simplifying and clarifying permit types, processes, requirements and timeline.”

The Housing Action Plan found that making application and permit processing requirements easier to access and understand will better facilitate development of housing to meet increasing need. This ordinance reorganizes and consolidates many disparate sections of the City’s Unified Development Code (Title 18 of the Olympia Municipal Code). Only procedural changes are proposed. No substantive changes to existing development regulations are included.

The Planning Commission unanimously recommended adoption of this draft ordinance at its April 17, 2023, meeting.

### Background

In 1995, the City of Olympia adopted a Unified Development Code (UDC). Previously, municipal codes typically were organized by zoning district. The regulations for each zoning district were described in a separate chapter, including permitted uses, physical standards of development, and any special processes or criteria. One of the challenges of this approach for applicants and neighboring residents was the need to first know in which zoning district a property was located. Another challenge was that many provisions were repeated from one zoning district to another, so that updates to the zoning code were complicated by the need to amend many sections at once.

The 1995 UDC was adopted to reorganize the code by types of land uses. Regulations related to residential uses were consolidated into a chapter, as were regulations related to commercial, industrial, and other uses. Tables were included in each of these chapters to summarize permitted uses and development standards. However, provisions related to permit processes or special uses that have evolved (e.g., cell phone towers, emergency housing facilities) were added in numerous separate chapters. This has resulted in confusion for applicants and neighboring residents to understand all the steps in a City process for reviewing a particular permit.

### Description of Proposed Ordinance

This project is intended to address this challenge by consolidating permits by the type of review process that applies. This is a common practice among other cities and counties that applicants and residents find easier to understand and respond to. The four land use permit types are:

1. Type I. Administrative decisions by the Director who may approve, conditionally approve or deny the application.
2. Type II. Administrative decisions by the Director with specified public notice. The Director has

the authority to approve, conditionally approve or deny the application.

3. Type III. Hearing Examiner decisions following a public hearing. The Hearing Examiner may approve, conditionally approve, or deny the application.
4. Type IV. Legislative decisions by the City Council after a public hearing. The City Council may approve, conditionally approve, modify and approve, or deny the application.

This approach will combine seven separate chapters of the UDC into a single chapter covering permit review procedures. Similar to the original UDC's consolidation of zoning regulations into individual chapters by land use type, this summary chapter should facilitate understanding and compliance with the City's permit review process. Clearer understanding of the permitting process 'up-front' increases predictability, facilitating financing and building of housing in Olympia.

#### **Climate Analysis:**

This proposal addresses procedural aspects of the City's Unified Development Code, and will not likely result in physical changes to actual construction that would create or reduce climate impacts. However, easier-to-understand procedures may reduce confusion for permit applicants and neighboring residents, which could reduce trips to city hall to ask questions of City permit center staff.

#### **Equity Analysis:**

The City does not have demographic data regarding permit applicants or others interested in following development permit activity and procedures. The City's on-line permit portal provides current status of the review of any permit application. This provides advantages to those who have computer and internet access in gaining that information. Under this proposal, those who do not have easy access to a computer or internet connection will continue to experience more difficulty in learning status of permit activity. They would need to contact city staff to request that information. However, this proposal will likely increase the understanding of those accessing information.

#### **Neighborhood/Community Interests (if known):**

The proposed changes will likely be of interest to a variety of people interested in land use permitting in Olympia, including builders, developers, realtors, single-family homeowners, renters, and neighborhood associations. During the process of developing this draft ordinance, presentations were made to several organizations representing these interests. Public comments received at the Planning Commission public hearing, and after the hearing, are attached. Comments expressing both concerns and support were received, with concerns primarily focusing on the complexity of the ordinance and the length of time needed to review it.

#### **Financial Impact:**

Costs of this project are covered by a grant from the Washington State Department of Commerce. There is no additional fiscal impact of the proposal to the City budget.

#### **Options:**

1. Move to approve the recommended Ordinance for land use permit processes and forward to the City Council for adoption.
2. Move to approve the recommended Ordinance for land use permit processes and forward to the City Council for adoption with specified modifications.

3. Do not approve the recommendation the City Council adopt an ordinance amending the City's land use permit processes. Note that this option would not fulfill the City's obligations under its grant contract with the WA Dept. of Commerce.

**Attachments:**

Draft Ordinance

Crosswalk of Changes to Decision Procedures

Summary of Changes to Public Notice

Public Comments

**DRAFT**

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

**AN ORDINANCE CONSOLIDATING LAND USE PERMIT PROCESSES, AND AMENDING TITLE 18 OF THE OLYMPIA MUNICIPAL CODE, ADDING A NEW CHAPTER, AND REMOVING CHAPTERS 18.48, 18.52, 18.58, 18.60, 18.72, 18.75, 18.77, AND 18.78.**

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

**Section 1. The following new chapter is hereby adopted into Title 18 of the Olympia Municipal Code:**

**Chapter 18.XX  
ADMINISTRATION – PROCEDURES FOR LAND USE PERMITS AND DECISIONS**

Sections:

- 18.XX.010 PURPOSE AND INTENT
- 18.XX.020 APPLICABILITY
- 18.XX.030 GENERAL PROVISIONS
- 18.XX.040 PERMIT APPLICATION PROCEDURES & TYPES
- 18.XX.050 DECISION AND APPEAL AUTHORITIES
- 18.XX.060 PERMIT REVIEW TIME PERIODS
- 18.XX.070 EXPIRATION OF APPROVALS
- 18.XX.100 VESTING
- 18.XX.110 OPTIONAL CONSOLIDATED PERMITTING PROCESS
- 18.XX.120 DETERMINATION OF COMPLETENESS
- 18.XX.130 NOTICE OF APPLICATION
- 18.XX.140 NOTICE OF HEARING
- 18.XX.150 JOINT PUBLIC HEARING
- 18.XX.160 NOTICE OF DECISION
- 18.XX.170 APPEALS
- 18.XX.180 CONDITIONAL USES
- 18.XX.190 REZONES AND TEXT AMENDMENTS

**18.XX.010 PURPOSE AND INTENT**

- A. Fundamental land use planning choices made in adopted Comprehensive Plans and implemented through development regulations shall serve as the foundation for review of land use applications. This chapter establishes procedures for how the City of Olympia will review land use permit applications.
- B. These procedures provide for an effective processing and review of land use permit applications consistent with Chapter 36.70B RCW. This chapter is applied in conjunction with Chapter 18.82 OMC (Hearing Examiner); Title 16 OMC (Buildings and Construction); Chapter 14.04 OMC

(Environmental Policy); Title 17 OMC (Subdivisions); Chapter 18.20 (Shoreline Master Program Regulations); Chapter 18.32 OMC (Critical Areas); and other applicable codes and standards.

#### **18.XX.020 APPLICABILITY**

- A. When required by this section, approval of a land use permit application shall be completed and all appeal periods terminated prior to issuance of a building or any other construction permit. Construction and development of projects that have been reviewed as land use permit applications shall comply with the approved site plan and conditions attached thereto.
- B. Land use approval is required for the following types of projects:
  - 1. A change of use of land or addition, that results in a substantial revision to the approved site plan;
  - 2. Any new nonresidential and nonagricultural use of land; and
  - 3. The location or construction of any nonresidential or nonagricultural building, or any project in which more than four (4) dwelling units would be contained.
- C. Upon finding that any land use permit application meets the criteria for land use review but the scope/scale of the project does not warrant the land use review process, the Director may waive the land use review process and appropriate land use application fees. This exemption does not waive code requirements nor construction permit processes.

#### **18.XX.030 GENERAL PROVISIONS**

- A. Time Period Calculations. Regardless of whether any period is a minimum or maximum, when any permit review, notice or decision time limit of this Title terminates upon a weekend or City holiday, such time limit shall automatically be extended to the first following non-holiday weekday.
- B. General Notice Requirements. The available records of the Thurston County Assessor's Office shall be used to determine the property tax payer (owner) of record. All notices shall be deemed to have been provided or received on the date the notice is deposited in the mail, sent electronically, or personally delivered, whichever occurs first. Failure to provide the public notice as described in this chapter shall not be grounds for invalidation of a decision on a permit.
- D. Optional Public Notice. In addition to required public notice, the City may provide notice to other individuals or organizations interested or possibly affected by the proposal. Failure to provide optional public notice shall not be grounds for invalidation of a decision on a permit.
- E. Dedication, improvements and performance bond. As a condition of land use approval, an applicant may be required to dedicate property, construct public improvements, and furnish a performance bond to the City to secure an obligation to complete the provisions and conditions of the project as approved.

- F. Licenses and building permits. Business and occupational licenses shall not be issued unless the applicant has a valid certificate of occupancy as defined hereunder. No building permit shall be issued for the construction, alteration or relocation of any building, structure or part thereof unless the plans, specifications and intended use of such building or structure conforms in all respects with the provisions of this Title.
- G. The Director may waive appropriate land use application fees.

#### **18.XX.040 PERMIT APPLICATION PROCEDURES & TYPES**

Applications for land use approval shall be made on forms provided by the Director. Application fee(s) as established by the City are due upon presentation of an application for land use approval. Land use permit applications are categorized as Type I, Type II, Type III or Type IV. Applicable procedures for the review and decision on land use permit applications are pursuant to the following provisions:

- A. Application Types. The Director shall determine the proper application type for the processing of each permit application pursuant to the provisions of this chapter. Table XX-1 identifies examples of the types of applications included in each Application Type.
  - 1. Type I. Administrative decisions by the Director who may approve, conditionally approve or deny the application.
  - 2. Type II. Administrative decisions by the Director with specified public notice. The Director has the authority to approve, conditionally approve or deny the application.
  - 3. Type III. Hearing Examiner decisions following a public hearing. The Hearing Examiner may approve, conditionally approve, or deny the application.
  - 4. Type IV. Legislative decisions by the City Council after a public hearing. The City Council may approve, conditionally approve, modify and approve, or deny the application. Type IV applications are not subject to review timeline limitations unless specified elsewhere in this Title.
- B. Permit applications proposed in areas having adopted design guidelines are subject to design review. Please refer to OMC 18.100 for applicability and procedures for design review.
- C. For all townhouse developments, applications for preliminary plat or short plat approval and any design review and land use approval shall be submitted simultaneously.

<b>Table 18.XX-1 Application Types<sup>1</sup></b>	
<b>Application Type</b>	<b>Examples</b>
Type I	Administrative Design Review, Administrative Parking Modification, Boundary Line Adjustments, Critical Area Review Letter, Development Regulation Interpretation, Fence Variance, Fence/Wall Height Modification, Final Plat, Shoreline Exemption, Short Term Rental, Sign Permit, Temporary Use Permit, Tree Removal, Zoning Letter
Type II	Administrative Conditional Use, Administrative Variance/Reasonable Use Exception, Binding Site Plan, Land Use Review, Preliminary Short Plat, Shoreline Substantial Development Permit
Type III	Preliminary Subdivision/Plat, Conditional Use Permit (including essential public facilities), Master Plan Amendment, Preliminary Planned Residential Development, Rezone not requiring Comprehensive Plan Amendment, Shoreline Conditional Use Permit or Shoreline Variance, Variance/Reasonable Use Exception (including parking modifications greater than 40 percent).
Type IV	Code Amendment to Titles 17 and 18, Comprehensive Plan Amendment, Development Agreement, Rezone requiring Comprehensive Plan Amendment, Shoreline Master Plan Amendment, Plat Vacation

**18.XX.050 Decision and appeal authorities**

- A. Table 18.XX-2 describes the final decision and appeal authorities for each land use application type. Table 18.XX-3 provides public notice requirements for each land use application type. When separate applications are consolidated at the applicant’s request, the final decision shall be rendered by the highest authority designated for any part of the consolidated application. A land use approval may be amended at the applicant’s request by the same procedures provided under this chapter for original application approval.
  
- B. The Site Plan Review Committee shall consist of the Building Official, Planner, City Engineer, SEPA Official, and the Fire Chief or their designees. The Committee shall be chaired by the CP&D Director or designee and serves in an advisory capacity to the Director, who shall be responsible for all land use related decisions. The Committee shall adopt rules of procedure for the purpose of ensuring fair, lawful and timely recommendations.
  
- C. Referral to Hearing Examiner. If in the Director’s opinion a project is extraordinarily complex or presents significant environmental, design or compatibility issues, the Director may refer the project for a public hearing before the Hearing Examiner. A decision of the Director to refer a project to the Examiner may be made at any time.
  
- D. Design Review Board. The Design Review Board shall have the authority to review and provide recommendations regarding Design Review applications decisions pursuant to OMC Chapter [18.100](#), Design Review. With respect to design review criteria, the recommendation of the Board shall always be accorded substantial weight by the decision-maker.

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<sup>1</sup> This table is not an exhaustive list of all application types. For any application not listed in the table, the application type will be determined by the Director.

<b>Table 18.XX-2 Decision and Appeal Authority</b>				
<b>Application Type</b>	<b>Recommendation</b>	<b>Hearing Body</b>	<b>Decision Authority</b>	<b>Appeal To (open or closed record appeal)</b>
Type I	N/A	N/A	Director (Shoreline Administrator for shoreline permits)	HEX (open record)
Type II	SPRC	N/A	Director <sup>2</sup> (Shoreline Administrator for shoreline permits)	HEX
Type III	Director (Shoreline Administrator for shoreline permits; HEX for Rezones, Master Plan Amendments and Preliminary Planned Residential Developments) <sup>3</sup>	HEX	HEX (City Council for Rezones, Master Plan Amendments and Preliminary Planned Residential Developments)	Superior Court, or WA State ELUHO for shoreline permits (closed record)
Type IV	Director (HEX for Development Agreements) <sup>4</sup>	OPC (HEX for Development Agreements)	City Council	Superior Court or WA State ELUHO (closed record)

HEX = Hearing Examiner; SPRC = Site Plan Review Committee; OPC = Olympia Planning Commission; ELUHO = Environmental and Land Use Hearings Office

<b>Table XX-3 Public Notice Requirements</b>				
<b>Application Type</b>	<b>Determination of Completeness</b>	<b>Notice of Application</b>	<b>Notice of Hearing</b>	<b>Notice of Decision</b>
Type I	No	No	N/A	No
Type II	Yes	Yes	N/A	Yes
Type III	Yes	Yes	Yes	Yes
Type IV	Yes	Yes	Yes	Yes

**18.XX.060 Permit review time periods**

<sup>2</sup> As described in OMC 18.XX.050.C, the Director may refer to Hearing Examiner for decision.

<sup>3</sup> See OMC 18.56 and 18.82

<sup>4</sup> See OMC 18.82

A. Review Period. The review and processing of land use applications shall result in a decision being

<b>Application Type</b>	<b>Time in Review</b>
Type I	90 days <ul style="list-style-type: none"> <li>• Final Plat: 30 days</li> </ul>
Type II	120 days <ul style="list-style-type: none"> <li>• Preliminary Short Plat: 90 days</li> </ul>
Type III	120 days <ul style="list-style-type: none"> <li>• Preliminary Subdivision: 90 days</li> </ul>
Type IV	N/A

rendered within time limits set forth below, unless subject to the exceptions in OMC 18.XX.060.D.

B. Notice of Delayed Decision. If the City is unable to issue its final decision within the time limits listed below, the City will provide written notice of this fact to the applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of a final decision.

C. Liability. The City is not liable for damages due to the City’s failure to make a final decision within the time limits established in this chapter.

D. Request for Timeline. Where no time limit is specified, upon written request the City will provide an estimated time of review. (Also see Olympia City Council Resolution M-1419 regarding exceptions.)

E. Time Limit Exceptions. The time limits set forth above do not include:

1. Up to the first twenty-eight (28) days after receipt of an application during which the City determines whether the application is complete.
2. Any period during which the applicant has been requested by the City to correct plans, perform studies or provide additional information requested by the City. If the City determines that the additional information submitted to the City by the applicant is insufficient, the City shall notify the applicant of the deficiencies and this subsection (2) shall apply as if a new request for information has been made. If the applicant does not provide the

requested corrections, studies or information within six months the application will be null and void.

3. Any appeal period. See 18.XX.170 for appeal procedures.
4. Any extension of time mutually agreed upon by the applicant and the City.
5. The time required to prepare and issue a final EIS in accordance with the State Environmental Policy Act.

#### **18.XX.070 Expiration of approvals**

Knowledge of the expiration date of any approval is the responsibility of the applicant. The City shall not be held accountable for notification of expirations.

- A. Land Use Approval. Unless exercised by complete application for necessary construction permits, any land use approval shall expire and be null and void two years from the date the final approval was issued. Land use approval shall be extended two additional years if a complete building or other construction permit application for the project is submitted prior to expiration of the land use approval. Even absent such application, upon finding that there has been no substantial change in relevant circumstances and standards, land use approval may be extended up to two (2) additional years by the Director pursuant to a written request submitted prior to expiration of land use approval. The Director may grant, limit or deny the extension and may impose such conditions of extension to ensure compliance with any subsequently revised standards. If such written request for extension is not received by the Department prior to expiration, such extension shall be denied.
- B. Conditional Use Permit. Unless exercised or otherwise specified, a conditional use permit shall be void one (1) year from the date a notice of final decision was issued. If exercised, a conditional use permit shall be valid for the amount of time specified by the approval authority. If the use allowed by the permit is inactive, discontinued or abandoned for twelve (12) consecutive months, the permit is void and a new permit shall be obtained in accordance with the provisions of this title prior to resuming operations.
- C. Design Review approval shall expire simultaneously with expiration of any associated land use, building or other construction permit or approval.
- D. Variance. Unless exercised, a variance shall expire one (1) year from the date a final decision is issued. If timely exercised, a variance shall be valid indefinitely.

#### **18.XX.100 VESTING**

Land use permit applications shall vest according to OMC 18.02.130 and other applicable state and federal laws.

#### **18.XX.110 OPTIONAL CONSOLIDATED PERMITTING PROCESS**

Pursuant to RCW [36.70B.060](#) (3) and [36.70B.120](#) and OMC 18.XX.100, except as prohibited by Resolution M-1419 or its successor, an applicant may elect to submit a consolidated project permit application. Such a request shall be indicated by the applicant in writing upon and simultaneously with submission of all applications to be consolidated. Upon payment of the appropriate consolidation fee, all consolidated

applications shall be processed as one application under the highest project permit classification and procedures.

- A. If a project involving two (2) or more permits has the permits processed individually, the highest project permit classification and procedures shall be finalized before subsequent permits can be issued. The Director may waive this requirement for permits not dependent on the higher classification of permit for their justification or implementation.
- B. If applicable, a single open-record hearing and no more than one (1) closed-record appeal shall be provided on a consolidated review process. The consolidated process may combine an open-record hearing on one (1) or more permits with an open-record appeal hearing on the other permits.
- C. Upon electing a consolidated review, the applicant shall pay such consolidation fee as has been established in the fee schedule adopted by the City Council. Simultaneous applications for permit approval within one category of approvals, such as solely land use, building, or engineering approval, shall not be deemed consolidated reviews subject to a consolidated review fee, but nonetheless shall be entitled to consolidated review if so elected by the applicant.

#### **18.XX.120 DETERMINATION OF COMPLETENESS**

When review procedures require a determination of completeness, the following shall apply:

- A. Determination. Within twenty-eight (28) days of application, the Department shall provide the applicant a determination stating whether:
  - 1. The application is complete; or
  - 2. The application is incomplete and what is necessary to make the application complete.
- B. To the extent known, the City will identify other agencies of local, state or federal governments that may have jurisdiction over some aspect of the application.
- C. Failure to Notify. Failure to provide a determination within the required time shall automatically deem the application complete.
- D. Processing. An application will be deemed complete when it is sufficient for continued processing when it meets the submission requirements set forth in OMC 18.XX.040, and any submittal requirements identified at an optional presubmission conference. The determination of completeness shall not preclude the City from requesting additional information or studies either at the time of the notice or subsequently if new information is required or substantial changes in the proposed action occur.
- E. Incomplete Application. An incomplete application shall have ninety (90) days from the date of determination in subsection (A)(2) of this section for the necessary information to be submitted. If the applicant either refuses in writing or does not submit the required information within the time limits, the application shall lapse, unless an alternate timeline is agreed to in writing by both parties prior to the end of the ninety (90) days.

- F. **Review of Additional Information.** When additional information for an incomplete application is received, the City shall notify the applicant within fourteen (14) days of receipt of the additional information whether the application is complete or what additional information is necessary.
- G. **Review Timeline.** Following the date an application is determined complete, the date shall be noted and the official review period to render a decision, as identified in OMC 18.XX.060, shall begin.
- H. **Effect of Project Permit Application Revisions.**
  - 1. When the City has notified the applicant that a land use application is insufficient and requires revisions, the time periods in OMC 18.XX.060.E.2 shall apply.
  - 2. If, in the judgment of the Director, the content of an application is so substantially revised by an applicant, either voluntarily or to conform with applicable standards and requirements, that such revised proposal constitutes a substantially different proposal than that originally submitted, the Director shall deem the revised proposal to be a new application.

In reaching a decision whether a revision is substantial, the Director shall consider the relative and absolute magnitude of the revision, the environmental sensitivity of the site, any changes in location of significant elements of the project and their relation to public facilities, surrounding lands and land uses and the stage of review of the proposal. Lesser revisions that would not constitute substantial revisions during early stages of review may be substantial during later stages due to the reduced time and opportunity remaining for interested parties to review and comment upon such changes. Written notice of such determination of substantial revision shall be provided to the applicant and all parties of record.

- 3. A determination that any revision is substantial shall result in the time periods mandated by the Regulatory Reform Act, RCW Chapter 36.70B, set forth in this Title starting from the date at which the revised project application is determined to be complete. The revised project application shall be subject to all laws, regulations, and standards in effect on the date of receipt of such complete substantial revision.

#### **18.XX.130 NOTICE OF APPLICATION**

When review procedures require a notice of application, the following shall apply:

- A. **Timeline.** The notice shall be provided within fourteen (14) days after the determination of completeness is issued.
- B. **Content.** The notice of application shall include the following:
  - 1. The file number assigned;
  - 2. The date of application, date of the notice of completeness, and the date of the notice of application;

3. A description of the proposed project action and a list of permits included with the application, including other government agencies having decision-making authority or providing funds for the application or action;
4. Identification of known permits not included with the application;
5. Identification of existing environmental documents that evaluate the proposal;
6. The location where the application and any requested studies can be reviewed;
7. A statement of the public comment period on the NOA, where applicable, and which shall not be less than fourteen (14) or more than thirty (30) days;
8. A statement of the rights of any person to comment on the application, receive notice of and participate in any hearings, request a copy of the decision and any appeal rights;
9. Name and phone number of the city staff contact person;
10. Any other information determined appropriate by the City.

C. Notice of Application. Notice of application shall be provided as follows:

	<b>Mail</b>	<b>Post Site</b>	<b>Publish</b>
Type I	No	No	No
Type II	Yes	Yes	No
Type III	Yes	Yes	Yes
Type IV	Yes	Yes, for site-specific applications only	Yes

1. Notice by Mail. The notice shall be sent electronically, or by first class or higher mail to the following:
  - a. The applicant;
  - b. Affected City departments;
  - c. State, federal and local agencies with jurisdiction;
  - d. For Type II, III or site specific Type IV permits, mailed notice shall also be sent to all property owners of real property (as shown by the records of the Thurston County Assessor’s Office) within three hundred (300) feet of the subject property. Where any portion of a property abutting the subject property is owned, controlled, or under the option of purchase by the applicant, all property owners within a three hundred (300) foot radius of the total ownership interest shall be notified; and
  - e. Parties of Record for the project. Any person who requests such notice in writing to the Department.

- f. Recognized Neighborhood Associations (RNAs) within 1,000 feet of a site specific proposal shall receive notice of all Type II, III & IV applications. For Type IV applications that are not site specific, all RNAs shall be notified.
2. Posting Notice on the Site. The applicant shall post notice according to the following:
    - a. At least one (1) location on or adjacent to the subject property and that shall be clearly visible and legible from an adjacent street or public area. The notice sign shall be maintained by the applicant until final decision and appeals periods have ended.
    - b. The Director shall determine the specifications for notice boards and their installation.
  3. Publishing Notice. When a published notice in the City's official newspaper of general circulation within the City boundaries is required, the content shall include the following:
    - a. Project location;
    - b. Project description;
    - c. Type of permit(s) required;
    - d. Comment period and dates;
    - e. Location where the complete application may be viewed.
- D. Preliminary Plat Notice. When adjacent to the right-of-way of a state highway, or within two (2) miles of the boundary of a state or municipal airport, electronic or mailed notice shall be given to the Secretary of Transportation, who has fourteen (14) days to respond.
- E. Integration of Notices. The City will combine a notice of application with notification of a SEPA threshold determination, or a scoping notice for a SEPA determination of significance, whenever possible. Nothing in this section prevents a determination of significance and scoping notice from being issued prior to the notice of application.
- F. Issuance of Decisions. The City will not issue a decision or a recommendation on a permit until the expiration of the public comment period, except as provided in subsection D above.
- G. Comments. Comments shall be as specific as possible. Comments shall be received by the last day of the comment period specified in the notice. If no comments are received by the date specified in the notice from an affected individual, group, City department or agency with jurisdiction, which notification was sent to, then it is presumed that the individual, group, department or agency has no comments.

#### **18.XX.140 NOTICE OF HEARING**

When review procedures require a notice of hearing, the following shall apply:

- A. Notice Integration. A notice of hearing is required for public hearings. A notice of hearing may be integrated with the notice of application or a SEPA threshold determination.

B. Notice Content. A written notice of hearing shall contain the following information:

1. The name of the applicant or designated contact;
2. A description of the affected property;
3. Project summary/description of each project permit application;
4. The application/project file number;
5. The date, time and place of the hearing;
6. A statement that all interested persons may appear and provide testimony;
7. A statement where information may be examined or obtained and the staff contact and phone number;
8. A statement how written testimony or comments may be submitted.

If the notice of hearing is combined with SEPA threshold determination, the following information shall also be included:

9. The SEPA threshold determination along with any appropriate statement regarding any shared or divided lead agency status and phased review, and stating the end of any final comment period;
10. The deadline (date, time and place) for submitting a SEPA appeal;
11. A statement regarding any administrative appeal process including SEPA appeal.

C. Notification Procedures. Notification for a hearing on a project permit shall be provided in the following manner as applicable:

1. Mail. The notice shall be sent electronically, by email or first class mail or higher to the following:
  - a. The applicant;
  - b. All property owners of real property (as shown by the records of the Thurston County Assessor's Office) within three hundred (300) feet of the subject property. Where any portion of a property abutting the subject property is owned, controlled, or under the option of purchase by the applicant, all property owners within a three hundred (300) foot radius of the total ownership interest shall be notified.
  - c. Any party of record and person(s) providing a written request to the Department.

2. Posting of the Property. The notice shall be posted in the same manner and location(s) as the notice of application set forth in OMC 18.XX.100.C(2).
  3. Publishing Notice. A published legal notice in the City’s official newspaper of general circulation within the City boundaries is required. The content of the published notice shall be the same as the notice of application set forth in OMC 18.XX.100.C(2).
  4. Website. The Department shall publish notice on the City’s website.
- D. Notice Deadlines. Notice shall be given at least ten (10) days before the hearing date except:
1. Shoreline permits pursuant to WAC 173-27-110(3) shall be given at least fifteen (15) days.
  2. An integrated notice of hearing and notice of application shall be given at least fifteen (15) days.
  3. An integrated notice of hearing and notice of a SEPA threshold determination shall be given at least twenty-one (21) days.
- E. Continuation of Hearing. Continued hearings do not require additional notices of hearing.
- F. Appeal Notification. Notification for a hearing on appeal shall be provided in the following manner:
1. Mail. The notice shall be sent electronically, by email, first class mail or higher to the following:
    - a. The applicant/appellant;
    - b. Parties of record;
    - c. Affected agencies; and
    - d. Other persons whom the Department believes may be affected by the action.
- G. Additional Procedures. In addition to the procedures contained in this chapter, the Department may develop general procedures for notification,

#### **18.XX.150 JOINT PUBLIC HEARING**

A hearing on a project permit application may be combined with any other hearing on the action held by another local, state, regional, federal, or other agency pursuant to RCW 36.70B.110 as currently enacted or hereinafter amended.

#### **18.XX.160 NOTICE OF DECISION**

- A. The City shall provide a notice of decision on Type II, III and IV permits. A notice of decision may be included as part of the decision or a permit.

- B. Notification. Notification shall be provided in the following manner as applicable:
1. Mail. The notice shall be sent electronically, by email, first class mail or higher to the following:
    - a. The applicant;
    - b. Parties of record;
    - c. Any person who, prior to the rendering of the decision, requested notice of the decision in writing to the Department; and
    - d. For Type IV decisions, the Thurston County Assessor's Office.
- C. Notice Contents. The notice may include a copy of the report of decision on the project permit application; and shall include, when available, the SEPA threshold determination, the permit decision, the conditions of approval or where they may be viewed by the public, and the general procedures and time limits to file an appeal.
- D. Change of Valuation. The notice shall state that affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

#### **18.XX.170 APPEALS**

- A. General.
1. Those land use permit decisions that are subject to appeal shall become final unless an appeal is filed to the appeal authority shown in Table 18.XX-2 in Chapter 18.XX.050, and in Chapter 18.82.120. Appeals must include all appeal application fees, and be filed within the designated time to file an appeal.
  2. The appellant shall bear the burden of proving the administrative decision was not supported by substantial evidence.
  3. Appeal of Type I or Type II must be filed within fourteen (14) days following the issuance of the notice of decision. If a land use permit decision is issued concurrent with a SEPA determination of nonsignificance which required a public comment period, the land use permit decision shall have the appeal period extended an additional seven (7) days to coincide with the SEPA appeal period. The Department shall promptly forward a copy of such appeal to the Hearing Examiner.
  4. Administrative appeal of a SEPA threshold determination is to the Hearing Examiner pursuant to Chapter 14.04 OMC and this section. The appeal shall consolidate any allowed appeals of procedural and substantive determinations under SEPA with a hearing or appeal on the underlying governmental action in a single simultaneous hearing before the Hearing Examiner

consistent with Chapter 36.70B RCW, WAC 197-11-680, this chapter and Chapter 14.04 OMC. The following threshold decisions or actions are subject to timely appeal:

- a. Determination of Nonsignificance or Mitigated Determination of Nonsignificance. Conditions of approval and the lack of specific conditions may be appealed to the Hearing Examiner within seven calendar days after the SEPA comment period expires. Except: When the Determination is combined with a project decision where the appeal would be heard in conjunction with any appeal or hearing on the associated project;
  - b. Environmental Impact Statement. A challenge to a determination of adequacy of a Final EIS may be heard by the Hearing Examiner in conjunction with any appeal or hearing regarding the associated project permit. Where no hearing is associated with the proposed action, an appeal of the determination of adequacy must be filed within 14 days after the 30 day comment period has expired.
5. Appeal of Type III or Type IV project permit final decisions to Thurston County Superior Court shall be filed pursuant to Chapter 36.70C RCW. Appeals shall be filed within twenty-one (21) days following the issuance of the notice of decision.
  6. Appeals of Type IV decisions to the Environmental and Land Use Hearings Office shall be filed in accordance with administrative rules adopted by the applicable hearings board within that Office.
  7. Final decision relating to the Olympia Shoreline Master Program may be appealed as follows:
    - a. Type II shoreline permits may be appealed to the Hearing Examiner pursuant to subsection (a)(3) of this section or may be appealed directly to the Shoreline Hearings Board pursuant to RCW 90.58.180.
    - b. Type III and IV decisions may be appealed to the Shoreline Hearings Board by filing a petition for review within twenty-one (21) days of the date of filing pursuant to RCW 90.58.140(6).
  8. Takings and Substantive Due Process Review and Modifications.
    - a. The Hearing Examiner is hereby authorized to hear, by way of appeal or upon review of a project permit application, all assertions of project-specific taking of property for public use without just compensation and/or the denial of substantive due process of law, and all challenges to imposition of conditions on a project of a similar nature such as any assertion that an open space dedication is not reasonably necessary as a direct result of a proposed development whether based on constitutional, statutory or common law. Failure to raise a specific challenge to such condition or exaction shall constitute a waiver of such issue and a failure to exhaust an administrative remedy.

- b. In deciding and resolving any such issue, the Examiner may consider all law applicable to the City. Should the Examiner determine that, but for a taking without just compensation or a violation of substantive due process of law, imposition of any such condition would be required by standard, regulation, or ordinance the Examiner shall so state in the decision and so report to the Olympia City Council. In lieu of failing to impose such condition, the Examiner shall first provide the City with due opportunity to provide just compensation. The Examiner shall specify a time period in which the Council shall elect to or not to provide just compensation. Upon notice of the election of the City Council not to provide such compensation, the Examiner is authorized to and shall, in accordance with OMC 18.82.220, issue a decision modifying to whatever degree necessary such condition to eliminate the taking or violation of substantive due process.
- B. Appellant. Appeals of Type I and II decisions may be taken to the Hearing Examiner only by a party of record aggrieved or by any officer, department, board, council or commission of the city affected by any order, requirement, permit, decision or determination made by an administrative official in the administration or enforcement of this title or any amendment thereto. Appeals of Type III and IV decisions may be filed according to the applicable governing statutes.
- C. Filing an Appeal. Administrative appeals are filed by submitting a form or electronic submittal as provided by the Department. The appeal must be received by 4:00 p.m. on the last day of the appeal period with all required appeal application fees paid.
- D. Computation of Time. For purposes of computing the time for filing an appeal, the day the decision is rendered shall not be included. The last day of the appeal period shall be included unless it is a Saturday, Sunday, a day designated by RCW 1.16.050 or by the City's ordinances as a legal holiday; then it also is excluded and the filing must be completed on the next business day.
- E. Content of Appeal. An administrative appeal shall not be accepted unless it is written, accompanied by the required appeal fee, and contains at least the following information:
  1. Appellant's name, address and phone number, and email address;
  2. Appellant's statement describing his or her standing, as a party of record, to appeal;
  3. Identification of the application which is the subject of the appeal;
  4. How the appellant is or is likely to be harmed or prejudiced by the decision appealed from;
  5. How or in what particular respect the administrative official erred;
  6. What relief or ruling is sought and how such ruling would eliminate or reduce harm to the appellant; and
  7. A statement that the appellant has read the appeal and believes the contents to be true, followed by the appellant's signature.
- F. Dismissal. Failure to state specific grounds of the appeal and relief sought may result in dismissal of such appeal. For appeals to the Hearing Examiner, city staff or any party may request dismissal

of an appeal at any time with notice to all parties. Upon finding that the appeal fails to state cause to reverse or modify the decision or that the Examiner lacks jurisdiction to grant relief, the Examiner may dismiss such appeal without hearing. The Examiner shall state in writing whether such dismissal is with or without prejudice.

- G. Effect. The timely filing of an administrative appeal shall stay the effective date of the decision until the appeal is either decided or withdrawn, unless otherwise provided in this code or in state or federal law.
- H. Notice of Appeal. The Director shall provide public notice of the appeal as provided in OMC 18.XX.140(f), unless otherwise provided in this code or in state or federal law.

### **18.XX.180 CONDITIONAL USES**

- A. Conditional use approval. Certain uses, because of their unusual size, infrequent occurrence, special requirements, possible safety hazards or detrimental effects on surrounding properties and other similar reasons, are classified as conditional uses. These uses may be allowed in certain districts by a Conditional Use Permit as follows:
  - 1. Any conditional use permit application that is exempt from the State Environmental Policy Act shall be considered a Type II application pursuant to OMC 18.XX.040. (See OMC 14.04.065 and WAC [197-11](#). Part Nine).
  - 2. Any conditional use permit application that is subject to the State Environmental Policy Act shall be considered a Type III application, except as granted in subsection 3 below
  - 3. Expansion of Approved Conditional Uses. The Director may authorize, as a Type II application, requests for up to a twenty-five (25) percent expansion, in any five (5) year period, of any approved conditional use's gross floor area, height, parking and occupancy (e.g., number of seats, classrooms and students). The Director may also authorize alterations to the site design, including landscaping, fences, lighting, signs and similar site features. All such modifications shall be authorized only if the use remains consistent with the original conditions of approval and applicable regulations.
- B. Permit content and enforcement. Conditional Use Permits shall state the location, nature and extent of the conditional use together with all conditions that were imposed and any other information deemed necessary for the issuance of said permit. If, at any time, the Director finds that the conditional use no longer complies with the conditions therein specified, the owner shall be declared in violation of this Title and shall be subject to its penalties.
- C. Additional conditions. The Hearing Examiner or Director, as applicable, may impose additional conditions on a particular use if it is deemed necessary for the protection of the surrounding properties, the neighborhood or the general welfare of the public. The conditions may:
  - 1. Increase requirements in the standards, criteria or policies established by this Title;

2. Stipulate an exact location as a means of minimizing hazards to life, limb, property, traffic, or of erosion and landslides;
  3. Require structural features or equipment essential to serve the same purpose set forth in item 2 above;
  4. Impose conditions similar to those set forth in items 2 and 3 above to assure that a proposed use will be equivalent to permitted uses in the same zone with respect to avoiding nuisance generating features in matters of noise, odors, air pollution, wastes, vibration, traffic, physical hazards and similar matters;
  5. Ensure that the proposed use is compatible with respect to the particular use on the particular site and with other existing and potential uses in the neighborhood.
  6. Assure compliance with the Citywide Design Guidelines, Unified Development Code Chapter [18.20](#), as recommended by the Design Review Board.
- D. Compliance. Noncompliance with the conditions of the permit shall be grounds for rehearing before the Hearing Examiner. The Hearing Examiner may suspend or revoke a conditional use permit pursuant to this section and/or impose penalties, for violation of any of the provisions of this title or original conditions of approval.
- E. Appeals. The action by the Hearing Examiner on an application for a Conditional Use Permit shall be final and conclusive unless appealed in the manner and within the time limits set forth in Chapter 18.XX.170 of this Development Code.
- F. Transferability. A Conditional Use Permit shall be transferable provided that the transferee complies with the conditions. If at any time the conditional use no longer complies with the conditions of the permit, the owner shall be declared in violation of this title and shall be subject to its penalties, and the Hearing Examiner may suspend or revoke the permit.

#### **18.XX.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 herein established; 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 shall be considered Type III applications pursuant to OMC 18.XX.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 shall be considered Type IV applications pursuant to OMC 18.XX.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 (2) sets in each calendar year. Unless otherwise specifically authorized by the City Council:
1. Proposals submitted between April 1st and September 30th shall be 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 shall be 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 will be used to evaluate each rezone request. A zoning map amendment shall only be approved if the Council concludes that at minimum the proposal complies with subsections A through C. 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 will maintain the public health, safety, or welfare.
  3. The rezone is consistent with other development regulations that implement the comprehensive plan.
  4. The rezone will result 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.

**Section 2. The following chapters of the Olympia Municipal Code are deleted in their entirety:**

Chapter 18.48  
CONDITIONAL USES

18.48.000 Chapter Contents

Sections:

- [18.48.020](#) Conditional use approval.
- [18.48.040](#) Additional conditions.
- [18.48.060](#) Compliance.
- [18.48.080](#) Appeals.
- [18.48.100](#) Transferability.

Chapter 18.52  
LIMITED ZONES

18.52.000 Chapter Contents

Sections:

- [18.52.020](#) Purpose.
- [18.52.040](#) Applicability.
- [18.52.060](#) General regulations.

Chapter 18.58  
REZONES AND TEXT AMENDMENTS

18.58.000 Chapter Contents

Sections:

- [18.58.020](#) Authority.
- [18.58.040](#) Site-specific rezone procedures.
- [18.58.060](#) Collection of rezone applications.

Chapter 18.60  
LAND USE REVIEW AND APPROVAL

18.60.000 Chapter Contents

Sections:

- [18.60.020](#) Purpose.
- [18.60.040](#) Applicability.
- [18.60.050](#) Delegation of authority.
- [18.60.060](#) Application - Content.
- [18.60.080](#) Application - Review process.
- [18.60.100](#) Site plan review log - Summary of action.
- [18.60.120](#) Notification.
- [18.60.140](#) Reconsideration in response to SEPA comments.
- [18.60.160](#) Preliminary review.
- [18.60.180](#) Amendments.
- [18.60.200](#) Variances.
- [18.60.220](#) Dedication, improvements and performance bond.
- [18.60.240](#) Final approval - Expiration

Chapter 18.72  
ADMINISTRATION

18.72.000 Chapter Contents

Sections:

- [18.72.020](#) Applications.
- [18.72.040](#) Application fees.
- [18.72.050](#) Consolidated review of applications.

- [18.72.060](#) Determination of complete application.
- [18.72.070](#) Effect of project permit application revisions.
- [18.72.080](#) Approval and appeal authorities.
- [18.72.100](#) Review and appeal authority.
- [18.72.120](#) Permit review time periods.
- [18.72.140](#) Expiration of approvals.
- [18.72.160](#) Licenses and building permits.
- [18.72.180](#) Certificate of occupancy.
- [18.72.240](#) Annexed land.

Chapter 18.75  
APPEALS/RECONSIDERATION

18.75.000 Chapter Contents

Sections:

- [18.75.020](#) Specific appeal procedures.
- [18.75.040](#) Appeals to hearing examiner.
- [18.75.060](#) Reconsideration of hearing examiner decision.
- [18.75.070](#) Clarification of hearing examiner decision.
- [18.75.080](#) No appeals to City Council.
- [18.75.100](#) Council action.
- [18.75.120](#) Appeal of City Council decision.

Chapter 18.77  
PERMIT APPLICATION CONTENTS

18.77.000 Chapter Contents

Section:

- [18.77.010](#) Complete application form and content.

Chapter 18.78  
PUBLIC NOTIFICATION

18.78.000 Chapter Contents

Sections:

- [18.78.020](#) Procedures.
- [18.78.040](#) Public hearing notification.
- [18.78.060](#) Administrative approval notification

**Section 3. Section 18.02.110 of the Olympia Municipal Code is amended as follows:**

**~~18.02.110 Comprehensive plan amendments~~**

~~Any person may propose amendments to the Comprehensive Plan and development regulations. Such proposals must be made on approved forms available from the City which will be docketed and considered for inclusion in a list of proposed amendments for further review by the City Council at least~~

~~once each year. Amendment proposals submitted after the submittal deadline may be considered by the City Council the following calendar year. Proposed amendments will be kept on file in the Department and will be available for review by the public.~~

**Section 4. Section 18.02.130 of the Olympia Municipal Code is amended as follows:**

**18.02.130 Vesting of applications**

- A. General Vesting Rule. Except as stated below, or otherwise provided in state or federal law, any project permit application shall be considered under the laws, ordinances, regulations, standards, and fees in effect at the time that the particular complete application is received by the City of Olympia.
- B. Consolidated Applications. An applicant may submit complete construction permit applications (building and/or engineering) ~~simultaneously with~~ or during the period of review of a required land use approval application. See OMC 18.XX.110 for procedures for consolidated applications. ~~When an applicant elects to submit a land use approval application together with construction applications, such applications shall be reviewed and processed as one application and subject to all notices, review and appeals as if one consolidated and integrated application. Upon electing a consolidated review, the applicant shall pay such consolidation fee as has been established in the fee schedule adopted by the City Council.~~
- C. Separate Applications. When a complete building permit application is not consolidated with a land use approval application, each application for land use approval and for subsequent construction permits shall be reviewed subject to the relevant laws, ordinances, regulations, standards, and fees in effect on the date of receipt of each separate and specific complete application.
- D. Full Vesting. Only when a complete building permit application for a structure to be used in a manner permitted under the land use regulations in effect on the date of such application is submitted will the applicant be entitled to improve and use land under the ordinances of the City in effect on the date of the complete building application. Where a change in occupancy is proposed, such building permit application shall not be deemed complete unless preceded or accompanied by a complete land use approval application.
- E. Exceptions. Where a necessary preliminary approval is a final subdivision plat, change in zoning, or comprehensive plan amendment, any previously submitted building permit application shall be considered under the laws, ordinances, standards and fees in effect on the date that such plat, zoning or plan amendment is final. Any environmental impact mitigation measures imposed under the authority of the State Environmental Policy Act shall be based upon policies, plans, rules or regulations in effect on the date that the applicable determination of nonsignificance, mitigated determinations of nonsignificance or draft environmental impact statement is issued. Any development application is also subject to any special vesting exceptions of the Western Washington Municipal Stormwater Permit. Any application for a change in zoning, comprehensive plan amendment, or adoption or amendment of development regulations shall be reviewed subject to the comprehensive plan and other laws and policies in effect on the date that a final decision is rendered by the Olympia City Council. Any application for utility service extension or connection to serve property outside the limits of the City of Olympia shall be reviewed and

subject to regulations and standards as set forth in the applicable utility service or annexation agreement.

**Section 5. Subsection 18.02.180.C of the Olympia Municipal Code is amended as follows:**

**18.02.180 Definitions**

**C. Definitions – Specific**

**Caliper.** The American Association of Nurserymen standard trunk measurement of nursery stock. Caliper of the trunk shall be 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.** ~~Any use that substantially differs from the previous~~ A change in the use of a building or land that results in a different classification of permitted or conditional 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 shall be used. A change of ownership shall 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 to include 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.)

**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-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 Section 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.

~~Complete Application. A written application for a project permit which meets the procedural submission requirements of the City and is sufficient for continued processing even though additional information may be required or project modifications may subsequently occur. To be complete, an application must include all required information, elements, attachments and supplemental studies or reports as set forth in the applicable section of the Olympia Municipal Code and as described on the approved application form, including any environmental checklist required by OMC Chapter 14.04; all in sufficient detail for the reviewing authority to determine whether or not such application conforms with applicable regulations and standards. An application including such information which does not conform or is inconsistent with such regulations and standards shall nonetheless be deemed complete. See RCW 36.70A.440.~~

~~Complete Application, Date of. The date upon which the City has received all necessary information, forms, and fees required for the City to issue a determination of completeness. The date of complete application may precede the date upon which such determination is issued.~~

**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.

**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.** A building permit or engineering permit issued by the City of Olympia or other public agency authorizing specific physical alteration of land or alteration, installation, placement or creation of structures attached to land, including land covered by water.

~~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.

**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. Subsection 18.02.180.D of the Olympia Municipal Code is amended as follows:**

**18.02.180 Definitions**

**D. Definitions – Specific**

Dangerous Waste. Any discarded, useless, unwanted or abandoned substances, including but not limited to certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes:

- a. Have short-lived, toxic properties that may cause death, injury or illness or have mutagenic, teratogenic or carcinogenic properties; or
- b. Are corrosive, explosive, flammable or may generate pressure through decomposition or other means. (See also Hazardous Waste, Extremely.)

Date of Filing. The date that a complete and accurate application is submitted and appropriate fees paid.

Days. Consecutive calendar days unless otherwise stated.

Decorative Grille Work. Grille work which through the use of material, geometric pattern, configuration, embellishment, or artanship exceeds the normal functional requirements. Parallel vertical bars - resembling a jail cell pattern - are not considered decorative grille work.

Dedication. The deliberate appropriation of land by an owner(s) for any general and public uses, reserving to themselves no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property is to be devoted. The intent to dedicate shall be evidenced by the owner by the presentment for filing of a final plat, short plat or binding site plan which shows the dedication thereon. Acceptance by the public shall be evidenced by written approval issued by the City of such document for filing with the County Auditor.

Deficiency, Application. ~~The lack of an element or information which results in an application being deemed not complete, or which otherwise prevents meaningful review and rendering of a decision regarding the application.~~ A deficiency includes an element or information which is absent, is inaccurate or in some other aspect does not conform with applicable regulations and standards, and supplemental information or studies required to review an application. Erroneous or misleading information intentionally included in an application shall constitute a deficiency.

Department. The City of Olympia Community Planning and Development Department.

Design. The planning and engineering of street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignment and grades thereof; location and size of all required easements and rights-of-way; fire roads and fire breaks; lot size and configuration; vehicle access; grading; land to be dedicated for park or recreational purposes; building and other accessory physical requirements.

Design Review. The evaluation of a site, building, landscape design plan or sign program submitted to the Design Review Board or staff, which may approve or deny the plan in part, or make further design recommendations based upon adopted guidelines.

Design Review Board. A committee with a balance of design professionals (architecture, planning, engineering, landscape architecture) and citizens who are appointed by the City Council.

Detached. Any building or structure that does not have a wall and roof in common with any other building or structure and where exterior walls are separated by six (6) feet or more. (See Attached Structures; note that structures conforming with neither definition must conform with the requirements of this title for both types of structures).

~~Determination of Completeness. A written determination by the Director or Fire Chief or their respective designees that all required elements of an application have been received by the City. This determination initiates the statutory review period for the application, if any, and subject to certain exceptions, entitles the applicant to have the application considered and reviewed pursuant to the laws, regulations and standards in effect on the date the application was complete.~~

**Development.** The division of a parcel of land into two (2) or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill, clearing or land disturbance; or any change of use or extension of the use of land. (See also Improvement.)

**Development Area, WCF.** The area occupied by a wireless communications facility including areas inside or under the following: an antenna support structure's framework, equipment cabinets, ancillary structures and access ways.

**Development Code.** A text incorporating areas of regulation more typically presented in separate zoning and subdivision ordinances and related chapters of the Municipal Code.

**Development Coverage.** Except where the context indicates otherwise, "development coverage" has the same meaning as impervious coverage.

**Development Permit.** Any land use permit which must be approved prior to the improvement and development of land or structures.

**Director.** The Director of the City of Olympia Community Planning and Development Department, and the Director's designees.

**District or Zone.** A specific area designated on the official zoning map of the City as one (1) of the use districts as provided for in this title; such area is subject to all the requirements and regulations applicable to such district.

**Dormitory.** A residential structure intended principally for sleeping accommodations, where no individual kitchen facilities are provided, and which is related to an educational or public institution or is maintained and operated by a non-profit welfare organization.

**Drinking Establishment.** A business primarily engaged in the retail sale of alcoholic beverages for consumption on the premises, including night clubs, bars, and taverns. A lounge operated as part of a restaurant is considered to be accessory to the restaurant.

**Drinking Water Protection Area.** See OMC 18.32.205.

**Drip Line.** An imaginary ground line around a tree or building that defines the outermost limits of the tree canopy or building roof eave.

**Drive-in Theater.** An open lot devoted primarily to the showing of motion pictures.

**Drive-Through Restaurant.** See Restaurant, Drive-Through.

**Dwelling Unit.** See definition for single-family. Various types of housing or human shelter, which are listed below and categorized by use.

a. Dwelling, Conventional.

- i. Accessory Dwelling Unit. 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, sanitation and sleeping.
- ii. Apartment. A dwelling within a structure designed and used for occupancy by three (3) or more individual persons or families living independently of each other. These structures include triplexes, fourplexes, and other multi-unit configurations.
- iii. Boarding Home. Any home or institution, however named, which is advertised, announced or maintained for the express or implied purpose of providing board and domiciliary care to three (3) or more aged persons not related by blood or marriage to the operator, under the provisions of Chapter 18.20 RCW. It shall not include any home, institution or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution or section thereof. (See also Dwelling, Assisted Living.)
- iv. Co-Housing. Co-housing developments consist of two (2) or more dwelling units, one (1) or more shared community structures (e.g., containing a meeting hall, dining hall/kitchen, community center, or day care) and perhaps a community garden, recreation area, or similar community oriented use.
- v. Condominium. A development consisting of an undivided interest in common for a portion of a parcel coupled with a separate interest in space in a residential or commercial building on the parcel.
- vi. Cottage Housing Development. Four (4) or more small, detached dwelling units sharing a commonly owned courtyard/common area and parking area.
- vii. Courtyard Apartment. A dwelling within a structure or small detached structures on one (1) parcel designed and used for occupancy by four (4) or more individual persons or families living independently of each other. The units are oriented around a shared open space courtyard from which all ground floor units have primary entrances facing.
- viii. Duplex. One (1) building containing two (2) single-family dwelling units totally separated from each other by a one-hour fire wall or floor.
- ix. Guest House. Living quarters without kitchen facilities located on the same lot with a principal building and occupied for the sole use of members of the family, temporary guests, or persons permanently employed on the premises. (See also Accessory Dwelling Unit.)
- x. Manufactured Home. A single-family residence constructed after June 15, 1976, and installed in accordance with the U.S. Department of Housing and Urban Development (HUD) requirements for manufactured housing and bearing the appropriate insignia indicating such compliance.
- xi. Manufactured Home, Designated. A manufactured home constructed after June 15, 1976, in accordance with state and federal requirements for manufactured homes, and which meets the requirements of OMC 18.04.060.O.
- xii. Manufactured Home, New. Any manufactured home required to be titled under Title 46 RCW, which has not been previously titled to a retail purchaser, and is not a "used mobile home" as defined in RCW 82.45.032(2).

- xiii. **Mobile Home.** A single-family residence transportable in one (1) or more sections, built on a permanent chassis, designed to be used as a permanent dwelling and constructed before June 15, 1976.
- xiv. **Modular Home.** A structure constructed in a factory and installed in accordance with the applicable Building Code and bearing the appropriate insignia indicating such compliance. This definition includes "pre-fabricated," "panelized" and "factory built" units.
- xv. **Single-Family Dwelling.** A single unit providing complete, independent living facilities for a family, including permanent provisions for living, sleeping, cooking and sanitation.
- xvi. **Single-Room Occupancy.** A housing type consisting of one (1) room with cooking facilities and with shared bathroom facilities. (See also Boarding Home, Lodging House and Bed and Breakfast.)
- xvii. **Townhouse.** A single-family dwelling unit which is part of a group of two (2) or more such units separated by a completely independent structural wall (including utilities in separate walls), extending from the ground to the roof in accordance with the applicable Building Code and which has no doors, windows or other provisions for human passage or visibility through the wall. In certain zoning districts, such dwelling units are platted with common side and/or rear property lines between the structural walls. See Chapter 18.64.
- xviii. **Triplex.** One (1) building containing three (3) single-family dwelling units totally separated from each other by a one-hour fire wall or floor.
- xix. **Fourplex.** One (1) building containing four (4) single-family dwelling units totally separated from each other by a one-hour fire wall or floor.
- xx. **Sixplex.** One (1) building containing six (6) single-family dwelling units totally separated from each other by a one-hour fire wall or floor.
- b. **Dwelling, Transient.**
- i. **Bed and Breakfast.** A dwelling for the purpose of providing lodging for travelers and guests for a period of less than two (2) weeks for compensation and having at least one (1) kitchen used to provide breakfast but no other meals. Such dwelling shall have no more than five (5) such guest rooms for persons other than the immediate family of the operator occupying such dwelling. Any such dwelling having over five (5) such guest rooms is a hotel.
- ii. **Hotel.** Any building containing six (6) or more guest rooms where lodging, with or without meals, is provided for compensation, and where no provisions are made for cooking in any individual room or suite.
- iii. **Lodging House.** A dwelling having only one (1) kitchen and used for the purpose of providing lodging, or lodging and meals, for compensation for no more than five (5) persons other than the members of the immediate family of the operator occupying such dwelling. Any such dwelling having over five (5) such guests is considered a hotel. (See also Boarding Home.) [NOTE: A lodging house allows for an unlimited stay, unlike a Bed and Breakfast which is limited to two (2) weeks.]

- iv. Motel. Guest rooms or suites occupied on a transient basis often with most rooms gaining access from an exterior walkway. (See also Recreational Vehicle.)
  - v. Short-Term Rental. A lodging use, that is not a hotel or motel or bed and breakfast, in which a dwelling unit, or a portion thereof, is offered or provided to a guest by a short-term rental operator for a fee for fewer than thirty (30) consecutive nights. (This definition has the same meaning as RCW 64.37.010(9)). (See also Short-Term Rental Operator).
  - vi. Short-Term Rental – Homestay. A type of short-term rental wherein rooms are rented within a dwelling unit that is occupied by a property owner or long-term rental tenant residing in that dwelling unit.
  - vii. Short-Term Rental – Vacation Rental. A type of short-term rental wherein an entire dwelling unit or portion thereof is rented and there is no property owner or long-term tenant residing in that dwelling unit.
  - viii. Trailer House. See Recreational Vehicle.
- c. Dwelling, Assisted Living.
- i. Adult Day Care Home. A residence in which adults (at least 18 years in age) and who are not related to the caregiver stay for no more than 12 hours per day. Emergency medical care may be provided in such facilities, but not convalescent care. (See also Convalescent Home and Elder Care Home.)
  - ii. Convalescent Home. Any home, place, institution or facility which provides convalescent or chronic care, or both, for a period in excess of 24 consecutive hours for three (3) or more patients not related by blood or marriage to the operator, who by reason of illness or infirmity, are unable properly to care for themselves. Such establishment shall be duly licensed by the State of Washington as a "nursing home" in accordance with the provisions of Chapter 18.51 RCW.
  - iii. Congregate Care Facilities. A building or complex of dwellings specifically designed for occupancy by senior citizens which provides for shared use of facilities, such as kitchens, dining areas, and recreation areas. Such complexes may also provide kitchens and dining space in individual dwelling units. Practical nursing care may be provided, but not nursing care as described in Section 18.04.060(S).
  - iv. Elder Care Home. An elder care home or adult family home in the primary residence of a person licensed pursuant to Chapter 70.128 RCW to provide personal care, room, and board. Home health care and limited nursing care (dispensing of medicine and emergency medical aid) may be provided, but not convalescent care. (See also Convalescent Home, and Boarding Home.)
  - v. Group Homes. A place of residence for the handicapped, physically or mentally disabled, developmentally disabled, homeless, or otherwise dependent persons. Group Homes are intended to provide residential facilities in a home-like environment. Such homes range from licensed establishments operated with 24 hour supervision to non-licensed facilities offering only shelter. They shall not include correctional facilities (except as authorized by Chapter 137-56 and 137-57 WAC for work/training release programs), nursing homes, Type III group care facilities, foster family homes, or adult family homes as defined by the Washington State Department of Social and Health Services or its successor agency. Group homes include, but are not limited to the following:

- (a) Confidential Shelters. Shelters for victims of domestic violence as defined and regulated in Chapter 70.123 RCW and Chapter 388-61A WAC. Such facilities are characterized by a need for confidentiality.
- (b) Home for the Disabled. A home or other facility which provides board and domiciliary care to individuals who, by reason of infirmity, require such care. An infirmity may be based on conditions including, but not limited to, physical handicap, mental illness, and other developmental disabilities. These group homes are a type of boarding home, as defined and regulated in Chapter 18.20 RCW. However, boarding homes serving the aged infirm are not included in this definition.
- (c) Homeless Shelter. A facility offering lodging and/or emergency shelter to homeless individuals for an indefinite period of time and meeting the standards of Chapter 248-144 WAC.
- (i) Emergency Housing. Temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that are intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.
- (ii) Emergency Shelter. A facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.
- (d) Group Home for Youth. Any home maintained and operated for the care of children on a 24 hour basis as defined and regulated in Chapter 388-73 WAC and Chapter 74.15 RCW.
- (e) Group Home for Offenders. A home or other facility operated for housing and supervision of work/training release residents during their stay in a work/training release program as defined and regulated in Chapters 137-56 and 137-57 WAC.
- vi. Hospice Care Center. Facilities licensed under Chapter 70.41 RCW which provide for the emotional and physical care of terminally ill patients. Such centers provide food, lodging, and palliative care on a full-time (24 hour) basis for two (2) or more people, unrelated to the Center's operator, who are in the latter stages of a disease expected to cause death.
- vii. Nursing Homes. See Convalescent Home.
- viii. Rest Home. See Congregate Care.
- ix. Permanent Supportive Housing. Subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or

employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in Chapter 59.18 RCW.

x. Transitional Housing. This housing provides stability for residents for a limited time period, usually two weeks to 24 months, to allow them to recover from a crisis such as homelessness or domestic violence before transitioning into permanent housing. Transitional housing often offers supportive services, which enable a person to transition to an independent living situation.

**Section 7. Subsection 18.02.180.L of the Olympia Municipal Code is amended as follows:**

**18.02.180 Definitions**

**L. Definitions – Specific**

Lake. A naturally existing or artificially created body of standing water greater than twenty (20) acres in size. Lakes include reservoirs which exist on a year-round basis and occur in a depression of land or expanded part of a stream. A lake is bounded by the ordinary high water mark or the extension of the elevation of the lake's ordinary high water mark within the stream, where the stream enters the lake. All lakes meet the criteria of RCW Chapter 90.58 (Shoreline Management Act) and have been inventoried as "Shorelines of the State" found in the Shoreline Master Program, OMC 18.20.

Land Use Approval. A written approval or permit issued by the Director or Hearing Examiner, or designee thereof, finding that a proposed project is consistent with applicable plans, regulations and standards and authorizing the recipient to make use of property in a certain manner. The land use approval consolidates various non-construction permit reviews of a project such as design review, environmental review, zoning conformance, and site plan review. Land Use Approval is a permit which does not directly authorize construction or improvements to real estate, but which is a necessary and required precursor to authorization of such construction or improvement. ~~Land Use Approval includes, but is not limited to, applications for review and approval of a preliminary or final subdivision, short plat, binding site plan, conceptual or detailed master planned development, planned residential development, conceptual design review, site plan review, conditional use permit, variance, shoreline development permit, or other such reviews pertaining to land use.~~ Types of land use applications requiring land use approval are shown in OMC 18.XX.040.

Land Use Approval, Administrative. A Land Use Approval which may be issued by an authorized official or body, usually the Director, without an open record predecision hearing.

Land Use Approval, Quasi-Judicial. A Land Use Approval issued by an authorized official or body, usually the Hearing Examiner, following an open record predecision hearing.

Landscape Plan. A component of a site development plan on which is shown: proposed landscape species (number, spacing, size at time of planting, and plant details); proposals for protection of existing vegetation during and after construction; proposed treatment of hard and soft surfaces; proposed decorative features; grade changes; buffers and screening devices; and any other information that can reasonably be required in order that an informed decision can be made by the approving authority.

Landscape Structure. A fence, wall, trellis, statue or other landscape and ornamental object.

Landscaping. An area devoted to or developed and maintained predominantly with native or non-native plant materials including lawn, groundcover, trees, shrubs, and other plant materials; and also including accessory decorative outdoor landscape elements such as ornamental pools, fountains, paved or decorated surfaces (excluding driveways, parking, loading, or storage areas), and sculptural elements.

Landslide. Episodic down-slope movement of a mass of soil or rock that includes but is not limited to rockfalls, slumps, mudflows, earthflows and snow avalanches.

Large Lot Subdivision. The division of land into lots or tracts, each of which is 1/128 of a section of land or larger, or five (5) acres or larger if the land is not capable of description as a fraction of a section of land.

Laundry and Laundry Pick-up Agency. An enterprise where articles of clothing, linen, etc. are washed, including self-service laundries as well as those where customers drop off articles to be laundered either on or off the premises, or dry-cleaned off the premises only. This includes diaper services, but not the following, which are classified as Light Industrial uses: dry-cleaning plants, linen supply services, carpet and upholstery cleaning plants, and industrial launderers.

Legal Lot of Record. A lot of a subdivision plat or binding site plan or a parcel of land described in a deed either of which is officially recorded to create a separate unit of property, provided that such plat, site plan, or deed shall accord with applicable local, state or federal law on the date created. Separate descriptions of adjoining parcels within a single deed shall not necessarily constitute separate legal lots of record.

Local Improvement. A public improvement for the benefit of property owners provided to a specific area that benefits that area and that is usually paid for, at least in part, by a special assessment.

Lodging House. See Dwelling, Transient.

Long-Term Rental. A residential use, wherein a dwelling unit, or portion thereof, that is not a hotel, motel, bed and breakfast, or boarding home, is offered or provided to a person as a residence for a fee for thirty consecutive nights or more.

Lot. Lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall also include tracts and parcels. Lot classifications are as follows:

a. Lot, Corner. A lot that abuts two (2) or more intersecting streets.

b. Lot, Flag or Panhandle. A lot with less than thirty (30) feet of street frontage which is typically connected to a public or private street by a narrow driveway. A lot where access is only provided by a private easement is not a flag lot.

c. Lot, Interior. A lot that has frontage on one (1) public or private street only, or is provided access by a private easement.

d. Lot, Through. A lot that fronts on two (2) parallel or nearly parallel streets that do not intersect at the boundaries of the lot.

e. Lot, Wedge-shaped. A lot with a street frontage which is no more than half as wide as the lot's width at the rear property line, as depicted in Figure 2-5b.

#### FIGURE 2-5

Example of a Wedge-Shaped Lot

#### FIGURE 2-5b

Lot Frontage. See Frontage.

Lot Line. A line dividing one (1) lot from another lot or from a street right-of-way or alley. (See also Property Line.)

Lot of Record. A lot, the plat, or deed to which is officially recorded as a unit of property and is described by metes and bounds.

Lot, Substandard. A parcel of land that is less than the minimum area or minimum dimensions required in the zone in which the lot is located. (See also Minimum Lot Size, Undersized Lots in development standards.)

Lot Width. The straight line distance measured between side lot lines parallel to the front setback line. (See also Section 18.04.080(G)(1) and Table 4.04.)

Low Income Housing. See Affordable Housing.

**Section 8. Subsection 18.02.180.N of the Olympia Municipal Code is amended as follows:**

**18.02.180 Definitions**

**N. Definitions – Specific**

National Register of Historic Places. The national listing of properties deemed significant because of their documented importance to our history and architectural, engineering or cultural heritage, as administered by the Department of the Interior under the National Historic Preservation Act of 1966.

Native Vegetation. Vegetation comprised of plant species, other than noxious weeds, that are indigenous to the coastal region of the Pacific Northwest and which reasonably could have been expected to naturally occur on the site.

Neighborhood Association. A group of people organized for the purpose of considering and acting upon any of a broad range of issues affecting the livability and quality of their neighborhood. A neighborhood association may be "recognized" by the City if it meets the minimum standards and applicable guidelines adopted by the City in Chapter 18.86 OMC.

Net Site Area. The total area within the lot lines of a lot or parcel of land after public street rights-of-way or other areas to be dedicated or reserved for public use are deducted from such lot or parcel.

Nonconforming Building or Structure. A building or structure or portion thereof which was lawfully erected or altered and maintained, but because of the application of this title no longer conforms to the yard, height or area requirements of the use district in which it is located.

Nonconforming Lot. A lot which does not conform with the provisions of this Title or Subdivision Code.

Nonconforming Use. An activity in a structure or on a tract of land that was legally established, but because of the application of this title no longer conforms to the use regulations of the district in which it is located.

Nonprofit Institutions. A charitable organization formed and devoted to performing public service or to further private benevolent endeavors.

Non-Profit Physical Facilities. Facilities for physical education activities such as sports or health fitness, which are owned and operated by a non-profit organization.

Normal Maintenance. Those usual acts to prevent a decline, lapse or cessation from a lawfully established condition.

Normal Repair. To restore a development to a state comparable to its original condition within a reasonable period after decay or partial destruction, except where repair involves a near or total replacement which is not common practice or causes substantial adverse effects to the environment.

Notice of Application. A ~~written~~ notice that a complete project permit application has been received by the City, as required by RCW 36.70B.110. Procedures for a notice of application are provided in OMC 18.XX.130. ~~including, at minimum, the date of application, the date of the notice of completeness of the application, the date of the notice of application, a description of the proposed project, a list of permits requested by the applicant, a list of any studies requested by the City, identification of other permits known to be required for the project but not requested by the applicant, identification of existing environmental documents evaluating the proposal, the location where the application and any studies can be reviewed, a statement of the public comment period, a statement of the right of any person to comment on the application, receive notice of and participate in any hearing, request a copy of the decision once made, and of any appeal rights, the date, time, place, and type of any hearing scheduled at the date of the notice, a statement of the preliminary determination of those development regulations that will be used for project impact mitigation, a statement of whether an environmental impact statement will be required and a statement of any preliminary determination of consistency with plans and regulations of the City. [See RCW 36.70B.110].~~

Notice of Decision. A ~~written~~ notice of the City’s decision on a project permit application, as required by RCW 36.70B.130. Procedures for a notice of application are provided in OMC 18.XX.160. ~~including a statement of any SEPA threshold determination and any administrative appeals procedures~~

Noxious Weed Control. Those activities subject to review or action by the Thurston County Noxious Weed Board under RCW 17.10.

Number. See Section 18.02.080(H).

Nursery. Land or greenhouses used to raise flowers, shrubs, and plants for retail or wholesale. (See also Greenhouse.)

Nursing Home. See Convalescent Home, under Dwelling, Assisted Living.

**Section 9. Subsection 18.02.180.P of the Olympia Municipal Code is amended as follows:**

**18.02.180 Definitions**

**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, massage practitioners, 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 OMC Titles [17](#) and [18](#), 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 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 license approval required from the City for a project ~~action, such as a building permit, preliminary or final plat approval, binding site plan approval, conditional use approval, shoreline substantial development permit, land use approval or a site specific rezone authorized by the Olympia Comprehensive Plan. Adoption or amendment of a comprehensive or other municipal plan, subarea plan, or development regulation or imposition of impact or other fee is not a project permit.~~ [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 ~~approved by the City Council, 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, 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 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 shall be 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 ~~open to the public, with~~ for the express purpose of providing the public ~~given~~ an opportunity to ~~talk and participate~~ 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 Notice. The advertisement of a public hearing or meeting in a newspaper of general circulation, or through other media such as site posting and direct mailing, indicating the time, place, and nature of the public hearing.~~

**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 10. Subsection 18.02.180.R of the Olympia Municipal Code is amended as follows:**

**18.02.180 Definitions**

**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 (10) 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.

~~Review Authority. A person, committee, commission or council responsible for review and final action on a land use or development entitlement or permit.~~

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.

#### FIGURE 2-6

Roof. The outside top covering of a building.

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 11. Subsection 18.04.060.I of the Olympia Municipal Code is amended as follows:**

#### **18.04.060 Residential districts' use standard**

##### **I. CRISIS INTERVENTION SERVICES.**

Crisis intervention services shall not require a public hearing by the Hearing Examiner due to the need for location confidentiality. Applications for such facilities will be reviewed administratively and shall be allowed subject to the provisions of Chapter ~~18.48~~ 18.XX.180, Conditional Uses, upon licensing of the proposed facility by the State.

### **Section 12. Subsection 18.04.060.K of the Olympia Municipal Code is amended as follows:**

#### **18.04.060 Residential districts' use standard**

**K. GROUP HOMES.** Group homes are subject to the following requirements.

1. License. Authorization for group homes shall be subject to the issuance of a license and/or certification by all appropriate local, state, and/or federal agencies. Use shall be discontinued and vacated when local, state, or federal certification is withdrawn or expires. Uses not subject to such licensing and/or certification requirements shall be operated by government agencies or by organizations with a demonstrated capability to operate such programs (such as by having a record of successful operation of a similar program, or by maintaining a staff or board of directors with appropriate experience).
2. Group homes housing six (6) or more unrelated adults shall be considered Type I applications pursuant to OMC 18.XX.040. Group homes housing up to 20 unrelated persons All other group homes shall be considered Type II applications, group homes housing more than 20 unrelated persons shall be processed as an essential public facility.
3. Separation. Group homes, housing six (6) or more unrelated adults, shall be separated from other group homes as shown on Table 4.02 and Table 4.03, except as otherwise precluded by state or federal law. When one group home is in an R-4, R 4-8 or R 6-12 district and another is not, the more restrictive separation standard shall apply.
34. Lot Size. Group homes subject to conditional use approval with up to nine (9) residents, exclusive of on-site staff, shall have a minimum lot size of seven thousand two hundred (7,200) square feet. An additional five hundred (500) square feet of lot area is required for each resident above nine (9) residents.
45. Site Plan. A detailed site plan shall be submitted with the application. The Hearing Examiner may increase the Development Standards specified in Table 4.04 as necessary to ensure compatibility of the group home with surrounding uses.
- 5-6 Occupancy. Not more than twenty (20) residents shall be accommodated at one time, exclusive of required staff, in the R 4-8, R 6-12, MR 7-13, Neighborhood Center (NC), Urban Village (UV), Neighborhood Village (NV), and Community Oriented Shopping Center (COSC) districts.
67. Maintenance. The group home shall be maintained in reasonable repair and the grounds shall be trimmed and trash free.

<b>TABLE 4.02 GROUP HOME SEPARATION REQUIREMENTS - R-4, R 4-8, R 6-12 DISTRICTS</b>			
	<b>Offenders</b>	<b>Youth</b>	<b>Homeless</b>
Offenders	2 miles	1 mile	1/2 mile
Youth	1 mile	1 mile	1/4 mile
Homeless	1/2 mile	1/4 mile	1/4 mile

<b>TABLE 4.03 GROUP HOME SEPARATION REQUIREMENTS - ALL DISTRICTS EXCEPT R-4, R 4-8, AND R 6-12</b>			
	<b>Offenders</b>	<b>Youth</b>	<b>Homeless</b>
Offenders	2 miles	1 mile	None
Youth	1 mile	1 mile	None
Homeless	None	None	None

~~7.8.~~ Confidential Shelters. Applications for confidential shelters shall be processed administratively by the Department as shall be considered Type 1 applications pursuant to OMC 18.XX.040. Neither Public Notice Requirements nor a public hearing shall be required.

[NOTE: Also see Section 18.04.060(W), Essential Public Facilities.]

**Section 13. Subsection 18.04.060.T of the Olympia Municipal Code is amended as follows:**

**18.04.060 Residential districts’ use standard**

**T. PARKS AND PLAYGROUNDS.**

1. Neighborhood Parks. Neighborhood parks are allowed as permitted uses in the districts specified in Table 4.01, provided they comply with the following provisions. Proposed parks which do not comply with these provisions shall be processed as conditional uses.
  - a. The proposed park will not contain athletic fields which are lighted or designed for organized, competitive team sports (e.g., regulation size softball or soccer fields).
  - b. The proposed park site does not abut a convalescent/nursing home or hospital, except where the facility’s administrator indicates in writing that such a park would be compatible with the use.
  - c. The park will close by 10:00 p.m.
  - d. The park will contain no more than ten (10) parking spaces.
  - e. The park will be no larger than ten (10) acres.
2. Public Trails. Public trails are allowed as permitted uses in all residential districts provided that the parking area at the trail head(s) contains space for no more than ten (10) motor vehicles. Trails served by parking lots with capacity for more than ten (10) motor vehicles shall be conditional uses.
3. Public Open Space. Public open space is allowed as a permitted use in all residential districts provided that any associated parking area contains space for no more than ten (10) motor vehicles. Public open spaces served by parking lots with capacity for more than ten (10) motor vehicles shall be conditional uses.

4. Conditional Use Requirements. The following requirements apply to all public parks, playgrounds and recreation facilities subject to conditional use approval. [NOTE: Tennis, basketball and similar recreational courts and facilities built in conjunction with a residential development shall be considered as an accessory use and do not require conditional use approval, provided the use of the facilities is limited to residents of that development and their guests. Athletic facilities shall be deemed accessory to a place of worship if the use is limited to members and guests.]
- a. Outdoor play areas shall be sited and screened to protect the neighborhood from noise and other disturbances which would pose a nuisance for occupants of adjoining residences.
  - b. If food service facilities are proposed as part of the park, they shall be noted separately in the plans and given specific consideration by the ~~Hearing Examiner~~review authority.
  - c. If the facility will contain food service facilities or is intended to be used for tournaments, additional parking shall be provided as required by the ~~Hearing Examiner~~review authority.
  - d. The ~~Hearing Examiner~~Decision Authority shall approve recreational facilities only if the proposed facility will not have a significant adverse effect on the immediate neighborhood.

**Section 14. Subsection 18.04.060.U of the Olympia Municipal Code is amended as follows:**

**18.04.060 Residential districts' use standard**

**U. PLACES OF WORSHIP**

The following requirements apply to all places of worship subject to conditional use approval.

1. Location. Before a place of worship may be located in an R-4, R 4-8, R 6-12, MR 7-13 or MR 10-18 district, at least one (1) of the following locational criteria shall be met:
  - a. The proposed place of worship shall be located within three hundred (300) feet of an arterial street, major collector street, or an access point on a highway; or
  - b. The site is within three hundred (300) feet of a school and/or park; or
  - c. The place of worship was the legal owner of the property prior to June 20, 1961.
2. Plan Review. Plans showing the site layout and design of proposed buildings shall be submitted for approval ~~to the Hearing Examiner and the Director~~.
3. Size. The minimum lot size shall be twenty thousand (20,000) square feet.
4. Dwelling Units. Any dwelling in conjunction with a place of worship shall comply with the provisions governing residential uses in the district where it is located.

5. Conversion. No existing building or structure shall be converted to a place of worship unless such building or structure complies or is brought into compliance with the provisions of this code and any other applicable City regulations.
6. Screening. There shall be sight-obscuring screening along the perimeter of parking lots adjunct to a place of worship which are located across the street from or abutting a residential use. (See Chapter [18.36](#), Landscaping and Screening.)
7. Associated Uses. Uses sponsored by a place of worship such as day-schools, auditoriums used for social and sports activities, health centers, convents, preschool facilities, convalescent homes and others of similar nature shall be considered separate uses subject to the provisions of the district in which they are located. (See Section [18.04.060\(D\)](#) which provides for child care centers as accessory uses.)

**Section 15. Subsection 18.04.060.W of the Olympia Municipal Code is amended as follows:**

**18.04.060 Residential districts' use standard**

**W. PUBLIC FACILITIES, ESSENTIAL.**

The following essential public facilities are allowed subject to the conditions below and any other applicable provisions of this code: Colleges; group homes (not including secure community transition facilities); sewage treatment facilities; communication towers and antennas; state highways; and railroad lines. Essential Public Facilities shall be considered Type III applications pursuant to OMC 18.XX.040.

1. Classification of Essential Public Facilities. Essential public facilities shall be classified as follows:
  - a. Type ~~one~~A: These are major facilities serving or potentially affecting more than one (1) county. They include, but are not limited to, regional transportation facilities; state correction facilities; and colleges.
  - b. Type ~~two~~B: These are local or interlocal facilities serving or potentially affecting residents or property in more than one (1) jurisdiction. They include, but are not limited to, county jails, county landfills, community colleges, sewage treatment facilities, communication towers, and group homes. [NOTE: Such facilities which would not have impacts beyond the jurisdiction's boundary would be Type ~~three~~C facilities.]
  - c. Type ~~three~~C: These are facilities serving or potentially affecting only Olympia. In order to enable the City to determine the project's classification, the applicant shall identify the approximate area within which the proposed project could potentially have adverse impacts, such as increased traffic, public safety risks, noise, glare, or emissions.
2. Notification. Prospective applicants for Type ~~One~~A or Type ~~Two~~B essential public facilities shall provide early notification and involvement of affected citizens and jurisdictions as follows:

- a. At least ninety (90) days before submitting an application for a Type ~~One-A~~ or Type ~~Two B~~ essential public facility, the prospective applicant shall notify the affected public and jurisdictions of the general type and nature of the proposed project. This shall include identification of sites under consideration for accommodating the proposed facility, and the opportunities to comment on the proposal. Applications for specific projects shall not be considered complete without proof of a published notice regarding the proposed project in a local newspaper of general circulation. This notice shall include the information described above and shall be published at least ninety (90) days prior to submission of the application.

[NOTE: The purpose of this provision is to enable potentially affected jurisdictions and the public to collectively review and comment on alternative sites for major facilities before the project sponsor has made a siting decision. The Thurston Regional Planning Council may provide the project sponsor and affected jurisdiction(s) with their comments or recommendations regarding alternative project locations during this ninety (90) day period.]

3. Critical Areas. Essential public facilities shall not have any probable, unmitigatable, significant adverse impact on Critical Areas.
4. Proximity to Arterials. Essential public facilities which are expected to generate more than five hundred (500) motor vehicle trips during the hour of peak traffic generation shall be sited within one-fourth (1/4) mile of a highway or arterial street served, or planned to be served, by mass transit.
5. Analysis of Alternative Sites. Applicants for Type ~~One-A~~ essential public facilities shall provide an analysis of the alternative sites considered for the proposed facility. This analysis shall include the following:
  - a. An evaluation of the sites' capability to meet basic siting criteria for the proposed facility, such as size, physical characteristics, access, and availability of necessary utilities and support services;
  - b. An explanation of the need for the proposed facility in the proposed location;
  - c. The sites' relationship to the service area and the distribution of other similar public facilities within the service area or jurisdiction, whichever is larger;
  - d. A general description of the relative environmental, traffic, and social impacts associated with locating the proposed facility at the alternative sites which meet the applicant's basic siting criteria. The applicant shall also generally describe proposed mitigation measures to alleviate or minimize significant potential impacts; and
  - e. A description of the process used to identify and evaluate the alternative sites.

**Section 16. Subsection 18.04.060.CC of the Olympia Municipal Code is amended as follows:**

**18.04.060 Residential districts' use standard**

**CC. SCHOOLS.**

The following requirements apply to all academic schools subject to conditional use approval. Colleges shall also be subject to the following conditions when locating in a residential or village district (listed in this Chapter and Chapter [18.05](#)).

1. **Site Size.** Middle and high schools in residential and village districts (listed in Chapters [18.04](#) and [18.05](#)) and elementary schools in all districts shall have a minimum site size of one (1) acre per one hundred (100) students (e.g., one (1) to one hundred (100) students requires a one (1) acre site; a two (2) acre site is needed for an enrollment of one hundred and one (101) students to two hundred (200) students. The ~~Hearing Examiner Decision Authority~~ may allow smaller school sites if the applicant demonstrates that:
  - a. The size of the site is sufficient to accommodate proposed facilities and activities without creating significant adverse impacts upon residents of adjoining properties; and
  - b. The proximity and typical impact (e.g., noise, glare, and emissions) of adjoining uses would not routinely disrupt students.
2. **Outdoor Play Area.** Sites accommodating elementary schools with ten (10) or more students shall contain at least two (2) square feet of open space (consistent with Section [18.04.080\(J\)\(1\)](#)) for every one (1) square foot of floor area devoted to classrooms. This open space shall contain an outdoor play area (open or covered) equipped with play equipment suitable for the students' age group. No dimension of such play areas shall be less than twenty (20) feet.
3. **Building Size.** The building, or the portion of the building used as a school, shall contain at least eighty (80) square feet of gross floor area per student enrolled at the school. The ~~Hearing Examiner Decision Authority~~ may allow a smaller building size if the applicant demonstrates that less space is needed to accommodate the proposed school.
4. **Screening.** Any portion of the site which abuts upon a residential use shall be screened. (See Chapter [18.36](#), Landscaping and Screening.)
5. **Portables.** Portable classrooms are permitted as accessory uses for an existing school. However, installation of more than ten (10) portables per school shall require [type II](#) conditional use approval. All portables and other accessory buildings must comply with screening requirements in 4. above.
6. **Building Expansion.** Building expansion depicted in a City-approved master plan or comprising no more than ten (10) percent of a preapproved floor plan is permitted. ~~Greater expansion shall require a type II conditional use approval. All incremental expansions are considered cumulative.~~

**Section 17. Subsection 18.04.080.A of the Olympia Municipal Code is amended as follows:**

**18.04.080 Residential districts development standards**

Table 4.04 identifies the basic standards for development in each residential district contained in this chapter. The sections referenced in Table 4.04 refer to the list of additional regulations below.

A. Maximum Housing Densities.

1. Calculation of Maximum Density.

- a. The maximum housing densities specified in Table 4.04 are based on the total area of the entire site, including associated and/or previously dedicated right-of-way, but not including streams, wetlands, landslide hazard areas, "important habitat areas," and "important riparian areas" and land to be dedicated or sold for public parks, schools or similar non-residential uses.
- b. Convalescent homes. Convalescent homes and nursing homes containing dwelling units which rely on shared cooking/dining facilities shall count as one (1) dwelling unit for purposes of the maximum density calculation. Independent dwelling units (i.e., containing a bed, bathroom and a kitchen with a sink, stove, and refrigerator) in convalescent/nursing homes, however, shall be counted as individual dwelling units in the density calculation. The density for a site or parcel containing a convalescent/nursing home which is part of a larger project shall be calculated separately from other portions of the site under development (i.e., density shall not be transferred from a site occupied by a nursing home to another portion of the development).

2. Mixed Residential and Multifamily Districts. The maximum housing densities shown in Table 4.04 refer to the maximum density of each project. Projects within multiple districts shall conform with the density for the portion in each district.

3. Accessory Dwelling Units. Accessory dwelling units built on infill lots are not subject to the maximum density limits specified in Table 4.04. In addition, accessory units built on a maximum of twenty (20) percent of a subdivision's lots prior to the time the primary unit on the lot is initially sold are not subject to the maximum density limitations.

4. Density Bonuses. The maximum housing densities identified in Table 4.04 may be increased as follows, provided, however, that in the R 4-8 District, TDRs must be obtained (see Section [18.04.080\(A\)\(5\)](#)):

- a. Restoration of Critical Areas. At the request of the applicant, the Hearing Examiner may grant a density bonus of up to twenty (20) percent for sites on which damaged or degraded wetlands or stream corridors (e.g., streams and stream banks within the outer limits of any required buffer) will be restored and maintained according to specifications approved by the City. Applications for this density bonus shall be considered Type III applications pursuant to OMC 18.XX.040, except as provided in OMC 18.04.080.A.4.b-d. Sites proposed for this density bonus shall be posted with a notice describing the proposal and opportunities for the public to comment. Property owners within three hundred (300) feet of the site shall be given notice of the proposal and fifteen (15) days to comment. Such notice may be done concurrently with any other notice required by this Code. Prior to taking action on a request for ~~a~~this density bonus, the Hearing Examiner shall consider the public's comments, the expected public benefit that would be derived from such restoration, the probable net effect of the restoration and the increased density on the site, the relative cost of the restoration and the value of the increased density, and the potential impact of increased density on surrounding land uses, traffic, infrastructure,

schools, and parks. The City may require the applicant to provide an estimate of the cost of the proposed restoration and other information as necessary to make this determination. This bonus does not apply to site features which were damaged in the course of a current project (e.g., under an active permit) or as a result of an illegal or intentional action by the current property owner or their representative.

- b. Cottage housing. Cottage housing projects shall receive a twenty (20) percent density bonus.
- c. Townhouses. Townhouses shall receive a fifteen (15) percent density bonus in the R 4-8 and R 6-12 districts.
- d. Low income housing. A density bonus shall be granted for low income housing (see Section [18.02.180](#), Definitions) at the rate of one (1) additional housing unit allowed for each unit of low income housing provided, up to a maximum of a twenty (20) percent bonus.

The applicant shall submit to the Department a document approved by the City Attorney stating that the low income housing which is the basis for the density bonus shall remain for a period of at least twenty (20) years from the date the final inspection is conducted by the Building Official. This document shall be recorded, at the applicant's expense, at the Thurston County Auditor's Office as part of the chain of title of the affected parcels.

- 5. Transfer of Development Rights. Development Rights must be obtained from an eligible property owner in a Thurston County Transfer of Developments Rights (TDR) Sending Zone in order to develop above eight (8) units per acre in an R 4-8 District. However, this requirement does not apply to density bonuses granted in accordance with Section [18.04.080](#)(4). With one (1) TDR credit, a density of nine (9) units per acre can be achieved in the Residential 4-8 District.
- 6. City staff will review residential permitting in areas designated as Low Density Neighborhood in the adopted Comprehensive Plan Future Land Use Map on an annual basis to review the achieved density. If achieved density approaches or exceeds the density anticipated in the comprehensive plan, the city will make revisions as needed to maintain consistency between the Comprehensive Plan and development regulations.

**Section 18. Subsection 18.04.080.I of the Olympia Municipal Code is amended as follows:**

**18.04.080 Residential districts development standards**

- I. Height.
  - 1. Roof Projections. The following structures may exceed the height limits specified for the district in Table 4.04 by eighteen (18) feet, provided that such structures do not contain floor space: roof structures housing elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building; fire or parapet walls; skylights; towers; flagpoles; chimneys; smoke stacks; wireless masts; television antennas; steeples; and similar structures. Use of this provision must be kept to the minimum amount of space

needed to accommodate the allowed roof projection. For the UR zoning district, see view protection provisions in section 18.04.080.I.3 below for additional parameters.

#### FIGURE 4

##### 2. RMU District Height Regulations.

- a. Base building heights. The base building heights allowed in the RMU District are specified in Figure 4-5.
- b. Sculptured building tops. The following sculptured building top regulations apply only where the permitted building height is sixty (60) feet.

Buildings with sculptured tops may exceed the permitted height (60 feet) by two (2) building stories if they meet the following conditions:

- i. The gross floor area of all of sculptured stories is at least one-third (1/3) less than the gross floor area of the first floor of the building; and
- ii. The roof form is sculptured (e.g., pitched roof, hip roof, dome, chateau roof, tower, turret, pediment, dormers, or other similar form); and
- iii. The added two (2) stories are setback from the street wall at least eight (8) feet; and
- iv. The roof structure is designed to hide all mechanical and communications equipment located there.

##### 3. UR District Height Regulations. The building heights allowed in the UR District are specified in Figure 4-5 and 45-A. Also see 18.10.060, Capitol Height District.

- a. Roof Projection Allowances: If the City determines that the proposed development is located on a site in the UR zone where use of the roof projection allowance is proposed and that it may impact a protected landmark view (as listed in Appendix B of the Land Use and Urban Design chapter of the Comprehensive Plan), a view analysis must be submitted that demonstrates, as determined by the city, that the proposed roof projection will not block or substantially impact the protected view from its designated observation point in order to make use of the roof projection allowances of Section 18.04.080.I.

##### 4. R4-8 District Height Regulations. Existing State Community College Education Facilities. A maximum 60' building height is allowed with a 100' setback from adjacent residentially zoned property.

##### 5. Places of Worship. Places of worship may exceed the height limits specified in Table 4.04, except in the State Capitol Group Height District, provided that the side yard width equals at least fifty (50) percent of the building's proposed height (including spires and towers).

6. Radio, Television and other Communication Towers. The height of radio, television, and other communication towers may exceed the maximum building height allowed in the district, subject to approval of the Hearing Examiner-Decision Authority consistent with Sections 18.04.060(W) and (X) and processed as a type II CUP.
7. Tall Buildings in the MR Districts. Buildings between thirty-five (35) and forty-five (45) feet in height are permitted in the MR 7-13 and MR 10-18 districts, subject to compliance with the following requirements:

Urban Residential and Residential Mixed Use District Heights

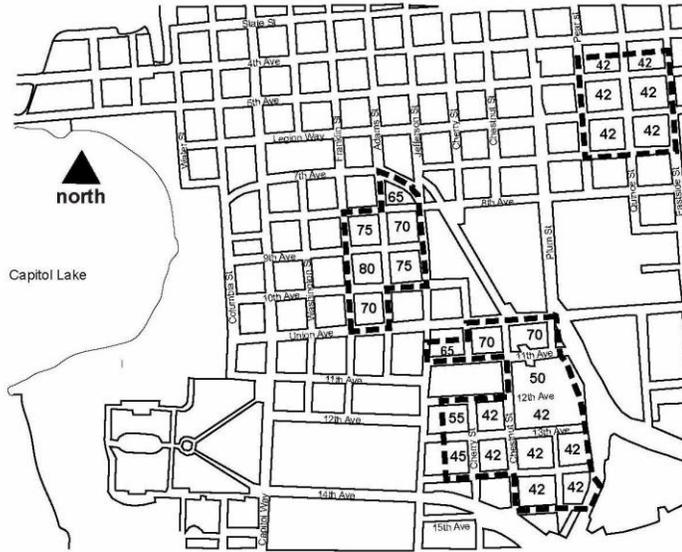
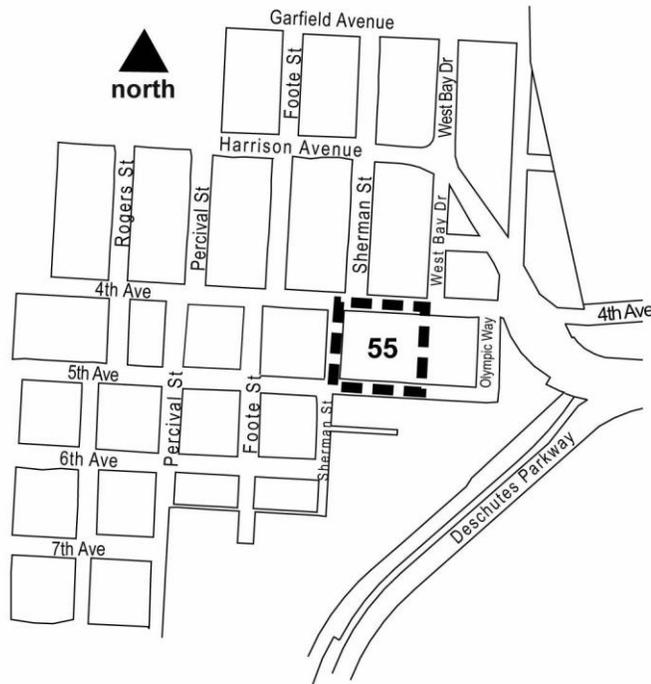


FIGURE 4-5



**FIGURE 4-5A**

- a. The proposed building will not be located within one hundred (100) feet of the boundary of the property under development (this may include several parcels under a single development proposal). Exceptions to this requirement shall be granted where topography, stands of trees (deemed appropriate for retention by the City, consistent with Chapter [16.60](#), Tree Protection and Replacement), or other site features block the visibility of the section of the building above thirty-five (35) feet in height from existing or potential residential areas (zoned and available for residential use) adjoining the site; and
  - b. Existing evergreen trees, which the City deems are appropriate to the site (e.g., which do not pose significant risks for proposed site improvements or public safety, consistent with Chapter [16.60](#), Tree Protection and Replacement) are retained where possible to help screen the building from the view of residents of dwellings abutting the property.
8. Water Towers. Water towers may exceed the height limits specified in Table 4.04.

[NOTE: Refer to Article III, Height Overlay Districts, for additional restrictions.]

**Section 19. Subsection 18.06.060.B of the Olympia Municipal Code is amended as follows:**

**18.06.060. Commercial districts’ use standards**

**B. Adult Oriented Businesses.**

1. Location. Adult oriented businesses may be permitted, but only if the following separation and distance conditions are met:

- a. No adult oriented businesses shall be located closer than one thousand (1,000) feet to another such business whether such other business is located within or outside the city limits.

Said distance shall be measured by following a straight line from the nearest point of public entry into the structure which will house the proposed adult facility to the nearest point of public entry into the structure housing another adult facility.

b. No adult oriented businesses may be located closer than two hundred fifty (250) feet from the nearest point of the boundary of a General Commercial (GC, or High Density Corridor-4 (HDC-4) district; PROVIDED, this restriction shall not apply to a proposed business with respect to a particular zone boundary when the proposed site of the business is separated from said boundary by an arterial street of at least four (4) travel lanes in width.

c. No adult oriented businesses shall be located closer than three hundred thirty (330) feet of any of the following uses whether such use is located within or outside the city limits:

- i. Any residential use;
- ii. Family child care home;
- iii. Child day care center;
- iv. Preschool facility; and
- v. Nursery school;
- vi. The point of ingress to or egress from any public trail identified in the city's Comprehensive Plan, Urban Trails, except when such point is separated from the proposed business by a four-lane or wider street arterial.

d. No adult oriented businesses shall be located closer than one thousand three hundred twenty (1,320) feet to any of the following uses whether such use is located within or outside the City limits:

- i. Public park;
- ii. Public or private primary or secondary schools, colleges and universities; and
- iii. Places of worship (e.g., church, temple or synagogue or other facility primarily devoted to the teaching or practice of religious beliefs);
- iv. Public library

e. Such distance shall be measured by following a straight line distance between the point of public entry into the structure housing the adult facility and:

- i. The nearest point on a property line of a public park; or
- ii. The nearest point of public entry to any residential use, public library, child day care home, child day care center, preschool, nursery school, public or private primary or secondary school, college, university, church, temple, or synagogue, or other facility primarily devoted to the teaching or practice of religious beliefs, or the nearest point on the perimeter of the area actually used in conjunction with any such use, whichever is closer.

For purposes of this ordinance, "actually used in conjunction with" means areas used for the primary and related structures, yards, parking lots, designated play areas and other areas used to determine site coverage under this code.

f. Waiver of Distance Requirements. The following procedures and criteria shall be adhered to with regard to a request for waiver of distance requirements:

- i. Distance waiver required. Any party proposing to locate an adult facility within less than the required distances from uses or zones as specified in this ordinance may do so only after obtaining a waiver therefor from the Hearing Examiner through a conditional use permit. Application for this type of waiver shall be considered a Type III application pursuant to OMC 18.XX.040.
- ii. ~~Waiver notice requirements. In addition to the notice requirements for conditional use permits, first class mailing notice shall be made to all parties within either distance set forth in subsections 18.06.060(B)(1)(c) and (d), depending upon the use~~

~~in question. The applicant shall provide the names and addresses of all property owners and businesses within said distances from the proposed use.~~

~~iii-~~ Criteria for decision. The final decision on the request for waiver of distance shall be made by the Hearing Examiner, based on consideration of the following:

- (a) The extent to which physical features would result in an effective separation in terms of visibility and access.
- (b) Compatibility with adjacent and surrounding land uses.
- (c) The availability or lack of alternative locations for the proposed use.
- (d) Ability to avoid the adult facility by alternative vehicular and pedestrian routes.

2. Intervening Uses. Uses and zones specified in Subsection 18.06.060(B)(1)(c) and (d) shall not be allowed to locate within the specified distances of an adult oriented business. Any party proposing to locate such a use or zone within the specified distances of an adult facility is considered an intervening use and may do so only after obtaining a distance waiver pursuant to the provisions of Subsection 18.06.060(B)(1)(f) of this code regarding waiver of distance requirements; provided, that notice requirements shall conform with the provisions of Section 18.78.020 of the Olympia Municipal Code; and provided further, that the owner seeking to expand a sensitive use specified in Subsections 18.06.060(B)(1)(c) or (d) into a separation area provided herein need not procure a waiver of distance requirement under (B)(1)(f) herein if such expansion is to be done on the same parcel on which the sensitive use is located and no new lots are thereby created.

3. Adult Oriented Businesses - Forbidden in Other Zones. The allowance of adult oriented businesses shall be limited to the General Commercial (GC, or High Density Corridor-4 (HDC-4) zones and such uses are forbidden in all other zones within the City of Olympia.

**Section 20. Section 18.38.080 of the Olympia Municipal Code is amended as follows:**

**18.38.080 Administrative modifications**

- A. Project applicants may request an administrative modification to increase or decrease the number of parking spaces for motor vehicles, bicycles and loading otherwise required by this chapter. No modification is required to increase or decrease the number of required spaces by up to ten percent. Modifications greater than forty percent may only be granted ~~by the Hearing Examiner and only pursuant to the criteria of OMC Chapter 18.66 through a Type III application for a variance (see OMC 18.XX.XX).~~
- B. Administrative Modifications. A modification to increase or decrease the number of required parking spaces within the range of 10 percent to 40 percent shall be considered by the Director at the request of the project applicant. This type of request shall be considered as a Type I application pursuant to OMC 18.XX.040. The project applicant shall present any modification request, and any evidence and reports, prior to any final, discretionary approvals, such as land use approval, environmental review, or construction permits.
  - 1. The general criteria for an administrative modification request are:
    - a. Modification requests may be granted based on the effectiveness of proposed transportation demand management strategies, significance and magnitude of the proposed modification, and compliance with this chapter.

- b. Modification requests may be denied or altered if the Director has reason to believe based on experience and existing development practices that the proposed modification may lead to excessive or inadequate parking or may inhibit or prevent regular and intended functions of either the proposed or existing use, or adjacent uses.
2. Submittal Requirements. A report shall be submitted by the applicant providing the basis for more or less parking and must include the following:
- a. For modification requests of up to 20 percent:
    - i. Describe site and use characteristics, specifically:
      - (A) Site accessibility and proximity to transit infrastructure and transit times;
      - (B) Site accessibility and proximity to bicycle and pedestrian infrastructure;
      - (C) Shared and combined parking opportunities; and
      - (D) Employee or customer density and transportation usage and patterns.
    - ii. Describe and demonstrate alternative transportation strategies such as carpooling, flexible work schedules, telecommuting, or parking fees, if used;
    - iii. Demonstrate compliance with commute trip reduction measures as required by state law, if applicable;
    - iv. Identify possible negative effects on adjacent uses and mitigation strategies, if applicable; and
  - b. For modification requests greater than 20 percent and up to 40 percent:
    - i. Provide the contents of a 20 percent or less request;
    - ii. If increasing, provide a parking demand study prepared by a transportation engineer licensed in the state of Washington, which supports the need for more parking; or
    - iii. If decreasing, show that the site is or within six months of occupancy will be within a one-quarter-mile walk to transit service verified by Intercity Transit, and that the site is more than 300 feet from a single-family residential zone.
3. To mitigate the need for motor vehicle parking or to minimize hard surfaces, the Director may require measures, such as more efficient parking geometrics and enhanced bicycle parking and pedestrian amenities. As a condition of approval of any increase in motor vehicle parking, at minimum the Director shall require the compliance with the provisions below. Any exceptions shall be based on site and project constraints identified and described in the approval.
- a. Double the amount of required interior landscaping for that area of additional parking. This additional area may be dispersed throughout the parking area. Fifty percent of this requirement may be in the form of parking spaces surfaced with a driveable planted pervious surface, such as 'grasscrete' or 'turbblock.'
  - b. Without unduly compromising other objectives of this Chapter, 90 percent of the parking area shall be located behind a building. Any parking area along a flanking street shall have added landscaping and a superior design to strengthen pedestrian qualities, such as low walls, arcades, seating areas, and public art.
  - c. Any preferential parking shall be located near primary building entrances for employees who ride-share.
  - d. In locations where bus service is provided, the applicant shall install a transit shelter meeting Intercity Transit standards if none is available within 600 feet of the middle of the property abutting the right-of-way. Alternative improvements may be accepted if supported by Intercity Transit's Director.

~~4.—Public Notification and Appeals. Property owners within three hundred (300) feet of a site shall be notified by mail of modification within 14 days of receipt of any request to increase or decrease parking by twenty-one (21) to forty (40) percent. Written notice of the Director's decision shall be provided to~~

~~the applicant and all interested parties of record. Administrative modification decisions may be appealed pursuant to OMC Chapter 18.75.~~

**Section 21. Subsection 18.40.060.E of the Olympia Municipal Code is amended as follows:**

**18.40.060 General standards**

**E. Outdoor Storage.**

1. Except as provided in the underlying district, there shall be no outdoor storage of goods or materials, and there shall be no warehousing or indoor storage of goods or materials beyond that normally incidental to the uses permitted in each underlying district. Permitted outdoor storage must be screened from view of any public way.
2. Materials covered by buildings with roofs but without sides shall be considered outdoor storage and shall be subject to the screening provisions of this section. This provision shall not apply to display of new or used motor vehicles or watercraft where such activities are an integral part of an automobile or watercraft dealership. Refuse may be stored in cans outdoors, provided that they are enclosed in a screened enclosure area.
3. Storage in residential areas shall comply with the same requirements as those specified for business establishments and shall, in addition, comply with the following:
  - a. Motor vehicles, appliances, and any other mechanical equipment which is no longer operable or licensed shall not be stored outside for a period exceeding thirty (30) days;
  - b. Operable motor vehicles, boats, trailers, recreational vehicles and the like may be stored on the premises provided that they do not obstruct the use of public right-of-way or interfere with traffic visibility, especially the visibility of and at intersections of streets. Vehicles, boats, and the like, so stored shall not be used for living quarters. The storage of boats with a beam exceeding eight (8) feet may be permitted only ~~if it is determined by the Hearing Examiner that such storage will not be detrimental to surrounding property or the neighborhood. In no event shall such vehicles, boats and the like be stored within less than five (5) feet of any side or rear property line without written approval of the occupant of the adjoining property. by approval of a Type II conditional use permit application pursuant to OMC 18.XX.040.~~
4. Storage in or on the public right-of-way is prohibited. All vehicles, boats, trailers, recreational vehicles, household and business equipment, landscape material and any other personal items shall not be placed within a public right-of-way longer than twenty-four (24) hours. Stored item(s) shall be tagged by the police and a warning issued to remove within seventy-two (72) hours. Failure to do so will result in removal by the city at the owners expense. (Also see RCW [46.55.085.](#))

**Section 22. Subsection 18.43.080.I of the Olympia Municipal Code is amended as follows:**

**18.43.080 Commercial Signage**

- I. Real Estate Signs. Where permitted, the following standards shall apply:

1. Permits and Temporary Sign Agreements - not required (see 18.43.040).
2. Materials - all exterior real estate signs must be of wood or plastic or other durable material.
3. Placement - signs may not be attached to a utility pole or traffic safety device or interfere with traffic safety.
4. Real Estate signs shall not be specifically illuminated, either internally or externally.
5. Residential properties:
  - a. For Sale and Sold signs
    - Maximum size – ten (10) square feet, provided that if a single faced sign, sign shall not exceed 5 square feet.
    - Height – seven (7) feet maximum.
    - Placement - signs shall be placed wholly on the property for sale. If sign is greater than five (5) square feet in sign surface area, it must be placed more than thirty (30) feet from the abutting owner’s property line.
  - b. Directional Open House Signs
    - Maximum size - ten (10) square feet, provided that if a single faced sign, sign shall not exceed five (5) square feet.
    - Height – four (4) foot maximum.
    - Placement - signs may be placed no less than ten (10) feet from the traveled portion of public rights-of-way, provided it does not interfere with traffic safety.
    - Hours - permitted only during daylight hours and when the broker, agent, or seller is in attendance at the property for sale.
    - Number of signs - one (1) sign per street frontage on the premises for sale and three (3) off-premise signs. However, if a broker/agent has more than one (1) house open for inspection in a single development of subdivision, the broker/agent is limited to four (4) off-premises open house signs in the entire development or subdivision.
6. Commercial and Industrial Properties:
  - a. For Sale, Rent, or Lease Signs
    - Maximum size – fifty (50) square feet, provided that if a single faced sign, sign shall not exceed thirty-two (32) square feet.
    - Height – eight (8) foot maximum.

- Placement - for all commercial and industrial properties, if the sign is freestanding, it shall be located more than fifteen (15) feet from public rights-of-way and from any abutting property line if the adjacent property is developed. These signs can be single or double sided and can be angled to maximize readability to motorists (in the shape of a “v”) as long as the sign meets this setback criteria. For developed commercial and industrial properties, if the face of the building is less than fifteen (15) feet from the property line, the sign shall be placed on the building or in a window.
  - Removal - signs shall be displayed only while the property is actually for rent or sale.
  - Number of signs - one (1) sign per street frontage while the property or building is actually for sale, rent, or lease.
7. Additional Real Estate Signs - The ~~Hearing Examiner~~Director may grant a ~~special Type I use~~ permit to allow temporary off-premises signs in addition to those permitted above. ~~Notice of adjacent property owners shall not be required.~~ Such additional signs may be used to advertise open houses, to provide directions to new developments, or for similar purposes. Such signs may be placed no less than ten (10) feet from the traveled portion of the public right-of-way, provided they do not interfere with traffic safety, but they may not be attached to utility poles or traffic safety devices. The ~~Hearing Examiner~~Director shall determine the number and locations of such signs, and the period during which they may be displayed. The ~~Hearing Examiner~~Director shall take into account the number of existing signs in any proposed location, and shall limit or prohibit new ones so as to prevent a traffic hazard or a detrimental effect on neighboring property.

**Section 23. Subsection 18.43.140.D of the Olympia Municipal Code is amended as follows:**

**18.43.140 Master Sign Permits**

- D. Master sign plans shall be reviewed by the City through a Land Use Review process ~~before the Site Plan Review Committee~~as a ~~Type II application pursuant to OMC 18.XX.040~~, based on the following considerations:
1. Response to the issues identified in subsection B, above.
  2. Tree canopy and tree size at maturity.
  3. Fire and building code requirements.
  4. Location of existing above and underground utilities, including stormwater infrastructure.
  5. Public health, safety, and welfare.

**Section 24. Section 18.56.080 of the Olympia Municipal Code is amended as follows:**

**18.56.080 Final PRD approval**

- A. Application. Application for final PRD approval:
1. For any portion of the PRD which is to be platted, approval of the final plat shall constitute final development plan approval for the platted portion of the PRD. Application requirements shall be as provided for final plat approval under City Ordinance.
  2. For any portion of the PRD which is not to be platted, approval of a binding site plan shall constitute final development plan approval. The Director may attach terms and conditions to the approval of the site plan if necessary to insure compliance with the preliminary PRD. Review of the site plan shall be as provided in Chapter [18.60](#), Site Plan Review.
- B. ~~City Council~~**Approval**. Within five (5) years of the date of the preliminary PRD approval, the applicant shall submit a final PRD for the proposed development for approval ~~by the City Council~~. After finding that the final PRD has been completed in accordance with the provisions of the approved preliminary PRD, and that all required improvements have been completed or that arrangements or contracts have been entered into to guarantee that such required improvements will be completed, and that the interests of the City are fully protected, the ~~City Council~~**Decision Authority** shall approve the final PRD, accepting the dedications and easements which are included thereon. The final PRD shall consist of a final plat, binding site plan, or any combination thereof. The approved final PRD shall constitute a limitation on the use and design of the site.
- C. Phasing. If a proposed PRD is to be developed in phases, the project as a whole shall be portrayed on the preliminary PRD, and each phase shall individually receive final development plan review and approval according to the procedures established herein. Those portions of the PRD which have received preliminary approval but which have not yet received final approval shall be subject to the provisions of Section [18.56.100](#), Expiration and Extensions.
- D. Rezone. A PRD resulting from the application of the provisions of this Chapter shall be referenced on the official zoning map by adoption of an ordinance amending the map to include a reference to the relevant final plat or binding site plan. Such plat or binding site plan shall include on its face or by reference any continuing conditions of PRD approval. Once the development plan receives final site plan approval, all persons and parties, their successors, heirs or assigns, who own, have or will have by virtue of purchase, inheritance or assignment, any interest in the real property within the PRD, shall be bound by the conditions attending the approval of the development and the provisions of this Development Code.

**Section 25. Section 18.57.040 of the Olympia Municipal Code is amended as follows:**

**18.57.040 Approval process overview**

In the following zoning districts, a Master Plan shall be processed as an amendment to the Official Zoning Map as follows:

- A. Districts. Development within the COSC, NC, NV and UV districts is permitted only after Master Plan approval, project approval, and construction permits are issued pursuant to this Chapter, Chapter [18.05](#), and Chapter [18.05A](#) (Villages and Centers).
- B. Pre-Submission Conference. Applicants shall meet with the Director for an initial discussion of the proposed MPD prior to submittal of an application. The applicant shall present preliminary studies and conceptual sketches which contain in a rough and approximate manner the information required on the MPD application. The purpose of the preliminary site plan review is to eliminate

as many potential problems as possible in order for the MPD to be processed without delay. ~~(See Section 18.57.060 Pre-Submission Conference.)~~

- C. Master Plan Review Process. An approved Master Plan is an amendment to the official zoning map. Applications for Master Plan approval shall be ~~submitted concurrently to~~ considered a Type III application and submitted to the Design Review Board and Hearing Examiner for review and recommendation to the City Council. ~~(See Section 18.57.080, Master Plan Approval Process.)~~
- D. Project Application Review Process. At any time during review or after Master Plan approval, the applicant may submit an ~~Project Application~~ for construction on a portion or all of the site to the Department for review by the Design Review Board, Hearing Examiner, and/or Director. The permit would not be issued until the Master Plan was approved. ~~(See Section 18.57.100, Development Application Approval Process.)~~
- E. Plat Approval. When any parcel of land subject to a Master Plan is intended for individual ownership or sale, the platting and procedural requirements of the Olympia Subdivision Ordinance and applicable State laws, as amended, pertaining to the subdivision and conveyance of land and the preparation of maps shall be followed. See Olympia Municipal Code Title 17, Subdivisions, ~~and Section 18.57.120, Plat Approval Process.~~ Applications for project approval may be submitted simultaneously, and processed concurrently, with applications for Master Plan approval or any other Development Application.
- F. Engineering, Detailed Design Review, and Building Permits. The Building Official shall not approve a Building Permit unless it complies with the use limitations, standards, and design concepts and guidelines contained in the applicable Master Plan. Any conditions of Master Plan, Land Use, Preliminary or Final Plat, or Binding Site Plan approval will constitute a limitation on the use and design of the site. Engineering and Building Permits may be issued for any improvements or structures only if consistent with an approved Master Plan and project approval.

**Section 26. Section 18.57.060 of the Olympia Municipal Code is amended as follows:**

**~~18.57.060 Pre-submission conference~~**

~~Prior to submitting a Master Plan the applicant shall meet with the Director for an initial discussion of the proposal, as follows:~~

- A.— ~~The applicant or representative shall present to the Director preliminary studies or conceptual sketches which contain in a rough and approximate manner the information required on the Master Plan application. The purpose of the pre-submission conference is to enable the applicant to obtain the advice of the Director as to the intent, standards and provisions of this chapter.~~
- B.— ~~The Director will make available pertinent information as may be on file relating to the proposal. It is the purpose of this conference to eliminate as many potential problems as possible in order for the Master Plan to be processed without delay. The conference should take place prior to detailed work by the applicant's architect, engineer or surveyor.~~
- C.— ~~At the pre-submission conference, the Director will furnish, to the prospective applicant, comments on how the proposed development conforms to City policies and regulations, and the~~

~~requirements for development approval. The level of detail of SPRC'S comments will be directly proportional to the level of detail provided by the prospective applicant.~~

**Section 27. Section 18.57.070 of the Olympia Municipal Code is amended as follows:**

**~~18.57.070 Applications~~**

- ~~A.— Application. An application for a Master Plan may be filed only by a property owner or someone acting on behalf of the owner. The applicant shall complete a Master Plan application and environmental checklist, together with preliminary development plans and other required supplementary reports. The applicant shall submit a minimum of seventeen (17) copies of maps and supplementary reports to the Department. Within twenty-eight (28) days of the date of receipt of the application, the Department shall inform the applicant of any deficiencies found in the application. The Department shall return the application to the applicant if it is deemed incomplete or inaccurate. Re-submittal with the necessary information making the application complete must be submitted within six months of original filing. If not, the file shall be considered void and 50% of the filing fees will be refunded.~~
- ~~B.— Accuracy. Accuracy for all data and information submitted on or with a Master Plan and Project Applications shall be the responsibility of the applicant.~~
- ~~C.— Environmental Review. Applications for a proposed Master Plan shall include, at a minimum, an Environmental Checklist submitted to the Department. Pursuant to the City's adopted regulations concerning compliance with the State Environmental Policy Act, Chapter 43.21C RCW and OMC Title 14 Environmental Protection, the City shall determine whether an Environmental Impact Statement will be required.~~
- ~~D.— Master Plan Application. An application for Master Plan approval shall be on forms provided by the Department. Submittal requirements shall be approved by the City Council.~~

**Section 28. Section 18.57.080 of the Olympia Municipal Code is amended as follows:**

**18.57.080 Master plan approval process**

A Master Plan application shall be submitted to the Department for review. The Design Review Board and Hearing Examiner shall forward their recommendations to the City Council as follows:

- ~~A.—SEPA. Master Plan applications submitted to the Department shall comply with the City's adopted regulations concerning compliance with the State Environmental Policy Act, Chapter 43.21C RCW and OMC Title 14 Environmental Protection.~~
- BA.** Design Review Board. A complete application including proposed draft design vocabulary and design guidelines (OMC Chapter 18.05A, Village and Center Design Guidelines), shall be submitted and reviewed by the Design Review Board for review and recommendation to the City Council. The Design Review Board shall not recommend approval of a Master Plan unless they determine that the proposed Master Plan complies with each of the applicable design guidelines contained in OMC Chapter 18.05A, Village and Centers Design Guidelines. ~~The Design Review Board shall also review the applicant's proposed design vocabulary and provide a recommendation to the City Council.~~The Design Review Board may schedule additional meetings to consider the proposed

Master Plan, or recommend denial or approval with or without conditions of approval. ~~Public notice of meetings shall be provided pursuant to OMC Chapter 18.78, Public Notification.~~

- C. Hearing Examiner. A complete Master Plan application, including the proposed draft ordinance, OMC Chapter 18.05 and schematic maps, shall be reviewed by the Hearing Examiner for recommendation to the City Council. ~~Prior to the recommendation on a Master Plan application, the Hearing Examiner shall hold a public hearing thereon, and notices thereof shall be given as provided in OMC Chapter 18.78, Public Notification. The Hearing Examiner shall not recommend approval of a Master Plan unless the Examiner determines that the plan complies with the requirements of OMC Chapter 18.05, Villages and Centers. The Hearing Examiner may:~~
- ~~1. Recommend terms and conditions of approval; or~~
  - ~~2. Require the provision, and further public review, of additional information and analyses; or~~
  - ~~3. Recommend denial.~~
- D. City Council.
1. The Board's and the Examiner's recommendations, together, with any conditions, shall be considered by the Council at a regular public meeting within thirty (30) calendar days after the Examiner's recommendation becomes final unless the applicant agrees to a later meeting date.
  2. Such consideration shall be based upon the record which was established by the Design Review Board and the Examiner.
  3. If the Council finds that the Board's or Examiner's recommendation is in conflict with the City's adopted plans, policies and ordinances; or insufficient evidence was presented as to the impact on surrounding area the Council may:
    - a. Deny the MPD application;
    - b. Remand the matter back to the Design Review Board or Hearing Examiner for another hearing;
    - c. Continue to a future date to allow for additional staff analysis desired by the Council;
    - d. Modify the Design Review Board's and Examiner's recommendation based on the applicable criteria and adopt their own findings and conclusions, and deny or approve the Master Plan; or
    - e. Schedule its own open-record public hearing.
  4. If the Council determines there are no conflicts and sufficient evidence was presented as to the impact on the surrounding area, it shall adopt the Board's and Examiner's recommendation as their own and approve the Master Plan by ordinance. If approved, the Master Plan, or subsequent revision thereto, shall be an amendment to the Official Zoning Map.

5. Once the development plan receives Master Plan approval, all persons and parties, their successors, heirs or assigns, who own, have or will have by virtue of purchase, inheritance or assignment, any interest in the real property subject to the proposed Master Plan, shall be bound by the conditions attending the approval of the development and the provisions of the Ordinance.
  6. The action of the Council, approving, modifying, or rejecting a recommendation of the Design Review Board and Examiner, shall be final and conclusive, unless within twenty-one (21) calendar days from the date of the Council action an aggrieved party or person appeals to the Superior Court of Washington for Thurston County, for the purpose of review of the action taken.
- E. Phasing. If the Master Plan is to be developed in phases, the project as a whole shall be portrayed on the Master Plan, and each phase may individually receive project review and approval according to the procedures established herein.
- F. Amendments. An approved Master Plan, or subsequent revision thereto, shall be binding as to the general intent and apportionment of land for buildings, stipulated use and circulation pattern. Amendments which change the character, basic design, density, open space or any other requirements and conditions contained in the Master Plan shall not be permitted without prior review and recommendation by the Hearing Examiner, and approval by the City Council, of such amendment. Amendments shall be an amendment to the Official Zoning Map and shall be clearly depicted as a revision to the ordinance text and site plans.
- G. Expiration or Extension. There shall be no time limitation or extensions required of a Master Plan approval. However, if in the opinion of the City Council, the Master Plan does not continue to serve the public use and interest or comply with the comprehensive plan or other applicable laws or plans, the City Council may initiate an amendment or rezone at any time.

**Section 29. Section 18.57.100 of the Olympia Municipal Code is amended as follows:**

**~~18.57.100 Project approval process~~**

~~A project shall be submitted to the Department for review and approval by the Hearing Examiner or Director prior to any development. A project may include one or more phases of the area within an approved Master Plan.~~

~~A.— Conceptual Design Review. A complete Conceptual Design Review supplement, on forms provided by the City, shall be submitted to the Design Review Board for review and recommendation. The Design Review Board shall not recommend approval of a Conceptual Design Review supplement unless the Board determines that said proposal complies with the applicable design concepts and guidelines contained in the approved Master Plan. The Design Review Board may:~~

~~1.— Schedule additional meetings to consider the Conceptual Design; or~~

~~2.— Recommend approval with or without conditions of approval; or~~

~~3.— Recommend denial of the proposal.~~

~~Prior to a recommendation, the Design Review Board shall conduct a public meeting thereon, and notices thereof shall be given as provided in OMC Chapter 18.78, Public Notification. The recommendation of the Design Review Board shall be given substantial weight by the decision-maker.~~

~~B.— SEPA. Development and Subdivision applications submitted to the Department shall comply with the City’s adopted regulations concerning compliance with the State Environmental Policy Act, Chapter 43.21C RCW and OMC Title 14 Environmental Protection.~~

~~C.— Hearing Examiner. An application for a subdivision plat or binding site plan shall be submitted to the Hearing Examiner for review and decision. The Hearing Examiner shall hold a public hearing thereon, and notices thereof shall be given as provided in OMC Chapter 18.78, Public Notification. The Hearing Examiner shall not approve an application unless the Examiner determines that said plan complies with the standards contained in the applicable Master Plan approval and OMC Title 17, Subdivision. The Hearing Examiner may:~~

- ~~1.— Approve the development with or without terms and conditions of approval; or~~
- ~~2.— Require the provision, and further public review, of additional information and analysis; or~~
- ~~3.— Deny the proposal.~~

~~Such decisions by the Hearing Examiner are final.~~

~~D.— Director. For development for which no public hearing is otherwise required, a complete Land Use Review or other project application, on forms provided by the Director, shall be submitted to the Director for review and decision. The Director shall not approve an application unless the Director determines that said proposal complies with the Master Plan, any SEPA conditions of approval, and City engineering development standards. The Director may:~~

- ~~1.— Schedule additional meetings to consider the project application; or~~
- ~~2.— Approve with or without conditions of approval; or~~
- ~~3.— Deny the proposal.~~

~~Prior to the approval of an application, notices thereof shall be given as provided in OMC Chapter 18.78, Public Notification. Decisions by the Director are final unless appealed to the Hearing Examiner.~~

~~E.— Engineering and Building Permits. The approved Master Plan and any project approval shall constitute a limitation on the use and design of the site. Engineering and Building permits may be issued for any improvements or structures consistent with project approval prior to the approval of the Final Plat, provided that:~~

- ~~1.— The construction will be consistent with the approved Master Plan and project approval.~~

- ~~2.— The building permit application must identify the location and dimensions of the proposed building(s) in relation to all lot lines for the site and must provide proposed building elevations. Minor alterations may be made provided the alteration is approved by the Director. Minor alterations are those which may affect the precise dimensions or siting of buildings (i.e., setback, lot coverage, height), but which do not affect the basic character or arrangement and number of buildings approved in the Master Plan or project approval, nor the density of the development or the amount and quality of open space and landscaping. Such dimensional adjustments shall not vary more than ten percent. The applicant shall submit five copies of a revised or adjusted project approval of the applicable portion(s) to the City for the completion of its files.~~
  - ~~3.— No vertical construction may take place until the necessary fire flow and emergency vehicle access have been provided to the building(s).~~
  - ~~4.— All required infrastructure, including but not limited to utilities and streets, have been completed or arrangements or contracts have been entered into to guarantee that such required infrastructure will be completed for the phase of the project involved. Such guarantees shall be considered for minor finish out items only. All basic infrastructure, such as roads, services and utilities, must be complete and operable.~~
  - ~~5.— Partial or complete construction of structures shall not relieve the applicant from, nor impair City enforcement of, conditions of Master Plan approval or the project approval.~~
  - ~~6.— Units/property may not be leased or sold until Final Plat or Binding Site Plan approval has been recorded (see OMC Title 17, Subdivision).~~
  - ~~7.— Building permits and other permits required for the construction or development of property under the provisions of this Chapter shall be issued only when the work to be performed meets the requirements of the program phasing elements of the Master Plan and applicable project approvals.~~
- ~~F.— Detailed Design Review. As applicable, a building permit application shall be accompanied by complete Detailed Design Review application, on forms provided by the Director, and be submitted to the Department for review and decision. If subject to its review, the Design Review Board may:~~
- ~~1.— Schedule additional meetings to consider the Detailed Design Review Application; or~~
  - ~~2.— Recommend approval with or without conditions of approval; or~~
  - ~~3.— Recommend denial of the proposal.~~
- ~~Prior to a recommendation on an application, the Design Review Board shall conduct a public meeting thereon, and notices thereof shall be given as provided in OMC Chapter 18.78, Public Notification. The Building Official shall not approve a Detailed Design Review Application unless the Building Official determines that said proposal complies with each of the design concepts and guidelines contained in the applicable Design Guidelines contained in the Master~~

~~Plan approval. Decisions by the Building Official are final unless appealed to the Hearing Examiner.~~

~~G.— Appeals. Appeals, if any, shall be considered together, pursuant to OMC 18.75, Appeals.~~

~~H.— Phasing. If a proposed project is to be constructed in phases, the project as a whole shall be portrayed on the Application, and each phase must receive review and approval according to the procedures established herein. Those portions of the MPD which have received a project approval shall be subject to the provisions of OMC Section 18.57.100(J), Expiration and Extensions.~~

~~I.— Amendments. Amendments to the project conflicting with any of the requirements or conditions contained in the project approval shall not be permitted without prior written approval of such adjustment by the Director or Hearing Examiner. If the proposed amendment also conflicts with requirements or conditions of the Master Plan, the amendment shall be processed as an amendment to the Master Plan as provided in OMC Section 18.57.080(F), Amendments. If approved, amendments shall be clearly depicted as a revision to the ordinance text and site plans.~~

~~J.— Expiration or Extension. Knowledge of expiration date is the responsibility of the applicant. The City shall not be held accountable for notification of expirations.~~

~~1.— Subdivisions. Pursuant to OMC Title 17.20, Subdivision Term and Effect of Preliminary Plat Approval, an approved preliminary plat shall be binding for a period not to exceed five (5) years.~~

~~2.— Land Use Approval. The Land Use approval shall be valid for one year and may be extended for a period not to exceed two years pursuant to OMC Section 18.72.140(E), Administration—Expiration of Approvals.~~

~~3.— Detailed Design Review Approval. The Detailed Design Review Approval shall be valid so long as the associated building permit is valid.~~

### **Section 30. Section 18.57.120 of the Olympia Municipal Code is amended as follows:**

#### **~~18.57.120 Plat approval~~**

~~A.— Preliminary Plat. When any parcel of land in any Master Planned Development is intended for individual ownership, lease or sale, the platting and procedural requirements of OMC Chapter 17.16, Subdivision Preliminary Plat, and applicable State laws pertaining to the subdivision and conveyance of land and the preparation of maps shall be followed as amended. Applications for preliminary or short plat approval may be submitted simultaneously, and processed concurrently, with applications for Master Plan or any associated project approval.~~

~~B.— Binding Site Plan. For any portion of the Master Plan, the Hearing Examiner may approve a binding site plan for any commercial sites. The Examiner may attach terms and conditions to the approval of the site plan if necessary to insure compliance with the Master Plan. Review of any preliminary or short plat, or Binding Site Plan shall be as provided OMC Chapter 17.16, Subdivision—Preliminary Plat.~~

~~C.— Final Plat Approval. An application for Final Plat approval shall be submitted to the Department. The platting and procedural requirements of the OMC Chapter 17.24, Subdivision Final Plat and applicable State laws, as amended, pertaining to the subdivision and conveyance of land and the preparation of maps shall be followed.~~

**Section 31. Section 18.59.020 of the Olympia Municipal Code is amended as follows:**

**18.59.020 Preliminary review and evaluation criteria**

- A. Prior to City Council action, the Department shall conduct a preliminary review and evaluation of proposed amendments, including rezones, and assess the extent of review that would be required under the State Environmental Policy Act (SEPA). The preliminary review and evaluation shall also include any review by other departments deemed necessary by the Department, and except as provided in OMC 18.XX.200 shall be based on the following criteria:
1. Is the proposed amendment consistent with the county-wide planning policies, the Growth Management Act (GMA), other state or federal law, or the Washington Administrative Code?
  2. Would the proposed amendment cause little or no adverse environmental impacts and, is the time required to analyze impacts available within the time frame of the standard annual review process?
  3. Is sufficient analysis completed to determine any need for additional capital improvements and revenues to maintain level-of-service, and is the time required for this analysis available within the time frame for this annual review process?
  4. Can the proposed amendment be considered now without conflicting with some other Comprehensive Plan established timeline?
  5. Can the proposed amendment be acted on without significant other amendments or revisions not anticipated by the proponents and is the time required for processing those amendments or revisions available within the time frame of this annual review process?
  6. If the proposed amendment was previously reviewed, ruled upon or rejected, has the applicant identified reasons to review the proposed amendment again?
- B. If the Department determines that the answer to any of the above questions is no, it may recommend to the City Council that the proposed amendment or revision not be further processed in the current amendment review cycle. Upon direction from City Council, Department staff will inform those whose proposed amendments or revisions will not be considered because (a) impact analysis beyond the scope of the amendment process is needed; (b) the request does not meet preliminary criteria; or (c) likelihood of inclusion of the proposal in a department's work program. Proponents may resubmit proposals to the department at any time, subject to the timelines contained in this chapter.

**Section 32. Section 18.59.080 of the Olympia Municipal Code is amended as follows:**

**~~18.59.080 Notification of comprehensive plan amendment process~~**

~~Notification will be provided— See UDC Chapter 18.78.~~

**Section 33. Section 18.64.040 of the Olympia Municipal Code is amended as follows:****~~18.64.040 Applications, review authority and use districts~~**

~~A.— Applications. For all townhouse developments, applications for preliminary plat or short plat approval and any design review and land use approval shall be submitted simultaneously on forms provided by the Director. Issuance of building and other permits shall be subject to conformance to the approved plans. In addition to standard submittal requirements for subdivision, design review and site plan review, townhouse applications shall contain that additional information specified by the Application Content Lists. (See OMC 18.77.010)~~

~~B.— Review Authority.~~

~~1.— Nine (9) or fewer Townhouses. The Director may approve creation of nine (9) or fewer townhouse lots, subject to appeal provisions contained in the Olympia Municipal Code, Chapter 18.75 and the public notice requirements contained in Chapter 18.78.~~

~~2.— Ten (10) or more Townhouses. The Hearing Examiner may approve creation of ten (10) or more Townhouse lots subject to Appeal requirements contained in the Olympia Municipal Code, Chapter 18.75 and the public notice requirements contained in Chapter 18.78.~~

**Section 34. Section 18.82.140 of the Olympia Municipal Code is amended as follows:****18.82.140 Applications**

Applications for permits or approvals within the City of Olympia shall be presented to the Department. The Department shall accept such applications only if applicable filing requirements are met. The Department shall, in coordination with the Hearing Examiner, be responsible for assigning a date for and assuring due notice of public hearing for each application, which date and notice shall be in accordance with Chapter 18.XX.140, ~~Public Notification~~ Notice of Hearing.

**Section 35. Section 18.82.160 of the Olympia Municipal Code is amended as follows:****18.82.160 Effect of decision**

- A. If any of the permits or approvals require or include a rezone or Master Planned Development, then the decision of the Hearing Examiner as to all such permits or approvals shall constitute a recommendation to the City Council; otherwise, the decision of the Hearing Examiner shall be final subject to appeal to the Council pursuant to Sections ~~and 18.75.100, 18.XX.170~~.
- B. The Department may prescribe a reduced fee schedule for master applications reflecting cost savings realized through unified processing of more than one permit.

**Section 36. Section 18.82.200 of the Olympia Municipal Code is amended as follows:**

**18.82.200 Public hearing**

A. Prior to rendering a decision or recommendation on any application, the Hearing Examiner shall hold at least one (1) public hearing thereon, except as otherwise provided for in this code. Notice of the time and place of the public hearing shall be given as provided in [Chapter 18.78, Public Notification OMC 18.XX.1410](#). If none is specifically set forth, such notice shall be given at least ten (10) days prior to such hearing per OMC ~~18.78.040~~[18.XX.140](#). Such hearing may be held jointly with that of any other state or local agency so long as such joint hearing is not prohibited by statute, sufficient notice is given, and the necessary information to hold the hearing has been received.  
(See RCW [36.70.110](#).)

B. For building or fire code appeals, the Hearing Examiner is authorized to appoint an official, an individual with appropriate professional experience and technical expertise, to hear such appeals and to prepare findings and conclusions for issuance by the Hearing Examiner.

**Section 37. Section 18.82.220 of the Olympia Municipal Code is amended as follows:****18.82.220 Hearing examiner's decision**

A. Within fourteen (14) days of the conclusion of a hearing, unless a longer period is agreed to in writing by the applicant, the Hearing Examiner shall render a written decision which shall include at least the following:

A1. Findings based upon the record and conclusions therefrom which support the decision. Such findings and conclusions shall address any and all specific issues raised by the staff, the applicant, or any party of record. Such findings and conclusions may also set forth the manner by which the decision would carry out and conform to the City's or County's Comprehensive Plan, other official policies and objectives, ordinances, land use regulatory enactments and, in the case of preliminary plats, in conformance to Chapter [17.04](#) of this code. In lieu of original findings and conclusions regarding uncontested matters, the Examiner may adopt findings and conclusions recommended by the staff, the applicant, or any party of record.

B2. A decision on the application, which may be to approve, deny, or approve with such conditions, modifications and restrictions as the Hearing Examiner finds necessary to make the application compatible with its environment, the Comprehensive Plan, other official policies, objectives, and land use regulatory enactments.

C3. A statement that the decision is final.

B. The decision of the Examiner shall be limited to those issues timely raised on appeal. The examiner may not reconsider or modify aspects of a project previously considered and settled by another final decision of the City. In exercising the powers granted herein, the Hearing Examiner may, in conformity with this title, reverse or affirm, wholly or in part, or may modify the order, requirements, decision or determination appealed, and may make such order, requirement, decision or determination as should be made, and, to that end, shall have all the powers of the officer from whom the appeal is being taken, insofar as the decision on the particular issue is concerned, and in making a determination the Hearing Examiner may hear any pertinent testimony and receive and consider any other evidence bearing on the case.

- C.D.** The City Manager, on behalf of the City, is authorized to appeal or seek review of a decision of the Hearing Examiner in Superior Court pursuant to the provisions of chapter [36.70C](#) RCW and any other applicable legal authority.

**Section 38. A new Section 18.82.225 is added to the Olympia Municipal Code as follows:**

**18.82.225 Reconsideration of hearing examiner decision**

Decisions of the hearing examiner may be reconsidered. Further, prior to issuing a decision, the Examiner may reconvene any hearing or continue any other proceeding in such manner as the Examiner deems appropriate to ensure a fair, timely, and reasoned decision.

- A. After issuance of a final decision any party, including the Department of Community Planning and Development, may file a motion for reconsideration on an appeal to the Hearing Examiner in accordance with subsection (B) of this Section. Such motion must be filed within ten days of service of the final decision. The original of the motion for reconsideration shall be filed at the Community Planning and Development Permit Center with a copy to the Olympia City Attorney's Office. At the same time, copies shall be served on all parties of record. Within five days of filing the motion for reconsideration, a party [with standing](#) may file an answer to the motion for reconsideration without direction or request from the Hearing Examiner. The Hearing Examiner may require other parties to supply an answer. All answers to motions for reconsideration shall be served on all parties of record.
- B. A motion for reconsideration shall be based on at least one of the following grounds:
1. Errors of procedure or misinterpretation of fact or law, material to the party seeking reconsideration;
  2. Irregularity in the hearing before the Hearing Examiner by which such party was prevented from having a fair hearing; or
  3. Clerical mistakes in the final decision and order.
- C. In response to a motion for reconsideration, the Hearing Examiner may deny the motion, modify its decision, or reopen the hearing. A motion is deemed denied unless the Hearing Examiner takes action within 20 days of the filing of the motion for reconsideration. A Hearing Examiner order on a motion for reconsideration is not subject to a motion for reconsideration.
- D. A decision in response to the petition for reconsideration shall constitute a final decision and order for purposes of judicial review. Copies of the final decision and order shall be served on each party or the party's attorney or other authorized representative of record, unless the decision is deemed denied following the 20-day time frame set forth in Subsection C of this Section.
- E. The time for an appeal to court does not commence until disposition of the motion for reconsideration. If the Hearing Examiner takes no action under subsection (C) of this Section, the motion for reconsideration is deemed disposed at the end of the 20-day period. The filing of a motion for reconsideration is not a prerequisite for seeking judicial review.

**Section 39. A new Section 18.82.230 is added to the Olympia Municipal Code as follows:****18.82.230 Clarification of hearing examiner decision**

- A. Any interested party believing that a decision of the Hearing Examiner is ambiguous, vague, or internally inconsistent may request clarification of the decision by the Examiner. Such a request shall be submitted to the Department with the applicable fee and shall set forth the specific provision requiring additional clarity. The Department shall forward such request to the Examiner. Upon receipt of such a request, the Hearing Examiner may take action as the Examiner deems appropriate to the circumstances.
- B. A request for clarification shall not provide an opportunity for reconsideration of a decision nor for introduction of new evidence. Except as ordered by the Examiner, the filing of a request for clarification shall not toll any appeal period or delay issuance of any permit.
- C. When the Examiner determines that a clarification is in order, the Examiner may issue a supplemental or clarified decision. As deemed appropriate by the Examiner, the Examiner may order that the supplemental or clarified decision be subject to appropriate notice and an opportunity for appeal.

**Section 40. A new Section 18.82.235 is added to the Olympia Municipal Code as follows:****18.82.235 Standard of Review.**

In reviewing a decision including a recommendation of the Design Review Board, the Examiner shall give substantial weight to the recommendation of the Board. With regard to decisions of city staff, the Examiner shall accord due deference to the expertise and experience of the staff rendering such decision. The Examiner shall only grant the relief requested by an appellant upon finding that the appellant has established that:

1. the staff engaged in unlawful procedures or failed to follow a prescribed procedure;
2. the staff's decision was an erroneous interpretation of the law;
3. the decision is not supported by substantial evidence within the context of the whole record;
4. the decision is a clearly erroneous application of the law to the facts;
5. the decision is outside the authority or jurisdiction of the decision-maker;
6. the decision violates the constitutional rights of the party seeking relief, or
7. the decision is clearly in conflict with the City's adopted plans, policies or ordinances.

**Section 41. Section 18.86.100 of the Olympia Municipal Code is amended as follows:**

**18.86.100 Responsibilities of the city**

- A. The City shall provide a list of recognized neighborhood associations and their contacts to the proponents of a project at each pre-submission conference. The City will encourage the project proponents of development to discuss their project with the recognized neighborhood associations.
- B. The City shall ~~mail provide~~ notice of application to recognized neighborhood associations ~~within fourteen (14) days of determination~~ that ~~the any Type II, III or IV following~~ applications, proposals or determinations, as specified table OMC 18.XX – 3, are complete: Notice shall be provided in accordance with OMC 18.XX.130.

- ~~Administrative Time Extensions for Plats Formal Site Plan Review~~
- ~~Annexations~~
- ~~Comprehensive Plan Amendments~~
- ~~Conditional Uses~~
- ~~Environmental Determinations~~
- ~~Environmental Impact Statements~~
- ~~Family Child Care Home~~
- ~~Land Clearing Permit Applications~~
- ~~Land Use Approval~~
- ~~Landmark Tree Nominations~~
- ~~Major Design Review~~
- ~~Master Planned Developments~~
- ~~Mobile Home Parks~~
- ~~Permit Amendments by Hearing Examiner~~
- ~~Planned Residential Developments (Preliminary and Final)~~
- ~~Rezoning~~
- ~~Shoreline Conditional Uses~~
- ~~Shoreline Substantial Developments~~
- ~~Shoreline Variances by Hearing Examiner~~
- ~~Short Plats (5 to 9 lots)~~
- ~~Site Plan Review~~
- ~~Street or Alley Vacations~~
- ~~Subdivisions (Preliminary Plat) (10 or more lots)~~
- ~~Time Extension of any discretionary action~~
- ~~Tree Removal Applications~~
- ~~Townhouses including 5 units or more~~
- ~~Variances~~
- ~~Zoning Ordinance Text Amendments~~

~~1.—~~This notice will be given when such applications, projects or determinations are enclosed by or within one thousand (1,000) feet of the recognized neighborhood association’s boundaries. ~~If no recognized neighborhood association is within one thousand (1,000) feet of the area of an application, project or determination, then the recognized neighborhood association closest to the application, project or determination will be notified.~~

~~2. The City shall mail such neighborhood associations notice concerning all subsequent public hearings concerning such applications, projects or determinations, except hearings which have been continued to a specific time announced at the prior hearing.~~

~~C. In addition to any notice of application, such notice shall include the following information:~~

~~1. The nature of the project or proposal and its location.~~

~~2. The process to be followed, with expected time line, if known.~~

~~3. Name and address of the applicant and of the agent/contact person.~~

~~4. Name and phone number of the city staff contact person.~~

~~5. Any other government agencies known to have decision-making authority in the application/action.~~

~~6. Any government programs providing funds for the project.~~

DC. Upon request the City shall provide information regarding the above actions at no charge to the two (2) registered neighborhood association contacts. Requests for additional copies or duplicates of information already received may be charged at cost. Extraordinary requests which require substantial staff time, production cost and mailing fees will be charged to the neighborhood association when permitted by law. Payment is due upon receipt of materials.

ED. The City shall give directly affected recognized neighborhood associations notice by mail of pending major development and redevelopment projects by the City which will have a direct, significant impact on that neighborhood; such as street construction and major repair, total closing of streets, changes in size or type in City parks, or building of new City facilities. The City shall provide notice by mail or e-mail of any home occupation business licenses issued within the boundaries of a neighborhood association.

EF. For the purpose of A, B, C, and D and ~~E~~ of this section, first class letters mailed to two (2) contact addresses submitted by a neighborhood association shall constitute notification. Alternatively, if an e-mail contact address is provided, notice may be provided by electronic mail.

EG. The City shall:

1. Inform all known neighborhood associations and inquiring parties of the requirements for recognition, and advise such groups on how to meet the requirements.
2. Review its files on neighborhood associations to verify if each association has met the requirements for recognition with current information.
3. At least annually notify each known neighborhood association of its current recognition status.

4. Work with recognized neighborhood associations to develop an understanding of the processes for neighborhood review and comment on applications and actions pursuant to this Chapter.
5. Supply annually to all recognized neighborhood associations a current list of all City government agencies, their department heads, and corresponding phone numbers.
6. Make available to the public the names and addresses of the two (2) designated recipients of notices as most recently specified by each recognized neighborhood association.
7. Review this chapter two (2) years after adoption to determine if modifications are needed to meet the purpose of the chapter.

**HG.** The City Manager shall develop a program to support the establishment of neighborhood associations and their active participation in City decision processes. The details of this program shall be subject to available resources, and may include:

1. Through its publications and in response to inquiries, encourage individuals to participate with their existing neighborhood association.
2. Encourage the development of neighborhood associations where they do not exist.
3. Provide an opportunity, under City editorial control, to increase communications between neighborhood associations and the general public by publishing neighborhood related articles in the City's quarterly newsletter.
4. Provide an annual neighborhood association workshop on appropriate topics concerning City procedures and actions as well as the effective operation of neighborhood associations. A neighborhood handbook with information on the program and City resources will be made available.
5. Advise recognized neighborhood associations of self-help projects which could enhance the quality of life within their neighborhoods. For example, the City may pass along information from organizations such as Neighborhoods USA. It will continue to work cooperatively with neighborhoods on spring clean-up drives, recycling programs, and other appropriate ventures.
6. The City and neighborhood associations shall hold alternating quarterly forums to discuss items of interest. The City is responsible for hosting two (2) meetings a year and shall develop agenda topics. The neighborhood associations are responsible for hosting the remaining two (2) meetings and shall develop agenda topics. These forums shall be coordinated through the City Manager's Office.

**H.** With the advice and consent of the Council, the City may establish practices, rules and guidelines necessary to implement this Chapter.

**Section 42. 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 43. 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 44. Ratification.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

**Section 45. Effective Date.** This Ordinance takes effect 30 days after publication.

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MAYOR

**ATTEST:**

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CITY CLERK

**APPROVED AS TO FORM:**

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CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**

## Changes to Decision Procedures for Land Use Permit Applications

(Based on Table in OMC 18.72.100)

	Director	SPRC	DRB	PC	HC	HE	Council	New Application Type	Changes to Decision Procedure
<b>ZONING</b>									
Conditional Use Permit	D	R				D		III	No change
Development Agreement, associated with a development permit application requiring Hearing Examiner review						R	D	IV	No change
Development Agreement, not associated with a development permit application requiring Hearing Examiner review							D	IV	No change
Interpretations	D					O		I	No change
Land Use Review	D <sup>1</sup>	R				O		II	No change
Small Lot Review	D					O		II	No change

	Director	SPRC	DRB	PC	HC	HE	Council	New Application Type	Changes to Decision Procedure
Townhouse (2 – 4 Units)	D					O		II	No change in procedure. Section 18.64.040 OMC on townhouse review procedures deleted because duplicative of subdivision procedures.
Townhouse (10 or more units)		R	R			D		III	Director recommendation added in Type III. Section 18.64.040 OMC on townhouse review procedures deleted because duplicative of subdivision procedures.
Townhouse Final (2-9)	D					O		I	No change in procedure. Section 18.64.040 OMC on townhouse review procedures deleted because duplicative of subdivision procedures.
Townhouse Final (10 or more)		R					D	I	Changed to Type I to match final plat procedures previously adopted by City Council.
Zoning Variance	R					D		III	No change.
Zone Map Change, without Plan Amendment	R					R	D	III	No change. City Council decision authority noted in Table 18.XX-2 (page 5 of draft ordinance)

	Director	SPRC	DRB	PC	HC	HE	Council	New Application Type	Changes to Decision Procedure
Zone Change, with Plan Amendment or Ordinance Text Amendment	R			R			D	IV	No change.
Home Occupation	D					O		I (if needed)	No permit required if meet standards. If determination needed as to whether meets standards, treated as a Development Regulation Interpretation.
Temporary Use Permit	D					O		I	No change.
SEPA exempt Building Permit	D					O			NA. Building permits not in scope of this land use review ordinance.
Parking or Fence Variance	D	R				O		I	No change.
Accessory Dwelling Unit	D					O		I (if needed)	No change. Building permit required; no land use review required if meet standards.
Short-Term Rental – Vacation Rental	D					O		I	No change.
Accessory Building	D					O		I (if needed)	No change. Building permit required; no land use review required if meet standards.

	Director	SPRC	DRB	PC	HC	HE	Council	New Application Type	Changes to Decision Procedure
Occupancy Permit	D					O			NA. Building permits not in scope of this land use review ordinance.
Sign Permit	D					O		I	No change.
Landscape Plan	D					O		I - III	No change. Reviewed as part of primary land use application.
Tree Plan	D					O		I - III	No change. Reviewed as part of primary land use application.
Historic Properties	D	R			R	O		I - III	No change. Reviewed as part of primary land use or building permit application.
<b>COMPREHENSIVE PLAN</b>									
Amendments (map, text)	R			R			D	IV	No change.
<b>DESIGN REVIEW</b>									
Detailed Review	D		R					I - III	No change. Reviewed as part of primary land use application.
major			O					I - III	No change. Reviewed as part of primary land use application.

	Director	SPRC	DRB	PC	HC	HE	Council	New Application Type	Changes to Decision Procedure
Concept Review	D	R	R			O		I - III	No change. Reviewed as part of primary land use application.
Signs (general)	D					O		I - III	No change. Reviewed as part of primary land use application.
Scenic Vistas	D	R	R			O		I - III	No change. Reviewed as part of primary land use application.
<b>ENVIRONMENTAL</b>									
Threshold Determination	D					O		I - IV	No change. Reviewed as part of primary land use application, unless exception applies.
Impact Statement Adequacy	D					O		I - IV	No change. Reviewed as part of primary land use application.
Reasonable Use Exception (RUE)	R					D		II - III	Clarified that RUE decision is based on the primary land use application.
SEPA Mitigating Conditions	D					O		I - IV	No change. Reviewed as part of primary land use application.
Shoreline Substantial Development Permit	D	R						II	No change in procedure. Clarified existing code reference in 18.82.120 OMC to 'shoreline development permits', which did not differentiate between shoreline substantial

	Director	SPRC	DRB	PC	HC	HE	Council	New Application Type	Changes to Decision Procedure
									development permits and shoreline conditional use permits.
Shoreline Conditional Use Permit		R				D		III	No change.
Shoreline Variance		R				D		III	No change.
Shoreline Permit Revision or Exemption	D					O		II	No change in procedure. Clarified existing code reference in 18.82.120 OMC to 'shoreline development permits', which did not differentiate between shoreline substantial development permits and shoreline conditional use permits.
<b>SUBDIVISION</b>									
Boundary Line Adjustment (including lot consolidation)	D					O		I	No change.
Preliminary Plat, Long	R					D		III	No change.
Preliminary Short, (2-9 lots)	D <sup>1</sup>					O		II	No change.
Final Short Plat	D					O		I	No change.
Final Long Plat	D					O		I	No change.

	Director	SPRC	DRB	PC	HC	HE	Council	New Application Type	Changes to Decision Procedure
Master Plan Approval	R		R			R	D	III	No change. City Council decision authority noted in Table 18.XX-2 (page 5 of draft ordinance)
MPD Project Approval		R	R			D		III	No change.
Preliminary PRD		R				R	D	III	No change. City Council decision authority noted in Table 18.XX-2 (page 5 of draft ordinance)
Final PRD		R					D	I - II	No change. Approval procedures are same as final plat or binding site plan.
Time Extensions	D					O		I	No change.

<sup>1</sup> Except when the Director refers the project for a public hearing before the Hearing Examiner pursuant to OMC [18.60.080](#) or [17.32.130\(A\)\(4\)](#).

**KEY:**

Director = Community Planning and Development Director or designee

SPRC = Site Plan Review Committee

DRB = Design Review Board

PC = Planning Commission

**KEY:**

HC = Heritage Commission

HE = Hearing Examiner

Council = City Council

R = Recommendation to Higher Review Authority

D = Decision

O = Open Record Appeal Hearing

C = Closed Record Appeal Hearing

[NOTE: City Council decisions may be appealed to Superior Court, except comprehensive plan decisions, which may be appealed to the State Growth Management Hearings Board.]

## Changes to Public Notice of Land Use Applications

Existing Code	Draft Ordinance
<p>Mailed to property owners within 300 feet for some specified land use applications (OMC 18.78.020)</p> <p><i>Note: Does not include applications for comprehensive plan amendments (OMC 18.78.020)</i></p>	<p>Property owners within 300 feet for all Type II, III, &amp; IV land use applications (Section 18.XX.130.C.1.d)</p> <p><i>Note: Includes applications for site-specific comprehensive plan amendments.</i></p>
<p>Mailed to Recognized Neighborhood Associations within 1000' for most land use applications, as listed in OMC 18.86.100.B.</p>	<p>Recognized Neighborhood Associations within 1000' for all Type II, III &amp; IV site-specific land use applications. All RNAs for non-site-specific Type IV applications. (Section 18.XX.130.C.1.f)</p>
<p>Posted on site for some specified land use applications (OMC 18.78.060)</p>	<p>Posted on site for all Type II, III &amp; IV applications. (Section 18.XX.130.C.2)</p>
<p>Mailed to property owners within distances in OMC 18.06.060.B.1.c &amp; d (330' – 1320') for a waiver from distance requirements for adult-oriented businesses (OMC 18.06.060B.1.f)</p>	<p>Mailed to property owners within 300', posted on site, and mailed to Recognized Neighborhood Associations within 1000' for a waiver from distance requirements for adult-oriented businesses (Section 18.XX.130.C.1 &amp; 2)</p>



South Puget Sound Habitat for Humanity

April 3, 2023

To:

Community Planning & Development Director – Leonard Bauer  
Olympia Planning Commission

601 4<sup>th</sup> Ave E  
Olympia, WA 98501  
via. e-mail

Dear Director Bauer and Members of the Planning Commission,

South Puget Sound Habitat for Humanity (SPSHFH) is a nonprofit organization that develops affordable homeownership opportunities to ensure that everyone, regardless of income, can achieve the American dream of owning a home.

SPSHFH greatly appreciates the efforts done by the Olympia Planning Commission (commission) and the Community Planning & Development Department (department) to clarify the city's permitting process. As we have continued to build more homes in our community to carry out our mission, we have increasingly found navigating the permitting process cumbersome, and often projects get held up during this process.

Any step to help streamline and clarify the permitting process and planning requirements will directly help organizations like SPSHFH more easily build affordable housing options in Olympia.

However, SPSHFH feels more can be done. We provide the following ideas that we believe will help improve the permitting process, especially for organizations that build income restricted affordable housing projects, like SPSHFH.

## **Affordable Housing Permitting Review Program**

The affordable housing crisis is only becoming worse every year. It is imperative that our community has the ability to quickly build more units – particularly income restricted affordable housing units.

A dedicated program within the permitting process for affordable housing will help ensure this. The city of Tacoma has such a program, along with a dedicated permit reviewer for affordable housing projects, that we strongly urge the commission and the department to consider replicating.

Hallmarks of this program include its priority review policy and pre-planning steps:

- **Priority Review**  
The Priority Review Policy allows qualified projects to have their permitting processes receive shorter target windows for their first two review cycles (essentially a free version of Tacoma's existing expedited option for permit review), generally resulting in review periods taking half of the previous time. 85% of permitting processes for residential sites now take 8 weeks or less but their eventual goal is 2 weeks or less. The policy also allows the permitting office to contract with third parties as needed to ensure that review target windows are being met.
- **Pre-Planning Process**  
Working closely with the Priority Review Policy, the pre-planning process allows stakeholders to minimize costs and limit delays in the permitting process by allowing the permitting office to give early, site specific feedback for participants, and aiding/facilitating participant projects as they navigate the permitting process, including creating regulatorily compliant planning documents and other materials required by the planning process.

Additionally, this program includes fee waiver policies for nonprofit affordable housing organizations, which help further the funds granted to organizations like SPSHFH meant to be spent on construction costs for affordable housing.

SPSHFH hopes the commission and the department consider this program idea and that there can be additional conversations to explore these concepts.

We believe this can be one of many ideas to help improve the permitting process to further the city of Olympia's goal of addressing the housing affordability crisis.

Sincerely,

Carly Colgan – Chief Executive Officer, South Puget Sound Habitat for Humanity

**From:** [Larry of Nottingham](#)  
**To:** [Leonard Bauer](#)  
**Cc:** [Nicole Floyd](#); [Joyce Phillips](#)  
**Subject:** Re: Olympia Planning Commission public hearing April 3  
**Date:** Monday, April 03, 2023 4:18:50 PM  
**Attachments:** [image001.png](#)

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I appreciate your response but I find your reply inadequate on several levels.

The three slides you provide don't explain WHAT is changing just the INTENT of what is to be changed. The Joyce Phillips example I provided shows what the substantive changes are, like reducing minimum parking requirements to zero for these specific property types. Not just the intent to reduce parking.

If you are saying that there are no policy changes, please explain how you are increasing "...flexibility in the permit process (part of a broader scope to review fees/regulations to identify housing cost reductions/reduce barriers)"?

Please explain how, without substantive changes, risk is reduced, as you wrote in the Commerce Housing Action Plan and Implementation (HAPI) grant application, "Improving the permit process also helps to encourage development in these areas as it reduces building costs and risk."

It is incumbent upon you as staff to provide a crosswalk to the changes claimed to reduce costs and risk and demonstrate that those changes are not substantive.

It is misleading to call process changes non-substantive. You cannot say a process change, for the sake of illustration, that says the public can only vote for 3 hours on a Tuesday starting at 3:00 am has no substantive impact on voting rights and outcomes. I can't tell from the materials you provide whether what you say are process changes have real-world substantive impact.

Likewise, who has the authority to decide on permits is more than procedural. Again, an illustration. If the person who gets to decide on a civil trial is a mediator selected by the company being sued versus being heard by an independently elected judge, it has a substantive effect on the outcome.

Also, time for notices and who gets what when and in what form are substantive. Further, they are amenable to a table or a before and after comparison list.

Finally, the material provided in the packet and the slides do not do justice to the HAPI grant statement that called for "outreach to develop support and get feedback on probable code changes". Without a comprehensible communication, accessible and understandable to the general public, that is only so much HAPI talk.

Please share these comments with the Planning Commission.

Best wishes,

Larry Dzieza

On Mon, Apr 3, 2023 at 8:41 AM Leonard Bauer <[lbauer@ci.olympia.wa.us](mailto:lbauer@ci.olympia.wa.us)> wrote:

Hi Larry,

I'm attaching a few of the slides that will be part of the presentation at the public hearing, which provide a summary of changes proposed in this ordinance. As you can see, there are many separate parts of the current code that describe permit review procedures for each individual type of permit. This ordinance proposes consolidating those into four permit types so it is easier to locate and understand the procedures. Seven different chapters of the Unified Development Code (Title 18 of the Municipal Code) are combined into one new chapter.

I have worked on trying to develop a comparison table as you suggested. However, the existing code provisions include multiple tables listing dozens of permit types and their procedures. For example, to understand a single permit's procedures it is often necessary to find that permit type in lengthy Tables in OMC 18.78.020, 18.72.100, 18.72.120, and 18.75.020. The draft ordinance combines these into four permit types based on the decision-making process (page 3-4 of the ordinance). Because multiple tables are being combined into one, I was not able to come up with a single comparison table that would draw a direct comparison for each type of permit.

I hope these slides are helpful, and I'm available to respond to any specific questions.

***Leonard Bauer, FAICP***

Community Planning & Development Director

City of Olympia

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(360) 753-8206

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**Working Together To Make A Difference**

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**From:** Larry of Nottingham <[larryofnottingham@gmail.com](mailto:larryofnottingham@gmail.com)>  
**Sent:** Sunday, April 2, 2023 4:55 PM  
**To:** Leonard Bauer <[lbauer@ci.olympia.wa.us](mailto:lbauer@ci.olympia.wa.us)>  
**Cc:** Nicole Floyd <[nfloyd@ci.olympia.wa.us](mailto:nfloyd@ci.olympia.wa.us)>; Joyce Phillips <[jphillip@ci.olympia.wa.us](mailto:jphillip@ci.olympia.wa.us)>  
**Subject:** Re: Olympia Planning Commission public hearing April 3

Leonard you wrote: "However, there might be a way to more simply describe the consolidations and changes in the permitting ordinance in a table format. I'll work on it so there's **a more visual way for people to compare before the public hearing.**"

The hearing is a short time away and I have not seen the more material you said you would provide. Did I miss it?

Thanks.

On Wed, Mar 22, 2023 at 5:20 PM Leonard Bauer <[lbauer@ci.olympia.wa.us](mailto:lbauer@ci.olympia.wa.us)> wrote:

Thanks for the suggestion, Larry. The permit processing ordinance is a consolidation of seven different sections of the Olympia Municipal Code into one section, removing quite a bit of duplication. No substantive development regulations are changing. So it doesn't lend itself as much to a direct comparison as the parking ordinance does.

However, there might be a way to more simply describe the consolidations and changes in the permitting ordinance in a table format. I'll work on it so there's a more visual way for people to compare before the public hearing.

***Leonard Bauer, FAICP***

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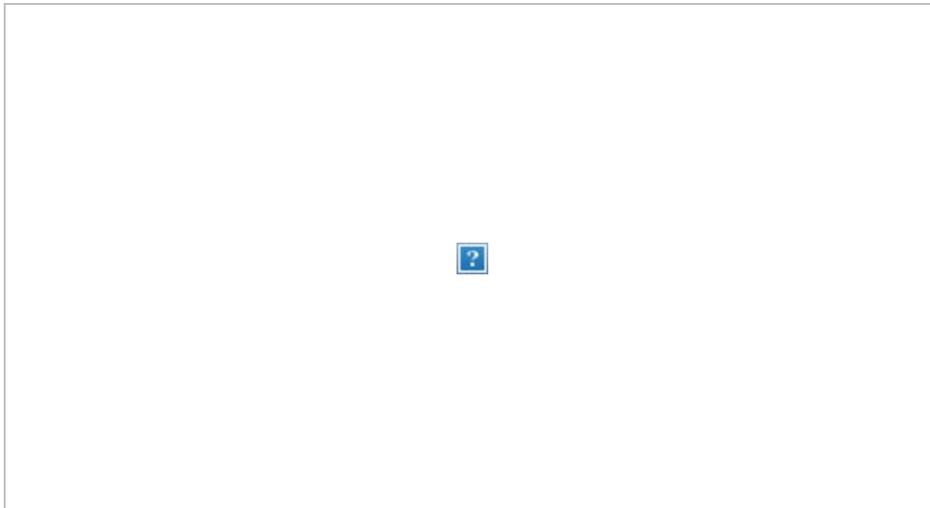
## **Working Together To Make A Difference**

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**From:** Larry ofNottingham <[larryofnottingham@gmail.com](mailto:larryofnottingham@gmail.com)>  
**Sent:** Wednesday, March 22, 2023 12:40 PM  
**To:** Leonard Bauer <[lbauer@ci.olympia.wa.us](mailto:lbauer@ci.olympia.wa.us)>  
**Cc:** Nicole Floyd <[nfloyd@ci.olympia.wa.us](mailto:nfloyd@ci.olympia.wa.us)>; Joyce Phillips <[jphillip@ci.olympia.wa.us](mailto:jphillip@ci.olympia.wa.us)>  
**Subject:** Re: Olympia Planning Commission public hearing April 3

Leonard, it would be helpful for the CNA members and the public in general be able to understand what the changes are by making it more accessible and clear.

Would you be so kind as to present a "Current" and "Proposed" comparison table such as Joyce did for the parking issue?



Joyce's chart went a long way to avoid talking past each other with different understandings of what is being proposed. Your component to the Commerce grant would similarly benefit.

Thanks.

On Wed, Mar 22, 2023 at 12:13 PM Leonard Bauer <[lbauer@ci.olympia.wa.us](mailto:lbauer@ci.olympia.wa.us)> wrote:

You are receiving this email as a “Party of Record” for proposed consolidation and clarification of land use permit processing associated with the Housing Action Plan Implementation work. If you no longer wish to be on this list, please reply to this email and ask to be removed.

Greetings.

The public hearing draft of proposed land use permitting process consolidation is available for review (see attached).

The Olympia Planning Commission will conduct a public hearing on this proposal at its meeting on **Monday, April 3, 2023**. The meeting begins at 6:30 p.m. You can attend in person at Olympia City Hall, Council Chambers, 601 4<sup>th</sup> Ave E, Olympia, WA 98501 or online, via Zoom. If you would like to attend this meeting virtually (online or via phone), please register at:

[https://us02web.zoom.us/webinar/register/WN\\_DzRFe3JTfOXN1qkbn4kA](https://us02web.zoom.us/webinar/register/WN_DzRFe3JTfOXN1qkbn4kA)

If you have comments you would like me to share with the Planning Commission and City Council on this public hearing draft, please email your comments to me at [lbauer@ci.olympia.wa.us](mailto:lbauer@ci.olympia.wa.us).

Anyone interested is invited to participate and present testimony. There is no need to register if you will attend in person. If you would like to attend online or via phone, please register in advance using the link above. At the time you register, you will have the option to note you want to give public testimony. To assure consideration, written comments must be received prior to 5:00 p.m. on the day of the hearing. Written statements may be submitted to the Commission in care of the Community Planning and Development Department, PO Box 1967, Olympia, WA 98507-1967 or to [lbauer@ci.olympia.wa.us](mailto:lbauer@ci.olympia.wa.us).

If you require special accommodations for this meeting, please contact Community Planning and Development by 10:00 a.m., 48 hours in advance of the meeting, or earlier if possible; phone: 360.753.8314; e-mail: [cpdinfo@ci.olympia.wa.us](mailto:cpdinfo@ci.olympia.wa.us). For hearing impaired, please contact us by dialing the Washington State Relay Service at 7-1-1 or 1-800-833-6384. The City of Olympia is committed to the non-discriminatory treatment of all persons in the delivery of services and resources.

A summary of proposed changes includes:

- Consolidate all land use permit processes into four types according to the procedure for decision-making.
- Clarify the permit review process and final decision-maker for each of the four permit types: Type 1 – administrative decisions; Type 2 – administrative decisions with public hearing; Type 3 – Hearing Examiner decisions with public hearing; Type 4 – legislative decisions by City Council with public hearing.
  - Consolidate seven separate chapters covering permitting procedures into one chapter of the Unified Development Code (Title 18 Olympia Municipal Code).
  - Amend other chapters of the Unified Development Code for consistency and correcting references.
  - Remove reference to a zoning district no longer in use.
  - There are no proposed amendments to substantive development standards.

***Leonard Bauer, FAICP***

Community Planning & Development Director

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**Working Together To Make A Difference**

## **Comments to the Olympia Planning Commission's Hearing on the Ordinance Consolidating Land Use Permit Processes 04-03-23**

A notice of this ordinance was sent out to CNA members one week ago, and a fellow CNA member asked me for help with reviewing the "Ordinance Consolidating Land Use Permit Processes." I spent about four hours going through this and had a very difficult time. And I am someone who is familiar with the OMC and City processes. Sections are cut out, and I can tell if they are being deleted or they are duplicated somewhere else. Reference numbers are incomplete and are impossible to track.

Without a list of substantive changes - it is hard to analyze the material. This should have been summarized by staff. The wholesale rewrite is described as a simplification, but it also may be making substantive changes.

Meanwhile- the concerns are about - potential changes to level of authority, public notice requirement changes, and threshold changes for what is permitted. Those changes, if they are indeed happening, should be discussed by the Planning Commission and given due consideration separate from the simplification.

Are any changes being made to the decision authority for some types of permits? If so, then a list of those changes should be made.

Are changes being made to the notice requirements for some types of permits? If so, list those changes.

Any OTHER changes to permit processes or requirements. For example, the threshold for what types of changes are allowed for an existing permitted or conditional use.

The notification process to the Council of Neighborhood Associations is very unclear. What is the time frame, what will be the substance of the notification? This needs to be more clearly spelled out.

Why aren't increases in sizes of schools being considered cumulatively? There is a big difference to a neighborhood when a small school changes into a much larger school.

One week notification for such a complex ordinance with unclear changes AND A HEARING is just not fair to the public, and is horrible public process.

Judy Bardin  
3129 Hoadly St. SE  
Olympia, WA 98501

**From:** [Leonard Bauer](#)  
**To:** [Esther Grace Kronenberg](#)  
**Subject:** RE: Proposed permit streamlining  
**Date:** Friday, April 14, 2023 9:43:00 AM

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Hello, Ms. Kronenberg,

As presented during the multiple public presentations of the permit consolidation project over the past year, including three presentations at the Olympia Planning Commission, the purpose of this ordinance is to consolidate dozens of disparate permit types into four categories. Each of the four permit types would have a consistent process for public notice and application review, making them easier to locate and understand for applicants and interested residents.

I certainly understand that this is a lengthy ordinance and as such it may be difficult to track all of the language changes included for this consolidation. I hope this message answering your questions can help clarify.

- Schools. Your question is whether there's a limit to the number of times a school can increase in size. There is not such a limit, though a conditional use permit must be approved for any expansion greater than 10% (OMC 18.04.060.CC). Conditional use processes are described in OMC 18.48, which is not proposed to be amended by this ordinance. An amendment on page 54 of the ordinance is proposed because it is duplicative of the process descriptions in OMC 18.48.
- SEPA. There will be no changes to the City's State Environmental Policy Act (SEPA) procedures as a result of this ordinance. SEPA and its procedures are governed by state law. It requires environmental review of actions taken by a governmental entity, including granting of permits that are not exempted by SEPA. There are some changes in the ordinance to text that refers to SEPA. These changes are to remove duplications or to ensure the appropriate permit type is referenced as part of the consolidation into four permit types.
- Graphic to explain changes. The Olympia Planning Commission has requested a chart to show how existing permit types are consolidate into Types I – IV in the draft ordinance. That chart is included in the [Commission's April 17 meeting packet](#), along with a chart of changes to how public notice would be provided as a result of the consolidation.
- Building permit fees. I would be interested to see any evidence you have related to your statement that Olympia's building permit fees are several times more expensive than other Washington cities. Building permit fees for virtually all Washington cities are based primarily on the value of the construction project, per a table in the International Building Code. As a result, building permit fees are in fact very similar among Washington cities. Olympia annually conducts a review of its permit fees as compared to other Thurston County cities, and in 2022 found its building permit fees to be very comparable. In addition, an independent study of all of Olympia's permit review services in 2021 found that the city's fees recover 76% of the City's actual costs to provide those services.

***Leonard Bauer, FAICP***

Community Planning & Development Director  
City of Olympia  
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(360) 753-8206  
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## **Working Together To Make A Difference**

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**From:** Esther Grace Kronenberg <wekrone@gmail.com>

**Sent:** Thursday, April 13, 2023 12:30 PM

**To:** Leonard Bauer <lbauer@ci.olympia.wa.us>; PlanningCommission@co.thurston.wa.us

**Subject:** Proposed permit streamlining

Hello Mr. Bauer,

I write to seek clarification as to how the proposed consolidation of 7 chapters into one changes current permit processes.

As it is now, it is very difficult to understand what has been deleted and who will have the decision making authority for different permits. It is also unclear how this will affect the City long-term. For example, is there a limit to how many times a school can increase in size? How do these changes affect the SEPA process? Can you please provide a graphic that shows exactly what changes are being proposed so the public is properly informed?

Further, can you explain why building permit fees in Olympia are several times more expensive than in other Washington cities? This appears to prejudice those smaller local builders and homeowners who might want to improve their properties over larger corporate builders who can better afford such exorbitant permit fees.

As a member of the Local Good Governance Coalition which addresses issues of transparency and accountability of our local government, I also strongly urge you to provide advance notification of such proposed changes to the neighborhood associations and the general public, and sufficient time to understand and comment upon them.

I look forward to your response. Thank you.

Esther Kronenberg  
Olympia, WA

## Gary Cooper

---

**From:** Brian Butler <brianbutler@mixx96.com>  
**Sent:** Wednesday, June 29, 2022 3:40 PM  
**To:** Gary Cooper  
**Subject:** Planning process interest

Mr Cooper;

As a 30+ year city resident, one who "gave up" attempting to develop in fill on a large lot due to roadblocks, bad communication, lost files, stonewalled public records requests, and general process that is stacked against the individual, I am keenly interested in the process of revamping the planning/permit process. It is woeful in the present state.

Keep me informed, especially where public hearings are concerned, I'd like to share my experience so that some good might come from a total waste of time, energy, hope, and effort.

The city seems to have it down when expediting big developments - they go up like mushrooms - but try to develop in fill in existing neighborhoods....good luck with that.

Respectfully,

Brian Butler  
Olympia WA Taxpayer  
360-951-3313  
bb@mixx96.com



## Land Use & Environment Committee

### Changes to International Building Codes Ordinance Recommendation

**Agenda Date:** 4/27/2023  
**Agenda Item Number:** 6.C  
**File Number:** 23-0347

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**Type:** recommendation   **Version:** 1   **Status:** In Committee

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#### **Title**

Changes to International Building Codes Ordinance Recommendation

#### **Recommended Action**

Not referred to a committee.

#### **City Manager Recommendation:**

Move to approve the recommended ordinance adopting recommended changes to International Building Codes and forward to the City Council for adoption.

#### **Report**

##### **Issue:**

Whether to approve the recommended Ordinance adopting recommended changes to International Building Codes and forward to the City Council for adoption.

#### **Staff Contact:**

Erik Jensen, Building Official, Community Planning and Development, 360.753.8280

Randy Haines, Assistant Chief/Fire Marshal, 360.753.8458

#### **Presenter(s):**

Erik Jensen, Building Official

#### **Background and Analysis:**

Approximately every three years, the construction code writing organizations update their respective technical and administrative codes. Revised Code of Washington (RCW) Section 19.27 requires that cities within the State of Washington adopt certain Building, Plumbing, Mechanical, Fire, Energy and Electrical Codes as required by the Washington State Building Codes Council (SBCC). The 2021 State Referenced Codes have been adopted and published by the SBCC to take effect at 12:01 a.m. on July 1, 2023. City staff recommends adoption of these codes by the attached ordinance, which would amend Olympia Municipal Code Chapters 16.04, 16.05, 16.06, 16.24, 16.32, 16.40, 16.44 and 16.70.

The building codes are for the purpose of establishing rules and regulations for the protection of life, environment and property through the construction, alteration, removal, demolition, use and occupancy, location and maintenance of buildings and structures.

These codes also cover the installation, repair, replacement or alteration of electrical, mechanical, and plumbing systems along with their associated equipment, appliances, fixtures, fittings and appurtenances.

Within the codes are the process and authority for issuance of permits, collection of fees and inspection of site to ascertain compliance.

**Climate Analysis:**

This proposal is a procedural process that reoccurs about every 3 years. Revised Code of Washington (RCW) Section 19.27 requires that cities within the State of Washington adopt certain Building, Plumbing, Mechanical, Fire, Energy and Electrical Codes as required by the Washington State Building Codes Council (SBCC). The primary policy driver for the Washington State Energy Code increases in stringency is the language adopted by the Washington State Legislature, which reads:

- Residential and Nonresidential construction permitted under the 2031 state energy code must achieve a 70 percent reduction in annual net energy consumption (compared to the 2006 state energy code) (RCW 19.27A.160), and
- Construct increasingly efficient homes and buildings that help achieve the broader goal of building zero fossil fuel greenhouse gas emission homes and buildings by the year 2031 (RCW 19.27A.020)

**Equity Analysis:**

The code changes include improvements to accessibility codes for new construction and remodels of existing buildings that will benefit people who have different mobility concerns.

Most code change requirements will increase upfront development costs. These upfront development costs will be passed on, eventually impacting the end customer/tenant. These impacts on any development, including affordable housing proposals should be carefully considered.

Long term building upgrades decrease energy use, and potentially will decrease long term building operation costs.

**Neighborhood/Community Interests (if known):**

As part of the code adoption process, various construction groups such as the Olympia Master Builders and the Building Industry Association Washington, which include a number of local contracting members, have expressed interest in the upcoming codes. Staff is working with these organizations and design professionals to ensure there is an understanding of the upcoming revisions to the codes as they are adopted. Staff has addressed these interests by ensuring the City of Olympia engages in outreach and invitation to these groups to attend the same training our staff attends; we have in turn been invited to their training. Additionally, the City's website will be updated to ensure there is information available pertaining to these newly adopted codes.

**Financial Impact:**

The associated fiscal impact is included in department budget for 2023 and amount to approximately \$20,000.

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**Type:** recommendation   **Version:** 1   **Status:** In Committee

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**Options:**

1. Move to approve the recommended ordinance adopting recommended changes to International Building Codes and forward to the City Council for adoption.
2. Direct staff to modify the recommended changes to the ordinance and forward to the City Council for adoption. Any modifications must remain consistent with RCW 19.27.
3. Take other action.

**Attachments:**

Draft Ordinance

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING CERTAIN SECTIONS OF OLYMPIA MUNICIPAL CODE TITLE 16, BUILDING CODE REGULATIONS, BY REPEALING EXISTING INTERNATIONAL CODES AND ADOPTING NEW INTERNATIONAL CODES AS ADOPTED AND AMENDED BY THE STATE OF WASHINGTON AND THE CITY OF OLYMPIA, AND MAKING OTHER TECHNICAL AMENDMENTS**

**WHEREAS**, the State of Washington requires cities to enact building codes and regulations and to provide for their administration, enforcement, and amendment; and

**WHEREAS**, the regulation of building and building construction by the City of Olympia (the "City") is necessary to protect the public health, safety, and welfare; and

**WHEREAS**, the Olympia City Council desires to protect the safety and welfare of the citizens of the City through regulation of construction activities and maintenance of buildings in the City; and

**WHEREAS**, the City has previously adopted multiple international codes; and

**WHEREAS**, more recent international codes have been adopted by the State of Washington; and

**WHEREAS**, the City is required by the Revised Code of Washington (RCW) Section 19.27 to adopt the State of Washington Building Codes; and

**WHEREAS**, City staff has reviewed the newly adopted international codes as compared to the City's existing codes; and

**WHEREAS**, City staff recommends adopting the international codes provided for herein along with certain State and local amendments; and

**WHEREAS**, City staff presented the international codes provided for herein along with their amendments to the City of Olympia Land Use and Environment Committee; and

**WHEREAS**, on **April 27, 2023**, the Land Use and Environment Committee voted to recommend approval of the provisions regulating construction through use of the State-adopted codes set forth herein; and

**WHEREAS**, the Ordinance is supported by the staff report and materials associated with this Ordinance, along with other documents on file with the City of Olympia; and

**WHEREAS**, this Ordinance is also supported by the professional judgment and experience of the City staff who have worked on this proposal;

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

**Section 1. Amendment of OMC 16.04.020. Olympia Municipal Code Section 16.04.020 is hereby amended to read as follows:**

#### **16.04.020 Adoption of Referenced Codes -- Purpose**

A. Pursuant to RCW 19.27.031, the City of Olympia hereby adopts the following codes, as amended by the Washington State Building Code Council, and as thereafter amended by the City of Olympia, for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, use and occupancy, location and maintenance of buildings and structures, as well as the installation, repair, replacement or alteration of electrical, mechanical, and plumbing systems along with their associated equipment, appliances, fixtures, fittings and appurtenances thereto, and providing for the issuance of permits and collection of fees, providing penalties for the violation of such codes and each and all of the regulations, provisions, conditions and terms of these code standards, rules and regulations and appendices as noted. One copy of each code shall be on file with the City Clerk and can also be accessed electronically by the following hyperlinks provided within this section.

1. International Building Code Adopted.

The 2021 Edition of the International Building Code, hereafter IBC, as adopted by the State Building Code Council in Chapter 51-50 WAC (excluding Chapter 1, Section 101.4.3 "Plumbing"; excluding Chapter 1, Section 105.2 "work exempt from permit", item 3, "Oil Derricks"; excluding Chapter 1, Section 110.3.5 "Exception"; excluding Chapter 1, Section 113, Board of Appeals), as published by the International Code Council, Inc. (ICC), including ICC A117.1-2017 "Accessible and usable buildings and facilities", and the following Appendices are hereby adopted:

Appendix E, Supplementary Accessibility Requirements ICC A117.2017

Appendix G, Flood resistant construction

Appendix J, Grading

2. International Residential Code Adopted.

The 2021 Edition of the International Residential Code, hereafter IRC, as published by the International Code Council, Inc. (ICC), as adopted by the State Building Code Council in Chapter 51-51 WAC (excluding Chapter 1, Section R112, Board of Appeals, Chapter 11, and Chapters 25 through 43), except that Chapter 29, Section P2904 is adopted and the following Appendices are hereby adopted:

Appendix F Passive Radon Gas Controls

Appendix Q, Tiny Houses

Appendix U, Dwelling Unit Fire Sprinkler Systems, with the following amendment:

Section P2904.1.1 Required sprinkler locations. Sprinklers shall be installed to protect all areas of a dwelling unit.

Exceptions. The following do not require sprinklers:

1. Uninhabitable attics, crawl spaces and normally unoccupied concealed spaces that do not contain fuel-fired appliances. In uninhabitable attics, crawl spaces and normally unoccupied concealed spaces that contain fuel-fired equipment, a sprinkler must be installed above the equipment; however, sprinklers are not required in the remainder of the space.
2. Clothes closets, linen closets and pantries not exceeding 24 square feet (2.2 m<sup>2</sup>) in area, with the smallest dimension not greater than 3 feet (915 mm) and having wall and ceiling surfaces of gypsum board.
3. Bathrooms not more than 55 square feet (5.1 m<sup>2</sup>) in area.

4. Garages; carports; exterior porches; unheated entry areas, such as mud rooms, that are adjacent to an exterior door; and similar areas.
5. Detached garage conversions to accessory dwelling units and detached accessory dwelling units with utilities served by an existing single family residence that does not have an existing sprinkler system.

#### Appendix V, Fire Sprinklers

3. International Mechanical Code Adopted.

The 2021 Edition of the International Mechanical Code, hereafter IMC, as published by the International Code Council, Inc. (ICC), as adopted by the State Building Code Council in Chapter 51-52 WAC (excluding Chapter 1, Section 109, Means of Appeals), is hereby adopted, and includes adoption of the 2021 Edition of the ANSI Z223.1/NFPA 54 National Fuel Gas Code and the 2020 Liquefied Gas Code (NFPA 58) except as otherwise specified by the adoption of referenced Codes.

4. Uniform Plumbing Code Adopted.

The 2021 Edition of the Uniform Plumbing Code, hereafter UPC, as published by the International Association of Plumbing and Mechanical Officials (IAPMO), as adopted by the State Building Code Council in Chapters 51-56 WAC.

5. International Energy Conservation Code/Washington Residential Energy Codes Adopted.

Washington State Residential Energy Code, Chapter 51-11R WAC, excluding SECTION R109 BOARD OF APPEALS

The 2021 Edition of the Washington State Residential Energy Code and the following Appendices are hereby adopted:

Appendix RA, Optional Energy Efficiency Measures – One Step

Appendix RB, Optional Energy Efficiency Measures – Two Step

Appendix RC, Outdoor Design Temperatures for Washington Proponent Options

6. International Energy Conservation Code/Washington Commercial Energy Codes Adopted.

Washington State Commercial Energy Code, Chapter 51-11C WAC, excluding SECTION R109 BOARD OF APPEALS

The 2021 Edition of the Washington State Commercial Energy Code and the following Appendices are hereby adopted:

Appendix A, Default Heat Loss Coefficients

Appendix B, Default Internal Load Values and Schedules

Appendix C, Exterior Design Conditions

Appendix D, Calculation of HVAC Total System Performance Ratio

Appendix E, Renewable Energy

Appendix F, Outcome-Based Energy Budget

7. Manufactured Home Standards adopted.

The Manufactured Home Standards established by the State of Washington governing the installation of manufactured homes (as set forth in WAC Chapter 296-150M), are hereby adopted.

8. International Fire Code Adopted.

The 2021 Edition of the International Fire Code, herein IFC, as published by the International Code Council (ICC), as adopted by the State Building Code Council in Chapter 51-54 WAC (excluding Chapter 1, Section 108, Board of Appeals), and the following Appendices are hereby adopted:

Appendix B, Fire-Flow requirements for Buildings

Appendix E, Hazard Categories

Appendix F, Hazard Rankings

Appendix G, Cryogenic Fluids-Weight and Volume Equivalents

Appendix H, Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions

Appendix I, Fire Protection Systems-Noncompliant Conditions

9. International Existing Building Code Adopted.

The 2021 Edition of the International Existing Building Code, as published by the International Code Council (excluding Chapter 1, Section 112, Board of Appeals), is hereby adopted as the Existing Building Code of the City of Olympia for regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and term of said Existing Building Code, and the following Appendix is hereby adopted:

Appendix A, Guidelines for the Seismic Retrofit of Existing Buildings

10. International Swimming Pool and Spa Code Adopted.

The 2021 International Swimming Pool and Spa Code, as published by the International Code Council (by reference in the 2021 International Building Code WAC 51.50, Section 3109 and the 2021 International Residential Code WAC 51-51, Section 38), is hereby adopted regulating the installation of pools and spas, including ANSI/APSP/ICC-7 Standards for Suction Entrapment Avoidance.

11. International Fuel Gas Code Adopted.

The 2021 International Fuel Gas Code, as published by the International Code Council, is hereby adopted as the Fuel Gas Code for the City of Olympia.

**Section 2. Amendment of OMC 16.04.040. Olympia Municipal Code Section 16.04.040 is hereby amended to read as follows:**

**16.04.040 Amendments to the Referenced Codes**

A. International Building Code Amendments. The following sections of the International Building Code (IBC), as adopted by this Ordinance, are amended to read as follows:

1. Amend Section 105.2 Work Exempt from Permit, item 1 to read: One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than 200 square feet (18.58 m<sup>2</sup>).
2. Reserved.
3. Amend Section 110.3.10 Final inspection. The final inspection is to be made after all conditions of SEPA, Hearings Examiner, Design Review, Development Engineering, Stormwater Ordinance, and the Tree, Soil and Native Vegetation Ordinance are either complied with or bonded for at a rate of 125% in addition to finish grading; and the building is completed and ready for occupancy.
4. Amend Section 111.2 Certificate issued. After the Building Official inspects the building or structure and finds no violations of the provisions of this code or other laws and regulations, which are enforced, by the Community Planning and Development Department, the Building Official shall issue a Certificate of Occupancy, which shall contain the following:
  - a. The building permit number.
  - b. The address of the structure.
  - c. The name and address of the owner or the owner's authorized agent.
  - d. A description of that portion of the structure for which the certificate is issued.
  - e. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
  - f. The name of the Building Official.
  - g. The edition of the code under which the permit was issued.
  - h. The name of the tenant, use and occupancy, in accordance with the provisions of Chapter 3.
  - i. The type of construction as defined in Chapter 6.
  - j. The design occupant load.
  - k. If an automatic sprinkler system is provided, whether the sprinkler system is required.
  - l. Any special stipulations or conditions of the building permit.
5. Add Subsection 903.2 Additional Sprinkler Requirements. There are additional sprinkler requirements in all structures or buildings where the gross square footage, basements included, exceeds 5,000 square feet, or in all structures or buildings more than three stories in height (unless other sections are more restrictive). The area and height increases specified in IBC Sections 504, 506, and 507 shall be permitted. For the purposes of this section, portions of buildings separated by a fire wall may be considered as separate buildings, except that the entire gross floor area of all floors will be used to determine fire sprinkler requirements.

In addition, in all buildings, , where the fire perimeter access (as required under OMC 16.32.050) or access roadways for fire apparatus cannot be provided due to design and/or location, fire sprinkler systems may be required.

B. International Residential Code Amendments. The following sections of the International Residential Code (IRC), as adopted by this Ordinance, are amended to read as follows:

1. Reserved.
2. Amend Section R110.3 Certificate issued. After the Building Official inspects the building or structure and finds no violations of the provisions of this code or other laws and regulations, which are enforced, by the Community Planning and Development Department, the Building Official shall issue a Certificate of Occupancy, which shall contain the following:
  - a. The building permit number.
  - b. The address of the structure.
  - c. The name and address of the owner or the owners authorized agent.
  - d. A description of that portion of the structure for which the certificate is issued.
  - e. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
  - f. The name of the Building Official.
  - g. The edition of the code under which the permit was issued.
  - h. The use and occupancy.
  - i. The type of construction as defined in Chapter 6 of the International Building Code.
  - j. The design occupant load.
  - k. If an automatic sprinkler system is provided, whether the sprinkler system is required.
  - l. Any special stipulations or conditions of the building permit.
3. Amend Table R301.2 (a), Climatic and Geographic Design Criteria, as follows:

**Climatic and Geographic Design Criteria**

**IRC Table R301.2(1)**

<b>SUBJECT TO DAMAGE FROM</b>										
<b>ROOF SNOW LOAD</b>	<b>WIND SPEED (mph)</b>	<b>SEISMIC DESIGN CATEGORY</b>	<b>Weathering</b>	<b>Front Line Depth</b>	<b>Termite</b>	<b>WINTER DESIGN TEMP (Degrees)</b>	<b>ICE SHIELD UNDER- LAYMENT REQUIRED</b>	<b>FLOOD HAZARDS</b>	<b>AIR FREEZING INDEX (degrees)</b>	<b>MEAN ANNUAL TEMP (degrees)</b>
25	110	D1	Moderate	12"	Slight to	17	No	Sept. 1, 2016	170	51

SUBJECT TO DAMAGE FROM										
ROOF SNOW LOAD	WIND SPEED (mph)	SEISMIC DESIGN CATEGORY	Weathering	Front Line Depth	Termite	WINTER DESIGN TEMP (Degrees)	ICE SHIELD UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX (degrees)	MEAN ANNUAL TEMP (degrees)
					Moderate					

4. Add Section R313.2 Automatic Sprinkler System Requirements. A fully automatic residential fire sprinkler system shall be designed, installed, tested and maintained per N.F.P.A. (National Fire Protection Association) 13, current edition, RCW 18.160 and the approval of the Fire Chief, in all structures subject to this code pursuant to Section R101.2 (including additions and alterations to structures with existing sprinkler systems).

**Section 3. Amendment of OMC 16.04.110. Olympia Municipal Code Section 16.04.110 is hereby amended to read as follows:**

**Section 4. Amendment of OMC 16.05.040. Olympia Municipal Code Section 16.05.040 is hereby amended to read as follows:**

**16.05.040 Sprinkler Protection**

The building shall be protected throughout by an automatic sprinkler system complying with the International Building Code and Section 903.3.1.1 (NFPA 13) as contained in the currently adopted International Building Code and as may be further modified by Chapter 16.40. The automatic sprinkler system shall not substitute for one-hour fire-resistive construction.

**Section 5. Amendment of OMC 16.06.010. Olympia Municipal Code Section 16.06.010 is hereby amended to read as follows:**

## **16.06.010 International Property Maintenance Code adopted – Purpose and Administration**

### **A. PURPOSE**

The International Property Maintenance Code, edition 2021 edition, as published by the International Code Council, and herein amended by the City of Olympia, is hereby adopted as the Property Maintenance Code of the City of Olympia for the following purposes: (1) regulating and governing the conditions and maintenance of all property, buildings, and structures; (2) providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; (3) authorizing the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; and (4) providing for the issuance of permits and collection of fees therefore, and each and all of the regulations, provisions, penalties, conditions and terms referred to, adopted, and made a part hereof, as fully set out in this Ordinance.

### **B. ADMINISTRATION - GENERAL**

101.1 Title. These regulations shall be known as the Property Maintenance Code of the City of Olympia, hereinafter referred to as "this code."

101.2 Scope. The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and shall constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, a reasonable level of safety from fire and other hazards, and for a reasonable level of sanitary maintenance; the responsibility of owners, an owner's authorized agent, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

101.3 Intent. This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

101.4 Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

### **C. APPLICABILITY**

102.1 General. The provisions of this code shall apply to all matters affecting or relating to structures and premises, as set forth in Section 101. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern. Where there is a conflict between general requirements and specific requirements, the specific requirements shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

102.2 Maintenance. Equipment, systems, devices and safeguards required by this code, or a previous regulation or code under which the structure or premises was constructed, altered or repaired, shall be maintained in good working order. No owner, owner's authorized agent, operator or occupant shall cause any service, facility, equipment or utility that is required under this section to be removed from, shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's authorized agent shall be responsible for the maintenance of buildings, structures and premises.

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the International Building Code, International Existing Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Residential Code, Uniform Plumbing Code, and NFPA 70 (the currently adopted edition of the National Electrical Code). Nothing in this code shall be construed to cancel, modify or set aside any provision of the City of Olympia Municipal Code.

Except as otherwise specifically stated, where conflicts occur within this Property Maintenance Code, or between the provisions of this Property Maintenance Code and the Building Code, Fire Code, Existing Building Code, Energy Code, Residential Code, Electrical Code, Zoning Code, or other regulations of the City, the more restrictive shall apply.

102.4 Existing remedies. The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and unsanitary.

102.5 Artisanhip. Repairs, maintenance work, alterations or installations that are caused directly or indirectly by the enforcement of this code shall be executed and installed in an artisan-like manner and installed in accordance with the manufacturer's installation instructions.

102.6 Historic buildings. The provisions of this code shall not be mandatory for existing buildings or structures designated as historic buildings when such buildings or structures are judged by the Code Official to be safe and in the public interest of health, safety and welfare.

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Section 16.06.080 and considered part of the requirements of this code to the prescribed extent of each such reference.

102.7.1 Conflicts. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

102.7.2 Provisions in referenced codes and standards. Where there is conflict among this code and a referenced code or standards, the provisions of this code govern.

102.8 Requirements not covered by code. Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health, and general welfare, not specifically covered by this code, shall be determined by the Code Official or the Code Official's duly authorized representative.

102.9 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.10 Other Laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

#### D. PROPERTY MAINTENANCE INSPECTION

103.1 General. The Community Planning and Development Department is responsible for property maintenance inspection.

103.2 Appointment. The Code Official shall be appointed by the appointing authority. The Director of the Community Planning and Development Department shall be the appointing authority for the Department.

103.3 Code Official. In accordance with the prescribed procedures of the City, and with concurrence of the appointing authority, the Code Official may appoint one or more deputies, to be known as Code Enforcement Officers. Such Code Enforcement Officers have powers as delegated by the Code Official.

103.4 Liability. The Code Official, the Hearing Examiner, Code Enforcement Officers, and employees charged with the enforcement of this code, while acting for the City in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, may not be held civilly or criminally liable personally, and are hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.

103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as set forth in Olympia Municipal Code Section 4.36.010 (Building Code review and permit fees) as currently enacted or as amended.

#### E. DUTIES AND POWERS OF THE CODE OFFICIAL

104.1 General. The Code Official and Code Enforcement Officers shall enforce the provisions of this code. The Code Official shall have authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

104.2 Inspections. The Code Official and Code Enforcement Officers shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Code Official and Code Enforcement Officers are authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

104.2.1 Initial Inspection and Enforcement. An initial enforcement inspection shall be undertaken against buildings or properties whenever the Code Official or Code Enforcement Officer has reason to believe that a violation of this code exists; or a complaint is filed with the department by any person.

104.3 Right of entry. The Code Official and Code Enforcement Officers are authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Code Official or Code Enforcement Officer is authorized to pursue recourse as provided by law. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the Code Official or Code Enforcement Officer has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this code, the Code Official or Code Enforcement Officer is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by this code, provided that if such structure or premises is occupied, the Code Official or Code Enforcement Officer shall present credentials to the occupant and request entry. If such structure or premises is unoccupied, the Code Official or Code Enforcement Officer shall first make reasonable effort to locate the owner, owner's authorized agent, or other person having charge or control of the structure or premises and request entry. If entry is refused, the Code Official or Code Enforcement Officer may utilize the remedies provided by law to secure entry.

104.4 Identification. The Code Official and Code Enforcement Officers shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.5 Notices and orders. The Code Official and Code Enforcement Officers shall issue all necessary notices or orders to ensure compliance with this code.

104.6 Department records. The Code Official and Code Enforcement Officers shall keep official records of all business and activities of the department specified in the provisions of this code. Such records must be retained in the official records for the period required for retention of public records.

## F. APPROVAL

105.1 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the Code Official may grant modifications for individual cases upon application of the owner or owner's authorized agent, provided the Code Official shall first find that special individual reason makes the strict letter of this code impractical, the modification is in compliance with the intent and purpose of this code, and that such modification does not lesson health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

105.2 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative material or method of construction has been approved and complies with all other codes adopted by the City of Olympia. An alternative material, design or method of construction shall be approved where the Code Official finds that the proposed design is satisfactory and complies with all other codes adopted by the City of Olympia and the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not approved, the Code Official shall respond in writing, stating the reasons the alternate was not approved.

105.3 Required testing. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the Code Official shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

105.3.1 Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the Code Official shall be permitted to approve appropriate testing procedures performed by an approved agency.

105.3.2 Test reports. Reports of tests shall be retained by the Code Official for the period required for retention of public records.

105.4 Material and equipment reuse. The use of used materials that meet the requirements of this code for new materials is permitted. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved by the Code Official.

105.5 Approved materials and equipment. Materials, equipment and devices approved by the Code Official shall be constructed and installed in accordance with such approval.

105.6 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

## G. VIOLATIONS

106.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

106.2 Notice of violation. The Code Official shall serve a notice of violation or order in accordance with Section 107.

106.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be subject to the following:

a. On first offense, the violation shall constitute a misdemeanor punishable by a fine not to exceed One Thousand Dollars (\$1,000), and/or imprisonment not to exceed ninety (90) days or to both such fine and imprisonment. In the event of a continuing violation or failure to comply, the second and subsequent days shall constitute a gross misdemeanor punishable by a fine not to exceed Five Thousand Dollars (\$5,000) and/or imprisonment not to exceed three hundred and sixty-five (365) days or both such time and imprisonment.

b. As an additional concurrent penalty, it shall be a civil infraction for a person, firm, or corporation to violate or fail to comply with any term or provision of this title or the terms or provisions of a Notice of Violation issued under OMC Chapter 16.06. A person, firm, or corporation found to have committed a civil infraction shall be assessed a monetary penalty as follows:

i. First offense: Class 3 (\$50), not including statutory assessments.

ii. Second offense arising out of the same facts as the first offense: Class 2 (\$125), not including statutory assessments.

iii. Third offense arising out of the same facts as the first offense: Class 1 (\$250), not including statutory assessments.

See also OMC Chapter 4.44, Uniform Civil Enforcement.

c. If the notice of violation is not complied with, the Code Official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. The costs of any action taken by the City of Olympia on such premises, including but not limited to attorney's fees, contractors, engineers and all other costs of any kind, shall be charged against the real property upon which the structure is located and shall be a lien on such real property in accordance with the procedures set forth in Section 110.3 of this code.

106.4 Violation penalties. Any person, who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Continuing violation shall mean the same type of violation which is committed within a year of the initial violation.

106.5 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

## H. NOTICES AND ORDERS

107.1 Notice to person responsible. Whenever the Code Official or Code Enforcement Officer determines that there has been a violation of this code or has grounds to believe that a violation has occurred, the Code Official or Code Enforcement Officer shall give notice in the manner prescribed in Sections 107.2

and 107.3 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section 108.3.

107.2 Form. Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code.
5. Inform the property owner or owner's authorized agent of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 106.3.

107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first-class mail addressed to the last known address; or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

If the whereabouts of any of such person is unknown and the same cannot be ascertained by the Code Official or Code Enforcement Officer in the exercise of reasonable diligence, and the Code Official or Code Enforcement Officer makes an affidavit to that effect, then the serving of such complaint or order upon such persons may be made either by personal service or by mailing a copy of the complaint and order by certified mail, postage prepaid, return receipt requested, to each such person at the address of the building involved in the proceedings, and mailing a copy of the complaint and order by first class mail to any address of each such person in the records of the county assessor or the county auditor for the county where the property is located.

107.4 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section 106.

107.5 Unauthorized tampering. Signs, tags, or seals posted or affixed by the Code Official or Code Enforcement Officer shall not be mutilated, destroyed or tampered with, or removed without authorization from the Code Official or Code Enforcement Officer.

107.6 Transfer of ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner or the owner's authorized agent furnishes the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the Code Official and shall furnish to the Code Official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

## I. UNSAFE STRUCTURES AND EQUIPMENT

108.1 General. When a structure or equipment is found by the Code Official or their designee to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

108.1.1 Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, healthy, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

108.1.2 Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

108.1.3 Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the Code Official or their designee finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

108.1.4 Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

108.1.5 Dangerous structure or premises. For the purpose of this code, any structure or premises that have any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one-half the original design value.
5. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal of movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its intended use and occupancy.
7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger,

becomes a harbor for vagrants, criminals or immoral persons, or enables persons to enter the building or structure for committing a nuisance or an unlawful act.

8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.

9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing systems, or otherwise is determined by the Code Official or their designee to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical systems, plumbing system or other cause, is determined by the Code Official or their designee to be a threat to life or health.

11. Any portion of a building remains on site after the demolition or destruction of the building or structure or whenever the building of any structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

108.2 Closing of vacant structures. If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the Code Official or their designee is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner or owner's authorized agent to close up the premises within the time specified in the order, the Code Official or their designee shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and such costs will be recoverable pursuant to the provisions of this code.

108.2.1 Authority to disconnect service utilities. The Code Official or their designee shall have the authority to authorize disconnections of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in section 102.3 in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without approval. The Code Official or their designee shall notify the serving utility and, whenever possible, the owner or owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection, the owner, owner's authorized agent or occupant of the building or structure or service system shall be notified in writing as soon as practical thereafter.

108.3 Notice. Whenever the Code Official or their designee has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner, owner's authorized agent or the person or persons responsible for the structure or equipment in accordance with Sections 107.1, 107.2 and 107.3. If the notice pertains to equipment, it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in Section 107.2.

108.4 Placarding. Upon failure of the owner, owner's authorized agent or person responsible to comply with the notice provisions within the time given, the Code Official or their designee shall post on the premises or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

108.4.1 Placard removal. The Code Official or their designee shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the Code Official shall be subject to the penalties provided by this code.

108.5 Prohibited occupancy. Any occupied structure condemned and placarded by the Code Official their designee shall be vacated as ordered by the Code Official or their designee. Any person who shall occupy placarded premises or shall operate placarded equipment, and any owner, owner's authorized agent or person responsible for the premises who shall let anyone occupy placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.

108.6 Abatement methods. The owner, owner's authorized agent, operator or occupant of a building, premises or equipment deemed unsafe by the Code Official or their designee shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action.

108.7 Record. The Code Official or their designee shall file a report of investigation of unsafe conditions stating the occupancy of the structure and the unsafe condition.

## J. EMERGENCY MEASURES

109.1 Imminent danger. When, in the opinion of the Code Official or their designee, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the Code Official or their designee is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The Code Official or their designee shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

109.2 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the Code Official or their designee, there is imminent danger due to an unsafe condition, the Code Official their designee shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the Code Official or their designee deems necessary to meet such emergency.

109.3 Closing streets. When necessary for public safety, the Code Official or their designee shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

109.4 Emergency repairs. For the purposes of this section, the Code Official or their designee shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

109.5 Costs of emergency repairs. Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

109.6 Hearing. Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

## K. DEMOLITION

110.1 General. The Code Official or their designee shall order the owner or the owner's authorized agent of any premises upon which is located any structure, which in the Code Official's or their designee's or owner's authorized agent judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that is unreasonable to repair the structure, to demolish and remove such structure; and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years that the building or structure has become dangerous as defined in this code, the Code Official or their designee shall order the owner or owner's authorized agent to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the Code Official or their designee.

110.2 Notices and orders. All notices and orders shall comply with Section 107.

110.3 Failure to comply. If the owner of a premises or owner's authorized agent fails to comply with a demolition order within the time prescribed, the Code Official or their designee shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

If the party responsible under Section 102.2, or other sections of this Code, fails to comply with the final order to repair, alter, improve, vacate, close, remove, or demolish the dwelling, building structure or premises, the Code Official or their designee may direct or cause such dwelling, building, structure, or premises to be repaired, altered, improved, vacated, and closed, removed, or demolished.

The amount of the cost of such repairs, alterations or improvements; or vacating and closing; or removal or demolition by the Code Official or their designee, shall be assessed against the real property upon which such cost was incurred unless such amount is previously paid. Upon certification by the Clerk of the City of the assessment amount being due and owing, the county treasurer shall enter the amount of such assessment upon the tax rolls against the property for the current year and the same shall become a part of the general taxes for that year to be collected at the same time and with interest at such rates and in such manner as provided for in Revised Code of Washington 84.56.020, as now or hereafter amended, for delinquent taxes, and when collected to be deposited to the credit of the Building Demolition and Nuisance Abatement revolving fund of the City.

The assessment shall constitute a lien against the property which shall be of equal rank with state, county and municipal taxes.

110.4 Salvage materials. When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

## L. MEANS OF APPEAL

111 Means of Appeal. Any person adversely affected or aggrieved by a decision of the Code Official or their designee or a notice or order issued under this code may appeal to the hearings examiner pursuant to the Olympia Municipal Code Chapter 18.75, provided that a written application for appeal is filed within fourteen (14) days after the day the decision, notice or order was served. An appeal shall be based on a

claim that the true intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

**Section 6. Amendment of OMC 16.06.030. Olympia Municipal Code Section 16.06.030 is hereby amended to read as follows:**

**16.06.030 General Requirements**

**A. GENERAL**

301.1 Scope. The provisions of this section shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

301.2 Responsibility. The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

301.3 Vacant structures and land. All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

**B. EXTERIOR PROPERTY AREAS**

302.1 Sanitation. Exterior property and premises shall be maintained in a clean, safe, and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

302.2 Grading and Drainage. Premises shall be graded and maintained to prevent erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

EXCEPTION: Approved retention areas and reservoirs.

302.3 Sidewalks and driveway. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

302.4 Weeds, brush, bushes or shrubs, and other vegetation. All property owners, and all persons in control of property, shall keep all exterior property areas, including the planting strip, free from blight and from overgrowth in excess of 12 inches in height, including but not limited to lawn grass, plants, nuisance weeds, blackberries, and other vegetation. All noxious weeds identified on the Thurston County Noxious Weed Control list are prohibited. After service of a notice of violation, a person violating this subsection is subject to OMC 16.06.010, Section 106.3. Upon failure by the property owner or person in control of property to comply with the notice of violation, any duly authorized employee of the City or contractor hired by the City is authorized to enter upon the property in violation and remove the grass, brush, bushes, noxious weeds, nuisance weeds, etc. growing thereon, and the property owner or person in control of the property shall pay the costs of such removal.

EXCEPTION: Agricultural areas within the City of Olympia (crops, livestock, farming, etc.) are exempt from this subsection.

302.5 Rodent harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

302.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

302.7 Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

302.8 Motor Vehicles. Except as provided for in other regulations, no inoperative or unlicensed vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. For purposes of this section "vehicle" is defined in the Revised Code of Washington Section 46.04.670.

EXCEPTION: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

302.9 Defacement of property. No person shall willfully or wantonly damage, mutilate, or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving, or graffiti.

It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

302.10 Recreational vehicles or other vehicles. No recreational vehicle as defined by the Olympia Municipal Code Chapter 18.02.180 or other vehicles shall be used for the purpose of living, sleeping, cooking or any similar use while parked on publicly owned or private property.

EXCEPTIONS:

1. Recreational vehicles lawfully located in manufactured/mobile communities (as defined in RCW 59.20.030) may be used as a primary residence for the purpose of living, sleeping, cooking or similar uses, provided that:
  - a. The recreational vehicle has a Recreational Park Trailer or Recreation Vehicle Label provided by Washington State Department of Labor and Industries (Or its equivalent if from another state).
  - b. The total number of residential units within the community/park does not exceed the number established within the land use approval. A recreational vehicle may replace a manufactured or mobile unit, but additional units require land use approval prior.
  - c. A recreational vehicle is not permitted as an accessory living quarter or an accessory dwelling unit to any other primary residence within the community/park.
  - d. The recreational vehicle must comply with all applicable requirements of the International Building and Fire Codes in effect at the time of application.
  - e. Unless the pad/side is shown on the approved site plan without connection, the recreational vehicle must be connected to the sanitary sewer or an onsite sewage system in compliance with OMC 13.08.090 and all applicable Thurston County regulations.

2. Recreational vehicles may be permitted to be used as a temporary residence, provided the criteria and approvals required in OMC 18.04.060(DD) Temporary Uses are satisfied.

#### 302.11 Cargo containers and semi-trailers.

302.11.1 Cargo containers, except as otherwise permitted by Olympia Municipal Code Title 18 shall not be permitted to be used as storage buildings. Cargo containers which are permitted by the land use regulatory code to be used as storage buildings shall be provided with a foundation system that provides adequate clearance from the ground to prevent deterioration and shall be provided with an anchorage system to prevent sliding or overturning by wind or seismic forces prescribed by the building code.

302.11.2 Semi trailers shall not be used as storage buildings.

#### 302.12 Additional nuisances.

- A. Causing or allowing any human or animal waste, poison, poison oak or ivy, or noxious substance to be collected or to remain in any place, street, highway, or alley in the City in a manner which is reasonably offensive to the public; or
- B. Obstructing or encroaching upon or rendering unsafe for passage any public highway, private way, street, sidewalk, trail, alley, park, square, driveway, lake, or stream in the City; or
- C. Excavating or maintaining on public or private property any hole, excavation or pit which is reasonably dangerous to the public or adjacent property.

302.13 Swimming pools. A property owner or person in control of property shall maintain any swimming pools pursuant to the Swimming Pool Spa and Hot Tub Code, state building codes, and other applicable federal, state, and local laws. A property owner or person in control of property shall maintain any swimming pool in a clean and sanitary condition and in good repair.

#### C. EXTERIOR STRUCTURE

304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.1.1 Unsafe Conditions. The following conditions shall be determined to be unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundation is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit share;
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;
5. Structural members that have evidence of deterioration or that are not capable of supporting all nominal loads and load effects;
6. Foundations systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;

7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;
8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;
9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects;
10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;  
or
13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. Where substantiated otherwise by an approved method.
2. Demolition of unsafe conditions shall be permitted where approved by the code official.

304.2 Protective treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

304.3 Premises identification. Buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position to be legible and visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numerals or alphabetical letters. Numbers shall be a minimum of 4 inches (102 mm) in height with a minimum stroke width of 0.5 inches (12.7 mm).

Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of private road and the building cannot be viewed from the public way, a monument pole, or other sign or means shall be used to identify the structure. Address identification shall be maintained.

304.4 Structure members. All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

304.5 Foundation walls. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

304.6 Exterior walls. All exterior walls shall be free from holes, breaks, dampness, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.8 Decorative features. Cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

304.9 Overhang extensions. Overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

304.11 Chimneys and towers. Chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. Exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.12 Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

304.13.1 Glazing. All glazing materials shall be maintained free from cracks and holes.

304.13.2 Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware

304.15 Doors. All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.16 Basement hatchways. Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

304.17 Guards for basement windows. Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

304.18 Building security. Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

304.18.1 Doors. Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a lock throw of not less than 1 inch (25MM). Such deadbolt locks shall be installed according to the manufacture's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

304.18.2 Windows. Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking devices.

304.18.3 Basement hatchways. Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

#### D. INTERIOR STRUCTURE

305.1 General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

305.1.1 The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the loads effects or the required strength;
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to the foundation is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Structural members are incapable of supporting nominal loads and load effects;
5. Stairs, landings, balconies and similar surfaces, including guards and handrails, are not structurally sound, not properly anchored or are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
6. Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. Where substantiated otherwise by an approved method.

2. Demolition of unsafe conditions shall be permitted when approved by the code official.

305.2 Structural members. All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

305.3 Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood, mold and other defective surface conditions shall be corrected.

305.4 Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

305.5 Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

305.6 Interior doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

#### E. COMPONENT SERVICEABILITY

306.1 General. The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

306.1.1 Unsafe conditions. Where any of the following conditions cause the components or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings.

1. Soils that have been subjected to any of the following conditions:
  - 1.1 Collapse of footing or foundation system;
  - 1.2 Damage to footing, foundation, concrete or other structural element due to soil expansion;
  - 1.3 Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil;
  - 1.4 Inadequate soil as determined by a geotechnical investigation;
  - 1.5 Where the allowable bearing capacity of the soil is in doubt; or
  - 1.6 Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.
2. Concrete that has been subjected to any of the following conditions:
  - 2.1 Deterioration;
  - 2.2 Ultimate deformation;
  - 2.3 Fractures;
  - 2.4 Fissures;
  - 2.5 Spalling;

- 2.6 Exposed reinforcement; or
- 3. Aluminum that has been subjected to any of the following conditions:
  - 3.1 Deterioration;
  - 3.2 Corrosion;
  - 3.3 Elastic Deformation;
  - 3.4 Ultimate deformation;
  - 3.5 Stress or strain cracks;
  - 3.6 Joint fatigue; or
  - 3.7 Detached, dislodged or failing connections.
- 4. Masonry that has been subjected to any of the following conditions:
  - 4.1 Deterioration;
  - 4.2 Ultimate Deformation;
  - 4.3 Fractures in masonry or mortar joints;
  - 4.4 Fissures in masonry or mortar joints;
  - 4.5 Spalling;
  - 4.6 Exposed reinforcement;
  - 4.7 Detached, dislodged or failing connections.
- 5. Steel that has been subjected to any of the following conditions:
  - 5.1 Deterioration;
  - 5.2 Elastic deformation;
  - 5.3 Ultimate deformation;
  - 5.4 Metal fatigue; or
  - 5.5 Detached, dislodged or failing connections.
- 6. Wood that has been subjected to any of the following conditions:
  - 6.1 Ultimate deformation;
  - 6.2 Deterioration;
  - 6.3 Damage from insects, rodents, and other vermin;
  - 6.4 Fire damage beyond charring;
  - 6.5 Significant splits and checks;

- 6.6 Horizontal shear cracks;
- 6.7 Vertical shear cracks;
- 6.8 Inadequate support;
- 6.9 Detached, dislodged or failing connections; or
- 6.10 Excessive cutting and notching.

Exceptions:

1. Where substantiated otherwise by an approved method.
2. Demolition of unsafe conditions shall be permitted where approved by the code official.

## F. RUBBISH AND GARBAGE

308.1 Accumulation of rubbish or garbage. Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

308.2 Disposal of rubbish. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

308.2.1 Rubbish storage facilities. The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

308.2.2 Refrigerators. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors.

308.3 Disposal of garbage. Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

308.3.1 Garbage facilities. The owner of every dwelling shall supply both of the following: an approved mechanical food waste grinder in each dwelling unit; an approved leakproof, covered, outside garbage container.

308.3.2 Containers. The operator of every establishment producing garbage shall provide, at all times, cause to be utilized, approved leakproof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

## G. EXTERMINATION

309.1 Infestation. Structures shall be kept free from insect and rodent infestation. Structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After pest extermination, proper precautions shall be taken to prevent reinfestation.

309.2 Owner. The owner of any structure shall be responsible for pest elimination within the structure prior to renting or leasing the structure.

309.3 Single occupant. The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for pest elimination on the premises.

309.4 Multiple occupancy. The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for pest elimination in the public or shared areas of the structure and exterior property.

If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant and owner shall be responsible for pest elimination.

309.5 Occupant. The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

EXCEPTION: Where the infestations are caused by defects in the structure, the owner shall be responsible for pest elimination.

**Section 7. Amendment of OMC 16.06.060. Olympia Municipal Code Section 16.06.060 is hereby amended to read as follows:**

**16.06.060 Mechanical and Electrical Requirements**

**A. GENERAL**

601.1 Scope. The provisions of this section shall govern the minimum mechanical and electrical facilities and equipment to be provided.

601.2 Responsibility. The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises which does not comply with the requirements of this section.

**B. HEATING FACILITIES**

602.1 Facilities required. Heating facilities shall be provided in structures as required by this section.

602.2 Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in Appendix D of the Uniform Plumbing Code. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

EXCEPTION: In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms, and toilet rooms.

**EXCEPTIONS:**

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the Uniform Plumbing Code.
2. In areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

EXCEPTIONS:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activity.

602.5 Room temperature measurements. The required room temperatures shall be measured 3 feet (914 mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

C. MECHANICAL EQUIPMENT

603.1 Mechanical appliances. All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

603.2 Removal of combustion products. All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

EXCEPTION: Fuel-burning equipment and appliances which are labeled for unvented operation.

603.3 Clearances. All required clearances to combustible materials shall be maintained.

603.4 Safety controls. All safety controls for fuel-burning equipment shall be maintained in effective operation.

603.5 Combustion air. A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

603.6 Energy conservation devices. Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to fuel the supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless labeled for such purpose and the installation is specifically approved.

D. ELECTRICAL FACILITIES

604.1 Facilities required. Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605.

604.2 Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the currently adopted National Electrical Code (NFPA 70). Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.

604.3 Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

604.3.1 Abatement of electrical hazards associated with water exposure. The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.

604.3.1.1 Electrical equipment. Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low voltage fuses, luminaires, ballasts, motor and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the International Building Code and the National Electrical Code (NFPA 70).

#### E. ELECTRICAL EQUIPMENT

605.1 Installation. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

605.2 Receptacles. Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection.

605.3 Luminaires. Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric luminaire.

605.4 Wiring. Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings.

#### F. ELEVATORS, ESCALATORS AND DUMBWAITERS

606.1 General. Elevators, dumbwaiters and escalators shall be maintained in compliance with American Society of Mechanical Engineers (ASME) A17.1. The most current certification of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter; or the certificate shall be available for public inspection in the office of the building operator. The inspection and tests shall be performed at not less than the periodical intervals listed in ASME A 17.1, Appendix N, except where otherwise specified by the authority having jurisdiction.

606.1.1 Elevators, Escalators and Dumbwaiters shall comply with the State Department of Labor and Industries inspection and operation requirements.

606.2 Elevators. In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

EXCEPTION: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

#### G. DUCT SYSTEMS

607.1 General. Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

**Section 8. Amendment of OMC 16.06.070. Olympia Municipal Code Section 16.06.070 is hereby amended to read as follows:**

#### **16.06.070 Fire Safety Requirements**

##### A. GENERAL

701.1 Scope. The provisions of this section shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided.

701.2 Responsibility. The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that do not comply with the requirements of this section.

## B. MEANS OF EGRESS

702.1 General. A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the International Fire Code.

702.2 Aisles. The required width of aisles in accordance with the International Fire Code shall be unobstructed.

702.3 Locked doors. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the International Building Code.

702.4 Emergency escapes openings. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

## C. FIRE-RESISTANCE RATINGS

703.1 Fire-resistance-rated assemblies. The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.

703.2 Opening protectives. Required opening protectives shall be maintained in an operative condition. All fire and smokestop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

## D. FIRE PROTECTION SYSTEMS

704.1 General. All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the International Fire Code.

704.1.1 Automatic sprinkler system. Inspection, testing and maintenance of automatic sprinkler systems shall be in accordance with NFPA 25.

704.1.2 Fire department connection. Where the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an approved sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" not less than 6 inches (152mm) high and words in letters not less than 2 inches (51mm) high or an arrow to indicate the location. Such signs shall be subject to the approval of the fire code official.

704.2 Single- and multiple-station smoke alarms. Single or multiple-station smoke alarms shall be installed in existing Group I-1 and R occupancies in accordance with Sections 704.2.1 through 704.2.3.

704.2.1 Where required. Existing Group I-1 and R occupancies shall be provided with single-station smoke alarms in accordance with Section 704.2.1.1 through 704.2.1.4. Interconnection and power source shall be in accordance with Sections 704.2.2 and 704.2.3.

Exceptions:

1. Where the code that was in effect at the time of construction required smoke alarms and smoke alarms complying with those requirements are already provided.
2. Where smoke alarms have been installed in occupancies and dwellings that were not required to have them at the time of construction, additional smoke alarms shall not be required provided the that existing smoke alarms comply with requirements that were in effect at the time of construction.
3. Where smoke detectors connected to a fire alarm system have been installed as a substitute for smoke alarms.

704.2.1.1 Group R-1. Single- or multiple-station smoke alarms shall be installed in all of the following locations in Group R-1:

1. In sleeping areas.
2. In every room in the path of the means of egress from sleeping area to the door leading from the sleeping unit.
3. In each story within the sleeping unit, including basements. For sleeping units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

704.2.1.2 Groups R-2, R-3, R-4 and I-1. Single- or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4, and I-1 regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of the bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

704.2.1.3 Installation near cooking appliances. Smoke alarms shall not be installed in the following locations unless this would prevent placement of a smoke alarm in a location required by Section 704.2.1.1 or 704.2.1.2.

1. Ionization smoke alarms shall not be installed less than 20 feet (6096mm) horizontally from permanently installed cooking appliances.
2. Ionization smoke alarms with an alarm-silencing switch shall not be installed less than 10 feet (3048 mm) horizontally from a permanently installed cooking appliance.
3. Photoelectric smoke alarms shall not be installed less than 6 feet (1829mm) horizontally from a permanently installed cooking appliance.

704.2.1.4 Installation near bathrooms. Smoke alarms shall be installed not less than 3 feet (914mm) horizontally from the door or opening of a bathroom that contains a bathtub or shower unless this would prevent placement of a smoke alarm required by Section 704.2.1.1 or 704.2.1.2.

704.2.2 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling or sleeping unit, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnections of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

Exceptions:

1. Interconnection is not required in buildings that are not undergoing alterations, repairs or construction of any kind.
2. Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for interconnection without the removal of interior finishes.

704.2.3 Power source. Single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with a battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

Exceptions:

1. Smoke alarms are permitted to be solely battery operated in existing buildings where no construction is taking place.
2. Smoke alarms are permitted to be solely battery operated in buildings that are not served from a commercial power source.
3. Smoke alarms are permitted to be solely battery operated in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior walls or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for building wiring without the removal of interior finishes.

704.2.4 Smoke detection system. Smoke detectors listed in accordance with UL268 and provided as part of the buildings fire alarm system shall be an acceptable alternative to single- and multiple-station smoke alarms and shall comply with the following:

1. The fire alarm shall comply with all applicable requirements in Section 907 of the International Fire Code.
2. Activation of a smoke detector in a dwelling or sleeping unit shall initiate alarm notification in the dwelling or sleeping unit in accordance with Section 907.5.2 of the International Fire Code.
3. Activation of a smoke detector in a dwelling or sleeping unit shall not activate alarm notification appliances outside of the dwelling or sleeping unit, provided that a supervisory signal is generated and monitored in accordance with Section 907.6.5 of the International Fire Code.

**Section 9. Amendment of OMC 16.06.080. Olympia Municipal Code Section 16.06.080 is hereby amended to read as follows:**

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**Section 10. Amendment of OMC 16.24.020. Olympia Municipal Code Section 16.24.020 is hereby amended to read as follows:**

### **16.24.020 Adoption of National Electrical Code Article 80**

The National Electrical Code (NEC) is amended and supplemented by the addition of a new Article to be known as Article 80 – Adoption, to read as follows:

Article 80 - Adoption

80.1 Short Title. These regulations are known as the City of Olympia Electrical Code and must be cited as such and will be referred to herein as “this Code.”

80.3 Washington Cities Electrical Code Adopted. The Washington Cities Electrical Code (WACEC) is hereby adopted and is applicable within the City, as amended, added to and excepted in this Code.

80.4 Conflicts. In accordance with RCW 19.28.010(3), where the State of Washington, Department of Labor and Industries adopts a more current edition of the National Electrical Code (NFPA 70), the Code Official may supplement use of the WACEC with newly adopted editions of the National Electrical Code (NEC).

Including: Part 1 adopting the currently WACEC adopted version of the NEC and other necessary codes and standards adopted by the State of Washington.

Excluding: Part 2 amending the administrative chapter of the NEC based on portions of the ICC Electrical Code, as published by the International Code Council.

Including: Part 3 amending the NEC through supplements, deletions or revisions to be equal, higher, or better than the State of Washington’s rules.

### **Section 11. Amendment of OMC 16.32.080. Olympia Municipal Code Section 16.32.080 is hereby amended to read as follows:**

#### **16.32.080 Add Section 905.11, International Fire Code -- Standpipe Systems in Marinas**

The following standards are added as supplements to the International Fire Code, currently State adopted version, Chapter 36, and shall be the standard for installation of standpipe systems in marinas:

1. All portions of floats exceeding 250 feet in distance from the point of fire apparatus access shall be provided with an approved dry standpipe system, installed in conformity with NFPA 14 and Chapter 36 of the International Fire Code, Currently State adopted version.
2. Hose stations shall be provided at 150-foot intervals, with the most remote station a maximum of 75 feet from the end of the float. Each hose station shall be provided with two 2-1/2 inch standpipe valves with 2-1/2 inch to 1-1/2 inch reducers with caps. Installation of fire hose is not mandatory at standpipe locations. All hose station risers shall be galvanized steel.
3. Each standpipe system shall be provided with a minimum of two 2-1/2" Fire Department connections. The Fire Department connection shall be located on the shore end of the first floating dock.
4. Piping shall be minimum schedule 40 class and shall be sized to deliver 300 GPM at 65 psi residual pressure at the most remote station with a delivered pressure of 150 psi at the Fire Department connection.

5. Sectional valves shall be provided at the change of direction of each float and at each hose station. The valve shall be downstream of the hose station.
6. Each hose station shall be provided with a 4A 40 BC fire extinguisher.
7. An alarm system shall be provided, with manual fire alarm station at each hose station, visual and audible devices and shall be extended to an approved alarm receiving agency. All covered moorage in excess of 5,000 square feet shall be provided with automatic detection.
8. Pressure test. The system shall be pretested by the installing company prior to final test witnessed by the Olympia Fire Department. The system must withstand 200 psi for two hours. The final test will determine if rated flow can be supplied at most remote hose station.

**Section 12. Amendment of OMC 16.40.090. Olympia Municipal Code Section 16.40.090 is hereby amended to read as follows:**

**16.40.090 Sprinkler System Standards**

- A. Three (3) sets of shop drawings including three (3) copies of details of the double check detector check assembly, riser diagram and sectional of structure, shall be submitted to the City of Olympia for review and approval prior to commencement of installation. The contract value shall be affixed to the plans as well as a copy of the maintenance contract.
- B. A plan check fee shall be paid to the City of Olympia at the time plans are submitted.
- C. The required fire protection systems permit must be obtained from the city prior to commencement of work. If a contractor starts work without a permit, a stop work order will be issued until such permit is secured. If a contractor continues to work without a permit, a citation will be issued with a fine of up to \$500.00 per day for every day the contractor works without a permit.
- D. When a building is required to be provided with a fire sprinkler system, said system shall cover all areas of the structure including concealed spaces, vaults and exterior combustible appurtenances.
- E. Mixed use buildings shall be designed to NFPA 13 Standards throughout.
- F. The final acceptance of any sprinkler shall be subject to performance of all required testing and inspections during installation and performance tests in conjunction with fire alarm acceptance tests. No Certificate of Occupancy shall be granted for the structure until satisfactory acceptance tests are accomplished.
- G. A double check detector check assembly is required on all sprinkler systems. The double back flow may be inside the building. If the back flow assembly is inside the building, the water main lateral for the system shall be approved by the Engineering Department, including plan submittal. The outside stem & yoke (OS&Y) valves shall be provided with electrical tamper supervision tied into the building fire alarm system. Exception: OS&Y valves in vaults may be supervised with a chain and lock.
- H. All systems, except residential systems, shall be provided with a yard or wall PI control valve which is easily accessible. The wall PI valve shall be 30" to 42" above exterior grade level.
- I. Floor control valves, with electrical tamper supervision and flow switches, are required on structures of two or more levels. Basements and/or parking areas are considered levels. All valves shall be no more than 6 feet high from finish floor height.

J. The fire department connection (FDC) shall be located within 40 feet of the nearest fire hydrant. The FDC, if remote from the building, shall be provided with a ball drip valve below the freeze line. The FDC shall be located 30" to 42" above finished grade.

K. All drains and test valves shall be piped to discharge to the exterior in a safe location. A remote inspector test valve shall be provided on wet and dry systems.

L. All wet systems shall be provided with riser mounted water flow detection devices and dry systems shall be provided with pressure switches.

M. All systems shall be installed as prescribed in NFPA 13, 13D, 13R, 2010 Editions.

N. All electrical components shall be compatible with the fire alarm system voltage, including the water flow bell.

O. The sprinkler system shall cause a water flow alarm indicating the floor or origin.

P. All systems will require witness of underground flushing and hydrostatic tests for underground piping. Interior pipe inspection must be performed prior to cover. All inspections require a minimum of 48 hours notice prior to inspection.

Q. All hydraulic calculated systems shall have the following information on the plans at time of submittal:

1. Water supply information including graph showing availability versus system demand;
2. Hydraulic reference points;
3. System design criteria;
4. Actual calculated requirements; and
5. Hydraulic calculation sheets.

R. All hydraulic calculated systems shall start calculations with a minimum 7 psi at the furthest remote head. A 10% minimum safety factor is required for calculated systems.

S. Hydraulic calculation plates shall be permanently affixed to each system riser.

T. Valves on connections to water supplies, sectional control valves, and other valves in supply pipes to sprinklers shall be supervised only by the following methods:

1. Central station, proprietary, remote station signaling service.
2. Valves locked in the open position, when valves are accessible to the public.

U. Systems serving R-1 and R-2 occupancies (13-R Systems) shall have protection in bathrooms (except powder rooms and water closets), closets exceeding 24 square feet, and covered patios or decks.

V. In addition to NFPA 13D sprinkler standards all bathrooms within one and two family dwellings, shall have protection, except powder rooms, closets greater than 24 square feet or in which the smallest dimension is greater than 36 inches, and at least one sprinkler head in the garage (additional heads in garage may be required for extra-large or tandem garages). Townhomes protected with 13-D systems shall also have covered decks protected with a dry side wall head.

**Section 13. Amendment of OMC 16.44.060. Olympia Municipal Code Section 16.44.060 is**

**hereby amended to read as follows:**

**16.44.060 General regulation**

A. Design. All fire alarm plans submitted for approval shall bear the designer's valid Washington State Low Voltage Specialty Electrical Contractor's License number or shall be stamped by a registered fire protection or electrical engineer.

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.
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 readily visible for arriving personnel or be provided with a remote annunciator. Such equipment shall be located 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.
  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.
- 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 be on record with the fire department prior to scheduling of final acceptance test.
- E. Plan Check Fee. A fee equal to 65 percent of the permit fee shall be forfeited to the city at the time of submittal of plans.

F. Permit Fee. A fee equal to Table 1A of OMC 4.36.010, Building Valuation Table, with regional modifiers.

G. Reinspection Fees. A \$175.00 reinspection fee shall be assessed 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 14. Amendment of OMC 16.44.070. Olympia Municipal Code Section 16.44.070 is hereby amended to read as follows:**

**16.44.070 Standards**

A. All fire alarm systems shall be installed in accordance with the ordinances of the City, and those portions of the National Fire Protection Standards which have been adopted by city ordinances.

B. All new fire alarm systems shall be addressable systems. Systems shall communicate by point to the alarm monitoring agency, and cannot be monitored by DACT lines as defined in OMC 16.44.100(O).

C. All fire alarm system wiring and components shall be electrically supervised.

D. Fire alarm systems shall have a secondary power supply which shall automatically supply the energy to the system within 30 seconds of primary power supply failure. Under maximum normal load, the secondary supply shall have sufficient capacity to operate the fire alarm system for 24 hours, and then at the end of that period, operate all alarm indicating appliances and direct aid to the location of an emergency for 5 minutes.

E. All rate-of-rise heat detectors shall have replacement links or be self-restoring for testing purposes.

F. Post Indicating Valves, Wall Indicating Valves, and Outside Stem and Yoke Valves shall be on a zone isolated from waterflow indication, and wired for supervisory and trouble alarms only.

G. The supervised relay boards that control elevator recall, HVAC, air pressurization and all other auxiliary functions shall stay "locked in," even though the audible signaling circuits have been silenced, until the panel has been reset and returned to normal.

H. Fire alarm systems required under this article, including existing required fire alarm systems, shall have a maintenance agreement in effect with a fire alarm company and/or qualified individual (Ordinance 4220). Such agreements must provide for periodic inspection and testing as prescribed by adopted local and national standards set forth in Appendix "A" of Ordinance 4415 (see Section 16.44.070A herein). Repair service shall be available within 24 hours of notification of trouble.

I. Zoning shall be required on all fire alarm systems when a building or complex consists of three or more separate buildings, floors, or fire divisions. When remote annunciation is required, it shall be installed so as to be clearly visible and identifiable to personnel responding to an alarm. An approved graphic annunciator panel of the premises to be protected, identifying zones, shall be provided at each required annunciator.

- J. Devices shall include both audible and visual, or a combination as specified by the Fire Chief, or the Fire Chief's designee. Audible devices shall be placed in buildings and be so located that with all intervening doors closed, the alarm device shall be heard at a minimum of 60 dba, or not less than 15 decibels above the ambient noise level, whichever is greater. Mechanical areas require 85 dba, or not less than 15 decibels above the ambient noise level, whichever is greater. Visual devices shall be provided in all common use areas including restrooms, conference rooms, work rooms, etc.
- K. When internal fire separations are required by the Building or Fire Code, all protected openings shall be provided with magnetic hold open devices tied into the building fire alarm system and wired as fail safe. "Fail Secure" wiring is prohibited except when approved by the Fire Chief or the Fire Chief's designee.
- L. All devices installed on the exterior of a building shall be listed for exterior use and shall be accompanied by appropriate weatherproof back boxes.
- M. One or more weatherproof horn strobe device(s) shall be installed on the exterior of the building, in a location to be designated by the Olympia Fire Department.
- N. Fire alarm control panels shall be located in a controlled heated environment. Ambient temperature shall be maintained at a range between 40 and 100 degrees F or as recommended by the manufacturer. Fire alarm control panels shall not be installed in an exterior location.
- O. Waterflow detection devices used in conjunction with a fire alarm panel shall be isolated to the last zone or zones. The installation shall conform to UL Standard #864, which states that the silence switch in the alarm panel shall be bypassed on zones having waterflow detectors. The way the alarm may be silenced is by the waterflow switch(es) returning to normal position by way of water flow cessation.
- P. Fire alarm control panels used in residential applications shall have zone verification capabilities for smoke detectors installed in dwelling units or guest rooms and connected to the control panel.
- Q. If a voice evacuation system is required, the control panel shall include amplifiers, relays, connections and battery standby power to provide a complete system.
- R. Detectors placed in false ceiling cavities shall be either analog with addressable modules or addressable, and shall have remote indicating lights in the ceiling below.
- S. Automatic detection connected to the fire alarm system in the guest rooms (sleeping rooms) of hotel/motel occupancies shall annunciate at a panel located at a consistently attended location as a supervisory alarm. Such guest room smoke detectors shall be zone verification detectors. Corridor, stairway, and common area detectors are to be on separate zones from the guest room detectors.
- T. Where installations have elevators, detailed fire service operational plans shall be provided to include primary and alternate floor modes.
- U. Guest rooms in hotel/motel occupancies shall have a horn/strobe in each guest room.
- V. Combination alarms that combine burglar or hold-up alarms with fire alarms are not allowed.

**Section 15. Amendment of OMC 16.70.020. Olympia Municipal Code Section 16.70.020 is hereby amended to read as follows:**

**16.70.020 Definitions**

- A. DEFINITIONS - SPECIFIC.

"Alteration of watercourse" means any action that will change the location of the channel occupied by water within the banks of any portion of a riverine waterbody.

"Appeal" means a request for a review of the interpretation of any provision of this ordinance or a request for a variance.

"Area of shallow flooding" means a designated zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. Also referred to as the sheet flow area.

#### B. DEFINITIONS - SPECIFIC

"Area of Special Flood Hazard" is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone V, VE, A, AO, or AE. "Special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".

"Base Flood" means the flood having a 1% chance of being equaled or exceeded in any given year (also referred to as the "100-year flood"). Designated on Flood Insurance Rate Maps by the letter A.

"Base Flood Elevation" (BFE): means the elevation to which floodwater is anticipated to rise during the base flood.

"Basement" means any area of the building having its floor sub-grade (below ground level) on all sides.

#### C. DEFINITIONS - SPECIFIC

"Critical Facility" means a facility for which even a slight chance of flooding might be too great. Critical facilities include (but are not limited to) schools, nursing homes, hospitals, police, fire and emergency response installations, and installations which produce, use, or store hazardous materials or hazardous waste.

"Cumulative Substantial Damage" means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

#### D. DEFINITIONS - SPECIFIC

"Development" means any human-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.

#### E. DEFINITIONS - SPECIFIC

"Elevation Certificate" means the official form (current FEMA Form) used to track development, provide elevation information necessary to ensure compliance with community floodplain management ordinances, and determine the proper insurance premium rate.

"Elevated Building" means for insurance purposes, a non-basement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

#### F. DEFINITIONS - SPECIFIC

"Flood" or "Flooding" means:

1. A general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. The overflow of inland or tidal waters;
- b. The unusual and rapid accumulation of runoff of surface waters from any source; or
- c. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (1)(a) of this definition.

"Flood Insurance Rate Map (FIRM)" means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

"Flood Insurance Study (FIS)" means the official report provided by the Federal Insurance Administration that includes flood profiles and the water surface elevation of the base flood.

"Floodplain or flood prone area" means any land area susceptible to being inundated by water from any source. See "Flood or flooding."

"Floodplain administrator" means the community official designated by title to administer and enforce the floodplain management regulations.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. Floodproofed structures are those that have the structural integrity and design to be impervious to floodwater below the Base Flood Elevation.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

"Functionally dependent use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long term storage or related manufacturing facilities.

#### H. DEFINITIONS - SPECIFIC

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Historic structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of Interior to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - a. By an approved state program as determined by the Secretary of the Interior, or
  - b. Directly by the Secretary of the Interior in states without approved programs.

#### I. DEFINITIONS - SPECIFIC

"Increased Cost of Compliance" A flood insurance claim payment up to \$30,000 directly to a property owner for the cost to comply with floodplain management regulations after a direct physical loss caused by a flood. Eligibility for an ICC claim can be through a single instance of "substantial damage" or as a result of a "cumulative substantial damage." (more information can be found in FEMA ICC Manual 301)

#### L. DEFINITIONS - SPECIFIC

"Lowest Floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance found at OMC 16.70.050.B.1.b (i.e. provided there are adequate flood ventilation openings).

#### M. DEFINITIONS - SPECIFIC

"Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

"Mean Sea Level" means for purposes of the National Flood Insurance Program, the vertical datum to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

#### N. DEFINITIONS - SPECIFIC

"New Construction" means for the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

#### R. DEFINITIONS - SPECIFIC

"Recreational Vehicle" means a vehicle,

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

#### S. DEFINITIONS - SPECIFIC

"Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

"Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

"Substantial Improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

1. Before the improvement or repair is started; or
2. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term can exclude:

1. Any project for improvement of a structure to correct pre-cited existing violations of state or local health, sanitary, or safety code specifications which have been previously identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places or as otherwise determined and regulated through the NFIP requirements.

#### V. DEFINITIONS - SPECIFIC

"Variance" means a grant of relief from the requirements of this ordinance that permits construction in a manner that would otherwise be prohibited by this ordinance.

## W. DEFINITIONS - SPECIFIC

"Water Dependent" means a structure for commerce or industry that cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

### **Section 16. Amendment of OMC 16.70.040. Olympia Municipal Code Section 16.70.040 is hereby amended to read as follows:**

#### **16.70.040 Administration**

##### A. Establishment of Development Permit.

1. Development Permit Required. A development permit shall be obtained before construction or development begins within any area of special flood hazard established in OMC 16.70.030.B. The permit shall be for all structures including manufactured homes, as set forth in the "Definitions," and for all development including fill and other activities, also as set forth in the "Definitions."

2. Application for Development Permit. Application for a development permit shall be made on forms furnished by the City of Olympia and may include, but not be limited to, plans in PDF drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

- a. Elevation in relation to mean sea level NAVD88, of the lowest floor (including basement) of all structures recorded on a current elevation certificate (current FEMA Form)
- b. Elevation in relation to mean sea level to which any structure has been floodproofed;
- c. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet floodproofing criteria in OMC 16.70.050.B.2;
- d. Description of the extent to which a watercourse will be altered or relocated as a result of proposed development;
- e. Where a structure is proposed in a V, V1-30, or VE zone, a V-zone design certificate;
- f. Where development is proposed in a floodway, an engineering analysis indicating no rise of the Base Flood Elevation; and
- g. Any other such information that may be reasonably required by the Floodplain Administrator in order to review the application.

B. Designation of the Local Administrator. Building Official is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions. The Floodplain Administrator may delegate authority to implement these provisions.

C. Duties and Responsibilities of the Local Administrator. Duties of the Building Official include, but not be limited to:

##### 1. Permit Review

- a. Review all development permits to determine that the permit requirements of this ordinance have been satisfied.

- b. Review all development permits to determine that all necessary permits have been obtained from those Federal, State, or local governmental agencies from which prior approval is required.
- c. Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of OMC 16.70.050.E.1 are met.
- d. Determine that the site is reasonably safe from flooding.
- e. Notify FEMA when annexations occur in the Special Flood Hazard Area.

2. Use of Other Base Flood Data (In A Zones)

When base flood elevation data has not been provided (in A Zones) in accordance with OMC 16.70.030.B, Basis for Establishing the Areas of Special Flood Hazard, the Building Official shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer OMC 16.70.050.B, Specific Standards, and OMC 16.70.050.E Floodways.

3. Information to be Obtained and Maintained

- a. Where base flood elevation data is provided through the Flood Insurance Study, FIRM, or required as in OMC 16.70.040.C.2, obtain and record the actual (as-built) elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement. Recorded on a current elevation certificate (current FEMA Form).
- b. For all new or substantially improved floodproofed nonresidential structures where base flood elevation data is provided through the FIS, FIRM, or as required in OMC 16.70.040.C.2:
  - i. Obtain and record the elevation (in relation to mean sea level) to which the structure was floodproofed; and
  - ii. Maintain the floodproofing certifications required in OMC 16.70.040.C.3.b.
- c. Maintain for public inspection all records pertaining to the provisions of this ordinance.
- d. Documentation of the elevation of the bottom of the lowest horizontal structural member in V or VE zones.
- e. Certification required by OMC 16.70.050(E)(1).
- f. Records of all variance actions, including justification for their issuance.
- g. Improvement and damage calculations.

4. Alteration of Watercourses

- a. Notify adjacent communities and the Department of Ecology prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- b. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

5. Interpretation of FIRM Boundaries. Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (e.g. where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation. Such appeals shall be granted consistent with the standards of Section 60.6 of the Rules and Regulations of the National Flood Insurance Program (44 CFR 59-76).

6. Conditions for Variances

a. Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a small or irregularly shaped lot contiguous to and surrounded by lots with existing structures constructed below the base flood level. As the lot size increases the technical justification required for issuing the variance increases.

b. Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.

c. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

d. Variances shall only be issued upon:

i. A showing of good and sufficient cause;

ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant;

iii. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

e. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from flood elevations should be quite rare.

f. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except OMC 16.70.040.C.6.a, and otherwise complies with OMC 16.70.050.A.1, OMC 16.70.050.A.3 and OMC 16.70.050.A.4 of the General Standards.

g. Any applicant to whom a variance is granted shall be given written notice that the permitted structure will be built with its lowest floor below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk.

**Section 17. Amendment of OMC 16.70.050. Olympia Municipal Code Section 16.70.050 is hereby amended to read as follows:**

**16.70.050 Provisions for Flood Hazard Reduction**

A. General Standards. In all areas of special flood hazards, the following standards are required:

1. Anchoring

a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

b. All manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors. For more detailed information, refer to FEMA publication FEMA P-85, "Protecting Manufactured Homes from Floods and Other Hazards."

2. Construction Materials and Methods

a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

c. Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding. Locating such equipment below the base flood elevation may cause annual flood insurance premiums to be increased.

3. Utilities

a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems.

b. Water wells shall not be located in the floodway. Where the site is subject to flooding, the top of the casing must be at least two feet above the estimated water level of a one hundred-year frequency flood.

c. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.

d. Onsite waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

4. Subdivision Proposals

a. All subdivision proposals shall be consistent with the need to minimize flood damage.

b. All subdivision proposals shall have public utilities and facilities, such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage.

c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.

d. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or 5 acres (whichever is less). Base flood elevation data must be included as part of the application.

5. Review of Building Permits. Where elevation data is not available either through the Flood Insurance Study, FIRM, or from another authoritative source (OMC 16.70.040.C.2), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above the highest adjacent grade in these zones may result in higher insurance rates.

B. Specific Standards. In all areas of special flood hazards where base flood elevation data has been provided as set forth in OMC 16.70.030.B, Basis for Establishing the Areas of Special Flood Hazard, or OMC 16.70.040.C.2, Use of Other Base Flood Data. The following provisions are required:

1. Residential Construction

a. In AE and A1-30 zones or other A zoned areas where the BFE has been determined or can be reasonably obtained, new construction and substantial improvement of any residential structure must have the lowest floor, including basement, elevated one foot or more above the base flood elevation (BFE). Mechanical equipment and utilities must be waterproof or elevated least one foot above the BFE.

b. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

i. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

ii. The bottom of all openings shall be no higher than one foot above grade.

iii. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

iv. A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry and exit of floodwaters.

c. Additional requirements for below-grade crawlspace construction:

The interior grade of a crawlspace below the base flood elevation (BFE) must not be more than two-feet below the lowest adjacent exterior grade (LAG).

The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall must not exceed four-feet at any point.

The height limitation is the maximum allowable unsupported wall height according to the engineering analyses and building code requirements for flood hazard areas.

This limitation will also prevent these crawlspaces from being converted into habitable spaces.

There must be adequate drainage system that removes floodwaters from the interior area of the crawlspace.

The enclosed area should be drained within a reasonable time after a flood event. The type of drainage system will vary because of the site gradient and other drainage characteristics, such as soil types. Possible options include natural drainage through porous, well-drained soils and

drainage systems such as perforated pipes, drainage tiles, or gravel or crushed stone drainage by gravity or mechanical means.

The velocity of floodwaters at the site should not exceed five-feet per second for any crawlspace. For velocities in excess of five-feet per second, other foundations should be used.

Any building utility systems within the crawlspace must be elevated above BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions. Ductwork, in particular, must either be placed above the BFE or sealed from floodwaters.

Below grade crawlspace construction in accordance with the requirements listed above will not be considered basements.

d. New construction and substantial improvement of any residential structure in an AO zone must meet the requirements in OMC 17.50.050(H).

e. New construction and substantial improvement of any residential structure in an Unnumbered A zone for which a BFE is not available and cannot be reasonably obtained must be reasonably safe from flooding, but in all cases the lowest floor must be at least two feet above the Highest Adjacent Grade.

f. New construction and substantial improvement of any residential structure in a V, V1-30, or VE zone must meet the requirements in OMC 17.50.050(I).

2. Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure must meet the following requirements:

a. In AE and A1-30 zones or other A zoned areas where the BFE has been determined or can be reasonably obtained:

i. New construction and substantial improvement of any commercial, industrial, or other nonresidential structure must have the lowest floor, including basement, elevated one foot or more above the base flood elevation. Mechanical equipment, sanitary and utilities must be waterproofed or elevated at least one foot above the BFE, or as required by ASCE 24, whichever is greater.

ii. If located in an AO zone, the structure must meet the requirements in OMC 17.50.050(H).

iii. If located in an Unnumbered A zone for which a BFE is not available and cannot be reasonably obtained, the structure must be reasonably safe from flooding, but in all cases the lowest floor must be at least two feet above the Highest Adjacent Grade.

iv. If located in a V, V1-30, or VE zone, the structure must meet the requirements in OMC 17.50.050(I).

v. Fully enclosed areas below the lowest flood that are subject to flooding must meet the requirements of 16.70.050(B)(1)(b).

b. If the requirements of subsection 1 are not met, then new construction and substantial improvement of any commercial, industrial, or other nonresidential structure must meet all of the following requirements:

- i. Be dry floodproofed so that below one foot or more above the base flood level the structure is watertight with walls substantially impermeable to the passage of water or dry floodproofed to the elevation required by ASCE 24, whichever is greater;
  - ii. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
  - iii. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in OMC 16.70.040.C.3.b; and
  - iv. Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in OMC 16.70.050.B.1.b.
3. **Manufactured Homes.** All manufactured homes in the floodplain to be placed or substantially improved on sites shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated one foot or more above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
4. **Recreational Vehicles.** Recreational vehicles placed on sites are required to either:
  - a. Be on the site for fewer than 180 consecutive days; or
  - b. Be fully licensed and ready for highway use, on wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or
  - c. Meet the requirements of OMC 16.70.050.B.3 above and the elevation and anchoring requirements for manufactured homes.

C. **AE Zones except Coastal AE Zones, with Base Flood Elevations but No Floodways.** In areas with base flood elevations (but a regulatory floodway has not been designated), no new construction, substantial improvements, or other development (including fill) shall be permitted within Zone AE, except Coastal AE Zones, on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

D. **Coastal High Hazard Area and Coastal A Zone.** Coastal high hazard areas (V or VE Zones) and coastal A Zones are located within the areas of special flood hazard established in OMC 16.70.030.B. These areas have special flood hazards associated with high velocity waters from tidal surges and hurricane wave wash; therefore, the following provisions shall apply to building permits and related permits in Title 16:

1. **Location of Structures**
  - a. All buildings or structures shall be located landward of the reach of the mean high tide.
  - b. The placement of manufactured homes shall be prohibited, except in an existing manufactured home park or subdivision.
2. **Construction Methods**

- a. Elevation. All new construction and substantial improvements shall be elevated on piling or columns so that:
- i. The bottom of the lowest horizontal structural member of the lowest floor (excluding the piling or columns) is elevated to or above the base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 4-1, whichever is more restrictive,
  - and,
  - ii. With all space below the lowest floor's supporting member open so as not to impede the flow of water, except for breakaway walls as provided for in OMC 16.70.050.D.2.d.
- b. Structural Support
- i. All new construction and substantial improvements shall be securely anchored on piling or columns.
  - ii. The pile or column foundation and structure attached thereto shall be anchored to resist flotation, collapse or lateral movement due to the effects of wind and water loading values each of which shall have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).
  - iii. Prohibit the use of fill for structural support of buildings within Zones V1-30, VE, V, and Coastal A on the community's FIRM.
- c. Certification. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in OMC 16.70.040.C.3.b.
- d. Space Below the Lowest Floor
- i. Any alteration, repair, reconstruction or improvement to a structure started after the enactment of this ordinance shall not enclose the space below the lowest floor unless breakaway walls, open wood lattice-work or insect screening are used as provided for in this section.
  - ii. Breakaway walls, open wood lattice-work or insect screening shall be allowed below the base flood elevation provided that they are intended to collapse under wind and water loads without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system. Breakaway walls shall be designed for a safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading of 20 pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:
    - (i) breakaway wall collapse shall result from a water load less than that which would occur during the base flood and,
    - (ii) the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement or other structural damage due to the effects of wind and water load acting simultaneously on all building components (structural and non-structural). Water loading values used shall be those associated with the base

flood. Wind loading values used shall be those required by applicable State or local building standards.

iii. If breakaway walls are utilized, such enclosed space shall be used solely for parking of vehicles, building access, or storage and not for human habitation.

iv. Prior to construction, plans for any breakaway wall must be submitted to the Building Official for approval.

E. Floodways. Located within areas of special flood hazard established in OMC 16.70.030.B are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that can carry debris, and increase erosion potential, the following provisions apply:

1. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge.

2. Construction or reconstruction of residential structures is prohibited within designated floodways, except for (i) repairs, reconstruction, or improvements to a structure which do not increase the ground floor area; and (ii) repairs, reconstruction or improvements to a structure, the cost of which does not exceed 50 percent of the market value of the structure either, (A) before the repair, or reconstruction is started, or (B) if the structure has been damaged, and is being restored, before the damage occurred. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or to structures identified as historic places, may be excluded in the 50 percent.

3. If OMC 16.70.050.E.1 is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of OMC 16.70.050, Provisions for Flood Hazard Reduction.

F. Critical Facility. Construction of new critical facilities shall be, to the extent possible, located outside the limits of the Special Flood Hazard Area (SFHA) (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet above BFE or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.

G. Livestock Sanctuary Areas. Elevated areas for the purpose of creating a flood sanctuary for livestock are allowed on farm units where livestock is allowed. Livestock flood sanctuaries must be sized appropriately for the expected number of livestock and be elevated sufficiently to protect livestock. Proposals for livestock flood sanctuaries must meet all procedural and substantive requirements of this chapter.

H. Standards for Shallow Flooding Areas (AO Zones). Shallow flooding areas appear on FIRMs as AO zones with depth designations. The base flood depths in these zones range from 1 to 3 feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In addition to other provisions in this code, the following additional provisions also apply in AO zones.

1. New construction and substantial improvements of residential structures and manufactured homes within AO zones must have the lowest floor (including basement and mechanical equipment) elevated above the highest adjacent grade to the structure, one foot or more above the depth number specified in feet on the community's FIRM (at least two feet above the highest adjacent grade to the structure if no depth number is specified).

2. New construction and substantial improvements of nonresidential structures within AO zones must either:

a. Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, one foot or more above the depth number specified on the FIRM (at least two feet if no depth number is specified); or

b. Together with attendant utility and sanitary facilities, be completely floodproofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance must be certified by a registered professional engineer, or architect.

3. Require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

4. Recreational vehicles placed on sites within AO zones on the community's FIRM either:

a. Be on the site for fewer than 180 consecutive days;

b. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or

c. Meet the requirements of subsections (1) and (3) above and the anchoring requirements for manufactured homes (OMC 16.70.050(A)(1)(b)).

I. Standards for Coastal High Hazard Areas (V Zones). Located within areas of special flood hazard established as Coastal High Hazard Areas, designated as zones V1-30, VE, and/or V. These areas have special flood hazards associated with high velocity waters from surges and, therefore, in addition to meeting all provisions in this ordinance, the following provisions also apply:

1. All new construction and substantial improvements in zones V1-30 and VE (V if base flood elevation data is available) on the community's FIRM must be elevated on pilings and columns so that:

a. Elevation:

i. Residential Buildings. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated one foot or more above the base flood level;

ii. Nonresidential buildings. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated one foot or more above the base flood level or meets the elevation requirements of ASCE 24, whichever is higher; and

iii. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values must each have a

one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).

A registered professional engineer or architect must develop or review the structural design, specifications, and plans for the construction, and must certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of subsections (1)(a)(i) and (2)(a)(ii).

2. The elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures in zones V1-30, VE, and V on the community's FIRM and whether or not such structures contain a basement, must be provided to the Floodplain Administrator, who shall maintain a record of all such information.

3. All new construction within zones V1-30, VE, and V on the community's FIRM must be located landward of the reach of mean high tide.

4. All new construction and substantial improvements within zones V1-30, VE, and V on the community's FIRM must have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall must have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect certifies that the design proposed meets the following conditions:

a. Breakaway wall collapse must result from water load less than that which would occur during the base flood; and

b. The elevated portion of the building and supporting foundation system must not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Maximum wind and water loading values to be used in this determination must each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).

If breakaway walls are utilized, such enclosed space must be useable solely for parking of vehicles, building access, or storage. Such space may not be used for human habitation.

5. The use of fill for structural support of buildings within zones V1-30, VE, and V on the community's FIRM is prohibited.

6. Human-made alteration of sand dunes within zones V1-30, VE, and V on the community's FIRM which would increase potential flood damage is prohibited.

7. All manufactured homes to be placed or substantially improved within zones V1-30, V, and VE on the community's FIRM on sites:

a. Outside of a manufactured home park or subdivision;

b. In a new manufactured home park or subdivision;

c. In an expansion to an existing manufactured home park or subdivision; or

- d. In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood;

must meet the standards of paragraphs (1) through (6) of this section and manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within zones V1-30, V, and VE on the FIRM must meet the requirements of OMC 16.70.050(B)(3).

8. Recreational vehicles placed on sites within V or VE zones on the community's FIRM must either:

- a. Be on the site for fewer than 180 consecutive days;
- b. Be fully licensed and ready for highway use, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or
- c. Meet the requirements of subsections (1) and (3) above and the anchoring requirements for manufactured homes, OMC 16.70.050(A)(1)(b).

**Section 18. Amendment of OMC 16.80.040. Olympia Municipal Code Section 16.80.040 is hereby amended to read as follows:**

**16.80.040 Administration**

A. Establishment of Development Permit

1. Development Permit Required. A development permit shall be obtained before construction or development begins within any sea level rise flood damage area established by this ordinance. The permit shall be for all structures including manufactured structures, as set forth in the "Definitions," and for all development including fill and other activities, also as set forth in the "Definitions."

2. Application for Development Permit. Application for a development permit shall be made on forms furnished by the City of Olympia and may include, but not be limited to, plans in PDF drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- a. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures recorded on a current elevation certificate with Section B completed by the local building official or other designated representative;
- b. Elevation in relation to mean sea level to which any structure has been floodproofed;
- c. Certification by a registered professional engineer or architect that the floodproofing methods for any structure meet floodproofing criteria as outlined by the City of Olympia; and

B. Designation of the Local Administrator. Building Official is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

C. Duties and Responsibilities of the Local Administrator. Duties of the Building Official shall include, but not be limited to:

- 1. Permit Review

- a. Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
  - b. Review all development permits to determine that all necessary permits have been obtained from those Federal, State, or local governmental agencies from which prior approval is required.
  - c. Review all development permits to determine if the proposed development is located in the sea level rise flood damage area. If located in the sea level rise flood damage area, assure that the encroachment provisions of this ordinance are met.
2. Information to be Obtained and Maintained
- a. When new structures are placed, the City of Olympia shall obtain from the owner and record the actual (as-built) elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement. Recorded on a current elevation certificate.
  - b. Maintain for public inspection all records pertaining to the provisions of this ordinance.

**Section 19. 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 20. 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 remain unaffected.

**Section 21. Ratification.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

**Section 22. Effective Date.** This Ordinance shall take effect five days after publication.

\_\_\_\_\_  
MAYOR

**ATTEST:**

\_\_\_\_\_  
CITY CLERK

**APPROVED AS TO FORM:**

\_\_\_\_\_  
DEPUTY CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**



## Land Use & Environment Committee

### Commercial Building Electrification/Decarbonization Code Changes Discussion

**Agenda Date:** 4/27/2023  
**Agenda Item Number:** 6.D  
**File Number:**23-0359

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**Type:** discussion **Version:** 1 **Status:** In Committee

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#### **Title**

Commercial Building Electrification/Decarbonization Code Changes Discussion

#### **Recommended Action**

##### **Committee Recommendation:**

Not referred to a committee.

##### **City Manager Recommendation:**

Briefing only, no action requested. If desired the Committee could direct staff to draft an ordinance to implement the concepts discussed and bring to City Council for consideration.

#### **Report**

##### **Issue:**

Whether to discuss City policies and code changes to advance the electrification of new commercial buildings.

##### **Staff Contact:**

Erik Jensen, Olympia Building Official, Community Planning and Development, 360.753.8280

##### **Presenter(s):**

Erik Jensen, Olympia Building Official, Community Planning and Development

#### **Background and Analysis:**

##### Climate Goals

In February 2021, Olympia, Lacey, Tumwater, and Thurston County accepted the Thurston Climate Mitigation Plan (TCMP) as the regional framework to substantially reduce local contributions to climate change. The TCMP provides a roadmap to reduce community-wide greenhouse emissions 45% below 2015 levels by 2030 and 85% below 2015 levels by 2050.

In 2021, Olympia joined the Cities Race to Zero, pledging to achieve net-zero emissions by 2040 and set an interim 2030 science-based target, which reflects Olympia's fair share of a 50% reduction in global greenhouse gas emissions by 2030. In January 2022, Olympia City Council also approved Resolution M-2289, declaring the City's intent to electrify city-owned facilities and Olympia's built

environment.

### Greenhouse Gas Emissions

In 2019, greenhouse gas emissions in the Thurston County region were about 3.3 million metric tons of carbon dioxide equivalent (MTCO<sub>2e</sub>); and emissions have been increasing over time, with a 15% increase since 2015. The built environment, including the consumption of electricity and natural gas to power, heat, and cool our buildings, makes up nearly 60% of regional greenhouse gas emissions. After electricity, natural gas represents the second largest source of greenhouse gas emissions from the built environment in the Thurston region (17%).

### Building Electrification

Building electrification means using electricity, rather than fossil fuels such as natural gas, for space heating, water heating, and cooking in homes and buildings. As electricity is increasingly produced by non-emitting, renewable sources, such as wind and solar, replacing fossil fuel use in buildings with efficient, all-electric buildings will substantially reduce greenhouse gas emissions from buildings.

Washington already has one of the cleanest, electric grids in the country, and the state is currently on a pathway towards a fully decarbonized electric grid by 2045. Under the Clean Energy Transformation Action (CETA), passed by the state legislature in 2019, utility providers must eliminate coal-fired electricity by 2025, become greenhouse-gas neutral by 2030 (using offsets if necessary), and provide 100 percent renewable energy by 2045.

Both the Thurston Climate Mitigation Plan, and Olympia's High Impact Action Analysis identify building electrification as key strategies to achieve the city's climate goals.

### Commercial Building Electrification in Washington

Four cities and counties in Washington have adopted (Seattle, Shoreline, and Bellingham) or are considering (King County) commercial energy code amendments to limit the use of fossil fuels in commercial buildings and large multifamily buildings (four floors or taller). Key decarbonization elements of these policies include:

- Eliminating fossil fuels like gas and electric resistance from most water heating and space heating systems in new construction and substantial alterations.
- Requiring electrical outlets for any gas appliances, to allow later conversion to electric appliances.

### Washington State Building Code

Energy use in new buildings in Washington is governed by the state energy code. The energy code is divided into two sections:

- The residential energy code (WSEC-R), which regulates single-family homes, townhomes, and low-rise multifamily buildings (three floors and shorter); and
- The commercial energy code (WSEC-C), which regulates commercial buildings and large multifamily buildings (four floors and taller).

Approximately every three years, the Washington State Building Code Council (SBCC) updates the state's energy code to align with national standards, clarify language, incorporate the latest technologies into new buildings, and continue moving forward on state targets for efficiency and fossil fuel-free new construction. Jurisdictions throughout the state are preparing to implement the 2021

code on July 1<sup>st</sup>, 2023.

As a part of the 2021 code update cycle, the SBCC has considered proposals that would substantially reduce emissions in new commercial buildings. Many of these considerations have been implemented into the 2021 Washington State Energy Code (WSEC). Although the SBCC did not completely eliminate fossil fuel emission from new construction, it did make the path toward full building electrification an easier option towards code path compliance.

In coordination with energy code experts from the New Buildings Institute (NBI), City staff developed concepts for code changes for City adoption that would assist in bridging the gap between upcoming WSEC and full building electrification (see attachment). Once optional code concepts were developed, staff went out to the community and approached potentially affected stakeholders to solicit feedback. Based on that feedback, NBI is developing draft code language for future City Council consideration.

**Neighborhood/Community Interests (if known):**

Staff met with multiple professionals from each of these sectors that could be directly affected by code changes to promote building electrification/decarbonization: Design Professionals, Mechanical Engineers, Developers, and Restaurateurs. Comments are summarized in an attachment.

**Climate Analysis:**

As explained in this staff report, building electrification means using electricity, rather than fossil fuels such as natural gas, for space heating, water heating, and cooking in homes and buildings. As electricity is increasingly produced by non-emitting, renewable sources, such as wind and solar, replacing fossil fuel use in buildings with efficient, all-electric buildings will substantially reduce greenhouse gas emissions from buildings. Potential code changes would therefore help Olympia and the Thurston Region progress toward emission-reduction goals established by the City and the Thurston Climate Mitigation Plan.

**Equity Analysis:**

Potential code changes could have increased costs, at least in the short term, for appliances for space heating, water heating and cooking. These costs may be passed through by builders, property owners and managers, to tenants or buyers of property. Restauraters may also experience initial costs for cooking equipment that may affect pricing for their customers. In the long-term, life-cycle costs for electrical heating and cooking equipment may be at or below that of gas equipment.

**Financial Impact:**

None at this time. Future actions to advance building electrification may impact building and energy costs.

**Options:**

1. Direct staff to draft an ordinance to implement the concepts and bring to City Council for consideration.
2. Direct staff to draft an ordinance to implement specified concepts and bring to City Council for consideration.
3. Direct staff to draft an ordinance and return to the Committee for further discussion.

**Attachments:**

Electrification Code Concepts for Olympia  
Building Electrification Stakeholder Comments

## New Construction Code Concepts

Measure	Description
<b>Whole-Building Electrification Requirements</b>	
<p>This section describes code provisions that can be adopted to require all-electric or mostly-electric buildings. The advantage of these approaches is that they achieve electrification broadly with a single code provision. The downside of these approaches is also that they are broad, so they don't provide a targeted and severable approach to electrification of each building system.</p>	
Require All-Electric buildings	<p>This proposal prohibits the installation of gas infrastructure in commercial buildings. It can be paired with targeted exceptions for process loads like manufacturing and potentially commercial kitchens.</p>
<b>Exempt Building Requirements</b>	
<p>This section describes code provisions that do not require electrification, but that incentivize project teams to choose electric equipment by disadvantaging combustion equipment installations.</p>	
Increase code stringency for mixed-fuel buildings	<p>Increase the credit requirement in C406 for mixed-fuel buildings.</p>
Additional Efficiency for Gas Equipment	<p>Requirement for gas equipment installs to be accompanied by efficiency improvements (such as reduced infiltration, equipment efficiency, controls upgrades, etc.) to the building.</p>
Commercial Gas Pipe Testing	<p>When new gas equipment is installed, the gas piping must be leakage tested.</p>
<b>Existing Building Code Concepts</b>	
<b>Whole-Building Electrification Requirements</b>	
<p>This section includes a provision that can be used to require existing buildings or additions to be fully electrified.</p>	
Electrification of Substantial Alterations	<p>This proposal requires removal and/or disconnection of gas infrastructure in <i>substantial alterations</i>. Can be paired with targeted exceptions for gas end-uses such as process loads.</p>
Commercial Addition Electrification	<p>This proposal prohibits the installation of combustion equipment in additions, the extension of gas equipment into additions and the extension of gas piping into additions.</p>

## Existing Building Code Concepts (Continued)

### Targeted Electrification Retrofit Requirements

This section includes provisions that require the electrification of specific gas end uses at certain building lifecycle events. They have been tailored to coordinate with the forthcoming version of WSEC, particularly the allowances for like-for-like gas equipment replacements in WSEC.

Require Electrification of Furnaces	Require electrification when a gas furnace is replaced. The provision can include accommodations for emergency replacements.
Require Electrification of Storage Water Heaters	Require electrification when a gas storage water heater is replaced. The provision can include accommodations for emergency replacements.
Heat Pumps for Split System AC Compressors	Require the installation of heat pumps for split-system AC compressor replacements for systems with gas furnaces and the configuration of the gas furnace as supplementary heat.
Service Upgrade	Require replacement service connections to be sized for full building electrification.

### Code Incentivizations for Electrification Retrofits

This section describes code provisions that do not require electrification retrofits, but that incentivize project teams to choose electrification retrofits at certain building lifecycle events.

Mandatory full system commissioning with gas equipment replacement	Require the entire system to meet the acceptance testing requirements in the code, not just the new equipment.
Full code compliance for gas equipment replacement	Require code compliance for all parts of the system (duct leakage, controls, duct insulation, economizer, etc.) when gas equipment is replaced.
Upgraded ventilation for gas cooking	Require more ventilation in any space undergoing an alteration that has gas stove in it (exception for non-commercial kitchens).

**DEFINE: Emergency replacement**

**COMMENTS:**

## Building Electrification Stakeholder Comments

### Construction Design Teams

- Concern about lack of choice for customers
- New construction is not a big lift for all topics
- Concerned about retrofit costs
- Water heating was a main concern; heat pumps can do the rest just fine. There was a statement that “ systems that can recover in a ½ hour or less, recirc systems on multifamily is the big concern here”.
- Concerned about conduit size into retrofit, thinks service upgrades are not a big issue
- Long wait times for PSE infrastructure parts has become normal and extending cost and lead times greatly
- A suggestion about maybe using a point system with flexibility
- There was a suggestion about the option to shell out for carbon offsets or pay into city electrification fund

### Technical Team

- No real concerns about new construction
- Worried about make up air scenarios on electrification, heatpumps don't supply enough conditioned air to large commercial kitchens and HRVs don't do well with grease
- They would exempt process loads completely for industrial buildings, too expensive already
- Concerned about water heating, particularly in retrofit. Some questions came up, like, where does the buffer tank go, space constraints for in unit heatpump hot water systems
- In favor of a “in favor of building electrification as long as it does not increase total project cost beyond 25% total”, otherwise keep the gas but perhaps put in other energy measures via points or prescriptive
- The cost of changing plans and work practices is where the real costs and concerns are at. The technology is available, and clever design can solve a lot of issues. Manufacturers provide free engineering support to customers that would be readily available.

### Restaurants

- Concerned about heating makeup air for commercial hoods, electric makeup systems are not energy efficient.

- Recovery times again with electric hot water, If buffer tanks are used, that takes up valuable seating space.
- Worried about the availability, of replacement induction stoves. If the original stove goes out, how to get it replaced. No used market to patch things along.
- Induction- concerned about temperatures, specifically charring meat, etc. Recipes and techniques may be affected.
- Worried about the speed of cooking, seating space and turning tables.
- There was concern that this would make it even more difficult to start a new restaurant with the added costs of infrastructure, not being able to purchase used stoves.



## Land Use & Environment Committee

### Electric Vehicle Parking Requirements Discussion

**Agenda Date:** 4/27/2023  
**Agenda Item Number:** 6.E  
**File Number:**23-0339

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**Type:** discussion **Version:** 1 **Status:** In Committee

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#### **Title**

Electric Vehicle Parking Requirements Discussion

#### **Recommended Action**

##### **Committee Recommendation:**

Discussion only. No action requested.

##### **City Manager Recommendation:**

Discussion only. No action requested.

#### **Report**

##### **Issue:**

Discussion on the draft Electric Vehicle parking requirements under development.

#### **Staff Contact:**

Joyce Phillips, Principal Planner, Community Planning & Development, 360.570.3722  
Pamela Braff, Climate Program Manager, City Manager's Office, 360.753.8249  
Erik Jensen, Building Official, Community Planning & Development, 360.753.8280

#### **Presenter(s):**

Joyce Phillips, Principal Planner, Community Planning & Development

#### **Background and Analysis:**

Charging and/or charging-readiness for electric vehicles (EV or EVs) will soon become a requirement for most new development and redevelopment, as part of the State building codes.

EV-ready codes establish infrastructure requirements for new buildings, such as electrical capacity, pre-wiring, and any design features that are necessary for the installation of future EV charging stations.

EV-readiness is an important strategy to future-proof new buildings. It ensures that new buildings will be able to accommodate the anticipated rapid growth of electric vehicles, without requiring expensive and complicated retrofits in the future.

### Electric Vehicle (EV) Readiness

Access to convenient charging is frequently cited as one of the most important factors influencing EV purchasing decisions. However, installing the necessary infrastructure to support EV charging after a building has been constructed can often be cost prohibitive. Ensuring that buildings are designed and built with the capacity to provide future EV-charging is known as EV-readiness.

Analyses of EV-infrastructure costs consistently report that it is more cost-effective to plan for future EV parking in new construction, than it is to retrofit buildings and parking lots to accommodate EV charging in the future. EV-readiness requirements can range from providing a minimum electrical panel capacity to support future charging, to the installation of fully operational EV-charging equipment.

The 2021 Washington State Building Code identifies three levels of EV-readiness:

- EV-Capable - A parking space provided with a conduit, electrical panel, and load capacity to support future installation of EV charging equipment.
- EV-Ready - A parking space provided with a receptacle outlet allowing charging of electric vehicles.
- EV-Charging Station - An EV-ready parking space with installed EV-charger.

In 2020, King County completed an assessment of EV charging infrastructure (Electric Vehicle Charging Options Report), reporting that previous studies have estimated the cost of a fully wired, level 2, EV-ready space in new construction to be:

- \$150 to \$375 per space for single-family homes and duplexes
- \$1,330 to \$1,380 per space for multifamily and commercial buildings

They also found that EV-readiness retrofits can be up to eight times more expensive than new construction, increasing costs by \$900 to \$5,000 per space. Increased costs for retrofits are attributed to breaking and repairing walls, parking surfaces, and sidewalks, as well as electrical service upgrades, more expensive methods of conduit installation, and additional permitting and inspection.

### Electric Vehicle (EV) Readiness - Current Requirements and Options

In April 2022, the State Building Code Council approved amendments to the International Building Code, which establish statewide requirements to provide EV charging infrastructure in new construction, effective July 2023. The approved EV infrastructure requirements include:

- For single-family, duplex, and dwelling units with private garages: 1 EV-ready parking space per unit.
- For all other residential parking spaces: 10% EV-charging, 25% EV-ready, and 10% EV-capable.
- For all non-residential parking spaces: 10% EV-charging, 10% EV-ready, and 10% EV-capable. (Note: applies only to employee designation parking for assembly, educational, and mercantile occupancies).

To increase access to EV-ready parking, Olympia could adopt EV charging codes that set EV-ready standards beyond the state minimum. Several jurisdictions in Washington (e.g., Seattle, Lacey, and King County) have taken similar actions to establish local EV-readiness and EV-charging standards through land use and zoning requirements.

#### Land Use and Environment Committee direction

In June 2022, staff briefed the Land Use and Environment Committee on policy options to support electric vehicle charging in new construction. During the briefing, the Committee also received relevant background information on existing EV charging requirements under the Washington State Building Code, example policies from other jurisdictions, and recommended best practices for EV charging. After a brief discussion, the Committee directed staff to develop a proposal for a local EV readiness policy to achieve the recommended best practices for EV charging and readiness.

#### Focus Groups

In November, City Staff held four focus group meetings with people who would be directly impacted by EV Ready parking requirements. Feedback was solicited to help staff better understand the issues around increasing the EV parking requirements from the minimum state requirements to those of the emerging best practices. Members of the focus groups also shared information that is being used to develop the first draft of the code amendments that will be issued soon for focus group member and public review and comment prior to the public hearing, which has not yet been scheduled. A summary of focus group comments is attached.

#### Planning Commission

The Planning Commission received a briefing on the Focus Group comments in February of 2023. The Commission will conduct a public hearing on the draft code language once the proposal is issued, shared with Focus Group contributors, and routed for review.

#### **Climate Analysis:**

Transportation and the built environment are the two largest sources of emissions in Thurston County, making up more than 90% of regional greenhouse gas emissions. In 2019, the built environment, which includes the energy used to power, heat, and cool buildings, contributed 62% of regional emissions, while transportation contributed 31% of emissions.

Requiring EV-ready construction is consistent with the strategies and actions of the Thurston Climate Mitigation Plan.

EV-ready requirements support:

- Strategy T3: Increase the adoption of electric vehicles.
  - Action T3.1: EV parking new construction. Require large commercial and residential buildings to dedicate a percentage of parking spots for electric vehicle charging.
  - Action T3.5: EV ready building code. Require all new residential construction to be built EV ready.

#### **Equity Analysis:**

Access to electric vehicles and charging infrastructure is an important aspect of equity. Additionally, any requirements that increases upfront development costs impacts all new development, including

affordable housing proposals should be carefully considered. Staff is working to address equity issues in the draft code language in a manner that is appropriate in both the near and long term.

**Neighborhood/Community Interests (if known):**

City staff met with groups that would have specific interest in the provision of electric vehicle parking, to inform them of the upcoming state requirements and to discuss issues around the additional potential requirements under consideration to achieve best practice levels. This included representatives from Affordable Housing Developers, Architects, Engineers, Community Members, Realtors, Climate Advocates, Builders, and the Business Community. In addition, City staff met with staff from Puget Sound Energy to get a better understanding of any issues of concern.

Draft code language based on the input received to-date is almost finished and will be shared with those we spoke with earlier as well as the community as a whole. Any additional comments will be considered by the Planning Commission at the public hearing and as it develops its recommendation to City Council.

**Financial Impact:**

None. Development of draft code language is covered by the Department's base budget.

**Options:**

1. Discuss the draft Electric Vehicle parking requirements under development.
2. Do not discuss the draft Electric Vehicle parking requirements under development.
3. Discuss the draft Electric Vehicle parking requirements under development at another time.

**Attachments:**

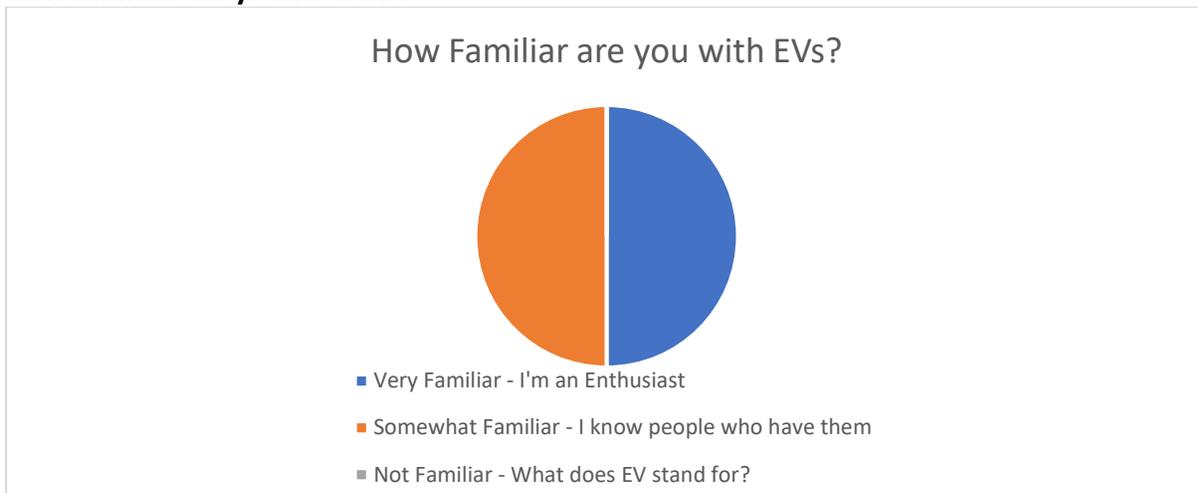
Focus Groups Summary

# EV-Ready Parking Focus Groups Summary

Four Focus Group meetings were conducted between November 17 and November 22, 2022.

The types of representatives who participated included: Affordable Housing Developers; Architects; Engineers; Community Members; Realtors; Climate Advocates; Builders; and Business Community Members

## How familiar are you with EVs?



## What excites you most about electric vehicles?

Lower Energy, Reducing CO<sub>2</sub>, contributing to a better future for my grandchildren, quieter, zippy, improves stormwater, saves money, environmentally friendly, chance to rethink need for driving as much, performance, convenience, low maintenance (no oil changes, no going to the gas station), micro-EVs (tiny cars, e-bikes, scooters), not having to pay for gas, no fossil fuels, interior technology, enables us to keep cars, business opportunities

## What worries you about electric vehicles?

Recycling of batteries, grid capacity, costs, accessibility for all, getting battery materials, battery production, batter interchangeability vs. charging (amount of time), standardized batteries, range anxiety, where to charge (especially when travelling), loss of range in colder temperatures, fires and emergency response, battery fires, emergency responders dealing with lithium battery fires, dirty mining, safety (my kids hearing them), slow adoption, resistance to EVs, availability of charging, increased traffic, technology failure, affordability, travel distance, actual carbon footprint, reliance on battery technology, ethical manufacturing

**Which best describes your role or organization?**

Response	# of respondents for this option
Affordable housing developer or provider	3
Community-based organization	3
Local business owner	1
Industry professional	10
Community member	2

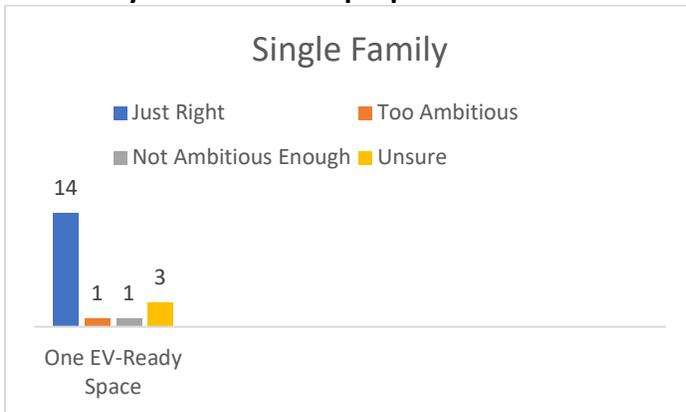
**What kind of properties does your organization work with? Select all that apply.**

Response	# of respondents for this option
Commercial, multifamily	16
Commercial, non-residential	14
Single family	16
Other	11

**What does EV equity mean to you or your organization?**

Access; Access for All; Reliability; Don't increase housing costs or production numbers; Availability; Affordable for all; accessible and affordable; amenity for tenants; affordable access to product and infrastructure; equitable access to infrastructure; equitable impact on location of infrastructure; giving everyone the chance to lower their carbon emissions (not just rich people); making sure EV access is not just for privileged individuals, families, and businesses; ability to choose access

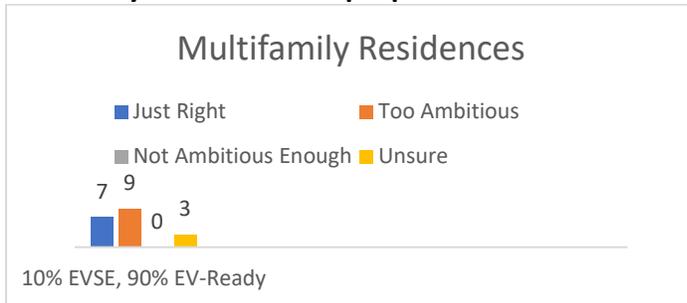
**What do you think of the proposed EV readiness thresholds for single family dwellings?**



### Comments:

- Most people felt like the City’s initial proposal was “just right”
- If two parking spaces are required (which may not be appropriate number), then both spaces should have EV-Ready access.
- The type of connection provided (required) should be the type that requires the least amount of work for the future user (Plug and Play)

### **What do you think of the proposed EV readiness thresholds for multifamily dwellings?**

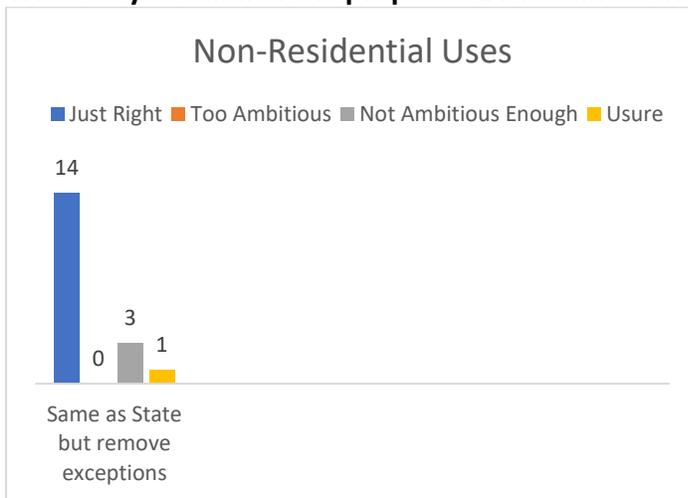


### Comments:

- If applies to the total number of spaces provided instead of required, it will impact the number of spaces provided.
- Suggest phasing in the new requirements – start with some being EV-Capable instead of requiring all to be EV-Ready or EVSE Installed. Increase standards with time to be EV-Ready by 2030.
- Concern about theft of wiring.
- Costs and requirements keep going up – what can the city “give” to help off-set that? (Reducing parking requirements does not really help. Most developers want more parking.)
- Requiring 90% EV-Ready is probably too much too quickly. Most existing vehicles are gas and will be for several more years. The proposal for 10% EVSE and 90% EV-Ready will cost a lot. Should be EV-Capable instead. It’s an investment now for a need that isn’t there yet. Upsize the service pipe now but upgrade later to install the infrastructure/chargers.
- Technology is changing fairly quickly. Leave room to address changes.
- Impose the new requirements incrementally, not all at once. Consider staggering or phasing in these requirements.
- Installing the infrastructure that will prevent massive site disruptions later is important. EV-Capable probably does that.
- Having a mix of EV-Capable and EV-Ready is important. That way when the demand is there, it will get built. Put some of the proposed EV-Ready spaces into EV-Capable instead.
- Consider tying the number of spaces required in the categories to be tied to the number of units, not the number of stalls.
- This would require a huge amount of infrastructure upfront, and at a significant cost, even for EV-Capable, because of the extra panel requirements/capacity.

- The demand or use of the existing EV-Chargers at our multifamily projects is currently very low.
- Recent changes in market conditions have made costs to install this type of infrastructure go up considerably in the last year. In addition, the lead times to get the equipment to even install it is significantly longer than it used to be. It can easily take a year to get the equipment.
- Having the panels and availability with the appropriate taps is the most important thing to get upfront. EV owners could buy their own chargers and take them with them when they move as long as the tap is there for them to use. Install the outlet and panels.
- EV-Ready with a 110 option would be more cost effective. We already have problems with installing exterior outlets at mixed use developments (such as for restaurants). We have to turn them off every night after business hours and then on again in the mornings – otherwise we have people using them for charging things. It gets expensive to pay for the energy use.
- How do you go about getting the property owner to go from 10% EVSE and 90% EV-Ready to 100% EVSE over time? When would all of the spaces have the EV charging equipment installed?
- Please consider alternatives and incentives.
- Right now there are not a lot of EVs but there will be in future. These provisions will help remove barriers to people in the future.

**What do you think of the proposed EV readiness thresholds for non-residential buildings?**



**Comments:**

- 10% of spaces for each category seems reasonable.
- There is not much of a cost difference between EV-Capable and EV-Ready. The real cost is in the requirement for electrical panel capacity and space in the equipment room.
- Consider adding something less than EV-Capable, so the design is done.

- Opportunity charging is likely to become less important over time as range continues to improve. People will be more likely to rely on home and work charging.
- Need to consider designs for pull through spaces for trucks and towing (especially for DC Fast Charging).

**What, if any, special considerations should be made for affordable housing?**

Comments:

- For affordable housing, the requirement should be the same for access and equity reasons, but there has to be a way to offset the increased cost.
- Affordable housing projects are often on very tight spaces already. This will increase the cost of the units. Some tenants do not even own cars.
- Please phase in any new requirements.
- Meet the same requirements

**Recognizing that additional lead time may be necessary to incorporate EV ready standards into new construction design, when should local requirements go into effect?**

Implementation Date <i>(local standards only)</i>	# of respondents for this option
June 2023	5
July 2023	3
September 2023	1
December 2023	9

**At what construction phases should EV-ready standards apply? Select all that apply.**

- For any requirements tied to existing parking facilities, the requirement should be tied to clear thresholds (like in the building codes) and should only apply to the new parking spaces.
- There should be incentives to retrofit existing parking facilities.
- There should be more incentives than requirements.

**Should local EV-readiness requirements also include considerations for parking and charging electric bikes?**

Response	# of respondents for this option
Unsure	9
Yes	6
No	3

Comments:

- More support for Long Term bicycle parking areas, as those are usually indoors.
- Less support for Short Term/Visitor parking.
- Most E-Bikes have good range and won't require being "topped off" before returning home to charge.

**What can the City do to ease the transition to EV-readiness? Is there anything else we should consider?**

- Automatic Load Management Systems will be an important aspect of these requirements.
- Education
- Webpage with specific contacts
- Address all modes of electric transport
- Phasing/Staggering of EV Requirements.
- It is about \$5,000 per parking space to add the panel space/capacity, conduit, wiring, and the charger.
- Screens can be really hard to read/use, especially on sunny days.
- For privately operated charging stations, maintenance and operational facilities should be required and communicated to potential users.

**OVERALL SUMMARY OF BEST PRACTICES LEVELS**

