



Meeting Agenda

City Council

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Tuesday, August 10, 2021

7:00 PM

Online and Via Phone

Register to attend:

https://us02web.zoom.us/webinar/register/WN_x7r1WifETvWjtRJOlr6taA

1. ROLL CALL

1.A ANNOUNCEMENTS

1.B APPROVAL OF AGENDA

2. SPECIAL RECOGNITION

2.A [21-0792](#) Special Recognition - Proclamation Recognizing Overdose Awareness Day

Attachments: [Proclamation](#)

3. PUBLIC COMMENT

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

During this portion of the meeting, community members may address the City Council regarding items related to City business, including items on the Agenda. In order for the City Council to maintain impartiality and the appearance of fairness in upcoming matters and to comply with Public Disclosure Law for political campaigns, speakers will not be permitted to make public comments before the Council in these three areas: (1) on agenda items for which the City Council either held a Public Hearing in the last 45 days, or will hold a Public Hearing within 45 days, or (2) where the public testimony may implicate a matter on which the City Council will be required to act in a quasi-judicial capacity, or (3) where the speaker promotes or opposes a candidate for public office or a ballot measure.

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

COUNCIL RESPONSE TO PUBLIC COMMENT (Optional)

4. CONSENT CALENDAR

(Items of a Routine Nature)

4.A [21-0787](#) Approval of July 13, 2021 City Council Meeting Minutes

Attachments: [Minutes](#)

- 4.B** [21-0788](#) Approval of July 20, 2021 Study Session Meeting Minutes
Attachments: [Minutes](#)
- 4.C** [21-0789](#) Bills and Payroll Certification
Attachments: [Bills and Payroll](#)
- 4.D** [21-0755](#) Approval of a Resolution Authorizing an Interlocal Agreement between the City of Olympia, the City of Lacey, and Thurston County for the Maintenance of Hub Junction Bicycle Roundabout
Attachments: [Resolution](#)
 [Agreement](#)
- 4.E** [21-0763](#) Approval of a Resolution Authorizing the Renewal of the HOME Consortium Interlocal Agreement with Thurston County Regarding Federal Affordable Housing Funds
Attachments: [Resolution](#)
 [Agreement](#)

4. SECOND READINGS (Ordinances)

- 4.F** [21-0680](#) Approval of an Ordinance Authorizing an Agreement to Accept Donation of "Telephone of the Wind" as a Gift of Art from Artist Corey Dembeck
Attachments: [Updated Ordinance for Second Reading](#)
 [Ordinance passed on First Reading](#)
 [Agreement](#)
 [Article in Seattle Refined](#)
- 4.G** [21-0687](#) Approval of an Ordinance Amending Ordinance No. 4638, Which Vacated a Portion of an Alley Between State Avenue and 4th Avenue
Attachments: [Ordinance](#)
 [Ordinance No. 4638](#)
- 4.H** [21-0694](#) Approval of an Ordinance Amending Ordinance 7281 (Second Quarter Budget Amendment)
Attachments: [Ordinance](#)

4. FIRST READINGS (Ordinances)

- 4.I** [21-0650](#) Approval of an Ordinance Amending Municipal Code to Clarify Provisions Related to Zoning and Tree Protection
Attachments: [Ordinance](#)
 [RCW 36.70A.620 - Minimum Residential Parking Requirements](#)
 [Public Comments](#)

5. PUBLIC HEARING

- 5.A** [21-0778](#) Public Hearing on the 2021 Engineering Design and Development Standards Update

Attachments: [Link to City of Olympia EDDS Webpage](#)
[List of 2021 EDDS Topics](#)

6. OTHER BUSINESS

- 6.A** [21-0779](#) Approval of a Resolution and Letter Expressing Support for the Estuary Alternative for Long-Term Management of Capitol Lake - Deschutes Estuary

Attachments: [Resolution](#)
[Comments on the Draft EIS](#)
[Draft Letter Response From Council to DES](#)
[Estimated Costs](#)

- 6.B** [21-0760](#) 2022-2027 Capital Facilities Plan Briefing

- 6.C** [21-0765](#) Approval of an Ordinance Establishing Regulations for Short-Term Rental Accommodations

Attachments: [Ordinance](#)
[Short Term Rental Web Page](#)

7. CONTINUED PUBLIC COMMENT

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

8. REPORTS AND REFERRALS**8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS****8.B CITY MANAGER'S REPORT AND REFERRALS****9. ADJOURNMENT**

The City of Olympia is committed to the non-discriminatory treatment of all persons in employment and the delivery of services and resources. If you require accommodation for your attendance at the City Council meeting, please contact the Council's Executive Assistant at 360.753.8244 at least 48 hours in advance of the meeting. For hearing impaired, please contact us by dialing the Washington State Relay Service at 7-1-1 or 1.800.833.6384.



City Council

Special Recognition - Proclamation Recognizing Overdose Awareness Day

Agenda Date: 8/10/2021
Agenda Item Number: 2.A
File Number: 21-0792

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

Title

Special Recognition - Proclamation Recognizing Overdose Awareness Day

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Proclaim August 31, 2021, Overdose Awareness Day in the City of Olympia.

Report

Issue:

Whether to Proclaim August 31, 2021, Overdose Awareness Day in the City of Olympia.

Staff Contact:

Susan Grisham, Assistant to the City Manager, 360.753.8244

Presenter(s):

Mary Ann O'Garro, Senior Epidemiologist, Thurston County Public Health
Katie Strozyk, Opioid Response Coordinator, Thurston County Public Health

Background and Analysis:

Each year hundreds of Washington State residents die from drug overdose deaths. An estimate 1,724 Washingtonians were lost to overdose in 2020, a 37% increase over the prior year.

Overdose deaths remain high across the state, impact urban, suburban, and rural communities and disproportionately affect marginalized populations.

Overdose Awareness Day shines a light on the need to treat drug-related harm as a public health issue and invest in evidence-based practices that save lives and build communities. It is also a day for Olympians to stand beside those who have lost loved ones to an overdose and those who have a substance use disorder and are diligently working toward recovery.

Attachments:

Proclamation

PROCLAMATION

WHEREAS, no community in Washington State is immune to accidental or intentional overdose, and drug overdose deaths remain high across the state, impacting urban, suburban, and rural communities, overdose deaths disproportionately affect American Indian/Alaskan Native communities and marginalized populations; and

WHEREAS, like many states, Washington is fighting concurrent epidemics - while prescription opioids are driving deaths in rural areas of the State, illicit opioid drugs are the primary drivers of deaths in suburban and urban areas; and

WHEREAS, an estimated 1,724 Washington residents died from drug overdose deaths in 2020, and increase of 37% over deaths in 2019; and

WHEREAS, Washington State recognizes there is a need to treat drug-related harm as a public health issue and invest in evidence-based practices that save lives and build communities; and

WHEREAS, Overdose Awareness Day is an opportunity for all Olympians to stand beside those who have lost loved ones to an overdose and those who have a substance use disorder and are diligently working toward recovery; and

WHEREAS, anyone whose life has been impacted by substance use disorder to call the Washington Recovery Helpline at 1-866-789-1511, which offers anonymous, confidential 24-hour help for Washington State residents; and

NOW, THEREFORE, BE IT RESOLVED, the Olympia City Council does hereby proclaim August 31, 2021 as

OVERDOSE AWARENESS DAY

in the City of Olympia and call upon the community to join in raising awareness of drug overdose morbidity and mortality by reducing stigma through education, prevention, treatment and recovery support for substance use disorder.

SIGNED IN THE CITY OF OLYMPIA, WASHINGTON THIS 10th DAY OF AUGUST 2021.

OLYMPIA CITY COUNCIL

***Cheryl Selby
Mayor***



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

City Council

Approval of July 13, 2021 City Council Meeting Minutes

Agenda Date: 8/10/2021
Agenda Item Number: 4.A
File Number:21-0787

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

Title

Approval of July 13, 2021 City Council Meeting Minutes



Meeting Minutes - Draft

City Council

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Tuesday, July 13, 2021

7:00 PM

Council Chambers

1. ROLL CALL

Present: 7 - Mayor Cheryl Selby, Mayor Pro Tem Clark Gilman, Councilmember Jim Cooper, Councilmember Yến Huỳnh, Councilmember Dani Madrone, Councilmember Lisa Parshley and Councilmember Renata Rollins

1.A ANNOUNCEMENTS

1.B APPROVAL OF AGENDA

The agenda was approved.

1.C CONSIDERATION OF A RESOLUTION EXPRESSING SUPPORT FOR THURSTON COUNTY MEDIC ONE PROPOSITION NO.1 LEVY LID LIFT

******THE PUBLIC WILL BE GIVEN AN OPPORTUNITY TO SPEAK AT THIS TIME FOR OR AGAINST THIS LEVY******

[21-0698](#) Consideration of a Resolution Expressing City Council Support for Thurston County Medic One Proposition No.1 Levy Lid Lift

Mayor Selby opened the public hearing at 7:03 p.m. The following people spoke: Jim King, Kurt Hardin, Margaret McPhee and Doug Mah. The hearing was closed at 7:19 p.m.

Councilmember Rollins moved, seconded by Councilmember Madrone, to adopt a Resolution expressing City Council support for the Thurston County Medic One Proposition No.1 Levy Lid Lift. The motion failed by the following vote:

Aye: 7 - Mayor Selby, Mayor Pro Tem Gilman, Councilmember Cooper, Councilmember Huỳnh, Councilmember Madrone, Councilmember Parshley and Councilmember Rollins

2. SPECIAL RECOGNITION

2.A [21-0676](#) Special Recognition - Parks, Arts and Recreation Department Accomplishments

Recreation Facilities Director Scott River and Planning & Maintenance Director Jonathon Turlove shared an update on recent Parks, Arts and Recreation Department accomplishments to include Washington Recreation and Park Association awards for 2021, employee leadership certifications and renovations to Stevens Field.

Councilmembers asked clarifying questions.

The recognition was received.

2.B [21-0699](#) Special Recognition - Proclamation Recognizing Mark Foutch Day

Councilmembers read a proclamation recognizing former Mayor Mark Foutch on the occasion of his 80th birthday.

Current and formal Councilmembers shared their recollections of working with former Mayor Foutch and their best wishes for his birthday.

The recognition was received.

3. PUBLIC COMMENT

The following people spoke: Jim Zahn, James King, Bob Wadsworth, and Candice Bock.

COUNCIL RESPONSE TO PUBLIC COMMENT (Optional)

4. CONSENT CALENDAR

4.A [21-0702](#) Approval of June 22, 2021 Study Session Meeting Minutes

The minutes were adopted.

4.B [21-0701](#) Approval of June 22, 2021 City Council Meeting Minutes

The minutes were adopted.

4.C [21-0661](#) Approval to Apply for a National Endowment for the Arts Our Town Grant for the Armory Creative Campus

The resolution was adopted.

4.D [21-0634](#) Approval of a Resolution Authorizing an Interlocal Agreement with Washington Consolidated Technology Services for Fire Protection Services

The resolution was adopted.

4.E [21-0636](#) Approval of a Resolution Authorizing an Interlocal Agreement with the Washington State Department of Enterprise Services for Fire Protection Services

The resolution was adopted.

- 4.F [21-0664](#) Approval of an Appointment to the Utility Advisory Committee to a Fill Vacancy

The decision was adopted.

- 4.G [21-0668](#) Approval of an Amendment to the Ad Hoc Committee on Public Safety Charter to Extend the Committee Timeline

The decision was adopted.

- 4.H [21-0669](#) Approval of a Resolution Authorizing the Purchase of 1211 Quince Street SE, Real Estate Owned by Chandra Holdings, Inc.

The resolution was adopted.

- 4.I [21-0682](#) Approval to Allocate Council Goal Funds to Support the Reimagining Public Safety Public Engagement Process

The decision was adopted.

- 4.J [21-0695](#) Approval of a Resolution Authorizing an Amendment of the Fir Street Reservoirs Seismic Upgrades Loan Agreement with the Washington State Department of Health

The resolution was adopted.

- 4.K [21-0696](#) Approval of a Resolution to Apply for a Grant for Ecology's Grants of Regional or Statewide Significance for Environmental Education and Equity Program

The resolution was adopted.

4. SECOND READINGS (Ordinances)

- 4.L [21-0615](#) Approval of an Ordinance Authorizing Acceptance of a Donation of Seven Sculptures for the Installation "A Story Place" as a Gift of Art from Artist Nancy Thorne-Chambers

The ordinance was approved on second reading.

- 4.M [21-0625](#) Approval of an Ordinance Amending Olympia Municipal Code Section 12.16.090 Relating to Street Vacations

The ordinance was approved on second reading.

4. FIRST READINGS (Ordinances)

- 4.N [21-0687](#) Approval of an Ordinance Amending Ordinance No. 4638, Which

Vacated a Portion of an Alley Between State Avenue and 4th Avenue

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

- 4.O** [21-0680](#) Approval of an Ordinance Authorizing an Agreement to Accept Donation of "Telephone of the Wind" as a Gift of Art from Artist Corey Dembeck

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

- 4.P** [21-0694](#) Approval of an Ordinance Amending Ordinance 7281 (Second Quarter Budget Amendment)

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

Approval of the Consent Agenda

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

Aye: 7 - Mayor Selby, Mayor Pro Tem Gilman, Councilmember Cooper, Councilmember Huynh, Councilmember Madrone, Councilmember Parshley and Councilmember Rollins

5. PUBLIC HEARING - None

6. OTHER BUSINESS

- 6.A** [21-0700](#) Approval of a Resolution Approving an Increase in City Staffing by Three Full-Time Positions to Support the Implementation of the Citywide Strategic Communications Recommendations

Strategic Communications Director Kellie Purce Braseth gave an overview of the outcomes of an in depth analysis of the City's Communication Services Department to ensure it is meeting the City's communications needs.

The analysis concluded that Communication Services should have between seven and 13 full time staff for a fully resourced team who can produce a proactive City narrative; create and maintain a robust website; prioritize social media content; support crisis communication; develop employee communication and expand visual design and production capacity.

The Resolution under consideration would allow the hiring of a Deputy Public Information Officer, a Social Media/Content Strategist and Graphic Designer with an additional \$150,000 will be allocated through second quarter budget amendments for on-call contract services for crisis communication, photography, videography, graphic design, and professional writers.

Councilmembers asked clarifying questions.

Mayor Pro Tem Gilman moved, seconded by Councilmember Cooper, to approve the Resolution approving an increase in City staffing by three full-time positions to support the implementation of the Citywide Strategic Communication recommendations. The motion carried by the following vote:

Aye: 7 - Mayor Selby, Mayor Pro Tem Gilman, Councilmember Cooper, Councilmember Huynh, Councilmember Madrone, Councilmember Parshley and Councilmember Rollins

6.B [21-0692](#) Boulevard Road Development Project Briefing

Strategic Projects Manager Amy Buckler provided an update on the results of a Request for Qualifications (RFQ) process to select a development partner for the City owned property at 3900 Boulevard Road.

She shared an overview of the ten-acre property that will developed to include mixed income and affordable housing, a neighborhood center and connection to LBA Woods and Park.

The City received four responses to the RFQ which were reviewed by a committee that included a member of the Planning Commission; Parks and Recreation Advisory Board; Bicycle & Pedestrian Advisory Board; Home Fund Advisory Board and City staff. The review committee unanimously decided that Romano Capital presented the preferred proposal.

Romano Capital will develop an Exclusive Negotiation Agreement (ENA), a document that outlines the expectations of both parties. The ENA lasts for 180 days in which the City agrees not to market or entertain offers for any other interested parties. Romano Capital agrees to the drafting and execution of a scope of work to include neighborhood engagement plan, renderings and development concept illustrations that are consistent with previously presented materials. Both parties are committed to working towards the development and execution of a Purchase and Sales Agreement that is consistent with community outreach efforts and presented project vision.

Romano Capital anticipates beginning community outreach efforts in August/September 2021.

Councilmembers asked clarifying questions.

The report was received.

6.C [21-0678](#) Approval of a Resolution Authorizing a Professional Services Agreement with Berger Partnership for Phase 1 Design Services at the Yelm Highway Community Park

Mr. Turlove have an overview of the purchase of 3323 Yelm Highway, located next to a previously purchased 3.54 acre park parcel also on Yelm Highway, for a future

community park. He shared that in March 2020 the Olympia School District (OSD) reached out with a request to consider allowing 20 acres of the park to be used for a future secondary school either through a purchase of the property or a trade for an as yet to be identified 20 acres.

Chair of the Parks and Recreation Advisory Committee (PRAC) Maria Ruth shared questions and concerns with a potential partnership with OSD that has been previously shared in a letter to Council by PRAC . Prior to deciding on a partnership with OSD, the City Council will spend time evaluating PRAC's concerns.

While a decision regarding the partnerships with OSD as yet to be made, staff propose moving forward with Phase 1 design that would work with or without the partnership. The current goal is to break ground on Phase I of Yelm Highway community park in 2024.

The proposed contract would authorize Berger Partnership to prepare these materials in support of grant requests and allow a portion of the project (Phase 1) to move forward and not lose valuable time while the partnership with OSD is still under consideration.

Councilmembers asked clarifying questions.

Councilmember Parshley moved, seconded by Councilmember Madrone, to approve a Resolution authorizing a Professional Services Agreement with Berger Partnership for Phase 1 Design Services at the Yelm Highway community park. The motion carried by the following vote:

Aye: 7 - Mayor Selby, Mayor Pro Tem Gilman, Councilmember Cooper, Councilmember Huỳnh, Councilmember Madrone, Councilmember Parshley and Councilmember Rollins

7. CONTINUED PUBLIC COMMENT

8. REPORTS AND REFERRALS

8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS

Councilmembers reported on meetings and events attended.

Councilmember Madrone discussed a referral to the Land Use & Environment Committee to guide a process to update the City's approach to development agreements. Councilmembers Parshley and Rollins signed on to the referral as well.

8.B CITY MANAGER'S REPORT AND REFERRALS

City Manager Burney announced that Public Works Director Rich Hoey will be taking a fourth week sabbatical and Deputy Public Works Director Mark Russell will be Acting Public Works Director in his absence.

Mr. Burney also noted that he will be on vacation the next week and Assistant City Manager Keith Stahley will be serving in the City Manager role in his absence.

9. ADJOURNMENT

The meeting adjourned at 9:58 p.m.



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

City Council

Approval of July 20, 2021 Study Session Meeting Minutes

Agenda Date: 8/10/2021
Agenda Item Number: 4.B
File Number:21-0788

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

Title

Approval of July 20, 2021 Study Session Meeting Minutes



Meeting Minutes - Draft

City Council

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Tuesday, July 20, 2021

5:30 PM

Council Chambers

Special Work Session

1. ROLL CALL

Present: 6 - Mayor Cheryl Selby, Mayor Pro Tem Clark Gilman, Councilmember Jim Cooper, Councilmember Yến Huỳnh, Councilmember Dani Madrone and Councilmember Lisa Parshley

Excused: 1 - Councilmember Renata Rollins

2. OTHER BUSINESS

2.A [21-0727](#) Draft Phase 2 Environmental Impact Statement for the Future Capital Lake Preferred Alternative Briefing

Department of Enterprise Services Director of Government Relations Ann Larson; Floyd-Snider Senior Environmental Planner Tessa Gardner-Brown and Floyd-Snider Senior Engagement and Environmental Planner Ray Outlaw gave an in-depth overview of the draft Environmental Impact Statement (EIS) for long-term management of Capital Lake.

Councilmembers asked clarifying questions.

The study session was completed.

3. ADJOURNMENT

The meeting adjourned at 7:32 p.m.



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

City Council

Bills and Payroll Certification

Agenda Date: 8/10/2021
Agenda Item Number: 4.C
File Number:21-0789

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

Title

Bills and Payroll Certification

CITY OF OLYMPIA
EXPENDITURE SUMMARY

"I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN, THAT ANY ADVANCE PAYMENT IS DUE AND PAYABLE PURSUANT TO A CONTRACT OR IS AVAILABLE AS AN OPTION FOR FULL OR PARTIAL FULFILLMENT OF A CONTRACTUAL OBLIGATION, AND THAT THE CLAIMS ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF OLYMPIA, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIMS", AND,

"I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT CLAIMS FOR EMPLOYEE AND OFFICER EXPENSES ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF OLYMPIA, AND THAT I AM AUTHORIZED TO CERTIFY SAID CLAIMS".

FOR PERIOD 5/30/2021 6/5/2021

FOR A/P ACH PAYMENTS and A/P CHECKS NUMBERED 3736054 THROUGH 3736260

FOR OTHER ELECTRONIC PAYMENTS DATED THROUGH

INCLUSIVE IN THE AMOUNT TOTALING

DATED 6/25/2021

FINANCE DIRECTOR M. Anderson

TOTAL APPROVED FOR PAYMENT

FUND		
\$675,687.59	001	GENERAL FUND
\$0.00	002	SHOP FACILITIES
\$35,778.93	003	REVOLVING ACCOUNT FUND
\$0.00	004	URBAN ARTERIAL FUND
\$55,880.88	006	Development Fee Revenue
\$21,398.21	007	Parking Fund
\$30,173.87	014	LEOFF 1 OPEB Trust Fund
\$0.00	21	Washington Center Endow
\$0.00	025	WASHINGTON CENTER
\$0.00	026	MUNICIPAL ARTS FUND
\$1,781.85	029	EQUIP & FACIL REPLACE RES
\$0.00	107	HUD
\$0.00	108	HUD
\$0.00	127	IMPACT FEES
\$0.00	130	SEPA MITIGATION FUND
\$22,886.81	132	LODGING TAX FUND
\$0.00	133	ARTS AND CONFERENCE FUND
\$0.00	134	PARKS AND REC SIDEWALK UT TAX
\$0.00	135	PARKING BUSINESS IMP AREA
\$0.00	136	FARMERS MKT REPAIR/REPLC
\$0.00	137	CHILDREN'S HANDS ON MUSEUM
\$0.00	138	TRANS BENEFIT DISTRICT
\$4,602,812.00	139	GRANTS CONTROL FUND
\$0.00	140	REET
\$0.00	141	Oly Metro Park District
\$56,657.74	142	HOME FUND
\$0.00	208	LID OBLIGATION CONTROL
\$174,249.26	216	4th/5th AVE PW TRST
\$0.00	223	LTGO BOND FUND '06-PARKS
\$186,250.00	224	UTGO BOND FUND 2009 FIRE
\$433,956.26	225	CITY HALL DEBT FUND
\$30,530.96	226	2010 LTGO BOND-STREETPROJ
\$0.00	227	LOCAL DEBT FUND
\$409,244.92	228	2010B LTGO BONDS-HOCM
\$57,012.50	229	LTGO BOND FUND 2013
\$246,631.25	230	LTGO Bond Fund 2016
\$20,602.39	317	CIP
\$650,000.00	318	Home Fund
\$0.00	322	4/5th AVE CORRIDOR/BRIDGE
\$0.00	323	CIP CONSTR FUND - PARKS
\$0.00	324	FIRE STATION 4 CONSTRUCT
\$0.00	325	CITY HALL CONST
\$0.00	326	TRANSPORTATION CONST
\$0.00	329	GO BOND PROJECT FUND
\$431.70	331	FIRE EQUIPMENT REPLACEMENT FUND
\$35,316.60	401	WATER
\$1,187,869.59	402	SEWER
\$69,170.43	403	SOLID WASTE
\$14,251.03	404	STORM AND SURFACE WATER
\$0.00	407	STORM AND SURFACE WATER MITIG
\$0.00	417	W/S REV BOND REDEMPTION
\$0.00	418	Stormwater Debt Service Fund
\$0.00	427	W/S REV BOND REDEMPTION
\$0.00	434	STORM AND SURFACE WATER CIP
\$0.00	461	WATER CIP FUND
\$4,382.59	462	SEWER CIP FUND
\$0.00	463	SOLID WASTE/ADVERTISING
\$39,813.34	501	EQUIPMENT RENTAL
\$0.00	502	C. R. EQUIPMENT RENTAL
\$0.00	503	UNEMPLOYMENT COMPENSATION
\$0.00	504	INS TRUST FUND
\$1,200.00	505	WORKERS COMPENSATION
\$0.00	604	FIREMEN'S PENSION FUND
\$0.00	605	CUSTOMERS WATER RESERVE
\$0.00	621	WASHINGTON CENTER ENDOW
\$0.00	631	PUBLIC FACILITIES
\$0.00	682	LAW ENFORCEMENT RECORD MGNTSYS
\$0.00	701	PARKS-NEIGHBORHOOD
\$0.00	702	PARKS-COMMUNITY
\$0.00	703	PARKS-OPEN SPACE
\$0.00	707	PARKS-SPECIAL USE
\$0.00	711	TRANSPORTATION
\$0.00	720	SCHOOLS

\$9,063,970.70 GRAND TOTAL FOR WEEK

Reconciliation of Superior All Checks Register to Expenditure Summary

Data From Superior All Checks Register			
Description	From Check	to Check	Check Amount
Payroll A/P (vendors) Checks	21169		75.56
Payroll A/P (vendors) Checks	21170		422.72
Payroll A/P (vendors) Checks	21171		18,260.27
Payroll A/P (vendors) Checks	21172		4,602,812.00
Payroll A/P (vendors) Checks	21173		147.00
Payroll A/P (vendors) Checks	21174		54.00
Payroll A/P (vendors) Checks	21175		108.00
Payroll A/P (vendors) Checks	21176		108.00
Payroll A/P (vendors) Checks	21177		57.00
Payroll A/P (vendors) Checks	21178		90.00
Payroll A/P (vendors) Checks	21179		54.00
Payroll A/P (vendors) Checks	21180		108.00
Payroll A/P (vendors) Checks	21181		36.00
Payroll A/P (vendors) Checks	21182		8,021.68
Payroll A/P (vendors) Checks	21183		51,424.71

Subtotal 4,681,778.94

VOID CHECKS	(3,390.06)
EFT	587,409.52
A/P Checks	3,798,172.30
Grand Total	9,063,970.70

Proof 0.00

CITY OF OLYMPIA
EXPENDITURE SUMMARY

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"I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT CLAIMS FOR EMPLOYEE AND OFFICER EXPENSES ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF OLYMPIA, AND THAT I AM AUTHORIZED TO CERTIFY SAID CLAIMS"

FOR PERIOD 6/8/2021 6/12/2021
FOR A/P ACH PAYMENTS and A/P CHECKS NUMBERED 3736261 THROUGH 3736454
FOR OTHER ELECTRONIC PAYMENTS DATED THROUGH

INCLUSIVE IN THE AMOUNT TOTALING

DATED 6/25/2021 FINANCE DIRECTOR Namdhen

TOTAL APPROVED FOR PAYMENT

FUND		
\$822,297.48	001	GENERAL FUND
\$0.00	002	SHOP FACILITIES
\$42,346.31	003	REVOLVING ACCOUNT FUND
\$0.00	004	URBAN ARTERIAL FUND
\$0.00	006	Development Fee Revenue
\$2,426.96	007	Parking Fund
\$24,929.66	014	LEOFF 1 OPEB Trust Fund
\$0.00	21	Washington Center Endow
\$87.89	025	WASHINGTON CENTER
\$7.20	026	MUNICIPAL ARTS FUND
\$0.00	029	EQUIP & FACIL REPLACE RES
\$1,022.67	107	HUD
\$0.00	108	HUD
\$0.00	127	IMPACT FEES
\$0.00	130	SEPA MITIGATION FUND
\$0.00	132	LODGING TAX FUND
\$0.00	133	ARTS AND CONFERENCE FUND
\$0.00	134	PARKS AND REC SIDEWALK UT TAX
\$410.22	135	PARKING BUSINESS IMP AREA
\$0.00	136	FARMERS MKT REPAIR/REPLC
\$0.00	137	CHILDREN'S HANDS ON MUSEUM
\$0.00	138	TRANS BENEFIT DISTRICT
\$0.00	139	GRANTS CONTROL FUND
\$0.00	140	REET
\$0.00	141	Oly Metro Park District
\$73,182.60	142	HOME FUND
\$0.00	208	LID OBLIGATION CONTROL
\$0.00	216	4th/5th AVE PW TRST
\$0.00	223	LTGO BOND FUND '06-PARKS
\$0.00	224	UTGO BOND FUND 2009 FIRE
\$0.00	225	CITY HALL DEBT FUND
\$0.00	226	2010 LTGO BOND-STREETPROJ
\$0.00	227	LOCAL DEBT FUND
\$0.00	228	2010B LTGO BONDS-HOCM
\$0.00	229	LTGO BOND FUND 2013
\$0.00	230	LTGO Bond Fund 2016
\$41,655.67	317	CIP
\$0.00	318	Home Fund
\$0.00	322	4/5th AVE CORRIDOR/BRIDGE
\$0.00	323	CIP CONSTR FUND - PARKS
\$0.00	324	FIRE STATION 4 CONSTRUCT
\$0.00	325	CITY HALL CONST
\$0.00	326	TRANSPORTATION CONST
\$0.00	329	GO BOND PROJECT FUND
\$6,385.98	331	FIRE EQUIPMENT REPLACEMENT FUND
\$79,407.35	401	WATER
\$9,977.06	402	SEWER
\$114,844.88	403	SOLID WASTE
\$21,741.05	404	STORM AND SURFACE WATER
\$0.00	407	STORM AND SURFACE WATER MITIG
\$0.00	417	W/S REV BOND REDEMPTION
\$0.00	418	Stormwater Debt Service Fund
\$0.00	427	W/S REV BOND REDEMPTION
\$0.00	434	STORM AND SURFACE WATER CIP
\$18,016.27	461	WATER CIP FUND
\$7,787.78	462	SEWER CIP FUND
\$0.00	483	SOLID WASTE/ADVERTISING
\$13,404.88	501	EQUIPMENT RENTAL
\$0.00	502	C. R. EQUIPMENT RENTAL
\$0.00	503	UNEMPLOYMENT COMPENSATION
\$0.00	504	INS TRUST FUND
\$16.39	505	WORKERS COMPENSATION
\$0.00	604	FIREMEN'S PENSION FUND
\$0.00	605	CUSTOMERS WATER RESERVE
\$0.00	621	WASHINGTON CENTER ENDOW
\$0.00	631	PUBLIC FACILITIES
\$0.00	682	LAW ENFORCEMENT RECORD MGNTSYS
\$0.00	701	PARKS-NEIGHBORHOOD
\$0.00	702	PARKS-COMMUNITY
\$0.00	703	PARKS-OPEN SPACE
\$0.00	707	PARKS-SPECIAL USE
\$0.00	711	TRANSPORTATION
\$0.00	720	SCHOOLS

\$1,279,948.30 GRAND TOTAL FOR WEEK

Reconciliation of Superior All Checks Register to Expenditure Summary

Data From Superior All Checks Register

Description	From Check	to Check	Check Amount
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Subtotal			0.00

VOID CHECKS	(676.65)
EFT	154,401.58
A/P Checks	1,126,223.38
Grand Total	1,279,948.30

Proof 0.00

\$0.00 DON'T SUBMIT IF DOESN'T BALANCE

	6/8/2021	AP	6/10/2021	AP	TOTAL
001					822,297.48
002	50,218.71		772,078.77		0.00
003	31,518.67		10,827.64		42,346.31

CITY OF OLYMPIA
EXPENDITURE SUMMARY

"I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN, THAT ANY ADVANCE PAYMENT IS DUE AND PAYABLE PURSUANT TO A CONTRACT OR IS AVAILABLE AS AN OPTION FOR FULL OR PARTIAL FULFILLMENT OF A CONTRACTUAL OBLIGATION, AND THAT THE CLAIMS ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF OLYMPIA, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIMS". AND,

"I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT CLAIMS FOR EMPLOYEE AND OFFICER EXPENSES ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF OLYMPIA, AND THAT I AM AUTHORIZED TO CERTIFY SAID CLAIMS".

FOR PERIOD 6/13/2021 6/19/2021

FOR A/P ACH PAYMENTS and A/P CHECKS NUMBERED 3736455 THROUGH 3736593

FOR OTHER ELECTRONIC PAYMENTS DATED THROUGH

INCLUSIVE IN THE AMOUNT TOTALING

DATED 6/25/2021 FINANCE DIRECTOR M. Anderson

TOTAL APPROVED FOR PAYMENT		
	FUND	
\$1,466,238.52	001	GENERAL FUND
\$0.00	002	SHOP FACILITIES
\$0.00	003	REVOLVING ACCOUNT FUND
\$0.00	004	URBAN ARTERIAL FUND
\$57,154.55	006	Development Fee Revenue
\$12,104.66	007	Parking Fund
\$433.75	014	LEOFF 1 OPEB Trust Fund
\$0.00	21	Washington Center Endow
\$29.68	025	WASHINGTON CENTER
\$10,000.00	026	MUNICIPAL ARTS FUND
\$17,640.15	029	EQUIP & FACIL REPLACE RES
\$19,748.14	107	HUD
\$0.00	108	HUD
\$0.00	127	IMPACT FEES
\$0.00	130	SEPA MITIGATION FUND
\$0.00	132	LODGING TAX FUND
\$0.00	133	ARTS AND CONFERENCE FUND
\$0.00	134	PARKS AND REC SIDEWALK UT TAX
\$4,560.00	135	PARKING BUSINESS IMP AREA
\$0.00	136	FARMERS MRKT REPAIR/REPLC
\$0.00	137	CHILDREN'S HANDS ON MUSEUM
\$0.00	138	TRANS BENEFIT DISTRICT
\$0.00	139	GRANTS CONTROL FUND
\$0.00	140	REET
\$0.00	141	Oly Metro Park District
\$4,432.02	142	HOME FUND
\$0.00	208	LID OBLIGATION CONTROL
\$0.00	216	4th/5th AVE PW TRST
\$0.00	223	LTGO BOND FUND '06-PARKS
\$0.00	224	UTGO BOND FUND 2009 FIRE
\$245,720.00	225	CITY HALL DEBT FUND
\$0.00	226	2010 LTGO BOND-STREETPROJ
\$0.00	227	LOCAL DEBT FUND
\$0.00	228	2010B LTGO BONDS-HOCM
\$0.00	229	LTGO BOND FUND 2013
\$0.00	230	LTGO Bond Fund 2016
\$144,745.70	317	CIP
\$0.00	318	Home Fund
\$0.00	322	4/5th AVE CORRIDOR/BRIDGE
\$0.00	323	CIP CONSTR FUND - PARKS
\$0.00	324	FIRE STATION 4 CONSTRUCT
\$0.00	325	CITY HALL CONST
\$0.00	326	TRANSPORTATION CONST
\$0.00	329	GO BOND PROJECT FUND
\$2,269.82	331	FIRE EQUIPMENT REPLACEMENT FUND
\$17,212.17	401	WATER
\$8,848.36	402	SEWER
\$340,039.47	403	SOLID WASTE
\$6,917.34	404	STORM AND SURFACE WATER
\$0.00	407	STORM AND SURFACE WATER MITIG
\$0.00	417	W/S REV BOND REDEMPTION
\$0.00	418	Stormwater Debt Service Fund
\$0.00	427	W/S REV BOND REDEMPTION
\$13,440.61	434	STORM AND SURFACE WATER CIP
\$0.00	461	WATER CIP FUND
\$138,675.82	462	SEWER CIP FUND
\$0.00	463	SOLID WASTE/ADVERTISING
\$9,537.52	501	EQUIPMENT RENTAL
\$0.00	502	C. R. EQUIPMENT RENTAL
\$0.00	503	UNEMPLOYMENT COMPENSATION
\$0.00	504	INS TRUST FUND
\$6,250.00	505	WORKERS COMPENSATION
\$0.00	604	FIREMEN'S PENSION FUND
\$0.00	605	CUSTOMERS WATER RESERVE
\$0.00	621	WASHINGTON CENTER ENDOW
\$0.00	631	PUBLIC FACILITIES
\$0.00	682	LAW ENFORCEMENT RECORD MGNTSYS
\$0.00	701	PARKS-NEIGHBORHOOD
\$0.00	702	PARKS-COMMUNITY
\$0.00	703	PARKS-OPEN SPACE
\$0.00	707	PARKS-SPECIAL USE
\$0.00	711	TRANSPORTATION
\$0.00	720	SCHOOLS
\$2,525,998.28 GRAND TOTAL FOR WEEK		

Reconciliation of Superior All Checks Register to Expenditure Summary			
Data From Superior All Checks Register			
Description	From Check	to Check	Check Amount
Payroll A/P (vendors) Checks	21183		518,030.17
Payroll A/P (vendors) Checks	21184		3,672.57
Payroll A/P (vendors) Checks	21185		453,740.22
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Subtotal			975,442.96
VOID CHECKS			(131.30)
EFT			979,372.53
A/P Checks			571,314.09
Grand Total			2,525,998.28
Proof			0.00

\$1,484,936.23 GRAND TOTAL FOR WEEK

1. THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN, THAT ANY ADVANCE PAYMENT IS DUE AND PAYABLE PURSUANT TO A CONTRACT OR IS AVAILABLE AS AN OPTION FOR FULL OR PARTIAL FULFILLMENT OF A CONTRACTUAL OBLIGATION, AND THAT THE CLAIMS ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF OLYMPIA, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIMS"; AND,

2. THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT CLAIMS FOR EMPLOYEE AND OFFICER EXPENSES ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF OLYMPIA, AND THAT I AM AUTHORIZED TO CERTIFY SAID CLAIMS"

DATED

FINANCE DIRECTOR

TOTAL APPROVED FOR PAYMENT

Description	From Check	To Check	Check Amount
Payroll A/P (vendors) Checks	21193		37,409.67
Payroll A/P (vendors) Checks	21194		9,571.71
Payroll A/P (vendors) Checks	21195		15,087.45
Payroll A/P (vendors) Checks	21196		61,034.81
Payroll A/P (vendors) Checks	21197		13,673.26
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
		<i>Subtotal</i>	136,977.11
VOID CHECKS			(68.77)
EFT			522,169.32
A/P Checks			847,815.89
Grand Total			1,506,893.55
<i>Proof</i>			0.00

\$0.00 DON'T SUBMIT IF DOESN'T BALANCE

	AP 6/29/2021	AP EDT 6/29/2021	PAYROLL AP 6/30/2021	AP 7/1/2021	AP 7/1/2021	TOTAL
001	187,096.61	13,048.38	285,252.65	235,218.20	0.01	720,615.85
002						0.00
003	11,815.20			13,137.35		24,952.55

	AP	AP EDT	
	7/8/2021	7/8/2021	TOTAL
001	305,722.36	992,540.16	1,298,262.52
002			0.00
003	13,410.08		13,410.08

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"I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT CLAIMS FOR EMPLOYEE AND OFFICER EXPENSES ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF OLYMPIA, AND THAT I AM AUTHORIZED TO CERTIFY SAID CLAIMS"

DATED 7.28.21 FINANCE DIRECTOR Debbie K. Sullivan

Reconciliation of Superior All Checks Register to Expenditure Summary			
Data From Superior All Checks Register			
Description	From Check	to Check	Check Amount
Payroll A/P (vendors) Checks	21208	21220	960.00
Payroll A/P (vendors) Checks	21222	21227	(835.75) 1
Payroll A/P (vendors) Checks	void EFT # 18140		(65.99) 0
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Payroll A/P (vendors) Checks			
Subtotal			(397.69) 10
VOID CHECKS			(148.6) 1
EFT			865,607.41
A/P Checks			3,500,446.31
Grand Total			3,487,908.06
Proof			0.00

	PAYROLL A/P	AP	AP	AP EDT	AP	TOTAL
	7/19/2021	7/20/2021	7/20/2021	7/20/2021	7/22/2021	
001	306,584.87	134,069.12	661,634.28	1,032.00	161,256.86	1,264,577.13
002						0.00
003					14,844.85	14,844.85
004						0.00
006		1,942.00			110,703.78	112,645.78
007					1,633.14	1,633.14
014		4,739.95	24,585.96		2,843.04	32,169.95
021						0.00
025					583.43	583.43
026						0.00
029						0.00
107						0.00
108						0.00
127						0.00
130						0.00
132		12,580.70				12,580.70
133						0.00
134						0.00

CITY OF OLYMPIA

PAYROLL CERTIFICATION FOR PAY PERIOD END: 6/15/2021

NET PAY: (SEMI MONTHLY)	\$	1,620,967.45
FIRE PENSION PAY: (MONTHLY)		
MANUAL:	\$	7,054.78
TOTAL NET PAY:	\$	1,628,022.23
Semi-monthly Payroll Check Numbers: <u>93172</u> to <u>93178</u>	\$	4,088.89
Semi-monthly Payroll Direct Deposit:	\$	1,616,878.56
Manual Payroll Check Numbers: <u>93170</u> to <u>93171</u>	\$	7,054.78
Monthly Fire Pension Check Numbers: _____ to _____		
Monthly Fire Pension Direct Deposit:		
TOTAL NET PAY:	\$	1,628,022.23

Patricia Brassfield

Prepared by:

6/15/20210

Date

Debbie Heilman

Reviewed by:

6/15/2021

Date

The Finance Director of the City of Olympia, Washington, hereby certifies that the Payroll gross earnings, benefits and LEOFF I post-retirement insurance benefits for the pay cycle ending: 6/15/2021 have been examined and are approved as recommended for payment.

Nancy Sue
Approved by/Finance Director

6/25/2021
Date

CITY OF OLYMPIA

PAYROLL CERTIFICATION FOR PAY PERIOD END: 6/30/2021

NET PAY: (SEMI MONTHLY)	\$	1,713,924.83
FIRE PENSION PAY: (MONTHLY)	\$	28,247.47
MANUAL:	\$	1,867.86
TOTAL NET PAY:	\$	1,744,040.16
Semi-monthly Payroll Check Numbers: <u>93186</u> to <u>93214</u>	\$	34,429.24
Semi-monthly Payroll Direct Deposit:	\$	1,679,495.59
Manual Payroll Check Numbers: <u>93179</u> to <u>93180</u>	\$	1,867.86
Monthly Fire Pension Check Numbers: <u>93181</u> to <u>93185</u>	\$	7,668.60
Monthly Fire Pension Direct Deposit:	\$	20,578.87
TOTAL NET PAY:	\$	1,744,040.16

Patricia Brassfield

Prepared by:

6/30/2021

Date

Debbie Heilman

Reviewed by:

6/30/2021

Date

The Finance Director of the City of Olympia, Washington, hereby certifies that the Payroll gross earnings, benefits and LEOFF I post-retirement insurance benefits for the pay cycle ending: **6/30/2021** have been examined and are approved as recommended for payment.

Namini

Approved by/Finance Director

6/30/2021

Date



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

City Council

Approval of a Resolution Authorizing an Interlocal Agreement between the City of Olympia, the City of Lacey, and Thurston County for the Maintenance of Hub Junction Bicycle Roundabout

Agenda Date: 8/10/2021
Agenda Item Number: 4.D
File Number: 21-0755

Type: resolution **Version:** 2 **Status:** Consent Calendar

Title

Approval of a Resolution Authorizing an Interlocal Agreement between the City of Olympia, the City of Lacey, and Thurston County for the Maintenance of Hub Junction Bicycle Roundabout

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve a Resolution authorizing an Interlocal Agreement between the City of Olympia, the City of Lacey, and Thurston County for the maintenance of the bicycle roundabout area at the intersection of the Karen Fraser Woodland Trail, Lacey Karen Fraser Woodland Trail, and Chehalis-Western Trail (Hub Junction).

Report

Issue:

Whether to approve a Resolution authorizing an Interlocal Agreement between the City of Olympia, the City of Lacey, and Thurston County for the maintenance of the bicycle roundabout area at the intersection of the Karen Fraser Woodland Trail, Lacey Karen Fraser Woodland Trail, and Chehalis-Western Trail (Hub Junction).

Staff Contact:

Jonathon Turlove, Director of Parks Planning and Maintenance, 360.753.8068.

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

The Hub Junction is a bicycle roundabout at the intersection of the City of Olympia's Karen Fraser Woodland Trail, the City of Lacey's Karen Fraser Woodland Trail and Thurston County's Chehalis

Western Trail. The roundabout and immediate surroundings span park property owned and managed by all three jurisdictions. It is difficult to discern exact property boundaries in the field making it unclear which jurisdiction is responsible for which area.

Staff from the City of Olympia, the City of Lacey, and Thurston County met recently to formulate an Interlocal Agreement for maintenance of this area. The agreement clarifies which jurisdiction is in charge of the maintenance of specific portions of the roundabout area and sets a schedule for the shared duty of garbage removal. Staff believe this Interlocal Agreement will lead to more efficient and effective management of the area.

Neighborhood/Community Interests (if known):

In a recent survey on regional trails conducted by Thurston Regional Planning, public comments were received expressing concern regarding the condition of the Hub Junction area. It is hoped that this Agreement will lead to a higher level of service for the area.

Options:

1. Approve the Resolution authorizing an Interlocal Agreement for maintenance of the Hub Junction bicycle roundabout.
2. Do not approve the Resolution authorizing an Interlocal Agreement for maintenance of the Hub Junction bicycle roundabout. The Hub Junction will continue to be managed in an uncoordinated manner.
3. Consider the Resolution authorizing an Interlocal Agreement for maintenance of the Hub Junction bicycle roundabout at another time.

Financial Impact:

No financial impacts are anticipated as a result of this Agreement.

Attachments:

Resolution

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON,
APPROVING THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF OLYMPIA, THE CITY
OF LACEY, AND THURSTON COUNTY FOR MAINTENANCE OF THE BICYCLE ROUNDABOUT
AREA AT THE INTERSECTION OF THE OLYMPIA WOODLAND TRAIL, LACEY WOODLAND
TRAIL, AND CHEHALIS-WESTERN TRAIL (HUB JUNCTION).**

WHEREAS, the Hub Junction is the bicycle roundabout area at the intersection of the Olympia Karen Fraser Woodland Trail, Lacey Karen Fraser Woodland Trail, and Thurston County Chehalis-Western Trail; and

WHEREAS, this area includes the roundabout itself, the information kiosk, the garbage can, benches and seating area, and signage; and

WHEREAS, the Interlocal Agreement (the Agreement) will allow the City of Olympia, City of Lacey, and Thurston County (the Jurisdictions) to cooperatively maintain and manage the Hub Junction in a coordinated and efficient manner; and

WHEREAS, each jurisdiction shall be responsible for the costs of carrying out their responsibilities according to the Agreement, and no payment will be exchanged;

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

1. The Olympia City Council hereby approves the form of Interlocal Agreement between the City of Olympia, City of Lacey, and Thurston County for maintenance of the bicycle roundabout known as Hub Junction and the terms and conditions contained therein.
2. The City Manager is authorized and directed to execute on behalf of the City of Olympia the Interlocal Agreement, and any other documents necessary to execute said Agreement, and to make any minor modifications as may be required and are consistent with the intent of the Agreement, or to correct any scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2021.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



DEPUTY CITY ATTORNEY

**INTERLOCAL AGREEMENT
BETWEEN
THE CITY OF OLYMPIA, THE CITY OF LACEY, AND THURSTON COUNTY
FOR
MAINTENANCE OF THE BICYCLE ROUNDABOUT AREA AT THE INTERSECTION
OF THE OLYMPIA WOODLAND TRAIL, LACEY WOODLAND TRAIL AND
CHEHALIS-WESTERN TRAIL (“HUB JUNCTION”)**

WHEREAS, RCW 39.34.010 permits local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, pursuant to RCW 39.34.080, each party is authorized to contract with any one or more other public agencies to perform any governmental service, activity, or undertaking which each public agency entering into the contract is authorized by law to perform: provided, that such contract shall be authorized by the governing body of each party to the contract and shall set forth its purposes, powers, rights, objectives and responsibilities of the contracting parties.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the City of Olympia (OLYMPIA) the City of Lacey (LACEY) and THURSTON COUNTY agree as follows:

I. Purpose/Objective

The purpose of this Agreement is to allow all three jurisdictions to cooperatively maintain and manage the Hub Junction in a coordinated and efficient manner.

II. Definitions

In this Agreement, the following words shall have the meanings set forth below:

“Hub Junction” – The bicycle roundabout area at the intersection of the Olympia Karen Fraser Woodland Trail, Lacey Karen Fraser Woodland Trail and Thurston County Chehalis-Western Trail. The area includes the roundabout itself, the information kiosk, the garbage can, benches/seating area, and signage.

III. Scope of Agreement/Work

A. Responsibilities of OLYMPIA shall be as follows:

1. Every Tuesday, Thursday, and Saturday – empty trash can, pick up litter, remove minor graffiti.

2. Major maintenance as needed involving lighting, hardscaping, tractor-style bench seating, or kiosk.
 3. Extensive graffiti removal that requires pressure washing
 4. Ranger patrolling on OLYMPIA property.
 5. Vegetation management in the NW, SW, and SE quadrants (see “Vegetation Management Responsibilities” illustration below) including restoration of denuded southeast quadrant.
- B. Responsibilities of LACEY shall be as follows:
1. Every Wednesday, Friday and Sunday – empty trash can, pick up litter, remove minor graffiti.
 2. Maintain signage
 3. Vegetation management in the NE quadrant (see “Vegetation Management Responsibilities” illustration below)
- C. Responsibilities of THURSTON COUNTY shall be as follows:
1. Every Monday - empty trash can, pick up litter, remove minor graffiti.
 2. Repair or relocate memorial benches in southeast quadrant

Vegetation Management Responsibilities



IV. Payment

Each jurisdiction shall be responsible for the costs of carrying out their responsibilities; no payment shall be exchanged.

V. Indemnification

OLYMPIA, LACEY, AND THURSTON COUNTY each agree to defend, indemnify and hold the other jurisdictions, their officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including reasonable attorney fees, arising out of or in connection with each entity's respective performance of its responsibilities under the Agreement, except to the extent such injuries and damages are caused by the negligent acts of the other party or parties.

VI. Duration of Agreement

This Agreement shall be effective indefinitely unless otherwise terminated in the manner described under the termination section of this Agreement.

VII. Termination of Agreement

This Agreement may be terminated upon sixty (60) days written notice to the other parties in this Agreement.

VIII. Entire Agreement

This Agreement sets forth all terms and conditions agreed upon by OLYMPIA, LACEY, and THURSTON COUNTY, and supersedes any and all prior agreements oral or otherwise with respect to the subject matter addressed herein.

IX. Counterparts

This Agreement may be executed in a number of identical counterparts which, taken together, constitute collectively one Agreement; but in making proof of this Agreement, it is not necessary to produce or account for more than one such counterpart. Additionally, (i) the signature pages taken from separate individually executed counterparts of this Agreement may be combined to form multiple fully executed counterparts; and (ii) a facsimile signature or an electronically scanned signature, or an electronic or digital

signature where permitted by law, must be deemed to be an original signature for all purposes. All executed counterparts of this Agreement are originals, but all such counterparts, when taken together, constitute one and the same Agreement.

X. Posting or Recording

This Agreement shall be posted upon the websites of the parties or other electronically retrievable public source or filed with the Thurston County Auditor's Office pursuant to RCW 39.34.040.

XI. Employment Relationship

Employees of each agency shall remain at all times under the direction and control of their originally employing agency and the performance of work for any other agency pursuant to this Interlocal Agreement shall not change that relationship for any purpose. Neither agency shall be deemed to have agreed to pay the other agency's employees any wages or benefits afforded to its own employees. Further, each agency's responsibilities to its own employees for workplace injuries shall remain unchanged by this Interlocal Agreement.

XII. Notice/Contract Representative

Any notice required under this Agreement shall be to the party at the address listed below and shall become effective three days following the date of deposit in the United States Postal Service.

CITY OF OLYMPIA

Attn: Parks Director

Re: Hub Junction Maintenance Agreement with Lacey and Thurston County

PO Box 1967

Olympia, WA 98507-1967

olympiaparks@ci.olympia.wa.us 360.753.8380

CITY OF LACEY

Attn: Parks Maintenance Supervisor

Re: Hub Junction Maintenance Agreement with Olympia and Thurston County

1200 College St, Lacey, WA 98503

laceyshop@ci.lacey.wa.us (360) 491-5644

THURSTON COUNTY

Attn: Parks Operations and Maintenance Manager

Re: Hub Junction Maintenance Agreement with Lacey and Thurston County

9605 Tilley Rd S. Ste. C, Olympia 98512

info@co.thurston.wa.us (360) 867-2300

XIV. Records

Each party shall maintain its own public records and shall be solely responsible for responding to records requests received about the subject matter of this interlocal. Any public records request addressed to the group as if this interlocal created a separate legal entity, shall be deemed to be a request received by each member individually. Each member shall respond separately, unless agreed to otherwise in writing and properly documented.

XV. Interpretation and Venue

This Agreement shall be governed by the laws of the State of Washington as to interpretation and performance. The parties hereby agree that venue for enforcement of this agreement shall be the Superior Court of Thurston County.

XVI. Effective Date

This Agreement shall take effect as of the date of filing or posting as required by RCW 39.34.040 or May 21, 2021, whichever occurs later.

CITY OF OLYMPIA

Steven J. Burney, City Manager

Date: _____

Approved as to form:

Deputy City Attorney

Date: 07/28/2021

CITY OF LACEY

Scott Spence, City Manager

Date: _____

Approved as to form:

Lacey City Attorney

Date: _____

APPROVED AS TO FORM:

JON TUNHEIM
PROSECUTING ATTORNEY

By: _____
Elizabeth Petrich
Chief Civil Deputy

BOARD OF COUNTY COMMISSIONERS
Thurston County, Washington

Tye Menser, Chair

Date: _____

Gary Edwards, Vice Chair

Date: _____

Carolina Mejia, Member

Date: _____



City Council

Approval of a Resolution Authorizing the Renewal of the HOME Consortium Interlocal Agreement with Thurston County Regarding Federal Affordable Housing Funds

Agenda Date: 8/10/2021
Agenda Item Number: 4.E
File Number: 21-0763

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

Title

Approval of a Resolution Authorizing the Renewal of the HOME Consortium Interlocal Agreement with Thurston County Regarding Federal Affordable Housing Funds

Recommended Action

Committee Recommendation:

Move to approve the Resolution authorizing the renewal of the HOME Consortium Interlocal Agreement with Thurston County regarding the federal affordable housing funds.

City Manager Recommendation:

Move to approve the Resolution authorizing the renewal of the HOME Consortium Interlocal Agreement with Thurston County regarding the federal affordable housing funds.

Report

Issue:

Whether to approve the Resolution authorizing the renewal of the HOME Consortium Interlocal Agreement with Thurston County regarding the federal affordable housing funds.

Staff Contact:

Darian Lightfoot, CDBG Program Manager, 360.280.8951

Presenter(s):

None; consent calendar item only.

Background and Analysis:

Thurston County and the City of Olympia are not individually eligible to receive a formal allocation in the HOME program. This agreement is entered into between Thurston County as the qualified Urban County, comprised of: City of Lacey, City of Tumwater, City of Yelm, City of Rainier, City of Tenino and the Town of Bucoda, a political subdivision of the State of Washington, and the City of Olympia, municipal corporations within Thurston County, for the purpose of forming a Consortium to receive and administer federal funds under the HOME Investments Partnership (HOME) Program.

The federal HOME program is not to be confused with the City of Olympia Home Fund which is a City sales and use tax that funds construction and operations for affordable housing, shelter and related social services.

Neighborhood/Community Interests (if known):

HOME Investments Partnership Program funds can be spent to meet the needs of low- and moderate-income residents throughout the community.

Options:

1. Approve the Resolution authorizing the renewal of the HOME Consortium Interlocal Agreement with Thurston County regarding the federal affordable housing funds.
2. Do not approve the Resolution and provide staff with feedback and direction regarding the proposed Agreement.
3. Do not approve the Resolution.

Financial Impact:

By collaborating in this agreement, the County and City will be eligible for Housing and Urban Development HOME Program funds targeted for households below 80 percent area median income.

Attachments:

Resolution
Agreement

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON,
APPROVING AN AMENDED INTERLOCAL COOPERATION AGREEMENT BETWEEN
THE CITY OF OLYMPIA (CITY) AND THURSTON COUNTY – URBAN COUNTY
(COUNTY) TO FORM A HOME CONSORTIUM TO PARTICIPATE AND RECEIVE
FUNDS UNDER THE NATIONAL AFFORDABLE HOUSING ACT**

WHEREAS, the Congress of the United States of America has enacted the National Affordable Housing Act (NAHA), as implemented by HUD, which authorizes units of general local government to form a consortium to obtain funding as a participating Jurisdiction under the HOME program; and

WHEREAS, the County and the City are not individually eligible to receive a formal allocation in the HOME program; and

WHEREAS, obtaining funding under the HOME program will increase the ability of the City and the County to provide affordable housing for residents with incomes at or below 80% of the area median income; and

WHEREAS, this HOME consortium is part of the local response to the need for low-income housing that maximizes the impact of federal and local affordable housing resources like the City of Olympia Home Fund and Supportive and Affordable Housing (1406); and

WHEREAS, in 2018, the City and the County entered into an interlocal agreement (ILA) by which a HOME consortium was formed; that 2018 ILA expires August 30, 2021; and

WHEREAS, with the 2018 ILA expiring, the City and County wish to enter into a renewed ILA to continue the HOME consortium; this ILA will run through 2024; and

WHEREAS, HUD has specified the minimum provisions which must be included within any intergovernmental agreement for the cooperating bodies to qualify as a consortium; and

WHEREAS, NAHA requires that a consortium select one member to act in a representative capacity for all members and to assume overall responsibility for the program; the County has been selected to act in this capacity; and

WHEREAS, the Consortium is formed for the purpose of receiving Community Development Block Grant entitlement funds as an Urban County that does not include the City of Olympia. The City of Olympia will continue to administer its own independent CDBG program; and

WHEREAS, HUD has specified that the program year for the HOME Interlocal must coincide with the program year of the Urban County, Community Development Block Grant Interlocal for Thurston County, which begins September 1st;

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

1. The Olympia City Council hereby approves the form of Amended Interlocal Cooperation Agreement between the City of Olympia and Thurston County – Urban County to form a HOME consortium and the terms and conditions contained therein.
2. The City Manager is authorized and directed to execute on behalf of the City of Olympia the Amended Interlocal Cooperative Agreement, and any other documents necessary to execute said Agreement, and to make any minor modifications as may be required and are consistent with the intent of the Agreement, or to correct any scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this 10th day of August 2021.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Michael M. Young

DEPUTY CITY ATTORNEY

AMENDED INTERLOCAL COOPERATION
AGREEMENT
BETWEEN THURSTON COUNTY – URBAN COUNTY AND THE
CITY OF OLYMPIA,
TO FORM A HOME CONSORTIUM TO PARTICIPATE AND RECEIVE FUNDS
UNDER THE NATIONAL AFFORDABLE HOUSING ACT

PROGRAM YEARS 2022 - 2024

This agreement is entered into between Thurston County as the qualified Urban County, comprised of: City of Lacey, City of Tumwater, City of Yelm, City of Rainier, City of Tenino and the Town of Bucoda, (hereinafter the "County"), a political subdivision of the State of Washington, and the City of Olympia, (hereinafter the "City"), municipal corporations within Thurston County, for the purpose of forming a Consortium to receive and administer federal funds under the HOME Investments Partnership (HOME) Program. This agreement will become effective upon adoption by the parties and approval by the U.S. Department of Housing and Urban Development (HUD), and will continue until terminated as provided herein.

WHEREAS, the Congress of the United States of America has enacted the National Affordable Housing Act (NAHA), 42 U.S.C. Sec. 12721, as implemented by HUD in 24 CFR part 92, which authorizes units of general local government to form a consortium to obtain funding as a participating Jurisdiction under the HOME program; and

WHEREAS, the County and the City are not individually eligible to receive a formal allocation in the HOME program; and

WHEREAS, the County and the City have determined that obtaining funding under the HOME program will increase their ability to provide affordable housing for residents with incomes at or below 80% of the area median income; and

WHEREAS, HUD has specified the minimum provisions which must be included within any intergovernmental agreement for the cooperating bodies to qualify as a consortium; and

WHEREAS, the NAHA requires that a consortium select one member to act in a representative capacity for all members and to assume overall responsibility for the program; and

WHEREAS, the Consortium is formed for the purpose of receiving Community Development Block Grant entitlement funds as an Urban County that does not include the City of Olympia, the City of Olympia will continue to administer its own independent CDBG program; and

WHEREAS, HUD has specified that the program year for the HOME Interlocal must coincide with the program year of the Urban County, Community Development Block Grant Interlocal for Thurston County, which begins September 1st.

NOW THEREFORE, in consideration of the mutual promises made herein and the mutual benefits received hereunder, the parties agree as follows:

SECTION I: DEFINITIONS

- A. "Member" means a unit of local government that is a signatory to this agreement and therefore a member of the consortium for the purpose of carrying out eligible activities under 24 CFR Part 92.
- B. "Representative Member" means the unit of local government designated as the "lead entity" to act in a representative capacity for all members for the purpose of this agreement. The Representative Member will assume overall responsibility for ensuring that the consortium's HOME program is carried out in compliance with the requirements of the HOME program, including requirements concerning the Consolidated Plan, in accordance with HUD regulations 24 CFR Parts 92 and 91, respectively, and the requirements of 24CFR 92.350, and other federal requirements. For purposes of this agreement, Thurston County is designated as the lead entity.

SECTION II: GENERAL PROVISIONS

- A. The Members agree that as geographically contiguous units of general local government, they are eligible to form a consortium for the purposes of HOME funding. However, the consortium is not a separate legal entity. The consortium will not acquire, hold or dispose of real or personal property.
- B. The Members agree to cooperate in undertaking or to assist in undertaking housing assistance activities for the HOME program in compliance with the Consolidated Plan.
- C. The Members agree to undertake the development of a Consolidated Plan for each year covered by this agreement.
- D. The Members agree to jointly pursue and identify match requirements, examples including, but not limited, to 2060 funds, non CDBG housing rehabilitation funds, Washington State Housing Trust Funds, Regional Housing Council (RHC) funds, and other funds as may be appropriate and eligible to be used as matching funds according to 24 CFR Part 22 Section 200, the amendments to NAHA in the Community Development Act of 1992, and HUD Notice CPD 97-03.
- E. The Members agree to take affirmative action to further fair housing in their jurisdictions. Such actions may include planning, education and outreach, and enforcement components.
- F. The Members agree to comply with the requirements of the HOME program in 24 CFR Part 91 and 92, the requirements of 24 CFR 92.350, and other federal requirements.

SECTION III: PROGRAM ADMINISTRATION

- A. The Members agree that Thurston County per section 1. is designated as the Representative Member and will act as the lead entity for the Consortium.

- B. The lead entity shall assume overall responsibility for ensuring that the HOME program is carried out in compliance with 24 CFR Part 92. The lead entity may enter into an agreement with a Subrecipient to administer and manage the HOME program, and may delegate all tasks and activities, including any tasks, activities, and authority listed below, to the extent allowed by HUD and the HOME program regulations.
- C. The lead entity shall manage the entire HOME allocation on behalf of the Consortium, as set forth herein. Specifically, the lead entity will be responsible for the following:
 - 1. Establish a local HOME Investment Trust Fund Account;
 - 2. Receipt, disburse, and account for all HOME program and matching funds;
 - 3. Collect all required reports and data from the Members and submit them to HUD; and
 - 4. Provide staff support for program implementation.
- D. Each Member is responsible for submitting in a timely manner to the lead entity all information necessary for participation in the Consortium as defined in 24 CFR 92. This includes all information necessary for the Consolidated Plan, the HOME program description and certifications, and performance reports.
- E. The lead entity and any and all Subrecipient entities agree to make available to each Member upon request all records concerning the activities carried out under this agreement for inspection.
- F. The lead entity is responsible for preparing and submitting the Consolidated Plan to HUD. Development of the Consolidated Plan will require the participation of citizens and organizations as well as input from all the Members. The Members will provide specific information concerning their housing and related activities to the lead entity for inclusion in the Consolidated Plan. The Plan will identify the general activities and priorities to be undertaken with HOME and CDBG entitlement funds. The City is responsible for preparing a Consolidated Plan to cover its CDBG program, which plan will be incorporated into the Consortium's Consolidated Plan.
- G. The lead entity will provide staff support to manage and implement activities of the consortium's HOME program. Specific tasks include, but are not limited to, coordinating the public participation process, developing necessary forms and agreements, drafting program descriptions, RFP's and NOFA's, reviewing and evaluating proposals for funding, technical assistance to project sponsors, monitoring funded projects, and preparing required reports. As noted in III.B above, these tasks may be carried out by a Subrecipient entity.
- H. The lead entity will be entitled to expend up to 10% of the Consortium allocation for eligible planning and administrative costs in accordance with 24 CFR 92.207, including 10% of any program income. Otherwise, each Member will be independently responsible for any administrative costs each incurs that are associated with the development and implementation of the Consolidated Plan and the HOME program.

- I. An advisory committee for HOME, hereinafter referred to as the "Committee," will be created for the purpose of identifying the general activities and priorities to be undertaken with the HOME funds for the Consortium, and to serve in an oversight capacity for the programs initiated by HOME expenditures. The Committee will also participate in the development of the Consortium's Consolidated Plan, and make formal recommendations to the lead entity's governing body for the successful implementation of the HOME program for the Consortium as a whole.

The Committee will consist of one elected official from each Member and one elected official acting on behalf of the jurisdiction classified as the "Representative Member/Lead Entity." A chair and vice chair will be appointed by the Committee and meet a minimum of two times a year. The Committee will also agree to a set of bylaws outlining the rules and procedures for conducting meetings of this body. Staff support for the Committee will be provided by the lead entity or its designee.

SECTION IV: TERM OF THIS AGREEMENT

- A. This agreement remains in full force and effect from the date of execution and approval by HUD for the period necessary to carry out all activities that will be funded for three program years: 2022, 2023, and 2024. The program year start date is September 1, which will be consistent with the City's CDBG program year.
- B. The Members are required to remain in the Consortium and cannot terminate or withdraw during the entire three-year period.
- C. The agreement will automatically be renewed for participation in successive three-year qualification periods unless a Member provides written notice to the Thurston County Manager that it elects not to participate in a new qualification period. By the date specified in HUD's consortia designation notice, the lead entity will notify each Member in writing of its right not to participate for the successive three-year qualification period. The lead entity will send a copy of the notification to each Member to the HUD Field Office by the date specified in the consortia designation notice.

SECTION V: AMENDMENT

- A. This agreement may be amended by the written consent of a majority of the Members.
- B. The Members agree to amend this agreement as necessary to add new members to the consortium.
- C. Failure by the Members to adopt any amendment to the agreement incorporating changes necessary to meet the requirements for cooperation agreements set forth in a HUD Consortia Qualification Notice applicable to a subsequent three-year qualification period will void the automatic renewal of the consortium agreement.

SECTION V: MISCELLANEOUS PROVISIONS

- A. Counterparts. This agreement may be executed in a number of identical counterparts which, taken together, constitute collectively one agreement; but in making proof of this

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

- B. Posting or Recording. The lead entity shall posted this agreement on its website or shall it with the Thurston County Auditor's Office pursuant to RCW 39.34.040.
- C. Employment Relationship. Employees of each agency remain at all times under the direction and control of their originally employing agency and the performance of work for any other agency pursuant to this agreement does not change that relationship for any purpose. No party to this agreement may be deemed to have agreed to pay any other agency's employees any wages or benefits afforded to its own employees. Further, each agency's responsibilities to its own employees for workplace injuries remain unchanged by this agreement.
- D. Records. Each party shall maintain its own public records and is solely responsible for responding to records requests received about the subject matter of this agreement. Any public records request addressed to the consortium as if this agreement created a separate legal entity, must be deemed to be a request received by each member individually. Each member shall respond separately, unless agreed to otherwise in writing.
- E. This agreement is governed by and must be interpreted in accordance with the laws of the State of Washington. Any lawsuit arising out of or relating to this agreement must be brought and maintained in the Superior Court of Thurston County.

THURSTON COUNTY

Tye Menser
Chair, Board of County Commissioners
Dated: _____

Approved as to Form:
Thurston County Prosecuting Attorney

By: _____
Deputy

CITY OF OLYMPIA

Steven J. Burney
City Manager
Date: _____

Approved as to Form:

By: Michael M. Young
Deputy City Attorney



City Council

Approval of an Ordinance Authorizing an Agreement to Accept Donation of "Telephone of the Wind" as a Gift of Art from Artist Corey Dembeck

Agenda Date: 7/13/2021
Agenda Item Number: 4.F
File Number:21-0680

Type: ordinance **Version:** 2 **Status:** 2d Reading-Consent

Title

Approval of an Ordinance Authorizing an Agreement to Accept Donation of "Telephone of the Wind" as a Gift of Art from Artist Corey Dembeck

Recommended Action

Committee Recommendation:

The Olympia Arts Commission recommends the City Council accept the donation of *Telephone of the Wind*, to be installed at Priest Point Park.

City Manager Recommendation:

Move to approve an Ordinance authorizing an agreement to accept donation of "Telephone of the Wind" as a Gift of Art from Artist Corey Dembeck on first reading and forward to second reading.

Report

Issue:

Whether to approve an Ordinance authorizing an agreement to accept donation of "Telephone of the Wind" as a Gift of Art from Artist Corey Dembeck on first reading and forward to second reading.

Staff Contact:

Stephanie Johnson, Program Manager, Olympia Parks, Arts and Recreation, 360.709.2678

Presenter(s):

Consent calendar item only.

Background and Analysis:

Background and Analysis has changed from first to second reading. *Section 4. Effective Date*, was added.

Olympia Parks, Arts and Recreation Department (OPARD) received a donation offer from artist Corey Dembeck for the gift of art of *Telephone of the Wind*.

Inspired by a project in Japan, whereby those in grief could use a rotary telephone sited on an ocean bluff to communicate with people they lost (specifically following the 2011 tsunami), Olympia resident Corey Dembeck's proposal creates a similar experience in a forest.

In response to the sudden tragic death of a friend's four-year-old daughter, Mr. Dembeck created a telephone station affixed to a large cedar tree in the southeast section of the park, dedicated to Joelle Sylvester.

While the Parks Department recognizes that the Telephone of the Wind has struck a positive chord in the community, nonetheless, the installation was not approved in advance. Specifically, the plywood board holding the telephone is screwed to the cedar tree, which is not considered best practice. Parks staff and the Arts Commission have provided feedback to Mr. Dembeck on his evolving proposal and are fully supportive of the design.

If approved, Parks Maintenance would install the panel roughly 24^{1/2} inches across and 23 inches tall, mounted on a 6-foot-tall natural tree limb about 4^{1/2} inches in diameter. The panel will hold the telephone and a plaque, provided by the City, with the text:

This phone is for everyone who has lost a loved one.

The phone is an outlet for those who have messages they wish to share with their friends and family.

It is a phone for memories and saying the goodbyes you never got to say.

Dedicated to the memory of Joelle Rose Sylvester. Gift of Corey Dembeck.

City of Olympia Art in Public Places Program, 2021

The Olympia Arts Commission reviewed the proposed gift of art and recommends the gift and donation for approval by the City Council.

Neighborhood/Community Interests (if known):

This installation has received local and national attention.

Options:

1. Approve on first reading and forward to second reading, the ordinance accepting the Corey Dembeck donation of *Telephone of the Wind*.
2. Do not approve the ordinance and do not accept the gift of art donation.
3. Consider the ordinance at another time.

Financial Impact:

Although the sculpture will be donated, there may be future costs associated with maintenance and the ownership of the sculpture, including legal liabilities.

If the gift of art donation is approved by Council, the City of Olympia would receive the donation by agreement, transferring ownership to the City without terms, conditions or restrictions other than noted above in the final paragraph of the Background and Analysis.

Attachments:

Ordinance

Agreement

Article in Seattle Refined

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, ACCEPTING A DONATION OF "TELEPHONE OF THE WIND" AS A GIFT OF ART BY COREY DEMBECK WITHOUT TERMS, CONDITIONS OR RESTRICTIONS.

WHEREAS, Corey Dembeck has offered to donate and convey to the City of Olympia an art installation called "Telephone of the Wind," which consists of a telephone affixed to a board roughly 24 1/2 inches across and 23 inches tall, mounted on a 6 foot tall natural tree limb about 4 1/2 inches in diameter; and

WHEREAS, the Olympia Arts Commission reviewed the proposed gift of art and unanimously recommended the gift and donation of "Telephone of the Wind" for approval and acceptance by the Olympia City Council; and

WHEREAS, pursuant to RCW 35.21.100, every city and town by ordinance may accept any property donated if within its powers granted by law; and

WHEREAS, the Olympia City Council has considered the recommendation of the Olympia Arts Commission (OAC), in addition to the recommendation of the Olympia Parks Arts and Recreation Department (OPARD), to accept the donation of "Telephone of the Wind" from Corey Dembeck; and

WHEREAS, the Olympia City Council finds this gift and donation of "Telephone of the Wind" is in the public interest and serves the public welfare;

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

Section 1. Acceptance of Donation. As recommended by the OAC and OPARD and under the terms and conditions contained in the Agreement attached hereto as Exhibit "A," the Olympia City Council, pursuant to RCW 35.21.100, hereby accepts the gift and donation from Corey Dembeck of "Telephone of the Wind" as herein described.

Section 2. Authorization. The City Manager is authorized to execute all documents necessary to effect the transfer of the gift and donation of "Telephone of the Wind" to the City of Olympia, and to make any modifications or to correct any scrivener's errors in said documents that are consistent with the acceptance of the gift and donation by Corey Dembeck to the City of Olympia.

Section 3. Terms, Conditions and Restrictions. The gift and donation of “Telephone of the Wind” is without terms, conditions, or restrictions attached to it, and the City of Olympia may expend or use said gift and donation for any municipal purpose as stated in RCW 35.21.100.

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

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Michael M. Young

DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, ACCEPTING A DONATION OF "TELEPHONE OF THE WIND" AS A GIFT OF ART BY COREY DEMBECK WITHOUT TERMS, CONDITIONS OR RESTRICTIONS.

WHEREAS, Corey Dembeck has offered to donate and convey to the City of Olympia an art installation called "Telephone of the Wind," which consists of a telephone affixed to a board roughly 24 1/2 inches across and 23 inches tall, mounted on a 6 foot tall natural tree limb about 4 1/2 inches in diameter; and

WHEREAS, the Olympia Arts Commission reviewed the proposed gift of art and unanimously recommended the gift and donation of "Telephone of the Wind" for approval and acceptance by the Olympia City Council; and

WHEREAS, pursuant to RCW 35.21.100, every city and town by ordinance may accept any property donated if within its powers granted by law; and

WHEREAS, the Olympia City Council has considered the recommendation of the Olympia Arts Commission (OAC), in addition to the recommendation of the Olympia Parks Arts and Recreation Department (OPARD), to accept the donation of "Telephone of the Wind" from Corey Dembeck; and

WHEREAS, the Olympia City Council finds this gift and donation of "Telephone of the Wind" is in the public interest and serves the public welfare;

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

Section 1. Acceptance of Donation. As recommended by the OAC and OPARD and under the terms and conditions contained in the Agreement attached hereto as Exhibit "A," the Olympia City Council, pursuant to RCW 35.21.100, hereby accepts the gift and donation from Corey Dembeck of "Telephone of the Wind" as herein described.

Section 2. Authorization. The City Manager is authorized to execute all documents necessary to effect the transfer of the gift and donation of "Telephone of the Wind" to the City of Olympia, and to make any modifications or to correct any scrivener's errors in said documents that are consistent with the acceptance of the gift and donation by Corey Dembeck to the City of Olympia.

Section 3. Terms, Conditions and Restrictions. The gift and donation of “Telephone of the Wind” is without terms, conditions, or restrictions attached to it, and the City of Olympia may expend or use said gift and donation for any municipal purpose as stated in RCW 35.21.100.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Michael M. Young

DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

CITY OF OLYMPIA ART PROGRAM
Gift of Artwork Agreement

THIS AGREEMENT, effective as of the last signature below, is between the **CITY OF OLYMPIA**, a municipal corporation with an address of 601 4th Ave E, Olympia, WA 98501 ("CITY") and **COREY DEMBECK**, an individual with an address of 3116 Lorne St SE, Olympia, WA 98501, ("ARTIST").

WHEREAS, the ARTIST has been moved by the topic of grief to create an installation called "Telephone of the Wind," which includes a telephone affixed to a board are roughly 24 1/2 inches across and 23 inches tall, mounted on a 6 foot tall natural tree limb about 4 1/2 inches in diameter to create "Telephone of the Wind," a photograph of which is attached as **Exhibit "A,"** ("the ARTWORK"); and

WHEREAS, the ARTIST's gift proposal has been approved through the Olympia Arts Commission gift policy; and

WHEREAS, the CITY wishes to accept the ARTIST'S donation, pursuant to the terms and conditions of this Agreement, for inclusion in the CITY's public art collection; and

WHEREAS, all parties understand and acknowledge that ARTIST intends to continue to create similar sculptures on the theme of the telephone and grief, which ARTIST may provide to other persons or entities.

NOW, THEREFORE, the CITY and the ARTIST, for sufficient, good, and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, agree as follows:

1. ARTIST hereby donates to City, and City hereby accepts from ARTIST the ARTWORK, subject to the terms of this Agreement.
2. The ARTIST represents and warrants to the CITY that the ARTIST is free to enter into this Agreement and that the ARTWORK is a unique and original work that is clear of any claims or encumbrances and does not infringe on the rights, including but not limited to the copyright, of any third parties. The ARTIST shall defend, indemnify, and hold the CITY, its officers, directors, agents, and employees, harmless against all costs, expenses, and losses (including reasonable attorney fees and costs) incurred through claims of third parties against the CITY based on a breach by the ARTIST of any representation and warranty made in this Agreement. The ARTIST agrees to fully cooperate with the CITY in the prosecution of any such suit.
3. ARTIST may graphically reproduce the ARTWORK for the limited purposes of inclusion in the ARTIST's portfolio of works solely for the purposes of documenting the ARTIST's work in a factual manner. The CITY also agrees that the ARTIST has a limited, revocable license to graphically reproduce the ARTWORK for the ARTIST's own commercial purposes so long as such uses do not compete with the CITY's efforts or use of the ARTWORK. The ARTIST shall use the Artist's best effort to provide a credit to the CITY in any graphical reproduction of the ARTWORK with such credit reading "The subject of this photograph [or other graphic or electronic reproduction] is an installation of art owned by the City of Olympia, Washington."

4. The CITY agrees to use its best effort to provide proper credit to Artist including the ARTIST'S name, the title of the ARTWORK, and the date acquired by the CITY in any of the CITY's graphic reproductions of the ARTWORK.
5. The CITY has the right to display or not display the ARTWORK and to move or rearrange individual pieces of multiple piece ARTWORK, at its sole discretion.
6. Should the ARTWORK be intentionally or accidentally destroyed, altered, modified, or changed after to its transfer to the CITY, the CITY is only obligated to make reasonable efforts to restore the artwork to its original form.
7. This Agreement is binding upon the parties, their heirs, successors, assigns, and personal representatives. Its terms can be modified only by an instrument in writing signed by both parties. A waiver or a breach of any provisions of this Agreement may not be construed as a continuing waiver of other breaches of the same or other provisions. If any provision in this Agreement is found to be illegal, invalid, or unenforceable in any jurisdiction for any reason, then, to the full extent permitted by law all other provisions remain in full force and effect and must be liberally construed in order to carry out the intent of the parties. A party is not liable to the other should its performance or display of the ARTWORK be prevented, restricted, or interfered with by circumstances or events beyond its reasonable control ("Force Majeure Event").
8. Any notice or demand to be given under this Agreement must be in writing and is effective upon receipt if delivered in person or if sent by electronic mail, or one day after deposit prepaid with a national overnight express delivery service, or three days after deposit in the United States mail (registered or certified mail, postage prepaid, return receipt requested), if sent to the parties at the addresses noted above. Either party may change its address for receipt of notices by written notice to the other party.
9. This Agreement is governed by the laws of the State of Washington and the Superior Court for Thurston County, Washington is the exclusive jurisdiction and venue for any lawsuit arising out of or related to this Agreement. The parties shall negotiate in good faith to resolve expeditiously on a mutually acceptable negotiated basis between appropriate management personnel for each party any dispute between them that may arise. The parties may, by mutual consent, retain a mediator to aid in their attempt to informally negotiate resolution of any dispute, although any opinion expressed by a mediator will be strictly advisory and will not be binding on the parties, nor will any opinion, statement or proposed resolution expressed by the mediator or the parties be admissible in any proceeding. Costs of the mediation will be borne equally by the parties, except that each party will be responsible for its own expenses. Should any dispute not be resolved pursuant to this paragraph of this Agreement, the parties hereby irrevocably submit themselves to the non-exclusive jurisdiction of the Thurston County Superior Court.
10. This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof, and all prior or contemporaneous oral or written communications, understanding, or agreements between the parties with respect to such subject matter are hereby superseded in their entirety. This Agreement may not be amended, supplemented, or modified


except by a written agreement which identifies this Agreement and is signed by an authorized representative of each party.

11. This Agreement may be executed by the parties in any number of separate counterparts, each of which counterparts, when executed and delivered, must be deemed to be an original, and all of which taken together constitute a single instrument.

IN WITNESS thereof, the parties hereto executed this Agreement on the day and year first written above.

ARTIST

CITY OF OLYMPIA




Corey Dembeck
3116 Lorne St SE
Olympia, WA 98501
Email: coreydembeck@gmail.com

Jay Burney, City Manager
601 – 4th Avenue E
PO Box 1967
Olympia WA 98507-1967
Telephone: 360.753.8447

Date: 07/01/2021

Date: _____

APPROVED AS TO FORM:



Deputy City Attorney

Exhibit A

Gift of Art Proposal – Telephone of the Wind

Telephone of the Wind was placed in Priest Point Park in November 2020, to commemorate the life of Joelle Sylvester, and provide an opportunity for grief. Inspired by a project in Japan, a rotary phone, situated in a forest, helps people communicate with those they have lost. The current installation is very temporary and with the support of the Parks Department, this proposal is for a more long-lived presentation.

The donor, Corey Dembeck, does not consider themselves an artist, and has no art resume or other existing sculptures. This is their first installation.



L: The current *Telephone of the Wind* is composed of plywood, with a rotary phone, affixed directly to a tree.
R: The dimensions of the revised board are roughly 24 1/2 inches across and 23 inches tall, mounted on a 6 foot tall natural tree limb about 4 1/2 inches in diameter. The sign is 3 inches lower than the top of the post.



The donor will fabricate the free-standing structure, which will be installed by the Parks Maintenance Department in the approximate location to where it is currently located. The structure is fairly straightforward - cedar is common material for outdoor structures and can be maintained by the City annually. The rotary telephone is the specialized feature, and the donor has several in waiting in the case of damage or disappearance and will agree to provide them as needed to the City.

Materials provided by the donor are estimated at less than \$2,000. As this is the first sculpture by the donor, there is no art market history for valuation of the work.

Materials provided by the City to install the sculpture and provide a plaque are estimated at less than \$500.

(Image: Matt Wakefield) ...

An old phone placed in an Olympia park is a tool for grieving, hope

...

by MATT WAKEFIELD & JOHN PRENTICE

VIEW GALLERY ([HTTP://SEATTLEREFINED.COM/LIFESTYLE/GALLERY/THE-TELEPHONE-OF-THE-WIND-OLYMPIA-GRIEF-HOPE](http://seattlerefined.com/lifestyle/gallery/the-telephone-of-the-wind-olympia-grief-hope))



The concept could not be simpler or more profound: Place a disconnected telephone in the woods, available to anyone who needs to talk to someone who cannot hear them. It could be final words never spoken to a lost loved one, parting words to an ex, a secret that refuses to be contained, or a simple shout of frustration that would otherwise be held in. That concept became a reality in November along a little-used trail at Priest Point Park in Olympia. (<https://www.wta.org/go-hiking/hikes/priest-point-park>)

In a back corner of the wooded park, a rotary telephone and sign are attached to a humble slab of plywood, which itself is affixed to the back of a towering western red cedar. Callers have privacy in the solitude of the woods, and the trunk of the tree shields them from the main trail.



(Image:Matt Wakefield)

Lori Provoe used the Telephone of the Wind to talk to her son Tyler, who died suddenly this March at only 27 years old.

"He was here on Friday and gone on Saturday," she said. "After leaving the hospital, I was in a fog. In retrospect, there were so many things I wish I'd said to him, but I didn't. When I talked on the phone, I didn't have anything formulated in mind to say. I knew what I was going to say would flow, and it did."

That is precisely how the Telephone of the Wind was intended to be used.



(Image:Matt Wakefield)

Corey Dembeck, a local travel journalist, created the Telephone of the Wind and placed it in the park in November. The idea came from a podcast he heard about a disconnected rotary telephone installed almost a decade ago in Otsuchi, Japan. That Telephone of the Wind was placed on a hilltop near the Pacific Ocean in 2011, shortly after a massive earthquake struck, and the ensuing tsunami washed tens of thousands of people out to sea, presumed dead. As residents grieved for those they had lost, mourners would line up by the hundreds to speak into the phone to their missing loved ones. They spoke to them about both meaningful and mundane matters: Life ambitions; updates on the schoolwork of sons and daughters, grandsons and granddaughters; news of engagements and weddings.

This November, Dembeck had recently lost his grandfather and both his parents over a short period of time. Then he learned of the sudden, tragic death of a friend's four-year-old daughter, Joelle Sylvester, to whom the Telephone of the Wind is dedicated. That spurred him to action.

"Our families are close. Not long before Joelle passed away, she had just been playing and singing with my daughter," he said. "She died in the early morning. We found out at eight or nine that morning, and I had the phone up by noon. It was a really hard day."



(Image:Matt Wakefield)

He describes the phone's first use, which was his own call.

"I called my mom, who passed away recently," he said. "It's a little awkward at first, but I walked away, feeling better. It's almost therapeutic. I picked up the phone and dialed some random numbers. At first, you feel kind of stupid, but then you start talking and the emotions just kind of come out in a way that you didn't really expect. I didn't know what to say. I didn't have anything prepared, so I said, 'Hi,' and gave her some recent updates on my life."

Provoe said using the phone to talk to her son had an immediate effect.



(Image:Matt Wakefield)

"From that one instance of using the phone, I felt relief. I felt joy, talking to Tyler in a formal way. It was like I had just opened the floodgates to the acceptance stage. I can move on. It was symbolic of reaching out and touching someone. I know that's from an old phone commercial, but I think this gives it a whole new meaning."

At the end of a year when it seems that everyone has lost something – whether a person, a career opportunity, a business, or just a sense of normalcy – the Telephone of the Wind offers the chance to share that experience of loss out

loud, without judgment. While born out of the need to say things to people who had died, Dembeck said the Telephone of the Wind is bigger than that.

"It gives you the privacy to say those things you need to say," he said. "You think about things, but if you can't talk about it to someone else, you'll never say them out loud. It helps get out a lot of that unresolved stress."

THE TELEPHONE OF THE WIND

This phone is for everyone who has lost a loved one. The phone is an outlet for those who have messages they wish to share with their lost friends and family. It is a phone for memories and saying the goodbyes you never got to say.

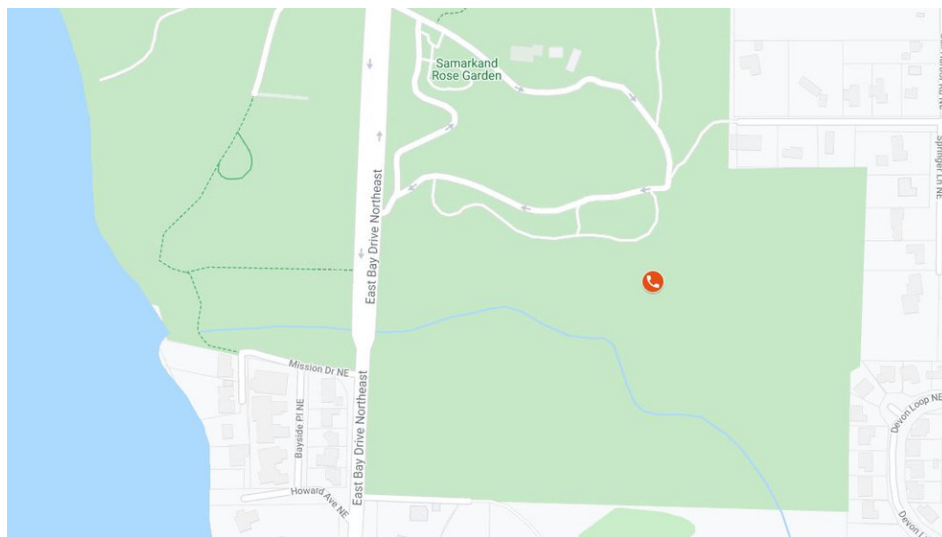
(Image:SOJOURNLIST)

Having been installed in the park without permission, the future of the phone is up in the air, but Dembeck is optimistic.

"Looking back, I probably should have told the park staff about it, but it's been here for a couple of months now, so I think they probably know about it. If it stays up a little longer and people are getting use out of it, I'd like to make it sturdier so it can be around for a while longer."

If it remains in place, Provoe said she will be back to talk to her son Tyler again.

"Was the telephone a working telephone?" she said. "No. Did I shed a few tears? Yes. Was it healing? Absolutely, yes. Will I be back again? You betcha."



(Image:Matt Wakefield)

If you go:

- The GPS coordinates for the phone's location are [47°04'03.1"N 122°53'30.1"W](https://www.google.com/maps/place/47%C2%B004'03.1%22N+122%C2%B004'03.1%22W) (<https://www.google.com/maps/place/47%C2%B004'03.1%22N+122%C2%B004'03.1%22W>)
- It's an easy walk from most parking lots in the park, but the closest is the Samarkand Rose Garden parking lot. It's only a few minutes' walk from there.
- Please be respectful of the plant life at the park. The telephone is located on a small trail, and no off-trail hiking is necessary to reach it.
- When using the phone, please be respectful to others by keeping your call brief if others are waiting. When waiting to use it, please be respectful to the one making a call by giving them distance and privacy.
- Please be respectful of the telephone itself. It's sturdy but not indestructible.
- Bring your own hand sanitizer or sanitizing wipes to use on your hands and the telephone, and pack them out with you when you leave.

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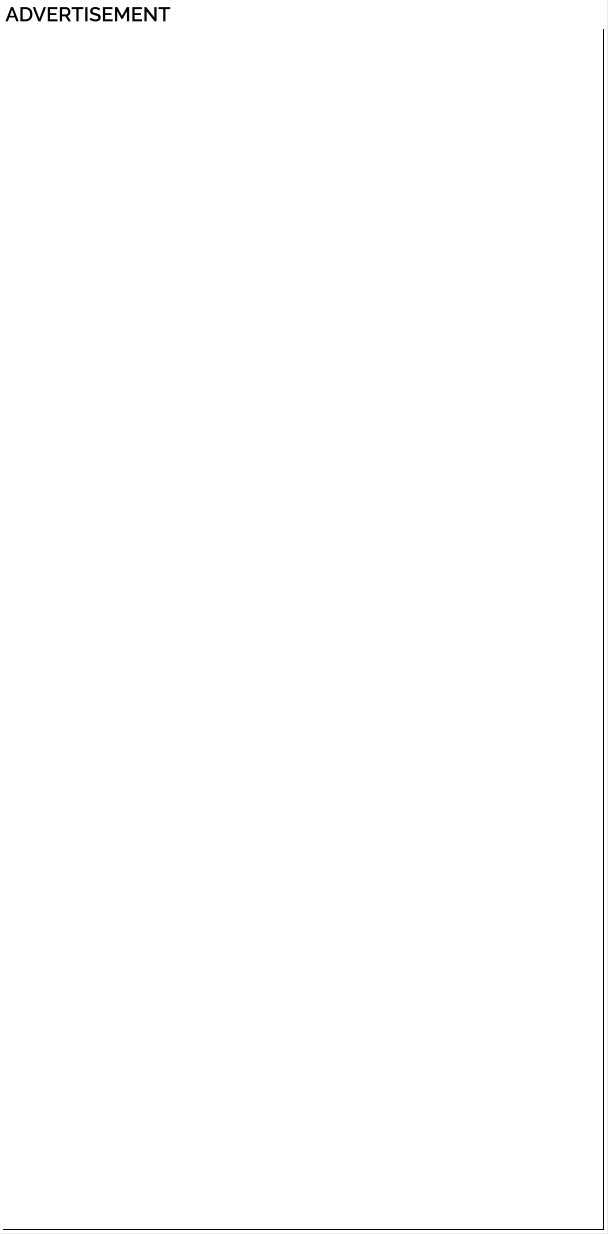
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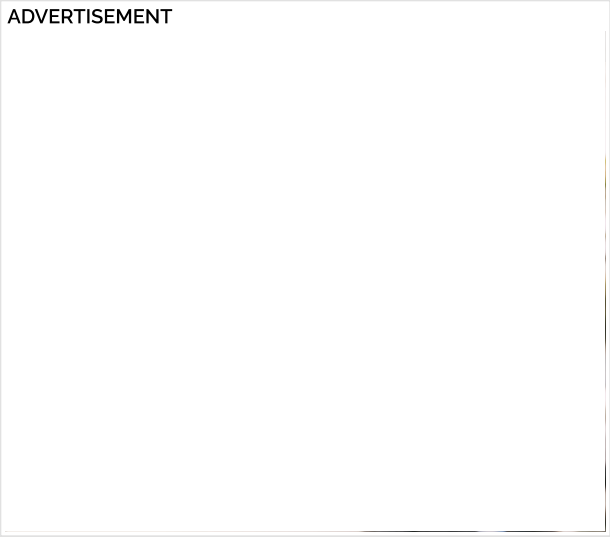


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City Council

Approval of an Ordinance Amending Ordinance No. 4638, Which Vacated a Portion of an Alley Between State Avenue and 4th Avenue

Agenda Date: 8/10/2021
Agenda Item Number: 4.G
File Number: 21-0687

Type: ordinance **Version:** 2 **Status:** 2d Reading-Consent

Title

Approval of an Ordinance Amending Ordinance No. 4638, Which Vacated a Portion of an Alley Between State Avenue and 4th Avenue

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve an Ordinance amending Ordinance No. 4638, which vacated a portion of an alley but retained an easement for potential future use on first reading and forward to second reading.

Report

Issue:

Whether to amend Ordinance No. 4638 (adopted in 1985) to rescind easements that had been retained for possible future use for public or private utilities and emergency access. Ordinance No. 4638 vacated the northern portion of an alley connecting State Avenue and 4th Avenue, between Capitol Way and Water Street. Staff have determined there are no utilities nor access needs for this easement.

Staff Contact:

Leonard Bauer, Director, Community Planning and Development, 360.753.8206

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

Background and analysis has not changed from first to second reading.

In 1985, the Olympia City Council adopted Ordinance No. 4638, which vacated the northern portion of an alley connecting State Avenue and 4th Avenue, between Capitol Way and Water Street. The Ordinance retained easements within the vacated alley for possible future use by the City, by including the following conditions:

- a. Easements for public and private utilities be retained across the entire length and width of the alley.*
- b. Access to and through the alley for emergency services be made possible by the use of gates at the North and South ends of the pedestrian mall.*

As part of review of a development proposal for the property, City planning, engineering and survey staff have reviewed the easements and determined there have not been public or private utilities constructed, nor is there a need for utilities at this location. There is also no need for emergency access because a pedestrian mall was not constructed.

Based on its review, staff recommends Ordinance No. 4638 be amended to remove the language retaining the easements, because the anticipated uses for the easements have not occurred and they are no longer needed.

Neighborhood/Community Interests (if known):

No interest is known or has been expressed.

Options:

1. Approve the Ordinance amending Ordinance No.4638 on first reading and forward to second reading.
2. Do not approve the Ordinance amending Ordinance No.4638.
3. Make specific revisions to the Ordinance amending Ordinance No.4638.

Financial Impact:

The easement rights that were retained by Ordinance No. 4638 may have a nominal value, for which obtaining an appraisal would not be practicable.

Attachments:

Ordinance

Ordinance No. 4638

Ordinance No. _____

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING
ORDINANCE NO. 4638, WHICH VACATED AN ALLEY WITHIN THE CITY OF
OLYMPIA**

WHEREAS, on October 8, 1985, the Olympia City Council adopted Ordinance No. 4638, which vacated with certain conditions the following described right-of-way situate in the City of Olympia, Thurston County, State of Washington, to wit:

The 120' by 10' wide of alley running North and South between State Street on the North and the connecting alley running East and West in mid-block between Water Street and Columbia Street on the South, Sylvester Addition, Block 73, City of Olympia.

(hereafter referred to as "the Property"); and

WHEREAS, October 11, 1985, Ordinance No. 4638 was recorded under Auditor's File No. 8510110041, Volume 1367, Page 11, Records of Thurston County; and

WHEREAS, under Ordinance No. 4638, the City retained easements and access rights for the City to the Property; and

WHEREAS, City staff has determined there are no public utilities in the vacated right-of-way or a need for access thereto; and

WHEREAS, after a thorough review, City staff has determined there is no longer a need for the rights retained by the City for easements or access to the alley vacated by Ordinance No. 4638;

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

Section 1. Amendment of Ordinance No. 4638. Ordinance No. 4638 is hereby amended to read as follows:

Section 1. That the hereinabove described property situated in the City of Olympia, Thurston County, State of Washington, be and the same is hereby vacated for use as a public thoroughfare, ~~with the following conditions:~~

~~A. Easements for public and private utilities be retained across the entire length and width of the alley.~~

~~B. Access to and through the alley for emergency services be made possible by the use of gates at the North and South ends of the pedestrian mall.~~

Section 2. 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 3. 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 shall remain unaffected.

Section 4. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 5. Effective Date. This Ordinance shall take effect thirty (30) days after passage and publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Mark Barber

CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

THURSTON COUNTY
OLYMPIA, WASH.

OCT 11 1 10 PM '85

REQUESTED BY
SAM S. REED, AUDITOR

DEPUTY

ORDINANCE NO. 4638

AN ORDINANCE vacating an alley 120' by 10' wide running North and South between State Street on the North and the connecting alley running East and West in mid-block between Water and Columbia Street on the South, within the City of Olympia, Thurston County, Washington.

WHEREAS, the owners of a sufficient percentage of the property abutting thereon have petitioned for the vacation of the following described right-of-way situate in Olympia, Thurston County, State of Washington, to wit:

The 120' by 10' wide of alley running North and South between State Street on the North and the connecting alley running East and West in mid-block between Water Street and Columbia Street on the South, Sylvester Addition, Block 73, City of Olympia.

and,

WHEREAS, the City Council of the City of Olympia has acted favorably upon said petition, and

WHEREAS, a public hearing was held by the City Council of the City of Olympia on said petition on September 17, 1985, at 7:30 P.M.,

NOW, THEREFORE, THE CITY COUNCIL ORDAINS AS
FOLLOWS:

Section 1. That the hereinabove described property situated in the City of Olympia, Thurston County, State of Washington, be and the same is hereby vacated for use as a public thoroughfare with the following conditions:

- A. Easements for public and private utilities be retained across the entire length and width of the alley.

City of Olympia
P.O. Box 1967
Olympia, WA 98507

B. Access to and through the alley for emergency services be made possible by the use of gates at the North and South ends of the pedestrian mall.


MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

PASSED: October 8, 1985

APPROVED: October 8, 1985

PUBLISHED: October 15, 1985



City Council

Approval of an Ordinance Amending Ordinance 7281 (Second Quarter Budget Amendment)

Agenda Date: 8/10/2021
Agenda Item Number: 4.H
File Number: 21-0694

Type: ordinance **Version:** 2 **Status:** 2d Reading-Consent

Title

Approval of an Ordinance Amending Ordinance 7281 (Second Quarter Budget Amendment)

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the proposed Ordinance that amends Ordinance 7281 (Second Quarter Budget Amendment) on first reading and forward to second reading.

Report

Issue:

Whether to amend Ordinance 7281 on first reading and forward to second reading.

Staff Contact:

Debbie Sullivan, Assistant City Manager, Strategic Initiatives, 360.753.8499
Joan Lutz, Budget/Financial Analyst, Finance Department, 360.753.8760

Presenter(s):

None - Consent Calendar item

Background and Analysis:

Background and analysis has not changed from first to second reading.

The City Council may revise the City's Operating Budget by approving an Ordinance. Generally, budget amendments are presented quarterly to the City Council for review and approval but may be made at any time during the year. The amended Ordinances appropriate funds and provide authorization to expend the funds.

The Ordinance includes recommended amendments to the 2021 Operating Funds, Specials Funds, and Capital Funds for use of 2020 end of year fund balance and Department requests for budget amendments for the Second Quarter in 2021.

- 1) Appropriation of \$3,780,938 of 2020 available end of year fund balance per Council meeting presentation on May 4, 2021. The remaining \$202,840 will remain unallocated in fund balance.
- 2) Department requests for budget amendments for the second quarter in 2021 represent new budget adjustments and associated transfers departments requested for 2021. These appropriations total \$ \$2,486,316.

Department requests for budget amendments for the second quarter in 2021 are summarized below.

City Manager's Office

- \$147,691 in appropriations for three new FTE's and funding for five months' salary and benefits as well as start-up costs in 2021. The three FTE's requested are: Deputy PIO, Social Media/Content Strategist and Graphic Designer as outlined in the Communications Strategic Recommendations. Funding is from recognition of unanticipated revenue.
- \$150,000 for on-call contract services for crisis communications, photography, videography, graphic design and professional writers to support the Communications Strategic recommendations.

Community Planning & Development

- \$7,000 increase in PBIA fund balance for correcting entries in 2018 and 2017. The 2017 PBIA supporting contribution for the Downtown Ambassadors to the General Fund was short \$3,000. In 2018, the funding of the flower baskets was changed from flat rate General Fund contribution to actual expenditures paid directly from the PBIA fund. However, the \$10,000 annual flat rate transfer still occurred. Funding is from the General Fund fund balance.

Municipal Court

- \$400,000 in appropriations for expenditures to Community Court to be utilized for salary, benefits, travel/training, operating costs, and social service provider contracts. Funding is a 2-year BIA Federal Grant.

Fire Department

- \$11,363 in appropriations for expenditures to Fire Department Fleet Services repair supplies. Funding is insurance proceeds.

Parks, Arts & Recreation

- \$4,500 in appropriations for expenditures for the key card installation at The Olympia Center. Funding from shared costs.

Public Works Operating Funds

- Drinking Water CIP- \$471,670 increase in fund balance. Project budget remains unchanged however, added an additional funding option. Funding is from additional funds available through Drinking Water State Revolving Fund (DWSRF) loan.
- Stormwater CIP - \$13,000 in appropriations for additional implementation needs of CityWorks software. Funding is from Stormwater CIP fund balance.
- Sewer CIP - \$12,000 in appropriations for additional implementation needs of CityWorks software. Funding is from Sewer CIP fund balance.
- Transportation - \$175,000 in appropriations for professional services contract for a pavement management system. This will be a transfer from Capital Projects to the General Fund. Funding is from Capital Projects fund balance.
- Transportation - \$775 in appropriations for supplies due to unanticipated revenue from recycling aluminum streetlights and signal poles. Funding is from recognition of unanticipated revenue.

Neighborhood/Community Interests (if known):

The Community has an interest in the City's budget and how funds are managed.

Options:

1. Approve ordinance amending ordinance 7281. This provides staff with budget capacity to proceed with initiatives approved by Council.
2. Do not approve the amending ordinance; staff will not have authorization to expend the funds.
3. Recommend changes to the ordinance and send it back to staff for revision.

Financial Impact:

Operating Funds - total increase in appropriations of \$5,664,254; Special Funds - total increase in appropriations of \$203,000; and Capital Funds - total increase in appropriations of \$400,000. Funding sources are noted above.

Attachments:

Ordinance

Ordinance No. _____

AN ORDINANCE RELATING TO THE ADOPTION OF THE CITY OF OLYMPIA, WASHINGTON, 2021 OPERATING, SPECIAL, AND CAPITAL BUDGETS AND 2021-2026 CAPITAL FACILITIES PLAN; SETTING FORTH THE ESTIMATED REVENUES AND APPROPRIATIONS AND AMENDING ORDINANCE NO. 7281.

WHEREAS, the Olympia City Council adopted the 2021 Operating, Special Funds and Capital Budgets and 2021-2026 Capital Facilities Plan (CFP) by passing Ordinance No. 7268 on December 18, 2020; and

WHEREAS, the Olympia City Council Amended Ordinance No. 7268 by passage of Ordinance 7281 on June 8, 2021; and

WHEREAS, throughout the year, updates are required to recognize changes relating to budget, finance, and salaries; and

WHEREAS, the CFP meets the requirements of the Washington State Growth Management Act, including RCW 36.70A.070(3); and

WHEREAS, the following changes need to be made to Ordinance No. 7281;

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

Section 1. That certain document entitled the "Capital Facilities Plan," covering the years 2021 through 2026, a copy of which will be on file with the Office of the Director of Administrative Services and available on the City's web site, is hereby adopted as the Capital Facilities Plan (CFP) for the City of Olympia and is incorporated herein as though fully set forth.

Section 2. Upon appropriation by the City Council of funds therefor, the City Manager shall be authorized to prepare plans and specifications, to take bids, and to make expenditures for the projects set forth in the CFP during the year for which said projects are scheduled; provided, however, that any award of bids and execution of contracts for construction shall be approved as provided in OMC Chapter 3.16.

Section 3. It is anticipated that the funding source and the construction schedule for projects identified in the CFP may be changed over the next year. Such changes shall not constitute an amendment to the Comprehensive Plan for purposes of RCW 36.70A.130.

Section 4. The Director of Administrative Services is hereby authorized to bring forward into fiscal year 2020 all appropriations and allocations not otherwise closed, completed, or deleted from prior fiscal years' capital budgets.

Section 5. The 2021 Estimated Revenues and Appropriations for each Fund are as follows:

Operating Budget

FUND	USE OF FUND BALANCE	ESTIMATED REVENUE	APPROP	ADDITION TO FUND BALANCE
General, Regular Operations	\$2,560,184 <u>\$6,226,273</u>	\$87,887,732 <u>\$89,148,561</u>	\$90,447,916 <u>\$95,374,834</u>	0
General, Special Sub-Funds				
Special Accounts	0	4,190,630 <u>4,243,630</u>	2,072,964 <u>2,125,964</u>	2,117,666
Development Fee Revenue	113,018	4,150,296	4,263,314	0
Parking	298,370	1,474,840	1,773,210	0
Post Employment Benefits	-	1,020,000	1,020,000	0
Washington Center Endowment	-	5,000	5,000	0
Washington Center Operating	0	378,365	378,365	0
Municipal Arts	148,642	71,554	220,196	0
Equipment & Facilities Reserve	1,102,129	1,426,037 <u>1,926,037</u>	2,528,166 <u>3,028,166</u>	0
Total General Fund	\$4,222,343 <u>\$7,888,432</u>	\$100,604,454 <u>\$102,418,283</u>	\$102,709,131 <u>\$108,189,049</u>	<u>\$2,117,666</u>
LID Control	0	0	0	0
LID Guarantee	0	0	0	0
4th/5th Avenue Corridor Bridge Loan	0	174,250	174,250	0
UTGO Bond Fund - 2009 Fire	0	1,047,800	1,047,800	0
City Hall Debt Fund - 2009	0	2,355,353	2,355,353	0
2010 LTGO Bond - Street Projects	0	394,562	394,562	0
L.O.C.A.L. Debt Fund - 2010	0	0	0	0
2010B LTGO Bonds - HOCM	0	436,321	436,321	0
2013 LTGO Bond Fund	0	674,325	674,325	0
2016 LTGO Parks BAN	0	1,008,375	1,008,375	0
Water Utility O&M	0	15,817,137	15,793,385	23,752
Sewer Utility O&M	448,351	22,013,367	22,461,718	0
Solid Waste Utility	0 <u>95,906</u>	13,455,454	13,408,024 <u>13,551,360</u>	47,430 <u>0</u>
Stormwater Utility	259,690	6,216,211 <u>6,257,211</u>	6,475,901 <u>6,516,901</u>	0
Water/Sewer Bonds	0	1,915,487	1,915,487	0
Stormwater Debt Fund	0	123,650	123,648	2
Water/Sewer Bond Reserve	0	0	0	0
Equipment Rental	0	2,662,149	2,627,278	34,871
Subtotal Other Operating Funds	\$708,041 <u>\$803,947</u>	\$68,294,441 <u>\$68,335,441</u>	\$68,896,427 <u>\$69,080,763</u>	\$106,055 <u>\$58,625</u>
Total Operating Budget	<u>\$4,930,384</u> <u>\$8,692,379</u>	<u>\$168,898,895</u> <u>\$170,753,724</u>	<u>\$171,605,558</u> <u>\$177,269,812</u>	<u>\$2,223,721</u> <u>\$2,176,291</u>

Special Funds Budget

FUND	USE OF FUND BALANCE	ESTIMATED REVENUE	APPROP	ADDITION TO FUND BALANCE
HUD Fund	\$352	\$472,352	\$472,704	0
Lodging Tax Fund	0	695,575	373,365	322,210
Parking Business Improvement Area Fund	0	99,450 109,450	99,450 102,450	0 7,000
Farmers Market Repair and Replacement Fund	0	0	0	0
Hands On Children's Museum	101,236	543,634	644,870	0
Home Fund Operating Fund	972,247	1,460,923 1,610,923	2,433,170 2,583,170	0
Fire Equipment Replacement Fund	1,807,471	200,000	2,007,471	0
Equipment Rental Replacement Reserve Fund	506,261	2,631,739 2,681,739	3,138,000 3,188,000	0
Unemployment Compensation Fund	0	112,500	85,000	27,500
Insurance Trust Fund	154,690	2,675,261	2,829,951	0
Workers Compensation Fund	205,023	1,447,875	1,652,898	0
Total Special Funds Budget	\$3,747,280	\$10,339,309 \$10,549,309	\$13,736,879 \$13,939,879	\$349,710 \$356,710

Capital Budget

FUND	USE OF FUND BALANCE	ESTIMATED REVENUE	APPROP	ADDITION TO FUND BALANCE
Impact Fee	\$6,277,879	\$0	\$6,277,879	\$0
SEPA Mitigation Fee Fund	282,612	0	282,612	0
Parks & Recreational Sidewalk, Utility Tax Fund	0	2,636,230	1,779,570	856,660
Real Estate Excise Tax Fund	2,112,946	1,818,510	3,931,456	0
Capital Improvement Fund	4,225,441 4,400,441	19,602,216 19,802,216	23,827,657 24,202,657	0 0
Olympia Home Fund Capital Fund	0	1,283,297	1,283,297	0
Water CIP Fund	1,479,087 1,007,417	10,163,222 10,634,892	11,642,309 11,642,309	0 0
Sewer CIP Fund	6,504,665 6,516,665	6,114,000	12,618,665 12,630,665	0
Waste ReSources CIP Fund	0	368,000	368,000	0
Storm Water CIP Fund	2,674,508 2,687,508	1,911,786	4,586,294 4,599,294	0
Storm Drainage Mitigation Fund	0	0	0	0
Total Capital Budget	\$23,557,138 \$23,285,468	\$42,078,751 \$36,636,421	\$66,597,739 \$66,997,739	\$856,660

Total City Budget	\$32,234,802 \$35,725,127	\$223,135,465 \$225,871,964	\$251,940,176 \$258,207,430	\$3,430,091 \$3,389,661
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Section 6. Severability. The provisions of this Ordinance are declared separate and severable. If any provision of this Ordinance or its application to any person or circumstances is held invalid, the remainder of this Ordinance or application of the provision to other persons or circumstances shall be unaffected.

Section 7. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 8. Effective Date. This Ordinance shall take effect five (5) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Mark Barber
CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:



City Council

Approval of an Ordinance Amending Municipal Code to Clarify Provisions Related to Zoning and Tree Protection

Agenda Date: 8/10/2021
Agenda Item Number: 4.I
File Number: 21-0650

Type: ordinance **Version:** 1 **Status:** 1st Reading-Consent

Title

Approval of an Ordinance Amending Municipal Code to Clarify Provisions Related to Zoning and Tree Protection

Recommended Action

Committee Recommendation:

The Land Use and Environment Committee recommends approval of the proposed amendments to Title 16 and Title 18 of the Olympia Municipal Code.

City Manager Recommendation:

Move to approve the Land Use and Environment Committee recommendation of the proposed amendments to Title 16 and Title 18 of the Olympia Municipal Code.

Report

Issue:

Whether to adopt minor amendments to Title 16, Buildings and Construction, and Title 18, Unified Development Code.

Staff Contact:

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

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

The Olympia Municipal Code (OMC) is made up of several Titles, Chapters, and Sections that pertain to a wide variety of topics related to laws and requirements. The Planning Division of the Community Planning and Development Department deals primarily with Title 14 (Environmental Protection), Title 16 (Buildings and Construction), Title 17 (Subdivisions), and Title 18 (Unified Development Code) of the OMC.

It can be challenging to keep code sections consistent with each other and to update the code when clarification is needed or to correct errors. In some cases, such as for the new sign code that was

adopted in early 2019, staff seeks amendments related to questions that have come up over the course of using the new code for a year or two. In addition, sometimes a code amendment is desired but by itself does not warrant the time it takes to go through the code amendment process. City staff keeps a list of these types of code amendments, generally thought of as minor or of a housekeeping nature, and periodically compiles the proposals into a set of code amendments for review. The last set of such code amendments were processed in 2019. Staff estimates that these types of amendments will generally occur every two to three years.

The proposed ordinance consists of amendments to two chapters in Title 16 (Buildings and Construction) related to tree protection measures. These amendments are primarily at the request of the City's Urban Forester. The remainder of the proposed amendments are to a variety of chapters in Title 18 (Unified Development Code), at the request of multiple city planners.

The initial draft was made available in early March. Based on comments received from members of the public and city staff, additional revisions were made in late April and early May.

The Planning Commission conducted a public hearing on May 17, 2021. The Commission completed its deliberations and issued its recommendation to approve the proposed amendments the same night.

The Land Use and Environment Committee (LUEC) supported the amendments, with one modification from the recommendation of the Planning Commission. The LUEC's recommendation is different regarding parking requirements for certain housing types in order to address changes to state law (RCW 36.70A.620, attached). The LUEC modification adds the provisions around transit frequency and duration, in addition to the original proposed language pertaining to proximity to transit.

Neighborhood/Community Interests (if known):

Neighborhood or community interests or concerns were limited. To help raise awareness of these proposed amendments, staff routed the proposed amendments to the designated contacts for all Recognized Neighborhood Associations in the City on March 12, 2021, with a request to share the information with their neighbors. In addition, the proposed amendments were also routed to other City Departments, adjacent jurisdictions, business organizations, Tribes, State Agencies, and the City's media list.

Copies of all public and agency comments received are attached.

Options:

1. Adopt the code amendments, as proposed.
2. Adopt the code amendments, with modification(s).
3. Remand the code amendments to the Planning Commission, with specific direction on any provisions to be reconsidered.

Financial Impact:

The process of drafting and reviewing the proposed amendments are covered by the Community Planning and Development Department's base budget.

Type: ordinance **Version:** 1 **Status:** 1st Reading-Consent

Attachments:

Ordinance

RCW 36.70A.620 - Minimum Residential Parking Requirements

Public Comments

Ordinance No. _____

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING
VARIOUS SECTIONS AND SUBSECTIONS OF TITLE 16, BUILDINGS AND
CONSTRUCTION, AND TITLE 18, UNIFIED DEVELOPMENT CODE, OF THE
OLYMPIA MUNICIPAL CODE**

WHEREAS, on March 12, 2021, the City of Olympia Community Planning and Development Department proposed multiple housekeeping and other minor amendments to various chapters in Title 16, Buildings and Construction, and Title 18, Unified Development Code, of the Olympia Municipal Code (OMC) (the Proposed Amendments); and

WHEREAS, Notice of Application for the Proposed Amendments was routed to all Recognized Neighborhood Associations with the City of Olympia on March 12, 2021; and

WHEREAS, on March 12, 2021, the Proposed Amendments were sent to the Washington State Department of Commerce Growth Management Services with the Notice of Intent to Adopt Development Regulation amendments as required by RCW 36.70A.106, and no comments were received from state agencies during the 60-day comment period; and

WHEREAS, on April 7, 2021, the City of Olympia issued a Determination of Non-Significance pursuant to the State Environmental Policy Act (SEPA) on the Proposed Amendments; and

WHEREAS, on May 7, 2021, a legal notice was published in *The Olympian* newspaper regarding the date of the Olympia Planning Commission's public hearing on the Proposed Amendments; and

WHEREAS, on May 7, 2021, notice of the public hearing on the Proposed Amendments was provided to all Recognized Neighborhood Associations with the City of Olympia pursuant to Chapter 18.78 OMC, Public Notification; and

WHEREAS, on May 7, 2021, notice of the public hearing on the Proposed Amendments was provided to all Parties of Record pursuant to Chapter 18.78 OMC, Public Notification; and

WHEREAS, on April 5, 2021 and May 3, 2021, the Olympia Planning Commission received briefings on the Proposed Amendments; and

WHEREAS, on May 17, 2021, the Olympia Planning Commission held a public hearing and deliberated the Proposed Amendments; and

WHEREAS, following the public hearing and deliberations, on May 17, 2021, the Planning Commission provided to the City Council its recommendation to amend multiple sections of Title 16 OMC, Buildings and Construction, and Title 18 OMC, Unified Development Code, as proposed; and

WHEREAS, the Proposed Amendments are consistent with the Olympia Comprehensive Plan and other chapters of Title 16 and Title 18 OMC; and

WHEREAS, the Proposed Amendments have been reviewed pursuant to the Rezones and Text Amendments process outlined in Chapter 18.58 OMC; and

WHEREAS, Chapters 35A.63 and 36.70A RCW and Article 11, Section 11 of the Washington State Constitution authorize and permit the City to adopt this Ordinance;

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

Section 1. Amendment of OMC 16.48.030.H. Olympia Municipal Code Subsection 16.48.030.H is hereby amended to read as follows:

16.48.030 Definitions

H. "Tree" means any self-supporting perennial woody plant characterized by one main stem or trunk, of at least ~~6"~~one (1) inch d.b.h., maturing at a height of seven (7) feet above ground level with a definite crown or a~~multistemmed trunk system with a definite crown, maturing at a height of at least 6' above ground.~~

Section 2. Amendment of OMC 16.48.040. Olympia Municipal Code Section 16.48.040 is hereby amended to read as follows:

16.48.040 Permit or approval required

No trees, as defined in OMC Section 16.48.030, and associated soil or native vegetation within the critical root zone of the tree(s), may be removed without first obtaining approval of a tree protection and replacement plan and a tree removal permit pursuant to this chapter. No person, corporation, or other legal entity shall engage in land clearing in the ~~city~~City without having complied with one of the following:

- A. Obtaining approval of a ~~soil and vegetation plan~~ Tree, Soil and Vegetation Plan and obtaining a tree removal permit as provided for in this chapter;
- B. ~~Received~~Receiving a grading permit from the ~~building official~~ Building Official; or
- C. Having obtained approval of the proposed work under the processes described in subsection A of OMC Section 16.48.050, after the adoption date of the ordinance codified in this chapter.

Section 3. Amendment of OMC 16.48.060.A. Olympia Municipal Code Subsection 16.48.060.A is hereby amended to read as follows:

16.48.060 Permit application –Requirements –Processing – Conditions of issuance

A. An application for a clearing permit shall be submitted on a form provided by the ~~city~~City. Accompanying such form shall be a general plot plan which shall include the following information:

- 1. a. General vicinity map,
 - b. Property boundaries indicating extent and location of proposed clearing activities, and major physical features of the property (i.e., streams, ravines, etc.),
 - c. Location and dimensions of buffer areas to be maintained or established, and location and description of proposed erosion-control devices or structures,
 - d. Identification and location, by a professional forester, of all individual trees (including their critical root zone) and associated soil and vegetation within the critical root zone of the trees, that are to be removed, retained and protected (see Chapter 9 – Mitigation, Tree, Soil and Vegetation Manual, for Soil and Vegetation site plan requirements);
- 2. As determined at the discretion of the ~~building official~~ Building Official, other information as deemed appropriate to this chapter may be required in instances related to geological hazard, shoreline protection, tree, vegetation and soils protection and replacement or project scope;
 - 3. An application fee as adopted in Title 4 of this code will be assessed at time of permit issuance.

Section 4. Amendment of OMC 16.60.020. Olympia Municipal Code Section 16.60.020. is hereby amended to read as follows:

16.60.020 Definitions

All words in this chapter shall have their customary dictionary definition except as specifically defined herein.

A. "Agriculture" is the use of land for the primary purpose of deriving income from growing plants or trees on land including, but not limited to, land used principally for fruit or timber production, but not including land used principally for another use and only incidentally for growing trees or plants for income.

B. "Buildable area" is that portion of a parcel of land wherein a building, parking and other improvements may be located and where construction activity may take place. Buildable areas shall not include streams, flood hazard areas, geologically hazard areas or wetlands as defined in Chapter [18.32](#) Critical Areas. For the purpose of calculating required minimum tree density, existing and newly dedicated city rights-of-way shall not be included.

C. "Caliper" is the American Association of Nurseryman standard for trunk measurement of nursery stock. Caliper of the trunk shall be the trunk diameter measured 6" above the ground for up to and including 4" caliper size and 12" above the ground for larger sizes.

D. "City" is the city of Olympia, Washington.

E. "Clearing" is the destruction or removal of vegetation from a site by physical, mechanical, chemical or other means. This does not mean landscape maintenance or pruning consistent with accepted horticultural practices which does not impair the health or survival of the trees.

F. "Commercial nursery or tree farm" is a licensed plant or tree nursery or farm in relation to those trees planted and growing on the premises of the licensee, which are planted and grown for sale through retail or wholesale channels in the ordinary course of the licensee's business.

G. "Conversion Option Harvest" is a timber harvest as established in this chapter and the Washington State Department of Natural Resources Forest Practices Regulations, whereby a property owner is allowed to harvest a limited amount of timber from their property within the City of Olympia, while still maintaining their rights to convert their property to a use inconsistent with growing timber.

H. "Critical root zone" is the area where the tree's roots are located. This root zone is generally the area surrounding a tree at a distance which is equal to one foot for every inch of tree at DBH (Diameter at breast height).

I. "Crown" is the area of a tree containing leaf or needle-bearing branches.

J. "Development" is the division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill, clearing or land disturbance; and any use or extension of the use of the land.

K. "Diameter at Breast Height (DBH)" is a tree's diameter in inches at 4-1/2' feet above the ground. On multi-stemmed or trunked trees, the diameter shall be the diameter equivalent to the ~~sum~~ average of trunk areas measured at 4-1/2' above the ground.

L. "Grading" is any excavation, filling of earth materials or any combination thereof.

M. "Hazard tree" is any tree with a combination of structural defect and/or disease which makes it subject to a high probability of failure, and is within close enough proximity to where persons or property could be harmed or damaged if the tree were to fail.

- N. "Healthy soil" is soil that is of good quality with the capacity to sustain plant, animal, and human life by providing nutrients, air and water space to infiltrate, pollutant absorption and filtering, and habitat.
- O. "Invasive species" are non-native organisms that are capable of spreading so quickly they can cause economic or environmental harm.
- P. "Landmark tree" is a tree or group of trees designated as such by the City because of its exceptional value to the residents of the ~~city~~ City (see Chapter [16.56](#) Landmark Tree Protection).
- Q. "Limits of construction line" is a line separating the buildable areas from the protected areas.
- R. "Mitigation" is the act of restoring, creating, enhancing, or preserving a naturally occurring ecosystem to generate an increase in environmental functions to compensate for losses due to development or willful or negligent destruction of that ecosystem.
- S. "Native vegetation" is 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.
- T. "Person" is any individual, organization, society, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, governmental agency, public or private utility, cooperative, interstate body or other legal entity.
- U. "Protected area" is all land where no construction activity, tree removal, vegetation removal, or soil compaction is allowed and includes the critical root zone of those trees to be preserved.
- V. "Qualified professional forester" is a professional with academic and field experience that makes them an expert in urban forestry. This may include arborists certified by the International Society of Arboriculture (ISA), foresters with a degree in forestry from the Society of American Foresters (SAF) accredited forestry school, or urban foresters with a degree in urban forestry. A qualified professional forester must possess the ability to evaluate the health and hazard potential of existing trees in an urban environment, and the ability to prescribe appropriate measures necessary for the preservation of trees during land development and management of those trees thereafter.
- W. "Remove or removal" is the act of removing a tree and associated soil, ~~or~~ and vegetation within the critical root zone of the tree, by digging up, cutting down, or any act which causes a tree to die, significantly impacts its natural growing condition or results in diminished environmental benefits or a hazard tree; including but not limited to, damage inflicted on the root system by machinery, storage of materials, or soil compaction; changing the ground level in the area of the tree's root system; damage inflicted on the tree permitting infections or infestation; excessive pruning; paving with concrete, asphalt, or other impervious material within the critical root zone, or any other action which is harmful to the tree.
- X. "Significant (upland) Wildlife Habitat" is an area designated as such in the Olympia Comprehensive Plan, or designated as state priority habitat, and which is utilized by state priority or local priority animal species with unusual frequency, density or diversity for critical ecological processes such as breeding, nesting, nursery, feeding, and resting.
- Y. "Soil and Vegetation Plan" is a plan that contains specific information pertaining to the protection of healthy soil, and the preservation and planting of trees and native vegetation pursuant to OMC [16.60](#) and the City of Olympia's Urban Forestry Manual.
- Z. "Soil and Vegetation Protection Area (SVPA)" is a separate tract of land, which may or may not be deeded as such, specifically set aside for the preservation of healthy soil and the preservation or planting of existing and/or native vegetation, including trees. Stormwater retention/detention facilities, critical area buffers and other common areas may be considered SVPA's if they currently or are improved to an extent where they can

support healthy soils and the growth of native vegetation. The purpose of these areas for preserving healthy soils and preserving and/or planting native vegetation is stated on the face of the plat when applicable.

AA. "Specimen tree" is a tree on the buildable area of the site that has been given greater than standard tree density value through the evaluation process delineated in the Urban Forestry Manual.

BB. "Street trees" ~~is~~ are trees located within the street rights-of-way, adjacent to public or private streets, ~~including and~~ undeveloped areas.

CC. "Transplant" is the relocation of a tree from one place to another on the same property.

DD. "Tree" means any self-supporting perennial woody plant characterized by one main stem or trunk, of at least ~~6"~~ one (1) inch d.b.h., maturing at a height of seven (7) feet above ground level with a definite crown ~~or a multistemmed trunk system with a definite crown, maturing at a height of at least 6' above ground.~~

EE. "Tree unit" is a unit of measurement based upon the size of the tree as set forth in the Urban Forestry Manual.

FF. "Undeveloped" is a parcel of land on which no buildings or other facilities are located.

GG. "Understory" is the shrubs and plants growing beneath the main canopy of a forest, stand of trees, or individual tree; including low-growing vegetation that covers the ground.

HH. "Urban forestry" is the professional practice of planning, managing and protecting natural and planted vegetation in developing urban areas.

II. "Urban Forester" is the City of Olympia's Urban Forester or the Urban Forester's designee.

JJ. "Well-Adapted Drought-Tolerant Vegetation" is vegetation that is well adapted to current and anticipated environmental conditions in this region, and is not invasive or noxious.

KK. "Windfirm" is a tree which is capable of withstanding strong winds, in particular when associated with inclement weather events.

LL. "Worksite" is any contiguous area owned and operated as one development unit upon which earth disturbing activities are planned or underway.

MM. "Tree Canopy" includes all healthy branches and foliage of the upper part of the tree, measured from the lowest permanent branch upward (12-16 feet in height at 20 years maturity), per ANSI A300 Part 1.

Section 5. Amendment of OMC 16.60.040. Olympia Municipal Code Section 16.60.040 is hereby amended to read as follows:

16.60.040 Exemptions

The following activities are exempt from the Soil and Vegetation Plan and tree removal permit requirements. In all cases the minimum tree density herein established shall be maintained. In no case shall any landmark tree be removed without first obtaining a tree removal permit pursuant to Chapter [16.56](#).

A. Commercial Nurseries or Christmas Tree Farms. Removal of trees which are being grown to be sold as Christmas or landscape trees.

B. Emergencies. Removal of trees necessary to protect public safety or private or public property from imminent danger as determined by the Urban Forester or in response to emergencies declared by the ~~city~~ City, county, state or federal governments.

C. Harvesting with a Forest Practices Permit. Removal of trees as allowed with a forest practices permit issued by the Washington State Department of Natural Resources.

D. Hazard Trees. Removal of hazard trees as defined by this chapter.

E. Developed Single-Family (under two acres). Removal of trees and other vegetation from developed single-family and multifamily (up to four units), less than two acres so long as the minimum required tree density is maintained.

F. Developed Single-Family (two acres or more). On developed single-family and multifamily (up to 4 units), 2 or more acres, removal of trees and other vegetation within 125' of the residence or other buildings, unless required to be installed and properly maintained specifically to facilitate stormwater infiltration or dispersion. (That portion of the property further than 125' from the residence or other buildings shall be treated as undeveloped property for the purpose of this chapter).

G. Subdivisions. Individual lots within a subdivision are exempt from meeting tree density requirements when the entire subdivision has complied with the tree density and soil and vegetation protection requirements of this chapter.

H. Undeveloped property. Removal of up to 6 trees per acre, up to a total of 6 trees from an undeveloped parcel within any 12 consecutive month period.

I. Street trees. Removal of street trees, when performed by or on behalf of the ~~city~~ City, with approval of the Urban Forester.

J. Small tree and sapling maintenance. City removal of trees with a diameter at breast height (dbh) of six (6) inches or less, when not located in a Soil and Vegetation Protection Area or planted as part of a required mitigation planting or habitat restoration project.

K. Stormwater Facility Maintenance. Removal of trees located within stormwater facilities and ponds where removal of such trees is necessary to comply with the maintenance requirements specified in the Drainage Design and Erosion Control Manual.

L. Invasive Species. Removal of trees which are included on the list of prohibited species in Appendix A of the Urban Forestry Manual or Washington State Noxious Weed Lists (including Class A, B, C, Monitor and Quarantine Lists).

Section 6. Amendment of OMC 16.60.050. Olympia Municipal Code Section 16.60.050, Table A, is hereby amended to read as follows:

16.60.050 Soil and Vegetation Plan required

TABLE A PROJECTS OR ACTIVITIES FOR WHICH SOIL AND VEGETATION PLANS ARE REQUIRED	
ACTIVITY or PROJECT	LEVEL (see manual)
Residential subdivisions (1-4 units)	I <u>1</u>
Residential subdivisions (more than 4 units)	IV, V <u>4, 5</u>
Commercial/Industrial/Multifamily (over 4 units)	IV, V <u>4, 5</u>
Developed Commercial/Industrial/Multifamily (over 4 units), proposing a building addition or other site disturbance	II <u>2</u>
Multifamily (1-4 units)	I <u>1</u>
Planned Residential Development	IV, V <u>4, 5</u>

<p style="text-align: center;">TABLE A PROJECTS OR ACTIVITIES FOR WHICH SOIL AND VEGETATION PLANS ARE REQUIRED</p>	
ACTIVITY or PROJECT	LEVEL (see manual)
Mobile Manufactured Home Park	IV, V4, 5
Nuisance Tree removal permit	III3
Conversion Option Harvest Permit	VI6
Residential 1-4 unit, building permit	I1

Section 7. Amendment of OMC 16.60.070.H. Olympia Municipal Code Subsection 16.60.070.H is hereby amended to read as follows:

16.60.070 Soil and ~~vegetation plan~~ Vegetation Plan review standards

H. Developed commercial, industrial, multifamily (~~more than four units~~ five (5) units or more) properties, nuisance tree removal. Proposals to remove a tree or trees on these properties shall comply with the following standards.

1. The tree must meet the following criteria:
 - a. Tree is causing obvious, physical damage to private or public property, including but not limited to: sidewalk, curb, road, parking lot, building foundation, roof, stormwater infiltration or treatment system; or
 - b. Tree has been damaged by past maintenance practices, that cannot be corrected with proper arboricultural practices;
2. The problems associated with the tree must be such that they cannot be corrected by any other reasonable practice. Including but not limited to the following:
 - a. Pruning of the crown or roots of the tree and/or, structural changes to a building, parking lot, sidewalk or other site modifications to alleviate the problem.
 - b. Pruning, bracing, cabling, to reconstruct a healthy crown.

Section 8. Amendment of OMC 16.60.070.J. Olympia Municipal Code Subsection 16.60.070.J is hereby amended to read as follows:

16.60.070 Soil and ~~vegetation plan~~ Vegetation Plan review standards

J. Street trees. Street trees shall be included ~~in~~ on the soil and vegetation protection ~~plan~~ site map and in the Soil and Vegetation Protection Report. It should be drawn to scale on the site plan and should include the following information:

1. Location, size, and species of trees to be planted;
2. Description and detail showing site preparation, installation and maintenance measures;
3. Timeline for site preparation, installation and maintenance of street trees;
4. Cost estimate for the purchase, installation and maintenance for a minimum of three years of street trees;

5. The description and location of any underground or overhead utilities within the rights-of-way or near proposed street trees;
6. Additional information. The City's Urban Forester may require any additional information deemed necessary to ensure compliance with the provisions of this chapter;
7. Information waiver. The City's Urban Forester may waive the requirements for a scaled drawing and other submission data if they find that the information presented is sufficient to determine the project's compliance with the provisions of this Chapter;
8. Design guidelines: See OMC Chapters 18.100 through 18.180 in general and ~~section 18.170.010~~ in particular.

Section 9. Amendment of OMC 16.60.080.E. Olympia Municipal Code Subsection 16.60.080.E is hereby amended to read as follows:

16.60.080 Tree density requirement

E. Replacement Tree Selection and Distribution. Replacement trees shall be native species or well-adapted drought-tolerant vegetation, and at least 60% ~~evergreen~~ conifer trees, unless determined by the Urban Forester as not appropriate for site conditions. A conifer produces cones with naked seeds, typically perennial leaves. The leaves are always simple, either narrow, linear, or needle-like leaves, or very small and scale-like.

Section 10. Amendment of OMC 18.02.180.A. Olympia Municipal Code Subsection 18.02.180.A is hereby amended to read as follows:

18.02.180 Definitions

A. DEFINITIONS - SPECIFIC.

Abandon. To cease or suspend from developing or maintaining a building or use for a definite period of time.

Abandoned Activity. A business or activity with no reported sales or activity for a period of twelve (12) months, except temporary closures for repairs, alterations, or other similar situations. Land and/or buildings not in use for such period are considered vacant and unoccupied and may be subject to review including land use approval prior to renewal of use.

Abutting. Two or more parcels or buildings sharing a common boundary of at least one point.

Access. Safe, adequate, and usable ingress/egress (entrance/exit) to a property or use.

Accessory Dwelling Unit. See Dwelling, Conventional.

Accessory Structure. A structure detached from the principal building located on the same lot and customarily incidental and subordinate to the principal building. Any part of the main building which shares a common wall and roof is considered a part of that building. A building or portion thereof is not considered attached if the attachment is by a covered breezeway. (See also Subordinate.) Examples of accessory structures include garages, sheds, and ground-mounted solar photovoltaic systems.

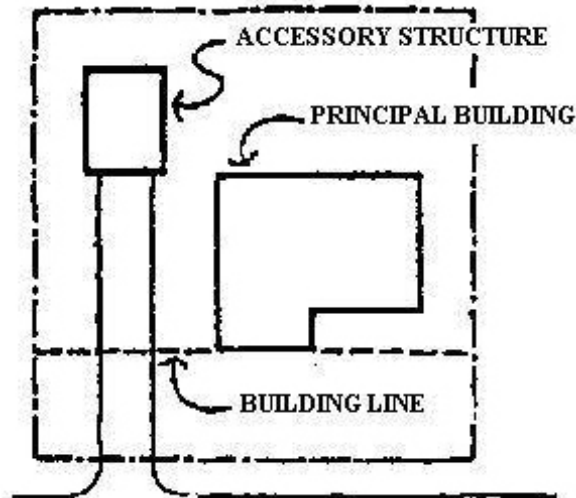


FIGURE 2-1

Accessory Use. A use of land or a portion thereof customarily incidental and subordinate to the principal use of the land and located on the same lot with the principal use, such as: garage sales; merchandise displays outside of a business; community oriented outdoor activity associated with schools, churches, and other non-profit organizations; and temporary contractor offices on a construction site. Accessory uses may also include uses subordinate to the primary use, such as rooftop solar PV on an existing structure.

Action. A decision made by the review authority(s) on a land use application, including any findings, environmental determination and conditions of approval.

Adult Day Care Home. See Dwelling, Assisted Living.

Adult Entertainment.

a. Any exhibition, performance, or dance of any type conducted in a premises where such exhibition, performance, or dance involves a person who is unclothed or in such costume, attire, or clothing as to expose any portion of the female breast below the top of the areola or any portion of the pubic region, anus, buttocks, vulva, or genitals, or human male genitals in a discernibly turgid state, or wearing any device or covering exposed to view which simulates the appearance of any portion of the female breast below the top of the areola or any portion of the pubic region, anus, buttocks, vulva, or genitals, or human male genitals in a discernibly turgid state, even if completely opaquely covered; or

b. Any exhibition, performance, or dance of any type conducted in a premises where such exhibition, performance, or dance is distinguished or characterized by a predominant emphasis on the depiction, description, simulation of, or relation to, the following specified sexual activities:

- i. Human genitals in a state of sexual stimulation or arousal;
- ii. Acts of human masturbation, sexual intercourse, or sodomy; or
- iii. Fondling or other erotic touching of human genitals, pubic region, buttocks or female breast; provided, adult entertainment and specifically the "depiction, description, simulation of, or relation to" sexual activities described above, shall not be construed to include any form of actual sexual conduct as defined in this section.

c. Any exhibition, performance, or dance intended to sexually stimulate any patron and conducted in a premises where such exhibition, performance, or dance is performed for, arranged with, or engaged in with fewer than all patrons on the premises at that time, with separate consideration paid, either directly or

indirectly, for such performance exhibition or dance. For purposes of example and not limitation, such exhibitions, performances, or dances are commonly referred to as table dancing, couch dancing, taxi dancing, lap dancing, private dancing, or straddle dancing.

Adult-Oriented Business. Shall mean the following businesses:

- a. Adult arcade. An establishment containing any individual viewing areas or booths, where, for any form of consideration, including a membership fee, one or more still or motion picture projectors, slide projectors, or similar machines, or other image producing machines are used to show films, motion pictures, video cassettes, slides, or other photographic reproduction of sexual conduct, or adult entertainment.
- b. Adult cabaret. A night club, bar, restaurant, theater, or auditorium, or similar commercial establishment, whether or not alcoholic beverages are served, which presents adult entertainment.
- c. Adult motel. A hotel, motel, or similar commercial establishment which:
 - i. Offers sleeping accommodation to the public for any form of consideration and, as a significant purpose of its business, provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction of or description of sexual conduct or adult entertainment and are not rated G, PG, PG-13, NC-13, NC-17, or R by the Motion Picture Association of America; or
 - ii. Offers a sleeping room for rent for a period of time that is less than ten (10) hours; or
 - iii. Allows a tenant or occupant of a sleeping room to sub rent the room for a period time that is less than ten (10) hours.
- d. Adult motion picture theater. A commercial establishment or drive-in theater where a significant portion of the films, motion pictures, video cassettes, slides, or similar photographic reproductions are characterized by the depiction or description of adult entertainment or sexual conduct and are not rated G, PG, PG-13, NC-13, NC-17, or R by the Motion Picture Association of America and are shown for any form of consideration.
- e. Adult book store. A business having as a significant portion of its volume of trade the display, barter, rental and/or sale of books, printed matter, video tapes, discs or cassettes, films, pictures or other material or paraphernalia distinguished or characterized by an emphasis on matters depicting, describing or relating to sexual conduct or adult entertainment, as defined herein. For purposes of this ordinance, "portion of its volume or trade" means that portion of the store's display space devoted to such material, or that portion of its gross receipts received from the sale of such material, whichever is greater.
- f. Other adult entertainment facility. Any commercial establishment to which any patron is invited or admitted and where adult entertainment is presented as a substantial part of the premises' activity, including but not limited to escort agencies, seminude or nude modeling studios, or similar establishments.

Affected Party. Any individual, partnership, corporation, association, or public or private organization of any character, significantly affected by or interested in an action before the Review Authority, including any party in a contested case.

Affordable Housing. Housing affordable to households with an income not greater than 80 percent of the median income for Thurston County as determined by the U.S. Department of Housing and Urban Development. Affordable housing should cost no more than 30 percent of gross household income (including utilities).

Agriculture. The use of land for farming, dairying, pasturing and grazing, horticulture, floriculture, viticulture, apiaries, animal and poultry husbandry, and accessory activities, including, but not limited to, storage, harvesting, feeding or maintenance of equipment and onsite sales of agricultural products, but excluding stockyards, slaughtering or commercial food processing.

Airport or Heliport. Any area of land or structure designated and set aside for the landing and taking off of any aircraft regulated by the Federal Aviation Administration.

Alley. A public or private way, at the rear or side of property, permanently reserved as a means of vehicular or pedestrian access to a property.

Alteration. Any change, addition or modification in construction or occupancy.

Alteration, Critical Area. Any change to, addition to, or modification of an existing use, including any human activity that results or is likely to result in an adverse impact on the existing condition of a critical area or its buffer. "Alteration" does not include passive recreation such as walking, fishing or similar low impact activities.

Amendment. The action whereby the content of this title is revised, including additions, deletions, or clarification of language, maps, or diagrams.

Amusement Activity. An indoor, covered or outdoor facility or building that contains various devices for entertainment, including coin or token-operated machines, rides, booths to conduct games or the sale of souvenir items.

Ancillary Structure, WCF. Any form of development associated with a wireless communications facility, including but not limited to: foundations, concrete slabs on grade, guy anchors, generators, and transmission cable supports; however, specifically excluding equipment cabinets.

Animals. Any living organism except a plant, fungus, virus, or bacterium. (See also Pet, Traditional.)

Animal Hospital. A place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment, including the accessory use of the premises as a kennel or a place where animals or pets are boarded for compensation.

Animal Kennel. See Kennel.

Animal Unit. One thousand pounds of live weight of any given livestock species or any combination of livestock species. For additional information, see the U.S. Department of Agriculture Natural Resources Conservation Service Animal Waste Field Handbook.

Antenna. Any apparatus designed for the transmitting and/or receiving of electromagnetic waves, including but not limited to: telephonic, radio or television communications. Types of elements include, but are not limited to: omni-directional (whip) antennas, sectionalized (panel) antennas, multi or single bay (FM and TV), yagi, or parabolic (dish) antennas.

Antenna Array. A single or group of antenna elements and associated mounting hardware, transmission lines, or other appurtenances which share a common attachment device such as a mounting frame or mounting support structure for the sole purpose of transmitting or receiving electromagnetic waves.

Antenna Element. Any antenna or antenna array.

Antenna Support Structure. A vertical projection composed of metal or other material with or without a foundation that is designed for the express purpose of accommodating antennas at a desired height. Antenna support structures do not include any device used to attach antennas to an existing building. Types of support structures include the following:

Guyed Structure. A style of antenna support structure consisting of a single truss assembly composed of sections with bracing incorporated. The sections are attached to each other, and the assembly is attached to a foundation and supported by a series of wires that are connected to anchors placed in the ground or on a building.

Lattice Structure. A tapered style of antenna support structure that consists of vertical and horizontal supports with multiple legs and cross bracing, and metal crossed strips or bars to support antennas.

Monopole Structure. A style of freestanding antenna support structure consisting of a single shaft usually composed of two or more hollow sections that are in turn attached to a foundation. This type of antenna support structure is designed to support itself without the use of guy wires or other stabilization devices. These facilities are mounted to a foundation that rests on or in the ground or on a building's roof.

Anti-Climbing Device. A piece or pieces of equipment, which are either attached to an antenna support structure, or which are freestanding and are designed to prevent people from climbing the structure. These devices may include but are not limited to fine mesh wrap around structure legs, "squirrel-cones," or other approved devices, but excluding the use of barbed or razor wire.

Apartment. See Dwelling, Conventional.

Apparel and Accessory Stores. Stores primarily engaged in selling new or used clothing, shoes, jewelry, and related articles for personal wear and adornment and stores which rent clothing such as costumes or formal wear.

Applicant. Owner(s) or lessee(s) of property, including their agent(s) who submit an application for development, including person(s) who have contracted to purchase property.

Arcade. A covered walk with shops along one side and a line of arches or columns on the other side.

Archaeological Sites. Any site or location of prehistoric or historic significance including, but not limited to, burial sites, camp sites, rock shelters, caves and their artifacts, implements and remains of preexisting native Americans.

Architectural Elements. Components that are part of a building, such as windows, doors, materials, details, and structural membrane.

Articulation. The giving of emphasis to architectural elements of a building (like windows, balconies, entries, etc.) that create a complementary pattern or rhythm, dividing large buildings into smaller identifiable pieces.

Ash, Incinerator. Particulate or solid residues resulting from the operation of incinerator or energy recovery facilities managing municipal solid waste, including solid waste from residential, commercial and industrial establishments, if the ash residues:

- a. Would otherwise be regulated as hazardous wastes under RCW [70.105](#); and
- b. Are not regulated as a hazardous waste under the Federal Resource Conservation and Recovery Act (RCRA), [42](#) U.S.C. Section [6910](#) , et seq.

ASR. The Antenna Structure Registration Number as required by the FAA and FCC.

Attached Structure. Any structure that has an enclosed interior wall(s) and covered roof in common with another structure sufficient to constitute an occupiable room (i.e., seven feet wide or more). A structure

connected to another structure only by a covered passageway is not considered attached. (See Detached Structure; note that structures conforming with neither definition must conform with requirements of this title for both types of structures.)

Auction. See Swap Meet.

Auditor. The Auditor of Thurston County, Washington.

Automobile Rental Agencies. This includes businesses primarily engaged in short-term rental or extended-term leasing of passenger cars, hearses, limousines, and the like, without drivers. Finance (equity or full-payout) leasing of automobiles is classified with Motor Vehicle Sales.

Automobile Wrecking. The wrecking, dismantling, or salvage of motor vehicles or trailers, or the storage of, sale of or recycling or disposal of dismantled, partly dismantled, or wrecked motor vehicles or their parts. (See also Junk or Salvage Facility.)

Awning. A structure affixed to a building which extends over windows, sidewalks or doors, principally as protection from sun and rain.

Section 11. Amendment of OMC 18.02.180.F. Olympia Municipal Code Subsection 18.02.180.F is hereby amended to read as follows:

18.02.180 Definitions

F. DEFINITIONS - SPECIFIC.

FAA. The Federal Aviation Administration.

Facade. The vertical side or sides of a building facing city streets or pedestrian plazas.

Family. An individual, or two or more persons related by blood, or marriage, or a group of not more than six persons (~~excluding servants~~) who are not related by blood or marriage, living together in a dwelling unit or a foster family home, or an adult family home, as defined under Washington State law or administrative code.

Farmers Market. See Swap Meet.

FCC. The Federal Communications Commission.

Feed Lines. Cables used as the interconnecting media between the transmission/receiving base station and the antenna of a WCF.

Fence. A physical barrier used to prevent entrance or exit, or to mark a boundary.

Filling or Fill. Any depositing or stockpiling of earth materials.

Final Approval. The final official action taken by the Review Authority on a proposed subdivision, short subdivision, binding site plan, large lot subdivision, dedication, or other application requiring City approval.

Flashing Sign. See Sign, Animated.

Flea Market. See Swap Meet.

Flood Hazard Area. Those lands having a one percent or greater chance of flooding in any one year.

Floor Area. See Gross Floor Area.

Floor Area Ratio (FAR). The ratio of floor area permitted on a zoning lot to the size of the lot. 1:1 means a one story building can cover the entire buildable area of the lot, except in the Urban Waterfront Housing District, 1 FAR of commercial is allowed, while the remainder of the building (up to the allowed zoning height) must be residential.

Flush-Mounted Antenna. Any antenna or antenna array attached directly to the face of the support structure or building such that no portion of the antenna extends above the height of the support structure or building. Where a maximum flush-mounting distance is given, that distance shall be measured from the outside edge of the support structure or building to the inside edge of the antenna.

Food Stores. Stores primarily engaged in selling food and beverages for home preparation and consumption. It includes grocery stores; meat and fish markets, including freezer provisioners; fruit and vegetable markets; candy, nut, and confectionery stores; dairy products stores; retail bakeries; wine and beer shops; liquor stores; and miscellaneous stores specializing in items such as spices, coffee, or health foods. As an accessory use, a food store may also sell prepared products for on-site or off-site consumption.

Front Wall. The wall of a structure nearest to the street upon which the structure faces, excluding cornices, canopies, eaves, or any other architectural embellishments.

Front Yard. See Yard, Front.

Frontage. The side(s) of a lot abutting a public rights-of-way.

Frontage Improvements. See Improvements.

Functions, beneficial functions or functions and values. The beneficial roles served by critical areas including, but not limited to: water quality protection and enhancement; fish and wildlife habitat; food chain support; flood storage, conveyance and attenuation, groundwater recharge and discharge; erosion control; wave attenuation; historical and archaeological value protection; and aesthetic value and recreation.

Funeral Parlors and Mortuaries. Businesses primarily engaged in conducting funerals and preparing the dead for burial, but not including crematoriums.

Furniture, Home Furnishings, and Appliance Stores. Businesses primarily engaged in the retail sale of goods used for furnishing the home, such as furniture, floor coverings, draperies, lighting fixtures, woodstoves, domestic cookstoves, refrigerators, and other household electrical and gas appliances. This category also includes rental of furniture, appliances, and the like. Consumer electronics such as televisions, stereo equipment, and personal computers are classified under Specialty Stores. Mini-computers and mainframe computers are classified under Office Supplies and Equipment Stores. (See also Specialty Stores.)

Section 12. Amendment of OMC 18.02.180.P. Olympia Municipal Code Subsection 18.02.180.P is hereby amended to read 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~~ 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 ~~devoted primarily to~~ 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 required from the ~~city~~ 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 RCW 36.70B.020(4)].

Project Permit Application. A formal written request to the City for a project permit on forms approved by the City Council.

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 the public given an opportunity to talk and participate.

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 ~~citizens~~ 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 13. Amendment of OMC 18.02.180.S. Olympia Municipal Code Subsection 18.02.180.S is hereby amended to read as follows:

18.02.180 Definitions

S. DEFINITIONS - SPECIFIC.

Salmonid. A member of the fish family salmonidae, such as chinook, coho, chum, sockeye and pink salmon, rainbow, steelhead, cutthroat salmon, brown trout, bull trout, Brook and Dolly Varden char, kokanee and whitefish.

Sanitary Landfill. A site for solid waste (garbage) disposal.

Satellite Earth Station. A single or group of parabolic (or dish) antennas that are mounted to a support device that may be a pole or truss assembly attached to a foundation in the ground, or in some other configuration. A satellite earth station may include the associated separate equipment cabinets necessary for the transmission or reception of wireless communications signals with satellites.

Scale, Architectural. The perceived height and bulk of a building relative to that of neighboring buildings. A building's perceived height and bulk may be reduced by modulating facades.

Scenic Vistas. Those areas which provide, for significant numbers of people, outstanding views from public rights-of-way of Mt. Rainier, the Olympic Mountains, Budd Inlet, the Black Hills, the Capitol Building, and Capitol Lake or its surrounding hillsides.

School. An institution of learning, whether public or private, which offers instruction in those courses of study required by the Washington Education Code or which is maintained pursuant to standards required by the

State Board of Education. This definition includes a nursery school, kindergarten, elementary school, junior high school, senior high school or any special institution of education, but it does not include a vocational or professional institution of higher education, including a community or junior college, college, or university.

Screening. A continuous fence or wall supplemented with landscaping, or an evergreen hedge or combination thereof, that effectively provides a sight-obscuring and sound-absorbing buffer around the property it encloses, and is broken only for access drives and walks.

Sculptured Building Top. A building top which has:

- a. Reduced floor area on the upper floors; and
- b. A distinctive roof form such as pitched roof, hip roof, dome, chateau roof, tower, turret, pediment, dormers, or other distinctive forms. Roofline embellishments such as medallions, statuary, cornices, brackets, finials, or similar ornament would not be considered sculptured building tops; and
- c. Upper floors which are set back from the street wall.

Secretary of the Interior's Standards for the Treatment of Historic Properties, The (as amended). Guidelines adopted by the Secretary of the Department of the Interior to guide the rehabilitation, restoration or reconstruction of a historic property.

Section of Land. Measured 640 acres, one square mile, or 1/36 of a township.

Secure Community Transition Facility. A residential facility for persons civilly committed and conditionally released from a total confinement facility operated by the Secretary of Washington Social and Health Services or under contract with the Secretary pursuant to RCW [71.09.020](#)(10) as described in RCW [71.09.250](#). All secure community transition facilities located within the City of Olympia shall conform with Olympia Municipal Code Subsection [18.08.080](#)(E).

Seep. A spot where groundwater oozes to the surface. A small spring.

Service and Repair Shop. An establishment providing major repair and/or maintenance of motor vehicles, equipment or major appliances, including, but not limited to: mechanical repair, replacement of parts, body repair, painting, engine overhaul, or other major repair or maintenance, including operations which may require open flame or welding.

Service Stations. Businesses which sell gasoline or alternative vehicle fuels, and/or which may perform minor vehicle maintenance or repair, and/or wash cars. "Minor maintenance or repair" is limited to the exchange of parts and maintenance requiring no open flame or welding. Service stations include self-service gas stations, full-service gas stations, diesel fueling stations, oil change and lubrication shops, auto detailing shops, and car washes. Businesses which provide major repair work such as engine overhauls, vehicle painting, or body repair are classified as Service and Repair Shops.

Servicing of Personal Apparel and Equipment. A business primarily engaged in the upkeep of personal or small household belongings. Such businesses include, but are not limited to: tailors, locksmiths, piano tuners, or businesses which repair shoes, cameras, small appliances, or consumer electronics.

Setback. The distance between the building and any lot line or public right of way. See specific zone district for allowed projections into setback areas and point of measurement. (See also Yard.)

Setback Line. An imaginary line that establishes the required minimum distance from any lot line and defines the area where the principal structure must be erected. (See also Building Line, Yard, and Lot.)

Sewer. Any pipe or conduit used to collect and carry away sewage and sometimes stormwater runoff from the generating source to a treatment plant.

Sexual conduct.

- a. Sexual intercourse within its ordinary meaning, occurring upon any penetration, however slight; or
- b. Any penetration of the vagina or anus, however slight, by an object; or
- c. Any contact between persons involving the sex organs of one person and the mouth or anus of another; or
- d. Masturbation, manual or instrumental, of oneself or of one person by another; or
- e. Direct touching of the sex organs or anus, whether clothed or unclothed, of oneself or of one person by another; or
- f. Flagellation or torture in the context of a sexual relationship; or
- g. Sodomy.

Shopping Center. A commercial development with unenclosed pedestrian walks in which there are a number of separate commercial activities, with accessory shared facilities such as parking, and which is designed to

provide a single area which the public can obtain varied products and services. Shopping centers are typically characterized by at least one large retail "anchor" store.

Shopping Mall. A shopping center with stores on one or both sides of a covered and enclosed pedestrian walkway.

Sidewalk. A paved, surfaced, or leveled area, paralleling and usually separated from the street and normally used as a pedestrian walkway.

Sign. Any object, device, display, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means. Such means may include words, letters, figures, design, movement, symbols, fixtures, colors, illumination, or projected images.

Sign, Abandoned. Any sign which:

- a. Is located on property which becomes vacant and unoccupied for a period of twelve (12) consecutive months or more (excepting legal off-premise signs), or
- b. Relates to any occupant or business unrelated to the present occupant or their business (excepting legal off-premise signs), or
- c. Pertains to a time, event or purpose which no longer applies.

Sign, Alley. A type of building mounted sign that is located on a building wall facing a public alley.

Sign, Animated. A sign with action or motion (including those that flash, oscillate or revolve) or one that involves color changes more frequently than once per twenty-four 24 hours, illustrations or messages. This does not include wind activated elements such as flags or banners; nor does it include public service signs (such as time and temperature signs). For the purposes of this chapter, it does include search lights and strobe lights.

Sign Area. The entire background of a sign upon which advertising could be placed (counting all faces), including the frame but not other supporting structure, except that the area of advertising affixed directly to, or painted on a building without any background, other than the building, shall be the area contained in the smallest geometric figure enclosing all portions of the sign message (i.e., all letters, numbers, graphics, etc.).

Sign Awning. A sign which is on an awning. Awning signs are a type of building mounted sign.

Sign, Banner. A lightweight temporary sign.

Sign, Billboard. A rigidly assembled outdoor sign permanently affixed to the ground or permanently attached to a building or other permanent structure, unrelated to any use or activity on the property on which the sign is located, but not including directional signs as defined herein.

Sign, Blade. A type of building mounted that is oriented for pedestrians that extends from a building wall or hangs from a marquee. Blade signs larger than ten (10) square feet in size are considered Projecting Signs if not attached to a marquee.

Sign, Building Mounted. A permanent sign which is attached to, or erected against or painted on, any exterior wall, fascia, or window of a building or structure. For the purpose of this Title, signs which shall be considered building mounted signs, include flush mounted signs, signs on marquees and awnings, projecting signs, blade signs, and signs erected on the side of a mansard roof provided the sign does not project above the uppermost roof line or flashing.

Sign, Business Directory. A type of development identification sign which lists the names of the individual uses in a development.

Sign, Changeable Copy. See Sign, Readerboard.

Signs, Channel Letters. A flush mounted wall sign that consists of individual letters or characters not bound together in one complete structure. Channel Letter signs are signs in which each letter or character is mounted individually within its own area, with the total area of individual letters or characters comprising the sign.

Sign, Ground. A ground supported sign which is no greater than twelve (12) feet in height above grade.

Sign, Development Identification. A freestanding or building mounted sign which identifies the name of a development. For the purpose of sign standards, a development consists of multiple building complexes such as shopping malls, industrial and business parks, residential subdivision developments, and multiple occupancy buildings.

Sign, Directional. A sign designed solely to guide or direct pedestrian or vehicular traffic to an area, place or convenience.

Sign, Feather. A vertical portable sign that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand.

Sign, Flashing. See Sign, Animated.

Sign, Flush-Mounted. A type of building mounted sign which is attached to, or erected against any exterior wall or fascia of a building or structure, with the exposed face of the sign parallel to the plane of the wall.

Sign, Freestanding. A permanent sign supported by one or more uprights, poles or braces in or upon the ground. For the purposes of this Title, freestanding signs include pole signs and signs otherwise known as ground signs or monument signs.

Sign, Hazardous. Any sign that is dangerous or confusing to motorists and pedestrians, including any sign which by its color, wording, design, location, or illumination resembles or conflicts with any official traffic control device or which otherwise impedes the safe and efficient flow of traffic.

Sign, Historical. Historic signs that contribute to the architectural and historic character of Olympia, which may complement or define an individual building or may be valued independently from the building or site on which it is located.

Sign Height. The vertical distance from ground level to the top of the sign.

Sign, Identification. A pole or ground sign which identifies the name of a shopping center.

Sign, Inflatable. Balloons or other gas-filled figures. For purposes of this section, inflatable signs shall be treated as temporary signs. Inflatable signs that include movement are considered animated signs and are not allowed.

Sign, Legacy. Signage related to a structure but not the present occupancy of use.

Sign, Light Projection. An image projected onto a building or walkway.

Sign, Marquee. Any sign which forms part of or is integrated into a marquee or canopy and which does not extend horizontally beyond the limits of such marquee or canopy.

Sign, Monument. See Sign, Freestanding.

Sign, Non-conforming. Any legally established sign existing at the time of this Ordinance which does not meet the current provisions of Title [18](#).

Sign, Nuisance. Any sign which emits smoke, visible particles, odors, and/or sound, except that speakers in signs of a drive-through facility shall be allowed.

Sign, On-Premises. A sign which carries advertisement related to a lawful use of the premises on which it is located, including signs indicating the business transacted, services rendered, goods sold or produced on the premises, name of business, name of the person, firm or corporation occupying the premises.

Sign, Out-of-Date. Signs for which the event, time, or purpose no longer applies.

Sign, Parking Lot Pole Banner. A type of banner sign, typically made of outdoor fabric, attached to the lighting poles in parking lots.

Sign, Pedestal. See Sandwich Board/Pedestal Sign.

Sign, Pole. A ground supported sign which is no less than twelve (12) and no greater than thirty (30) feet in height above grade.

Sign, Portable (Mobile). A sign made of any material which by its design is readily movable and which is not permanently affixed to the ground, a structure or a building.

Sign, Projecting. A sign which projects twelve (12) inches or more from a building and is supported by a wall or structure.

Sign, Public Service. A sign which provides a service to the public (such as indicating the current time and temperature or a community bulletin board) but which includes no advertising other than the name of the sponsoring organization.

Sign, Readerboard. A sign with characters or letters that can be manually changed without altering the face of the sign. Electronic signs are not readerboards for the purposes of this Title, but are animated signs.

Sign, Revolving. See Sign, Animated.

Sign, Roof. A sign erected upon or above a roof or parapet of a building or structure. A sign shall be considered a building mounted sign if it is erected on the side of a mansard roof and does not project above the uppermost roof line or flashing.

Sign, Sandwich Board/Pedestal Sign. A type of portable sign.

Sign, Shopping Center. A type of permanent freestanding sign for larger shopping complexes.

Sign, Structural Alteration. Any change or modification in the supporting members of the structure, such as the pole, cabinet, footing/foundation. Exceptions are new paint, rewiring, or face change.

Sign Structure. Any structure which supports or is capable of supporting any sign. A sign structure may be a single pole and may be an integral part of the building.

Sign, Temporary. Any sign, banner, pennant, valance or advertising display intended to be displayed for only a limited period of time.

Sign, Window. A sign painted on or adhered or mounted to an exterior window (e.g., a neon sign). Window signs are a type of building mounted sign.

Sign, Yard/Lawn. A temporary sign that is posted in the ground by a stake or wire frame.

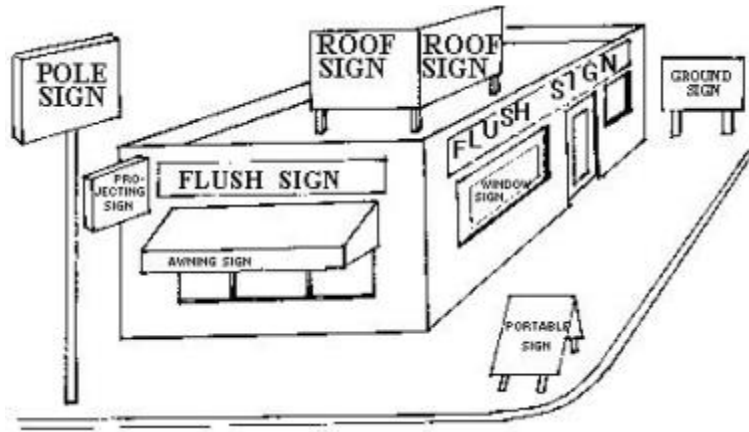


FIGURE 2-7

Significant. When used in the context of historic significance: A property which helps in the understanding of the history of the local area, state or nation (whichever is applicable) by illuminating the local, state-wide or nation-wide impact of the events or persons associated with the property, or its architectural type or style or information potential. The local area can include the City of Olympia, Thurston County, the region of Puget Sound or Southwest Washington, or a modest geographic or cultural area, such as a neighborhood. Local significance may apply to a property that illustrates a theme that is important to one or more localities; state significance to a theme important to the history of the state; and national significance to property of exceptional value in representing or illustrating an important theme in the history of the nation.

Single-Family Dwelling. See Dwelling, Conventional.

Single-Room Occupancy (SRO). See Dwelling, Conventional.

Site Plan. The development plan which shows the existing and proposed conditions of the lot, including topography, vegetation, drainage, flood plains, walkways; means of ingress and egress; circulation; utility services; structures and buildings; signs and lighting; berms, buffers, and screening devices; surrounding development; and any other information that reasonably may be required in order that an informed decision can be made by the reviewing authority.

Site Plan Review Committee. A technical development review group comprised of representatives from the Department of Community Planning and Development, the Fire Department and the Public Works Department, who provide technical assistance to the CP&D Director or the CP&D Director's designee on land use issues. At a minimum this includes the Building Official, Planner, City Engineer, Fire Chief, and SEPA official, or their appointed designees.

Slope. The deviation of a surface from the horizontal, usually expressed in percent or degrees. (See also Grade.)

[NOTE: Percentage of slope is calculated by dividing the vertical distance by the horizontal distance times one hundred (100).]

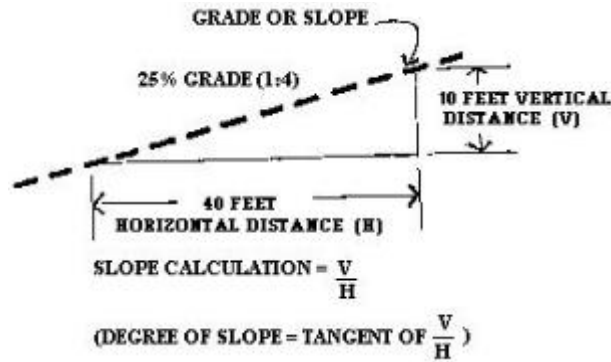


FIGURE 2-8

% GRADE	100	50	40	33.3	30	25	20	15	12	10	8	6
DEGREES	45	26.6	21.8	18.4	16.7	14	11.3	8.5	6.8	5.7	4.6	3.4
RATIO	1:1	2:1	2.5:1	3:1	3.3:1	4:1	5:1	6.7:1	8.3:1	10:1	12.5:1	16.7:1

Slope, Steep. An area which is equal to or in excess of forty (40) percent slope, or where the ground surface rises ten feet or more vertically within a horizontal distance of twenty-five (25) feet. This can also include a slope of 15 to 39.9 percent if otherwise defined as a landslide hazard area.

Slope, Steep Toe, or Steep Top. A distinct topographic break in slope which separates slopes inclined less than forty (40%) percent from slopes equal to or greater than forty (40%) percent. Where no distinct break exists, this point shall be the limit of the area where the ground surface drops ten (10) feet or more vertically within a horizontal distance of twenty-five (25) feet.

Small Lake. See OMC [18.32.305.E](#).

Small Lot Review. A Director review of proposed construction on undersized legal lots of record approved prior to June 19, 1995.

Small Lot Subdivision. See Subdivision, Short.

Social Organization. A group of people formally organized for a common interest, usually cultural, religious, or entertainment, with regular meetings, rituals, and formal written membership requirements. [NOTE: This is not a Collegiate Greek System Residence.]

Soil and Vegetation Protection Area (SVPA). A separate tract of land, which may or may not be deeded as such, specifically set aside for the preservation of healthy soil and the preservation or planting of existing and/or native vegetation, well-adapted drought-tolerant vegetation, and trees. Stormwater retention/detention facilities, critical area buffers and other common areas may be considered SVPA's if they currently, or are improved to an extent where they can, support healthy soils and the growth of native vegetation or well-adapted drought-tolerant vegetation. The purpose of these areas for preserving healthy soils and preserving and/or planting native, or well-adapted drought-tolerant vegetation is stated on the face of the plat when applicable.

Special Assessment District. A district with the power to levy taxes created by act, petition, or vote of property owners for a specific purpose.

Special Valuation for Historic Properties, Special Valuation. The process, pursuant to Chapter [84.26](#) Revised Code of Washington (RCW) and Chapter [3.60](#) OMC, under which the tax basis of an eligible, rehabilitated historic property may be reduced by the actual incurred cost of the rehabilitation for a period of up to ten years.

Specialty Stores. Stores selling antiques, sporting goods and bicycles, marine supplies, glassware and chinaware, books, videos (including rentals), music, cards and stationery, jewelry, toys, hobby supplies, cameras, gifts and souvenirs, sewing supplies, flowers, tobacco products, newspapers and magazines, art and art supplies, pets and pet supplies, religious supplies, consumer electronics, personal computers, or other miscellaneous goods. It also includes second-hand stores and pawnshops.

Specific or Management Plan. A plan consisting of text, maps, and other documents and exhibits regulating development within an area of special interest or which contains unique land use and development problems.

Spot Zoning. Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding land uses and that does not further the comprehensive plan. [NOTE: Spot zoning is usually invalid when all the following factors are present: (1) a small parcel of land is singled out for special and privileged treatment; (2) the singling out is not in the public interest but only for the benefit of the land owner; and (3) the action is not in accord with a comprehensive plan.]

Stables, Riding. A structure providing shelter for horses, mules or ponies which are boarded for compensation. This may include arenas, tracks, and other facilities for equestrian activities either for members of a private club or for the general public. This may also include accessory facilities such as a clubhouse.

Stable, Private. An accessory structure providing shelter for horses or ponies, for use by occupants of the premises.

Staff. Permanent or temporarily employed personnel of the City of Olympia, Washington.

Stepback. Additional setbacks of upper building floor levels.

Storage. Placement or retention of goods, materials and/or personal property in one location for more than 24 consecutive hours.

Stormwater Facility. A constructed stormwater system component, including but not limited to a detention, retention, sediment, or constructed wetland basin or pond, generally installed at the ground surface.

Stormwater Retention/Detention Basin. A facility, either above-ground or underground, that temporarily stores stormwater prior to its release to the ground (retention facility), to a surface water (detention facility), or some combination of the two. [NOTE: Retention basins differ from detention basins in that the latter are temporary storage areas. Retention basins have the potential for water recreation and water-oriented landscaping since the water may remain. Both types of basins provide for controlled release of the stored water and groundwater recharge.]

Stormwater Retrofit Facilities. A stormwater treatment or flow-control facility that complies with the City of Olympia Drainage Design and Erosion Control Manual and is constructed by the City of Olympia for the purpose of providing treatment or flow-control in an area where little to none was previously provided.

Story. That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.

Story Above Grade. Any story having its finished floor surface entirely above grade, except that a basement shall be considered as a story above grade where the finished surface of the floor above the basement is: more than six feet above grade plane, more than six feet above the finished ground level for more than fifty (50%) of the total building perimeter, or more than twelve (12) feet above the finished ground level at any point.

Story, First. The lowest above grade story in a building, except that a floor level in a building having only one floor shall be classified as a first story, provided such floor level is not more than four feet below grade, as defined herein, for more than fifty (50) percent of the total perimeter, or more than eight (8) feet below grade, as defined herein, at any point.

Stream. See OMC [18.32.405](#).

Stream Corridor. Any river, stream, pond, lake, or wetland, together with adjacent upland areas that support vegetation adjacent to the water's edge.

Street. A public or private right-of-way which affords a primary means of vehicular access to abutting property.

Street, Arterial. An arterial street provides an efficient direct route for long-distance travel within the region and between different parts of the ~~city~~ City. Streets connecting freeway interchanges to commercial concentrations are classified as arterials. Traffic on arterials is given preference at intersections, and some access control may be considered in order to maintain capacity to carry high volumes of traffic.

Street Cul-De-Sac. A street with a single common ingress and egress and with a circular turnaround at the end.

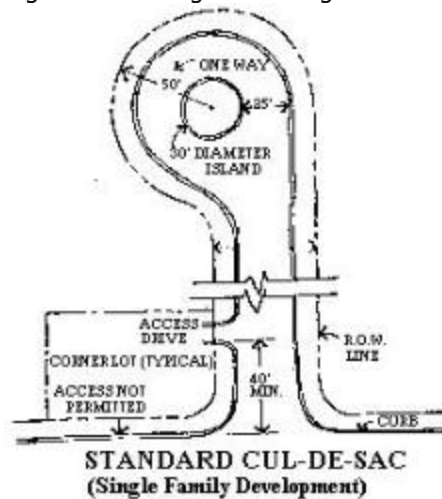


FIGURE 2-9

Street Frontage. The area between any lot lines which intersect, or area of a lot which directly abuts, the boundary of a public or private street right-of-way.

Street Furniture. Constructed, above-ground objects, such as outdoor seating, kiosks, bus shelters, sculpture, tree grids, trash receptacles, fountains, and telephone booths, that have the potential for enlivening and giving variety to streets, sidewalks, plazas, and other outdoor spaces open to, and used by, the public.

Street, Local Access. A street which provides access to abutting land uses and serves to carry local traffic to a collector.

Street, Major Collector. A street that provides connections between the arterial and concentrations of residential and commercial land uses. The amount of through traffic is less than an arterial, and there is more service to abutting land uses. Traffic flow is given preference over lesser streets.

Street, Neighborhood Collector. A street which distributes and collects traffic within a neighborhood and provides a connection to an arterial or major collector. Neighborhood collectors serve local traffic, provide access to abutting land uses, and do not carry through traffic. Their design is compatible with residential and commercial neighborhood centers.

Street, Private. A street that has not been accepted for maintenance and public ownership by the City of Olympia or other government entity. This does not include private driveways or access easements.

Street Wall. A building wall that faces or is parallel to the street frontage.

Streetscape. The visual character of a street as determined by various elements such as structures, greenery, open space, and view.

Structure. An edifice or building of any kind which is built or constructed, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Structured Parking. A building or a portion of a building used for the parking of motor vehicles.

Subdivider. A person who undertakes the subdividing of land.

Subdivision. The division or redivision of land into ten or more lots, tracts, parcels, sites or divisions, any of which are less than five acres in area, for the purpose of sale, lease or transfer of ownership. (See also Subdivision, Short.)

Subdivision, Cluster. See Clustered Subdivision.

Subdivision, Large Lot. The division of land into lots or tracts, each of which is 1/128 of a section of land or larger, or five acres or larger, if the land is not capable of description as a fraction of a section of land. For purposes of computing the size of any lot under this section which borders on a street, the lot size shall be expanded to include that area which would be bounded by the centerline of the street and the side lot lines of the lot running perpendicular to such centerline.

Subdivision, Short. The division or redivision of land into nine or fewer lots, tracts, parcels, sites or divisions for the purpose of transfer of ownership, sale or lease.

Subordinate. A supplementary use to a permitted primary or principal use.

Substantial Improvement. Any extension, repair, reconstruction, or other improvement of a property, the cost of which equals or exceeds fifty (50) percent of the fair market value of a property either before the improvement is started or, if the property has been damaged and is being restored, before the damage occurred.

Surface water. A body of water open to the atmosphere and subject to surface runoff.

Swap Meet. Any outdoor place, location, or activity where new or used goods or secondhand personal property is offered for sale or exchange to the general public by a multitude of individual licensed vendors, usually in compartmentalized spaces; and, where a fee may be charged to prospective buyers for admission, or a fee may be charged for the privilege of offering or displaying such merchandise. The term swap meet is interchangeable with and applicable to: flea markets, auctions, open air markets, farmers markets, or other similarly named or labeled activities; but the term does not include the usual supermarket or department store retail operations.

Section 14. Amendment of OMC 18.02.180.T. Olympia Municipal Code Subsection 18.02.180.T is hereby amended to read as follows:

18.02.180 Definitions

T. DEFINITIONS - SPECIFIC.

Temporary Use. A use established for a specified period of time, with the intent to discontinue the use at the end of the designated time period.

Theater. A building or part of a building devoted to showing motion pictures or for dramatic, dance, musical, or other live performances.

Time-of-travel. The time required for ground water to move through the water bearing zone from a specific point to a well.

Townhouse. See Dwelling, Conventional.

Toxic Substance. See Hazardous Materials or Hazardous Waste.

Tract. An area, parcel, site, piece of land or property. (See also Lot and Critical Area Tract.)

Traffic Impact Study. A report analyzing anticipated traffic flow conditions with and without proposed development. [NOTE: The report includes an analysis of mitigation measures and a calculation of fair share financial contributions.]

Trail. A paved or unpaved surface for pedestrian and/or bicycle commuting or recreational use, which may include sidewalks. Trails may be located parallel to an improved street, within a single development; or may inter-connect different areas by an off-street route.

Transfer of Development Right Sending Zone. The area designated by Thurston County from which development rights can be transferred.

Transferable Development Right. An interest in real property which is the difference between the existing use of a parcel and its potential development use expressed in residential units per acre. This right is made severable from the parcel to which the interest is appurtenant and transferable to another parcel of land for development and use in accordance with applicable regulations.

Transient. A continuous period of two weeks or less.

Transportation Demand Management. Strategies aimed at reducing the number of motor vehicle trips, shortening trip lengths, and changing the timing of trips to non-peak hours. [NOTE: These strategies encourage the use of mass transit, car pools, van pools, bicycling, and walking and typically focus on the home-to-work commute. They also include efforts to provide housing close to jobs to shorten trip lengths. These strategies often require the joint cooperation of developers, employers, and local governments.]

Transportation Demand Management Plan. A system of actions and timetables to alleviate traffic problems through improved management of motor vehicle trip demand. (See also Transportation Demand Management.)

Tree. A self-supporting perennial woody plant characterized by one main stem or trunk, of at least ~~6"one (1) inch d.b.h., maturing at a height of seven (7) feet above ground level with a definite crown or a multistemmed trunk system with a definite crown, maturing at a height of at least 6' above ground.~~

Trip. A single or one-way ~~motor vehicle~~ movement of a person via any mode of travel either to or from a subject property within a study area.

Truck, Trailer, and Recreational Vehicle Rental. Businesses primarily engaged in short-term rental or extended-term leasing of trucks, truck-tractors, semi-trailers, moving vans, utility trailers, recreational vehicles, and the like. Finance (equity or full-payout) leasing of trucks, trailers, and recreational vehicles is classified with Motor Vehicle Sales.

Section 15. Amendment of OMC 18.02.180.Y. Olympia Municipal Code Subsection 18.02.180.Y is hereby amended to read as follows:

18.02.180 Definitions

Y. DEFINITIONS - SPECIFIC.

Yard. An open space on a parcel of land, other than a court, unobstructed and unoccupied from the ground upward, except for projections permitted by this code.

- a. Front yard. A yard extending across the full width of the building site, having at no point less than the minimum required distance between the front property line or right of way and the building line.
- b. Rear yard. A yard extending from one side property line to the other, except in the case of a corner building site when the rear yard shall extend from the interior side property line or right of way to the opposite side yard.
- c. Side yard. A yard extending from the front yard to the rear yard, except in the case of a corner building site when the side yard on the flanking street shall extend to the rear property line. [NOTE: See Figure 2-10 for yard examples.]

Year. Three hundred and sixty-five days in a normal year, or 366 in a leap year.

Section 16. Amendment of OMC 18.04.060.L. Olympia Municipal Code Subsection 18.04.060.L is hereby amended to read as follows:

18.04.060 Residential districts' use standards

L. HOME OCCUPATIONS.

The purpose of the home occupation provisions is to allow for the use of a residential structure for a non-residential use which is clearly an accessory use to the residential use and does not change the residential character of the neighborhood. Home occupations meeting the below requirements are allowed in any district in which residential uses are permitted.

1. Review. Prior to both initial occupancy and issuance of any business license, the business operator or the operator's agent shall certify that the home occupation will conform with the applicable requirements.
2. General Standards. The following are the general requirements for home occupations. Also see specific standards for family child care homes, adult day care homes, bed and breakfast houses, and counseling.
 - a. Home occupations must be conducted within the principal residence of the permit holder, or within an accessory structure on the same property. Permit holders shall provide evidence thereof through such means as voter registration, driver's license, tax statement, or other evidence of residency and sign a notarized affidavit attesting to their principal residence at the site.
 - b. Home occupations are subject to inspections by city staff insofar as permitted by law. Permit holders shall execute a notarized affidavit agreeing to allow appropriate city staff the ability to conduct an inspection of the residence, after reasonable notice is given, to determine compliance with the home occupation permit.
 - c. No person(s) other than the family member(s) who resides in the residence shall participate in the home occupation. The home occupation permit shall list the names of each resident who is employed by the business. Furthermore, the residence shall not be used as a place of congregation for work that occurs off the premises. This limitation shall not apply to properties abutting the west side of the 300 and 400 blocks of West Bay Drive Northwest.

- d. Home occupations shall occupy not more than twenty-five (25) percent of the total floor area of the dwelling or five hundred (500) square feet per dwelling unit, whichever is less; provided, however, that properties abutting the west side of the 300 and 400 blocks of West Bay Drive Northwest shall occupy not more than fifty percent (50%) of the total floor area of the dwelling or one thousand five hundred (1,500) square feet per dwelling unit, whichever is less. This limitation does not apply to family child care homes, adult day care homes, elder care homes, or bed and breakfast houses.
- e. The residential character of the lot and dwelling shall be maintained. The occupation shall be conducted entirely within a dwelling and/or accessory building by the occupant of the dwelling. A carport shall not be used for home occupations, except for parking. There shall be no structural alteration nor any exterior modification of the structure in order to accommodate the occupation.
- f. The occupation shall be conducted in such a manner as to give minimal outward appearance of a business, in the ordinary meaning of the term, that would infringe upon the right of the neighboring residents to enjoy peaceful occupancy of their homes.
- g. Except for adult daycare, child daycare, and bed and breakfast businesses, the hours of operation, as related to customer or client visitations, shall be limited to no earlier than 7:00 a.m. and no later than 9:00 p.m.
- h. The following types of uses shall not be permitted as home occupations:
- i. Veterinarian, medical, and dental offices and clinics;
 - ii. Vehicle sales or repair;
 - iii. Contractors' yards;
 - iv. Restaurants; or
 - v. Exterminating services;
- i. No stock in trade shall be sold or displayed on the premises; provided, however, that this limitation shall not apply to properties abutting the west side of the 300 and 400 blocks of West Bay Drive Northwest. No equipment or material shall be stored on any exterior portion of the premises.
- j. Home occupations shall emit no noise, vibration, smoke, dust, odor, heat, glare, fumes, electrical interference, pollutants or waste products detrimental to the environment, public safety or neighborhood, beyond those normally emanating from residential uses.
- k. Home occupations shall comply with all applicable local, state or federal regulations. Requirements or permission granted or implied by this section shall not be construed as an exemption from such regulations.
- l. A home occupation permit issued to one (1) person residing in the dwelling shall not be transferable to any other person, nor shall a home occupation permit be valid at any address other than the one appearing on the permit.
- m. Any person engaging in a home occupation shall register as a business under Chapter [5.04](#) of the Olympia Municipal Code, and shall be subject to the Business and Occupation Tax levied by the Olympia Municipal Code.
- n. The applicant shall demonstrate compliance with all city and state licensing requirements, including those pertaining to building, fire safety, and health codes.
- o. Parking of customer, employee, or client vehicles shall not create a hazard or unusual congestion. No more than two (2) off-street parking stalls shall be provided in addition to any required for the residence. A driveway may be used as off-street parking. Except for commercial

type postal carriers, traffic generated by the home occupation shall not exceed two (2) commercial vehicles per week. See OMC Chapter [18.38](#) for parking requirements for specific home occupations.

3. Specific Home Occupation Standards.

a. Family Child Care Home. Family child care homes are allowed in all districts permitting residences, subject to the following conditions:

- i. Structural or exterior alterations which would alter the single-family character of an existing single family dwelling or be incompatible with surrounding residences are prohibited.
- ii. Prior to initiation of child care services, each child care provider must file a Child Care Registration Form with the Department of Community Planning and Development. The child care provider must demonstrate compliance with the applicable requirements of the code as listed on the Registration Form. No fee will be required for registration.

b. Adult Day Care Homes. Adult day care homes are permitted in the districts specified in Table 4.01 and Table 5.01, subject to the following conditions.

- i. No more than six (6) adults (at least eighteen (18) years of age) shall be cared for in an adult day care home.
- ii. Adult day care homes shall not operate for more than twelve (12) hours per day.
- iii. The primary care giver shall reside in the adult day care home.
- iv. Emergency medical care may be provided in adult day care homes, but not routine care necessitating the services of a licensed health care professional (e.g., dispensing of medicine or convalescent care). The caregiver must be certified in basic First Aid and cardiopulmonary resuscitation. First Aid supplies, including bandages and an antiseptic, shall be available on premises.
- v. A smoke detector must be provided in each room occupied by people in day care. A fire extinguisher (rated 2A10 BC or the equivalent) must be installed in a readily accessible location. It shall be the responsibility of the day care operator to maintain the smoke detectors and fire extinguisher in operating condition.
- vi. The structure and grounds accommodating an adult day care shall not be altered in such a way that they manifest characteristics of a business or pose a nuisance for the occupants of abutting properties.

c. Bed and Breakfast Houses. Bed and breakfast houses are subject to the following conditions:

- i. The owner shall operate the facility and shall reside on the premises.
- ii. There shall be no more than five (5) guest (rental) rooms for persons other than the members of the operator's immediate family.
- iii. No bed and breakfast establishment shall be located closer than two hundred (200) feet to another bed and breakfast establishment, as measured in a straight line from property line to property line.

d. Counseling. Counseling by single practitioners is permitted as a home occupation under the following conditions:

- i. Counseling for sex offenders and substance abuse is prohibited.
- ii. Group sessions are prohibited (i.e., more than two (2) people per session). This limitation shall not apply to home occupations in properties abutting the west side of the 300 and 400 blocks of West Bay Drive Northwest.

Section 17. Amendment of OMC 18.04.060.EE Olympia Municipal Code Subsection 18.04.060.EE is hereby amended to read as follows:

18.02.180 Definitions

EE. GARAGE PLACEMENT AND WIDTH.

(Also see OMC [18.100](#), Design Review, and OMC [18.175](#), Infill and Other Residential.)

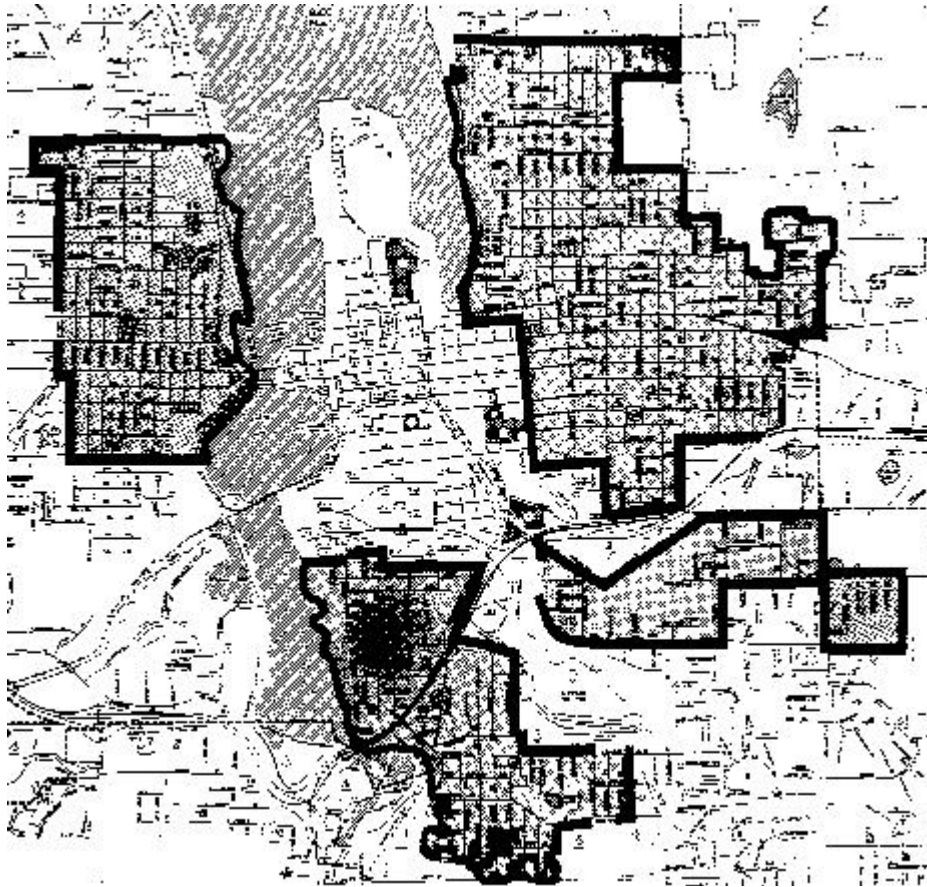
1. Applicability. The standards listed in Subsection 3 below apply only to:
 - a. Single-family dwellings on lots of less than five thousand (5,000) square feet in size ~~located in subdivisions for which a complete preliminary plat application is submitted after April 22, 1996;~~
 - b. Single-family dwellings on lots within the areas depicted by Figure 4-2a;
 - ~~b.~~ Duplexes;
 - ~~c.~~ Triplexes; and
 - ~~d.~~ Fourplexes.
2. Exceptions. The dwellings listed in Subsection 1.a. above are exempt when located on one of the following types of lots:
 - a. Lots fronting on private access lanes (see the City of Olympia Engineering Design and Development Standards as adopted in OMC [12.02](#)) where the garage would not face a public street;
 - b. Flag lots (see OMC [18.02.180](#), Definitions, Lots);
 - c. Wedge-shaped lots (see OMC [18.02.180](#), Definitions, Lots); and
 - d. Lots with trees or topography which preclude compliance with the provisions of this Section, as determined by the approval authority.
3. Garage Standards.
 - a. Garages shall not protrude ahead of the dwelling's ground floor front facade more than:
 - i. Eight (8) feet on two (2) story dwellings (i.e., dwellings with habitable space above the ground floor); or
 - ii. Four (4) feet on single-story dwellings.

These requirements above (i. and ii.) do not apply to garages with doors which do not face the street (see OMC [18.175.060](#), Residential Design Guidelines - Garage Design), or garages flush with the supporting posts of covered porches which span the remainder of the dwelling's front facade.

- b. Garage width shall not exceed the following percentage of the dwelling's front facade:

- i. Two-story dwellings (containing habitable space above the ground floor): sixty (60) percent.
- ii. Single-story dwellings: fifty percent (50%).

For purposes of the above measurements, garage width shall include the garage doors facing the street plus any required supporting panel. The dwelling's facade shall be measured in a straight line, parallel to the building face, between the outermost ends of the facade facing the street. See Figure 4-2b.



Areas Subject to Infill Regulations

Where the boundary coincides with a street, lots on both sides of the street are subject to the applicable regulations and design guidelines.

FIGURE 4-2a



Measurement of Front Façade

FIGURE 4-2b

Section 18. Amendment of OMC 18.04.080.A. Olympia Municipal Code Subsection 18.04.080.A is hereby amended to read 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 subsequent to the initial occupancy of the primary residence on a lot 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\(A\)\(5\)\(b\)](#)):

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. 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 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 ~~seven (7)~~ 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.

Section 19. Amendment of OMC [18.04.080.B](#). Olympia Municipal Code Subsection [18.04.080.B](#) is hereby amended to read as follows:

18.04.080 Residential districts development standards

B. Minimum Housing Densities

1. Calculation of Minimum Density.

- a. (Note: Table 5.05 in Section 18.05.) The total area of the entire site shall be included in the minimum density calculation except streams, wetlands, landslide hazard areas, floodplains, "important habitat areas," and "important riparian areas" and their associated buffers; tracts accommodating stormwater facilities required in compliance with the Drainage Manual tracts provided for trees pursuant to the Tree Protection and Replacement Ordinance; existing, opened street rights-of-way; and land to be sold or dedicated to the public in fee (e.g., school sites and public parks, but not street rights-of-way to be dedicated as part of the proposed development).
- b. All dwelling units in convalescent homes/nursing homes and accessory dwelling units count toward the minimum density required for the site by Table 4.04.

2. Average Density. A housing project may contain a variety of housing densities (consistent with Table 4.04) provided that the average density for the entire development (e.g., all of the property subject to a single subdivision, site plan, or PRD approval) is neither less than the minimum density nor more than the maximum average density established for the applicable district in Table 4.04.

3. Allowance for Site Constraints. At the request of the applicant, the Director may reduce the minimum density required in Table 4.04, to the extent the Director deems warranted, to accommodate site constraints which make development at the required minimum density impractical or inconsistent with the purposes of this Article. Factors which may warrant a density reduction include poor soil drainage, the presence of springs, topography exceeding twenty (20) percent slope, rock outcrops, sensitive aquifers used as a public water source or wellhead protection areas). As a condition of granting a density reduction, the applicant must demonstrate that the minimum density cannot be achieved by clustering the housing on the buildable portions of the site (see Section [18.04.080\(F\)](#)). The Director may also authorize a reduction in the minimum density requirements, if necessary, to enable development of small (i.e., less than six (6) acres in size), oddly shaped, or partially developed parcels if the site's configuration or constraints (e.g., existing structures) preclude development at the minimum density specific in Table 4.04. Also see Subsection (E), Developments without Sewer Service, below.

4. Allowance for Transitional Housing and Mixed Residential Projects. The Director may reduce the minimum densities required by Table 4.04 to enable provision of lower density housing along the perimeter of multifamily housing projects, as required by Section [18.04.060\(14\)](#) or as necessary to accommodate the mix of housing types required by Section [18.04.060\(Q\)\(1\)](#).

~~5. Transfer of Development Rights. In the alternative, in order to develop at a density of four (4) to four point ninety-nine (4.99) dwelling units per acre in the R 4-8 District, Development Rights may be obtained from an eligible property owner in a Thurston County Transfer of Development Rights Sending Zone (see Section [18.02.180](#), Definitions). The number of dwelling units proposed for the site plus the number of Development Rights units applied to the site shall total at least five (5) units per acre. (For example, if the applicant proposes to develop a ten (10) acre site at four (4) units per acre, the applicant would have to obtain ten (10) Development Rights.) (Also see Chapter [18.90](#), Transfer of Development Rights.)~~

Section 20. Amendment of OMC [18.32.435.C](#). Olympia Municipal Code Subsection 18.32.435C is hereby amended to read as follows:

18.32.435 Streams and Priority Riparian Areas – Buffers

C. Stream buffers shall be based on the water type classification as established by the Department of Natural Resources Stream Typing Classification System and required by OMC [18.32.410](#). The table below includes detail differentiating stream types based on fish habitat presence, stream widths, and mass wasting potential:

Stream Type and Description	Buffer
Type S waters – Shorelines of the State	Refer to SMP 18.20.620, Table 6-3 for the Shoreline Setback and Vegetation Conservation Areas
Priority Riparian Areas	250 feet
Type F streams greater than 5 feet wide (bankfull width) that provide habitat for fish	250 feet
Type F streams less than 5 feet wide (bankfull width) that provide habitat for fish	200 feet
Type Np and Ns streams (no fish habitat) with high mass wasting potential	225 feet

Stream Type and Description	Buffer
Type Np and Ns streams (no fish habitat) without high mass wasting potential	150 feet

1. Stream buffers shall be measured on a horizontal plane, outward from the ordinary high water mark (OHWM) on each side of the stream. (See Figure 32-1).
2. For streams that occur within ravines (~~which are not designated as a landslide hazard area~~) ~~(where the stream is at the bottom of a slope of approximately thirty percent (30%) or greater and is at least ten (10) feet in height) and where the standard buffer extends onto a slope of 30% or greater that is at least 10 feet in height,~~ the ~~standard buffer listed above may be replaced by a~~ shall extend a minimum of 25 feet buffer of at least fifty (50) feet beyond the top of the slope to protect the stream channel from sediment loading from mass wasting events (e.g., landslides, earth/debris flows and slumps, and rock falls/earth topples) and reduce the risk to structures and human safety. In order to obtain approval of this alternative, it must be supported by both the stream and geotechnical reports. Enhancements to the buffer will be required if the current condition does not reflect a relatively intact native vegetation community, as determined by the City.

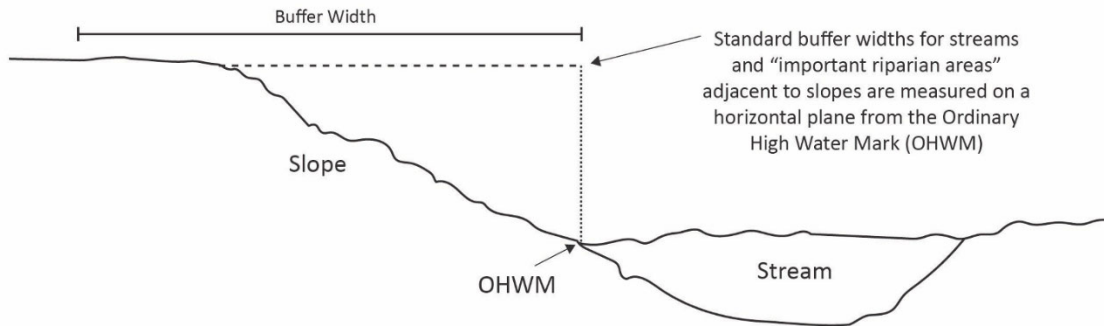


FIGURE 32-1

Section 21. Amendment of OMC 18.36.060.G. Olympia Municipal Code Subsection 18.36.060.G is hereby amended to read as follows:

18.36.060 General requirements

G. Trees.

1. Trees. Trees size and quality shall comply with standards delineated in the Urban Forestry Manual.
2. Tree Distribution. Trees in Soil and Vegetation Protection Areas shall be comprised of at least 60% ~~evergreen-conifer~~ species, unless site conditions are not suitable as determined by the Urban Forester. A conifer produces cones with naked seeds, typically perennial leaves. The leaves are always simple, either narrow, linear or needle-like leaves or very small and scale-like.
3. Street Trees. Street trees will be required as part of frontage improvements pursuant to City of Olympia Engineering Design and Development Standards. The species and spacing of required trees will be approved by the City of Olympia's Urban Forester, or designee, consistent with the provisions of OMC [16.60](#) and this Chapter.

Section 22. Amendment of OMC 18.36.180.C. Olympia Municipal Code Subsection 18.36.180.C is hereby amended to read as follows:

18.36.180 Parking lot landscape and screening

C. Interior Parking Lot Landscaping.

1. The following interior parking lot landscape area is required for all development covered by 18.36.180(A). Space requirements are considered minimums, additional landscape area may be necessary to meet design requirements below.

~~Required landscape area per parking stall.~~

Required Landscape Area Per Parking Stall

Stall size	(1-20)	(21-30)	(31-40)	(41 +)
Standard	23 sq. ft. (8.25%)	27 sq. ft. (9.75%)	31 sq. ft. (11.25%)	35 sq. ft. (12.75%)
Small Space	17 sq. ft. (8.3%)	20 sq. ft. (9.8%)	23 sq. ft. (11.3%)	26 sq. ft. (12.7%)

2. Landscape Islands - Design.

- a. The applicant shall install landscape islands which must be a minimum of one hundred forty-four (144) square feet. Islands must be designed so that trees will be planted a minimum of six (6) feet from any hard scape surface. The minimum island size may be reduced if appropriate accommodations for the trees and roots to mature to full size are provided. Accommodations can include 'structural soil' or other methods that provide adequate soil volume as provided by the City.
- b. Islands shall be provided in the following location:
 - i. Landscaping islands shall be placed at the end of every parking row and with a spacing of approximately one (1) island for every nine (9) parking spaces consistent with a goal of maximizing canopy tree coverage at maturity; and
 - ii. Between loading doors/maneuvering areas and parking area; and
 - iii. Any remaining required landscaping shall be dispersed throughout the parking lot interior to reduce visual impact.
- c. Permanent curbing shall be provided in all landscape areas within or abutting parking areas. Based on appropriate surface water considerations, other structural barriers such as concrete wheel stops may be substituted for curbing.

3. Landscape Islands - Materials.

- a. One tree must be planted for every two hundred (200) square feet of landscape island area; provided that every landscape island must contain at least one (1) tree. Two (2) trees are required in islands separating or ending a double row of parking, regardless of the island size. Planting areas must be provided with the maximum number of trees possible given recommended spacing for species type, and the estimated mature size of the tree.
- b. All landscape islands within parking areas shall be comprised of a minimum of 60% native vegetation, or well-adapted drought-tolerant vegetation, where site conditions are appropriate for establishment and long-term survival. Grass lawn is prohibited except as needed and approved for stormwater conveyance.

- c. No plant material greater than twelve inches in height shall be located within two (2) feet of a curb or other protective barrier in landscape areas adjacent to parking spaces and vehicle use areas.
- d. Deciduous and/or ~~evergreen~~ conifer trees shall be used which form a vase, round, oval, open, pyramidal, irregular, weeping, or spreading shaped canopy. Deciduous trees shall have a minimum size of two (2) inches in caliper measured six (6) inches above the base. Evergreen trees shall be a minimum six (6) feet in height at planting.
- e. Shrubs and ground cover. Ground cover shall be planted and spaced in a triangular pattern which will result in eighty (80) percent coverage in three (3) years. The mature size of shrubs and trees whose canopy is no more than two (2) feet above the ground may also be included in total ground cover calculations.
- f. Motor vehicle overhang. Parked motor vehicles may overhang landscaped areas up to two (2) feet when wheel stops or curbing are provided. Plants more than twelve (12) inches tall are not allowed within the overhang area.

Section 23. Amendment of OMC 18.38.060.A. Olympia Municipal Code Subsection 18.38.060.A is hereby amended to read as follows:

18.38.060 Parking and loading general regulations

A. Off-street parking and loading spaces shall be provided in accordance with the provisions of this chapter when any of the following actions occur. These provisions apply to all uses and structures in all land use districts unless otherwise specified.

- 1. When a main or accessory building is erected.
- 2. ~~When a main or accessory building is relocated or expanded.~~ When a legally established existing structure is remodeled or enlarged on a legally established site, it shall be exempt from providing additional off street parking provided that the structure is not enlarged, extended, or structurally altered outside the exiting building envelope in a manner that would require additional parking pursuant to this chapter. In the case of a structure expanding, the number of additional spaces shall be computed only to the extent of the enlargement, regardless of whether or not the number of previous existing spaces satisfies the requirements of the chapter. In residential structures, alterations that do not increase the number of dwelling units are exempt.
- 3. When a use is changed to one requiring more or less parking or loading spaces it must comply with parking requirements. Except, when a new use of an existing building requires a similar amount of parking as the previous use (within 10% or 5 spaces, whichever is greater) regardless of the number of existing spaces onsite. A change of use exceeding this will require additional vehicular and bicycle parking. This also includes all occupied accessory structures.
- 4. When the number of stalls in an existing parking lot is decreased or increased by twenty-five (25) percent or 6 stalls, whichever is less. Only those stalls and areas proposed to be added or removed shall be subject to the provisions of this Chapter. (Note: proposed expansions of existing parking lots not subject to the minimum parking requirements of this Chapter).

Section 24. Amendment of OMC 18.38.060.B. Olympia Municipal Code Subsection 18.38.060.B is hereby amended to read as follows:

18.38.060 Parking and loading general regulations

B. Required Plans. Building permits shall not be approved unless there is a building plan and ~~plot~~ site plan identifying parking, pedestrian routes, and loading facilities in accordance with this chapter. No permit or city license shall be issued unless there is proof that required parking, pedestrian routes, and loading facilities have been or are currently provided in accordance with the provisions of this chapter.

Section 25. Amendment of OMC 18.38.100. Olympia Municipal Code Section 18.38.100 is hereby amended to read as follows:

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 +/- ten percent (10%) automatically. This is not exclusive of other modifications as outlined elsewhere in the chapter. shall be provided, unless varied pursuant to OMC 18.38.080 or other provision of this code. Any change in use which requires more parking shall install vehicular and bicycle facilities pursuant to Table 38.01 and consistent with the location standards of OMC 18.38.220.

B. Building Area. All vehicle parking standards are based on the gross square feet of building area, unless otherwise noted.

C. Residential Exceptions.

1. New residential land uses in the Downtown Exempt Parking Area do not require motor vehicle parking. See OMC [18.38.160](#).
2. Residential land uses in the CSH, RMH, RMU, and UR Districts require only one (1) vehicle parking space per unit.
3. Table 38.01 notwithstanding, senior (age 55 or 62 and over) multi-family housing requires three (3) motor vehicle parking spaces per four (4) units. This exception is at the discretion of the applicant and only applicable if an appropriate age-restriction covenant is recorded.

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	Minimum Required Short-Term Bicycle Spaces
COMMERCIAL			
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 per sixteen thousand (16,000) square feet of showroom floor area. Minimum of two (2).	One 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 1 space for each ten (10) children/adults if adequate		

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
	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).
Markets, Shopping Centers and Large Retail/Wholesale Outlets	Less than 15,000 sq. ft = 3.5 spaces for each 1000 sq. ft. of gross floor areas. 15,001 to 400,000 sq. ft = 4 spaces for each 1000 sq. ft. of gross floor area. More than 400,001 sq. ft. = 4.5 spaces per 1000 sq. ft. of gross floor area.	One per six thousand (6,000) square feet. Maximum of five (5); minimum of one (1).	One 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 1000 sq. ft. of gross floor area.	One (1) per 10,000 square feet. Minimum of two (2).	One (1) per 10,000 square feet, minimum of two (2) within fifty (50) feet of each customer entrance; plus an equal reserved area for adding spaces.
COMMERCIAL			
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	Minimum Required Short-Term Bicycle Spaces
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 2000 sq. ft. = One (1) space for each 250 sq. ft. Gross floor area between 2001 to 7500 sq. ft. = One (1) space for each 300 sq. ft. Gross floor area between 7501 to 40,000 sq. ft. = One (1) space for each 350 sq. ft. Gross floor area of 40001 and greater = One (1) space for each 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	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 per six thousand (6,000) square feet. Maximum of five (5); minimum of one (1).	One 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.
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	1 space for each thousand (1000) sq. ft. or 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 0-10,000 sq. ft. = One (1) space for each one thousand (1000) sq. ft. Gross floor area between 10,001 – 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.	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)	None

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
	Over 20,000 sq. ft. = eighteen (18) spaces plus .50 for each additional 1000 sq. ft. beyond 20,000 sq. ft., or 1 space for each employee.	employees. Minimum of one (1).	
INDUSTRIAL			
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).
INSTITUTIONAL			
Beauty Salons/ Barber Shops, Laundromats/Dry Cleaners, and Personal Services		One per six thousand (6,000) square feet. Minimum of one (1).	One 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 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 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	One (1) per six thousand (6,000)	One (1) per one thousand five

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
	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 allow pervious-type parking surfaces.	square feet of public floor area. Minimum of two (2).	hundred (1,500) square feet of public floor area. Minimum of four (4).
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).
PLACES OF ASSEMBLY			
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/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 functions. See shared parking. 18.38.180	One (1) per 10,000 square feet of gross floor area.	One (1) per 160 seats or 240 lineal feet of bench or other seating, and one (1) per 6,000 square feet of assembly area without fixed seats. 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	One (1) per 450 fixed seats. Minimum of one (1).	One (1) per 110 fixed seats. Minimum of four (4).

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
	above parking standard may be modified to account for shared parking as provided in Section 18.38.180 of this Code		
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).
RECREATION/AMUSEMENT			
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).
RESIDENTIAL			
Accessory Dwelling Unit	None	None	None
Bed and Breakfast	One (1) space in addition to space(s) required for the residential unit.	One (1) per ten (10) rooms. Minimum of one (1).	None
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	One (1) space per unit or 1.5 space per unit if on-street parking is not available along street frontage (One (1) space per twenty (20) linear feet).	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 in addition to space(s) required for the residential unit.	Minimum of two (2).	Minimum of two (2).
Fraternities, Sororities 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, fraternity or sorority building.
Group Home	One (1) space for each staff member plus one (1) space for	One (1) per ten (10) staff members plus	None

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
	every five (5) residents. Additionally, one (1) space shall be provided for each vehicle used in connection with the facility.	one (1) per thirty (30) residents. Minimum of one (1). Additional spaces may be required for conditional uses.	
Home Occupations	None, except as specifically provided in this table.	None	None
Mobile Home Park	Two (2) spaces per lot or unit, whichever is greater. If recreation facilities are provided, one (1) space per ten (10) units or lots.	None	None
Triplex, when in a zoning district with a maximum density of twelve units per acre or less	Five (5) spaces.	None	None
Multifamily Dwellings	Three or more units shall provide one and one-half (1.5) off-street parking spaces per dwelling unit. Multifamily dwelling units located on HDC-4 properties, where the new project provides for the development of replacement dwelling units in a development agreement, and the project site is all or part of an area of 40 acres or more that was in contiguous ownership in 2009, are exempt from the parking requirements of this section. If parking is voluntarily provided by the property owner, then the Director shall permit such parking to be shared with parking provided for non-residential development on the property.	One (1) storage space per unit that is large enough for a bicycle.	One (1) per ten (10) units. Minimum of two (2) per building.
Single Family to include Duplex and Townhouse.	Two (2) spaces per unit. Note: parking spaces may be placed in tandem (behind the other). DB, CSH and RMH zone districts require one (1) space/unit.	None	None
Studio Apartments.	Apartments with one (1) room enclosing all activities shall provide one (1) off-street parking space per dwelling unit	None	One (1) per ten (10) units. Minimum of two (2) per building.
<u>Residential units for people who are very low income and extremely low</u>	<u>0.75 spaces per unit. The City may require more parking in areas with a lack of access to street parking</u>	<u>One (1) storage space per unit that is</u>	<u>One (1) per ten (10) units. Minimum of two (2) per building.</u>

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
<u>income, when located within one quarter mile of a transit stop that receives transit service at least two times per hour for twelve or more hours per day</u>	<u>capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for the units.</u>	<u>large enough for a bicycle.</u>	
<u>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</u>	<u>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.</u>		
<u>Market rate multifamily housing 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</u>	<u>0.75 spaces per unit. 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.</u>	<u>One (1) storage space per unit that is large enough for a bicycle.</u>	<u>One (1) per ten (10) units. Minimum of two (2) per building.</u>
RESTAURANT			
Cafes, Bars and other drinking and eating establishments.	Ten (10) spaces per thousand (1000) sq. ft.	One per 2,000 square feet; minimum of one (1).	One per 1,000 square feet; minimum of one (1).
Car Hop	One (1) for each fifteen (15) square feet of gross floor area.	One per 300 square feet; minimum of one (1).	One 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 per 2,000 square feet; minimum of one (1).	One per 1,000 square feet; minimum of one (1).

Section 26. Amendment of OMC 18.38.000. Olympia Municipal Code Section 18.38.000 is amended to read as follows:

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.
- ~~[18.38.120](#) Handicapped parking requirements.~~
- [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.

Section 27. Repeal of OMC 18.38.120. Olympia Municipal Code Section 18.38.120 is hereby repealed:

~~18.38.120 Handicapped parking requirements~~

~~Handicapped parking requirements shall be provided as established by the 1991 Washington State Building Code. The parking standards contained within this Section represent those established by the 1991 Washington State Building Code. Any change in the State's handicapped parking requirements shall preempt the affected requirements of this Section.~~

~~A. —ACCESSIBLE PARKING REQUIRED.~~

~~Refer to the table below and WAC 51-30, Parking Facilities, for required accessible parking spaces. Refer to Chapter 11 of the Uniform Building Code for building occupancy definitions.~~

NUMBER OF ACCESSIBLE PARKING SPACES

Total Parking Spaces in Lot or Garage	Minimum Required Number of Accessible Spaces
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	2% of total spaces
Over 1,000	20 spaces plus 1 space every 100 spaces, or fraction

NUMBER OF ACCESSIBLE PARKING SPACES

**Total Parking Spaces in Lot or
Garage**

Minimum Required Number of Accessible Spaces

thereof, over 1,000

One (1) of every eight (8) spaces or fraction thereof shall be designed to be accessible to wheelchair side loading vans.

EXCEPTIONS:

1. Inpatient Medical Care Facilities. Twenty (20) percent of parking spaces provided shall be accessible.
2. Outpatient Medical Care Facilities. Ten (10) percent of parking spaces provided shall be accessible.
3. Apartment Buildings. One (1) accessible parking space for each fully accessible parking unit shall be provided. When total parking provided on-site exceeds one (1) parking space per apartment, two (2) percent of the additional parking shall be accessible.

B. DESIGN AND CONSTRUCTION:

1. Location. Accessible parking spaces shall be located on the shortest possible accessible route of travel to an accessible building entry. In facilities with multiple accessible building entries with adjacent parking, accessible parking spaces shall be dispersed and located near the accessible entrances. Wherever practical, the accessible route of travel shall not cross lanes of vehicular traffic. Where crossing traffic lanes is necessary, the route of travel shall be designated and marked as a crosswalk.
2. Size. Parking spaces shall be no less than eight (8) feet in width and shall have an adjacent access aisle no less than five (5) feet in width. Where two adjacent spaces are provided, the access aisle may be shared between the two spaces. Access aisles shall be marked so that the aisles will not be used as parking space. Van accessible parking spaces shall have an adjacent access aisle no less than eight (8) feet in width or a total of sixteen (16) feet including parking space.
3. Vertical Clearance. Where accessible parking spaces are required for vans, the vertical clearance shall be no less than nine and a half (9.5) feet.
4. Slope. Accessible parking spaces and access aisles shall be located on a surface with a slope not to exceed one (1) vertical in forty-eight (48) horizontal.
5. Surface. Parking spaces and access aisles shall be firm, stable, smooth and slip resistant.
6. Signs. Every parking space required by this section shall be identified by a sign, centered between three (3) and five (5) feet above the parking surface, at the head of the parking space. The sign shall include the International Symbol of Access and the phrase "State Disabled Parking Permit Required."

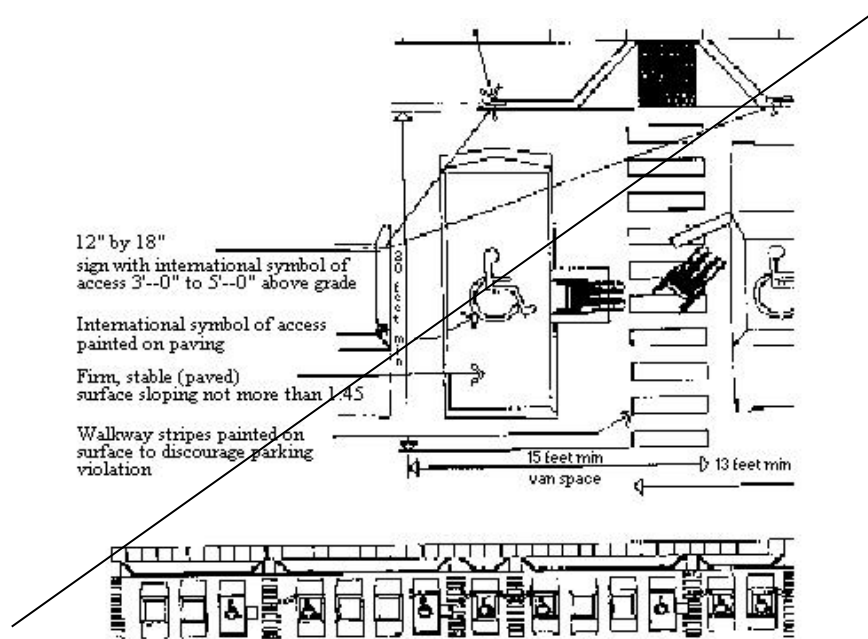


FIGURE 38-1

Section 28. Amendment of OMC 18.38.160.A. Olympia Municipal Code Subsection 18.38.160.A is hereby amended to read as follows:

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). ~~This shall not be used in combination with an administrative parking variance or other reductions unless approved by the Director.~~

Section 29. Amendment of OMC 18.38.160.B. Olympia Municipal Code Subsection 18.38.160.B is hereby amended to read as follows:

18.38.160 Specific zone district requirements

B. Urban Residential (UR), High Rise Multifamily (RM-H) 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 ~~below~~ elsewhere in this chapter.

Section 30. Amendment of OMC 18.38.220.A. Olympia Municipal Code Subsection 18.38.220.A is hereby amended to read as follows:

18.38.220 Design standards-General

Off-street parking facilities shall be designed and maintained in accordance with the standards hereunder, provided that up to 30% of parking stalls may be small spaces as described in section B. In the alternative, an applicant may propose and, if providing equal or better function, the Director may approve alternative parking geometrics consistent with the most recent specific standards promulgated by the Institute of Transportation Engineers or the National Parking Association.

A. General Requirements. Also see the specific zone district design standards of OMC [18.38.240](#).

1	2 SW	3 WP	4 VPW	5 VPi	6 AW	7 W2	8 W4
Parking Class	Basic Stall Width (ft)	Stall Width Parallel to Aisle (ft)	Stall Depth to Wall (ft)	Stall Depth to Interlock (ft)	Aisle Width (ft)	Modules Wall-to-Wall (ft)	Modules Interlock to Interlock (ft)
A	2-Way Aisle-90° 9.00	9.00	17.5	17.5	24	59	59
A	2-Way Aisle-60° 9.00	10.4	18.0	16.5	24	60	57
A	1-Way Aisle-75° 9.00	9.3	18.5	17.5	20	57	55
A	1-Way Aisle-60° 9.00	10.4	18.0	16.5	16	52	49
A	1-Way Aisle-45° 9.00	16.5	16.5	14.5	13	46	42

STANDARD PARKING DIMENSIONS
FIGURE 38-4

Figure 7-1. Dimensional elements of parking layouts.
SOURCE: Adapted from R. A. Weant, "Parking Garage Planning and Operation," Fig. 20, Eno Foundation for Transportation, Inc., 1978.

0 Parking angle
W₁ Parking module width (wall to wall), single loaded aisle
W₂ Parking module width (wall to wall), double loaded aisle
W₃ Parking module width (wall to interlock), double loaded
W₄ Parking module width (interlock to interlock), double loaded aisle
AW Aisle width
WP Stall width parallel to aisle
DI Stall depth to interlock
D Stall depth to wall measured perpendicular to aisle
S_L Stall length
S_W Stall width

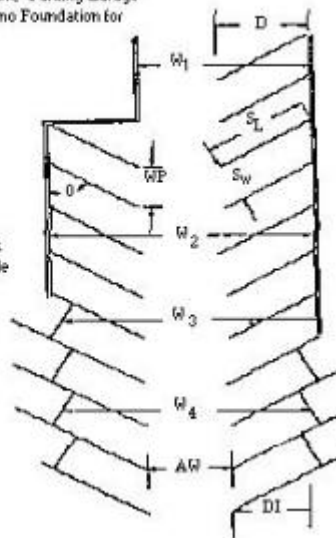


FIGURE 38-5

1. Driveway Approaches. Driveway approaches and curb cuts within public rights-of-way shall be located and designed in accordance with the City's current Engineering Design and Development Standards.
2. Ingress/Egress Requirements.

- a. The Director, or designee, and after appropriate traffic study, including consideration of total parcel size, frontage on thoroughfares, uses proposed and other vicinity characteristics, shall have the authority to fix the location, width and manner of approach of a vehicular ingress and egress from a building or parking area to a public street and to alter existing ingress or egress as may be required to control street traffic in the interest of public safety and general welfare.
 - b. Generally, but not in all cases, the internal circulation system and the ingress and egress to commercial or multifamily developments from an access street shall be so designed that the principal point of automobile cross-traffic on the street occurs at only one point--a point capable of being channelized for turning movements. Access shall be shared with adjoining parcels by placing ingress/egress points on shared lot lines, wherever safe and practical. Where parcels are bounded by more than a single street, generally, but not in all cases, access shall be provided only from the street having the lowest classification in the hierarchy of streets as established in the Engineering Design and Development Standards.
3. Maneuvering Areas.
 - a. All maneuvering areas, ramps, access drives, etc. shall be provided on the property on which the parking facility is located; however, if such facility adjoins an alley, such alley may be used as a maneuvering area. A garage or carport entered perpendicular to an alley must be located a minimum of ten (10) feet from the property line. A garage or carport entered parallel to an alley may be placed on the rear property line; provided sight distances are maintained.
 - b. Maneuvering areas shall be provided so that no vehicle is obliged to back out of a parking stall onto the street, except into neighborhood collector and local access streets within the R-1/5, RLI, R-4, R 4-8, and R 6-12 use districts, or where approved by the City Engineer.
4. Parking Surface. All parking, maneuvering, and driving areas ~~lots~~ must be paved and designed to meet drainage requirements. ~~Pervious surfaces and other approved dust free~~ Approved pervious surfaces may be used. A maintenance agreement may be required to ensure such surface is properly maintained.
5. Landscaping. Parking areas shall be landscaped according to the requirements of Chapter [18.36](#).
6. Wheel Stop, Overhang. Appropriate wheel and bumper guards shall be provided to protect landscaped areas, to define parking spaces and to clearly separate the parking area from any abutting street rights-of-way and property lines. Vehicles may overhang landscaped areas up to two (2) feet when wheel stops or curbing is provided.

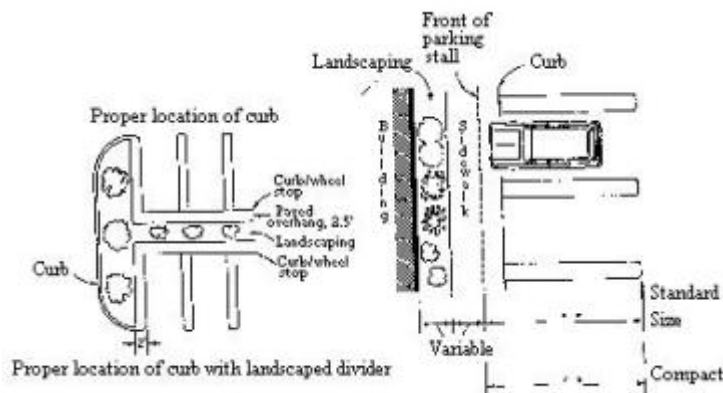


FIGURE 38-6

7. Contiguous parking lots shall not exceed one (1) acre in size. Parking lots exceeding one (1) acre in size shall be separated by a minimum ten (10) foot wide landscaped strip. This strip is

in addition to interior and perimeter landscaping and may be used for stormwater management or pedestrian access.

8. Structured Parking Dimensions. Structured parking facilities may be designed to the general design standards found in Figures 38-4 and 38-5 above, Figure 38-7 below, or to the following structured parking design standard. Within parking structures, small spaces shall not exceed 30% of spaces within each structure.

	Small Space Dimension	Standard Dimensions
Standard Stall Width	8-foot	9-foot
Standard Stall Depth	16-foot	16-foot
Standard Aisle Width	24-foot	24-foot
Standard Wall-to-Wall	57-foot	57-foot

Section 31. Amendment of OMC 18.40.060.H. Olympia Municipal Code Subsection 18.40.060.H is hereby amended to read as follows:

18.40.060 General standards

H. Yards.

1. In addition to the following, yard regulations found in OMC [18.04.060\(B\)](#) (Accessory Structures) apply to all building sites in all use districts of the ~~city~~ City.
2. Yards/Setbacks.
 - a. The required setback area shall be parallel to the structure requiring a setback. Setback width shall be measured from the outermost edge of the building foundation to the closest point of the parallel (or nearly parallel) adjoining lot line, or right of way line if closer. In the event of a planned unit development or binding site plan, such development shall meet all Uniform Building Code separation requirements. (See Figure 40-4.)
 - b. A required yard area shall be kept free of any building or structure taller than thirty (30) inches, except that a building or projection shall be allowed as provided below:
 - i. Cornices, window sills, bay windows, flues and chimneys, planters, and eaves of roofs may project two (2) feet into the required yard area.
 - ii. Marquees and awnings of commercial buildings may project into required setback areas.
 - iii. Fences may project into the required yard area if they meet fence height requirements found in OMC [18.40.060\(C\)](#).
 - iv. Uncovered steps, porches, or patios, which are no more than thirty (30) inches above the adjacent grade may be placed within the required setback area.
 - v. Uncovered swimming pools, hot tubs and satellite dish antennas may be placed in the rear or interior side yard setback area.
 - vi. Signs in compliance with OMC [18.43](#).
 - vii. Refer to each land use district for other allowed projections in required yards.

- c. No building construction nor projection is allowed within any utility, access or public/private easement.
- d. The front yard setback for a flag lot shall be a minimum of ten (10) feet measured from the nearest parallel or nearly parallel lot line adjacent to the front facade of the dwelling.

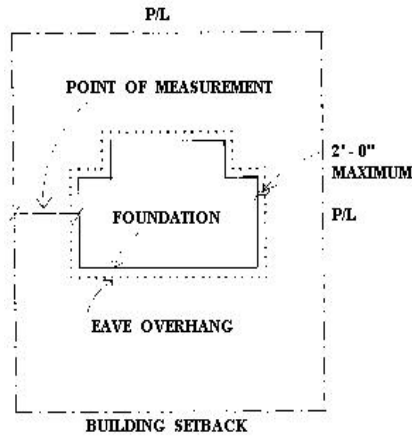


FIGURE 40-4

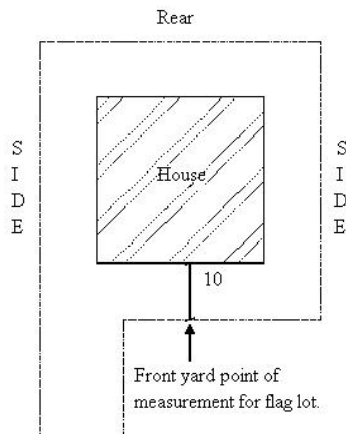


FIGURE 40-5

- 3. Use of Yard by Another Building. No yard or other open space required by this chapter for any building shall be considered as a yard or other open space for any other building; nor shall any yard or open space on one building site be considered as a yard or open space for a building on any other building site.

Section 32. Amendment of OMC 18.43.010. Olympia Municipal Code Section 18.43.010 is hereby amended to read as follows:

18.43.010 Purpose

It is the purpose of this Chapter to (1) safeguard the life, health and welfare of the people of the City of Olympia by regulating and controlling the design, quality of materials, construction, location, use, electrification and maintenance of all signs and sign structures, (2) promote the efficient and economical use of signs in distinct areas throughout the City with special focus on the needs of the particular area, and (3) to protect First Amendment free speech rights with content neutral sign regulations.

This chapter shall not regulate building design, official directional signs, traffic signs, copy of signs, signs within Highway 101 or Interstate 5 rights-of-way, window displays, point of purchase advertising displays such as product dispensers and candy machines, national flags, flags of political subdivisions, gravestones, holiday decorations, historical site plaques, towing signs, property management signs (e.g. no parking, no skateboarding) or other signs of a similar ~~non-commercial~~ nature, as determined by the City.

Section 33. Amendment of OMC 18.43.070.F. Olympia Municipal Code Subsection 18.43.070.F is hereby amended to read as follows:

18.43.070 Permanent Sign Types and Standards

F. Business Identification Signs can be freestanding or building mounted, depending on the sign zone the business is located in. Such signs are limited in number based on the number of property lines that abut a street frontage, however for the purposes of the sign code the City may interpret a private street or internal access road as being a second street frontage when calculating the total amount of signage allowed. In cases where tenant spaces are located on the end of a building, signs are allowed on the front and side walls.

Section 34. Amendment of OMC 18.43.080.I. Olympia Municipal Code Subsection 18.43.080.I is hereby amended to read as follows:

18.43.080 Commercial Message Temporary Sign Types and Standards

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.

56. 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.

67. Additional Real Estate Signs - The Hearing Examiner may grant a special 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 shall determine the number and locations of such signs, and the period during which they may be displayed. The Hearing Examiner 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 35. Amendment of OMC 18.43.100.A. Olympia Municipal Code Subsection 18.43.100.A is hereby amended to read as follows:

18.43.100 Downtown Sign Zone

A. Permanent Signs in the Downtown Sign Zone

Table 43-2

Sign Types Allowed	Standards	Notes
Development Identification	Freestanding or Building Mounted sign up to 50 sq. ft. maximum size (1/2 the sq. ft. if double sided).	1 per exterior public entry
Business Identification	Building mounted sign(s); <u>except freestanding signs are allowed in a small area per 18.43.100.C.5 below.</u>	Up to 200 sq. ft. max., per 18.43.100.A.1; (1/2 the sq. ft. if double sided)
Building Entrance	1 per exterior public entry	10 sq. ft. max (half if double sided, such as a blade sign)
Business Directory	Multiple Occupancy Buildings and Multiple Building Complexes only	A type of development ID; See 18.43.070
Directional	See 18.43.070	

Table 43-2

Sign Types Allowed	Standards	Notes
Entrance/Exit	See 18.43.070	
Public Service	Public Service signs do not count toward the total amount of signage allowed.	See 18.43.070

Section 36. Amendment of OMC 18.43.100.C. Olympia Municipal Code Subsection 18.43.100.C is hereby amended to read as follows:

18.43.100 Downtown Sign Zone

C. Sign Regulations Specific to Downtown Sign Zone

1. No alley sign shall project out from the wall into the alley or interfere with the ability of vehicles to pass, including garbage collection trucks or delivery vehicles.
2. Freestanding business identification signs up to twenty-four (24) square feet in size (12 sq. ft. per side if double sided) and up to four (4) feet in height are permitted for city-approved surface parking lots that do not contain a building on which to place the sign.
3. Window Signs: (see 18.43.080)
 - a. Coverage: all window signs combined shall not exceed twenty-five (25) percent of the window in which the sign(s) is located. When windows are grouped to provide a large expanse of transparency, this provision is applied separately to each window.
 - b. Window films count toward the total sign coverage allowed, whether they are opaque, solid, or consist of images with or without text or logos. The ~~director~~ Director may approve exceptions for banks or similar uses for the protection of sensitive personal data; when requested or supported by the Police Department to reduce or deter crime or to protect the public health, safety, or general welfare; or when a window treatment is proposed that results in a minimal amount of window tinting to reduce glare and/or energy for heating/cooling the building but that still provides for easy public viewing into the building space from public rights of way.
 - c. Coverage is measured using the square footage of the smallest rectangle that covers the entire sign compared to the square footage of the individual window itself.
4. Businesses in multiple tenant buildings that have a separate public entrance, or businesses in single tenant buildings, may have blade or projecting signs as a business identification sign. In no case shall the sign exceed the Projecting Sign size standards.
5. Freestanding or Building Mounted business identification signs are permitted for businesses located between Plum Street and Eastside Street. Freestanding signs may be up to 200 square feet in size (100 square feet per side if double sided) and up to four feet in height.

Section 37. Amendment of OMC 18.43.120.A. Olympia Municipal Code Subsection 18.43.120.A is hereby amended to read as follows:

18.43.120 Business and Corridor Sign Zone

A. Permanent sign regulations in Business & Corridor Sign Zone

1. For Commercial Uses. A freestanding or building mounted sign is allowed, in addition to a building entrance sign, as follows:

- a. Freestanding Signs:

Development Identification Signs for Multiple Occupancy Buildings: one (1) per exterior public entrance, up to 50 square feet maximum.

Identification Signs for Individual Uses: one (1) per street frontage, up to:

Two hundred (200) square feet (or one hundred (100) square feet per side) on arterials and major collector streets.

One Hundred (100) square feet (or fifty (50) square feet per side) on streets that are not arterials or major collectors.

- b. Building Mounted Signs:

1. A maximum of one (1) square foot of sign area for every one (1) linear foot of front wall space of each tenant space, or the length of the wall for single occupancy buildings, of the wall on which the sign is mounted, up to a maximum of two hundred (200) square feet per sign. A business with a three hundred twenty-five (325) square foot front wall width may have up to three hundred twenty-five (325) square feet in signage (e.g. one two hundred (200) square foot sign and one (1) sign up to one hundred twenty five (125) square feet; or two signs of 162.5 square feet each).
 2. Each tenant may have up to fifty (50) square feet of signage, regardless of tenant space width, provided its placement on the building does not cover architectural details or design features of the building or occupy more than eight-five (85) percent of the sign band.
 3. Businesses in multiple tenant buildings that have a separate public entrance, or businesses in single tenant buildings, may have blade or projecting signs as a business identification sign. In no case shall the sign exceed the Projecting Sign size standards.

Table 43-7

Permanent Signs	Standards	Notes
Development ID Signs for Multiple Occupancy Buildings	Building Mounted OR Freestanding	1 per exterior public entry
Development ID Signs for Multiple Building Complexes	Building Mounted OR Freestanding	1 per street frontage which has a driveway entry to the development
Business ID Sign for Individual Use in Single Occupancy Bldg	Building Mounted OR Freestanding	1 per street frontage, <u>or per 18.43.120.A.1.b.1</u>
Business ID Sign for Tenants in Multiple Occupancy Buildings	Building Mounted Only	1 per street frontage, per tenant, <u>or per 18.43.120.A.1.b.1</u>

Table 43-7

Permanent Signs	Standards	Notes
<u>Secondary Wall Signs</u>	<u>Up to 24 sq. ft. each</u>	<u>For accessory uses and services</u>
Building Entrance	1 per exterior public entry	10 sq. ft. max (half if double sided such as a blade sign)
Business Directory	Multiple Occupancy Buildings and Multiple Building Complexes only	A type of development ID; See 18.43.070
Directional	See 18.43.070	
Entrance/Exit	See 18.43.070	
Public Service	Public Service signs do count toward the total amount of signage allowed.	See 18.43.070
Window	Up to 35% of the window area may be covered with signage, however window signs do count toward the total amount of Business Identification signage allowed per business.	See 18.43.080
Temporary Signs		
The following Temporary Signs are permitted, in conformance with the provisions in 18.43.080: Sandwich Board/Pedestal; Banners; Construction; Inflatable; Yard/ Lawn; and Real Estate Signs.		

2. Non-Commercial Uses in the Commercial Sign Zone. Residential units or homes on mixed-use properties or in a commercial sign zone shall be subject to the sign regulations of the residential sign zone.

Section 38. Amendment of OMC 18.59.055.C. Olympia Municipal Code Subsection 18.59.055.C is hereby amended to read as follows:

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

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

FUTURE LAND USE MAP DESIGNATION	ZONING DISTRICT(S)
Low Density Neighborhoods	Residential – 1 Unit per 5 Acres Residential Low Impact Residential – 4 Units per Acre <u>Residential – 4 units per Acre Chambers Basin</u> Residential – 4 to 8 Units per Acre Residential – 6 to 12 Units per Acre (only when adjacent to similar or higher density zoning district)
Medium Density Neighborhoods	Residential Multifamily – 18 Units per Acre Residential Multifamily – 24 Units per Acre
Mixed Residential	Mixed Residential 7 – 13 Units per Acre Mixed Residential 10 – 18 Units per Acre

FUTURE LAND USE MAP DESIGNATION	ZONING DISTRICT(S)
Neighborhood Centers	Neighborhood Retail Neighborhood Center District
Residential Mixed Use	Residential Mixed Use Urban Residential Urban Waterfront – Housing
Planned Developments	Planned Unit Developments Neighborhood Village District Community-Oriented Shopping Center Urban Village District
Professional Office & Multi-family Housing	Professional Office / Residential Multi-family
Urban Corridor	High-Density Corridor – 1 High-Density Corridor – 2 High-Density Corridor – 3 (only within area designated High Density Neighborhood Overlay) High-Density Corridor – 4 General Commercial Commercial Services – High Density Manufactured Housing Park Mixed Residential 10 to 18 Units per Acre Residential Multifamily 18 Units per Acre Residential Multifamily 24 Units per Acre
Urban Waterfront	Urban Waterfront Urban Waterfront – Housing
Central Business District	Downtown Business
General Commerce	General Commercial Commercial Services – High Density
Auto Services	Auto Services
Medical Services	Medical Services
Light Industry	Light Industrial / Commercial
Industry	Industrial

Section 39. Amendment of OMC 18.60.240. Olympia Municipal Code Section 18.60.240 is hereby amended to read as follows:

18.60.240 Final approval –Expiration

Unless utilized by application for unexpired construction permits or explicitly extended by the Director pursuant to OMC 18.72.140, the final approval of a land use application shall expire in ~~one (1)~~ two (2) years pursuant to 18.72.140(D), Expiration of Approvals.

Section 40. Amendment of OMC 18.72.140.B. Olympia Municipal Code Subsection 18.72.140.B is hereby amended to read as follows:

18.72.140 Expiration of approvals

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 ~~Hearing Examiner~~ 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.

Section 41. Amendment of OMC 18.75.100. Olympia Municipal Code Section 18.75.100 is hereby amended to read as follows:

18.75.100 Council action

~~A. Except for decisions regarding planned residential developments, master planned developments, rezones and related ordinances, action on any appeal before the City Council shall be taken by the adoption of a motion by the Council. When taking any final action, the Council shall make and enter written conclusions which support its action. The City Council may adopt or modify the Examiner's conclusions, based on the findings of fact in the record.~~

~~B.—~~The decision of the Council shall be final upon adoption of such written findings and conclusions and approval of any necessary ordinance.

~~CB.~~ The action of the Council, approving, modifying, or rejecting a ~~decision recommendation~~ of the Hearing Examiner shall be conclusive, unless within twenty-one (21) calendar days from the date of the final Council action an aggrieved party or person files a land use petition with the Superior Court of Washington for Thurston County for the purpose of review of the action taken.

Section 42. Amendment of OMC 18.06.040. Olympia Municipal Code Section 18.06.040, Table 6.01, is hereby amended to read as follows:

18.06.040 Permitted, conditional and prohibited uses

**TABLE 6.01
PERMITTED AND CONDITIONAL USES**

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
District-Wide Regulations	18.06.060 (R)				18.06.060 (F)(2)	18.06.060 (HH)	18.06.060 (F)(2)						18.130 .020	
1. EATING & DRINKING ESTABLISHMENTS														
Drinking Establishments			P		P	P	P		C 18.06.060 (P)		P	P	P	
Drinking Establishments - Existing		P 18.06.060(GG)				P								
Restaurants, with drive-in or drive-through			P 18.06.060 (F)(3)								C 18.06.060. F.1	C 18.06.060. F.1	P 18.06.060 (F)(3)	
Restaurants, with drive-in or drive-through, existing			P				P 18.06.060 (U)					C	P	
Restaurants, without drive-in or drive-through	P 18.06.060 (U)(3)	C	P	P 18.06.060 (U)(2)	P	P	P 18.06.060 (U)(1)	P	P	P	P	P	P	
District-Wide Regulations	18.06.060 (R)				18.06.060 (F)(2)	18.06.060 (HH)	18.06.060 (F)(2)							
2. INDUSTRIAL USES														
Industry, Heavy														

**TABLE 6.01
PERMITTED AND CONDITIONAL USES**

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Industry, Light			C		P/C 18.06.060 (N)									
On-Site Treatment & Storage Facilities for Hazardous Waste					P 18.06.060 (Q)									
Piers, Wharves, Landings					P									
Printing, Industrial			C		P/C 18.06.060 (N)									
Publishing		C	C		P		P		C	C				
Warehousing			P		P/C 18.06.060 (AA)		P							
Welding & Fabrication			C		P/C 18.06.060 (N)		P							
Wholesale Sales		C 18.06.060 (BB)(3)	P		P/C	18.06.060 (BB)		P		P	18.06.060 (BB)(2)			
Wholesale Products Incidental to Retail Business			P		P	P						P	P	
District-Wide Regulations	18.06.060 (R)				18.06.060 (F)(2)	18.06.060 (HH)	18.06.060 (F)(2)							
3. OFFICE USES (See also SERVICES, HEALTH)														

**TABLE 6.01
PERMITTED AND CONDITIONAL USES**

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Banks		P	P		P/C 18.06.060 (D)(2)	P 18.06.060 (D)(2)	P/C 18.06.060 (D)(2)	P	P	P	P	P 18.06.060 (D)(1)	P 18.06. 060 (F)(3)	
Business Offices		P	P		P	P	P	P	P	P	P	P	P	
Government Offices		P	P		P	P	P	P	P	P	P	P	P	
District-Wide Regulations	18.06.060 (R)				18.06.060 (F)(2)	18.06.060 (HH)	18.06.060 (F)(2)							
4. RECREATION AND CULTURE														
Art Galleries	P	P	P		P	P	P		P	P	P	P	P	
Auditoriums and Places of Assembly			P		P	P	P					P	P	
Boat Clubs					P	P								
Boating Storage Facilities					P			P						
Commercial Recreation		C	P		P	P	P	P		C	C	P	P	
Health Fitness Centers and Dance Studios	P	P 18.06. 060(L)	P	P	P	P	P	P	P	P 18.06. 060(L)	P 18.06.060 (L)	P	P	
Libraries	C	C	C	C	P	P	P		P	C	P	P	P	18.04.060 (V)
Marinas/Boat Launching Facilities					P 18.06.060 (CC)	P								
Museums		C	P		P	P	P		P	C	C	P	P	18.04.060 (V)
Parks, Neighborhood	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060 (T)

**TABLE 6.01
PERMITTED AND CONDITIONAL USES**

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Parks & Playgrounds, Other	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060 (T)
Theaters (Drive-in)			C											
Theaters (No drive-ins)			P		P	P	P				C	P	P	
District-Wide Regulations	18.06.060 (R)				18.06.060 (F)(2)	18.06.060 (HH)	18.06.060 (F)(2)							
5. RESIDENTIAL														
Apartments		P	P	P	P	P	P		P	P	P	P	P	
Apartments above ground floor in mixed use development	P	P	P	P	P	P	P		P	P	P	P	P	
Boarding Houses		P	P	P	P	P	P		P	P	P	P	P	
Co-Housing		P	P			P	P			P	P		P	
Collegiate Greek system residence, dormitories		C	P	P	P	P	P		P	C	P	P	P	
Duplexes	P	P	P	P			P		P	P	P		P	
Group Homes (6 or less)	P	P	P 18.06.060 (K)	P	P	P	P 18.06.060 (K)		P	P	P	P 18.06.060 (K)	P 18.06.060 (K)	18.04.060 (K)
Group Homes (7 or more)	C	C	C 18.06.060 (K)	C	C	C	C 18.06.060 (K)		C	C	C	C 18.06.060 (K)	P 18.06.060 (K)	18.04.060 (K)
Mobile or Manufactured Homes Park - Existing		C	C	C						C			C	18.04.060 (P)

**TABLE 6.01
PERMITTED AND CONDITIONAL USES**

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Quarters for Night Watch person/Caretaker					P	P								
Retirement Homes		P	P	P	P	P	P		P	P	P	P	P	
Single-Family Residences	P	P	P	P			P		P	P	P	P	P	
Single Room Occupancy Units		<u>P</u>	<u>CP</u>	<u>P</u>	P	P	P		P	<u>P</u>	<u>P</u>	<u>P</u>	<u>CP</u>	
Townhouses	P	P	P	P 18.06.060 (T)		P	P		P	P	P	P	P	
Triplexes, Four-plexes, and Cottage Housing		P											P	
District-Wide Regulations	18.06.060 (R)				18.06.060 (F)(2)	18.06.060 (HH)	18.06.060 (F)(2)							
6. RETAIL SALES														
Apparel and Accessory Stores			P		P	P	P					P	P	
Boat Sales and Rentals			P		P	P	P	P					P	
Building Materials, Garden and Farm Supplies	P		P		P	P	P					P	P	
Commercial Greenhouses, Nurseries, Bulb Farms	C	C 18.04.060(G)	C	C					C		P	P		18.04.060 (G)
Electric Vehicle Infrastructure	P	P	P	P	P 18.06.060 (W)	P 18.06.060 (W)	P 18.06.060 (W)	P	P	P	P	P	P	
Food Stores	P	P	P		P	P	P		P	P	P	P	P	

**TABLE 6.01
PERMITTED AND CONDITIONAL USES**

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLIC- ABLE REGULA- TIONS
		18.06.060(H)								18.08.060(H)				
Furniture, Home Furnishings, and Appliances			P		P	P	P				P	P	P	
Gasoline Dispensing Facilities accessory to a permitted use	P 18.06.060 (W)(4)		P		P 18.06.060 (W)		P 18.06.060 (W)(2)	P				P 18.06.060 (W)	P 18.06.060 (W)	
Gasoline Dispensing Facility accessory to a permitted use - Existing	P 18.06.060 (W)		P		P 18.06.060 (W)		P 18.06.060 (W)				P	P 18.06.060 (W)	P	
General Merchandise Stores	P	P 18.06.060(J)	P		P	P	P			P 18.06.060(J)	P	P	P	
Mobile, Manufactured, and Modular Housing Sales			P											
Motor Vehicle Sales			P				P	P					P	
Motor Vehicle Supply Stores			P		P	P	P	P			P	P	P	
Office Supplies and Equipment		P 18.06.060(DD)	P		P	P	P		P	P 18.06.060(DD)	P	P	P	18.06.060 (CC)
Pharmacies and Medical Supply Stores	P	P 18.06.060(EF)	P	P	P	P	P		P	P 18.06.060(EF)	P	P	P	18.06.060 (DD)
Specialty Stores	P 18.06.060 (Y)(3)	P 18.06.060	P	C 18.06.060 (Y)(2)	P	P	P			P 18.06.060	P	P 18.06.060 (Y)(1)	P	

**TABLE 6.01
PERMITTED AND CONDITIONAL USES**

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
		(Y)(4)								(Y)(4)				
District-Wide Regulations	18.06.060 (R)				18.06.060 (F)(2)	18.06.060 (HH)	18.06.060 (F)(2)							
7. SERVICES, HEALTH														
Hospitals				P			P		P					
Nursing, Congregate Care, and Convalescence Homes	C	P	C	P			C		C	C	C	P	P	18.04.060 (S)
Offices, Medical		P	P	P	P	P	P	P	P	P	P	P	P	
Veterinary Offices/Clinics		P	P	P			P			P	P	P	P	
District-Wide Regulations	18.06.060 (R)				18.06.060 (F)(2)	18.06.060 (HH)	18.06.060 (F)(2)							
8. SERVICES, LODGING														
Bed & Breakfast Houses (1 guest room)	P	P 18.06.060(E)	P 18.06.060 (E)	P 18.06.060 (E)	P	P	P			P	P	P	P	18.04.060 (L)(3)(c)
Bed & Breakfast Houses (2 to 5 guest rooms)	C	P 18.06.060(E)	P 18.06.060 (E)	P 18.06.060 (E)	P	P	P		C	P	P	P	P	18.04.060 (L)(3)(c)
Hotels/Motels			P	C	P		P		P				P	
Lodging Houses		P	P	P	P		P		P	P	P	P	P	
Recreational Vehicle Parks			P										P	
District-Wide Regulations	18.06.060 (R)				18.06.060 (F)(2)	18.06.060 (HH)	18.06.060 (F)(2)							
9. SERVICES, PERSONAL														

**TABLE 6.01
PERMITTED AND CONDITIONAL USES**

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Adult Day Care Home	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060 (L)(3)(b)
Child Day Care Centers	C	P	P	P	P	P	P		P	P	C	P	P	18.04.060 (D)
Crisis Intervention	C	P	C	P			P		C	P	C	C	C	18.04.060 (I)
Family Child Care Homes	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060 (L)
Funeral Parlors and Mortuaries		C	P				P			C		P	P	
Laundries and Laundry Pick-up Agencies	P	P	P	P	P	P	P			P <u>18.06.060(O)</u>	P <u>18.06.060(O)</u>	P 18.06.060 (O)	P	
Personal Services	P	P	P	P	P	P	P	P	P	P	P	P	P	
District-Wide Regulations	18.06.060 (R)				18.06.060 (F)(2)	18.06.060 (HH)	18.06.060 (F)(2)							
10. SERVICES, MISCELLANEOUS														
Auto Rental Agencies			P		P	P	P	P			C	P	P	
Equipment Rental Services, Commercial			P		P		P				P	P	P	
Equipment Rental Services, Commercial - Existing		P 18.06.060(FF)												
Ministorage			P				P							
Printing, Commercial	P	P	P		P	P	P		P	P	P	P	P	
Public Facilities (see also Public Facilities, Essential on next page)	C	C	C	C	P	C	P	P	P	C	C	C	C	18.04.060 (V)

**TABLE 6.01
PERMITTED AND CONDITIONAL USES**

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Radio/T.V. Studios		P	P		P	P	P		P	P	P	P	P	
Recycling Facilities	P	P	P	P	P		P		P	P	P	P	P	18.06.060 (V)
School - Colleges and Business, Vocational or Trade Schools		C	P		P	P	P		P	C	C	C	P	18.06.060 (X)
Service and Repair Shops			P				P	P				P	P	
Service Stations/Car Washes			P				P 18.06.060 (W)	P				P 18.06.060 (W)	P 18.06.060 (W)	
Service Stations/Car Washes - Existing			P		P 18.06.060 (W)		P 18.06.060 (W)				P	P 18.06.060 (W)	P 18.06.060 (W)	
Servicing of Personal Apparel and Equipment	P	P	P		P	P	P			P	P	P	P	
Truck, Trailer, and Recreational Vehicle Rentals			P					P						
Workshops for Disabled People	C	C	C	C	P	C	P		C	C	C	C	C	18.04.060 (R)
District-Wide Regulations	18.06.060 (R)				18.06.060 (F)(2)	18.06.060 (HH)	18.06.060 (F)(2)							
11. PUBLIC FACILITIES, ESSENTIAL														
Airports			C										C	18.06.060 (G)

**TABLE 6.01
PERMITTED AND CONDITIONAL USES**

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Inpatient Facilities		C	C	C 18.06.060 (T)	C		C		C	C	C	P	P	18.06.060 (G) 18.04.060 (K)
Jails			C		C		C		C				C	18.06.060 (G)
Mental Health Facilities			C	C 18.06.060 (T)	C		C						C	18.06.060 (G) 18.04.060 (K)
Other Correctional Facilities		C	C	C 18.06.060 (T)	C	C	C		C	C	C	C	C	18.06.060 (G)
Other facilities as designated by the Washington State Office of Financial Management, except prisons and solid waste handling facilities		C	C		C		C			C	C	C	C	18.06.060 (G)
Radio/TV and Other Communication Towers and Antennas	C	C	C	C	C	C	C	C	C	C	C	C	C	18.06.060 (G) 18.44.100
Sewage Treatment Facilities	C	C	C	C	P		P		C	C	C	C	C	18.06.060 (G) 18.04.060 (X)
State Education Facilities		C	C		C		C		C	C	C	C	C	18.06.060 (G) 18.06.060 (X)

**TABLE 6.01
PERMITTED AND CONDITIONAL USES**

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
State or Regional Transportation Facilities	C	C	C	C	C	C	C		C	C	C	C	C	18.06.060 (G)
District-Wide Regulations	18.06.060 (R)				18.06.060 (F)(2)	18.06.060 (HH)	18.06.060 (F)(2)							
12. TEMPORARY USES														
Entertainment Events			P		P	P	P						P	
Off Site Contractor Offices	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060 (DD)
Emergency Housing	P	P	P	P	P			P	P	P	P	P	P	18.04.060 (DD)
Emergency Housing Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	18.50
Fireworks, as determined by Fire Dept.			P		P	P	P				P	P	P	9.48.160
Mobile Sidewalk Vendors		P	P	P	P	P	P			P	P	P	P	
Parking Lot Sales			P		P	P	P	P			P	P	P	
Residences Rented for Social Event (6 or less in 1 year)	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060 (DD)
Residences Rented for Social Event (7 or more in 1 year)	C	C	C	C	C	C	C		C	C	C	C	C	
Temporary Surface Parking Lot		P	P		P	P	P		P					
District-Wide Regulations	18.06.060 (R)				18.06.060 (F)(2)	18.06.060 (HH)	18.06.060 (F)(2)							

**TABLE 6.01
PERMITTED AND CONDITIONAL USES**

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
13. OTHER USES														
Accessory Structures/Uses	P	P	P	P	P	P	P	P	P	P	P	P	P	
Adult Oriented Businesses			P										P	18.06.060 (B)
Agriculture	P	P	P	P					P	P	P	P	P	
Animals	P	P	P	P	P	P	P		P	P	P	P	P	18.06.060 (C)
Cemeteries	C	C	C	C					C	C	C		C	
Conference Center			P		P	P	P						P	
Gambling Establishments			C											
Garage/Yard/Rummage and Other Outdoor Sales	P	P	P	P	P	P	P		P	P	P	P	P	5.24
Home Occupations	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060 (L)
Parking Facility, Commercial		P	P		P	P	P 18.06.060 (S)			P	P	P 18.06.060 (S)	P	18.04.060 (V)
Places of Worship	C	C	P	C	P	P	P		C	C	C	P	P	18.04.060 (U)
Racing Pigeons	C	C	C	C					C	C	C	C	C	18.04.060 (Y)
Satellite Earth Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	18.44.100
Schools	C	C	P	C	C	C	C		C	C	C	P	P	18.04.060 (DD)
Social Organizations		P	P		P	P	P		P/C 18.06.060(I)	P	P	P	P	

**TABLE 6.01
PERMITTED AND CONDITIONAL USES**

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLIC- ABLE REGULA- TIONS
Utility Facility	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060 (X)
Wireless Communications Facilities	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.44

LEGEND

P = Permitted Use

MS = Medical Services

DB = Downtown Business

C = Conditional Use

PO/RM = Professional
Office/Residential Multifamily

AS=Auto Services

NR = Neighborhood Retail

GC = General Commercial

UW = Urban Waterfront

UW-H = Urban Waterfront-Housing

CSH = Commercial Services-High Density

HDC-1=High Density Corridor-1

HDC-2=High Density Corridor-2

HDC-3=High Density Corridor-3

HDC-4=High Density Corridor-4

Section 43. Amendment of OMC 18.06.080. Olympia Municipal Code Section 18.06.080, Table 6.02, is hereby amended to read as follows:

18.06.080 TABLES: Commercial Districts' Development Standards

**TABLE 6.02
COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS**

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
MINIMUM LOT SIZE	7,200 Sq. Ft.	No minimum, except 1,600 = cottage 3,000 = zero lot 1,600 sq. ft. minimum 2,400 sq. ft. average = townhouse 6,000 sq. ft. = duplex 7,200 sq. ft. = multifamily 4,000 = other	No minimum, except 1,600 sq. ft. minimum 2,400 sq. ft. average = townhouse	No minimum, except 1,600 = cottage 3,000 = zero lot 1,600 sq. ft. minimum 2,400 sq. ft. average = townhouse 6,000 sq. ft. = duplex 7,200 sq. ft. = multifamily 4,000 = other	No minimum, except 1,600 = cottage 3,000 = zero lot 1,600 sq. ft. minimum 2,400 sq. ft. average = townhouse 6,000 sq. ft. = duplex 7,200 sq. ft. = multifamily 4,000 = other	No minimum, except 1,600 sq. ft. minimum 2,400 sq. ft. average = townhouse	No minimum, except 1,600 sq. ft. minimum 2,400 sq. ft. average = townhouse	See also 18.06.100(D) for regulations on existing undersized lots of record.
FRONT YARD SETBACK	See Chapter 18.110 , Basic Commercial Design Criteria	10' maximum, if located in a High Density Corridor; 10' minimum otherwise.	5' minimum for residential otherwise none.	0-10' See 18.130	0-10' See 18.130	0-10' See 18.130	0-10' See 18.130	1. 50' minimum from property line for agriculture buildings (or structures) which house animals other than pets. 2. Must comply with clear sight triangle requirements, Section 18.40.060 (C).

**TABLE 6.02
COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS**

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
								3. Must comply with site design standards, Chapter 18.100 .
REAR YARD SETBACK	15' minimum.	10' minimum; Except: 1. Next to an R 4, R 4-8, or R 6-12 district = 15' minimum + 5' for each bldg. floor above 2 stories. 2. Next to MR 7-13, MR 10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories.	10' minimum; Except: 1. Next to single-family use or an R 4, R 4-8, or R 6-12 district = 15' minimum + 5' for each bldg. floor above 2 stories. 2. Next to MR 7-13, MR 10-18, RM-18, RM-24 or RMH district (refer to 1 above if adjacent use is single-family) = 10' minimum + 5' for each bldg. floor above 2 stories.	10' minimum; Except: 1. Next to an R4, R4-8, or R6-12 district = 15' minimum + 5' for each bldg. floor above 2 stories; 10 ft. where an alley separates HDC-1 from the above residential district. 2. Next to MR7-13, MR 10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories.	10' minimum; Except: 1. Next to an R4, R4-8, or R6-12 district = 15' minimum + 5' for each bldg. floor above 2 stories; 10 ft. where an alley separates HDC-2 from the above residential district. 2. Next to MR7-13, MR 10-18, RM-18, RM-24, or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories.	10' minimum; Except: 1. Next to single-family use or an R4, R4-8, or R6-12 district = 15' minimum + 5' for each bldg. floor above 2 stories. 2. Next to MR7-13, MR10-18, RM-18, RM-24 or RMH district (refer to 1 above if adjacent use is single-family) = 10' minimum + 5' for each bldg. floor above 2 stories.	10' minimum; Except: 1. Next to single-family use or an RLI, R4, R4-8, or R6-12 district = 15' minimum + 5' for each bldg. floor above 2 stories. 2. Next to MR7-13, MR10-18, RM-18, RM-24 or RMH district (refer to 1 above if adjacent use is single-family) = 10' minimum + 5' for each bldg. floor above 2 stories.	1. 50' minimum from property line for agriculture buildings (or structures) which house animals other than pets. 2. Must comply with site design standards, Chapter 18.100 .
SIDE YARD SETBACK	15' minimum.	No minimum on interior, 10' minimum on flanking	No Minimum; Except: 1. Next to R 4, R 4-8, or R	No minimum on interior, 10' minimum on	No minimum on interior, 10' minimum on	No Minimum; Except: 1. Next to R4, R4-8, or R6-12	No Minimum; Except: 1. Next to RLI, R4, R4-8, or R6-	1. 50' minimum from property line for agriculture buildings (or

**TABLE 6.02
COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS**

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
		street; Except: 1. Next to R 4, R 4-8, or R 6-12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR 7-13, MR 10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding mixed use structures: 5' except 6' on one side of zero lot.	6-12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR 7-13, MR 10-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding mixed use structures: 5' except 6' on one side of zero lot.	flanking street; Except: 1. Next to R4, R4-8, or R6-12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR7-13, MR10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding mixed use structures: 5' except 6' on one side of zero lot.	flanking street; Except: 1. Next to R4, R4-8, or R6-12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR7-13, MR10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each building floor above 2 stories. 3. Residential excluding mixed use structures: 5' except 6' on one side of zero lot.	district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR7-13, MR10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding mixed use structures; 5' except 6' on one side of zero lot.	12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR7-13, MR10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding mixed use structures; 5' except 6' on one size of zero lot.	structures) which house animals other than pets. 2. Must comply with clear sight triangle requirements, Section 18.40.060(C) . 3. Residential sideyards can be reduced consistent with 18.04.080(H)(5). 4. Must comply with site design standards, Chapter 18.100 .
MAXIMUM BUILDING HEIGHT	35'	Up to 35', if any portion of the building is	Up to 35', if any portion of the building is within 100' of	The portion of a building within 100' of land zoned for	The portion of a building within 100' of land zoned for	The portion of a building within 100' of land zoned for	The portion of a building within 100' of land zoned for	1. Not to exceed height limit set by State Capitol Group Height

**TABLE 6.02
COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS**

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
		within 100' of R 4, R 4-8, or R 6-12 district; Up to 60' otherwise.	R 4, R 4-8, or R 6-12 district; Up to 60' otherwise; or up to 70', if at least 50% of the required parking is under the building; or up to 75', if at least one story is residential.	maximum density of less than 14 units per acre is limited to 35'. The portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more is limited to the lesser of 60' or the height allowed in the abutting district. Up to 60' otherwise. Provided that one additional story may be built for residential development only.	maximum density of less than 14 units per acre is limited to 35'. The portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more is limited to the lesser of 60' or the height allowed in the abutting district. Up to 60' otherwise. Provided that one additional story may be built for residential development only.	maximum density of less than 14 units per acre is limited to 35'. The portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more is limited to the lesser of 60' or the height allowed in the abutting district. Up to 60' otherwise; or up to 70', if at least 50% of the required parking is under the building; or up to 75', if at least one story is residential.	maximum density of less than 14 units per acre is limited to 35'. The portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more is limited to the lesser of 60' or the height allowed in the abutting district. Up to 60' otherwise; or up to 70', if at least 50% of the required parking is under the building; or up to 75', if at least one story is residential. See 18.130.060 Significant Building Entry tower exemption (allows an additional 30' for a tower element at Capital Mall).	District, 18.10.060, for properties near the State Capitol Campus. 2. Must comply with site design standards, Chapter 18.100 . 3. HDC-1 and HDC-2 additional story must comply with OMC 18.06.100.A.6.4. In a Downtown Design Sub-District, see 18.120.220 and 18.120.440 for upper story step back requirements.

**TABLE 6.02
COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS**

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
							Up to 75' for HDC-4 zoned properties where the proposed project provides for the development of replacement dwelling units in a development agreement and the project site is all or part of an area of 40 acres or more that was in contiguous common ownership in 2009.	
MAXIMUM BUILDING COVERAGE	45%	70%, except 55% for residential only structures	70%; or 85% if at least 50% of the required parking is under the building.	70% for all structures	70% for all structures	70% for all structures, 85% if at least 50% of the required parking is under the building.	70% for all structures. 85% of the site if at least 50% of the required parking is under the building. On redeveloped sites, 85% if at least 50% of new required parking is under the building or in a	For projects in the GC and HDC- 4 zones west of Yauger Way, limitations of building size per 18.06.100(C) and 18.130.020 apply.

**TABLE 6.02
COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS**

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
							structured parking form. 85% for HDC-4 zoned properties where the proposed project provides for the development of replacement dwelling units in a development agreement and the project site is all or part of an area of 40 acres or more that was in contiguous common ownership in 2009.	
MAXIMUM IMPERVIOUS SURFACE COVERAGE	50%	70%	85%	85% for all structures	85% for all structures	85% for all structures	85% for all structures	See OMC 18.06.100(D) .
MAXIMUM HARD SURFACE	70%	85%	100%	100%	100%	100%	100%	
ADDITIONAL DISTRICT-WIDE DEVELOPMENT STANDARDS	Maximum building size (gross sq. ft.):	Building floors above 3 stories which abut a street or	Building floors above 3 stories which abut a street or residential	Building floors above 3 stories which abut a street or residential district	Building floors above 3 stories which abut a street or residential district	Building Floors above 3 stories which abut a street or residential district	Building floors above 3 stories which abut a street or residential district	For properties in the vicinity of Kaiser Road and Harrison Ave NE, also see

**TABLE 6.02
COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS**

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
	3,000 for single use; 6,000 for mixed use.	residential district must be stepped back a minimum of 8 feet (see 18.06.100(B) and Figure 6-3). In a Downtown Design Sub-District, see Chapter 18.120 for upper story stepbacks.	district must be stepped back a minimum of 8 feet (see 18.06.100(B)). In a Downtown Design Sub-District, see Chapter 18.120 for upper story stepbacks.	must be stepped back a minimum of 8 feet (see 18.06.100(B)).	must be stepped back a minimum of 8 feet (see 18.06.100(B)).	must be stepped back a minimum of 8 feet (see 18.06.100(B)).	must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Pedestrian Streets Overlay District, Chapter 18.16. For retail uses over 25,000 square feet in gross floor area, see Section 18.06.100(G) Large Scale Retail Uses. EXCEPTION: Section 18.06.100(G) shall not apply to motor vehicle sales. In a Downtown Design Sub-District, see Chapter 18.120.

LEGEND

NR = Neighborhood Retail
GC = General Commercial

PO/RM = Professional
Office/Residential Multifamily

HDC-1=High Density Corridor-1
HDC-2=High Density Corridor-2
HDC-3=High Density Corridor-3
HDC-4=High Density Corridor-4

**TABLE 6.02
COMMERCIAL DEVELOPMENT STANDARDS**

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
MINIMUM LOT AREA	7,200 Sq. Ft.	No minimum.	No minimum.	No minimum.	7,200 Sq. Ft. if bldg. height is 35' or less. 12,500 Sq. Ft. if bldg. height is over 35'.	No minimum.	
FRONT YARD SETBACK	10' maximum.	No minimum; however, see Chapter 18.100 for design guidelines for pedestrian access and view corridors. In a Downtown Design Sub-District: 12' from the curb on Type A and B Streets, 10' from curb for Type C Streets.	No minimum. In a Downtown Design Sub-District: 12' from the curb on Type A and B Streets, 10' from curb for Type C Streets.	No minimum. In a Downtown Design Sub-District: 12' from the curb on Type A and B Streets, 10' from curb for Type C Streets.	No minimum.	30' minimum for buildings; 15' for other structures except signs	1. 50' minimum from property line for agriculture buildings (or structures) which house animals other than pets. 2. Must comply with clear sight triangle requirements, Section 18.40.060(C) . 3. See Design Guidelines, Chapter 18.100 .
REAR YARD SETBACK	15' minimum; If next to a residential zone, 15' minimum plus 5' for every story over 3 stories.	No minimum; however, see Chapter 18.100 for design guidelines for pedestrian access and view corridors.	No minimum.	No minimum.	5' minimum if building has 1 or 2 stories. 10' minimum if building has 3 or more stories.	15' minimum.	50' minimum from property line for agriculture buildings (or structures) which house animals other than pets.
SIDE YARD SETBACK	10' minimum; 15' minimum plus 5' for every story over 3	No minimum; however, see Chapter 18.100 for design guidelines for	No minimum.	No minimum.	5' minimum if building has 1 or 2 stories.	5' minimum 30' minimum for buildings and 15'	1. 50' minimum from property line for agriculture

**TABLE 6.02
COMMERCIAL DEVELOPMENT STANDARDS**

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
	stories if next to a residential zone.	pedestrian access and view corridors.			10' minimum if building has 3 or more stories; AND the sum of the 2 side yards shall be no less than 1/2 the building height.	minimum for other structures from flanking streets.	buildings (or structures) which house animals other than pets. 2. Must comply with clear sight triangle requirements, Section 18.40.060(C) . 3. See Design Guidelines, Chapter 18.100 .
MAXIMUM BUILDING HEIGHT	75'; except hospitals, which may exceed that height.	See 18.06.100(A)(2) and Figure 6-2, Urban Waterfront District Height Limits Exceptions: 1) In the portion of the area Downtown with a height limit of 65', two additional residential stories may be built. See 18.06.100. 2) In the portion of the area on West Bay Drive with a height limit of 42' to 65', the taller height limit is conditioned upon the provision of certain waterfront amenities. See 18.06.100(A)(2)(c).	Refer to Figure 6-2 and 6-2B for specific height and building configurations required on specific blocks. In a Downtown Design Sub-District, see view protection measures in 18.06.100 and Chapter 18.120 .	75'; PROVIDED, however, that two additional stories may be built, if they are residential. There are also restrictions around Sylvester Park. For details, see 18.06.100. In a Downtown Design Sub-District, see view protection measures in 18.06.100 and Chapter 18.120. <u>For details, see 18.06.100(A)(4), Downtown Business District. There are restrictions around</u>	75' Exception: Up to 100' may be allowed with conditional approval by the City Council, upon recommendation of the Hearing Examiner. For details, see 18.06.100(C)(5), Height, Commercial Services-High Density. In a Downtown Design Sub-District, see view protection measures in 18.06.100 and Chapter 18.120 .	40' accessory building limited to 20'.	Not to exceed height limit set by State Capitol Group Height District, 18.10.060, for properties near the State Capitol Campus.

**TABLE 6.02
COMMERCIAL DEVELOPMENT STANDARDS**

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
				<u>Sylvester Park (see 18.100.080.</u>			
MAXIMUM BUILDING COVERAGE	50%	60% for properties between the shoreline and the nearest upland street. 100% for properties not between the shoreline and the nearest upland street. See also Chapter 18.100 for design guidelines for pedestrian access and view corridors.	100%	No requirement.	No requirement.	85%	
MAXIMUM IMPERVIOUS SURFACE COVERAGE	60%	100%	100%	100%	100%	85%	See OMC 18.06.100(D) .
MAXIMUM HARD SURFACE	80%	100%	100%	100%	100%	100%	
ADDITIONAL DISTRICT-WIDE DEVELOPMENT STANDARDS	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(F)). Residential uses (Section 5 of	Street ends abutting the water shall be preserved to provide views of and public access to the water, pursuant to Section 12.16.050(D) OMC. Section 18.06.100(A)(2)(c) for West Bay Drive building height and view blockage limits; and Chapter	Street ends abutting the water shall be preserved to provide views of and public access to the water, pursuant to OMC Section 12.16.050(D) .		Residential uses must comply with High Rise Multi-family (RM-H) development standards.	6' of sight-screening buffer shall be provided along north, east, and west district boundaries. See Olympia Park Replat covenants for access, and	For properties in the vicinity of the Downtown, also see the Downtown Design Guidelines in 18.120. For retail uses over 25,000 square feet in gross floor area,

**TABLE 6.02
COMMERCIAL DEVELOPMENT STANDARDS**

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
	Table 6.01) may not be constructed within 600 feet of Lilly Road except in upper stories of mixed use building; all other development standards are the same as for commercial uses.	18.100 for West Bay Drive view corridors. See also Chapter 18.100 for Downtown design guidelines for Pedestrian Access and View Corridors and Waterfront Public Access; Chapter 18.100 for Port Peninsula design guidelines for Pedestrian Connections and View Corridors; Section 18.06.100 (A)(2)(c) for West Bay Drive building height and view blockage limits; and Chapter 18.100 for West Bay Drive view corridors.				other standards applicable to replat lots.	see Section 18.06.100 (C) Large Scale Retail Uses. EXCEPTION: Section 18.06.100 (C) shall not apply to motor vehicle sales.

LEGEND

MS = Medical Services

DB = Downtown Business

CS-H = Commercial Services - High Density

AS=Auto Services

UW = Urban Waterfront

UW-H = Urban Waterfront-Housing

Section 44. 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 45. 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 shall remain unaffected.

Section 46. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 47. Effective Date. This Ordinance shall take five (5) days after passage and publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Mark Barber

CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

RCW 36.70A.620

Cities planning under RCW 36.70A.040—Minimum residential parking requirements.

In counties and cities planning under RCW 36.70A.040, minimum residential parking requirements mandated by municipal zoning ordinances for housing units constructed after July 1, 2019, are subject to the following requirements:

(1) For housing units that are affordable to very low-income or extremely low-income individuals and that are located within one-quarter mile of a transit stop that receives transit service at least two times per hour for twelve or more hours per day, minimum residential parking requirements may be no greater than one parking space per bedroom or .75 space per unit. A city may require a developer to record a covenant that prohibits the rental of a unit subject to this parking restriction for any purpose other than providing for housing for very low-income or extremely low-income individuals. The covenant must address price restrictions and household income limits and policies if the property is converted to a use other than for low-income housing. A city may establish a requirement for the provision of more than one parking space per bedroom or .75 space per unit if the jurisdiction has determined a particular housing unit to be in an area 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 unit.

(2) For housing units that are specifically for seniors or people with disabilities, that are 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, a city may not impose minimum residential parking requirements for the residents of such housing units, subject to the exceptions provided in this subsection. A city may establish parking requirements for staff and visitors of such housing units. A city may establish a requirement for the provision of one or more parking space per bedroom if the jurisdiction has determined a particular housing unit to be in an area 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 unit. A city may require a developer to record a covenant that prohibits the rental of a unit subject to this parking restriction for any purpose other than providing for housing for seniors or people with disabilities.

(3) For market rate multifamily housing units that are located within one-quarter mile of a transit stop that receives transit service from at least one route that provides service at least four times per hour for twelve or more hours per day, minimum residential parking requirements may be no greater than one parking space per bedroom or .75 space per unit. A city or county may establish a requirement for the provision of more than one parking space per bedroom or .75 space per unit if the jurisdiction has determined a particular housing unit to be in an area 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 unit.

[2020 c 173 § 3; 2019 c 348 § 5.]



**Nisqually Indian Tribe
Tribal Historic Preservation Office
4820 She-Nah-Num Dr. S.E.
Olympia, WA 98513
(360) 456-5221**

April 7, 2021

To: Joyce Phillips, AICP
Principal Planner
City of Olympia
Community Planning and Development
601 4th Avenue
Olympia WA 98507

From: Brad Beach, Tribal Historic Preservation Officer (THPO)

**Re: 21-1385 2021 Minor Code Amendments to Titles 16 & 18 of the
Olympia Municipal Code**

The Nisqually Indian Tribe's THPO has reviewed the 2021 Code Amendments and supplementary materials that you provided for the above named project and has no comments or concerns at this time. Please keep us informed if there are any Inadvertent Discoveries of Archaeological Resources/Human Burials.

Sincerely,

Brad Beach, THPO
Nisqually Indian Tribe
360-456-5221 ext 1277
beach.brad@nisqually-nsn.gov

cc: Annette Bullchild, Director, Nisqually Indian Tribe,

From: [Shaun Dinubilo](#)
To: [Joyce Phillips](#)
Subject: RE: City of Olympia - Notice of SEPA DNS - 21-1385 2021 Minor Code Amendments to Titles 16 & 18 of the Olympia Municipal Code
Date: Wednesday, April 07, 2021 11:26:40 AM

External Email Alert!

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Hello Ms. Phillips,

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.



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

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: Kenneth Haner <khaner@ci.olympia.wa.us>
Sent: Wednesday, April 7, 2021 7:31 AM
Cc: Nicole Floyd <nfloyd@ci.olympia.wa.us>
Subject: City of Olympia - Notice of SEPA DNS - 21-1385 2021 Minor Code Amendments to Titles 16 & 18 of the Olympia Municipal Code

The City of Olympia has issued the following **Notice of State Environmental Policy Act**

Determination of Nonsignificance (SEPA DNS) for the project known as 2021 Minor Code Amendments to Titles 16 & 18 of the Olympia Municipal Code.

PROJECT: **21-1385**

See the above attachments for further details.

Please forward questions and comments you may have regarding this project to the staff contact listed below:

- **Joyce Phillips, AICP, Principal Planner, 360.570.3722, jphillip@ci.olympia.wa.us**

Ken Haner
Program Assistant
City of Olympia
Community Planning and Development
PO Box 1967 | 601 4th Avenue | Olympia WA 98507
Phone: (360) 753-8735
Email: khaner@ci.olympia.wa.us

From: [j.d](#)
To: [Joyce Phillips](#)
Subject: How convenient
Date: Wednesday, April 07, 2021 12:37:08 PM

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"The amendments are **generally minor in nature** and are intended to correct code citations and typographical errors, update definitions, provide greater clarity, update language, or provide better alignment with other code sections or the Comprehensive Plan."

This wouldn't be associated with most of Olympia's elected officials wanting to ram through/full speed ahead the WBY development ... would it? Do you really believe that those [of us] opposed to the WBY agreement [as passed by the OCC] are so stupid to believe that "The amendments are **generally minor in nature ...**"

So, the developer's deep pockets [may] reach not only to the mayor and a majority of the [elected] city council members, but also to specific members of the Planning Commission?

Joe Digranes
2634 17th Ave. NW
Olympia, WA 98502

From: [Joyce Phillips](#)
To: [j d](#)
Subject: RE: How convenient
Date: Wednesday, April 07, 2021 12:53:00 PM
Attachments: [2021 Code Amendments.pdf](#)

Thank you for your comments. The comments have been added to the record for this proposal and will be shared with the Planning Commission and City Council during the decision making process. I have attached a copy of the proposed code amendments for your consideration.

The public hearing has been tentatively scheduled for May 17, 2021.
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 potentially eligible for release.

From: j d <digranesjl@gmail.com>
Sent: Wednesday, April 07, 2021 12:37 PM
To: Joyce Phillips <jphillip@ci.olympia.wa.us>
Subject: How convenient

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"The amendments are **generally minor in nature** and are intended to correct code citations and typographical errors, update definitions, provide greater clarity, update language, or provide better alignment with other code sections or the Comprehensive Plan."

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So, the developer's deep pockets [may] reach not only to the mayor and a majority of the [elected] city council members, but also to specific members of the Planning Commission?

Joe Digranes
2634 17th Ave. NW
Olympia, WA 98502

From: [JUDITH BARDIN](#)
To: [Joyce Phillips](#)
Subject: RE: OMC Code Revisions
Date: Wednesday, April 14, 2021 4:17:47 PM

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Hi Joyce,
Thanks for clarifying. It was confusing because the changes were in legislative mock up language with a red underline so it looked like a revision. I agree what goes to Superior Court and what goes to the Board is confusing.
I appreciate the time you took to respond to me, Judy

Judy Bardin
1517 Dickinson Ave NW
Olympia, WA 98502
360-401-5291

On 04/14/2021 3:05 PM Joyce Phillips <jphillip@ci.olympia.wa.us> wrote:

Hi, Judy.

Well, I think I may have somehow inadvertently combined two code sections. My intent was to clean up language in 18.75.100 to clarify that appeals of Hearing Examiner decisions do not go to the City Council, they go to the courts. But trying to also recognize that sometimes (e.g. for site specific rezones), the Council makes a decision based on a recommendation from the Hearing Examiner. Sometimes appeals of the Council's decision could go to the courts and sometimes appeals go to the Growth Management Hearings Board.

The language you asked about below, and that I show as proposed new language in the draft amendments, is already in Section 18.75.120, which states:

18.75.120 Appeal of City Council decision

A. State Growth Management Hearings Board. The action of the City Council approving Comprehensive Plan amendments shall be final and conclusive, unless appealed to the Growth Management Hearings Board as provided under the Revised Code of Washington. The cost of preparing and certifying the transcript of records ordered by the Board shall be borne by appellant.

B. Thurston County Superior Court. Consistent with the requirements and jurisdiction of chapter [36.70C](#) RCW, the action of the City Council on a permit, shall be final and conclusive, unless within twenty-one (21) calendar days from the date of the Council's final action an aggrieved party files a land use petition in the Superior Court of Washington for Thurston County. The cost of preparing and certifying the transcript of records ordered by the court shall be borne by appellant.

My intent is not to amend language in 18.75.120. I will work on adjusting the language in 18.75.100 before the public hearing. I will try to remember to send you any revisions to this section – but please reach out to me in a couple of weeks if you haven't heard back from me on this.

Thanks for bringing that language to my attention.

Joyce

From: JUDITH BARDIN <judybardin@comcast.net>
Sent: Wednesday, April 14, 2021 11:01 AM
To: Joyce Phillips <jphillip@ci.olympia.wa.us>
Subject: RE: OMC Code Revisions

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Thank you, Joyce no rush.

Judy

On 04/14/2021 8:01 AM Joyce Phillips <jphillip@ci.olympia.wa.us> wrote:

I will look into that and get back to you. I will be in meetings most of the day, so it may take me a little longer than usual though.

From: JUDITH BARDIN <judybardin@comcast.net>

Sent: Wednesday, April 14, 2021 1:35 AM

To: Joyce Phillips <jphillip@ci.olympia.wa.us>

Subject: RE: OMC Code Revisions

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Joyce,

Thank you for your detailed explanation. You are right it is confusing, but clearer now.

I still wondered about the last sentence where appellants have to pay for preparing and certifying the transcript of records requested by the Board. What type of records? Are these City records? Is this a change in policy?

Judy

Judy Bardin
1517 Dickinson Ave NW
Olympia, WA 98502
360-401-5291

On 04/13/2021 5:22 PM Joyce Phillips
<jphillip@ci.olympia.wa.us> wrote:

Hi, Judy.

Nice to hear from you! I am well and hope you are too! This sunshine sure helps.

I have added you to the parties of record for this proposal. I have a tentative hearing date of May 17, 2021 in mind - but feel free to check in along the way to keep track of anything that changes. And I will send you a notice by email about ten days before the hearing.

The proposed language below is meant to identify that Council actions on Comprehensive Plan Amendments or changes to the development regulations are final unless invalidated by the Growth Management Hearings Board.

We're primarily amending the appeals language in that section because any appeals of the Hearing Examiner decision go to the courts, not the City Council. And any appeals of Council decisions go to the Board. It does get a little confusing because while the Hearing Examiner's decision is usually the final city action, for rezones the Hearing Examiner makes a recommendation to the City Council.

Hope that makes sense. Please let me know if you have questions.

Thanks, Judy!

Joyce

From: JUDITH BARDIN <judybardin@comcast.net>
Sent: Tuesday, April 13, 2021 3:02 PM
To: Joyce Phillips <jphillip@ci.olympia.wa.us>
Subject: OMC Code Revisions

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Hi Joyce,

Can I get put on the list to receive information/notices about the OPC meetings and other land use type actions, such as the proposed changes to the OMC?

I noticed that changes to the OMC are in the works. I reviewed the changes that are attached to the April 5th OPC agenda.

Could you explain this change a little more fully?

The action of the City Council approving Comprehensive Plan or Development Regulation amendments shall be final and conclusive, unless declared invalid by the Washington State Growth Management Hearings Board as provided under the Revised Code of Washington. The cost of preparing and certifying the transcript of records ordered by the Board shall be borne by appellant.

Thanks for your help, I hope you are doing well,

Judy.

Judy Bardin
1517 Dickinson Ave NW
Olympia, WA 98502
360-401-5291

From: [Isaac Duke](#)
To: [Joyce Phillips](#)
Subject: Re: Sign Code Revisions proposed
Date: Wednesday, April 14, 2021 7:24:47 AM
Attachments: [NWSS.2019.031 Mike Trotter.pdf](#)
[NWSS.2020.029 Terry Whitcomb.pdf](#)
[NWSS.2021.011 Evan Appleby Wetland.pdf](#)

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I love it. Still a bit of wriggle room for experts like me though :). I think it is sufficient to get Tim on board with common sense however. Like I mentioned previously, I usually stay out of downtown, but in the last two years I have had 6-10 requests.

Another interesting sign is the projecting sign above new fitness place - I think it is Annie's lofts. Of course whoever did it used the old 'art-piece' trick. I know all about that...

On a another note, can the city upload a standard vectorized pdf of critical area, wetland, and other required buffer signs.

I get requests from people in county all the time, and for some reason, the wording is always a tiny bit different? Ive attached some examples.

Thank you,
Isaac Duke
360-259-2178

On Apr 8, 2021, at 4:14 PM, Joyce Phillips <jphillip@ci.olympia.wa.us> wrote:

Hi, Isaac.

The City is considering a variety of code amendments, including a few to the sign code, so I wanted to make sure I brought it to your attention. The public comment period is open now. The public hearing is tentatively scheduled for May 17th.

Of course you are welcome to review and comment on any of the proposed amendments – but the proposed sign code changes begin on page 27. They are relatively minor but I do think proposal #23 adds language (see page 31) that would allow more opportunities for blade signs than is currently allowed. Any comments you submit will be shared with the Planning Commission and City Council.

Thanks for considering, Isaac!
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

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<2021 Code Amendments.pdf>

From: [Casa de Zartelis](#)
To: [Joyce Phillips](#)
Subject: Re: Code Amendments - Public Hearing 5/17/2021
Date: Saturday, May 08, 2021 11:36:59 AM

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Thank you for sharing this. Are you aware that no copy of the attachment can be found in Legistar (no materials available - yet) nor on the City's web site to facilitate sharing this information on NextDoor? I can't add a pdf to a post. I could add a link but there isn't one to be found.

Below are my comments on the proposal.

Thanks.

Denise

07 MAY 2021

To Members of the Olympia Planning Commission,

Below are my comments on the proposed code amendments for the Housing Action Plan. Excerpts have copied below with suggested edits and comments. Essentially, I don't think we need to infringe on the 'right of way' to achieve greater density in Olympia. It's a relatively minimal amount of space yet important to preserving openness around homes and structures.

Thank you for your consideration.

Denise Pantelis

DEFINITIONS

Setback. The distance between the building and any lot line ~~or public right of way~~. See specific zone district for allowed projections into setback areas and point of measurement. (See also Yard.)

COMMENT: This effectively reduces required open space. The right of way is a public easement only partially "owned" by the deed holder. The other half, is "owned" by the municipality that is expected to preserve the easement.

Yard:

Yard. An open space on a parcel of land, other than a court, unobstructed and unoccupied from the ground upward, except for projections permitted by this code.

a. Front yard. A yard extending across the full width of the building site, having at no point less than

the minimum required distance between the front property line ~~or right of way~~ and the building line.
b. Rear yard. A yard extending from one side property line to the other, except in the case of a corner building site when the rear yard shall extend from the interior side property line ~~or right of way~~ to the opposite side yard.
c. Side yard. A yard extending from the front yard to the rear yard, except in the case of a corner building site when the side yard on the flanking street shall extend to the rear property line. [NOTE: See Figure 2-10 for yard examples.]

COMMENT:

Extending beyond the property line to the right of way reduces open space.

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.

COMMENT: Right of way preserves open space and creates buffers and should be excluded.

Proposal #11 – 18.04.080, Residential Districts Development Standards

Intent: Remove the requirement for a Transfer of Development Right (TDR) to be purchased from property owners in the County in order to develop property in the R 4-8 Zoning District between 4.0 - 4.99 or 7.1 - 8.0 dwelling units per acre.

COMMENT: If removing TDR purchase requirement, why state later...

*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)(b):*

...

DENSITY CALCULATION

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.

B. Minimum Housing Densities

1. Calculation of Minimum Density.

a. (Note: Table 5.05 in Section 18.05.) The total area of the entire site shall be included in the minimum density calculation except streams, wetlands, landslide hazard areas, floodplains, "important habitat areas," and "important riparian areas" and their associated buffers; tracts accommodating stormwater facilities required in compliance with the Drainage Manual

*tracts provided for trees pursuant to the Tree Protection and Replacement Ordinance; existing, opened street rights-of-way; and land to be sold or dedicated to the public in fee (e.g., school sites and public parks, but not street **and individual parcel** rights-of-way to be dedicated as part of the proposed development).*

COMMENT:

As with existing developed houses that must exclude and preserve the ROW as dedicated open space, the ROW for new housing units should be excluded from the total area for density calculations. Add, **"and individual parcel"**:

PERVIOUS PAVEMENTS

*4. Parking Surface. All parking, maneuvering, and driving areas lots must be paved and designed to meet drainage requirements. Approved **p Pervious pavements** surfaces and other approved dust free surfaces may be used. A maintenance agreement may be required to ensure such surface is properly maintained.*

COMMENT:

The "approved pervious pavement surfaces" used in Olympia are not designed for this region and are inevitably clogged with moss. Any expectation that diligent power washing would maintain permeability is simply unrealistic and a wasteful and counterproductive use of water.

END OF COMMENTS.

Get [Outlook for iOS](#)

From: Joyce Phillips <jphillip@ci.olympia.wa.us>

Sent: Friday, May 7, 2021 9:09 AM

To: Joyce Phillips

Subject: Code Amendments - Public Hearing 5/17/2021

You are receiving this notice as an identified contact person for your

Recognized Neighborhood Association. Please share this information with your neighbors

The City of Olympia is proposing amendments to Title 16 (Buildings and Construction) and Title 18 (Unified Development Code) of the Olympia Municipal Code (OMC). The proposed amendments modify definitions, correct code citations, add clarity or examples, and make other relatively minor revisions. There are multiple proposals to several chapters of the OMC.

The Olympia Planning Commission will hold a virtual public hearing at or after **6:30 p.m., on Monday, May 17, 2021**, to receive public comments prior to making a recommendation to the

City Council regarding the proposed text amendments. Register in advance for this webinar.

Virtual Hearing Zoom Webinar Link:

https://us02web.zoom.us/webinar/register/WN_QlCQMEwRSvGtrzV2iZ746w

After registering, you will receive a confirmation email containing information about joining the webinar.

Public Comment Opportunity: Anyone interested is invited to attend via Zoom Webinar and present testimony regarding the proposal. At the time you register and sign up, you will have the option of indicating if you want to give public testimony. To register use the link listed above. To assure consideration, written comments must be received prior to 5:00 p.m. on Monday, May 17, 2021. Written statements may be submitted to the Commission in care of the Olympia Community Planning and Development Department, PO Box 1967, Olympia, WA 98507-1967; or via email to jphillip@ci.olympia.wa.us.

A copy of the Public Hearing Notice and Proposed Amendments are attached.

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

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City Council

Public Hearing on the 2021 Engineering Design and Development Standards Update

Agenda Date: 8/10/2021
Agenda Item Number: 5.A
File Number: 21-0778

Type: public hearing **Version:** 1 **Status:** Public Hearing

Title

Public Hearing on the 2021 Engineering Design and Development Standards Update

Recommended Action

Committee Recommendation:

The Land Use & Environment Committee (LUEC) recommends holding a public hearing on the 2021 Engineering Design and Development Standards (EDDS) Update.

City Manager Recommendation:

Hold a public hearing on the proposed amendments to the EDDS. After hearing public testimony, close the public hearing and schedule the first reading of a proposed ordinance adopting the updated EDDS.

Report

Issue:

Whether to hold a public hearing on the proposed amendments to the EDDS and related changes to the Olympia Municipal Code.

Staff Contact:

Stephen Sperr, P.E., Assistant City Engineer, Public Works Engineering, 360.753.8739

Presenter:

Stephen Sperr, P.E., Assistant City Engineer, Public Works Engineering

Background and Analysis:

The Engineering Design and Development Standards (EDDS) guide the design and construction of transportation, drinking water, reclaimed water, sewer, stormwater, and solid waste collection systems. They are also the technical interpretation of the City's Comprehensive Plan and various utility master plans. The City Engineer is responsible for approving and administering the EDDS.

On February 18 and June 17 staff briefed the Land Use and Environment Committee on 59 proposed topics to address in this year's Update to the EDDS. Those briefings included an overview of the EDDS and highlights of the proposed 2021 changes. These briefings also including discussions of four Substantive Changes that will continue to be worked on through the rest of this year and into

2022.

Since these briefings, staff has developed, and continues to develop, draft language and drawing changes to support this year's topics. Staff are also reaching out to interested parties by contacting them directly and by providing the entire list of issues being addressed on the City's website. Staff are incorporating their comments into the proposed text and drawing changes.

Before the Public Hearing, staff will brief the full Council with a short presentation on the 2021 EDDS changes being considered.

Neighborhood/Community Interests (if known):

Updated EDDS will ensure utility and transportation systems, as well as solid waste improvements constructed meet the most current standards. Updates will also continue to move us toward the City's Comprehensive Plan Action Plan goal of providing Sustainable Infrastructure.

Options:

1. Hold a public hearing on the proposed amendments to the EDDS. After hearing public testimony, close the public hearing and schedule the first reading of a proposed ordinance adopting the updated EDDS.
2. Hold a public hearing on the proposed amendments to the EDDS. After hearing public testimony, close the public hearing and direct staff to incorporate specific changes to the 2021 EDDS. The first reading of a proposed ordinance adopting the updated EDDS may be delayed.
3. Do not hold a public hearing and delay updating the EDDS until a later date. This option will result in potential conflicts in attempting to ensure that development impacts within the right-of-way are consistently addressed.

Financial Impact:

Most of the proposed changes should not result in notable increases to the costs of private development or public work projects. However, those addressing street connectivity, thresholds for frontage improvements and private streets in mobile home parks, should end up costing less to owners and developers.

Attachments:

Link to EDDS Webpage
List of 2021 EDDS Topics

Engineering Design and Development Standards (EDDS)



What are the EDDS?

The [Engineering Design and Development Standards \(EDDS\)](#) are the technical standards used by the City and private developers to design and construct drinking water, reclaimed water, sewer, transportation, stormwater, and solid waste collection systems. The 2018 EDDS update was adopted by City Council and became effective January 23, 2019.

[View current & previous EDDS](#)

[EDDS Deviation Form](#)

The EDDS are usually updated annually after a public hearing and upon City Council approval. In 2020 there were no updates to the EDDS.

2021 EDDS update

- [2021 EDDS Schedule](#) (as of February 2, 2021)
- [Draft 2021 EDDS Summary of Proposed Changes](#)
- Chapter Draft changes
 - [Chapter 6](#)
 - [Chapter 7](#)
 - [Chapter 8](#)
- Drawing Draft Changes
 - [Chapter 6](#)
 - [Chapter 7](#)

- [Chapter 8](#)

Request an update or revision

The EDDS are reviewed and updated every year starting in January. To submit a revision request:

- [Fill out this form](#)
- Submit it to Fran Eide, City Engineer, at feide@ci.olympia.wa.us
- Your request will be recorded and considered for the next update.

Questions?

Contact Steve Sperr, P.E., at **360.753.8739** or ssperr@ci.olympia.wa.us.

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The City of Olympia is committed to the non-discriminatory treatment of all persons in employment and the delivery of services and resources.

2021 EDDS Topics - as of July 29, 2021

EDDS #	Topic	Requested Change and Why	Location in EDDS, OMC, etc.
SUBSTANTIVE CHANGES - To be addressed in 2021-22			
1	Street Connectivity	Implementing the Comp Plan (Goals GT4 and GT5, Policies PT5.1-4) in the EDDS; Transition from commercial to residential. Also consider (1) alternative alignments in environmentally sensitive/critical areas, (2) criteria for examining new street connections, and (3) identifying safety issues, unique physical features, and funding solutions.	1.050, 2.040.B.3, Table 3 in Ch.4, 4H.060.A.8
2	Downtown Sidewalk Standards	Review and possibly adjust the width of sidewalk in various downtown districts (e.g. 16' for arterials downtown?); clarify use thereof, such as for sidewalk cafes. Include tie to "A and B" classification streets in the Downtown Area, per Chapter 18.16 OMC. See also 18.100 OMC.	Chapter 4?, OMC 9.16.180
3	Frontage Improvement Thresholds	Look at scale and proportionality; relationship to Comp Plan Policy PT15.1.	2.020, 2.040, 2.070, 3.110
4	Private Streets in Mobile Home Parks	Look at internal circulation vs. required through street; establish standards.	Chapter 2?
CHANGES - To be completed as part of this year's Update			
5	Remove Basis of Bearing Reference to City of Olympia Coordinate System	Edit or remove these references in various Chapters in the OMC that relate to Short Plats, etc.	Ch.2, various chapters in Titles 17 & 18 OMC
6	Definitions	Clarify some Definitions.	2.020
7	Submittals for Private Development Work	Consider requiring submittals for certain types of construction (e.g. pervious concrete sidewalk and driveways) and/or materials to be used, for work on public facilities and infrastructure constructed by private development. Address Traffic Control Plan submittals here as well.	Chapter 3
8	Development Engineer	Remove references to a Development Engineer, which is no longer a position at the City.	Chapter 3
9	Electronic PE seals	Insert standards for electronic sealing and signing of plans by professional engineers, land surveyors, and other licensed professionals.	Chapter 3
10	Topo Information Reference	Add requirements to cite topographical information if used on plans.	Chapter 3
11	Record Drawings (As-Builts)	Update requirements for submittal of Record Drawings to City.	Chapter 3
12	Autocad and GIS Files Formatting	1. Update Autocad and GIS file formatting requirements to conform to current City standard, and 2. add submittal requirements for private development permits.	Chapter 3
13	Update List of References	Update the list of referenced documents related to the water system, and add current links	3.010
14	GNET Software	Bold the GNET software notes on the Construction Plan Notes standard drawing (3-1) to highlight the updated software requirement added in 2018.	Drawing 3-1
15	LID Details	Update reference numbers for Chapter 5 LID detail drawings on Standard Street Drawings.	Chapters 4 and 5
16	Maple Park Drive	1. Change street classification to Neighborhood Collector, and 2. Clarify street light standards for this street, both per Ordinance 7104	Chapter 4
17	Ladder Bar Crosswalks	Clarify requirement of where crosswalks are to be delineated, how.	4B.130, Drawings 4-32,32A
18	Concrete Strength for Driveway	Add explicit citation of 4,000 psi concrete required for Driveway Approaches in the ROW.	4B.140
19	Grated Lids and other Slip Hazards	Add requirement for plan from private utilities to replace grated vault lids in sidewalks.	4C, OMC 11.04,06,10,12

EDDS #	Topic	Requested Change and Why	Location in EDDS, OMC, etc.
20	Small Cell Tower Installations on Street Lights	Establish standards for mounting small cell towers on street lights.	4F, OMC 11.04, 06, 10, 12
21	Illumination	Review mounting heights, spacing and other requirements for Street Lights. Confirm whether "City of Olympia Streetlight Installation Guidelines" is still being used. No streetlight shall be installed on existing or new power poles as part of any development.	4F
22	Survey Monuments	Update Survey Monuments section to reflect WAC 332-120 requirements.	4H.050, Appendix 3
23	Street Trees	Update chapter to be consistent with Chapter 16.60 OMC. Change caliper diameter to 2 inches.	Chapter 4, 4H.100
24	Transportation-Related Special Provisions	Update Appendix 5 of Chapter 4 to reflect changes made by Amendments to the 2018 & 2020 WSDOT Standard Specifications.	Appendix 5 of Ch. 4
25	Hammerhead Detail	Review minimum dimensions and other requirement of the Temporary "T" (i.e. "Hammerhead") elements of standard detail 4-5.	Drawing 4-5
26	Bedding and Backfill	Revise and/or clarify pipe zone bedding specification (see WSDOT 9-03.12(3)) and drawing 4-8, to decrease size of crushed rock that can be used. Need to clarify backfill spec as well?	Drawing 4-8; specs in various Chapters
27	Sidewalk/Driveway Clarification	Clarify driveway approach thickness/reference to other drawings.	Drawing 4-9C
28	Utilities Location Schematic	Review Standard Drawing details, and consider adding additional pipe separation info. Add reference to this Drawing in other Chapters.	Drawing 4-44
29	Tracer Wire & Locate Tape Detail	Add a stand-alone tracer wire and locate tape Standard Drawing	Chapter 5?
30	AutoCAD files for approved sewer/storm plans	Require that AutoCAD files of the approved plans be submitted with the request to get City ID numbers for sewer & storm prior to televising	5.024 & 7A.070
31	Curb Inlet Access Lids	Clarify type of access lid required.	Drawing 5-10
32	Water Meter Fees	Add description of meter fees and deposit	Chapter 6
33	Tapping Contractors	Clarify that water main tapping contractors are to be licensed and bonded.	6.04
34	Larger Water Meters	Change the model listed to Master Meter Ultrasonic, and add some clarifying language.	6.075
35	<10' between sewer and water when water is DI	Consider allowing <10' separation between sewer and water when water is Ductile Iron. If the sewer is in the center of the roadway, the water may need to be in the gutter line to achieve separation.	6.130
36	Disinfecting Watermains	Consider revisions to the disinfection process, incorporating AWWA C651 standard and Water Utility Operations goals. Add sampling requirement for every 1200 feet and at each end of pipe.	6.190
37	Update Drawings	Update drawings to reflect current material requirements and change in standard equipment. Includes drawings 6-1A-C, 6-2, 6-9A, 6-10, 6-10B, 6-13, 6-18 6-19A1, 6-20A, 6-20B, 6-25.	Ch 6, Appendix 1
38	Stormwater into Sewer System	List exceptions to the prohibition of new stormwater sources into the sewer collection system.	7A.010
39	Testing of Sewer Lines	Add clarifying language, and subsection to section 7A.070 Testing, to be consistent with rest of section.	7A.070
40	Ductile Iron Pipe Lining	Remove epoxy lining requirement on ductile iron pipe used for sewer.	7B.030
41	Private cleanout requirement	Move to side sewer section. Clarify what level of rehab of a side sewer triggers cleanout requirement. Look at liners that do not stop at the right-of-way line. Add "or public sewer easement line" to language.	7B.030

EDDS #	Topic	Requested Change and Why	Location in EDDS, OMC, etc.
42	Manholes	Require hinged MH lids in roadways and composite, lockable lids off roadways/under water. Allow use of composite manholes in certain areas.	Chapter 7
43	Manholes	Add clarifying language to this section.	7B.050
44	Saddle Manholes	Update section on saddle manholes, including bypass pumping, and add a standard drawing.	7B.050
45	manhole pipe angles	Clarify whether angles between pipes must be over 45 degrees (per 7B.055) or 90 degrees (per 7B.050).	7B.050, 7B.055
46	Drop Manholes	(1) Clarify when inside drop manholes can be used, (2) clean up Standard Drawing 7-4A (e.g. note 4) and add updated ASTM reference, and (3) Drawings 7-4, 4A shows max of 20' between invert of pipe open to manhole and bottom of channel. This conflicts with 7B.030 which says manholes may not be more than 20 feet deep.	7B.050, 7B.030, Drawings 7-4, 4A
47	Side Sewers	Add some clarifying language to 7B.080, and new section for cleanouts (7B.085). Revise Drawing 7-19.	7B.080, 7B.085, Drawing 7-19
48	Ownership of Private Sewer Mains	Add clarifying language on what is required to convert private sewer mains to public.	7B.090
49	Sewer Design Standards	Add clarifying language.	7C.020
50	Sewer Force Main Connections	Add clarifying language, particularly related to coordination of work.	7C.030
51	Drawing References	Add references to Drawings in Sections 7D.010, 7E.050, 7E.095.	7D.010, 7E.050, 7E.095
52	Grinder Pumps	Establish alternate grinder pump submittal requirements and clarifying language for this Section of Chapter 7. RPs may be required due to DOH interpretation.	7F
53	Controls of Commercial STEP Systems	Update programming, instrumentation, control and SCADA requirements for Commercial STEP systems.	Ch7, Appendices
54	Lift Station Start-up documents	Add the Lift Station Inspection Checklist and S&L Product Start-Up Report forms as Appendices.	Ch7. Appendices
55	STEP ARV Drawing	Update Standard Drawings 7-8 and 7-9 to reflect current ARV and structure standard, per Ops.	Ch7. Appendices
56	Commercial STEP Drawings	Edit Drawing 7-19. Radio spec on standard drawing 7-20 does not match text of chapter.	Drawings 7-20,21
57	Errata and Mistakes	Correct grammatical errors, wrong information, etc.... 1. Missing parenthesis at end of 4B.035, 2. Bulbout v. bulb-out (consistency) in Chapter 2 and 4. 3. Correct street ranges in Table 1 of Ch.4 such as Cooper Pt. Blvd., Capitol Way north of State... 4. Missing/incorrect punctuation in 4B.175.G. 5. 12-gauge toning wire for grinder system force mains, not 14-gauge, in 7F.030 and drawing 7-24.	Ch.4, 7
58	Clarifying language and drawings	Clarify language and add drawings, with emphasis on compactors.	Chapter 8
59	Reclaimed Water Meters	Remove the water meter brand, and sizes 3" and larger.	10.170



City Council

Approval of a Resolution and Letter Expressing Support for the Estuary Alternative for Long- Term Management of Capitol Lake - Deschutes Estuary

Agenda Date: 8/10/2021
Agenda Item Number: 6.A
File Number: 21-0779

Type: resolution **Version:** 1 **Status:** Other Business

Title

Approval of a Resolution and Letter Expressing Support for the Estuary Alternative for Long-Term Management of Capitol Lake - Deschutes Estuary

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve a Resolution supporting the Estuary Alternative for long-term management of Capitol Lake - Deschutes Estuary and a letter to the Department of Enterprise Services expressing such support.

Report

Issue:

Whether to approve a Resolution supporting the Estuary Alternative for long-term management of Capitol Lake - Deschutes Estuary and a letter to the Department of Enterprise Services expressing such support.

Staff Contact:

Eric Christensen, Water Resources Director, Public Works Department, 360.570.3741

Presenter:

Eric Christensen, Water Resources Director, Public Works Department

Background and Analysis:

The Washington State Department of Enterprise Services (DES) is conducting an environmental review process under the State Environmental Policy Act for the Capitol Lake - Deschutes Estuary Long-Term Management Project.

DES released the Draft Environmental Impact Statement (draft EIS) for the Capitol Lake - Deschutes

Estuary Long-Term Management Project, including information on long-term management alternatives and key findings from a thorough technical analyses. The management alternatives analyzed included:

- No Action - existing conditions with no changes to operations.
- Managed Lake - similar to the existing Capitol Lake but with additional actions to meet lake management objectives. The 5th Avenue Dam would be retained and overhauled to significantly extend the serviceable life of the structure.
- Estuary - restore tidal flow to conditions similar to the historic Deschutes Estuary. The 5th Avenue Dam would be removed, and a 500-foot opening would be created to reconnect the Capitol Lake Basin with Budd Inlet.
- Hybrid - restore tidal flow to conditions similar to the historic Deschutes Estuary. The 5th Avenue Dam would be removed, and a 500-foot-wide opening would be created. A new barrier would be installed to create a smaller (approximately 45-acre) lake feature (or “reflecting pool”).

In accordance with Engrossed Substitute Senate Bill 6248, a Preferred Alternative was not selected in the draft EIS, but will be identified in the final EIS scheduled to be completed by June 30, 2022.

The draft EIS is currently out for public comment until August 13, 2021. City staff have reviewed the draft EIS and compiled comments (attached). City Council requested that a Resolution (attached) be drafted to summarize key findings and recommendations.

Neighborhood/Community Interests (if known):

What to do with Capitol Lake has long been a focus and concern of the community. There are strong opinions around all the long-term management alternatives. The draft EIS addresses the community’s key concerns of improving water quality, managing accumulated sediment, improving ecological functions, and enhancing the community’s use of the resource.

Options:

1. Approve a Resolution and letter supporting the Estuary Alternative for long-term management of Capitol Lake - Deschutes Estuary.
2. Make revisions to and approve a Resolution and letter supporting the Estuary Alternative for long-term management of Capitol Lake - Deschutes Estuary. This option would allow City Council to provide input on the Resolution to address their additional concerns.
3. Do not approve a Resolution or letter supporting the Estuary Alternative for long-term management of Capitol Lake - Deschutes Estuary. This option may eliminate or limit City Council’s opportunity to weigh in on the draft EIS prior to the August 13, 2021 comment period deadline.

Financial Impact:

See the attached table for the estimated construction and long-term maintenance costs (millions of dollars) for each of the alternatives.

The No Action and Managed Lake Alternatives may have additional financial impacts on LOTT Clean Water Alliance and Storm and Surface Water utility ratepayers associated with water quality in Budd Inlet. The Estuary Alternative would be the least cost action alternative over the 30-year planning horizon.

Attachments:

Resolution

Comments on the Draft Environmental Impact Statement

Draft Letter Response from Council to DES

Table - Estimated construction and long-term maintenance costs

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, SUPPORTING
THE ESTUARY ALTERNATIVE FOR LONG-TERM MANAGEMENT OF CAPITOL LAKE – DESCHUTES
ESTUARY**

WHEREAS, the Washington State Department of Enterprise Services (DES) is conducting an environmental review process under the State Environmental Policy Act for the Capitol Lake – Deschutes Estuary Long-Term Management Project; and

WHEREAS, through Engrossed Substitute Senate Bill 6095, the Washington State legislature required DES to develop an environmental impact statement to consider alternatives for Capitol Lake. The alternatives considered must include, at a minimum, a lake option, an estuary option, and a hybrid option. The environmental impact statement will also consider sediment transport and locations within lower Budd Inlet. The department must work with affected stakeholders to develop mitigation plans. The environmental impact statement must also consider an expanded area around Capitol Lake and Budd Inlet including the Port of Olympia for the economic analysis. The environmental impact statement must consider the use of equal funding from nonstate entities including, but not limited to, local governments, special purpose districts, tribes, and not-for-profit organizations; and

WHEREAS, through Engrossed Substitute Senate Bill 6248, the Washington State legislature required DES to complete a draft environmental impact statement with at least the three options of a managed lake, an estuary, and a hybrid lake by June 30, 2021, with the intent of a final environmental impact statement that includes identification of a preferred alternative for Capitol Lake management be completed by June 30, 2022; and

WHEREAS, on June 30, 2021, DES released the Draft Environmental Impact Statement (draft EIS), for the Capitol Lake – Deschutes Estuary Long-Term Management Project including information on long-term management alternatives and key findings from the technical analyses; and

WHEREAS, the draft EIS is currently out for public comment until August 13, 2021, and no further opportunity for public comment is anticipated; and

WHEREAS, the draft EIS does not identify a Preferred Alternative; and

WHEREAS, the Preferred Alternative will be selected by DES with support from their project team and input from Work Groups and the Community Sounding Board; and

WHEREAS, the majority of the draft EIS project area lies within the city limits of Olympia and is part of the downtown community, our cultural and economic hub for which we have invested significant resources; and

WHEREAS, the entirety of the draft EIS project area lies within the Squaxin Island Tribe treaty lands; and

WHEREAS, the draft EIS (page 4-118) states that “the Estuary Alternative would beneficially affect tribal populations through the cultural, heritage, spiritual, and educational value that an estuarine environment provides;” and

WHEREAS, the draft EIS Executive Summary (page 35) states that “Reintroducing tidal hydrology to the Capitol Lake Basin would benefit many of the species of importance to local area tribes, including salmon and shellfish, and potentially other fish and wildlife, as well as plants.” These benefits are also important to the community and region as a whole; and

WHEREAS, the draft EIS (page 7-11) states, that “The Managed Lake Alternative would perpetuate historic inequities, particularly for tribal populations that have experienced ongoing adverse effects from changes to the ecosystem since non-Indigenous settlement of the region and continued loss of connection to the natural environment”; and

WHEREAS, the draft EIS Executive Summary (pages 4 and 5) states that “Due to historical declines, estuary habitat is scarce and valued in the region compared to freshwater ponds and lakes, which remain relatively abundant” and “Estuarine habitat in the South Sound has experienced severe reductions in both the quantity and quality of such key habitats for fish” and “Because of this, the transition in habitat type from freshwater lake to estuary would be highly valuable.” This makes the Estuary Alternative a unique and rare opportunity and would provide an important example of the State’s commitment to restoring Puget Sound, salmon, and Southern Resident Orca in its Capitol City; and

WHEREAS, the Draft EIS Executive Summary (Page 40) states that under the Estuary and Hybrid Alternatives, “the 5th Avenue Bridge would be closed for approximately 4-5 years for replacement”. This will have a significant impact on access to downtown, overall mobility in the Olympia and the ability to maintain utility services; and

WHEREAS, the draft EIS Executive Summary (page 17) states “The mixing of freshwater and saltwater in estuarine environments creates some of the most productive and valuable habitat on earth. The reestablishment of estuarine conditions by reintroducing saltwater and tidal influences to the Capitol Lake Basin would substantially improve ecological functions in the Project Area. In addition to supporting key ecological processes, estuarine conditions would provide productive habitat for shellfish, salmon, other anadromous species, and marine fish in the area, potentially including Endangered Species Act-listed Chinook salmon (non-hatchery) and steelhead trout. Shallow water habitats with salt marsh vegetation along the shoreline would provide preferred forage and rearing habitat for juvenile salmon.” This makes the Estuary Alternative a unique and rare opportunity and would provide an important example of the State’s commitment to restoring anadromous species (salmon), and Southern Resident Orca in its Capitol City; and

WHEREAS, the draft EIS (page 4-63) states “Under the Estuary and Hybrid Alternatives, the conversion of freshwater lake habitat to a tidally influenced brackish estuary would substantially benefit anadromous fish and marine fish, potentially including ESA-listed Chinook salmon and steelhead trout, as well as shellfish”; and

WHEREAS, the consumption of ESA-listed Chinook salmon has long been linked to the survivability of ESA-listed southern resident killer whales and the estuary option results in substantial beneficial effects on salmon including Chinook which is a key recommendation to recover ESA-listed killer whales; and

WHEREAS, the draft EIS (page 4-69) states that with the Estuary Alternative, “Aquatic invasive species that are intolerant to saltwater (e.g., New Zealand mudsnail, Eurasian watermilfoil, curly pondweed) would be largely eradicated from the area with the transition from freshwater to saltwater”; and

WHEREAS, the draft EIS Water Quality Discipline Report (page 5-14) estimates that with the Estuary Alternative there will be an improvement (“minor to moderate benefits”) in dissolved oxygen in Budd Inlet over the Managed Lake and Hybrid Alternatives; and

WHEREAS, the draft EIS (page 4-106) states “Maximum water levels for the Estuary Alternative would be slightly (≤ 1 foot [≤ 0.3 meters]) lower than those of the No Action and Managed Lake Alternatives” and “During extreme river floods (with 2 feet [0.61 meters] of RSLR), the Estuary Alternative would reduce the extent and intensity of flooding compared to the No Action and Managed Lake Alternatives”; and

WHEREAS, the draft EIS (page 4-184) indicates the total cost of estuary alternative over 30 years would be \$70 to \$271 million dollars less than the Managed Lake and Hybrid Alternatives; and

WHEREAS, the draft EIS (page 4-176) states “As part of a future Capitol Lake/Budd Inlet TMDL to reduce nutrient loading in Budd Inlet, Ecology is expected to issue load allocations to Capitol Lake if it remains a lake. If Capitol Lake does not meet its future load allocations, LOTT, and other nutrient sources within the Capitol Lake Basin, including stormwater dischargers, will likely be required to improve water quality of their discharges by increasing treatment and/or reducing their discharges during the summer. These measures would increase the costs for treatment of wastewater and stormwater discharges, which would be passed on to ratepayers.” However, the draft EIS does not quantify the potential costs to affected regional ratepayers; and

WHEREAS, the draft EIS (page 4-119) states “Removing the dam would re-establish pre-Deschutes Basin Project tidelands and estuary functions associated with historic use patterns of the estuary”; and

WHEREAS, the creation of a “Des Chutes Basin Project Historic District” recommended in the draft EIS (page 3-96) would recognize only those historic elements related to the creation of Capitol Lake, to the exclusion of the extensive cultural and historic resources adversely impacted by that project and its subsequent alteration of the entire Deschutes Estuary ecosystem. Instead of focusing on a single period of significance the entire EIS project area should be designated a Cultural Landscape, with a Treatment Plan to guide future conservation and preservation decisions including mitigation of operational effects of any selected alternative; and

WHEREAS, the draft EIS Economics Discipline Report (page ES-7) states “The Estuary and Hybrid Alternatives would provide more opportunity for carbon sequestration and less methane emissions than the Managed Lake Alternative, with the Estuary providing slightly more storage capacity than the Hybrid Alternative. Both the Estuary and Hybrid Alternatives are better aligned with local climate adaptation goals than the Managed Lake Alternative”; and

WHEREAS, the process for prioritizing selection criteria for the Preferred Alternative solicited from the Work Groups and Community Sounding Board was perfunctory and not informed by the analyses and findings of the draft EIS; and

WHEREAS, the Estuary Alternative would provide the rare opportunity to restore scarce tidelands and estuarine habitat, would be the most beneficial to tribal populations, would address social justice and equity impacts associated with the No Action and Managed Lake Alternatives, would substantially benefit anadromous fish and marine fish, would be the most beneficial for controlling invasive species, would be beneficial for reducing downtown Olympia flooding, would be the most beneficial to Budd Inlet water quality, would be better aligned with local climate mitigation and carbon sequestration goals than the Managed Lake Alternative, may be the least impactful to regional LOTT Clean Water Alliance and stormwater utility ratepayers, would be the most natural and environmentally sustainable, would honor traditional cultural and spiritual values of the land and waters in Budd Inlet as a whole, and would be the least cost alternative over the 30-year planning horizon;

NOW, THEREFORE, BASED ON THE RECITALS ABOVE, THE OLYMPIA CITY COUNCIL DOES HEREBY RESOLVE as follows:

1. The Olympia City Council hereby supports selection of the Estuary Alternative as the only clear Preferred Alternative for the final Environmental Impact Statement for the Capitol Lake – Deschutes Estuary Long-Term Management Project.

2. The Olympia City Council hereby requests DES to perform a more rigorous process for prioritizing selection criteria for a Preferred Alternative.
3. The Olympia City Council hereby requests that, given the impacts to the Squaxin Island Tribe and to address equity and social justice impacts, the Squaxin Island Tribe's input in the Decision Durability selection criteria be weighted more heavily than other partners given treaty rights under the Medicine Creek Treaty of 1854 and Tribal interests in the health of the Budd Inlet ecosystem as a whole.
4. The Olympia City Council hereby requests the ability to provide additional input on selection of the Preferred Alternative to be identified in the final Environmental Impact Statement for the Capitol Lake – Deschutes Estuary Long-Term Management Project.
5. The Olympia City Council hereby requests the formation of the Deschutes Watershed Council be included in the final recommendations to create a formal collaborative body to move restoration forward, as was also recommended in the proposed Deschutes Watershed Restoration and Enhancement Plan.
6. The Olympia City Council hereby requests that as a part of evaluating the Estuary Alternative, that a temporary 5th Avenue bridge structure be installed during construction to provide redundancy in this vital part of the City's transportation and utility network between West Olympia and downtown Olympia.
7. The Olympia City Council hereby thanks DES for the opportunity to comment on the draft Environmental Impact Statement for the Capitol Lake – Deschutes Estuary Long-Term Management Project.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2021.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Mark Barber

CITY ATTORNEY



Comments on the Draft Environmental Impact Statement for the Capitol Lake – Deschutes Estuary Long-Term Management Project

Page Reference	Issue	Comment
Executive Summary (pages 4 and 5)	The draft EIS Executive Summary states that “Due to historical declines, estuary habitat is scarce and valued in the region compared to freshwater ponds and lakes, which remain relatively abundant.” And “Estuarine habitat in the South Sound has experienced severe reductions in both the quantity and quality of such key habitats for fish.” and “Because of this, the transition in habitat type from freshwater lake to estuary would be highly valuable.”	In the final EIS, please acknowledge that this makes the Estuary Alternative a unique and rare opportunity that would provide an important example of the State’s commitment to restoring Puget Sound, and salmon and Southern Resident Orca populations.
Executive Summary (page 13)	Statements about future water quality improvements omits that water quality gains in Budd Inlet from the estuary/hybrid alternatives would likely not be realized in another alternative and likely not in any other suite of future actions that could be required via a TMDL.	This is important context to include as restoration of circulation, natural fresh /salt salinity gradients and estuarine nutrient transport and cycling cannot be realized in a managed lake alternative.
Executive Summary (page 13)	It seems speculative that water quality standards might be met in a reflecting pool.	It is also possible that they would not be met. Why only state one side of this range of possibilities? Where is the data that shows that “tidal water would be exchanged twice daily and that water would be cooler, with higher dissolved oxygen concentrations, and less algae than the estuarine water outside of the reflecting pool.”?
Executive Summary (page 16)	The focus on aquatic plants seems a side issue to the larger impacts on ecology from the dam on Budd Inlet water quality, loss of rare and valuable estuarine and salt marsh habitat, natural sediment transport and salt/freshwater gradients.	Emphasis on the alterations to ecological function created by the dam seems more relevant to the overall selection of a preferred alternative than the concerns about aquatic plants in the lake.

Comments on the Draft Environmental Impact Statement for the Capitol Lake – Deschutes Estuary Long-Term Management Project

Page Reference	Issue	Comment
Executive Summary (page 24)	The draft EIS Executive Summary states that Under the Managed Lake Alternative, flooding from extreme river flood events would not be mitigated by the Olympia Sea Level Rise Response Plan.	The Olympia Sea Level Rise Response Plan acknowledged the potential for changes in Capitol Lake as a result of the EIS process and provided adaptation strategies that could be considered with all of the action alternatives. Regardless of the future of Capitol Lake, the eastern shoreline along Heritage Park will need to be modified in order to prevent both existing and future downtown flooding. Different alternatives could present subtle changes in how the shoreline is modified to address sea level rise. The plan also acknowledges that near-term (by 2024) strategies for elevating the landscape in low areas of Heritage Park should be implemented to reduce existing river-driven flooding.
Executive Summary (pages 26-27)	Figures ES.5 and ES.6 depict overviews for the Managed Lake and Estuary Alternatives.	In the final EIS, please revise Figures ES.5 and ES.6 to indicate that the landscape elevations within Heritage Park will need to be increased to prevent flooding in downtown Olympia. It is assumed that with the Hybrid Alternative, the reflecting pool barrier wall will fulfill this purpose.
Executive Summary (page 27)	Dam removal callout on Figure ES.6	Mention benefits to natural processes, salinity mixing zone and increase of aquatic habitat by 3.3 acres from Dam removal. Also applies to Figure ES.7.
Executive Summary (page 29)	Table ES.2 Hydrodynamics	Hydrodynamics – No mention of improved fresh/salt salinity gradient and potential benefits to larger Southern Budd Inlet circulation from Estuary Option. Water levels in flood scenarios are not contextualized with degree relative to flood elevations. Sediment transport to Budd Inlet is also a benefit to nearshore habitats supporting resiliency to sea level rise and a more natural distribution and release of sediment and freshwater.
Executive Summary (page 30)	Table ES.2 Water Quality	Uncertainty in water quality improvements from a yet to be developed adaptive lake management plan are not mentioned in Managed Lake alternative, but uncertainty is highlighted in potential water quality improvements to Budd Inlet in Estuary Alternative.

Comments on the Draft Environmental Impact Statement for the Capitol Lake – Deschutes Estuary Long-Term Management Project

Page Reference	Issue	Comment
Executive Summary (page 31)	Table ES.2 Fish and Wildlife	In estuary alternative highlight the beneficial effects on shorebirds, wading birds, shellfish, diving and dabbling ducks as described in the fish and wildlife discipline report as moderate to substantial (Fish and Wildlife page 5-49 and DEIS 4-71 table 4.5.2) Also increase of deepwater habitat by 3.2 acres from dam removal as moderate beneficial effect (Fish and Wildlife 5-30)
Executive Summary (page 31)	Table ES.2 Wetlands – benefit of restoring 3.3 acres of waters of the US via dam removal is not listed as a beneficial effect.	Mention restoration of 3.3 acres of deepwater estuary habitat of 3.3 acres from Dam removal should be mentioned in wetlands under estuary and hybrid alternatives. (from page 4-81)
Executive Summary (page 31)	The Fish & Wildlife Discipline Report page 5-36 states “The Estuary Alternative would enhance the salmon production of the basin by providing additional refuge habitat for juvenile salmon and would increase the estuarine benthic organism prey for salmon. Overall, this would have a corresponding minor beneficial effect for orcas that may occasionally visit Budd Inlet.” This statement is also substantially captured in Section 4.5.5 of the EIS.	In the final EIS Executive Summary, please acknowledge the Estuary Alternative’s minor beneficial effect for orcas in Table ES.2.
Executive Summary (page 32)	In Table ES.2 for the Land Use, Shorelines, & Recreation discipline, the Managed Lake Alternative proposes coordination with the Olympia Sea Level Rise Response Plan on design parameters for the flood protection design of the Heritage Park berm to account for extreme river flooding.	In the final EIS, please revise Table ES.2 under the Estuary and Hybrid Alternatives to also propose coordination with the Olympia Sea Level Rise Response Plan on design parameters for the flood protection design of the Heritage Park berm to account for extreme river flooding.
Executive Summary (page 32)	The summary of key findings from the Air Quality and Odor discipline states that the long-term impacts and benefits, including opportunities for carbon sequestration and methane emissions, are the same for the Estuary and Hybrid Alternatives.	In the final EIS, please revise the summary of Air Quality and Odor impacts in Table ES.2 to acknowledge these differences in greenhouse gas emissions and potential for carbon sequestration between the Estuary and Hybrid alternatives.

Comments on the Draft Environmental Impact Statement for the Capitol Lake – Deschutes Estuary Long-Term Management Project

Page Reference	Issue	Comment
	<p>This is not consistent with the Air Quality and Odor Discipline Report which states:</p> <ul style="list-style-type: none"> - “Of the three action alternatives, the hybrid alternative would generate the highest levels of GHG emissions during construction (Attachment 11, page 5-14)” and - “The hybrid alternative would have slightly less net carbon sequestration when compared to the Estuary Alternative because of the decreased area of saline marsh in the North Basin (Attachment 11, page 5-16).” 	<p>Please also acknowledge that the Estuary and Hybrid alternatives are better aligned with local climate adaptation and mitigation goals than the Managed Lake Alternative.</p>
Executive Summary (page 35)	<p>The draft EIS Executive Summary states that “Reintroducing tidal hydrology to the Capitol Lake Basin would benefit many of the species of importance to local area tribes, including salmon and shellfish, and potentially other fish and wildlife, as well as plants.”</p>	<p>Please acknowledge that these benefits to the natural environment are also of importance to the community and region as a whole.</p>
Executive Summary (page 40)	<p>The Draft EIS suggests that under the Estuary and Hybrid Alternatives the 5th Avenue Bridge would be closed for approximately 4-5 years for replacement.</p>	<p>This has a very large impact on access to downtown and overall mobility in the Olympia. Please describe how this impact is anticipated to be mitigated.</p> <p>It is important to note that without an alternate east-west route (such as the 4th Avenue bridge), loss of the 5th Avenue Bridge would cripple transportation and emergency vehicle access in the City.</p> <p>Has a temporary bridge, similar to what was implemented with the 4th Avenue bridge replacement following the Nisqually earthquake, been given consideration? If not, could the proposed 5th Avenue pedestrian bridge be redesigned to allow its use as a temporary vehicular bridge during construction?</p>

Comments on the Draft Environmental Impact Statement for the Capitol Lake – Deschutes Estuary Long-Term Management Project

Page Reference	Issue	Comment
1-5	The draft EIS states that the aquatic lands of Capitol Lake are managed by Enterprise Services under long-term lease agreement from the Washington State Department of Natural Resources (DNR). The current lease agreement was established in 1998, for a term of 30 years (through 2028), with the option for one 20-year extension (through 2048). Based on the scope of this project, it is assumed that a new governing body may be formed for long-term management of the Capitol Lake – Deschutes Estuary before the lease term expires, and management authority would be transferred from Enterprise Services.	<p>Given this:</p> <ol style="list-style-type: none"> 1. Although the Washington State legislature has tasked DES with doing so, given that DNR is the landlord and DES is the tenant, is it appropriate for DES to be the decision maker for the Preferred Alternative? 2. In the final EIS, please provide greater detail of what the governing body for long-term management of the Capitol Lake – Deschutes Estuary is envisioned to be. 3. The terms of the lease (Section 7.3) require that “prior to any construction, alteration, replacement, removal or major repair of any improvements (whether Landlord-Owned or Tenant-Owned), Tenant shall submit to Landlord plans and specifications which describe the proposed activity. Construction shall not commence until Landlord has approved those plans and specifications in writing.” Given this, it appears that DNR has the final approval of the Preferred Alternative. Please address this in the final EIS. 4. The terms of the lease (Section 7.4) indicate “Tenant-Owned Improvements shall be removed by Tenant by the Termination Date unless Landlord notifies Tenant that the Tenant-Owned Improvements may remain. If the Landlord elects for the Tenant-Owned Improvements to remain on the Property after the Termination Date, they shall become the property of Landlord without payment by Landlord.” Section 7.1 of the lease indicates the 5th Avenue dam is a tenant-owned existing improvement. Given this, it appears that DNR has the authority to request the removal of the dam by the termination of the lease. Please address this in the final EIS.
1-19	The draft EIS provides selection criteria for the Preferred Alternative.	To promote fairness and equity across the many aspects of the community, please include social justice and equity as a selection criterion.

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1-19	The selection criteria for the Preferred Alternative include Environmental and Economic Sustainability.	There does not appear to be an evaluation or mention of Environmental and Economic “Sustainability” in the draft EIS (particularly Chapters 3 or 4).
1-20	The draft EIS provides a prioritization of the selection criteria for the Preferred Alternative.	Thus far the process for prioritization of the criteria does not appear to have been rigorous and was not informed by the findings of the draft EIS. Performance of a more rigorous process for prioritizing and weighting the selection criteria, with input from the Work Groups and Community Sounding Board, is necessary before a Preferred Alternative can be selected.
Chapter 2	Deschutes reconfiguration	With the reconfiguration, please add an evaluation of vehicle LOS at 4th and Simmons and the lower roundabout (top of 4th Ave bridge).
2-30	Boardwalk design/construction	Boardwalks at Billy Frank Jr Nisqually NWR were constructed on prior disturbed areas (levees and service roads) with subsurface geotechnical investigation to support diamond pier/pin pile system. This design may not be feasible in unconsolidated/placed sediments in the lake/estuary scenario.
2-30 to 2-32	Section 2.3.4 on Community Use, and throughout report	Makes no mention of the Tribes’ uses and value of the estuary for educational and spiritual purposes. The report should consider our contemporary Tribes as part of the broad community of the project area and include their traditional, current and future envisioned uses and values here and in other sections that enumerate the community uses and benefits of each alternative. See text in section 4.14.3.4 re importance to Tribes of water quality, habitat, aesthetics, cultural, heritage, spiritual & educational value of “ecosystem services” of the estuary. That language should appear in benefits lists and community use sections.
2-31	The draft EIS states Outside of the Project Area, a decontamination station may also be installed in West Bay.	Consider changing West Bay to Budd Inlet. The Swantown Marina boat launch located in East Bay is a primary access point for boaters in Budd Inlet.

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2-41	At-grade pedestrian path (under 5 th Avenue bridge?)	Further explain this at-grade path. A path on the ground should be described more fully including who it serves and what it connects to. Will it connect to the planned West Bay Trail?
2-42	5 th Avenue pedestrian bridge	Consider referring to this as a “pedestrian/bicycle” bridge. It is described as intending to serve bicyclists, and multimodal. It would be clearer to put bicycle in the title. This bridge will significantly improve bicycle access in the area.
2- 42	5 th Avenue pedestrian bridge	Width of bridge is 14ft. Because bidirectional travel by bicyclists and pedestrians is expected, consider a wider design, 16 ft is recommended. A multiuse trail is 12 feet. Shy distance should be added for the railings. Unlike an at grade trail, people using the bridge will shy from the railing, narrowing the effective travel space.
2-42	5 th Avenue pedestrian bridge	It is assumed that this pedestrian and bicycle bridge will be built to remain permanently; this should be stated. The function and aesthetics of this bridge should be developed with the City of Olympia and community involvement.
2-46, 2-47	At-grade pathway connection between 5 th Avenue Pedestrian Bridge and Deschutes Parkway.	Continue to maintain the at-grade pathway connection under both the 4 th and 5 th Avenue bridges regardless of the chosen Alternative. The at-grade pathway connection is critical to providing safe pedestrian and bicycle connectivity and for future connection with Olympia’s waterfront trail.
2-47	Deschutes reconfiguration	The design of this connection should consider be integrated with the design of the future planned West Bay Trail.
2-47	Deschutes reconfiguration	The design of this connection should assume wide sidewalks and enhanced bike lanes. The number of lanes, the bicycle and pedestrian access, intersection treatment, and the aesthetics should be developed with the City of Olympia and community involvement.

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2-47	Deschutes Parkway reconfiguration	See chapter 5 comment below. The impacts of closing the 5 th Avenue bridge are significant and not fully mitigated by the Deschutes Parkway reconfiguration.
2-48	New 5 th Avenue bridge	The final EIS should state the design of this bridge should be developed with the City of Olympia and community involvement. Specifically, the number of lanes, the bicycle and pedestrian features, and bridge aesthetics. The use of guardrail should be removed from the description at this stage.
2-49	Deschutes reconfiguration	The final EIS should state function and aesthetics of this connection should be developed with the City of Olympia and community involvement.
3-15	The draft EIS states that “For the EIS water quality analysis, the study area includes Capitol Lake and its major inflow sources of the Deschutes River and Percival Creek, as well as West Bay and East Bay of Budd Inlet.” This does not agree with the study area boundary depicted in Exhibit 3.27.	If the water quality analysis study area includes the Deschutes River and Percival Creek, as well as West Bay and East Bay of Budd Inlet, please revise the study area boundary depicted in Exhibit 3.27.
3-91	Section 3.9, Cultural Resources – Methodology	The cultural resources study scope includes the project area +.25 mi buffer. However, the resulting recommendation includes designation of a historic district area narrowly related to creation of Capitol Lake to be called “Des Chutes Project Historic District.” This proposed district may be useful for isolating the historic elements that would see significant adverse impact (demolition, loss) from a preferred option that removes the dam. But that is its only, speculative, marginal utility. Structures (including the Lake) that are believed eligible for listing and which will be impacted by a preferred alternative should be thoroughly documented as a mitigation measure – regardless of which alternative is chosen. For this reason, the recommendation for a narrowly drawn historic district comes across as a tone-deaf to the array of cultural resources in and along the waterway, that continues to discount and defer consideration of the cultural, pre-contact, and historic

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		<p>resources that were adversely impacted by the creation of the Lake in the first place. Those lost or impacted resources disproportionately reflected the presence of marginalized populations (Little Hollywood, Olympia’s Chinese Community, and our Tribal Community’s presence throughout the waterways of Budd Inlet). They also include the commercial industries of the South basin and residential properties and neighborhoods impacted by dredge spoils and redirected transportation routes over water, bridges, and land.</p> <p>A more progressive and unifying approach would be to pursue a Cultural Landscape designation for the project area from the Falls to North Port that acknowledges and documents without bias the many, cumulative human uses over time, creates a Treatment Plan to guide future decisions regarding conservation, protection, and preservation, and develops an Interpretive Plan to share those many stories. The recent creation of Washington’s National Maritime Heritage Area could provide support and momentum for a Deschutes Estuary Cultural Landscape designation within the NMHA. The work could be funded as a mitigation measure and possibly with grant support.</p>
3-119	Street map	Union Avenue is an arterial; map shows it as a major Collector
3-120	Transit routes	Transit routes on 4 th and 5 th Avenue are mentioned. Two Intercity Transit routes, 12 and 42, use Deschutes Parkway and should also be mentioned.
3-120	Transit routes and ridership pre-pandemic	Add more discussion of transit routes, including a map of the routes in the affected area. Also, provide transit ridership numbers (possibly boardings/ disembarkments on these routes at the Olympic Transit Center). There are a significant number of people who ride buses and will be impacted by a future project.

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3-121	Bicycle facility definitions.	Use the term “Bike Corridor” instead of “Bike Street.”
3-121	Bicycle facility definitions.	Remove the sentence that states: “These designations are consistent with...” It is not needed and is inaccurate (Bike Corridors are not Class III bike facilities.)
3-122	Docks as trails	Docks are shown as trails and this is mentioned in the text. Many of these docks are locked and not open to the public. Suggest not showing docks as trails.
3-123	Map of bike facilities	The Bike Corridor on 7th goes to Washington; shown on map as going to Capitol.
Chapter 4	Section 4.3 recommends monitoring water quality, invasive species and aquatic plants to evaluate whether the objectives are being met.	It is recommended that a collaborative partnership, like the Deschutes Watershed Council, be established or consulted to monitor implementation of the Preferred Alternative’s long-term management. This would be consistent with the WRIA 13 Committee recommendations.
Section 4.1	Beneficial effects of restoring sediment transport to Budd Inlet for habitat, marine food webs and SLR adaptation is not mentioned in this section.	Sediment is not only a problem to be resolved. There are many beneficial effects of restoring natural sediment transport to lower Budd Inlet. Please include benefits to existing habitat in southern Budd Inlet of restored natural sediment transport processes in addition of impacts.
4-3	The draft EIS states the modeled +100-year river flood event will cause high water levels of up to 17.4 feet (5.3 meters) NAVD 88 in the North Basin, 17.7 feet (5.4 meters) NAVD 88 in the Middle Basin, and 21.0 feet (6.4 meters) NAVD 88 in the South Basin.	These elevations appear to take into account 2 feet of RSLR. Please indicate it in the narrative. The narrative does not appear to mention this.
4-3	The draft EIS states water levels in Budd Inlet will reach 16.1 feet (5.0 meters) NAVD 88 during the 100-year tide	These elevations appear to take into account 2 feet of RSLR. Please indicate that in the narrative. The narrative does not appear to mention this.
4-3 and 4-5	The draft EIS states during extreme high tides (i.e., the 100-year tide), elevated water levels in Budd	This is not quite accurate. Regardless of the season, at even moderate high tides, marine water often enters the lake through

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	Inlet are prevented from entering Capitol Lake by the 5 th Avenue Dam.	the fish ladder. It is suggested that the narrative be changed to say “during extreme high tides, marine water from Budd Inlet is limited/reduced from entering Capitol Lake by the 5 th Avenue Dam.
4-6	The text box in the right-hand column of the page appears to be blank.	The text box in the right-hand column of the page appears to be blank.
4-8, 4-9, 4-10 and 4-11	The draft EIS states “numerical model results for maximum water levels at specific locations throughout the study area graphically illustrated in Figures 4.1.1 (for extreme river flood event) and 4.1.2 (for extreme tidal flood event), both with 2 feet (0.61 meters) of RSLR, are listed in Tables 4.1.1 and 4.1.2.”	Please add a note in the titles or footnotes in both figures and tables acknowledging that they represent conditions with 2 feet of RSLR. Should the paragraph end “both with 2 feet (0.61 meters) of RSLR, <i>and</i> are listed in Tables 4.1.1 and 4.1.2.”
4-8, 4-9 and 4-10	The draft EIS states numerical model results for maximum water levels at specific locations throughout the study area graphically illustrated in Figures 4.1.1 (for extreme river flood event) and 4.1.2 (for extreme tidal flood event), both with 2 feet (0.61 meters) of RSLR, are listed in Tables 4.1.1 and 4.1.2.	Please provide similar figures and tables for existing conditions without sea level rise.
4-9 and 4-10	Maximum water levels are not depicted within the reflecting pool for the hybrid alternative in Figures 4.1.1 and 4.1.2.	Is this because water levels within the reflecting pool were not modeled? If so, please explain that in the narrative.
4-11	Maximum water levels for an extreme tidal flood event with 2 feet of RSLR are listed in Table 4.1.2.	The water level elevations on the north side of the 5 th Avenue Dam are higher for the No Action and Managed Lake Alternatives than they are for the Estuary and Hybrid Alternatives. This is not intuitive. It would seem that with no or little flow from the lake, water levels outside the dam would not be higher. Does this have to do with the total volume of water within the hydrodynamic study area?
4-11	Maximum water levels for an extreme tidal flood event with 2 feet of RSLR are listed in Table 4.1.2.	The top elevations of the radial gates and fish gate are not provided. Does the hydrodynamic model take into account the top

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		elevations of the radial gates and fish gate? With 2 feet of RSLR, will tidal elevations be higher than the top of any or all of the gates? If so, the water elevations in the North Basin for the No Action and Managed Lake Alternatives do not appear to support this.
4-62	Chemical control of invasive plants and New Zealand mud snail.	Do not support chemical controls for mollusks or plants as a long-term management option for these species. Reintroduction of natural salinity regime and containment seems a more viable approach. Continued chemical control has off target effects and negative impacts on water quality and dissolved oxygen as plant materials decompose.
4-82	Table 4.6.2 beneficial effect of restoring 3.3 acres of aquatic habitat is not listed. This is a net gain impact not less than significant.	Included dam removal restoration of 3.3 acres of waters of the us as a benefit in table 4.6.2 first row/impact finding, as listed on page 4-81.
4-84	Pin pile viability uncertain – at least using same system as used at Billy Frank Jr Nisqually NWR.	Boardwalks at Billy Frank Jr Nisqually NWR were constructed on prior disturbed areas (levees and service roads) with subsurface geotechnical investigation to support diamond pier/pin pile system. This design may not be feasible in unconsolidated/placed sediments in the lake/estuary scenario.
4-86	Under the key findings for carbon sequestration, the draft EIS describes the vegetated marshes established under the Estuary and Hybrid alternatives as more consistent with the goals of the Thurston Climate Adaptation Plan, but does not reference the Thurston Climate Mitigation Plan.	Please revise this statement to clarify that the Estuary and Hybrid alternatives are also consistent with the carbon sequestration goals of the Thurston Climate Mitigation Plan.
4-91	The draft EIS states that the Managed Lake Alternative “would not promote consistency with the Guiding Principles in the 2017 Thurston Climate Adaptation Plan, capturing and storing GHG emissions”, but does not reference the Thurston Climate Mitigation Plan. The Managed Lake alternative is also inconsistent with the TCMP	Please revise this statement the clarify that the Managed Lake alternative would also not promote consistency with the carbon sequestration goals of the Thurston Climate Mitigation Plan.

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	strategy to sequester carbon through habitat restoration.	
4-94	Statement that Estuary alternative is less consistent than other alternatives in long term GHG emissions seems inconsistent with table below and table 4.7.2 if in water disposal is an option.	Include text to acknowledge the estuary alternative has the least greenhouse gas emissions associated with construction and operation compared to other action alternatives if in water disposal is viable as shown in Table 4.7.4 when compared to Table 4.7.2 on page 4-90.
4-94	The draft EIS states: “Within the context of regional GHG emission goals described in the 2020 Thurston Climate Mitigation Plan, [the Estuary Alternative] is less consistent than the Managed Lake or No Action Alternative in terms of reducing long-term GHG emissions associated with construction and operation activities. However, the Estuary alternative promotes the greatest levels of consistency with Guiding Principles in the 2017 Thurston Climate Adaptation Plan.”	<p>This statement is misleading as currently written and could be interpreted to suggest that the Estuary alternative is inconsistent with the Thurston Climate Mitigation Plan (TCMP). However, creating opportunities for carbon sequestration through ecosystem preservation and restoration is an important strategy identified in the TCMP to achieve regional greenhouse gas reduction targets, and as such the Estuary Alternative is entirely consistent with the climate mitigation goals and strategies of the TCMP.</p> <p>In the final EIS, please revise this statement to clarify that the Estuary Alternative is consistent with the carbon sequestration goals and strategies described in the 2020 Thurston Climate Mitigation Plan.</p>
4-96	The draft EIS states: “Within the context of regional GHG emissions goals described in the Thurston Climate Mitigation Plan to reduce GHG emissions 45% below 2015 levels by 2030 and 85% below 2015 levels by 2050, [the Hybrid Alternative] is less consistent in terms of reducing long-term GHG emissions associated with construction and operation activities. However, the Hybrid Alternative provides more consistency than the Managed Lake Alternative with Guiding Principles in the 2017 Thurston Climate Adaptation Plan by improving the	<p>This statement is misleading as currently written and could be interpreted to suggest that the Hybrid alternative is inconsistent with the Thurston Climate Mitigation Plan (TCMP). However, creating opportunities for carbon sequestration through ecosystem preservation and restoration is an important strategy identified in the TCMP to achieve regional emission reduction targets, and as such the Hybrid Alternative is consistent with the climate mitigation goals and strategies of the TCMP.</p> <p>In the final EIS, please revise this statement to clarify that the Hybrid Alternative is consistent with the carbon sequestration goals</p>

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	ability to reduce, capture, and store GHG emissions, but less than the Estuary Alternative.”	and strategies described in the 2020 Thurston Climate Mitigation Plan.
4-101	Statement that all action alternatives are supported by the Olympia SMP seems inconsistent with DEIS findings that estuary and hybrid alternatives offer higher gains in ecological function, restored estuarine habitats and intertidal influence	It does not seem that all action alternatives are equally supported by the Olympia SMP. Please revise to state that the estuary and hybrid alternatives are more consistent with the SMP. Current working seems inaccurate or at least misleading. As stated on page 4-104 “Managed Lake Alternative would not directly support the priorities of the Olympia SMP Restoration Plan for restoration of the Budd Inlet Estuary.”
4-107	Discussion of flooding seems to understate the change in river flood elevations in the estuary alternative compared to numbers presented in Table 4.1.1 on page 4-11	River flood information for both estuary and hybrid alternatives for river flooding is over 2 feet lower than in alternative that maintain the lake based on Table 4.1.1
4-113	Section 4.9, Cultural Resources: Long Term Impacts and Benefits	<p>See comments on Section 3.9 regarding creation of a “Des Chutes Project Historic District.” The approach to the Cultural Resources Discipline within the draft EIS is to separately addresses “cultural resources” i.e., the pre-contact Tribal and archaeological interests, and “historic (built environment) resources” i.e., primarily post-contact history. While practical, this approach significantly reduces the emphasis on cultural resources due to the lack of traditional documentation; <i>especially</i> in this instance, where so much of that pre-contact evidence of human habitation was lost or obscured with the creation of Capitol Lake and its chain of irretrievable alterations to the estuary ecosystem.</p> <p>Segmenting history into pre- and post-contact periods is especially unhelpful however in considering long-term impacts and benefits of the proposed alternatives, since those impacts (good and bad) accrue to the <i>entire community</i> inclusive of the Tribes. Similarly, mitigation measures to be determined within a NEPA process should not be compartmentalized, nor limited to the loss of the Lake and its structural accessories, but considered in terms of the</p>

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		<p>broad impacts of the undertaking and its effect on the entire estuary and its human community – reflective of the impacts of the Lake’s creation.</p> <p>In addition, much more ink should be spent detailing what is known of Tribal activity in the area. The report notes that the area was once “an important regional hub of indigenous trade and transportation” (p. P 3-99, section 3.9.3.1) but there is no further mention and no citation for this info on Native commerce, social activity, and travel. Deeper research and documentation is merited.</p> <p>Data recovery and interpretation should be included among the list of possible mitigation measures both for construction and for long-term operational impacts, in relevant sections of the report.</p>
4-118	The draft EIS states that the Estuary Alternative would beneficially affect tribal populations through the cultural, heritage, spiritual, and educational value that an estuarine environment provides.	Given the identified impacts to the Squaxin Island Tribe, and given the Squaxin Island Tribe’s treaty rights under the Medicine Creek Treaty of 1854, and to address equity and social justice impacts, the Squaxin Island Tribe’s input in the Decision Durability selection criterion should be weighted more heavily than other Work Groups and Community Sounding Board.
Section 4.11	Mud Minnow and freshwater mussels are not addressed in the draft EIS	Staff reports that Olympia mud minnow and freshwater mussels may occur in the lake
4-166	Dredging and moving of spoils. Importance of rail and barge.	There are three stated options for transporting dredging spoils: truck, rail, and barge. Greater emphasis should be placed on rail and barge for transfer of spoils as much as possible to reduce street and traffic impacts.
4-166	Dredging and moving of spoils. Use of rail.	While it is stated that traffic on streets with at grade trail crossing will be impacted with the transport of dredging materials by rail, this impact is likely far less significant than the impacts to traffic from truck transport. There likely to be significantly fewer at-grade

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		rail crossings and they tend to be further from the downtown when compared to the impacts of trucks on intersections.
4-166	Dredging and moving of spoils. Pavement repair.	Use of trucks to move spoils will impact traffic congestion, as stated. Use of trucks will also have a significant impact on the condition of the asphalt of these streets and should be stated and evaluated. Pavement restoration is mentioned in Chapter 5 page 78. A similar statement should be made about long term dredging and hauling operations.
4-174	The draft EIS states that “under the No Action and Managed Lake Alternatives, impacts would be significant if Ecology requires LOTT and other dischargers to implement more stringent actions for stormwater and wastewater discharges to improve water quality and meet regulatory standards in the basin.”	This may require LOTT to discharge to infiltration basins (currently not permitted in Thurston County) or possibly relocate treatment plants. These costs have the potential to exceed the estimated costs for the CLDE action alternatives. Can the potential utility and ratepayer costs of this impact be quantified? In the final EIS, please acknowledge the potential significant impact to LOTT and other dischargers in Section 4.3 and Table ES.2.
4-181	Key finding box – Ecosystem services language seems to understate value of estuarine alternatives compared to managed lake.	The estuary alternative provide a larger suite of ecosystem services that are more fitting in this landscape context. Estuaries are rare on the landscape and can only exist at this type of location. It seems inappropriate to equate the ecosystem services provided by an estuary in this location with an artificial managed lake. A huge lost opportunity if the ecosystem services that could be provided by and estuary are not actualized at a site in this landscape position and ecological context.
5-2 Key Findings Box	Punctuation	Extra period in the last sentence.
5-7	BMPs	Throughout the chapter there are several references to BMPs. It would be helpful to describe/list some or provide a link to a list.
5-9	Typical permit requirements related to concrete and high pH concerns	Describe or provide reference to what typical permit requirements might be.
Chapter 5	Use of acronyms	Define acronyms used.

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5-14	Upland disposal sites	Further description of potential sites – how close to site. Could affect traffic control plans, etc.
5-16, Section 5.4.6	Mitigation measures implemented	Reference is to what DES would do. Wouldn't this work be done by a Contractor? If so, wouldn't it be prudent to incorporate permit requirements into Plan/Spec package?
5-16, Section 5.4.6.1	Second paragraph references WDFW approved BMP's.	Only place WDFW approved BMP's are referenced in the Chapter. Are these particular BMP's really unique to this body of work? Suggest a link to the WDFW BMPs.
5-18, Sections 5.5.2 and 5.4.2.2	Consistency	5.4.2.2 says animals would avoid construction activity. This is the only place that suggests this. Is this accurate?
5-33	Odor section	Odor due to decaying organic matter dredged up is not included. Does it need to be? Whether during construction or after, especially in the Estuary option?
5-43, Section 5.8.2	Walking distance impacts	Information does not clearly articulate that pedestrian routes will be extended, and that the route will not be flat, it will be the portion up/down the slope along Deschutes to 5 th Ave to 4 th Ave
5-43, Section 5.8.3	Temporary trail trestle	Provide a description of what this might look like/where installed. Is there a cost difference? – incorporate into cost section as applicable. Provide this option consistently in future sections. It shows up intermittently.
5-44 to 46, Sections 5.8.4 – 5.8.6.1	Recreationalists ability to use other portions of the trail around the lake	How realistic is this? With varying construction activities, parking, material deliveries, etc. will pedestrians safely and easily be able to navigate portions of the trail? How will homeless encampments either existing or as may pop up throughout construction be addressed? Including pedestrian/bicycle access/restrictions.

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	<p>“Most of the recreation resources in the study area would remain open and continue to operate.” Stated in many places in this section</p> <p>Provide alternative access points to recreation sites and trail detours</p>	<p>Is this over simplifying? Is there an effective way to show graphically?</p> <p>Will there be signage warning pedestrians if they need to turn around well in advance of actual closure? Will ADA considerations be met during construction?</p> <p>How feasible is this? Given closed streets/construction activity/ only access from street side, not the lake? Better graphic detail of detour routes and phasing of construction activity</p>
Section 5.9.4	Archeological concerns	There is no mention of the reconstruction activity along Deschutes Parkway related to post earthquake conditions.
Section 5.10.2	Viewer impacts/restrictions	Are there alternate locations, along 5 th Avenue that could be enhanced to improve viewer/recreational activities?
5-61	Marathon Park closure	First bullet in 5.10.6.1 suggests access for visual access during periods of no construction, where feasible. What will the elements be that result in allowing access? Duration of opening/closings should be considered.
5-68	<p>Traffic counts/commuter peak hours</p> <p>Acronyms</p> <p>Use of train</p>	<p>Post COVID it is likely that employees will be able to continue to telecommute. How does this change affect stated levels of impact?</p> <p>Include definitions of acronyms</p> <p>Some type of vehicle and/or equipment would be needed in order to remove/shuttle goods and materials from the train, if that option used. Not addressed.</p>
5-68	Closure of 5 th Ave bridge for 4-5 years	Closure of the 5 th Avenue bridge is unacceptable. A temporary bridge is needed. With a closure, the only reasonable detour is 4 th Avenue. The resulting congestion could result in significant safety, economic and quality of life impacts.

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5-68	Closure of 5 th Ave bridge. Emergency vehicle access.	Relying on just one bridge (4 th Avenue) for east/west access could inhibit emergency vehicle access.
5-68	Closure of 5 th Ave bridge. Temporary bridge proposal and bike and pedestrian access.	A temporary 5 th Avenue bridge should not be in lieu of a pedestrian/bicycle structure; it should be in addition to or integrated with that structure.
5-68	Closure of 5 th Ave bridge. I-5 and SR 101 impacts	Without the 5 th Avenue bridge, and increased congestion on 4 th Avenue, there will be impacts to I-5 and SR 101 which should be described and evaluated.
5-71	Truck haul routes	Truck haul routes should use Deschutes Parkway and not 4 th and State, to avoid the impacts of trucks on the downtown businesses and residents. Significantly fewer people would be impacted by exclusively using, or prioritizing the use of, Deschutes Parkway.
Table 5.12.1	<p>Applying time of day restrictions</p> <p>Impact missing – Single east-west route via 4th Avenue Bridge</p> <p>Construction Worker Parking</p> <p>Street Capacity, Sidewalk, or Bike Lane Restrictions</p> <p>Railroad usage</p> <p>Impacts to Bus routes and emergency vehicle response</p>	<p>To what extent would this affect project cost.</p> <p>The table does not reflect the significant impact of only having the 4th Avenue bridge available for traffic for a very long time. Accidents/weather events/earthquake could severely impact capacity on 4th Avenue bridge. A temporary bridge should be incorporated into the mitigation options.</p> <p>Will this be restricted to specific locations with specific access to/from to minimize impacts to remaining street network?</p> <p>A more robust evaluation of alt routes and impacts, given COVID related changes to traffic patterns should be completed</p> <p>Would rail cars also be used for material storage?</p> <p>Address the impact of splitting routes/extending response times for buses and emergency response vehicles. Given the vulnerability of the 4th Avenue bridge in the event the 5th Avenue bridge is removed, will additional apparatus be needed on the West side?</p>

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	Pavement Degradation Due to Construction Traffic	Pavement condition must be managed during construction with FINAL restoration being done once work is complete. This applies to entire detour routes, not only in proximity of the Lake.
5-77, Section 5.12.4	Significance of impacts	Current report suggests that “The remaining impacts on surface transportation from construction of the Estuary Alternative would be less than significant. This does not adequately consider the vulnerability of only on east-west route via the 4 th Avenue Bridge.
5-78, Section 5.12.6.1	Measures Common to All Alternatives Construction Traffic Management Plan (CTMP) Measures identified to address the transportation impact of closure of the 5 th Avenue Bridge during construction.	Have all impacted parties been adequately considered; City (Public Works, Police, Fire, School District, Intercity Transit, State, Federal (USPS), commercial parties? Routes and conditions should be resolved early in the process with City of Olympia, as the impacts have potential for being significant. COVID impacts on traffic pattern changes should be evaluated in order to better reflect conditions during the proposed construction window(s). The Thurston Regional Planning Council (TRPC) has adjusted the county-wide transportation model to account for COVID impacts moving forward. Consider ride share incentives/opportunities for construction employees. Construct a 2-lane temporary bridge with consideration for bike and ped traffic. Vulnerability of the City without a redundant E-W route must be further evaluated. The duration of proposed construction is simply too long to go without a temporary bridge.
5-79	Closure of 5 th Avenue bridge. Transit impacts.	There is minimal discussion of the impact to transit service with the closure of the 5 th Avenue bridge for 4-5 years. Not only will the routes on 5 th be impacted, but the congestion on 4 th will impact all

Comments on the Draft Environmental Impact Statement for the Capitol Lake – Deschutes Estuary Long-Term Management Project

Page Reference	Issue	Comment
		buses that use 4 th and 5 th Avenues. This should be highlighted as an impact that is in addition to the congestion for passenger vehicles.
5-79	Reference to trail trestle	Reference to a temporary trail trestle is made as an alternative to the 5 th Avenue Pedestrian bridge. This needs further explanation. The construction of the 5 th Avenue Pedestrian bridge should be a priority and constructed at the beginning as stated elsewhere in the draft EIS.
5-81 to 85	Key Findings and subsequent paragraphs.	<p>Can you really ensure that emergency services will not be compromised? Seems like a bold statement. Have Olympia and private response companies been approached to truth these statements? In subsequent pages this message of minimal impact to emergency service providers is repeated.</p> <p>Have discussions occurred with Puget Sound Energy (PSE)? Again, are the statements supportable? Will PSE and other private utility providers being giving this are first priority?</p> <p>The City requests to be involved in the determination of methods related to relocation of utilities during the design phase.</p> <p>Disagree that impacts on public services and utilities from the hybrid Alternative would be less than significant. Please re-evaluate including consideration of the vulnerability of a single east-west route connecting Olympia.</p>
5-86 to 92	Economic info/projections	Was the Thurston Regional Planning Council (TRPC) consulted for baseline data? The downtown area is changing as a result of new residential units. New businesses are starting up and could be vulnerable to proposed closures. Minor adverse impact??
7-11	The draft EIS states that “The Managed Lake Alternative would perpetuate historic inequities, particularly for tribal populations that have experienced ongoing adverse effects from changes	Again, to promote fairness and equity across the many aspects of the community, please include social justice and equity as a selection criterion.

Comments on the Draft Environmental Impact Statement for the Capitol Lake – Deschutes Estuary Long-Term Management Project

Page Reference	Issue	Comment
	to the ecosystem since non-Indigenous settlement of the region and continued loss of connection to the natural environment.”	
Economics Discipline Report (pages 5-22)	The draft EIS Economics Discipline Report Section 5.5.1 discusses the cost for construction of the Estuary Alternative.	In the final EIS, please acknowledge that State and federal funding for habitat restoration may be available to offset the cost for construction of the Estuary Alternative.
Attachment 5 Hydrodynamics and Sediment Transport Discipline Report 4-17	Figure 4-16 indicates a typical spring tide was used for the extreme river flood event.	Extreme river flood events typically occur in the winter (November through January). Would it not be more accurate to use a typical winter tide when modeling the extreme river flood event? Winter tides are generally greater than spring tides.
Attachment 5 Hydrodynamics and Sediment Transport Discipline Report 4-17	The 5th Avenue dam operation representation section discusses the East and West gates of the dam, but does not discuss the fish ladder.	Was the fish ladder modeled with the 5th Avenue dam operation representation? The top of the fish gate is substantially lower than the radial gates.
Attachment 7 Water Quality Discipline Report	Prior Ecology TMDL studies indicate that the Capitol Lake Dam has the largest impact on dissolved oxygen levels in Budd Inlet overall, while the Draft EIS appears to reach some differing conclusions regarding water quality.	The draft EIS does not indicate whether the Department of Ecology reviewed the water quality analysis or whether Ecology concurs with the analysis. Please address this in the final EIS. If possible, please integrate the findings of the final TMDL for Budd Inlet in the final EIS.
Attachment 7 Water Quality Discipline Report Appendix A	The draft EIS indicates the Water Resources Methodology for Capitol Lake – Deschutes Estuary was reviewed by an independent third-party expert or experts.	In the final EIS, please identify the independent third-party expert or experts.

Comments on the Draft Environmental Impact Statement for the Capitol Lake – Deschutes Estuary Long-Term Management Project

Page Reference	Issue	Comment
Attachment 9 Fish and Wildlife	No mention of freshwater mussels in lake.	Staff reports that freshwater mussels are present on areas of Capitol Lake. Please investigate if present in the lake and include in mitigation discussion as a species to address and relocate if possible. Likely persist or recolonize in lower section of river/south basin.
Attachment 9 Fish and Wildlife (pages 4-27)	Waterfowl like American wigeon, green-winged teal, and pintail use estuarine tidal mudflats extensively at Nisqually National Wildlife Refuge this is not listed in Table 4.8	This is not listed in Table 4.8
Attachment 10 Wetlands (page ES-4)	Table ES2 does not list beneficial effect of 3 ac of fill removal in estuary and hybrid alternatives (per page ES-2)	Please make note of beneficial effect of fill removal from 3 acres of deep water and tidal mudflats in Table ES2. Per section 5.5.2.4 page 5-20 this is a beneficial effect that is not listed in this table
Attachment 10 Wetlands - page 3-6	First bullet in section 3.4.2 lists loss of wetlands from placement of fill lists as an e.g. “removal of 5 th Avenue Dam” This is a benefit and expansion of waters of the US not a loss.	Remove dam removal from this list and state the beneficial increase of waters of the US of 3 acres from fill removed. Listed in section 5.5.2.4 page 5-20 as a substantial beneficial effect
Attachment 18 Economics Discipline Report, page 4-47	The Economics Discipline report indicates that regional work to develop a climate mitigation plan is currently in progress. However, the plan was completed in January 2021.	Please update this description to reference the completed plan. https://www.trpc.org/909/Thurston-Climate-Mitigation-Plan
Attachment 18 Economics Discipline Report	The Economics Discipline report describes the Estuary and Hybrid Alternatives as more consistent with local climate change adaptation policies than the Managed Lake Alternative, but does not acknowledge consistency with local climate change mitigation policies.	Please revise these descriptions throughout this report to acknowledge that the Estuary and Hybrid alternatives are also consistent with local climate mitigation plans.
Throughout	Draft EIS notes that interested Tribes include the Squaxin, Nisqually, and United Chehalis, but there is	City of Olympia’s cultural resources code (Olympia Municipal Code 18.12.120, .130, .140) requires consultation with interested Tribes.

Comments on the Draft Environmental Impact Statement for the Capitol Lake – Deschutes Estuary Long-Term Management Project

Page Reference	Issue	Comment
	no indication of representation or consultation beyond the Squaxin Island Tribe.	



August 11, 2021

Washington Department of Enterprise Services
c/o Ann Larsen – Capitol Lake/Low Deschutes Watershed EIS
Post Office Box 41476
Olympia, Washington 98504

Dear Ms. Larsen:

SUBJECT: Comments on the Draft Environmental Impact Statement for the Capitol Lake – Deschutes Estuary Long-Term Management Project

The City of Olympia appreciates the opportunity to comment on the Draft Environmental Impact Statement (EIS), for the Capitol Lake – Deschutes Estuary Long-Term Management Project. We understand that careful and thorough analyses and findings are essential to the environmental review process. We thank you for the recent Washington Department of Enterprise Services presentation to City Council and your answers to our questions.

The attached resolution, approved by City Council on August 10, 2021, summarizes the City's concerns and requests. In general, The City finds that the Estuary Alternative would:

- provide the rare opportunity to restore scarce tidelands and estuarian habitat,
- be the most beneficial to tribal populations,
- address social justice and equity impacts associated with the No Action and Managed Lake Alternatives,
- substantially benefit anadromous fish and marine fish,
- be the most beneficial for controlling invasive species,
- be beneficial for reducing downtown Olympia flooding,
- be the most beneficial to Budd Inlet water quality,
- be better aligned with local climate adaptation goals than the Managed Lake Alternative,
- be the least impactful to regional LOTT Clean Water Alliance and stormwater utility ratepayers,
- be the most natural and environmentally sustainable, and
- be the least cost alternative over the 30-year planning horizon.

Given the above findings, the Olympia City Council requests that the Estuary Alternative be selected as the only clear Preferred Alternative for the final Environmental Impact Statement for the Capitol Lake – Deschutes Estuary Long-Term Management Project.

Please accept the enclosed resolution and attached list of comments compiled by City staff as the City of Olympia's response to the draft EIS. We are committed to the EIS process at both the elected official and staff levels. We feel you and your consultant team have prepared a thorough and sincere draft EIS. Let us know how we can help.

If you have questions, please contact Eric Christensen, Water Resources Director, at echriste@ci.olympia.wa.us or 360.570.3741.

Sincerely,

Cheryl Selby
Mayor

Clark Gilman
Mayor Pro Tem

Jim Cooper
Councilmember

Yến Huỳnh
Councilmember

Dani Madrone
Councilmember

Lisa Parshley
Councilmember

Renata Rollins
Councilmember

EC:lm
enclosure

Draft Environmental Impact Statement (draft EIS) for the Capitol Lake – Deschutes
Estuary Long-Term Management Project

Estimated construction and long-term maintenance costs (millions of dollars) for each of the alternatives.

Alternative	Estimated Construction Costs	Estimated Long-Term (30-year) Maintenance Dredging Costs	Estimated Total (Construction and Maintenance) Costs
No Action	\$0	\$18M	\$18M
Managed Lake	\$89M to \$160M	\$248M to \$447M	\$337–\$607M
Estuary	\$131M to \$235M	\$48M to \$101M	\$179–\$336M
Hybrid	\$177M to \$319M	\$90M to \$162M	\$249–\$463M

The No Action and Managed Lake Alternatives may have additional financial impacts on LOTT Clean Water Alliance and Storm and Surface Water utility ratepayers associated with water quality in Budd Inlet. The Estuary Alternative would be the least cost action alternative over the 30-year planning horizon.



City Council

2022-2027 Capital Facilities Plan Briefing

Agenda Date: 8/10/2021
Agenda Item Number: 6.B
File Number: 21-0760

Type: information **Version:** 1 **Status:** Other Business

Title

2022-2027 Capital Facilities Plan Briefing

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Receive the information. Briefing only. No action requested.

Report

Issue:

Whether to receive a briefing on the Preliminary Capital Facilities Plan, 2022-2027 Financial Plan including key projects, revenues, and expenses.

Staff Contact:

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

Presenter(s):

Joyce Phillips, Principal Planner, Community Planning and Development Department
Mark Russell, Deputy Director, Public Works Department

Background and Analysis:

The Capital Facilities Plan (CFP) is a Chapter in the City's 20-year Comprehensive Plan adopted by Council in 2014. The CFP portion of the Plan is updated annually.

The CFP identifies which capital facilities are necessary to support development and/or growth. Most projects listed are directly related to the applicable master plan or functional plan, such as the Parks, Arts and Recreation Plan, the Storm and Surface Water Plan, and other similar plans. The Comprehensive Plan covers a 20-year time horizon; however, the *Preliminary CFP, 2022-2027 Financial Plan* is a 6-year financial plan. It is required by the Growth Management Act and includes specific projects, cost estimates, funding sources and strategies to implement the plan.

City staff annually reviews and updates the 6-year plan to ensure it can fund and implement the comprehensive plan's vision, showing how the city will provide governmental services at adopted

levels of service standards for the existing and projected population growth in the City and Urban Growth Area.

On August 16, City staff will present the *Preliminary CFP, 2022-2027 Financial Plan* to the Planning Commission. The Commission is responsible for reviewing the plan for consistency with the other chapters of the Comprehensive Plan, holding a Public Hearing, and providing comment to the City Council.

City Council is scheduled to hold a Public Hearing on October 12, with planned adoption of the updated CFP and Financial Plan in December.

Neighborhood/Community Interests (if known):

Specific neighborhood or community interests are not yet known. Community members will be given the opportunity to review and comment on this proposal.

In addition, City staff works closely with the Bicycle, Pedestrian Advisory Committee, the Parks & Recreation Advisory Committee and the Utility Advisory Committee to identify and prioritize projects in the CFP. These committees are likely to provide comments to the City Council.

Staff will post the Preliminary CFP on the City's website and distribute it to the various Committees, Commissions, as well as the Council of Neighborhoods Association.

Options:

None. Briefing only - no action requested.

Financial Impact:

The CFP will identify multiple projects, include project estimates, and identify funding sources for capital projects.

Attachments:

None



City Council

Approval of an Ordinance Establishing Regulations for Short-Term Rental Accommodations

Agenda Date: 8/10/2021
Agenda Item Number: 6.C
File Number: 21-0765

Type: ordinance **Version:** 1 **Status:** Other Business

Title

Approval of an Ordinance Establishing Regulations for Short-Term Rental Accommodations

Recommended Action

Committee Recommendation:

The Land Use and Environment Committee (LUEC) recommends approval of an Ordinance adopting regulations for short term rental accommodations.

City Manager Recommendation:

Move to approve approval of an Ordinance adopting regulations for short term rental accommodations.

Report

Issue:

Whether to adopt an Ordinance adopting regulations for short term rental accommodations consistent with guiding principles established by the LUEC.

Staff Contact:

Leonard Bauer, Director, Community Planning and Development, 360.753.8206
Catherine McCoy, Associate Planner, Community Planning and Development, 360.570.3776

Presenter(s):

Leonard Bauer, Director, Community Planning and Development,
Catherine McCoy, Associate Planner, Community Planning and Development

Background and Analysis:

Background

Short-term rentals, also known as vacation rentals, exist in Olympia neighborhoods as room rentals or rentals of entire living units, primarily in single family homes and multifamily units. City residents, property owners, and stakeholder groups (such as short-term rental operators) have shared their stories and first-hand experience renting, owning and living adjacent to short-term rental units.

The Washington State Legislature has adopted some regulations for short term rentals (RCW 64.37).

The City of Olympia currently does not have specific regulations addressing short term rentals. In 2019, the Land Use and Environment Committee directed staff to conduct a public process to establish rules that carry out the following six guiding principles:

1. Housing: Establish protections for the supply and affordability of housing.
2. Health and Safety: Identify unwanted behaviors and negative consequences.
3. Neighborhood Integrity: Minimize impacts and tensions between short term rentals and neighbors.
4. Fees and Taxes: Ensure equitable permit and tax compliance.
5. Enforcement: Enact enforceable policies that improve building, safety, and accessibility requirements.
6. Economic Development: Ensure an equitable approach with existing local firms and providers and their employees and enable revenue opportunities for existing residents.

A summary of the planning process for short term rental regulations can be found at the attached link to the short-term rental project web page. The process included a survey, focus group meeting and several lengthy comment periods regarding the guiding principles, optional approaches and draft recommendations. These comments and staff research of other jurisdictions and professional literature guided the staff recommendation.

On April 19, 2021, the Olympia Planning Commission held a public hearing on a draft ordinance regulating short-term rentals. The Commission discussed the draft ordinance and public testimony at its May 3, 2021, meeting and recommended approval of the ordinance with several revisions:

1. Short term rentals - vacation rentals may be permitted in accessory dwelling units.
2. Property owners may have a total of 4 (four) short term rental - vacation rentals.
3. Change the terms 'occupants' and 'occupancy' to 'overnight guests' in the ordinance.

The LUEC considered the Planning Commission's recommendation at its June 17, 2021 meeting and made additional revisions:

1. Vacation rentals must provide a 24/7 contact person who resides within 15 miles or within Thurston County.
2. Property owners may have a total of two short term-vacation rentals.
3. Owners of more than two short term vacation rentals at the time the ordinance is effective can continue operating their existing rentals if they meet certain conditions.
4. Short term rentals in operation at the time the ordinance is effective can continue operating with their existing parking.

The LUEC unanimously recommends adoption of the attached ordinance.

Neighborhood/Community Interests (if known):

Short-term rentals have citywide impact. Staff provided a briefing to the Council of Neighborhood Associations (CNA) several times during the planning process. Short-term rentals have also been raised by community members and neighborhood representatives during the Missing Middle and Housing Options discussions as being closely related to concerns about housing affordability and neighborhood character and quality.

Options:

1. Approve the Ordinance adopting regulations for short term rental accommodations.
2. Approve the Ordinance adopting regulations for short term rental accommodations. with specific revisions.
3. Do not approve the short term rental regulations at this time.

Financial Impact:

Staff resources in Community Planning and Development have been allocated to this work effort. Costs to implement and enforce additional programs or regulations, if adopted, can be accommodated within the existing City budget.

Attachments:

Ordinance

Short Term Rental Project Web Page

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, ESTABLISHING REGULATIONS FOR SHORT-TERM RENTAL LODGING AND AMENDING OLYMPIA MUNICIPAL CODE SECTIONS 18.02.180, 18.04.040, 18.04.060, 18.05.040, 18.06.040, 18.38.100, 18.43.130 AND 18.72.100

WHEREAS, Olympia has experienced an increase in the number of residential units being made available for rental lodging on a short-term basis (less than 30 days) in the past five years; and

WHEREAS, the Olympia City Council recognizes that revenue from owning and managing short-term rentals can be beneficial to Olympia residents, and an increase in visitors staying in these units can benefit local businesses; and

WHEREAS, a 2020 Regional Housing Needs Assessment completed by the cities of Olympia, Lacey, and Tumwater documents a shortage of supply of permanent, long-term housing units relative to the demand driven by population growth, a major factor in rising rental and housing costs; and

WHEREAS, in 2019, the City held numerous public meetings and created a webpage regarding Short-Term Rental Regulations as a means of gathering input from the public and providing project information and updates that are accessible at the public's convenience; and

WHEREAS, based on review of the Olympia Municipal Code ("OMC") and input from the public, staff drafted proposed amendments to multiple sections of Title 18 OMC ("Proposed Amendments"); and

WHEREAS, on March 10, 2021, the Proposed Amendments were sent to the Washington State Department of Commerce Growth Management Services with the Notice of Intent to Adopt Development Regulation amendments as required by RCW 36.70A.106; and

WHEREAS, on April 8, 2021, the City of Olympia issued a Determination of Non-Significance pursuant to the State Environmental Policy Act (SEPA) on the Proposed Amendments; and

WHEREAS, the Washington State Legislature has recognized the impacts of short-term rentals by enacting regulations codified in Revised Code of Washington Chapter 64.37; and

WHEREAS, on April 8, 2021, notice of the public hearing for the Proposed Amendments was published in *The Olympian* newspaper pursuant to Chapter 18.78 OMC, Public Notification; and

WHEREAS, on April 19, 2021, the Olympia Planning Commission held a public hearing on the Proposed Amendments; and

WHEREAS, the Olympia Planning Commission deliberated on May 3, 2021, and provided to the City Council its recommendation to amend multiple sections of Title 18 OMC, Unified Development Code, as proposed; and

WHEREAS, the Proposed Amendments are consistent with the Olympia Comprehensive Plan and other chapters of Title 18 OMC; and

WHEREAS, the Attorney General Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property (December 2006) was reviewed and used by the City in objectively evaluating the proposed development regulations amendments; and

WHEREAS, Chapters 35A.63 and 36.70A RCW and Article 11, Section 11 of the Washington State Constitution authorize and permit the City to adopt this Ordinance; and

WHEREAS, the City Council finds it to be in the best interest of the City of Olympia to adopt the short-term rental regulations herein to achieve an appropriate balance of short-term rental units and permanent, long-term housing;

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

Section 1. Amendment of OMC 18.02.180.D. Olympia Municipal Code Subsection 18.02.180.D is hereby amended to read as follows:

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 artisanship 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~~ 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~~Director or ~~fire chief~~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~~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 for one (1) to five (5) adults (at least 18 years of age) who are not related to the caregiver. 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.

(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.

Section 2. Amendment of OMC 18.02.180.L. Olympia Municipal Code Subsection 18.02.180.L is hereby amended to read as follows:

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.

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.

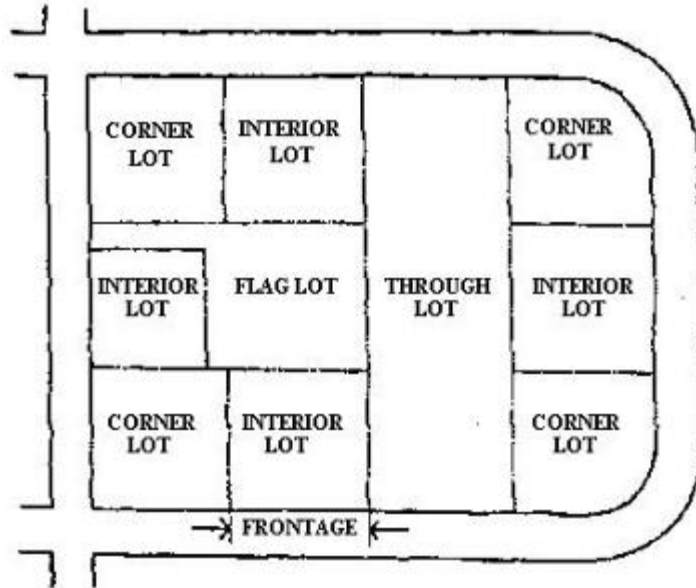
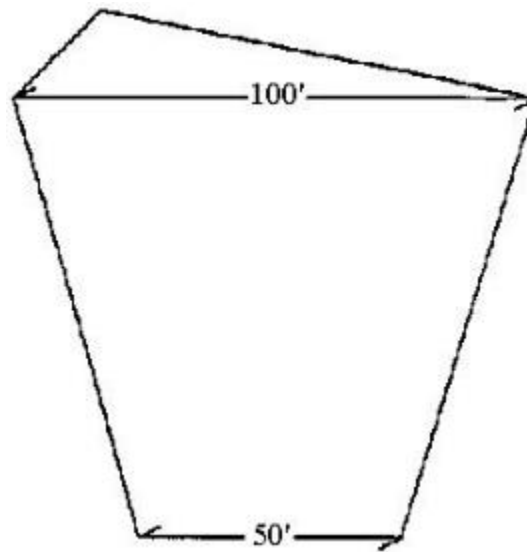


FIGURE 2-5



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 3. Amendment of OMC 18.02.180.S. Olympia Municipal Code Subsection 18.02.180.S is hereby amended to read as follows:

S. DEFINITIONS – SPECIFIC.

Salmonid. A member of the fish family salmonidae, such as chinook, coho, chum, sockeye and pink salmon, rainbow, steelhead, cutthroat salmon, brown trout, bull trout, Brook and Dolly Varden char, kokanee and whitefish.

Sanitary Landfill. A site for solid waste (garbage) disposal.

Satellite Earth Station. A single or group of parabolic (or dish) antennas that are mounted to a support device that may be a pole or truss assembly attached to a foundation in the ground, or in some other configuration. A satellite earth station may include the associated separate equipment cabinets necessary for the transmission or reception of wireless communications signals with satellites.

Scale, Architectural. The perceived height and bulk of a building relative to that of neighboring buildings. A building's perceived height and bulk may be reduced by modulating facades.

Scenic Vistas. Those areas which provide, for significant numbers of people, outstanding views from public rights-of-way of Mt. Rainier, the Olympic Mountains, Budd Inlet, the Black Hills, the Capitol Building, and Capitol Lake or its surrounding hillsides.

School. An institution of learning, whether public or private, which offers instruction in those courses of study required by the Washington Education Code or which is maintained pursuant to standards required by the State Board of Education. This definition includes a nursery school, kindergarten, elementary school, junior high school, senior high school or any special institution of education, but it does not include a vocational or professional institution of higher education, including a community or junior college, college, or university.

Screening. A continuous fence or wall supplemented with landscaping, or an evergreen hedge or combination thereof, that effectively provides a sight-obscuring and sound-absorbing buffer around the property it encloses, and is broken only for access drives and walks.

Sculptured Building Top. A building top which has:

- a. Reduced floor area on the upper floors; and

b. A distinctive roof form such as pitched roof, hip roof, dome, chateau roof, tower, turret, pediment, dormers, or other distinctive forms. Roofline embellishments such as medallions, statuary, cornices, brackets, finials, or similar ornament would not be considered sculptured building tops; and

c. Upper floors which are set back from the street wall.

Secretary of the Interior's Standards for the Treatment of Historic Properties, The (as amended). Guidelines adopted by the Secretary of the Department of the Interior to guide the rehabilitation, restoration or reconstruction of a historic property.

Section of Land. Measured 640 acres, one (1) square mile, or 1/36 of a township.

Secure Community Transition Facility. A residential facility for persons civilly committed and conditionally released from a total confinement facility operated by the Secretary of Washington Social and Health Services or under contract with the Secretary pursuant to RCW [71.09.020](#)(10) as described in RCW [71.09.250](#). All secure community transition facilities located within the City of Olympia shall conform with Olympia Municipal Code Subsection [18.08.080](#)(E).

Seep. A spot where groundwater oozes to the surface. A small spring.

Service and Repair Shop. An establishment providing major repair and/or maintenance of motor vehicles, equipment or major appliances, including, but not limited to: mechanical repair, replacement of parts, body repair, painting, engine overhaul, or other major repair or maintenance, including operations which may require open flame or welding.

Service Stations. Businesses which sell gasoline or alternative vehicle fuels, and/or which may perform minor vehicle maintenance or repair, and/or wash cars. "Minor maintenance or repair" is limited to the exchange of parts and maintenance requiring no open flame or welding. Service stations include self-service gas stations, full-service gas stations, diesel fueling stations, oil change and lubrication shops, auto detailing shops, and car washes. Businesses which provide major repair work such as engine overhauls, vehicle painting, or body repair are classified as Service and Repair Shops.

Servicing of Personal Apparel and Equipment. A business primarily engaged in the upkeep of personal or small household belongings. Such businesses include, but are not limited to: tailors, locksmiths, piano tuners, or businesses which repair shoes, cameras, small appliances, or consumer electronics.

Setback. The distance between the building and any lot line. See specific zone district for allowed projections into setback areas and point of measurement. (See also Yard.)

Setback Line. An imaginary line that establishes the required minimum distance from any lot line and defines the area where the principal structure must be erected. (See also Building Line, Yard, and Lot.)

Sewer. Any pipe or conduit used to collect and carry away sewage and sometimes stormwater runoff from the generating source to a treatment plant.

Sexual conduct.

- a. Sexual intercourse within its ordinary meaning, occurring upon any penetration, however slight; or
- b. Any penetration of the vagina or anus, however slight, by an object; or
- c. Any contact between persons involving the sex organs of one (1) person and the mouth or anus of another; or
- d. Masturbation, manual or instrumental, of oneself or of one (1) person by another; or
- e. Direct touching of the sex organs or anus, whether clothed or unclothed, of oneself or of one (1) person by another; or
- f. Flagellation or torture in the context of a sexual relationship; or
- g. Sodomy.

Shopping Center. A commercial development with unenclosed pedestrian walks in which there are a number of separate commercial activities, with accessory shared facilities such as parking, and which is designed to provide a single area which the public can obtain varied products and services. Shopping centers are typically characterized by at least one (1) large retail "anchor" store.

Shopping Mall. A shopping center with stores on one (1) or both sides of a covered and enclosed pedestrian walkway.

Short-Term Rental Operator. Any person or entity who receives payment for owning, operating, or managing a dwelling unit, or portion thereof, as a short-term rental. (See also Dwelling, Transient).

Sidewalk. A paved, surfaced, or leveled area, paralleling and usually separated from the street and normally used as a pedestrian walkway.

Sign. Any object, device, display, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means. Such means may include words, letters, figures, design, movement, symbols, fixtures, colors, illumination, or projected images.

Sign, Abandoned. Any sign which:

- a. Is located on property which becomes vacant and unoccupied for a period of twelve (12) consecutive months or more (excepting legal off-premise signs), or
- b. Relates to any occupant or business unrelated to the present occupant or their business (excepting legal off-premise signs), or
- c. Pertains to a time, event or purpose which no longer applies.

Sign, Alley. A type of building mounted sign that is located on a building wall facing a public alley.

Sign, Animated. A sign with action or motion (including those that flash, oscillate or revolve) or one that involves color changes more frequently than once per twenty-four (24) hours, illustrations or messages. This does not include wind activated elements such as flags or banners; nor does it include public service signs (such as time and temperature signs). For the purposes of this chapter, it does include search lights and strobe lights.

Sign Area. The entire background of a sign upon which advertising could be placed (counting all faces), including the frame but not other supporting structure, except that the area of advertising affixed directly to, or painted on a building without any background, other than the building, shall be the area contained in the smallest geometric figure enclosing all portions of the sign message (i.e., all letters, numbers, graphics, etc.).

Sign Awning. A sign which is on an awning. Awning signs are a type of building mounted sign.

Sign, Banner. A lightweight temporary sign.

Sign, Billboard. A rigidly assembled outdoor sign permanently affixed to the ground or permanently attached to a building or other permanent structure, unrelated to any use or activity on the property on which the sign is located, but not including directional signs as defined herein.

Sign, Blade. A type of building mounted that is oriented for pedestrians that extends from a building wall or hangs from a marquee. Blade signs larger than ten (10) square feet in size are considered Projecting Signs if not attached to a marquee.

Sign, Building Mounted. A permanent sign which is attached to, or erected against or painted on, any exterior wall, fascia, or window of a building or structure. For the purpose of this Title, signs which shall be considered building mounted signs, include flush mounted signs, signs on marquees and awnings, projecting signs, blade signs, and signs erected on the side of a mansard roof provided the sign does not project above the uppermost roof line or flashing.

Sign, Business Directory. A type of development identification sign which lists the names of the individual uses in a development.

Sign, Changeable Copy. See Sign, Readerboard.

Signs, Channel Letters. A flush mounted wall sign that consists of individual letters or characters not bound together in one (1) complete structure. Channel Letter signs are signs in which each letter or character is mounted individually within its own area, with the total area of individual letters or characters comprising the sign.

Sign, Ground. A ground supported sign which is no greater than twelve (12) feet in height above grade.

Sign, Development Identification. A freestanding or building mounted sign which identifies the name of a development. For the purpose of sign standards, a development consists of multiple building complexes such as shopping malls, industrial and business parks, residential subdivision developments, and multiple occupancy buildings.

Sign, Directional. A sign designed solely to guide or direct pedestrian or vehicular traffic to an area, place or convenience.

Sign, Feather. A vertical portable sign that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand.

Sign, Flashing. See Sign, Animated.

Sign, Flush-Mounted. A type of building mounted sign which is attached to, or erected against any exterior wall or fascia of a building or structure, with the exposed face of the sign parallel to the plane of the wall.

Sign, Freestanding. A permanent sign supported by one (1) or more uprights, poles or braces in or upon the ground. For the purposes of this Title, freestanding signs include pole signs and signs otherwise known as ground signs or monument signs.

Sign, Hazardous. Any sign that is dangerous or confusing to motorists and pedestrians, including any sign which by its color, wording, design, location, or illumination resembles or conflicts with any official traffic control device or which otherwise impedes the safe and efficient flow of traffic.

Sign, Historical. Historic signs that contribute to the architectural and historic character of Olympia, which may complement or define an individual building or may be valued independently from the building or site on which it is located.

Sign Height. The vertical distance from ground level to the top of the sign.

Sign, Identification. A pole or ground sign which identifies the name of a shopping center.

Sign, Inflatable. Balloons or other gas-filled figures. For purposes of this section, inflatable signs shall be treated as temporary signs. Inflatable signs that include movement are considered animated signs and are not allowed.

Sign, Legacy. Signage related to a structure but not the present occupancy of use.

Sign, Light Projection. An image projected onto a building or walkway.

Sign, Marquee. Any sign which forms part of or is integrated into a marquee or canopy and which does not extend horizontally beyond the limits of such marquee or canopy.

Sign, Monument. See Sign, Freestanding.

Sign, Non-conforming. Any legally established sign existing at the time of this Ordinance which does not meet the current provisions of Title [18](#).

Sign, Nuisance. Any sign which emits smoke, visible particles, odors, and/or sound, except that speakers in signs of a drive-through facility shall be allowed.

Sign, On-Premises. A sign which carries advertisement related to a lawful use of the premises on which it is located, including signs indicating the business transacted, services rendered, goods sold or produced on the premises, name of business, name of the person, firm or corporation occupying the premises.

Sign, Out-of-Date. Signs for which the event, time, or purpose no longer applies.

Sign, Parking Lot Pole Banner. A type of banner sign, typically made of outdoor fabric, attached to the lighting poles in parking lots.

Sign, Pedestal. See Sandwich Board/Pedestal Sign.

Sign, Pole. A ground supported sign which is no less than twelve (12) and no greater than thirty (30) feet in height above grade.

Sign, Portable (Mobile). A sign made of any material which by its design is readily movable and which is not permanently affixed to the ground, a structure or a building.

Sign, Projecting. A sign which projects twelve (12) inches or more from a building and is supported by a wall or structure.

Sign, Public Service. A sign which provides a service to the public (such as indicating the current time and temperature or a community bulletin board) but which includes no advertising other than the name of the sponsoring organization.

Sign, Readerboard. A sign with characters or letters that can be manually changed without altering the face of the sign. Electronic signs are not readerboards for the purposes of this Title, but are animated signs.

Sign, Revolving. See Sign, Animated.

Sign, Roof. A sign erected upon or above a roof or parapet of a building or structure. A sign shall be considered a building mounted sign if it is erected on the side of a mansard roof and does not project above the uppermost roof line or flashing.

Sign, Sandwich Board/Pedestal Sign. A type of portable sign.

Sign, Shopping Center. A type of permanent freestanding sign for larger shopping complexes.

Sign, Structural Alteration. Any change or modification in the supporting members of the structure, such as the pole, cabinet, footing/foundation. Exceptions are new paint, rewiring, or face change.

Sign Structure. Any structure which supports or is capable of supporting any sign. A sign structure may be a single pole and may be an integral part of the building.

Sign, Temporary. Any sign, banner, pennant, valance or advertising display intended to be displayed for only a limited period of time.

Sign, Window. A sign painted on or adhered or mounted to an exterior window (e.g., a neon sign). Window signs are a type of building mounted sign.

Sign, Yard/Lawn. A temporary sign that is posted in the ground by a stake or wire frame.

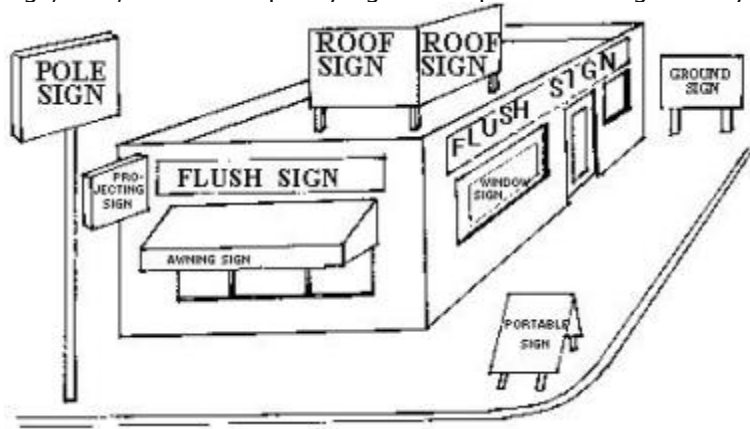


FIGURE 2-7

Significant. When used in the context of historic significance: A property which helps in the understanding of the history of the local area, state or nation (whichever is applicable) by illuminating the local, state-wide or nation-wide impact of the events or persons associated with the property, or its architectural type or style or information potential. The local area can include the City of Olympia, Thurston County, the region of Puget Sound or Southwest Washington, or a modest geographic or cultural area, such as a neighborhood. Local significance may apply to a property that illustrates a theme that is important to one or more localities; state significance to a theme important to the history of the state; and national significance to property of exceptional value in representing or illustrating an important theme in the history of the nation.

Single-Family Dwelling. See Dwelling, Conventional.

Single-Room Occupancy (SRO). See Dwelling, Conventional.

Site Plan. The development plan which shows the existing and proposed conditions of the lot, including topography, vegetation, drainage, flood plains, walkways; means of ingress and egress; circulation; utility services; structures and buildings; signs and lighting; berms, buffers, and screening devices; surrounding development; and any other information that reasonably may be required in order that an informed decision can be made by the reviewing authority.

Site Plan Review Committee. A technical development review group comprised of representatives from the Department of Community Planning and Development, the Fire Department and the Public Works Department, who provide technical assistance to the CP&D Director or the CP&D Director's designee on land use issues. At a minimum this includes the Building Official, Planner, City Engineer, Fire Chief, and SEPA official, or their appointed designees.

Slope. The deviation of a surface from the horizontal, usually expressed in percent or degrees. (See also Grade.)

[NOTE: Percentage of slope is calculated by dividing the vertical distance by the horizontal distance times one hundred (100).]

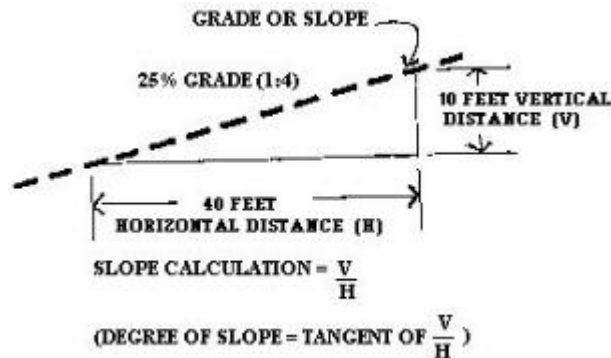


FIGURE 2-8

% GRADE	100	50	40	33.3	30	25	20	15	12	10	8	6
DEGREES	45	26.6	21.8	18.4	16.7	14	11.3	8.5	6.8	5.7	4.6	3.4
RATIO	1:1	2:1	2.5:1	3:1	3.3:1	4:1	5:1	6.7:1	8.3:1	10:1	12.5:1	16.7:1

Slope, Steep. An area which is equal to or in excess of forty (40) percent slope, or where the ground surface rises ten (10) feet or more vertically within a horizontal distance of twenty-five (25) feet. This can also include a slope of 15 to 39.9 percent if otherwise defined as a landslide hazard area.

Slope, Steep Toe, or Steep Top. A distinct topographic break in slope which separates slopes inclined less than forty (40%) percent from slopes equal to or greater than forty (40%) percent. Where no distinct break exists, this point shall be the limit of the area where the ground surface drops ten (10) feet or more vertically within a horizontal distance of twenty-five (25) feet.

Small Lake. See OMC [18.32.305 E](#).

Small Lot Review. A Director review of proposed construction on undersized legal lots of record approved prior to June 19, 1995.

Small Lot Subdivision. See Subdivision, Short.

Social Organization. A group of people formally organized for a common interest, usually cultural, religious, or entertainment, with regular meetings, rituals, and formal written membership requirements. [NOTE: This is not a Collegiate Greek System Residence.]

Soil and Vegetation Protection Area (SVPA). A separate tract of land, which may or may not be deeded as such, specifically set aside for the preservation of healthy soil and the preservation or planting of existing and/or native vegetation, well-adapted drought-tolerant vegetation, and trees. Stormwater retention/detention facilities, critical area buffers and other common areas may be considered SVPA's if they currently, or are improved to an extent where they can, support healthy soils and the growth of native vegetation or well-adapted drought-tolerant vegetation. The purpose of these areas for preserving healthy soils and preserving

and/or planting native, or well-adapted drought-tolerant vegetation is stated on the face of the plat when applicable.

Special Assessment District. A district with the power to levy taxes created by act, petition, or vote of property owners for a specific purpose.

Special Valuation for Historic Properties, Special Valuation. The process, pursuant to Chapter [84.26](#) Revised Code of Washington (RCW) and Chapter [3.60](#) OMC, under which the tax basis of an eligible, rehabilitated historic property may be reduced by the actual incurred cost of the rehabilitation for a period of up to ten (10) years.

Specialty Stores. Stores selling antiques, sporting goods and bicycles, marine supplies, glassware and chinaware, books, videos (including rentals), music, cards and stationery, jewelry, toys, hobby supplies, cameras, gifts and souvenirs, sewing supplies, flowers, tobacco products, newspapers and magazines, art and art supplies, pets and pet supplies, religious supplies, consumer electronics, personal computers, or other miscellaneous goods. It also includes second-hand stores and pawnshops.

Specific or Management Plan. A plan consisting of text, maps, and other documents and exhibits regulating development within an area of special interest or which contains unique land use and development problems.

Spot Zoning. Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding land uses and that does not further the comprehensive plan. [NOTE: Spot zoning is usually invalid when all the following factors are present: (1) a small parcel of land is singled out for special and privileged treatment; (2) the singling out is not in the public interest but only for the benefit of the land owner; and (3) the action is not in accord with a comprehensive plan.]

Stables, Riding. A structure providing shelter for horses, mules or ponies which are boarded for compensation. This may include arenas, tracks, and other facilities for equestrian activities either for members of a private club or for the general public. This may also include accessory facilities such as a clubhouse.

Stable, Private. An accessory structure providing shelter for horses or ponies, for use by occupants of the premises.

Staff. Permanent or temporarily employed personnel of the City of Olympia, Washington.

Stepback. Additional setbacks of upper building floor levels.

Storage. Placement or retention of goods, materials and/or personal property in one (1) location for more than twenty-four (24) consecutive hours.

Stormwater Facility. A constructed stormwater system component, including but not limited to a detention, retention, sediment, or constructed wetland basin or pond, generally installed at the ground surface.

Stormwater Retention/Detention Basin. A facility, either above-ground or underground, that temporarily stores stormwater prior to its release to the ground (retention facility), to a surface water (detention facility), or some combination of the two. [NOTE: Retention basins differ from detention basins in that the latter are temporary storage areas. Retention basins have the potential for water recreation and water-oriented landscaping since

the water may remain. Both types of basins provide for controlled release of the stored water and groundwater recharge.]

Stormwater Retrofit Facilities. A stormwater treatment or flow-control facility that complies with the City of Olympia Drainage Design and Erosion Control Manual and is constructed by the City of Olympia for the purpose of providing treatment or flow-control in an area where little to none was previously provided.

Story. That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.

Story Above Grade. Any story having its finished floor surface entirely above grade, except that a basement shall be considered as a story above grade where the finished surface of the floor above the basement is: more than six (6) feet above grade plane, more than six (6) feet above the finished ground level for more than fifty (50%) of the total building perimeter, or more than twelve (12) feet above the finished ground level at any point.

Story, First. The lowest above grade story in a building, except that a floor level in a building having only one (1) floor shall be classified as a first story, provided such floor level is not more than four (4) feet below grade, as defined herein, for more than fifty (50) percent of the total perimeter, or more than eight (8) feet below grade, as defined herein, at any point.

Stream. See OMC [18.32.405](#).

Stream Corridor. Any river, stream, pond, lake, or wetland, together with adjacent upland areas that support vegetation adjacent to the water's edge.

Street. A public or private right-of-way which affords a primary means of vehicular access to abutting property.

Street, Arterial. An arterial street provides an efficient direct route for long-distance travel within the region and between different parts of the ~~city~~ City. Streets connecting freeway interchanges to commercial concentrations are classified as arterials. Traffic on arterials is given preference at intersections, and some access control may be considered in order to maintain capacity to carry high volumes of traffic.

Street Cul-De-Sac. A street with a single common ingress and egress and with a circular turnaround at the end.

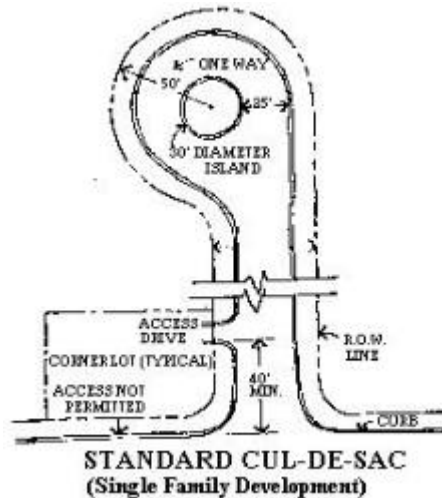


FIGURE 2-9

Street Frontage. The area between any lot lines which intersect, or area of a lot which directly abuts, the boundary of a public or private street right-of-way.

Street Furniture. Constructed, above-ground objects, such as outdoor seating, kiosks, bus shelters, sculpture, tree grids, trash receptacles, fountains, and telephone booths, that have the potential for enlivening and giving variety to streets, sidewalks, plazas, and other outdoor spaces open to, and used by, the public.

Street, Local Access. A street which provides access to abutting land uses and serves to carry local traffic to a collector.

Street, Major Collector. A street that provides connections between the arterial and concentrations of residential and commercial land uses. The amount of through traffic is less than an arterial, and there is more service to abutting land uses. Traffic flow is given preference over lesser streets.

Street, Neighborhood Collector. A street which distributes and collects traffic within a neighborhood and provides a connection to an arterial or major collector. Neighborhood collectors serve local traffic, provide access to abutting land uses, and do not carry through traffic. Their design is compatible with residential and commercial neighborhood centers.

Street, Private. A street that has not been accepted for maintenance and public ownership by the City of Olympia or other government entity. This does not include private driveways or access easements.

Street Wall. A building wall that faces or is parallel to the street frontage.

Streetscape. The visual character of a street as determined by various elements such as structures, greenery, open space, and view.

Structure. An edifice or building of any kind which is built or constructed, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Structured Parking. A building or a portion of a building used for the parking of motor vehicles.

Subdivider. A person who undertakes the subdividing of land.

Subdivision. The division or redivision of land into ten (10) or more lots, tracts, parcels, sites or divisions, any of which are less than five (5) acres in area, for the purpose of sale, lease or transfer of ownership. (See also Subdivision, Short.)

Subdivision, Cluster. See Clustered Subdivision.

Subdivision, Large Lot. 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. For purposes of computing the size of any lot under this section which borders on a street, the lot size shall be expanded to include that area which would be bounded by the centerline of the street and the side lot lines of the lot running perpendicular to such centerline.

Subdivision, Short. The division or redivision of land into nine (9) or fewer lots, tracts, parcels, sites or divisions for the purpose of transfer of ownership, sale or lease.

Subordinate. A supplementary use to a permitted primary or principal use.

Substantial Improvement. Any extension, repair, reconstruction, or other improvement of a property, the cost of which equals or exceeds fifty (50) percent of the fair market value of a property either before the improvement is started or, if the property has been damaged and is being restored, before the damage occurred.

Surface water. A body of water open to the atmosphere and subject to surface runoff.

Swap Meet. Any outdoor place, location, or activity where new or used goods or secondhand personal property is offered for sale or exchange to the general public by a multitude of individual licensed vendors, usually in compartmentalized spaces; and, where a fee may be charged to prospective buyers for admission, or a fee may be charged for the privilege of offering or displaying such merchandise. The term swap meet is interchangeable with and applicable to: flea markets, auctions, open air markets, farmers markets, or other similarly named or labeled activities; but the term does not include the usual supermarket or department store retail operations.

Section 4. Amendment of OMC 18.04.040. Olympia Municipal Code Section 18.04.040, Table 4.01, is hereby amended to read as follows:

18.04.040 TABLES: Permitted and Conditional Uses

TABLE 4.01

PERMITTED AND CONDITIONAL USES

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
District-Wide Regulations							18.04.060 (N,Q)	18.04.060 (N,Q)	18.04.060 (N)	18.04.060 (N)	18.04.060 (N)	18.04.060 (N,BB)		18.04.060 (N)	
1. SINGLE-FAMILY HOUSING															
Accessory Dwelling Units	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(A)
Co-Housing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(F)
Cottage Housing				P	P	P	P	P	P	P	P	P	P	P	18.04.060(H)
Manufactured/Mobile Home Parks (Rental Spaces)								C	C	C			C		18.04.060(P)
Manufactured Homes	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(O)
Single-family Residences	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Townhouses	P	P		P	P	P	P	P	P	P	P	P	P	P	18.64
Short-Term Rentals	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>18.04.060(JJ)</u>
2. MULTIFAMILY HOUSING															
Apartments				P			P	P	P	P	P	P		P	18.04.060(N)
Courtyard Apartments						P									18.04.060(II)
Boarding Homes				P				P	P	P					

TABLE 4.01

PERMITTED AND CONDITIONAL USES

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Collegiate Greek system residences	P			P				P	P	P					
Dormitories	P			P				P	P	P	P	P		P	
Duplexes - Existing	P	P		P	P	P	P	P	P	P	P	P	P	P	18.04.060(J)
Duplexes	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Duplexes on Corner Lots	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(HH)
Triplexes				P	P	P	P	P	P	P	P	P		P	
Fourplexes			P		P	P	P	P	P	P	P	P		P	
Sixplexes						P									
Group Homes with 6 or Fewer Clients and Confidential Shelters	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(K)
Group Homes with 7 or More Clients	C			C	C	C	C	C	C	C	C	C	C	C	18.04.060(K)
Lodging Houses									P	P	P	P		P	
Nursing/Convalescent Homes	C			C	C	C	C	C	C	C	C	C	C	C	18.04.060(S)
Retirement Homes				P			P	P	P	P	P	C		P	
3. COMMERCIAL															

TABLE 4.01

PERMITTED AND CONDITIONAL USES

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Child Day Care Centers		C	C	C	C	C	C	P	P	P	P	P	C	P	18.04.060(D) 18.04.060(AA)
Commercial Printing												P			
Drive-In and Drive-Through Businesses -- Existing												P			18.04.060(J)
Food Stores											P	P		P	18.04.060(AA)
Hardware Stores												P			
Home Occupations (including Adult Day Care, Elder Care Homes, Family Child Care Homes, <u>Short-Term Rentals – Homestays</u> , and Bed & Breakfast Houses)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(L)
Hospice Care	C			C			C	C	C	C	C	C		C	18.04.060(M)
Laundries											P	P		P	18.04.060(AA)
Nursery (Retail and/or Wholesale Sales)	C	C	C	C	C	C	C	C	C	C			C		18.04.060(G)
Offices												P		P	18.04.060(AA)(2)
Personal Services												P			
Pharmacies												P			

TABLE 4.01

PERMITTED AND CONDITIONAL USES

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Restaurants, without Drive-In and Drive-Through												P			
Servicing of Personal Apparel and Equipment												P			
Specialty Stores												P			
Veterinary Clinics - Existing	P	P		P	P	P							P		18.04.060(J)
Veterinary Clinics	P														
4. ACCESSORY USES															
Accessory Structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(B)
Electric Vehicle Infrastructure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(GG)
Garage/Yard/Rummage or Other Outdoor Sales	P	P		P	P	P	P	P	P	P	P	P	P	P	5.24
Large Garages			C		C	C	C	C	C	C	C	C	C	C	18.04.060(B)
Residence Rented for Social Event, 7 times or more in 1 year	C	C		C	C	C	C	C	C	C	C		C	C	
Satellite Earth Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.44.100
5. RECREATIONAL USES															

TABLE 4.01

PERMITTED AND CONDITIONAL USES

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Community Parks & Playgrounds	C	C	C	C	C	C	C	C	C	C	P	P	C	P	18.04.060(T)
Country Clubs	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Golf Courses		C	C		C	C	C	C	C	C			C		
Neighborhood Parks	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(T)
Open Space - Public	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(T)
Racing & Performing Pigeons		C	C	C	C	C				C	C		C	C	18.04.060(Y)
Stables, Commercial and Private Existing		C		C	C										18.04.060(J)
Trails - Public	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(T)
6. AGRICULTURAL USES															
Agricultural Uses	P	P	P	P	P	P	P	P	P				P		
Greenhouses, Bulb Farms	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(G)
7. TEMPORARY USES															
Emergency Housing	P	P	P	P	P	P	P	P	P	P			P		18.04.060(DD)
Emergency Housing Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.50
Model Homes	P	P	P	P	P	P	P	P	P	P	P		P	P	18.04.060(DD)

TABLE 4.01

PERMITTED AND CONDITIONAL USES

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Residence Rented for Social Event, 6 times or less in 1 year	P	P	P	P	P	P	P	P	P	P	P		P	P	18.04.060(DD)
Wireless Communication Facility	P	P		P	P	P	P	P	P	P	P	P	P	P	18.44.060
8. OTHER															
Animals	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(C)
Cemeteries		C	C		C	C	C	C	C	C			C		18.04.060(E)
Community Clubhouses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Crisis Intervention	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(I)
Historic House Museum		C	C	C	C	C	C	C	C	C	C	C	C	C	
Parking Lots and Structures				C							P	P			18.38.220 and .240
Places of Worship	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(U)
Public Facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(V)
Public Facilities - Essential	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(W)
Radio, Television and Other Communication Towers	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.44.100
Schools	C			C	C	C	C	C	C	C	C		C	C	18.04.060(CC)

TABLE 4.01

PERMITTED AND CONDITIONAL USES

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Social Organizations											P	P		C	
Mineral Extraction - Existing					C		C								18.04.060(J)
Utility Facility	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(X)
Wireless Communication Facilities	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.44
Workshops for Disabled People	C			C	C	C	C	C	C	C	C	C	C	C	18.04.060(R)

LEGEND

P = Permitted Use

C = Conditional Use

R-4 = Residential - 4

R 4-8 = Residential 4-8

R 6-12 = Residential 6-12

RLI = Residential Low Impact

MR 10-18 = Mixed Residential 10-18

RM 18 = Residential Multifamily - 18

MR 7-13 = Mixed Residential 7-13

RMH = Residential Multifamily High Rise

RMU = Residential Mixed Use

RM 24 = Residential Multifamily - 24

UR = Urban Residential

Section 5. Amendment of OMC 18.04.060.L. Olympia Municipal Code Subsection 18.04.060.L is hereby amended to read as follows:

L. HOME OCCUPATIONS.

The purpose of the home occupation provisions is to allow for the use of a residential structure for a non-residential use which is clearly an accessory use to the residential use and does not change the residential character of the neighborhood. Home occupations meeting the below requirements are allowed in any district in which residential uses are permitted.

1. Review. Prior to both initial occupancy and issuance of any business license, the business operator or the operator's agent shall certify that the home occupation will conform with the applicable requirements.

2. General Standards. The following are the general requirements for home occupations. Also see specific standards for family child care homes, adult day care homes, bed and breakfast houses, and counseling.

a. Home occupations must be conducted within the principal residence of the permit holder. Permit holders shall provide evidence thereof through such means as voter registration, driver's license, tax statement, or other evidence of residency and sign a notarized affidavit attesting to their principal residence at the site.

b. Home occupations are subject to inspections by ~~city~~City staff insofar as permitted by law. Permit holders shall execute a notarized affidavit agreeing to allow appropriate ~~city~~City staff the ability to conduct an inspection of the residence, after reasonable notice is given, to determine compliance with the home occupation permit.

c. No person(s) other than the family member(s) who resides in the residence shall participate in the home occupation. The home occupation permit shall list the names of each resident who is employed by the business. Furthermore, the residence shall not be used as a place of congregation for work that occurs off the premises. This limitation shall not apply to short-term rental – homestays or properties abutting the west side of the 300 and 400 blocks of West Bay Drive Northwest.

d. Home occupations shall occupy not more than twenty-five (25) percent of the total floor area of the dwelling or five hundred (500) square feet per dwelling unit, whichever is less; provided, however, that properties abutting the west side of the 300 and 400 blocks of West Bay Drive Northwest shall occupy not more than fifty percent (50%) of the total floor area of the dwelling or one thousand five hundred (1,500) square feet per dwelling unit, whichever is less. This limitation does not apply to family child care homes, adult day care homes, elder care homes, short-term rental – homestays, or bed and breakfast houses.

e. The residential character of the lot and dwelling shall be maintained. The occupation shall be conducted entirely within a dwelling and/or accessory building by the occupant of the dwelling. A carport shall not be used for home occupations, except for parking. There shall be no structural alteration nor any exterior modification of the structure in order to accommodate the occupation.

- f. The occupation shall be conducted in such a manner as to give minimal outward appearance of a business, in the ordinary meaning of the term, that would infringe upon the right of the neighboring residents to enjoy peaceful occupancy of their homes.
- g. Except for adult daycare, child daycare, and bed and breakfast businesses, and short-term rental – homestays, the hours of operation, as related to customer or client visitations, shall be limited to no earlier than 7:00 a.m. and no later than 9:00 p.m.
- h. The following types of uses shall not be permitted as home occupations:
- i. Veterinarian, medical, and dental offices and clinics;
 - ii. Vehicle sales or repair;
 - iii. Contractors' yards;
 - iv. Restaurants;
 - v. Exterminating services;
- i. No stock in trade shall be sold or displayed on the premises; provided, however, that this limitation shall not apply to properties abutting the west side of the 300 and 400 blocks of West Bay Drive Northwest. No equipment or material shall be stored on any exterior portion of the premises.
- j. Home occupations shall emit no noise, vibration, smoke, dust, odor, heat, glare, fumes, electrical interference, pollutants or waste products detrimental to the environment, public safety or neighborhood, beyond those normally emanating from residential uses.
- k. Home occupations shall comply with all applicable local, state or federal regulations. Requirements or permission granted or implied by this section shall not be construed as an exemption from such regulations.
- l. A home occupation permit issued to one (1) person residing in the dwelling shall not be transferable to any other person, nor shall a home occupation permit be valid at any address other than the one appearing on the permit.
- m. Any person engaging in a home occupation shall register as a business under Chapter [5.04](#) of the Olympia Municipal Code, and shall be subject to the Business and Occupation Tax levied by the Olympia Municipal Code.
- n. The applicant shall demonstrate compliance with all ~~city~~City and ~~state~~State licensing requirements, including those pertaining to building, fire safety, and health codes.
- o. Parking of customer, employee, or client vehicles shall not create a hazard or unusual congestion. No more than two (2) off-street parking stalls shall be provided in addition to any required for the residence. A driveway may be used as off-street parking. Except for commercial

type postal carriers, traffic generated by the home occupation shall not exceed two (2) commercial vehicles per week. See OMC Chapter [18.38](#) for parking requirements for specific home occupations.

3. Specific Home Occupation Standards.

a. Family Child Care Home. Family child care homes are allowed in all districts permitting residences, subject to the following conditions:

- i. Structural or exterior alterations which would alter the single-family character of an existing single family dwelling or be incompatible with surrounding residences are prohibited.
- ii. Prior to initiation of child care services, each child care provider must file a Child Care Registration Form with the Department of Community Planning and Development. The child care provider must demonstrate compliance with the applicable requirements of the code as listed on the Registration Form. No fee will be required for registration.

b. Adult Day Care Homes. Adult day care homes are permitted in the districts specified in Table 4.01 and Table 5.01, subject to the following conditions.

- i. No more than six (6) adults (at least eighteen (18) years of age) shall be cared for in an adult day care home.
- ii. Adult day care homes shall not operate for more than twelve (12) hours per day.
- iii. The primary care giver shall reside in the adult day care home.
- iv. Emergency medical care may be provided in adult day care homes, but not routine care necessitating the services of a licensed health care professional (e.g., dispensing of medicine or convalescent care). The caregiver must be certified in basic First Aid and cardiopulmonary resuscitation. First Aid supplies, including bandages and an antiseptic, shall be available on premises.
- v. A smoke detector must be provided in each room occupied by people in day care. A fire extinguisher (rated 2A10 BC or the equivalent) must be installed in a readily accessible location. It shall be the responsibility of the day care operator to maintain the smoke detectors and fire extinguisher in operating condition.
- vi. The structure and grounds accommodating an adult day care shall not be altered in such a way that they manifest characteristics of a business or pose a nuisance for the occupants of abutting properties.

c. Bed and Breakfast Houses. Bed and breakfast houses are subject to the following conditions:

- i. The owner shall operate the facility and shall reside on the premises.

- ii. There shall be no more than five (5) guest (rental) rooms for persons other than the members of the operator's immediate family.
- iii. No bed and breakfast establishment shall be located closer than two hundred (200) feet to another bed and breakfast establishment, as measured in a straight line from property line to property line.
- d. Counseling. Counseling by single practitioners is permitted as a home occupation under the following conditions:
 - i. Counseling for sex offenders and substance abuse is prohibited.
 - ii. Group sessions are prohibited (i.e., more than two (2) people per session). This limitation shall not apply to home occupations in properties abutting the west side of the 300 and 400 blocks of West Bay Drive Northwest.
- e. Short-Term Rental – Homestays. (See also JJ. Short-Term Rentals; OMC 18.38.100 Table 38.01; and OMC 18.43.130.B.)
 - i. The property owner, or a long-term rental tenant, must reside in a residence offered as a short-term rental - homestay as their primary residence, including whenever a guest is residing in the homestay.

Section 6. Amendment of OMC 18.04.060. Olympia Municipal Code Subsection 18.04.060 is hereby amended to read as follows:

JJ. SHORT-TERM RENTALS

Short-Term Rentals are allowed in the districts specified in Tables 4.01, 5.01, and 6.01 subject to the following requirements. Violations are subject to civil penalties and suspension and/or revocation of a City license or permit.

1. The following requirements apply to all short-term rentals:
 - a. The number of overnight guests is limited to two (2) adults per bedroom, except children under twelve (12) years of age may occupy a bedroom with no more than two (2) adults.
 - b. In any single short-term rental, the total number of overnight guests is limited to a maximum of ten (10) adults or the maximum provided by OMC 18.04.060.JJ.1.a, whichever is less. In a short-term rental – homestay, the property owner or long-term rental tenant is included in counting the maximum number of overnight guests.
 - c. A short-term rental operator shall obtain any required City and State business license(s).
 - d. A short-term rental operator shall comply with Revised Code of Washington Chapter 64.37, and all other applicable local, state, and federal laws and regulations and shall pay all applicable local, state, and federal taxes.
 - e. A short-term rental operator shall provide the City the name, phone number, and address of a person who resides within fifteen (15) miles of the short-term rental, or within Thurston County, who is responsible to represent the short-term rental operator to immediately

respond to City requests to enforce applicable laws and rules.

f. A short-term rental operator shall post a copy of City of Olympia business license, and land use permit if applicable, in a conspicuous location in the short-term rental.

g. No short-term rental is allowed on a property for which there exists a Final Certificate of Tax Exemption issued under OMC 5.86.

h. No short-term rental is allowed in any dwelling unit to which any income restrictions are in effect under any local, state, or federal authority.

2. The following requirements apply to short-term rental-homestays only: (see also 18.04.060.L)

a. The property owner, or a long-term rental tenant, must reside in a residence offered as a short-term rental - homestay as their primary residence, including whenever a guest is residing in the homestay.

b. No land use permit is required for a short-term rental - homestay.

3. The following requirements apply to short-term rental-vacation rentals only:

a. In addition to other required permits and licenses, a land use permit is required from the Department of Community Planning and Development for each vacation rental unit. Vacation rental permits are valid for two (2) years from the date of issuance, and may be renewed by the City upon application.

b. No short-term rental operator is permitted to own, operate, or have any interest in more than two (2) short-term rental - vacation rental units in the City of Olympia.

i. Existing short-term rental – vacation rentals. Operators that own, operate, or have any interest in more than two (2) short-term rental – vacation rental units in the City of Olympia as of **[effective date of this ordinance]** may be approved as long as those units are in continuous use as short-term rental – vacation rentals, and provided all other applicable requirements are met.

c. No more than two (2) short-term rental - vacation rental units are permitted on any legal parcel of land containing a single-family home.

d. Notwithstanding OMC 18.04.060.JJ.3.e., a short-term rental - vacation rental unit may be permitted in one (1) dwelling unit or three percent (3%) of the non-income-restricted dwelling units, whichever is greater, on a legal parcel of land, or adjacent parcels in common ownership, containing one (1) or more buildings with two (2) or more units.

Section 7. Amendment of OMC 18.05.040. Olympia Municipal Code Section 18.06.040, Table 5.01, is hereby amended to read as follows:

18.05.040 TABLES: Permitted, Conditional and Required Uses

TABLE 5.01

PERMITTED, CONDITIONAL AND REQUIRED USES

DISTRICT	Neighborhood Center	Neighborhood Village	Urban Village	Community Oriented Shopping Center	APPLICABLE REGULATIONS
District-Wide Regulations					18.05.050
1. RESIDENTIAL USES					
Accessory Dwelling Units	P	P	P	P	18.04.060(A)
Apartments	C	R	R	R	18.05.060(D), 18.05.050(E)
Boarding Homes	C	P	P	P	
Congregate Care Facilities		P	P	P	18.05.050(E)(1)(c)(i)
Cottage Housing		P	P	P	18.05.060(D), 18.04.060(H)
Duplexes		P	P	P	18.05.060(D)
Duplexes on Corner Lots	P	P	P	P	18.04.060(HH)
Group Homes with 6 or Fewer Clients		P	P	P	18.04.060(K), 18.04.060(W)
Group Homes with 7 or More Clients		C	C	C	18.04.060(K), 18.04.060(W)
Manufactured Homes	P	P	P	P	18.04.060(O)
Nursing/Convalescent Homes		P	P	P	18.04.060(S)
Residences Above Commercial Uses	P	P	P	P	
<u>Short-Term Rental – Vacation Rentals</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>18.04.060(JJ)</u>
Single-Family Residences	P	R	R	R	18.05.060(D)

TABLE 5.01

PERMITTED, CONDITIONAL AND REQUIRED USES

DISTRICT	Neighborhood Center	Neighborhood Village	Urban Village	Community Oriented Shopping Center	APPLICABLE REGULATIONS
Single Room Occupancy Units					
Townhouses	P	P	P	P	18.05.060(D), 18.64
2. OFFICES					
Banks	P	P	P	P	18.05.060(A)
Offices — Business	P	P	P	P	
Offices — Government	P	P	P	P	
Offices — Medical	P	P	P	P	
Veterinary Offices and Clinics	C	C	C	C	
3. RETAIL SALES					
Apparel and Accessory Stores	P	P	P	P	
Building Materials, Garden Supplies, and Farm Supplies	P	P	P	P	Sites within high density corridors, see 18.17.020 (B)
Food Stores	R	R	P	P	
Furniture, Home Furnishings, and Appliances					Sites within high density corridors, see 18.17.020 (B)
General Merchandise Stores	P	P	P	P	
Grocery Stores	P	P	R	R	18.05.060(C)
Office Supplies and Equipment					

TABLE 5.01

PERMITTED, CONDITIONAL AND REQUIRED USES

DISTRICT	Neighborhood Center	Neighborhood Village	Urban Village	Community Oriented Shopping Center	APPLICABLE REGULATIONS
Pharmacies and Medical Supply Stores	P	P	P	P	
Restaurants			P		18.05.060(A) & 18.05A.095
Restaurants, Without Drive-In or Drive-Through Service	P	P	P	P	
Specialty Stores	P	P	P	P	
4. SERVICES					
Health Fitness Centers and Dance Studios	P	P	P	P	
Hotels/Motels					
Laundry and Laundry Pick-up Agency	P	P	P	P	
Personal Services	P	P	P	P	
Printing, Commercial			P	P	
Radio/TV Studios					
Recycling Facility - Type I	P	P	P	P	
Servicing of Personal Apparel and Equipment	P	P	P	P	
5. ACCESSORY USES					
Accessory Structures	P	P	P	P	18.04.060(B)
Electric Vehicle Infrastructure	P	P	P	P	18.04.060(GG)
Garage/Yard/Rummage or Other Outdoor Sales	P	P	P	P	5.24

TABLE 5.01

PERMITTED, CONDITIONAL AND REQUIRED USES

DISTRICT	Neighborhood Center	Neighborhood Village	Urban Village	Community Oriented Shopping Center	APPLICABLE REGULATIONS
Satellite Earth Stations	P	P	P	P	18.44.100
Residences Rented for Social Event, 7 times or more per year	C	C	C	C	18.04.060.DD
6. RECREATIONAL USES					
Auditoriums and Places of Assembly					
Art Galleries					
Commercial Recreation					
Community Gardens	P	P	P	P	
Community Parks & Playgrounds	P/C	P/C	P/C	P/C	18.04.060(T)
Health Fitness Centers and Dance Studios					
Libraries					
Museums					
Neighborhood Parks/Village Green/Plaza	R	R	R	R	18.04.060(T), 18.05.080(N)
Open Space — Public	P	P	P	P	18.04.060(T)
Theaters (no Drive-Ins)					
Trails — Public	P	P	P	P	18.04.060(T)
7. TEMPORARY USES					
Emergency Housing	P	P	P	P	

TABLE 5.01

PERMITTED, CONDITIONAL AND REQUIRED USES

DISTRICT	Neighborhood Center	Neighborhood Village	Urban Village	Community Oriented Shopping Center	APPLICABLE REGULATIONS
Mobile Vendors			P	P	
Model Homes	P	P	P	P	
Parking Lot Sales			P	P	18.06.060(Z)
8. OTHER USES					
Agricultural Uses, Existing	P	P	P	P	
Animals/Pets	P	P	P	P	18.04.060(C)
Child Day Care Centers	P	P	R	P	18.05.060(B), 18.04.060(D)
Community Clubhouses	P	P	P	P	
Conference Centers					
Crisis Intervention	C	C	C	C	18.04.060(I)
Home Occupations (including adult day care, bed and breakfast houses, <u>short-term rental – homestays</u> , elder care homes, and family child care homes)	P	P	P	P	18.04.060(L), <u>18.04.060(JJ)</u>
Hospice Care	C	C	C	C	18.04.060(M)
Non-Profit Physical Education Facilities	C	C	C	C	
Places of Worship	C	C	C	C	18.04.060(U)
Public Facilities	C	C	C	C	18.04.060(V)
Radio, Television, and other Communication Towers & Antennas	C	C	C	C	18.04.060(W), 18.44.100

TABLE 5.01**PERMITTED, CONDITIONAL AND REQUIRED USES**

DISTRICT	Neighborhood Center	Neighborhood Village	Urban Village	Community Oriented Shopping Center	APPLICABLE REGULATIONS
Schools	C	C	C	C	18.04.060(DD)
Sheltered Transit Stops	R	R	R	R	18.05.050(C)(4)
Social Organizations					
Utility Facilities	P/C	P/C	P/C	P/C	18.04.060(X)
Wireless Communications Facilities	P/C	P/C	P/C	P/C	18.44

LEGEND

P = Permitted C = Conditional R = Required

Section 8. Amendment of OMC 18.06.040. Olympia Municipal Code Section 18.06.040, Table 6.01, is hereby amended to read as follows:

18.06.040 TABLES: Permitted and Conditional Uses

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
District-Wide Regulations	18.06.060 (R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)						18.130.020	
1. EATING & DRINKING ESTABLISHMENTS														
Drinking Establishments			P		P	P	P		C 18.06.060 (P)		P	P	P	
Drinking Establishments - Existing		P 18.06.060 (GG)				P								
Restaurants, with drive-in or drive-through			P 18.06.060(F)(3)										P 18.06.060 (F)(3)	
Restaurants, with drive-in or drive-through, existing			P				P 18.06.060(U)					C	P	
Restaurants, without drive-in or drive-through	P 18.06.060 (U)(3)	C	P	P 18.06.060(U)(2)	P	P	P 18.06.060(U)(1)	P	P	P	P	P	P	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
District-Wide Regulations	18.06.060 (R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
2. INDUSTRIAL USES														
Industry, Heavy														
Industry, Light			C		P/C 18.06.060(N)									
On-Site Treatment & Storage Facilities for Hazardous Waste					P 18.06.060(Q)									
Piers, Wharves, Landings					P									
Printing, Industrial			C		P/C 18.06.060(N)									
Publishing		C	C		P		P		C	C				
Warehousing			P		P/C 18.06.060(AA))		P							
Welding & Fabrication			C		P/C 18.06.060(N)		P							

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Wholesale Sales		C 18.06.060 (BB)(3)	P		P/C	18.06.060(BB)		P		P	18.06.060(BB) (2)			
Wholesale Products Incidental to Retail Business			P		P	P						P	P	
District-Wide Regulations	18.06.060 (R)				18.06.060(F) (2)	18.06.060(HH)	18.06.060(F) (2)							
3. OFFICE USES (See also SERVICES, HEALTH)														
Banks		P	P		P/C 18.06.060(D) (2)	P 18.06.060(D)(2)	P/C 18.06.060(D) (2)	P	P	P	P	P 18.06.060(D) (1)	P 18.06. 060 (F)(3)	
Business Offices		P	P		P	P	P	P	P	P	P	P	P	
Government Offices		P	P		P	P	P	P	P	P	P	P	P	
District-Wide Regulations	18.06.060 (R)				18.06.060(F) (2)	18.06.060(HH)	18.06.060(F) (2)							
4. RECREATION AND CULTURE														

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Art Galleries	P	P	P		P	P	P		P	P	P	P	P	
Auditoriums and Places of Assembly			P		P	P	P					P	P	
Boat Clubs					P	P								
Boating Storage Facilities					P			P						
Commercial Recreation		C	P		P	P	P	P		C	C	P	P	
Health Fitness Centers and Dance Studios	P	P 18.06.060(L)	P	P	P	P	P	P	P	P 18.06.060(L)	P 18.06.060(L)	P	P	
Libraries	C	C	C	C	P	P	P		P	C	P	P	P	18.04.060(V)
Marinas/Boat Launching Facilities					P 18.06.060(CC)	P								
Museums		C	P		P	P	P		P	C	C	P	P	18.04.060(V)
Parks, Neighborhood	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(T)
Parks & Playgrounds, Other	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(T)
Theaters (Drive-in)			C											

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Theaters (No drive-ins)			P		P	P	P				C	P	P	
District-Wide Regulations	18.06.060 (R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
5. RESIDENTIAL														
Apartments		P	P	P	P	P	P		P	P	P	P	P	
Apartments above ground floor in mixed use development	P	P	P	P	P	P	P		P	P	P	P	P	
Boarding Houses		P	P	P	P	P	P		P	P	P	P	P	
Co-Housing		P	P			P	P			P	P		P	
Collegiate Greek system residence, dormitories		C	P	P	P	P	P		P	C	P	P	P	
Duplexes	P	P	P	P			P		P	P	P		P	
Duplexes on Corner Lots	P	P	P	P			P		P	P	P	P	P	18.04.060(HH)
Group Homes (6 or less)	P	P	P 18.06.060(K)	P	P	P	P 18.06.060(K)		P	P	P	P 18.06.060(K))	P 18.06.060 (K)	18.04.060(K)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Group Homes (7 or more)	C	C	C 18.06.060(K)	C	C	C	C 18.06.060(K)		C	C	C	C 18.06.060(K)	P 18.06.060(K)	18.04.060(K)
Mobile or Manufactured Homes Park - Existing		C	C	C						C			C	18.04.060(P)
Quarters for Night Watch person/Caretaker					P	P								
Retirement Homes		P	P	P	P	P	P		P	P	P	P	P	
Single-Family Residences	P	P	P	P			P		P	P	P	P	P	
Single Room Occupancy Units			C		P	P	P		P				C	
Townhouses	P	P	P	P 18.06.060(T)		P	P		P	P	P	P	P	
Triplexes, Four-plexes, and Cottage Housing		P											P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
6. RETAIL SALES														
Apparel and Accessory Stores			P		P	P	P					P	P	
Boat Sales and Rentals			P		P	P	P	P					P	
Building Materials, Garden and Farm Supplies	P		P		P	P	P					P	P	
Commercial Greenhouses, Nurseries, Bulb Farms	C	C 18.04.060 (G)	C	C					C		P	P		18.04.060(G)
Electric Vehicle Infrastructure	P	P	P	P	P 18.06.060(W)	P 18.06.060(W)	P 18.06.060(W)	P	P	P	P	P	P	
Food Stores	P	P 18.06.060 (H)	P		P	P	P		P	P 18.08.060(H)	P	P	P	
Furniture, Home Furnishings, and Appliances			P		P	P	P				P	P	P	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Gasoline Dispensing Facilities accessory to a permitted use	P 18.06.060 (W)(4)		P		P 18.06.060(W)		P 18.06.060(W)(2)	P				P 18.06.060(W)	P 18.06.060 (W)	
Gasoline Dispensing Facility accessory to a permitted use - Existing	P 18.06.060 (W)		P		P 18.06.060(W)		P 18.06.060(W)				P	P 18.06.060(W)	P	
General Merchandise Stores	P	P 18.06.060 (J)	P		P	P	P			P 18.06.060(J)	P	P	P	
Mobile, Manufactured, and Modular Housing Sales			P											
Motor Vehicle Sales			P				P	P					P	
Motor Vehicle Supply Stores			P		P	P	P	P			P	P	P	
Office Supplies and Equipment		P 18.06.060 (DD)	P		P	P	P		P	P 18.06.060(DD)	P	P	P	18.06.060(CC)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Pharmacies and Medical Supply Stores	P	P 18.06.060 (EE)	P	P	P	P	P		P	P 18.06.060 (EE)	P	P	P	18.06.060(DD)
Specialty Stores	P 18.06.060 (Y)(3)	P 18.06.060 (Y)(4)	P	C 18.06.060(Y)(2)	P	P	P			P 18.06.060 (Y)(4)	P	P 18.06.060(Y)(1)	P	
District-Wide Regulations	18.06.060 (R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
7. SERVICES, HEALTH														
Hospitals				P			P		P					
Nursing, Congregate Care, and Convalescence Homes	C	P	C	P			C		C	C	C	P	P	18.04.060(S)
Offices, Medical		P	P	P	P	P	P	P	P	P	P	P	P	
Veterinary Offices/Clinics		P	P	P			P			P	P	P	P	
District-Wide Regulations	18.06.060 (R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
8. SERVICES, LODGING														

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Bed & Breakfast Houses (1 guest room)	P	P 18.06.060 (E)	P 18.06.060(E)	P 18.06.060(E)	P	P	P			P	P	P	P	18.04.060(L)(3)(c)
Bed & Breakfast Houses (2 to 5 guest rooms)	C	P 18.06.060 (E)	P 18.06.060(E)	P 18.06.060(E)	P	P	P		C	P	P	P	P	18.04.060(L)(3)(c)
<u>Short-Term Rentals-Vacation Rentals</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Hotels/Motels			P	C	P		P		P				P	
Lodging Houses		P	P	P	P		P		P	P	P	P	P	
Recreational Vehicle Parks			P										P	
District-Wide Regulations	18.06.060 (R)				18.06.060(F)(2)	18.06.060 (HH)	18.06.060(F)(2)							
9. SERVICES, PERSONAL														
Adult Day Care Home	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(L)(3)(b)
Child Day Care Centers	C	P	P	P	P	P	P		P	P	C	P	P	18.04.060(D)
Crisis Intervention	C	P	C	P			P		C	P	C	C	C	18.04.060(I)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Family Child Care Homes	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(L)
Funeral Parlors and Mortuaries		C	P				P			C		P	P	
Laundries and Laundry Pick-up Agencies	P	P	P	P	P	P	P			P	P	P 18.06.060(O))	P	
Personal Services	P	P	P	P	P	P	P	P	P	P	P	P	P	
District-Wide Regulations	18.06.060 (R)				18.06.060(F) (2)	18.06.060(HH)	18.06.060(F) (2)							
10. SERVICES, MISCELLANEOUS														
Auto Rental Agencies			P		P	P	P	P			C	P	P	
Equipment Rental Services, Commercial			P		P		P				P	P	P	
Equipment Rental Services, Commercial - Existing		P 18.06.060 (FF)												
Ministorage			P				P							
Printing, Commercial	P	P	P		P	P	P		P	P	P	P	P	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Public Facilities (see also Public Facilities, Essential on next page)	C	C	C	C	P	C	P	P	P	C	C	C	C	18.04.060(V)
Radio/T.V. Studios		P	P		P	P	P		P	P	P	P	P	
Recycling Facilities	P	P	P	P	P		P		P	P	P	P	P	18.06.060(V)
School - Colleges and Business, Vocational or Trade Schools		C	P		P	P	P		P	C	C	C	P	18.06.060(X)
Service and Repair Shops			P				P	P				P	P	
Service Stations/Car Washes			P				P 18.06.060(W))	P				P 18.06.060(W)	P 18.06.060(W)	
Service Stations/Car Washes - Existing			P		P 18.06.060(W))		P 18.06.060(W))				P	P 18.06.060(W)	P 18.06.060(W)	
Servicing of Personal Apparel and Equipment	P	P	P		P	P	P			P	P	P	P	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Truck, Trailer, and Recreational Vehicle Rentals			P					P						
Workshops for Disabled People	C	C	C	C	P	C	P		C	C	C	C	C	18.04.060(R)
District-Wide Regulations	18.06.060 (R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
11. PUBLIC FACILITIES, ESSENTIAL														
Airports			C										C	18.06.060(G)
Inpatient Facilities		C	C	C 18.06.060(T)	C		C		C	C	C	P	P	18.06.060(G) 18.04.060(K)
Jails			C		C		C		C				C	18.06.060(G)
Mental Health Facilities			C	C 18.06.060(T)	C		C						C	18.06.060(G) 18.04.060(K)
Other Correctional Facilities		C	C	C 18.06.060(T)	C	C	C		C	C	C	C	C	18.06.060(G)
Other facilities as designated by the Washington State Office of Financial		C	C		C		C			C	C	C	C	18.06.060(G)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Management, except prisons and solid waste handling facilities														
Radio/TV and Other Communication Towers and Antennas	C	C	C	C	C	C	C	C	C	C	C	C	C	18.06.060(G) 18.44.100
Sewage Treatment Facilities	C	C	C	C	P		P		C	C	C	C	C	18.06.060(G) 18.04.060(X)
State Education Facilities		C	C		C		C		C	C	C	C	C	18.06.060(G) 18.06.060(X)
State or Regional Transportation Facilities	C	C	C	C	C	C	C		C	C	C	C	C	18.06.060(G)
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
12. TEMPORARY USES														
Entertainment Events			P		P	P	P						P	
Off Site Contractor Offices	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(DD)
Emergency Housing	P	P	P	P	P			P	P	P	P	P	P	18.04.060(DD)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Emergency Housing Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	18.50
Fireworks, as determined by Fire Dept.			P		P	P	P				P	P	P	9.48.160
Mobile Sidewalk Vendors		P	P	P	P	P	P			P	P	P	P	
Parking Lot Sales			P		P	P	P	P			P	P	P	
Residences Rented for Social Event (6 or less in 1 year)	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(DD)
Residences Rented for Social Event (7 or more in 1 year)	C	C	C	C	C	C	C		C	C	C	C	C	
Temporary Surface Parking Lot		P	P		P	P	P		P					
District-Wide Regulations	18.06.060 (R)				18.06.060(F) (2)	18.06.060(HH)	18.06.060(F) (2)							
13. OTHER USES														
Accessory Structures/Uses														

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Adult Oriented Businesses			P										P	18.06.060(B)
Agriculture	P	P	P	P					P	P	P	P	P	
Animals	P	P	P	P	P	P	P		P	P	P	P	P	18.06.060(C)
Cemeteries	C	C	C	C					C	C	C		C	
Conference Center			P		P	P	P						P	
Gambling Establishments			C											
Garage/Yard/Rumma ge and Other Outdoor Sales	P	P	P	P	P	P	P		P	P	P	P	P	5.24
Home Occupations	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(L)
Parking Facility, Commercial		P	P		P	P	P 18.06.060(S)			P	P	P 18.06.060(S))	P	18.04.060(V)
Places of Worship	C	C	P	C	P	P	P		C	C	C	P	P	18.04.060(U)
Racing Pigeons	C	C	C	C					C	C	C	C	C	18.04.060(Y)
Satellite Earth Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	18.44.100
Schools	C	C	P	C	C	C	C		C	C	C	P	P	18.04.060(DD)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Social Organizations		P	P		P	P	P		P/C 18.06.060 (I)	P	P	P	P	
Utility Facility	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(X)
Wireless Communications Facilities	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.44

LEGEND

P = Permitted Use

MS = Medical Services

DB = Downtown Business

C = Conditional Use

PO/RM = Professional

Office/Residential Multifamily

AS=Auto Services

NR = Neighborhood Retail

GC = General Commercial

UW = Urban Waterfront

UW-H = Urban Waterfront-Housing

CSH = Commercial Services-High Density

HDC-1=High Density Corridor-1

HDC-2=High Density Corridor-2

HDC-3=High Density Corridor-3

HDC-4=High Density Corridor-4

Section 9. Amendment of OMC 18.38.100. Olympia Municipal Code Subsection 18.38.100 is hereby amended to read as follows:

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 +/- ten percent (10%) shall be provided, unless varied pursuant to OMC [18.38.080](#) or other provision of this code. Any change in use which requires more parking shall install vehicular and bicycle facilities pursuant to Table 38.01 and consistent with the location standards of OMC [18.38.220](#).

B. Building Area. All vehicle parking standards are based on the gross square feet of building area, unless otherwise noted.

C. Residential Exceptions.

1. New residential land uses in the Downtown Exempt Parking Area do not require motor vehicle parking. See OMC [18.38.160](#).
2. Residential land uses in the CSH, RMH, RMU, and UR Districts require only one (1) vehicle parking space per unit.
3. Table 38.01 notwithstanding, senior (age 55 or 62 and over) multi-family housing requires three (3) motor vehicle parking spaces per four (4) units. This exception is at the discretion of the applicant and only applicable if an appropriate age-restriction covenant is recorded.

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	Minimum Required Short-Term Bicycle Spaces
COMMERCIAL			
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 <u>(1)</u> per sixteen thousand (16,000) square feet of showroom floor area. Minimum of two (2).	One <u>(1)</u> 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 <u>one (1)</u> space for		

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
	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).
Markets, Shopping Centers and Large Retail/Wholesale Outlets	Less than <u>fifteen thousand</u> (15,000) sq. ft = 3.5 spaces for each <u>thousand</u> (1000) sq. ft. of gross floor areas. 15,001 to 400,000 sq. ft = <u>four</u> (4) spaces for each <u>thousand</u> (1000) sq. ft. of gross floor area. More than 400,001 sq. ft. = <u>four and one-half</u> (4.5) spaces per <u>thousand</u> (1000) sq. ft. of gross floor area.	One (<u>1</u>) per six thousand (6,000) square feet. Maximum of five (5); minimum of one (1).	One (<u>1</u>) 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 <u>thousand</u> (1000) sq. ft. of gross floor area.	One (1) per <u>ten thousand</u> (10,000) square feet. Minimum of two (2).	One (1) per <u>ten thousand</u> (10,000) square feet, minimum of two (2) within fifty (50) feet of each customer entrance; plus an equal reserved area for adding spaces.

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
COMMERCIAL			
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
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 <u>two thousand (2000)</u> sq. ft = One (1) space for each <u>two hundred fifty (250)</u> sq. ft. Gross floor area between <u>two thousand and one (2001)</u> to <u>seven thousand five hundred (7500)</u> sq. ft. = One (1) space for each <u>three hundred (300)</u> sq. ft. Gross floor area between <u>seven thousand and one (7501)</u> to <u>forty thousand (40,000)</u> sq. ft. = One (1) space for each <u>three hundred fifty (350)</u> sq. ft. Gross floor area of <u>forty thousand and one (40001)</u> and greater = One (1) space for each <u>four hundred (400)</u> 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	<u>Three and a half (3.5)</u> 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

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
			reserved area for adding spaces.
Retail Uses	Three and a half (3.5) spaces per one thousand (1000) sq. ft.	One <u>(1)</u> per six thousand (6,000) square feet. Maximum of five (5); minimum of one (1).	One <u>(1)</u> 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.
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	<u>One (1)</u> space for each thousand (1000) sq. ft. or <u>one (1)</u> 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 <u>zero to ten thousand (0-10,000)</u> sq. ft. = One (1) space for each one thousand (1000) sq. ft. Gross floor area between <u>ten thousand and one (10,001) – twenty thousand (20,000)</u> sq. ft. = ten (10) spaces plus .75 space for each additional one thousand (1000) sq. ft. beyond ten thousand (10,000) sq. ft. Over <u>twenty thousand (20,000)</u> sq. ft. = eighteen (18) spaces plus <u>one-half (.50)</u> for each additional <u>one thousand (1000)</u> sq. ft. beyond <u>twenty thousand (20,000)</u> sq. ft., or <u>one (1)</u> 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

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
INDUSTRIAL			
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).
INSTITUTIONAL			
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	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).

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
and Mental Health Facilities.			
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 allow pervious-type parking surfaces.	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).
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).
PLACES OF ASSEMBLY			
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/ <u>one thousand</u> (1000) sq. ft. of assembly area where seats or pews are not	One (1) per 10,000 square feet of gross floor area.	One (1) per <u>one hundred sixty</u> (160) seats or <u>two hundred forty</u> (240) lineal feet of bench or other seating, and one (1) per <u>siox thousand</u> (6,000) square feet of assembly area

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
	provided or when circumstances warrant increased parking; e.g., large regional congregations which attract a large congregation or one which has multiple functions. See shared parking. 18.38.180		without fixed seats. 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 18.38.180 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).
RECREATION/AMUSEMENT			
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 of 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).
RESIDENTIAL			
Accessory Dwelling Unit	None	None	None

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
Bed and Breakfast	One (1) space in addition to space(s) required for the residential unit.	One (1) per ten (10) rooms. Minimum of one (1).	None
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	One (1) space per unit or <u>one and one-half (1.5) spaces</u> per unit if on-street parking is not available along street frontage (One (1) space per twenty (20) linear feet).	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 in addition to space(s) required for the residential unit.	Minimum of two (2).	Minimum of two (2).
Fraternities, Sororities and Dormitories	One (1) space for every three (3) beds, plus one (1) space for the manager.	One (1) per fourteen (14) beds. Minimum of two (2).	Ten (10) per dormitory, fraternity or sorority building.
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
Mobile Home Park	Two (2) spaces per lot or unit, whichever is greater. If recreation facilities are provided, one (1) space per ten (10) units or lots.	None	None
Triplex, when in a zoning district with a	Five (5) spaces.	None	None

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
maximum density of twelve units per acre or less			
Multifamily Dwellings	Three (3) or more units shall provide one and one-half (1.5) off-street parking spaces per dwelling unit. Multifamily dwelling units located on HDC-4 properties, where the new project provides for the development of replacement dwelling units in a development agreement, and the project site is all or part of an area of 40 acres or more that was in contiguous ownership in 2009, are exempt from the parking requirements of this section. If parking is voluntarily provided by the property owner, then the Director shall permit such parking to be shared with parking provided for non-residential development on the property.	One (1) storage space per unit that is large enough for a bicycle.	One (1) per ten (10) units. Minimum of two (2) per building.
Single Family to include Duplex and Townhouse.	Two (2) spaces per unit. Note: parking spaces may be placed in tandem (behind the other). DB, CSH and RMH zone districts require one (1) space/unit.	None	None
Studio Apartments.	Apartments with one (1) room enclosing all activities shall provide one (1) off-street parking space per dwelling unit	None	One (1) per ten (10) units. Minimum of two (2) per building.
<u>Short-Term Rental</u>	<u>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</u>	<u>None</u>	<u>None</u>

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
	<u>term rental in existence prior to [effective date of this ordinance] 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.</u>		
RESTAURANT			
Cafes, Bars and other drinking and eating establishments.	Ten (10) spaces per thousand (1000) sq. ft.	One <u>(1)</u> per 2,000 square feet; minimum of one (1).	One <u>(1)</u> per 1,000 square feet; minimum of one (1).
Car Hop	One (1) for each fifteen (15) square feet of gross floor area.	One <u>(1)</u> per 300 square feet; minimum of one (1).	One <u>(1)</u> 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 <u>(1)</u> per 2,000 square feet; minimum of one (1).	One <u>(1)</u> per 1,000 square feet; minimum of one (1).

Section 10. Amendment of OMC 18.43.130. Olympia Municipal Code Subsection 18.43.130 is hereby amended to read as follows:

18.43.130 Residential Sign Zone

Permanent Signs are permitted in the Residential Sign Zone, subject to the provisions below.

A. Permanent sign regulations in Residential Sign Zone.

1. Permanent signs in the residential sign zone are limited in their type, size, and placement.
2. Permanent signs for approved non-residential uses, such as a place of worship or a school, and multifamily complexes are allowed.

B. Permanent signs - Residential properties.

1. Residential Subdivisions. One freestanding sign per street frontage which has a driveway entry into the subdivision, up to fifty (50) square feet in size (25) square feet per side if double sided).
2. Home Occupations and short-term rentals. On residential properties for which the City has issued a valid City business license for home occupation or short-term rental, one permanent sign is allowed pursuant to the following:
 - a. The sign must be a wall sign placed on the facade of the primary structure; the sign message may be of a commercial or noncommercial nature.
 - b. The maximum sign size shall not be greater than two square feet.
 - c. Where a sign placed on the building's facade cannot be seen from a public street due to the distance the building is setback from the street, the City may approve an alternative sign size, type, or location. Such review shall be on a case-by-case basis and balance the purpose of the zoning district with the needs of a home based business. In no case shall the sign exceed ten (10) square feet in size (five (5) square feet per side if freestanding and double-sided).
 - d. The sign must appear to be a secondary feature of the building facade.
 - e. The sign shall not project above the roof line of the exposed building face to which it is attached.
 - f. The sign shall be installed to appear flush-mounted.
 - g. Internal illumination is not allowed.
 - h. A temporary Open sign may be displayed discretely in a window during business hours only.

Table 43-8: Permanent Signs for Residential Uses in Residential Sign Zone

Permanent Signs – Residential Uses (Not Including Apartment Complexes)		
Home Occupation Businesses <u>and Short-Term Rentals</u>	Up to two (2) square feet, flush mounted near entrance	<u>One (1)</u> per licensed Home Occupation business <u>or short-term rental</u> only
Home Occupation Business abutting west side of 300 and 400 blocks of West Bay Drive NW	Up to five (5) square feet if flush mounted near entrance or up to five (5) square feet per side if freestanding	<u>One (1)</u> per licensed Home Occupation business only
Development Identification Signs	Freestanding Sign for Residential Subdivisions, up to 50 square feet (or 25 square feet per side).	<u>One (1)</u> per street frontage which has an entry to the development

Permanent Signs – Non-Residential Uses and Apartment/Multifamily Complexes		
Identification signs for non-residential uses	<u>One (1)</u> freestanding or building mounted sign per driveway access from a street. If freestanding, maximum height is <u>four (4)</u> ft.	<ul style="list-style-type: none"> • Academic schools – up to 100 sq. ft. maximum; • Other Uses: Up to 24 sq. ft. in size (12 sq. ft. per side if double-sided).
Secondary wall signs for non-residential uses	1 per exterior public entrance to the building	Up to 12 square feet of sign area to identify the primary destination of the entrance (e.g. office, library, gymnasium sanctuary).
Identification Signs for Apartment/Multifamily Complexes	Building mounted sign (flush mounted only) or Freestanding sign. <ul style="list-style-type: none"> • Multi-family uses - up to 16 sq. ft. maximum; Double sided signs: 1/2 the max.	1 per use. Except multi-family uses in RM-18, RM-24 & RMH: 2 signs are permitted where there are entrances off 2 public rights-of-way.
Identification Signs for Individual Uses in Multiple Occupancy Buildings	Building mounted sign to be flush mounted only. <ul style="list-style-type: none"> • Academic schools – up to 100 sq. ft. maximum; • Multi-family uses - up to 16 sq. ft. maximum; • All other uses - 24 sq. ft. maximum. Double sided signs: 1/2 the max.	
Driveway Entrance/Exit Signs	Freestanding only. 5 square feet total (2.5 square feet per side if double sided)	1 per driveway
Directional	18.43.070	
Public Service	18.43.070	

C. Permanent Signs – Nonresidential Uses. It is customary and common to have nonresidential uses in residential areas, such as schools, places of worship, daycare centers, public facilities such as fire stations or substations, and other similar uses. These uses are generally allowed by conditional use permit and are an important part of our community. These uses have signage needs that are different and distinct from residential uses. Signs may be permitted, as follows:

1. Lighting. All signs, with the exception of the Public Service portion of signage, are encouraged to use indirect lighting for signage. Lighting shall be directed to the sign face and away from residential properties. The electronic portion of any public service sign for academic uses must be turned off between the hours of 9:00 p.m. and 6:00 a.m.

2. Directional Signage. Uses that have more than one public entrance, such as schools with separate entrances for libraries, gymnasiums, theaters, the main office, and other uses that are most likely to experience visitors are encouraged to provide directional signage.

D. Except as otherwise provided for in this chapter, temporary signs in the residential sign zone do not require sign permits and are allowed pursuant to the following regulations:

1. Noncommercial. All temporary signs in the residential sign zone shall only display noncommercial copy, unless otherwise allowed (e.g. real estate, construction signs). For the purposes of this chapter, garage and yard sale signs are considered to be temporary and noncommercial signage.

2. Sign Types – Construction – Materials. There is no restriction on the type of temporary sign (i.e., the sign construction or materials used) allowed on residential properties provided that all other regulations and provisions of this chapter are met.

3. Quantity. There are no restrictions on the number of temporary signs allowed on private property in the residential sign zone.

4. Size.

a. Temporary Freestanding Signs. No temporary freestanding sign shall be greater than twelve (12) square feet in size, with no sign face exceeding six (6) square feet. The sign shall not exceed four (4) feet in height, as measured from the ground to the top of the sign.

b. Building-Mounted Signs. Building-mounted temporary signs attached flush to the face of the building:

- Shall not have a maximum height; provided, that no sign shall extend beyond the roofline of the building; and
- In aggregate (i.e., the total of all building-mounted temporary signs) shall not cover more than twenty (20) percent of the building's facade.

5. Window Signs. Signs placed in or on windows shall, in aggregate, not exceed twenty-five (25) percent of the area of the window on which they are displayed.

6. Yard/Lawn Signs. In accordance with standards outlined in Section [18.43.080](#).

7. Garage Sale (Yard Sales, Moving Sales, Patio Sales). No sign permit or Temporary Sign Agreement is required. Such sign shall be limited to one (1) sign on the premises and three (3) off-premises signs. No such sign shall exceed four (4) square feet in sign area. The sign or signs may be displayed only during the sale and must be removed the day the sale ends. The person or persons for which the sign or signs are displayed shall be responsible for removal and/or is subject to the penalties as provided in this code. Any such signs placed in the right of way shall comply with the standards in Section E, below.

E. Temporary Signs in Planter Strip. Temporary signs may be placed in the planter strip (the landscaped area between the curb and sidewalk) or unimproved right-of-way pursuant to the following:

1. No more than three (3) temporary signs are allowed in the right of way per street frontage, per lot. For residential properties actively for sale or lease, one of the three (3) temporary signs may be a real estate sign.
2. No temporary sign may be greater than four (4) feet in height above grade and is subject to the clear view sight triangle standards per Chapter 4 of the Engineering Design and Development Standards.
3. Temporary signs in the right of way may only contain noncommercial messages and must meet the standards of Sections [18.43.060](#) and [18.43.085](#).

F. Duration. Any temporary sign that is specific to an event shall be removed within five (5) days of the end of the event, unless otherwise stated in this chapter.

Section 11. Amendment of OMC 18.72.100. Olympia Municipal Code Subsection 18.72.100 is hereby amended to read as follows:

18.72.100 Review and appeal authority

The following table describes development permits and the final decision and appeal authorities. 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

KEY:

Director	=	Community Planning and Development Director or designee
SPRC	=	Site Plan Review Committee
DRB	=	Design Review Board
PC	=	Planning Commission
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.]

	Director	SPRC	DRB	PC	HC	HE	Council
ZONING							
Conditional Use Permit		R				D	
Interpretations	D					O	
Land Use Review	D ¹	R				O	
Small Lot Review	D					O	
Townhouse (2 – 4 Units)	D					O	
Townhouse (10 or more units)		R	R			D	
Townhouse Final (2-9)	D					O	
Townhouse Final (10 or more)		R					D
Zoning Variance	R					D	
Zone Map Change, without Plan Amendment	R					R	D
Zone Change, with Plan Amendment or Ordinance Text Amendment	R			R			D
Home Occupation	D					O	
Temporary Use Permit	D					O	
SEPA exempt Building Permit	D					O	
Parking or Fence Variance	D	R				O	
Accessory Dwelling Unit	D					O	
<u>Short-Term Rental - Vacation Rental</u>	<u>D</u>					<u>O</u>	
Accessory Building	D					O	
Occupancy Permit	D					O	
Sign Permit	D					O	
Landscape Plan	D					O	
Tree Plan	D					O	
Historic Properties	D	R			R	O	
COMPREHENSIVE PLAN							
Amendments (map, text)	R			R			D
DESIGN REVIEW							
Detailed Review	D		R				
major			O				
Concept Review	D	R	R			O	
Signs (general)	D					O	
Scenic Vistas	D	R	R			O	

	Director	SPRC	DRB	PC	HC	HE	Council
ENVIRONMENTAL							
Threshold Determination	D					O	
Impact Statement Adequacy	D					O	
Reasonable Use Exception	R					D	
SEPA Mitigating Conditions	D					O	
Major Shoreline Substantial Development Permit		R				D	
Shoreline Conditional Use Permit		R				D	
Shoreline Variance		R				D	
Shoreline Permit Revision or Exemption	D					O	
SUBDIVISION							
Boundary Line Adjustment (including lot consolidation)	D					O	
Preliminary Plat, Long	R					D	
Preliminary Short, (2-9 lots)	D ¹					O	
Final Short Plat	D					O	
Final Long Plat	D					O	
Master Plan Approval	R		R			R	D
MPD Project Approval		R	R			D	
Preliminary PRD		R				R	D
Final PRD		R					D
Time Extensions	D					O	

¹ 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\(A\)\(4\)](#).

Section 12. 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 13. 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 shall remain unaffected.

Section 14. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 15. Effective Date. This Ordinance shall take effect thirty (30) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Michael M. Young

DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

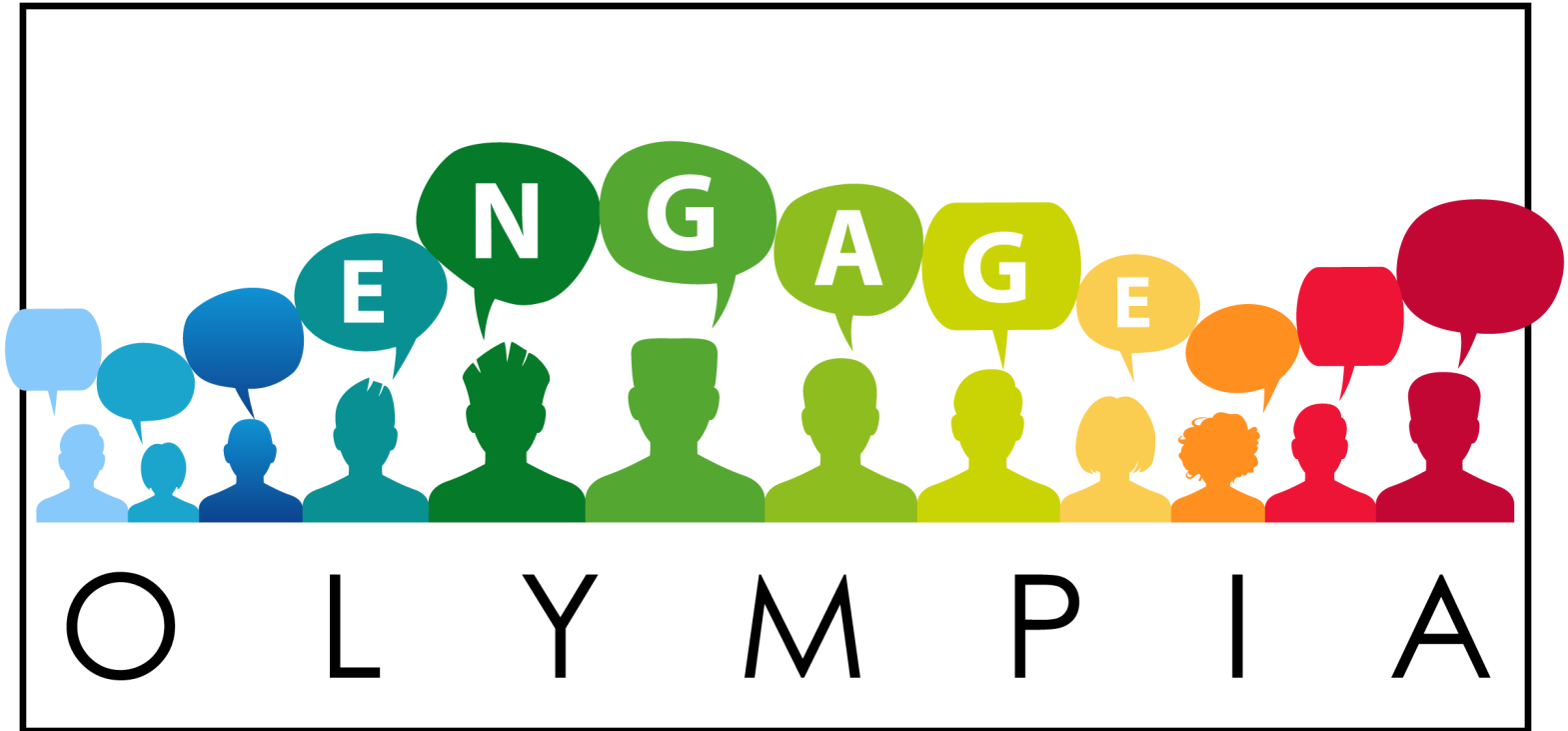
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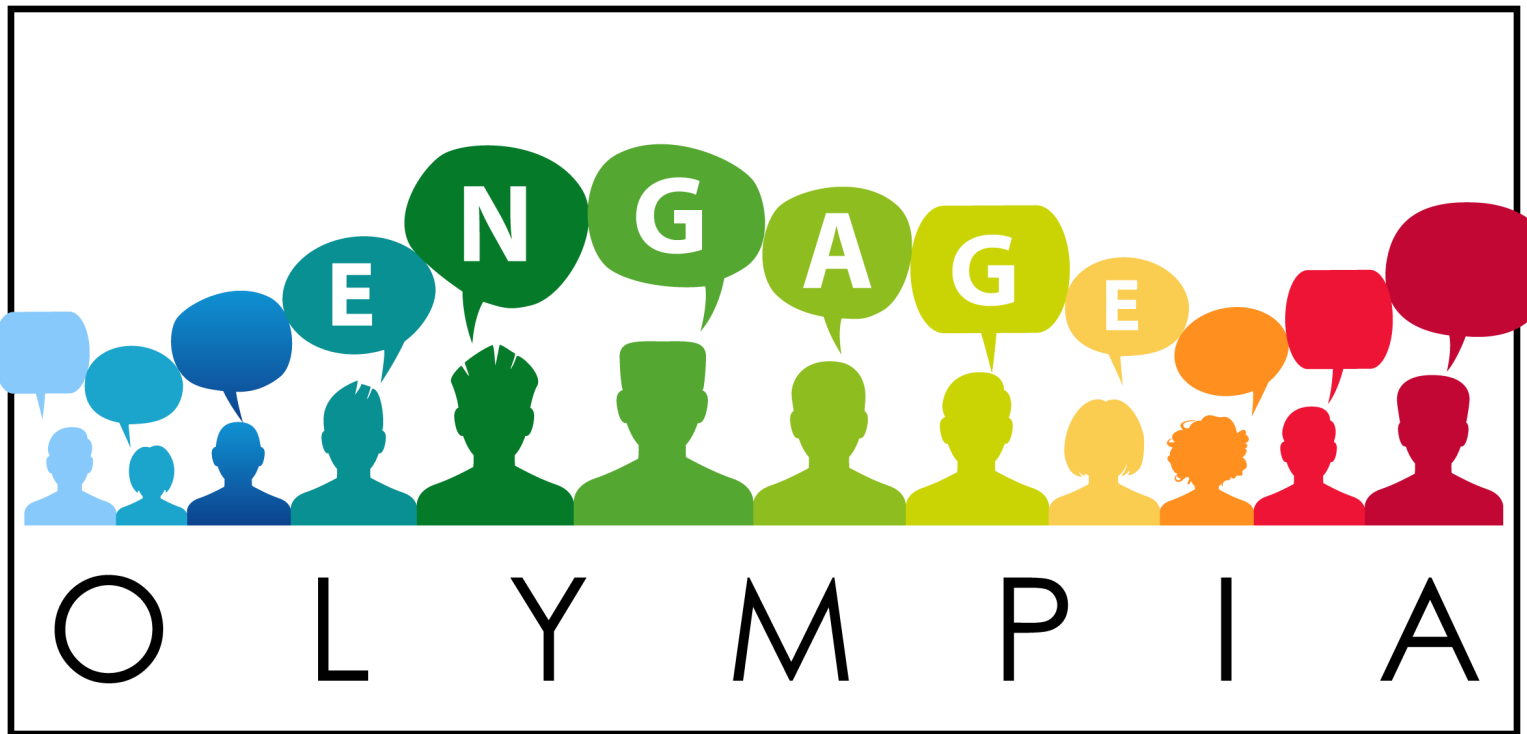
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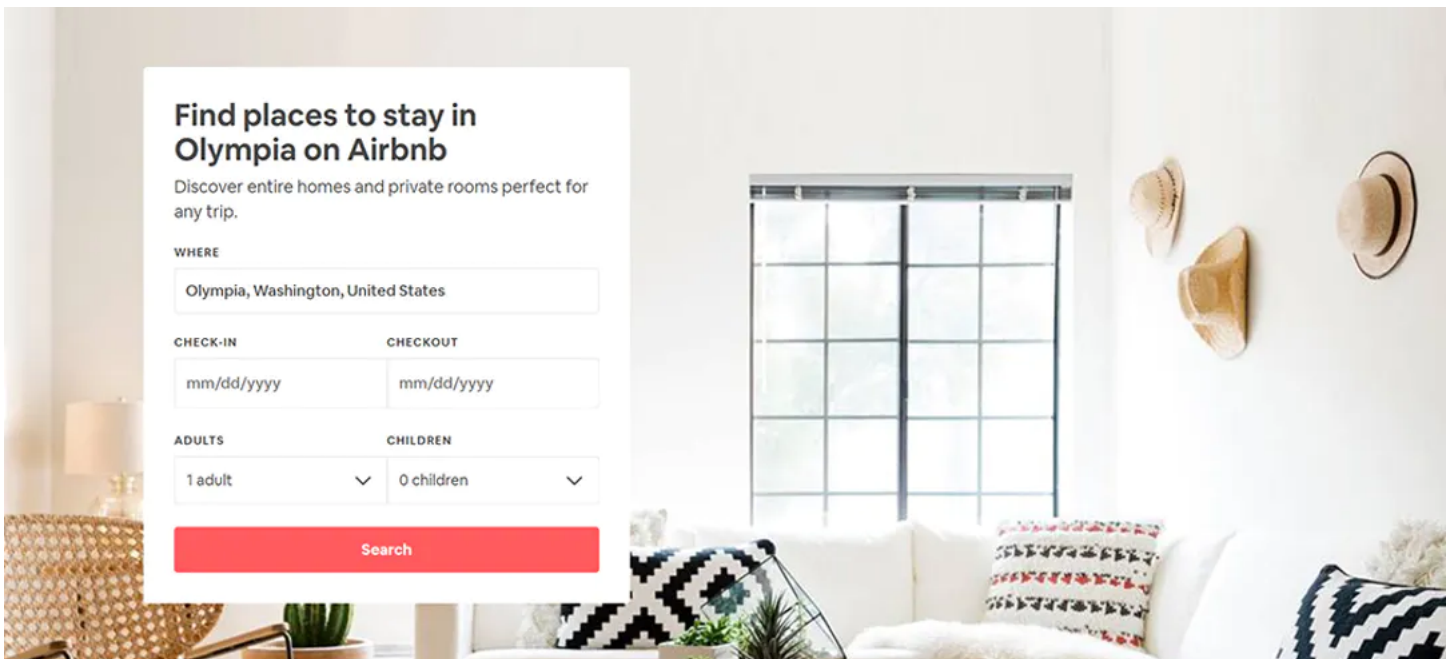
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Short Term Rental Regulations



Update: City Council to consider adoption of Short Term Rental Ordinance August 10, 2021

The Olympia City Council is scheduled to consider adopting regulations regarding short-term rentals at its August 10, 2021 meeting. The ordinance has been recommended by the City Council's Land Use & Environment Committee, which reviewed the recommendations of the Olympia Planning Commission on June 17, 2021.

The Committee made a recommendation to the City Council to approve a draft ordinance regulating short term rentals in Olympia. The Committee made the following revisions to the Planning Commission's recommendation:

1. Short term rentals – vacation rentals must provide a 24/7 contact person who resides within 15 miles or within Thurston County.
2. Property owners may have a total of two short term-vacation rentals.
3. Owners of more than two short term rentals-vacation rentals at the time the ordinance is effective can continue operating their existing rentals if they meet certain conditions.
4. Short term rentals in operation at the time the ordinance is effective can continue operating with their existing parking.

A summary of the Committee's recommendations and the complete draft ordinance can be viewed below.

- [View Short Term Rental Regulations](#)
- [View Draft Ordinance](#)

The City Council will consider adoption of the Committee recommendations in August.

Why are we doing this?

Currently, Olympia doesn't have specific regulations addressing short term rentals. City Council has asked staff to take a closer look at these types of rentals to establish equitable and balanced rules for all stakeholders. We will strive to develop a sound process for Olympia that:

- Aligns with Olympia's context and priorities
- Protects public and private interests
- Promotes fairness
- Helps meet our social and economic needs

The following six goals represent the underlying principles guiding our planning progress so far:

1. Housing: Establish protections for the supply and affordability of housing.
2. Health and Safety: Identify unwanted behaviors and negative consequences.
3. Neighborhood Integrity: Minimize impacts and tensions between short term rentals and neighbors.
4. Fees and Taxes: Ensure equitable permit and tax compliance.
5. Enforcement: Enact enforceable policies that improve building, safety, and accessibility requirements.
6. Economic Development: Ensure an equitable approach with existing local firms and providers and their employees, and enable revenue opportunities for existing residents."

How did we get here?

The City received public comment, held community meetings, and conducted research about best practices focused on short term rentals throughout the state and nation. We heard a full range of responses in support and opposed to regulating short term rentals.

[NEWS FEED](#)[COMMENTS](#)[SURVEY](#)

Public comments Jul. 13 to Sep. 29, 2020

26 Feb 2021



- [View public Comments and stories, collected Jul. 13 to Sep. 29, 2020](#)

Public comments Sept, 2019 - Jan. 21, 2020

22 Jan 2020



The City collected initial feedback from the public about Short Term Rentals from Sep. 2019 though Jan. 21, 2020.

- [Read comments and stories we received](#)

Who's listening

Leonard Bauer

Director, CP&D

City of Olympia

Phone 360-753-8206**Email** lbauer@ci.olympia.wa.us

Catherine McCoy



Associate Planner

City of Olympia

Phone 360-570-3776**Email** cmccoy@ci.olympia.wa.us

Timeline



Learning: July-Sept. 2019

Research issues that have been faced in other cities. Gather current data on short-term rentals in Olympia.



Develop Guiding Principles: August-Sept. 2019

Based on information gathered, draft a set of principles to guide Olympia's approach to short-term rentals. Seek guidance and reactions from City Council and Advisory Committees and from Olympia citizens to ensure these principles make sense.



Create and Test Actions to Carry Out the Guiding Principles: Sept. 2019-June 2020

Learn from the experience of other cities and additional research to identify specific actions that could carry out the guiding principles. Consult with neighborhoods and other affected groups for feedback on these potential actions. Test the actions most likely to carry out the principles through outreach to the Olympia community.



Public Review and Adoption Process: July 2020-May 2021

Receive formal public comment on the draft proposal for regulating short-term rentals, in writing and at a public hearing. Planning Commission makes recommendation to the City Council, who makes final decision.



Ensure Successful Implementation: May 2021 & Beyond

Provide educational materials to short-term rental operators and web platforms, as well as neighborhood associations. Share information on new programs and requirements on City website and other media. Train City staff on new requirements and establish appropriate procedures for enforcement.

Document Library

[Draft STR Ordinance \(1.45 MB\) \(pdf\)](#)

 [LUEC STR Regulations \(134 KB\) \(pdf\)](#)

[more..](#)

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