



Meeting Agenda

City Council

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Tuesday, September 19, 2017

7:00 PM

Council Chambers

1. ROLL CALL

1.A ANNOUNCEMENTS

1.B APPROVAL OF AGENDA

2. SPECIAL RECOGNITION - None

3. PUBLIC COMMUNICATION

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

During this portion of the meeting, citizens 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 three (3) 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 COMMUNICATION (Optional)

4. CONSENT CALENDAR

(Items of a Routine Nature)

4.A [17-0963](#) Approval of September 12, 2017 City Council Meeting Minutes

Attachments: [Minutes](#)

4.B [17-0899](#) Approval of Resolution Setting a Public Hearing Date to Consider a Vacation Petition Perpendicular to Kaiser Road SW

Attachments: [Resolution](#)
[Petition](#)
[Vicinity Map](#)

- 4.C [17-0952](#) Approval of Annual Comprehensive Plan Amendment Schedule for 2018

4. SECOND READINGS

- 4.D [17-0893](#) Approval of an Ordinance for Minor Corrections to Municipal Code Related to Low Impact Development and Other Zoning Standards

Attachments: [Ordinance](#)

- 4.E [17-0935](#) Approval of an Ordinance Authorizing Acceptance of a Donation of the Sculpture "Philosopher" as a Gift of Art from Artist, Kevin Au

Attachments: [Ordinance](#)

[Agreement](#)

4. FIRST READINGS

- 4.F [17-0945](#) Approval of an Ordinance Removing Zoning Designations from the State Capitol Campus

Attachments: [Ordinance](#)

- 4.G [17-0936](#) Approval of an Ordinance Amending Ordinance 7084 (Operating Budget)

Attachments: [Ordinance](#)

- 4.H [17-0937](#) Approval of an Ordinance Amending Ordinance 7086 (Capital Budget)

Attachments: [Ordinance](#)

- 4.I [17-0938](#) Approval of an Ordinance Amending Ordinance 7085 (Special Funds)

Attachments: [Ordinance](#)

5. PUBLIC HEARING - None

6. OTHER BUSINESS

- 6.A [17-0796](#) Approval of an Ordinance Amending Wastewater Regulations related to Septic to Sewer Program

Attachments: [Ordinance](#)

[UAC Letter](#)

[Public Hearing Comments](#)

7. CONTINUED PUBLIC COMMUNICATION

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

City Council

Approval of September 12, 2017 City Council Meeting Minutes

Agenda Date: 9/19/2017
Agenda Item Number: 4.A
File Number: 17-0963

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

Title

Approval of September 12, 2017 City Council Meeting Minutes



Meeting Minutes - Draft

City Council

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Tuesday, September 12, 2017

7:00 PM

Council Chambers

1. ROLL CALL

Present: 7 - Mayor Cheryl Selby, Mayor Pro Tem Nathaniel Jones, Councilmember Jessica Bateman, Councilmember Jim Cooper, Councilmember Clark Gilman, Councilmember Julie Hankins and Councilmember Jeannine Roe

1.A ANNOUNCEMENTS - None

1.B APPROVAL OF AGENDA

Item 4.E was postponed to a later date in order for staff to do further public outreach on the topic.

The agenda was approved as amended.

2. SPECIAL RECOGNITION

2.A [17-0921](#) Special Recognition - Presentation of Gift from Mayor Yasuda of Kato, Olympia's Sister City

Olympia Kato Sister City Association President Allen Miller and representatives of the organization presented a gift from Mayor Yasuda of Kato, Olympia's Sister City.

The recognition was received.

2.B [17-0925](#) Special Recognition - Stephanie Johnson, Arts Program Manager

Parks, Arts and Recreation Director Paul Simmons introduced Arts Program Manager Stephanie Johnson. He reviewed several of her accomplishments and her history supporting the arts in Olympia. She recently was awarded the South Sound Exceptional Women Award from the Soroptimist International of Olympia and the Commitment to the Arts Award for Excellence in Arts from the Washington Center.

Ms. Johnson said a few words regarding her time working in the arts in Olympia.

Councilmembers praised Ms. Johnson for her work.

The recognition was received.

3. PUBLIC COMMUNICATION

The following people spoke:

Noah Martin, Joshua Black, Bev Bassett, Michael Harman, CC Coates, Chelsea Rustad, Shelly Robbins, Amanda Biddle, Walt Jorgensen, Miriam Ball, Ryan Dewitt and Nora Edge.

4. CONSENT CALENDAR

- 4.A** [17-0892](#) Approval of August 22, 2017 Study Session Meeting Minutes

The minutes were approved.

- 4.B** [17-0894](#) Approval of August 22, 2017 Council Meeting Minutes

The minutes were approved.

4. SECOND READINGS - None

4. FIRST READINGS

- 4.D** [17-0935](#) Approval of an Ordinance Authorizing Acceptance of a Donation of the Sculpture "Philosopher" as a Gift of Art from Artist, Kevin Au

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

- 4.E** [17-0887](#) Approval of an Ordinance Amending Municipal Code Related to Mixed-Use Building Construction and Building Code Height Limitations for Consistency with Other Provisions in Municipal Code and International Building Code

The ordinance was postponed.

- 4.F** [17-0893](#) Approval of an Ordinance for Minor Corrections to Municipal Code Related to Low Impact Development and Other Zoning Standards

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

Approval of the Consent Agenda

Mayor Pro Tem Jones moved, seconded by Councilmember Cooper, to adopt the Consent Calendar. The motion carried by the following vote:

Aye: 7 - Mayor Selby, Mayor Pro Tem Jones, Councilmember Bateman, Councilmember Cooper, Councilmember Gilman, Councilmember Hankins and Councilmember Roe

PULLED FROM CONSENT

4.C [17-0859](#) Approval of a Resolution Declaring Surplus Property for Evergreen Village Apartments

City Surveyor Ladd Cluff gave a brief overview of the declaration of surplus property for Evergreen Village Apartments. Councilmembers asked clarifying questions.

Councilmember Gilman moved, seconded by Councilmember Hankins, moved to adopt a resolution declaring the parcel known as the 500 block of Bing Street as surplus real property, and to dispose of said property by the City Manager or his designee in accord with the City's procedures for the evaluation of City real property for reuse and disposal. The motion carried by the following vote:

Aye: 7 - Mayor Selby, Mayor Pro Tem Jones, Councilmember Bateman, Councilmember Cooper, Councilmember Gilman, Councilmember Hankins and Councilmember Roe

5. PUBLIC HEARING

5.A [17-0801](#) Public Hearing on a Storm Utility Easement at Henderson Commercial Park

Mr. Cluff gave an overview of the abandoned utility easement and storm water pipe at the Henderson Commercial Park.

Councilmembers asked clarifying questions.

Mayor Selby opened the hearing at 8:14 p.m. The following person spoke: Pete Brown. Mayor Selby closed the public hearing at 8:16 p.m.

Mayor Selby moved, seconded by Councilmember Gilman, to approve the release of the abandoned City storm and surface water utility easement and pipe and to adopt a resolution authorizing the City Manager to execute all necessary documents to effect such release. The motion carried by the following vote:

Aye: 7 - Mayor Selby, Mayor Pro Tem Jones, Councilmember Bateman, Councilmember Cooper, Councilmember Gilman, Councilmember Hankins and Councilmember Roe

5.B [17-0923](#) Public Hearing on Community Development Block Grant (CDBG) Action Plan Amendment to Include Section 108 Loan for the Avalon Project

Community Planning and Development Director Keith Stahley gave an overview of the the Avalon Project and the proposed Section 108 loan. He noted comments will be accepted until October 1 and, following the public comment period, the City Council may direct the Section 108 loan application to be submitted to the the Housing and Urban

Development Department (HUD).

Councilmembers asked clarifying questions.

Mayor Selby opened the hearing at 8:32 p.m. The following person spoke: Ace Mallik.
Mayor Selby closed the hearing at 8:34 p.m.

The public hearing was held.

6. OTHER BUSINESS

6.A [17-0920](#) Approval of Arts Commission Recommendations for the 2017 Percival Plinth Project Purchase and Music Out Loud Mosaic Designs

Arts Program Manager Stephanie Johnson and Arts Commission Chair Stacy Hicks gave an overview of the Music Out Loud Project and reviewed the design recommendations.

Arts Program Specialist Angel Nava and Ms. Hicks gave an overview of the 2017 Plinth Project purchase recommendation.

Councilmembers asked clarifying questions.

Councilmember Cooper moved, seconded by Councilmember Roe, to approve the Arts Commission recommendations for the 2017 Percival Plinth Project Purchase and Must Out Loud Mosaic Designs. The motion carried by the following vote:

Aye: 7 - Mayor Selby, Mayor Pro Tem Jones, Councilmember Bateman, Councilmember Cooper, Councilmember Gilman, Councilmember Hankins and Councilmember Roe

7. CONTINUED PUBLIC COMMUNICATION - None

8. REPORTS AND REFERRALS

8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS

Councilmembers reported on meetings and events attended.

Mayor Selby discussed the need for a Councilmember to represent the City Council at a Public Hearing regarding Regional Fair Housing on October 18. Councilmember Bateman will attend and represent the City.

Councilmember Roe shared a referral to General Government to discuss a resolution establishing a goal to have a community garden within a half mile of every resident.

8.B CITY MANAGER'S REPORT AND REFERRALS - None**9. EXECUTIVE SESSION**

- 9.A** [17-0933](#) Executive Session Pursuant to RCW 42.30.110(1)(b); RCW 42.30.110 (1)(c) - Real Estate Matter and RCW 42.30.110(1)(i); Litigation and Potential Litigation

Mayor Selby recessed to Executive Session at 9:06 p.m. pursuant to RCW 42.30.110(1)(b); RCW 42.30.110 (1)(c) - Real Estate Matter and RCW 42.30.110(1)(i); Litigation and Potential Litigation. Mayor Selby announced no decisions will be made, the meeting is expected to last no longer than 1 hour, and the Council will adjourn immediately following the Executive Session. The City Attorney was present at the Executive Session.

No decisions were made.

9. ADJOURNMENT

The meeting adjourned at 10:05 p.m.



City Council

Approval of Resolution Setting a Public Hearing Date to Consider a Vacation Petition Perpendicular to Kaiser Road SW

Agenda Date: 9/19/2017
Agenda Item Number: 4.B
File Number: 17-0899

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

Title

Approval of Resolution Setting a Public Hearing Date to Consider a Vacation Petition Perpendicular to Kaiser Road SW

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve a resolution to schedule a Public Hearing on October 17, 2017, to hear public testimony regarding the vacation petition of an unopened right-of-way adjacent to 606 Kaiser Rd SW.

Report

Issue:

Whether to schedule a public hearing on October 17, 2017, to hear public testimony regarding the vacation petition.

Staff Contact:

Ladd F. Cluff, PLS, City Surveyor, Public Works Engineering, 360.753.8389

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

The property owners, MPH Holdings, M-Five Family Limited Partnership and Bowen Properties adjacent to the unopened right-of-way north of Block 3, Pacific Addition to Olympia, have asked the City to initiate the process to vacate the unopened right-of-way.

Under state law RCW 35.79.010, the Council is required to adopt a resolution to set the public hearing date prior to acting on a right-of-way vacation petition.

Neighborhood/Community Interests (if known):

The public hearing will provide an opportunity for Council to hear from the community on the requested vacation.

Options:

1. Approve the resolution setting October 17, 2017, as the date for the Public Hearing. This is within the required timeline of the proposed resolution.

2. Do not approve the resolution setting October 17, 2017, as the date for the Public Hearing. Staff will work with Council to set another Public Hearing date that meets the statutory requirements.

Financial Impact:

None

Attachments:

Resolution
Petition
Vicinity Map

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF OLYMPIA, WASHINGTON, FIXING OCTOBER 19, 2017 AS THE DATE FOR PUBLIC HEARING ON A PROPOSAL TO VACATE AS A PUBLIC THOROUGHFARE A PORTION OF THE EAST-WEST RIGHT-OF-WAY PERPENDICULAR TO KAISER ROAD SW.

WHEREAS, under state statute RCW 35.79.010, the City Council is required to adopt a resolution which sets a public hearing date for the consideration of a right-of-way vacation request; and

WHEREAS, the City Council of the City of Olympia has determined that a public hearing should be held regarding the proposal to vacate a street perpendicular to Kaiser Road SW; and

WHEREAS, one of the purposes of this Resolution is to provide notice to residents and neighbors of the proposed street vacation;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council, pursuant to RCW 35.79.010, hereby initiates procedures to vacate as a public thoroughfare the following described property:

The 20 foot wide street lying to the North of Block 3 in Pacific Addition to City of Olympia as recorded in Volume 4 of Plats at Page 25, records of Thurston County, Washington, extended East to a point of intersection with the East line of Lot 2, Block 1, of said Plat extended.

Section 2. October 19, 2017, at the hour of 7:00 p.m. or thereafter, at the Olympia City Hall Council Chambers, 601 4th Avenue E, Olympia, Washington, is fixed as the time and place for the hearing on said proposed alley vacation, such time shall not be more than sixty days nor less than twenty days after the passage of this Resolution.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2017.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



DEPUTY CITY ATTORNEY



Petition to Vacate Public Right-of-Way

OFFICIAL USE ONLY

Applicant: MPH Holdings	Address: 606 Kaiser Rd SW
Phone: 360.584.2056	File#: 17-0126
Receipt #:	Date:

HONORABLE MAYOR AND CITY COUNCIL:

We, the undersigned, do hereby petition the Olympia City Council to vacate the following described public right-of-way:

**LEGAL DESCRIPTION OF AFFECTED RIGHT-OF-WAY:**

The 20 foot wide street lying to the North of Block 3 in Pacific Addition to the City of Olympia as recorded in Volume 4 of Plats at Page 25, records of Thurston County, Washington, extended East to a point of intersection with the East line of Lot 2, Block 1 of said Plat extended.

PURPOSE OF REQUEST AND STATEMENT OF PUBLIC BENEFIT: *

The existing unopened right-of-way needs to be vacated to allow the adjacent parcels to develop in a the consistent and thoughtful manner. As the parcel layout (see attached site plan) demonstrates, the alignment of the unopened r-o-w on Kaiser Road is in conflict with the existing transportation layout for Kaiser Road and newly completed Comprehensive Zone Plan change in 2016. The east end of the unopened right-of-way, at this point in time, terminates without any further opportunity to extend to the McPhee Road to the east.

**See submittal requirements and criteria for approval on the reverse side of this form*

PETITIONERS*

Owner's signature	Owner's Names	Parcel Number
	MPH Holdings	12817421300
	M-Five Family Limited Partnership	12817431400
	Bowen Properties	12817430100

I verify that each of the above signatures represents a legal and registered owner of the property abutting the above-described right-of-way.



BRACY & THOMAS

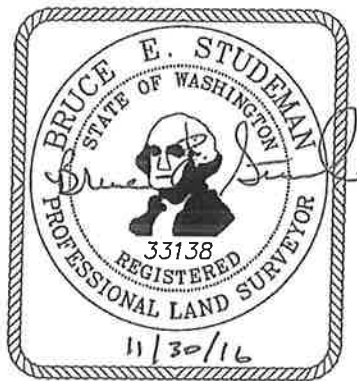
LAND SURVEYORS

1520 Irving St. SW, Suite B • Tumwater, WA 98512
360-357-5593 • Fax: 360-357-5594

November 30, 2016

STREET VACATION

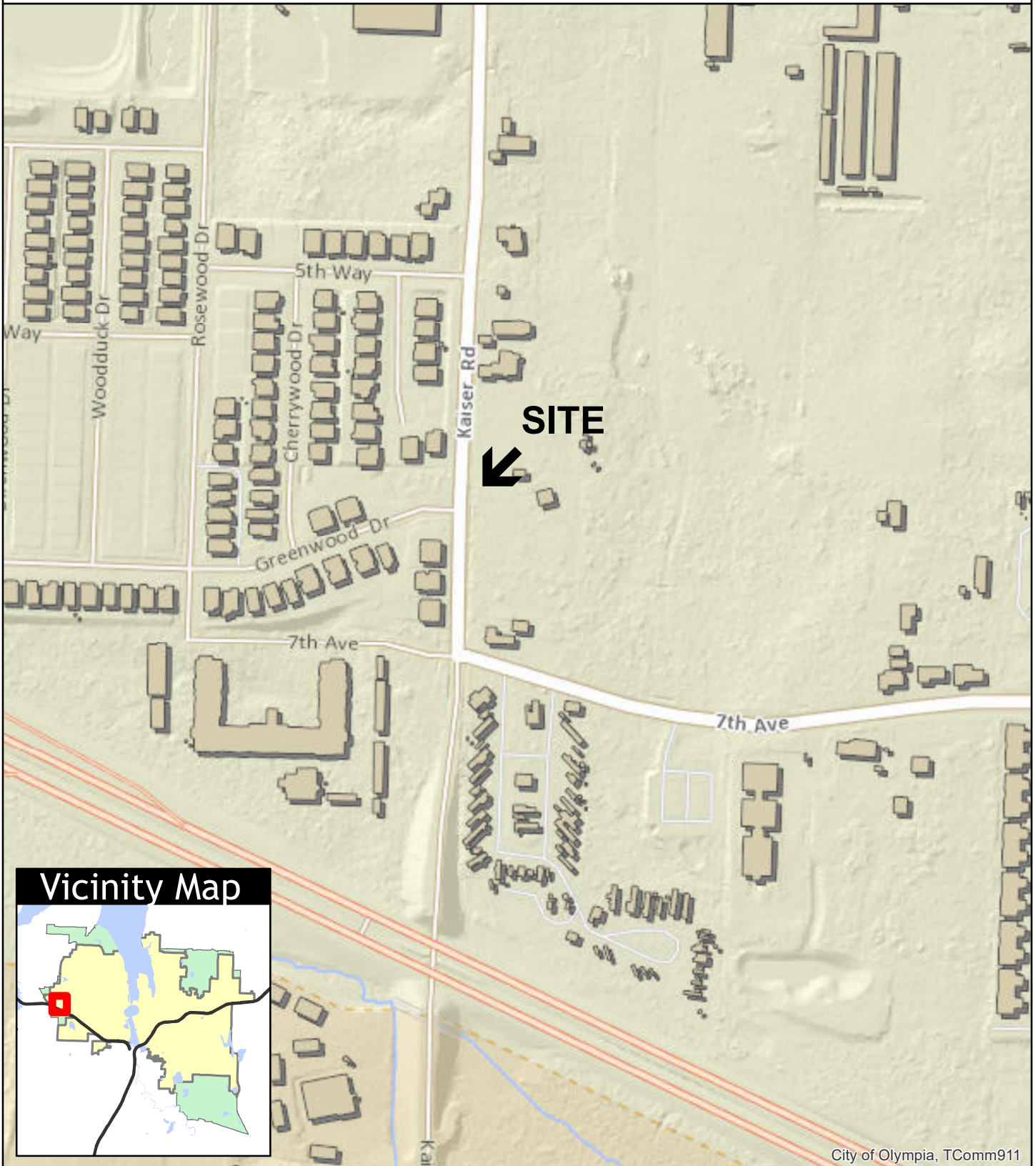
The 20 foot wide street lying to the North of Block 3 in Pacific Addition to the City of Olympia as recorded in Volume 4 of Plats at Page 25, records of Thurston County, Washington, extended East to a point of intersection with the East line of Lot 2, Block 1 of said Plat extended.



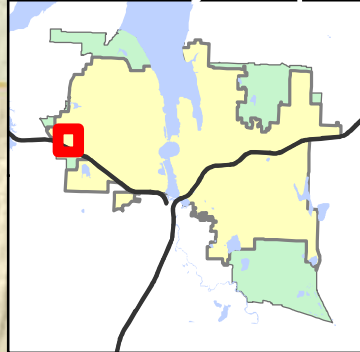


17-0126 MPH Holdings Street Vacation

Vicinity Map



Vicinity Map



0 185 370 Feet 1 inch = 333 feet

Map printed 9/7/2017

For more information, please contact:

Name, Title

Email

(360) Phone.

This map is intended for 8.5x11" portrait printing.

The City of Olympia and its personnel cannot assure the accuracy, completeness, reliability, or suitability of this information for any particular purpose. The parcels, right-of-ways, utilities and structures depicted hereon are based on record information and aerial photos only. It is recommended the recipient and or user field verify all information prior to use. The use of this data for purposes other than those for which they were created may yield inaccurate or misleading results. The recipient may not assert any proprietary rights to this information. The City of Olympia and its personnel neither accept or assume liability or responsibility, whatsoever, for any activity involving this information with respect to lost profits, lost savings or any other consequential damages.





City Council

Approval of Annual Comprehensive Plan Amendment Schedule for 2018

Agenda Date: 9/19/2017
Agenda Item Number: 4.C
File Number: 17-0952

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

Title

Approval of Annual Comprehensive Plan Amendment Schedule for 2018

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to set Monday, November 13, 2017, as deadline for submitting preliminary proposals for Annual Comprehensive Plan Amendments to be considered in 2018 and direct staff to proceed with review schedule generally as outlined in staff report.

Report

Issue:

Whether to set November 13, 2017 as the deadline for Preliminary Comprehensive Plan Amendment applications for consideration in 2018.

Staff Contact:

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

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

Washington's Growth Management Act provides that, with only a few specific exceptions, a city's Comprehensive Plan can be amended only once each year. Accordingly, all proposed amendments are to be collected into one review process. To that end, Olympia's code directs that the City Council shall set an annual 'due date' for proposing such amendments. Staff proposes that for 2018 amendments that deadline be 5:00 p.m., Monday, November 13, 2017.

Washington's Growth Management Act provides that a city must review and evaluate its Comprehensive Plan every eight years. Olympia concluded such a 'periodic' review in December of 2014. In addition, the Act provides that cities may consider annual Plan amendments. Subject to specific exceptions, the Act provides that any proposed 'annual' amendments must be 'collected' into

one annual review with a schedule 'broadly disseminated' to the public. (RCW 36.70A.130)

Chapter 18.59 of the Municipal Code outlines Olympia's Annual Comprehensive Plan Amendment process. Proposed amendments may be submitted at any time. However, so that proposals are collected into an annual set, the code provides that the City Council shall set an annual submittal deadline. This deadline has varied, but most often it has been in the first half of November.

The subsequent review process includes a preliminary review where the City Council decides which proposals should be considered - commonly known as 'screening.' Those not eliminated at the screening step are then analyzed in detail and subject to Planning Commission public hearings, review and recommendations. The full process, leading to one collective final decision by the City Council, has varied from eight to fifteen months.

To identify other potential Plan amendments for 2018, the staff proposes the schedule outlined below. Note that only the submittal deadline is formally set by the Council. Other dates are approximate and flow from that initial deadline. A more detailed schedule will be established by staff following Council approval of the initial deadline; including coordination with County staff regarding any amendments affecting the Urban Growth Area.

Proposed Annual Comprehensive Plan Amendment Schedule for 2018

- Late September - Public announcement of schedule
- **November 13, 2017** - Deadline for public to submit preliminary proposals (no charge)
- January 2018 - City Council 'screening' review of preliminary proposals, i.e., determination whether City should consider each proposal
- February 2018 - Final specific proposed amendments due (with \$240 fee, and rezone application fees if applicable)
- March and April - City staff analysis and environmental review of proposals
- May to July - Planning Commission review and public hearings
- August and later - Council review and decisions

At minimum, public announcement of the due-date and the schedule in general will include posting on the City website, notice to the news media, and notice mailed directly to agency staff, neighborhood associations, and parties known to City planning staff to be considering proposals.

Neighborhood/Community Interests (if known):

To date, no specific proposals are anticipated. Public interest will depend on specific proposals.

Options:

1. Set November 13, 2017, as the due-date for annual Comprehensive Plan amendment proposals to be considered in 2018.
2. Set alternative date as deadline for submitting such proposals.
3. Decline to consider Plan amendment proposals in 2018.

Financial Impact:

None. Review of preliminary Comprehensive Plan Amendment applications is incorporated into the Community Planning and Development Department's annual work plan.

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

Attachments:

None



City Council

Approval of an Ordinance for Minor Corrections to Municipal Code Related to Low Impact Development and Other Zoning Standards

Agenda Date: 9/19/2017
Agenda Item Number: 4.D
File Number: 17-0893

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

Title

Approval of an Ordinance for Minor Corrections to Municipal Code Related to Low Impact Development and Other Zoning Standards

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the ordinance making minor corrections to low impact development and other zoning standards in Title 18 of the Olympia Municipal Code on second reading.

Report

Issue:

Whether to approve the ordinance that corrects cross references and minor errors in Title 18 (Unified Development Code).

Staff Contact:

Tim Smith, Principal Planner, Community Planning & Development, 360.570.3915

Presenter(s):

None - Consent Calendar Item

Background and Analysis:

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

This ordinance addresses minor errors by correcting code references that are no longer valid. A standard in Table 4.04 is amended to correct and clarify a maximum hard surface low impact development standard in the Residential Low Impact zoning district.

Neighborhood/Community Interests (if known):

The ordinance will provide further clarity to the code which is of interest to the community

Options:

1. Approve the ordinance making minor corrections to low impact development and other zoning standards in Title 18 of the Olympia Municipal Code on first reading and forward to second reading.
2. Do not approve the ordinance making minor corrections to low impact development and other zoning standards.
3. Refer the ordinance back to staff for further consideration

Financial Impact:

No known funding impacts are associated with this ordinance

Attachments:

Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING OLYMPIA MUNICIPAL CODE SECTIONS 18.04.040, 18.04.080, 18.06.120, 18.36.040, 18.38.100, 18.38.160, 18.30.200, 18.38.240, 18.42.120, 18.42.140, AND SUBSECTIONS 18.04.060.A, 18.04.060.F, 18.04.060.EE, 18.04.080.C, 18.04.080.H, AND 18.04.100.C TO CORRECT CROSS REERENCES AND MINOR SCRIVENOR'S ERRORS

WHEREAS, the City wishes to ensure accuracy in its Municipal Code; and

WHEREAS, the amendments contained in this Ordinance are administrative in nature and are therefore not subject to the State Environmental Policy Act (SEPA) or review by the Planning Commission; and

WHEREAS, this Ordinance meets the goals and requirements of the Washington State Growth Management Act; 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, this Ordinance is supported by the staff report and materials associated with this Ordinance, along with other documents on file with the City of Olympia; and

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

Section 1. Amendment of OMC 18.04.060.A. Olympia Municipal Code Subsection 18.04.060(A) is hereby amended to read as follows:

18.04.060 Residential districts' use standards

A. ACCESSORY DWELLING UNITS (ADU).

Accessory dwelling units (ADU) are permitted in all residential districts subject to the following requirements:

1. Number. One (1) ADU shall be allowed per residential lot in conjunction with any detached single-family structure. (See Section 18.04.080(A)(3) regarding ADUs in new subdivisions.)
2. Location. The ADU shall be permitted as a second dwelling unit added to, created within, or detached from the original dwelling. The ADU shall be oriented in a way that maintains, to the extent practical, the privacy of residents in adjoining dwellings. (See Chapters ~~18.04A~~ 18.100, Residential Design Guidelines Review and 18.175, Infill and Other Residential.)
3. Size. The ADU shall have a gross floor area of no more than eight hundred (800) square feet, and no more than the following equivalent ratios:
 - a. forty percent (40%) of the gross floor area of the primary residence and accessory dwelling unit combined, or

- b. sixty-six and two-thirds percent (66 2/3%) of the gross floor area of the primary residence alone; excluding any garage area, except as authorized by Section 18.04.060(A)(7).

[NOTE: Section 18.04.060(O)(1) requires that manufactured homes placed on a lot outside a manufactured housing park must be at least eight hundred sixty-four square feet in floor area. Consequently, a manufactured home can be used as a primary residence, but not as an ADU.]

4. Ownership. The property owner (i.e., title holder and/or contract purchaser) must live on the site as his/her principal residence. Owners shall sign a notarized affidavit attesting to their principal residency upon permit application. Owners shall provide evidence thereof through such means as voter registration, driver's license, or the like. This requirement does not apply to ADUs built prior to the initial sale of the primary unit on the lot. Purchasers of such ADUs shall meet these requirements within sixty (60) days of purchase. (See Section 18.04.080(A)(3).)

A covenant or deed restriction, approved by the Olympia City Attorney, shall be signed and recorded with the Thurston County Auditor which specifies the requirement that the property owner must live on the site as his/her principal residence.

5. Occupancy. No more than one (1) family (as defined in Chapter 18.02, Definitions) shall be allowed to occupy an ADU.

6. Existing ADUs. Accessory dwellings created prior to the enactment of these regulations, June 19, 1995, may be approved subject to applicable requirements. Existing ADUs located on lots which cannot accommodate an additional off street parking space required by Chapter 18.38, Parking, may receive a waiver from the parking requirement.

If the owner of an existing unauthorized ADU applies to make the unit legal, but cannot meet all of the standards, he/she will be allowed a "grace period" of six months from date of application to comply with applicable standards. However, where health and safety is an issue, the Building Official will determine when the necessary modifications must be made. If the owner cannot meet the standards, the unauthorized accessory unit must be removed or its use as a dwelling must be suspended.

7. Deviation From Requirements. The Director or the Director's designee may allow deviation from the requirements of this section (18.04.060(A)) as follows:

- a. To allow use of the entirety of a single floor in a dwelling constructed two (2) or more years prior to the date of application in order to efficiently use all floor area; and

- b. To enable ADUs to be established in structures constructed prior to June 19, 1995, which are located in rear or side setbacks, provided that Uniform Building Code requirements and the Development Standards contained in Section 18.04.080 are met. [NOTE: See Chapters

~~18.04A~~18.100, Residential Design Guidelines Review and 18.175, Infill and Other Residential for applicable design guidelines.]

Section 2. Amendment of OMC 18.04.060.F. Olympia Municipal Code Subsection 18.04.060.F is hereby amended to read as follows:

F. CO-HOUSING.

Co-housing developments are allowed in the districts specified in Table 4.01 and 6.01 subject to the following requirements:

1. Common Structure. The following provisions apply to co-housing developments in the residential districts listed in OMC 18.04.
 - a. Quantity, size, and use. Co-housing projects may contain any number of common structures, however, no more than two (2) common structures shall exceed eight hundred (800) square feet in size and none shall exceed five thousand (5,000) square feet in size. At least one (1) common structure shall contain a dining room and kitchen large enough to serve at least fifty percent (50%) of the development's residents at a time (based upon occupancy of one (1) person per bedroom, and at least one (1) of the following: a children's day care center, mail boxes for a majority of the residents, recreational facilities (such as pool tables or exercise equipment), laundry facilities, or a meeting room available for the use of all residents.
 - b. Location. Common structures may be located in all developable portions of the site (e.g., excluding critical areas and their associated buffers and required building setback areas). However, within forty (40) feet of the site's perimeter or a public street extending through the site, no more than two (2) common or accessory structures may be contiguous to one another (i.e., uninterrupted by a dwelling or a landscaped open space with no dimension less than forty (40) feet). This requirement does not apply to structures which would not be visible from the site's perimeter or through streets (e.g., due to topography or vegetation) or which adjoin undevelopable property (e.g., critical areas) which will separate proposed structures by at least forty (40) feet from existing and potential dwelling sites. In no case shall more than fifty (50) % of any street frontage be occupied by common and/or accessory structures.
2. Business Uses. Co-housing developments may contain business uses allowed as home occupations (see Section 18.04.060(L)) in structures other than residential dwellings, subject to the conditions below:
 - a. The total building square footage devoted to business uses in the entire development shall not exceed the rate of five hundred (500) square feet per dwelling unit.

- b. Business uses shall not occupy more than fifty (50) percent of a common building. The proportion of dwellings devoted to business uses shall comply with Section 18.04.060(L), Home Occupations.
 - c. Structures containing a business which are visible from public rights-of-way adjoining the development shall give no outward appearance of a commercial use, other than one (1) sign mounted flush to the building in which the business is located. (See Chapter 18.42.120, Signs.) No outdoor storage related to a business may be visible from public rights-of-way bordering the development.
 - d. Each business located in a co-housing development may employ a maximum of two (2) people who do not reside in the development. This limitation does not apply to seasonal agricultural employees.
 - e. Business uses shall not emit noise, pollutants, waste products, or create impacts which would pose a nuisance or health risk for the occupants of abutting properties.
3. Dwelling Units. Dwelling units in co-housing developments shall only be required to contain minimal kitchen facilities (e.g., a sink and stove or hot plate), consistent with the Uniform Building Code, provided that a common structure provides a fully equipped kitchen (e.g., containing a stove, refrigerator, and sink) and dining area available to all residents of the development.
4. Approval Process. Applications for co-housing projects shall be processed pursuant to Chapter 18.56.
5. Common Areas. A note shall be added to the plat or site plan, as applicable, which establishes common areas and precludes their conversion to another use. (See ~~Section Chapter 18.04A.250~~18.100, ~~Residential-Design Guidelines~~Review, for applicable design guidelines.)
6. Platting.
- a. Dwellings in co-housing developments (as allowed in Table 4.01 or 6.01 for the applicable district) are not required to be located on individual lots.
 - b. Perimeter setbacks. The minimum building setbacks for unplatted co-housing developments in the R-4, R 4-8, and R 6-12 districts are as follows:
 - i. Five (5) feet from the side property line of an adjoining parcel.
 - ii. Twenty (20) feet from public rights-of-way and the rear property lines of adjoining parcels.

The setbacks required in a. and b. above may be reduced per OMC Sections 18.04.080 (H)(2) and (5).

c. Dwelling separation. Residential structures (i.e., houses, duplexes, and townhouse structures with up to four (4) units) in co-housing developments in an R-4, R 4-8, or R 6-12 district, which are not on individual lots, shall be separated by at least ten (10) feet along the site's perimeter and six (6) feet elsewhere. Dwellings on individual lots are subject to the applicable setback standards specified in Table 4.04 or 6.01.

(See ~~Sections 18.04A.180-230 and 18.04A.250~~Chapter 18.100, Residential Design ~~Guidelines~~Review, for applicable design guidelines.)

Section 3. Amendment of OMC 18.04.060.EE. Olympia Municipal Code Subsection 18.04.060.EE is hereby amended to read as follows:

EE. GARAGE PLACEMENT AND WIDTH.

(Also see ~~Section 18.04A.210~~Chapters 18.100, Residential Design ~~Guidelines~~Review and 18.175, Infill and Other Residential.)

1. Applicability. The standards listed in Section c. below apply only to:
 - a. Single-family dwellings on lots of five thousand (5,000) square feet or less 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, where at least fifty (50) percent of the lots within three hundred (300) feet on the same block face and the block face directly across the street are vacant or occupied by dwellings with flush or recessed garages;
 - c. Duplexes;
 - d. Triplexes; and
 - e. Fourplexes.
2. Exceptions. The dwellings listed in a. above are exempt when located on one of the following types of lots:
 - a. Lots fronting on private access lanes (see the Olympia Development Guidelines and Public Work Standards) where the garage would not face a public street;
 - b. Flag lots (see Section 18.02.180, Definitions, Lots);

- c. Wedge-shaped lots (see Section 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.

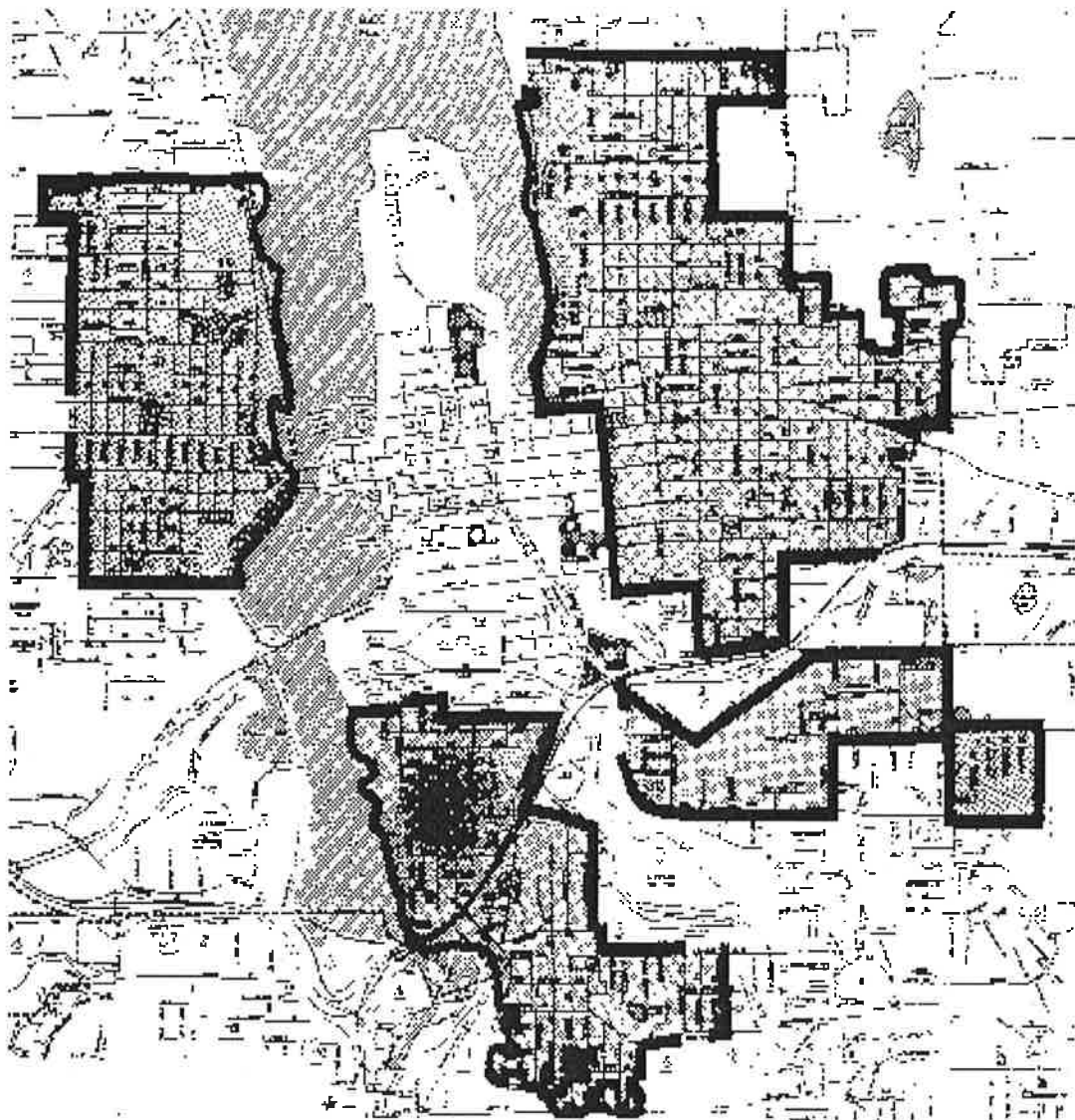
3. Garage Standards.

- a. Garages shall not protrude ahead of the dwelling's ground floor front façade 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 Section 18.04A.210, 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 (50) percent.

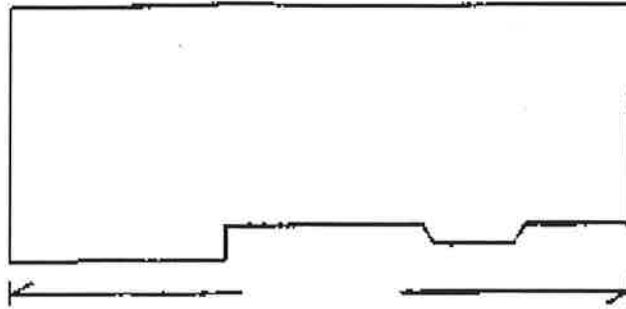
For purposes of the above measurements, garage width shall include the garage doors facing the street plus any required supporting panel. The dwelling's facade shall be measured in a straight line, parallel to the building face, between the outermost ends of the facade facing the street. See Figure 4-2b.



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 Facade

FIGURE 4-2b

Section 4. Amendment of OMC 18.04.080. Olympia Municipal Code 18.04.080, Table 4.04 is hereby amended to read as follows:

TABLE 4.04

RESIDENTIAL DEVELOPMENT STANDARDS

DISTRICT	R1/5	R4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM-18	RM-24	RMH	RMU	MHP	UR	ADDITIONAL REGULATIONS
MAXIMUM HOUSING DENSITY (in units per acre)	1/5	4	4	4	8	12	24	30	24	30	---	---	12	---	18.04.080(A)
MAXIMUM AVERAGE HOUSING DENSITY (in units per acre)	---	4	4	4	8	12	13	18	18	24	---	---	12	---	18.04.080(A)(2)
MINIMUM AVERAGE HOUSING DENSITY (in units per acre)	---	---	---	2	4	6	7	10	8 Manufactured Housing Parks = 5	18 Manufactured Housing Parks = 5	---	---	5	---	18.04.080(B)
MINIMUM LOT SIZE	4 acres for residential use; 5 acres for non-residential use	2,000 SF minimum 3,000 SF average = townhouse 5,000 SF = other	One acre; reduced to 12,000 SF if associated with a drainage dispersal tract of at least 65% in the same subdivision plat.	2,000 SF minimum 3,000 SF average = townhouse 4,000 SF = other 6,000 SF = duplex 7,200 SF = multi-family	2,500 SF = cottage 2,000 SF minimum, 3,000 SF average = townhouse 4,000 SF = other	2,000 SF = cottage 1,600 SF minimum, 2,400 SF average = townhouse 7,200 SF = duplex, triplex 3,500 SF = other	1,600 SF = cottage 1,600 SF minimum, 2,400 SF average = townhouse 6,000 SF = duplex 9,000 SF = fourplex 3,000 SF = other	1,600 SF = cottage 1,600 SF minimum, 2,400 SF average = townhouse 6,000 SF = duplex 7,200 SF = multifamily 3,000 SF = other	1,600 SF = cottage 1,600 SF minimum, 2,400 SF average = townhouse 6,000 SF = duplex 7,200 SF = multifamily 3,000 SF = other	1,600 SF minimum, 2,400 SF average = townhouse 2,500 SF = mobile home park	1,600 SF minimum, 2,000 SF average = townhouse 2,500 SF = mobile home park	1,600 SF minimum, 2,000 SF average = townhouse 2,500 SF = mobile home park	2,000 SF = cottage 1,600 SF minimum, 2,400 SF average = townhouse 7,200 SF = duplex 2,500 SF = mobile home park 3,500 SF = other	1,600 SF minimum, 2,000 SF average = townhouse 2,500 SF = mobile home park	18.04.080(C) 18.04.080(D) 18.04.080(E) 18.04.080(F) Chapter 18.64 (townhouses) 18.04.060(P) (mobile home parks)

TABLE 4.04

RESIDENTIAL DEVELOPMENT STANDARDS

DISTRICT	R1/5	R4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM-18	RM-24	RMH	RMU	MHP	UR	ADDITIONAL REGULATIONS
MINIMUM LOT WIDTH	30' except: 16' = townhouse	50' except: 18' = townhouse	100'	30' except: 16' = townhouse; 60' = duplex 80' = multi-family	45' except: 35' = cottage 18' = townhouse	40' except: 30' = cottage 16' = townhouse	40' except: 30' = cottage 16' = townhouse	40' except: 30' = cottage 40' = zero lot townhouse	30' = mobile home park	30' = mobile home park	---	---	40' except: 30' = cottage 16' = townhouse 80' = duplex 30' = mobile home park	---	18.04.80(D)(1) 18.04.080(F) 18.04.080(G) 18.04.060(P) (mobile home parks)
MINIMUM FRONT YARD SETBACKS	20' except: 5' for agricultural buildings with farm animals	20'	20'	20' except: 10' with side or rear parking; 10' for flag lots 5' for agricultural buildings with farm animals	20' except: 10' with side or rear parking; 10' for flag lots; 5' for agricultural buildings with farm animals	20' except: 10' with side or rear parking; 10' for flag lots; 5' for agricultural buildings with farm animals	20' except: 10' with side or rear parking; 10' for flag lots; 5' for agricultural buildings with farm animals	15' except: 10' with side or rear parking; 10' for flag lots; 5' for agricultural buildings with farm animals	10'	5'	5' except: 10' for structures 35' or taller	10' except: 20' along Legion Way	20' except: 10' with side or rear parking; 5' for agricultural buildings with farm animals	0-10' except: 10' on Capitol House Block	18.04.080(H) 18.04.080(I)
MINIMUM REAR YARD SETBACKS	10' except: 5' for agricultural buildings with farm animals	25'	50'	10' except: 5' for agricultural buildings with farm animals.	20' except: 5' for agricultural buildings with farm animals; 10' for cottages, and wedge shaped lots	20' except: 5' for agricultural buildings with farm animals; 10' for cottages, and wedge shaped lots	20' except: 15' for multifamily; cottages, and wedge shaped lots, 20' with alley access	15' except: 10' for cottages, and wedge shaped lots, 20' with alley access	10' except: 15' for multifamily	10' except: 20' next to an R 4-8 or R-12 district	5' except: 20' for structures 35' or higher	5'	20' except: 5' for agricultural buildings with farm animals; 10' for cottages	5' except: 10' for structures over 42'	18.04.080(D) 18.04.080(F) 18.04.080(H) 18.04.080(I)
MINIMUM SIDE YARD SETBACKS	5' except: 10' along flanking streets; provided	5' except: 10' along flanking street; except	10' minimum each side, and minimum	5' except: 10' along flanking streets; except	5' except: 10' along flanking streets; except	5' except: 10' for triplex, fourplex 10' along flanking	5' except: 10' along flanking streets; except	5' except: 10' along flanking streets; except	5' except: 10' along flanking streets; except	5' except: 10' along flanking streets; except	5' except: 10' along flanking streets; 6' on one	---	5' except: 10' along flanking streets; 6' on one side of	No minimum 10' on Capitol House	18.04.080(H)

TABLE 4.04

RESIDENTIAL DEVELOPMENT STANDARDS

DISTRICT	R1/5	R4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM-18	RM-24	RMH	RMU	MHP	UR	ADDITIONAL REGULATIONS
	garages are set back 20' 5' for agricultural buildings with farm animals	garages shall meet Minimum Front Yard Setbacks 6' on one side of zero lot; 5' for agricultural building with farm animals	total of 60' for both side yards. Minimum Front Yard Setbacks 6' on one side of zero lot; 5' for agricultural buildings with farm animals	garages shall meet Minimum Front Yard Setbacks 6' on one side of zero lot; 5' for agricultural buildings with farm animals	garages shall meet Minimum Front Yard Setbacks 6' on one side of zero lot; 3' for cottages; 5' for agricultural buildings with farm animals	streets; except garages shall meet Minimum Front Yard Setbacks 6' on one side of zero lot; 3' for cottages; 5' for agricultural buildings with farm animals	garages shall meet Minimum Front Yard Setbacks 6' on one side of zero lot; 3' for cottages; 5' for agricultural buildings with farm animals	garages shall meet Minimum Front Yard Setbacks 6' on one side of zero lot; 3' for cottages; 5' for agricultural buildings with farm animals	garages shall meet Minimum Front Yard Setbacks 6' on one side of zero lot; 3' for cottages; 10' for multifamily; 20' next to R 4-8, or R 6-12 district 10' - mobile home park	garages shall meet Minimum Front Yard Setbacks 6' on one side of zero lot; 20' next to R 4-8, R 6-12 district. 10' - mobile home park	side of zero lot;		zero lot; 3' for cottages; 5' for agricultural buildings with farm animals; 10' - mobile home park	Block	
MAXIMUM BUILDING HEIGHT	35'	35', except: 16' for accessory buildings	40' except: 16' for accessory buildings	40' except: 16' for accessory buildings	35', except: 16' for accessory buildings; 25' for cottage 35' on sites 1 acre or more, if setbacks equal or exceed building height	35', except: 16' for accessory buildings; 25' for cottages	45', except: 25' for cottage; 16' for accessory buildings	45', except: 25' for cottage; 16' for accessory buildings	35, except: 16' for accessory buildings; 25' for cottage	42'	60'	See 18.04.080 (I)	2 stories or 35' whichever is less, except: 16' for accessory buildings; 25' for cottages	42' or as shown on Figure 4-5A & 18.04.080 (3)	18.04.080(I)
MAXIMUM BUILDING COVERAGE	45% = lots of 10,000 SF; 25%=lots of 10,001	35% 60% = townhouses	6%; increased to 18% if associated with	Refer to Maximum Coverage below	45% = .25 acre or less 40% = .26 acres or more 60% =	55% = .25 acre or less 40% = .26 acres or more 60% =	45%	50%	50%	55%	85%	85%	45% = .25 acres or less 30% = .26 to 1 acre 25% = 1.01 to 3	85% except for stoops, porches or balconies	

TABLE 4.04															
RESIDENTIAL DEVELOPMENT STANDARDS															
DISTRICT	R1/5	R4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM-18	RM-24	RMH	RMU	MHP	UR	ADDITIONAL REGULATIONS
	SF to 1 acre; 6%=1.01 acre or more		drainage dispersal tract of at least 65% in the same subdivision plat.		townhouses	townhouses							acres 20% = 3.01 acres or more		
MAXIMUM ABOVE-GRADE STORIES		2 stories	3 stories	3 stories	2 stories	2 stories, 3 stories = triplex, fourplex	4 stories	4 stories	3 stories	3 stories	5 stories			5 stories	
MAXIMUM IMPERVIOUS SURFACE COVERAGE	45% or 10,000sf (whichever is greater) = lots greater than 4 acres; 6%=4.1 acre or more	35% 60% = Townhouses	6%; increased to 18% if associated with drainage dispersal tract of at least 65% in the same subdivision plat.	2,500 SF or 6% coverage whichever is greater.	45% = .25 acre or less 40% = .26 acre or more 60% = Townhouses	55% = .25 acre or less 40% = .26 acres or more 60% = Townhouses	65%	65%	65%	75%	85%	85%	65% = .25 acre or less 40% = .26 to 1 acre 35% = 1.01 to 3 acres 25% = 3.01 + acres 70% = townhouses	85% except for stoops, porches or balconies	
MAXIMUM HARD SURFACE	45% or 10,000sf (whichever is greater) = lots less than 4 acres;	45% 70% = Townhouses	6%; increased to 18% if associated with drainage dispersal	2,500 SF provided that up to 6% coverage may be granted by	55% = .25 acre or less 50% = .26 acre or more 70% = Townhouses	65% = .25 acre or less 50% = .26 acre or more 70% = Townhouses	70%	70%	70%	75%	85%	85%	65% = .25 acre or less 40% = .26 to 1 acre 35% = 1.01 to 3 acres 25% = 3.01+	85% except for stoops, porches or balconies	

TABLE 4.04															
RESIDENTIAL DEVELOPMENT STANDARDS															
DISTRICT	R1/5	R4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM-18	RM-24	RMH	RMU	MHP	UR	ADDITIONAL REGULATIONS
	6%=4.1 acre or more		tract of at least 65% use in the same subdivision plat.	conditional use permit 6% <u>coverage,</u> <u>whichever</u> <u>is greater</u>									acres 70% = townhouses		
MINIMUM OPEN SPACE	220 tree units per acre required		65% drainage dispersal area required; may double as tree tract or critical areas buffer.		450 SF/unit for cottage developments	450 SF/unit for cottage developments	30% for multifamily 450 SF/unit for cottage developments	30% for multifamily 450 SF/unit for cottage developments	30% 500 SF/space for mobile home park	25% 500 SF/space for mobile home park	15%	15% 500 SF/space for mobile home park	450 SF/unit for cottage developments 500 SF/space for mobile home park	15% may include stoops, porches or balcony areas	18.04.080(J)
LEGEND															
SF = Square Feet						Zero Lot = A Lot with Only One Side Yard				--- = No Regulation					
RL1 = Residential Low Impact										R 6-12 = Residential 6-12					
R-4 = Residential - 4						R 4-8 = Residential 4-8				RM 18 = Residential Multifamily - 18					
MR 7-13 = Mixed Residential 7-13						MR 10-18 = Mixed Residential 10-18				RMU = Residential Mixed Use					
MR 7-13 = Mixed Residential 7-13						RMH = Residential Multifamily High Rise				UR - Urban Residential					

Section 5. Amendment of OMC 18.04.080.C. Olympia Municipal Code Subsection 18.04.080.C is hereby amended to read as follows:

C. Minimum Lot Size.

1. Nonresidential Uses. The minimum lot size for non-residential uses (e.g., places of worship and schools) is larger than the minimum lot size identified in Table 4.04. Refer to Table 4.01 and Section 18.04.060 for regulations pertaining to non-residential uses. Also see Section 18.04.060(K) for the lot size requirements for group homes.
2. Undersized Lots. Undersized lots shall qualify as a building site if such lots were recorded prior to June 19, 1995 or they were approved as part of a Planned Residential Development, Master Planned Development (See Chapter 18.56) or clustered housing development, consistent with Section 18.04.080(F); provided, however, that any lot of record which does not comply with the width requirements of this code shall not be constructed upon unless (1) it is legally combined with undeveloped contiguous land in the same ownership which in combination create a lot of the size specified in Table 4.04 (or as modified by other provisions of this Article); or (2) it is approved by Design Review Board Staff, who shall perform an architectural review of the proposal for compliance with the criteria specified in Chapter ~~18.04A~~ 18.100, Residential Design Guidelines Review.
3. Clustered Lots. Lot sizes may be reduced by up to twenty (20) percent consistent with Section 18.04.080(F), Clustered Housing.
4. That portion of any lot which is less than thirty (30) feet in width shall not be considered part of the minimum lot area required in Table 4.04, unless such area conforms with the minimum lot width, e.g., townhouse lot.

Section 6. Amendment of OMC 18.04.080.H. Olympia Municipal Code Subsection 18.04.080.H is hereby amended to read as follows:

H. Setbacks

1. Measurement. The required setback area shall be measured from the outermost edge of the building foundation to the closest point on the applicable lot line.
2. Reduced Front Yard Setbacks. Front yard setbacks in the R-4, R 4-8, R 6-12, MR 7-13 and MR 10-18 districts may be reduced to a minimum of ten (10) feet under the following conditions:
 - a. When garage or parking lot access is from the rear of the lot;
 - b. When the garage is located at least ten (10) feet behind the front facade of the primary structure on the lot; or

c. When the driveway will be aligned to provide at least a twenty (20) foot long parking space between the sidewalk edge (closest to lot) and the garage. (See Residential Design Guidelines—Garage Design, Chapter 18.04A Chapter 18.100 Design Review and Chapter 18.175 Infill and Other Residential.)

d. Such setback reductions shall not be allowed where they would result in a setback of fifty (50) percent or less than the setback of an existing dwelling on an abutting lot fronting on the same



street.

FIGURE 4-3

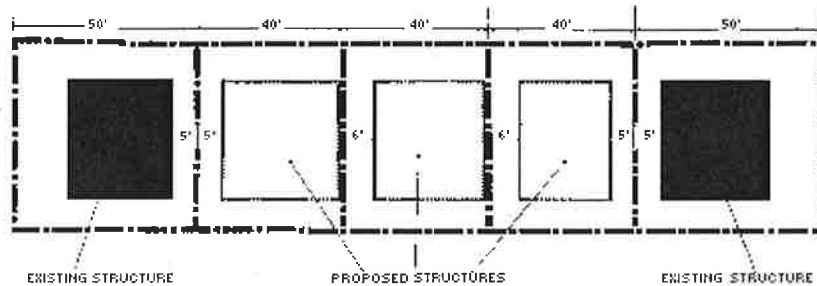
3. Rear Yard Setbacks. See Section 18.04.080(H)(5), Encroachments into Setbacks, Section 18.04.080(D)(2), Transitional Lots, and Table 4.04.

4. Side Yard Setbacks.

a. Reduced side yard setbacks. Except for the R-4CB district, a side yard building setback shall not be required for a lot served by an alley (such alley must be open, improved and accessible, not solely a right-of-way) provided it meets the following conditions:

i. Provision for reduced or zero setbacks shall specifically appear upon the face of a final short or long plat. Such plat shall provide that the minimum distance between residences will be six (6) feet. If the distance between a proposed dwelling and a property line is less than three (3) feet, the applicant shall provide evidence of a maintenance easement, at least three (3) feet in width, which provides sufficient access for the owner of the dwelling to maintain the applicable exterior wall and roof of the dwelling. (Except as expressly provided, any reduced side yard provision appearing on a final plat shall withstand later amendments of this Title and shall be considered conforming.)

- ii. Side yard setbacks shall not be less than five (5) feet along a property line adjoining a lot which is not developed or approved for reduced setbacks (e.g., a conventional lot with two (2) five (5) foot wide side yard setbacks). Side yard setbacks shall not be less than ten (10) feet along property lines which abut a public rights-of-way.



ZERO LOT LINE

FIGURE 4-4

- b. The minimum side yard setback from bikepaths and walkways shall comply with the side yard setback from the lot line as specified for the district in Table 4.04.
5. Encroachment Into Setbacks. The buildings and projections listed below shall be allowed outside of utility, access or other easements. See 18.04.080(H)(5) for additional exceptions.
 - a. Except for Accessory Dwelling Units, any accessory structures may be located in a required rear yard and/or in the rear twenty (20) feet of a required interior side yard; however, if a garage entrance faces a rear or side property line, it shall be setback at least ten (10) feet from that property line. Accessory dwelling units may not encroach into required side yard setbacks. Accessory dwelling units may encroach into rear yards however, if the rear yard does not abut an alley, the accessory unit must be set back ten (10) feet from the rear property line. Further, any garage attached to any accessory dwelling unit shall conform with this Section.
 - b. Up to fifty (50) percent of a rear yards width may be occupied by a dwelling (primary residence or ADU) provided that the structure (foundation) is located at least ten (10) feet from the rear property line. For purposes of this section the rear yards width shall be measured in a

straight line between the side property lines at the point of intersection with the rear property line.

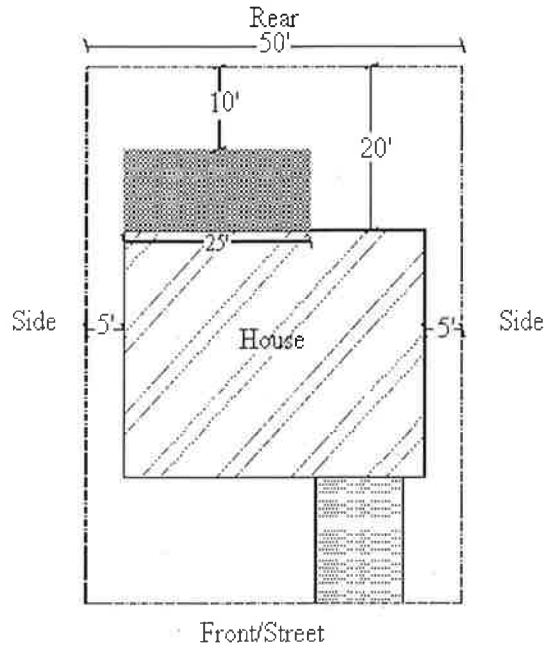


Figure 4-4a

- c. Townhouse garages may share a common rear property line provided that access for interior lots is from a single common driveway to not more than one public street entrance.

Section 7. Amendment of OMC 18.04.080. Olympia Municipal Code 18.04.080, Table 6.02, is hereby amended to read as follows:

TABLE 6.02
COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
MINIMUM LOT SIZE	7,200 Sq. Ft.	No minimum, except 1,600 = cottage 3,000 = zero lot 1,600 sq. ft. minimum 2,400 sq. ft. average = townhouse 6,000 sq. ft. = duplex 7,200 sq. ft. = 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 City Wide Design Guideline: "Building Design— Orientation &	10' maximum, if located in a High Density Corridor; 10' minimum	5' minimum for residential otherwise none.	0-10' See 18.06A.18018.130	0-10' See 18.06A.18018.130	0-10' See 18.06A.18018.130	0-10' See 18.06A.18018.130	1. 50' minimum from property line for agriculture buildings (or structures) which house animals

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
	Form of Commercial & Public Buildings," 18.20.090. See Chapter 18.110, Basic Commercial Design Criteria	otherwise.						other than pets. 2. Must comply with clear sight triangle requirements, Section 18.40.060(C). 3. Must comply with site design standards, Chapter 18.06A.18018.100.
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	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	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	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	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-13, MR10-18, RM-	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	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

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
		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.	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.	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.	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.	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.	single-family) = 10' minimum + 5' for each bldg. floor above 2 stories.	18.06A.180 18.100.
SIDE YARD SETBACK	15' minimum.	No minimum on interior, 10' minimum on flanking street; Except: 1. Next to R 4, R 4-8, or R 6-12	No Minimum; Except: 1. Next to R 4, R 4-8, or R 6-12 district = 15' minimum + 5' for each building floor above 2	No minimum on interior, 10' minimum on flanking street; Except: 1. Next to R4, R4-8, or R6-12 district = 15' minimum + 5' for	No minimum on interior, 10' minimum on flanking street; Except: 1. Next to R4, R4-8, or R6-12 district = 15' minimum + 5' for	No Minimum; Except: 1. Next to R4, R4-8, or R6-12 district = 15' minimum + 5' for each building floor above 2 stories.	No Minimum; Except: 1. Next to RLI, R4, R4-8, or R6-12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR7-13, MR10-18, RM-18, RM-24 or RMH district = 10'	1. 50' minimum from property line for agriculture buildings (or structures) which house animals other than pets. 2. Must comply with clear sight

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
		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'	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.	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.	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.	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.	minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding mixed use structures; 5' except 6' on one size of zero lot.	triangle requirements, Section 18.40.060(C). 3. Residential sideyards can be reduced consistent with 18.04.080(H)(5). 4. Must comply with site design standards, Chapter 18.06A.180 18.100.

**TABLE 6.02
COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS**

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
		on one side of zero lot.						
MAXIMUM BUILDING HEIGHT	Up to 35', whichever is less.	Up to 35', if any portion of the building is within 100' of R 4, R 4- 8, or R 6-12 district; Up to 60' otherwise.	Up to 35', if any portion of the building is within 100' of R 4, R 4-8, or R 6-12 district; Up to 60' otherwise; or up to 70', if at least 50% of the required parking is under the building; or up to 75', if at least one story is residential.	The portion of a building within 100' of land zoned for maximum density of less than 14 units per acre is limited to 35'. The portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more is limited to the lesser of 60' or the height allowed in the abutting district. Up to 60' otherwise.	The portion of a building within 100' of land zoned for maximum density of less than 14 units per acre is limited to 35'. The portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more is limited to the lesser of 60' or the height allowed in the abutting district. Up to 60' otherwise.	The portion of a building within 100' of land zoned for maximum density of less than 14 units per acre is limited to 35'. The portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more is limited to the lesser of 60' or the height allowed in the abutting district. Up to 60' otherwise; or up	The portion of a building within 100' of land zoned for maximum density of less than 14 units per acre is limited to 35'. The portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more is limited to the lesser of 60' or the height allowed in the abutting district. Up to 60' otherwise; or up to 70', if at least 50% of the required parking is under the building; or up to 75', if at least one story is residential. See 18.06A.251(4) 18.130.060 Significant Building Entry	1. Not to exceed height limit set by State Capitol Group Height District, 18.10.060, for properties near the State Capitol Campus. 2. Must comply with site design standards, Chapter 18.06A.180 18.100. 3. HDC-1 and HDC-2 additional story must comply with OMC 18.06.100.A.6.

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
				Provided that one additional story may be built for residential development only.	Provided that one additional story may be built for residential development only.	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.	tower exemption (allows an additional 30' for a tower element at Capital Mall). Up to 75' for HDC-4 zoned properties where the proposed project provides for the development of replacement dwelling units in a development agreement and the project site is all or part of an area of 40 acres or more that was in contiguous common ownership in 2009.	
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	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	For projects in the GC and HDC-4 zones west of Yauger Way, limitations of building size per

**TABLE 6.02
COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS**

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
			building.				50% of new required parking is under the building or in a structured parking form. 85% for HDC-4 zoned properties where the proposed project provides for the development of replacement dwelling units in a development agreement and the project site is all or part of an area of 40 acres or more that was in contiguous common ownership in 2009.	18.06.100(C) and 18.130.020 apply.
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	60%	85%, except 75% for						See Chapter 18.06A.180.

**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
SURFACE		residential structures						
ADDITIONAL DISTRICT- WIDE DEVELOPMENT STANDARDS	Maximum building size (gross sq. ft.): 3,000 for single use; 6,000 for mixed use.	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B) and Figure 6-3).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building Floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	For properties in the vicinity of the Downtown or Kaiser Road and Harrison Ave NE, also see Pedestrian Streets Overlay District, Chapter 18.16. For retail uses over 25,000 square feet in gross floor area, see Section 18.06.100(G) Large Scale Retail Uses. EXCEPTION: Section 18.06.100(G) shall not apply to motor vehicle sales.

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.	No minimum.	No minimum.	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).

**TABLE 6.02
COMMERCIAL DEVELOPMENT STANDARDS**

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
							3. See Design Guidelines, Chapter 18.100.
REAR YARD SETBACK	15' minimum; If next to a residential zone, 15' minimum plus 5' for every story over 3 stories.	No minimum; however, see Chapter 18.100 for design guidelines for pedestrian access and view corridors.	No minimum.	No minimum.	5' minimum if building has 1 or 2 stories. 10' minimum if building has 3 or more stories.	15' minimum.	50' minimum from property line for agriculture buildings (or structures) which house animals other than pets.
SIDE YARD SETBACK	10' minimum; 15' minimum plus 5' for every story over 3 stories if next to a residential zone.	No minimum; however, see Chapter 18.100 for design guidelines for pedestrian access and view corridors.	No minimum.	No minimum.	5' minimum if building has 1 or 2 stories. 10' minimum if building has 3 or more stories; AND the sum of the 2 side yards shall be no less than 1/2 the building height.	5' minimum 30' minimum for buildings and 15' minimum for other structures from flanking streets.	1. 50' minimum from property line for agriculture buildings (or structures) which house animals other than pets. 2. Must comply with clear sight triangle requirements, Section 18.40.060(C).

**TABLE 6.02
COMMERCIAL DEVELOPMENT STANDARDS**

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
							3. See Design Guidelines, Chapter 18.100.
MAXIMUM BUILDING HEIGHT	75'; except hospitals, which may exceed that height.	See Figure 6-2, Urban Waterfront District Height Limits Exceptions: 1) In the portion of the area Downtown with a height limit of 65', two additional residential stories may be built. See 18.06.100(A)(2)(b). 2) In the portion of the area on West Bay Drive with a height limit of 42' to 65', the taller height limit is conditioned upon the provision of certain waterfront amenities. See 18.06.100(A)(2)(c).	Refer to Figure 6-2 and 6-2B for specific height and building configurations required on specific blocks.	75'; PROVIDED, however, that two additional stories may be built, if they are residential. There are also restrictions around Sylvester Park. For details, see 18.06.100(C)(6) Height, Downtown Business District.	75' Exception: Up to 100' may be allowed with conditional approval by the City Council, upon recommendation of the Hearing Examiner. For details, see 18.06.100(C)(5), Height, Commercial Services-High Density.	40' accessory building limited to 20'.	Not to exceed height limit set by State Capitol Group Height District, 18.10.060, for properties near the State Capitol Campus.
MAXIMUM	50%	60% for properties between	100%	No requirement.	No requirement.	85%	

**TABLE 6.02
COMMERCIAL DEVELOPMENT STANDARDS**

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
BUILDING COVERAGE		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.					
MAXIMUM IMPERVIOUS SURFACE COVERAGE	60%	100% development coverage.	100%	100%	100%	85%	See OMC 18.06.100(D).
MAXIMUM HARD SURFACE	65%						See Chapter 18.06A.180.
ADDITIONAL DISTRICT- WIDE DEVELOPMENT STANDARDS	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum 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. See also Chapter 18.100 for	Street ends abutting the water shall be preserved to provide views of and public access to the		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	For properties in the vicinity of the Downtown, also see Pedestrian Streets Overlay District, Chapter 18.16. For retail uses over

**TABLE 6.02
COMMERCIAL DEVELOPMENT STANDARDS**

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
	8 feet (see 18.06.100(F)). Residential uses (Section 5 of Table 6.01) may not be constructed within 600 feet of Lilly Road except in upper stories of mixed use building; all other development standards are the same as for commercial uses.	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. 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	water, pursuant to OMC Section 12.16.050(D).			boundaries. See Olympia Park Replat covenants for access, and other standards applicable to replat lots.	25,000 square feet in gross floor area, see Section 18.06.100 (G) Large Scale Retail Uses. EXCEPTION: Section 18.06.100 (G) shall not apply to motor vehicle sales.

**TABLE 6.02
COMMERCIAL DEVELOPMENT STANDARDS**

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
		View Corridors; Section 18.06.100(A)(2)(c) for West Bay Drive building height and view blockage limits; and Chapter 18.100 for West Bay Drive view corridors.					

LEGEND

MS = Medical Services

DB = Downtown Business

CS-H = Commercial Services -
High Density

UW = Urban Waterfront

UW-H = Urban Waterfront-Housing

AS=Auto Services

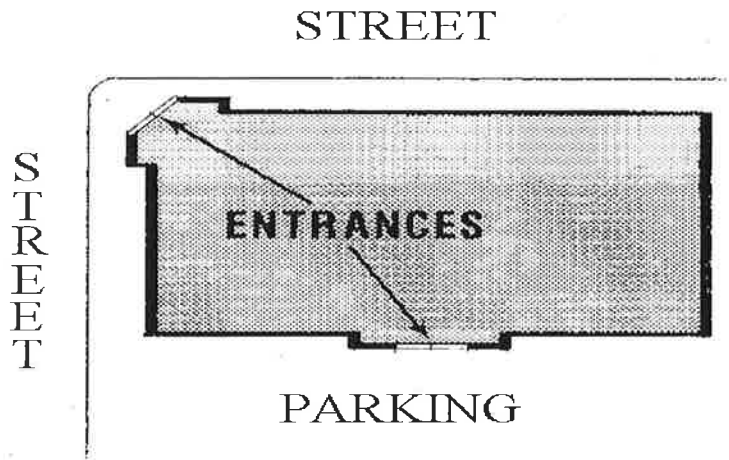
Section 8. Amendment of OMC 18.04.100.C. Olympia Municipal Code Subsection 18.04.100.C is hereby amended to read as follows:

18.06.100 Commercial districts' development standards--Specific

C. Large Scale Retail Uses. Retail uses over twenty-five thousand (25,000) square feet in gross floor area under common ownership or use shall meet the design requirements of this section. For purposes of this section, a retail use under common ownership or use shall mean a single establishment which shares checkstands, management, a controlling ownership interest, or storage areas, e.g., a plant nursery or a grocery store associated with a general merchandise store, such as a home improvement store.

In General Commercial and HDC-4 zones west of Yauger Way, single story or single use commercial retail space shall not occupy more than 60,000 square feet of enclosed building space on the ground floor, unless a development agreement is approved. These buildings shall be designed and oriented to provide for pedestrian and bicycle circulation throughout the site and to adjacent buildings and properties. A building larger than 60,000 square feet can be allowed when it is not directly adjacent to a street designated as an "A" street in the Pedestrian Street Overlay and if a development agreement is approved that at a minimum addresses:

- 1) Building orientation, massing, and use of high quality materials
 - 2) Parking is located to the rear or side of the building, or is separated from the street by additional retail buildings
 - 3) Pedestrian, bicycle, and vehicular circulation on site and connections to adjacent properties
 - 4) Community assets, such as the multi-use trail identified in the Kaiser Harrison Opportunity Area Plan
1. Customer entrances. Customer entrances shall be provided on each facade that faces an abutting street, customer parking, or a public park or plaza, up to a maximum requirement of three customer entrances per business occupancy. If there are two or more facades facing abutting streets, at least two such facades must provide a customer entrance. An entrance on a corner of the building may count as serving two facades. Such entrances shall provide both ingress and egress, and shall be double doors, not just single units. See Figure 6-4.

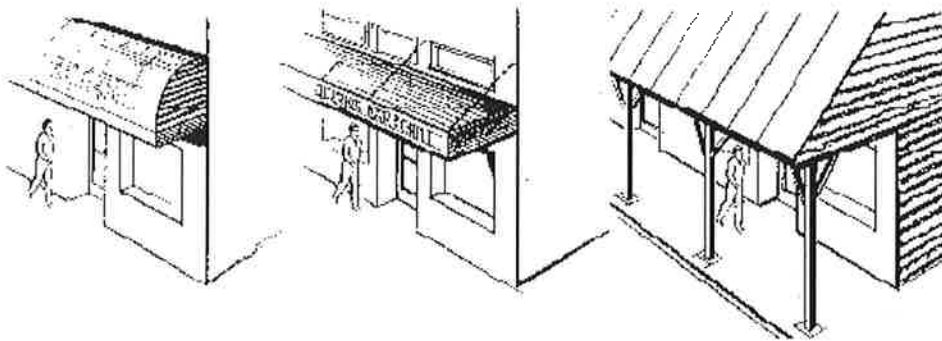


Customer Entrances must be provided on facades facing abutting streets and parking. Example shows corner entrance serving two street facades, plus entrance serving parking.

FIGURE 6-4

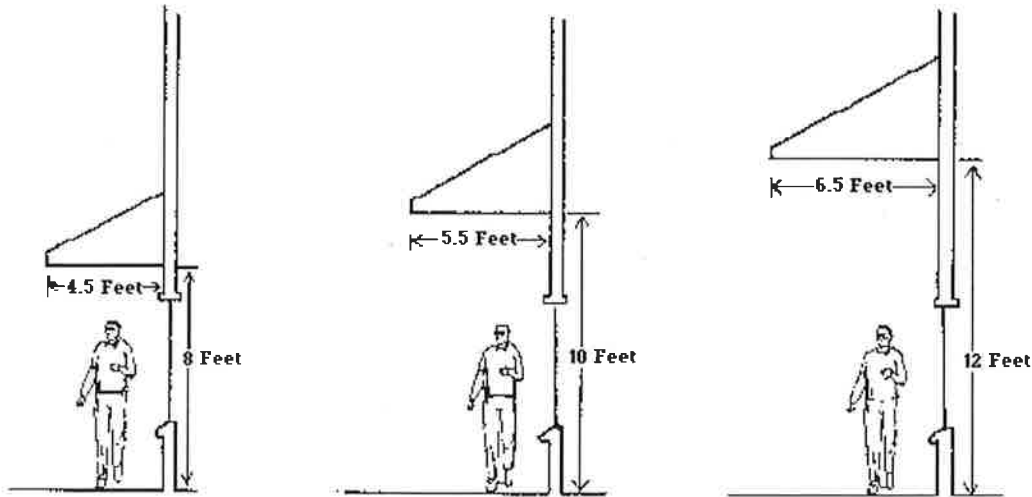
2. Rain protection. Awnings, canopies, marquees, arcades, building overhangs or similar forms of pedestrian weather protection, at least four and one half (4 1/2) feet wide, shall be provided over a pedestrian walkway along at least eighty (80) percent of any facade with a customer entrance. See Figure 6-5. Such weather protection shall be placed no less than eight (8) feet above the walkway. If placed more than eight (8) feet above the walkway, such weather protection shall be at least an additional six (6) inches in width for each additional foot of height, or portion thereof. See Figure 6-6.

Development in the HDC-4 Capital Mall Area shall use design standards established for this area instead of the above rain protection regulation. See ~~18.06A.280 Building Design~~ B.4 Building elements 18.130.050 HDC 4-Capital Mall.



Rain Protection (L to R): Awning, Marquee, Arcade

FIGURE 6-5



Width of Rain Protection is determined by height above walkway.

FIGURE 6-6

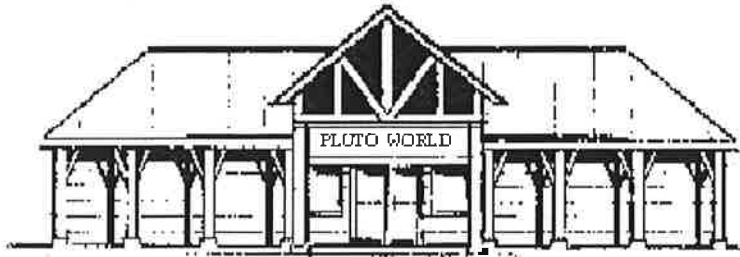
3. Wall articulation. Facades greater than fifty (50) feet in length shall incorporate wall plane projections or recesses having a depth of at least three percent (3%) of the length of the facade and extending in the aggregate at least twenty percent (20%) of the length of the facade. No uninterrupted length of any such facade shall exceed fifty (50) horizontal feet. EXCEPTION: This requirement shall not apply to walls which:

- a. have no customer entrance; and
- b. are only visible from service areas, and not from nearby residences or from the customer parking lot or an abutting street.

Development in the HDC-4 Capital Mall Area shall use design standards established for this area instead of the above wall articulation regulation. See ~~18.06A.280 through 18.06A.284, Building Design~~ 18.130.050 HDC 4-Capital Mall.

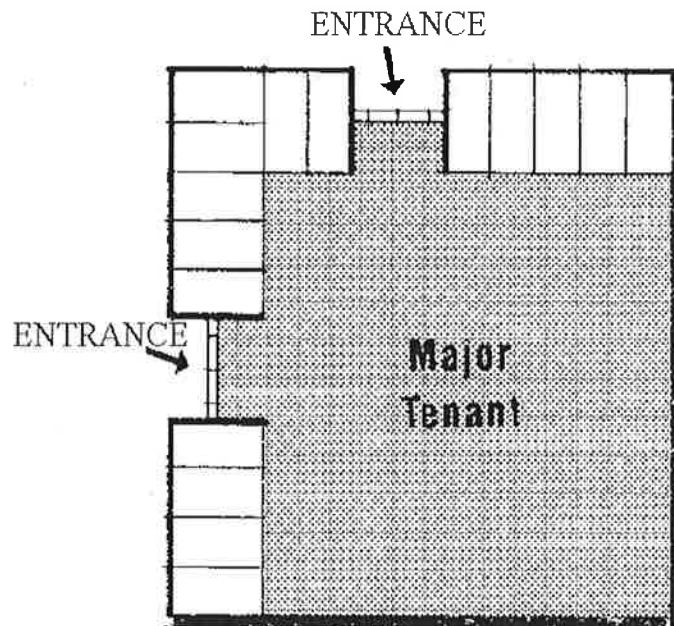
4. Frontage limit. The frontage per business occupancy shall be limited to one hundred (100) feet along any facade facing an abutting street, unless sixty percent (60%) or more of the facade between two (2) and eight (8) feet above the sidewalk is in transparent glazing; i.e., transparent windows, display windows, or transparent store doors (staff note: this would allow a major tenant to have lots of its own display windows, or to lease peripheral space to lots of small tenants, or to look like it was doing so, or to build added stories to get added floor area). See Figures 6-7 through 6-12. EXCEPTION: This requirement shall not apply to that portion of a facade where the average grade level of the sidewalk of the abutting street is 4 feet or more above or below the adjacent floor level of the building. See Figure 6-13.

Development in the HDC-4 Capital Mall Area shall use design standards established for this area instead of the above frontage limit. See 18.06A.280 through 18.06A.284, Building Design 18.130.050 HDC 4- Capital Mall.



Example of building with 100' frontage, hence exempt from transparent glazing requirement.

FIGURE 6-7



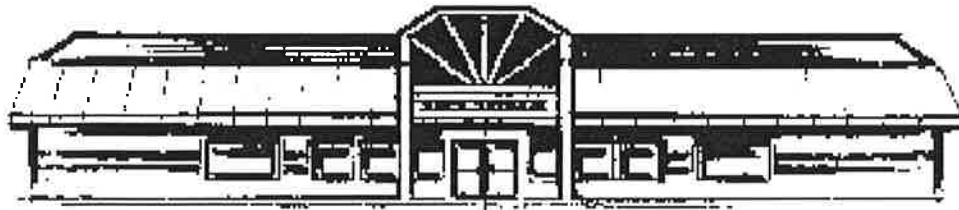
Frontage limited by placing small shops on periphery of building, plan view.

FIGURE 6-8



Small shops on periphery of building, elevation view.

FIGURE 6-9



150-foot frontage with 60% of facade between 2' and 8' in transparent glazing.

FIGURE 6-10



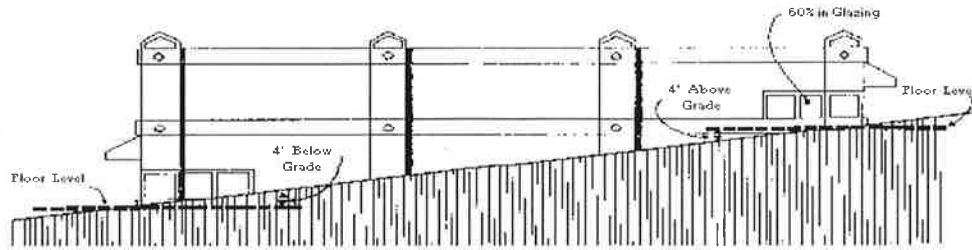
25,000 square foot 1-story building with 150 feet of frontage

FIGURE 6-11



50,000 square foot building on 2 stories with 150 feet of frontage

FIGURE 6-12



Transparency requirement does not apply to the portion of a facade with a floor level over 4' above or below grade.

FIGURE 6-13

5. Very Large Scale Retail Facilities. Retail uses under common ownership or use, which exceed size thresholds set forth in subsection (a) below for the zone in which the retail uses are proposed, shall meet the additional development and design requirements specified in subsections (a)(ii)-(iv). Those which exceed size thresholds set forth in subsection (b) below for the zone in which the retail uses are proposed shall be subject to the requirements for Conditional Use approval provided in subsection (b)(ii).

a. Added development and design requirements for Very Large Scale Retail Facilities

i. Thresholds for requirements

District	Size (gross floor area)
GC	60,000 sq. ft.
HDC-2	40,000 sq. ft.
HDC-3	50,000 sq. ft.
HDC-4, except Capital Mall Area	60,000 sq. ft.
UW	40,000 sq. ft.
UW-H	25,000 sq. ft.
DB	25,000 sq. ft.
UC	50,000 sq. ft.

ii. Adaptability for Reuse/Compartmentalization. The building design shall include specific elements that facilitate the structure's adaptation for multi-tenant reuse. Such elements may include but are not limited to compartmentalized construction, including plumbing, electrical service, heating, ventilation and air conditioning. The building design shall also allow for all of the following:

(1) Subdivision of the interior of structure into separate tenancies. The design for interior subdivision shall accommodate multiple potential tenancies, each no larger than fifty percent (50%) of the size threshold for the district defined in subsection (i) above.

Example A: An applicant designs a 120,000 sq. ft. Very Large Scale Retail Use in the GC district to accommodate reuse by four potential tenancies of 30,000 sq. ft. each.

Example B: An applicant designs the same building to accommodate two potential tenancies of 30,000 sq. ft., and four potential tenancies of 15,000 sq. ft.

(2) Facades that readily adapt to multiple entrances without compromising the structural integrity of the building, and adapt to entrances on at least two sides of the building; or, if the building is designed to have only one front facade, all potential tenancies shall be designed for access from the front facade.

(3) Parking lot designs that are shared by establishments or are linked by safe and functional pedestrian connections.

(4) Landscaping schemes that complement the multiple entrance design.

(5) Design and placement of loading docks/loading bays to accommodate multiple potential tenancies.

(6) Other elements of design which facilitate the multi-tenant reuse of the building and site.

iii. Parking Design.

(1) Parking lots with over one acre in paving shall be designed for on-site infiltration of the stormwater generated on site. This may be accommodated by underground infiltration vaults, porous paving, or other techniques permitted by the City of Olympia Stormwater Drainage Manual, and subject to the approval of the Department of Public Works.

(2) Bicycle parking shall meet all requirements of the City's bicycle parking regulations, in particular Sections 18.38.100 Vehicular and Bicycle Parking Standards, and 18.38.220 Design Standards - General.

iv. Site Design.

(1) The site design shall include a plan for pedestrian circulation with logical connections between buildings, between buildings and adjacent streets, and from

buildings to parking areas. (See also Sections 18.110.030, 18.120.110, and 18.150.030.)

(2) Pedestrian walkways within the development shall be differentiated from driving surfaces through a change in materials, and shall be designed to accommodate persons with disabilities, such as wheelchair users.

b. Conditional Use Approval

i. Thresholds for Conditional Use Approval

District	Size (gross floor area)
GC	125,000 sq. ft.
HDC-2	60,000 sq. ft.
HDC-3	75,000 sq. ft.
HDC-4, except Capital Mall Area	125,000 sq. ft.
UW	60,000 sq. ft.
UW-H	40,000 sq. ft.
DB	40,000 sq. ft.
UC	100,000 sq. ft.

ii. Conditions for Approval. The following requirements apply to all Very Large Scale Retail Facilities subject to conditional use approval.

(1) The Hearing Examiner shall determine that the proposed facilities meet the development and design requirements of subsection (a) above, and all other requirements of this Title.

(2) The Hearing Examiner shall determine that the proposed facilities will not be detrimental to the health, safety, or welfare of the general public, nor injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

(a) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

(b) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

- (c) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor; and
- (d) The treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.
- (e) The impact upon public facilities or public services.

6. Additional Regulations. Refer to the following Chapters for additional related regulations:

- a. Chapter 18.36, Landscaping and Screening
- b. Chapter 18.38, Parking and Loading
- c. Chapter 18.48, Conditional Uses
- d. Chapter 18.100, Design Review
- e. Chapter 18.110, Basic Commercial Design
- f. Chapter 18.120, Commercial Design Criteria Downtown
- g. Chapter 18.130, Commercial Design Criteria High Density Corridor (HDC)
- h. Chapter 18.150, Port Peninsula

Section 9. Amendment of OMC 18.06.120. Olympia Municipal Code Section 18.06.120 is hereby amended to read as follows:

18.06.120 Additional regulations

Refer to the following Chapters for additional related regulations.

Chapter	Design Guidelines
18.06A <u>100-145</u>	
Chapter 18.36	Landscaping and Screening
Chapter 18.38	Parking and Loading
Chapter 18.40	Property Development and Protection Standards
Chapter 18.42	Signs
Article III	Overlay Districts

Section 10. Amendment of OMC 18.36.040. Olympia Municipal Code Section 18.36.040 is hereby amended to read as follows:

18.36.040 Applicability

This chapter shall apply to all development applications in the city, with the exception of individual single-family residential lots and development containing four (4) or less attached dwelling units. All changes in the use of a property or remodel of a structure that requires improvements equal to or greater than fifty (50) percent of the assessed property valuation shall comply with the requirements of this Chapter. See Residential Design Guidelines Review, Section 18.04A.150 Chapter 18.100, and Individual Commercial Landscape Design District Requirements.

Section 11. Amendment of OMC 18.38.100.C. Olympia Municipal Code Subsection 18.38.100.C is hereby amended to read as follows:

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 ~~18.01~~ 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.

Section 12. Amendment of OMC 18.38.160. Olympia Municipal Code Section 18.38.160 is hereby amended to read as follows:

18.38.160 Specific zone district requirements

A. Ten (10) Percent Reduction in Parking Requirements.

The median motor vehicle parking requirements contained in Section 18.38.100 shall be reduced by 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.

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.

C. Downtown Exempt Parking Area (See Figure 38-2).

1. Existing buildings constructed prior to January 1, 2002, which are located within the Downtown Exempt Parking Area (See Figure 38-2), shall be exempt from the vehicle parking standards. However, a change of use within such existing structures shall comply with the long-term and short-term bicycle parking standards pursuant to Title 38.01;
2. All new residential buildings and uses located within the Downtown Exempt Parking Area (See Figure 38-2) shall be exempt from vehicle parking standards. However, if any new residential parking is constructed, the parking facility shall meet the Parking Design, Pedestrian Street and Design Review Criteria (OMC 18.38.180 through 18.38.240 and applicable OMC 18.04A or 18.06A, 18.16 and 18.20). All new residential buildings and uses shall comply with the long-term and short-term bicycle parking standards pursuant to Table 38.01; and
3. All new commercial buildings or expansions totaling over 3,000 square feet of gross leaseable area, constructed after January 1, 2002, which are located within the Downtown Exempt Parking Area (See Figure 38-2) shall be required to meet vehicle parking and bicycle standards (OMC 18.38.020 through 18.38.240).
4. Bicycle parking is not required for those buildings and uses located within the Downtown Exempt Parking Area (see Figure 38-2) that do not provide on-site motor vehicle parking.

D. High Density Corridor 1 and 2, and Urban Residential (UR).

1. Townhouse units shall provide one and one-half (1.5) parking spaces per unit;
2. Multifamily units shall provide one (1) parking space per unit;
3. Small restaurants (up to 750 square feet of service area) shall provide two (2) parking spaces/1,000 square feet; and
4. Small retail including food stores and laundries (up to 3,000 square feet) shall provide two (2) parking spaces per 1,000 square feet. (The first 350 square feet are exempt from parking requirements.) Small retail may provide additional parking up to three and one-half (3.5) parking spaces per 1,000 square feet.

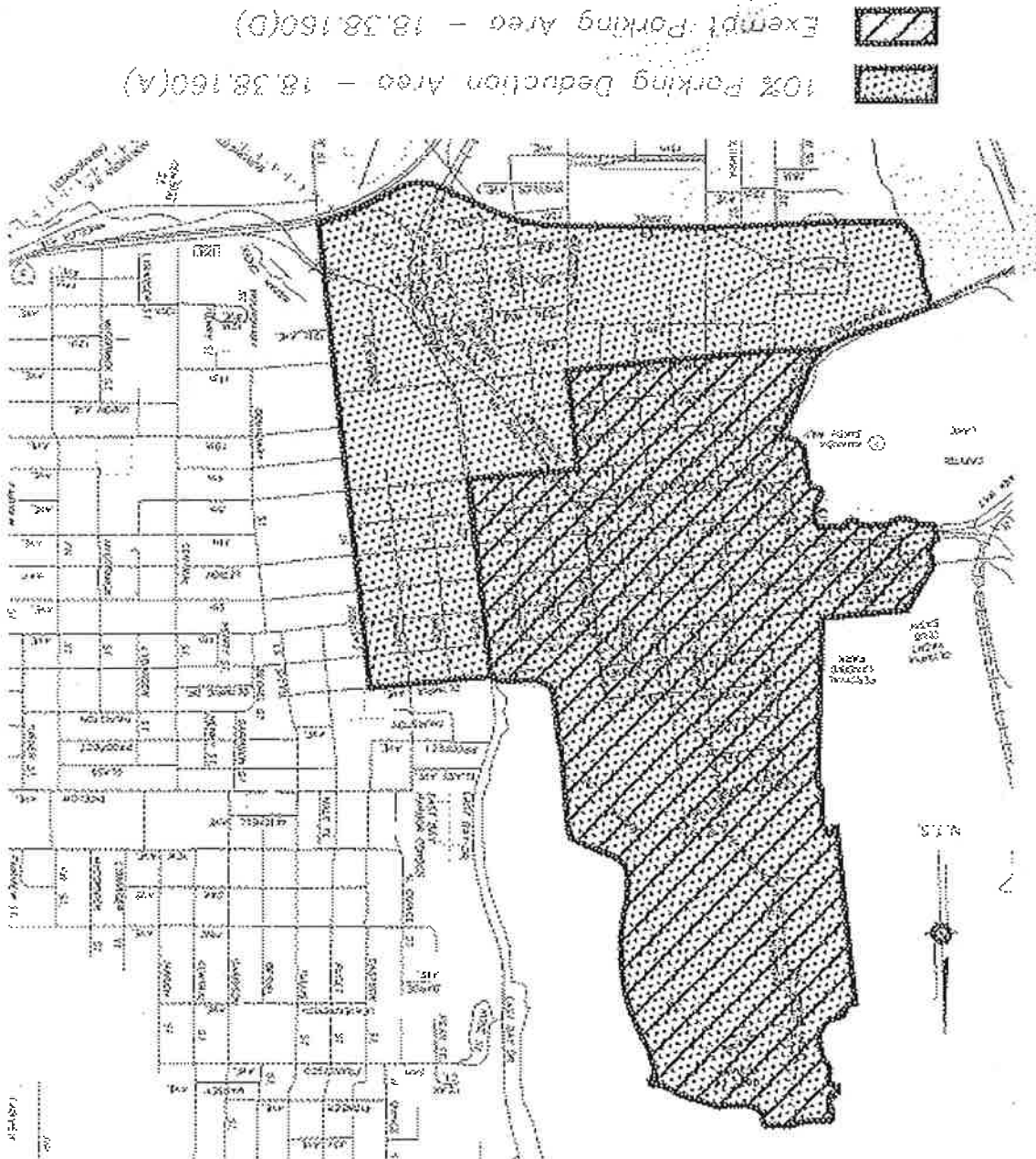
A. Parking facilities may be provided either on the same premises with the parking generator or in any parking facility, the property line of which is located within seven hundred (700) feet of the parking generator.

18.38.200 Parking facility location

hereby amended to read as follows:

Section 13. Amendment of OMC 18.38.200. Olympia Municipal Code Section 18.38.200 is

FIGURE 38-2



Parking facilities may be provided further than seven hundred (700) feet from the parking generator or building if:

1. Regular shuttle service is provided;
2. A shared parking agreement is approved by the City; or
3. The parking generator is in the Downtown Business or Urban Waterfront zone and the parking facility is within 1,400 feet.

B. Where possible, surface parking lots shall be located behind a building. Where it is not possible to provide parking behind a building, parking lots may be located along the side of a building, provided that it comprises no more than fifty (50) percent of the site's street frontage. This provision does not apply to commercial parking lots which comprise the only use of a site. In the R-4, R 4-8 and R 6-12 districts;

1. Surface parking lots for co-housing projects (not including garages) within forty (40) feet of perimeter or through streets shall not extend more than seventy-five (75) feet along the street frontage in a continuous segment (i.e., uninterrupted by a landscaped open space, garden or orchard with no dimension less than forty (40) feet; a dwelling; or common structure).
2. The Hearing Examiner may approve the location of surface parking lots in the front and/or along the side of buildings, pursuant to Conditional Use Permit Hearing Examiner Approval (OMC 18.48.020(A)), when all of the following are met:
 - a. The building is over 5,000 square feet; located in a residential zone; requires Design Review and a Conditional Use Permit; and
 - b. The site is bounded on two or more street frontages; and
 - c. The building is oriented to have the least impact on the neighborhood; and
 - d. Parking lot landscape and screening clearly exceed the provisions set out in OMC 18.36.180 to effectively screen it from the street (See also Alternative Landscape Plans OMC 18.36.100(A) & (B)); and
 - e. Bicycle/pedestrian facilities provide safety, convenience, security and clear connections for pedestrians and bicycles between all rights-of-way adjoining the parking area and the front door; and
 - f. Outdoor lighting is designed with regard to placement, intensity, shielding, timing and color to avoid offsite spillover; and

- g. Site design provides landscape or other features to screen vehicular headlights from residences.

The approval authority may waive these requirements if the applicant demonstrates that these parking restrictions would not allow reasonable use of the site due to its configuration (e.g., if the site has multiple street frontages and it is impractical to meet this requirement along all frontages due to the amount or relationship of the proposed development) or other physical site constraints, or it would significantly interfere with pedestrian circulation. Where permitted in commercial districts (listed in OMC 16.06), parking areas in front of buildings should be located between buildings or adjacent to an existing parking area to enable shared parking (see Design Guidelines, Section 18.06A.030 and Section 18.06A.180(E) Shared Parking Facilities, Section 18.38.180. Also see Landscape Standards, Section 18.36.180).

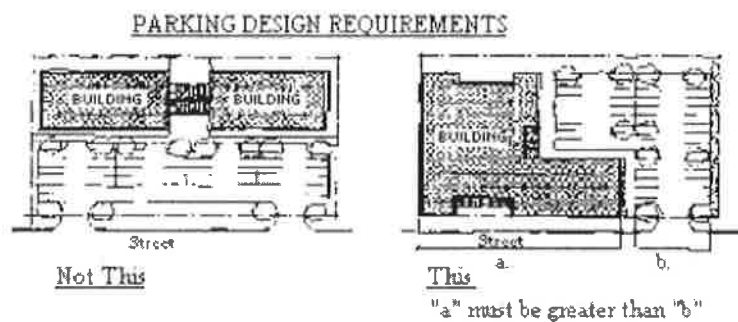


FIGURE 38-3

C. High Occupancy Vehicles - Stall Location. All employers required to operate high occupancy vehicles (HOV) shall mark the closest parking spaces to the building entrance Reserved for HOV. These spaces shall not displace required handicap parking.

D. Arterial Commercial District. Employee and tenant parking in this district may be located up to one thousand (1,000) feet from the parking generator if people are required to walk between the lot and use, or up to three (3) miles if shuttle service is provided at the beginning and end of the work shift.

Section 14. Amendment of OMC 18.38.240. Olympia Municipal Code 18.38.240 is hereby amended to read as follows:

18.38.240 District design standards

In addition to the parking design standards for various zone districts found below, also refer to individual land uses located in Article II and Design Guidelines Review, Sections 18.06A.030 and 18.06A.180(E) Chapter 18.100.

A. ARTERIAL COMMERCIAL:

1. See Enhanced Pedestrian Access for the Arterial Commercial District in Design Guidelines, Article II.

BA. URBAN WATERFRONT ZONE (UW).

1. Structured Parking Design Requirements. All structured parking must meet the Parking Structure Design Requirements in the Pedestrian Streets Overlay District Chapter, Section 18.16.080(J).

EB. DOWNTOWN BUSINESS ZONE (DB).

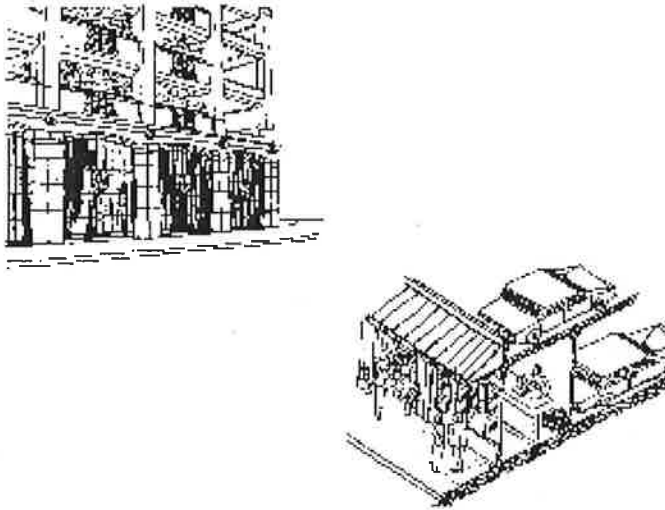
1. Structured Parking Design Requirements. All structured parking must meet the Parking Structure Design Requirements in the Pedestrian Streets Overlay District Chapter, Section 18.16.080(J).

EC. RESIDENTIAL MIXED USE (RMU), RESIDENTIAL HIGH-RISE MULTIFAMILY (RMH) DISTRICT, URBAN RESIDENTIAL (UR).

1. Structured Parking Design Requirements. All structured parking must meet the Parking Structure Design Requirements in the Pedestrian Streets Overlay District Chapter, Section 18.16.080(J).

ED. URBAN WATERFRONT - HOUSING (UW-H).

1. Structured Parking Design Requirements. All structured parking must meet the Parking Structure Design Requirements in the Pedestrian Streets Overlay District Chapter, Section 18.16.080(J).



Parking Garage facade treated with decorative grill work.

FIGURE 38-8

Section 15. Amendment of OMC 18.42.120. Olympia Municipal Code Section 18.42.120 is hereby amended to read as follows:

18.42.120 General Standards for Freestanding Signs

A. In addition to these standards, also see the following sections in the Design Review Guidelines: 18.120.140, 18.120.150, 18.145.040, 18.150.100, and 18.150.110.

B. Double-sided signs - If the sign is double sided, each side may have half of the maximum square footage. For example, on a 200 square foot double-sided sign, each side may have a maximum of 100 square feet.

C. Setbacks - in the GC district, the minimum setback shall be the same as provided for buildings. Except: the front yard setback shall be a minimum of five (5) feet if abutting a principal arterial (major arterial) with a rights-of-way of eighty (80) feet or less, provided that the sign owner agrees to assume all expenses of relocating the sign when and if the City acquires additional rights-of-way. The sign owner must provide the City with an appropriate legal document binding the owner and any future heirs or assigns to said agreement.

D. Height - 4-foot maximum.

1. Exceptions: In association with secondary and above academic schools, if the site is greater than five acres and more than 50% of the building square footage is a Type "E" occupancy per the Uniform Building Code (UBC) or within the Freeway Corridor Overlay district, ~~see also Sections 18.06A.350 and 18.06A.360~~

a. Uses on City street frontages - 16 feet

b. Uses adjacent to the freeway - 25 feet

c. A maximum of one (1) pole sign is permitted per use, however, only one pole sign in a development is permitted.

d. Placement of pole signs - pole signs shall be placed in a planter box, or otherwise landscaped, with the area of the landscaping a minimum of one-half (1/2) of the surface area of the sign.

2. Exception: Maximum height for business directories which are separate signs from the development identification sign is 7 feet, if the site is at least 40 acres in size and for new development the sign is located a distance from the public right-of-way which is equal to the required throat length of the driveway, per the City Public Works Standards, or for existing development is equal to the existing throat length or 100 feet, whichever is greater.

3. Exception: Motor vehicle sales uses within the Auto Services District are allowed thirty (30) foot high pole signs per franchise subject to lot size limitations (See OMC 18.42.200 (B)(1)(b) for the number of signs allowed).

4. Motor vehicle sales uses within the Auto Services District are allowed twelve (12) foot high ground signs (See OMC 18.42.200 (B)(1)(c) for the number of signs allowed).

5. Development identification signs for a single trade organization located within the Auto Services District representing the ownership of 40 acres or more of similar land uses within such district shall be allowed pole signs at a maximum of 25 feet in height.

- E. Placement - freestanding signs shall be located entirely on the premises of the use they are associated with, unless otherwise specified.
- F. Lighting - In residential zoning districts (defined in sections 18.42.120(H) and 18.42.140(L)), lighting shall not be unreasonably bright or glaring. Also, public service pole signs for academic schools shall be turned off between 9:00 p.m. and 6:00 a.m.
- G. Lighting - In the Auto Services Zoning district, signs illuminated directly or indirectly shall not be unreasonably bright or glaring. The placement or location of signs must be placed in a manner so it shall not directly face into an adjacent residential District.
- H. Public Service Signs may be included in a use's permitted signage, provided the overall sign size, height and other standards for the underlying zoning district are met. Further, the public service portion of an academic school sign shall not exceed 50% of any sign face and all messages shall remain static for at least five minutes.
- I. One Development Identification Electronic Reader Board Sign shall be allowed within the Auto Services District for a single trade organization representing the ownership of 40 acres or more of similar land uses, provided, that all messages shall remain static for at least three minutes.
- J. References to residential zoning districts mean the following districts: Residential 4-8, Mixed Residential 10-18, Residential 6-12, Residential Multifamily-18, Residential-4, Mixed Residential 7-13, Residential Multifamily-24.

Section 16. Amendment of OMC 18.42.140. Olympia Municipal Code Section 18.42.140 is hereby amended to read as follows:

18.42.140 General Standards for Building Mounted Signs

- A. In addition to these standards, also see the following sections in the Design Review Guidelines: ~~18.04A.170,~~ 18.05A.130, 18.05A.140, 18.05A.240, 18.120.140, 18.120.150, 18.145.040, 18.150.100, and 18.150.110.
- B. Size of sign surface area:
1. Ratio used in calculation of maximum sign surface area. For 32 through 200 square foot signs, the maximum sign surface area shall not exceed one (1) square foot per one linear foot of the wall on which the sign is mounted. Provided, however, for motor vehicle sales uses within the Auto Services District, the maximum sign surface area shall not exceed one and a half (1 1/2) square feet for every one (1) linear foot of wall not to exceed two hundred fifty (250) square feet in sign surface area on which the sign is mounted.

2. Individual uses in multiple occupancy buildings - the length of the wall to be considered for size calculation purposes, includes only that portion enclosing the space the business occupies, not the length of the entire building.
 3. Marquee signs, i.e. signs mounted on marquees - marquee signs are exempt from aggregate sign surface area requirements (See Section 18.42.140(H) for standards which limit size).
 4. Mansard roof signs - the size ratio shall use the length of the wall enclosing the use, not the length of the roof.
- C. Lighting - In residential zoning districts (defined in sections 18.42.120(H) and 18.42.140(L)) lighting shall not be unreasonably bright or glaring.
- D. Public Service signs, such as time and temperature signs and community bulletin boards, are allowed to be incorporated into a use's permitted signage, provided the overall sign size, height and other standards for the underlying zoning district are met.
- E. Flush mounted signs.
1. Projection from face of building - shall not exceed 12 inches away from the wall which the sign is attached to nor extend beyond such wall, or above the roof line.
 2. In the Auto Services District, flush mounted signs using channel letters, channel letters shall not exceed thirty-six (36) inches in height. Logos or symbols are not subject to this size requirement.
- F. Painted wall signs - If a change is made to the original appearance of a painted wall sign, this shall constitute a new sign and require a permit.
- G. Awning signs
1. Lighting - Only the area containing the sign band may be internally lit. All awnings which are illuminated must meet state energy code requirements.
- H. Marquee signs
1. Theaters - existing movie theaters are allowed to retain their traditional type of marquee sign without animated lighting.
 2. Marquee signs are exempt from the aggregate sign surface area requirements.
 3. The vertical measurement of the sign shall not exceed twelve (12) inches.

4. No portion of the sign may project out beyond the marquee.
5. Clearance from grade - minimum eight (8) feet if sign is located under the marquee.
6. Placement - can be under, on top of, or on any face of the marquee. If on top of the marquee, the sign shall be parallel to the plane of the wall it is attached to.
7. Projection from face of building - if attached to the face of the marquee, the sign shall not project more than 12 inches away from the face of the marquee.

I. Projecting signs

1. Clearance from grade - minimum of 10 feet, except when sign is mounted under a marquee, minimum clearance from grade is 8 feet.
2. Projection from face of building - shall not exceed 3 feet.

J. Signs on mansard roofs are to be considered as building mounted signs and subject to the standards for such.

K. Window signs. A sign permanently mounted on a window (for example a neon sign) or permanently painted on the window, is considered a building mounted sign and subject to the standards for such. Exception: Signs indicating whether a use is open or closed for business are not subject to these standards.

L. References to residential zoning districts mean the following districts: Residential 4-8, Mixed Residential 10-18, Residential 6-12, Residential Multifamily-18, Residential-4, Mixed Residential 7-13, Residential Multifamily-24.

Section 17. 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 18. 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 19. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 20. Effective Date. This Ordinance shall take effect thirty (30) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Darren Nienaber
DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:



City Council

Approval of an Ordinance Authorizing Acceptance of a Donation of the Sculpture "Philosopher" as a Gift of Art from Artist, Kevin Au

Agenda Date: 9/19/2017
Agenda Item Number: 4.E
File Number: 17-0935

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

Title

Approval of an Ordinance Authorizing Acceptance of a Donation of the Sculpture "Philosopher" as a Gift of Art from Artist, Kevin Au

Recommended Action

Committee Recommendation:

The Olympia Arts Commission recommends the City Council accept the donation of the sculpture "Philosopher."

City Manager Recommendation:

Move to approve on second reading an ordinance accepting the donation of the sculpture "Philosopher" as a gift of art from artist, Kevin Au, and authorizing the City Manager or his designee to execute all documents necessary to effect acceptance and transfer of the gift of art.

Report

Issue:

Whether to accept a donation of a gift of art for the benefit of the public.

Staff Contact:

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

Presenter(s):

None - Consent Calendar Item

Background and Analysis:

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

Olympia Parks, Arts and Recreation Department (OPARD) received a donation offer from artist, Kevin Au, for the gift of art of "Philosopher," a 72" x 17" x 16" steel sculpture.

The Olympia Arts Commission reviewed the proposed gift of art and unanimously recommended the

gift and donation for approval by the City Council.

There are no terms, conditions or restrictions attached to this donation.

Neighborhood/Community Interests (if known):

None known

Options:

1. Approve on first reading and pass onto second reading the ordinance accepting the Kevin Au donation of the sculpture "Philosopher" and authorizing the City Manager or his designee to execute all documents necessary to effect acceptance and transfer of the gift of art.
2. Do not accept the gift of art donation.

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.

Attachments:

Ordinance

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, ACCEPTING A DONATION OF THE STEEL SCULPTURE "PHILOSOPHER" AS A GIFT OF ART BY ARTIST KEVIN AU WITHOUT TERMS, CONDITIONS OR RESTRICTIONS.

WHEREAS, artist Kevin Au has offered to donate and convey to the City of Olympia a gift of art titled "Philosopher," which is a steel sculpture measuring 72" x 17" x 16"; and

WHEREAS, the Olympia Arts Commission reviewed the proposed gift of art and unanimously recommended the gift and donation of "Philosopher" 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 "Philosopher" from Kevin Au; and

WHEREAS, the Olympia City Council finds this gift and donation of the steel sculpture "Philosopher" 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 Kevin Au of "Philosopher" 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 "Philosopher" 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 Kevin Au to the City of Olympia.

Section 3. Terms, Conditions and Restrictions. The gift and donation of "Philosopher" 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. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary technical corrections to this Ordinance to include the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. 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 6. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 7. Effective Date. This Ordinance shall take effect thirty (30) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

CITY OF OLYMPIA ART PROGRAM
Gift of Artwork Agreement

THIS AGREEMENT, dated and effective as of the last signature affixed below, is between the **CITY OF OLYMPIA**, with a business address of 601 4th Ave E, Olympia, WA 98501, hereinafter referred to as the "CITY" and **KEVIN AU**, with an address of 9202 SE 33rd Place, Mercer Island WA 98040-3200, hereinafter referred to as the "ARTIST".

WHEREAS, the ARTIST proposed to donate to the CITY a sculpture titled "Philosopher," a picture of which is attached as **Exhibit "A,"** which is a steel sculpture measuring 72" x 17" x 16" and hereinafter called the **ARTWORK**; and

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

WHEREAS, the Olympia City Council wishes to accept the ARTIST'S donation pursuant to the terms and conditions of this Agreement;

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. The ARTIST represents and warrants to the CITY that it 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 agrees to 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.
2. The ARTIST hereby assigns and transfers to the CITY the entire right, title, and interest in and to the **ARTWORK** and to all U.S. and foreign copyrights therefor, with no terms, conditions or restrictions on its use or display by the CITY.
3. The CITY agrees that the 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 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 his or her best effort to provide a credit to the CITY in any reproduction of the **ARTWORK**, with such credit reading "The subject of this photograph [or other graphic or electronic reproduction] is an original work of art owned by the City of Olympia, Washington."
4. The CITY agrees to use its best effort to provide proper credit 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.

5. The CITY has the right to display or not display the ARTWORK and to move or rearrange individual pieces of multiple piece ARTWORK.
6. Should the ARTWORK be intentionally or accidentally destroyed, altered, modified or changed subsequent to its transfer to the CITY, the CITY is under the obligation to make only reasonable effort to restore the artwork to its original form.
7. This Agreement shall be binding upon the parties, their heirs, successors, assigns, and personal representatives. This Agreement constitutes the entire understanding of the parties. 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 shall 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 will remain in full force and effect and will be liberally construed in order to carry out the intent of the parties. A party will not be 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 shall be in writing and will be 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 shall be governed by the laws of the State of Washington and courts of such state shall have exclusive jurisdiction and venue. The parties will 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 and the federal court sitting in Tacoma, Washington.
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, shall be deemed to be an original, and all of which taken together shall constitute a single instrument.

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

ARTIST

Kevin Au
9202 SE 33rd Place
Mercer Island WA 98040-3200
Telephone: _____
Email: _____

Date: _____

CITY OF OLYMPIA

Steven R. Hall, City Manager
601 – 4th Avenue E.
PO Box 1967
Olympia WA 98507-1967
Telephone: 360.753.8447

Date: _____

APPROVED AS TO FORM:



Deputy City Attorney

Exhibit A



CITY OF OLYMPIA ART PROGRAM

Gift of Artwork Agreement

THIS AGREEMENT, dated and effective as of the last signature affixed below, is between the **CITY OF OLYMPIA**, with a business address of 601 4th Ave E, Olympia, WA 98501, hereinafter referred to as the "CITY" and **KEVIN AU**, with an address of 9202 SE 33rd Place, Mercer Island WA 98040-3200, hereinafter referred to as the "ARTIST".

WHEREAS, the ARTIST proposed to donate to the CITY a sculpture titled "Philosopher," a picture of which is attached as **Exhibit "A,"** which is a steel sculpture measuring 72" x 17" x 16" and hereinafter called the **ARTWORK**; and

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

WHEREAS, the Olympia City Council wishes to accept the ARTIST'S donation pursuant to the terms and conditions of this Agreement;

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. The ARTIST represents and warrants to the CITY that it 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 agrees to 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.
2. The ARTIST hereby assigns and transfers to the CITY the entire right, title, and interest in and to the **ARTWORK** and to all U.S. and foreign copyrights therefor, with no terms, conditions or restrictions on its use or display by the CITY.
3. The CITY agrees that the 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 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 his or her best effort to provide a credit to the CITY in any reproduction of the **ARTWORK**, with such credit reading "The subject of this photograph [or other graphic or electronic reproduction] is an original work of art owned by the City of Olympia, Washington."
4. The CITY agrees to use its best effort to provide proper credit 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.

5. The CITY has the right to display or not display the ARTWORK and to move or rearrange individual pieces of multiple piece ARTWORK.
6. Should the ARTWORK be intentionally or accidentally destroyed, altered, modified or changed subsequent to its transfer to the CITY, the CITY is under the obligation to make only reasonable effort to restore the artwork to its original form.
7. This Agreement shall be binding upon the parties, their heirs, successors, assigns, and personal representatives. This Agreement constitutes the entire understanding of the parties. 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 shall 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 will remain in full force and effect and will be liberally construed in order to carry out the intent of the parties. A party will not be 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 shall be in writing and will be 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 shall be governed by the laws of the State of Washington and courts of such state shall have exclusive jurisdiction and venue. The parties will 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 and the federal court sitting in Tacoma, Washington.
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, shall be deemed to be an original, and all of which taken together shall 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

Kevin Au
9202 SE 33rd Place
Mercer Island WA 98040-3200
Telephone: _____
Email: _____

Date: _____

Steven R. Hall, City Manager
601 – 4th Avenue E.
PO Box 1967
Olympia WA 98507-1967
Telephone: 360.753.8447

Date: _____

APPROVED AS TO FORM:



Deputy City Attorney

Exhibit A





City Council

Approval of an Ordinance Removing Zoning Designations from the State Capitol Campus

Agenda Date: 9/19/2017
Agenda Item Number: 4.F
File Number: 17-0945

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

Title

Approval of an Ordinance Removing Zoning Designations from the State Capitol Campus

Recommended Action

Committee Recommendation:

Planning Commission recommends approval of the ordinance removing zoning designations from the State Capitol Campus. Land Use and Environment Committee received a briefing on the Planning Commission's recommendation and has forwarded it to City Council.

City Manager Recommendation:

Move approve on first reading and forward to second reading the ordinance amending the City's zoning map to remove all zoning designations from the entirety of the Capitol Campus owned or controlled by the State of Washington.

Report

Issue:

Whether the zoning map of the City's development code should be amended to remove zoning designations from the State Capitol Campus?

Staff Contact:

Leonard Bauer, Deputy Director, Community Planning and Development Department, 360.753.8206

Presenter:

Leonard Bauer, Deputy Director

Background and Analysis:

The Washington State Capitol Campus is an area designated, managed and controlled by the State of Washington for specific purposes. State law (Chapters 43.34 and 79.24 RCW) provides governing authority for planning, land use and development for the State Capitol Campus to the State Capitol Committee. The attached ordinance includes a proposed updated zoning map that shows properties that are part of the State Capitol Campus in gray.

The City of Olympia does not have land-use planning or zoning authority for the State Capitol Campus. In place of its more common regulatory role, the City works in cooperation with the State in

the planning for Campus development and activities.

The City does have authority to regulate shoreline development on the Campus because, under the Shoreline Management Act, the City is acting on behalf of the Washington Department of Ecology. Also, the City inspects construction on the Campus for compliance with building codes pursuant to an agreement with the State.

Despite the state laws described above, the City's zoning map currently applies a variety of zoning districts to the Campus. For example, the largest portion is designated as Commercial Services - High Density, while areas around Capitol Lake are designated as Residential Multi-family High-Rise, Residential 4-8 & 6-12, Urban Waterfront, and Planned Unit Development. Areas near Union Avenue and Sylvester Park are in the Downtown Business zoning district.

During the City's process of updating its Comprehensive Plan, questions were raised regarding the appropriate zoning of the State Capitol Campus. On July 7, 2014, the Olympia Planning Commission considered a staff recommendation to zone the State Capitol Campus as a 'planned development.' However, this proposal was discontinued when the State Capitol Campus Committee objected based on the state laws cited above. Subsequently, the City Attorney and Community Planning and Development staff have had numerous conversations with staff of the WA Department of Enterprise Services and the Attorney General's Office to identify an approach to the City's zoning map that would accurately communicate the jurisdictional authorities for the State Capitol Campus. State and City staff eventually agreed that removing all zoning map designations for the State Capitol Campus would be the most accurate depiction of existing jurisdictional land-use authority of the State Capitol Campus Committee. The attached ordinance accomplishes this change, and adds a note to the Official City Zoning Map that reads "The Washington State Capitol Committee alone has authority over land use for the State Capitol Campus."

On June 15, 2017, the State Capitol Committee unanimously recommended the attached ordinance be adopted by the Olympia City Council.

Neighborhood/Community Interests:

On May 22, 2014, City staff hosted a combined public information meeting regarding four pending zoning map changes, including the proposed zoning of the State Capitol Campus as planned development. Only State staff participated with regard to that proposal. Since that time, except for communications with State staff, notice of this proposal has generated minimal public interest at Olympia Planning Commission and State Capitol Committee public meetings.

Historically, the South Capitol Neighborhood Association has had strong interest in any land-use changes on the State Capitol Campus. The attached ordinance clarifies, but does not change, land-use authority over the State Capitol Campus.

Options:

1. Approve the attached ordinance removing zoning designations from the State Capitol Campus on the City Zoning Map.
2. Retain the existing zoning of the Capitol Campus.

Financial Impact:

None

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

Attachments:

Ordinance

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING THE OFFICIAL OLYMPIA ZONING MAP TO REMOVE THE ZONING DESIGNATIONS OF ALL LANDS AND WATERS WITHIN THE STATE CAPITOL CAMPUS AND LABEL THOSE AREAS AS "STATE CAPITOL CAMPUS."

WHEREAS, the Olympia City Council (the City) and the State Capitol Committee have determined that the City has no jurisdiction or authority to identify land use or zoning designations at the State Capitol Campus, as defined by the State Capitol Committee; and

WHEREAS, the Official Zoning Map of the City of Olympia designates zoning at the State Capitol Campus, as described and shown on the attached map, as of this date; and

WHEREAS, pursuant to state law, including but not limited to Chapters 43.34 and 79.24 RCW, the State Capitol Campus, including development, planning and land uses thereon, is governed by the State Capitol Committee; and

WHEREAS, the Shoreline Master Program is an implementation of separate state law and thus applicable to the State Capitol Campus as well, except as prohibited by law; and

WHEREAS, the State Capitol Committee is advised in these matters by the Capitol Campus Design Advisory Committee; and

WHEREAS, following a public hearing on June 5, 2017, the Olympia Planning Commission recommended an amendment to the City of Olympia Official Zoning Map to remove the current zoning designations at the State Capitol Campus, as defined by the State Capitol Committee; and

WHEREAS, on May 18, 2017, the Capitol Campus Design Advisory Committee reviewed this proposed ordinance and recommended approval; and

WHEREAS, on June 15, 2017, the State Capitol Campus Committee reviewed this proposed ordinance and recommended approval; and

WHEREAS, the Olympia City Council and the State Capitol Committee recommended the City of Olympia Official Zoning Map be amended to delineate the real property owned and controlled by the State of Washington, named the "State Capitol Campus," and to recognize the Washington State Capitol Committee alone has authority over land use at the State Capitol Campus; and

WHEREAS, this Ordinance meets the goals and requirements of the Growth Management Act, if it is applicable; and

WHEREAS, the purpose of this Ordinance is intended to recognize and implement existing law and not to change existing laws; and

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

Section 1. Amendment of Official Olympia Zoning Map adopted by OMC 18.02.160.B. The Official Zoning Map of the City of Olympia is hereby amended to remove the zoning designations relating to the Washington State Capitol Campus as defined now or as amended in the future by the State Capitol Committee. The map shall be revised and maintained accordingly to delineate the boundary of the "State Capitol Campus" and a note shall be added to the legend of the map stating, "The Washington State Capitol Committee alone has authority over land use for the State Capitol Campus." The Mayor is authorized but not required to sign such map.

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 five (5) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Darren Nienaber
DEPUTY CITY ATTORNEY

PASSED:

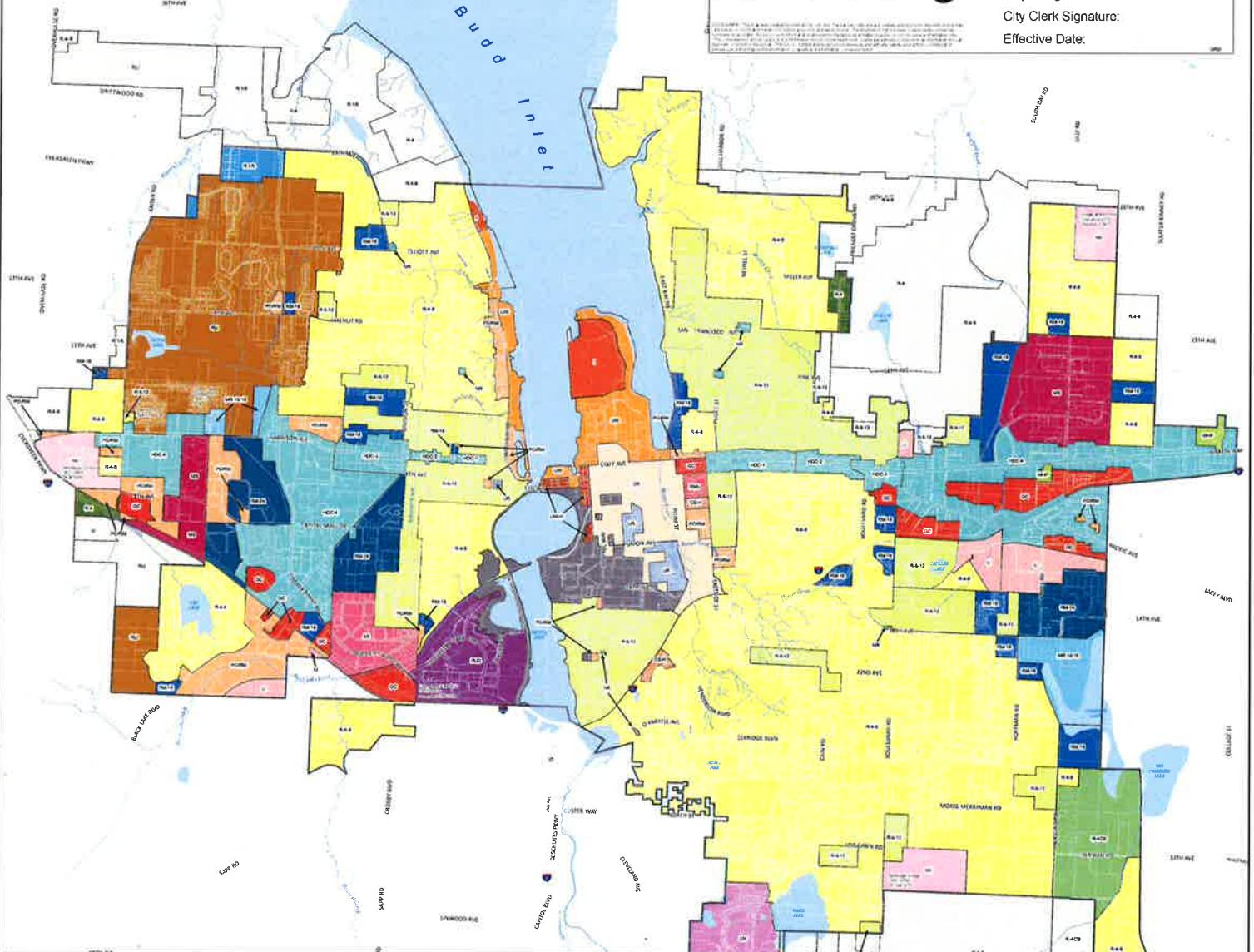
APPROVED:

PUBLISHED:

Exhibit A - 2017 ZONING MAP



Effective Date:



Zoning Map Legend

- |  | Olympia City Limits |  | RESIDENTIAL 1 UNIT PER 5 ACRE |
|---|--|---|--|
|  | Urban Growth Area |  | MIXED RESIDENTIAL 7-13 UNITS |
|  | State Capitol Campus*
<small>*The Washington State Capitol Campus alone has authority over land use for the State Capitol Campus.</small> |  | MIXED RESIDENTIAL 10-18 UNITS |
| Zone Name | | | |
|  | HIGH DENSITY CORRIDOR 1 |  | RESIDENTIAL MULTIFAMILY 18 UNITS |
|  | HIGH DENSITY CORRIDOR 2 |  | RESIDENTIAL MULTIFAMILY 24 UNITS |
|  | HIGH DENSITY CORRIDOR 3 |  | SINGLE-FAMILY RESIDENTIAL (CHAMBERS BASIN) |
|  | HIGH DENSITY CORRIDOR 4 |  | SINGLE-FAMILY RESIDENTIAL 4 |
|  | AUTO SERVICES |  | SINGLE-FAMILY RESIDENTIAL 4-8 |
|  | COMMERCIAL SERVICE HIGH DENSITY |  | TWO FAMILY RESIDENTIAL 6-12 |
|  | COMMUNITY ORIENTED SHOPPING CENTER |  | MANUFACTURED HOUSING PARK |
|  | DOWNTOWN BUSINESS |  | RESIDENTIAL LOW IMPACT |
|  | GENERAL COMMERCIAL |  | RESIDENTIAL MIXED USE |
|  | INDUSTRIAL |  | PLANNED UNIT DEVELOPMENT |
|  | LIGHT INDUSTRIAL |  | NEIGHBORHOOD VILLAGE |
|  | HIGH RISE MULTIFAMILY |  | URBAN RESIDENTIAL |
|  | MEDICAL SERVICE |  | URBAN VILLAGE |
|  | PROFESSIONAL OFFICE/RESIDENTIAL MULTIFAMILY |  | URBAN WATERFRONT |
|  | NEIGHBORHOOD RETAIL |  | URBAN WATERFRONT HOUSING |



City Council

Approval of an Ordinance Amending Ordinance 7084 (Operating Budget)

Agenda Date: 9/19/2017
Agenda Item Number: 4.G
File Number: 17-0936

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

Title

Approval of an Ordinance Amending Ordinance 7084 (Operating Budget)

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve amending ordinance on first reading and forward to second reading.

Report

Issue:

Whether to approve the amendment to Ordinance 7084.

Staff Contact:

Bill Sampson, Acting Fiscal Services Director, Administrative Services Department, 360.753.8473

Presenter(s):

Bill Sampson, Acting Fiscal Services Director

Background and Analysis:

To change the budget, the Council must approve a new ordinance amending the budget. Generally, budgetary amendments are made quarterly. On occasion a budget change needs to be made between the quarterly updates and a separate ordinance will come before the Council. These ordinances do not officially amend the budget ordinance, but does provide authorization to expend funds. The attached ordinance reflects ordinances which may have been adopted relating to the budget since the last quarterly update, and other proposed changes to the budget.

There was one ordinance passed relating to the Operating Budget not included in previous Budget Amendments. Ordinance 7081 adopted by the Council 6/6/2017 appropriated the following:

Shared Leave Donations	\$ 30,000
------------------------	-----------

Budget Items not previously presented to the Council:

- 1) Appropriation of \$17,000 for increased costs of equipment lease for Probation / Day Reporting. Funding provided by additional Probation / Day Reporting Fees collected.
- 2) Appropriation of \$30,000 for increased credit card service charges in Utility Billing. Funding provided from the Utilities effected.
- 3) Appropriation of \$15,000 for Park Stewardship. Funding provided from a grant provided by REI.
- 4) Appropriation of \$120,000 for Fire Department Fleet Operations. Funding provided by revenue from Fire Fleet external customers.
- 5) Appropriation of \$144,831 for various Community, Planning and Development Administration and Permitting functions. Funding in General Fund from Development Fee Fund.
- 6) Appropriation of \$144,831 for transfer from the Development Fee Fund to the General Fund. This is funded by existing resources.
- 7) Appropriation of \$575,000 to pay for new vehicle purchases and up-fitting. Funding comes from Fund Balance.

Neighborhood/Community Interests (if known):

None known

Options:

- 1) Approve ordinance amending ordinance 7084.
- 2) Do not approve the amending ordinance. The budget items not previously presented to the Council would not be authorized.

Financial Impact:

Total increase appropriations by \$1,076,662. Funding for these appropriations noted above.

Attachments:

Ordinance

Ordinance No.

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATING
TO BUDGETS, FINANCE, AND SALARIES, AND AMENDING ORDINANCE
NO. 7084.**

WHEREAS, the Olympia City Council passed Ordinance No. 7059 on December 13, 2016; and

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

WHEREAS, Ordinance No. 7059 was amended on April 11, 2017, by passage of Ordinance No. 7070; and

WHEREAS, Ordinance No. 7070 was amended on June 20, 2017, by passage of Ordinance No. 7084; and

WHEREAS, the following amendments need to be made to Ordinance No. 7084;

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

Section 1. 2017 Budget. The budget for the calendar year 2017 is hereby adopted in the amounts and for the purposes as shown below; and the following sums, or so much thereof as shall severally be found necessary, are hereby appropriated out of any of the monies in the several funds in the City Treasury hereinafter named.

FUND	APPROP. FUND BALANCE	ESTIMATED REVENUE	APPROP.	ADDITIONS TO FUND BALANCE
General, Regular Operations	\$434,071	<u>\$72,212,993</u> <u>\$72,569,824</u>	<u>\$72,647,064</u> <u>\$73,003,895</u>	\$-
General, Special Sub-Funds				
Special Accounts	578,289	861,880	1,440,169	-
Development Fee Revenue	46,875 191,706	3,392,530	3,439,405 3,584,236	-
Parking	-	1,530,700	1,395,512	135,188
Post Employment Benefits	1,599,500	1,101,000	2,700,500	-
Washington Center	5,000	349,200	354,200	-
Municipal Arts	900	233,100	234,000	-
Equip & Facilities Reserve		1,618,636	1,618,636	-
Total General Fund	<u>2,664,635</u> <u>2,809,466</u>	<u>81,300,039</u> <u>81,656,870</u>	<u>83,829,486</u> <u>84,331,148</u>	135,188

4 th /5 th Avenue Corridor Bridge Loan	20	552,489	552,509	-
UTGO Bond Fund – 2009 Fire	3,480	1,187,851	1,191,331	-
City Hall Debt Fund – 2009	952	2,419,166	2,420,118	-
2010 LTGO Bond – Street Projects	4	436,009	436,013	-
L.O.C.A.L. Debt Fund – 2010	-	178,283	178,281	2
2010B LTGO Bonds - HOCM	-	430,888	430,888	-
2013 LTGO Bond Fund	-	673,875	673,875	-
2016 LTGO Parks BAN	-	115,000	115,000	-
Water Utility O&M	-	13,302,290	13,297,934	4,356
Sewer Utility O&M	96,639	19,901,896	19,998,535	-
Solid Waste Utility	176,000	11,764,820	11,741,287	199,533
Stormwater Utility	-	5,313,050	5,310,757	2,293
Water/Sewer Bonds	-	2,044,982	2,023,330	21,652
Stormwater Debt Fund	-	123,359	123,359	-
Equipment Rental	-	-	2,322,434	-
	575,000	2,322,434	2,897,434	-
TOTALS	\$2,941,730	\$142,066,431	\$144,645,137	
	\$3,661,561	\$142,423,262	\$145,721,799	\$363,024

Section 2. Administration. The City Manager shall administer the budget, and in doing so may authorize adjustments within the funds set forth in Section 1 above, to the extent that such adjustments are consistent with the budget approved in Section 1.

Section 3. Salaries and Compensation. The salaries and compensation for the City of Olympia employees for the calendar year 2017 shall be as set forth in the "Supplementary Information" section of the 2017 Adopted Operating Budget document, or as the same may be amended by the City Manager as part of his administration of the budget pursuant to Section 2 above.

Section 4. Benefit Cost Sharing. The City Manager is authorized to modify and establish benefit cost sharing for City employees; and such programs may be based, in part, on an employee's start date with the City.

Section 5. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 6. Severability. 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:



DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:



City Council

Approval of an Ordinance Amending Ordinance 7086 (Capital Budget)

Agenda Date: 9/19/2017
Agenda Item Number: 4.H
File Number: 17-0937

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

Title

Approval of an Ordinance Amending Ordinance 7086 (Capital Budget)

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve amending ordinance on first reading and forward to second reading.

Report

Issue:

Whether to approve the amendment to Ordinance 7086.

Staff Contact:

Bill Sampson, Acting Fiscal Services Director, Administrative Services Department, 360.753.8473

Presenter(s):

Bill Sampson, Acting Fiscal Services Director

Background and Analysis:

To change the budget the Council must approve a new ordinance amending the budget. Generally, budgetary amendments are made quarterly. On occasion a budget change needs to be made between the quarterly updates and a separate ordinance will come before the Council. These ordinances do not officially amend the budget ordinance, but does provide authorization to expend funds. The attached ordinance reflects ordinances which may have been adopted relating to the budget since the last quarterly update, and other proposed changes to the budget.

No separate ordinances were passed since the adoption of ordinance 7086 relating to the Capital Budget.

Budget Items not previously presented to the Council:

- 1) Appropriation of \$150,000 for Remediation or Development Efforts. Funding from sale of

property at 815 SE 7th Avenue.

- 2) Appropriation of \$60,000 for Port Stormwater project. Funding from Port of Olympia.
- 3) Appropriation of \$589,403 for various economic development projects. Funded by Insurance Proceeds from Soil Remediation.
- 4) Appropriation of \$5,000 to pay for cleaning the tiles on the 4th Ave Bridge Project #1578G. Funding from the Municipal Arts Fund.

Neighborhood/Community Interests (if known):

None known

Options:

- 1) Approve ordinance amending ordinance 7086.
- 2) Do not approve the amending ordinance.

Financial Impact:

Total increase in appropriations \$804,403. The sources of funding of these appropriations are noted above.

Attachments:

Ordinance

Ordinance No.

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATING
TO THE CAPITAL FACILITIES PLAN FOR THE YEARS 2017-2022 AND
AMENDING ORDINANCE NO. 7086.**

WHEREAS, the Olympia City Council adopted the "Capital Facilities Plan" (CFP) for years 2017 through 2022 by passing Ordinance No. 7057 on December 13, 2016; and

WHEREAS, the CFP is periodically amended to recognize additional revenue and/or appropriations, as provided for in RCW 36.70A.130(2)(a)(iv); and

WHEREAS, Ordinance No. 7057 was amended on April 11, 2017, by passage of Ordinance No. 7071; and

WHEREAS, Ordinance No. 7071 was amended on June 20, 2017, by passage of Ordinance No. 7086; and

WHEREAS, the following amendments need to be made to Ordinance No. 7086;

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

Section 1. That certain document entitled the "Capital Facilities Plan," covering the years 2017 through 2022, 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 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 2017 all appropriations and allocations not otherwise closed, completed, or deleted from prior fiscal years' capital budgets.

Section 5. The following appropriations are hereby made:

FUND	APPROP. FUND BALANCE	ESTIMATED REVENUE	APPROP.	ADDITIONS TO FUND BALANCE
Impact Fee Fund	\$5,083,238	\$800,000	\$5,883,238	\$-
SEPA Mitigation Fee Fund	147,360	-	147,360	-
Parks & Recreational Sidewalk,				

FUND	APPROP. FUND BALANCE	ESTIMATED REVENUE	APPROP.	ADDITIONS TO FUND BALANCE
Utility Tax Fund	-	3,020,000	3,020,000	-
Real Estate Excise Tax Fund	831,800	1,200,000	2,031,800	-
Capital Improvement Fund	6,650	18,156,143 18,900,546	18,162,793 18,907,196	-
City Hall Construction Fund	499,913		499,913	-
Water CIP Fund	1,300,000	4,866,500	6,166,500	-
Sewer CIP Fund	1,429,699	771,301	2,201,000	-
Storm Water CIP Fund	-	2,452,600 2,512,600	2,452,600 2,512,600	-
TOTALS	\$9,298,660	\$31,266,544 \$32,070,947	\$40,565,204 \$41,369,607	\$0

Section 6. 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 7. 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 8. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 9. Effective Date. This Ordinance shall take effect five (5) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:



City Council

Approval of an Ordinance Amending Ordinance 7085 (Special Funds)

Agenda Date: 9/19/2017
Agenda Item Number: 4.I
File Number: 17-0938

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

Title

Approval of an Ordinance Amending Ordinance 7085 (Special Funds)

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve amending ordinance on first reading and forward to second reading.

Report

Issue:

Whether to approve the amendment to Ordinance 7085.

Staff Contact:

Bill Sampson, Acting Fiscal Services Director, Administrative Services Department, 360.753.8473

Presenter(s):

Bill Sampson, Acting Fiscal Services Director

Background and Analysis:

To change the budget the Council must approve an ordinance amending the budget. Generally, budgetary amendments are made quarterly. On occasion a budget change is made between the quarterly updates with separate ordinances approved by the Council. These ordinances do not officially amend the budget ordinance, but does provide authorization to expend funds. The attached ordinance reflects ordinances which may have been adopted relating to the budget since the last quarterly update, and other proposed changes to the budget.

There was one ordinance passed relating to the Special Funds not included in previous Budget Amendments. Ordinance 7082 adopted by the Council 6/6/2017 appropriated the following:

Downtown Beautification	\$10,000
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Budget Items not previously presented to the Council:

1. Appropriation of \$325,623 to buy back easement sold to LOTT in 2010. Funding is from contamination clean up reimbursement funds of \$250,000 at Hands On Children's Museum and fund balance.

Neighborhood/Community Interests (if known):

None known

Options:

- 1) Approve ordinance amending ordinance 7085.
- 2) Do not approve the amending ordinance.

Financial Impact:

Total appropriation increase of \$325,623, funding noted above.

Attachments:

Ordinance

Ordinance No.

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, APPROPRIATING FUNDS WITHIN VARIOUS SPECIAL FUNDS AND AMENDING ORDINANCE NO. 7085

WHEREAS, the Olympia City Council passed Ordinance No. 7058 on December 13, 2016, appropriating funds within various special funds; and

WHEREAS, the Olympia City Council amended Ordinance No. 7058 by passage of Ordinance No. 7085 on June 20, 2017; and

WHEREAS, the following amendments need to be made to Ordinance No. 7085:

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

Section 1. The following appropriations are hereby made:

FUND	APPROP. FUND BALANCE	ESTIMATED REVENUE	APPROP.	ADDITIONS TO FUND BALANCE
HUD Fund	\$-	\$490,892	\$490,892	\$-
Fire Equipment Replacement Fund	5,000		5,000	
Lodging Tax Fund	-	735,000	631,100	103,900
Parking Business Improvement Area Fund	10,000 20,000	100,000	110,000 120,000	-
Hands On Children's Museum	- 75,623	472,700 722,700	434,708 760,331	37,992
Equipment Rental Replacement Reserve Fund	-	1,658,700	1,394,526	264,174
Unemployment Compensation Fund	14,400	227,300	241,700	-
Insurance Trust Fund	124,500	1,722,500	1,847,000	-
Workers Compensation Fund	65,100	1,569,400	1,634,500	-
Washington Center Endowment Fund	-	5,100	5,100	-
TOTALS	\$219,000 \$304,623	\$6,981,592 \$7,231,592	\$6,794,526 \$7,130,149	\$406,066

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. 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 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 five (5) days after publication as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED



City Council

Approval of an Ordinance Amending Wastewater Regulations related to Septic to Sewer Program

Agenda Date: 9/19/2017
Agenda Item Number: 6.A
File Number: 17-0796

Type: ordinance **Version:** 1 **Status:** Other Business

Title

Approval of an Ordinance Amending Wastewater Regulations related to Septic to Sewer Program

Recommended Action

Committee Recommendation:

The Planning Commission recommends approval of the ordinance revising the Septic to Sewer regulations.

City Manager Recommendation:

Move to approve the ordinance revising the Septic to Sewer regulations on first reading and forward to second reading.

Report

Issue:

Whether to adopt the Ordinance that amends the Olympia Municipal Code 13.08.

Staff Contact:

Diane Utter, P.E., Water Resources Engineer, 360.753.8562

Presenter(s):

Diane Utter, P.E., Water Resources Engineer

Background and Analysis:

Approximately 4,275 properties are served by onsite sewage systems (OSS) within Olympia and its Urban Growth Area. These systems pose a long-term public and environmental health risk.

In 2008, the City Council created the Septic-to-Sewer Program. The program assists property owners converting from OSS to public sewer. The program resulted in an increase in conversions to an average of 13 per year, compared to an average of four per year, prior to the program.

The 2013 Wastewater Management Plan proposed expanding the program based on "*Objective 1C. Encourage OSS conversions through the Septic to Sewer Program*". This objective is in support of the goal stating, "*Clean Water Act and Safe Drinking Water Act standards for nitrogen, fecal coliform*

and other constituents of concern in groundwater and surface water are met.”

The 2014 Comprehensive Plan supports expansion of the program. Goal GN5 states, “*Ground and surface waters are protected from land uses and activities that harm water quality and quantity.*” Policy PN5.8 states, “*Encourage existing septic systems to connect to sewer, and limit the number of new septic systems.*”

The proposed changes to the program are as follows:

- Revise the part of the program that constructs small-scale sewer extensions by reducing the reimbursement required from property owners who connect to the new sewer.
 - The current program typically requires each property owner to reimburse the City over \$20,000. The proposed program would typically require less than \$10,000 per property. The payment mechanism would also be simpler than the one created in 2008.
- Add septic tank effluent pumping (STEP) systems and lift stations to the sewer infrastructure the City may construct.
- Identify the criteria by which the utility will prioritize sewer extension projects with public health risk being the highest priority.
- Change the mechanism for allowing the payment of City General Facility Charges (GFCs) for OSS conversions.
 - The current program allows payment in installments each year with a yearly fee. The proposed changes allow for monthly payments with interest.
- Allow new property owners to qualify for a GFC waiver if they connect to sewer within two years of purchasing the property. Also, allow property owners to qualify for a GFC waiver if they qualify for a partial rebate of the LOTT capacity development charge (CDC).

The Planning Commission held a public hearing on the proposed changes in July. Four people testified at the hearing in person and three of them submitted written testimony as well. The Commission voted unanimously on July 24, 2017, to recommend Council approve the Ordinance.

Neighborhood/Community Interests (if known):

Many neighborhoods in the City and its Urban Growth Area are impacted by the presence of OSS. The revised program would assist these neighborhoods in converting from OSS to public sewer. In addition, the City would extend sewer to some neighborhoods that do not currently have access to sewer.

Many property owners consider this a benefit, but some property owners may not due to the possibility of being required to connect. City regulations require that if a property is within 200’ of an available sewer and their OSS fails, they must connect to the public sewer.

Options:

1. Move to adopt the Ordinance amending OMC 13.08. This will encourage more conversions from septic systems to public sewer so that City goals are met and public health and the environment are protected.
2. Move to adopt the Ordinance amending OMC 13.08 with modifications. This allows the utility to meet public health and environmental goals by including modifications proposed by Council.

Option 3: Do not adopt the Ordinance amending OMC 13.08. This will allow the current Septic to Sewer program to continue without modification. The current program is not providing sufficient incentive to convert OSS to fulfill City goals.

Financial Impact:

City funding already exists for a number of small-scale sewer extension projects to assist residents in converting from OSS to public sewer. The current annual allocation in the Capital Facilities Plan (CFP) is \$341,000.

If the utility were to spend the full CFP allocation in a given year, the average cost to each existing ratepayer would be just under \$1 per month.

Financing of the GFC over time rather than as a lump sum for OSS to sewer conversions would result in delayed revenue. The utility will charge an interest rate equal to the most recent general obligation bonds.

The City's financial consultant, FCS Group, analyzed utility rates assuming an average conversion rate, and GFC waiver rate, of 27 properties per year. The actual average has been lower than that. Ratepayers, not other GFC payers, absorb the cost of the GFC waivers.

Attachments:

Ordinance
UAC Letter
Public Hearing Comments

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATING TO WASTEWATER; AMENDING SECTIONS 13.08.000, 13.08.205 AND 13.08.215 OF THE OLYMPIA MUNICIPAL CODE.

WHEREAS, approximately 4,200 septic systems, also known as onsite sewage systems or OSS (the Systems), are located within the City of Olympia and its Urban Growth Area; and

WHEREAS, the Systems may pose a long-term public and environmental health risk as the Systems continue to age; and

WHEREAS, information compiled by Thurston County Health Department in 2013 reveals that surface and ground water contamination due to septic systems in Olympia is likely to be limited to specific locations; and

WHEREAS, the City Council adopted ordinance 6647 in July 2009 establishing limited incentives for conversion from OSS to public sewer; and

WHEREAS, the 2013 Wastewater Management Plan (the 2013 Plan) has a stated objective to further encourage OSS conversions through the Septic to Sewer Program; and

WHEREAS, the proposed regulation changes were presented to the Land Use and Environment Committee (LUEC in June 2014 and September 2016) and Utility Advisory Committee (UAC in October 2016); and

WHEREAS, both the LUEC and the UAC recommended that the proposed regulation changes be forwarded to the City Council for consideration; and

WHEREAS, after holding a public hearing and deliberating on the proposed regulation changes on July 24, 2017, the Olympia Planning Commission unanimously approved recommendation of the proposed revisions to the City Council; and

WHEREAS, the City Council determines it to be in the best interest of the City of Olympia to amend the current wastewater regulations regarding the Septic to Sewer program;

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

Section 1. Amendment of OMC 13.08.000. Olympia Municipal Code 13.08.000 is hereby amended to read as follows:

Chapter 13.08 SEWERS

13.08.000 Chapter Contents

Sections:

ARTICLE I. SEWER CONNECTIONS

- 13.08.005 Purpose and policy.
- 13.08.010 Definitions.
- 13.08.020 Connection required when.
- 13.08.030 Permit required to open public sewer.
- 13.08.040 Side Sewer Installation and Maintenance.
- 13.08.050 Wastewater Management Plan.
- 13.08.080 Work in streets or public places.
- 13.08.090 Sewer connection type.
- 13.08.150 Tampering with and depositing rubbish in public sewer--Prohibited discharges.
- 13.08.180 Sewer service outside city limits.
- 13.08.185 Sewer service outside city limits--Agreements to run with the land.

ARTICLE II. SEWER RATES

- 13.08.190 Sewer rates--Definitions.
- 13.08.200 Payment of sewer bills.
- 13.08.205 Sewer general facility charges.
- 13.08.210 LOTT capacity development charge--Payment.
- 13.08.215 Septic to Sewer Program and line infrastructure extension charges.
- 13.08.220 Charges become lien on property--Enforcement.
- 13.08.230 Shutting off water upon default.

ARTICLE III. AREA SERVICE CHARGE

- 13.08.290 Charges become lien on property.

ARTICLE IV. VIOLATIONS

- 13.08.380 Violations--Penalties.

Section 2. Amendment of OMC 13.08.205. Olympia Municipal Code 13.08.205 is hereby amended to read as follows:

13.08.205 Sewer general facility charges

A. A sewer general facility charge ("Sewer GFC") shall be assessed in the amount set forth in Title 4, Fees and Fines, of this code, as defined in Section 13.08.190. Except as provided in subsections B and C and D of this Section, such charge shall become due and payable no earlier than at the time of issuance of a building permit and no later than at the time of issuance of each permit to connect to the public sewer connection is completed, and at the rate in effect at the time of payment, except for the deferred payment option stated below. For projects located outside the City, the date of building permit issuance by Thurston County shall constitute the earliest time of payment. This charge shall be assessed in addition to any other charges or assessments levied under this chapter. Said funds shall be deposited in

the sewer capital improvement fund established under Section 3.04.750 of this code and shall be used only for the purposes enumerated therein.

B. The Sewer GFC may be deferred for residential developments in the Downtown Deferred General Facility Charge Payment Option Area ~~and for connections to the public sewer by residential properties with an existing onsite sewage system ("OSS")~~. An unpaid Sewer GFC deferred under this section shall constitute a lien against the property for which it is payable. Payment of a Sewer GFC need not be made prior to the time of connection if the payer provides the Community Planning and Development Department with proof that a Voluntary General Facility Charge Lien Agreement, in a form approved by the City Attorney, has been executed by all legal owners of the property upon which the development activity allowed by the building permit is to occur, and the agreement has been recorded in the office of the Thurston County Auditor. When such deferral is sought for a portion of the development activity, the City, at its sole discretion, shall determine the portions of the Sewer GFC to be applied to the portions of the development activity. If a Voluntary General Facility Charge Lien Agreement has been recorded, payment of the general facility charge shall be deferred under the following conditions:

1. The Sewer GFC will be assessed at the rate in effect at the time of issuance of the building permit for the project ~~or issuance of a permit to connect to the public sewer from properties with an existing OSS, and~~
2. Payment of the Sewer GFC will be made at the earlier of (a) the closing of sale of the property or any portion of the property, or (b) three (3) years from the date of the City's issuance of a Certificate of Occupancy ~~or (c) three (3) years from the date of connection to the public sewer from properties with an existing OSS for the property against which the Sewer GFC is assessed, and~~
3. A GFC payment made within one (1) year of issuance of the Certificate of Occupancy for the development, ~~or connection to the public sewer from properties with an existing OSS,~~ shall pay the fees assessed at the time of issuance of the building permit, or and
4. A GFC payment made within the second year from issuance of the Certificate of Occupancy for the development, ~~or connection to the public sewer from properties with an existing OSS,~~ shall pay the Sewer GFC plus an interest component, for a total of 105% of the remaining balance of the fees assessed at the time of issuance of the building permit, or and
5. A GFC payment made within the third year from issuance of the Certificate of Occupancy for the development, ~~or connection to the public sewer from properties with an existing OSS,~~ shall pay the Sewer GFC plus an interest component, for a total of 110% of the remaining balance of the fees assessed at the time of issuance of the building permit.

In the event that the Sewer GFC and/or interest (if any) is not paid within the time provided in this subsection, all such unpaid charges, fees and interest shall constitute a lien against the property for which they were assessed. The lien may be enforced either by foreclosure pursuant to RCW 61.12 [external link](#) or by termination of water service pursuant to Section 13.04.430 of this Code. The City may use other collection methods at its option. In the event of foreclosure, the owner at the time of foreclosure shall also pay the

City's reasonable attorney fees and costs incurred in the foreclosure process. Notwithstanding the foregoing, the City shall not commence foreclosure proceedings less than thirty (30) calendar days after providing written notification to the then-present owner of the property via certified mail with return receipt requested advising of its intent to commence foreclosure proceedings. If the then-present owner cures the default within the thirty-day cure period, no attorney fees and/or costs will be owed.

~~The deferred payment option set forth in this subsection shall terminate on August 1, 2015, unless otherwise re-authorized by the City Council.~~

C. The Sewer GFC will be waived for properties with served by an existing OSS that connect to the public sewer within two years following notice by the City of eligibility for a GFC waiver that a sewer line is available for connection. Notice will be sent to property owners when sewer becomes available to their property. Notice will be effective as of the date it is sent to the property owner by certified first class mail. Properties that fail to connect to the public sewer within two years following such notice shall be charged the Sewer GFC in effect at the time of connection to the public system, but and those properties may defer payment of the Sewer GFC as provided in subsection DB abovebelow.

A property shall also be eligible for a GFC waiver at such time as the property becomes eligible for a full or partial rebate of the LOTT capacity development charge (CDC). The GFC waiver shall expire on the same date as the expiration of the LOTT CDC rebate.

In addition, the Sewer GFC will be waived for properties served by an existing OSS that connect to the public sewer within two years of a transfer of ownership of the property. Property owners are required to provide documentation to the City of the transfer of ownership in order to be eligible for this waiver. The City will not provide notification to new property owners.

D. The Sewer GFC for properties abandoning an existing OSS and connecting to public sewer without an increase in ERUs shall be paid in full or under installment contract with the following conditions:

1. The property must be served by public water with an individual City of Olympia metered water utility account.

2. In order to defer payment of a Sewer GFC, a property owner must execute a Sewer Connection Fee Contract with the City in a form approved by the City Attorney in which the property owner agrees to pay specified progress payments. The Sewer Connection Fee Contract shall also provide that the City shall be entitled to attorney's fees and costs, should legal action need to be commenced to collect or enforce the contract. Connection to the public sewer will be allowed after the Sewer Connection Fee Contract has been recorded in the office of the Thurston County Auditor. Recording fees shall be paid by the property owner upon submittal of the signed Sewer Connection Fee Contract.

3. Payments toward the deferred Sewer GFC shall be made monthly, including principle and interest, until the Sewer GFC and associated loan costs are paid. The minimum monthly payment shall be calculated such that full payment shall be completed within 8 years, with at most 96 monthly payments.

5. The interest rate charged on any unpaid balance shall be equal to the interest rate of the most recent general obligation bonds issued by the City prior to execution of the Sewer Connection Fee Contract.

6. Upon sale of the property, the unpaid GFC shall be paid in full or the new owner shall execute a Sewer Connection Fee Contract with the City for the balance of the GFC owed under the terms of this section.

7. In the event that the Sewer GFC and/or interest (if any) is not paid within the time provided in this subsection, all such unpaid charges, fees and interest shall constitute a lien against the property for which they were assessed. The lien may be enforced either by foreclosure pursuant to RCW 61.12 or by termination of water service pursuant to Section 13.04.430 of this Code. The City may use other collection methods at its option. In the event of foreclosure, the owner at the time of foreclosure shall also pay the City's reasonable attorney fees and costs incurred in the foreclosure process. Notwithstanding the foregoing, the City shall not commence foreclosure proceedings less than thirty

(30) calendar days after providing written notification to the then-present owner of the property via certified mail with return receipt requested advising of its intent to commence foreclosure proceedings. If the then-present owner cures the default within the thirty-day cure period, no attorney fees and/or costs will be owed.

DE. The Sewer GFC for properties on public combined sewers shall apply to properties located within the Downtown Deferred General Facility Charge Payment Option Area and discharging sanitary sewage to the public combined sewer upon change in the character of the use of any structure on such property or upon a significant increase of sewage discharge therefrom.

Section 3. Amendment of OMC 13.08.215. Olympia Municipal Code 13.08.215 is hereby amended to read as follows:

13.08.215 Septic to Sewer Program and line-infrastructure extension charges

A. There is hereby established the City of Olympia Septic to Sewer Program with the goal of connecting properties served by onsite sewage systems (OSS) to the public sewer. In furtherance of the Septic to Sewer Program, the City may construct sewer lines-infrastructure to facilitate connection of properties served by onsite sewage systems. Infrastructure may include sewer mains, sewer manholes, sewer cleanouts, sewer lift stations, sewer force mains and STEP (septic tank effluent pumping) systems. Infrastructure extension proposals may be submitted by the owner of an OSS. Infrastructure extension proposals shall be reviewed by staff and prioritized using the following factors:

1. Public health risk for the OSS as determined with input from Thurston County Environmental Health, including factors such as depth to groundwater, soil type, lot size, OSS density, proximity to drinking water sources. Projects serving higher risk OSS shall be given higher priority;
2. Scope of infrastructure extension required with respect to number of existing OSS to potentially benefit. Projects requiring less extensive infrastructure extension and potentially benefitting a higher number of properties shall be given higher priority;
3. Public drinking water availability. Projects without public drinking water available shall be given higher priority;
4. Available funds.

Final approval of the infrastructure extension shall be made by the Public Works Director or his/her designee.

B. A capital charge (CC) or the portion of the CC described below shall be paid for connections to sewer infrastructure that was extended as part of the Septic to Sewer program after September 1, 2017 (date TBD). The CC is defined as the total project cost, divided by the potential number of ERUs as defined under OMC 13.08.190, to be served by the infrastructure. The total project cost of a sewer infrastructure extension, including the costs of design, material, labor and contract administration, shall be based on the City's Engineering Design and Development Standards for latecomer agreements. Payment of the CC or the portion of the CC due must be made prior to issuance of permit for sewer connection, except as provided in section C below. The CC shall be charged as follows:

1. For properties abandoning an existing OSS, and connecting to an infrastructure extension within two years of notification of completion of the extension, without an increase in ERUs, the amount due shall be 20% of the CC.

2. For properties abandoning an existing OSS, and connecting to an infrastructure extension more than two years after notification of completion of the extension, without an increase in ERUs, the amount due shall be 50% of the CC.
3. For all properties for which number 2 and 3 above do not apply, the amount due shall be 100% of the CC.
4. For properties that connect more than one year after completion of the infrastructure extension, the CC will be adjusted by the intervening annual changes in the CPI for all urban consumers in the Seattle-Tacoma-Bremerton urban area, in which Olympia is included.

C. For properties abandoning an existing OSS and connecting to an infrastructure extension without an increase in ERUs, the CC or the portion of the CC due shall be paid in full prior to issuance of permit for sewer connection, or under installment with the following conditions:

1. The property must be served by public water with an individual City of Olympia metered water utility account.
2. In order to defer payment of the CC or the portion of the CC due, a property owner must execute a Sewer Connection Fee Contract with the City in a form approved by the City Attorney in which the property owner agrees to pay specified progress payments. The Sewer Connection Fee Contract shall also provide that the City shall be entitled to attorney's fees and costs, should legal action need to be commenced to collect or enforce the Sewer Connection Fee Contract. Connection to the infrastructure extension will be allowed after the Sewer Connection Fee Contract has been recorded in the office of the Thurston County Auditor. Recording fees shall be paid by the property owner upon submittal of the signed Sewer Connection Fee Contract.
3. Payments toward the deferred CC or the portion of the CC due shall be made monthly until the CC or the portion of the CC due and associated loan costs are paid. The minimum monthly payment shall be calculated such that full payment shall be completed within 8 years, with at most 96 monthly payments.
4. The interest rate charged on any unpaid balance shall be equal to the interest rate of the most recent general obligation bonds issued by the City prior to execution of the Sewer Connection Fee Contract.
5. Upon sale of the property, the unpaid CC or the portion of the CC due shall be paid in full.
6. In the event the CC or the portion of the CC due and interest (if any) is not paid within the time provided in this subsection, all such unpaid charges, fees and interest shall constitute a lien against the property for which they were assessed. The lien may be enforced either by foreclosure pursuant to RCW 61.12 or by termination of water service pursuant to Section 13.04.430 of this Code. The City may use other collection methods at its option. In the event of foreclosure, the owner at the time of foreclosure shall also pay the City's reasonable attorney fees and costs incurred in the foreclosure process. Notwithstanding the foregoing, the City shall not commence foreclosure proceedings less than thirty (30) calendar days after providing written notification to the then-present owner of the property via certified mail with return receipt requested advising of its intent to commence foreclosure proceedings. If the then-present owner cures the default within the thirty-day cure period, no attorney fees and/or costs will be owed.

B.—In addition to Sewer GFC charges provided in OMC 13.08.205, and labor and material, and the LOTT charges provided in OMC 13.08.210, a proportionate capital charge shall be paid for connections to sewer lines that were extended as part of the Septic to Sewer program after July 26, 2009. Line extensions shall

first be reviewed by the Utility Advisory Committee. The Utility Advisory Committee shall move to recommend and forward said recommendation to the City Council for consideration. Final approval of the line extension, including apportionment of the capital costs for such line extension, must be made by the City Council.

C.—The capital costs of a sewer line extension, including the costs of design, material, labor and contract administration, shall be based on the City's Engineering Design and Development Standards for latecomer agreements. Except as otherwise provided in subsection D below for connections to a line extension from properties with an existing onsite sewage system ("OSS"), the proportionate capital costs, following approval by the City Council, shall be charged as follows:

- 1.—Apportionment between properties to be connected shall be based on the projected ERUs under OMC 13.08.190.
- 2.—For properties that connect within one year of completion of the line extension, the proportionate charge will be based on the engineer's estimate of construction costs or the actual construction costs, whichever is less.
- 3.—For properties that connect after one year of completion of the line extension, the proportionate charge will be based on the actual construction costs, adjusted by the intervening annual changes in the CPI for all urban consumers in the Seattle-Tacoma-Bremerton urban area, in which Olympia is included.
- 4.—Payment of the proportionate line extension costs must be made prior to connection.

D.—For connections to a line extension from properties with an existing OSS, the line extension charge may be paid in full prior to connection, or it may be deferred under the following conditions:

- 1.—An unpaid proportionate line extension charge deferred under this section shall constitute a lien against the property for which it is payable. The property owner must execute a lien in favor of the City in a form approved by the City Attorney in which the property owner agrees to pay specified progress payments and agrees that the full amount of the applicable proportionate line extension charge shall be due and payable upon sale of the property. The agreement shall also provide that the City shall be entitled attorney's fees and costs, should legal action need to be commenced to collect or enforce the agreement. Connection to the line extension will be allowed after the lien agreement has been recorded in the office of the Thurston County Auditor.
- 2.—Payments toward the deferred charge shall be set at a minimum level of \$200.00 per month until the proportionate line extension charge is paid. The monthly deferred charge payment value shall be established at the time the lien in favor of the City is executed. The payment value for liens executed in the year 2009 shall be \$200 per month. Deferred monthly progress payments in subsequent years shall be adjusted annually with changes in the CPI for all urban consumers in the Seattle-Tacoma-Bremerton urban area, in which Olympia is included.
- 3.—If the proportionate line extension charge for the property exceeds a threshold value, the total due will be the threshold value plus 50% of any amount over the threshold value. The threshold value shall be established at the time the lien in favor of the City is executed. The threshold value for the year 2009 shall be \$20,000 and shall be adjusted annually with changes in the CPI for all urban consumers in the Seattle-Tacoma-Bremerton urban area, in which Olympia is included. Interest will be applied to the total remaining balance due and will be compounded on an annual basis from the date of connection. The interest rate will be based on the interest rate on bonds that included the project or, if no bonds were issued for the project,

~~on the interest rate of the most recent general obligation bonds issued by the City prior to construction of the line extension.~~

Section 4. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance to include the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. 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 6. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 7. Effective Date. This Ordinance shall take effect thirty (30) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:



December 1, 2016

Olympia City Council
PO Box 1967
Olympia, WA 98507-1967

Dear Councilmembers:

SUBJECT: Wastewater Municipal Code Changes

This letter provides recommendations from the City's Utility Advisory Committee (UAC) to City Council regarding proposed wastewater municipal code changes covering three topics:

- Changes to the Septic to Sewer program to encourage more connections
- Side sewer ownership and maintenance
- Septic tank effluent pumping (S.T.E.P.) system permitting

Septic to Sewer Program

The 2013 Wastewater Plan recommends changes to the Septic to Sewer program to make connection to sewer accessible to more property owners. The changes proposed are summarized below:

- Fund a limited number of small-scale sewer extensions to assist connecting residents (current allocation is \$341,000/year). Partial reimbursement (less than \$10,000 per property) to the City would be required, potentially over time. The repayment mechanism would be simpler than the one created in 2008.
- Allow for the payment of City General Facility Charges (GFC) for onsite septic system conversions over time rather than as a lump sum payment at the time of connection.
- Allow new property owners to qualify for a GFC waiver if they connect to sewer within two years of purchasing the property.

Staff will analyze the financial implications of the proposed changes and will include the following considerations:

- City funding for a number of small-scale sewer extension projects to assist residents in converting from onsite septic systems to public sewer. The current allocation in the Capital Facilities Plan is \$341,000; some of which will be reimbursed by connecting customers.
- Financing of the City GFC over time rather than as a lump sum, only for properties converting from onsite septic systems to public sewer. This will result in revenue being delayed and an appropriate fee or interest rate charged to compensate the utility.

Side Sewer Ownership and Maintenance

Staff outlined a proposal to change the ownership and maintenance responsibilities for side sewers. The proposal aligns the ownership of wastewater side sewers more closely with the

drinking water and stormwater utilities. Failing side sewers have caused unsafe conditions including sinkholes, sewage releases and unstable repair excavations. The goal is to see that repairs under roadways are completed in a safe and timely manner with protection of the City's assets as a priority.

The financial implications of the proposed changes have been analyzed and are still an estimate. Changes will initially increase sewer pipe infrastructure by approximately six percent. Existing funding in the capital facilities plan for sewer repairs will be increased by approximately six percent to account for the change in policy.

S.T.E.P. System Permitting

The 2013 Wastewater Plan also recommends considering changes to the restrictions regarding S.T.E.P. systems. Staff is considering reducing restrictions on S.T.E.P. sewer extensions to accommodate short plats only. The goal is to encourage urban growth densities in areas where gravity sewer extension is too expensive for small properties to construct.

Staff has analyzed the financial implications of the proposed changes. Currently, approximately 450 properties are eligible to be developed using S.T.E.P. systems. Staff have evaluated subdividable properties (greater than 0.5 acres) potentially served by S.T.E.P. systems and are assuming the proposed change in regulations would result in fewer than 250 additional lots. New S.T.E.P. system infrastructure would be constructed by developers. S.T.E.P. systems do cost approximately 50 percent more to maintain than gravity sewers and would eventually need to be factored into the Wastewater Utility Operating Budget and rates as properties develop. Operations staff considers the additional S.T.E.P. systems manageable.

Recommendations to City Council

The UAC supports the changes to the municipal code regarding the Septic to Sewer program, side sewer ownership and maintenance, and S.T.E.P. system permitting as outlined by staff to the UAC on October 6, 2016. We recommend that the City pursue getting LOTT to consider similar financial incentives for converting Septic to Sewer programs, including GFC waivers and other grants, and that the City explore the possibility of LOTT's establishing a revolving fund or some similar method to help residents finance the cost of these conversions. At this point there's still some uncertainty about what these proposals will actually cost, but once staff has refined the proposed regulatory changes, we encourage the City Council to move forward on these issues.

Thank you for the opportunity to comment. Please let me know if you have any questions.

Sincerely,



THAD CURTZ

Chair

Utility Advisory Committee

TC/lm

Public Comment re: City of Olympia Septic to Sewer program revisions

July 18, 2017

Attention: City of Olympia Planning Commission

I am writing on behalf of the Chamber's Creek Condominium Association Sewer Committee. The committee represents owners of the 26 unit village located at 3217 Yelm Highway SE Olympia, Washington.

We are asking the Planning Commission to recommend approval of the Code changes to the program.

Three years ago the association learned that the septic system supporting the village was failing. A subsequent engineering analysis determined that it was installed improperly to begin with. There is no recourse as the original developer went bankrupt.

In addition to mounting issues of backup into some units, there is concern that this situation could pose a contamination problem for the Chamber's Creek stream.

The City of Olympia informed the association that the septic must be abandoned and that the village must hook into the city sewer.

Up until last year very little progress had been made toward hooking up, aside from the solicitation of three contractor bids that showed that the costs for each unit would be more than \$20,000 after construction and fees.

The association lacks the funds for the project. There is no foreseeable way to fund the project except for individual owner contributions. It is not even possible for the association to borrow the money and do a special assessment. Individual owners that might have the funding cannot hook up on their own. As a result of these facts, the entire village is in danger of foreclosure and/or abandonment of the units.

For the past year our committee has been working with the City and with LOTT. We have determined that there is a glimmer of hope for our situation. That is, to qualify for a special LOTT rebate for part of the sewer hookup, and to work with the city to be able to qualify for the Septic to Sewer program.

If eligible for the (revised) Septic to Sewer program and the LOTT rebate, the individual owners will still have to pay approximately \$8,500 each and be billed an additional (approximately) \$2,700 by the city over time.

We believe that if the City adopts the recommended changes to the Septic to Sewer program we have a chance to complete this project and minimize the potential of financial calamity for the owners and the association.

Thank you for your consideration.

Richard M. Wilson

Public Comment RE: City of Olympia Septic to Sewer program revisions

July 24, 2017

ATTN: City of Olympia Planning Commission

Iris Anderson, 3217 Yelm Hwy SE # 16, Olympia WA 98501

I am the current President of the Chambers Creek Village Condominium Owners Association.

We are asking the planning commission to recommend approval of the code changes to the current program.

Our community of 26 condo units has been working with Diane Utter for a few years trying to get our community septic to sewer project.

We have already been working with engineers and spent countless hours and thousands of dollars in an effort to get our community connected to the Olympia City Sewer.

We have been informed that our community will need to connect to the city sewer. Per the County our system are in Non-Conforming status. We have no recourse on the contractor as he went bankrupt. We are having issues that need to be fixed and the best way to get these resolved it to connect to the Olympia City Sewer.

Our community is currently lacking the funds to fund the entire project on our own, due to circumstances outside our control.

We are currently at a standstill with this project because we received bids that were more than our association could afford on our own at this time.

If these changes were adopted this would be a win-win situation for our community, the City of Olympia and LOTT.

This would allow our community to the program and connect our 26 units to the city sewer. We could move forward with our project working with the city and contractors to get the project completed in a timely manner. This would solve our septic tank and drain field issues and potentially provide the city and LOTT with more revenue from taxes and services. This would also increase the value of our community.

If these changes are adopted our community will no longer be in danger of possible abandonment of our homes. It would also mitigate the potential for our systems contaminating the environment including the seasonal Chambers Creek and wet land that run on the backside of our property.

I believe if these changes are adopted wit would be able to work in cooperation with the city and LOTT to get our project completed in a timely manner and by the mid 2018 deadline we received in our letter from the city regarding the sewer.

Thank you for your time and consideration.

Iris Anderson

Distinguished Commissioners,

I come to you today on behalf of Chambers Creek Village which is a condominium community comprised of 26 units, housing many families of which are low to medium income households including single parents as well as first-time home buyers such as myself. I am here to specifically address an issue that our entire community is facing, which we are confident your body may assist us with.

As you are aware, the city of Olympia has mandated that all dwellings within the city and urban growth areas with a failed septic system must be connected to the city sewer system. Unfortunately, our community falls under this category for the various reasons that Mr. Wilson has outlined earlier this evening.

In 2014, at the age of 25, I purchased my first home, a unit within Chambers Creek Village. As I am sure you can imagine, as a young adult beginning my life, I was very excited about this endeavor and the independence it yielded. Unfortunately, my youth and lack of experience did not prepare me for the situation that I became aware of 3 months later during an annual HOA meeting. I was informed at this meeting that the current estimate to connect my unit to the city sewer system amounted to approximately a quarter of the purchase price of my home. In essence, I would have no choice but to apply for another loan to remain in my new home.

As you are aware, the current program supports single family households but has not to date supported a community. Although the units of Chambers Creek Village are owned by single family households, which would qualify each unit for the Septic to Sewer program, our community's circumstance forces us to convert our septic system to a sewer system as a group, not as individuals. Nonetheless, as a community, we have no mechanism to enforce each individual to participate. In other words, the community will have no choice but to pay the required amount, however there is a possibility that some individuals may refuse to participate which then places an added burden onto the entire group.

We are requesting a redrafting of the Septic to Sewer program to include communities such as mine. Thank you for your time and attention in this matter.

Kristina Haugen
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