



Meeting Agenda

City Council

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Tuesday, September 11, 2018

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 [18-0849](#) Approval of August 21, 2018 Study Session Meeting Minutes

Attachments: [Minutes](#)

4.B [18-0848](#) Approval of August 21, 2018 City Council Meeting Minutes

Attachments: [Minutes](#)

4.C [18-0769](#) Approval of a Resolution Authorizing Interagency Agreement between the Washington Department of Ecology and the City for Washington Conservation Corp (WCC) Services

Attachments: [Resolution](#)

[Agreement](#)

- 4.D** [18-0850](#) Approval of a Resolution Authorizing Application for a Downtown Creative District through the Washington State Arts Commission

Attachments: [Resolution](#)

- 4.E** [18-0827](#) Approval of Additional Community Planning and Development Geographic Information Specialist (GIS) Position

Attachments: [GIS Position Funding Analysis](#)

- 4.F** [18-0838](#) Approval of Annual Comprehensive Plan Amendment Schedule for 2019

4. SECOND READINGS (Ordinances)

- 4.G** [18-0792](#) Approval of an Ordinance Appropriating Funds for Woodruff Sprayground, Park Land Acquisition and Percival Landing Bulkhead Replacement

Attachments: [Ordinance](#)

- 4.H** [18-0794](#) Approval to Amend Ordinance 7153 to Create a Capital Fund for Monies Collected from the Home Fund Sales Tax

Attachments: [Ordinance](#)

4. FIRST READINGS (Ordinances)

- 4.I** [18-0841](#) Approval of an Ordinance Amending Olympia Municipal Code to Establish Advisory Board and Commission Term Limits

Attachments: [Ordinance](#)

- 4.J** [18-0844](#) Approval of an Ordinance Adopting Business License Threshold Language and Changes to the "Engaging in Business" Definition

Attachments: [Ordinance](#)

5. PUBLIC HEARING - None

6. OTHER BUSINESS

- 6.A** [18-0836](#) Consideration of an Ordinance Related to Missing Middle Housing

Attachments: [Ordinance](#)

[Summary of Planning Commission Recommendations](#)

[Comparison Worksheet - Staff & Planning Commission Recommendations](#)

[Missing Middle web page](#)

[Lots Meeting Minimum Lot Sizes Along Transit Routes](#)

[Households Who Rent, 2012-2016](#)

[Multi-family Housing Units, 2012-2016](#)

[UW Apartment Market Report](#)

[Public Outreach Summary](#)

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. CLOSED SESSION

- 9.A** [18-0856](#) Closed Session Pursuant to RCW 42.30.140 (4)(b) - Labor Negotiations

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 August 21, 2018 Study Session Meeting Minutes

Agenda Date: 9/11/2018
Agenda Item Number: 4.A
File Number: 18-0849

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

Title

Approval of August 21, 2018 Study Session Meeting Minutes



Meeting Minutes - Draft

City Council

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Tuesday, August 21, 2018

5:30 PM

Council Chambers

Study Session

1. ROLL CALL

Present: 7 - Mayor Cheryl Selby, Mayor Pro Tem Nathaniel Jones, Councilmember Jessica Bateman, Councilmember Jim Cooper, Councilmember Clark Gilman, Councilmember Lisa Parshley and Councilmember Renata Rollins

2. BUSINESS ITEM

2.A [18-0655](#) City-Owned Emergency Housing Facility Operating Plans and Response to Public Health Emergency Briefing

Mayor Selby introduced the topic and reviewed statistics regarding homelessness and gave an overview of the discussions that have occurred regarding this topic thus far. Downtown Program Manager Amy Buckler introduced the stakeholders in attendance: Phil Owen, Executive Director, Sidewalk TJ LaRoque, Manager, Community Care Center Keylee Marineau, Director of Services, Community Youth Services Sharon Lee, Executive Director, Low Income Housing Institute

Homeless Response Coordinator Colin DeForrest referred to the stakeholders as the Strategic Planning Team who have been working together with City staff on the plan that is being presented. He noted at the July 31 Finance Committee meeting staff received the following direction, involve local agencies and houseless individuals in the planning; use the coordinated entry system to prioritize the most vulnerable; explore all options for a day center and support the community care center. The Strategic Planning team and City staff identified their overall goals for the process. The goals are aligning with Thurston County's Five Year Strategic Housing Plan; moving to a 24/7 shelter system; provide safe, legal and supportive options for unsheltered individuals; increase capacity for caring for the most medically vulnerable individuals in order to create a safe community for all.

Mr. DeForrest discussed a plan to bolster the current sheltering system.

1. Interfaith Works shelter - Expansion to 24/7 services, increase in capacity and relocation to our Martin Way Site (March 1)

2. The Salvation Army - Expansion to 24/7 services, increase capacity along with the implementation day center services (October - March)
3. Community Youth Services - Rosie's Place expansion to 24/7 shelter services (November)
4. Expansion of our Coordinated Entry services - bring staffing services to full capacity and provide increased outreach services (December)

Mr. DeForrest discussed the site on Martin Way. The group created a plan that would provide mixed use emergency shelter and permanent supportive housing. The plan includes Interfaith Works shelter 24/7 expansion and relocation (March); Medical Respite beds (March); Piloting Car camping at the site (October - March) and Garbage services for the surrounding community.

Mr. DeForrest outlined the plan for the Nursery Village that would launch in November. This location, using a model that would be replicable in other parts of the community would provide 40 units of tiny shelter for vulnerable individuals; connection to tailored services; coordination with the Community Care Center. The City would partner with the Low Income Housing Institute to manage the site.

Mr. DeForrest shared data regarding the increase in people served with the addition of the identified housing interventions. Ultimately it would create 315 24/7 shelter beds in the community. The strategies moving forward are as follows:

- Salvation Army 24/7 Shelter Expansion (October)
- CYS - Rosie's Place Expansion (November)
- Nursery Village (November)
- Coordinated Entry Expansion (November)
- Respite Center at Martin Way (March or sooner)
- Interfaith Works Relocation to Martin Way (March)
- Salvation Army Day Center (March)

Next steps include:

- Finance Committee - September 6
- Homeless Response Plan - September 18
- Emergency Housing Facilities - partner engagement
- Street Strategy
- Secure Storage

Councilmembers asked clarifying questions.

The information was received.

3. ADJOURNMENT

The meeting adjourned at 6:48 p.m.



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

City Council

Approval of August 21, 2018 City Council Meeting Minutes

Agenda Date: 9/11/2018
Agenda Item Number: 4.B
File Number: 18-0848

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

Title

Approval of August 21, 2018 City Council Meeting Minutes



Meeting Minutes - Draft

City Council

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Tuesday, August 21, 2018

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 Lisa Parshley and Councilmember Renata Rollins

1.A ANNOUNCEMENTS

Mayor Selby announced the City Council met earlier in a Study Session.

1.B APPROVAL OF AGENDA

Item 4.J was added to the agenda.

The agenda was approved as amended.

2. SPECIAL RECOGNITION

2.A [18-0787](#) Special Recognition - The 20th Anniversary of Olympia Volunteers in Parks Program

Parks, Arts and Recreation Associate Director Jonathan Turlove discussed the Olympia Volunteers in Parks Program and it's 20th anniversary. He acknowledged all the projects volunteers have completed over the years. He also discussed the work of staff who make the volunteer projects a success.

The recognition was received.

2.B [18-0799](#) Special Recognition - Washington Recreation & Park Association Citizen Citation of Merit Award for James Reddick

Parks, Arts and Recreation Director Paul Simmons presented James Reddick with the 2018 Citation of Merit Award from the Washington Recreation & Park Association to Volunteer James Reddick for his contribution to parks and recreation throughout Thurston County.

The recognition was received.

3. PUBLIC COMMUNICATION

The following people spoke Mike McCormick, Jeremy Landrum, Bourtai Hargrove,

Georgene Abbott, Loris Gies,
Paul Williams, Lisa Allison, Valerie Krall, Anne Holm, Helen Wheatley, Bev Bassett and
Sue Langhans.

COUNCIL RESPONSE TO PUBLIC COMMUNICATION (Optional)

4. CONSENT CALENDAR

- 4.A** [18-0800](#) Approval of August 14, 2018 Study Session Meeting Minutes

The minutes were approved.

- 4.B** [18-0801](#) Bills and Payroll Certification

Payroll check numbers 91458 through 91583 and Direct Deposit transmissions: Total:
\$6,210,163.23; Claim check numbers 3703606 through 3704212: Total \$3,421,432.82

The decision was approved.

- 4.C** [18-0742](#) Approval of the Grants to Arts Organizations Program

The decision was approved.

- 4.D** [18-0726](#) Approval of a Resolution Approving the Drinking Water State Revolving
Fund (DWSRF) Loan for the Elliott Reservoir Seismic Upgrades

The resolution was approved.

- 4.E** [18-0727](#) Approval of a Resolution Approving the Drinking Water State Revolving
Fund (DWSRF) Loan for the Fir Street Reservoirs 1 and 2 Seismic
Upgrades

The resolution was approved.

- 4.F** [18-0736](#) Approval of a Resolution Regarding the Washington State Investment
Board (WSIB) and Responsible Management of Public Trust Funds

The resolution was approved.

- 4.G** [18-0770](#) Approval of a Recommendation to Add Temporary Staffing to Support
the City's Homeless Response Work

The recommendation was approved.

- 4.J** [18-0818](#) Approval of a Resolution Authorizing the City Manager to Direct the City
Attorney to Request Leave from the Washington State Supreme Court to
File an *Amicus Curiae* Brief in the Case of *S. Michael Kunath, et al. v.*
City of Seattle, et al., in support of Seattle's Income Tax Ordinance

The resolution was approved.

4. SECOND READINGS (Ordinances) - None

4. FIRST READINGS (Ordinances)

- 4.H** [18-0792](#) Approval of an Ordinance Appropriating Funds for Woodruff
Sprayground, Park Land Acquisition and Percival Landing Bulkhead
Replacement

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

- 4.I** [18-0794](#) Approval to Amend Ordinance 7153 to Create a Capital Fund for Monies
Collected from the Home Fund Sales Tax

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 Bateman, 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
Parshley and Councilmember Rollins

5. PUBLIC HEARING - None

6. OTHER BUSINESS

- 6.A** [18-0741](#) Approval of Percival Plinth Project Peoples' Choice Award 2018

Program Specialist Angel Nava and Arts Commission Chair Stacey Hicks presented the Percival Plinth People's Choice Award 2018 recommendation, "Pig Listening in a Story Place."

**Councilmember Bateman moved, seconded by Councilmember Gilman, to
approve purchase of "Pig Listening in a Story Place" by Nancy-Thorne
Chambers for the 2018 Percival Plinth Peoples' Choice Award, based on
public vote.**

Aye: 7 - Mayor Selby, Mayor Pro Tem Jones, Councilmember Bateman,
Councilmember Cooper, Councilmember Gilman, Councilmember
Parshley and Councilmember Rollins

- 6.B** [18-0743](#) Approval of Call for Art for the Olympia Art Crossings Public Art Project

Program Manager Stephanie Johnson and Ms. Hicks presented background of the Olympia Art Crossings Program Art Project and requested permission to move forward

to begin the Call for Art process for the first installation on West Bay Drive.

Councilmembers asked clarifying questions.

Mayor Selby moved, seconded by Mayor Pro Tem Jones, to approve the first Call for Art within the Olympia Crossings Public Art Project (one of eight projects).

Aye: 7 - Mayor Selby, Mayor Pro Tem Jones, Councilmember Bateman, Councilmember Cooper, Councilmember Gilman, Councilmember Parshley and Councilmember Rollins

- 6.C** [18-0785](#) Approval of Resolution Authorizing the Purchase of Real Estate Owned by James L. Zahn and Sandra L. Zahn

Mr. Turlove presented details regarding the acquisition of property owned by James L. Zahn and Sandra L. Zahn.

Councilmembers asked clarifying questions.

Councilmember Cooper moved, seconded by Councilmember Parshley, to approve the resolution authorizing the City Manager to execute all documents necessary to acquire 83 acres of real estate from James L. Zahn and Sandra L. Zahn.

Aye: 7 - Mayor Selby, Mayor Pro Tem Jones, Councilmember Bateman, Councilmember Cooper, Councilmember Gilman, Councilmember Parshley and Councilmember Rollins

7. CONTINUED PUBLIC COMMUNICATION

The following people spoke Clay Shentrup, Dan Gariepy, Candice Bock, Jon Pettit, Jen Jaeger, Jerald Sandberg, Maria Ruth and Glen Anderson.

8. REPORTS AND REFERRALS

8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS

Councilmembers reported on meetings and events attended.

8.B CITY MANAGER'S REPORT AND REFERRALS

City Manager Steve Hall had no reports.

9. EXECUTIVE SESSION

- 9.A** [18-0802](#) Executive Session Pursuant to RCW 42.30.110(1)(i); Litigation and Potential Litigation

Mayor Selby recessed to Executive Session at 9:15 p.m. pursuant to RCW 42.30.110(1) (i) to discuss a matter related to litigation or 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 10:15 p.m.



City Council

Approval of a Resolution Authorizing Interagency Agreement between the Washington Department of Ecology and the City for Washington Conservation Corp (WCC) Services

Agenda Date: 9/11/2018
Agenda Item Number: 4.C
File Number: 18-0769

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

Title

Approval of a Resolution Authorizing Interagency Agreement between the Washington Department of Ecology and the City for Washington Conservation Corp (WCC) Services

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve and authorize the City Manager to sign the Interagency Agreement with Ecology for WCC services.

Report

Issue:

Whether to enter into an interagency agreement that allows the City to sponsor a WCC six-person work crew to support the Storm and Surface Water Utility's aquatic habitat stewardship mission for another year.

Staff Contact:

Jesse Barham, Associate Planner, Public Works/Water Resources, 360.753.8164

Joe Roush, Environmental Services Supervisor, Public Works/Water Resources, 360.753.8563

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

Since 2015, the City has sponsored a WCC crew to support the City's habitat and stewardship strategy and the 2018 Storm and Surface Water Plan's aquatic habitat stewardship work. By implementing the habitat stewardship mission of the utility, we are protecting and restoring important habitat throughout the City. This proposed agreement allows us to sponsor a WCC crew through fall

2019. Habitat restoration work performed by the WCC has occurred at numerous locations, including Allison Springs, Black Lake Meadows Stormwater Facility, Grass Lake Refuge, Priest Point Park, Mission Creek Nature Park, and other City-managed properties.

Washington Department of Ecology screens, interviews and hires the work crew. The City receives the fully equipped crew, including a supervisor, for 41 weeks at a cost of \$173,250.

Neighborhood/Community Interests (if known):

The 2018 Storm and Surface Water Plan supports community and neighborhood environmental protection. Neighborhoods have expressed strong interest in this work. Staff works with neighborhoods to implement restoration work and refine priorities, e.g. North East Neighborhood Association at Mission Creek Nature Park.

Options:

1. Approve and authorize the City Manager to sign the Interagency Agreement with Ecology for WCC services. This will result in a contractual commitment of \$173,250 with Ecology.
2. Decline to participate in the WCC program and investigate other opportunities to implement the work of the habitat and stewardship mission of the Storm and Surface Water Utility.

Financial Impact:

The agreement will dedicate WCC staff to the City for 41 weeks at a cost of \$173,250. The City has allocated funds through the Storm and Surface Water Utility's capital program (434-9017, Aquatic Habitat Improvements). The City's Utility Advisory Committee continues to support the overall work effort. The scheduling and funding of other capital projects will not be affected by the proposed agreement.

Attachments:

Interagency Agreement
Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF OLYMPIA AND WASHINGTON STATE DEPARTMENT OF ECOLOGY FOR ONE YEAR OF A WASHINGTON COSERVATION CORPS CREW.

WHEREAS, the Storm and Surface Water Utility is responsible to protect, enhance, and restore aquatic habitats within the City of Olympia; and

WHEREAS, Olympia supports the stewardship of its natural resources and aquatic habitats including, streams, adjacent forests, wetlands, and shoreline; and

WHEREAS, improving the condition of City-managed aquatic habitats requires on-the-ground stewardship and collaboration between City departments, community groups, and private landowners; and

WHEREAS, Olympia supports the opportunities provided to Washington Conservation Corps members in learning valuable skills and financial support provided for higher education by the AmeriCorps program;

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

1. The Olympia City Council hereby approves the *Agreement between the Washington State Department of Ecology and the City of Olympia, Agreement #WCC-1807*, and the terms and conditions contained therein.
2. The City Manager is authorized and directed to execute on behalf of the City of Olympia the *Agreement between the Washington State Department of Ecology and the City of Olympia*, and any other documents necessary to execute said Agreement, and to make any minor modifications as may be required that are consistent with the intent of the attached Agreement, or to correct any scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____, 2018.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



DEPUTY CITY ATTORNEY



DEPARTMENT OF
ECOLOGY
State of Washington

AGREEMENT NO. WCC-1807

AGREEMENT
BETWEEN

The State of Washington, Department of ECOLOGY
AND
City of Olympia

THIS AGREEMENT is made and entered into by and between the Department of Ecology, hereinafter referred to as "ECOLOGY", and City of Olympia hereinafter referred to as the "SPONSOR."

IT IS THE PURPOSE OF THIS AGREEMENT to provide Washington Conservation Corps (WCC) members to complete environmental or disaster services projects, pursuant to Chapter 43.220 of the Revised Code of Washington.

THEREFORE, IT IS MUTUALLY AGREED THAT:

STATEMENT OF WORK

Both parties agree to do all things necessary for or incidental to the performance of the work set forth in Appendix "A" attached hereto and incorporated herein.

PERIOD OF PERFORMANCE

Subject to its other provisions, the period of performance of this Agreement shall commence on 10/1/2018 and be completed on 9/8/2019, unless terminated sooner as provided herein. The WCC Crew and/or WCC Individual Placement corpsmember specified in this agreement will be available to SPONSOR on the dates set forth on the calendar in Appendix "B" attached hereto and incorporated herein.

COMPENSATION

The parties have determined that the cost of accomplishing the work herein will not exceed \$173,250. Payment for satisfactory performance of the work shall not exceed this amount unless the parties mutually agree to a higher amount. Compensation for service(s) shall be based on the following established rates:

Provided by ECOLOGY	Reimbursed to ECOLOGY by SPONSOR
1 WCC crew	\$173,250
Total SPONSOR COST	\$173,250 <i>Above cost Not to be Exceeded</i>

The costs reimbursed to ECOLOGY by SPONSOR are a cost-share rate. Estimated value of a WCC crew is \$231,000 annually per WCC Crew consisting of five WCC/AmeriCorps Members and one WCC Supervisor and/or \$25,067 annually per WCC Individual Placement. Indirect costs are included in SPONSOR share at a standard rate of 5% of direct costs.

BILLING PROCEDURE

ECOLOGY shall submit invoices monthly to the SPONSOR's designated contact person listed under "Agreement Management" section. Payment to ECOLOGY for approved and completed work will be made by warrant or account transfer by SPONSOR within 30 days of receipt of the invoice. Upon expiration of the Agreement, any claim for payment not already made shall be submitted within 30 days after the expiration date or the end of the fiscal year, whichever is earlier.

AGREEMENT ALTERATIONS AND AMENDMENTS

This Agreement may be amended by mutual agreement of the parties. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind each of the parties.

ASSIGNMENT

The work to be provided under this Agreement, and any claim arising thereunder, is not assignable or delegable by either party in whole or in part, without the express prior written consent of the other party, which consent shall not be unreasonably withheld.

ASSURANCES

Parties to this Agreement agree that all activity pursuant to this contract will be in accordance with all the applicable current federal, state and local laws, rules, and regulations.

CONFORMANCE

If any provision of this Agreement violates any statute or rule of law of the state of Washington, it is considered modified to conform to that statute or rule of law.

DISPUTES

In the event that a dispute arises under this Agreement, it shall be determined by a Dispute Board in the following manner: Each party to this Agreement shall appoint one member to the Dispute Board. The members so appointed shall jointly appoint an additional member to the Dispute Board. The Dispute Board shall review the facts, agreement terms and applicable statutes and rules and make a determination of the dispute. The determination of the Dispute Board shall be final and binding on the parties hereto. As an alternative to this process, either of the parties may request intervention by the Governor, as provided by RCW 43.17.330, in which event the Governor's process will control.

FUNDING AVAILABILITY

The obligation of the SPONSOR to provide reimbursements is contingent upon appropriation of funds by the SPONSOR's governing body for the specific purpose of funding the project, which is the subject of this Agreement. Upon the failure of such appropriation, the SPONSOR may terminate this Agreement.

ECOLOGY's ability to provide cost-share is contingent on availability of funding. In the event funding from state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date and prior to completion or expiration date of this Agreement, ECOLOGY, at its sole discretion, may elect to terminate the agreement, in whole or part, for convenience or to renegotiate the agreement subject to new funding limitations and conditions. ECOLOGY may also elect to suspend performance of the agreement until ECOLOGY determines the funding insufficiency is resolved. ECOLOGY may exercise any of these options with no notification restrictions.

GOVERNING LAW AND VENUE

This Agreement is entered into pursuant to and under the authority granted by the laws of the state of Washington and any applicable federal laws. The provisions of this Agreement shall be construed to conform to those laws. This Agreement shall be construed and interpreted in accordance with the laws of the state of Washington, and the venue of any action brought hereunder shall be in the Superior Court for Thurston County.

This Agreement is entered into pursuant to and under the authority granted by the laws of the state of Washington and any applicable federal laws. The provisions of this Agreement shall be construed to conform to those laws.

INDEPENDENT CAPACITY

The employees or agents of each party who are engaged in the performance of this Agreement shall continue to be employees or agents of that party and shall not be considered for any purpose to be employees or agents of the other party.

ORDER OF PRECEDENCE

In the event of an inconsistency in the terms of this Agreement, or between its terms and any applicable statute or rule, the inconsistency shall be resolved by giving precedence in the following order:

1. Applicable federal and state of Washington statutes, regulations, and rules.
2. Mutually agreed written amendments to this Agreement
3. This Agreement
4. Statement of Work and Budget.
5. Any other provisions of this Agreement, including materials incorporated by reference.

RECORDS MAINTENANCE

The parties to this Agreement shall each maintain books, records, documents and other evidence that sufficiently and properly reflect all direct and indirect costs expended by either party in the performance of the service(s) described herein. These records shall be subject to inspection, review or audit by personnel of both parties, other personnel duly authorized by either party, the Office of the State Auditor, and federal officials so authorized by law. All books, records, documents, and other material relevant to this Agreement will be retained for six years after expiration of this Agreement and the Office of the State Auditor, federal auditors, and any persons duly authorized by the parties shall have full access and the right to examine any of these materials during this period.

Records and other documents, in any medium, furnished by one party to this Agreement to the other party, will remain the property of the furnishing party, unless otherwise agreed. The receiving party will not disclose or make available this material to any third parties without first giving notice to the furnishing party and giving it a reasonable opportunity to respond. Each party will utilize reasonable security procedures and protections to assure that records and documents provided by the other party are not erroneously disclosed to third parties subject to state public disclosure laws.

RESPONSIBILITIES OF THE PARTIES

Each party of this Agreement hereby assumes responsibility for claims and/or damages to persons and/or property resulting from any act or omissions on the part of itself, its employees, its officers, and its agents. Neither party will be considered the agent of the other party to this Agreement.

RIGHTS IN DATA

Unless otherwise provided, data, which originates from this Agreement shall be "works for hire" as defined by the U.S. Copyright Act of 1976 and shall be jointly owned by ECOLOGY and SPONSOR. Data shall include, but not be limited to, reports, documents, pamphlets, advertisements, books magazines, surveys, studies, computer programs, films, tapes, and/or sound reproductions. Ownership includes the right to copyright, patent, register, and the ability to transfer these rights.

SEVERABILITY

If any provision of this Agreement or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Agreement which can be given effect without the invalid provision, if such remainder conforms to the requirements of applicable law and the fundamental purpose of this agreement, and to this end the provisions of this Agreement are declared to be severable.

TERMINATION FOR CAUSE

If for any cause, either party does not fulfill in a timely and proper manner its obligations under this Agreement, or if either party violates any of these terms and conditions, the aggrieved party will give the other party written notice of such failure or violation. The responsible party will be given the opportunity to correct the violation or failure within 15 working days. If failure or violation is not corrected, this Agreement may be terminated immediately by written notice of the aggrieved party to the other.

TERMINATION FOR CONVENIENCE

Either party may terminate this Agreement upon 30 days' prior written notification to the other party. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

WAIVER

A failure by either party to exercise its rights under this Agreement shall not preclude that party from subsequent exercise of such rights and shall not constitute a waiver of any other rights under this Agreement unless stated to be such in a writing signed by an authorized representative of the party and attached to the original Agreement.

ALL WRITINGS CONTAINED HEREIN

This Agreement contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto.

AGREEMENT MANAGEMENT

The program manager for each of the parties shall be responsible for and shall be the contact person for all communications and billings regarding the performance of this Agreement.

The Contract/Program Manager for ECOLOGY is:

Peter Nevin
PO Box 47600
Olympia, WA 98504
(206) 940-3615
peter.nevin@ecy.wa.gov

The Contract/Program Manager for SPONSOR is:

Joe Roush
PO Box 1967
Olympia WA 98507
360-753-8152
jroush@ci.olympia.wa.us

IN WITNESS WHEREOF, the parties have executed this Agreement.

State of Washington
Department of ECOLOGY

SPONSOR
City of Olympia

Signature

Date

Signature

Date

Gordon White, SEA Program Manager

Printed Name, Title

Steven R. Hall, City Manager

Printed Name, Title

APPROVED AS TO FORM:



Deputy City Attorney (DCA)

STATEMENT OF WORK Appendix A

Work summary:

Under direction of SPONSOR, crew(s) will perform restoration activities. Specific tasks could include invasive control, native species installation, plant nursery care, scientific monitoring, and fence installation or repair.

Special terms and conditions:

1. WCC resources (members, supervisors, tools and trucks) will not be utilized to clear active or abandoned homeless encampments and/or to clean up hazardous materials including hypodermic needles. If a significant amount of hazardous or unidentifiable material is discovered on a project site, activity will cease until SPONSOR mitigates potential hazards or finds an alternate project site.
2. WCC vehicle is not to be used for heavy hauling; the primary use is for transportation of crew, tools, and safety equipment. In the event that WCC vehicles are requested to tow SPONSOR-provided equipment (including rentals), SPONSOR is solely responsible for accidental damages, unless damages are caused by WCC negligence.
3. WCC is not responsible for normal wear and tear when project requires the use of SPONSOR-provided tools, equipment or safety gear.
4. For a SPONSOR hosting WCC Crew(s), SPONSOR shall provide desk and internet access for the supervisor at a secure site for tool storage and crew vehicle parking. In the event of theft, vandalism, or loss, the SPONSOR shall provide reimbursement (75 percent SPONSOR share) of invoices and deductibles.
5. SPONSOR will complete WCC-provided closeout survey or report within 30 days of agreement completion.
6. The assignment of members shall not result in the displacement of currently employed workers, including partial displacement such as reduction in hours of non-overtime work, wages, or other employment benefits. Agencies that participate in the program may not terminate, lay-off, or reduce working hours of any employee for the purpose of using a member with available funds. In circumstances where substantial efficiencies or a public purpose may result, participating agencies may use members to carry out essential agency work or contractual functions without displacing current employees.
7. All state holidays and shutdown weeks are non-working days for members. Shutdown weeks are to be used by WCC staff/supervisors for planning purposes. The WCC standard 40-hour schedule is Monday through Thursday from 7:00am to 5:30pm. An alternate schedule may be arranged with prior approval from the WCC.
8. Indirect costs are included in SPONSOR share at a standard rate of 5% of direct costs.

ECOLOGY shall:

1. Provide WCC members for the number of weeks specified in this agreement. Full-time crews and Individual Placements are available to SPONSOR for a maximum of 41 weeks (approx. 165 days) during the Federal AmeriCorps program service year (October-September).
2. Enroll members to begin service no sooner than October 1, 2018 and no later than October 22, 2018 to attain a full AmeriCorps scholarship. Member vacancies may be filled with a 900 hour, half-term AmeriCorps Education Award beginning March 20, 2019. Any further member enrollment for the remainder of the program year is at the discretion of ECOLOGY and based on availability.
3. In the event of a disaster response deployment, the WCC Program will make every effort to fulfill sponsor program needs, including sending additional members, whenever possible. Invoices will include all activities during the program year including training, community service events, and other activities required by WCC, excluding Emergency Response, if needed.
4. Provide training and development specified in Appendix "B": eight (8) days of formal WCC member training, a four (4) day Orientation Training, one (1) day dedicated to MLK Community Service, and one (1) days for a debrief meeting near the conclusion of the term. An eight-day spike will be scheduled on dates to be determined in coordination with the SPONSOR. WCC members and supervisors are logging hours on these dates, but are unavailable to SPONSOR to perform project work.

5. For crew (s), ECOLOGY agrees to provide a crew of 5 members, a crew supervisor, vehicle, and basic hand tools. ECOLOGY will provide a 4-day Assistant Supervisor training to the designated Assistant Supervisor.

6. Cost-share rates are not based on actual attendance, however, invoices will be reduced for member or supervisor vacancies lasting 20 days or more.

SPONSOR shall:

1. Guide completion of appropriate projects for number of weeks specified in this agreement by providing logistical, technical and safety-related support necessary for project completion. Provide site orientation for WCC members, site-specific training, and materials beyond basic hand tools to complete tasks. Obtain and ensure adherence to applicable permits as set by local, state, tribal or federal laws and regulations.

2. Help to promote the AmeriCorps and WCC brands, logo, slogans and phrases. The WCC will provide camera-ready logo. AmeriCorps is a registered service mark of the Corporation for National and Community Service.

3. For a SPONSOR hosting Individual Placement positions, SPONSOR agrees to provide computer access, email, transportation to and from WCC events (or private mileage reimbursement), and day-to-day direction of activities.

4. For a SPONSOR hosting WCC Crew(s), SPONSOR shall provide a secure site to store tools and park crew vehicles as well as desk and internet access for the crew supervisor. In the event of theft, vandalism, or loss, the SPONSOR shall provide reimbursement (75 percent sponsor share) of invoices and deductibles.

AmeriCorps Prohibited Activities:

While charging time to the AmeriCorps program, accumulating service or training hours, or otherwise performing activities supported by the AmeriCorps program or CNCS, staff and members may not engage in the following activities (see 45 CFR § 2520.65):

- A. Attempting to influence legislation;
- B. Organizing or engaging in protests, petitions, boycotts, or strikes;
- C. Assisting, promoting, or deterring union organizing;
- D. Impairing existing contracts for services or collective bargaining agreements;
- E. Engaging in partisan political activities, or other activities designed to influence the outcome of an election to any public office;
- F. Participating in, or endorsing, events or activities that are likely to include advocacy for or against political parties, political platforms, political candidates, proposed legislation, or elected officials;
- G. Engaging in religious instruction, conducting worship services, providing instruction as part of a program that includes mandatory religious instruction or worship, constructing or operating facilities devoted to religious instruction or worship, maintaining facilities primarily or inherently devoted to religious instruction or worship, or engaging in any form of religious proselytization;
- H. Providing a direct benefit to—
 - I. A business organized for profit;
 - II. A labor union;
 - III. A partisan political organization;
 - IV. A nonprofit organization that fails to comply with the restrictions contained in section 501(c)(3) of the Internal Revenue Code of 1986 related to engaging in political activities or substantial amount of lobbying except that nothing in these provisions shall be construed to prevent participants from engaging in advocacy activities undertaken at their own initiative; and
 - V. An organization engaged in the religious activities described in paragraph 3.g. above, unless CNCS assistance is not used to support those religious activities;
- I. Conducting a voter registration drive or using CNCS funds to conduct a voter registration drive;
- J. Providing abortion services or referrals for receipt of such services; and
- K. Such other activities as CNCS may prohibit.

AmeriCorps members may not engage in the above activities directly or indirectly by recruiting, training, or managing others for the primary purpose of engaging in one of the activities listed above. Individuals may exercise their rights as private citizens and may participate in the activities listed above on their initiative, on non-AmeriCorps time, and using non-CNCS funds. Individuals should not wear the AmeriCorps logo while doing so.

Appendix B WCC CALENDAR

2018-2019 WCC Events Calendar

October							November							December							January						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
(1)	2	3	4	5	6	7				1	2	3	4														
8	9	10	11	12	13	14	5	6	7	8	9	10	11	3	4	5	6	7	8	9	1	2	3	4	5	6	
15	16	17	18	19	20	21	12	13	14	15	16	17	18	10	11	12	13	14	15	16	7	8	9	10	11	12	
22	23	24	25	26	27	28	19	20	21	22	23	24	25	17	18	19	20	21	22	23	14	15	16	17	18	19	
29	30	31					26	27	28	29	30			24	25	26	27	28	29	30	21	22	23	24	25	26	

February							March							April							May							
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	
				1	2	3					1	2	3			1	2	3	4	5	6	7		1	2	3	4	5
4	5	6	7	8	9	10				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
11	12	13	14	15	16	17				4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	
18	19	20	21	22	23	24				11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	
25	26	27	28							18	19	20	21	22	23	24	25	26	27	28	29	30	31					
										25	26	27	28	29	30	31												

June							July							August							September						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
					1	2	1	2	3	4	5	6	7														
4	5	6	7	8	9		8	9	10	11	12	13	14	5	6	7	8	9	10	11	2	3	4	5	6	7	8
11	12	13	14	15	16		15	16	17	18	19	20	21	12	13	14	15	16	17	18	9	10	11	12	13	14	15
17	18	19	20	21	22	23	22	23	24	25	26	27	28	19	20	21	22	23	24	25	16	17	18	19	20	21	22
24	25	26	27	28	29	30	29	30	31					26	27	28	29	30	31		23	24	25	26	27	28	29

<input type="checkbox"/> Start (FT=10/1, HT=3/20, QT=6/10)	<input type="checkbox"/> Individual Placement meeting	<input type="checkbox"/> Member PDs Due (June=Check-in only)	<input type="checkbox"/> End Date (HT=3/21, QT/FT=9/5)
<input type="checkbox"/> Holiday (Observed) Day Off	<input type="checkbox"/> Training Conferences-3/4-7 & 6/3-6	<input type="checkbox"/> eTime: hours entered	<input type="checkbox"/> Print/Sign timesheet & Exit forms
<input type="checkbox"/> Orientation	<input type="checkbox"/> 6-month Member Orientation	<input type="checkbox"/> Payday (10th & 25th, varies on weekends)	<input type="checkbox"/> MyAmeriCorps Dates
<input type="checkbox"/> AmeriCorps Swearing-in	<input type="checkbox"/> Spike (8 days-Coshiba Members)	<input type="checkbox"/> Production (last Thursday of the month)	<input type="checkbox"/> Exit Paperwork Due: HT=3/27, all others 9/5
<input type="checkbox"/> (Central Puget crews)-4 hours	<input type="checkbox"/> Supervisor Refresher Training	<input type="checkbox"/> Supervisors: Crew time reviews	<input type="checkbox"/> Shutdown Weeks
<input type="checkbox"/> Assistant Supervisor Training	<input type="checkbox"/> End-of-year presentations (1 day/region)	<input type="checkbox"/> Supervisors: Finalize interviews/Enrollment	<input type="checkbox"/> Supervisors: Cross-Training
<input type="checkbox"/> MLK Supr Holiday, Member Service Day	<input type="checkbox"/> 8/22=Olympic & NW; 8/29 Central/E. WA & S. Puget Sound; 9/4=King County	<input type="checkbox"/> Supervisors: All-staff meeting & prep days	

Members' Potential Hours (For general guidance only - hours not guaranteed)

October	190	November	140	December	160	January	180
February	150	March	160	April	180	May	170
June	160	July	180	August	170	September	30
Fullterm Oct 1-Sep 5:	1870	Halfterm Oct 1-Mar 21:	940	Halfterm Mar 20-Sep 5:	950	QT Term Jun 10-Sep 5:	500

FT: 1700-hr min, \$5920 Ed Award
HT: 900-hr min, \$2960 Ed Award
HT: 800-hr min, \$2850 Ed Award
QT: 450-hr min, \$1566 Ed Award

* Half-terms beginning in October only available to returning members in WCC with less than a full-term remaining in WCC.
* Members with excessive absences will not receive ed award, even if minimum hours are met
* Enrollment Paperwork must be received March 11 (HT), June 3 (QT), September 19 (FT).

WCC standard schedule (40 hours/week) is Monday - Sunday



City Council

Approval of a Resolution Authorizing Application for a Downtown Creative District through the Washington State Arts Commission

Agenda Date: 9/11/2018
Agenda Item Number: 4.D
File Number: 18-0850

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

Title

Approval of a Resolution Authorizing Application for a Downtown Creative District through the Washington State Arts Commission

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the resolution authorizing application for a Downtown Creative District through the Washington State Arts Commission.

Report

Issue:

Whether to approve a resolution authorizing application for a Downtown Creative District.

Staff Contact:

Jay Burney, Assistant City Manager, Executive Department, 360.753.8740

Presenter(s):

Consent Item.

Background and Analysis:

Earlier this year, the Washington State Arts Commission launched the Certified Creative Districts Program. The Certified Creative Districts program works to help communities throughout the state thrive. It is a new legislative initiative designed to support the state's creative economy. A state-certified Creative District provides a strong base for Olympia to grow the arts and creative economy envisioned in the Downtown Strategy. Creative Districts can grow jobs and increase economic, educational, and cultural opportunities for residents and visitors.

A Creative District is a geographically defined area where art, cultural, social, and economic activity

takes place. It includes cultural facilities, artists, creative industries and other businesses that support these activities. Staff is recommending utilizing the Artisan/Tech and Entertainment Character Areas outlined in the Downtown Strategy as the geographic boundaries for the creative District in Olympia. A map outlining the proposed boundary is shown in Exhibit A of the attached resolution.

The Downtown Strategy vision of the Artisan/Tech Character Area is to create a mixed-use, artisan, culinary arts, and tech hub that includes affordable commercial space, housing (especially for artists and craftspeople), studio/workshop, gallery, and retail space. It suggests opportunities for adaptive reuse of existing buildings, and low-cost street improvements that promote new pedestrian and bike uses.

For the Entertainment District, the Downtown Strategy envisions enhancing the area's quality as a regional theatre and entertainment district with excellent dining and nightlife that coexists with residential and commercial uses. Creating bright, lively, and safe streets with retail, entertainment, and dining options along 4th and 5th Avenues to draw pedestrians from the historic core east toward Plum Street.

Both of these areas fit well with the qualities and design envisioned through the creative district program. Creative District Certification can be a great first step to activating and formalizing these Character Areas.

At Council's July 17, 2018 Study Session, staff outlined the Creative District program as part of a presentation on arts, cultures, and heritage in Olympia. Council provided guidance to staff to pursue the Creative District Designation. Passage of the attached resolution is the first step in the application process. Once adopted, staff will continue with completing the application package, which is expected to take a couple of months to complete. Staff will return to Council in the future to discuss next steps and/or progress.

Neighborhood/Community Interests (if known):

The Olympia community, through the Downtown Strategy work, supported the creation and activation of an Artisan/Tech and Entertainment Character Areas. This work is also supported by the recently completed Arts, Cultures, and Heritage (ArCH) Study.

Options:

1. Move to approve the resolution authorizing application for a Downtown Creative District through the Washington State Arts Commission.
2. Do not approve the resolution authorizing application for a Downtown Creative District and advise staff as to next steps.
3. Modify the resolution authorizing application for a Downtown Creative District and move to approve as modified.

Financial Impact:

There are no upfront fees or costs associated with having a certified creative district. Certification opens up grant and partnership possibilities for building the district.

Attachments:

Resolution

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON,
DESIGNATING A CREATIVE DISTRICT WITHIN THE CITY OF OLYMPIA AND
AUTHORIZING APPLICATION FOR STATE CERTIFICATION OF SAID CREATIVE
DISTRICT**

WHEREAS, RCW 43.46.105 authorizes local governments to designate a Creative District within its territorial boundaries, subject to certification by the Washington State Arts Commission; and

WHEREAS, a Creative District is a geographically defined area where art, cultural, social, and economic activity takes place; and

WHEREAS, a Creative District consisting of cultural facilities, creative industries, and arts-related businesses can be a hub of social and business activity; and

WHEREAS, experience in other jurisdictions has proven that Creative Districts work to help communities thrive by focusing on the creative economy to grow jobs and increase economic, educational, and cultural opportunities for both residents and visitors; and

WHEREAS, the benefits of a state-certified Creative District include: promoting the City's identity, qualities, and values; increasing tourism and bringing new visitors to the City; creating jobs and long-term career opportunities; the ability to pursue grants related to the creative industry; strengthening the fabric and livability of the City; and setting the stage to improve and/or redevelop historic community assets; and

WHEREAS, staff has recommended utilizing the Artisan/Tech and Entertainment Character Areas outlined in the *City of Olympia Downtown Strategy* as the geographic boundaries for the City of Olympia's proposed Creative District; and

WHEREAS, the Olympia community showed support of the creation and activation of the Artisan/Tech and Entertainment Character Areas through work on the Downtown Strategy, and the work is also supported by the recently completed Arts, Cultures, and Heritage (ArCH) Study; and

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

Section 1. That the area shown on the attached Exhibit A, which is incorporated herein by reference, and known in the *City of Olympia Downtown Strategy* as the Artisan/Tech and Entertainment Character Areas, is hereby designated as the City of Olympia Creative District (the Creative District), subject to certification by the Washington State Arts Commission.

Section 2. That the City Manager, or his designee, is directed and authorized to petition the Washington State Arts Commission for certification of the Creative District and to execute on behalf of the City of Olympia any documents necessary for state certification of the Creative District, and to make any minor modifications as may be required and are consistent with the intent of this Resolution, or to correct any scrivener's errors.

Section 3. That the Creative District shall promote the exploration of and participation in the creative economy, arts, and humanities through cultural experiences unique to Olympia's community.

Section 4. That the City of Olympia endorses the goals of economic vitality and enhancement of community life through participating in the development and financial support of the Creative District.

Section 5. That all residents of the City, especially those who own property or businesses within the Creative District, are encouraged to involve themselves and participate in the full development of the Creative District.

Section 6. That the City shall seek to develop incentives or programs to stimulate and encourage the vitality of the Creative District.

Section 7. That a City official shall be appointed to represent the City of Olympia on the Creative District's Governing Board, subject to its certification by the Washington State Arts Commission of the Creative District.

Section 8. That the City Manager is authorized to direct staff to actively support and cooperate with the Governing Board of the Creative District to develop, maintain, and encourage the economic activities of the arts and culture in Creative District.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2018.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

CONCEPT MAP

CHARACTER AREAS

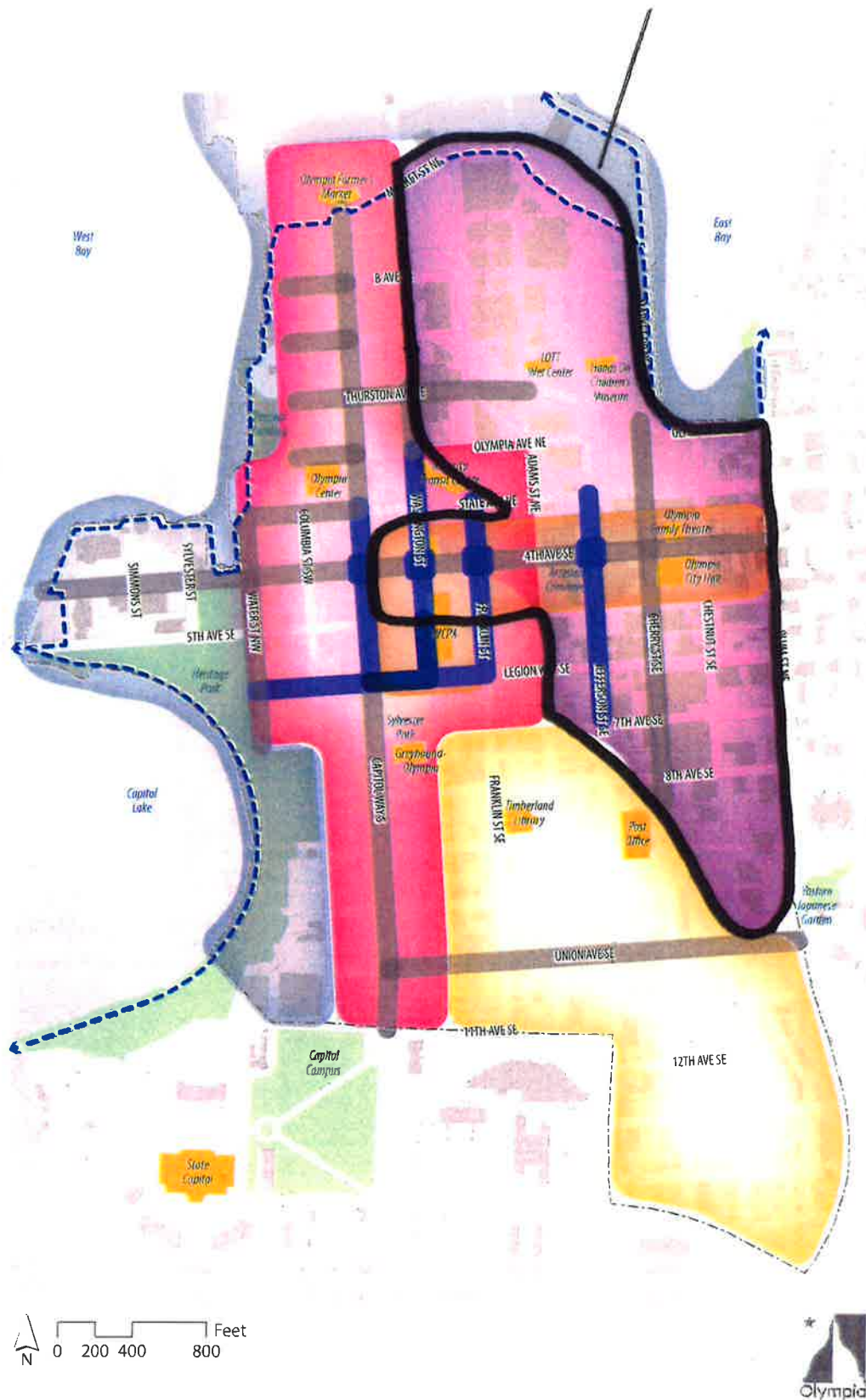
-  **WATERFRONT**
Enhance and connect to waterfront attractions.
-  **CAPITOL TO MARKET**
Encourage a high activity mix of uses from the Capitol to the Farmers Market.
-  **ARTISAN/TECH**
Encourage an eclectic mix of commercial activities and residences to support a creative neighborhood.
-  **ENTERTAINMENT**
Continue the core's energy eastward in a safe and lively entertainment district.
-  **SE NEIGHBORHOOD**
Build a holistic neighborhood with services and amenities.

KEY PHYSICAL IMPROVEMENTS

-  Short-term investments
-  Long-term investment opportunities (looking for funding and partnerships)
-  Olympia Waterfront Route trail planning and completion (immediate and long-term actions)

NOTE

Updated street standards and transportation master planning may lead to additional long-term street improvements.





City Council

Approval of Additional Community Planning and Development Geographic Information Specialist (GIS) Position

Agenda Date: 9/11/2018
Agenda Item Number: 4.E
File Number: 18-0827

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

Title

Approval of Additional Community Planning and Development Geographic Information Specialist (GIS) Position

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the addition of a GIS Specialist position and direct staff to prepare an appropriation ordinance for Council to consider at a future meeting, to fund the position through existing funds.

Report

Issue:

Whether to approve one additional GIS Specialist position to meet development and customer service demands.

Staff Contact:

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

Presenter:

None - Consent calendar item.

Background and Analysis:

Since 2015, Community Planning and Development (CP&D) has used a Permit Specialist to perform Geographic Information Specialist (GIS) data analysis and produce maps for a number of high-priority City projects, including Action Plan indicators, housing and homeless response, Missing Middle, parking strategy and management, economic development, neighborhood programs, and permit review. The level of staff work and public communication for these and other projects would not have been possible without this data analysis and mapping. This was possible due to the skills

and training of an individual permit specialist, who has recently left the City for another opportunity. Prior to 2015, the City contracted with Thurston Regional Planning Council for GIS services of about \$10,000/year for a much lower level of service than having in-house GIS expertise has provided.

Since 2015, CP&D has added three lines of business (economic development, housing/homeless response, and downtown programs). The additional work and public expectations for these programs has greatly increased the demand for GIS data analysis and mapping. Additionally, the introduction of new permit and parking services software featuring numerous online and location-based services increases demand for GIS support.

The impact of authorizing this position would be cost-neutral to the General Fund. Dedicated funds are available for this additional position as shown on the attached funding analysis. These funds include development review, parking, community development block grant administration, economic development, and neighborhood programs. A small annual amount (\$1,936) would also be dedicated from the existing CP&D general fund budget.

It takes full Council approval to add staff, and it takes Council authority to appropriate the revenue. Due to the immediate need created by the departure of a staff member, CP&D is requesting approval of an additional GIS Specialist position and will prepare an appropriation ordinance for a future Council meeting to approve the funding for this position through existing funds as shown on the attachment.

Neighborhood/Community Interests:

Adding a GIS Specialist position will allow staff to respond to neighborhood and public interests and issues more effectively.

Options:

1. Approve adding one GIS Specialist position to CP&D.
2. Do not approve adding one GIS Specialist position to CP&D and eliminate CP&D's in-house GIS program, and no longer be able to use GIS to visualize and analyze data geographically for timely decision making and public involvement.

Financial Impact:

This position would be funded by existing funds as shown on the attachment.

Attachments:

GIS Funding Analysis

Funding Vacant GIS Analyst, Permit Specialist and Associate Planner

REVISED 8/17/18

Current Staffing:

1 Associate Planner

1 Permit Specialist/GIS Specialist

Proposed Staffing:

.75 Associate Planner (fill at .75, use .15 for consultant historic preservation, give .10 to GIS Analyst)

1 Permit Specialist

1 GIS Specialist

2018 Current Budget (Sep-Dec)	Range	Step	Salary	Benefits	Monthly
Associate Planner 1.0 FTE	60	5	7,139.46	35.3%	9,659.69
Permit Specialist/GIS 1.0 FTE	50	3	5,397.39	37.2%	7,405.22

2018 Proposed Budget (Sep-Dec)	Range	Step	Salary	Benefits	Monthly
Associate Planner 0.75 FTE	60	3	4,860.14	35.3%	6,575.77
Vacant .15 FTE (consultant)	60	3	972.03	35.3%	1,315.15
GIS Specialist 1.0 FTE	52	3	5,638.07	31.2%	7,397.15
Permit Specialist 1.0 FTE	50	5	5,950.91	37.2%	8,164.65

Impact to 2018 Budget

2019 Current Budget	Range	Step	Salary	Benefits	Monthly
Associate Planner 1.0 FTE	60	3	6,480.19	34.4%	8,709.38
Permit Specialist/GIS 1.0 FTE	50	4	5,670.34	40.6%	7,972.50

2019 Proposed Budget	Range	Step	Salary	Benefits	Monthly
Associate Planner 0.75 FTE	60	3	4,860.14	34.4%	6,532.03
Vacant .15 FTE (consultant)	60	3	972.03	34.4%	1,306.41
GIS Specialist 1.0 FTE	52	3	5,638.07	31.0%	7,385.87
Permit Specialist 1.0 FTE	50	5	5,950.91	40.6%	8,366.98

Impact to 2019 Budget

Positions

Annual		General Fund (001)		Development Fee Fund (006)		Parking (007)	
38,638.76		75%	28,979.07	25%	9,659.69		
29,620.88		50%	14,810.44	50%	14,810.44		
68,259.63			43,789.51		24,470.13		

Annual		General Fund (001)		Development Fee Fund (006)		Parking (007)	
26,303.09		75%	19,727.32	25%	6,575.77		
5,260.62		75%	3,945.46	25%	1,315.15		
29,588.59		71%	21,007.90	11%	3,254.75	10%	2,958.86
32,658.59				100%	32,658.59		
93,810.89			44,680.68		43,804.27		2,958.86
25,551.26			891.18		19,334.14		2,958.86

Annual		General Fund (001)		Development Fee Fund (006)		Parking (007)	
104,512.50		75%	78,384.38	25%	26,128.13		
95,669.98		50%	47,834.99	50%	47,834.99		
200,182.48			126,219.37		73,963.11		

Annual		General Fund (001)		Development Fee Fund		Parking (007)	
78,384.38		75%	58,788.28	25%	19,596.09		
15,676.88		75%	11,757.66	25%	3,919.22		
88,630.46		65%	57,609.80	15%	13,294.57	10%	8,863.05
100,403.75				100%	100,403.75		
283,095.47			128,155.74		137,213.64		8,863.05

82,912.99

1,936.37

63,250.52

8,863.05

CDBG (107)		Economic Dev (001-4020-726)		Neighborhoods (001-4003-727)	

CDBG (107)		Economic Dev (001-4020-726)		Neighborhoods (001-4003-727)	
2.5%	739.71		-	5%	1,624.41
739.71		-		1,624.41	

739.71 - 1,624.41

CDBG (107)		Economic Dev (001-4020-726)		Neighborhoods (001-4003-727)	

CDBG (107)		Economic Dev (001-4020-726)		Neighborhoods (001-4003-727)	
2.5%	2,215.76	2%	1,772.61	5%	4,431.52
2,215.76		1,772.61		4,431.52	

2,215.76

1,772.61

4,431.52



City Council

Approval of Annual Comprehensive Plan Amendment Schedule for 2019

Agenda Date: 9/11/2018
Agenda Item Number: 4.F
File Number: 18-0838

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

Title

Approval of Annual Comprehensive Plan Amendment Schedule for 2019

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to set Tuesday, November 13, 2018, as deadline for submitting preliminary proposals for Annual Comprehensive Plan Amendments to be considered in 2019 and direct staff to proceed with review schedule generally as outlined in staff report.

Report

Issue:

Whether to set November 13, 2018 as the deadline for Preliminary Comprehensive Plan Amendment applications for consideration in 2019.

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 2019 amendments that deadline be 4:00 p.m., Tuesday, November 13, 2018.

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 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 Olympia 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 15 months.

To identify other potential Plan amendments for 2019, 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 2019

- Late September - Public announcement of schedule
- **November 13, 2018** - 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 application 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, 2018, as the due-date for annual Comprehensive Plan amendment proposals to be considered in 2019.
2. Set alternative date as deadline for submitting such proposals.
3. Decline to consider Plan amendment proposals in 2019.

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 Appropriating Funds for Woodruff Sprayground, Park Land Acquisition and Percival Landing Bulkhead Replacement

Agenda Date: 8/20/2018
Agenda Item Number: 4.G
File Number: 18-0792

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

Title

Approval of an Ordinance Appropriating Funds for Woodruff Sprayground, Park Land Acquisition and Percival Landing Bulkhead Replacement

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve an ordinance appropriating grant funds received for Woodruff Sprayground, Park Land Acquisition and Percival Landing Bulkhead Replacement on second reading.

Report

Issue:

Whether to appropriate Washington State Recreation and Conservation Office (RCO) grant funds received for Woodruff Sprayground, Park Land Acquisition and Percival Landing Bulkhead Replacement.

Staff Contact:

Paul Simmons, Parks, Arts and Recreation Director, 360.753.8462

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

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

Appropriate \$1,681,098 for Kaiser Woods, LBA Woods and West Bay Woods acquisition projects

The Washington State Recreation and Conservation Office (RCO) awarded \$1.68 million in grant funding to reimburse a portion of the purchase costs for LBA Woods (Morse-Merryman/Trillium

parcel), Kaiser Woods, and West Bay Woods. These properties were originally purchased with Bond Anticipation Note (BAN) funds.

On May 22, the Council amended Ordinance 7012 to expand the authorized use of grant proceeds for properties purchased with Bond Anticipation Note (BAN) funds to include use for development projects. As a follow up to that action, the Parks Department will use the grant reimbursements to help fund several important park development projects: Percival Landing Bulkhead (\$480,000), Woodruff Park Sprayground (\$330,000), Grass Lake Nature Park Trail (\$737,000), and community park development (\$134,098).

Appropriate \$446,380 for Woodruff Sprayground

The Washington State Recreation and Conservation Office (RCO) awarded \$446,380 in grant funding to construct a sprayground at Woodruff Park. This project will begin in early 2019.

Appropriate \$225,000 Grant Reimbursements from the Voted Utility Tax fund for Percival Landing Bulkhead Replacement

In 2016, the City received a Department of Ecology Remedial Action Grant to reimburse part of the 2010 cleanup costs of the contaminated northern site of Percival Landing, which was under the Department of Ecology Voluntary Cleanup Program. These funds were initially placed in the Voted Utility Tax Fund, but were earmarked to help fund the next project at Percival Landing, which is the bulkhead replacement. This action will allow the project to begin in early 2019.

Neighborhood/Community Interests (if known):

All projects are included in the 2016 Parks, Arts and Recreation Plan, which was developed with significant public involvement.

Options:

1. Move to approve the ordinance appropriating funds for Woodruff Sprayground, Park Land Acquisition and Percival Landing Bulkhead Replacement.
2. Do not move to approve the ordinance appropriating funds for Woodruff Sprayground, Park Land Acquisition and Percival Landing Bulkhead Replacement. This will likely delay construction of the Woodruff Sprayground and Percival Landing Bulkhead Replacement projects.
3. Council to provide alternate direction.

Financial Impact:

Will allow the grant funds received to be appropriated for Park Land Acquisition, the Woodruff Sprayground, and Percival Landing Bulkhead Replacement development projects.

Attachments:

Ordinance

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATING TO THE 2018 BUDGET AND APPROPRIATING \$446,380 FOR WOODRUFF SPRAYGROUND, \$1,681,098 FOR PARK LAND ACQUISITION, AND \$225,000 FOR THE PERCIVAL LANDING BULKHEAD.

WHEREAS, the Recreation and Conservation Office of the State of Washington is providing a grant of \$446,380.00 to the city of Olympia for construction of the Woodruff Sprayground; and

WHEREAS, the Recreation and Conservation Office of the State of Washington is providing grants of \$1,681,098.00 to the City of Olympia for reimbursement of land acquisition costs for Morse-Merryman LBA Woods, Kaiser Woods, and West Bay Woods parcels; and

WHEREAS, the Morse-Merryman LBA Woods, Kaiser Woods, and West Bay Woods projects will have excess funds; and

WHEREAS, several important development projects need additional funding, including Percival Landing Bulkhead Replacement, Grass Lake Nature Trail, Woodruff Sprayground and Community Park Design; and

WHEREAS, the Parks and Recreational Sidewalk, Utility Tax Fund has \$225,000.00 which can be applied to the Percival Landing Bulkhead project; and

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

Section 1. That the following appropriations are hereby made:

CAPITAL IMPROVEMENTS FUND

Resources:	State of Washington, Recreation and Conservation Office grants	\$2,127,478
	Transfer in from Parks & Recreational Sidewalk, Utility Tax Fund	\$225,000
	TOTAL RESOURCES	\$2,352,478
Appropriations:	Park Land Acquisition	\$1,681,098
	Percival Landing Bulkhead project	\$225,000
	Woodruff Park Sprayground project	\$446,380
	TOTAL APPROPRIATIONS	\$2,352,478

PARKS AND RECREATIONAL SIDEWALK, UTILITY TAX FUND

Resources:	Voted Utility Tax Fund balance	\$225,000
	TOTAL RESOURCES	\$225,000
Appropriations:	Capital Improvement Program Fund – Percival Landing Bulkhead Replacement	\$225,000
	TOTAL APPROPRIATIONS	\$225,000

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.

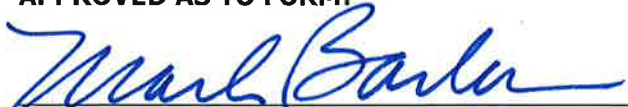
Section 5. Effective Date. This Ordinance shall take effect five days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:



City Council

Approval to Amend Ordinance 7153 to Create a Capital Fund for Monies Collected from the Home Fund Sales Tax

Agenda Date: 9/11/2018
Agenda Item Number: 4.H
File Number: 18-0794

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

Title

Approval to Amend Ordinance 7153 to Create a Capital Fund for Monies Collected from the Home Fund Sales Tax

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the ordinance amending Ordinance 7153 to create a capital fund for monies collected from the Home Fund Sales Tax on second reading.

Report

Issue:

Whether to amend Ordinance 7153 to create a capital fund for monies collected from the Home Fund Sales Tax.

Staff Contact:

Olivia Oudman, Senior Accountant, Administrative Services, 360.753.8435

Presenter(s):

None - Consent Calendar Item

Background and Analysis:

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

On February 13, 2018, Olympia voters approved Proposition No. 1 to increase the sales tax by one-tenth of one percent as authorized by RCW 82.14.530. The use of the revenue collected was outlined in a voter fact sheet and stated by law in the RCW 82.14.530.

On April 17, 2018, City Council approved ordinance 7135 to create a separate fund for revenues received from the Home Fund sales tax. This ordinance allows all revenue to go into one account. Staff is requesting Council to amend ordinance 7135 to approve to establish a separate capital fund.

This is based on the fact that 60% or more of all revenue collected will be used for capital, and the Governmental Accounting Standards Board (GASB) requires that monies collected for capital purposes be segregated from monies collected for operating purposes.

If approved, revenues received from the Home Fund Sales Tax will be accounted for in both an operating fund and capital fund.

Neighborhood/Community Interests (if known):

Options:

1. Move to approve the ordinance amending Ordinance 7153 to create a capital fund for monies collected from the Home Fund Sales Tax
2. Do not approve the ordinance amending Ordinance 7153 to create a capital fund for monies collected from the Home Fund Sales Tax. The City would be at risk of a finding by the State Auditor due to the lack of separation and distinction between the authorized operating and capital nature of the monies collected.

Financial Impact:

NA

Attachments:

Ordinance

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING SECTIONS 3.04.000 AND 3.04.142 OF THE OLYMPIA MUNICIPAL CODE, AND CREATING A NEW FUND TO BE KNOWN AS THE HOME FUND CAPITAL FUND (318) BY ADDING A NEW SECTION, 3.04.318 TO CHAPTER 3.04 OF THE OLYMPIA MUNICIPAL CODE.

WHEREAS, RCW 82.14.530 authorizes cities to submit to voters a proposition to increase sales and use tax by not more than one-tenth of one percent, to be used to construct affordable and supportive housing and for housing-related purposes, including mental and behavioral health-related facilities, and for costs of operations, maintenance, delivery and evaluation of mental health programs and services, or housing-related services as permitted by state law; and

WHEREAS, on February 13, 2018, voters of the City of Olympia approved Proposition No. 1 to increase the sales tax by one-tenth of one percent as authorized by RCW 82.14.530; and

WHEREAS, on April 17, 2018, the Olympia City Council added Section 3.04.142, to the Olympia Municipal Code, creating the Home Fund by passage of Ordinance No. 7135; and

WHEREAS, a minimum of sixty (60) percent of the monies collected under RCW 82.14.530 shall be used for the housing and housing-related purposes as defined in RCW 82.14.530(2)(a)(i), (ii), and (iii), and the remainder of the monies collected shall be used for the operation, delivery, or evaluation of mental and behavioral health treatment programs and services or housing-related services as required by RCW 82.14.530(2)(c); and

WHEREAS, the Olympia City Council desires a minimum of sixty (60) percent of monies collected under RCW 82.14.530 shall be used for the housing and housing-related purposes as defined in RCW 82.14.530(2)(a)(i), (ii), and (iii), and be accounted for in a capital fund, known as the Home Fund Capital Fund (318), to maintain separation and distinction between the housing and housing-related purposes as defined in RCW 82.14.530(2)(a)(i), (ii), (iii) and the mental, behavioral, or housing-related services as defined in RCW 82.14.530(2)(c). The remaining monies collected shall be used for operation, delivery, or evaluation of mental, behavioral, and/or housing-related services as defined in RCW 82.14.530(2)(c), shall be accounted for in a special revenue fund, known as the Home Fund (142); and

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

Section 1. Amendment of OMC 3.04.000. Olympia Municipal Code 3.04.000 is hereby amended to read as follows:

3.04.000 Chapter Contents

Sections:

- 3.04.001 General Fund – Current Operations.
- 3.04.003 Special Account Control Fund.
- 3.04.006 Development Fee Revenue Fund.
- 3.04.007 Parking Fund.
- 3.04.014 LEOFF 1 OPEB Trust Fund.
- 3.04.021 The Washington Center for the Performing Arts Endowment Fund.
- 3.04.025 The Washington Center for the Performing Arts Operations and Maintenance Fund.
- 3.04.026 Arts Fund.

- 3.04.029 Facilities Major Repairs Fund.
- 3.04.107 HUD Fund.
- 3.04.127 Impact Fee Fund.
- 3.04.130 SEPA Mitigation Fund.
- 3.04.132 Lodging Tax Fund.
- 3.04.134 Parks and Recreational Sidewalks Utility Tax Fund.
- 3.04.135 Parking Business Improvement Area Fund.
- 3.04.136 Farmers Market Major Repair and Replacement Fund.
- 3.04.137 Hands On Children's Museum Fund.
- 3.04.138 Transportation Benefit District Fund.
- 3.04.139 Grants Control Fund.
- 3.04.140 Real Estate Excise Tax Fund.
- 3.04.141 Olympia Metropolitan Park District Fund.
- 3.04.142 Home Fund.
- 3.04.200 Debt Service Funds.
- 3.04.317 Capital Improvement Fund.
- 3.01.318 Home Fund Capital Fund.
- 3.04.325 City Hall Construction Fund.
- 3.04.331 Fire Equipment Fund.
- 3.04.400 Waterworks Utility Funds.
- 3.04.403 Solid Waste (Garbage) Utility Fund.
- 3.04.404 Storm Drainage Utility Fund.
- 3.04.500 Equipment Rental Fund.
- 3.04.503 Unemployment Compensation Fund.
- 3.04.504 Insurance Trust Fund.
- 3.04.505 Workers Compensation Fund.
- 3.04.600 Fiduciary and Custodial Funds.

Section 2. Amendment of OMC 3.04.142. Olympia Municipal Code 3.04.142 is hereby amended to read as follows:

3.04.142 Home Fund

A. Created. There is hereby created a fund to be known as the Home Fund.

B. Sources. There shall be deposited in the Home Fund, sales and use tax authorized by RCW 82.14.530 and interest thereon, and other funds as determined by the City Council to support the purposes of the Home Fund.

C. Uses. ~~Funds within the Home Fund shall be used for housing and housing-related services, including mental and behavioral health programs and facilities as required by RCW 82.14.530. A minimum of sixty (60) percent of the monies collected under RCW 82.14.530 shall be used for housing and housing-related purposes as defined in RCW 82.14.530(2)(a)(i), (ii) and (iii), and the remainder of the monies collected shall be used for~~

the operation, delivery, or evaluation of mental and behavioral health treatment programs and services as required by RCW 82.14.850(2)(c). A maximum of forty (40) percent of the monies collected under RCW 82.14.530 shall be used for the operation, delivery, or evaluation of mental and behavioral health treatment. Other funds deposited in the Home Fund shall be used for purposes similar in nature to the above, as determined by the City Council.

Section 3. Amendment of OMC 3.04. A NEW SECTION 3.04.318 is hereby added to the Olympia Municipal Code to read as follows:

3.04.318 Home Fund Capital Fund

A. Created. There is hereby created a fund to be known as the Home Fund Capital Fund.

B. Sources. There shall be deposited in the Home Fund Capital Fund sales and use tax authorized by RCW 82.14.530 and interest thereon, and other funds as determined by the City Council to support the purposes of the Home Fund Capital Fund.

C. Uses. A minimum of sixty (60) percent of the monies collected under RCW 82.14.530 shall be used for housing and housing-related purposes as defined in RCW 82.14.530(2)(a)(i), (ii), and (iii). Other funds deposited in the Home Fund Capital Fund shall be used for purposes similar in nature to the above, as determined by the City Council.

Section 4. 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 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.

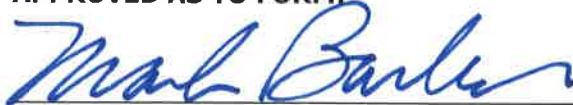
Section 7. Effective Date. This Ordinance shall take effect five (5) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:



City Council

Approval of an Ordinance Amending Olympia Municipal Code to Establish Advisory Board and Commission Term Limits

Agenda Date: 9/11/2018
Agenda Item Number: 4.I
File Number: 18-0841

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

Title

Approval of an Ordinance Amending Olympia Municipal Code to Establish Advisory Board and Commission Term Limits

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the ordinance amending Olympia Municipal Code (OMC) Section 2.100.050.C to establish term limits for any specific advisory boards and commissions, except the Design Review Board, on first reading and forward to second reading.

Report

Issue:

Whether to amend the OMC to reflect new term limits on advisory boards and commissions, which was established by vote of the City Council on May 22, 2018.

Staff Contact:

Kellie Purce Braseth, Strategic Communications Director, 360.753.8361

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

On March 28, 2018, the General Government Committee met with advisory board and commission chairs, vice chairs and staff liaisons to assess the workflow and effectiveness of the advisory boards and their relationship to the General Government Committee. Based on those conversations, the Committee recommended a number of changes, including establishing term limits for appointees of no more than three (3) full terms, or nine (9) years, on any specific board or committee - except the Design Review Board. Partial terms would not be counted toward the number of terms considered, and appointees who have reached the term limit on any one committee remain eligible to apply and serve on a different committee.

At its May 22, 2018, meeting the Olympia City Council voted to approve establishing the new term limits and conditions. Currently, Olympia Municipal Code (OMC) Section 2.100.050.C sets no limit to the number terms an appointed member could serve on a board, commission or advisory committee. The OMC must be amended to appropriately reflect the decision of Council.

Neighborhood/Community Interests (if known):

N/A

Options:

1. Approve the ordinance amending the Olympia Municipal Code (OMC) Section 2.100.050.C to establish term limits for any specific advisory boards and commissions, except the Design Review Board.
2. Modify and then approve the ordinance amending the Olympia Municipal Code (OMC) Section 2.100.050.C to establish term limits for any specific advisory boards and commissions, except the Design Review Board.
3. Do not approve the ordinance amending the Olympia Municipal Code (OMC) Section 2.100.050.C to establish term limits for any specific advisory boards and commissions, except the Design Review Board.

The current OMC would not accurately reflect the May 22, 2018, vote of the City Council.

Financial Impact:

N/A

Attachments:

Ordinance

Ordinance No. _____

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATED TO
CITIZEN-MEMBER BOARDS, COMMISSIONS AND ADVISORY COMMITTEES AND
AMENDING OLYMPIA MUNICIPAL CODE SECTION 2.100.050**

WHEREAS, the Olympia City Council adopted Ordinance No. 6499 on December 11, 2007, establishing the term of office for citizen-member boards, commissions and advisory committees; and

WHEREAS, Section 2.100.050 sets no limit to the number of terms an appointed member could serve on a board, commission or advisory committee; and

WHEREAS, the City wanted to encourage broader participation, varied perspectives and diversity of voices and experiences on citizen-member boards, commissions and advisory committees; and

WHEREAS, at its May 22, 2018 meeting, the Olympia City Council voted to establish term limits of no more than three full terms, or nine (9) years, on any specific board or committee, with the exception of the Design Review Board; and

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

Section 1. Amendment of OMC SECTION 2.100.050. Olympia Municipal Code Section 2.100.050. is hereby amended to read as follows:

2.100.050 Term of Office

- A. The term of office for committee positions shall be three (3) years, and such terms shall commence on April 1.
- B. The terms shall be staggered so that as near as possible one-third of each committee's membership shall expire each year.
- C. ~~There is no limit on the number of terms to which an individual may be appointed.~~ Terms shall be limited to three (3) full terms, nine (9) years, on any specific committee (except the Design Review Board). Partial terms will not be counted toward the number of terms considered. Citizens who have reached the term limit on any one committee remain eligible to apply and serve on a different committee.

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:



CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:



City Council

Approval of an Ordinance Adopting Business License Threshold Language and Changes to the “Engaging in Business” Definition

Agenda Date: 9/11/2018
Agenda Item Number: 4.J
File Number: 18-0844

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

Title

Approval of an Ordinance Adopting Business License Threshold Language and Changes to the “Engaging in Business” Definition

Recommended Action

Committee Recommendation:

Approve the Finance Committee recommendation to adopt the Business License Threshold language and the changes to “engaging in business” definition.

City Manager Recommendation:

Move to approve the Finance Committee recommendation adopting Business License Threshold language and changes to “engaging in business” definition.

Report

Issue:

Whether to approve the Business License Threshold Language and the changes to “engaging in business” definition.

Staff Contact:

Thomas Donnelly, Accounting Supervisor, Administrative Services 360.570.3816

Presenter(s):

None - Consent Calendar Item

Background and Analysis:

In 2017, the Washington State Legislature passed House Bill 2005. In August 2017, a workgroup of municipal employees, business community representatives, and the Association of Washington Cities began developing standard language for the business license model threshold, which includes a \$2,000 minimum threshold for businesses not physically located within the City. The threshold allows a business to register, or renew, without having to pay a \$30 business license fee. Currently, all who engage in business in the City of Olympia are required to pay the \$30 business license fee. The threshold only applies to general business licenses, not regulatory licenses. Additionally, the workgroup modified the definition of “engaging in business” to replace the current definition found in

the “Model Business and Occupation Tax Ordinance,” which forms the basis for the City of Olympia’s business and occupation tax ordinance found in Title 5, Chapter 5.04 of the Olympia Municipal Code. The workgroup completed the model language on July 1, 2018.

On April 26, 2018, staff presented information to the Finance Committee on the new Business License threshold requirements recommending the threshold apply to all businesses. An estimated 1,477 businesses will qualify for the ‘no fee’ business license resulting in a reduction of \$44,310 business license fees.

It is required that these changes be adopted by January 1, 2019. The City of Olympia utilizes the Department of Revenue’s Business Licensing Service, which requires a 75-day notice to implement the new “no-fee” option; therefore, the changes must be adopted on or before October 17, 2018.

Neighborhood/Community Interests (if known):

Staff will update the information posted on the City’s website. The Department of Revenue is also updating their informational materials.

Options:

1. Move to approve the ordinance adopting the Business License Threshold language of \$2,000 and the changes to “engaging in business” definition.
2. Do not move to approve the ordinance adopting the Business License Threshold language of \$2,000 and the changes to “engaging in business” definition.
3. Council to provide alternate direction.

Financial Impact:

Estimated reduction in business license fees of \$44,310.

Attachments:

Ordinance

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING
SECTIONS 5.02.040 AND 5.04.040 OF THE OLYMPIA MUNICIPAL CODE
RELATING TO BUSINESS LICENSES**

WHEREAS, the 2017 State Legislature passed Engrossed House Bill (EHB) 2005, now codified as Chapter 35.90 RCW, requiring Washington Cities and Towns with business licenses to create a model business license ordinance with a minimum threshold and a definition of "engaging in business"; and

WHEREAS, the model business license ordinance and definition of "engaging in business" was finalized and made available to cities in July of 2018; and

WHEREAS, the City Staff recently reviewed the business licensing process and procedures and the definition of engaging in business set forth in OMC Title 5, Chapter 5.02, Section 5.02.040 and Chapter 5.04, Section 5.04.040, respectively; and

WHEREAS, the City Council reasonably believes that the adoption of this Ordinance is in furtherance of the health, safety, and welfare of the citizens of the City;

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

Section 1. Amendment of OMC 5.02.040. Olympia Municipal Code 5.02.040 is hereby amended to read as follows:

5.02.040 Exemptions

A. _____ Non-profit organizations recognized by the State of Washington and Federal Government (e.g. 501(c)(3) are exempted from any fees this Chapter. However, they are not exempted from registering with the City of Olympia.

B. _____ For the purposes of this Chapter, any person or business whose annual value of products, gross proceeds of sales, or gross income of the business in the City is equal to or less than \$2,000 shall submit a business license registration to the Director or designee. The \$2,000 threshold does not apply to regulatory license requirements or activities that require a specialized permit. Businesses who meet the criteria described above are exempt from any City of Olympia license fees described in this Chapter.

Section 2. Amendment of OMC 5.04.040. Olympia Municipal Code 5.04.040 is hereby amended to read as follows:

5.04.040 Definitions

In construing the provisions of this chapter, the following definitions shall be applied. Words in the singular number shall include the plural, and the plural shall include the singular.

"Advance" "reimbursement":

1. "Advance" means money or credits received by a taxpayer from a customer or client with which the taxpayer is to pay costs or fees on behalf of the customer or client.
2. "Reimbursement" means money or credits received from a customer or client to repay the taxpayer for money or credits expended by the taxpayer in payment of costs or fees of the customer or client.

"Agricultural product" "farmer":

1. "Agricultural product" means any product of plant cultivation or animal husbandry including, but not limited to: A product of horticulture, grain cultivation, vermiculture, viticulture, or aquaculture as defined in RCW 15.85.020; plantation Christmas trees; turf; or any animal including but not limited to an animal that is a private sector cultured aquatic product as defined in RCW 15.85.020, or a bird, or insect, or the substances obtained from such an animal. "Agricultural product" does not include animals intended to be pets.
2. "Farmer" means any person engaged in the business of growing or producing, upon the person's own lands or upon the lands in which the person has a present right of possession, any agricultural product whatsoever for sale. "Farmer" does not include a person using such products as ingredients in a manufacturing process, or a person growing or producing such products for the person's own consumption. "Farmer" does not include a person selling any animal or substance obtained therefrom in connection with the person's business of operating a stockyard or a slaughter or packinghouse. "Farmer" does not include any person in respect to the business of taking, cultivating, or raising timber.

"Artistic or cultural organization":

1. "Artistic or cultural organization" means an organization which is organized and operated exclusively for the purpose of providing artistic or cultural exhibitions, presentations, or performances or cultural or art education programs, as defined in subsection (10) of this section, for viewing or attendance by the general public.
2. The organization must be a not-for-profit corporation under Chapter 24.03 RCW
3. The organization must be managed by a governing board of not less than eight (8) individuals, none of whom is a paid employee of the organization or by a corporation sole under Chapter 24.12 RCW.
4. No part of its income may be paid directly or indirectly to its members, stockholders, officers, directors, or trustees, except in the form of services rendered by the corporation in accordance with its purposes and bylaws.

5. Salary or compensation paid to its officers and executives must be only for actual services rendered, and at levels comparable to the salary or compensation of like positions within the state.
6. Assets of the corporation must be irrevocably dedicated to the activities for which the exemption is granted and, on the liquidation, dissolution, or abandonment by the corporation, may not inure directly or indirectly to the benefit of any member or individual except a non-profit organization, association, or corporation which also would be entitled to the exemption.
7. The corporation must be duly licensed or certified when licensing or certification is required by law or regulation.
8. The amounts received that qualify for exemption must be used for the activities for which the exemption is granted.
9. Services must be available regardless of race, color, national origin, ancestry, religion, age, sex, marital status, sexual orientation, Vietnam or disable veteran status, or the present of any mental or physical disability.
10. The term "artistic or cultural exhibitions, presentation, or performances or cultural or art education programs" is limited to:
 - a. An exhibition or presentation of works of art or objects of cultural or historical significance, such as those commonly displayed in art or history museums;
 - b. A musical or dramatic performance or series of performances; or
 - c. An educational seminar or program, or series of such programs, offered by the organization to the general public on an artistic, cultural, or historical subject.

"Business": "Business" includes all activities engaged in with the object of gain, benefit, or advantage to the taxpayer or to another person or class, directly or indirectly.

"Business and occupation tax": "Business and occupation tax" or "gross receipts tax" means a tax imposed on or measured by the value of products, the gross income of the business, or the gross proceeds of sales, as the case may be, and that is the legal liability of the business.

"By Product": See Product.

"Casual Sale": See Sale.

"Commercial" or "industrial use": Means the following uses of products, including by-products, by the extractor or manufacturer thereof:

1. Any use as a consumer;
2. The manufacturing of products including articles, substances or commodities;

"Company": See Person.

"Competitive Telephone Service": "Competitive telephone service" means the providing by any person or telecommunications equipment or apparatus, or service related to that equipment or apparatus such as repair or maintenance service, if the equipment or apparatus is of a type which can be provided by persons that are not subject to regulation as telephone companies under Title 80 RCW and for which a separate charge is made.

"Consumer": "Consumer" means the following:

1. Any person who purchases, acquires, owns, holds, or uses any tangible or intangible personal property irrespective of the nature of the person's business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for a consumer other than for the purpose of:
 - a. resale as tangible or intangible personal property in the regular course of business;
 - b. incorporating such property as an ingredient or component of real or personal property when installing, repairing, cleaning, altering, imprinting, improving, constructing, or decorating such real or personal property of or for consumers;
 - c. incorporating such property as an ingredient or component of a new product or as a chemical used in processing a new product when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new product; or
 - d. consuming the property in producing ferrosilicon which is subsequently used in producing magnesium for sale, if the primary purpose of such property is to create a chemical reaction directly through contact with an ingredient of ferrosilicon;
2. Any person engaged in any business activity taxable under Section 5.04.060(G);
3. Any person who purchases, acquires, or uses any competitive telephone service as herein defined, other than for resale in the regular course of business;
4. Any person who purchases, acquires, or uses any personal, business, or professional service defined as a retail sale or retail service in this section, other than for resale in the regular course of business;

5. Any person who is an end user of software;
6. Any person engaged in the business of "public road construction" in respect to tangible personal property when that person incorporates the tangible personal property as an ingredient or component of a publicly-owned street, place, road, highway, easement, right-of-way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle by installing, placing or spreading the property in or upon the right-of-way of a publicly-owned street, place, road, highway, easement, bridge, tunnel, or trestle or in or upon the site of a publicly-owned mass public transportation terminal or parking facility;
7. Any person who is an owner, lessee or has the right of possession to or an easement in real property which is being constructed, repaired, decorated, improved, or otherwise altered by a person engaged in business;
8. Any person who is an owner, lessee, or has the right of possession to personal property which is being constructed, repaired, improved, cleaned, imprinted, or otherwise altered by a person engaged in business;
9. Any person engaged in "government contracting." Any such person shall be a consumer within the meaning of this subsection in respect to tangible personal property incorporated into, installed in, or attached to such building or other structure by such person;

Nothing contained in this or any other subsection of this section shall be construed to modify any other definition of "consumer."

"Delivery": "Delivery" means the transfer of possession of tangible personal property between the seller and the buyer or the buyer's representative. Delivery to an employee of a buyer is considered delivery to the buyer. Transfer of possession of tangible personal property occurs when the buyer or the buyer's representative first takes physical control of the property or exercises dominion and control over the property. Dominion and control means the buyer has the ability to put the property to the buyer's own purposes. It means the buyer or the buyer's representative has made the final decision to accept or reject the property, and the seller has no further right to possession of the property and the buyer has no right to return the property to the seller, other than under a warranty contract. A buyer does not exercise dominion and control over tangible personal property merely by arranging for shipment of the property from the seller to itself. A buyer's representative is a person, other than an employee of the buyer, who is authorized in writing by the buyer to receive tangible personal property and take dominion and control by making the final decision to accept or reject the property. Neither a shipping company nor a seller can serve as a buyer's representative. It is immaterial where the contract of sale is negotiated or where the buyer obtains title to the property. Delivery terms and other provisions of the Uniform Commercial Code (Title 62A RCW) do not determine when or where delivery of tangible personal property occurs for purposes of taxation.

"Digital Automated Service", "digital code", and "digital goods": "Digital Automated Service", "digital code", and "digital goods" have the same meaning as in RCW 82.04.192.

"Digital products": "Digital products" means digital goods, digital codes, digital automated services, and the services described in RCW 82.04.050(2)(g) and (6)(b).

"Director": "Director" means the Clerk-Treasurer of the City or any officer, agent or employee of the City designated to act on the Director's behalf.

"Eligible gross receipts tax": "Eligible gross receipts tax" means a tax which:

1. Is imposed on the act or privilege of engaging in business activities within Section 5.04.060; and
2. Is measured by the gross volume of business, in terms of gross receipts and is not an income tax or value added tax; and
3. Is not, pursuant to law or custom, separately stated from the sales price; and
4. Is not a sales or use tax, business license fee, franchise fee, royalty or severance tax measured by volume or weight, or concession charge, or payment for the use and enjoyment of property, property right or a privilege; and
5. Is a tax imposed by a local jurisdiction, whether within or without the State of Washington, and not by a Country, State, Province, or any other non-local jurisdiction above the County level.

"Engaging in business":

1. The term "Engaging in business" means commencing, conducting, or continuing in business, and also the exercise of corporate or franchise powers, as well as liquidating a business when the liquidators thereof hold themselves out to the public as conducting such business.
2. This section sets forth examples of activities that constitute engaging in business in the City, and establishes safe harbors for certain of those activities so that a person who meets the criteria may engage in de minimus business activities in the City without having to pay a business license fee. The activities listed in this section are illustrative only and are not intended to narrow the definition of "engaging in business" in subsection (1). If an activity is not listed, whether it constitutes engaging in business in the City shall be determined by considering all the facts and circumstances and applicable law.
3. Without being all inclusive, any one of the following activities conducted within the City by a person, or its employee, agent, representative, independent contractor, broker or another acting on its behalf constitutes engaging in business and requires a person to register and obtain a business license.

- a. Owning, renting, leasing, maintaining, or having the right to use, or using, tangible personal property, intangible personal property, or real property permanently or temporarily located in the City.
- b. Owning, renting, leasing, using, or maintaining, an office, place of business, or other establishment in the City.
- c. Soliciting sales.
- d. Making repairs or providing maintenance or service to real or tangible personal property, including warranty work and property maintenance.
- e. Providing technical assistance or service, including quality control, product inspections, warranty work, or similar services on or in connection with tangible personal property sold by the person or on its behalf.
- f. Installing, constructing, or supervising installation or construction of, real or tangible personal property.
- g. Soliciting, negotiating, or approving franchise, license, or other similar agreements.
- h. Collecting current or delinquent accounts.
- i. Picking up and transporting tangible personal property, solid waste, construction debris, or excavated materials.
- j. Providing disinfecting and pest control services, employment and labor pool services, home nursing care, janitorial services, appraising, landscape architects, security system services, surveying, and real estate services including the listing of homes and managing real property.
- k. Rendering professional services such as those provided by accountants, architects, attorneys, auctioneers, consultants, engineers, professional athletes, barbers, baseball clubs and other sports organizations, chemists, consultants, psychologists, court reporters, dentists, doctors, detectives, laboratory operators, teachers, veterinarians.
- l. Meeting with customers or potential customers, even when no sales or orders are solicited at the meetings.
- m. Training or recruiting agents, representatives, independent contractors, brokers or others, domiciled or operating on a job in the City, acting on its behalf, or for customers or potential customers.

- n. Investigating, resolving, or otherwise assisting in resolving customer complaints.
 - o. In-store stocking or manipulating products or goods, sold to and owned by a customer, regardless of where sale and delivery of the goods took place.
 - p. Delivering goods in vehicles owned, rented, leased, used, or maintained by the person or another acting on its behalf.
 - ~~q. — Accepting or executing a contract with the City, irrespective of whether goods or services are delivered within or without the City, or whether the person's office or place of business is within or without the City.~~
4. If a person, or its employee, agent, representative, independent contractor, broker or another acting on the person's behalf, engages in no other activities in or with the City but the following, it need not register and obtain a business license ~~and pay tax~~.
- a. Meeting with suppliers of goods and services as a customer.
 - b. Meeting with government representatives in their official capacity, other than those performing contracting or purchasing functions.
 - c. Attending meetings, such as board meetings, retreats, seminars, and conferences, or other meetings wherein the person does not provide training in connection with tangible personal property sold by the person or on its behalf. This provision does not apply to any board of director member or attendee engaging in business such as a member of a board of directors who attends a board meeting.
 - d. Renting tangible or intangible property as a customer when the property is not used in the City.
 - e. Attending, but not participating in a "trade show" or "multiple vendor events". Persons participating at a trade show shall review the City's trade show or multiple vendor event ordinances.
 - ~~f. — Mere delivery of goods via common carrier.~~
5. A seller located outside the City merely delivering goods into the City by means of common carrier is not required to register and obtain a business license, provided that it engages in no other business activities in the City. Such activities do not include those in subsection (4).

The City expressly intends that engaging in business include any activity sufficient to establish nexus for purposes of applying the tax under the law and the Constitutions of the United States and the State of

Washington. Nexus is presumed to continue as long as the taxpayer benefits from the activity that constituted the original nexus-generating contact or subsequent contacts.

"Extracting": "Extracting" in the activity engaged in by an extractor and is reportable under the extracting classification.

"Extractor": "Extractor" means every person who from the person's own land or from the land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services, for sale or for commercial or industrial use, mines, quarries, takes or produces coal, oil, natural gas, ore, stone, sand, gravel, clay, mineral or other natural resource product; or fells, cuts or takes timber, Christmas trees, other than plantation Christmas trees, or other natural products; or takes fish, or takes, cultivates, or raises shellfish, or other sea or inland water foods or products. "Extractor" does not include persons performing under contract the necessary labor or mechanical services for others; Or persons meeting the definition of farmer.

"Extractor for Hire": "Extractor for hire" means a person who performs under contract necessary labor or mechanical services for an extractor.

"Government contracting": See Sale at Retail.

"Gross income of the business": "Gross income of the business" means the value proceeding or accruing by reason of the transaction of the business engaged in and includes gross proceeds of sales, compensation for the rendition of services, gains realized from trading in stocks, bonds, or other evidences of indebtedness, interest, discount, rents, royalties, fees, commissions, dividends, and other emoluments however designated, all without any deduction on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses.

"Gross proceeds of sales": "Gross proceeds of sales" means the value proceeding or accruing from the sale of tangible personal property, digital goods, digital codes, digital automated services or for other services rendered, without any deduction on account of the cost of property sold, the cost of materials used, labor costs, interest, discount paid, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses.

"In this City" or "within this City": "In this City" or "within this City" includes all federal areas lying within the corporate city limits of the City of Olympia.

"Isolated Sale": See Sale.

"Magazine": See Newspaper.

"Manufacturing": "Manufacturing" means the activity conducted by a manufacturer and is reported under the manufacturing classification.

"Manufacturer" "to manufacture" "processing for hire":

1. "Manufacturer" means every person whom, either directly or by contracting with others for the necessary labor or mechanical services, manufactures for sale or for commercial or industrial use from the person's own materials or ingredients any products. When the owner of equipment or facilities furnishes, or sells to the customer prior to manufacture, materials or ingredients equal to less than twenty percent (20%) of the total value of all materials or ingredients that become a part of the finished product, the owner of the equipment or facilities will be deemed to be a processor for hire and not a manufacturer. A business not located in this City that is the owner of materials or ingredients processed for it in this City by a processor for hire shall be deemed to be engaged in business as a manufacturer in this City.

2. "To manufacture" means all activities of a commercial or industrial nature wherein labor or skill is applied, by hand or machinery, to materials or ingredients so that as a result thereof a new, different or useful product is produced for sale or commercial or industrial use, and shall include:

- a. the production of special made or custom made articles;
- b. the production of dental appliances, devices, restorations, substitutes, or other dental laboratory products by a dental laboratory or dental technician; and
- c. crushing and/or blending of rock, sand, stone, gravel, or ore; and
- d. the producing of articles for sale, or for commercial or industrial use from raw materials or prepared materials by giving such materials, articles, and substances of trade or commerce new forms, qualities, properties or combinations including, but not limited to, such activities as making, fabricating, processing, refining, mixing, slaughtering, packing, aging, curing, mild curing, preserving, canning, and the preparing and freezing of fresh fruits and vegetables.

"To manufacture" shall not include the production of digital goods or the production of computer software if the computer software is delivered from the seller to the purchaser by means other than tangible storage media, including the delivery by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser.

3. "Processing for hire" means the performance of labor and mechanical services upon materials or ingredients belonging to others so that as a result a new, different or useful product is produced for sale, or commercial or industrial use. A processor for hire is any person who would be a manufacturer if that person were performing the labor and mechanical services upon that person's own materials or

ingredients. If a person furnishes, or sells to the customer prior to manufacture, materials or ingredients equal to twenty percent (20%) or more of the total value of all materials or ingredients that become a part of the finished product the person will be deemed to be a manufacturer and not a processor for hire.

"Newspaper" "magazine" "periodical": "Newspaper" means a publication offered for sale regularly at stated intervals at least once a week and printed on newsprint in tabloid or broadsheet format folded loosely together without stapling, glue, or any other binding of any kind. "Magazine" or "periodical" means any printed publication, other than a newspaper, issued and offered for sale regularly at stated intervals at least once every three (3) months, including any supplement or special edition of the publication. Any publication meeting this definition qualifies regardless of its content.

"Non-profit corporation or non-profit organization": "Non-profit corporation or non-profit organization" means a corporation or organization in which no part of the income can be distributed to its members, directors, or officers and that holds a current tax exempt status as provided under Sec. 501(c)(3) of the Internal Revenue Code, as may hereafter be amended, or is specifically exempted from the requirement to apply for its tax exempt status under Sec. 501(c)(3) of the Internal Revenue Code, or as may hereafter be amended. Where the term "non-profit organization" is used, it is meant to include non-profit corporations.

"Office" "place of business": "Office" or "place of business" means a fixed location or permanent facility where the regular business of the person is conducted and which is either owned by the person or over which the person exercises legal dominion and control. The regular business of the person is presumed conducted at a location:

1. Whose address the person uses as its business mailing address;
2. Where the place of primary use is shown on a telephone billing or a location contains a telephone line listed in a public telephone directory or other similar publication under the business name; and
3. Where the person holds itself out to the general public as conducting its regular business through signage or other means; and
4. Where the person is required to obtain any appropriate state and local business license or registration unless they are exempted by law from such requirement.
5. A vehicle such as a pick-up, van, truck, boat or other motor vehicle is not an office or place of business. A post office box is not an office or place of business. If a person has an office or place of business, the person's home is not an office or place of business unless it meets the criteria for office or place of business above. If a person has no office or place of business, the person's home or apartment within the City will be deemed the place of business.

"Person": "Person" means any individual, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, co-partnership, joint venture, club, company, joint stock company, business trust, municipal corporation, political subdivision of the State of Washington, corporation, limited liability company, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, non-profit, or otherwise and the United States or any instrumentality thereof.

"Precious metal bullion or monetized bullion": "Precious metal bullion" means any precious metal which has been put through a process of smelting or refining, including, but not limited to, gold, silver, platinum, rhodium, and palladium, and which is in such state or condition that its value depends upon its contents and not upon its form. For purposes of this section, "monetized bullion" means coins or other forms of money manufactured from gold, silver, or other metals and heretofore, now, or hereafter used as a medium of exchange under the laws of this state, the United States, or any foreign nation, but does not include coins or money sold to be manufactured into jewelry or works of art.

"Processing for hire": See Manufacturer.

"Product" "Byproduct": "Product" means tangible personal property, including articles, substances, or commodities created, brought forth, extracted, or manufactured by human or mechanical effort. "Byproduct" means any additional product, other than the principal or intended product, which results from extracting or manufacturing activities and which has a market value, without regard to whether or not such additional product was an expected or intended result of the extracting or manufacturing activities.

"Public road construction": See Sale at Retail.

"Retailing": "Retailing" means the activity of engaging in making sales at retail and is reported under the retailing classification.

"Retail Sale": See Sale at Retail.

"Retail Service": "Retail service" shall include the sale of or charge made for personal, business, or professional services including amounts designated as interest, rents, fees, admission, and other service emoluments however designated, received by persons engaging in the following business activities:

1. Amusement and recreation services including but not limited to golf, pool, billiards, skating, bowling, swimming, bungee jumping, ski lifts and tows, basketball, racquet ball, handball, squash, tennis, batting cages, day trips for sightseeing purposes, and others, when provided to consumers. "Amusement and recreation services" also include the provision of related facilities such as basketball courts, tennis courts, handball courts, swimming pools, and charges made for providing the opportunity to dance. The term "amusement and recreation services" does not include instructional lessons to learn a particular activity such as tennis lessons, swimming lessons, or archery lessons.

2. Abstract, title insurance, and escrow services;
3. Credit bureau services;
4. Automobile parking and storage garage services;
5. Landscape maintenance and horticultural services but excluding (i) horticultural services provided to farmers and (ii) pruning, trimming, repairing, removing, and clearing of trees and brush near electric transmission or distribution lines or equipment, if performed by or at the direction of an electric utility;
6. Service charges associated with tickets to professional sporting events; and
7. The following personal services: Physical fitness services, tanning salon services, tattoo parlor services, steam bath services, Turkish bath services, escort services, and dating services.
8. The term shall also include the renting or leasing of tangible personal property to consumers and the rental of equipment with an operator.

"Royalties": "royalties" means compensation for the use of intangible property, such as copyrights, patents, licenses, franchises, trademarks, tradenames, and similar items.

"Sale" "Casual or isolated sale":

1. "Sale" means any transfer of the ownership of, title to, or possession of property for a valuable consideration and includes any activity classified as a "sale at retail", "retail sale", or "retail service". It includes renting or leasing, conditional sale contracts, leases with option to purchase, and any contract under which possession of the property is given to the purchaser but title is retained by the vendor as security for the payment of the purchase price. It also includes the furnishing of food, drink, or meals for compensation whether consumed upon the premises or not.
2. "Casual or isolated sale" means a sale made by a person who is not engaged in the business of selling the type of property involved on a routine or continuous basis.

"Sale at retail" or "Retail sale":

1. "Sale at retail" or "retail sale" means every sale of tangible personal property (including articles produced, fabricated, or imprinted) to all persons irrespective of the nature of their business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers, other than a sale to a person who presents a resale certificate under RCW 82.04.470 and who:

- a. Purchases for the purpose of resale as tangible personal property in the regular course of business without intervening use by such person; or
 - b. Installs, repairs, cleans, alters, imprints, improves, constructs, or decorates real or personal property of or for consumers, if such tangible personal property becomes an ingredient or component of such real or personal property without intervening use by such person; or
 - c. Purchases for the purpose of consuming the property purchased in producing for sale a new article of tangible personal property or substance, of which such property becomes an ingredient or component or is a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale; or
 - d. Purchases for the purpose of consuming the property purchased in producing ferrosilicon which is subsequently used in producing magnesium for sale, if the primary purpose of such property is to create a chemical reaction directly through contact with an ingredient of ferrosilicon; or
 - e. Purchases for the purpose of providing the property to consumers as part of competitive telephone service, as defined in RCW 82.04.065. The term shall include every sale of tangible personal property which is used or consumed or to be used or consumed in the performance of any activity classified as a "sale at retail" or "retail sale" even though such property is resold or utilized as provided in (a), (b), (c), (d), or (e) of this subsection following such use.
 - f. Purchases for the purpose of satisfying the person's obligations under an extended warranty as defined in subsection (7) of this section, if such tangible personal property replaces or becomes an ingredient or component of property covered by the extended warranty without intervening use by such person.
2. "Sale at retail" or "retail sale" also means every sale of tangible personal property to persons engaged in any business activity that is taxable under OMC 5.04.060 (G).
3. "Sale at retail" or "retail sale" shall include the sale of or charge made for tangible personal property consumed and/or for labor and services rendered in respect to the following:
- a. The installing, repairing, cleaning, altering, imprinting, or improving of tangible personal property of or for consumers, including charges made for the mere use of facilities in respect thereto, but excluding charges made for the use of coin-operated laundry facilities when such facilities are situated in an apartment house, rooming house, or mobile home park for the exclusive use of the tenants thereof, and also excluding sales of laundry service to nonprofit health care facilities, and excluding services rendered in respect to live animals, birds and insects;

- b. The constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for consumers, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, and shall also include the sale of services or charges made for the clearing of land and the moving of earth excepting the mere leveling of land used in commercial farming or agriculture;
- c. The charge for labor and services rendered in respect to constructing, repairing, or improving any structure upon, above, or under any real property owned by an owner who conveys the property by title, possession, or any other means to the person performing such construction, repair, or improvement for the purpose of performing such construction, repair, or improvement and the property is then reconveyed by title, possession, or any other means to the original owner;
- d. The sale of or charge made for labor and services rendered in respect to the cleaning, fumigating, razing or moving of existing buildings or structures, but shall not include the charge made for janitorial services; and for purposes of this section the term "janitorial services" shall mean those cleaning and caretaking services ordinarily performed by commercial janitor service businesses including, but not limited to, wall and window washing, floor cleaning and waxing, and the cleaning in place of rugs, drapes and upholstery. The term "janitorial services" does not include painting, papering, repairing, furnace or septic tank cleaning, snow removal or sandblasting;
- e. The sale of or charge made for labor and services rendered in respect to automobile towing and similar automotive transportation services, but not in respect to those required to report and pay taxes under chapter 82.16 RCW;
- f. The sale of and charge made for the furnishing of lodging and all other services, except telephone business and cable service, by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, and it shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same. For the purposes of this subsection, it shall be presumed that the sale of and charge made for the furnishing of lodging for a continuous period of one month or more to a person is a rental or lease of real property and not a mere license to enjoy the same;
- g. The installing, repairing, altering, or improving of digital goods for consumers;
- h. The sale of or charge made for tangible personal property, labor and services to persons taxable under (a), (b), (c), (d), (e), (f) and (g) of this subsection when such sales or charges are for property, labor and services which are used or consumed in whole or in part by such persons in

the performance of any activity defined as a "sale at retail" or "retail sale" even though such property, labor and services may be resold after such use or consumption. Nothing contained in this subsection shall be construed to modify subsection (1) of this section and nothing contained in subsection (1) of this section shall be construed to modify this subsection.

4. "Sale at retail" or "retail sale" shall also include the providing of competitive telephone service to consumers.

5. a. "Sale at retail" or "retail sale" shall also include the sale of prewritten software other than a sale to a person who presents a resale certificate under RCW 82.04.470, regardless of the method of delivery to the end user. For purposes of this subsection 5(a), the sale of prewritten computer software includes the sale of or charge made for a key or an enabling or activation code, where the key or code is required to activate prewritten computer software and put the software into use. There is no separate sale of the key or code from the prewritten computer software, regardless of how the sale may be characterized by the vendor or by the purchaser. The term "sale at retail" or "retail sale" does not include the sale of or charge made for:

i. custom software

ii. the customization of prewritten software

b. i. The term also includes the charge made to consumers for the right to access and use prewritten computer software, where possession of the software is maintained by the seller or a third party, regardless of whether the charge for the service is on a per use, per user, per license, subscription, or some other basis.

ii. The service described in this subsection 5(b)(i) includes the right to access and use prewritten software to perform data processing.

For purposes of this subsection 5(b)(ii) "data processing" means the systematic performance of operations on data to extract the required information in an appropriate form or to convert the data to usable information. Data processing includes check processing, image processing, form processing, survey processing, payroll processing, claim processing, and similar activities.

6. "Sale at retail" or "retail sale" shall also include Public Road Construction, which is the sale of or charge made for labor and services rendered in respect to the building, repairing, or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind.

7. "Sale at retail" or "retail sale" shall also include the sale of or charge made for an extended warranty to a consumer. For purposes of this subsection, "extended warranty" means an agreement for a specified duration to perform the replacement or repair of tangible personal property at no additional charge or a reduced charge for tangible personal property, labor, or both, or to provide indemnification for the replacement or repair of tangible personal property, based on the occurrence of specified events. The term "extended warranty" does not include an agreement, otherwise meeting the definition of extended warranty in this subsection, if no separate charge is made for the agreement and the value of the agreement is included in the sales price of the tangible personal property covered by the agreement.

8. "Sale at retail" or "retail sale" shall also include Government Contracting, which is the sale of or charge made for labor and services rendered in respect to the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing, or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation.

9. "Sale at retail" or "retail sale" shall not include the sale of services or charges made for the clearing of land and the moving of earth of or for the United States, any instrumentality thereof, or a county or city housing authority. Nor shall the term include the sale of services or charges made for cleaning up for the United States, or its instrumentalities, radioactive waste and other byproducts of weapons production and nuclear research and development. (This is reported under the service or other classification).

10. "Sale at retail" or "retail sale" shall not include the sale of or charge made for labor and services rendered for environmental remedial action. (This is reported under the service and other classification.)

11. "Sale at retail" or "retail sale" shall also include the following sales to consumers of digital goods, digital codes, and digital automated services:

- a. Sales in which the seller has granted the purchaser the right of permanent use;
- b. Sales in which the seller has granted the purchaser a right of use that is less than permanent;
- c. Sales in which the purchaser is not obligated to make continued payment as a condition of the sale; and
- d. Sales in which the purchaser is obligated to make continued payment as a condition of the sale.

A retail sale of digital goods, digital codes, or digital automated services under this subsection includes any services provided by the seller exclusively in connection with the digital goods, digital codes, or digital automated services, whether or not a separate charge is made for such services.

For purposes of this subsection, "permanent" means perpetual or for an indefinite or unspecified length of time. A right of permanent use is presumed to have been granted unless the agreement between the seller and the purchaser specifies or the circumstances surrounding the transaction suggest or indicate that the right to use terminates on the occurrence of a condition subsequent.

12. "Sale at retail" or "retail sale" shall also include the installing, repairing, altering, or improving of digital goods for consumers.

"Sale at wholesale" "wholesale sale": "Sale at wholesale" or "wholesale sale" means any sale of tangible personal property, digital goods, digital codes, digital automated services, prewritten computer software, or services described in Subsection 5.b.i, which is not a retail sale, and any charge made for labor and services rendered for persons who are not customers, in respect to real or personal property and retail services, if such charge is expressly defined as a retail sale or retail service when rendered to or for consumers. Sale at wholesale also includes the sale of telephone business to another telecommunications company for the purpose of resale, as contemplated by RCW 35.21.715.

"Service": shall include the sale of or charge for personal, business or professional activities, including amounts designated as internet, rent, fees, admission, and other service emoluments however designated, received by persons engaging in business activities not included in the designation of "retail service," "sale at retail," or "sale at wholesale." By way of example only, "service" includes but is not limited to legal and engineering services, consulting, and appraisal services.

"Software" "prewritten or canned software" "custom software" "customization of canned software" "master copies" "retained rights":

1. "Prewritten or canned software" means computer software, including prewritten upgrades, that is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof does not cause the combination to be other than prewritten computer software. Prewritten computer software includes software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than such purchaser. Where a person modifies or enhances computer software of which such persons is not the author or creator, the person shall be deemed to be the author or creator only of the person's modifications or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software; however where there is a reasonable, separately

stated charge or an invoice or other statement of the price given to the purchaser for the modification or enhancement, the modification or enhancement shall not constitute prewritten computer software.

2. "Custom software" means software created for a single person.

3. "Customization of canned software" means any alteration, modification, or development of applications using or incorporating canned software to specific individualized requirements of a single person. Customization of canned software includes individualized configuration of software to work with other software and computer hardware but does not include routine installation. Customization of canned software does not change the underlying character or taxability of the original canned software.

4. "Master copies" of software means copies of software from which a software developer, author, inventor, publisher, licensor, sublicensor, or distributor makes copies for sale or license. The software encoded on a master copy and the media upon which the software resides are both ingredients of the master copy.

5. "Retained rights" means any and all rights, including intellectual property rights such as those rights arising from copyrights, patents, and trade secret laws, that are owned or are held under contract or license by a software developer, author, inventor, publisher, licensor, sublicensor, or distributor.

6. "Software" means any information, program, or routine, or any set of one (1) or more programs, routines, or collections of information used, or intended for use, to convey information that causes one or more computers or pieces of computer-related peripheral equipment, or any combination thereof, to perform a task or set of tasks. "Software" includes the associated documentation, materials, or ingredients regardless of the media upon which that documentation is provided, that describes the code and its use, operation, and maintenance and that typically is delivered with the code to the consumer. All software is classified as either canned or custom.

"Taxpayer": "Taxpayer" means any "person", as herein defined, required to have a business license under this chapter or liable for the collection of any tax or fee under this chapter, or who engages in any business or who performs any act for which a tax or fee is imposed by this chapter.

"Tuition fee": "Tuition fee" includes library, laboratory, health service and other special fees, and amounts charged for room and board by an educational institution when the property or service for which such charges are made is furnished exclusively to the students or faculty of such institution. "Educational institution," as used in this section, means only those institutions created or generally accredited as such by the state and includes educational programs that such educational institution cosponsors with a non-profit corporation or a non-profit organization, as defined by the Internal Revenue Code Section 501(c)(3), as may hereafter be amended, if such educational institution grants college credit for coursework successfully completed through the educational program, or an approved branch campus of a foreign degree-granting institution in compliance with chapter 28B.90 RCW, and in accordance with RCW 82.04.4332 or defined as a degree-granting institution

under RCW 28B.85.010(3) and accredited by an accrediting association recognized by the United States secretary of education, and offering to students an educational program of a general academic nature or those institutions which are not operated for profit and which are privately endowed under a deed of trust to offer instruction in trade, industry, and agriculture, but not including specialty schools, business colleges, other trade schools, or similar institutions.

"Value proceeding or accruing": "Value proceeding or accruing" means the consideration, whether money, credits, rights, or other property expressed in terms of money, a person is entitled to receive or which is actually received or accrued. The term shall be applied, in each case, on a cash receipts or accrual basis according to which method of accounting is regularly employed in keeping the books of the taxpayer.

"Value of products":

1. The value of products, including by-products, extracted or manufactured, shall be determined by the gross proceeds derived from the sale thereof whether such sale is at wholesale or at retail, to which shall be added all subsidies and bonuses received from the purchaser or from any other person with respect to the extraction, manufacture, or sale of such products or by-products by the seller.
2. Where such products, including by-products, are extracted or manufactured for commercial or industrial use; and where such products, including by-products, are shipped, transported or transferred out of the City, or to another person, without prior sale or are sold under circumstances such that the gross proceeds from the sale are not indicative of the true value of the subject matter of the sale; the value shall correspond as nearly as possible to the gross proceeds from sales in this state of similar products of like quality and character, and in similar quantities by other taxpayers, plus the amount of subsidies or bonuses ordinarily payable by the purchaser or by any third person with respect to the extraction, manufacture, or sale of such products. In the absence of sales of similar products as a guide to value, such value may be determined upon a cost basis. In such cases, there shall be included every item of cost attributable to the particular article or article extracted or manufactured, including direct and indirect overhead costs. The Director may prescribe rules for the purpose of ascertaining such values.
3. Notwithstanding subsection (2) above, the value of a product manufactured or produced for purposes of serving as a prototype for the development of a new or improved product shall correspond to (a) the retail selling price of such new or improved product when first offered for sale; or (b) the value of materials incorporated into the prototype in cases in which the new or improved product is not offered for sale.

"Wholesale sale": See Sale at Wholesale.

"Wholesaling": "Wholesaling" means engaging in the activity of making sales at wholesale, and is reported under the wholesaling classification.

Section 3. 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 4. 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 5. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.


Section 6. Effective Date. This Ordinance shall take effect thirty (30) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY (DIA)

PASSED:

APPROVED:

PUBLISHED:



City Council

Consideration of an Ordinance Related to Missing Middle Housing

Agenda Date: 9/11/2018
Agenda Item Number: 6.A
File Number: 18-0836

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

Title

Consideration of an Ordinance Related to Missing Middle Housing

Recommended Action

Committee Recommendation:

The Planning Commission recommends adoption of the attached ordinance, amending the Olympia Municipal Code to address infill housing and directing a study of the methodology for calculating impact fees and general facilities charges.

The Land Use and Environment Committee received several briefings on this analysis throughout 2017 and early 2018. The City Council held a study session on the Planning Commission's recommendations on August 14, 2018.

City Manager Recommendation:

Consider the attached ordinance, amending the Olympia Municipal Code to address infill housing and directing a study of the methodology for calculating impact fees and general facilities charges.

Report

Issue:

Whether to adopt the attached ordinance as recommended by the Planning Commission to permit Missing Middle housing types in additional areas of the city.

Staff Contact:

Leonard Bauer, Deputy Director, Community Planning & Development, 360.753.8206

Presenter(s):

Leonard Bauer, Deputy Director, Community Planning & Development

Background and Analysis:

The term "Missing Middle" refers to a range of multi-unit housing types that are compatible in scale with single-family homes. In other words, they provide "middle" density housing. There have been relatively few of these types of housing constructed in Olympia (and nationwide) over the past 40 years compared to single-family homes - thus, they are referred to as "missing." Missing Middle housing types addressed in the ordinance include cottage homes, townhouses, duplexes, triplexes,

fourplexes, courtyard apartments, single-room occupancy buildings, and accessory dwelling units.

The Missing Middle Housing analysis was initiated to implement several policies of the Olympia Comprehensive Plan, as listed on the Missing Middle web page on the City's website (see attached link). The analysis included a review by an appointed Work Group of existing city regulations - such as zoning, permit fees, development standards, utility connection charges, etc. - for potentially disproportionate effects on the ability to provide for a variety of housing types in the City's low-density, residentially zoned areas. The Work Group held eight monthly meetings in 2017, and examined 14 issue papers that included review of other jurisdictions' approaches and alternatives. The Missing Middle web page contains detailed information on the entire Missing Middle review process, public outreach, draft staff recommendations, written public comments to the Planning Commission, and the Determination of Non-Significance issued February 27, 2018, under the State Environmental Policy Act.

Planning Commission Recommendations

A summary of the draft code revisions recommended by the Planning Commission are attached.

Maps are attached which show all properties (developed or vacant) that meet the recommended minimum lot sizes for the three housing types recommended to be permitted within 300 feet of transit routes or commercial areas in the R4-8 zones (triplex, fourplex and courtyard apartments). As shown on these maps:

- In the R4-8 zone, out of the 3,036 total lots within 300 feet of transit routes or commercial areas, 262 lots would be eligible for these three housing types. Thirty-one percent of those 262 lots are currently vacant, and 69% are currently developed.
- In the R6-12 zone, out of the 4,158 total lots, 237 lots would be eligible, with 43% vacant and 57% currently developed.

During its deliberations, the Planning Commission received a briefing from Intercity Transit regarding its analysis of potential minor adjustments to existing transit routes. The Commission's recommendation was that any new Missing Middle zoning provisions related to transit routes reflect the routes adopted by Intercity Transit at that time. These maps reflect the updated transit routes recently adopted by Intercity Transit, which will go into effect prior to the effective date in the draft Missing Middle ordinance.

City Council Study Session - Requested Information

At the August 14, 2018 City Council study session, Councilmembers requested staff to provide additional information regarding several topics:

1. Distribution of existing rental housing - attached are two maps from the U.S. Census Bureau. One shows the number of Olympia households who rent in each census block group; the second shows multi-family housing units in Olympia. Data for both is from the American Community Survey 2012 - 2016, which is aggregated from annual surveys of statistical samples of the community during that period.
2. Existing rental costs - A link to the most recent (Spring Quarter 2018) WA State Apartment Market Report from the University of Washington Center for Real Estate Research is attached. Data is from surveys of property management companies combined with field data in individual geographic regions. The report shows average monthly rent for all units in Thurston County is \$1,187. One-bedroom apartments average \$979/month, and two-bedroom

apartments average \$1,048/month.

For context related to affordability, the U.S. Department of Housing and Urban Development estimates the FY2018 Fair Market Rents (including utilities) for a one-bedroom apartment in Thurston County at \$904, and a two-bedroom apartment at \$1,120.

3. Distribution of owners of rental properties - A Councilmember requested information on how many owners of Olympia rental properties were local residents, and how many owners were individuals vs. professional property managers. Staff were unable to identify a reliable data source that accurately identifies and differentiates among various ownership entities and their residential or business locations.
4. Councilmembers also requested a document summarizing staff and Planning Commission recommendations. This document is attached. It also provides a section for Councilmembers' individual notes on each recommendation.

Neighborhood/Community Interests (if known):

The Missing Middle Housing Analysis has garnered significant community and neighborhood interest. There is a large e-mail list of interested parties, and the Coalition of Neighborhood Associations has had regular briefings and discussions monthly during 2017 and 2018. Staff have provided updates and taken comment at numerous meetings with neighborhood associations and other organizations. A summary of public outreach events is attached, with more detail available on the Missing Middle web page. The City Council has received extensive written comments on the Planning Commission recommendations.

Options:

1. Adopt the attached ordinance, amending the Olympia Municipal Code to address infill housing and directing a study of the methodology for calculating impact fees and general facilities charges.
2. Adopt the ordinance with specific amendments.
3. Refer to Land Use and Environment Committee for additional consideration and recommendation of specific issues.
4. Refer back to Planning Commission for additional consideration and recommendation of specific issues.
5. Choose not to take any action related to Missing Middle infill housing.

Financial Impact:

The Missing Middle analysis was included as part of the adopted City budget. Draft recommendations may have long-term impacts to property tax revenues and infrastructure expenditures for the City.

Attachments:

Ordinance

Summary of Planning Commission Recommendations

Comparison Worksheet - Staff & Planning Commission Recommendations

Link to Missing Middle web page

Map of Properties Along Transit Routes Larger Than Proposed Minimum Lot Sizes

Map of Olympia Households Who Rent

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

Map of Multi-Family Housing Units
[Link to UW Apartment Market Report](#)
Public Outreach Summary

Ordinance No.

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING CHAPTER 18.04, AND SECTIONS 15.04.020, 18.02.080, 18.02.180, 18.05.040 TABLES, 18.05.140, 18.06.040 TABLES, 18.38.100, 18.38.160, 18.60.040, 18.64.020, 18.64.080, 18.100.060, 18.100.090, AND 18.100.100 AND SUBSECTIONS 18.05.050(E), 18.05.080(C) AND 18.40.060(A) OF THE OLYMPIA MUNICIPAL CODE RELATED TO PERMITTED TYPES OF HOUSING.

WHEREAS, to implement policy direction in the City of Olympia Comprehensive Plan to adopt zoning that allows a wide variety of housing types and densities so that housing can be available in a broad range of costs, amendments to various chapters of the Olympia Municipal Code development regulations are proposed, which are collectively known as the Missing Middle Infill Housing amendments (the Amendments); and

WHEREAS, an extensive public outreach and participation program has been conducted for over 15 months, which included eight meetings of a citizen work group, four public open houses, numerous meetings with the Coalition of Neighborhood Associations and individual neighborhood associations, briefings for several community organizations, a public survey, continuous public comment received over 15 months via a dedicated web page and e-mail address, and other public outreach methods; and

WHEREAS, the Amendments were drafted by City staff based on all the comments received during the public outreach and participation program, review of professional planning and housing literature, research of other cities' development regulations and programs, population and demographic trend data, information on development costs and the local real estate market, and other relevant information; and

WHEREAS, on, January 8, 2018, the Amendments were sent to the Washington State Department of Commerce Growth Management Services with the Notice of Intent to Adopt Development Regulation Amendments as required by RCW 36.70A.106, and no comments were received from state agencies during the 60-day comment periods; and

WHEREAS, on February 27, 2018, the City of Olympia issued a Determination of Non-significance pursuant to the State Environmental Policy Act (SEPA) on the Amendments; and

WHEREAS, the Olympia Planning Commission received briefings on January 9, 2017, November 20, 2017, and December 4, 2017, and January 5, 2018, January 22, 2018, February 5, 2018, and March 5, 2018, on the proposed development regulations amendments; and

WHEREAS, on March 6, 2018, a legal notice was published in *The Olympian* newspaper regarding the Public Hearing; and

WHEREAS, the Olympia Planning Commission held a public hearing on the proposed development regulation amendments on March 19, 2018, and deliberated on April 2, 2018, April 16, 2018, May 7, 2018, May 21, 2018, June 4, 2018, June 18, 2018, and July 9, 2018; and

WHEREAS, the Planning Commission considered all testimony and evidence presented, and recommended: 1) approval of the Amendments to the Olympia Municipal Code; and 2) that a methodology be developed for calculating transportation and parks impact fees that reflects actual system-wide impacts of missing middle housing types; and

WHEREAS, these development regulation amendments are consistent with the City of Olympia Comprehensive Plan, and specifically implement Comprehensive Plan Policies PL16.2, PL16.5, PL16.9, PL16.10, and PS3.1; and

WHEREAS, these amendments meet the goals and requirements of the Washington State Growth Management Act; and

WHEREAS, the Attorney General Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property (December 2006) was reviewed and used by the City in objectively evaluating the Amendments; and

WHEREAS, Chapters 35A.63 and 36.704 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 reports and materials associated with this Ordinance, along with other documents on file with the City of Olympia; and

WHEREAS, this Ordinance is also supported by the professional judgment and experience of the City staff who have worked on this proposal; and

WHEREAS, the Olympia City Council, after considering all the testimony and evidence, finds that the Missing Middle Infill Housing development regulation amendments will protect the health, safety and welfare of the City and are in the best interests of the City's residents;

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

Section 1. Amendment of OMC 18.04. Olympia Municipal Code Chapter 18.04 is hereby amended to read as follows:

**Chapter 18.04
RESIDENTIAL DISTRICTS**

18.04.000 Chapter Contents

Sections:

- 18.04.020 Purposes.
- 18.04.040 Permitted, conditional, and prohibited uses.
- 18.04.060 Residential districts' use standards.
- 18.04.080 Residential districts' development standards.
- 18.04.090 Additional regulations.

18.04.020 Purposes

A. The general purposes of the residential districts contained in this chapter are as follows:

1. To provide a sustainable residential development pattern for future generations.
2. To encourage development of attractive residential areas that provide a sense of community and contain a variety of housing types to accommodate different lifestyles and household sizes.
3. To maintain or improve the character, appearance, and livability of established neighborhoods by protecting them from incompatible uses, excessive noise, illumination, glare, odor, and similar significant nuisances.

4. To establish a compact growth pattern to efficiently use the remaining developable land; enable cost effective extension and maintenance of utilities, streets and mass transit; and enable development of affordable housing.
5. To enable community residents to reside and work within walking or bicycling distance of mass transit, employment centers, and businesses offering needed goods and services in order to reduce traffic congestion, energy consumption, and air pollution.
6. To provide for development of neighborhoods with attractive, well connected streets, sidewalks, and trails that enable convenient, direct access to neighborhood centers, parks, and transit stops.
7. To ensure adequate light, air, and readily accessible open space for each dwelling unit in order to maintain public health, safety, and welfare.
8. To ensure the compatibility of dissimilar adjoining land uses.
9. To protect or enhance the character of historic structures and areas.
10. To provide residential areas of sufficient size and density to accommodate the city's projected population growth, consistent with Section 36.70A.110, RCW.
11. To preserve or enhance environmental quality and protect ground water used as a public water source from contamination.
12. To minimize the potential for significant flooding and allow recharge of ground water.
13. To allow innovative approaches for providing housing, consistent with the policies of the Comprehensive Plan.
14. To ensure that development without municipal utilities is at a density and in a configuration that enables cost effective urban density development when municipal utilities become available.

B. The additional purposes of each individual residential district are as follows:

1. Residential - 1 Unit Per 5 Acres. This designation provides for low-density residential development in designated sensitive drainage basins in a manner that protects aquatic habitat from degradation.
2. Residential Low Impact (RLI). To accommodate some residential development within sensitive drainage basis at densities averaging from two (2) to four (4) units per acre, provided that the development configuration avoids stormwater and aquatic habitat impacts.

3. Residential - 4 Units per Acre (R-4 and R-4CB). To accommodate residential development in areas sensitive to stormwater runoff in a manner and at a density (up to four (4) units per acre) that avoids stormwater related problems (e.g., flooding and degradation of environmentally Critical Areas).
4. Residential 4-8 Units per Acre (R 4-8). To accommodate ~~single-family houses and townhouses~~ low-density residential uses at densities ranging from a minimum of four (4) units per acre to a maximum of eight (8) units per acre; to allow sufficient residential density to facilitate effective mass transit service; and to help maintain the character of established neighborhoods.
5. Residential 6-12 Units per Acre (R 6-12). To accommodate ~~single-family houses, duplexes and townhouses~~ low-density residential uses at densities between six (6) and twelve (12) units per acre, in locations with frequent mass transit service (existing or planned). ~~This includes areas along or near (e.g., within one-fourth (1/4) mile) arterial and major collector streets. Parcels located in the High Density Corridor Transition Area are allowed triplex and fourplex housing types (18.04.060(F)).~~
6. Mixed Residential 7-13 Units per Acre (MR 7-13). To accommodate a compatible mixture of houses, duplexes, townhouses, and apartments in integrated developments with densities averaging between seven (7) and thirteen (13) units per acre; to provide a broad range of housing opportunities; to provide a variety of housing types and styles; and to provide for development with a density and configuration that facilitates effective and efficient mass transit service. This district generally consists of parcels along arterial or collector streets of sufficient size to enable development of a variety of housing types.
7. Mixed Residential 10-18 Units per Acre (MR 10-18). To accommodate a compatible mixture of single-family and multifamily dwellings in integrated developments close to major shopping and/or employment areas (at densities averaging between ten (10) and eighteen (18) units per acre); to provide a variety of housing types and styles; to provide for development with a density and configuration that facilitates effective and efficient mass transit service; to provide opportunities for people to live close to work and shopping in order to reduce the number and length of automobile trips; and to enable provision of affordable housing.
8. Residential Multifamily - 18 Units per Acre (RM-18). To accommodate predominantly multifamily housing, at an average maximum density of eighteen (18) units per acre, along or near (e.g., one-fourth (1/4) mile) arterial or major collector streets where such development can be arranged and designed to be compatible with adjoining uses; to provide for development with a density and configuration that facilitates effective and efficient mass transit service; and to enable provision of affordable housing.
9. Residential Multifamily - 24 Units per Acre (RM-24). To accommodate predominantly multifamily housing, at an average maximum density of twenty-four (24) units per acre, in locations close (e.g., one-fourth (1/4) mile) to major employment and/or shopping areas; to provide for development with a density and configuration that facilitates effective and efficient mass transit service; and to enable provision of affordable housing.

10. Residential Multifamily - High Rise (RMH). To accommodate multifamily housing in multistory structures near the State Capitol Campus; to provide opportunities for people to live close to work, shopping, services and a major mass transit hub; to create a desirable living environment for residents of the district; and to ensure that new high rise buildings incorporate features which reduce their perceived scale and allow sunlight to reach street level.

11. Residential Mixed Use (RMU). To accommodate attractive, high-density housing, pedestrian oriented commercial and mixed-use development which reinforces downtown's historic character; to provide for coordinated pedestrian amenities; to preserve viable downtown housing; to enable businesses to locate within walking distance of residences and offices; to provide a transition between commercial and residential districts; and to require new high rise buildings to incorporate features which reduce their perceived scale and allow sunlight to reach street level.

12. Urban Residential (UR). To accommodate multifamily housing in multistory structures in or near the State Capitol Campus; downtown, High Density Corridor, or other activity center areas; to provide opportunities for people to live close to work, shopping, and services; to help achieve City density goals, to create or maintain a desirable urban living environment for residents of the district; and to ensure that new urban residential buildings incorporate features which encourage walking and add interest to the urban environment.

13. Manufactured Housing Park (MHP). To accommodate mobile homes and manufactured housing in mobile/manufactured housing parks; to accommodate manufactured housing on individual lots; to accommodate single-family houses, duplexes and townhouses, at densities between five (5) and twelve (12) units per acre, in locations with frequent mass transit service (existing or planned). This includes areas along or near (e.g., within one-fourth (1/4) mile) arterial and major collector streets.

18.04.040 TABLES: Permitted and Conditional Uses

TABLE 4.01

PERMITTED AND CONDITIONAL USES

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
District-Wide Regulations						18.04.060 (FF)	18.04.060 (N,Q)	18.04.060 (N,Q)	18.04.060 (N)	18.04.060 (N)	18.04.060 (N)	18.04.060 (N,BB)		18.04.060 (N)	
1. SINGLE-FAMILY HOUSING															
Accessory Dwelling Units	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(A) <u>18.04.060(B)</u>
Co-Housing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(F) 18.04.060(FF)
Cottage Housing				P	P	P	P	P	P	P	P	P	P	P	18.04.060(H) 18.04.060(FF)
Manufactured/Mobile Home Parks (Rental Spaces)								C	C	C			C		18.04.060(P)
Manufactured Homes	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(O) 18.04.060(FF)
Single-family Residences	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(FF)

TABLE 4.01

PERMITTED AND CONDITIONAL USES

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Townhouses	P	P		P	P	P	P	P	P	P	P	P	P	P	18.04.060 (FF) 18.64 <u>18.04.080(A)</u>
2. MULTIFAMILY HOUSING															
Apartments				P			P	P	P	P	P	P		P	18.04.060(N) 18.04.060 (FF)
Boarding Homes				P				P	P	P					
<u>Courtyard Apartments</u>					<u>P</u> <u>18.04.060(GG)</u>	<u>P</u> <u>18.04.060(GG)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>18.04.060(GG)</u> <u>18.04.080(A)</u>
Dormitories	P			P				P	P	P	P	P		P	
Duplexes - Existing	P	P		P	P	P	P	P	P	P	P	P	P	P	18.04.060(J)
Duplexes	P		P	P	<u>P</u>	P	P	P	P	P	P	P	P	P	18.04.060 (FF) <u>18.04.080(A)</u>
<u>Single-Room Occupancies</u>						<u>P</u> <u>18.04.060(HH)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>18.04.060(HH)</u>
Triplexes & Fourplexes			P	<u>P</u>	<u>P</u>	18.04.060 (FF) <u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>18.04.080(A)</u> <u>18.04.060(GG)</u>

TABLE 4.01

PERMITTED AND CONDITIONAL USES

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Fraternities, Sororities	P			P				P	P	P					
Group Homes with 6 or Fewer Clients and Confidential Shelters	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(K)
Group Homes with 7 or More Clients	C			C	C	C	C	C	C	C	C	C	C	C	18.04.060(K)
Lodging Houses									P	P	P	P		P	
Nursing/Convalescent Homes	C			C	C	C	C	C	C	C	C	C	C	C	18.04.060(S)
Retirement Homes				P			P	P	P	P	P	C		P	
3. COMMERCIAL															
Child Day Care Centers		C	C	C	C	C	C	P	P	P	P	P	C	P	18.04.060(D) 18.04.060(AA)
Commercial Printing												P			
Drive-In and Drive-Through Businesses -- Existing												P			18.04.060(J)
Food Stores											P	P		P	18.04.060(AA)

TABLE 4.01

PERMITTED AND CONDITIONAL USES

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Hardware Stores												P			
Home Occupations (including Adult Day Care, Elder Care Homes, Family Child Care Homes, and Bed & Breakfast Houses)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(L)
Hospice Care	C			C			C	C	C	C	C	C		C	18.04.060(M)
Laundries											P	P		P	18.04.060(AA)
Nursery (Retail and/or Wholesale Sales)	C	C	C	C	C	C	C	C	C	C			C		18.04.060(G)
Offices												P		P	18.04.060(AA)(2)
Personal Services												P			
Pharmacies												P			
Restaurants, without Drive-In and Drive-Through												P			

TABLE 4.01

PERMITTED AND CONDITIONAL USES

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Servicing of Personal Apparel and Equipment												P			
Specialty Stores												P			
Veterinary Clinics - Existing	P	P		P	P	P							P		18.04.060(J)
Veterinary Clinics	P														
4. ACCESSORY USES															
Accessory Structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(B)
Electric Vehicle Infrastructure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(GG)
Garage/Yard/Rummage or Other Outdoor Sales	P	P		P	P	P	P	P	P	P	P	P	P	P	5.24
Large Garages			C		C	C	C	C	C	C	C	C	C	C	18.04.060(B)
Residence Rented for Social Event, 7 times or more in 1 year	C	C		C	C	C	C	C	C	C	C		C	C	
Satellite Earth Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.44.100

TABLE 4.01

PERMITTED AND CONDITIONAL USES

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
5. RECREATIONAL USES															
Community Parks & Playgrounds	C	C	C	C	C	C	C	C	C	C	P	P	C	P	18.04.060(T)
Country Clubs	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Golf Courses		C	C		C	C	C	C	C	C			C		
Neighborhood Parks	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(T)
Open Space - Public	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(T)
Racing & Performing Pigeons		C	C	C	C	C				C	C		C	C	18.04.060(Y)
Stables, Commercial and Private Existing		C		C	C										18.04.060(J)
Trails - Public	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(T)
6. AGRICULTURAL USES															
Agricultural Uses	P	P	P	P	P	P	P	P	P				P		

TABLE 4.01

PERMITTED AND CONDITIONAL USES

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Greenhouses, Bulb Farms	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(G)
7. TEMPORARY USES															
Emergency Housing	P	P	P	P	P	P	P	P	P	P			P		18.04.060(E)
Model Homes	P	P	P	P	P	P	P	P	P	P	P		P	P	18.04.060(E)
Residence Rented for Social Event, 6 times or less in 1 year	P	P	P	P	P	P	P	P	P	P	P		P	P	18.04.060(E)
Wireless Communication Facility	P	P		P	P	P	P	P	P	P	P	P	P	P	18.44.060
8. OTHER															
Animals	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(C)
Cemeteries		C	C		C	C	C	C	C	C			C		18.04.060(E)
Community Clubhouses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Crisis Intervention	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(I)
Fraternal Organizations											P	P		C	

TABLE 4.01

PERMITTED AND CONDITIONAL USES

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Historic House Museum		C	C	C	C	C	C	C	C	C	C	C	C	C	
Parking Lots and Structures				C							P	P			18.38.220 and .240
Places of Worship	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(U)
Public Facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(V)
Public Facilities - Essential	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(W)
Radio, Television and Other Communication Towers	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.44.100
Schools	C			C	C	C	C	C	C	C	C		C	C	18.04.060(DD)
Mineral Extraction - Existing					C		C								18.04.060(J)
Utility Facility	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(X)
Wireless Communication Facilities	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.44

TABLE 4.01

PERMITTED AND CONDITIONAL USES

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Workshops for Disabled People	C			C	C	C	C	C	C	C	C	C	C	C	18.04.060(R)

LEGEND

P = Permitted Use

C = Conditional Use

R-4 = Residential - 4

R 4-8 = Residential 4-8

R 6-12 = Residential 6-12

RLI = Residential Low Impact

MR 10-18 = Mixed Residential 10-18

RM 18 = Residential Multifamily - 18

MR 7-13 = Mixed Residential 7-13

RMH = Residential Multifamily High Rise

RMU = Residential Mixed Use

RM 24 = Residential Multifamily - 24

UR = Urban Residential

18.04.040 Permitted, conditional and prohibited uses

A. Permitted and Conditional Uses. Table 4.01, Permitted and Conditional Uses, identifies land uses in the commercial districts which are permitted outright (P) or subject to a Conditional Use Permit (C). The applicable requirements for these uses and activities are identified by a number referencing the list of use regulations under Section 18.04.060, Use Standards. Numbers listed under the heading Applicable Regulations apply to the corresponding land use in all of the residential districts. Regulations that pertain only to a specific use in a specific district are identified by a number in the space corresponding to that use and district. (Also see Section 18.04.080, Development Standards, and Chapter 18.48, Conditional Uses.)

B. Prohibited and Unspecified Uses. Land uses which are not listed in Table 4.01 as permitted or conditional uses are prohibited. However, the Director of Community Planning and Development may authorize unlisted uses consistent with Section 18.02.080, Interpretations.

In addition to those uses prohibited by Table 4.01, the following uses are prohibited in these districts:

1. All Residential Districts.
 - a. Adult oriented businesses (see Chapter 18.02, Definitions).
 - b. Mobile homes, except in approved mobile home/manufactured home parks or when used as emergency housing or contractors' offices consistent with Section 18.04.060(E), Temporary Uses.
 - c. Habitation of recreational vehicles.
 - d. Junk yards.
 - e. Uses which customarily create noise, vibration, smoke, dust, glare, or toxic or noxious emissions exceeding those typically generated by allowed uses.
 - f. Secure community transition facilities.
2. All Residential Districts Except RMU. Conversion of residences to a commercial use (not including home occupations).
3. RMU District.
 - a. Home improvement/hardware stores larger than ten thousand (10,000) square feet in size.
 - b. Garden stores.
 - c. Motor vehicle sales.

- d. Service stations.
- e. The sale of gasoline.
- f. Drive-in and drive-through businesses and uses.

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 18.100, Design 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; except this size limitation shall not apply to an ADU created entirely within an existing single-family dwelling without expanding that dwelling.
 - 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, drivers 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.~~

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

65. 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.

76. 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 18.100, Design Review and 18.175, Infill and Other Residential for applicable design guidelines.]; and

c. The requirement for the second off-street parking space for a single family residence may be waived when the garage space is being converted to accommodate the addition of the ADU. This is intended primarily to address existing houses on narrow lots, where one off street parking space is in the garage and the second is in the driveway. Factors such as proximity to transit routes, shopping areas, and lot width and configuration will be considered.

B. ACCESSORY STRUCTURES.

Accessory structures are permitted in all residential districts subject to the following requirements:

1. Time of Establishment. Accessory structures shall not be built prior to commencing construction of the main building on the lot. However, lots may be created which contain an accessory structure (without an associated primary use) constructed prior to submission of the subdivision application.
2. Subordination to Primary Use. Accessory structures shall be clearly incidental and subordinate to the use of the lot (e.g., structures used for storage of personal property or the pursuit of hobbies) or used for agricultural purposes. In single-family and two-family residential districts each accessory structure shall not exceed eight hundred (800) square feet in size, except for structures accessory to an agricultural use which are located on a parcel one (1) acre or larger in size. When an ADU is attached to a detached accessory structure, the accessory structure may be up to 800 square feet and the ADU may be up to 800 square feet (per 18.04.060.A.3).
3. Garages. Private garages shall meet the following standards:
 - a. Garages shall not exceed a total of eight hundred (800) square feet of floor space per dwelling unit.
 - b. Garages exceeding eight hundred (800) square feet per dwelling unit may be permitted as conditional uses in the districts specified in Table 4.01 provided that they will not be adverse to the public interest and are compatible with the surrounding neighborhood. The Hearing Examiner shall establish a maximum size for garages receiving conditional use approval. (See Section 18.04.080.) An ADU attached to a garage exceeding eight hundred (800) square feet may only be permitted as a conditional use.
4. See Section 18.04.060(P)(4) regarding accessory structures in mobile home/manufactured home parks.

C. ANIMALS/PETS.

Pets and other animals are allowed in all residential districts subject to the following requirements:

1. Traditional Pets. No more than a total of three traditional pets, such as dogs and cats, as well as potbelly pigs, four months of age or older, shall be permitted per dwelling unit. Song birds or other traditional pet birds (e.g., parrots) are permitted. The keeping of racing and performing pigeons is permitted as a conditional use. (Traditional pets are defined as a species of animals which can be housebroken, or walked on a leash, or are frequently, but not necessarily, housed within a residence and are neither obnoxious nor a public safety or health threat.)
2. Fowl

- a. Lots one acre or less are allowed up to five ducks or female chickens. Lots greater than one acre are allowed one additional duck or female chicken for every additional one thousand square feet of lot area beyond one acre, up to ten ducks or female chickens.
 - b. Chickens and ducks shall be confined within a suitably fenced area large enough for appropriate exercise.
 - c. Suitable sanitary structures (coops) shall be provided and must be designed to protect fowl on all sides from weather, predators and to prevent rodents.
 - d. Roosters, geese and turkeys are prohibited.
3. Other Animals.
- a. Swine, other than potbelly pigs, and non-miniature goats, are prohibited.
 - b. Rabbits of breeding age are permitted with the following conditions:
 - i. Lots of one-quarter acre or less are allowed up to five rabbits.
 - ii. Lots greater than one-quarter acre are allowed one additional rabbit for every additional one thousand square feet of lot area beyond one-quarter acre, up to ten rabbits.
 - iii. Rabbits must have a minimum 3.5 square feet of hutch space per rabbit.
 - iv. Structures housing rabbits must be designed to protect rabbits on all sides from weather, predators and to prevent other rodents.
 - c. Miniature goats, commonly known as pygmy and dwarf, are permitted with the following conditions:
 - i. Lots between five thousand square feet and one acre in size are allowed up to two miniature goats.
 - ii. Lots greater than one acre are allowed one additional miniature goat for every additional one thousand square feet of lot area beyond one acre, up to six miniature goats.
 - iii. Miniature goats shall be confined within a suitably fenced area, large enough for appropriate exercise.
 - iv. Structures housing miniature goats must be designed to protect them on all sides from weather and predators and to prevent rodents.

d. The keeping of other agricultural animals, which are not specifically prohibited in this section, is permitted, provided that:

- i. There shall be no more than one animal per acre, in addition to the permitted animals/pets referenced above; and
- ii. Such animals shall be confined within a suitably fenced area, large enough for appropriate exercise, which shall be located no closer than fifty feet from any property line; and
- iii. The keeping of such other animals does not constitute a nuisance or hazard to the peace, health or welfare of the community in general and neighbors in particular.
- iv. Structures housing such other animals must be designed to protect them on all sides from weather and predators and to prevent rodents.

D. CHILD DAY CARE CENTERS.

1. Permitted Use. Child day care centers are permitted in the districts specified in Tables 4.01 and 5.01 subject to the following conditions:

- a. Child day care centers located in residences shall be separate from the usual living quarters of the family, or located in the portion of the residence used exclusively for children and their caregivers during the hours the center is in operation.
- b. Compliance with state licensing requirements.
- c. Prior to initiating child care services, each child care provider must file a Child Care Registration Form with the Department of Community Planning and Development (forms are provided by the Department). The child care provider must demonstrate compliance with the applicable requirements of the code as listed on the Registration Form. No fee will be required for registration.

2. Accessory Use. A child day care center shall be considered an accessory use if it is sited on the premises of a community service use, such as a private or public school, grange, place of worship, community center, library, or similar adult gathering place and it is associated with that activity. Child care facilities for the exclusive use of employees of a business or public facility shall also be allowed as an accessory use of the business or facility. Prior to initiating operation of a child day care center, the operator must register with the City as specified in Subsection 1.

3. Conditional Use. Child day care centers are allowed as a conditional use in the R-4, R 4-8, R 6-12 and MR 7-13 districts, subject to the requirements contained in Subsection A, and the following standard:

No structural or decorative alteration is permitted which would alter the residential character of an existing residential structure used as a child day care center.

E. CEMETERIES AND CREMATORIIUMS.

Crematoriums may be built and operated in conjunction with a cemetery, subject to conditional use approval.

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 Chapter 18.100, Design 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 Chapter 18.100, Design Review, for applicable design guidelines.)

G. COMMERCIAL GREENHOUSES, NURSERIES AND BULB FARMS.

As a condition of approval, applicants for commercial greenhouses, nurseries or bulb farms shall demonstrate to the satisfaction of the Hearing Examiner that said development will not pose a significant nuisance for residents of the surrounding neighborhood. Consideration shall be given to odor, noise and traffic generation, pesticide and herbicide use, hours of operation, and other relevant factors. In the Professional Office/Residential Multifamily District (PO/RM), the maximum gross floor area of a retail sales building shall be five thousand (5,000) square feet except in the PO/RM area west of Yauger Road adjacent to Harrison/Mud Bay Road, maximum gross floor area shall be ten thousand (10,000) square feet.

H. COTTAGE HOUSING.

Cottage housing developments shall comply with the following requirements:

1. Courtyard. The development shall contain a courtyard or usable landscaped area owned in common by the owners of the dwellings. (See Section 18.04.080(J), Development Standards.)
2. Site Design. Dwelling units shall be located on at least two (2) sides of the courtyard or common area. (See also Section 18.175.100 Site Design: Cottage Housing.) A cottage may share a common wall with one (1) other cottage.
3. Number of Units. The development shall include no less than four (4) and no more than twelve (12) dwelling units per courtyard.

4. Dwelling Size. The first story of dwellings in cottage developments, ~~including any garage,~~ shall not exceed ~~eight hundred (800)~~ one thousand (1,000) square feet in size. Two (2) story structures shall not exceed ~~one thousand six hundred (1,600)~~ two hundred fifty (1,250) square feet in size. Dwelling size does not include the area of a private garage.

5. Parking. ~~At least 50% of on~~ On-site parking shall ~~may~~ be accommodated in a shared parking lot(s). (See Chapter 18.38, Parking.)

6. Covenants. Covenants shall be recorded which establish common areas and preclude their conversion to another use.

7. Platting. Dwellings in cottage housing developments may, but are not required to, be located on individual lots.

8. Phasing. A proposed cottage housing development may be developed in phases. The project as a whole shall be portrayed on the site plan submitted for land use review, and proposed phases of development shall be shown on the same site plan. The site plan shall be reviewed in accordance with OMC Chapter 18.60 Land Use Review and Approval for compliance with all applicable requirements and standards. Each phase shown on an approved site plan shall individually receive review and approval for engineering, building and any other necessary permits in accordance with applicable standards and regulations. The site plan shall address the duration of each phase prior to land use or plat approval. The phasing plan shall not exceed five years, unless a development agreement specifying a longer time period has been approved and recorded in accordance with OMC Chapter 18.53.

I. CRISIS INTERVENTION SERVICES.

Crisis intervention services shall not require a public hearing by the Hearing Examiner due to the need for location confidentiality. Applications for such facilities will be reviewed administratively and shall be allowed subject to the provisions of Chapter 18.48, Conditional Uses, upon licensing of the proposed facility by the State.

J. EXISTING USES.

Duplexes, parking lots (which are the primary use of the property), and drive-in and drive-through businesses which were legally established prior to June 19, 1995 are allowed as permitted uses in the districts specified in Table 4.01. Existing mineral extraction operations, veterinary clinics, and stables which were legally established prior to June 19, 1995 are allowed as conditional uses in the districts specified in Table 4.01. Such uses shall be treated the same as other allowed uses, consistent with applicable regulations and conditional use requirements. Other existing uses made nonconforming by this code are subject to the requirements of Chapter 18.37, Nonconforming Buildings and Uses.

K. GROUP HOMES. Group homes are subject to the following requirements.

1. **License.** Authorization for group homes shall be subject to the issuance of a license and/or certification by all appropriate local, state, and/or federal agencies. Use shall be discontinued and vacated when local, state, or federal certification is withdrawn or expires. Uses not subject to such licensing and/or certification requirements shall be operated by government agencies or by organizations with a demonstrated capability to operate such programs (such as by having a record of successful operation of a similar program, or by maintaining a staff or board of directors with appropriate experience).
2. **Separation.** Group homes, housing six (6) or more unrelated adults, shall be separated from other group homes as shown on Table 4.02 and Table 4.03, except as otherwise precluded by state or federal law. When one group home is in an R-4, R 4-8 or R 6-12 district and another is not, the more restrictive separation standard shall apply.
3. **Lot Size.** Group homes subject to conditional use approval with up to nine (9) residents, exclusive of on-site staff, shall have a minimum lot size of seven thousand two hundred (7,200) square feet. An additional five hundred (500) square feet of lot area is required for each resident above nine (9) residents.
4. **Site Plan.** A detailed site plan shall be submitted with the application. The Hearing Examiner may increase the Development Standards specified in Table 4.04 as necessary to ensure compatibility of the group home with surrounding uses.
5. **Occupancy.** Not more than twenty (20) residents shall be accommodated at one time, exclusive of required staff, in the R 4-8, R 6-12, MR 7-13, Neighborhood Center (NC), Urban Village (UV), Neighborhood Village (NV), and Community Oriented Shopping Center (COSC) districts.
6. **Maintenance.** The group home shall be maintained in reasonable repair and the grounds shall be trimmed and trash free.

TABLE 4.02

GROUP HOME

SEPARATION REQUIREMENTS - R-4, R 4-8, R 6-12 DISTRICTS

	Offenders	Youth	Homeless
Offenders	2 miles	1 mile	1/2 mile
Youth	1 mile	1 mile	1/4 mile

TABLE 4.02

GROUP HOME

SEPARATION REQUIREMENTS - R-4, R 4-8, R 6-12 DISTRICTS

	Offenders	Youth	Homeless
Homeless	1/2 mile	1/4 mile	1/4 mile

TABLE 4.03

GROUP HOME

SEPARATION REQUIREMENTS - ALL DISTRICTS EXCEPT R-4, R 4-8, AND R 6-12

	Offenders	Youth	Homeless
Offenders	2 miles	1 mile	None
Youth	1 mile	1 mile	None
Homeless	None	None	None

7. Confidential Shelters. Applications for confidential shelters shall be processed administratively by the Department. Neither Public Notice Requirements nor a public hearing shall be required.

[NOTE: Also see Section 18.04.060(W), Essential Public Facilities.]

L. HOME OCCUPATIONS.

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

1. Review. Prior to both initial occupancy and issuance of any business license, the business operator or the operator's agent shall certify that the home occupation will conform with the applicable requirements.
2. General Standards. The following are the general requirements for home occupations. Also see specific standards for family child care homes, adult day care homes, bed and breakfast houses, and counseling.

- a. Home occupations must be conducted within the principal residence of the permit holder. Permit holders shall provide evidence thereof through such means as voter registration, driver's license, tax statement, or other evidence of residency and sign a notarized affidavit attesting to their principal residence at the site.
- b. Home occupations are subject to inspections by city staff insofar as permitted by law. Permit holders shall execute a notarized affidavit agreeing to allow appropriate city staff the ability to conduct an inspection of the residence, after reasonable notice is given, to determine compliance with the home occupation permit.
- c. No person(s) other than the family member(s) who resides in the residence shall participate in the home occupation. The home occupation permit shall list the names of each resident who is employed by the business. Furthermore, the residence shall not be used as a place of congregation for work that occurs off the premises. This limitation shall not apply to properties abutting the west side of the 300 and 400 blocks of West Bay Drive Northwest.
- d. Home occupations shall occupy not more than twenty-five (25) percent of the total floor area of the dwelling or five hundred (500) square feet per dwelling unit, whichever is less; provided, however, that properties abutting the west side of the 300 and 400 blocks of West Bay Drive Northwest shall occupy not more than fifty percent (50%) of the total floor area of the dwelling or one thousand five hundred (1,500) square feet per dwelling unit, whichever is less. This limitation does not apply to family child care homes, adult day care homes, elder care homes, or bed and breakfast houses.
- e. The residential character of the lot and dwelling shall be maintained. The occupation shall be conducted entirely within a dwelling and/or accessory building by the occupant of the dwelling. A carport shall not be used for home occupations, except for parking. There shall be no structural alteration nor any exterior modification of the structure in order to accommodate the occupation.
- f. The occupation shall be conducted in such a manner as to give minimal outward appearance of a business, in the ordinary meaning of the term, that would infringe upon the right of the neighboring residents to enjoy peaceful occupancy of their homes.
- g. Except for adult daycare, child daycare, and bed and breakfast businesses, the hours of operation, as related to customer or client visitations, shall be limited to no earlier than 7:00 a.m. and no later than 9:00 p.m.
- h. The following types of uses shall not be permitted as home occupations:
 - i. Veterinarian, medical, and dental offices and clinics;

- ii. Vehicle sales or repair;
- iii. Contractors' yards;
- iv. Restaurants;
- v. Exterminating services;

i. No stock in trade shall be sold or displayed on the premises; provided, however, that this limitation shall not apply to properties abutting the west side of the 300 and 400 blocks of West Bay Drive Northwest. No equipment or material shall be stored on any exterior portion of the premises.

j. Home occupations shall emit no noise, vibration, smoke, dust, odor, heat glare, fumes, electrical interference, pollutants or waste products detrimental to the environment, public safety or neighborhood, beyond those normally emanating from residential uses.

k. Home occupations shall comply with all applicable local, state or federal regulations. Requirements or permission granted or implied by this section shall not be construed as an exemption from such regulations.

l. A home occupation permit issued to one (1) person residing in the dwelling shall not be transferable to any other person, nor shall a home occupation permit be valid at any address other than the one appearing on the permit.

m. Any person engaging in a home occupation shall register as a business under Chapter 5.04 of the Olympia Municipal Code, and shall be subject to the Business and Occupation Tax levied by the Olympia Municipal Code.

n. The applicant shall demonstrate compliance with all city and state licensing requirements, including those pertaining to building, fire safety, and health codes.

o. Parking of customer, employee, or client vehicles shall not create a hazard or unusual congestion. No more than two (2) off-street parking stalls shall be provided in addition to any required for the residence. A driveway may be used as off-street parking. Except for commercial type postal carriers, traffic generated by the home occupation shall not exceed two (2) commercial vehicles per week. See OMC Chapter 18.38 for parking requirements for specific home occupations.

3. Specific Home Occupation Standards.

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

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

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

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

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

- i. The owner shall operate the facility and shall reside on the premises.
- ii. There shall be no more than five (5) guest (rental) rooms for persons other than the members of the operator's immediate family.

iii. No bed and breakfast establishment shall be located closer than two hundred (200) feet to another bed and breakfast establishment, as measured in a straight line from property line to property line.

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

i. Counseling for sex offenders and substance abuse is prohibited.

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

M. HOSPICE CARE CENTER.

1. Size. No more than five (5) patients may be cared for in hospice care centers located in a Mixed Residential 7-13 or Mixed Residential 10-18 district.

2. The applicant shall submit proof of compliance with applicable state requirements (e.g., a license) as a condition of approval.

N. LARGE MULTIFAMILY HOUSING PROJECTS.

To ensure that large multifamily housing projects provide a transition to adjoining lower density development, multifamily projects shall be subject to the following requirements:

1. Mix of Dwelling Types.

a. In the RM-18 and RMU districts, no more than seventy (70) percent of the total housing units on sites of five (5) or more acres shall be of a single dwelling type (e.g., detached single-family units, duplexes, triplexes, multi-story apartment buildings, or townhouses).

b. Multifamily housing projects in the RM-18 or RMU districts on sites of five (5) or more acres, which abut an existing or approved multifamily development of five (5) or more acres, shall contain a mix of dwelling types such that no more than eighty (80) percent of the total units in both projects (combined) are of one (1) dwelling type. The Director (or Hearing Examiner if applicable) shall grant an exception to this requirement if s/he determines that topography, permanent buffers, or other site features will sufficiently distinguish the developments.

2. Transitional Housing Types. In the RM-18, MR 7-13 and MR 10-18 districts detached single-family houses or duplexes shall be located along the perimeter (i.e., to the depth of one (1) lot) of multifamily housing projects over five (5) acres in size which are directly across the street and visible from existing

detached single-family houses. Townhouses, duplexes, or detached houses shall be located along the boundary of multifamily housing sites over five (5) acres in size which adjoin, but do not directly face, existing detached single-family housing (e.g., back to back or side to side). The Director (or Hearing Examiner) may allow exceptions to these requirements where existing or proposed landscaping, screening, or buffers provide an effective transition between the uses. (See Chapters 18.170 Multi-Family Residential Design Guidelines and 18.36.140 Residential Landscape requirements.)

O. MANUFACTURED HOMES.

A manufactured home is allowed in all zoning districts that allow single family residences, if the home is a new, designated manufactured home (See OMC 18.02.180.A Definitions), and meets the following criteria:

- ~~1. Is comprised of at least two fully enclosed parallel sections each of not less than 12 feet wide by 36 feet long;~~
- ~~21. Was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof of nominal 3:12 pitch; and~~
- ~~32. Has exterior siding similar in appearance to siding materials commonly used on conventional site-built single family residences that are built pursuant to the applicable Building Code.~~

P. MANUFACTURED OR MOBILE HOME PARKS.

The following requirements apply to all manufactured/mobile home parks subject to conditional use approval.

1. Site Size. The minimum size for a manufactured or mobile home park shall be five (5) acres.
2. Utilities. Manufactured or mobile home parks shall be completely and adequately served by City utilities.
3. Lot Sizes. Each space or lot upon which a manufactured or mobile home is to be located shall be at least two thousand five hundred (2,500) square feet in area and have a minimum width of thirty (30) feet, exclusive of common parking areas and driveways.
4. Accessory Buildings. Buildings and structures accessory to individual manufactured or mobile homes shall be allowed, provided at least fifty (50) percent of the space or lot remains in open space. An accessory roof or awning may be attached to a manufactured or mobile home and shall be considered a part thereof. Automobile parking spaces, which are not computed in the space or lot area, may be covered with a carport.
5. Access. All drives within the park shall be hard surfaced. Sidewalks and paths shall be provided consistent with applicable City Development Standards.

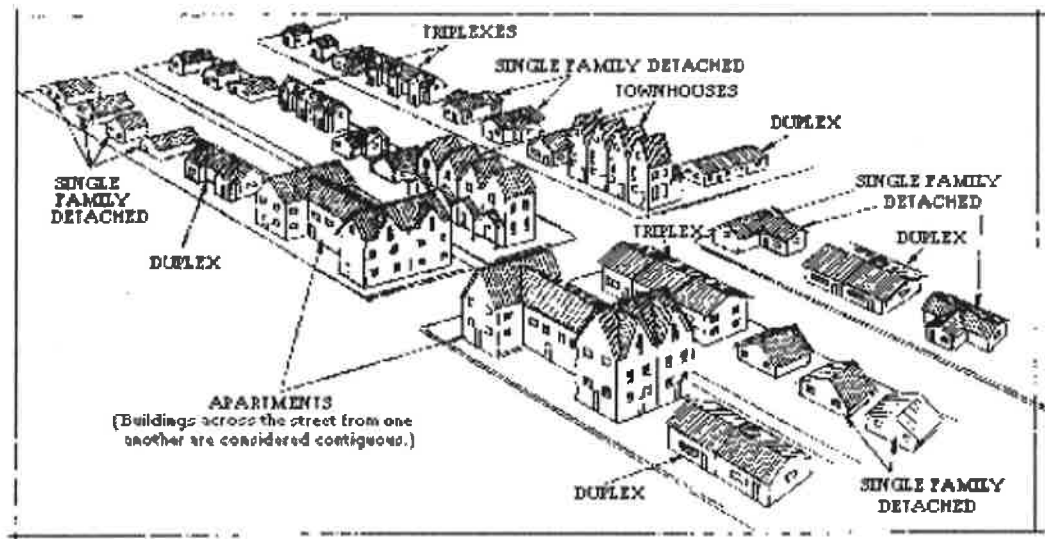
6. Clearance. There shall be at least ten (10) feet clearance between manufactured or mobile homes. Manufactured or mobile homes shall not be located closer than ten (10) feet from any building within the park or from any property line bounding the park.
7. Screening. There shall be sight-obscuring fencing (see Section 18.40.060(D), Fencing), landscaping, or natural vegetated buffers at least eight (8) feet wide on all sides of the park. Such screening shall contain openings which provide direct pedestrian access to adjoining streets and trails.
8. Open Space. At least five hundred (500) square feet of ground area for each manufactured or mobile home space shall be made available in a centralized location or locations for recreational uses. (See Section 18.04.080(J).) At least fifty percent (50%) of such open space shall comply with soil and vegetation protection area standards.
9. Lighting. Access roadways and recreational areas shall be provided with general area lighting at no less than five-tenths (5/10) foot candle intensity as measured at ground level.
10. Site Plan. A complete and detailed plot plan shall be submitted to the Hearing Examiner for approval. The plan shall show the locations and dimensions of all contemplated buildings, structures, spaces, driveways and roads and recreational areas. The City may require additional information as necessary to determine whether the proposed park meets all the above mentioned conditions and other applicable provisions of this code.

Q. MIXED RESIDENTIAL DISTRICTS.

Development in Mixed Residential Districts shall comply with the following requirements:

1. Mix of Dwelling Types. Each housing project in the Mixed Residential 7-13 and Mixed Residential 10-18 districts shall attain a mix of housing types consistent with the following.
 - a. Mixed residential 7-13 district.
 - i. A minimum of sixty-five (65) percent and a maximum of seventy-five (75) percent of the total authorized units in a development must be single family dwellings. At least seventy (70) percent of these single family dwellings must be detached.
 - ii. A minimum of twenty-five (25) percent and a maximum of thirty-five (35) percent of the authorized housing units shall consist of duplexes, triplexes, or larger apartment buildings. A maximum of fifteen (15) percent of the authorized dwelling units may be contained in apartment buildings with five (5) or more units.
 - b. Mixed residential 10-18 district.

- i. A minimum of thirty-five (35) percent and a maximum of seventy-five (75) percent of the authorized dwelling units in a development must be single family dwellings.
- ii. A minimum of twenty-five (25) percent and a maximum of sixty-five (65) percent of the authorized dwelling units shall consist of duplexes, triplexes, or larger apartment buildings. A maximum of fifty-five (55) percent of the authorized units may be contained in apartment buildings with five (5) or more units.



Housing types in MR Districts must be intermixed.

FIGURE 4-1

- c. Housing developments in the MR Districts shall intermix housing types rather than segregating them from one another. (Also see Section 18.04.060(N)(2).)
 - i. No more than two (2) apartment buildings with more than five (5) units shall be contiguous to one another (uninterrupted by another housing type). Buildings separated by streets shall be considered contiguous.
 - ii. No more than three (3) townhouse structures (contained a maximum of four (4) units) shall be contiguous to one another, consistent with Chapter 18.64, Townhouses.
 - iii. No more than three (3) duplexes, triplexes or fourplexes shall be contiguous to one another.
- 2. Large or Phased Subdivisions. Proposed subdivisions in the MR 7-13 or MR 10-18 districts containing more than five (5) acres or creating tracts for future subdivision shall be processed pursuant

to Chapter 18.56. The master plan for the development shall show how the entire site (in contiguous ownership) will be subdivided/developed consistent with the requirements contained in a. above and other relevant provisions of this Code.

3. Compliance with Standards. Subdivision plats for property in the MR 7-13 or MR 10-18 districts shall include a restriction prohibiting any future subdivision of lots or tracts which would increase the density in the original project area beyond the maximum density allowed in Table 4.04 (and as hereafter amended) or deviate from the mix of dwelling types required in a. above.

R. WORKSHOP FOR DISABLED PEOPLE.

All nonprofit institutions serving the mentally or physically challenged which are subject to conditional use approval shall comply with the standards for commercial, business and trade schools (Section 18.06.060(X)).

S. NURSING OR CONVALESCENT HOME.

The Director or Hearing Examiner, as applicable, may increase the minimum lot size, screening, setback and other requirements for nursing and convalescent homes as necessary to ensure their compatibility with adjacent residential uses.

T. PARKS AND PLAYGROUNDS.

1. Neighborhood Parks. Neighborhood parks are allowed as permitted uses in the districts specified in Table 4.01, provided they comply with the following provisions. Proposed parks which do not comply with these provisions shall be processed as conditional uses.

- a. The proposed park will not contain athletic fields which are lighted or designed for organized, competitive team sports (e.g., regulation size softball or soccer fields).
- b. The proposed park site does not abut a convalescent/nursing home or hospital, except where the facility's administrator indicates in writing that such a park would be compatible with the use.
- c. The park will close by 10:00 p.m.
- d. The park will contain no more than ten (10) parking spaces.
- e. The park will be no larger than ten (10) acres.

2. Public Trails. Public trails are allowed as permitted uses in all residential districts provided that the parking area at the trail head(s) contains space for no more than ten (10) motor vehicles. Trails served by parking lots with capacity for more than ten (10) motor vehicles shall be conditional uses.

3. Public Open Space. Public open space is allowed as a permitted use in all residential districts provided that any associated parking area contains space for no more than ten (10) motor vehicles. Public open spaces served by parking lots with capacity for more than ten (10) motor vehicles shall be conditional uses.

4. Conditional Use Requirements. The following requirements apply to all public parks, playgrounds and recreation facilities subject to conditional use approval. [NOTE: Tennis, basketball and similar recreational courts and facilities built in conjunction with a residential development shall be considered as an accessory use and do not require conditional use approval, provided the use of the facilities is limited to residents of that development and their guests. Athletic facilities shall be deemed accessory to a place of worship if the use is limited to members and guests.]

a. Outdoor play areas shall be sited and screened to protect the neighborhood from noise and other disturbances which would pose a nuisance for occupants of adjoining residences.

b. If food service facilities are proposed as part of the park, they shall be noted separately in the plans and given specific consideration by the Hearing Examiner.

c. If the facility will contain food service facilities or is intended to be used for tournaments, additional parking shall be provided as required by the Hearing Examiner.

d. The Hearing Examiner shall approve recreational facilities only if the proposed facility will not have a significant adverse effect on the immediate neighborhood.

U. PLACES OF WORSHIP.

The following requirements apply to all places of worship subject to conditional use approval.

1. Location. Before a place of worship may be located in an R-4, R 4-8, R 6-12, MR 7-13 or MR 10-18 district, at least one (1) of the following locational criteria shall be met:

a. The proposed place of worship shall be located within three hundred (300) feet of an arterial street, major collector street, or an access point on a highway; or

b. The site is within three hundred (300) feet of a school and/or park; or

c. The place of worship was the legal owner of the property prior to June 20, 1961.

2. Plan Review. Plans showing the site layout and design of proposed buildings shall be submitted for approval to the Hearing Examiner and the Director.

3. Size. The minimum lot size shall be twenty thousand (20,000) square feet.

4. Dwelling Units. Any dwelling in conjunction with a place of worship shall comply with the provisions governing residential uses in the district where it is located.

5. Conversion. No existing building or structure shall be converted to a place of worship unless such building or structure complies or is brought into compliance with the provisions of this code and any other applicable City regulations.

6. Screening. There shall be sight-obscuring screening along the perimeter of parking lots adjunct to a place of worship which are located across the street from or abutting a residential use. (See Chapter 18.36, Landscaping and Screening.)

7. Associated Uses. Uses sponsored by a place of worship such as day-schools, auditoriums used for social and sports activities, health centers, convents, preschool facilities, convalescent homes and others of similar nature shall be considered separate uses subject to the provisions of the district in which they are located. (See Section 18.04.060(D) which provides for child care centers as accessory uses.)

V. PUBLIC FACILITIES.

The following requirements apply to all public facilities in residential districts. (Also see Section 18.04.060(W), Public Facilities-Essential.)

1. Location. Public buildings, park-and-ride lots, and bus transfer stations shall be located along arterial or major collector streets.

2. Site Design. The Hearing Examiner may deviate from the development standards specified in Section 18.04.080, based on other developments within the neighborhood and the utilization and functions of the use being established. In no case, however, shall the lot size be less than the minimum lot size established by Table 4.04. Landscaping and screening shall meet the requirements for commercial uses, as specified in Chapter 18.36, Landscaping and Screening.

3. Ownership. If the facility is in a residential district (listed in Chapter 18.04 or 18.05), it must be owned or leased by a governmental agency. Property under lease to the government must be subject to an agreement establishing a clear intent to purchase, beyond an option to purchase.

4. Storage Facilities. If the facility is intended for storage of equipment or materials, it shall be limited to serving the section of the city in which it is located. Storage of park equipment and materials shall be considered accessory to the park and shall not be subject to this requirement.

W. PUBLIC FACILITIES, ESSENTIAL.

The following essential public facilities are allowed subject to the conditions below and any other applicable provisions of this code: Colleges; group homes (not including secure community transition facilities); sewage treatment facilities; communication towers and antennas; state highways; and railroad lines.

1. Classification of Essential Public Facilities. Essential public facilities shall be classified as follows:
 - a. Type one: These are major facilities serving or potentially affecting more than one (1) county. They include, but are not limited to, regional transportation facilities; state correction facilities; and colleges.
 - b. Type two: These are local or interlocal facilities serving or potentially affecting residents or property in more than one (1) jurisdiction. They include, but are not limited to, county jails, county landfills, community colleges, sewage treatment facilities, communication towers, and group homes. [NOTE: Such facilities which would not have impacts beyond the jurisdiction's boundary would be Type Three facilities.]
 - c. Type three: These are facilities serving or potentially affecting only Olympia. In order to enable the City to determine the project's classification, the applicant shall identify the approximate area within which the proposed project could potentially have adverse impacts, such as increased traffic, public safety risks, noise, glare, or emissions.
2. Notification. Prospective applicants for Type One or Type Two essential public facilities shall provide early notification and involvement of affected citizens and jurisdictions as follows:
 - a. At least ninety (90) days before submitting an application for a Type One or Type Two essential public facility, the prospective applicant shall notify the affected public and jurisdictions of the general type and nature of the proposed project. This shall include identification of sites under consideration for accommodating the proposed facility, and the opportunities to comment on the proposal. Applications for specific projects shall not be considered complete without proof of a published notice regarding the proposed project in a local newspaper of general circulation. This notice shall include the information described above and shall be published at least ninety (90) days prior to submission of the application. [NOTE: The purpose of this provision is to enable potentially affected jurisdictions and the public to collectively review and comment on alternative sites for major facilities before the project sponsor has made a siting decision. The Thurston Regional Planning Council may provide the project sponsor and affected jurisdiction(s) with their comments or recommendations regarding alternative project locations during this ninety (90) day period.]
3. Critical Areas. Essential public facilities shall not have any probable, unmitigatable, significant adverse impact on Critical Areas.

4. Proximity to Arterials. Essential public facilities which are expected to generate more than five hundred (500) motor vehicle trips during the hour of peak traffic generation shall be sited within one-fourth (1/4) mile of a highway or arterial street served, or planned to be served, by mass transit.

5. Analysis of Alternative Sites. Applicants for Type One essential public facilities shall provide an analysis of the alternative sites considered for the proposed facility. This analysis shall include the following:

- a. An evaluation of the sites' capability to meet basic siting criteria for the proposed facility, such as size, physical characteristics, access, and availability of necessary utilities and support services;
- b. An explanation of the need for the proposed facility in the proposed location;
- c. The sites' relationship to the service area and the distribution of other similar public facilities within the service area or jurisdiction, whichever is larger;
- d. A general description of the relative environmental, traffic, and social impacts associated with locating the proposed facility at the alternative sites which meet the applicant's basic siting criteria. The applicant shall also generally describe proposed mitigation measures to alleviate or minimize significant potential impacts; and
- e. A description of the process used to identify and evaluate the alternative sites.

X. UTILITY FACILITY.

1. Permitted and Conditional Facilities. All utility actions and facilities described in SEPA, WAC 197-11-800, Part Nine, Item 23, Categorical Exemptions, shall be permitted uses. In addition, Item 23(b) shall be modified for the purposes of this section to include any utility actions and facilities specifically addressed in any adopted water, sewer, stormwater, drainage basin, or similar plan that has been subject to a public hearing, and any utility actions and facilities needed to correct system deficiencies or to satisfy other ministerial requirements when performed in conjunction with minor road and street improvements as described in SEPA Rules, WAC 197-11-800, Part Nine, Item 2(c). All other non-exempt actions and facilities shall require a conditional use permit.

For purposes of this Section, SEPA WAC 197-11-800 Part Nine, Item 23(d) shall be modified as follows: All natural gas lines of twelve (12) inches in nominal diameter or less, and appurtenances, are allowed within a dedicated and opened public rights-of-way (improved public access) or easement adjacent to such rights-of-way. Twelve (12) inch nominal diameter lines or greater which are located elsewhere require conditional use approval.

2. Conditional Use Requirements. The following requirements apply to all public utilities subject to conditional use approval.

- a. Demonstration of need. The applicant must demonstrate to the satisfaction of the Hearing Examiner, the need for the particular public utility in the proposed location.
- b. Plans. The applicant shall submit complete plans showing the elevations and locations of the buildings and structures, together with locations of buildings and pertinent topographic features and adjoining properties. Approval of such plans shall be contingent upon compatibility with surrounding properties.
- c. Nuisances. Rotary converters, generating machinery, or other equipment that would cause noise, electrical interference or similar disturbances beyond the property line are prohibited.
- d. Storage. Outdoor storage of motor vehicles or materials is prohibited.
- e. Screening. The site shall be screened; however, if the facility is entirely enclosed within a building, landscaping is sufficient. (See Chapter 18.36, Landscaping and Screening.)

Y. RACING PIGEONS.

- 1. Quantity. No more than fifty (50) performing or racing pigeons shall be maintained on any parcel less than one (1) acre in size. No more than one hundred (100) performing or racing pigeons shall be maintained on any parcel one (1) acre or larger in size.
- 2. Identification. Racing and performing pigeons shall be identified by a leg band containing the name or initials of the owner, or an identification number.
- 3. Maintenance. Racing and performing pigeons shall be maintained only in a loft which:
 - a. Is constructed in accordance with the standards for accessory structures.
 - b. Is located within the rear half of a lot and in accordance with the setback requirements for accessory structures.
 - c. Is maintained in a sanitary, hygienic condition so as not to create offensive odors, noise or nuisances.
 - i. Pigeons shall be maintained in a healthy, disease free condition.
 - ii. Loft scrapings, dead birds and other wastes shall be disposed of regularly and in a manner which does not create a health hazard or nuisance.

4. Release. Pigeons shall be released only for training and performing purposes, and shall not perch or linger on, or destroy or deface, the buildings or property of neighboring residents.

Z. RADIO, TELEVISION, AND OTHER COMMUNICATION TOWERS.

Radio, television, and other communication towers shall meet the requirements of Sections 18.04.060(W) and 18.44.100.F.

AA. RMH and UR DISTRICTS COMMERCIAL USE REQUIREMENTS.

1. Commercial uses in the RMH District (see Table 4.01) shall only be allowed in mixed use buildings and shall not exceed five thousand (5,000) square feet in size.
2. Commercial uses in the UR District (See Table 4.01) shall only be allowed in mixed use buildings and shall not exceed ten percent (10%) of gross floor area or five thousand (5,000) square feet in size, whichever is smaller.
3. In the UR District, on half block areas facing Union Street office/commercial or other allowed uses equivalent to one story may be built when part of a housing project.

BB. RMU DISTRICT REQUIREMENTS.

Projects in the RMU District shall comply with the following requirements:

1. Proportions of Residential and Commercial Development.
 - a. Residential development shall comprise at least fifty (50) percent of the gross floor area of any development permitted in this district after January 1, 1994. Non-residential conditional uses are exempt from this residential requirement. Housing required in this district must be located within the contiguous RMU District in which the proposed commercial component of the project is located.
 - b. Up to fifty (50) percent of the total building floor area for a development in the RMU District may consist of commercial development in the following configurations:
 - i. Mixed use buildings; or
 - ii. Commercial and residential uses in separate buildings on the same site; or
 - iii. Commercial and residential uses on separate sites within a contiguous district.

2. **Occupancy.** Housing constructed as part of a mixed-use project must receive final inspection at the same time as, or in advance of, issuance of an occupancy permit for non-residential portions of the project.
3. **Conversion.** Housing provided to satisfy this requirement shall not be converted to commercial use. [NOTE: A deed restriction may be used to satisfy this requirement.]

CC. SCHOOLS.

The following requirements apply to all academic schools subject to conditional use approval. Colleges shall also be subject to the following conditions when locating in a residential or village district (listed in this Chapter and Chapter 18.05).

1. **Site Size.** Middle and high schools in residential and village districts (listed in Chapters 18.04 and 18.05) and elementary schools in all districts shall have a minimum site size of one (1) acre per one hundred (100) students (e.g., one (1) to one hundred (100) students requires a one (1) acre site; a two (2) acre site is needed for an enrollment of one hundred and one (101) students to two hundred (200) students. The Hearing Examiner may allow smaller school sites if the applicant demonstrates that:
 - a. The size of the site is sufficient to accommodate proposed facilities and activities without creating significant adverse impacts upon residents of adjoining properties; and
 - b. The proximity and typical impact (e.g., noise, glare, and emissions) of adjoining uses would not routinely disrupt students.
2. **Outdoor Play Area.** Sites accommodating elementary schools with ten (10) or more students shall contain at least two (2) square feet of open space (consistent with Section 18.04.080(J)(1)) for every one (1) square foot of floor area devoted to classrooms. This open space shall contain an outdoor play area (open or covered) equipped with play equipment suitable for the students' age group. No dimension of such play areas shall be less than twenty (20) feet.
3. **Building Size.** The building, or the portion of the building used as a school, shall contain at least eighty (80) square feet of gross floor area per student enrolled at the school. The Hearing Examiner may allow a smaller building size if the applicant demonstrates that less space is needed to accommodate the proposed school.
4. **Screening.** Any portion of the site which abuts upon a residential use shall be screened. (See Chapter 18.36, Landscaping and Screening.)

5. Portables. Portable classrooms are permitted as accessory uses for an existing school. However, installation of more than ten (10) portables per school shall require conditional use approval. All portables and other accessory buildings must comply with screening requirements in c. above.

6. Building Expansion. Building expansion depicted in a City-approved master plan or comprising no more than ten (10) percent of a preapproved floor plan is permitted. Greater expansion shall require conditional use approval. All incremental expansions are considered cumulative.

DD. TEMPORARY USES.

1. Intent. Certain uses, when active for a limited period of time and when properly regulated, can be compatible, or otherwise limited in impact to neighboring properties and the general community. In accord with this intent, no temporary use shall be allowed unless a temporary use permit is approved by the City as prescribed by this section. Each separately proposed activity or use shall require a separate permit and payment of the fee required by OMC 4.40.010(A).

2. General Standards. Temporary uses are subject to the following regulations:

a. No temporary use shall be permitted on public rights-of-way, unless a rights-of-way obstruction permit is authorized by the Public Works Department.

b. Temporary uses not listed in the use table in this chapter may be authorized by the applicable approval authority, provided such temporary uses are similar to and no more intensive than other temporary uses permitted in the district in which the subject property is located.

c. The applicable approval authority may apply additional conditions to any temporary use permit in order to:

i. Ensure compliance with this chapter;

ii. Ensure that such use is not detrimental to neighboring properties and the community as a whole; and

iii. Ensure compliance with the International Building Code.

d. Within three (3) days after termination of the temporary use permit, such use shall be abated and all structures, signs and evidence of such use removed. The City may require a financial surety be posted by the applicant upon application to defray the costs of cleanup and repair of the property should the permittee fail to do so. The property owner is responsible for any abatement action and costs should the permittee fail to properly clean and repair the property.

e. Temporary use permits not exercised within thirty (30) days of issuance shall be null and void.

3. Specific Temporary Use Standards. The following temporary uses are permitted subject to the requirements below.

- a. Use of mobile homes as emergency housing during reconstruction of a dwelling following damage sustained from earthquake, fire, storm or other natural disaster, not to exceed the period of reconstruction.
- b. One model home per five acres may be constructed in each subdivision prior to final plat approval. Model homes shall contain a functional restroom served by City water. The applicant for a model home permit shall provide adequate parking and emergency access. The Director may authorize appropriate temporary provisions of water and sewer service and other utilities prior to final plat approval. Operation of model homes shall cease when building permits have been issued for ninety (90) percent of the subdivision's lots.
- c. Residences rented for personal social events, such as wedding receptions, private parties or similar activities. No more than six (6) such events may occur during any one (1) year.
- d. Temporary, commercial wireless communications facilities, for the purposes of providing coverage of a special event such as news coverage or sporting event. Such facilities must comply with all federal and state requirements. Temporary wireless communications facilities may be exempt from the provisions of Chapter 18.44 up to one week after the duration of the special event.

4. Violations. At any time when such temporary use is operated in violation of required conditions of this section, or otherwise found to constitute a nuisance, the City may revoke the temporary use permit. The permittee shall be given notice of and an opportunity to contest the revocation prior to a final determination. If, in the opinion of the approval authority, the violation poses a life, health, or safety threat, the temporary use permit may be revoked immediately, and the permittee shall be given the opportunity to request reconsideration and/or appeal.

EE. GARAGE PLACEMENT AND WIDTH.

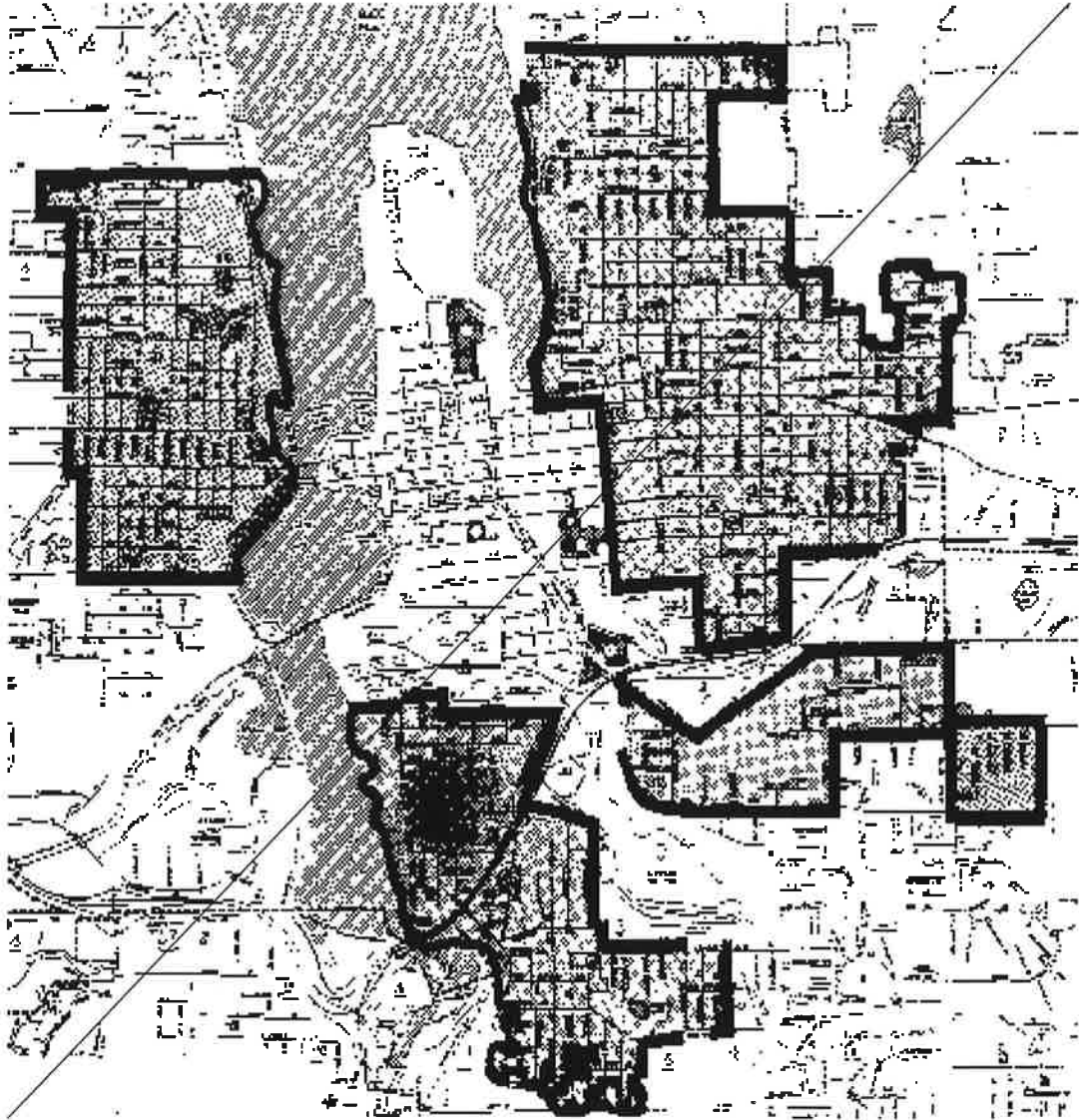
(Also see ~~Chapters 18.100, Design Review and~~ OMC Section 18.175.060, Infill and Other Residential Design Guidelines, Garage Design.)

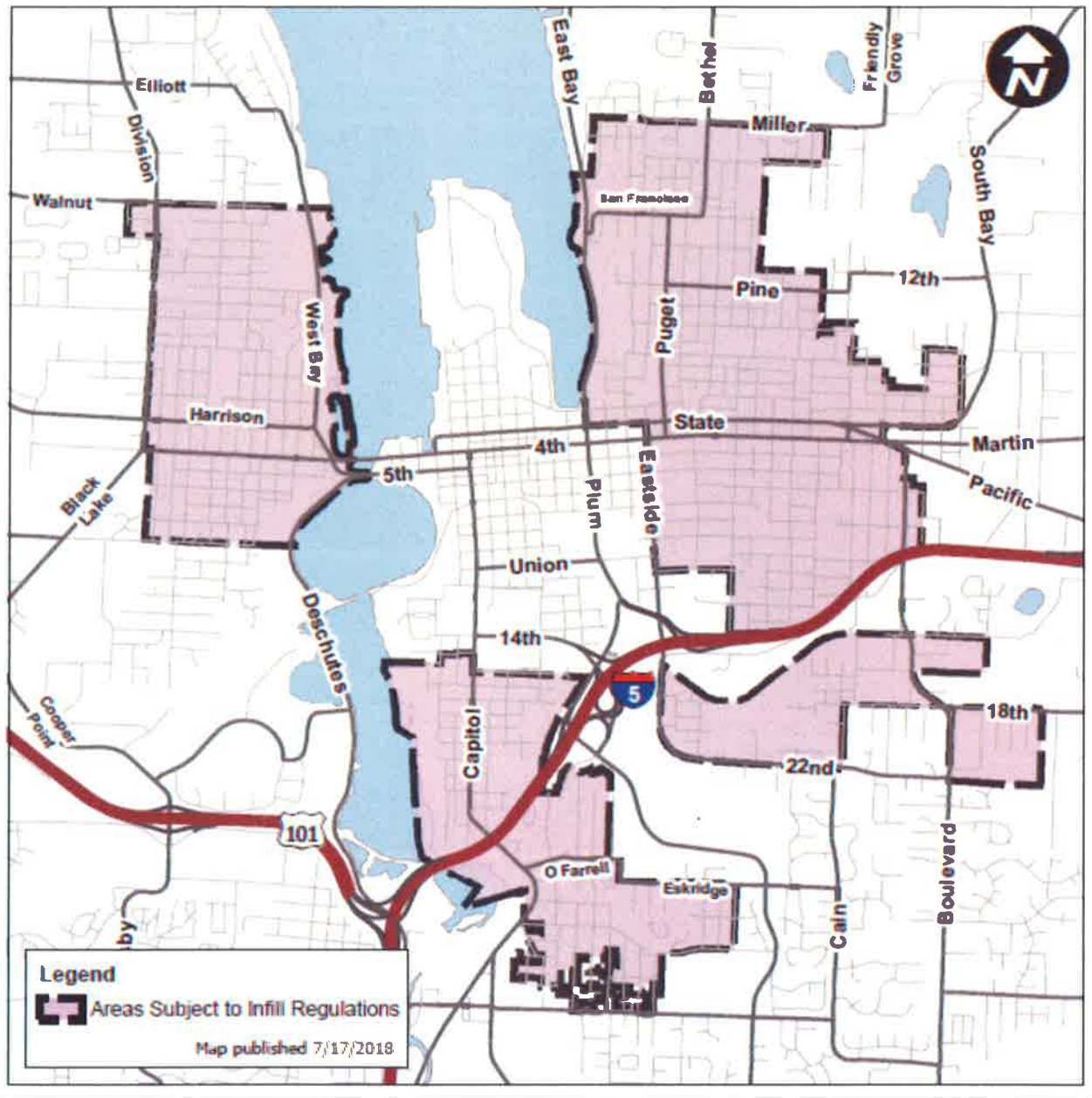
- 1. Applicability. The standards listed in Section e3. below apply only to:
 - a. Single-family dwellings on lots of five thousand (5,000) square feet or less in size located in subdivisions for which a complete preliminary plat application is submitted after April 22, 1996;

- 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;
 - f. Courtyard apartments; and
 - g. Cottage housing.
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 facade more than:
 - i. Eight (8) feet on two (2) story dwellings (i.e., dwellings with habitable space above the ground floor); or
 - ii. Four (4) feet on single-story dwellings.
- These requirements above (i. and ii.) do not apply to garages with doors which do not face the street (see 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

FF. HIGH DENSITY CORRIDOR TRANSITION AREA:

The High Density Corridor Transition Area is delineated in Figures 4-2c and 4-2d. The following standards shall apply to this area:

1. Triplex and Fourplex housing types shall be permitted uses in areas designated in Figures 4-2c and 4-2d.
2. The development standards of the underlying zone shall apply to triplexes and fourplexes, except as stated below:
 - a. A triplex shall have a minimum lot size of 7,200 square feet. A fourplex shall have a minimum lot size of 9,600 square feet.
 - b. Both triplexes and fourplexes shall have a minimum lot width of 80 feet.
 - c. Three stories are allowed with a maximum 35 foot height.
 - d. Side yard setbacks for triplex and fourplex housing types shall be a minimum of ten feet.

e. Development subject to the provisions of this chapter shall meet design standards contained in 18.175 Infill and Other Residential:

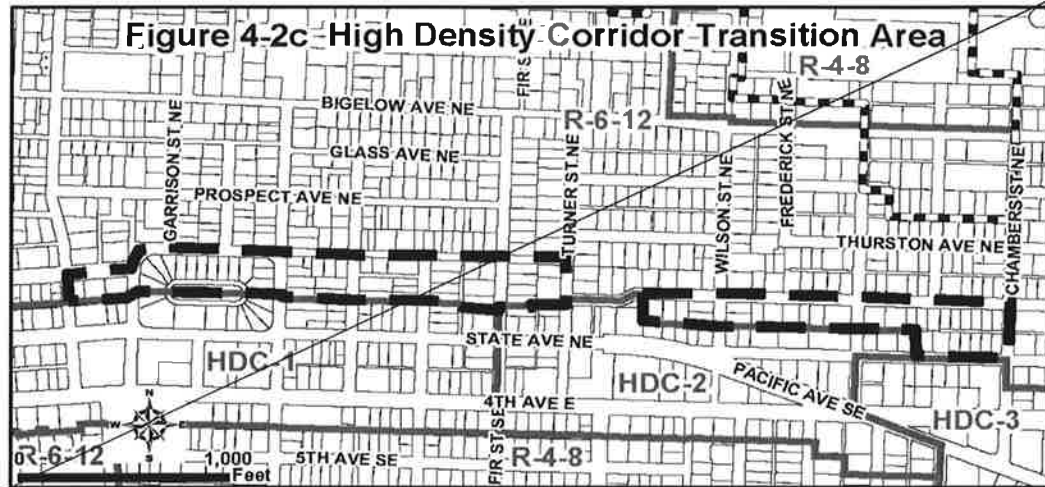


FIGURE 4-2c

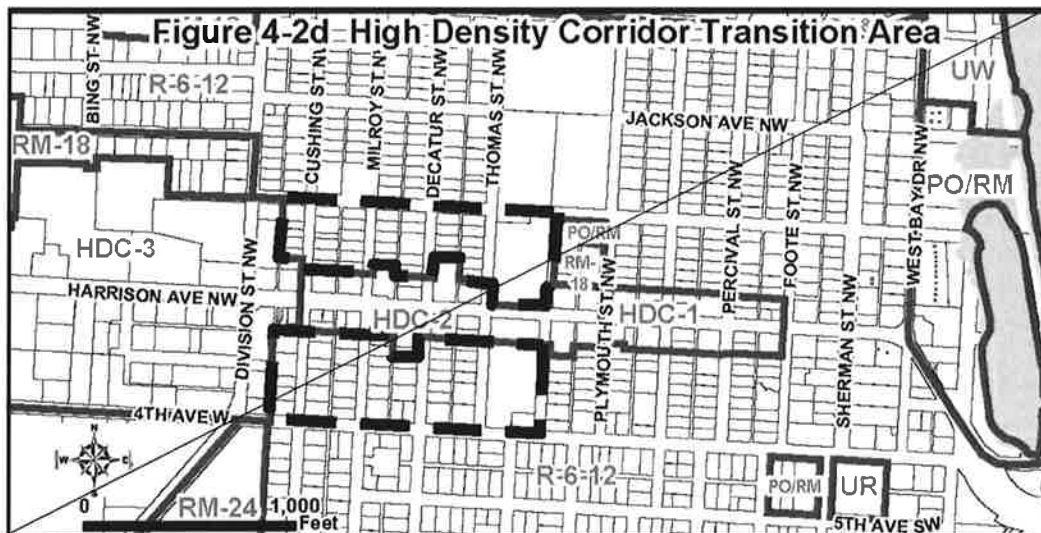


FIGURE 4-2d

GGFF. ELECTRIC VEHICLE INFRASTRUCTURE (EVI).

Electric Vehicle Infrastructure shall be considered an accessory use when it meets any of the following criteria:

1. A battery charging station is sited on the premises of a single family home for residential use and not commercial use;
2. When any Level 1 or 2 charger is sited within a parking lot or parking structure; or

3. When any battery charging station or a single battery exchange station is sited on the premises of a service station.

GG. TRIPLEXES, FOURPLEXES, COURTYARD APARTMENTS.

1. Courtyard apartments are permitted in the R 4-8 Zoning District when the site is located within three hundred (300) feet, as measured in a straight line, of a transit route in existence on the effective date of this ordinance, as shown in Figure 4-2c, or a commercial zoning district boundary.
2. Courtyard apartments shall be less than two stories when located in the R 4-8 Zoning District.
3. Courtyard apartments are limited to two-story structures when located in the R 6-12 Zoning District.
4. Triplexes, fourplexes, and courtyard apartments in the R 4-8 and R 6-12 Zoning Districts are subject to the Infill and Other Residential Design Review provisions, Chapter 18.175.

HH. SINGLE-ROOM OCCUPANCIES.

1. Single-room occupancies are limited to two-story structures when located in the R 6-12 Zoning District.
2. Single-room occupancies in the R 6-12 Zoning Districts are subject to the Infill and Other Residential Design Review provisions, Chapter 18.175.

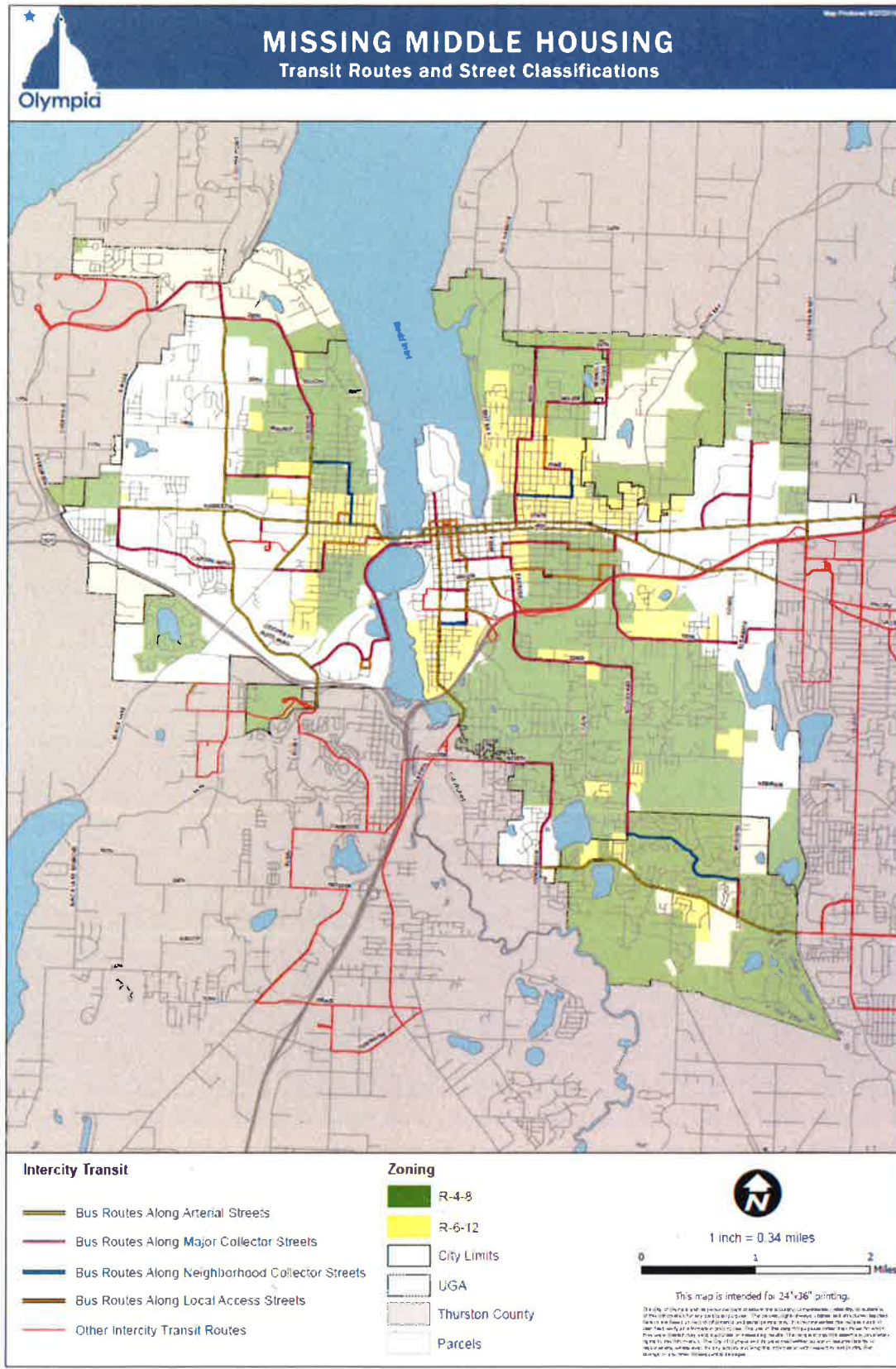


FIGURE 4-2c

18.04.080 TABLES: Residential Development Standards

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%	2,000 SF minimum 3,000 SF average = townhouse, 4,000 SF = other, 6,000 SF = duplex, 7,200 SF =	2,500 SF = cottage, 2,000 SF minimum, 3,000 SF average = townhouse, 4,000 SF = townhouse, 7,200 SF = duplex, 7,200 SF =	2,000 SF = cottage, 1,600 SF minimum, 2,400 SF average = townhouse, 2,400 SF = townhouse, 7,200 SF = duplex, 7,200 SF =	1,600 SF = cottage, 1,600 SF minimum, 2,400 SF average = townhouse, 2,400 SF = townhouse, 6,000 SF = duplex, SF =	1,600 SF = cottage, 1,600 SF minimum, 2,400 SF average = townhouse, 2,400 SF = townhouse, 6,000 SF = duplex, SF =	1,600 SF = cottage, 1,600 SF minimum, 2,400 SF average = townhouse, 2,400 SF = townhouse, 6,000 SF = duplex, SF =	1,600 SF minimum, 2,400 SF average = townhouse, 2,500 SF = mobile home park, 6,000 SF = duplex, SF =	1,600 SF minimum, 2,000 SF average = townhouse, 2,500 SF = mobile home park, 6,000 SF = duplex, SF =	1,600 SF minimum, 2,000 SF average = townhouse, 2,400 SF = townhouse, 7,200 SF = duplex, SF = mobile	2,000 SF = cottage, 1,600 SF minimum, 2,400 SF average = townhouse, 2,500 SF = townhouse, 7,200 SF = duplex, SF = mobile	1,600 SF minimum, 2,000 SF average = townhouse, 2,500 SF = mobile home park, 7,200 SF = home park, 2,500	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
			in the same subdivision plat.	multi-family.	<u>9,600SF = triplex.</u> <u>13,000 SF = fourplex.</u> <u>17,500 SF = other multi-family.</u> 4,000 SF = other	triplex, 9,600 SF = fourplex, 13,000 SF = other multi-family, 3,500 SF = other	multifamily, 3,000 SF = other	multifamily, 3,000 SF = other	multifamily, 3,000 SF = other				home park, 3,500 SF = other		
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	---	18.04.080(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	25'	50'	10' except: 5' for agricultural buildings	20' except: 5' for agricultural buildings with farm animals; farm animals	20' except: 5' for agricultural buildings with farm animals	20' except: 15' for multifamily; 10' for cottages, and shaped lots, farm animals	15' except: 10' for cottages, and shaped lots, farm animals	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;	5' except: 10' for structures over 42'	18.04.080(D) 18.04.080(F) 18.04.080(H) 18.04.080(I)

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
	with farm animals			with farm animals.	10' for cottages, and wedge shaped lots	10' for cottages, and wedge shaped lots	wedge shaped lots	20' with alley access					10' for cottages		
MINIMUM SIDE YARD SETBACKS	5' except: 10' along flanking streets; provided garages are set back 20' 5' for agricultural buildings with farm animals	5' except: 10' along flanking street; except garages shall meet Minimum Front Yard Setbacks 6' on one side of zero lot; 5' for agricultural building with farm animals	10' minimum each side, and minimum total of 60' side yards.	5' except: 10' along flanking streets; except garages shall meet Minimum Front Yard Setbacks 6' on one side of zero lot; 5' for agricultural buildings with farm animals	5' except: 10' along flanking 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	5' except: 10' for triplex, fourplex 10' along flanking 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	5' except: 10' along flanking 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	5' except: 10' along flanking 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	5' except: 10' along flanking 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	5' except: 10' along flanking 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	5' except: 10' along flanking streets; 6' on one side of zero lot; 5' for agricultural buildings with farm animals; 10' - mobile home park	---	5' except: 10' along flanking streets; 6' on one side of zero lot; 3' for cottages; 5' for agricultural buildings with farm animals; 10' - mobile home park	No minimum 10' on Capitol House Block	18.04.080(H)
MAXIMUM BUILDING HEIGHT	35'	35', except: 1624' for accessory buildings	40' except: 1624' for accessory buildings	40' except: 1624' for accessory buildings	35', except: 1624' for accessory buildings; 25' for cottage; 35' on sites 1 acre or more, if setbacks	35', except: 1624' for accessory buildings; 25' for cottages; <u>Courtyard</u> <u>apartments</u> and <u>single-</u>	45', except: 25' for cottage; 1624' for accessory buildings	45', except: 25' for cottage; 1624' for accessory buildings	35', except: 1624' 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)

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
					equal or exceed building height. <u>Courtyard</u> <u>apartments</u> <u>must be less</u> <u>than two</u> <u>stories.</u>	<u>room</u> <u>occupancy</u> <u>buildings are</u> <u>limited to two</u> <u>stories.</u>									
MAXIMUM BUILDING COVERAGE	45% = lots of 10,000 SF; 25%=lots of 10,001 SF to 1 acre; 6%=1.01 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.	Refer to Maximum Coverage below	45% = .25 acre or less 40% = .26 acres or more 60% = townhouses	55% = .25 acre or less 40% = .26 acres or more 60% = townhouses	45%	50%	50%	55%	85%	85%	45% = .25 acres or less 30% = .26 to 1 acre 25% = 1.01 to 3 acres 20% = 3.01 acres or more	85% except for stoops, porches or balconies	
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	35% 60% = Townhouses	6%; increased to 18% if associated with drainage	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	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
	than 4 acres; 6%=4.1 acre or more		dispersal tract of at least 65% in the same subdivision plat.										25% = 3.01 + acres 70% = townhouses		
MAXIMUM HARD SURFACE	45% or 10,000sf (whichever is greater) = lots less than 4 acres; 6%=4.1 acre or more	45% 70% = 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	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+ acres 70% = townhouses	85% except for stoops, porches or balconies	
MINIMUM OPEN SPACE	220 tree units per acre required		65% drainage dispersal area required; may double as tree tract or critical areas buffer.		<u>200 SF/unit for cottages;</u> 450 SF/unit for cottage courtyard apartment developments	<u>200 SF/unit for cottages;</u> 450 SF/unit for cottage courtyard apartment developments	30% for multifamily; <u>450 SF/unit for cottage developments</u> 200 SF/unit for cottages	30% for multifamily; <u>450 SF/unit for cottage developments</u> 200 SF/unit for cottages	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 <u>200 SF/unit for cottages;</u> 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

18.04.080 Residential districts' development standards

Table 4.04 identifies the basic standards for development in each residential district contained in this chapter. The sections referenced in Table 4.04 refer to the list of additional regulations below.

A. Maximum Housing Densities.

1. Calculation of Maximum Density.

a. The maximum housing densities specified in Table 4.04 are based on the total area of the entire site, including associated and/or previously dedicated right-of-way, but not including streams, wetlands, landslide hazard areas, "important habitat areas," and "important riparian areas" and land to be dedicated or sold for public parks, schools or similar non-residential uses.

b. The maximum housing densities specified in Table 4.04 shall not apply on lots 10,000 square feet or less for townhomes, nor on lots 1/2-acre or less for duplexes, triplexes, fourplexes, and courtyard apartments in the R 4-8 and R 6-12 zoning districts; however, the minimum lot sizes in Table 4.04 shall still apply. (See also OMC 18.64.080.B)

~~b.c.~~ Convalescent homes. Convalescent homes and nursing homes containing dwelling units which rely on shared cooking/dining facilities shall count as one (1) dwelling unit for purposes of the maximum density calculation. Independent dwelling units (i.e., containing a bed, bathroom and a kitchen with a sink, stove, and refrigerator) in convalescent/nursing homes, however, shall be counted as individual dwelling units in the density calculation. The density for a site or parcel containing a convalescent/nursing home which is part of a larger project shall be calculated separately from other portions of the site under development (i.e., density shall not be transferred from a site occupied by a nursing home to another portion of the development).

2. Mixed Residential and Multifamily Districts. The maximum housing densities shown in Table 4.04 refer to the maximum density of each project. Projects within multiple districts shall conform with the density for the portion in each district.

3. Accessory Dwelling Units. Accessory dwelling units built subsequent to the initial occupancy of the primary residence on a lot are not subject to the maximum density limits specified in Table 4.04. In addition, accessory units built on a maximum of twenty (20) percent of a subdivision's lots prior to the time the primary unit on the lot is initially sold are not subject to the maximum density limitations.

4. Duplexes. Duplexes created by remodeling an existing single-family dwelling without expanding the building are not subject to the maximum density limits specified in Table 4.04.

45. Density Bonuses. The maximum housing densities identified in Table 4.04 may be increased as follows, provided, however, that in the R 4-8 District, TDRs must be obtained (see Section 18.04.080(A)(5)(b):

- a. Restoration of Critical Areas. At the request of the applicant, the Hearing Examiner may grant a density bonus of up to twenty (20) percent for sites on which damaged or degraded wetlands or stream corridors (e.g., streams and stream banks within the outer limits of any required buffer) will be restored and maintained according to specifications approved by the City. Sites proposed for this density bonus shall be posted with a notice describing the proposal and opportunities for the public to comment. Property owners within three hundred (300) feet of the site shall be given notice of the proposal and fifteen (15) days to comment. Such notice may be done concurrently with any other notice required by this Code. Prior to taking action on a request for a density bonus, the Hearing Examiner shall consider the public's comments, the expected public benefit that would be derived from such restoration, the probable net effect of the restoration and the increased density on the site, the relative cost of the restoration and the value of the increased density, and the potential impact of increased density on surrounding land uses, traffic, infrastructure, schools, and parks. The City may require the applicant to provide an estimate of the cost of the proposed restoration and other information as necessary to make this determination. This bonus does not apply to site features which were damaged in the course of a current project (e.g., under an active permit) or as a result of an illegal or intentional action by the current property owner or their representative.
- b. Cottage housing. Cottage housing projects shall receive a ~~twenty (20)~~ fifty (50) percent density bonus.
- c. Townhouses. Townhouses shall receive a fifteen (15) percent density bonus in the R 4-8 and R 6-12 districts.
- d. Low income housing. A density bonus shall be granted for low income housing (see Section 18.02.180, Definitions) at the rate of one (1) additional housing unit allowed for each unit of low income housing provided, up to a maximum of a twenty (20) percent bonus.

The applicant shall submit to the Department a document approved by the City Attorney stating that the low income housing which is the basis for the density bonus shall remain for a period of at least twenty (20) years from the date the final inspection is conducted by the Building Official. This document shall be recorded, at the applicant's expense, at the Thurston County Auditor's Office as part of the chain of title of the affected parcels.

56. Transfer of Development Rights. Development Rights must be obtained from an eligible property owner in a Thurston County Transfer of Developments Rights (TDR) Sending Zone in order to develop above ~~seven (7)~~ eight (8) units per acre in an R 4-8 District. However, this requirement does not apply

to density bonuses granted in accordance with Section 18.04.080(45). With one TDR credit, a density of nine (9) units per acre can be achieved in the R 4-8 District.

B. Minimum Housing Densities

1. Calculation of Minimum Density.

a. (Note: Table 5.05 in Section 18.05.) The total area of the entire site shall be included in the minimum density calculation except streams, wetlands, landslide hazard areas, floodplains, "important habitat areas," and "important riparian areas" and their associated buffers; tracts accommodating stormwater facilities required in compliance with the Drainage Manual tracts provided for trees pursuant to ~~the Tree Protection and Replacement Ordinance~~ Chapter 16.60 OMC; existing, opened street rights-of-way; and land to be sold or dedicated to the public in fee (e.g., school sites and public parks, but not street rights-of-way to be dedicated as part of the proposed development).

b. All dwelling units in convalescent homes/nursing homes ~~and accessory dwelling units~~ count toward the minimum density required for the site by Table 4.04.

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

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

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

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

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 18.100, Design 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.

D. Transitional Lots.

1. Lot Size. The square footage and width of lots in developments larger than five (5) acres located in the MR 7-13, MR 10-18, or RM-18 districts, which immediately abut an R-4, R 4-8 or R 6-12 district, shall be no less than eighty-five (85) percent of the minimum lot size and width required in the adjoining lower density district.

2. Setbacks. The minimum rear yard building setback for lots in the MR 7-13, MR 10-18, and RM-18 districts which share a rear property line with a parcel in an R4, R 4-8, or R 6-12 district shall be no less than the setback required for the adjoining lower density district.

E. Developments without Sewer Service. Residential developments which rely on on-site sewage disposal or water systems are subject to the following requirements:

1. Subdivisions.

a. Subdivisions, planned residential developments (PRD) and Master Planned Developments (see Chapter 18.56) which rely on on-site sewage disposal shall cluster the lots on a portion of the site and create a reserve tract which will not be available for subdivision or other development until municipal sewer and water are available.

The development shall be of a design and density (consistent with Environmental Health and other applicable regulations) so that the initial clustered lots and the subsequently subdivided reserve tract ultimately attain at least the minimum density specified for the district in Table 4.04. (Unless the Director determines that fewer lots are required, consistent with Section 18.04.080(B), Minimum Housing Densities.)

b. Approval of clustered subdivisions, short subdivisions, binding site plans, or PRDs relying on on-site sewage disposal shall be contingent upon approval of a future development plan which demonstrates that the reserve tract can be subdivided to create sufficient lots to comply with Subsection (1) above. Such plans shall depict a schematic lot layout, the approximate location of utility easements, and potential street access, consistent with the transportation policies and Map 6-3 contained in Chapter 6 of the Comprehensive Plan for Olympia and the Olympia Growth Area, 1994 (and as hereafter amended). Future development plans shall not be required to be stamped by an engineer or surveyor. (The purpose of the plan is to show that the undeveloped portion of the site can be ultimately developed at urban density, not to limit future development to a specific development scheme. However, the initial subdivision or site development must be consistent with the future development plan.)

2. Individual Lots.

a. Issuance of building permits for dwellings proposed for parcels five (5) or more acres in size without sewer service shall be contingent upon approval of a future development plan for the parcel. Such plans shall demonstrate, consistent with 1.b. above, how the parcel can be potentially developed at the minimum density established for the district (see Table 4.04) when public sewer and water are available. While this plan will not bind future development, the initial development, including the septic system location, must be consistent with it.

b. Issuance of building permits for dwellings without sewer service on parcels between one (1) and five (5) acres in size shall be contingent upon approval of a building site plan or future development plan which demonstrates that the parcel can potentially accommodate one (1) or more additional houses in the future. While future development will not be bound by this plan, the initial development shall be consistent with it. Developers of such lots shall locate individual or community sewage disposal systems, to the extent possible, where they can be efficiently converted to a public sewage collection system in the future.

F. Clustered Housing.

1. Mandatory Clustering. The Director or Hearing Examiner may require that the housing units allowed for a site be clustered on a portion of the site in order to protect ground water used as a public water source (e.g., wellhead protection areas), to enable retention of windfirm trees (which are appropriate to the site and designated for retention, consistent with Chapter 16.60, Tree Protection and Replacement, OMC), to accommodate urban trails identified on Map 7-1 of the Comprehensive Plan, to preserve scenic vistas pursuant to Sections 18.20.070, View Preservation and 18.50.100, Scenic Vistas, or to enable creation of buffers between incompatible uses (also see Chapter 18.36, Landscaping and Screening).

The Director or Hearing Examiner may allow up to a twenty (20) percent reduction in lot dimensions, sizes and setback requirements, consistent with the Uniform Building Code, to facilitate the clustering of the permitted number of dwelling units on the site. The required clustering shall not result in fewer lots than would otherwise be permitted on the site (at the minimum density specified in Table 4.04), without written authorization by the applicant.

2. Optional Clustering. Applicants for housing projects may request up to twenty (20) percent reduction in lot sizes, dimensions, and building setback requirements in order to cluster housing and retain land serving the purposes listed in a. above; or to avoid development on slopes steeper than twenty (20) percent; or to preserve natural site features such as rock outcrops; or otherwise enable land to be made available for public or private open space. Applicants proposing to place sixty-five (65) percent or more of a development site within a tree or vegetation protection or critical areas tract or tracts (see OMC chapter 16.60 and section 18.32.140) and not exceed 10% overall impervious coverage may request approval of housing forms not otherwise permitted in the zoning district so long as the number of resulting residential units does not exceed the standard maximum by more than twenty (20) percent. Such alternative housing forms may exceed height and story limits otherwise applicable in the district, except for height and story limits specifically intended to soften transitions between zoning districts. For example, three-story multi-family housing may be approved in a two-story single-family housing district. The Director or Hearing Examiner, as applicable, may grant such requests only if s/he determines that the development would not have a significant adverse impact on public facilities and surrounding land uses.

G. Lot Width.

1. Measurement. The minimum lot width required by Table 4.04 shall be measured between the side lot lines at the point of intersection with the minimum front setback line.

2. Varied Lot Widths. The width of lots in new subdivisions and planned residential developments, except for the R-4CB district, with more than ten (10) lots shall be varied to avoid monotonous development patterns.

a. No more than three (3) consecutive lots, uninterrupted by a street, shall be of the same width. This requirement does not apply to townhouses.

b. Lot widths shall be varied by a minimum of six (6) foot increments.

c. The minimum lot widths specified in Table 4.04 may be reduced by up to six (6) feet for individual lots, provided that the average lot width for the project is no less than the minimum lot width required by Table 4.04 and Section 18.04.080(G)(3) below.

~~3. Narrow Lots. The length of the primary structure on a lot of forty (40) feet or less in width shall not exceed three (3) times the structure's width or seventy (70) feet, whichever is less. This provision does not apply to attached housing units (e.g., townhouses).~~

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 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

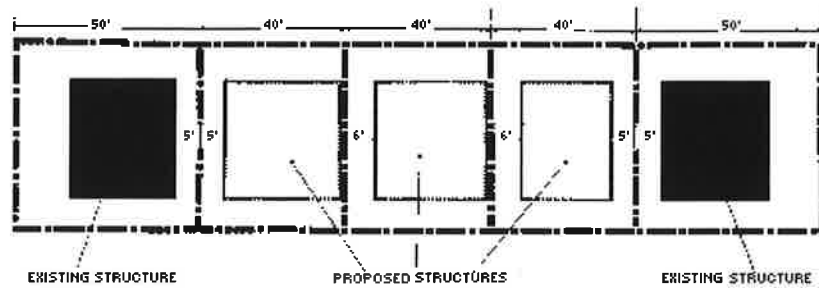
3. Rear Yard Setbacks. See Section 18.04.080(H)(5), Encroachments into Setbacks, Section 18.04.080(D)(2), Transitional Lots, and Table 4.04.

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.

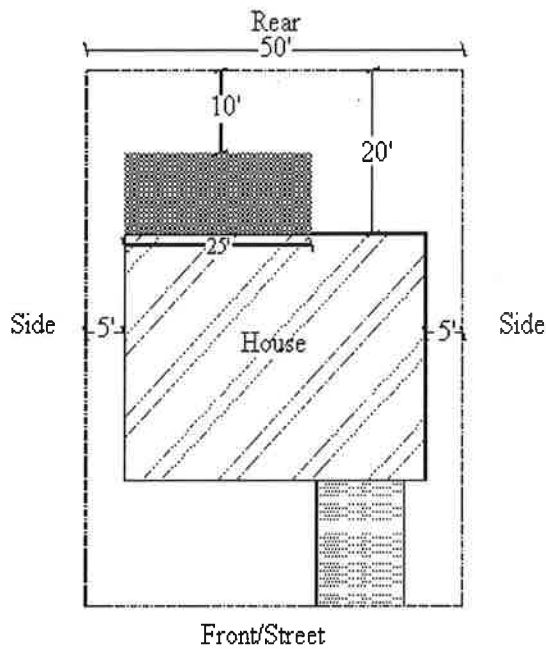


Figure 4-4a

- 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.

I. Height.

1. Roof Projections. The following structures may exceed the height limits specified for the district in Table 4.04 by eighteen (18) feet, provided that such structures do not contain floor space: roof structures housing elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building; fire or parapet walls; skylights; towers; flagpoles; chimneys; smoke stacks; wireless masts; television antennas; steeples; and similar structures.

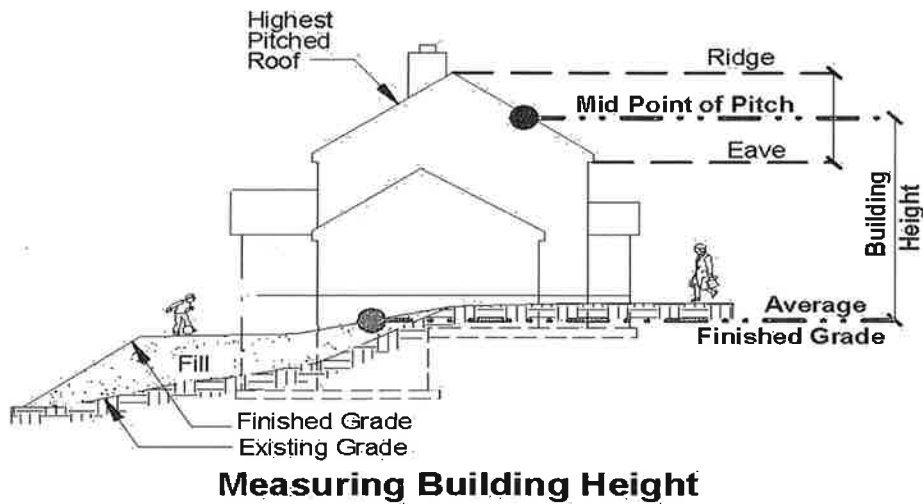


FIGURE 4

2. RMU District Height Regulations.

- a. Base building heights. The base building heights allowed in the RMU District are specified in Figure 4-5.
- b. Sculptured building tops. The following sculptured building top regulations apply only where the permitted building height is sixty (60) feet.

Buildings with sculptured tops may exceed the permitted height (60 feet) by two (2) building stories if they meet the following conditions:

- i. The gross floor area of all of sculptured stories is at least one-third ($1/3$) less than the gross floor area of the first floor of the building; and
- ii. The roof form is sculptured (e.g., pitched roof, hip roof, dome, chateau roof, tower, turret, pediment, dormers, or other similar form); and
- iii. The added two (2) stories are setback from the street wall at least eight (8) feet; and
- iv. The roof structure is designed to hide all mechanical and communications equipment located there.

3. UR District Height Regulations. The building heights allowed in the UR District are specified in Figure 4-5 and 45-A. Also see 18.10.060, Capitol Height District.
4. R4-8 District Height Regulations. Existing State Community College Education Facilities. A maximum 60' building height is allowed with a 100' setback from adjacent residentially zoned property.
5. Places of Worship. Places of worship may exceed the height limits specified in Table 4.04, except in the State Capitol Group Height District, provided that the side yard width equals at least fifty (50) percent of the building's proposed height (including spires and towers).
6. Radio, Television and other Communication Towers. The height of radio, television, and other communication towers may exceed the maximum building height allowed in the district, subject to approval of the Hearing Examiner consistent with Sections 18.04.060(W) and (X).
7. Tall Buildings in the MR Districts. Buildings between thirty-five (35) and forty-five (45) feet in height are permitted in the MR 7-13 and MR 10-18 districts, subject to compliance with the following requirements:

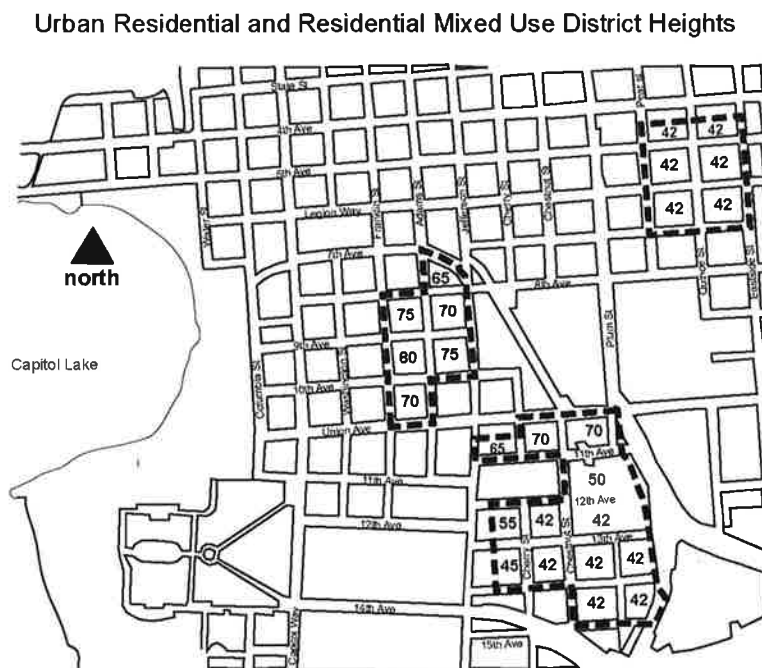


FIGURE 4-5

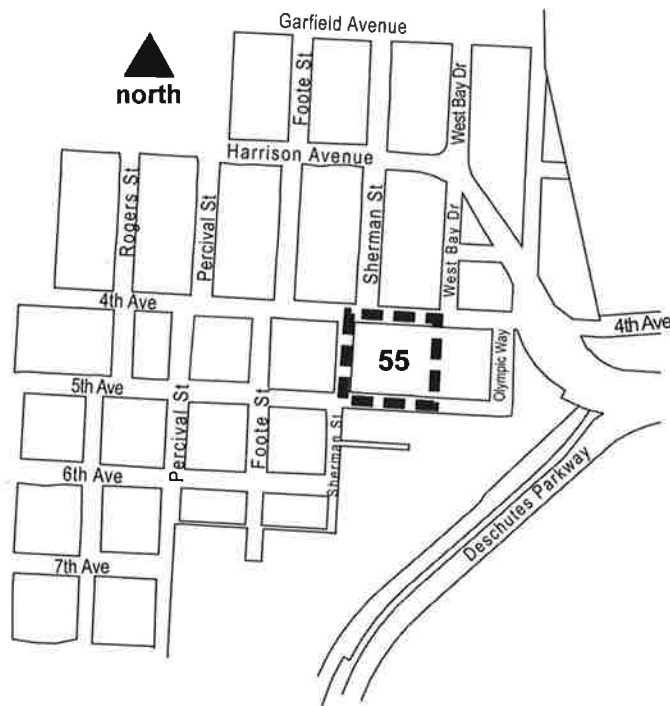


FIGURE 4-5A

a. The proposed building will not be located within one hundred (100) feet of the boundary of the property under development (this may include several parcels under a single development proposal). Exceptions to this requirement shall be granted where topography, stands of trees (deemed appropriate for retention by the City, consistent with Chapter 16.60, Tree Protection and Replacement), or other site features block the visibility of the section of the building above thirty-five (35) feet in height from existing or potential residential areas (zoned and available for residential use) adjoining the site; and

b. Existing evergreen trees, which the City deems are appropriate to the site (e.g., which do not pose significant risks for proposed site improvements or public safety, consistent with Chapter 16.60, Tree Protection and Replacement) are retained where possible to help screen the building from the view of residents of dwellings abutting the property.

8. Water Towers. Water towers may exceed the height limits specified in Table 4.04.

[NOTE: Refer to Article III, Height Overlay Districts, for additional restrictions.]

J. Private and Common Open Space.

1. Development of Open Space. Open space (e.g., private yard areas and common open space) required by Table 4.04 shall be devoted to undisturbed native vegetation, landscaping (consistent with Chapter 18.36, Landscaping and Screening), and/or outdoor recreational facilities. Driveways, loading areas, maneuvering space and parking lots shall not be considered open space. Required open space shall not be covered with impervious surfaces, except for stoops, porches, or balconies, walkways, tennis courts, swimming pools, or similar uses which require an impervious surface. Up to a five (5) percent (5%) increase in impervious surface coverage may be allowed to accommodate such hard surfaced facilities. Also see Chapter 16.60 Tree, Soil and Native Vegetation Protection and Replacement.
2. Cottage Housing Developments. Cottage housing developments shall provide open space as follows:
 - a. A minimum of two hundred (200) square feet of private, contiguous, usable, open space shall be provided adjacent to each dwelling unit. No dimension of this open space area shall be less than ten (10) feet provided that at least fifty percent (50%) of such open space may be combined with soil and vegetation protection area standards.
 - b. A minimum of fifteen hundred (1500) square feet or two hundred (200) square feet per unit, whichever is more, shall be provided in common open space (e.g., available for the use of all residents of the development). This open space shall be contained in a contiguous area with no dimension less than thirty (30) feet. A substantial portion of such open space shall be sufficiently level (e.g., less than five ~~(5)~~ percent (5%) slope) and well drained to enable active use in summer ~~provided that at least fifty percent (50%) of such open space shall comply with soil and vegetation protection area standards.~~
3. Mixed Density Districts. Parcels or sites accommodating multifamily housing (e.g., triplexes, fourplexes, and larger apartment buildings) in a MR 7-13 or MR 10-18 district shall contain at least thirty ~~(30)~~ percent (30%) open space. At least fifty ~~(50)~~ percent (50%) of such open space must be available for the common use of the residents of the multifamily housing. Such open space shall be developed consistent with Section 18.04.080(J)(1) above. This open space requirement shall be reduced to twenty ~~(20)~~ percent (20%) if the multifamily housing adjoins a park, school or open space site of at least ten thousand (10,000) square feet in size. Impervious surface coverage limits specified in Table 4.04 shall be adjusted accordingly.
4. Manufactured or Mobile Home Parks. At least five hundred (500) square feet of common open space shall be provided per dwelling unit (see Section 18.04.060(P)(8)). At least fifty percent (50%) of such open space shall comply with soil and vegetation protection area standards.
5. Residential - 4 Chambers Basin District. Required open space for stormwater dispersion may be provided in a common area or within each individual private lot of a development. All required drainage dispersal areas shall be protected from filling and grading and all other activities which would decrease

the ability of such areas to disperse and infiltrate stormwater. Side yard setback areas shall be designed to disperse roof runoff to the maximum extent practical. To qualify as a "drainage dispersal tract" (required to create lots of less than one acre) such area shall be held in common or deeded to homeowners association and otherwise conform with the requirements of stormwater tracts as set forth in the Olympia Stormwater Drainage Manual.

Section 2. Amendment of OMC 15.04.020. Olympia Municipal Code Section 15.04.020 is hereby amended to read as follows:

15.04.020 Definitions

The following words and terms shall have the following meanings for the purposes of this title, unless the context clearly requires otherwise. Terms otherwise not defined herein shall be defined pursuant to RCW 82.02.090, or given their usual and customary meaning.

- A. "Act" means the Growth Management Act, as codified in RCW 36.70A, as now in existence or as hereafter amended.
- B. "Accessory Dwelling Unit" means a dwelling unit that has been added onto, created within, or separated from a single-family detached dwelling for use as a complete independent living unit with provisions for cooking, eating, sanitation, and sleeping.
- C. "Building Permit" means an official document or certification which is issued by the Building Official and which authorizes the construction, alteration, enlargement, conversion, reconstruction, remodeling, rehabilitation, erection, demolition, moving or repair of a building or structure.
- D. "Capital Facilities" means the facilities or improvements included in a capital budget.
- E. "Capital Facilities Plan" means the capital facilities plan element of a comprehensive plan adopted by the City of Olympia pursuant to Chapter 36.70A RCW, and such plan as amended.
- F. "City" means the City of Olympia.
- G. "Council" means the City Council of the City of Olympia.
- H. "Concurrent" or "Concurrency" means that the improvements are in place at the time the impacts of development occur, or that the necessary financial commitments are in place, which shall include the impact fees anticipated to be generated by the development, to complete the improvements necessary to meet the specified standards of service defined in the Parks Study, the Transportation Study, and the Schools Study within six (6) years of the time the impacts of development occur.
- I. "County" means Thurston County.

- J. "Department" means the Department of Community Planning and Development.
- K. "Development Activity" means any construction, expansion, or change in the use of a building or structure that creates additional demand and need for public facilities.
- L. "Development Approval" means any written authorization from the City of Olympia which authorizes the commencement of a development activity.
- M. "Director" means the Director of the Department of Community Planning and Development or the Director's designee.
- N. "District No. 111" means the Olympia School District No. 111, Thurston County, Washington.
- O. "Downtown Impact Fee Payment Area" means all properties located within the downtown area, which is currently bounded by: Budd Inlet on the north; Budd Inlet and Capitol Lake on the west; along 14th Avenue extending between Capitol Lake and Capitol Way, then east on 14th Avenue extending to Interstate 5 on the south; Eastside Street on the east; and along Olympia Avenue in a westerly direction reconnecting with the Budd Inlet on the north, including properties owned by the Port of Olympia, as shown in Figure 15-04-1.
- P. "Dwelling Unit" means a single unit providing complete and independent living facilities for one or more persons, including permanent facilities for living, sleeping, eating, cooking, and sanitation needs.
- Q. "Elderly" means a person aged 62 or older.
- R. "Encumbered" means to reserve, set aside, or otherwise earmark the impact fees in order to pay for commitments, contractual obligations, or other liabilities incurred for public facilities.
- S. "Feepayer" is a person, corporation, partnership, an incorporated association, or any other similar entity, or department or bureau of any governmental entity or municipal corporation commencing a land development activity which creates the demand for additional capital facilities, and which requires the issuance of a building permit. "Feepayer" includes an applicant for an impact fee credit.
- T. "Gross Floor Area" means the total square footage of any building, structure, or use, including accessory uses.
- U. "Hearing Examiner" means the Examiner who acts on behalf of the Council in considering and applying land use regulatory codes as provided under Chapter 18.82 of the Olympia Municipal Code. Where appropriate, "Hearing Examiner" also refers to the office of the hearing examiner.
- V. "Impact fee" means a payment of money imposed by the City of Olympia on development activity pursuant to this title as a condition of granting development approval in order to pay for the public facilities needed to serve new growth and development. "Impact fee" does not include a reasonable permit fee, an

application fee, the administrative fee for collecting and handling school impact fees, or the cost of reviewing independent fee calculations.

W. "Impact Fee Account" or "Account" means the account(s) established for each type of public facility for which impact fees are collected. The Accounts shall be established pursuant to Sections 15.04.100 and 15.04.110 of this title, and comply with the requirements of RCW 82.02.070.

X. "Independent Fee Calculation" means the park impact calculation, the school impact calculation, the transportation calculation, and/or economic documentation prepared by a feepayer, to support the assessment of an impact fee other than by the use of Schedules A, C and D of Chapter 15.16, or the calculations prepared by the Director or District No. 111 where none of the fee categories or fee amounts in the schedules in Chapter 15.16 accurately describe or capture the impacts of the new development on public facilities.

Y. "Interest" means the average interest rate earned by the City of Olympia or District No. 111 with respect to school fees in the last fiscal year, if not otherwise defined.

Z. "Interlocal Agreement" or "Agreement" means the school interlocal agreement by and between the City of Olympia and District No. 111 as authorized in Section 15.04.110 herein.

AA. "Occupancy Permit" means the permit issued by the City of Olympia where a development activity results in a change in use of a pre-existing structure.

BB. "Open Space" means for the purposes of this title undeveloped public land that is permanently protected from development (except for the development of trails or other passive public access or use).

CC. "Owner" means the owner of record of real property, or a person with an unrestricted written option to purchase property; provided that, if the real property is being purchased under a recorded real estate contract, the purchaser shall be considered the owner of the real property.

DD. "Parks" means parks, open space, and recreational facilities, including but not limited to ball fields, golf courses, athletic fields, soccer fields, swimming pools, tennis courts, volleyball courts, neighborhood parks, community parks, special use parks, trails, and open space.

EE. "Parks Study" means the City of Olympia Park Impact Fee Study dated October 2012, and as may be amended in the future.

FF. "Planned Residential Development" or "PRD" shall have the same meaning as set forth in Chapter 18.56 of the Olympia Municipal Code.

GG. "Project Improvements" mean site improvements and facilities that are planned and designed to provide service for a particular development or users of the project, and are not system improvements. No

improvement or facility included in a capital facilities plan adopted by the Council shall be considered a project improvement.

HH. "Public Facilities" means the following capital facilities owned or operated by the City of Olympia or other governmental entities: (1) publicly owned parks, open space, and recreational facilities; (2) public streets, and roads; and (3) public school facilities.

II. "Residential" or "Residential Development" means all types of construction intended for human habitation. This shall include, but is not limited to, single-family, duplex, triplex, and other multifamily development.

JJ. "Schools Study" means the "Olympia School District - Rate Study for Impact Fees for School Facilities, 1994," and as may be amended in the future.

KK. "Senior Housing Development" means a residential development of 10 units or more that is occupied exclusively by residents 55 years of age or older. In order to qualify for the "Senior Development" impact fee rate, a restrictive covenant is required to be placed on the deed limiting the development to residents 55 years of age or older.

LL. "Single Room Occupancy Dwelling" means a housing type consisting of one room, ~~often with cooking facilities and with private or shared bathroom facilities,~~ and cooking facilities that are either in the room or shared.

MM. "Square Footage" means the square footage of the gross floor area of the development.

NN. "State" means the State of Washington.

OO. "System Improvements" means public facilities that are included in the City of Olympia's capital facilities plan and are designed to provide service to service areas within the community at large, in contrast to project improvements.

PP. "Transportation Study" means the City of Olympia Transportation Impact Fee Program Update dated December 2008, and as may be amended in the future.

Section 3. Amendment of OMC 18.02.080. Olympia Municipal Code Section 18.02.080 is hereby amended to read as follows:

18.02.080 Interpretations

A. The Director of Community Planning and Development shall review and resolve any questions involving the proper interpretation or application of the provisions of this title and other city plans, codes, regulations and standards related to project permits that may be requested by any property owner, tenant, government officer, department, board, council or commission affected. The Director's decision shall be in keeping with the spirit and intent of this title and of the Comprehensive Plan.

B. Classification of Use. Recognizing that there may be uses not specifically mentioned in this title, either because of advancing technology or any other reason, the Director may permit or condition such use if it is clearly evident that the use is in conformity with the designated principal uses of the district in which it is to be located. When there is doubt as to the proper classification of a use, the Director may refer the matter to the Hearing Examiner who shall rule on the matter

C. Record. A record shall be kept of all interpretations and rulings made by the Director, Hearing Examiner, and City Council; such decisions shall be used for future administration. The Hearing Examiner shall report decisions to the Planning Commission when it appears desirable and necessary to amend this title.

D. Minimum Requirements. When interpreting and applying the regulations of this Development Code, its provisions shall be the minimum requirements, unless otherwise stated.

E. Conflicts of Regulations. Except as otherwise specifically stated, where conflicts occur within this Development Code or between the provisions of this Development Code and the Building and Fire Codes, or other regulations of the City, the more restrictive shall apply. If any conflict between the zoning map and text of this title ensue, the text of this title shall prevail.

F. Conflict with State Law. The provisions of this title shall not have the effect of authorizing any activities prohibited by State law or other ordinances of the City of Olympia.

G. Official Zoning Map - Conflicts with Text. If any conflict between said map and text of this Article ensues, the text of this title shall prevail.

H. Rounding of Quantities. Discrete physical measurements, including but not limited to, those not subject to fractional division, such as number of housing units or parking spaces, shall be rounded to the next higher whole number when the fraction is greater than .5, and to the next lower whole number when the fraction is equal to or less than .5, except as otherwise provided in this Development Code. When a density bonus is provided for certain housing types, such as townhouses and cottage developments, the density bonus is applied to the whole number, after rounding up. If rounding down, the fractional number will be used.

Section 4. Amendment of OMC 18.02.180. Olympia Municipal Code Section 18.02.180 is hereby amended to read as follows:

18.02.180 Definitions

A. DEFINITIONS - SPECIFIC.

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

Abandoned Activity. A business or activity with no reported sales or activity for a period of twelve (12) months, except temporary closures for repairs, alterations, or other similar situations. Land and/or buildings not in use

for such period are considered vacant and unoccupied and may be subject to review including land use approval prior to renewal of use.

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

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

Accessory Dwelling Unit. See Dwelling, Conventional.

Accessory Structure. A structure detached from the principal building located on the same lot and customarily incidental and subordinate to the principal building. Any part of the main building which shares a common wall and roof is considered a part of that building. A building or portion thereof is not considered attached if the attachment is by a covered breezeway. (See also Subordinate.)

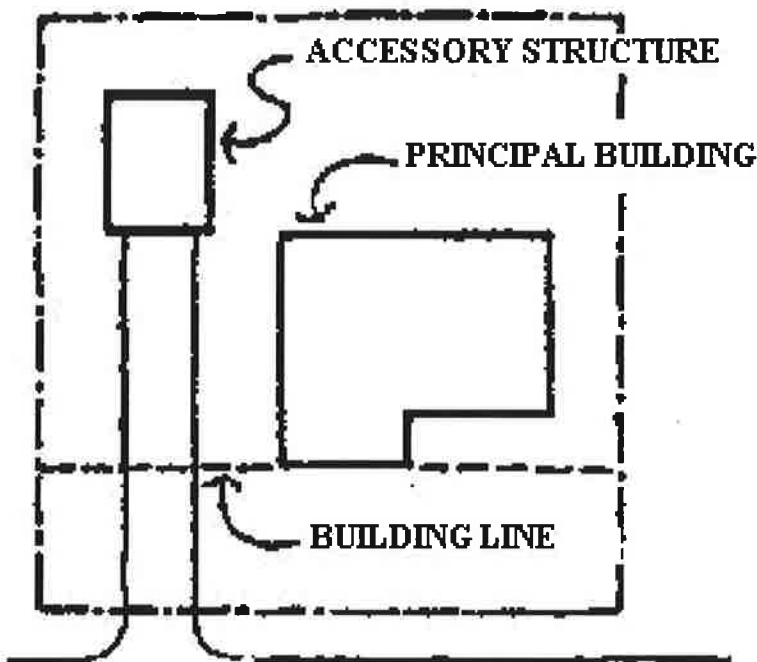


FIGURE 2-1

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

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

Adult Day Care Home. See Dwelling, Assisted Living.

Adult Entertainment.

- a. Any exhibition, performance, or dance of any type conducted in a premises where such exhibition, performance, or dance involves a person who is unclothed or in such costume, attire, or clothing as to expose any portion of the female breast below the top of the areola or any portion of the pubic region, anus, buttocks, vulva, or genitals, or human male genitals in a discernibly turgid state, or wearing any device or covering exposed to view which simulates the appearance of any portion of the female breast below the top of the areola or any portion of the pubic region, anus, buttocks, vulva, or genitals, or human male genitals in a discernibly turgid state, even if completely opaquely covered; or
- b. Any exhibition, performance, or dance of any type conducted in a premises where such exhibition, performance, or dance is distinguished or characterized by a predominant emphasis on the depiction, description, simulation of, or relation to, the following specified sexual activities:
 - i. Human genitals in a state of sexual stimulation or arousal;
 - ii. Acts of human masturbation, sexual intercourse, or sodomy; or
 - iii. Fondling or other erotic touching of human genitals, pubic region, buttocks or female breast; provided, adult entertainment and specifically the "depiction, description, simulation of, or relation to" sexual activities described above, shall not be construed to include any form of actual sexual conduct as defined in this section.
- c. Any exhibition, performance, or dance intended to sexually stimulate any patron and conducted in a premises where such exhibition, performance, or dance is performed for, arranged with, or engaged in with fewer than all patrons on the premises at that time, with separate consideration paid, either directly or indirectly, for such performance exhibition or dance. For purposes of example and not limitation, such exhibitions, performances, or dances are commonly referred to as table dancing, couch dancing, taxi dancing, lap dancing, private dancing, or straddle dancing.

Adult-Oriented Business. Shall mean the following businesses:

- a. Adult arcade. An establishment containing any individual viewing areas or booths, where, for any form of consideration, including a membership fee, one or more still or motion picture projectors, slide projectors, or similar machines, or other image producing machines are used to show films, motion pictures, video cassettes, slides, or other photographic reproduction of sexual conduct, or adult entertainment.
- b. Adult cabaret. A night club, bar, restaurant, theater, or auditorium, or similar commercial establishment, whether or not alcoholic beverages are served, which presents adult entertainment.
- c. Adult motel. A hotel, motel, or similar commercial establishment which;

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

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

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

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

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

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

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

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

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

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

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

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

Animal Kennel. See Kennel.

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

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

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

Antenna Element. Any antenna or antenna array.

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

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

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

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

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

Apartment. See Dwelling, Conventional.

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

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

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

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

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

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

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

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

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

Attached Structure. Any structure that has an enclosed interior wall(s) and covered roof in common with another structure sufficient to constitute an occupiable room (i.e., seven feet wide or more). A structure connected to another structure only by a covered passageway is not considered attached. (See Detached Structure; note that structures conforming with neither definition must conform with requirements of this title for both types of structures.)

Auction. See Swap Meet.

Auditor. The Auditor of Thurston County, Washington.

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

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

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

B. DEFINITIONS - SPECIFIC.

Bank. See Office, Bank.

Base Station. The electronic equipment utilized by the wireless providers for the transmission and reception of radio signals.

Bed and Breakfast House. See Dwelling, Transient Housing.

Berm. A mound or embankment of earth.

Bicycle, In Building Parking. A secure bicycle storage area located within a building where access is restricted to users only.

Bicycle Check-in Systems. A bicycle storage area providing long and short-term storage and which is managed by an attendant.

Bicycle Lockers. A box, cabinet or other storage device which individually protects a bicycle and its components, and which contains a see-thru window or view holes. Such lockers are typically coin operated, rented on a monthly basis or managed to ensure their proper use.

Bicycle, Limited Access Fenced in Areas. A restricted bicycle storage area that is protected from the weather and where access is supervised or limited to individual users.

Binding Site Plan. A drawing made and approved in accordance with the provisions of Title 17, Subdivision, and which contains inscriptions and attachments setting forth such appropriate limitations and conditions for the use of the land established by the city, and which contains provisions requiring any development to be in conformance with the site plan.

Bioengineering. The use of plant materials to stabilize and/or revegetate eroding stream channels and banks.

Blank Wall. Walls that meet the following criteria: A ground floor street wall or building wall or segment of a wall which is within 50 feet of the public rights-of-way and which is longer than 15 horizontal feet without having a ground level window door, or building facade modulation at least one foot in depth, or other architectural feature lying wholly or in part within that 15 feet length.

Block. Parcel(s) of land surrounded by public streets, highways, freeways, railroad rights-of-way, flood control channels, creeks, washes, rivers or unplatted acreage or any combination thereof.

Block Face. One complete side of a block, usually facing a public street.

Boarding Home. See Dwelling, Conventional.

Boat Sales and Rentals. A business primarily engaged in sales and/or rental of new and used motorboats, sailboats, and other watercraft. Businesses primarily engaged in the sale of supplies for recreational boating, such as sails, outboard motors, and marine hardware, are classified as Specialty Stores.

Boat Storage Facility. A facility meant to provide long-term shelter for watercraft and their accessories, e.g., canoes, sail boats, power boats, etc.; not including service, repair or sales.

Breakpoint Technology. The engineering design of a monopole wherein a specified point on the monopole is designed to have stresses concentrated so that the point is at least five percent more susceptible to failure than any other point along the monopole so that in the event of a structural failure of the monopole, the failure will occur at the breakpoint rather than at the base plate, anchor bolts, or any other point on the monopole.

Buffer. An area or distance from the critical area which is required for the continued maintenance, functioning, and/or structural stability of a critical area; or is necessary to minimize risk to the public.

Buildable Lot. A lot meeting all minimum requirements of size, shape, frontage, and sanitation contained in this Title and other ordinances of the city.

Building. A structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals, or property of any kind.

Building Area. The net portion of the lot remaining after deducting all required setbacks, public rights-of-way, critical area buffers and other required open space from the gross area of the lot.

Building Coverage. See Coverage, Building.

Building Line. A line parallel with the structural foundation located on the inside border of the required yard.

Building, Main. The principal building on a lot or building site designed or used to accommodate the primary use to which the premises is devoted. When more than one building on the premise is designed or used for the primary use, each such building is considered a main building. (See also 18.40.060.A.1 OMC)

Building Materials, Garden and Farm Supplies Store. This includes businesses primarily engaged in selling products such as lumber and other building materials; paint; glass; wallpaper; hardware; nursery stock; lawn and garden supplies including mowers and garden tractors; and farm supplies such as seeds, feeds, fertilizer, and farm tools. It includes such firms if they sell to the general public, even if they also sell to contractors; if they do not sell to the general public at all, they are classified as Wholesale Trade. Firms primarily selling plumbing, heating and air conditioning equipment, or electrical supplies are also classified as Wholesale Trade. Florists and other stores selling cut flowers and potted plants not grown on the premises are classified as Specialty Stores. (See also Greenhouse and Nursery.)

Building Site. A parcel of land occupied or intended to be occupied by a main building and its accessory buildings, together with all the open space and yards required by this Development Code.

C. DEFINITIONS - SPECIFIC.

Caliper. The American Association of Nurserymen standard trunk measurement of nursery stock. Caliper of the trunk shall be the trunk diameter measured six inches above the ground for up to and including four inch caliper size, and twelve inches above the ground for larger sizes.

Canopy. A permanent flat roof-like structure attached to and supported by a building, used principally as protection from sun and rain. The structure may or may not incorporate a sign.

Carport. A roofed structure providing space for the parking of motor vehicles, boats, recreational vehicles or other equipment, and enclosed on no more than three sides.

Cemetery. Property used for the interment of the dead.

Certificate of Appropriateness. A letter or other document stating that proposed changes will not adversely affect the historic characteristics of the property that contribute to its designation.

Certificate of Occupancy. A permit issued by the Community Planning and Development Department prior to occupancy of a structure when the structure is ready for occupancy.

Change of Occupancy. A change in the existing occupancy classification of a building, structure, or land, or portion thereof, as established and defined by the Uniform Building Code then in effect. Land use approval by appropriate authority and a certificate of occupancy issued by the building official may be required for any such change

Change of Use. Any use that substantially differs from the previous use of a building or land. If a particular land use is undefined by this Development Code, the most similar use listed in the Standard Industrial Classification (SIC) Manual shall be used. A change of ownership shall not be considered a change of use. (See also Thurston County Assessor SIC land use classifications.)

Child Day Care. The provision of supplemental parental care and supervision:

- a. For an unrelated child or children,
- b. On a regular basis,
- c. For less than 24 hours a day, and
- d. Under license by the Washington State Department of Social and Health Services.

As used in this Development Code, the term is not intended to include babysitting services of a casual, non-recurring nature or in the child's own home. Likewise, the term is not intended to include cooperative, reciprocal child care by a group of parents in their respective domiciles.

Child Care Home, Family. A facility in the residence of the licensee providing regular scheduled care for twelve or fewer children, within a birth through eleven-years-of-age range exclusively, for periods of less than 24 hours.

Child Day Care Center. A facility providing regularly scheduled care for a group of children one month of age through 12 years of age for periods less than 24 hours.

Church. A building or structure, or groups of buildings or structures, that by design and construction are primarily intended for conducting organized religious services and associated accessory uses, not to include bingo or games of chance, nor schools which exceed normal religious service hours.

City. The City of Olympia.

City Council. The duly elected Mayor and Council Members of the City of Olympia.

Clear Sight Triangle. A triangular-shaped portion of land at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the vision of vehicle operators entering or exiting the intersection. (See also Chapter 18.40.)

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

Clinic. A place for outpatient medical services to human patients.

Closed Record Appeal. An administrative appeal following an open record hearing on a project permit application when the appeal is on the record with no new evidence or information allowed to be submitted and only appeal argument allowed. [See RCW 36.70B.020(1)].

Club. An association of persons (whether or not incorporated) organized for some common purpose, not including a group organized primarily to render a service customarily carried on as a business. Retail warehouse buying clubs are not included in this definition. (See also Health Club and Country Club.)

Clustered Subdivision. A subdivision development in which building lots are sized to conform to the "footprint" of the structures and placed closer together than conventional development (usually in groups or clusters). The remaining undeveloped land is generally preserved as open space and/or recreation land. Private development easements around the structures are permitted for private landscaping, pools, spas, yards, and similar uses.

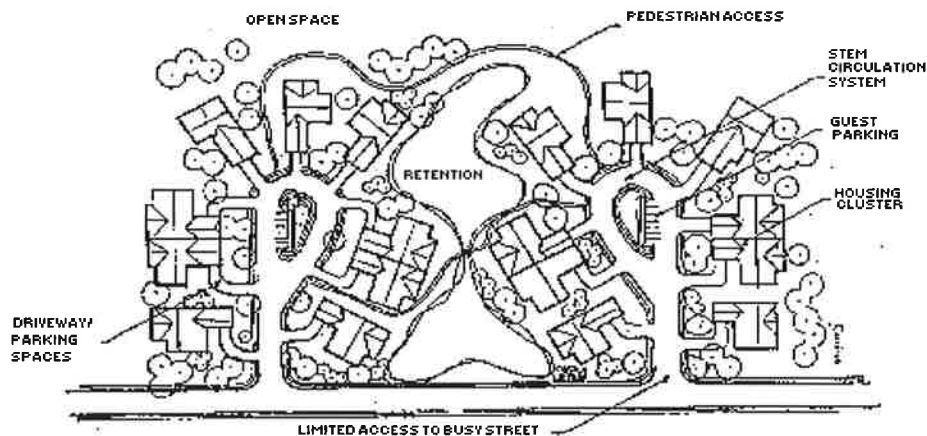


FIGURE 2-2

Cocktail Lounge. See Drinking Establishments.

Co-Housing. See Dwelling, Conventional.

Collocation. The practice of installing and operating multiple wireless carriers, service providers, and/or radio common carrier licensees on the same antenna support structure or attached wireless communication facility using different and separate antenna, feed lines and radio frequency generating equipment.

Combined Antenna. An antenna or an antenna array designed and utilized to provide services for more than one wireless provider for the same or similar type of services.

Commercial Vehicle. A vehicle customarily used as part of a business for the transportation of goods or people.

Commission. The Planning Commission of the City of Olympia.

Common Structure. A commonly owned structure intended for the common use of all residents of the development which meets the requirements of Section 18.04.060(F)(1).

Community Clubhouse. A privately owned structure in which inhabitants of a neighborhood or subdivision, or members of a neighborhood association gather for meetings and other activities.

Community Park. An area intended for use by the community for active and/or passive recreation activities. Such parks may contain large areas such as lake fronts, parkways, forest areas, picnic areas, arts facilities and regulation size athletic fields designed for organized competitive sports such as softball, baseball or soccer.

Compensation. Types of compensation include, but are not limited to the following:

In-Kind. Replacement of a habitat type with substitute habitat whose characteristics closely approximate those destroyed or degraded by an allowable use or activity.

Off-Site. Replacement of a specific habitat type away from the site on which a habitat type has been impacted by an allowable use or activity.

On-Site. Replacement of a habitat type at or within 500 feet of the site on which the habitat type has been impacted by an allowable use or activity.

Out-of-Kind. Replacement of a habitat type with a substitute habitat type whose characteristics do not closely approximate those destroyed or degraded by an allowable use or activity.

Compensation Project. Actions necessary to replace project-induced losses to the functional values of a critical area, including land acquisition, planning, construction plans, monitoring and contingency actions.

Complete Application. A written application for a project permit which meets the procedural submission requirements of the City and is sufficient for continued processing even though additional information may be required or project modifications may subsequently occur. To be complete, an application must include all required information, elements, attachments and supplemental studies or reports as set forth in the applicable section of the Olympia Municipal Code and as described on the approved application form, including any environmental checklist required by OMC Chapter 14.04; all insufficient detail for the reviewing authority to determine whether or not such application conforms with applicable regulations and standards. An application including such information which does not conform or is inconsistent with such regulations and standards shall nonetheless be deemed complete. See RCW 36.70A.440.

Complete Application, Date of. The date upon which the City has received all necessary information, forms, and fees required for the City to issue a determination of completeness. The date of complete application may precede the date upon which such determination is issued.

Comprehensive Plan. The plan adopted by the City Council to guide the physical growth and improvement of the city, including any future amendments and revisions.

Conditional Use Permit. A discretionary permit granted under the provisions of this Development Code and which, when granted, authorizes a specific use to be made of a specific property, subject to compliance with all terms and conditions imposed on the permit.

Condominium. See Dwelling, Conventional.

Conference Center. A facility used for seminars, conventions, symposiums and similar uses, with meeting rooms and possibly food preparation and eating facilities.

Confidential Shelter. See Dwelling, Assisted Living.

Conforming Use. A land use consistent with the list of permitted uses for the district in which it is located, or otherwise designated as a conforming use in that district.

Congregate Care Senior Housing. See Dwelling, Assisted Living.

Consistency with Comprehensive Plan. Performance in accordance with and complying and conforming with state law and the Olympia Comprehensive Plan as determined by consideration of the type of land use, the level of development, infrastructure, and the character of the development. [See RCW 36.70B.040].

Construction Permit. A building permit or engineering permit issued by the City of Olympia or other public agency authorizing specific physical alteration of land or alteration, installation, placement or creation of structures attached to land, including land covered by water.

Construction Permit, SEPA-exempt. A construction permit or license exempt from the threshold determination and environmental impact statement requirements of the State Environmental Policy Act, such as an electrical, mechanical, plumbing or single-family building permit, and installation permits for lateral utility lines.

Contiguous Land. Parcels adjoining and touching other land and having the same owner regardless of whether or not portions of the parcels have a separate tax lot numbers, were purchased at different times, lie in different sections, are different government lots or are separated from each other by private roads or private rights-of-way.

Contributing Historic Property. A property within a designated historic district listed as having enough historic significance to have been listed as a "contributing" property during the historic district approval process.

Convalescent Home. See Dwelling, Assisted Living.

Cornice. Any ornamental molding which protrudes along the top of a building.

Cottage Housing. See Dwelling, Conventional.

Country Club. A private or public membership facility designed for tennis, swim and other recreational activities except riding stables. Such uses and activities may be grouped around a clubhouse containing a restaurant, banquet and meeting room facilities. (See also Golf Course.)

County. Thurston County.

Courtyard. An open, unoccupied space, other than a yard, on the same lot with a building and bounded on two or more sides by the walls of a building.

Covenant. See Restrictive Covenant.

Coverage, Building. The portion of a lot covered by the principal and accessory building floor area including all areas covered by a weather-tight roof, excluding two feet of eaves.

Coverage, Impervious. The area which is occupied or covered by all impervious surfaces including the total horizontal surface of all buildings, except two feet of eaves. (See Net Site Area and Impervious Surface definitions.)

Crematorium. A facility that uses heat or fire to reduce human or animal remains to ashes.

Creek. See Stream.

Crisis Intervention Service. A mental health agency that offers 24 hour counseling, instruction and referral to persons in critical situations. This service is provided by telephone only and not in-person. Crisis intervention services are defined and regulated in Chapter 275-56-350 of the Washington Administrative Code. Such facilities may be characterized by a need for location confidentiality. This is not defined as a Business Office nor a Government Office.

Critical Area. Any of the following areas and ecosystems:

- a. Wellhead Protection Areas,
- b. Important Habitats and Species,
- c. Streams,
- d. Wetlands and Ponds, and
- e. Landslide Hazard Areas.

Critical Area Tract. An area containing a critical area and/or buffer and that is subject to a recorded critical area protection restriction. (See Tract)

Culvert. A conveyance device (e.g., concrete box, pipe) which conveys water under (usually across) a roadway or embankment.

D. DEFINITIONS - SPECIFIC.

Dangerous Waste. Any discarded, useless, unwanted or abandoned substances, including but not limited to certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes:

- a. Have short-lived, toxic properties that may cause death, injury or illness or have mutagenic, teratogenic or carcinogenic properties; or
- b. Are corrosive, explosive, flammable or may generate pressure through decomposition or other means.
(See also Hazardous Waste, Extremely.)

Date of Filing. The date that a complete and accurate application is submitted and appropriate fees paid.

Days. Consecutive calendar days unless otherwise stated.

Decorative Grille Work. Grille work which through the use of material, geometric pattern, configuration, embellishment, or workmanship exceeds the normal functional requirements. Parallel vertical bars - resembling a jail cell pattern - are not considered decorative grille work.

Dedication. The deliberate appropriation of land by an owner(s) for any general and public uses, reserving to themselves no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property is to be devoted. The intent to dedicate shall be evidenced by the owner by the presentment for filing of a final plat, short plat or binding site plan which shows the dedication thereon. Acceptance by the public shall be evidenced by written approval issued by the city of such document for filing with the County Auditor.

Deficiency, Application. The lack of an element or information which results in an application being deemed not complete, or which otherwise prevents meaningful review and rendering of a decision regarding the application. A deficiency includes an element or information which is absent, is inaccurate or in some other aspect does not conform with applicable regulations and standards, and supplemental information or studies required to review an application. Erroneous or misleading information intentionally included in an application shall constitute a deficiency.

Department. The City of Olympia Community Planning and Development Department.

Design. The planning and engineering of street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignment and grades thereof; location and size of all required easements and rights-of-way; fire roads and fire breaks; lot size and configuration; vehicle access; grading; land to be dedicated for park or recreational purposes; building and other accessory physical requirements.

Design Review. The evaluation of a site, building, landscape design plan or sign program submitted to the Design Review Board or staff, which may approve or deny the plan in part, or make further design recommendations based upon adopted guidelines.

Design Review Board. A committee with a balance of design professionals (architecture, planning, engineering, landscape architecture) and citizens who are appointed by the City Council.

Detached. Any building or structure that does not have a wall and roof in common with any other building or structure and where exterior walls are separated by six feet or more. (See Attached Structures; note that structures conforming with neither definition must conform with the requirements of this title for both types of structures).

Determination of Completeness. A written determination by the director or fire chief or their respective designees that all required elements of an application have been received by the City. This determination initiates the statutory review period for the application, if any, and subject to certain exceptions, entitles the applicant to have the application considered and reviewed pursuant to the laws, regulations and standards in effect on the date the application was complete.

Development. The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill, clearing or land disturbance; or any change of use or extension of the use of land. (See also Improvement.)

Development Area, WCF. The area occupied by a wireless communications facility including areas inside or under the following: an antenna support structure's framework, equipment cabinets, ancillary structures and access ways.

Development Code. A text incorporating areas of regulation more typically presented in separate zoning and subdivision ordinances and related chapters of the Municipal Code.

Development Coverage. Except where the context indicates otherwise, "development coverage" has the same meaning as impervious coverage.

Development Permit. Any land use permit which must be approved prior to the improvement and development of land or structures.

Director. The Director of the City of Olympia Community Planning and Development Department, and the Director's designees.

District or Zone. A specific area designated on the official zoning map of the city as one of the use districts as provided for in this title; such area is subject to all the requirements and regulations applicable to such district.

Dormitory. A residential structure intended principally for sleeping accommodations, where no individual kitchen facilities are provided, and which is related to an educational or public institution or is maintained and operated by a non-profit welfare organization.

Drinking Establishment. A business primarily engaged in the retail sale of alcoholic beverages for consumption on the premises, including night clubs, bars, and taverns. A lounge operated as part of a restaurant is considered to be accessory to the restaurant.

Drinking Water Protection Area. See OMC 18.32.205.

Drip Line. An imaginary ground line around a tree or building that defines the outermost limits of the tree canopy or building roof eave.

Drive-in Theater. An open lot devoted primarily to the showing of motion pictures.

Drive-Through Restaurant. See Restaurant, Drive-Through.

Dwelling Unit. See definition for single-family. Various types of housing or human shelter, which are listed below and categorized by use.

a. Dwelling, Conventional.

i. Accessory Dwelling Unit. A dwelling unit that has been added onto, created within, or separated from a single-family detached dwelling for use as a complete independent living unit with provisions for ~~cooking, sanitation and sleeping~~living, sleeping, cooking, and sanitation.

ii. Apartment. A dwelling within a structure designed and used for occupancy by three or more individual persons or families living independently of each other. ~~These structures include triplexes, fourplexes, and other multi-unit configurations; provided that this definition does not include triplexes, fourplexes, courtyard apartments, or single-room occupancies where those are defined separately.~~

iii. Boarding Home. Any home or institution, however named, which is advertised, announced or maintained for the express or implied purpose of providing board and domiciliary care to three or more aged persons not related by blood or marriage to the operator, under the provisions of Chapter 18.20 RCW. It shall not include any home, institution or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution or section thereof. (See also Dwelling, Assisted Living.)

iv. Co-Housing. Co-housing developments consist of two or more dwelling units, one or more shared community structures (e.g., containing a meeting hall, dining hall/kitchen, community center, or day care) and perhaps a community garden, recreation area, or similar community oriented use.

v. Condominium. A development consisting of an undivided interest in common for a portion of a parcel coupled with a separate interest in space in a residential or commercial building on the parcel.

vi. Cottage Housing Development. Four or more small, ~~detached~~ dwelling units sharing a commonly owned courtyard/common area and parking area(s). Any two units within a cottage housing development may be attached as a duplex.

vii. Courtyard Apartment. Five to twelve (5-12) attached apartment units arranged on two (2) or three (3) sides of a central courtyard or lawn area.

viii. Duplex. One building containing two single-family dwelling units totally separated from each other by a one-hour fire wall or floor.

ix. Fourplex. One building containing four single-family dwelling units totally separated from each other by a one-hour fire wall or floor.

x. Guest House. Living quarters without kitchen facilities located on the same lot with a principal building and occupied for the sole use of members of the family, temporary guests, or persons permanently employed on the premises. (See also Accessory Dwelling Unit.)

xi. Manufactured Home. A single-family residence constructed after June 15, 1976, in accordance with state and federal requirements for manufactured homes, and installed in accordance with the U.S. Department of Housing and Urban Development (HUD) requirements for manufactured housing and bearing the appropriate insignia indicating such compliance.

~~x. —Manufactured Home, Designated. A manufactured home constructed after June 15, 1976, in accordance with state and federal requirements for manufactured homes, and which meets the requirements of OMC 18.04.060.0.~~

~~xi. —Manufactured Home, New. Any manufactured home required to be titled under Title 46 RCW, which has not been previously titled to a retail purchaser, and is not a "used mobile home" as defined in RCW 82.45.032(2).~~

xii. Mobile Home. A single-family residence transportable in one or more sections, built on a permanent chassis, designed to be used as a permanent dwelling and constructed before June 15, 1976.

xiii. Modular Home. A structure constructed in a factory and installed in accordance with the applicable Building Code and bearing the appropriate insignia indicating such compliance. This definition includes "pre-fabricated," "panelized" and "factory built" units.

xiv. Single-Family Dwelling. A single unit providing complete, independent living facilities for a family, including permanent provisions for living, sleeping, cooking and sanitation.

xv. Single-Room Occupancy. A housing type consisting of one room ~~with cooking facilities and with shared bathroom facilities, and cooking facilities that are either in the room or shared.~~ (See also Boarding Home, Lodging House and Bed and Breakfast.)

xvi. Triplex. One building containing three single-family dwelling units totally separated from each other by a one-hour fire wall or floor.

xvii. Townhouse. A single-family dwelling unit which is part of a group of two or more such units separated by a completely independent structural wall (including utilities in separate walls), extending from the ground to the roof in accordance with the applicable Building Code and which has no doors, windows or other provisions for human passage or visibility through the wall. In certain zoning districts, such dwelling units are platted with common side and/or rear property lines between the structural walls. See Chapter 18.64.

b. Dwelling, Transient.

i. Bed and Breakfast. A dwelling for the purpose of providing lodging for travelers and guests for a period of less than two weeks for compensation and having at least one kitchen used to provide breakfast but no other meals. Such dwelling shall have no more than five such guest rooms for persons other than the immediate family of the operator occupying such dwelling. Any such dwelling having over five such guest rooms is a hotel.

ii. Hotel. Any building containing six or more guest rooms where lodging, with or without meals, is provided for compensation, and where no provisions are made for cooking in any individual room or suite.

iii. Lodging House. A dwelling having only one kitchen and used for the purpose of providing lodging, or lodging and meals, for compensation for no more than five persons other than the members of the immediate family of the operator occupying such dwelling. Any such dwelling having over five such guests is considered a hotel. (See also Boarding Home.) [NOTE: A lodging house allows for an unlimited stay, unlike a Bed and Breakfast which is limited to two weeks.]

iv. Motel. Guest rooms or suites occupied on a transient basis often with most rooms gaining access from an exterior walkway. (See also Recreational Vehicle.)

v. Trailer House. See Recreational Vehicle.

c. Dwelling, Assisted Living.

i. Adult Day Care Home. A residence in which adults (at least 18 years in age) and who are not related to the caregiver stay for no more than 12 hours per day. Emergency medical care may be provided in such facilities, but not convalescent care. (See also Convalescent Home and Elder Care Home.)

ii. Convalescent Home. Any home, place, institution or facility which provides convalescent or chronic care, or both, for a period in excess of 24 consecutive hours for three or more patients not related by blood or marriage to the operator, who by reason of illness or infirmity, are unable properly to care for themselves. Such establishment shall be duly licensed by the State of Washington as a "nursing home" in accordance with the provisions of Chapter 18.51 RCW.

iii. Congregate Care Facilities. A building or complex of dwellings specifically designed for occupancy by senior citizens which provides for shared use of facilities, such as kitchens, dining areas, and recreation areas. Such complexes may also provide kitchens and dining space in individual dwelling units. Practical nursing care may be provided, but not nursing care as described in Section 18.04.100(S).

iv. Elder Care Home. An elder care home or adult family home in the primary residence of a person licensed pursuant to Chapter 70.128 RCW to provide personal care, room, and board for one to five adults (at least 18 years of age) who are not related to the caregiver. Home health care and limited nursing care (dispensing of medicine and emergency medical aid) may be provided, but not convalescent care. (See also Convalescent Home, and Boarding Home.)

v. Group Homes. A place of residence for the handicapped, physically or mentally disabled, developmentally disabled, homeless, or otherwise dependent persons. Group Homes are intended to provide residential facilities in a home-like environment. Such homes range from licensed establishments operated with 24 hour supervision to non-licensed facilities offering only shelter. They shall not include correctional facilities (except as authorized by Chapter 137-56 and 137-57 WAC for work/training release programs), nursing homes, Type III group care facilities, foster family homes, or adult family homes as defined by the Washington State Department of Social and health Services or its successor agency. Group homes include, but are not limited to the following:

(a) Confidential Shelters. Shelters for victims of domestic violence as defined and regulated in Chapter 70.123 RCW and Chapter 388-61A WAC. Such facilities are characterized by a need for confidentiality.

(b) Home for the Disabled. A home or other facility which provides board and domiciliary care to individuals who, by reason of infirmity, require such care. An infirmity may be based on conditions including, but not limited to, physical handicap, mental illness, and other developmental disabilities. These group homes are a type of boarding home, as defined and regulated in Chapter 18.20 RCW. However, boarding homes serving the aged infirm are not included in this definition.

(c) Homeless Shelter. A facility offering lodging and/or emergency shelter to homeless individuals for an indefinite period of time and meeting the standards of Chapter 248-144 WAC.

(d) Group Home for Youth. Any home maintained and operated for the care of children on a 24 hour basis as defined and regulated in Chapter 388-73 WAC and Chapter 74.15 RCW.

(e) Group Home for Offenders. A home or other facility operated for housing and supervision of work/training release residents during their stay in a work/training release program as defined and regulated in Chapters 137-56 and 137-57 WAC.

vi. Hospice Care Center. Facilities licensed under Chapter 70.41 RCW which provide for the emotional and physical care of terminally ill patients. Such centers provide food, lodging, and palliative care on a full-time (24 hour) basis for two or more people, unrelated to the Center's operator, who are in the latter stages of a disease expected to cause death.

vii. Nursing Homes. See Convalescent Home.

viii. Rest Home. See Congregate Care.

E. DEFINITIONS - SPECIFIC.

Easement. A right of one owner of land to make lawful and beneficial use of the land of another, created by an express or implied agreement.

Easement, Conservation. The grant of a property right stipulating that the described land will remain in its current state, precluding future or additional development.

Easement, Scenic. An easement the purpose of which is to limit development in order to preserve or enhance a view or scenic area.

Elder Care. See Dwelling, Assisted Living.

Electric Vehicle Infrastructure. Structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations.

a. "Battery charging station" means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles.

b. "Battery exchange station" means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process.

c. "Charging levels" means the standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged. The terms 1, 2, and 3 are the most common electric vehicle charging levels, and include the following specifications:

- i. Level 1 is considered slow charging. Level 1 is present in homes and businesses and typically operates on a 15- or 20-amp breaker on a 120-volt Alternating Current (AC) circuit and standard outlet.
- ii. Level 2 is considered medium charging. Typically, Level 2 is for home and public charging and operates on a 40-amp to 100-amp breaker on a 208 or 240-volt AC circuit.
- iii. Level 3 is considered fast or rapid charging. Level 3 is primarily for commercial and public applications (e.g., taxi fleets and charging along freeways) and typically operates on a 60-amp or higher dedicated breaker on a 480-volt or higher three-phase circuit with special grounding equipment.
- d. "Electric vehicle" means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose. "Electric vehicle" includes any one of the following: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; and (4) a medium-speed electric vehicle.

Emergency. An imminent threat to health, safety, or welfare, or an imminent risk of substantial damage to public or private property.

Emergency Housing. A temporary shelter usually in the form of a mobile home which is occupied only during the period of reconstruction of a dwelling following damage sustained by fire, explosion, act of nature or act of public enemy.

Emergency Repair. Work necessary to prevent destruction or dilapidation of real or personal property or structures immediately threatened or damaged by fire, flood, earthquake or other disaster.

Entertainment Event. Includes any festival, sporting event, celebration, circus, carnival, fair, or other similar event open to the public.

Equipment Cabinet, WCF. Any structure above the base flood elevation (including cabinets, shelters, pedestals, and other similar structures) used exclusively to contain radio or other equipment necessary for the transmission or reception of wireless communication signals.

Equipment Compound, WCF. The fenced area surrounding the ground-based wireless communication facility including the areas inside or under the following: an antenna support structure's framework and ancillary structures such as equipment necessary to operate the antenna on the WCF that is above the base flood elevation including: cabinets, shelters, pedestals, and other similar structures.

Entertainment (Live). Any act, play, revue, pantomime, scene, dance act, or song and dance act, or any combination thereof, performed by one or more persons, whether or not they are compensated for the performance.

Equipment - Light. Machinery which a person does not ride such as chain saws, wheelbarrows, and hand-held tools.

Equipment Rental Service, Commercial. A business which rents or leases equipment for personal or household use, including but not limited to power and hand tools, yard and garden equipment, or party supplies such as dishware, glassware, and folding tables and chairs. This does not include rental of furniture or appliances, which is classified under Furniture, Home Furnishings, and Appliance stores. It also does not include rental or leasing of portable toilets, heavy equipment like bulldozers, or similar services to the construction trades. These are classified as Light Industrial uses.

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

Examiner. The Hearing Examiner of the City of Olympia.

Excavation. Any digging, scooping or other method of removing earth material.

Ex Parte Communication. Any written or oral communication made outside of a public hearing and not included in the public record.

F. DEFINITIONS - SPECIFIC.

FAA. The Federal Aviation Administration.

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

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

Farmers Market. See Swap Meet.

FCC. The Federal Communications Commission.

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

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

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

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

Flashing Sign. See Sign, Animated.

Flea Market. See Swap Meet.

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

Floor Area. See Gross Floor Area.

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

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

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

Fraternity House. A building which is occupied by unrelated members of a private educational organization, and which contains sleeping rooms, bathrooms, common rooms, and a central kitchen and dining room. (See Dormitory.)

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

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

Front Yard. See Yard, Front.

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

Frontage Improvements. See Improvements.

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

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

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

G. DEFINITIONS - SPECIFIC.

Gambling Establishment. A business primarily engaged in Class E and F (fee-charged and enhanced card room activities) and house-banked card games and similar activities as defined and regulated by the Washington State Gambling Commission.

Garage. An enclosed detached or attached accessory building which is primarily used for the parking of vehicles. (See also Parking Facility.)

Garage, Commercial. A structure, or portion thereof, used primarily for the parking and storage of motor vehicles and available to the general public. (See also Parking Facility, Commercial.)

Garage, Private. Any building or portion thereof accessory to, or within, the principal building, and which is used or intended to be used by persons residing on the premises for the storage or parking of motor vehicles, boats and other permitted uses. (See also Carport.)

Gas Station. See Service Station.

General Merchandise Stores. Stores which sell a number of lines of merchandise in one store, such as department stores, warehouse buying clubs, variety stores, country general stores, drug stores, and the like. A store which primarily sells only prescription and over-the-counter drugs is defined as a Pharmacy.

Geographic Search Ring. An area designated by a wireless provider or operator for a new base station, produced in accordance with generally accepted principles of wireless engineering.

Geologist. A person who has earned a degree in geology from an accredited college or university, or a person who has equivalent educational training and has experience as a practicing geologist.

Geotechnical engineer. A practicing, geotechnical/civil engineer licensed as a professional civil engineer with the State of Washington who has at least four years of professional employment as a geotechnical engineer evaluating landslides.

Golf Course. A private or public facility with extensive outdoor grounds designed for playing golf (typically 9 or 18 holes). Accessory uses may include a clubhouse, tennis and swim activities, and a driving range, but not to include riding stables. (See also Country Club).

Grade. The finished ground level adjoining the building at the exterior walls.

Grade Plane. A reference plane representing the average of the finished ground level adjoining the building at all exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building between the structure and a point six feet from the building.

Grading. Any excavating or filling of earth materials or any combination thereof.

Greenhouse. A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity may be regulated for the cultivation of delicate or out-of-season plants for sale or personal enjoyment. (See also Nursery.)

Grocery Store. A subcategory of food store which is primarily engaged in the retail sale of a wide variety of fresh foods, packaged foods and household supplies for preparation and consumption in the home. Commonly known as a supermarket, grocery store, or minimarket, this type of store sells such goods as tea, coffee, spices, sugar, flour and packaged foods; fresh and/or frozen fruits and vegetables; fresh and/or prepared meats, fish, and poultry; domestic cleaning products and paper goods; and miscellaneous small items for home use. See also "food store." A store which also sells a wide variety of non-grocery items (such as automotive supplies, consumer electronics, hardware, building materials, apparel, sporting goods or the like) as a major part of its sales (i.e., 30 percent or more of its display area) is classified as a "general merchandise store."

Gross Acreage. The total area within the lot lines of a lot or parcel of land before public streets, easements or other areas to be dedicated or reserved for public use are deducted from such lot or parcel.

Gross Floor Area. The area included within the surrounding exterior finished wall surface of a building or portion thereof, exclusive of courtyards.

Ground Area. See Gross Acreage.

Ground Cover. A variety of grasses or other low growing plants often cultivated to reduce soil and wind erosion.

Groundwater. Water in a saturated zone or stratum beneath the surface of land or below a surface water body.

Group Home. See Dwelling, Assisted Living.

Guest House. See Dwelling, Conventional.

H. DEFINITIONS - SPECIFIC.

Handoff Candidate. A wireless communication facility that receives call transference from another wireless facility, usually located in an adjacent first "tier" surrounding the initial wireless facility.

Hard Surface. An impervious surface, a permeable pavement, or a vegetated roof, in contrast with vegetated permeable soils.

Hazardous Materials. Those materials which are acutely toxic, ignitable, corrosive, reactive, persistent, carcinogenic, or which leach hazardous constituents, as described in Chapter 173-303 WAC. Examples include, but are not limited to, pesticides, acids, paint strippers and antifreeze.

Hazardous Waste. Those wastes which are acutely toxic, ignitable, corrosive, reactive, persistent, carcinogenic, or which leach hazardous constituents or are specifically listed as hazardous waste, as described in Chapter 173-303 WAC. Examples include, but are not limited to, pesticides, acids, paint strippers and antifreeze.

Hazardous Waste, Extremely. Any dangerous waste which:

- a. Will persist in a hazardous form for several years or more at a disposal site and which in its persistent form:
 - i. Presents a significant environmental hazard and may be concentrated by living organisms through a food chain or may affect the genetic makeup of man or wildlife, and/or
 - ii. Is highly toxic to man or wildlife;

b. Is disposed of at a disposal site in such quantities as would present an extreme hazard to people or the environment. (See also Ash, Incinerator and Off-Site Treatment and Storage Facility.)

Health Fitness Centers and Dance Studios. Health clubs, aerobics centers, athletic clubs and gymnasiums, indoor tennis and swim clubs, handball and racquetball clubs, weight-reducing centers, dance studios, and other businesses primarily engaged in indoor health and recreation activities, whether on a membership basis or for the general public. (See also Commercial Recreation, Golf Courses, Country Clubs, and Riding Stables.)

Health Officer. That person of the Thurston County Health Department described as such in Chapter of 70.05 RCW or a duly authorized representative.

Hearing Examiner. See Examiner.

Hedge. A row of shrubs or low-branching trees planted close together that forms a sight-obscuring or obstructing barrier below seven feet above the ground.

Height, Building. The vertical distance from grade plane to the average height of the highest roof surface.

Herbicide. Any substance used to kill plants, especially weeds.

Heritage Commission. A commission charged with historic planning and preservation, consisting of members appointed by the City Council.

Heritage Register or Register. The listing of properties having special historic significance and is listed on the Olympia Heritage Register, and including listings on the Washington Heritage Register, or National Register of Historic Places.

Heritage Review Committee. A sub-committee of the Heritage Commission charged with reviewing proposed changes to properties on the Heritage Register or within a historic district, and with making recommendations on permit approval to the Building Official.

Historic Building. A building listed on the Olympia Heritage Register, the National Register of Historic Places and/or the Washington Heritage Register.

Historic District. A geographically defined area containing buildings, structures, sites, objects and spaces linked historically through location, design, setting, materials, workmanship, feeling, and/or association. The significance of a district is the product of the sense of time and place in history that its individual components collectively convey. This sense may relate to developments during one period or through several periods in history.

Historic House Museum. A home owned by a public or registered nonprofit organization that has been placed on the National, local or State Register of Historic Places, and which is open to the public.

Historic Preservation Officer, Preservation Officer. The person designated by the Director to respond to requests for review and information relating to historic preservation and to be the primary staff liaison to work with the Heritage Commission.

Historic Resources. Any building, structure, object, district, area, or site that is significant in the history, architecture, archaeology or culture of this city, state, or nation, as identified by the Olympia Heritage Register, Washington Heritage Register, or the National Register of Historic Places.

Historic Site. A place where a significant event or pattern of events occurred. It may be the location of prehistoric or historic occupation or activities that may be marked by physical remains; or the site may be the symbolic focus of a significant event or pattern of events that may not have been actively occupied. A site may be the location of a ruined or now nonexistent building, structure, or object if the location itself possesses historic, cultural, or archaeological significance.

Historic Sites (Registered). Those buildings, structures, districts, sites and objects which are on the City Heritage Register or the State or National Register of Historic Places. (See also Archaeological Sites.)

Home Occupation. A commercial use within a residential dwelling unit which is clearly incidental and accessory to the residential use of the property and complies with applicable provisions of this Title.

Hospice Care Center. See Dwelling, Assisted Living.

Hospital. A medical institution or facility within an integrated campus setting for the purpose of diagnosis, care, and treatment of human illness, including surgery, long-term and emergency medical treatment. (See also Office, Medical.)

Hotel. See Dwelling, Transient.

Human Scale. The size or proportion of a building element or space, or an article of furniture, relative to the structural or functional dimensions of the human body. For example, a brick is approximately the size of a human hand.

Hydric Soil. A hydric soil is a soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part. (USDA - NRCS 1995, Federal Register, 7/13/94, Vol. 59, No. 133, pp 35680-83). Hydric soils that occur in areas having positive indicators of hydrophytic vegetation and wetland hydrology are wetland soils, as defined by the Washington State Wetlands Identification and Delineation Manual (1997), Ecology Publication #96-94, as amended or revised.

I. DEFINITIONS - SPECIFIC.

Impervious Surface. A non-vegetated surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A non-vegetated surface area which causes water

to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, gravel parking lots, gravel pathways, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater.

Important Habitat. See OMC 18.32.305.

Important Riparian Area. See OMC 18.32.405.

Important Species. See OMC 18.32.305.

Improvements. Any act which improves the value of public, real and personal property, or which is necessary as a condition of development, including but not limited to: streets and roads complying with the development standards and specifications adopted by the city; public utility and pedestrian facilities; street lights; landscape features; sewer and water lines; bridge structures; storm drainage facilities; and traffic control devices as are required to be installed as a part of subdivision, short subdivision, large lot subdivision, binding site plan, or commercial development. (See also Development.)

Incentives. A motivation or stimulus provided by government for public purposes, including but not limited to: compensation, rights or privileges or combination thereof which the City Council, or other local, state or federal public body or agency, by virtue of applicable present or future legislation, may be authorized to grant or obtain for the owner(s) of properties. Examples of economic incentives include but are not limited to tax relief, bonus densities, conditional use permits, rezones, street vacations, planned unit developments, transfer of development rights, facade easements, gifts, preferential leasing policies, private or public grants-in-aid, beneficial placement of public improvements, or amenities, or the like.

Industry, Heavy. The basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. This may include either Group F (factory and industrial) or Group H (hazardous) occupancies (types of buildings) under the Uniform Building Code. Other occupancies, such as Group M (mercantile) or Group S (storage), are allowed.

Industry, Light. A use engaged in the basic processing and manufacturing of materials or products predominantly from previously prepared materials or finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic processing of raw materials, except for food products. This also includes maintenance and service facilities for motor vehicle passenger transportation, such as for taxi fleets, public transit fleets, or school bus fleets. This may include Group F (factory and industrial)--but not Group H (hazardous)--occupancies

(types of buildings) under the Uniform Building Code. Other occupancies, such as Group B (business) or Group S (storage), are allowed.

Infill Development. New development that occurs on vacant lots within areas already developed.

Inpatient Facility. A state-licensed facility providing board and room on a 24 hour per day basis as part of a treatment program for alcoholism, drug addiction, or other chemical dependency. The term includes shelters for qualified indigent alcoholics and/or drug addicts placed by chemical dependency assessment centers.

Interdisciplinary Team. A group of technical experts from the City of Olympia, other consulted agencies, and tribes which advises the Department on a specific development application.

J. DEFINITIONS - SPECIFIC.

Joint Review Committee. The committee comprised of representatives from the Heritage Commission and Design Review Board.

Junk Yard or Salvage Facility. Primary or accessory use of structures and/or land for storage, recycling, dismantling and/or selling of cast-off, unused, scrap or salvage material of any sort.

K. DEFINITIONS - SPECIFIC.

Kennel. Any site where four or more dogs, cats, or other small animals over the age of four months are kept, whether such keeping is for pleasure, profit, breeding, or exhibiting, including places where said animals are boarded, kept for sale, or hire.

Kitchen. Any room or area, all or part of which is designed and/or used for storage, refrigeration, cooking and the preparation of food.

L. DEFINITIONS – SPECIFIC.

Lake. A naturally existing or artificially created body of standing water greater than twenty (20) acres in size. Lakes include reservoirs which exist on a year-round basis and occur in a depression of land or expanded part of a stream. A lake is bounded by the ordinary high water mark or the extension of the elevation of the lake's ordinary high water mark within the stream, where the stream enters the lake. All lakes meet the criteria of RCW Chapter 90.58 (Shoreline Management Act) and have been inventoried as "Shorelines of the State" found in the Shoreline Master Program, OMC 18.20.

Land Use Approval. A written approval or permit issued by the Director or Hearing Examiner, or designee thereof, finding that a proposed project is consistent with applicable plans, regulations and standards and authorizing the recipient to make use of property in a certain manner. The land use approval consolidates various non-construction permit reviews of a project such as design review, environmental review, zoning

conformance, and site plan review. Land Use Approval is a permit which does not directly authorize construction or improvements to real estate, but which is a necessary and required precursor to authorization of such construction or improvement. Land Use Approval includes, but is not limited to, applications for review and approval of a preliminary or final subdivision, short plat, binding site plan, conceptual or detailed master planned development, planned residential development, conceptual design review, site plan review, conditional use permit, variance, shoreline development permit, or other such reviews pertaining to land use.

Land Use Approval, Administrative. A Land Use Approval which may be issued by an authorized official or body, usually the Director, without an open record predecision hearing.

Land Use Approval, Quasi-Judicial. A Land Use Approval issued by an authorized official or body, usually the Hearing Examiner, following an open record predecision hearing.

Landscape Plan. A component of a site development plan on which is shown: proposed landscape species (number, spacing, size at time of planting, and plant details); proposals for protection of existing vegetation during and after construction; proposed treatment of hard and soft surfaces; proposed decorative features; grade changes; buffers and screening devices; and any other information that can reasonably be required in order that an informed decision can be made by the approving authority.

Landscape Structure. A fence, wall, trellis, statue or other landscape and ornamental object.

Landscaping. An area devoted to or developed and maintained predominantly with native or non-native plant materials including lawn, groundcover, trees, shrubs, and other plant materials; and also including accessory decorative outdoor landscape elements such as ornamental pools, fountains, paved or decorated surfaces (excluding driveways, parking, loading, or storage areas), and sculptural elements.

Landslide. Episodic down-slope movement of a mass of soil or rock that includes but is not limited to rockfalls, slumps, mudflows, earthflows and snow avalanches.

Large Lot Subdivision. The division of land into lots or tracts, each of which is 1/128 of a section of land or larger, or five acres or larger if the land is not capable of description as a fraction of a section of land.

Laundry and Laundry Pick-up Agency. An enterprise where articles of clothing, linen, etc. are washed, including self-service laundries as well as those where customers drop off articles to be laundered either on or off the premises, or dry-cleaned off the premises only. This includes diaper services, but not the following, which are classified as Light Industrial uses: dry-cleaning plants, linen supply services, carpet and upholstery cleaning plants, and industrial launderers.

Legal Lot of Record. A lot of a subdivision plat or binding site plan or a parcel of land described in a deed either of which is officially recorded to create a separate unit of property, provided that such plat, site plan, or deed

shall accord with applicable local, state or federal law on the date created. Separate descriptions of adjoining parcels within a single deed shall not necessarily constitute separate legal lots of record.

Local Improvement. A public improvement for the benefit of property owners provided to a specific area that benefits that area and that is usually paid for, at least in part, by a special assessment.

Lodging House. See Dwelling, Transient.

Lot. Lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall also include tracts and parcels. Lot classifications are as follows:

- a. **Lot, Corner.** A lot that abuts two (2) or more intersecting streets.
- b. **Lot, Flag or Panhandle.** A lot with less than thirty (30) feet of street frontage which is typically connected to a public or private street by a narrow driveway. A lot where access is only provided by a private easement is not a flag lot.
- c. **Lot, Interior.** A lot that has frontage on one public or private street only, or is provided access by a private easement.
- d. **Lot, Through.** A lot that fronts on two (2) parallel or nearly parallel streets that do not intersect at the boundaries of the lot.
- e. **Lot, Wedge-shaped.** A lot with a street frontage which is no more than half as wide as the lot's width at the rear property line, as depicted in Figure 2-5b.

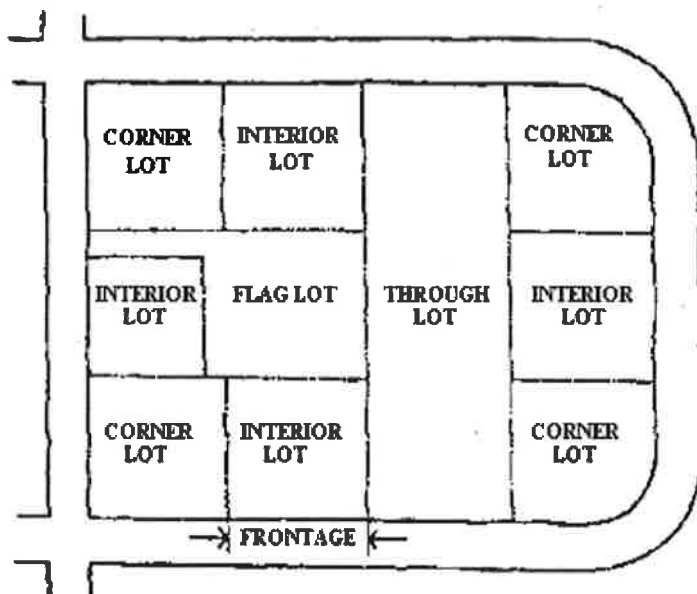
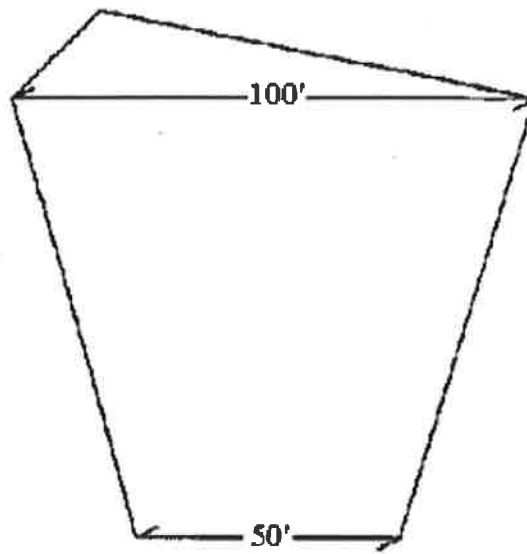


FIGURE 2-5



Example of a Wedge-Shaped Lot

FIGURE 2-5b

Lot Frontage. See Frontage.

Lot Line. A line dividing one lot from another lot or from a street rights-of-way or alley. (See also Property Line.)

Lot of Record. A lot, the plat, or deed to which is officially recorded as a unit of property and is described by metes and bounds.

Lot, Substandard. A parcel of land that is less than the minimum area or minimum dimensions required in the zone in which the lot is located. (See also Minimum Lot Size, Undersized Lots in development standards.)

Lot Width. The straight line distance measured between side lot lines parallel to the front setback line. (See also Section 18.04.080(G)(1) and Table 4.04.)

Low Income Housing. See Affordable Housing.

M. DEFINITIONS - SPECIFIC.

Main Building. See Building, Maintenance.

Management Plan. See Specific or Management Plan.

Manufactured Home. See Dwelling, Conventional.

Marina/Boat Launching Facility. A facility for storing, servicing, fueling, berthing, launching and securing boats, which may include eating, sleeping, and retail facilities for owners, crews, and guests.

Marquee. A permanent covered structure, attached to and supported by a building, which protrudes outward.

Mean Sea Level Datum. The published mean sea level datum established by the U.S. Coast and Geodetic Survey (National Geodetic Survey).

Median. A paved or planted area separating a street or highway into two or more lanes of opposite direction of travel.

Mental Health Facility. A private or public hospital, sanitarium, or other similar place which is licensed or operated under RCW 71.12 or RCW 72.23, and whose primary business is to receive or care for mentally ill or mentally incompetent persons.

Micro Brewery. A combination retail, wholesale and manufacturing business that brews and serves beer and/or food.

Ministorage. A building or group of buildings which may contain manager living quarters, office and individual, compartmentalized self-storage units, stalls, or lockers which are rented or leased for the storage of household or business goods, supplies or materials.

Mitigation. Methods used to alleviate or lessen the impact of development, including avoiding, minimizing, or compensating for adverse critical area impacts. Mitigation includes, but is not limited to, the following:

- a. Compensatory. The replacement of probable project-induced critical area losses including, but not limited to, restoration, creation or enhancement.
- b. Creation. A type of mitigation performed to intentionally establish a critical area (e.g. wetland) at a site where it does not currently exist.
- c. Enhancement. A type of mitigation performed to improve the condition of existing degraded critical areas (e.g. wetlands) so that the functions they provide are of a higher quality.
- d. Restoration. A type of mitigation performed to reestablish a critical area (e.g. wetland), or the functional characteristic and processes which have been lost by alterations, activities or catastrophic events within an area which no longer meets the definition of a critical area (e.g. wetland).

Mitigation, WCF. A modification of an existing antenna support structure to increase the height, or to improve its integrity, by replacing or removing one or several antenna support structure(s) located in proximity to a

proposed new antenna support structure in order to encourage compliance with this ordinance or improve aesthetics or functionality of the overall wireless network.

Mixed Use Development. The development of a parcel or structure with two or more different land uses, such as a combination of residential, office, manufacturing, retail, public, or entertainment in a single or physically integrated group of structures.

Mobile Home. See Dwelling, Conventional.

Mobile, Manufactured and Modular Housing Sales. The sale of new or used mobile, manufactured, or modular housing. Sale of recreational vehicles and motor homes is classified under Motor Vehicle Sales.

Mobile Vendor. A vendor that sells food, goods or services from a non-permanent location, and that is unrelated to the primary use of the property and readily movable at all times. (Does not include accessory uses, uses listed under a Festival and Event permit, busking, or uses such as ice cream or home delivery trucks that operate in constant motion within the street.)

Model Home. A home or homes used for the purpose of advertising various floor plans and styles of architecture found within a residential subdivision. Model homes are usually located on-site and are occupied only by a sales representative.

Modular Home. See Dwelling, Conventional.

Modulation. The measured proportional inflexion (stepping back and stepping forward) of a building facade.

Monitoring. The collection and analysis of data by various methods for the purposes of understanding and documenting changes in systems and features. "Monitoring" includes gathering baseline data, evaluating the impacts of development proposals on the biological, hydrologic and geologic elements of such systems and assessing the performance of required mitigation measures.

Motel. See Dwelling, Transient.

Motor Vehicle Dealer. A business engaged in the buying, selling, exchanging, or otherwise dealing in motor vehicle sales and service at an established place of business (see motor vehicle sales).

Motor Vehicle Franchise. One or more agreements, whether oral or written, between a manufacturer and a new motor vehicle dealer, under which the new motor vehicle dealer is authorized to sell, service, and repair new motor vehicles, parts, and accessories under a common name, trade name, trademark, or service mark of the manufacturer. "Franchise" includes an oral or written contract and includes a dealer agreement, either expressed or implied, between a manufacturer and a new motor vehicle dealer that purports to fix the legal rights and liabilities between the parties and under which (a) the dealer is granted the right to purchase and resell motor vehicles manufactured, distributed, or imported by the manufacturer; (b) the dealer's business is

associated with the trademark, trade name, commercial symbol, or advertisement designating the franchisor or the products distributed by the manufacturer; and (c) the dealer's business relies on the manufacturer for a continued supply of motor vehicles, parts, and accessories.

Motor Vehicle Sales. A business primarily engaged in the sale of new and used autos, trucks, motorcycles, recreational vehicles, utility trailers, aircraft, snowmobiles, and the like.

Motor Vehicle Supply Stores. Auto supply stores, tire dealers, and the like. Firms which salvage used parts from inoperable vehicles are classified as Junk Yards and Salvage Facilities. Businesses primarily engaged in both selling and installing such automotive parts as mufflers and brakes are classified as Service Stations.

N. DEFINITIONS - SPECIFIC.

National Register of Historic Places. The national listing of properties deemed significant because of their documented importance to our history and architectural, engineering or cultural heritage, as administered by the Department of the Interior under the National Historic Preservation Act of 1966.

Native Vegetation. Vegetation comprised of plant species, other than noxious weeds, that are indigenous to the coastal region of the Pacific Northwest and which reasonably could have been expected to naturally occur on the site.

Neighborhood Association. A group of people organized for the purpose of considering and acting upon any of a broad range of issues affecting the livability and quality of their neighborhood. A neighborhood association may be "recognized" by the City if it meets the minimum standards and applicable guidelines adopted by the City in Chapter 18.86 OMC.

Net Site Area. The total area within the lot lines of a lot or parcel of land after public street rights-of-way or other areas to be dedicated or reserved for public use are deducted from such lot or parcel.

Nonconforming Building or Structure. A building or structure or portion thereof which was lawfully erected or altered and maintained, but because of the application of this title no longer conforms to the yard, height or area requirements of the use district in which it is located.

Nonconforming Lot. A lot which does not conform with the provisions of this Title or Subdivision Code.

Nonconforming Use. An activity in a structure or on a tract of land that was legally established, but because of the application of this title no longer conforms to the use regulations of the district in which it is located.

Nonprofit Institutions. A charitable organization formed and devoted to performing public service or to further private benevolent endeavors.

Non-Profit Physical Facilities. Facilities for physical education activities such as sports or health fitness, which are owned and operated by a non-profit organization.

Normal Maintenance. Those usual acts to prevent a decline, lapse or cessation from a lawfully established condition.

Normal Repair. To restore a development to a state comparable to its original condition within a reasonable period after decay or partial destruction, except where repair involves a near or total replacement which is not common practice or causes substantial adverse effects to the environment.

Notice of Application. A written notice that a complete project permit application has been received by the City, including, at minimum, the date of application, the date of the notice of completeness of the application, the date of the notice of application, a description of the proposed project, a list of permits requested by the applicant, a list of any studies requested by the City, identification of other permits known to be required for the project but not requested by the applicant, identification of existing environmental documents evaluating the proposal, the location where the application and any studies can be reviewed, a statement of the public comment period, a statement of the right of any person to comment on the application, receive notice of and participate in any hearing, request a copy of the decision once made, and of any appeal rights, the date, time, place, and type of any hearing scheduled at the date of the notice, a statement of the preliminary determination of those development regulations that will be used for project impact mitigation, a statement of whether an environmental impact statement will be required and a statement of any preliminary determination of consistency with plans and regulations of the City. [See RCW 36.70B.110].

Notice of Decision. A written notice of the City's decision on a project permit application, including a statement of any SEPA threshold determination and any administrative appeals procedures.

Noxious Weed Control. Those activities subject to review or action by the Thurston County Noxious Weed Board under RCW 17.10.

Number. See Rounding of Quantities.

Nursery. Land or greenhouses used to raise flowers, shrubs, and plants for retail or wholesale. (See also Greenhouse.)

Nursing Home. See Convalescent Home, under Dwelling, Assisted Living.

O. DEFINITIONS - SPECIFIC.

Object. A thing of functional, aesthetic, cultural, historical, or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.

Off-Site Treatment and Storage Facility. A facility that treats or stores hazardous wastes or special incinerator ash generated on properties other than the property on which the off-site facility is located. (See also current edition of "Zoning Guidelines for Hazardous Waste Treatment and Storage Facilities," prepared by the Solid and Hazardous Waste Program of the State Department of Ecology.)

Office. A building or portion thereof which is primarily used to transact the administrative or professional activities of a business. Such uses include, but are not limited to: medical (excluding veterinary), dental, chiropractic, optometric, legal, banking, insurance, real estate, security brokers, administrative, public, contractors, consultants, corporate, or manufacturers' offices. (See also Home Occupation.)

Office, Bank. Banks, savings and loans, credit unions, and other depository institutions.

Office, Business. The offices of real estate agencies, mortgage brokers, advertising agencies, credit agencies, mailing services and postal substations, employment agencies, insurance agencies, membership organizations except fraternal organizations, accountants, attorneys, security brokers, financial advisors, architects, engineers, surveyors, tax preparation services, computer software development, and other similar business services. This may also include the administrative offices for businesses whose primary activity may be construction, manufacturing, utility services, or some other non-office use conducted elsewhere.

Office, Government. The legislative, administrative, service delivery, or judicial offices of local, state, or federal agencies. It also includes federal post offices where mail processing takes place for local delivery. It does not include government land uses such as maintenance facilities for government-owned trucks, busses, or heavy equipment which are a Light Industrial use.

Office, Medical. This includes the offices of doctors, dentists, chiropractors, optometrists, and other health practitioners providing outpatient care. It also includes medical and dental laboratories, blood banks, and the like.

Office Supplies and Equipment Stores. Stores selling office products such as stationery, legal forms, writing implements, typewriters, computers, copiers, office furniture, and the like.

Office Uses, General. A room or group of rooms used for conducting the affairs of a business and generally furnished with desks, tables, files, and communication equipment.

Office, Veterinary/Clinic. A place where animals are given medical care and the boarding of animals is limited to short-term care incidental to the hospital use. (See also Animal Hospital.)

Olympia Coordinate System. The horizontal ground scale coordinate system referenced to the Washington Coordinate System as established by the City Public Works Department.

On-Site. Located on the same lot that is the subject of an application for development.

On-Site Treatment and Storage Facility. A facility that treats or stores hazardous wastes generated on the same property, see current edition of "Zoning Guidelines for Hazardous Waste Treatment and Storage Facilities," prepared by the Solid and Hazardous Waste Program of the State Department of Ecology.

Open Record Hearing. A hearing conducted by a single hearing body or officer that creates the City's record through testimony and submission of evidence and information under procedures prescribed by this Title. [See RCW 36.70B.020(3)].

Open Record Appeal Hearing. A form of open record hearing held on request in response to a notice of decision when no open record predecision hearing was held on the project permit. [See RCW 36.70B.020(3)].

Open Record Predecision Hearing. A form of open record hearing held prior to the City's decision on a project permit. [See RCW 36.70B.020(3)].

Open Space, Common. Land within or related to a development, not individually owned or dedicated for public use, that is designed and intended for the common use or enjoyment of the residents and may include such complementary structures and improvements as are necessary and appropriate.

Open Space, Public. Undeveloped public land that is permanently set aside (as opposed to regulated) to protect the special natural character of a particular location. Open space may include, but is not limited to wetlands; wetland buffers; creek, stream or river corridors; forested areas; ravines, bluffs or other geologically hazardous areas; and undeveloped areas within parks.

Ordinary High Water Mark (OHWM). (Also referred to as Ordinary High Water Line OHWL) Per WAC 220-660-030, the mark on the shores of all waters that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual and so long continued in ordinary years, as to mark upon the soil or vegetation a character distinct from that of the abutting upland, provided that in any area where the ordinary high water line cannot be found, the ordinary high water line adjoining saltwater shall be the line of mean higher high water, and the ordinary high water line adjoining freshwater shall be the elevation of the mean annual flood. OHWM is used to determine the location of standard buffer widths of streams as required under OMC 18.32.435(C).

Ordinary Repair and Maintenance. Work for which a permit issued by the City is not required by law, and where the purpose and effect of such work is to prevent or correct any deterioration or decay of or damage to the real property or structure appurtenant thereto and to restore the same, as nearly as may be practicable, to the condition prior to the occurrence of such deterioration, decay or damage.

Outdoor Storage. The keeping of any goods, junk, material, merchandise, or vehicles in the same place for more than 24 consecutive hours.

Over Water. Location above the surface of the water, including placement of buildings on piling or floats.

Overlay Zone. A zoning district or specific plan that encompasses one or more underlying zones or areas and which imposes requirements in addition to those required by the underlying zone. (See also Overlay Districts in Article III.)

Owner of Property. The fee simple owner of real property according to Thurston County Auditor records.

P. DEFINITIONS - SPECIFIC.

Parcel. A parcel of land under one ownership that has been legally subdivided or combined and is shown as a single parcel on the most recent equalized assessment roll.

Park, Neighborhood. An area suited for passive and/or active family activities and play which may include facilities such as picnic table and shelters, barbecue pits, playground equipment, basketball backboards, small sized playfields, volleyball courts and tennis courts. Neighborhood parks can serve an urban design as well as recreational function and are a core feature of neighborhood centers.

Park, Public. A park, playground, swimming pool, beach, pier, reservoir, golf course or athletic field which is under the control, operation or management of the city, county, state, or federal government.

Parking, Combined. Two or more land uses or a multi-tenant building which merge parking needs to gain a higher efficiency in vehicular and pedestrian circulation.

Parking Facility or Lot. A land area, building or structure that is devoted primarily to the temporary parking or storage of vehicles for which a fee may or may not be charged, and where no service or repairs of any kind are furnished.

Parking Facility, Commercial. A parking facility available to the general public, for which a fee is charged on an hourly, daily, weekly, monthly, or other similar basis.

Parking, Shared. Two or more land uses or a multi-tenant building which merge parking needs based on different operating hours to gain a higher efficiency in vehicular and pedestrian circulation, economize space, reduce impervious surface and provide a superior grouping of building(s).

Parking Space. An area which is primarily intended for the temporary storage of vehicles and which meets the design requirements of this code.

Party of Record. The applicant and any person who prior to a decision has requested notice of the decision or submitted substantive comments on an application.

Passive Recreation. See Recreation, Passive.

Pedestrian-Oriented Business. A commercial enterprise whose customers commonly arrive at a business on foot, or whose signage, advertising, window display and entry ways are oriented toward pedestrian traffic. Pedestrian-oriented business may include restaurants, retail shops, personal service businesses, travel services, banks, (except drive-through windows), and similar establishments.

Pedestrian Plaza. An area between a building and a public street which promotes visual and pedestrian access onto the site and which provides pedestrian-oriented amenities and landscaping to enhance the public's use of the space for activities such as resting, gathering, reading and picnicking.

Pedestrian Street. Street devoted to uses and amenities which stimulate and reinforce pedestrian activities and visually interesting features at the pedestrian level. Uses are typically sidewalk oriented and physically and visually accessed by pedestrians from the sidewalks, are open during established shopping hours, generate walk-in pedestrian clientele and contribute to a high level of pedestrian activity. Such uses include, but are not limited to, retail shops, restaurants, personal services, day care facilities, banks, travel agencies, cinemas, theaters, amusement establishments, galleries, museums, public display spaces, drug stores, shoe repair shops, floral shops, hair shops, department stores, small hardware stores, and apparel shops. Visually interesting features include, but are not limited to, sculptures, display cases, landscaping, vendor stalls and carts, and architectural detailing.

Percolation. The downward flow or infiltration of water through the pores or spaces of rock or soil. (See also Impervious Surface.)

Performance Guarantee. A financial guarantee acceptable to the City Attorney to ensure all improvements, facilities, or work required by this ordinance will be completed in compliance with this ordinance, regulations, and approved plans and specifications.

Perimeter. The boundaries or borders of a lot, tract, or parcel of land.

Permeable pavement. Pervious concrete, porous asphalt, permeable pavers or other forms of pervious or porous paving material intended to allow passage of water through the pavement section. It often includes an aggregate base that provides structural support and acts as a stormwater reservoir.

Permitted Use. A use allowed by law in a use district and subject to the provisions applicable in that district.

Person. Any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, company, joint stock association, corporation, estate, trust, organization, business, business trust, public agency, school district, state or its political subdivisions or instrumentalities, syndicate or any group or combination thereof, acting as a unit, including any trustee, receiver or assignee.

Personal Services. A business primarily engaged in providing services generally involving the maintenance of the human body, or other services to one's person or household pets. Such businesses include, but are not

limited to, barber and beauty shops, photographic studios, tanning parlors, massage practitioners, pet grooming, and obedience training. This does not include Medical Offices, Kennels or Veterinary Clinics. (See also Health Fitness Centers and Dance Studios.)

Personal Wireless Service. Commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services, as defined in the Telecommunications Act of 1996 and 47 U.S.C. 332 and future amendments thereof.

Pervious Surface. A surface material that allows stormwater to infiltrate into the ground. Examples include lawn, landscape, pasture, native vegetation areas, and permeable pavements.

Pesticide. Any chemical that is used to kill pests, especially insects and rodents.

Pet, Traditional. Animals which can be house-broken, walked on a leash, are frequently, but not necessarily, housed within the residence, or as a class judged neither obnoxious nor to pose a public safety or health threat. Traditional pet birds include song birds and parrots.

Pharmacies and Medical Supply Stores. Businesses primarily engaged in the sale of prescription and over-the-counter drugs, plus perhaps vitamins, first-aid supplies, and other health-related products. It also includes firms primarily engaged in the sale of medical equipment such as orthopedic or prosthetic devices, or equipment for home health testing. Pharmacies which also sell a wide variety of other types of merchandise, such as beauty products, camera equipment, small consumer electronics, giftware, food items, greeting cards, toys, housewares, and/or cleaning supplies are commonly known as "drug stores," and are classified as General Merchandise Stores.

Pigeons, Performing and Racing. Pigeons which are raised and used in the sport, hobby or competition of performing or racing; which require being released for freedom of flight for purposes of training, maintaining physical conditioning or competitive performance; and which are identified by a leg band containing the name or initials of the owner, or with an identification or registration number stamped on said band. Specifically included in this category are flying tipplers, tumblers, rollers and homing or racing pigeons.

Plat. A map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys or other divisions or dedications.

Plat, Final. The final drawing or map of a subdivision and dedication, prepared for recordation with the County Auditor and containing all elements and requirements set forth in RCW Chapter 58.17 and in the City of Olympia Subdivision Ordinance.

Plat, Preliminary. A drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks and other elements of a subdivision consistent with the requirements of this code. The preliminary plat furnishes a basis for approval or disapproval of a general layout for a subdivision.

Plat, Preliminary Approval. The official action approving a proposed division of land, normally subject to the installation of improvements or fulfillment of conditions prior to final approval.

Plat, Short. The map or representation of a short subdivision containing all pertinent information required by Title 17, 18 and other applicable ordinances.

Portable Classroom. An accessory building/structure used for public, private or parochial education, and located on the same site as the principal building of instruction.

Principal Use. The primary or predominant use of any lot, building or structure.

Printing, Commercial. This includes shops specializing in printing small jobs for business clients or the general public, such as photocopying, offset printing, or screen printing of documents, announcements, business cards, or the like. This also may include blueprinting, computer plotting, and similar business services. These shops may engage in typesetting, photoengraving, plate-making, and other printing functions incidental to their primary activity; however, if they are primarily engaged in these functions as a service to other printing businesses, they are classified under Industrial Printing. Businesses which print books, magazines, newspapers, or other periodicals for others are classified under Industrial Printing.

Printing, Industrial. Businesses which print books, magazines, newspapers, or other periodicals for others. It also includes printers of maps, posters, and the like; makers of business forms, looseleaf binders, and the like; and service industries for the printing trade, such as engraving, typesetting, photoengraving, electrotyping and stereotyping, lithographic platemaking, and related services.

Private School. See School, Private.

Private Utility. A privately owned enterprise that provides the public with electricity, gas, heat, steam, communication, transportation, water, sewage and garbage collection or other similar public services.

Prohibited Use. A use that is not permitted in a zoning or land use district.

Project. A change in occupancy or modification or improvement of real estate, whether done by clearing, grading, or structure creation or modification in any manner requiring approval, licensing, or permitting by the City of Olympia.

Project Permit. Any land use or environmental permit or license required from the city for a project action, such as a building permit, preliminary or final plat approval, binding site plan approval, conditional use approval, shoreline substantial development permit, land use approval or a site specific rezone authorized by the Olympia Comprehensive Plan. Adoption or amendment of a comprehensive or other municipal plan, subarea plan, or development regulation or imposition of impact or other fee is not a project permit. [See RCW 36.70B.020(4)].

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

Property Line. Any line bounding the ownership of a parcel of land.

a. Front property line. Any property line separating any parcel of land from the street rights-of-way. In case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line, provided such choice, in the opinion of the Building Official, will not be detrimental to the existing or future development of adjacent properties. In case of a through lot, both property lines abutting on a street are front property lines. In the case of a lot not abutting a street, the front property line is that line nearest to and roughly parallel with a street, provided that the Building Official may approve an alternative front line if it will not be detrimental to existing and future development.

b. Rear property line. Any property line that does not qualify as a front or side property line.

c. Side property line. Any property lines that intersect the front property line. These lines may intersect at any angle and be of any length. (See also Yards.)

Public Access (Shoreline). The physical ability of the general public to reach and touch the water's edge and/or the ability to have a view of the water from upland locations. There are a variety of types of public access including picnic areas, pathways and trails (including handicapped accessible), floats and docks, promenades, viewing towers, bridges, boat launches, street ends, ingress and egress, parking, and others.

Public Art. Expressionistic forms, either man-made or natural, which are located for community view on private or public property.

Public Building. Any building, structure, facility, or complex used by the general public, whether constructed by any state, county, or municipal government agency or instrumentality or any private individual, partnership, association, or corporation, including, but not limited to, assembly buildings, such as auditoriums, libraries, public eating places, schools, and theaters; business buildings, such as offices; and factories and industrial buildings.

Public Facility. Land, buildings or structures operated by a municipal or other governmental agency to provide local protective, social, recreational, cultural, or mass transportation services directly to the general public. This includes police and fire stations, libraries, recreation facilities, bus transfer stations and park-and-ride lots. It also includes public land or buildings devoted solely to the storage of equipment and materials. It does not include facilities whose primary purpose is to provide administrative or judicial services, except as they may be incidental to the defined use, nor parking lots that are accessory to uses that would otherwise not be allowed in the underlying zone.

Public Hearing. A meeting announced and advertised in advance and open to the public, with the public given an opportunity to talk and participate.

Public Meeting. An informal meeting, hearing, workshop or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to the City's decision on the permit application. A public meeting may include a design review board meeting, a neighborhood association meeting, or a scoping meeting on a draft environmental impact statement. A public meeting is distinct from and does not include an open record hearing. [See RCW 36.70B.020(5)].

Public Notice. The advertisement of a public hearing or meeting in a newspaper of general circulation, or through other media such as site posting and direct mailing, indicating the time, place, and nature of the public hearing.

Public Project of Significant Importance. See OMC 18.66.090.

Public Safety Communications Equipment. All communications equipment utilized by a public entity for the purpose of ensuring the safety of the citizens of the City and operating within the frequency range of 700 MHz and 1,000 MHz and any future spectrum allocations at the direction of the FCC.

Public Services. Fire protection and suppression, law enforcement, public health, education, recreation, environmental protection and other governmental services.

Public Use Area. An outdoor portion of a property that is dedicated to public use and which contains one or more of the following elements: benches, tables, lawns, public art, gardens, exercise or play equipment, or similar improvements or features. These elements are to provide the public with recreational activities in addition to the right to traverse or stand in this area.

Public Utility. An organization or government agency which provides the public with electricity, gas, heat, steam, communication, transportation, water, sewage or garbage collection or other essential public services.

Publishing. Businesses which publish and print on their premises books, magazines, newspapers, or other periodicals. If such establishments do not perform printing on their premises, they are classified as Business Offices.

Q. DEFINITIONS - SPECIFIC.

Quarry. A place where rock, ore, stone and similar materials are excavated and/or processed for sale or for off-site use.

Queue Lane. Area for temporary waiting of vehicles while obtaining a service or other activity such as drive-up windows.

R. DEFINITIONS - SPECIFIC.

Radio Frequency Emissions. Any electromagnetic radiation or other communications signal emitted from an antenna or antenna-related equipment on the ground, antenna support structure, building, or other vertical projection.

Radio, Television, or Communication Tower. A vertical structure that is intended to send or receive radio, or other wireless communications and to serve more than one user or an enterprise whose principal business is such communications. See Antenna.

Ravine. A narrow gorge that normally contains steep slopes and is deeper than ten (10) vertical feet as measured from the lowest point of the valley to the top of the slope.

Rear Yard. See Yard, Rear.

Reasonable Alternative. An activity that could feasibly attain or approximate a proposal's objectives, but with less environmental impact or decreased level of environmental degradation.

Recreation, Active. Leisure-time activities, usually of a formal nature and often performed with others, requiring equipment and taking place at prescribed places, sites, or fields.

Recreation, Commercial. A facility operated as a business which is designed and equipped for leisure-time activities such as theaters, bowling alleys, museums, aquariums, public and private recreational concessions, miniature golf, archery ranges, and amusement activities such as coin or token-operated machines, rides, or booths to conduct games. (See also Health Fitness Centers and Dance Studios, Golf Courses, Country Clubs, and Riding Stables.)

Recreation, Passive. Activities that involve relatively inactive or less energetic activities, such as walking, sitting, picnicking, card games, chess, checkers, or similar table games and activities which may involve educating the user.

Recreation Facility. A place designed and equipped for the purpose of sports and leisure-time activities.

Recreational Vehicle. A vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for recreational or sporting purposes. The term recreational vehicle includes, but is not limited to, travel trailers, pick-up campers, camping trailers, motor coach homes, converted trucks or buses, boats and boat trailers, and all terrain vehicles.

Recreational Vehicle Park. Any lot or parcel of land upon which two or more recreational vehicles sites are located, established, or maintained as temporary living quarters for recreation or vacation purposes.

Recycling. The process by which waste products are collected and reduced to raw materials and transformed into new products.

Recycling Facility. A facility for the collection and/or sorting and storage of recyclable materials generated from domestic or small business sources, such as bottles, cans, paper, cardboard, aluminum, and plastics. This definition does not include facilities for the processing of recyclable materials, which are classified as an industrial use. Recycling facilities are further divided into two categories: Type I Recycling Facilities include bins or other temporary or permanent facilities for the collection of small quantities of recyclable materials to be sorted and/or processed elsewhere. A Type I facility may be accessory to a primary use, such as a recycling bin at a grocery store parking lot. Type II Recycling Facilities include facilities primarily dedicated to the collection, sorting, or purchase and resale of recyclable materials.

Remodel. The alteration, restoration, reconstruction, addition to, structural modification, change of existing building footprint or internal floor plan that requires city approval or the issuance of any City permit.

Rental, Residence. The temporary rental of a single-family home for personal social events such as a wedding reception, private party or similar activity. (See also Temporary Uses.)

Replat. The further division of lots or the relocation of lot lines of any lot or lots within a subdivision previously approved and recorded according to law; or the alteration of any streets or the establishment of any new streets within any such subdivision, but not including conveyances, made so as to combine existing lots by deed or other instruction.

Restaurant. A use providing preparation and retail sale of food and beverages, including coffee shops, sandwich shops, ice cream parlors, fast food take-out, espresso stands, and similar uses. A restaurant may include licensed "on-site" provision of alcoholic beverages for consumption on the premises when accessory to such food service. A "drive-in" restaurant is one where all or a significant portion of the consumption takes place or is designed to take place with the patrons remaining in their vehicles while on the premises. A "drive-through" restaurant is one which has one or more drive-through lanes for ordering and dispensing of food and beverages to patrons remaining in their vehicles, for consumption off the premises.

Restoration. Measures taken to restore an altered or damaged natural feature including:

- a. Active steps taken to restore damaged wetlands, streams, protected habitat, or their buffers to the functioning condition that existed prior to an unauthorized alteration; and
- b. Actions performed to reestablish structural and functional characteristics of the critical area that have been lost by alteration, past management activities, or catastrophic events.

Restrictive Covenant. A restriction on the use of land usually set forth in the deed. [NOTE: Restrictive covenants usually run with the land and are binding upon subsequent owners of the property. However, some restrictive covenants run for specific periods of time.]

Retail Trade. The selling of goods or merchandise to the general public for personal, business, or household consumption. The retail sales establishment is usually a place of business and is engaged in activity to attract the general public to buy goods. The establishment may also buy and receive goods. Retail sales includes services related to the retail goods. The establishment may process, repair, manufacture, and wholesale some of the products, such as jewelry, baked goods, beverages, apparel, pottery, or consumer electronics, but such processing, repair, or manufacturing must be associated with retail activities, be limited to rear or upper floor areas in the same building, and emit no loud noise or noxious odor. See Industry, Light.

Revision of Application, Minor. A change or correction by an applicant of a proposed project, either voluntarily or to conform with applicable standards and requirements, that does not, in the opinion of the Director, constitute a substantial change requiring reinitialization of the review process and period.

Revision of Application, Substantial. A change or correction by an applicant of a proposed project, either initiated voluntarily by the applicant or to conform with applicable standards and requirements, that in the opinion of the Director requires a new review process and period. For example, a change in a proposal which, as a result of changes in the proposed land use, substantially greater floor area or number of residential units, or substantial relocation of uses or structures, or the like, probably would result in significantly different impacts to the environment, upon public services or facilities, or to neighboring properties or land uses.

Review Authority. A person, committee, commission or council responsible for review and final action on a land use or development entitlement or permit.

Revolving Sign. See Sign, Animated.

Rezone. A change in the land use classification of a specific area to another use classification.

Right-of-Way - Improved. All of the right of way where any portion of it is used for motor vehicle travel.

Rights-of-Way. The right of one to use or pass over the property of another.

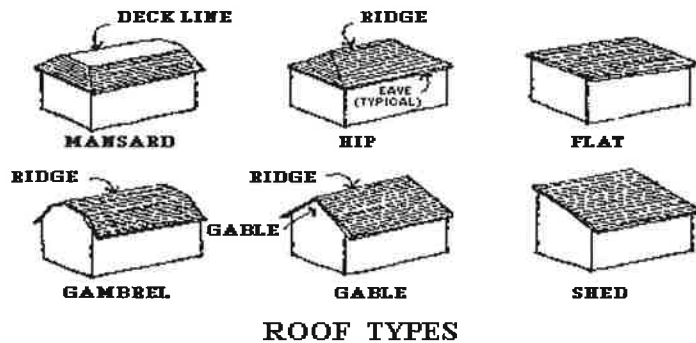


FIGURE 2-6

Roof. The outside top covering of a building.

Rooming House. See Lodging House.

ROW. Rights-of-ways of public easements, roadways, streets, or other so defined public access locations.

Rummage Sale. An occasional or periodic market held in an open area or structure which is sponsored by schools, places of worship or other nonprofit organizations.

Run With The Land. A covenant, benefit or restriction of the use of land binding on present and future owners of the property.

S. DEFINITIONS – SPECIFIC.

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

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

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

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

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

School. An institution of learning, whether public or private, which offers instruction in those courses of study required by the Washington Education Code or which is maintained pursuant to standards required by the State Board of Education. This definition includes a nursery school, kindergarten, elementary school, junior high school, senior high school or any special institution of education, but it does not include a vocational or professional institution of higher education, including a community or junior college, college, or university.

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

Sculptured Building Top. A building top which has:

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

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

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

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

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

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

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

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

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

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

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

Sexual conduct.

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

Shopping Center. A commercial development with unenclosed pedestrian walks in which there are a number of separate commercial activities, with accessory shared facilities such as parking, and which is designed to provide a single area which the public can obtain varied products and services. Shopping centers are typically characterized by at least one large retail "anchor" store.

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

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

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

Sign, Abandoned. Any sign which:

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

Sign, Animated. A sign with action or motion (including those that flash, oscillate or revolve) or one that involves color changes, illustrations or messages. This does not include wind activated elements such as flags or banners; nor does it include public service signs (such as time and temperature signs).

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

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

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

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

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

Sign, Changeable Copy. See Sign, Readerboard.

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

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

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

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

Sign, Flashing. See Sign, Animated.

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

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

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

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

Sign, Inflatable. Balloons or other gas-filled figures. For purposes of this section, inflatable signs shall be treated as temporary signs.

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

Sign, Monument. See Sign, Freestanding.

Sign, Non-conforming. Any sign existing at the time of this Ordinance which does meet the provisions of Title 18.

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

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

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

Sign, Political. A sign for the purpose of advertising a candidate or candidates for public elective office, or a political party, or which promotes a position on a public or ballot issue.

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

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

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

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

Sign, Revolving. See Sign, Animated.

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

Sign, Sandwich Board Sidewalk Sign. A type of portable sign.

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

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

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

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

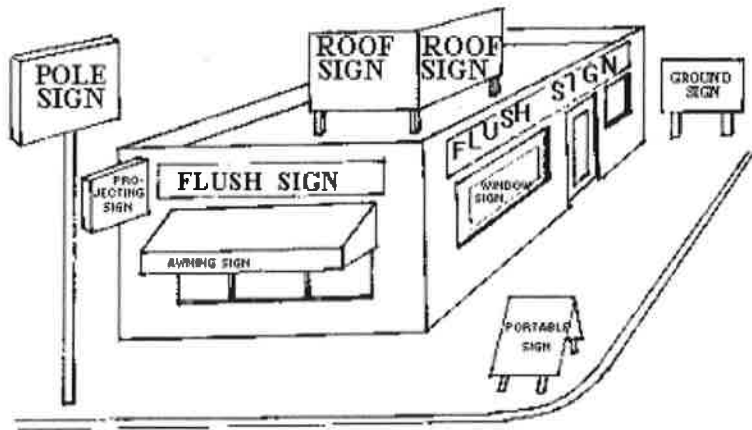


FIGURE 2-7

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

Single-Family Dwelling. See Dwelling, Conventional.

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

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

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

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

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

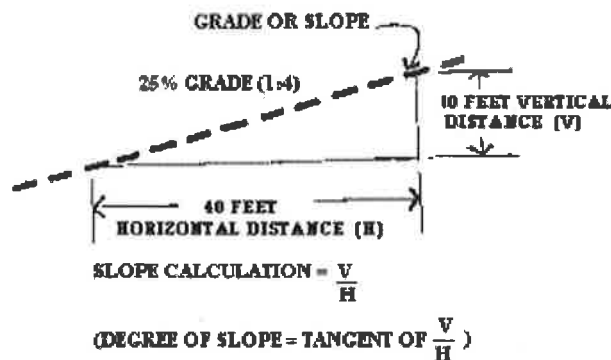


FIGURE 2-8

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

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

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

Small Lake. See OMC 18.32.505.

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

Small Lot Subdivision. See Subdivision, Short.

Soil and Vegetation Protection Area (SVPA). A separate tract of land, which may or may not be deeded as such, specifically set aside for the preservation of healthy soil and the preservation or planting of existing and/or native vegetation, well-adapted drought-tolerant vegetation, and trees. Stormwater retention/detention facilities, critical area buffers and other common areas may be considered SVPA's if they currently, or are

improved to an extent where they can, support healthy soils and the growth of native vegetation or well-adapted drought-tolerant vegetation. The purpose of these areas for preserving healthy soils and preserving and/or planting native, or well-adapted drought-tolerant vegetation is stated on the face of the plat when applicable.

Sorority House. A building, occupied by unrelated female members of a private educational organization, which contains sleeping rooms, bathrooms, common rooms, and a central kitchen and dining room. (See Fraternity, Dormitory.)

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

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

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

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

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

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

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

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

Stepback. Additional setbacks of upper building floor levels.

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

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

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

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

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

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

Stream. See OMC 18.32.405.

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

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

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

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

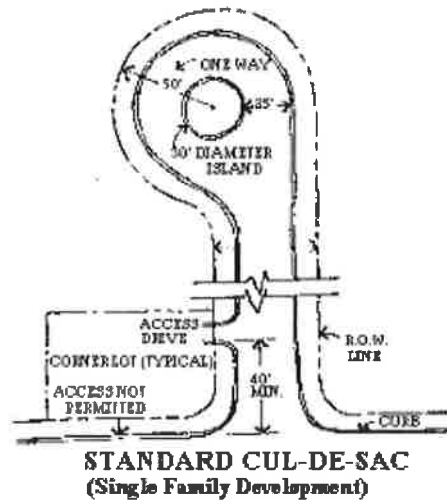


FIGURE 2-9

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

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

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

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

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

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

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

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

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

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

Subdivider. A person who undertakes the subdividing of land.

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

Subdivision Cluster. See Cluster Subdivision.

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

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

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

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

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

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

T. DEFINITIONS - SPECIFIC.

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

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

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

Townhouse. See Dwelling, Conventional.

Toxic Substance. See Hazardous Materials or Hazardous Waste.

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

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

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

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

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

Transient. A continuous period of two weeks or less.

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

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

Tree. A self-supporting perennial woody plant characterized by one main stem or trunk of at least six inches diameter at breast height, or a multi-stemmed trunk system with a definite crown, maturing at a height of at least six feet above ground level.

Trip. A single or one-way motor vehicle movement either to or from a subject property within a study area.

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

U. DEFINITIONS - SPECIFIC.

Unavoidable and necessary impacts. Those impacts to critical areas that may result when a person proposing to alter such an area has demonstrated that no alternative exists for the proposed project.

Unusual Uses. Undefined land uses or activities resulting from advancing technology.

Upland. The area above and landward of the ordinary high water mark.

Use. The purpose, type and extent for which land or a building is arranged, designed, or intended, or for which either land or a structure is occupied or maintained.

Utility Facility. The physical infrastructure used by private and public utilities to provide service to their customers, e.g., lines, equipment, substations, pump station, and appurtenances. (See also Private Utility and Public Utility.)

Utility Line, Service or Distribution. Any utility line that extends from a main line and terminates at a building or structure.

Utility Line, Stormwater. A constructed stormwater system component, including but not limited to:

1. A ditch, swale, or similar component installed at ground surface, generally in a linear fashion with clearing and grading limited to 15 feet or less of lateral extent from the centerline;
2. A pipe, culvert, or similar component installed underground, generally in a linear fashion with clearing and grading limited to 15 feet or less of lateral extent from the centerline; or
3. A vault, manhole, catch basin/storm drain, or similar component, which:

- a. Is installed underground,
- b. Is connected to one of the above-listed components, and
- c. Results in clearing and grading no more extensive than described above.

Utility Line, Transmission or Main. Any public or private utility line that provides service to numerous commercial, residential, public and/or industrial land uses.

V. DEFINITIONS - SPECIFIC.

Variance. A modification of the terms of this title that may be granted because of the unusual shape, exceptional topographic conditions or other extraordinary situation or condition in connection with a specific piece of property, where the literal enforcement of this title would involve practical difficulties and cause undue hardship unnecessary to carry out the spirit and intent of this title.

Vegetated Roof. A roof designed and constructed to support, and that does support, living vegetation with at least three inches of engineered soil.

Vegetation - Hydrophytic. Vascular plant life and mosses which grow in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content as described in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands,(1989) as amended or revised.

Vegetation - Native. Plants species which have adapted over thousands of years to the weather, soil, and topography of Thurston County, Washington.

Vehicle. A device capable of being moved upon a public highway and in, upon, or by which persons or property are or may be transported or drawn upon a public highway, including automobiles, trucks, buses, motorcycles, trailers, and the like. The term includes bicycles, but does not include other devices moved by human or animal power (e.g., skateboards or horse-drawn wagons), nor devices used exclusively upon stationary rails or tracks.

Veterinary Clinic. See Office, Veterinary/Clinic.

View Corridor. An area at ground level providing views of the waterfront and other landforms of significance, unobstructed by permanent structures between a public street and the preserved. (See also Easement, Scenic.)

Village Center. That portion of an urban village, neighborhood village, or community oriented shopping center which is occupied by commercial, commercial/residential mixed uses, and associated uses such as parking or a village green or park.

W. DEFINITIONS - SPECIFIC.

Waiver of a Certificate of Appropriateness, Waiver. A letter or other document which allows the building or zoning official to issue a permit for demolition.

Warehouse. A building primarily used for storage and distribution of products, equipment, or materials, which are not available for retail sale on the premises. "Warehousing" is the associated activity. Compare Mini-storage.

Welding and Fabrication. A business engaged in stamping or shaping pieces of metal which are then connected by heat until molten and fused, in order to manufacture, service, or repair sheet metal products.

Well-Adapted Drought-Tolerant Vegetation. Vegetation that is well adapted to current and anticipated environmental conditions in this region, and are not invasive.

Wellhead Protection Area. See OMC 18.32.205.

Wet pond. An artificial water body with a permanent water surface dug as a part of a surface water management system.

Wetland, habitat types or wetland types. Descriptive classes of the wetlands taxonomic classification system of the United States Fish and Wildlife Service (Cowardin, et al 1978). These habitat types can include emergent, scrub-shrub or forested wetlands.

Emergent. A wetland with at least thirty (30) percent of the surface area covered by erect, rooted, herbaceous vegetation as the uppermost vegetative stratum.

Forested. A wetland with at least twenty (20) percent of the surface area covered by woody vegetation greater than twenty (20) feet in height.

Scrub-shrub. A wetland with at least thirty (30) percent of its surface area covered by woody vegetation less than twenty (20) feet in height as the uppermost stratum.

Wetlands. See OMC 18.32.505.

Wetlands, Isolated. Those regulated wetlands which:

- a. Are outside of and not contiguous to any one hundred (100)-year floodplain of a lake, river or stream; and
- b. Have no contiguous hydric soil between the wetland and any surface water.

Wetlands Mitigation Bank. A site where wetlands are restored, created, enhanced, or in exceptional circumstances, preserved expressly for the purpose of providing compensatory mitigation in advance of authorized impacts to similar resources.

Wetland - Mosaic. A wetland where each patch of wetland is less than one (1) acre; and each patch is less than one hundred (100) ft apart, on the average; and the areas delineated as vegetated wetland are more than fifty percent (50%) of the total area of the wetlands and the uplands together, or wetlands, open water, and river bars, all as defined in the Washington State Wetland Rating System for Western Washington(2004) as amended or revised.

Wholesale Sales or Trade. Establishments or places of business primarily engaged in selling merchandise to retailers.

Wildlife blind. A structure no larger than two hundred (200) square feet used for the observation of wildlife.

Wireless Communication Facility (WCF). Any staffed or unstaffed location for the transmission and/or reception of radio frequency signals, or other wireless communications, and usually consisting of an antenna or group of antennas, transmission cables, and equipment cabinets, and may include an antenna support structure. The following developments shall be deemed a WCF: developments containing new, mitigated, or existing antenna support structures, public antenna support structures, replacement antenna support structures, collocation on existing antenna support structures, attached wireless communications facilities, concealed wireless communication facilities, and non-concealed wireless communication facilities. Excluded from the definition are: non-commercial amateur radio, amateur ham radio and citizen band antennas, satellite earth stations and antenna support structures, and antennas and/or antenna arrays for AM/FM/TV/HDTV broadcasting transmission facilities.

Specific types of WCFs include:

Attached WCF. An antenna or antenna array that is secured to an existing building or structure other than an antenna support structure - including light standards, transmission towers, utility poles, or the like - together with a) any accompanying pole or device which attaches it to the building or structure, b) transmission cables, and c) an equipment cabinet, which may be located either on the roof or inside/outside of the building or structure. An attached wireless communications facility is considered to be an accessory use to the existing principal use on a site. (See also Freestanding WCF.

Concealed WCF, sometimes referred to as a stealth or camouflaged facility. A WCF, ancillary structure, or WCF equipment compound that is not readily identifiable as such, and is designed to be aesthetically compatible with existing and proposed building(s) and uses on a site. There are two types of concealed WCFs: 1) attached and 2) freestanding. 1) Examples of concealed attached facilities include, but are not limited to the following: painted antenna and feed lines to match the color of a building or structure, faux windows, dormers or other architectural features that blend with an existing or proposed building or structure. 2) Concealed freestanding WCFs usually have a secondary, obvious function which may be, but is not limited to the following: church steeple, windmill, bell tower, clock tower, light standard, flagpole with or without a flag, or tree. (See also Non-concealed WCF.)

Freestanding WCF. Any staffed or unstaffed location for the transmission and/or reception of radio frequency signals, or other wireless communications, and usually consisting of an antenna or group of antennas, feed lines, and equipment cabinets, and may include an antenna support structure. A freestanding wireless communication facility includes, but is not limited to the following: guyed, lattice, or monopole antenna support structures. (See also Attached WCF.)

Non-concealed WCF. A wireless communication facility that is readily identifiable as such and can be either freestanding or attached. (See also Concealed WCF.)

ROW Attached Structure. A special case of an attached WCF, this is defined as a pole or other structure primarily used as an electrical transmission support structure for electrical, telephone, cable, or other wired services that can be or has been configured to support the antenna(s) and feedlines of one or more wireless service providers for use as a WCF.

Wireless Communications. Any personal wireless service, which includes but is not limited to: cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), and unlicensed spectrum services utilizing devices described in Part 15 of the FCC rules and regulations (e.g., wireless internet services and paging).

Wireless Telecommunications Master Plan. A plan developed to enforce applicable development standards, state statutes, and federal regulations related to the deployment of wireless telecommunications infrastructure.

Workshops for Disabled People. Sheltered workshops and facilities which provide disabled people with opportunities for training, recreation, and/or employment. This may include assembly of products or any other activity allowed as a permitted use in the district.

X. DEFINITIONS - SPECIFIC.

Xeriscape. A landscape design which conserves water through creative landscaping. Principles of xeriscape design include reduction of turf areas and increased use of groundcover; grouping of plants with similar water needs; soil improvements to increase moisture and decrease evaporation; and use of drought tolerant plant materials.

Y. DEFINITIONS - SPECIFIC.

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

a. Front yard. A yard extending across the full width of the building site, having at no point less than the minimum required distance between the front property line and the building line.

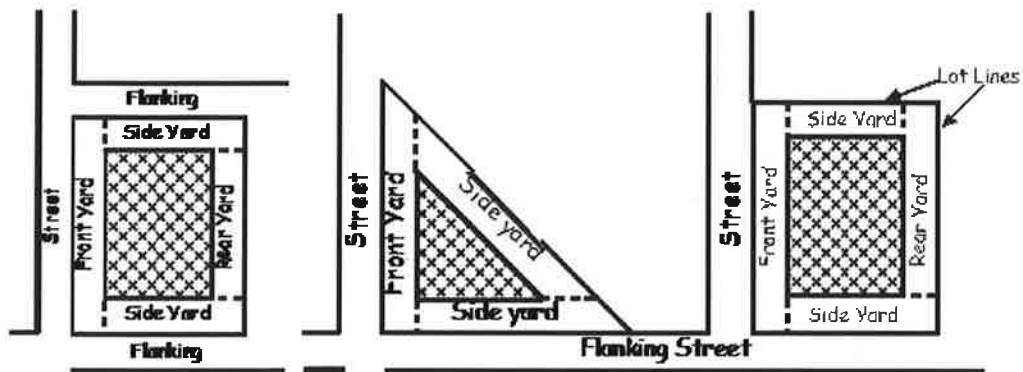
b. Rear yard. A yard extending from one side property line to the other, except in the case of a corner building site when the rear yard shall extend from the interior side property line to the opposite side yard.

c. Side yard. A yard extending from the front yard to the rear yard, except in the case of a corner building site when the side yard on the flanking street shall extend to the rear property line. [NOTE: See Figure 2-10 for yard examples.]

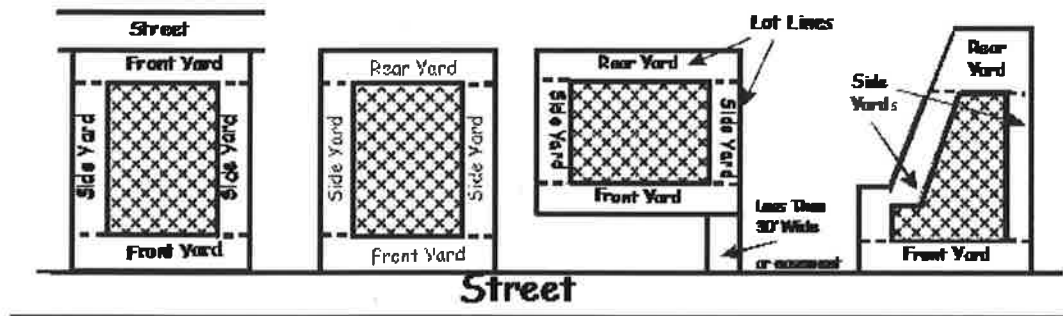
Year. Three hundred and sixty-five days in a normal year, or 366 in a leap year.

Z. DEFINITIONS - SPECIFIC.

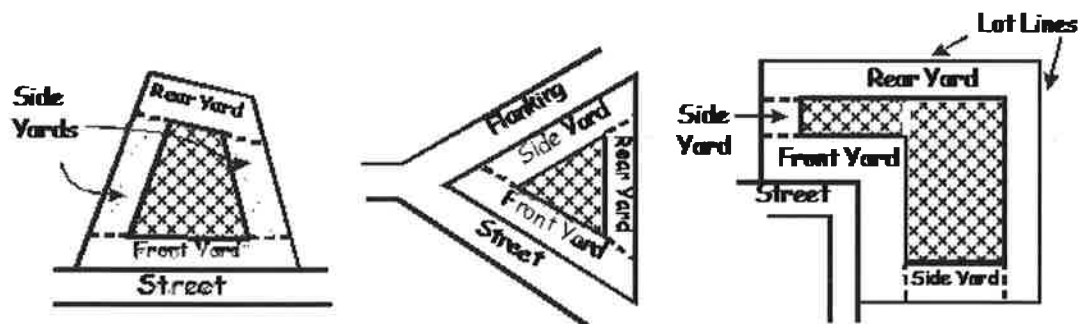
Zero Lot. A lot designed in such a manner that one (1) or more sides of the structure may rest directly on or near a side lot line.



CORNER LOT EXAMPLES



INTERIOR LOT EXAMPLES



ODD-SHAPED LOT EXAMPLES REQUIRED YARDS

 Building (Zoning) Envelope (Two Dimensional)

FIGURE 2-10

Section 5. Amendment of OMC 18.05.040 TABLES. Olympia Municipal Code Section 18.05.040 TABLES is hereby amended to read as follows:

18.05.040 TABLES: Permitted, Conditional and Required Uses

TABLE 5.01

PERMITTED, CONDITIONAL AND REQUIRED USES

DISTRICT	Neighborhood Center	Neighborhood Village	Urban Village	Community Oriented Shopping Center	APPLICABLE REGULATIONS
District-Wide Regulations					18.05.050
1. RESIDENTIAL USES					
Accessory Dwelling Units	P	P	P	P	18.04.060(A)
Apartments	C	R	R	R	18.05.060(D) , 18.05.050(E)
Boarding Homes	C	P	P	P	
Congregate Care Facilities		P	P	P	18.05.050(E)(1)(c)(i)
Cottage Housing		P	P	P	18.05.060(D) , 18.04.060(H), 18.05.050(E)
<u>Courtyard Apartments</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>18.04.060(GG), 18.05.050(E)</u>
Duplexes	<u>P</u>	P	P	P	18.05.060(D) 18.05.050(E)
Group Homes with 6 or Fewer Clients		P	P	P	18.04.060(K), 18.04.060(W)
Group Homes with 7 or More Clients		C	C	C	18.04.060(K), 18.04.060(W)
Manufactured Homes	P	P	P	P	18.04.060(O)
Nursing/Convalescent Homes		P	P	P	18.04.060(S)

TABLE 5.01

PERMITTED, CONDITIONAL AND REQUIRED USES

DISTRICT	Neighborhood Center	Neighborhood Village	Urban Village	Community Oriented Shopping Center	APPLICABLE REGULATIONS
Residences Above Commercial Uses	P	P	P	P	<u>18.05.050(E)</u>
Single-Family Residences	P	R	R	R	18.05.060(D) <u>18.05.050(E)</u>
Single Room Occupancy Units	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>18.04.060(HH), 18.05.050(E)</u>
Townhouses	P	P	P	P	18.05.060(D) , 18.64, <u>18.05.050(E)</u>
<u>Triplexes and Fourplexes</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>18.04.060(GG), 18.05.050(E)</u>
2. OFFICES					
Banks	P	P	P	P	18.05.060(A)
Offices - Business	P	P	P	P	
Offices - Government	P	P	P	P	
Offices - Medical	P	P	P	P	
Veterinary Offices and Clinics	C	C	C	C	
3. RETAIL SALES					
Apparel and Accessory Stores	P	P	P	P	
Building Materials, Garden Supplies, and Farm Supplies	P	P	P	P	Sites within high density corridors, see 18.17.020 (B)

TABLE 5.01

PERMITTED, CONDITIONAL AND REQUIRED USES

DISTRICT	Neighborhood Center	Neighborhood Village	Urban Village	Community Oriented Shopping Center	APPLICABLE REGULATIONS
Food Stores	R	R	P	P	
Furniture, Home Furnishings, and Appliances					Sites within high density corridors, see 18.17.020 (B)
General Merchandise Stores	P	P	P	P	
Grocery Stores	P	P	R	R	18.05.060(C)
Office Supplies and Equipment					
Pharmacies and Medical Supply Stores	P	P	P	P	
Restaurants			P		18.05.060(a) & 18.05A.095
Restaurants, Without Drive-In or Drive-Through Service	P	P	P	P	
Specialty Stores	P	P	P	P	
4. SERVICES					
Health Fitness Centers and Dance Studios	P	P	P	P	
Hotels/Motels					
Laundry and Laundry Pick-up Agency	P	P	P	P	
Personal Services	P	P	P	P	

TABLE 5.01

PERMITTED, CONDITIONAL AND REQUIRED USES

DISTRICT	Neighborhood Center	Neighborhood Village	Urban Village	Community Oriented Shopping Center	APPLICABLE REGULATIONS
Printing, Commercial			P	P	
Radio/TV Studios					
Recycling Facility - Type I	P	P	P	P	
Servicing of Personal Apparel and Equipment	P	P	P	P	
5. ACCESSORY USES					
Accessory Structures	P	P	P	P	18.04.060(B)
Electric Vehicle Infrastructure	P	P	P	P	18.04.060(GG)
Garage/Yard/Rummage or Other Outdoor Sales	P	P	P	P	5.24
Satellite Earth Stations	P	P	P	P	18.44.100
Residences Rented for Social Event, 7 times or more per year	C	C	C	C	18.04.060.DD
6. RECREATIONAL USES					
Auditoriums and Places of Assembly					
Art Galleries					
Commercial Recreation					
Community Gardens	P	P	P	P	

TABLE 5.01

PERMITTED, CONDITIONAL AND REQUIRED USES

DISTRICT	Neighborhood Center	Neighborhood Village	Urban Village	Community Oriented Shopping Center	APPLICABLE REGULATIONS
Community Parks & Playgrounds	P/C	P/C	P/C	P/C	18.04.060(T)
Health Fitness Centers and Dance Studios					
Libraries					
Museums					
Neighborhood Parks/Village Green/Plaza	R	R	R	R	18.04.060(T), 18.05.080(N)
Open Space - Public	P	P	P	P	18.04.060(T)
Theaters (no Drive-Ins)					
Trails - Public	P	P	P	P	18.04.060(T)
7. TEMPORARY USES					
Emergency Housing	P	P	P	P	
Mobile Vendors			P	P	
Model Homes	P	P	P	P	
Parking Lot Sales			P	P	18.06.060(Z)
8. OTHER USES					
Agricultural Uses, Existing	P	P	P	P	

TABLE 5.01**PERMITTED, CONDITIONAL AND REQUIRED USES**

DISTRICT	Neighborhood Center	Neighborhood Village	Urban Village	Community Oriented Shopping Center	APPLICABLE REGULATIONS
Animals/Pets	P	P	P	P	18.04.060(C)
Child Day Care Centers	P	P	R	P	18.05.060(B), 18.04.060(D)
Community Clubhouses	P	P	P	P	
Conference Centers					
Crisis Intervention	C	C	C	C	18.04.060(I)
Fraternal Organizations					
Home Occupations (including adult day care, bed and breakfast houses, elder care homes, and family child care homes)	P	P	P	P	18.04.060(L)
Hospice Care	C	C	C	C	18.04.060(M)
Non-Profit Physical Education Facilities	C	C	C	C	
Places of Worship	C	C	C	C	18.04.060(U)
Public Facilities	C	C	C	C	18.04.060(V)
Radio, Television, and other Communication Towers & Antennas	C	C	C	C	18.04.060(W), 18.44.100
Schools	C	C	C	C	18.04.060(DD)

TABLE 5.01

PERMITTED, CONDITIONAL AND REQUIRED USES

DISTRICT	Neighborhood Center	Neighborhood Village	Urban Village	Community Oriented Shopping Center	APPLICABLE REGULATIONS
Sheltered Transit Stops	R	R	R	R	18.05.050(C)(4)
Utility Facilities	P/C	P/C	P/C	P/C	18.04.060(X)
Wireless Communications Facilities	P/C	P/C	P/C	P/C	18.44

LEGEND

P = Permitted C = Conditional R = Required

Section 6. Amendment of OMC 18.05.140. Olympia Municipal Code Section 18.05.140 is hereby amended to read as follows:

18.05.140 Woodbury Crossing Village

On September 15, 2009, the Olympia City Council approved and adopted the ~~Woorbury~~ Woodbury Crossing Master Plan, the details and regulations of which are found in Ordinance No. 6655, on file with the City Clerk.

Section 7. Amendment of OMC 18.06.040 TABLES. Olympia Municipal Code Section 18.06.040 TABLES is hereby amended to read as follows:

18.06.040 TABLES: Permitted and Conditional Uses

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							18.130.020
1. EATING & DRINKING ESTABLISHMENTS														
Drinking Establishments			P		P	P	P		C 18.06.060(P)		P	P	P	
Drinking Establishments - Existing		P 18.06.060(GG)				P								
Restaurants, with drive-in or drive-through			P 18.06.060(F)(3)										P 18.06.060(F)(3)	
Restaurants, with drive-in or drive-through, existing			P				P 18.06.060(U)					C	P	
Restaurants, without drive-in or drive-through	P 18.06.060(U)(3)	C	P	P 18.06.060(U)(2)	P	P	P 18.06.060(U)(1)	P	P	P	P	P	P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
2. INDUSTRIAL USES														
Industry, Heavy														
Industry, Light			C		P/C 18.06.060(N)									
On-Site Treatment & Storage Facilities for Hazardous Waste					P 18.06.060(Q)									

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Piers, Wharves, Landings					P									
Printing, Industrial			C		P/C 18.06.060(N)									
Publishing		C	C		P		P		C	C				
Warehousing			P		P/C 18.06.060(AA)		P							
Welding & Fabrication			C		P/C 18.06.060(N)		P							
Wholesale Sales		C 18.06.060(BB)(3)	P		P/C	18.06.060(BB)		P		P	18.06.060(BB)(2)			
Wholesale Products Incidental to Retail Business			P		P	P						P	P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
3. OFFICE USES (See also SERVICES, HEALTH)														
Banks		P	P		P/C 18.06.060(D)(2)	P 18.06.060(D)(2)	P/C 18.06.060(D)(2)	P	P	P	P	P	P 18.06.060(D)(1)	P 18.06.060 (F)(3)
Business Offices		P	P		P	P	P	P	P	P	P	P	P	
Government Offices		P	P		P	P	P	P	P	P	P	P	P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
4. RECREATION AND CULTURE														

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Art Galleries	P	P	P		P	P	P		P	P	P	P	P	
Auditoriums and Places of Assembly			P		P	P	P					P	P	
Boat Clubs					P	P								
Boating Storage Facilities					P			P						
Commercial Recreation		C	P		P	P	P	P		C	C	P	P	
Health Fitness Centers and Dance Studios	P	P 18.06.060(L)	P	P	P	P	P	P	P	P 18.06.060(L)	P 18.06.060(L)	P	P	
Libraries	C	C	C	C	P	P	P		P	C	P	P	P	18.04.060(V)
Marinas/Boat Launching Facilities					P	P								
					18.06.060(CC)									
Museums		C	P		P	P	P		P	C	C	P	P	18.04.060(V)
Parks, Neighborhood	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(T)
Parks & Playgrounds, Other	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(T)
Theaters (Drive-in)			C											
Theaters (No drive-ins)			P		P	P	P				C	P	P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)		18.06.060(HH)	18.06.060(F)(2)						
5. RESIDENTIAL														
Apartments		P	P	P 18.06.060(T)	P	P	P		P	P	P	P	P	
Apartments above ground floor in mixed use development	P	P	P	P 18.06.060(T)	P	P	P		P	P	P	P	P	
Boarding Houses		P	P	P 18.06.060(T)	P	P	P		P	P	P	P	P	
Co-Housing		P	P	P 18.06.060(T)		P	P			P	P	P	P	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
<u>Courtyard Apartments</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P 18.06.060(T)</u>						<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>18.04.060(GG)</u>
Duplexes	P	P	P	P 18.06.060(T)			P		P	P	P	<u>P</u>	P	
Fraternities, Dormitories		C	P	P 18.06.060(T)	P	P	P		P	C	P	P	P	
Group Homes (6 or less)	P	P	P 18.06.060(K)	P 18.06.060(T)	P	P	P 18.06.060(K)		P	P	P	P 18.06.060(K)	P 18.06.060 (K)	18.04.060(K)
Group Homes (7 or more)	C	C	C 18.06.060(K)	C 18.06.060(T)	C	C	C 18.06.060(K)		C	C	C	C 18.06.060(K)	P 18.06.060 (K)	18.04.060(K)
Mobile or Manufactured Homes Park - Existing		C	C	C 18.06.060(T)						C			C	18.04.060(P)
Quarters for Night Watch person/Caretaker					P	P								
Retirement Homes		P	P	P 18.06.060(T)	P	P	P		P	P	P	P	P	
Single-Family Residences	P	P	P	P 18.06.060(T)			P		P	P	P	P	P	
<u>Accessory Dwelling Units</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P 18.06.060(T)</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>18.04.060(A)</u> <u>18.04.060(B)</u>
Single Room Occupancy Units	<u>P</u>	<u>P</u>	<u>CP</u>	<u>P 18.06.060(T)</u>	P	P	P		P	<u>P</u>	<u>P</u>	<u>P</u>	<u>CP</u>	<u>18.04.060(HH)</u>
Townhouses	P	P	P	P 18.06.060(T)		P	P		P	P	P	P	P	<u>18.64</u>
Triplexes, Four-plexes, and Cottage Housing	<u>P</u>	P		<u>P 18.06.060(T)</u>						<u>P</u>	<u>P</u>	<u>P</u>	P	<u>18.04.060(H);</u> <u>18.04.060(GG)</u>
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
6. RETAIL SALES														
Apparel and Accessory Stores			P		P	P	P					P	P	
Boat Sales and Rentals			P		P	P	P	P						P
Building Materials, Garden and Farm Supplies	P		P		P	P	P					P	P	
Commercial Greenhouses, Nurseries, Bulb Farms	C	C 18.04.060(G)	C	C					C		P	P		18.04.060(G)
Electric Vehicle Infrastructure	P	P	P	P	P 18.06.060(W)	P 18.06.060(W)	P 18.06.060(W)	P	P	P	P	P	P	
Food Stores	P	P 18.06.060(H)	P		P	P	P		P	P 18.08.060(H)	P	P	P	
Furniture, Home Furnishings, and Appliances			P		P	P	P				P	P	P	
Gasoline Dispensing Facilities accessory to a permitted use	P		P		P 18.06.060(W)		P	P				P 18.06.060(W)	P	
Gasoline Dispensing Facility accessory to a permitted use - Existing	P 18.06.060(W)		P		P 18.06.060(W)		P 18.06.060(W)				P	P 18.06.060(W)	P	
General Merchandise Stores	P	P 18.06.060(J)	P		P	P	P			P 18.06.060(J)	P	P	P	
Mobile, Manufactured, and Modular Housing Sales			P											
Motor Vehicle Sales			P				P	P					P	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Motor Vehicle Supply Stores			P		P	P	P	P			P	P	P	
Office Supplies and Equipment		P 18.06.060(DD)	P		P	P	P		P	P 18.06.060(DD)	P	P	P	18.06.060(CC)
Pharmacies and Medical Supply Stores	P	P 18.06.060(EE)	P	P	P	P	P		P	P 18.06.060(EE)	P	P	P	18.06.060(DD)
Specialty Stores	P 18.06.060(Y)(3)	P 18.06.060(Y)(4)	P	C 18.06.060(Y)(2)	P	P	P			P 18.06.060(Y)(4)	P	P 18.06.060(Y)(1)	P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
7. SERVICES, HEALTH														
Hospitals				P			P		P					
Nursing, Congregate Care, and Convalescence Homes	C	P	C	P			C		C	C	C	P	P	18.04.060(S)
Offices, Medical		P	P	P	P	P	P	P	P	P	P	P	P	
Veterinary Offices/Clinics		P	P	P			P			P	P	P	P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
8. SERVICES, LODGING														
Bed & Breakfast Houses (1 guest room)	P	P 18.06.060(E)	P 18.06.060(E)	P 18.06.060(E)	P	P	P			P	P	P	P	18.04.060(L)(3)(c)
Bed & Breakfast Houses (2 to 5 guest rooms)	C	P 18.06.060(E)	P 18.06.060(E)	P 18.06.060(E)	P	P	P		C	P	P	P	P	18.04.060(L)(3)(c)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Hotels/Motels			P	C	P		P		P				P	
Lodging Houses		P	P	P	P		P		P	P	P	P	P	
Recreational Vehicle Parks			P										P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
9. SERVICES, PERSONAL														
Adult Day Care Home	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(L)(3)(b)
Child Day Care Centers	C	P	P	P	P	P	P		P	P	C	P	P	18.04.060(D)
Crisis Intervention	C	P	C	P			P		C	P	C	C	C	18.04.060(I)
Family Child Care Homes	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(L)
Funeral Parlors and Mortuaries		C	P				P			C		P	P	
Laundries and Laundry Pick-up Agencies	P	P	P	P	P	P	P			P	P	P 18.06.060(O)	P	
Personal Services	P	P	P	P	P	P	P	P	P	P	P	P	P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
10. SERVICES, MISCELLANEOUS														
Auto Rental Agencies			P		P	P	P	P			C	P	P	
Equipment Rental Services, Commercial			P		P		P				P	P	P	
Equipment Rental Services, Commercial - Existing		P 18.06.060(FF)												

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Ministorage			P				P							
Printing, Commercial	P	P	P		P	P	P		P	P	P	P	P	
Public Facilities (see also Public Facilities, Essential on next page)	C	C	C	C	P	C	P	P	P	C	C	C	C	18.04.060(V)
Radio/T.V. Studios		P	P		P	P	P		P	P	P	P	P	
Recycling Facilities	P	P	P	P	P		P		P	P	P	P	P	18.06.060(V)
School - Colleges and Business, Vocational or Trade Schools		C	P		P	P	P		P	C	C	C	P	18.06.060(X)
Service and Repair Shops			P				P	P				P	P	
Service Stations/Car Washes			P				P 18.06.060(W)	P				P 18.06.060(W)	P 18.06.060(W)	
Service Stations/Car Washes - Existing			P		P 18.06.060(W)		P 18.06.060(W)				P	P 18.06.060(W)	P 18.06.060(W)	
Servicing of Personal Apparel and Equipment	P	P	P		P	P	P			P	P	P	P	
Truck, Trailer, and Recreational Vehicle Rentals			P					P						
Workshops for Disabled People	C	C	C	C	P	C	P		C	C	C	C	C	18.04.060(R)
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
11. PUBLIC FACILITIES, ESSENTIAL														
Airports			C										C	18.06.060(G)
Inpatient Facilities		C	C	C 18.06.060(T)	C		C		C	C	C	P	P	18.06.060(G) 18.04.060(K)
Jails			C		C		C		C				C	18.06.060(G)
Mental Health Facilities			C	C 18.06.060(T)	C		C						C	18.06.060(G) 18.04.060(K)
Other Correctional Facilities		C	C	C 18.06.060(T)	C	C	C		C	C	C	C	C	18.06.060(G)
Other facilities as designated by the Washington State Office of Financial Management, except prisons and solid waste handling facilities		C	C		C		C			C	C	C	C	18.06.060(G)
Radio/TV and Other Communication Towers and Antennas	C	C	C	C	C	C	C	C	C	C	C	C	C	18.06.060(G) 18.44.100
Sewage Treatment Facilities	C	C	C	C	P		P		C	C	C	C	C	18.06.060(G) 18.04.060(X)
State Education Facilities		C	C		C		C		C	C	C	C	C	18.06.060(G) 18.06.060(X)
State or Regional Transportation Facilities	C	C	C	C	C	C	C		C	C	C	C	C	18.06.060(G)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
12. TEMPORARY USES														
Entertainment Events			P		P	P	P						P	
Off Site Contractor Offices	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(DD)
Emergency Housing	P	P	P	P	P			P	P	P	P	P	P	18.04.060(DD)
Fireworks, as determined by Fire Dept.			P		P	P	P				P	P	P	9.48.160
Mobile Sidewalk Vendors		P	P	P	P	P	P			P	P	P	P	
Parking Lot Sales			P		P	P	P	P			P	P	P	
Residences Rented for Social Event (6 or less in 1 year)	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(DD)
Residences Rented for Social Event (7 or more in 1 year)	C	C	C	C	C	C	C		C	C	C	C	C	
Temporary Surface Parking Lot		P	P		P	P	P		P					
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
13. OTHER USES														
Accessory Structures/Uses														

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Adult Oriented Businesses			P										P	18.06.060(B)
Agriculture	P	P	P	P					P	P	P	P	P	
Animals	P	P	P	P	P	P	P		P	P	P	P	P	18.06.060(C)
Cemeteries	C	C	C	C					C	C	C		C	
Conference Center			P		P	P	P						P	
Fraternal Organizations		P	P		P	P	P		P/C 18.06.060(I)	P	P	P	P	
Gambling Establishments			C											
Garage/Yard/Rummage and Other Outdoor Sales	P	P	P	P	P	P	P		P	P	P	P	P	5.24
Home Occupations	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(L)
Parking Facility, Commercial		P	P		P	P	P 18.06.060(S)			P	P	P 18.06.060(S)	P	18.04.060(V)
Places of Worship	C	C	P	C	P	P	P		C	C	C	P	P	18.04.060(U)
Racing Pigeons	C	C	C	C					C	C	C	C	C	18.04.060(Y)
Satellite Earth Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	18.44.100
Schools	C	C	P	C	C	C	C		C	C	C	P	P	18.04.060(DD)
Utility Facility	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(X)
Wireless Communications Facilities	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.44

LEGEND

P = Permitted Use

MS = Medical Services

PO/RM = Professional Office/Residential Multifamily

GC = General Commercial

UW = Urban Waterfront

HDC-1=High Density Corridor-1

HDC-2=High Density Corridor-2

LEGEND

DB = Downtown Business	AS=Auto Services	UW-H = Urban Waterfront-Housing	HDC-3=High Density Corridor-3
C = Conditional Use	NR = Neighborhood Retail	CSH = Commercial Services-High Density	HDC-4=High Density Corridor-4

Section 8. Amendment of OMC 18.38.100. Olympia Municipal Code Section 18.38.100 is hereby amended to read as follows:

18.38.100 Vehicular and bicycle parking standards

- A. Required Vehicular and Bicycle Parking. A minimum number of bicycle parking spaces are required as set forth in Table 38-01 below. The specific number of motor vehicle parking spaces set forth in Table 38-01 +/- ten percent (10%) shall be provided, unless varied pursuant to OMC 18.38.080 or other provision of this code. Any change in use which requires more parking shall install vehicular and bicycle facilities pursuant to Table 38.01 and consistent with the location standards of OMC 18.38.220.
- B. Building Area. All vehicle parking standards are based on the gross square feet of building area, unless otherwise noted.
- C. Residential Exceptions.
1. New residential land uses in the Downtown Exempt Parking Area do not require motor vehicle parking. See OMC 18.38.160.
 2. Residential land uses in the CSH, RMH, RMU, and UR Districts require only one (1) vehicle parking space per unit.
 3. Table 38.01 notwithstanding, senior (age 55 or 62 and over) multi-family housing requires three (3) motor vehicle parking spaces per four (4) units. This exception is at the discretion of the applicant and only applicable if an appropriate age-restriction covenant is recorded.
- D. Reserved Area for Bicycle Spaces. Where specified in Table 38.01 below, an area shall be designated for possible conversion to bicycle parking. Such reserve areas must meet the location requirements of short-term parking and may not be areas where pervious surfaces or landscaping is required. A cover is not required for such areas.

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
COMMERCIAL			
Carpet and Furniture Showrooms	One and one-quarter (1.25) space per one thousand (1000) sq. ft. of gross showroom floor	One per sixteen thousand (16,000) square feet of	One per eight thousand (8,000) square feet of

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
	area. Each store shall have a minimum of four (4) spaces.	showroom floor area. Minimum of two (2).	showroom floor area. Minimum of two (2).
Child and Adult Day Care	One (1) space for each staff member plus 1 space for each ten (10) children/adults if adequate drop-off facilities are provided. Adequate drop-off facilities must allow a continuous flow of vehicles which can safely load and unload children/adults. Compliance with this requirement shall be determined by the review authority.		
Hotel and Motel	One (1) space for each room or suite and one (1) space per manager's unit. Hotel/motel banquet and meeting rooms shall provide six (6) spaces for each thousand (1000) square feet of seating area. Restaurants are figured separately.	One (1) per ten (10) rooms. Minimum of two (2).	One (1) per thousand (1,000) square feet of banquet and meeting room space. Minimum of two (2).
Markets, Shopping Centers and Large Retail/Wholesale Outlets	Less than 15,000 sq. ft = 3.5 spaces for each 1000 sq. ft. of gross floor areas. 15,001 to 400,000 sq. ft = 4 spaces for each 1000 sq. ft. of gross floor area. More than 400,001 sq. ft. = 4.5 spaces per 1000 sq. ft. of gross floor area.	One per six thousand (6,000) square feet. Maximum of five (5); minimum of one (1).	One per three thousand (3,000) square feet. Maximum of ten (10) per tenant; minimum of two (2) within fifty (50) feet of each customer entrance.

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
Medical and Dental Clinics	Four (4) spaces per 1000 sq. ft. of gross floor area.	One (1) per 10,000 square feet. Minimum of two (2).	One (1) per 10,000 square feet, minimum of two (2) within fifty (50) feet of each customer entrance; plus an equal reserved area for adding spaces.
COMMERCIAL			
Ministorage	Three (3) spaces minimum or (1) space for every one hundred (100) storage units, and two (2) spaces for permanent on-site managers.	None	None
Mixed Uses	Shared parking standards shall be used to calculate needed parking. This calculation is based upon the gross leasable area (GLA) for each shop or business and does not include atriums, foyers, hallways, courts, maintenance areas, etc. See shared parking 18.38.180.	See individual use standards.	See individual use standards
Mortuaries and Funeral Parlors	One (1) space per seventy-five (75) square feet of assembly area or thirteen (13) stalls per 1000 sq. ft.	One (1)	Two (2)
Offices, General	Gross floor area up to 2000 sq. ft. = One (1) space for each 250 sq. ft. Gross floor area between 2001 to 7500 sq. ft. = One (1) space for each 300 sq. ft.	One (1) per ten thousand (10,000) square feet. Minimum of two (2).	One (1) per ten thousand (10,000) square feet; plus an equal reserved area for adding spaces. Minimum of two (2).

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
	Gross floor area between 7501 to 40,000 sq. ft. = One (1) space for each 350 sq. ft. Gross floor area of 40001 and greater = One (1) space for each 400 sq. ft.		
Offices, Government	3.5 spaces per one thousand (1000) sq. ft.	One (1) per five thousand (5,000) square feet. Minimum of two (2).	One (1) per five thousand (5,000) square feet; minimum of two (2); plus an equal reserved area for adding spaces.
Retail Uses	Three and a half (3.5) spaces per one thousand (1000) sq. ft.	One per six thousand (6,000) square feet. Maximum of five (5); minimum of one (1).	One per three thousand (3,000) square feet. Maximum of ten (10) per tenant; minimum of two (2) within fifty (50) feet of each customer entrance.
Service Station (mini-marts are retail uses)	Three and a half (3.5) spaces per one thousand (1000) sq. ft. g.f.a. or 1 space per 300 sq. ft.	None.	None
Warehouse, Distribution	1 space for each thousand (1000) sq. ft. or 1 space for each employee.	One (1) per forty thousand (40,000) square feet or one (1) per forty (40) employees. Minimum of one (1).	None.
Warehouse Storage	Gross Floor area of 0-10,000 sq. ft. = One (1) space for	One (1) plus one (1) for each eighty thousand (80,000)	None

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
	each one thousand (1000) sq. ft. Gross floor area between 10,001 – 20,000 sq. ft. = ten (10) spaces plus .75 space for each additional one thousand (1000) sq. ft. beyond ten thousand (10,000) sq. ft. Over 20,000 sq. ft. = eighteen (18) spaces plus .50 for each additional 1000 sq. ft. beyond 20,000 sq. ft., or 1 space for each employee.	square feet above sixty-four thousand (64,000) square feet; or one (1) per forty (40) employees. Minimum of one (1).	
INDUSTRIAL			
Manufacturing	One (1) for each two (2) employees on the largest shift, with a minimum of two (2) spaces.	One (1) for each thirty (30) employees on largest shift. Minimum of two (2).	One (1) for each thirty (30) employees on largest shift. Minimum of two (2).
INSTITUTIONAL			
Beauty Salons/ Barber Shops, Laundromats/Dry Cleaners, and Personal Services		One per six thousand (6,000) square feet. Minimum of one (1).	One per three thousand (3,000) square feet. Minimum of two (2).
Educational Facilities (to include business, vocational, universities, and other school facilities).		One (1) per five (5) auto spaces. Minimum of two (2)	One (1) per five (5) auto spaces. Minimum of four (4).
Elementary and Middle School	One (1) stall per twelve (12) students of design capacity.	One (1) per classroom.	Three (3) per classroom.

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
Farmers Market		None	One (1) per ten (10) auto stalls. Minimum of ten (10).
High School	One (1) space per classroom and office, plus one (1) space for each four (4) students that are normally enrolled and are of legal driving age. Public assembly areas, such as auditoriums, stadiums, etc. that are primary uses may be considered a separate use.	One per five (5) classrooms, plus one (1) for each forty (40) students (may also require one (1) per four thousand five hundred (4,500) assembly seats). Minimum of two (2).	One per five (5) classrooms, plus one (1) for each forty (40) students (may also require one (1) per four thousand five hundred (4,500) assembly seats). Minimum of four (4).
Hospitals, Sanitariums, Nursing Homes, Congregate Care, Rest Homes, Hospice Care Home and Mental Health Facilities.	One (1) for each two (2) regular beds, plus one (1) stall for every two (2) regular employees on the largest shift.	One (1) per thirty (30) beds, plus one (1) per thirty (30) employees on largest shift. Minimum of two (2).	One (1) per thirty (30) beds, plus one (1) per thirty (30) employees on largest shift. Minimum of two (2).
Libraries and Museums	One (1) space per three hundred (300) square feet of public floor area or 3.3 spaces per thousand (1000) sq. ft. Six (6) stalls either on-site or on- street directly adjacent to the property. The Director may allow pervious-type parking surfaces.	One (1) per six thousand (6,000) square feet of public floor area. Minimum of two (2).	One (1) per one thousand five hundred (1,500) square feet of public floor area. Minimum of four (4).
Marinas		Minimum of four (4).	One (1) per ten (10) auto stalls. Minimum of four (4).

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
Other Facilities Not Listed		None	One (1) per twenty-five (25) auto stalls. Minimum of two (2).
Park-N-Ride Lots and Public (Parking) Garages		One (1) per fifteen (15) auto stalls Minimum of four (4)	Two (2).
Parks		None	One (1) per five (5) auto stalls. Minimum of four (4).
Transit Centers		Ten (10).	Ten (10).

PLACES OF ASSEMBLY

Passenger Terminal Facilities	One (1) space for each one hundred (100) square feet of public floor area or ten (10) spaces per thousand (1000) sq. ft.	Minimum of ten (10)	Minimum of ten (10)
Place of Worship	One (1) space per four (4) seats. When individual seats are not provided, one (1) space for each six (6) feet of bench or other seating. The Director may use a ratio of six (6) stalls/1000 sq. ft. of assembly area where seats or pews are not provided or when circumstances warrant increased parking; e.g., large regional congregations which attract a large congregation or one which has multiple functions. See shared parking. 18.38.180	One (1) per 10,000 square feet of gross floor area.	One (1) per 160 seats or 240 lineal feet of bench or other seating, and one (1) per 6,000 square feet of assembly area without fixed seats. Minimum of four (4).

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
Private Clubs or Lodges (does not include health clubs or retail warehouse)	Six (6) spaces per thousand (1000) sq. ft.	One (1) per 6,000 square feet. Minimum of one (1).	One (1) per 6,000 square feet. Minimum of two (2).
Theater and Auditorium	One (1) space for each four and a half (4.5) fixed seats. If the theater or auditorium is a component of a larger commercial development the above parking standard may be modified to account for shared parking as provided in Section 18.38.180 of this Code	One (1) per 450 fixed seats. Minimum of one (1).	One (1) per 110 fixed seats. Minimum of four (4).
Theater and Auditorium without fixed seats	One (1) space for each three (3) permitted occupants. Maximum building occupancy is determined by the Fire Marshal.	One (1) per 300 permitted occupants. Minimum of one (1).	One (1) per 75 permitted occupants. Minimum of four (4).

RECREATION/AMUSEMENT

Bowling Alleys	Five (5) spaces for each alley.	One (1) per twelve (12) alleys. Minimum of one (1).	One (1) per four (4) alleys. Minimum of four (4).
Health Club	Four (4) spaces for each thousand (1000) sq. ft.	One (1) per 5,000 square feet. Minimum one (1).	One (1) per 2,500 square feet. Minimum of four (4).
Skating Rinks and Other Commercial Recreation	Five (5) spaces per thousand (1000) sq. ft.	One (1) per 8,000 square feet. Minimum of one (1).	One (1) per 4,000 square feet. Minimum of four (4).

RESIDENTIAL

Accessory Dwelling Unit	One (1) space per unit <u>None</u>	None	None
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TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
Bed and Breakfast	One (1) space in addition to space(s) required for the residential unit.	One (1) per ten (10) rooms. Minimum of one (1).	None
Community Club Houses		None	One (1) per ten (10) auto stalls. Minimum of two (2).
Cottage Housing	One (1) space per unit or 1.5 space per unit if on-street parking is not available along street frontage (One (1) space per twenty (20) linear feet).	One per five (5) units, or one (1) per three (3) units if no on-street parking. Minimum of two (2).	One per ten (10) units, or one (1) per six (6) units if no on-street parking. Minimum of two (2).
<u>Duplexes, triplexes, fourplexes, courtyard apartments and townhouses</u>	<u>One (1) space per unit or 1.5 spaces per unit if on-street parking is not available along street frontage (One (1) space per twenty (20) linear feet).</u>	<u>None</u>	<u>None</u>
Elder Care Home	One (1) space in addition to space(s) required for the residential unit.	Minimum of two (2).	Minimum of two (2).
Fraternities, Sororities and Dormitories	One (1) space for every three (3) beds, plus one (1) space for the manager.	One per fourteen (14) beds. Minimum of two (2).	Ten (10) per dormitory, fraternity or sorority building.
Group Home	One (1) space for each staff member plus one (1) space for every five (5) residents. Additionally, one (1) space shall be provided for each vehicle used in connection with the facility.	One (1) per ten (10) staff members plus one (1) per thirty (30) residents. Minimum of one (1). Additional spaces may be	None

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
		required for conditional uses.	
Home Occupations	None, except as specifically provided in this table.	None	None
Mobile Home Park	Two (2) spaces per lot or unit, whichever is greater. If recreation facilities are provided, one (1) space per ten (10) units or lots.	None	None
Multifamily Multiple-Unit Dwellings, except duplexes, triplexes, fourplexes, courtyard apartments and townhouses	Three or more units shall provide one and one-half (1.5) off-street parking spaces per dwelling unit. Multifamily Multiple-Unit dwellings units located on HDC-4 properties, where the new project provides for the development of replacement dwelling units in a development agreement, and the project site is all or part of an area of 40 acres or more that was in contiguous ownership in 2009, are exempt from the parking requirements of this section. If parking is voluntarily provided by the property owner, then the Director shall permit such parking to be shared with parking provided for non- residential development on the property.	One (1) storage space per unit that is large enough for a bicycle.	One (1) per ten (10) units. Minimum of two (2) per building.

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
Single Family to include Duplex and Townhouse. <u>Detached</u> <u>Homes</u>	Two (2) spaces per unit. Note: parking spaces may be placed in tandem (behind the other). DB, CSH and RMH zone districts require one (1) space/unit. <u>Single family detached homes 800 square feet or less in size are required to provide one off-street parking space.</u>	None	None
<u>Single-Room Occupancies</u>	<u>One (1) space per four (4) units.</u>	<u>None</u>	<u>One (1) per ten (10) units. Minimum of two (2) per building.</u>
Studio Apartments.	Apartments with one (1) room enclosing all activities shall provide one (1) off-street parking space per dwelling unit	None	One (1) per ten (10) units. Minimum of two (2) per building.
RESTAURANT			
Cafes, Bars and other drinking and eating establishments.	Ten (10) spaces per thousand (1000) sq. ft.	One per 2,000 square feet; minimum of one (1).	One per 1,000 square feet; minimum of one (1).
Car Hop	One (1) for each fifteen (15) square feet of gross floor area.	One per 300 square feet; minimum of one (1).	One per 150 square feet; minimum of one (1).
Fast Food	Ten (10) spaces per thousand (1000) square feet plus one (1) lane for each drive-up window with stacking space for six (6) vehicles before the menu board.	One per 2,000 square feet; minimum of one (1).	One per 1,000 square feet; minimum of one (1).

Section 9. 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.

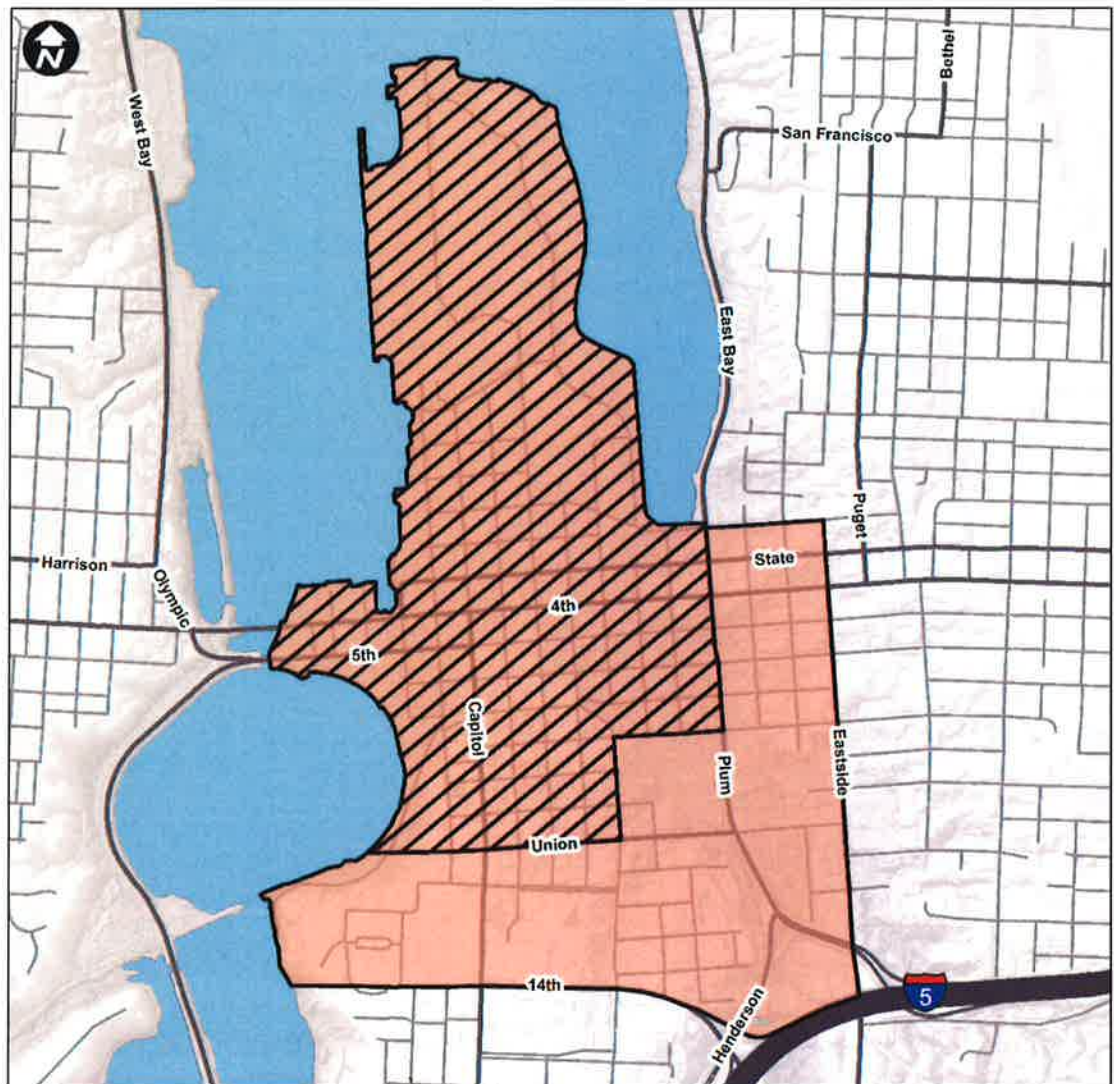
C. Downtown Exempt Parking Area (See Figure 38-2).

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

D. High Density Corridor 1, and 2, 3 and 4; and Urban Residential (UR).

1. Townhouse units shall provide one and one-half (1.5) parking spaces per unit;

2. Multifamily units developments containing three or more 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.





-  Exempt Parking Area - 18.38.160(C)
-  10% Parking Deduction Area - 18.38.160(A)

FIGURE 38-2

Section 10. Amendment of OMC 18.60.040. Olympia Municipal Code Section 18.60.040 is hereby amended to read as follows:

18.60.040 Applicability

Construction and development of projects reviewed through the Land Use Approval process shall be in strict compliance with the approved site plan and conditions attached thereto. When required by this section, site plan review and land use approval shall be completed and all appeal periods terminated prior to issuance of a building or any other construction permit. Land use approval is required for the following types of projects:

- A. Any change of occupancy of a building from one ~~Uniform~~ Building Code group or division of a group to another ~~or a change of use of land~~;
- B. Any new nonresidential and nonagricultural use of land;
- C. The location or construction of any nonresidential or nonagricultural building, or any multifamily project in which more than four (4) dwelling units would be contained; and
- D. Any substantial addition to such structure or remodel or substantial revision of the site plan associated with such use.

Section 11. Amendment of OMC 18.64.020. Olympia Municipal Code Section 18.64.020 is hereby amended to read as follows:

18.64.020 Purpose

The purpose of this Chapter is to:

- A. Permit within Residential and Commercial Districts the development of townhouses which may be sold as individual lots and residences;
- ~~B. Permit townhouse structures built to standards which are designed to include amenities usually associated with conventional single-family detached housing to ensure compatibility with the surrounding neighborhood;~~
- EB. Promote affordable housing, efficient use of land and energy, and the availability of a variety of housing types in different locations;
- ~~EC.~~ Promote infill development on physically suitable lands in residential areas, without adversely affecting adjacent development.

Section 12. Amendment of OMC 18.64.080. Olympia Municipal Code Section 18.64.080 is hereby amended to read as follows:

18.64.080 Development standards

A. Maximum Site Area. The maximum site area for solely townhouse development in the R4, R 4-8 or R 6-12 District shall be four (4) acres. There is no maximum site area in other districts where townhouses are permitted.

~~B. Units per Structure.~~

~~1. In R4, R 4-8 and portions of the R 6-12 Districts not located within the Transition Area, each townhouse structure shall contain no more than four (4) individual dwelling units, and there shall be no more than one (1) builder per townhouse structure.~~

~~2. In all Districts except the R4, R 4-8 and portions of the R 6-12 district not located within the Transition Area, requirements of the underlying district shall apply with regard to number of units per structure.~~

CB. Density and Lot Area.

1. Density. Each townhouse development on a parcel of land greater than 10,000 square feet shall be subject to density provisions contained in the underlying District.

2. Lot Size. See Table 4.04, Residential Development Standards.

DC. Building, Impervious and Hard Surface Coverage. Outside of 'village' and 'center' districts subject to table 5.05, building and impervious surface building coverage for an individual townhouse lot shall not exceed 60% or the underlying district limit, whichever is greater, and hard surface coverage shall not exceed 70% or the underlying district, whichever is greater. Provided further that total coverage for each townhouse building shall not exceed building, impervious surface and hard surface coverages of the underlying district.

ED. Minimum Lot Width. Each individual townhouse lot shall have a minimum width as follows:

1. R4 and R 4-8 Districts: Eighteen (18) feet;
2. R 6-12 Districts: Sixteen (16) feet;
3. All other Districts: See Tables 4.04 and 5.05.

FE. Setback Requirements. Setback requirements for front yards and for side yards of end dwelling units of townhouse structures shall be the same as the underlying district, ~~except as follows: For townhouse projects within property zoned R4, R 4-8 and R 6-12 the side yard of each building shall be no less than ten (10) feet for buildings with three (3) or four (4) units and five (5) feet for those with two (2) units.~~

GF. Height. Same as the underlying district.

HG. Parking. Townhouse developments shall provide off-street parking pursuant to Chapter 18.38.

II. Residential Design Review Criteria and Garage Width. Townhouse developments shall meet the Residential Design Criteria Section Chapter 18.175 and, if applicable, shall comply with garage placement and width provisions of 18.04.060(EE), provided that such standards shall be applied to the entirety of each building, and not to each dwelling unit.

Section 13. Amendment of OMC 18.100.060. Olympia Municipal Code Section 18.100.060 is hereby amended to read as follows:

18.100.060 Projects Subject to Design Review

A. The following projects are subject to design review:

1. Projects within designated design review districts and corridors, as shown on the Official Design Review Map (See OMC Section 18.100.080);
2. Commercial projects adjacent to residential zones;
3. Commercial or residential projects for Heritage Register properties or those within an historic district;
4. Projects with a building area greater than 5000 square feet that require a Conditional Use Permit in a residential zone;
5. Multifamily projects;
6. Single family housing, including designated manufactured homes, on lots less than 5000 square feet or on substandard lots;
7. Dwellings proposed on lots within the area depicted on Figure 4-2a, "Areas Subject to Infill Regulations";
8. Master Planned Developments;
9. Manufactured housing parks;
10. Duplexes, triplexes, fourplexes, courtyard apartments, single room occupancies, townhouses, accessory dwelling units, and cottage housing;
11. All projects within scenic vistas as identified on the official maps of the City (See OMC Section 18.100.110); and,
12. Signs within designated design review districts and corridors or associated with a project that is subject to design review.

B. Exceptions: Evergreen Park PUD; interior work; and projects which do not affect the character, use, or development of the surrounding properties, or the architectural character of the structure, such as fences, parking lots with less than twenty (20) spaces or minor repair or renovation of, or minor additions to, existing structures.

Section 14. Amendment of OMC 18.100.090. Olympia Municipal Code Section 18.100.090 is hereby amended to read as follows:

18.100.090 Design Review Process

All projects subject to design review shall be reviewed either by the Design Review Board (DRB), the Joint Review Committee (JRC) or by staff as noted below. The DRB, JRC, or staff shall provide a recommendation to the review authority. The review authority shall give substantial weight to the recommendation of the DRB or JRC. (A project reviewed by the JRC shall not also be reviewed by the Heritage Review Committee.)

A. Projects subject to review by the Design Review Board or Joint Design Review Committee, as described in OMC 18.76.180:

1. Any proposed development project located within the following design districts:
 - a. Downtown District; and,
 - b. Residential Scale Design District.
2. Any proposed building development over 5,000 square feet in gross floor area, located within the following design districts and corridors:
 - a. High Density Corridors;
 - b. West Bay Drive District;
 - c. Auto Mall District;
 - d. Port Peninsula District;
 - e. Freeway Corridor; and,
 - f. Design Review Corridors.
3. Any multifamily building with five (5) units or more, any townhouse building with five (5) units or more, and any multifamily development with twenty (20) units or more, except for multifamily buildings or developments that are subject to review by staff listed under Section 18.100.090.B.

4. All Master Planned Developments.

5. Projects with a building area greater than 5,000 square feet that require a Conditional Use Permit in a residential zone.

B. Projects subject to review by Staff:

1. Single family dwellings on lots within the area depicted on Figure 4-2a in Chapter 18.04.

2. Minor additions or alterations to residential or commercial projects on a Heritage Register or within a Historic District.

3. Any proposed development of 5,000 square feet or less in gross floor area, and signs in the following design districts and corridors:

a. High Density Corridors;

b. West Bay Drive District;

c. Auto Mall District;

d. Port Peninsula District;

e. Freeway Corridor; and,

f. Design Review Corridors.

4. Triplex, fourplex, townhouse, or courtyard apartment projects located in any residential zoning districts with a maximum density of twelve dwelling units per acre or less.

45. Any other project subject to design review not described in "A" above.

Section 15. Amendment of OMC 18.100.100. Olympia Municipal Code Section 18.100.100 is hereby amended to read as follows:

18.100.100 How to Use Design Criteria

A. Requirements and Guidelines. Each section of the design review chapters consists of a requirement and possibly several guidelines. Compliance with each requirement is necessary; the guidelines provide methods to achieve compliance with the requirement. Applicable guidelines must be incorporated into the project design except in cases where proposed design solutions are considered by the Board and/or staff to be equal to or better than the guidelines, and meet the intent of the requirement. If the project does not conform to the design criteria, the Board and/or staff will indicate the requirements that have not been met.

B. Illustrations. Illustrations contained within specific criteria sections are intended to be in harmony with the text of the same section. In the event of conflict between text and an illustration, the text shall govern.

C. Design Review Criteria Chapters. Design criteria are separated into chapters, depending on whether the development is commercial or residential, and the location or type of that development, as outlined below.

18.105 Historic Structures and Buildings within the Historic Districts. This Chapter applies to structures listed on the Olympia Heritage Register, Washington Heritage Register, and the National Register of Historic Places, and all structures within a Historic District.

18.110 Basic Commercial Design Criteria. This chapter applies to all commercial projects throughout the City that require design review, in addition to the district-specific requirements found in the following chapters, as applicable. It also applies to projects with a building area greater than 5,000 square feet in gross floor area that require a Conditional Use Permit in a residential zone, to commercial projects adjacent to residential buildings, to commercial or residential projects. The design districts are shown on the Official Design Review Districts and Corridors.

18.120 Commercial Design Criteria - Downtown District. This chapter applies to all commercial projects that require design review that are located in the Downtown Design Review District. In addition, commercial projects in the Downtown Design District may also be subject to the requirements of Chapter 18.16, Pedestrian Streets.

18.130 Commercial Design Criteria - High Density Corridors. This chapter applies to all projects that require design review that are located in the HDC districts.

18.135 Commercial Design Criteria - Residential Scale District. This chapter applies to all projects that require design review that are located in the Residential Scale District.

18.140 Commercial Design Criteria - Auto Oriented District. This chapter applies to all projects that require design review that are located in the Auto Oriented District.

18.145 Commercial Design Criteria - Freeway Corridor. This chapter applies to all projects that require design review that are located in the Freeway Corridor District.

18.150 Commercial Design Criteria - Port Peninsula. This chapter applies to all projects that require design review that are located in the Port Peninsula design review district. This chapter contains the only design criteria that apply to the Port Peninsula.

18.155 Commercial Design Criteria - West Bay Drive District. This chapter applies to all projects that require design review that are located in the West Bay Drive District.

18.170 Residential Design Criteria - Multifamily. Design criteria contained in this chapter (OMC Sections 18.170.030 - 18.170.160) apply to all multifamily residential buildings with five or more units not specifically governed by Section 18.175, and any multifamily development with twenty (20) units or more throughout the city. Projects of this type and size are reviewed by the Design Review Board.

18.175 Residential Design Criteria - Infill and other residential. Sections 18.175.020 through 18.175.060 of this chapter apply to single-family dwellings, including designated manufactured housing, proposed on lots within the area depicted on Figure 4-2a in Chapter 18.04 OMC, on lots less than 5000 square feet, or on substandard lots; ~~duplexes, triplexes, fourplexes, and townhouse buildings of four (4) units or less throughout the city~~ townhouses and courtyard apartments in the R4, R4CB, RLI, R 4-8, and R 6-12 zoning districts; and single-room occupancies in the R 6-12 zoning district. OMC Sections 18.175.080 and 18.175.090 apply to accessory dwelling units throughout the city, including manufactured home accessory dwelling units. OMC Section 18.175.100 applies to cottage development.

18.180 Residential Design Criteria - Manufactured home parks. This chapter applies only to manufactured home parks.

Section 16. Amendment of OMC 18.05.050(E). Olympia Municipal Code Subsection 18.05.050(E) is hereby amended to read as follows:

E. Mix and Location of Residential Uses.

1. Mix of Dwelling Types--General. Developments in the Urban Village, Neighborhood Village, and Community Oriented Shopping Center districts must attain a mix of residential uses consistent with Tables 5.03A and 5.03B. Table 5.03A addresses the relationship between single-family and multifamily dwellings in general. Table 5.03B addresses the requirement for a variety of multifamily housing types, based on overall size of the project.

a. For purposes of meeting the required mix as shown in Table 5.03A, Single Family and Similar Dwelling Types shall include:

- i. Single-family detached residences, including designated manufactured homes
- ii. Group homes with six (6) or fewer clients
- iii. Single family residences above commercial uses (e.g., a single residence above a convenience store)
- iv. Townhouses
- v. Duplexes

vi. Cottage housing

b. For purposes of meeting the required mix as shown in Table 5.03A, Multifamily and Similar Dwelling Types shall include:

i. Apartments with five (5) or more units per structure

ii. Boarding homes and single-room occupancies

iii. ~~Duplexes, triplexes,~~ and fourplexes

iv. Group homes with seven (7) or more clients

v. Multifamily residences above commercial uses (e.g., multiple apartments above retail or office uses)

c. Other residences.

i. For purposes of meeting the required mix as shown in Table 5.03A, the following uses are classified as "other" (i.e., neither "single-family and similar", nor "multifamily and similar"):

(a) Accessory dwelling units

(b) Nursing/convalescent homes and congregate care facilities

(c) Multifamily units in an urban village on the blocks contiguous to the town square.

ii. Such "other" uses are not counted in determining the required proportions of single-family and multifamily dwellings in Table 5.03A. However, such uses shall be counted in the calculation of total dwellings for purposes of Sections 18.05.080(B) Maximum Housing Densities and 18.05.080(C) Minimum Housing Densities, in the manner provided in those sections.

TABLE 5.03A

MIX OF HOUSING TYPES

MIX OF HOUSING TYPES	Neighborhood Village	Urban Village	Community Oriented Shopping Center
Single Family and Similar Dwelling Types			
Minimum percentage of total housing units	60%	50%	50%
Maximum percentage of total housing units	75%	75%	75%
Multifamily and Similar Dwelling Types			
Minimum percentage of total housing units	25%	25%	25%
Maximum percentage of total housing units	40%	50%	50%

2. Mix of Dwelling Types--Requirement for Variety.

a. Urban villages, neighborhood villages, and community oriented shopping centers shall achieve a variety of dwelling unit types as specified in Table 5.03B.

b. For purposes of meeting the requirements of Table 5.03B, dwellings shall include the following four types:

- i. Single-family detached dwellings (including manufactured housing);
- ii. Townhouses;
- iii. Duplexes; and
- iv. Triplexes, fourplexes, and apartment structures with five (5) or more units per structure.

TABLE 5.03B

REQUIRED VARIETY OF DWELLING UNIT TYPES IN NV, UV, AND COSC

Number of Dwellings in Project	Minimum Number of Dwelling Types	Minimum Percent of Any Dwelling Type used in the Project (See also Table 5.03A)
1-70	2	25%
71-299	3	10%
300+	4	5%

c. Once the requirements of Table 5.03B have been met, other housing types--whether or not specified in Section 18.05.050(E)(2)(b) above--may be developed in any proportions within the requirements of Table 5.03A.

Example: Assume a neighborhood village with 400 dwelling units. According to Table 5.03A, at least 240 units (60% of the 400 total), and not more than 300 units (75%) must be single-family and similar dwelling types. At least 100 units (25%), and not more than 160 units (40%) must be multifamily and similar dwelling types.

According to Table 5.03B, the project must include four of the specified dwelling types. The developer chooses to build 240 single-family detached dwellings, meeting the requirement of 60% set in Table 5.03A. The developer also chooses to build 40 townhouse units (10% of the 400 total), 20 duplex units (5%--i.e., the minimum), and 80 units (20%) in triplexes, fourplexes, and apartment structures with five or more units. For the final five percent, the developer chooses to build 20 units of cottage housing, an optional housing type not required in Section 18.05.050(E)(2)(b) above.

3. Intensity of Development. The density of residential uses shall be highest around the village/community center and lowest adjacent to existing neighborhoods.

Section 17. Amendment of OMC 18.05.080(C). Olympia Municipal Code Subsection 18.05.080(C) is hereby amended to read as follows:

C. Minimum Housing Densities.

1. Calculation of Minimum Density. The minimum average densities specified in Table 5.05 are based on the entire site, with the following limitations: [Note: Table 5.05 in Section 18.05]

- a. The entire site shall be included in the minimum density calculation except streams, wetlands, landslide hazard areas, floodplains, "important habitat areas," and "important riparian areas" and their associated buffers; tracts accommodating stormwater facilities required in compliance with the Drainage Design Manual; existing, opened street rights-of-way; and land to be sold or dedicated to the public, other than street rights-of-way (e.g., school sites and parks, but not street rights-of-way to be dedicated as part of the proposed development).
 - b. All dwelling units in convalescent homes/nursing homes ~~and accessory units~~ count toward the minimum density required for the site by Table 5.05, in the same manner as provided above in Section 18.05.080(B)(3) Maximum Housing Densities -- Convalescent Homes and 18.05.080(B)(4) Maximum Housing Densities -- Accessory Dwelling Units.
 - c. The following requirements shall apply to all villages and centers:
 - i. The minimum residential density of a village center and that of the remainder of a village or center shall be calculated separately from one another.
 - ii. There shall be no minimum density requirement for a village center other than the requirement for mixed use buildings specified in Section 18.05.050(C)(2) Village/Community Center--Mixed Use above. The procedures for calculating the required number of units are as provided in Sections 18.05.080(3)(1)(a), (2), and (3) above.
 - iii. The remainder of a village shall comply with the minimum density requirements in Table 5.05.
2. Average Density. A housing project may contain a variety of housing densities provided that the average density for the entire development (i.e., all of the property subject to a single Master Planned Development approval) is neither less than the minimum density nor more than the maximum density established for the district in Table 5.05. No part of the development, however, may exceed the maximum density established in row one of Table 5.05 (see Section 18.05.080(B)(2) Maximum Densities).
3. Density Allowance for Site Constraints. At the request of the applicant, the Director or Hearing Examiner may reduce the minimum density required in Table 5.05, to the extent s/he deems warranted, in order to accommodate site constraints which make development at the required minimum density impractical or inconsistent with the purposes of this Article (e.g., poor soil drainage, the presence of springs, steep topography (e.g., over 20 percent), rock outcrops, or wellhead protection areas). As a condition of granting a density reduction, the applicant must demonstrate that the minimum density cannot be achieved by clustering the housing on the buildable portions of the site (see Section 18.05.080(F) Clustered Housing).

4. Density Allowance for Natural Features/Habitat Protection. At the request of the applicant, the Director may reduce the minimum densities to the extent necessary to accommodate trees to be retained consistent with Chapter 16.60, Tree Protection and Replacement. (Also see Section 18.05.080(F)(1), Mandatory Clustering.) At the request of the applicant, the Director may also authorize a reduction in the minimum density requirements in order to enable retention of Significant Wildlife Habitat identified on Map 2-4 in the Comprehensive Plan.

Section 18. Amendment of OMC 18.40.060(A). Olympia Municipal Code Subsection 18.40.060(A) is hereby amended to read as follows:

A. Required Building Site.

1. Building Site--Number of Buildings. Every main building hereafter erected shall be located on a legal lot of record as provided for in this title. There shall be no more than one (1) main building on any one (1) lot in the R-4, R 4-8, and R 6-12 use districts unless the housing type approved specifically allows for more, such as courtyard apartments, cottage housing or co-housing developments.
2. Lot or Building Site--Reduction. No lot or parcel of land now existing or hereafter established shall be so reduced or diminished that yards, open space, width or total lot area be made smaller than the minimum required by this title; nor shall any existing lot or parcel of land that is now smaller than the minimum required by this title be further reduced or diminished in any manner.

Section 19. The City Council hereby directs staff to develop a methodology for calculating transportation and parks impacts fees, and sewer general facilities charges, in accordance with the Olympia Planning Commission recommendation contained in Exhibit A.

Section 20. 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 21. 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 22. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 23. Effective Date. This Ordinance shall take effect thirty (30) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

EXHIBIT A

MISSING MIDDLE HOUSING IMPACT FEES AND GENERAL FACILITIES CHARGES (GFCs)

PLANNING COMMISSION RECOMMENDATION:

For the following residential uses, develop a methodology for calculating transportation and parks impact fees, and sewer GFCs that reflects actual system-wide impacts. The methodology should:

- Include methods to calculate differences in system-wide impacts, if any, due to location of the use in downtown Olympia, or along transit corridors as designated in the Olympia Comprehensive Plan.
- For wastewater, be initiated through a request to LOTT to jointly conduct an examination of its capacity development charge (CDC) and Olympia's GFC methodology to ensure consistency.
- Meet all required standards in statute and city codes/policies for a study on which to base a revised impact fee and/or GFC for these residential uses.

Residential uses to be included:*

Single-family houses
Accessory dwelling units
Townhouses
Duplexes
Triplexes
Fourplexes
Cottage Housing
Courtyard Apartments
Single-Room Occupancies
Apartments
Studio Apartments
Senior Living Apartments

* As defined in OMC 18.02, draft Missing Middle recommendations to amend OMC 18.02, or in existing impact fee or GFC studies

Planning Commission Recommendations

At its public meeting on July 9, 2018, the Olympia Planning Commission made its recommendation on the Missing Middle Housing code changes, as summarized below:

Accessory Dwelling Units

- Maximum height for accessory structures increased from 16' to 24'
- Any ADU can be up to 800 square feet, regardless of primary house size
- Property Owner not required to live on site
- An additional off-street parking stall is not required. If a garage is converted to an ADU, and the garage had provided the 2nd parking space for primary residence, allow requirement for 2nd parking space to be waived with consideration of on-street parking availability



Cottage Housing

- Allow two cottages to be attached
- First floor maximum size of 1,000 sq. ft. with a maximum overall size of 1,250 sq. ft. (not including garage)
- Increase bonus density from 20% to 50%
- Allow phasing upon approval of site plan (construction of common areas, frontage improvements, payment of impact fees and general facilities charges)
- Require 1 off-street parking space per unit (1.5 if on-street parking is not available). One space per unit can be provided in a garage or carport
- Allow single connection to sewer main in street, with lateral connections to each cottage on site



Courtyard Apartments

- Define courtyard apartments
- Allow in R 6-12 zoning district and in R 4-8 when within 300 feet of transit routes or commercial zoning (Transit routes on a certain date, not to move if routes change)
- Limited to one story in R 4-8 zone, two stories in R 6-12 zone
- Apply infill residential design standards
- Require 1 off-street parking space per unit (1.5 if on-street parking is not available)



Duplexes

- Allow new duplexes in the R 4-8 zoning district
- Establish minimum lot width (45') and size (7,200 sq. ft.) for R 4-8 zone, Modify lot width (40') and minimum lot size (6,000 sq. ft.) for R 6-12 zone
- Allow one connection to sewer main for duplexes
- Require 1 off-street parking space per unit (1.5 if on-street parking is not available)



Missing Middle Housing

General Provisions

- Remove requirement for Transfer of Development Right (TDR) purchase to develop between 4-5 or 7-8 units per acre in R 4-8 zone. Allow up to 9 units per acre with TDR.
- Conduct impact fee study to determine if there is a different impact of different-sized single-family houses.
- Conduct study to determine impact of different-sized single-family houses, townhouses, duplexes, and cottage units for general facilities charges.



Manufactured Homes

- Remove minimum home size requirements
- When proposed as an ADU apply ADU design standards



Single Room Occupancies

- Define SROs as having shared cooking or bathroom facilities, or shared bathroom and cooking facilities
- Add SROs as a permitted use in R6-12 and higher-density residential zones
- Limit SROs in R6-12 zoning district to two stories
- Apply Infill Residential design guidelines to SROs in R6-12 zoning district
- Require 1 off-street parking space for every 4 units

Tiny Houses (less than 800 sq. ft., meet all codes, connected to utilities)

- Urge State Building Code Council to adopt Appendix V of new IBC
- Require 1 off street parking space instead of 2
- Clarify group of tiny houses permitted as co-housing development in most residential zoning districts
-



Townhouses

- Remove limitation of 4 units or less per structure
- Regardless of number of units per structure, side yard setback is 5'
- Require 1 off-street parking space per unit (1.5 if on-street parking is not available)



Triplexes and Fourplexes

- Allow in R 6-12 zone and in R 4-8 if within 300 feet of transit route or commercial zone (Transit routes on a certain date, not to move if routes change)
- Require 1 off-street parking space per unit (1.5 if on-street parking is not available)
- Establish minimum lot widths and lot sizes in R 4-8 and R 6-12 zones
 - R 4-8 Zone: 45' min lot width; triplex = 9,600 sq. ft.; fourplex = 13,000 sq. ft.
 - R 6-12 Zone: 40' min lot width; triplex = 7,200 sq. ft.; fourplex = 9,600 sq. ft.



Missing Middle Housing: Comparison of Staff and Planning Commission Recommendations

September 4, 2018

At its public meeting on July 9, 2018, the Olympia Planning Commission (OPC) made its recommendation on the Missing Middle Housing code changes, which modified some of the staff recommendations proposed in November of 2017. The information below provides a comparison of OPC and staff recommendations. An additional column is provided for City Councilmembers' individual notes on each recommendation. Note: Red = significant concerns; Yellow = some questions or concerns; Green = no concerns.

Accessory Dwelling Units

Rec #	Staff Recommendation	OPC Recommendation, if different	City Council Notes
ADU-1	Allow 1 ADU per lot with a detached Single Family home (No change)		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
ADU-2	Maximum height for accessory structures increased from 16' to 24'		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
ADU -3	Any ADU can be up to 800 square feet, regardless of primary house size		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
ADU-4	Property Owner not required to live on site		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
ADU-5a	Additional off street parking space for is not required.		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
ADU-5b	If a garage is converted to an ADU, and the garage had provided the 2nd parking space for primary residence, allow requirement for 2nd parking		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green

Missing Middle Housing: Comparison of Staff and Planning Commission Recommendations

	space to be waived with consideration of on-street parking availability		
ADU-6	Allow manufactured homes to be used as ADUs		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green

Cottage Housing

Rec #	Staff Recommendation	OPC Recommendation, if different	City Council Notes
COT-1	Allow two cottages to be attached		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
COT-2a	First floor maximum size increased from 800 sq. ft. to 1,000 sq. ft. (not including garage)		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
COT-2b	Decrease maximum cottage size from 1,600 sq. ft. to 1,250 sq. ft.		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
COT-3	Increase density bonus from 20% to 50%		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
COT-4	Allow phasing upon approval of master site plan (construction of common areas, frontage improvements, payment of impact fees and general facilities charges)		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green

Missing Middle Housing: Comparison of Staff and Planning Commission Recommendations

COT-5a	Require 1 off-street parking space per unit (1.5 if on-street parking is not available).		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
COT-5b	Allow one off street parking space per cottage to be provided in a garage or carport.		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
COT-6	Allow single connection to sewer main in street, with lateral connections to each cottage on site		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green

Courtyard Apartments

Rec #	Staff Recommendation	OPC Recommendation, if different	City Council Notes
CYA-1	Define courtyard apartments		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
CYA-2a	Allow in R 6-12 zoning district		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
CYA-2b	Allow in R 4-8 zoning district when within 600 feet of transit routes or commercial zoning (Transit routes on a certain date, not to move if routes change)	Allow in R 4-8 zoning district when within <u>300</u> feet of transit routes or commercial zoning (Transit routes on a certain date, not to move if routes change)	<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
CYA-3a	Limit to one story in R 4-8 zone		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green

Missing Middle Housing: Comparison of Staff and Planning Commission Recommendations

CYA-3b	Limit to two stories in R 6-12 zone		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
CYA-4	Apply infill residential design standards		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
New Proposal		Require 1 off-street parking space per unit (1.5 if on-street parking is not available)	<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green

Duplexes

Rec #	Staff Recommendation	OPC Recommendation, if different	City Council Notes
DUP-1	Allow new duplexes in the R 4-8 zoning district		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
DUP-2	Establish minimum lot width (45') and size (7,200 sq. ft.) for R 4-8 zone; Modify lot width (40') and minimum lot size (6,000 sq. ft.) for R 6-12 zone		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
DUP-3	Allow one connection to sewer main for duplexes		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
DUP -4	Require 2 off-street parking spaces per unit (no change)	Require 1 off-street parking space per unit (1.5 if on-street parking is not available)	<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green

General Provisions

Rec #	Staff Recommendation	OPC Recommendation, if different	City Council Notes
GP-1a	Remove requirement for a transferred development right (TDR) in R4-8 zoning district.		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
GP-1b	Allow a density bonus of up to one unit/acre if a transferred development right (TDR) is purchased.		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
GP-2	Conduct impact fee study to determine whether impacts vary with single-family house sizes.		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
GP-3	Conduct Sewer GFC study to determine whether impacts vary with the size of houses, townhouses, duplexes, and cottage units.		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
GP-4	Conduct Stormwater GFC study to determine how duplex impacts compare with those of apartments, ADUs, and townhouse units.	Eliminate (not needed, already addressed)	<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green

Manufactured Homes

Rec #	Staff Recommendation	OPC Recommendation, if different	City Council Notes
MH-1	Remove minimum home size requirements		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green

Missing Middle Housing: Comparison of Staff and Planning Commission Recommendations

MH-2	When proposed as an ADU apply ADU design standards		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
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Single Room Occupancies

Rec #	Staff Recommendation	OPC Recommendation, if different	City Council Notes
SRO-1	Define SROs as having shared cooking or bathroom facilities, or shared bathroom and cooking facilities		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
SRO-2	Add SROs as a permitted use in R6-12 and higher-density residential zones		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
SRO-3	Limit SROs in R6-12 zoning district to two stories		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
SRO-4	Apply Infill Residential design guidelines to SROs in R6-12 zoning district		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
SRO-5	Require one off-street parking space per unit.	Require 1 off-street parking space for every 4 units	<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green

Tiny Houses (800 sq. ft. or less, meets all codes, connected to utilities)

Rec #	Staff Recommendation	OPC Recommendation, if different	City Council Notes
TH-1	Recognize that tiny houses with wheels are permitted by the State as recreational vehicles and that permanent occupancy is not permitted.		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
TH-2	Urge State Building Code Council to adopt Appendix V of new IBC		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
TH-3	Require 1 off street parking space instead of 2		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
TH-4	Clarify group of tiny houses permitted as co-housing development in most residential zoning districts		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green

Townhouses

Rec #	Staff Recommendation	OPC Recommendation, if different	City Council Notes
TWN-1	Retain maximum site area for townhouse developments at 4 acres.		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
TWN-2	Remove limitation of 4 units or less per structure		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green

Missing Middle Housing: Comparison of Staff and Planning Commission Recommendations

TWN-3	Regardless of number of units per structure, side yard setback is 5'		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
TWN-4	Require 2 off-street parking spaces per unit	Require 1 off-street parking space per unit (1.5 if on-street parking is not available)	<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green

Triplexes and Fourplexes

Rec #	Staff Recommendation	OPC Recommendation, if different	City Council Notes
T&F-1a	Allow in R 6-12 zone		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
T&F-1b	Allow in R 4-8 if within 600 feet of transit route or commercial zone (Transit routes on a certain date, not to move if routes change)	Allow in R 6-12 zone and in R 4-8 if within <u>300</u> feet of transit route or commercial zone (Transit routes on a certain date, not to move if routes change)	<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
T&F-2	Establish minimum lot widths and lot sizes in R 4-8 and R 6-12 zones <ul style="list-style-type: none"> R 4-8 Zone: 45' min lot width; triplex = 9,600 sq. ft.; fourplex = 13,000 sq. ft. R 6-12 Zone: 40' min lot width; triplex = 7,200 sq. ft.; fourplex = 9,600 sq. ft. 		<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green
New Proposal		Require 1 off-street parking space per unit (1.5 if on-street parking is not available)	<input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green



Missing Middle Housing: Comparison of Staff and Planning Commission Recommendations

Missing Middle Housing

Featured Links

City Codes & Plans

- [Olympia Municipal Code](#)
- [Olympia Comprehensive Plan](#)

Presentations

- [City Council Study Session 8/14/18](#)
- [Missing Middle Open House Presentation 11/15/17](#)
- [Presentation to Olympia Planning Commission](#)
- [Presentation to Olympia City Council 9/19/17](#)

Articles/Studies

- [Portland ADU Survey Results](#)
- [APA Zoning Practice: Tiny Houses](#)
- [Will the US Design Their Way Out of the Affordable Housing Crisis?](#)
- [Small Backyard Homes: Accessory Dwelling Units \(ADUs\)](#)
- [Jumpstarting the Market for Accessory Dwelling Units](#)
- [The Olympian - Housing Options Hampered](#)
- [Finding Your Middle Ground](#)
- [Olympia Plan for Missing Middle Housing](#)
- [Density's Next Frontier: The Suburbs](#)
- [Land Lines Gentle Infill](#)
- [Encouraging Neighborhood-Friendly Residential Infill Development](#)
- [Accessory Dwelling Units](#)
- [The case for - and against - Olympia's Missing Middle housing changes](#)

Navigation

- [Codes, Plans & Standards](#)
- [DT Design Guidelines](#)
- [Municipal Code](#)
- [Olympia Comprehensive Plan](#)
- [OPD General Orders](#)

Next Steps

The Olympia City Council is scheduled to consider the Planning Commission's recommendations at its regular meeting **September 11, 2018, at 7:00 p.m.** at Olympia City Hall.

The Olympia Planning Commission (OPC) has recommended changes to Olympia's zoning code to allow for more housing options in residential neighborhoods. The Commission has issued a letter outlining its recommendations to the City Council. The recommended changes are slightly different than those proposed by staff (primarily related to off street parking and proximity to transit routes for triplexes, fourplexes, and courtyard apartments in the R4-8 zoning district).

- [Planning Commission Recommendation Letter](#)
- [OPC Recommendation Summary](#)
- [Draft Changes to Zoning Code as proposed by OPC](#)
- [Existing Olympia Municipal Code](#) (click on the + sign next to "Municipal Code", zoning information is in Title 18)
- [Draft Recommendation for Studying Impact Fees and General Facilities Charges](#)

Note: Draft changes are shown in "bill format" – showing proposed new language in underlined text; while language proposed to be deleted is shown in ~~strikethrough text~~ (Note: Existing hyperlinks are shown in blue underlined text).

Written comments sent to missingmiddle@ci.olympia.wa.us after 5:00 p.m. on July 9, 2018 will be sent to the Olympia City Council.

[Written Public Comments Provided to Planning Commission](#)

- [Public Comments Provided through end of public hearing comment period.](#)
- [Public Comments received May 7 - 21, 2018.](#)
- [Public Comments received May 21 - June 4, 2018.](#)
- [Public Comments received June 5 - 18, 2018.](#)
- [Public Comments received Jun 19 - July 9, 2018.](#)



Plans in Progress

LEARN MORE ABOUT THE CITY'S LONG-RANGE PLANNING EFFORTS

Downtown Strategy

LEARN HOW WE ARE IMPLEMENTING THE PLAN

Planning Projects

LEARN ABOUT MAJOR CITY PLANNING PROJECTS

City Calendar

- 09/06** - 5:30 p.m.
[Finance Committee Meeting](#)
- 09/06** - 5:40 p.m.
[Utility Advisory Committee \(UAC\)](#)
- 09/08** - 10:00 a.m.
[West Bay Woods Volunteer Work Party](#)
- 09/08** - 11:00 a.m.
[Sea Level Rise Walking Tour Event](#)
- 09/10** - 5:00 p.m.
[CANCEL LEOFF Disability Board](#)

→ [View full calendar...](#)

City Updates

ARTESIAN COMMONS PARK CLOSED The Artesian Commons Park closed indefinitely on August 24. The Artesian Well and 24-hour restroom will remain accessible. [More...](#)

AUGUST 7 DEATH INVESTIGATION Read Chief Robert's statement on the investigation into the August 7 death of Yvonne McDonald. [More...](#)

ADDRESSING HOMELESSNESS The City Council has directed immediate actions to respond to homelessness in our community. [More...](#)

COMCAST CABLE FRANCHISE AGREEMENT Thurston County and the Cities of Lacey, Olympia, and Tumwater are collaborating to negotiate the renewal of the franchise agreement with Comcast. Learn about the process and share your thoughts. [More...](#)

2019-2024 PRELIMINARY CAPITAL FACILITIES PLAN The 2019-2024 Preliminary Capital Facilities Plan is now available. [More...](#)

2018 ADOPTED OPERATING BUDGET The 2018 Preliminary Operating Budget is now available. [More...](#)

OLYMPIA MUNICIPAL CODE Quick link to codes and standards including [Olympia Municipal Code](#).

feedback



What is Missing Middle Housing?

Missing Middle Housing refers to a range of housing types that can provide more than one housing unit per lot in a way that is compatible in scale with single-family homes.

Missing Middle Housing is a key component of the City's housing strategy, as it supports housing affordability for households across all income level - a key community vision in Olympia's Comprehensive Plan.

[Comprehensive Plan policies related to Missing Middle housing](#)

- **PL16.2** Adopt zoning that allows a wide variety of compatible housing types and densities.
- **PL16.5** Support affordable housing throughout the community by minimizing regulatory review risks, time and costs and removing unnecessary barriers to housing, by permitting small dwelling units accessory to single-family housing, and by allowing a mix of housing types.
- **PL16.9** In all residential areas, allow small cottages and townhouses, and one accessory housing unit per home -- all subject to siting, design and parking requirements that ensure neighborhood character is maintained.
- **PL16.10** Require effective, but not unreasonably expensive, building designs and landscaping to blend multi-family housing into neighborhoods.
- **PS3.1** Promote a variety of residential densities and housing types so that housing can be available in a broad range of costs.

Background Information

- Environmental review of the proposed changes has been completed. A Determination of Non-Significance (DNS) has been issued. An appeal of the DNS was received, and a decision to dismiss the appeal has been issued by the Olympia Hearing Examiner.
 - [DNS](#)
 - [Environmental Checklist](#)
 - [Attachments](#)
 - [Hearing Examiner Decision](#)
- View the [December 2017 survey results](#).
- [View the January 12 - March 19 Survey comments on the individual recommendations](#).
- [FAQ factsheet](#) with answers to the questions from Dec. 11 & 13 work sessions.
- [Public Outreach Summary](#)
- Infill Housing Examples - Illustrated examples of various types of housing that could be allowed, under the proposed recommendations, on a hypothetical vacant lot located in a residential neighborhood. *(Please note the drawings are not to scale and are for illustrative purposes only.)*
 - [Half-Acre Vacant Lot - R4-8 Zoning District](#)
 - [Half-Acre Vacant Lot - R6-12 Zoning District](#)
 - [10,000 Square Foot Lot - R4-8 Zoning District](#)
 - [10,000 Square Foot Lot - R6-12 Zoning District](#)
 - [6,000 Square Foot Lot - R4-8 Zoning District](#)
 - [6,000 Square Foot Lot - R6-12 Zoning District](#)
- View the [Missing Middle Residential Capacity Assessment](#) by Thurston Regional Planning Council.

Staff Recommendations

[Recommendations](#)



Accessory Dwelling Units (ADU's)

Smaller dwellings located on the same lot with a single-family house.

- [See proposed code changes](#)

Cottage Housing

Defined as "four or more small, detached dwelling units sharing a commonly owned courtyard or common area and parking area."



- [See proposed code changes](#)



Duplexes

A single building on one lot that contains two housing/dwelling units. They differ from Townhomes in that the duplex is on a single piece of property.

- [See proposed code changes](#) (revised 1.11.18)
- [See maps of recommendations](#)



Townhouses

Townhouses are two or more units that are each connected by a structural wall. Each unit is on a separate property.

- [See proposed code changes](#)



Triplexes and Fourplexes

Apartments containing three and four dwelling units, respectively.

- [See proposed code changes](#) (revised 1.11.18)
- [See maps of recommendations](#)



Tiny Homes & Courtyard Apts

- [Tiny Homes proposed code changes](#)
- [Courtyard Apartments](#) including [maps of recommendations](#)



Single Room and Manufactured

- [Single-room Occupancies code changes](#)
- [Manufactured Homes](#) including [maps of recommendations](#)



General Provisions

There are a number of provisions in Olympia's Municipal Code that affect numerous types of Missing Middle housing. Studies will need to be done to determine the impact of revisions to the code.

- [See the summary of existing regulations/proposed changes](#)

Olympia's Missing Middle Project

The Missing Middle Project has been looking at ways to increase opportunities for more Missing Middle Housing in Olympia. The projects goals include:

- Researching how much missing middle housing currently exists in Olympia
- Determining how much more will be needed to accommodate future population growth affordably
- Looking at Olympia's regulations and fees and how they may be impacting property owners' decisions on whether to build missing middle housing
- Examining how additional missing middle housing can be added in a way that is compatible with existing neighborhoods

Project Components

[Research Existing Conditions and Opportunities - COMPLETE](#)

We researched how much of each missing middle housing type is in Olympia and looked at potential opportunities and barriers to success.

- [Existing Missing Middle Housing By Housing Type](#)
- [Available Buildable Lands for Each Missing Middle Housing Type](#)
- [Scope of Issues for Review](#)

[Analysis of Existing Codes, Fees and Standards - COMPLETE](#)

We examined the original reasons for existing requirements, and looked at the tradeoffs of potential changes to those requirements to better enable construction of Missing Middle Housing.

- [Accessory Dwelling Units: Building Height](#)
- [Accessory Dwelling Units: Owner Occupancy](#)
- [Accessory Dwelling Units: Parking Requirements](#)
- [Tiny Homes, Townhouses, Duplexes, Triplex & Fourplex Units: Design Guidelines](#)
- [Tiny Homes, Townhouses, Duplexes, Triplex & Fourplex Units: Impact Fees](#)
- [Tiny Homes, Townhouses, Duplexes, Triplex & Fourplex Units: Parking](#)
- [Tiny Homes, Townhouses, Duplexes, Triplex & Fourplex Units: Utility Fees](#)
- [Tiny Homes, Townhouses, Duplexes, Triplex & Fourplex Units: Zoning Provisions](#)
- [Cottage Housing: Zoning and Phasing](#)
- [Courtyard Apartments & Single Room Occupant \(SRO\) Buildings: Design Review](#)
- [Garden Apartments, Courtyard Apartments, & Boarding Houses: Zoning](#)
- [Manufactured Homes: Zoning and Design Guidelines](#)
- [Chapter 18.170 Multi-Family Residential](#)
- [Courtyard Apartments, Cottage Housing, Single-Room Occupancy, Manufactured Homes: Parking](#)

[Missing Middle Workgroup Feedback - COMPLETE](#)

Although not a formal decision making body, the Missing Middle workgroup was established to look at potential barriers and how we might overcome them. Their feedback helps guide the process and helps the City determine next steps.

- [Missing Middle Project Schedule and Outreach](#)
- [Missing Middle Work Group Charter](#)
- [Missing Middle Work Group Membership](#)
- [March 14, 2017 Meeting Notes](#)
- [April 27, 2017 Meeting Notes](#)
- [May 25, 2017 Meeting Notes](#)
- [June 22, 2017 Meeting Notes](#)
- [July 27, 2017 Meeting Notes](#)
- [August 24, 2017 Meeting Notes](#)
- [September 28, 2017 Meeting Notes](#)
- [October 26, 2017 Meeting Notes](#)

[Public Process and Adoption Process - KEEP CHECKING THIS PAGE FOR SCHEDULE](#)

The City has drafted text changes to City code to carry out the recommendations emerging from this project. The proposed changes can be found with their individual housing types above.

After reviewing public comment and feedback, a formal process for adoption to the City code will start. It will include review by the Olympia Planning Commission, at least one public

hearing, and final action by the Olympia City Council.

Questions/Comments?

Contact Leonard Bauer at 360.753.8206 or send written comments to the Olympia Planning Commission to missingmiddle@ci.olympia.wa.us.

[back to top...](#)

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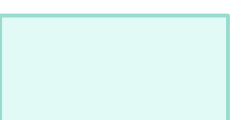
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PO Box 1967
Olympia, WA 98507-1967

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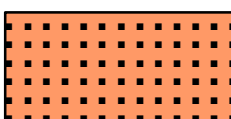

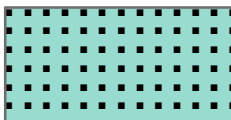


“Missing Middle”
Residential Capacity Analysis

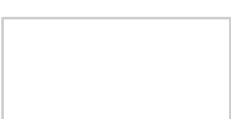



Triplex:
Minimum Lot Size Requirements

Zoning	Minimum Lot Size
 R-4-8* 300ft Buffer <i>(within 300' of transit route, or within 300' of commercial zone*)</i>	9,600 sf
 R-6-12	7,200 sf

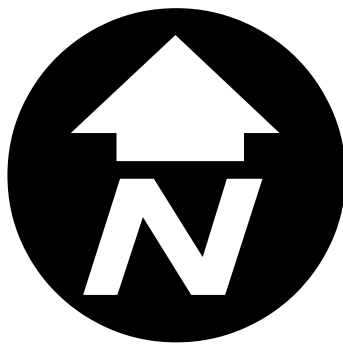
Individual Lots Meeting Minimum Size Requirements
and Current Land Use Status

Zoning	Vacant	Redevelopable	Total
R-4-8* 300ft	 30.9%	 69.1%	262
R-6-12	 43.0%	 57.0%	237

Legend

-  Parcels
-  City Limits
-  Urban Growth Areas (UGA)
-  Parks and Preserves

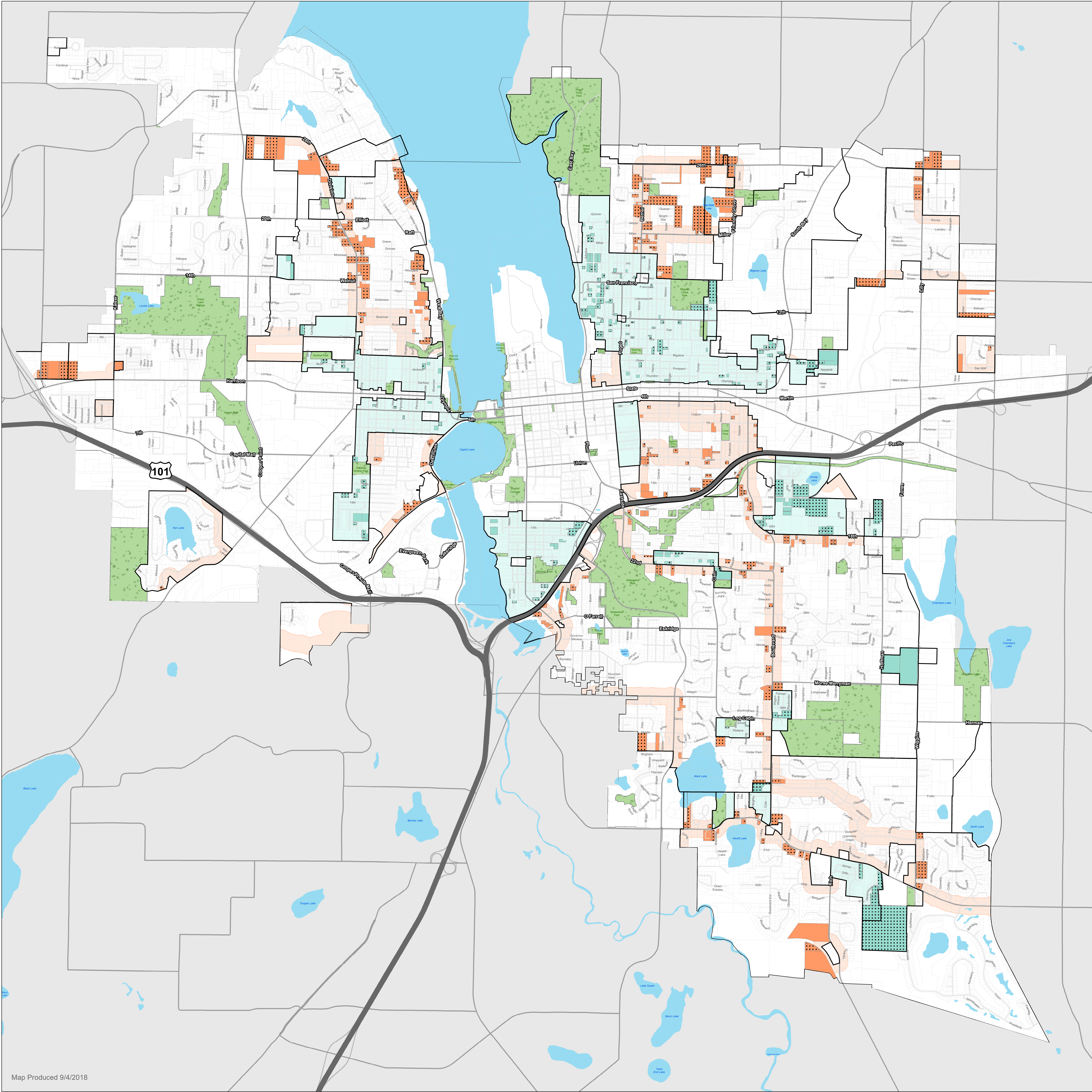
Note: "Residential capacity" is the modeled number of dwelling units that could be built on a parcel given existing development, zoning and development regulations, critical areas, and other assumptions. Capacity does not take into account reductions due to non-residential uses in residential zones (such as schools, parks, and churches) or capacity for accessory dwelling units or family member units.



1 inch = 1,150 feet



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“Missing Middle”
Residential Capacity Analysis

Fourplex:
Minimum Lot Size Requirements

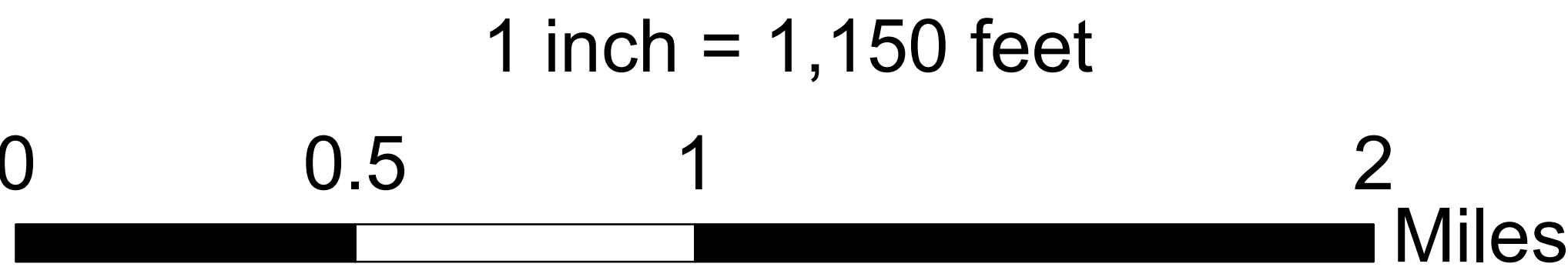
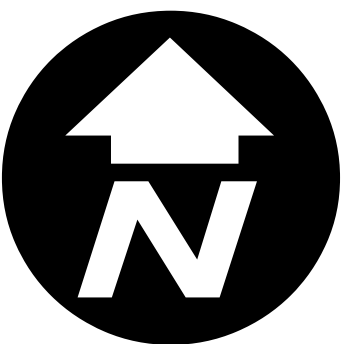
Zoning	Minimum Lot Size
<div></div> R-4-8* 300ft Buffer <small>(within 300' of transit route, or within 300' of commercial zone*)</small>	13,000 sf
<div></div> R-6-12	9,600 sf

Individual Lots Meeting Minimum Size Requirements
and Current Land Use Status

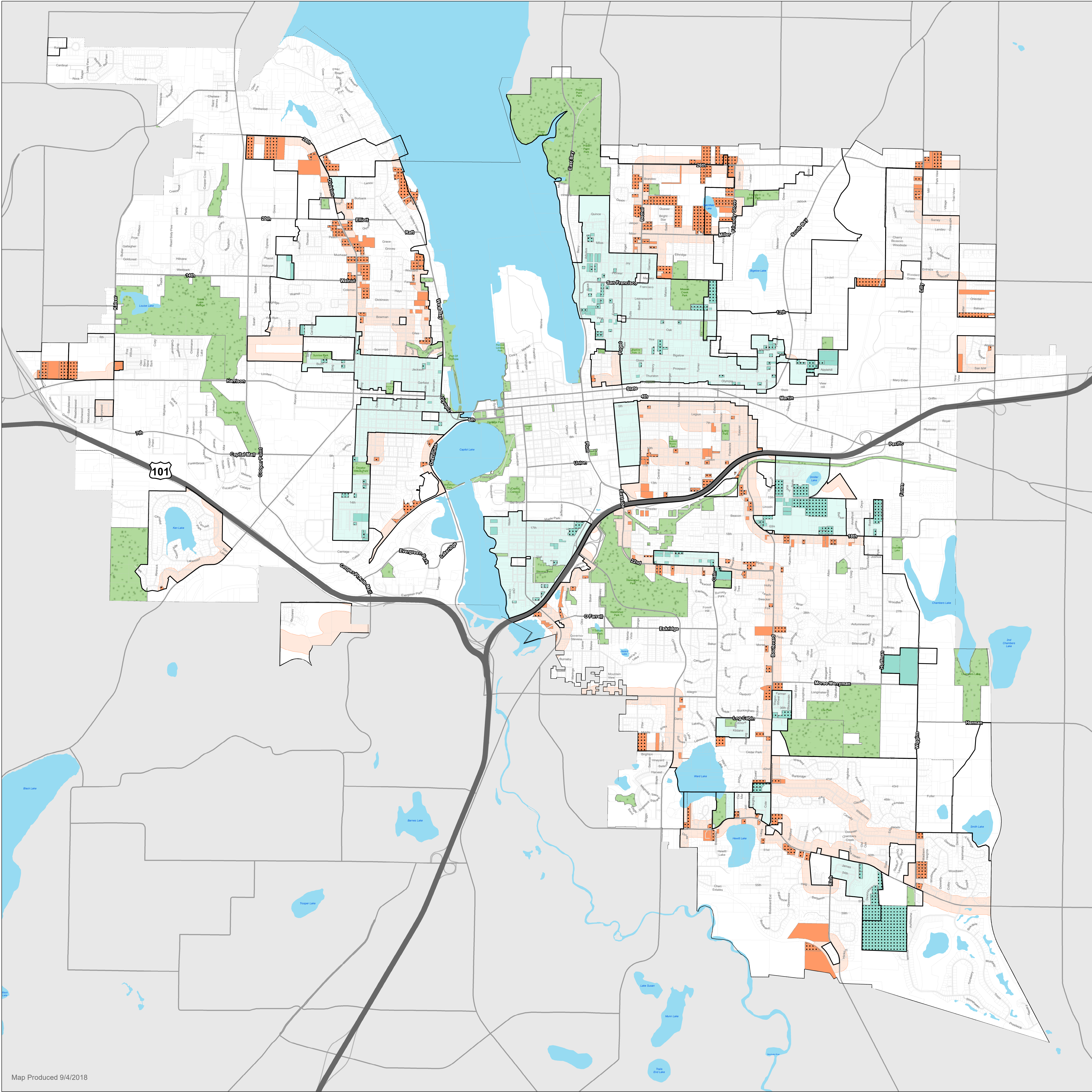
Zoning	Vacant	Redevelopable	Total
R-4-8* 300ft	<div></div> 26.4%	<div></div> 73.6%	227
R-6-12	<div></div> 39.8%	<div></div> 60.2%	181

- Legend
- Parcels
 - City Limits
 - Urban Growth Areas (UGA)
 - Parks and Preserves

Note: "Residential capacity" is the modeled number of dwelling units that could be built on a parcel given existing development, zoning and development regulations, critical areas, and other assumptions. Capacity does not take into account reductions due to non-residential uses in residential zones (such as schools, parks, and churches) or capacity for accessory dwelling units or family member units.



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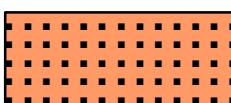

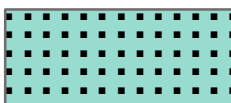


“Missing Middle”
Residential Capacity Analysis





Courtyard Apartments:
Minimum Lot Size Requirements

Zoning	Minimum Lot Size
 R-4-8* 300ft Buffer <small>(within 300' of transit route, or within 300' of commercial zone*)</small>	17,500 sf
 R-6-12	13,000 sf

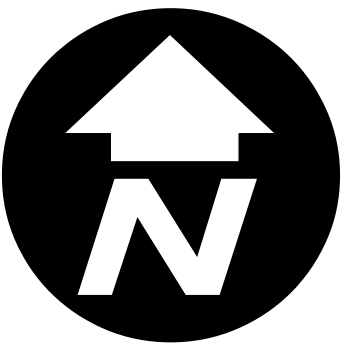
Individual Lots Meeting Minimum Size Requirements
and Current Land Use Status

Zoning	Vacant	Redevelopable	Total
R-4-8* 300ft	 24.0%	 76.0%	192
R-6-12	 34.9%	 65.1%	149

Legend

-  Parcels
-  City Limits
-  Urban Growth Areas (UGA)
-  Parks and Preserves

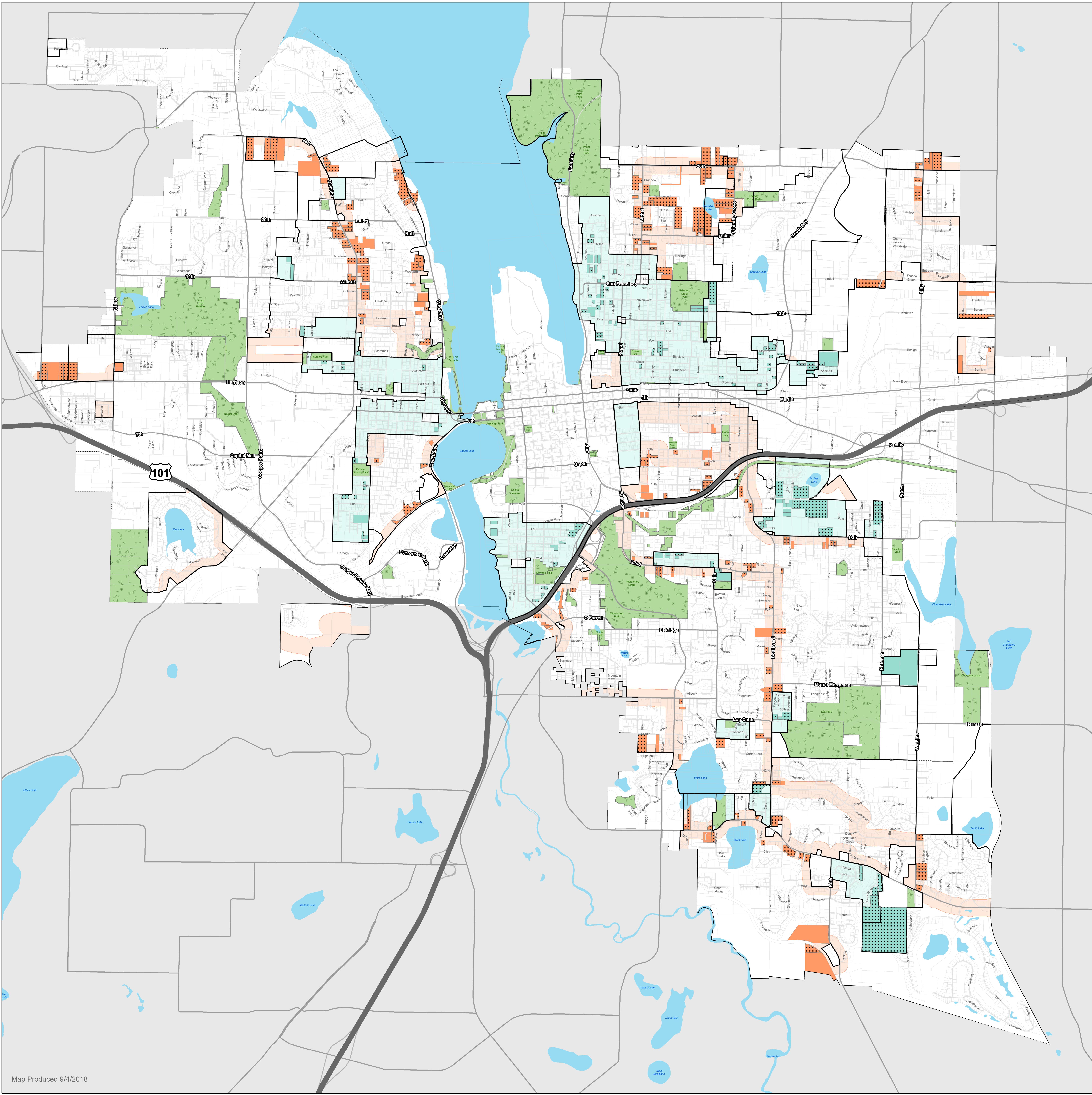
Note: "Residential capacity" is the modeled number of dwelling units that could be built on a parcel given existing development, zoning and development regulations, critical areas, and other assumptions. Capacity does not take into account reductions due to non-residential uses in residential zones (such as schools, parks, and churches) or capacity for accessory dwelling units or family member units.

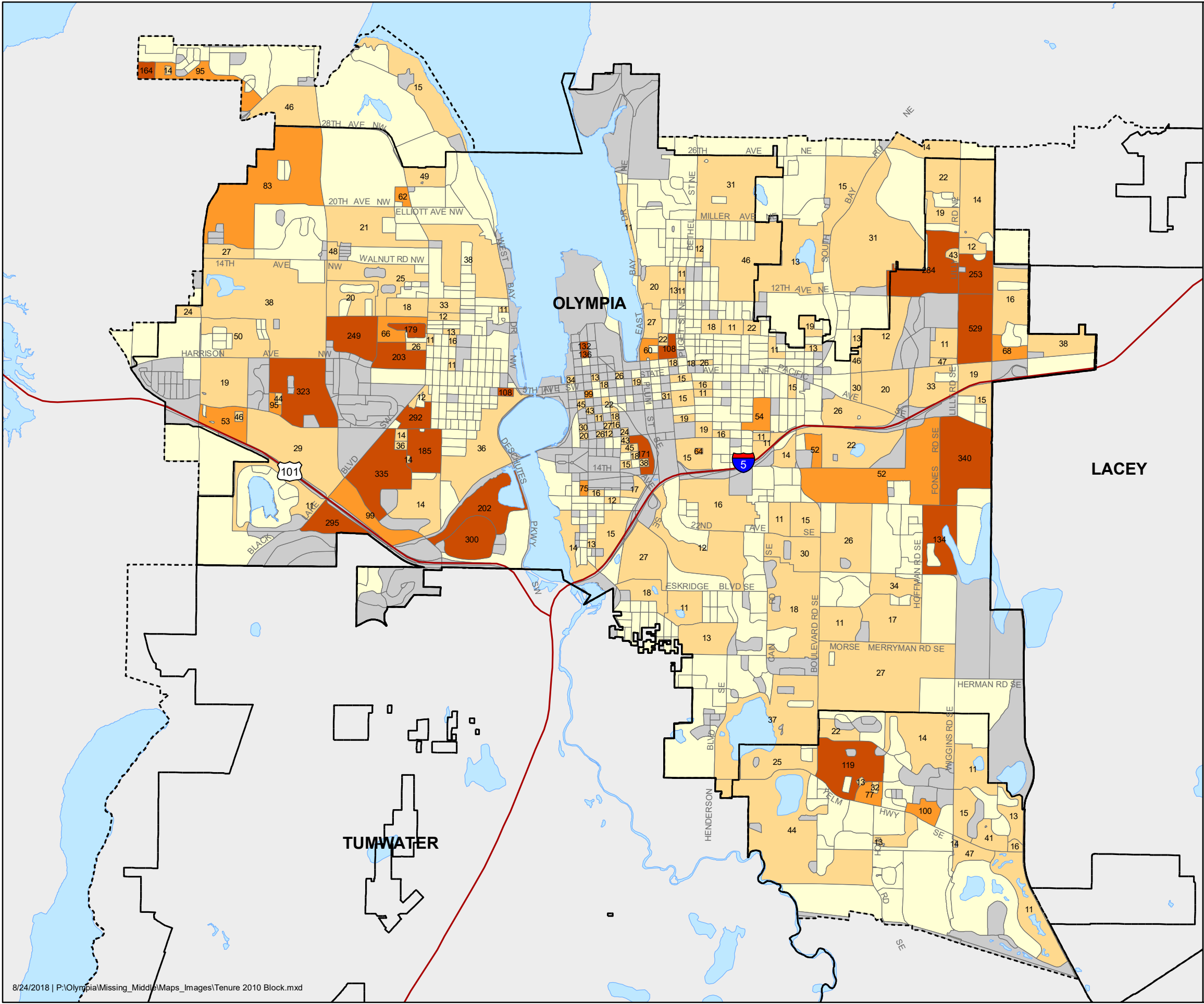


1 inch = 1,150 feet



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Housholds Who Rent 2010 Decennial Census

Number of Renting Households

- More than 100
- 51 - 100
- 11 - 50
- 1 - 10
- 0

Legend

- City Limits
- Urban Growth Areas (UGA)

Census blocks with more than 10 renters are labeled.

Source
U.S. Census Bureau: 2010 Decennial Census



DISCLAIMER: This map is for general planning purposes only. Thurston Regional Planning Council makes no representations as to the accuracy or fitness of the information for a particular purpose.

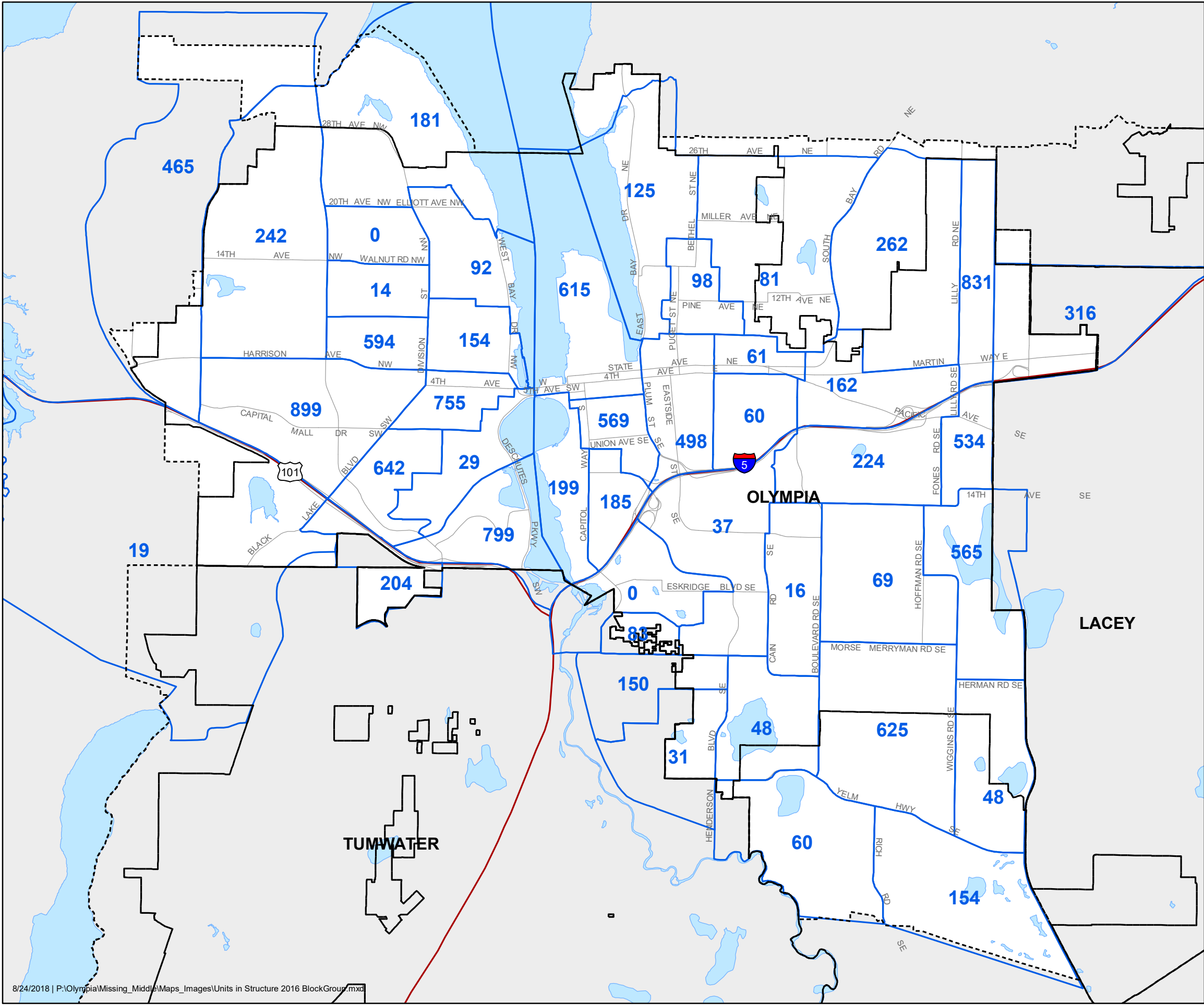
Multifamily Housing Units 2012 - 2016

Legend

- 2010 Census Block Groups
- City Limits
- Urban Growth Areas (UGA)

Estimated number of multifamily housing units in each block group is labeled.

Source
U.S. Census Bureau: 2012-16 American Community Survey

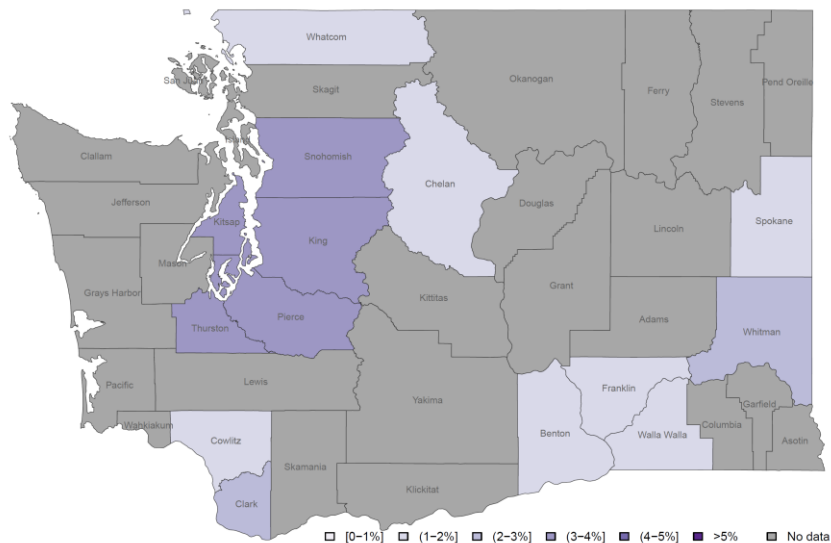
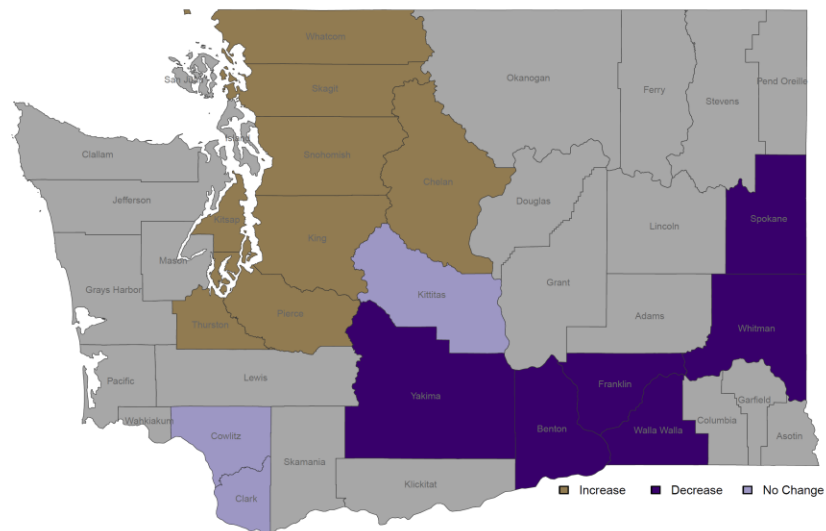


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WASHINGTON STATE APARTMENT MARKET REPORT – SPRING 2018

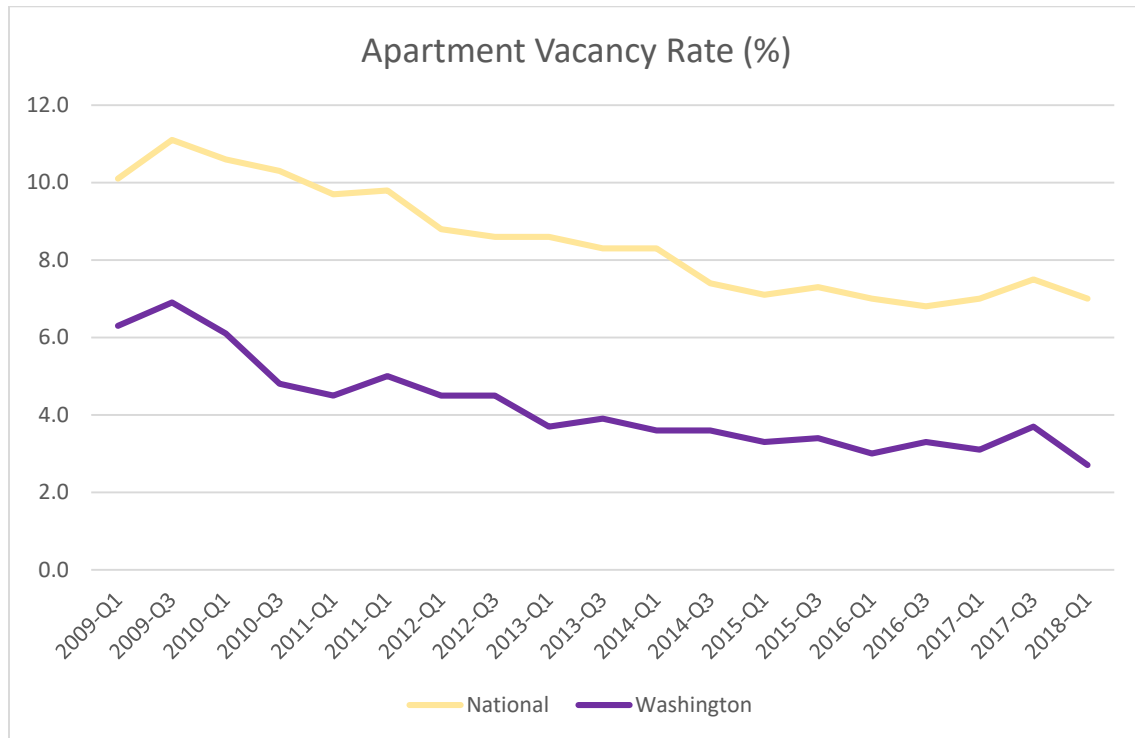
Vacancy Summary

The statewide apartment vacancy rate decreased from 3.7% to 2.7% in Spring 2018. While there is variability among the individual county rates, all counties included in the survey had vacancy rates below 5%, which is usually considered the threshold for a tight rental market. An acute shortage of rental units is typically characterized as a vacancy rate below 3%. This was the case in thirteen counties. The maps below provide details on county vacancy rates and movements since the corresponding period last year, Spring 2017.



Market Summary

Apartment markets nationwide have shown declining vacancy rates with a current 15-year low of 7.0%. Washington has shown a more exaggerated trend thanks to inward migration and increased demand for housing, particularly in more urbanized areas of the state. While the statewide vacancy rate stands at 2.7%, a record low. As job growth continues throughout the state and unemployment remains historically low, increased demand for rental housing should also continue.



Over the past year, Benton/Franklin counties (Tri-Cities area) recorded the greatest decline in vacancy rates falling to 1.1%. Out of the 18 counties surveyed, 7 saw an increase in the number of vacancies while 11 showed a decrease or no change in the percentage of units vacant. The lowest vacancy rate was observed in Kittitas County with a vacancy rate of 0.7%, a slight change from 0.5% recorded in the same period last year. The highest vacancy rate was recorded in Snohomish county with a vacancy rate of 4.0%. However, this represents an increase from the 3.7% vacancy rate recorded in Spring 2017.

Data and Methods

Since the Fall 2017 survey, Dupre + Scott Apartment Advisors (D+S) ceased operations and no longer provide market data for 5 counties in the Puget Sound region (King, Pierce, Snohomish, Kitsap, and Thurston). As a result, surveys were conducted by WCRER in cooperation with several key management companies in the area to produce interim statistics for use in this report. In addition to surveys, field research was conducted to obtain occupancy and rent data where survey response rates were not adequate to obtain a reliable picture of markets across the geographic region. Survey and field data was then cross referenced with other sources (such as appraisers and brokers) in order to provide a reliable base for comparison in relation to geography and unit mix.

Caution is advised in using this data as a substitute for D+S for investment decision making, particularly when comparisons are made between the past rental data provided in previous WCRER reports. While all due and reasonable care has been used, response rates differ markedly between the two surveys and there are significant sample differences between the current WCRER survey and past D+S surveys. As a result, the rental rate data contained in this report for King, Snohomish, Pierce, Kitsap and Thurston counties is not directly comparable with past reports. Further, weights in computing statewide averages will vary considerably from past reports because of the relatively high number of multi-family units in the Puget Sound Region and differences in response rates.

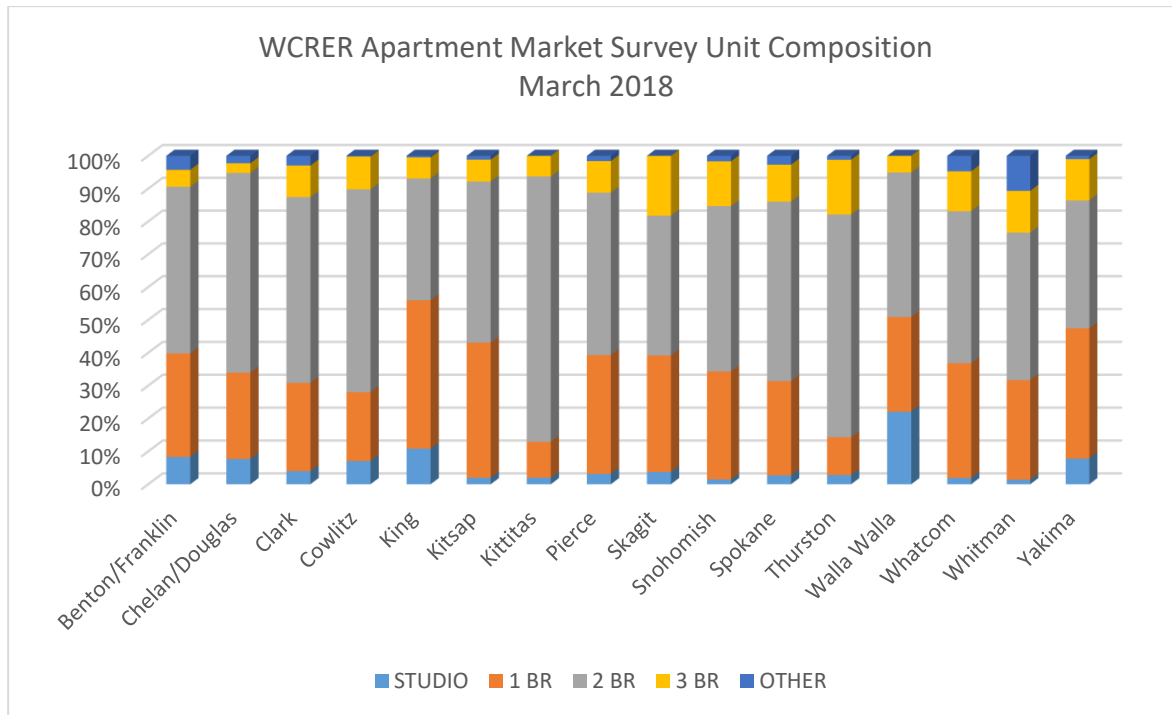
Coverage Statistics – Apartment Market Survey

	<u>Units Surveyed</u>	<u>1 Bedroom Units</u>	<u>2 Bedroom / 1 Bath units</u>
Benton/Franklin	1,263	398	439
Chelan/Douglas	975	256	374
Clark	6,066	1,630	1,663
Cowlitz	892	187	478
King	12,702	5,737	2,215
Kitsap	3,281	1,349	953
Kittitas	1,052	115	491
Pierce	5,673	2,050	1,684
Skagit	806	286	206
Snohomish	2,919	960	630
Spokane	8,483	2,433	2,119
Thurston	2,182	251	720
Walla Walla	652	188	287
Whatcom	1,429	499	432
Whitman	4,154	1,257	1,500
Yakima	972	385	317
STATEWIDE	53,501	17,981	14,508

While the WCRER survey excludes government-assisted housing, the total universe of rental units within the state includes both subsidized and market rate properties. This is a significant issue particularly within smaller counties where a greater proportion of the multifamily market is dependent on some form of Federal, state or local funding. Note that several counties are combined where they are both contiguous and there is urban development to support defining them as a single 'market area.'

Summary Statistics by Unit Type

Examining the average floor area of apartments throughout the state reveals significant differences in the price per unit floor area within individual markets. The largest apartment sizes are found in Clark County with an average unit size of 909 square feet. On average, the smallest units are found in Walla Walla County with an average floor area of 720 square feet.



As noted in the graph below, one-bedroom apartments are the most popular type of unit in the state, accounting for about 29.4% of all the units surveyed. The statewide vacancy rate for one-bedroom units has steadily fallen for the past 8 years from a peak of 6.5% in September 2009 to 2.5% in Spring 2018.

One Bedroom Apartments

While vacancy rates varied throughout the state, 14 of 19 counties surveyed had vacancy rates below 3% for one-bedroom apartments. The lowest vacancy rate for one-bedroom apartments was recorded in Walla Walla county at 0.5%. The highest vacancy rate recorded for one-bedroom apartments was in Snohomish county at 4.3%.

Apartment Summary Statistics – One Bedroom Apartments

	<u>Average Size (SF)</u>	<u>Units Surveyed</u>	<u>Vacancies</u>	<u>Average Rent</u>	<u>Rent/Unit Floor Area</u>	<u>Vacancy Rate</u>
Benton/Franklin	664	398	7	\$686	\$1.03	1.8%
Chelan/Douglas	657	256	3	\$1,217	\$1.85	1.2%
Clark	696	1,630	37	\$1,024	\$1.47	2.3%
Cowlitz	642	187	2	\$741	\$1.15	1.1%
King	675	5,737	211	\$1,624	\$2.41	3.7%
Kitsap	676	1,349	40	\$1,148	\$1.70	3.0%
Kittitas	650	115	1	\$748	\$1.15	0.9%
Pierce	661	2,050	59	\$997	\$1.51	2.9%
Skagit	628	286	2	\$930	\$1.48	0.7%
Snohomish	691	960	41	\$1,241	\$1.80	4.3%
Spokane	685	2,433	20	\$749	\$1.09	0.8%
Thurston	664	251	8	\$979	\$1.47	3.2%
Walla Walla	610	188	1	\$686	\$1.12	0.5%
Whatcom	612	499	6	\$934	\$1.53	1.2%
Whitman	573	1,257	43	\$688	\$1.20	3.4%
Yakima	636	385	6	\$609	\$0.96	1.6%
Statewide	673	17,981	487	\$1,146	\$1.70	2.7%

With an average rent of \$1,217, the Chelan/Douglas county area (Wenatchee) recorded the highest rent levels for one bedroom apartments outside of the Puget Sound region. Yakima county had the lowest rents at \$609 per month. On a floor area basis, the highest rent for one-bedroom units was found in King county at \$2.41 per square foot with the lowest found in the Yakima market area at \$0.96 per square foot.

Two Bedroom – One Bathroom Apartments

The second most prevalent type of apartment in Washington consists of 2 bedrooms and 1 bathroom (2BR/1Bath) accounting for 28.9% of all apartment units according to the 2010 Census. King County had the highest average 2BR/1Bath unit rent (\$1,658) as well as the highest average rent per square foot (\$1.93). Yakima county recorded the lowest average rent of \$690 as well as the lowest price per square foot (\$0.83).

Apartment Summary Statistics – Two Bedroom Apartments

	<u>Average Size (SF)</u>	<u>Units Surveyed</u>	<u>Vacancies</u>	<u>Average Rent</u>	<u>Rent/Unit Floor Area</u>	<u>Vacancy Rate</u>
Benton/Franklin	866	439	2	\$808	\$0.93	0.5%
Chelan/Douglas	838	374	4	\$1,015	\$1.21	1.1%
Clark	893	1,663	32	\$1,134	\$1.27	1.9%
Cowlitz	826	478	6	\$859	\$1.04	1.3%
King	861	2,215	89	\$1,658	\$1.93	4.0%
Kitsap	860	953	31	\$1,231	\$1.43	3.3%
Kittitas	714	491	3	\$978	\$1.37	0.6%
Pierce	869	1,684	54	\$1,126	\$1.30	3.2%
Skagit	814	206	3	\$971	\$1.19	1.5%
Snohomish	882	630	26	\$1,323	\$1.50	4.1%
Spokane	845	2,119	23	\$911	\$1.08	1.1%
Thurston	847	720	29	\$1,048	\$1.24	4.0%
Walla Walla	851	287	5	\$871	\$1.02	1.7%
Whatcom	836	432	7	\$1,105	\$1.32	1.6%
Whitman	779	1,500	19	\$842	\$1.08	1.3%
Yakima	828	317	2	\$690	\$0.83	0.6%
Statewide	861	14,508	335	\$1,115	\$1.30	2.3%

Among 2BR/1Bath apartments, vacancies were lowest in the Benton/Franklin (Tri-cities) market area with a vacancy rate of 0.5% representing a decline from a vacancy rate of 2.5% recorded in Spring 2017. The highest vacancy rate was found in Snohomish county with a vacancy rate of 4.1%, and increase of 0.1% from the same period last year.

All Unit Types

Using the sample of all units surveyed, vacancy rates remained low throughout the state with an overall vacancy rate of 2.7%. Snohomish county recorded the highest overall vacancy rate at 4.0% while the lowest was found in Kittitas county with a vacancy rate of 0.7%.

Apartment Summary Statistics – All Apartment Units

	<u>Average Unit Size (SF)</u>	<u>Units Surveyed</u>	<u>Vacancies</u>	<u>Average Rent</u>	<u>Rent/Unit Floor Area</u>	<u>Vacancy Rate</u>
Benton/Franklin	833	1,263	14	\$834	\$1.00	1.1%
Chelan/Douglas	814	975	11	\$1,110	\$1.36	1.1%
Clark	909	6,066	126	\$1,205	\$1.33	2.1%
Cowlitz	766	892	11	\$858	\$1.12	1.2%
King	800	12,702	484	\$1,741	\$2.18	3.8%
Kitsap	867	3,281	118	\$1,252	\$1.44	3.6%
Kittitas	846	1,052	7	\$1,028	\$1.21	0.7%
Pierce	849	5,673	207	\$1,119	\$1.32	3.6%
Skagit	777	806	7	\$1,044	\$1.34	0.9%
Snohomish	883	2,919	117	\$1,432	\$1.62	4.0%
Spokane	882	8,483	112	\$955	\$1.08	1.3%
Thurston	849	2,182	80	\$1,187	\$1.40	3.7%
Walla Walla	720	652	11	\$686	\$0.95	1.7%
Whatcom	783	1,429	19	\$1,067	\$1.36	1.3%
Whitman	788	4,154	100	\$928	\$1.18	2.4%
Yakima	725	972	8	\$670	\$0.92	0.8%
Statewide	827	53,501	1,432	\$1,235	\$1.49	2.7%

With all unit types analyzed, the influence of unit mix plays a significant role in determining the average rent. For example, King, Walla Walla, and Yakima counties have a proportionally high number of 1 bedroom and studio units which will provide downward influence on overall rents compared to places with a high proportion of 3 bedroom units which tend to rent for a higher amount. Given those influences, King county recorded the highest average overall rent as well as the highest rent per unit floor area of \$1,741 and \$2.18 per square foot. Yakima county recorded the lowest rent on both measures with an average rent of \$670 and a monthly rental price of \$0.92 per square foot.

Time and Seasonality

The WCRER Apartment survey is conducted in March and September so that seasonal variation between markets is minimized. For example, Whitman and Kittitas counties are greatly influenced by the academic year. Yakima and Chelan/Douglas counties are greatly influenced by agricultural cycles. Taking the surveys at 6 monthly intervals incorporating the timing ensures that more accurate reflections of the market are recorded. Please note that there is limited comparability between this survey and previous versions of the report incorporating rent data from D+S for the 5 counties in the Puget Sound Region.





Missing Middle Infill Housing: Public Outreach Summary

January 2017 – August 2018

2017

January

Jan 9 - Planning Commission (Missing Middle Infill Housing Analysis Public Participation Plan)

March

March 14 - Work Group*

April

April 27 - Work Group*

May

- May 18 - Land Use and Environment Committee/Open House (Olympia High School)
- May 25 - Work Group*
- May 30 - Land Use and Environment Committee/Open House (Capital High School)

June

June 22 - Work Group*

July

July 27 - Work Group*

August

Aug 24 - Work Group*

September

Sept 28 - Work Group*

October

- Oct 5 - Wildwood Neighborhood Association
- Oct 26 - Work Group* (review recommendations)

November

- Nov 15 - Open House
- Nov 15-30 - Online Survey (two weeks)
- Nov 20 - Planning Commission Briefing
- Nov 29 - Olympians for People Oriented Places (O-POP)
- Nov 30 - Olympia Master Builders (OMB)
- Nov 30 - Governor Stevens Neighborhood Association

December

- Dec 4 - Planning Commission Briefing
- Dec 11 - Q & A Session
- Dec 13 - Q & A Session

2017 & 2018

- Regular updates to the City Council Land Use and Environment Committee
 - Regular updates in City E-newsletters
 - 24/7 information at olympiawa.gov/missingmiddle with comment ability at "missingmiddle@ci.olympia.wa.us"
 - Regular briefings at monthly Coalition of Neighborhood Association meetings
- *Work group meetings were open to the public.*



Missing Middle Infill Housing: Public Outreach Summary

January 2017 – August 2018

Olympia™

2018

January

- Jan 5 - South Sound Senior Services - Missing Middle Town Hall
- Jan 5 - Planning Commission Briefing (only topic)
- Jan 12 - Webpage Comment Survey (comment on each individual recommendation) added (*on-going*)
- Jan 22 - Planning Commission Briefing

February

- Feb 5 - Planning Commission Briefing (only topic)
- Feb 7 - Eastside Neighborhood Association
- Feb 10 - Cain Road Area Neighborhood Association
- Feb 10 - Display with Comment Box at South Sound Senior Services
- Feb 21 - South Capitol Neighborhood Association
- Feb 26 - Planning Commission Open House
- Feb 27 - Joint Heritage Commission & Design Review Meeting on Missing Middle Housing Topic

March

- March 5 - Planning Commission Briefing
- March 8 - Eastside Neighborhood Association Town Hall
- March 14 - Northeast Neighborhood Association
- March 15 - East Bay Drive Neighborhood Association

- March 19 - Planning Commission **Public Hearing**
- March 20 - Goldcrest Homeowners Association
- March 27 - Thurston County Multiple Listing Service Realtors

April

- April 9 - Planning Commission Deliberations
- April 23 - Planning Commission Deliberations
- April 26 - Cain Road Area Neighborhood Association

May

- May 7 - Planning Commission Deliberations
- May 21 - Planning Commission Deliberations

June

- June 4 - Planning Commission Deliberations
- June 18 - Planning Commission Deliberations
- June 29 - Downtown Neighborhood Association

July

- July 9 - Planning Commission **Recommendation**

August

- August 9 - Olympia Northeast Neighborhoods Alliance
- August 13 - Kiwanis
- August 14 - City Council Study Session



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City Council

Closed Session Pursuant to RCW 42.30.140 (4) (b) - Labor Negotiations

Agenda Date: 9/11/2018
Agenda Item Number: 9.A
File Number: 18-0856

Type: closed session **Version:** 1 **Status:** Executive Session

Title

Closed Session Pursuant to RCW 42.30.140 (4)(b) - Labor Negotiations