



Meeting Agenda

Planning Commission

City Hall
601 4th Avenue E
Olympia, WA 98501

Contact: Cari Hornbein
360.753.8048

Monday, November 2, 2020

6:30 PM

Online and via phone

Register to attend:

https://us02web.zoom.us/webinar/register/WN_XQXqP0FsRFOT1c1_oj_LSA

1. CALL TO ORDER

Estimated time for items 1 through 5: 20 minutes

1.A ROLL CALL

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES

- 3.A** [20-0889](#) Approval of August 24, 2020 Planning Commission Retreat Planning Subcommittee Meeting Minutes

Attachments: [OPCDraftMinutesRetreatPlanning08242020](#)

- 3.B** [20-0890](#) Approval of October 13, 2020 Planning Commission Retreat Planning Subcommittee Meeting Minutes

Attachments: [OPCDraftMinutesRetreat10132020](#)

- 3.C** [20-0891](#) Approval of October 19, 2020 Planning Commission Meeting Minutes

Attachments: [OPCDraftMinutes10192020](#)

4. PUBLIC COMMENT

During this portion of the meeting, citizens may address the Advisory Committee or Commission regarding items related to City business, including items on the Agenda. In order for the Committee or Commission to maintain impartiality and the appearance of fairness in upcoming matters and to comply with the Public Disclosure Law for political campaigns, speakers will not be permitted to make public comments before the Committee or Commission in these two areas: (1) on agenda items for which the Committee or Commission either held a Public Hearing in the last 45 days, or will hold a Public Hearing within 45 days, or (2) where the speaker promotes or opposes a candidate for public office or a ballot measure. Individual comments are limited three (3) minutes or less.

REMOTE MEETING PUBLIC COMMENTS INSTRUCTIONS:

During this time, the Planning Commission will hold business meetings remotely using Zoom. Live public comments will be taken during the meeting but advance registration is required. The link to register is at the top of the agenda. You will be given the choice to comment during the registration process.

After you complete the registration form, you will receive a link by email to log onto or call into Zoom for use at the meeting day and time. If you plan on calling into the meeting, you will need to provide your phone number at registration so you can be recognized during the meeting. Once connected to the

meeting you will be auto-muted. At the start of the public comment period, the Chair will call participants by name to speak in the order they signed up. When it is your turn to speak, your microphone will be unmuted. Once three minutes concludes your microphone will be muted again.

5. STAFF ANNOUNCEMENTS

This agenda item is also an opportunity for Commissioners to ask staff about City or Planning Commission business.

6. BUSINESS ITEMS

6.A [20-0707](#) Housing Options Code Amendments - Recommendation

Attachments: [Summary of Recommendations](#)
[Draft Code Amendments](#)
[Project Webpage](#)
[Public Comment Themes](#)
[Summary of Public Outreach](#)
[Public Comments \(7/21/2020 - 9/10/2020\)](#)
[Council Referral](#)
[HB 1923 - Section 1](#)
[HB 2343 - Section 1](#)
[Comprehensive Plan Information](#)

Estimated time: 45 minutes

6.B [20-0872](#) Housing Options Code Amendments - Draft Recommendation Letter

Attachments: [Draft Recommendation Letter](#)
[Draft Review worksheet](#)

Estimated time: 30 minutes

6.C [20-0871](#) Shoreline Master Program Periodic Review - Briefing

Attachments: [SMP Webpage 10232020](#)
[Fact Sheet](#)

Estimated time: 30 minutes

7. REPORTS

From Staff, Officers, and Commissioners, and regarding relevant topics.

8. OTHER TOPICS

None

9. ADJOURNMENT

Approximately 9:00 p.m.

Upcoming

Next regular Commission meeting is November 16, 2020. See 'meeting details' in Legistar for list of other meetings and events related to Commission activities.

Accommodations

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 Advisory Committee meeting, please contact the Advisory Committee staff liaison (contact number in the upper right corner of the agenda) 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

Planning Commission

Approval of August 24, 2020 Planning Commission Retreat Planning Subcommittee Meeting Minutes

Agenda Date: 11/2/2020
Agenda Item Number: 3.A
File Number:20-0889

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

Title

Approval of August 24, 2020 Planning Commission Retreat Planning Subcommittee Meeting Minutes



Meeting Minutes

Planning Commission

City Hall
601 4th Avenue E
Olympia, WA 98501
Contact: Cari Hornbein
360.753.8048

Monday, August 24, 2020

5:00 PM

Online and via phone

Retreat Planning Subcommittee

Meeting link:

[https://us02web.zoom.us/j/81645390224?](https://us02web.zoom.us/j/81645390224?pwd=ZDhweEtiaEICVEJUN09xWFc3V3d5QT09)
[pwd=ZDhweEtiaEICVEJUN09xWFc3V3d5QT09](https://us02web.zoom.us/j/81645390224?pwd=ZDhweEtiaEICVEJUN09xWFc3V3d5QT09)

1. CALL TO ORDER

Commissioner Richmond called the meeting to order at 5:04 p.m.

1.A ROLL CALL

Present: 3 - Chair Candi Millar, Commissioner Yen Huynh and Commissioner Carole Richmond

Excused: 1 - Commissioner Aaron Sauerhoff

OTHERS PRESENT

Community Planning & Development Staff:
Senior Planner Cari Hornbein

2. APPROVAL OF AGENDA

The agenda was approved.

3. PUBLIC COMMENT - None

4. ANNOUNCEMENTS

Ms. Hornbein made announcements.

5. BUSINESS ITEMS

[20-0656](#) Organizational Retreat Planning

The discussion was completed.

6. REPORTS - None

7. OTHER TOPICS - None

8. ADJOURNMENT

The meeting was adjourned at 6:24 p.m.



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

Planning Commission

Approval of October 13, 2020 Planning Commission Retreat Planning Subcommittee Meeting Minutes

Agenda Date: 11/2/2020
Agenda Item Number: 3.B
File Number:20-0890

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

Title

Approval of October 13, 2020 Planning Commission Retreat Planning Subcommittee Meeting Minutes



Meeting Minutes

Planning Commission

City Hall
601 4th Avenue E
Olympia, WA 98501

Contact: Cari Hornbein
360.753.8048

Tuesday, October 13, 2020

5:30 PM

Online and via phone

Retreat Planning Subcommittee

Meeting link:

[https://us02web.zoom.us/j/84448705829?](https://us02web.zoom.us/j/84448705829?pwd=UkRVWUd5aHh2ZkM5SXNSOXMvUkZIUT09)
[pwd=UkRVWUd5aHh2ZkM5SXNSOXMvUkZIUT09](https://us02web.zoom.us/j/84448705829?pwd=UkRVWUd5aHh2ZkM5SXNSOXMvUkZIUT09)

1. CALL TO ORDER

Commissioner Richmond called the meeting to order at 5:40 p.m.

1.A ROLL CALL

Present: 4 - Chair Candi Millar, Commissioner Yen Huynh, Commissioner Carole Richmond and Commissioner Aaron Sauerhoff

1. B OTHERS PRESENT

Community Planning & Development Staff:
Senior Planner Cari Hornbein

2. APPROVAL OF AGENDA

The agenda was approved.

3. APPROVAL OF MINUTES

[20-0816](#) Approval of August 24, 2020 Planning Commission Retreat Planning Subcommittee Meeting Minutes

Approval of the minutes was postponed.

4. PUBLIC COMMENT - None

5. STAFF ANNOUNCEMENTS - None

6. BUSINESS ITEMS

6.A [20-0814](#) Organizational Retreat

The discussion was completed.

7. REPORTS - None

8. OTHER TOPICS - None

9. ADJOURNMENT

The meeting was adjourned at 6:40 p.m.



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

Planning Commission

Approval of October 19, 2020 Planning Commission Meeting Minutes

Agenda Date: 11/2/2020
Agenda Item Number: 3.C
File Number:20-0891

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

Title

Approval of October 19, 2020 Planning Commission Meeting Minutes



Meeting Minutes

Planning Commission

City Hall
601 4th Avenue E
Olympia, WA 98501

Contact: Cari Hornbein
360.753.8048

Monday, October 19, 2020

6:30 PM

Online and via phone

Register to attend:

https://us02web.zoom.us/webinar/register/WN_D2hpQn3gS9KNmvjxM3-XnQ

1. CALL TO ORDER

Chair Millar called the meeting to order at 6:32 p.m.

1.A ROLL CALL

Present: 6 - Chair Candi Millar, Vice Chair Paula Ehlers, Commissioner Travis Burns, Commissioner Rad Cunningham, Commissioner Carole Richmond and Commissioner Aaron Sauerhoff

Excused: 1 - Commissioner Kento Azegami

Absent: 2 - Commissioner Tammy Adams and Commissioner Yen Huynh

1. B OTHERS PRESENT

Community Planning & Development Staff:
Senior Planner Cari Hornbein
Senior Planner Joyce Phillips
Director Leonard Bauer
Planning & Engineering Manager Tim Smith

Public Works Engineering & Planning Supervisor Susan Clark

2. APPROVAL OF AGENDA

The agenda was approved.

3. APPROVAL OF MINUTES

[20-0833](#) Approval of October 5, 2020 Planning Commission Meeting Minutes

The minutes were approved.

4. PUBLIC COMMENT - None

5. STAFF ANNOUNCEMENTS

Ms. Hornbein and Mr. Bauer made announcements.

6. BUSINESS ITEMS

6.A [20-0818](#) Thurston Climate Mitigation Plan Project Briefing

Ms. Clark gave an informational briefing.

The information was received.

6.B [20-0707](#) Housing Options Code Amendments - Recommendation

The recommendation to amend Title 18 of the Olympia Municipal Code (OMC) to modify and add standards for Accessory Dwelling Units (ADUs), duplexes, triplexes, and Courtyard Apartments and forward the Commission's recommendation to Council for consideration was postponed until the November 2, 2020 meeting.

The recommendation was postponed.

7. REPORTS

Commissioner Richmond gave a report on the October 13, 2020 Retreat Subcommittee meeting.

Commissioner Cunningham attended the October 13, 2020 City Council meeting and presented the Planning Commission's recommendation on the Capital Facilities Plan.

8. OTHER TOPICS - None

9. ADJOURNMENT

The meeting was adjourned at 9:15 p.m.



Planning Commission

Housing Options Code Amendments - Recommendation

Agenda Date: 10/19/2020
Agenda Item Number: 6.A
File Number:20-0707

Type: recommendation **Version:** 2 **Status:** In Committee

Title

Housing Options Code Amendments - Recommendation

Recommended Action

Move to approve the recommendation to amend Title 18 of the Olympia Municipal Code (OMC) to modify and add standards for Accessory Dwelling Units (ADUs), duplexes, triplexes, and Courtyard Apartments and forward the Commission's recommendation to Council for consideration.

Report

Issue:

Whether to recommend the City Council adopt amendments to Title 18 of the Olympia Municipal Code regarding Accessory Dwelling Units (ADUs), duplexes, triplexes, and Courtyard Apartments.

Staff Contact:

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

Presenter(s):

Joyce Phillips, Senior Planner, Community Planning and Development

Background and Analysis:

The City of Olympia is planning under the Growth Management Act (GMA). This means the city plans for population growth, including where and how that growth will occur. The City is planning for about 20,000 new residents between 2015 and 2035.

Housing to accommodate growth is planned for at various levels of neighborhood density. For example, high rise apartments can locate in high density neighborhoods, 2-3 story apartment buildings and mixed housing types can develop at medium density levels, and traditional single-family housing and a variety of housing types at lower densities can be in low density neighborhoods.

As is required by the GMA, the City is working to ensure there are adequate housing options for people at all income levels. The City plans for housing in all neighborhoods - whether low-, medium-, or high density. Most of the new growth will be directed to the areas designated as High Density Neighborhoods, such as in the Downtown where we are seeing new multifamily housing units.

Olympia is growing and there is not enough housing stock needed to accommodate that growth. The City has a 2.4 percent vacancy rate, which means for every 100 housing units in our City, less than three are available to someone looking for a place to live. Olympia needs more housing, and it also needs a more diverse variety of housing styles to meet the varied lives of our residents as community demographics continue to change. More than fifty percent of Olympia residents rent their homes. And the makeup of households is changing too - almost 22% of our households are couples with no children. And almost half (48.6%) are one-person or non-family households. Housing options need to keep pace with our changing community.

It is important to note that this particular effort is not specifically aimed at providing subsidized or low-income housing. Rather, it is intended to provide more market rate, middle income housing options in residential neighborhoods across the City.

Background

In November of 2019 the City Council issued a referral to the Planning Commission (see attachment). In the referral the Council states that it considers it a high priority to provide a greater variety of housing types in low density neighborhoods, consistent with the Comprehensive Plan. It directs the Commission to consider three of the twelve options listed that cities are encouraged to take in order to increase residential building capacity.

The list of housing options was included in Section 1 of House Bill 1923 (HB 1923) earlier in 2019 (later codified in state law 36.70A.600, RCW). The Council referral directs the Commission to develop an ordinance that would implement at least two of the three options identified by the Council. A summary of the three housing options under consideration are:

1. **Duplexes on Corner Lots** - Allow duplexes on each corner lot within all zoning districts that permit single-family residences.
2. **Accessory Dwelling Units (ADUs)** - Allow ADUs on all parcels containing a single-family home but do not require additional parking, do not require the property owner to live on-site, do not limit the size to less than 1,000 square feet, and do not prohibit separate sale. Cities have local flexibility to address other issues.
3. **Duplexes, Triplexes, or Courtyard Apartments** - Allow at least one duplex, triplex or courtyard apartment on each parcel in one or more zoning districts that permit single family residences - unless the city documents a specific infrastructure or physical constraint that makes this unfeasible.

The Planning Commission was informed of this referral at its last meeting in 2019 and began working on the proposal in January of 2020. The Commission had briefings on this topic on January 27, February 24, May 18, June 15, and July 20, of 2020.

Public information meetings were held on February 6 and 12, 2020 to answer questions and receive feedback. The March Public Open House and Planning Commission briefing were cancelled due health concerns. Alternatively, the information that would have been presented as the Open House was turned into recorded presentations and a virtual open house and comment period were provided online. Public comments were submitted to the dedicated email address (housingoptions@ci.olympia.wa.us).

In addition to the Planning Commission meetings and Information Session meetings, other public meetings were held before and after the virtual open house. E-newsletters and emails to Parties of Record were also provided. For a summary of public meetings and public outreach see Attachment #5.

Near the end of March, the state enacted House Bill 2343 (HB 2343, attached), which amended the state language under consideration. The revised language separated the ADU provisions into distinct sections so they could be implemented independently of each other; it modified the language about the size of ADUs; and it added more housing types (quadplexes, sixplexes, stacked flats, and townhouses) to the option about duplexes, triplexes, and courtyard apartments. The provisions in HB 2343 went into effect in June 2020. As a result of these revisions, staff revised its original recommendations that were proposed in early March. The revised staff recommendation is to allow any ADU to be up to 800 square feet in size. This is the current maximum size for an ADU in the City of Olympia, but the proposed revision would eliminate the existing code language that restricts the size of the ADU to no more than two-thirds the size of the primary home, up to a maximum of 800 square feet.

Analysis

To develop the staff recommendations for which two or three of the housing options to potentially implement, staff reviewed how the options relate to the Comprehensive Plan text, goals, policies, and maps. Staff is confident that the recommendations as proposed will implement and are consistent with the adopted Comprehensive Plan. Staff also reviewed the Development Regulations (primarily Title 17 - Subdivisions, and Title 18 - Unified Development Code) to consider how future development would be reviewed and how the various code sections would be applied to development under proposed code changes.

Care was taken to draft code language to require design review for each of these housing types under the City's Infill and Other Residential design review standards. These standards require consideration of existing homes on the same street where these housing types are proposed. As such, the proposed homes must address certain placement and design features to better blend in with the surrounding neighborhood. Other standards were drafted to ensure these housing types would not be allowed to surpass the maximum number of stories or building heights allowed for single family homes in the same neighborhoods.

Staff is recommending a new provision be added to the density section of Chapter 18.04 OMC. The proposed language would require the City to review the achieved densities that result from these code amendments for areas of the City that are designated as Low Density Neighborhood in the Future Land Use Map of the Comprehensive Plan. If the achieved density approaches or exceeds the density anticipated in the comprehensive plan, the city will then have the responsibility to make revisions needed to maintain consistency between the Comprehensive Plan and development regulations.

Neighborhood/Community Interests (if known):

Community interest in this topic is high. The City has been accepting public comments on this specific planning topic since January of 2020. Public comments have been provided to the Planning Commission at meetings when this topic was on the agenda. Public comments have also been posted to the project webpage a few days after these Planning Commission meetings.

At the July 20, 2020, Planning Commission meeting, City Staff provided an overview of the public comment themes that had been received to date and staff's responses to them. Public comment will be taken through the close of the public hearing.

Options:

1. Recommend approval of the Housing Options Code Amendments as proposed by staff.
2. Recommend approval of the Housing Options Code Amendments, with specific modifications of the Planning Commission.
3. Recommend denial of the Housing Options Code Amendments.

Financial Impact:

None. Resources to develop and process the proposed Housing Options Code Amendments are included in the Department's annual budget.

Attachments:

Summary of proposed Amendments
Draft Code Amendments
Project Webpage
Public Comment Themes
Summary of Public Outreach
Public Comments (7/21/2020 - 9/10/2020)
Council Referral
HB 1923 - Section 1
HB 2343 - Section 1

Implementation Options

Implement two to three of the Housing Options Below
(REVISED Staff Recommendation included on Page 2)

OPTION 1: Accessory Dwelling Units

1. Select this option to implement

To Implement:

- Eliminate Requirement for additional off-street parking space
- Eliminate Requirement for property owner to live on site
- Increase maximum size of ADU from 800 square feet to 1,000 square feet
- Consider optional revisions:
 - ◇ Increase building height allowed for ADUs that are not attached to the house from 16 feet to 24 feet
 - ◇ Clarify that an ADU can be attached to an accessory structure such as a garage or shed and both can be of the maximum allowed size

2. Do not select this option to implement

OPTION 2: Duplexes on Corner Lots

1. Select this option to implement

To implement:

- Modify the permitted uses tables to include duplexes on corner lots in the following chapters or the Unified Development Code: 18.04 – Residential Districts (all zoning districts); 18.05 – Villages and Centers (all zoning districts); 18.06 – Commercial Districts (all zoning districts except Urban Waterfront; Urban Waterfront-Housing, and Auto Services

2. Do not select this option to implement

OPTION 3: Duplexes, Triplexes or Courtyard Apartments

1. Select Duplexes as an option to implement

To Implement:

- Identify which additional zoning districts are appropriate for duplexes (R4, R 4-8, R6-12)

2. Select Triplexes as an option to implement

To Implement:

- Identify which additional zoning districts are appropriate for triplexes (R1/5; R4; RLI; R4-8; R6-12)

3. Select Courtyard Apartments as an option to implement

To Implement:

- Define Courtyard Apartments
- Establish minimum standards for courtyard apartments
- Identify which zoning districts are appropriate for courtyard apartments (R1/5; R4; RLI; R4-8; R6-12)

4. Do not select any of these options to implement

REVISED Staff Recommendations – by Housing Type

NOTE: [House Bill 2343](#) (HB 2343) was approved by the 2020 Washington State Legislature, signed into law by Governor Inslee, and goes into effect on June 11, 2020. HB 2343 amends the housing options included in RCW 36.70A.600 and those changes effect the Accessory Dwelling Unit (ADU) provisions under consideration. As a result, staff is modifying its recommendations related to the size of ADUs, as indicated below. New language is shown in red underlined text. Language to be removed is shown in ~~strikethrough text~~.

Implement OPTION 1: Accessory Dwelling Units (ADUs)

- Eliminate requirements for additional parking and for the property owner to live on-site
- ~~Increase maximum size of ADU from 800 square feet to 1,000 square feet~~
- Allow any ADU to be up to 800 square feet in size, regardless of the size of the primary residence
- Increase building height for ADUs that are not attached to the house from 16 feet to 24 feet
- Clarify that an ADU can be attached to a garage or accessory structure and each can be up to the maximum size allowed in the underlying zoning district

The recommendations below remain unchanged:

Implement OPTION 2: Duplexes

- Allow duplexes on corner lots in all zoning districts that permit single family residences*

Selectively Implement OPTION 3 as follows (by housing type)

Duplexes

- Allow duplexes in the R-4, R 4-8, and R 6-12 zoning districts on each parcel* – unless the City documents a specific infrastructure or physical constraint that would make this unfeasible for a particular parcel

Triplexes

- Allow triplexes in the R 6-12 zoning district on each parcel* – unless the City documents a specific infrastructure or physical constraint that would make this unfeasible for a particular parcel
- Clarify that five parking spaces per unit are required (1.5 spaces per unit, rounded up to 5)

Courtyard Apartments

- Define courtyard apartments
- Identify minimum development standards for courtyard apartments – such as orientation around and direct access from ground floor units to a shared courtyard and the provision of private open space for each unit
- Allow courtyard apartments in the R 6-12 zoning district each parcel* – unless the City documents a specific infrastructure or physical constraint that would make this unfeasible for a particular parcel

Other

Amend density provisions in 18.04 to note that City staff will review permitting in areas designated as Low Density Neighborhoods on an annual basis to review achieved density and make revisions, as needed, if twelve units per acre is approached or exceeded.

** Upon demonstration that all zoning district standards for setbacks from property lines, maximum lot development standards (building coverage, impervious surface coverage, and hard surface coverage), parking, design review, tree requirements, low impact development stormwater requirements, and the protection of critical areas are satisfied.*

March 2020

The following provisions would implement the staff recommendations of the Housing Options Code Amendments. For more information about the options being considered, please visit olympiawa.gov/housingcode.

Proposed Amendments to OMC:

- 18.02.180 – Definitions
- 18.04 – Residential Districts
- 18.05.040 – Villages and Centers, Table 5.01
- 18.06.040 – Commercial Districts, Table 6.01
- 18.38.100 – Parking and Loading, Vehicular and bicycle parking standards

Proposed revisions to text are shown in **red text** and revisions to numbering is shown in **blue** text. Please note that existing hyperlinks in the code are also shown in blue underlined text.

Proposed new language is shown in **underlined** text.

Text proposed to be deleted is shown in **~~striketrough~~** text.

Chapter 18.02 BASIC PROVISIONS

18.02.180 Definitions

Dwelling Unit. See definition for single-family. Various types of housing or human shelter, which are listed below and categorized by use.

a. Dwelling, Conventional.

- i. Accessory Dwelling Unit. A dwelling unit that has been added onto, created within, or separated from a single-family detached dwelling for use as a complete independent living unit with provisions for cooking, sanitation and sleeping.
- ii. Apartment. A dwelling within a structure designed and used for occupancy by three or more individual persons or families living independently of each other. These structures include triplexes, fourplexes, and other multi-unit configurations.
- iii. Boarding Home. Any home or institution, however named, which is advertised, announced or maintained for the express or implied purpose of providing board and domiciliary care to three 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.
- vii. Courtyard Apartment. A dwelling within a structure or small detached structures on one parcel designed and used for occupancy by four or more individual persons or families living independently of each other. The units are oriented around a shared open space courtyard from which all ground floor units have primary entrances facing.

- ~~vii.~~viii. Duplex. One building containing two single-family dwelling units totally separated from each other by a one-hour fire wall or floor.
- ~~viii.~~ix. Guest House. Living quarters without kitchen facilities located on the same lot with a principal building and occupied for the sole use of members of the family, temporary guests, or persons permanently employed on the premises. (See also Accessory Dwelling Unit.)
- ~~ix.~~x. Manufactured Home. A single-family residence constructed after June 15, 1976, and installed in accordance with the U.S. Department of Housing and Urban Development (HUD) requirements for manufactured housing and bearing the appropriate insignia indicating such compliance.
- ~~x.~~xi. Manufactured Home, Designated. A manufactured home constructed after June 15, 1976, in accordance with state and federal requirements for manufactured homes, and which meets the requirements of OMC [18.04.060.O](#).
- ~~xi.~~xii. Manufactured Home, New. Any manufactured home required to be titled under Title [46](#) RCW, which has not been previously titled to a retail purchaser, and is not a "used mobile home" as defined in RCW [82.45.032](#)(2).
- ~~xii.~~xiii. 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.~~xiv. Modular Home. A structure constructed in a factory and installed in accordance with the applicable Building Code and bearing the appropriate insignia indicating such compliance. This definition includes "pre-fabricated," "panelized" and "factory built" units.
- ~~xiv.~~xv. Single-Family Dwelling. A single unit providing complete, independent living facilities for a family, including permanent provisions for living, sleeping, cooking and sanitation.
- ~~xv.~~xvi. Single-Room Occupancy. A housing type consisting of one room with cooking facilities and with shared bathroom facilities. (See also Boarding Home, Lodging House and Bed and Breakfast.)
- xvii. Townhouse. A single-family dwelling unit which is part of a group of two 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](#).

- ~~xvi~~-xviii. Triplex. One building containing three single-family dwelling units totally separated from each other by a one-hour fire wall or floor.

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~~residential development 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~~residential development, 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(FF)).
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 (¼) 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 (¼) 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)
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)
Townhouses	P	P		P	P	P	P	P	P	P	P	P	P	P	18.04.060(FF) 18.64
2. MULTIFAMILY HOUSING															
Apartments				P			P	P	P	P	P	P		P	18.04.060(N) 18.04.060(FF)
Courtyard Apartments						<u>P</u>									<u>18.04.060 (II)</u>
Boarding Homes				P				P	P	P					
Collegiate Greek system residences	P			P				P	P	P					
Dormitories	P			P				P	P	P	P	P		P	
Duplexes - Existing	P	P		P	P	P	P	P	P	P	P	P	P	P	18.04.060(J)
Duplexes	P	<u>P</u>	P	P	<u>P</u>	P	P	P	P	P	P	P	P	P	18.04.060(FF)
Duplexes on Corner Lots	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>18.04.060(HH)</u>
Triplexes				<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	
Triplexes & Fourplexes			P			18.04.060 (FF)	<u>P</u>	<u>P</u>	P	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	
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			

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
Drive-In and Drive-Through Businesses -- Existing												P			18.04.060(J)
Food Stores											P	P		P	18.04.060(AA)
Hardware Stores												P			
Home Occupations (including Adult Day Care, Elder Care Homes, Family Child Care Homes, 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			
Servicing of Personal Apparel and Equipment												P			
Specialty Stores												P			
Veterinary Clinics - Existing	P	P		P	P	P							P		18.04.060(J)
Veterinary Clinics	P														
4. ACCESSORY USES															
Accessory Structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(B)
Electric Vehicle Infrastructure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(GG)
Garage/Yard/Rummage or Other Outdoor Sales	P	P		P	P	P	P	P	P	P	P	P	P	P	5.24
Large Garages			C		C	C	C	C	C	C	C	C	C	C	18.04.060(B)
Residence Rented for Social Event, 7 times or more in 1 year	C	C		C	C	C	C	C	C	C	C		C	C	
Satellite Earth Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.44.100
5. RECREATIONAL USES															
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)

**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
Stables, Commercial and Private Existing		C		C	C										18.04.060(J)
Trails - Public	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(T)
6. AGRICULTURAL USES															
Agricultural Uses	P	P	P	P	P	P	P	P	P				P		
Greenhouses, Bulb Farms	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(G)
7. TEMPORARY USES															
Emergency Housing	P	P	P	P	P	P	P	P	P	P			P		18.04.060(EF)
Emergency Housing Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.50
Model Homes	P	P	P	P	P	P	P	P	P	P	P		P	P	18.04.060(EF)
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(EF)
Wireless Communication Facility	P	P		P	P	P	P	P	P	P	P	P	P	P	18.44.060
8. OTHER															
Animals	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(C)
Cemeteries		C	C		C	C	C	C	C	C			C		18.04.060(E)
Community Clubhouses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Crisis Intervention	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(I)
Historic House Museum		C	C	C	C	C	C	C	C	C	C	C	C	C	
Parking Lots and Structures				C							P	P			18.38.220 and .240
Places of Worship	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(U)
Public Facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(V)
Public Facilities - Essential	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(W)
Radio, Television and Other Communication Towers	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.44.100
Schools	C			C	C	C	C	C	C	C	C		C	C	18.04.060(CC)
Social Organizations											P	P		C	
Mineral Extraction - Existing					C		C								18.04.060(J)
Utility Facility	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(X)
Wireless Communication Facilities	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.44
Workshops for Disabled People	C			C	C	C	C	C	C	C	C	C	C	C	18.04.060(R)

LEGEND

P = Permitted Use	C = Conditional Use	R-4 = Residential - 4
R 4-8 = Residential 4-8	R 6-12 = Residential 6-12	RLI = Residential Low Impact
MR 10-18 = Mixed Residential 10-18	RM 18 = Residential Multifamily - 18	MR 7-13 = Mixed Residential 7-13
RMH = Residential Multifamily High Rise	RMU = Residential Mixed Use	RM 24 = Residential Multifamily - 24

LEGEND

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](#)(EE), 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 feet¹⁷ and no more than the following equivalent ratios:
 - a. ~~forty percent (40%) of the gross floor area of the primary residence and accessory dwelling unit combined, or~~
 - b. ~~sixty-six and two-thirds percent (66 2/3%) of the gross floor area of the primary residence alone; excluding any garage area, except as authorized by Section [18.04.060\(A\)\(7\)](#).~~

~~[NOTE: Section [18.04.060\(O\)\(1\)](#) requires that manufactured homes placed on a lot outside a manufactured housing park must be at least eight hundred sixty-four square feet in floor area. Consequently, a manufactured home can be used as a primary residence, but not as an ADU.]~~
4. Ownership. ~~The property owner (i.e., title holder and/or contract purchaser) must live on the site as his/her principal residence. Owners shall sign a notarized affidavit attesting to their principal residency upon permit application. Owners shall provide evidence thereof through such means as voter registration, 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\(A\)\(3\)](#).)~~ Accessory Dwelling Units may be attached to accessory structures such as a garage or shop building. In such circumstances, the ADU

~~may be up to 1,000 square feet in size and the accessory structure may be up to eight hundred square feet in size (or larger if the underlying zoning district allows or a conditional use permit for a large garage has been approved).~~

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

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

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

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

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

- a. To allow use of the entirety of a single floor in a dwelling constructed two (2) or more years prior to the date of application in order to efficiently use all floor area; and
- b. To enable ADUs to be established in structures constructed prior to June 19, 1995, which are located in rear or side setbacks, provided that Uniform Building Code requirements and the Development Standards contained in Section [18.04.080](#) are met. [NOTE: See Chapters [18.100](#), Design Review and [18.175](#), Infill and Other Residential for applicable design guidelines.]

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 with a maximum density of twelve units or less per acre 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.

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](#).

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 CREMATORIUMS.

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 percent (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 OMC [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 OMC [18.43](#), 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 OMC [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 OMC [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 Subsections a. and b. above may be reduced per OMC 18.04.080.H.2 and 18.04.080.H.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 OMC [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.)
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) square feet in size. Two (2) story structures shall not exceed one thousand six hundred (1600) square feet in size.
5. Parking. At least 50% of on-site parking shall be accommodated in a shared parking lot. (See Chapter [18.38](#), Parking.)

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

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
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 the Director 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;~~

2. ~~—~~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

23. 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.

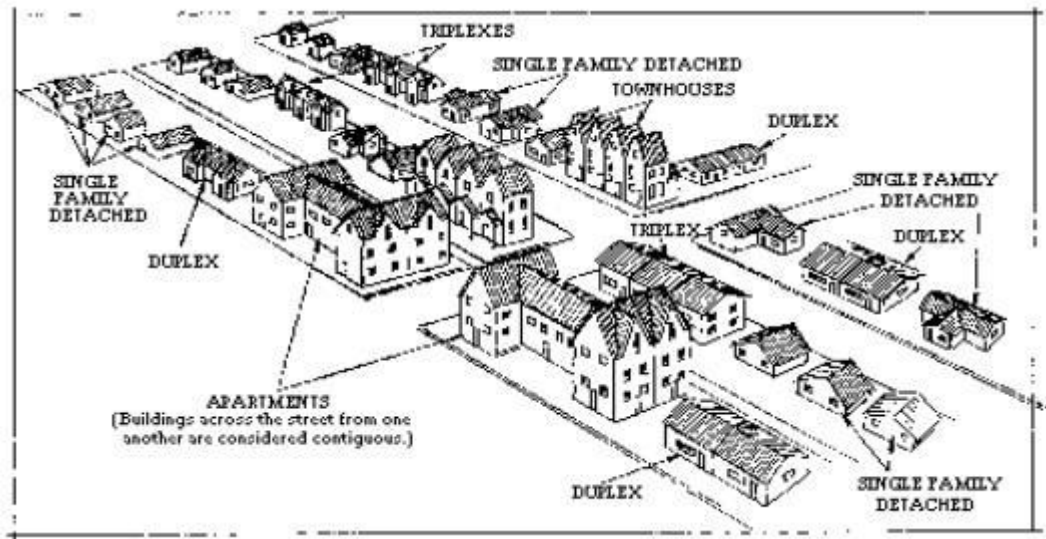
i. A minimum of sixty-five (65) percent and a maximum of seventy-five (75) percent of the total authorized units in a development must be single family dwellings. At least seventy (70) percent of these single family dwellings must be detached.

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 right-of-way (improved public access) or easement adjacent to such right-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 4. above.

6. Building Expansion. Building expansion depicted in a City-approved master plan or comprising no more than ten (10) percent of a preapproved floor plan is permitted. Greater expansion shall require 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 OMC [18.100](#), Design Review, and OMC [18.175](#), Infill and Other Residential.)

- 1. Applicability. The standards listed in Subsection 3 below apply only to:
 - a. Single-family dwellings on lots of less than five thousand (5,000) square feet in size located in subdivisions for which a complete preliminary plat application is submitted after April 22, 1996;
 - b. Duplexes;

- c. Triplexes; and
- d. Fourplexes.

2. Exceptions. The dwellings listed in Subsection 1.a. above are exempt when located on one of the following types of lots:

- a. Lots fronting on private access lanes (see the City of Olympia Engineering Design and Development Standards as adopted in OMC [12.02](#)) where the garage would not face a public street;
- b. Flag lots (see OMC [18.02.180](#), Definitions, Lots);
- c. Wedge-shaped lots (see OMC [18.02.180](#), Definitions, Lots); and
- d. Lots with trees or topography which preclude compliance with the provisions of this Section, as determined by the approval authority.

3. Garage Standards.

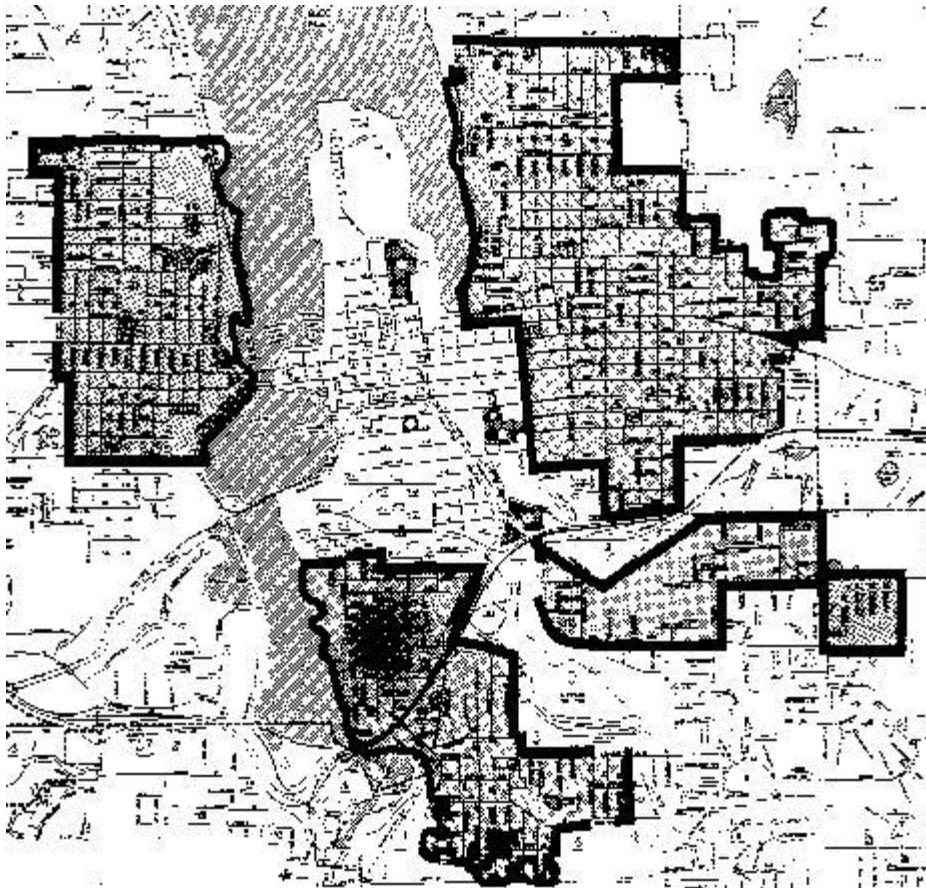
- a. Garages shall not protrude ahead of the dwelling's ground floor front facade more than:
 - i. Eight (8) feet on two (2) story dwellings (i.e., dwellings with habitable space above the ground floor); or
 - ii. Four (4) feet on single-story dwellings.

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

- b. Garage width shall not exceed the following percentage of the dwelling's front facade:
 - i. Two-story dwellings (containing habitable space above the ground floor): sixty (60) percent.
 - ii. Single-story dwellings: fifty percent (50%).

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

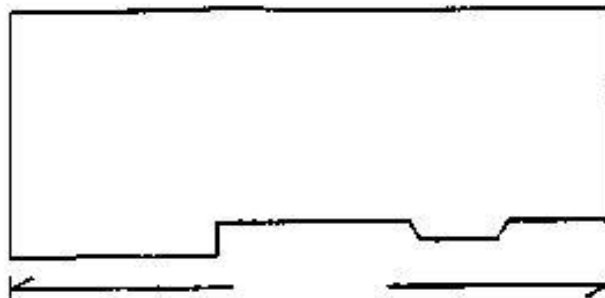
street. See Figure 4-2b.



Areas Subject to Infill Regulations

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

FIGURE 4-2a



Measurement of Front 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 f~~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.

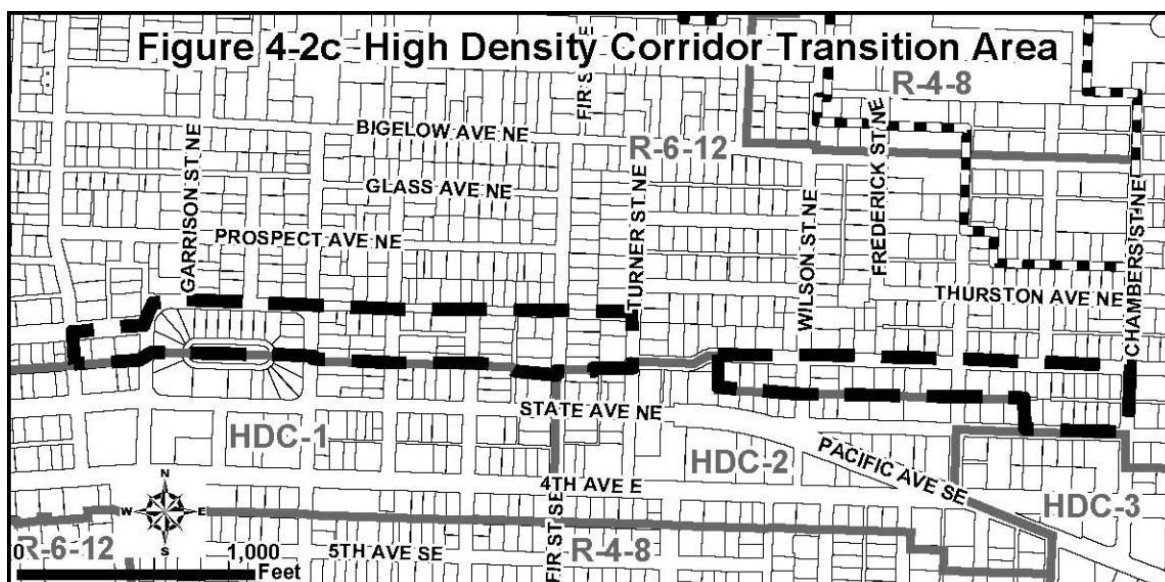


FIGURE 4-2c

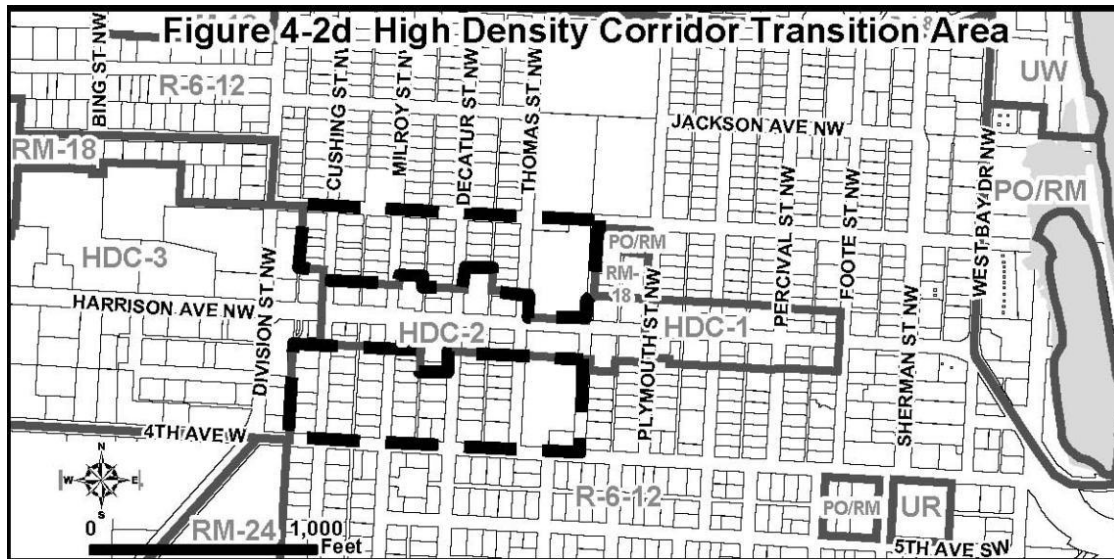


FIGURE 4-2d

GG. 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.

HH. DUPLEXES ON CORNER LOTS

Duplexes are allowed on all corner lots in all zoning districts that permit single-family residences provided the applicant can demonstrate compliance with other development standards, such as setbacks, lot coverages, building height and number of stories, stormwater provisions, parking, and design review.

II. COURTYARD APARTMENTS

Courtyard Apartment housing developments shall comply with the following requirements:

1. Courtyard. The development shall contain a courtyard or usable landscaped open space area for the shared use and enjoyment of the residents of the dwellings. All residential units shall have direct access to the courtyard.

2. Site Design. Dwelling units shall be located on at least two (2) sides of the courtyard. Open space shall be provided as follows:

- a. A minimum of four hundred fifty (450) 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 in any direction.
- a. 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 twenty (20) feet. A substantial portion of such open space shall be sufficiently level (e.g., less than five (5) percent slope) and well drained to enable active use, as determined by the City.
- b. Parking and maneuvering areas for automobiles do not count toward open space areas.

3. Number of Units. The development shall include no less than four (4) and no more than twelve (12) dwelling units per courtyard. The units may be attached to or detached from each other

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% in the same subdivision plat.	2,000 SF minimum 3,000 SF average = townhouse; 4,000 SF = other <i>(including duplexes on corner lots; 6,000 SF = duplex not on a corner lot; 7,200 SF = multi-family)</i>	2,500 SF = cottage; 2,000 SF minimum, 3,000 SF average = townhouse; 4,000 SF = other	2,000 SF = cottage; 1,600 SF minimum, 2,400 SF average = townhouse; 7,200 SF = duplex, triplex 9,600 SF = fourplex; 3,500 SF = other	1,600 SF = cottage; 1,600 SF minimum, 2,400 SF average = townhouse; 6,000 SF = duplex 9,000 SF = multifamily; 3,000 SF = other	1,600 SF = cottage; 1,600 SF minimum, 2,400 SF average = townhouse; 6,000 SF = duplex 7,200 SF = multifamily; 3,000 SF = other	1,600 SF = cottage; 1,600 SF minimum, 2,400 SF average = townhouse; 6,000 SF = duplex 7,200 SF = multifamily; 3,000 SF = other	1,600 SF minimum, 2,400 SF average = townhouse; 2,500 SF = mobile home park	1,600 SF minimum, 2,000 SF average = townhouse; 2,500 SF = mobile home park	1,600 SF minimum, 2,000 SF average = townhouse	2,000 SF = cottage; 1,600 SF minimum, 2,400 SF average = townhouse; 7,200 SF = duplex; 2,500 SF = mobile home park; 3,500 SF = other	1,600 SF minimum, 2,000 SF average = townhouse; 2,500 SF = mobile home park	18.04.080(C) 18.04.080(D) 18.04.080(E) 18.04.080(F) Chapter 18.64 (townhouses) 18.04.060(P) (mobile home parks)
MINIMUM LOT WIDTH	30' except: 16' = townhouse	50' except: 18' = townhouse	100'	30' except: 16' = townhouse; 60' = duplex not on corner lots; 80' = multi-family	45' except: 35' = cottage; 18' = townhouse	40' except: 30' = cottage; 16' = townhouse; 80' = duplex, triplex; fourplex	40' except: 30' = cottage; 16' = townhouse; 70' = duplex not on corner lot; 80' = multifamily	40' except: 30' = cottage; 40' = zero lot; 16' = townhouse; 70' = duplex not on corner lot; 80' = multifamily	30' = mobile home park	30' = mobile home park	---	---	40' except: 30' = cottage; 16' = townhouse; 80' = duplex not on a corner lot; 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	20'	20'	20' except: 10' with side or rear	20' except: 10' with side or rear parking;	20' except: 10' with side or rear parking; 10' for	20' except: 10' with side or rear parking;	15' except: 10' with side or rear parking;	10'	5'	5' except: 10' for	10' except: 20' along	20' except: 10' with side or rear parking; 5'	0-10' except: 10'	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
	buildings with farm animals			parking; 10' for flag lots 5' for agricultural buildings with farm animals	10' for flag lots; 5' for agricultural buildings with farm animals	flag lots; 5' for agricultural buildings with farm animals	10' for flag lots; 5' for agricultural buildings with farm animals	10' for flag lots; 5' for agricultural buildings with farm animals			structures 35' or taller	Legion Way	for agricultural buildings with farm animals	on Capitol House Block	
MINIMUM REAR YARD SETBACKS	10' except: 5' for agricultural buildings with farm animals	25'	50'	10' except: 5' for agricultural buildings with farm animals.	20' except: 5' for agricultural buildings with farm animals; 10' for cottages, and wedge shaped lots	20' except: 5' for agricultural buildings with farm animals; 10' for cottages, and wedge shaped lots	20' except: 15' for multifamily; 10' for cottages, and wedge shaped lots	15' except: 10' for cottages, and wedge shaped lots, 20' with alley access	10' except: 15' for multifamily	10' except: 20' next to an R 4-8 or R-12 district	5' except: 20' for structures 35' or higher	5'	20' except: 5' for agricultural buildings with farm animals; 10' for cottages	5' except: 10' for structures over 42'	18.04.080(D) 18.04.080(F) 18.04.080(H) 18.04.080(I)
MINIMUM SIDE YARD SETBACKS	5' except: 10' along flanking streets; provided 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' for both 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 ; 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' except: 10' along flanking streets; except garages shall meet Minimum Front Yard Setbacks; 6' on one side of zero lot; 3' for cottages	5' except: 10' along flanking streets; except garages shall meet Minimum Front Yard Setbacks; 6' on one side of zero lot; 3' for cottages; 10' for multifamily; 20' next to R 4-8, or R 6-12 district 10' - mobile home park	5' except: 10' along flanking streets; except garages shall meet Minimum Front Yard Setbacks; 6' on one side of zero lot; 20' next to R 4-8, R 6-12 district. 10' - mobile home park	5' except: 10' along flanking streets; 6' on one side of zero lot;	---	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: 16' for accessory buildings; 24' for accessory dwelling units	40' except: 16' for accessory buildings; 24' for accessory dwelling units	40' except: 16' for accessory buildings; 24' for accessory dwelling units	35', except: 16' for accessory buildings; 24' for accessory dwelling units; 25' for cottage; 35' on sites 1 acre or more, if setbacks equal or exceed building height	35', except: 16' for accessory buildings; 24' for accessory dwelling units; 25' for cottages	45', except: 25' for cottage; 16' for accessory buildings; 24' for accessory dwelling units	45', except: 25' for cottage; 16' for accessory buildings; 24' for accessory dwelling units	35', except: 16' for accessory buildings; 24' for accessory dwelling units; 25' for cottage	42' except: 24' for accessory dwelling units	60' except: 24' for accessory dwelling units	See 18.04.080 (I); 24' for accessory dwelling units	2 stories or 35' whichever is less, except: 16' for accessory buildings; 24' for accessory dwelling units; 25' for cottages	42' or as shown on Figure 4-5A & 18.04.080 (3); 24' for accessory dwelling units	18.04.080(I)
MAXIMUM BUILDING COVERAGE	45% = lots of 10,000 SF; 25%=lots of 10,001 SF to 1 acre; 6%=1.01	35% 60% = townhouses	6%; increased to 18% if associated with drainage dispersal tract of at	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	

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
	acre or more		least 65% in the same subdivision plat.												
MAXIMUM ABOVE-GRADE STORIES		2 stories	3 stories	3 stories	2 stories	2 stories, 3 stories = triplex , fourplex	4 stories	4 stories	3 stories	3 stories	5 stories			5 stories	
MAXIMUM IMPERVIOUS SURFACE COVERAGE	45% or 10,000sf (whichever is greater) = lots greater than 4 acres; 6%=4.1 acre or more	35% 60% = Townhouses	6%; increased to 18% if associated with drainage dispersal tract of at least 65% in the same subdivision plat.	2,500 SF or 6% coverage whichever is greater.	45% = .25 acre or less 40% = .26 acre or more 60% = Townhouses	55% = .25 acre or less 40% = .26 acres or more 60% = Townhouses	65%	65%	65%	75%	85%	85%	65% = .25 acre or less 40% = .26 to 1 acre 35% = 1.01 to 3 acres 25% = 3.01 + acres 70% = townhouses	85% except for stoops, porches or balconies	
MAXIMUM HARD SURFACE	45% or 10,000sf (whichever is greater) = lots less than 4 acres; 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.		450 SF/unit for cottage developments	450 SF/unit for cottage developments	30% for multifamily 450 SF/unit for cottage developments	30% for multifamily 450 SF/unit for cottage developments	30% 500 SF/space for mobile home park	25% 500 SF/space for mobile home park	15%	15% 500 SF/space for mobile home park	450 SF/unit for cottage developments 500 SF/space for mobile home park	15% may include stoops, porches or balcony areas	18.04.080(J); <u>for Courtyard Apartments see 18.04.060(II)</u>

LEGEND

- SF = Square Feet
- RL1 = Residential Low Impact
- R-4 = Residential - 4
- Zero Lot = A Lot with Only One Side Yard
- R 4-8 = Residential 4-8
- = No Regulation
- R 6-12 = Residential 6-12
- RM 18 = Residential Multifamily - 18

LEGEND

- MR 7-13 = Mixed Residential 7-13
- MR 7-13 = Mixed Residential 7-13
- MR 10-18 = Mixed Residential 10-18
- RMH = Residential Multifamily High Rise
- RMU = Residential Mixed Use
- 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. Convalescent homes. Convalescent homes and nursing homes containing dwelling units which rely on shared cooking/dining facilities shall count as one (1) dwelling unit for purposes of the maximum density calculation. Independent dwelling units (i.e., containing a bed, bathroom and a kitchen with a sink, stove, and refrigerator) in convalescent/nursing homes, however, shall be counted as individual dwelling units in the density calculation. The density for a site or parcel containing a convalescent/nursing home which is part of a larger project shall be calculated separately from other portions of the site under development (i.e., density shall not be transferred from a site occupied by a nursing home to another portion of the development).

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

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

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

a. Restoration of Critical Areas. At the request of the applicant, the Hearing Examiner may grant a density bonus of up to twenty (20) percent for sites on which damaged or degraded wetlands or stream corridors (e.g., streams and stream banks within the outer limits of any required buffer) will be restored and maintained according to specifications approved by the

City. Sites proposed for this density bonus shall be posted with a notice describing the proposal and opportunities for the public to comment. Property owners within three hundred (300) feet of the site shall be given notice of the proposal and fifteen (15) days to comment. Such notice may be done concurrently with any other notice required by this Code. Prior to taking action on a request for a density bonus, the Hearing Examiner shall consider the public's comments, the expected public benefit that would be derived from such restoration, the probable net effect of the restoration and the increased density on the site, the relative cost of the restoration and the value of the increased density, and the potential impact of increased density on surrounding land uses, traffic, infrastructure, schools, and parks. The City may require the applicant to provide an estimate of the cost of the proposed restoration and other information as necessary to make this determination. This bonus does not apply to site features which were damaged in the course of a current project (e.g., under an active permit) or as a result of an illegal or intentional action by the current property owner or their representative.

- b. Cottage housing. Cottage housing projects shall receive a twenty (20) percent density bonus.
- c. Townhouses. Townhouses shall receive a fifteen (15) percent density bonus in the R 4-8 and R 6-12 districts.
- d. Low income housing. A density bonus shall be granted for low income housing (see Section [18.02.180](#), Definitions) at the rate of one (1) additional housing unit allowed for each unit of low income housing provided, up to a maximum of a twenty (20) percent bonus.

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

5. Transfer of Development Rights. Development Rights must be obtained from an eligible property owner in a Thurston County Transfer of Developments Rights Sending Zone in order to develop above seven (7) units per acre in an R 4-8 District. However, this requirement does not apply to density bonuses granted in accordance with Section [18.04.080](#)(4).

6. City staff will review residential permitting in areas designated as Low Density Neighborhood in the adopted Comprehensive Plan Future Land Use Map on an annual basis to review the achieved density. If achieved density approaches or exceeds the density anticipated in the comprehensive plan, the city will make revisions as needed to maintain consistency between the Comprehensive Plan and development regulations.

B. Minimum Housing Densities

1. Calculation of Minimum Density.

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

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

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

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

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

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

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 the Director or Hearing Examiner 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.

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



FIGURE 4-3

3. Rear Yard Setbacks. See OMC [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.

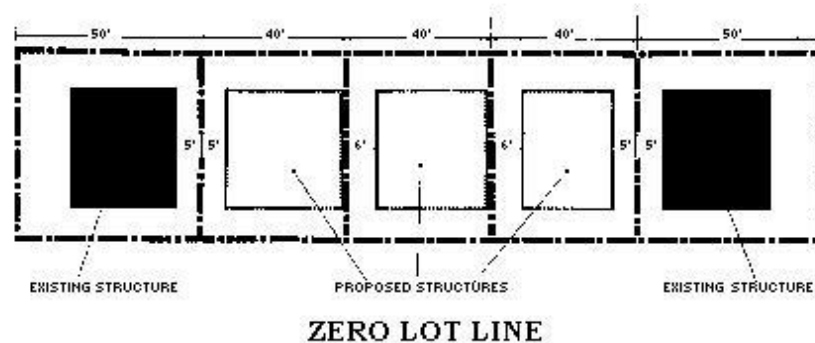


FIGURE 4-4

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 OMC [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 percent (50%) 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.

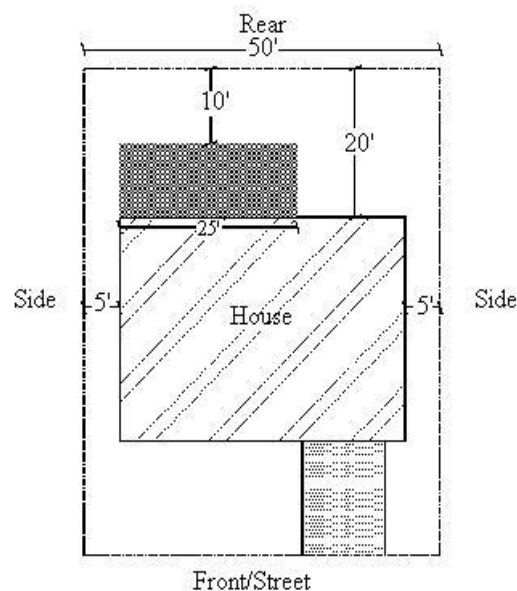


Figure 4-4a

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.

6. Front yard setbacks for through lots. A through lot has two (2) front lot lines parallel or approximately parallel to each other. The front yard setback shall apply to each front lot line, except the Director may designate one (1) of the front lot lines as a rear lot line, provided the following criteria are met:

a. Orientation of the lot or structure shall be considered; and

- b. At least sixty percent (60%) of the lots or structures within the neighborhood block, or area being considered, are oriented in a similar direction away from the lot line being designated as a rear lot line.

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.

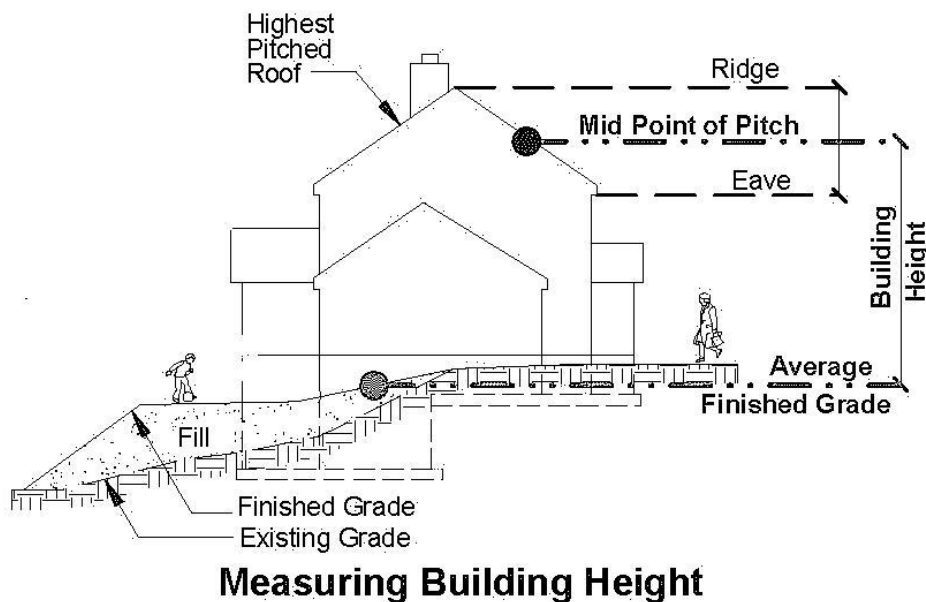


FIGURE 4

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:

Urban Residential and Residential Mixed Use District Heights

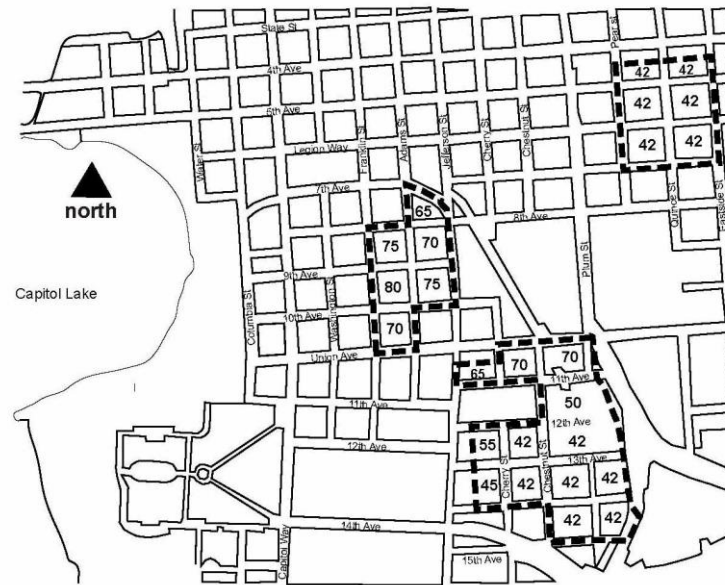


FIGURE 4-5

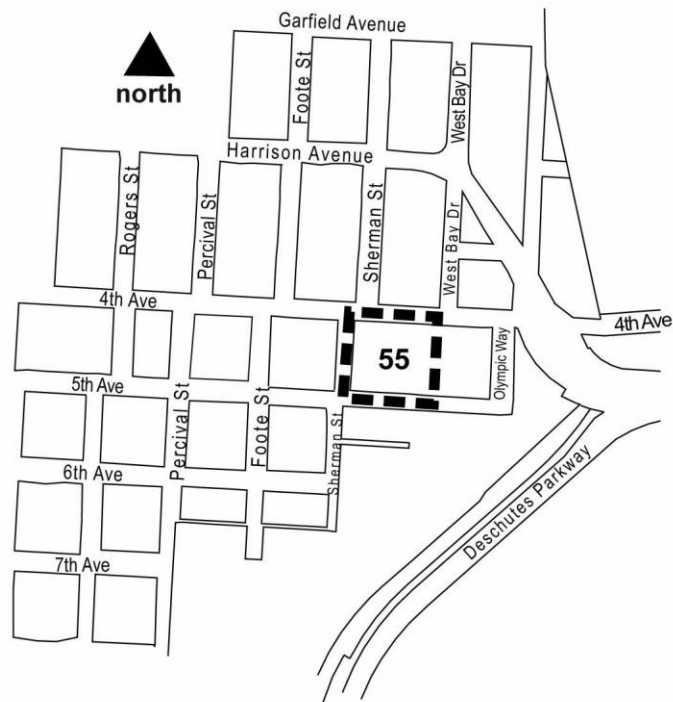


FIGURE 4-5A

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

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

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

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

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 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.

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 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 open space. At least fifty (50) percent 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 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.

18.04.090 Additional regulations

Refer to the following Chapters for additional related regulations.

Chapter [18.36](#), Landscaping and Screening

Chapter [18.38](#), Parking and Loading

18.05.040 TABLES: Permitted, Conditional and Required Uses

**TABLE 5.01
PERMITTED, CONDITIONAL AND REQUIRED USES**

DISTRICT	Neighborhood Center	Neighborhood Village	Urban Village	Community Oriented Shopping Center	APPLICABLE REGULATIONS
District-Wide Regulations					18.05.050
1. RESIDENTIAL USES					
Accessory Dwelling Units	P	P	P	P	18.04.060(A)
Apartments	C	R	R	R	18.05.060(D), 18.05.050(E)
Boarding Homes	C	P	P	P	
Congregate Care Facilities		P	P	P	18.05.050(E)(1)(c)(i)
Cottage Housing		P	P	P	18.05.060(D), 18.04.060(H)
Duplexes		P	P	P	18.05.060(D)
<u>Duplexes on Corner Lots</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>18.04.060(HH)</u>
Group Homes with 6 or Fewer Clients		P	P	P	18.04.060(K), 18.04.060(W)
Group Homes with 7 or More Clients		C	C	C	18.04.060(K), 18.04.060(W)
Manufactured Homes	P	P	P	P	18.04.060(O)
Nursing/Convalescent Homes		P	P	P	18.04.060(S)
Residences Above Commercial Uses	P	P	P	P	
Single-Family Residences	P	R	R	R	18.05.060(D)
Single Room Occupancy Units					
Townhouses	P	P	P	P	18.05.060(D), 18.64
2. OFFICES					
Banks	P	P	P	P	18.05.060(A)
Offices - Business	P	P	P	P	

**TABLE 5.01
PERMITTED, CONDITIONAL AND REQUIRED USES**

DISTRICT	Neighborhood Center	Neighborhood Village	Urban Village	Community Oriented Shopping Center	APPLICABLE REGULATIONS
Offices - Government	P	P	P	P	
Offices - Medical	P	P	P	P	
Veterinary Offices and Clinics	C	C	C	C	
3. RETAIL SALES					
Apparel and Accessory Stores	P	P	P	P	
Building Materials, Garden Supplies, and Farm Supplies	P	P	P	P	Sites within high density corridors, see 18.17.020 (B)
Food Stores	R	R	P	P	
Furniture, Home Furnishings, and Appliances					Sites within high density corridors, see 18.17.020 (B)
General Merchandise Stores	P	P	P	P	
Grocery Stores	P	P	R	R	18.05.060(C)
Office Supplies and Equipment					
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					

**TABLE 5.01
PERMITTED, CONDITIONAL AND REQUIRED USES**

DISTRICT	Neighborhood Center	Neighborhood Village	Urban Village	Community Oriented Shopping Center	APPLICABLE REGULATIONS
Laundry and Laundry Pick-up Agency	P	P	P	P	
Personal Services	P	P	P	P	
Printing, Commercial			P	P	
Radio/TV Studios					
Recycling Facility - Type I	P	P	P	P	
Servicing of Personal Apparel and Equipment	P	P	P	P	
5. ACCESSORY USES					
Accessory Structures	P	P	P	P	18.04.060(B)
Electric Vehicle Infrastructure	P	P	P	P	18.04.060(GG)
Garage/Yard/Rummage or Other Outdoor Sales	P	P	P	P	5.24
Satellite Earth Stations	P	P	P	P	18.44.100
Residences Rented for Social Event, 7 times or more per year	C	C	C	C	18.04.060.DD
6. RECREATIONAL USES					
Auditoriums and Places of Assembly					
Art Galleries					
Commercial Recreation					
Community Gardens	P	P	P	P	
Community Parks & Playgrounds	P/C	P/C	P/C	P/C	18.04.060(T)

**TABLE 5.01
PERMITTED, CONDITIONAL AND REQUIRED USES**

DISTRICT	Neighborhood Center	Neighborhood Village	Urban Village	Community Oriented Shopping Center	APPLICABLE REGULATIONS
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	
Animals/Pets	P	P	P	P	18.04.060(C)
Child Day Care Centers	P	P	R	P	18.05.060(B), 18.04.060(D)
Community Clubhouses	P	P	P	P	
Conference Centers					
Crisis Intervention	C	C	C	C	18.04.060(I)
Home Occupations (including adult day care, bed and breakfast houses, elder care homes, and family child care homes)	P	P	P	P	18.04.060(L)

**TABLE 5.01
PERMITTED, CONDITIONAL AND REQUIRED USES**

DISTRICT	Neighborhood Center	Neighborhood Village	Urban Village	Community Oriented Shopping Center	APPLICABLE REGULATIONS
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)
Sheltered Transit Stops	R	R	R	R	18.05.050(C)(4)
Social Organizations					
Utility Facilities	P/C	P/C	P/C	P/C	18.04.060(X)
Wireless Communications Facilities	P/C	P/C	P/C	P/C	18.44

LEGEND

P = Permitted C = Conditional R = Required

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 18.06.060(D)(1)	P 18.06.060(F)(3)	
Business Offices		P	P		P	P	P	P	P	P	P	P	P	
Government Offices		P	P		P	P	P	P	P	P	P	P	P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
4. RECREATION AND CULTURE														
Art Galleries	P	P	P		P	P	P		P	P	P	P	P	
Auditoriums and Places of Assembly			P		P	P	P					P	P	

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
Boat Clubs					P	P								
Boating Storage Facilities					P			P						
Commercial Recreation		C	P		P	P	P	P		C	C	P	P	
Health Fitness Centers and Dance Studios	P	P 18.06.060(L)	P	P	P	P	P	P	P	P 18.06.060(L)	P 18.06.060(L)	P	P	
Libraries	C	C	C	C	P	P	P		P	C	P	P	P	18.04.060(V)
Marinas/Boat Launching Facilities					P 18.06.060(CC)	P								
Museums		C	P		P	P	P		P	C	C	P	P	18.04.060(V)
Parks, Neighborhood	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(T)
Parks & Playgrounds, Other	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(T)
Theaters (Drive-in)			C											
Theaters (No drive-ins)			P		P	P	P				C	P	P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
5. RESIDENTIAL														
Apartments		P	P	P	P	P	P		P	P	P	P	P	
Apartments above ground floor in mixed use development	P	P	P	P	P	P	P		P	P	P	P	P	
Boarding Houses		P	P	P	P	P	P		P	P	P	P	P	
Co-Housing		P	P			P	P			P	P		P	
Collegiate Greek system residence, dormitories		C	P	P	P	P	P		P	C	P	P	P	
Duplexes	P	P	P	P			P		P	P	P		P	

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
Duplexes on Corner Lots	P	P	P	P			P		P	P	P	P	P	18.04.060(HH)
Group Homes (6 or less)	P	P	P 18.06.060(K)	P	P	P	P 18.06.060(K)		P	P	P	P 18.06.060(K)	P 18.06.060 (K)	18.04.060(K)
Group Homes (7 or more)	C	C	C 18.06.060(K)	C	C	C	C 18.06.060(K)		C	C	C	C 18.06.060(K)	P 18.06.060 (K)	18.04.060(K)
Mobile or Manufactured Homes Park - Existing		C	C	C						C			C	18.04.060(P)
Quarters for Night Watch person/Caretaker					P	P								
Retirement Homes		P	P	P	P	P	P		P	P	P	P	P	
Single-Family Residences	P	P	P	P			P		P	P	P	P	P	
Single Room Occupancy Units			C		P	P	P		P				C	
Townhouses	P	P	P	P 18.06.060(T)		P	P		P	P	P	P	P	
Triplexes, Four-plexes, and Cottage Housing		P											P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
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	

<p>TABLE 6.01</p> <p>PERMITTED AND CONDITIONAL USES</p>														
COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
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 18.06.060(W)(4)		P		P 18.06.060(W)		P 18.06.060(W)(2)	P				P 18.06.060(W)	P 18.06.060(W)	
Gasoline Dispensing Facility accessory to a permitted use - Existing	P 18.06.060(W)		P		P 18.06.060(W)		P 18.06.060(W)				P	P 18.06.060(W)	P	
General Merchandise Stores	P	P 18.06.060(J)	P		P	P	P			P 18.06.060(J)	P	P	P	
Mobile, Manufactured, and Modular Housing Sales			P											
Motor Vehicle Sales			P				P	P					P	
Motor Vehicle Supply Stores			P		P	P	P	P			P	P	P	
Office Supplies and Equipment		P 18.06.060(DD)	P		P	P	P		P	P 18.06.060(DD)	P	P	P	18.06.060(CC)
Pharmacies and Medical Supply Stores	P	P 18.06.060(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	

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)							
7. SERVICES, HEALTH														
Hospitals				P			P		P					
Nursing, Congregate Care, and Convalescence Homes	C	P	C	P			C		C	C	C	P	P	18.04.060(S)
Offices, Medical		P	P	P	P	P	P	P	P	P	P	P	P	
Veterinary Offices/Clinics		P	P	P			P			P	P	P	P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
8. SERVICES, LODGING														
Bed & Breakfast Houses (1 guest room)	P	P 18.06.060(E)	P 18.06.060(E)	P 18.06.060(E)	P	P	P			P	P	P	P	18.04.060(L)(3)(c)
Bed & Breakfast Houses (2 to 5 guest rooms)	C	P 18.06.060(E)	P 18.06.060(E)	P 18.06.060(E)	P	P	P		C	P	P	P	P	18.04.060(L)(3)(c)
Hotels/Motels			P	C	P		P		P				P	
Lodging Houses		P	P	P	P		P		P	P	P	P	P	
Recreational Vehicle Parks			P										P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
9. SERVICES, PERSONAL														
Adult Day Care Home	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(L)(3)(b)

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
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)												
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)

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
Service and Repair Shops			P				P	P				P	P	
Service Stations/Car Washes			P				P 18.06.060(W)	P				P 18.06.060(W)	P 18.06.060(W)	
Service Stations/Car Washes - Existing			P		P 18.06.060(W)		P 18.06.060(W)				P	P 18.06.060(W)	P 18.06.060(W)	
Servicing of Personal Apparel and Equipment	P	P	P		P	P	P			P	P	P	P	
Truck, Trailer, and Recreational Vehicle Rentals			P					P						
Workshops for Disabled People	C	C	C	C	P	C	P		C	C	C	C	C	18.04.060(R)
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
11. PUBLIC FACILITIES, ESSENTIAL														
Airports			C										C	18.06.060(G)
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		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
Washington State Office of Financial Management, except prisons and solid waste handling facilities														
Radio/TV and Other Communication Towers and Antennas	C	C	C	C	C	C	C	C	C	C	C	C	C	18.06.060(G) 18.44.100
Sewage Treatment Facilities	C	C	C	C	P		P		C	C	C	C	C	18.06.060(G) 18.04.060(X)
State Education Facilities		C	C		C		C		C	C	C	C	C	18.06.060(G) 18.06.060(X)
State or Regional Transportation Facilities	C	C	C	C	C	C	C		C	C	C	C	C	18.06.060(G)
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
12. TEMPORARY USES														
Entertainment Events			P		P	P	P						P	
Off Site Contractor Offices	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(DD)
Emergency Housing	P	P	P	P	P			P	P	P	P	P	P	18.04.060(DD)
Emergency Housing Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	18.50
Fireworks, as determined by Fire Dept.			P		P	P	P				P	P	P	9.48.160
Mobile Sidewalk Vendors		P	P	P	P	P	P			P	P	P	P	

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
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														
Adult Oriented Businesses			P										P	18.06.060(B)
Agriculture	P	P	P	P					P	P	P	P	P	
Animals	P	P	P	P	P	P	P		P	P	P	P	P	18.06.060(C)
Cemeteries	C	C	C	C					C	C	C		C	
Conference Center			P		P	P	P						P	
Gambling Establishments			C											
Garage/Yard/Rummage and Other Outdoor Sales	P	P	P	P	P	P	P		P	P	P	P	P	5.24
Home Occupations	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(L)
Parking Facility, Commercial		P	P		P	P	P 18.06.060(S)			P	P	P 18.06.060(S)	P	18.04.060(V)
Places of Worship	C	C	P	C	P	P	P		C	C	C	P	P	18.04.060(U)

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
Racing Pigeons	C	C	C	C					C	C	C	C	C	18.04.060(Y)
Satellite Earth Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	18.44.100
Schools	C	C	P	C	C	C	C		C	C	C	P	P	18.04.060(DD)
Social Organizations		P	P		P	P	P		P/C 18.06.060(I)	P	P	P	P	
Utility Facility	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(X)
Wireless Communications Facilities	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.44

LEGEND

- P = Permitted Use

MS = Medical Services

DB = Downtown Business

C = Conditional Use
- PO/RM = Professional Office/Residential Multifamily

AS=Auto Services

NR = Neighborhood Retail
- GC = General Commercial

UW = Urban Waterfront

UW-H = Urban Waterfront-Housing

CSH = Commercial Services-High Density
- HDC-1=High Density Corridor-1

HDC-2=High Density Corridor-2

HDC-3=High Density Corridor-3

HDC-4=High Density Corridor-4

Chapter 18.38 PARKING AND LOADING

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~~ CSH, RMH, RMU, and UR Districts require only one (1) vehicle parking space per unit.

3. Table 18.01 notwithstanding, senior (age 55 or 62 and over) multi-family housing requires three (3) motor vehicle parking spaces per four (4) units. This exception is at the discretion of the applicant and only applicable if an appropriate age-restriction covenant is recorded.

D. Reserved Area for Bicycle Spaces. Where specified in Table 38.01 below, an area shall be designated for possible conversion to bicycle parking. Such reserve areas must meet the location requirements of short-term parking and may not be areas where pervious surfaces or landscaping is required. A cover is not required for such areas.

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
COMMERCIAL			
Carpet and Furniture Showrooms	One and one-quarter (1.25) space per one thousand (1000) sq. ft. of gross showroom floor area. Each store shall have a minimum of four (4) spaces.	One per sixteen thousand (16,000) square feet of showroom floor area. Minimum of two (2).	One per eight thousand (8,000) square feet of showroom floor area. Minimum of two (2).
Child and Adult Day Care	One (1) space for each staff member plus 1 space for each ten (10) children/adults if adequate		

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
	drop-off facilities are provided. Adequate drop-off facilities must allow a continuous flow of vehicles which can safely load and unload children/adults. Compliance with this requirement shall be determined by the review authority.		
Hotel and Motel	One (1) space for each room or suite and one (1) space per manager's unit. Hotel/motel banquet and meeting rooms shall provide six (6) spaces for each thousand (1000) square feet of seating area. Restaurants are figured separately.	One (1) per ten (10) rooms. Minimum of two (2).	One (1) per thousand (1,000) square feet of banquet and meeting room space. Minimum of two (2).
Markets, Shopping Centers and Large Retail/Wholesale Outlets	Less than 15,000 sq. ft = 3.5 spaces for each 1000 sq. ft. of gross floor areas. 15,001 to 400,000 sq. ft = 4 spaces for each 1000 sq. ft. of gross floor area. More than 400,001 sq. ft. = 4.5 spaces per 1000 sq. ft. of gross floor area.	One per six thousand (6,000) square feet. Maximum of five (5); minimum of one (1).	One per three thousand (3,000) square feet. Maximum of ten (10) per tenant; minimum of two (2) within fifty (50) feet of each customer entrance.
Medical and Dental Clinics	Four (4) spaces per 1000 sq. ft. of gross floor area.	One (1) per 10,000 square feet. Minimum of two (2).	One (1) per 10,000 square feet, minimum of two (2) within fifty (50) feet of each customer entrance; plus an equal reserved area for adding spaces.
Ministorage	Three (3) spaces minimum or (1) space for every one hundred (100) storage units, and two (2) spaces for permanent on-site managers.	None	None
Mixed Uses	Shared parking standards shall be used to calculate needed parking. This calculation is based upon the gross leasable area (GLA) for each shop or business and does not include atriums, foyers, hallways, courts, maintenance areas, etc. See shared parking 18.38.180.	See individual use standards.	See individual use standards

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
Mortuaries and Funeral Parlors	One (1) space per seventy-five (75) square feet of assembly area or thirteen (13) stalls per 1000 sq. ft.	One (1)	Two (2)
Offices, General	Gross floor area up to 2000 sq. ft = One (1) space for each 250 sq. ft. Gross floor area between 2001 to 7500 sq. ft. = One (1) space for each 300 sq. ft. Gross floor area between 7501 to 40,000 sq. ft. = One (1) space for each 350 sq. ft. Gross floor area of 40001 and greater = One (1) space for each 400 sq. ft.	One (1) per ten thousand (10,000) square feet. Minimum of two (2).	One (1) per ten thousand (10,000) square feet; plus an equal reserved area for adding spaces. Minimum of two (2).
Offices, Government	3.5 spaces per one thousand (1000) sq. ft.	One (1) per five thousand (5,000) square feet. Minimum of two (2).	One (1) per five thousand (5,000) square feet; minimum of two (2); plus an equal reserved area for adding spaces.
Retail Uses	Three and a half (3.5) spaces per one thousand (1000) sq. ft.	One per six thousand (6,000) square feet. Maximum of five (5); minimum of one (1).	One per three thousand (3,000) square feet. Maximum of ten (10) per tenant; minimum of two (2) within fifty (50) feet of each customer entrance.
Service Station (mini-marts are retail uses)	Three and a half (3.5) spaces per one thousand (1000) sq. ft. g.f.a. or 1 space per 300 sq. ft.	None.	None
Warehouse, Distribution	1 space for each thousand (1000) sq. ft. or 1 space for each employee.	One (1) per forty thousand (40,000) square feet or one (1) per forty (40) employees. Minimum of one (1).	None.
Warehouse Storage	Gross Floor area of 0-10,000 sq. ft. = One (1) space for each one thousand (1000) sq. ft. Gross floor area between 10,001 – 20,000 sq. ft. = ten (10) spaces plus .75 space for each additional one thousand (1000) sq. ft. beyond ten thousand (10,000) sq. ft. Over 20,000 sq. ft. = eighteen (18) spaces plus .50 for each additional	One (1) plus one (1) for each eighty thousand (80,000) square feet above sixty-four thousand (64,000) square feet; or one (1) per forty (40) employees. Minimum of one (1).	None

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
	1000 sq. ft. beyond 20,000 sq. ft., or 1 space for each employee.		
INDUSTRIAL			
Manufacturing	One (1) for each two (2) employees on the largest shift, with a minimum of two (2) spaces.	One (1) for each thirty (30) employees on largest shift. Minimum of two (2).	One (1) for each thirty (30) employees on largest shift. Minimum of two (2).
INSTITUTIONAL			
Beauty Salons/ Barber Shops, Laundromats/Dry Cleaners, and Personal Services		One per six thousand (6,000) square feet. Minimum of one (1).	One per three thousand (3,000) square feet. Minimum of two (2).
Educational Facilities (to include business, vocational, universities, and other school facilities).		One (1) per five (5) auto spaces. Minimum of two (2)	One (1) per five (5) auto spaces. Minimum of four (4).
Elementary and Middle School	One (1) stall per twelve (12) students of design capacity.	One (1) per classroom.	Three (3) per classroom.
Farmers Market		None	One (1) per ten (10) auto stalls. Minimum of ten (10).
High School	One (1) space per classroom and office, plus one (1) space for each four (4) students that are normally enrolled and are of legal driving age. Public assembly areas, such as auditoriums, stadiums, etc. that are primary uses may be considered a separate use.	One per five (5) classrooms, plus one (1) for each forty (40) students (may also require one (1) per four thousand five hundred (4,500) assembly seats). Minimum of two (2).	One per five (5) classrooms, plus one (1) for each forty (40) students (may also require one (1) per four thousand five hundred (4,500) assembly seats). Minimum of four (4).
Hospitals, Sanitariums, Nursing Homes, Congregate Care, Rest Homes, Hospice Care Home and	One (1) for each two (2) regular beds, plus one (1) stall for every two (2) regular employees on the largest shift.	One (1) per thirty (30) beds, plus one (1) per thirty (30) employees on largest shift. Minimum of two (2).	One (1) per thirty (30) beds, plus one (1) per thirty (30) employees on largest shift. Minimum of two (2).

TABLE 38.01

Use	Required Motor Vehicle Parking Spaces	Minimum Required Long-Term Bicycle Spaces	Minimum Required Short-Term Bicycle Spaces
Mental Health Facilities.			
Libraries and Museums	One (1) space per three hundred (300) square feet of public floor area or 3.3 spaces per thousand (1000) sq. ft. Six (6) stalls either on-site or on-street directly adjacent to the property. The Director may allow pervious-type parking surfaces.	One (1) per six thousand (6,000) square feet of public floor area. Minimum of two (2).	One (1) per one thousand five hundred (1,500) square feet of public floor area. Minimum of four (4).
Marinas		Minimum of four (4).	One (1) per ten (10) auto stalls. Minimum of four (4).
Other Facilities Not Listed		None	One (1) per twenty-five (25) auto stalls. Minimum of two (2).
Park-N-Ride Lots and Public (Parking) Garages		One (1) per fifteen (15) auto stalls Minimum of four (4)	Two (2).
Parks		None	One (1) per five (5) auto stalls. Minimum of four (4).
Transit Centers		Ten (10).	Ten (10).
PLACES OF ASSEMBLY			
Passenger Terminal Facilities	One (1) space for each one hundred (100) square feet of public floor area or ten (10) spaces per thousand (1000) sq. ft.	Minimum of ten (10)	Minimum of ten (10)
Place of Worship	One (1) space per four (4) seats. When individual seats are not provided, one (1) space for each six (6) feet of bench or other seating. The Director may use a ratio of six (6) stalls/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
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).

TABLE 38.01

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

Housing Code Amendments

Zoom Public Hearing: Proposed Housing Options Code Amendments

The Public Hearing for the proposed Housing Options Code Amendments is scheduled for Wednesday, September 23, 2020 beginning at 6:30 p.m. It will be held virtually, through Zoom.

Public Comment Opportunity: Anyone interested is invited to attend via Zoom Webinar. You may present testimony regarding the proposal during the meeting, or in writing before the meeting. At the time you register and sign up, you will have the option of indicating if you want to give public testimony during the hearing. To register use the link below. To assure consideration, written comments must be received prior to 5:00 p.m. on Wednesday, September 23, 2020. Written statements may be submitted to the Commission in care of the Olympia Community Planning and Development Department, PO Box 1967, Olympia, WA 98507-1967; or to housingoptions@ci.olympia.wa.us

[Virtual Hearing Zoom Webinar Link](#)



What's Happening?

The City plans for where and how Olympia will grow and what is needed to serve that growth (parks, open spaces, infrastructure, streets, public services, etc.) under the Washington State Growth Management Act (GMA). The GMA was amended in 2019 and again in 2020 to encourage cities to take steps to increase residential building capacity in urban growth areas. The updated GMA ([RCW 36.70A.600](#)) provides a list of options to do so.

After reviewing the options, the City Council identified three options that appear to be appropriate for the Olympia. The Council directed the Planning Commission to draft an ordinance to implement two or three of the identified options. Learn more about each below.

 [Implementation Options & Staff Recommendations](#)

 Presentation 1: The options Presentation 2: Staff recommendations Presentation 3: Revised ADU staff recommendations View Frequently Asked Questions

How to comment

This work is specific to code amendments necessary to implement two or three of the options identified above. Public comments about the proposed code amendments will be accepted until the end of the public hearing.

Email comments to housingoptions@ci.olympia.wa.us

[View public comments and staff responses](#)

- [Comments received through 2/24/20](#)
- [Comments received 2/25/20-5/18/20](#)
- [Comments received 5/19/20-6/15/20](#)
- [Comments received 6/16/20-7/20/20](#)
- [Staff responses to comment themes](#)

Stay Informed

- [Subscribe to Planning & Development E-News](#)
- [Email us to be a party of record for these zoning amendments](#)
- [Download the complete Public Participation Plan](#)

SEPA DNS

The City has issued a [SEPA Determination of Non-Significance](#) for the proposed code amendments.

- [View SEPA Checklist](#)
- [View SEPA comments](#)



Duplexes on corner lots

Proposal: Allow duplexes on each corner lot in all zoning districts that permit single family residences.

[Read more...](#)

For Olympia, that would mean a duplex would be allowed on almost all corner lots since almost all zoning districts include single family residences as a permitted use. In order to obtain a building permit the applicant would need to demonstrate compliance with setbacks from property lines, maximum building height and number of stories, maximum lot coverages, low impact development stormwater standards, parking requirements, and design review.

In order to comply with the “on each corner lot” provision of the statute, the minimum lot size would be the same size as the minimum lot size for a single-family residence of the underlying zoning district.

 Download info sheet



Accessory Dwelling Units (ADUs)

Proposal: Allow ADUs in association with a single-family residence (SFR), with a few specific provisions.

[Read more...](#)

The specific provisions include:

- Allow attached ADUs on all parcels with a SFR where the lot is at least 3,200 square feet in size
- Allow both attached and detached ADUs on all parcels with a SFR, provided the lot is at least 4,356 square feet in size
- No additional on-site parking required
- No owner-occupancy requirement
- Cannot limit the size below one thousand square feet
- Must not prohibit the separate rental or sale of ADU and primary residence
- Impact fees may not be more than the projected impact of the ADU
- City may set other regulations, conditions, procedures, and limitations and must follow all applicable state and federal laws and local ordinances

In Olympia, ADUs are allowed on all lots with a detached single-family home, regardless of the lot size. This may need to be amended to address situations where an attached SFR is located on lots that are at least 3,200 square feet in size. Other amendments that would be needed include:

- Eliminate requirement for an additional on-site parking requirement
- Eliminate requirement for the property owner to live on site
- Modify the size provisions so an ADU can be up to 1,000 square feet

The ADU option includes language that allows cities making use of these ADU provisions to also consider other local provisions. Optional issues the City may want to address include:

- Maximum building height
- Attaching an ADU to an accessory structure (e.g. detached garage)

[Download info sheet](#)


Duplexes, triplexes and courtyard apartments

Proposal: Allow a duplex, triplex, or courtyard apartment on each parcel in one or more zoning districts that permit single-family residences unless a city documents a specific infrastructure of physical constraint that would make this requirement unfeasible for a particular parcel.

[Read more...](#)

In order to implement this option, Olympia would need to determine which of these housing types would be appropriate in which zoning districts. Again, because of the phrase “on each parcel”, that would mean the proposed development would be allowed as long as the underlying development standards are met, such as setbacks from property lines, maximum building height and number of stories, maximum lot coverages, low impact development stormwater standards, parking requirements, and design review.

Because the statutory language includes the word “or” it seems each city could address these housing types separately. Just as an example, the final decision may be that duplexes are appropriate in the R 4-8 zoning district, whereas triplexes and/or courtyard apartments are not. Or another example might be that duplexes are appropriate in all zoning districts that permit SFRs, triplexes are appropriate in most residential zones, and courtyard apartments are appropriate in a few residential zones.

[Download info sheet](#)

Questions?

Contact Joyce Phillips, Senior Planner, at 360.570.3722 or housingoptions@ci.olympia.wa.us



Staff Responses to Public Comment Themes

July 2020

The City is considering **Housing Options Code Amendments** to the zoning code in order to allow a wider variety of housing types in residential zoning districts. The housing types include Accessory Dwelling Units (ADUs), duplexes, triplexes, and courtyard apartments. In some cases, amendments to the standards for these housing types are proposed. In other cases, the housing type is not currently allowed in some zones and amendments are proposed to allow the housing type in certain zones. For more information about the proposed amendments please visit olympiawa.gov/housingcode.

Public Comments

Public Comments on the Housing Options Code Amendments have been submitted over several months. Below the major themes of those comments that express concerns rather than support are identified and staff responses are provided.

Housing Supply/Shortage/Affordability

General Issue Raised	Staff Response
More units does not mean more affordability.	Olympia has a very low vacancy rate (less than three percent). More housing units will help address the demand for housing, which will help prevent rent prices from increasing as fast as they otherwise could if zoning continues to restrict or prohibit multi-unit housing types in many areas of the community. Housing created as a result of these proposed amendments may not be affordable for low income groups, although the City is working on numerous projects to increase housing that is affordable at all income levels. It is anticipated that these housing units will be primarily market rate housing. Sale or rent will depend on many factors, such as size, location, and the quality of construction. However, if this proposed ordinance is approved it could also be used to construct subsidized housing affordable to low income levels. The primary intent is to provide a greater variety of housing types and sizes to meet the diverse needs of the entire community, rather than continuing to restrict portions of the community to new housing that is only affordable to those with moderate to high incomes. The result of having more housing units and options available will be to help take some of the pressure off of the housing market to at least slow down the cost of housing price increases.
The City should include provisions to primarily serve those who are low income.	The City is working on multiple housing efforts simultaneously. Some of the other efforts are directly related to providing low income housing, emergency housing, and working to end homelessness. Olympia needs more housing for people across the entire income spectrum.
Will the City require set asides for low income people for this housing?	These proposed amendments for increased housing options do not have specific requirements to be set aside for low-income households. These housing types will occur in existing neighborhoods and the rental rates will be set by the property owner(s). However, low-income housing developers could use the increased housing options to create more low-income housing units. There is also evidence to suggest that ADUs are often rented to family members or acquaintances, often at below market rates.



Staff Responses to Public Comment Themes

Neighborhood Character/Design Review

General Issue Raised	Staff Response
How will the City help to retain the character and feel of our neighborhoods?	These housing types are subject to the Infill & Other Residential design review requirements specifically because they do address Neighborhood Scale and Character. These housing types will be subject to these standards even when proposed on properties that are not located in the Infill Design District.
Would duplexes on corner lots be required to appear as single family residences from the streets?	Not necessarily. As long as the proposed structure meets the Infill & Other Residential design review requirements, and the development standards of the zoning district, it would be allowed. The ability to have one front door face each street will depend on the size and shape of the lot, as well as any driveway location constraints.
Window placement should ensure privacy is maintained on adjacent properties.	Window placement and privacy issues are part of the Infill & Other Residential design review standards. This is reviewed at the time of building permit application.
Retain trees	The City's tree requirements and standards are not proposed to change with these housing options. The minimum tree density requirement is 30 "tree units" per acre. This requirement will continue to apply to all properties, whether constructed with single-family houses or multi-unit housing. Part of the reason the building height for ADUs that are not attached to the primary building is proposed to be increased is to allow for an ADU to be built over a detached garage or shop. This would allow more of the lot to be kept in yard and garden area, which would allow more trees to be retained or planted.
The City should monitor neighborhood character and aesthetics by neighborhood.	The design review for each of the housing types proposed require a review of other housing styles on both sides of the same street, within 300 feet of the lot. This means the new construction will blend in not only with the greater neighborhood, but on each block.

Compatibility and Scale of New Structures

General Issue Raised	Staff Response
Concern that three story apartment buildings will be built and will not fit in.	All of the housing types proposed are limited to two stories in the low-density residential zoning districts (primarily R4-8 and R6-12).
The 35 foot height limit is too high.	Thirty-five (35) feet is the current maximum height allowed for single-family homes.
Overhangs, stairs, and clerestory windows must be counted in allowed square footage and height.	The way the city measures building height, setbacks, and developable portions of the lot is not proposed to change. Overhangs are allowed to project two feet into the setback areas, stairs count as part of the structure and therefore must meet setbacks if they exceed thirty inches in height. Building height is measured from the average grade of the building site to the midpoint of the roof. All of these standards will continue to apply to all properties, whether constructed with single-family houses or multi-unit housing.
Should allow larger ADUs/ Should require smaller ADUs.	We are proposing any ADU could be up to 800 square feet. This is because the ADU is meant to be <i>accessory</i> to the primary home. We realize that some people want bigger ADUs and some people do not want ADUs to be larger in



Staff Responses to Public Comment Themes

	size than a certain percentage of the primary home. The proposed size is meant to balance those perspectives. However, the City may want to increase the proposed size to 850 square feet to match the maximum size allowed in the City of Lacey because the cities are working together to develop preapproved ADU plan sets that would be available for use.
Shading that results from taller new construction could negatively impact the solar panels on adjacent properties.	The City does not currently have standards or requirements about ensuring new construction does not shade adjacent properties, even if there are solar panels already installed. While property owners can work with the adjacent property owners to obtain private “solar access” easements, they are not required to do so and in most cases have installed solar panels without such easements. The proposed changes do not alter the portions of the lot that can be built on or the maximum height of the structures that could be built. Even though the maximum height for detached ADUs is proposed to increase from 16 feet to 24 feet, it is still lower than the 35 feet that is currently allowed for additions to the home that could be built in the same area of the lot.

Parking

While some comments supported less or no parking for these housing types, most parking comments were to express concern that off-street parking should be required. Concerns that finding street parking or things like street sweeping, mail delivery, and garbage collection would become more challenging were expressed. Also mentioned were increased risks to bicyclists and pedestrians and restricted ingress and egress for emergency vehicles on congested streets. Other opinions were that requiring on-site parking is expensive, supports continued auto-dependence, and prioritizes space for cars over space for people.

Staff response: We are striving for a balance to accommodate parking. The staff recommendations include requirements for all of these housing types, except ADUs. These are *minimum* parking requirements and property owners could choose to provide on-site parking for ADUs or additional parking for any housing type. Planning staff coordinated with transportation engineering staff to look at peak parking demands for these housing types. City Transportation Engineering staff used the Parking Generation, 3rd Edition manual of the Institute of Transportation Engineers and calculated the average peak parking demand for these housing types. The proposed minimum required off-street parking provisions for these housing types is adequate to meet average peak parking demands for these housing types.

Housing Type	Current Min. Required	Avg. Peak Parking Demand	Proposed Min. Required	Notes
Single Family	2	1.83 spaces	2	
ADU	1	.034 – 0.5 spaces	0	Even at highest rate, when combined with Single Family, the peak number of stalls is 2.33, which we would round down to 2.
Duplex	4 (2 per unit)	1.02 spaces/unit	4 (2 per unit)	
Triplex	1.5 per unit	1.02 spaces/unit	1.5 per unit	Clarify minimum of 5 is required in R 6-12 zoning district
Courtyard Apt.	1.5 per unit	1.02 spaces/unit	1.5 per unit	Standard for apartments is 1.5 per unit (1 per studio unit)



Staff Responses to Public Comment Themes

Traffic and Schools

General Issue Raised	Staff Response
City's development standards for street improvements are costly but necessary	The City requires frontage improvements (sidewalk, curb, gutter, planter strip, etc.) be constructed for projects that will result in more than 20 new average daily trips. This is not proposed to change as a result of these amendments. It is worth noting that the Council's Land Use and Environment Committee is looking at the cost of development, including street improvements. The Committee may recommend changes to the full Council at some point in the future.
Adding duplexes and triplexes, while increasing the density of the population within our neighborhoods will also significantly change traffic patterns, causing congestion where currently there is none.	The City's Comprehensive Plan envisions growth within the Urban Growth Area, including where and how densely that growth will occur. The amount of people the city is planning to accommodate by 2035 has not changed. While the Plan directs most of the new population to moderate and high-density neighborhoods, it also calls for some growth and infill within the areas designated as Low Density Neighborhoods. The proposed amendments will implement that portion of the Plan. This includes making use of existing streets and utilities to accommodate infill. This will help disperse traffic out across the City, while still directing most new growth to the higher density areas where walking, bicycling and transit are more convenient. In instances where the existing infrastructure is not adequate to serve additional housing, the city will deny the application or require the property owner to make the necessary improvements.
Schools – overcrowded and under funded	The local School District is planning for the same amount of population increases as the City. The District is aware of and supports the Future Land Use Map and where the growth is anticipated to occur.
Traffic congestion	The City collects transportation impact fees for each new residential unit. The aggregated fees are used to build the transportation improvements needed to ensure the city meets the adopted level of service standards.
Sidewalks are needed with new construction, and it's needed even more in areas near schools.	The City requires the construction of the sidewalk, or payment into a sidewalk program, with each residential building permit on lots where the sidewalk is not present. When property is subdivided an analysis of walking routes to schools is conducted. It is common to have requirements to build sidewalks, even off-site, in order to meet the requirement to provide safe walking routes to schools.

Infill and Housing Variety

General Issue Raised	Staff Response
Increasing density at cost of protecting the environment.	All of the City's environmental protection standards will still remain in effect. All of these standards will continue to apply to all properties, whether constructed with single-family houses or multi-unit housing. This includes protecting groundwater, wetlands, floodplains, steep slopes and geologically hazardous areas, streams and riparian areas, and important habitats and species. It is important to note that the allowed densities of the underlying zoning districts are not proposed to change.



Staff Responses to Public Comment Themes

What about areas where existing infrastructure cannot accommodate additional housing?	In areas where existing infrastructure cannot accommodate additional housing the City will not issue building permits unless the needed improvements are made.
Current ADU size and height standards too restrictive.	We understand that some members of the community want ADU standards that are more strict, while others would prefer standards that are less restrictive. The proposed amendments are less restrictive than the current standards and are balanced between these competing perspectives.

Tear Downs

General Issue Raised	Staff Response
The proposed amendments to allow more housing types in single family neighborhoods will destroy our neighborhoods.	Staff does not believe these proposed code amendments will result in an increase in the number of demolition permits that are issued or detract from the character of existing neighborhoods. There is evidence throughout Thurston County cities that when houses are demolished and the property owner decides to rebuild, it is likely a single family home will be built in its place. However, if the property owner has the desire and can meet the development and design review standards, the option to build a duplex would be allowed. Depending on the zoning district where the property is located, a triplex or courtyard apartment may also be an option. Regardless of these housing types proposed, design review and off-street parking standards would have to be satisfied. Allowing small scale multifamily housing is consistent with the Comprehensive Plan adopted vision for low density residential areas. Small scale, multi-unit residential development that meets the infill design review requirements is consistent with the comprehensive plan's low density land use designation and with existing development in low density neighborhoods.
Single family homes will be sold to developers for apartment buildings.	The only type of apartments that would be allowed in most of these zoning districts (apartments are currently allowed in the RLI zone) have specific open space requirements for both shared and private open spaces for the tenants.
These code changes will encourage investor owned housing in our neighborhoods – we don't want that.	These housing options will also allow more homeowners to add an ADU or convert their homes to duplexes. Many of the homes in the City are owned by the people who live in them. Many of the homes are owned by others, who may or may not live in the area, and then rented. Most owners who rent housing do so as an investment. Over 50% of our community currently rents their housing. The code amendments proposed are modest and balance several issues, including aesthetics of the structures and blending new construction in with the surrounding neighborhood. Staff does not believe these amendments will result in a significant change in the amount of housing that is owned by investors.



Staff Responses to Public Comment Themes

Other

General Issue Raised	Staff Response
Not satisfied with the amount of notice provided.	City staff has ensured this project has met and exceeded the public notice requirements.
These amendments will only benefit developers.	We understand that many people believe this to be true. The majority of people that staff have talked to about these proposed amendments are people who are interested in building an ADU on their property. A few people have shown interest in converting their existing homes into duplexes. Even fewer have inquired about triplexes or courtyard apartments. The addition of any of these housing types would be considered to be by “developers”. The code amendments will equally benefit all property owners who could provide more housing opportunities. The primary purpose of these amendments is to provide more choices and opportunities for people who want to live in neighborhoods throughout Olympia, rather than only zoning districts that contain apartment complexes.
Support these for local property owners and developers over out of town developers or larger scale projects.	The requirements will be the same for all people regardless of where they live. Changes that help local property owners will also help out of town developers if the developers are interested in small scale infill housing opportunities. Larger scale projects would need to be located in moderate or high density zoning districts.
Duplexes in an area of single family homes may lead to lack of property maintenance.	This presumes that people who rent their residences are less likely to maintain the property than a homeowner. This is a stereotype. There are some renters who maintain the property as well as or better than a homeowner and vice-versa. All properties will continue to be required to be maintained in accordance with the City’s codes (codes that address nuisances, property maintenance, unfit buildings, etc.), which apply equally to all residential housing types.
ADU standards that are too costly will result in more illegal ADUs.	Some ADU standards relate to zoning (size, setbacks, design review) while others are related to engineering and building (utility connections, impact fees). The related standards in these amendments are specific to zoning standards with the intent to balance housing and neighborhoods. Other aspects related to costs for building ADUs and other housing types are being considered by the Council’s Land Use and Environment Committee in related work. The City strives to balance housing needs, community interests, and impact fees, and costs.
What does the city do to encourage development on existing infill lots?	One of the primary benefits of developing existing infill lots is that in most cases the water and sewer lines are already in the street and available for connection. If the sidewalk is present the property owner will not need to pay for construction of a new sidewalk. In addition, if there was a residence on the property in the past, existing meters may be used for the new construction and impact fees may not be required.
Why doesn’t the City encourage residential	The adopted Comprehensive Plan identifies three High Density Neighborhood areas in the City (Downtown, eastside, and westside). These areas are intended to accommodate most of the population growth, are



Staff Responses to Public Comment Themes

development in other areas, like along arterials?	zoned for a mix of commercial and residential uses at higher densities, and are connected by urban transportation corridors. The Downtown was the first of these three areas to go through a subarea planning process which resulted in the Downtown Strategy being adopted. The other two high density neighborhood areas will go through a similar planning process in the future. The Comprehensive Plan also states that infill within the Low Density Neighborhood area is needed and describes these areas as providing for a mix of residential housing types.
Concerns that this will lead to gentrification and continued racial issues. Concern that money and greed is at the root of this. We don't want to end up like Seattle.	The City is working to provide more housing options across the city. Most new housing units will occur in moderate and high density areas but some growth is also planned to occur in low density neighborhoods. By allowing more housing opportunities across all housing types and income levels, we are working to prevent gentrification. Allowing homes to add an ADU or convert into a duplex or triplex may help alleviate pressure to buy older homes on larger lots to demolish them. Working to allow more housing types in existing neighborhoods will help keep pace with our changing demographics (fewer people per household) and provide greater choice for where people can live in our community. Not everyone wants to live in apartment complexes or can find affordable housing (to rent or buy) in the neighborhoods of their choice. The intention of these amendments is to provide much needed housing by increasing the variety of housing types allowed in low density residential areas, making use of existing utilities and public amenities (parks, schools). These amendments are intended to reduce the likelihood of gentrification by spreading out housing across the City rather than targeting only one or two areas for new growth. In addition, by having more housing and housing options in all neighborhoods, the City is working to eliminate barriers to decent housing for all groups including minorities of any kind (race, ethnic, sexual orientation, etc.).
Don't increase density in our neighborhoods.	The proposed code amendments do not increase the densities allowed in the underlying zoning districts. However, it is possible that development patterns may change over time so that the achieved densities could increase. All new subdivisions are reviewed for compliance with the density range of the applicable zoning district. Annual monitoring of density is proposed to maintain consistency with the Comprehensive Plan.
Courtyard apartments benefit corporations and are built around cars.	As proposed, courtyard apartment proposals require a shared open space as well as private open spaces for each unit. Parking is not allowed in the courtyard that the apartments must be built around. The City's design review requirements ensure the certain elements of design are addressed to help the new construction blend into the existing neighborhood.
Concern about the combined sewer and stormwater system that might be overloaded.	The City has master plans for sewer and stormwater. These master plans align with the Comprehensive Plan and look at the infrastructure requirements needed to serve the existing and planned growth. Additionally, the City's Engineering Design and Development Standards (EDDS) are designed to ensure development complies with the standards for public safety and environmental protection, including for sanitary sewer and stormwater. All development is reviewed for compliance with EDDS before any permits are issued. The Cities and Thurston County work cooperatively



Staff Responses to Public Comment Themes

	with the LOTT Cleanwater Alliance to ensure development can be accommodated and treated and that the treatment facilities are adequately sized to handle the anticipated population growth and economic development activity.
Stormwater and drainage concerns	All of the current standards addressing stormwater runoff will continue to apply to all properties, whether constructed with single-family houses or multi-unit housing. These include limits on hard surface and impervious surfaces on each lot.
The City should delay action on this proposal during the pandemic.	No action is being taken and scheduling of the public hearing has been delayed. The City continues to take written public comments and will do so until the close of the public hearing. Staff's recommendations for how to implement the housing options under consideration were issued just a week or so prior to the stay home order being issued. Staff chose to continue briefings with the Planning Commission on the topic but will not schedule the public hearing until adequate provisions can be made to allow for public testimony to be provided.
Increased need for police and fire services	The City establishes the need for police and fire services on the population within city limits. The amount of growth the City is planning for is set in the Comprehensive Plan and is not proposed to change at this time.
Strain on trash collection and sewer infrastructure	Infill development is the most efficient way for a city to provide urban services such as trash collection and sanitary sewer to new population growth. Infill development makes use of existing routes and pipes. The overall need for trash service and sewer treatment is based on the overall population to be served, which is not proposed to increase with these amendments beyond the growth envisioned in the Comprehensive Plan.
New buildings could shade garden areas and decrease ability to grow food	New buildings will shade lands that fall within its shadow. The area of the shadow will vary throughout the year and by the time of day. However, the portions of lots where construction is allowed are not changed as a result of these proposed amendments. All of these standards will continue to apply to all properties, whether constructed with single-family houses or multi-unit housing. The only change in height that is proposed is for ADUs that are not attached to the main house. The height increase would allow an ADU to be constructed over a garage or other accessory building. The ADU could then be up to 24 feet in height, as proposed. This height allowance is still lower than the height allowed for the main house, which is 35 feet.
Goal of net density of 6 units per acre.	The City is not proposing to implement the housing option included in the state law to establish a minimum density of six units per acre. The allowed densities of the zoning districts are not proposed to change as a result of these proposed amendments. Some zones have existing density provisions for less than 6 units per acre to help balance values, such as protecting sensitive drainage basins (RLI – Residential Low Impact and R-4CB – Residential 4 Chambers Basin).
Why not just increase the minimum lot size	The majority of the City is already subdivided. While most lots are larger than the minimum lot size allowed, in most cases they are not large enough to be re-divided. However, some lots are smaller in size – either at or only slightly larger than the minimum lot size. If the city increases the minimum lot size we risk turning lots that currently conform to zoning standards into



Staff Responses to Public Comment Themes

	“non-conforming” lots. This can create challenges in the future. The City proposes these changes with the intent to keep all existing conforming lots as conforming. And new subdivisions are required to show the proposed use for all lots that are not for single family homes so the City can calculate density to ensure the proposed development falls within the allowed density range of the zoning district.
Why doesn't the City propose larger lot size requirements for triplexes and courtyard apartments?	The City is proposing code language to implement the option as written in state law, which is to allow these housing types on each parcel in zoning district(s) where single family homes are allowed. If we required larger lot sizes for these housing types, it would not satisfy the “on each parcel” part of the option as written in state law.
The proposed language about monitoring density seems vague.	The language proposes the density described in the Comprehensive Plan (up to 12 units per acre) be monitored on an annual basis. The intent of the language is to ensure consistency between the Comprehensive Plan and the codes that implement it. The monitoring will be focused on the question of whether the density described in the Comprehensive Plan is met. The specific methodology may need to be adjusted based on changes; for example, zoning district boundaries may change over time.

Supportive Issues Identified

Some comments included support for the proposed amendments. These issues are noted but staff is not responding to them specifically:

- Will help reduce sprawl and to be a more sustainable City
- Will protect surrounding farm and forest lands
- Will help to return to historic residential development patterns
- ADUs will support and allow for more upward social and economic mobility
- The adopted Comprehensive Plan calls for a mix of housing types
- Supports a variety of housing types for all kinds of people
- Supports greenhouse gas emission reduction, promotes more walking/bicycling/transit use
- Makes better use of existing infrastructure
- Would allow more housing units in Historic Neighborhood without tearing down existing structures
- Support for more options to allow people to age in place
- Support for pre-approved ADU plans

Beyond Planning Commission's Purview

Several comments address issues that are beyond the scope of the Planning Commission. While these comments have been provided to the Commission and will be forwarded to the City Council, staff will not address them here. These issues include:

- Current Property Tax System
- Appeal provisions in current state law
- SEPA Decision Issued
- Private covenants
- Rent Control issues
- Multi-Family Tax Exemptions



Housing Options – Outreach Summary

CNA = Council of Neighborhoods Association
 HOCA = Housing Options Code Amendments
 LUEC = Land Use and Environment Committee

OPC = Olympia Planning Commission
 POR = Parties of Record
 RNA = Recognized Neighborhood Associations

2019

Dec 2 – OPC Meeting, Inform of Referral

2020

January

13 – CNA, Share Handouts
 24 – Project Webpage Created
 27 – Email “Missing Middle” PORs
 27 – OPC Briefing
 29 – Email PORs
 29 – E-Newsletter #1 Issued
 30 – Notice of Proposal routed to RNAs
 31 – Notice of Proposal Published in *The Olympian*

February

6 – Info Session #1
 11 – Update on Process to City Council
 12 – E-Newsletter #2 Issued
 12 – Info Session #2
 18 – E-Newsletter #3 Issued
 18 – Email PORs
 20 – CNA Special Meeting
 24 – OPC Briefing
 25 – Email Rental Housing PORs
 25 – Email Homeless Response Plan PORs
 25 – Email PORs

March

2 – E-Newsletter #4 Issued
 6 – Staff Recommendations Issued
 12 – Email PORs
 16 – OPC Briefing - CANCELLED
 23 – Open House - CANCELLED
 26 – LUEC Briefing – CANCELLED

April

13 – Virtual Open House Begins (Two narrated presentations posted)
 14 – E-Newsletter #5 Issued
 15 – Email PORs
 16 – LUEC Briefing

May

11 – CNA Meeting Update
 11 – Email HOCA PORs
 12 – Email RNAs
 12 – 3rd Narrated Presentation Posted to Web
 18 – OPC Briefing (Staff Recommendations)

June

9 – Email HOCA PORs
 15 – OPC Briefing (Design Review)

July

20 – OPC Briefing (Public Comment Themes)

September

9 – Public Hearing information posted (Web)
 11 – Public Hearing Notice Mailed to RNAs, PORs
 11 – E-Newsletter #6 Issued (PH Notice)
 11 – Public Hearing Notice published in *The Olympian*
 23 – OPC Public Hearing (*scheduled*)

From: [Cari Hornbein](#)
To: [Housing Option Code Amendments](#)
Subject: FW: Housing Options plan
Date: Tuesday, July 21, 2020 8:12:04 AM

From: totonicar <tonicar@comcast.net>
Sent: Tuesday, July 21, 2020 6:19 AM
To: Cari Hornbein <chornbei@ci.olympia.wa.us>
Subject: Housing Options plan

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To The Committee

We are firmly against multi family housing infiltrating our neighborhood communities. Your committee needs to listen to your constituents and stop pursuing your own agenda.

Sincerely,

Keith and Tara Mock

Sent from my Verizon, Samsung Galaxy smartphone

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Comments on *Housing Options* to the Planning Commission July 20, 2020

I was pleased that the Growth Management Hearing Board (GMHB) returned a fair decision when the Missing Middle, now called Housing Options, was appealed.

I am sad that the City Council was so willing to push through this set of code changes despite the issues that GMHB objected to, which are issues that were clearly communicated by citizen activists before the ordinance was passed.

The City's housing plans, now called Housing Options, have split the community of activists that are often in solidarity around critical issues that the City's plan impacts such as; truly affordable housing, (not market rate for an increasingly privileged market,) the health and welfare of our citizens, the importance of the influence of local residents vs outside (especially outside development) interests, and the responsibility of the Council to represent the values of Olympia citizens fairly.

The now-called Housing Options plan does not appropriately address Olympia's housing needs. The model it is based on has been shown to increase rents, increase degradation of urban natural environments, and destabilize communities. Currently there are other communities nationally who are fighting the negative trend of this housing development model, including Denver and Minneapolis. These people *also* resent the tearing down of smaller and more affordable homes, to be replaced by high square footage buildings which increase neighborhood rents. These people *also* see the Cities' housing plans as a mechanism which is designed to make money for some people at the expense of affordable neighbourhoods for everyone.

It appears to me that there are forces in our community who would like to remake Olympia in the image of big tech cities. To the folks from Seattle, housing in Olympia seems like a great deal. But the effect of "market rate" housing means that Olympia neighbourhoods are becoming unaffordable to the people who live here, and that's *without* the increased gentrifying force of the City's plan. We also have, as does every urban environment in the world, a giant crisis of gentrification, and now *pandemic*, refugees living under our bridges, in downtown doorways, along our streets, and in the woods. It is clear that we have a crisis of epic proportions to deal with that involves housing. The real need in Olympia, despite the City's plan, is housing for the homeless, and affordable housing for the majority of low-income Olympia residents. The City's plan is not addressing that problem.

The Olympia City Council, and the Planning Department, was provided with (as individuals and as a whole body) a great deal of carefully researched and fact-checked information to refute the claims of the developer/OPOP-instigated proposal put forth by the City's Planning Department. The city council has also heard from a large number of residents living in all of the areas aimed for this rezone. There was a *resounding* objection to the plan, despite the fact that there were also residents who were misled by the view that the City's plan would provide badly needed affordable housing, be environmentally responsible, and lead to a more livable Olympia. In addition, during a Land Use session last summer, which included local experts on affordable housing, the City Council and members of the Planning Department heard echoed many of the issues that those of us who oppose the City's code changes brought up with Council members long before the plans were turned into an ordinance. I hope the City will heed the message related to the power and influence the City *could* bring to bear to address our

housing *needs* first, and to prioritize the well-being of our current citizens, both housed and unhoused, over the City's current priority, which appears to be attracting those who can afford so-called market rate housing into our community.

I do not claim to fully understand the alliances that led to this political situation. I do know that the City Council, and the Planning Department are supposed to be servants of the City as a whole. They are not supposed to represent special or elite interests. As was recently revealed in an article by Dan Leahy the City has granted millions of dollars of property tax exemptions for luxury downtown developments. These are tax exemptions which average citizens will wind up having to absorb. "Market Rate" housing availability, and tax exemptions for tenants of that housing, in no way alleviates the desperate need for affordable housing. Trickle down housing is as provably ineffective as trickle down economics in general.

We have educated and informed neighborhood groups and citizens who have been attempting to work with city planners and city council members to solve the problems of density and true affordability with an environmentally sound plan that respects neighbourhoods *and* Olympia's Comprehensive Plan. The City has spent thousands of dollars fighting its own citizens rather than listening to them. Let us agree to work together to make our city better for all residents.

From: [Joyce Phillips](#)
To: [Housing Option Code Amendments](#)
Subject: FW: Survey on parts of Housing Options plan
Date: Thursday, July 23, 2020 5:10:27 PM
Attachments: [SurveyMonkey_287768101.pdf](#)
[Survey Results 71820.pdf](#)

From: Cari Hornbein <chornbei@ci.olympia.wa.us>
Sent: Thursday, July 23, 2020 4:50 PM
To: Aaron Sauerhoff <asauerho@ci.olympia.wa.us>; Candi Millar <cmillar@ci.olympia.wa.us>; Carole Richmond <crichmon@ci.olympia.wa.us>; Kento Azegami <kazegami@ci.olympia.wa.us>; Paula Ehlers <pehlers@ci.olympia.wa.us>; Rad Cunningham <rcunning@ci.olympia.wa.us>; Tammy Adams <tadams@ci.olympia.wa.us>; Travis Burns <tburns@ci.olympia.wa.us>; Yen Huynh <yhuynh@ci.olympia.wa.us>
Cc: Joyce Phillips <jphillip@ci.olympia.wa.us>
Subject: FW: Survey on parts of Housing Options plan

Greeting, Commissioners –

Note: Please do not ‘reply all’ to this e-mail.

Jay Elder asked me to forward the results of a survey their group did on the Housing Options Code Amendments; see attached.

Thank you,

Cari Hornbein

Cari Hornbein, AICP, Senior Planner

City of Olympia

Community Planning and Development Department

360-753-8048 | chornbei@ci.olympia.wa.us

From: Jay Elder <jayelder@comcast.net>
Sent: Tuesday, July 21, 2020 2:48 PM
To: Cari Hornbein <chornbei@ci.olympia.wa.us>
Subject: Survey on parts of Housing Options plan



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Cari

I'd would want the OPC to see the results of a survey OSD&LN took last week.

We sent a SurveyMonkey link by EMail to gauge members' feelings about each part of the Housing Options plan. We have about 450 OSD&LN members. We got 148 responses. This would be about a 33% response rate.

Here is the survey:

The results are on this pdf:

Jay

Copy of OSD&LN Consensus

OSD&LN Housing Options Consensus

You may already know that the City of Olympia is proposing a set of zoning changes to Olympia's single-family neighborhoods. This proposal is called the "Housing Options Plan".

The purpose of the plan is to increase housing density and the variety of housing types in our neighborhoods. You might also know that manufactured homes, townhouses, ADUs, cottages and tiny houses are already allowed in our neighborhoods. The new housing types proposed in Housing Options are larger multi-family buildings.

It's possible that the Council will make a decision on this plan by the end of the summer. In the meantime, the Planning Commission is reviewing it, and it will soon give recommendations to the Council for each part of the plan.

So that OSD&LN can be sure that we are accurately representing the consensus of our membership (around 1800 people), we want to know your opinion on each piece of the plan. We can then let the Council know our positions. To see the City's official Housing Options changes, go here, or to the link below and select "Presentation 2"

<http://olympiawa.gov/city-government/codes-plans-and-standards/housing-code-amendments.aspx>

Background: Olympia's single-family neighborhoods are zoned R-4-8 and R-6-12. An R-4-8 neighborhood allows a minimum of 4 and a maximum of 8 units per acre. An R-6-12 neighborhood allows a minimum of 6 and a maximum of 12 units per acre. In Olympia, the acres of land for density calculations include private property, streets, sidewalks, alleys and other rights of way.

To see where R-4-8 and R-6-12 zones are in Olympia, look at the Olympia Zoning map by going here. You can download it as a pdf. The map can zoom to fine detail if you want. Alternatively, you can copy and paste the link below into your browser

<http://olympiawa.gov/~media/Files/CPD/Maps%20Official%20Updates%202016/2016ZoningSigned.pdf?la=en>

The rating system in the questions below is found in a drop-down menu, ranging from Strongly Disapprove to Strongly Approve

How it Is: ADUs are already allowed in all residential neighborhoods, but they are limited to 16 feet in height, can be no larger than 2/3rds the square footage of the house, to a maximum of 800 square feet. Off-street parking is required and the owner must live on-site.

1. Maximum ADU square footage (currently 800 sf) will increase to 1000 sf

2. Maximum ADU height (currently 16 feet) will increase to 24 feet

3. ADUs will no longer require off-street parking (currently required)

4. The owner no longer has to live on-site (currently must live on-site)

5. If an ADU is attached to a garage or shop building: it can be up to 1000 sf, and the garage can also be up to 800 sf [1800 total sf] (currently the garage width facing the street is limited to half of the house width)

How it is: Duplexes are already allowed in R-6-12 neighborhoods, but not R-4-8 neighborhoods (see zoning map). The minimum lot size right now for a duplex is 7200 sf (1/6th acre). The minimum lot width is 80 feet.

Most existing single-family lots are about one eighth of an acre (5450 sf), with a width of 50 to 60 feet. However, the minimum single-family lot size is 4000 sf (1/11th acre) in R-4-8, and 3500 sf (1/12th acre) in R-6-12.

Changes: Duplexes would now be allowed on any single-family corner lot

These questions are about allowing duplexes on corner lots.

6. Duplexes will be allowed on ALL lots on street corners in residential neighborhoods

7. A duplex lot size can now be as little as 4000 sf in R-4-8, and 3500 sf in R-6-12 (about half what they are now).

8. Duplex lot widths could be as small as 45 feet in R-4-8 and 40 feet in R-6-12 (about half what they are now).

These questions are about allowing duplexes, triplexes and courtyard apartments on all lots in single-family neighborhoods

How it is: . Duplexes are already allowed in R-6-12 neighborhoods with a minimum lot size of 7200 sf and a minimum lot width of 80 ft. Triplexes are only allowed on arterials in R-6-12 zones, with a minimum lot size of 7200 sf and a minimum lot width of 80 ft. The triplex building must be at least 10' from the side-yard property lines. Courtyard Apartments are not allowed in single-family neighborhoods

Changes: Triplexes would now be allowed on any single family lot in R-6-12 neighborhoods (as little as 3500 sf and a 40' width). The 10' side-yard setback now becomes 5'. Maximum height is 35'. It's possible that green-space and other requirements would disqualify some lots for triplex development, or else drive the buildings to be taller..

Courtyard apartments haven't been defined in the Housing Options plan. However, they are commonly described as 4-12 living units surrounding a central common space. Not yet decided are the minimum lot sizes, open space, parking requirements, etc.

9. Duplexes will now be allowed on any single-family lot in single-family neighborhoods

10. Triplexes will now be allowed in R-6-12 neighborhoods, on single-family lots, with 5 off-street parking spaces required.

11. Courtyard Apartments will now be allowed in R-6-12 neighborhoods

These final questions are about housing density.

How it Is: Density refers to how many housing units are allowed on an acre. Most near-downtown Olympia neighborhoods already have between 5 and 9 units per acre, while some outer neighborhoods were built with bigger lots, and so have lower densities.

Changes: In the recently-passed State law 2343, a goal of 6 units per acre (City average) was given. The new Housing Options development could cause local densities to go much higher than 8 and 12 units per acre.

In the Housing Options plan, the City would monitor density increases in each zone once a year, to see if it has exceeded 12 units per acre. Olympia has about 7 square miles of R-4-8 zoning and about 2 square miles of R-6-12 zoning in its neighborhoods.

The Housing Options proposal doesn't say what the City would do if average density did reach 12 units per acre, just that it would "make revisions" as necessary. This could mean limiting further development, or rezoning the area to allow a higher density, or other approaches.

12. Do you think the City's proposal to monitor density by zone will be effective in keeping densities from going above 12 units per acre in all neighborhoods?

13. A single neighborhood could reach a very-high density, while the overall average density for the zone wouldn't change much. What should be the maximum size of the unit of land used to calculate density each year, to prevent this situation?

Really, THE LAST QUESTION. Since the Housing Options plan will encourage larger, higher-profit, multifamily housing in residential neighborhoods, it's possible that older, cheaper housing might be torn down and replaced.

14. How likely does it seem to you that neighborhoods with more-affordable, older housing will be targeted by new investors, more often than newer, more-expensive neighborhoods?

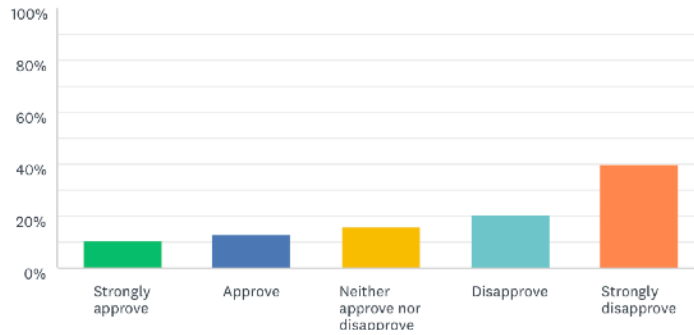
15. Are there any other comments you want to make on the Housing Options plan?

Thanks for spending the time on this survey. You will be sent the results later.

7/18/20 OSD&LN Survey Results

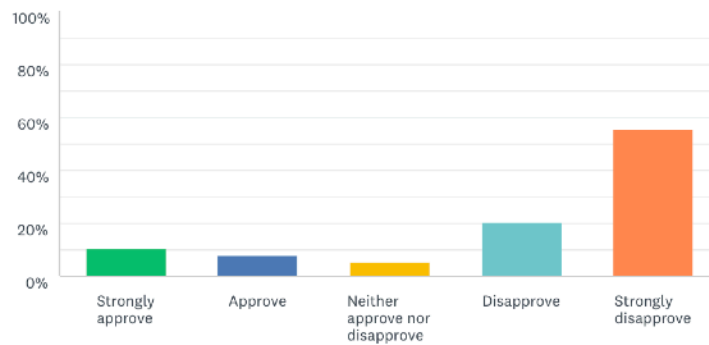
1. Maximum ADU square footage (currently 800 sf) will increase to 1000 sf

Answered: 145 Skipped: 2



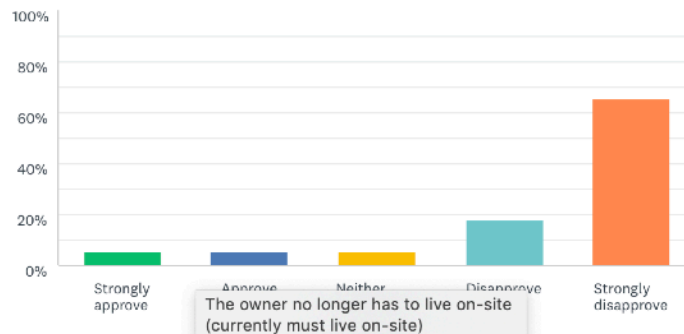
2. Maximum ADU height (currently 16 feet) will increase to 24 feet

Answered: 146 Skipped: 1



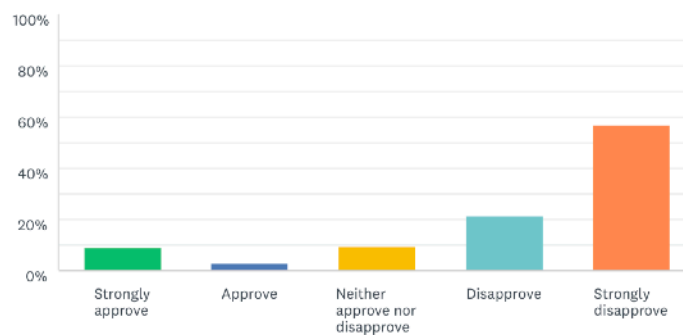
3. ADUs will no longer require off-street parking (currently required)

Answered: 145 Skipped: 2



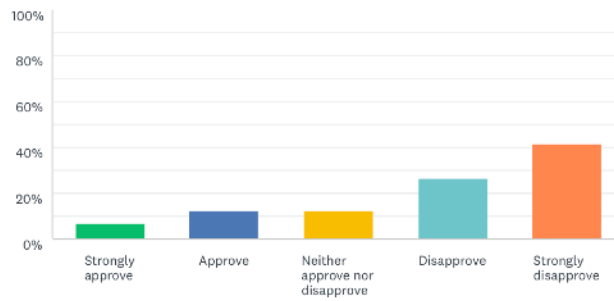
4. The owner no longer has to live on-site (currently must live on-site)

Answered: 144 Skipped: 3



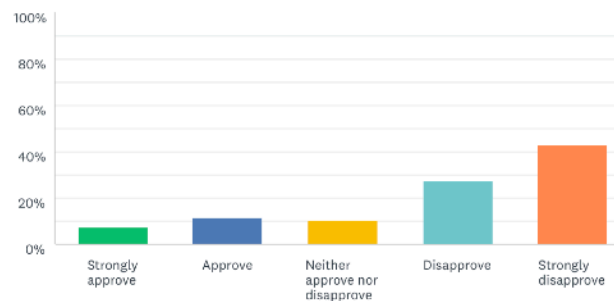
5. If an ADU is attached to a garage or shop building: it can be up to 1000 sf, and the garage can also be up to 800 sf [1800 total sf] (currently the garage width facing the street is limited to half of the house width)

Answered: 143 Skipped: 4



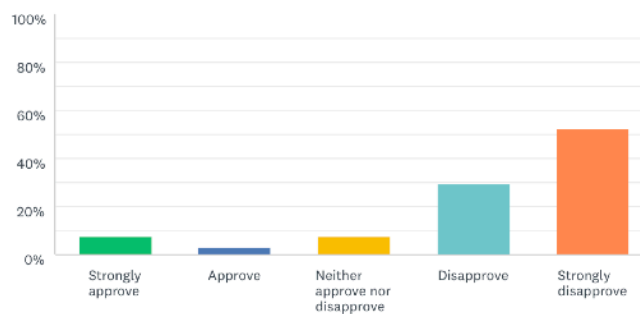
6. Duplexes will be allowed on ALL lots on street corners in residential neighborhoods

Answered: 145 Skipped: 2



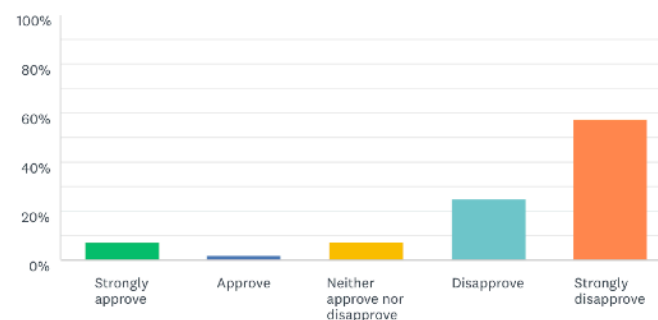
7. A duplex lot size can now be as little as 4000 sf in R-4-8, and 3500 sf in R-6-12 (about half what they are now).

Answered: 143 Skipped: 4



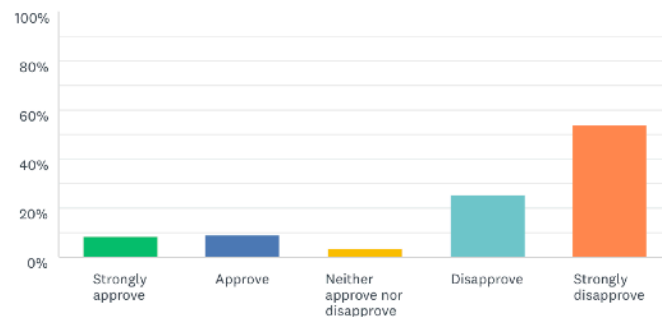
8. Duplex lot widths could be as small as 45 feet in R-4-8 and 40 feet in R-6-12 (about half what they are now).

Answered: 144 Skipped: 3



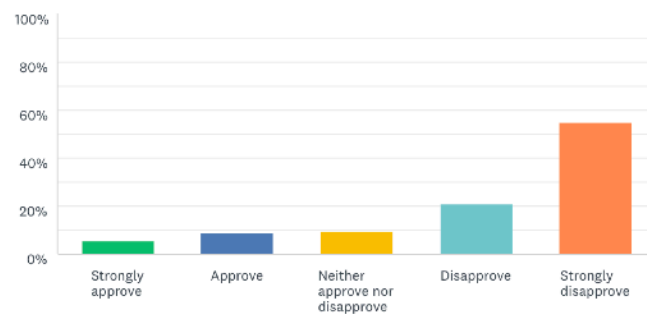
9. Duplexes will now be allowed on any single-family lot in single-family neighborhoods

Answered: 145 Skipped: 2



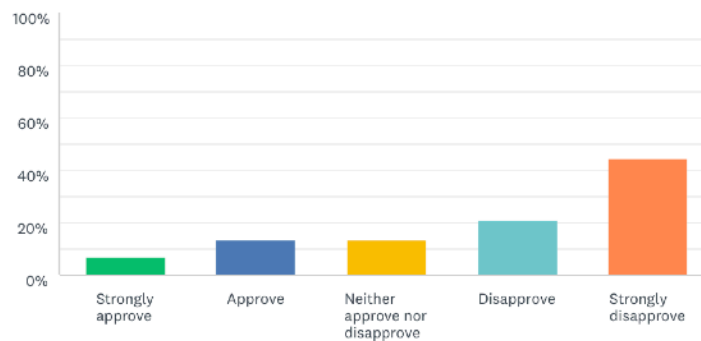
10. Triplexes will now be allowed in R-6-12 neighborhoods, on single-family lots, with 5 off-street parking spaces required.

Answered: 146 Skipped: 1



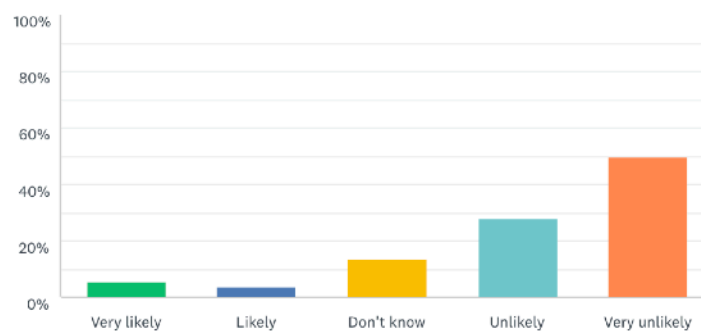
11. Courtyard Apartments will now be allowed in R-6-12 neighborhoods

Answered: 146 Skipped: 1



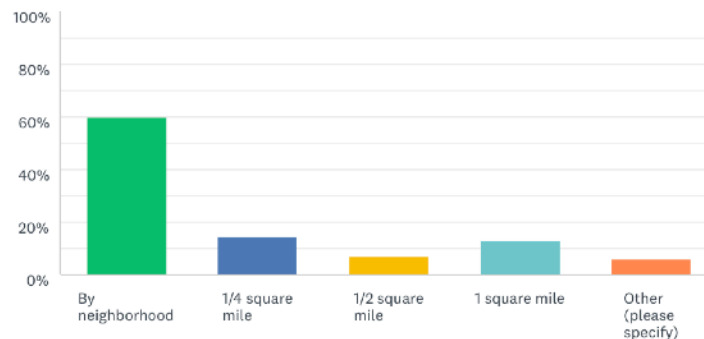
12. Do you think the City's proposal to monitor density by zone will be effective in keeping densities from going above 12 units per acre in all neighborhoods?

Answered: 143 Skipped: 4



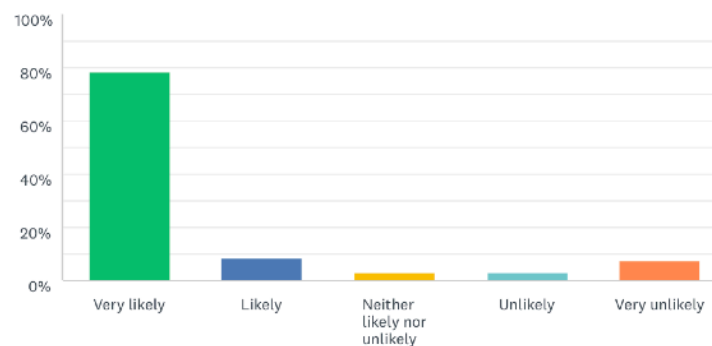
13. A single neighborhood could reach a very-high density, while the overall average density for the zone wouldn't change much. What should be the maximum size of the unit of land used to calculate density each year, to prevent this situation?

Answered: 133 Skipped: 14



14. How likely does it seem to you that neighborhoods with more-affordable, older housing will be targeted by new investors, more often than newer, more-expensive neighborhoods?

Answered: 143 Skipped: 4



15. Are there any other comments you want to make on the Housing Options plan?

There were 68 comments, which is about 12 pages of text. I'll paraphrase the ideas expressed below:

- **Real estate investors will outbid locals for properties, and be less responsive to renters in those properties. New proposals do nothing for affordability and current residents; they mainly benefit builders and investors**
- **Recent development has required no housing affordable to low-income residents. Existing single-family residents are not being given an adequate voice and will suffer, yet our housing problems will increase.**
- **Housing Options zoning changes were crafted with maximum profit for builders and investors in mind. Olympia neighborhoods' charm will erode.**

- **These plans are bound to create infrastructure inadequacy and reduced livability**
- **This plan, especially by halving duplex lots, reduces the possibility of trees, which absorb water, cool and clean the air. How is this in keeping with the tree ordinance?**
- **Home-owners and local landlords have invested money into their houses to improve the quality of life they offer. Their efforts are being sabotaged by the possibility of tear-downs and triplexes going in next-door.**
- **Reduced lot sizes and 35' heights within 5' of the property line are a big concern**
- **Duplexes in all neighborhoods could be acceptable on 7200 sf lots**
- **Why not do a beta test and try the Housing Options code changes in selected neighborhoods first?**
- * **Increasing density isn't a problem if livability issues are adequately addressed, like green space, heights, setbacks, parking, owners of site, compatibility, etc are part of the plan.**
- * **ADU owners on-site would discourage distant investors and unmanaged Air BnBs**
- **Housing density should first be developed on empty or under-utilized lots on major streets first. Why are the neighborhoods being burdened with large multifamily buildings instead?**
- **Lower income families will not benefit from these housing options. If housing for these people were part of the plan, much of my resistance would disappear.**
- * **Some options, like ADUs or appropriate duplexes could work in an historic neighborhood. A one-size-fits-all approach will cause problems**
- **How can we decide on triplexes and courtyard apartments when definitions and lot sizes are unfinished?**
- **Where is the evidence that these changes will solve any of our housing problems? The City has ignored, or not done its homework, on any of the impacts of their plan on schools, sewers, supporting infrastructure, neighborhood livability.**
- **Our neighborhoods' sense of community, quality of life, local control, aesthetics, and non-profit nature will all be damaged by this plan.**
- **I've seen this scenario play out in LA and Seattle. Cheaper older homes DO get torn down, parking becomes impossible, poorer people get displaced and rents increase. I came to Olympia to get away from this.**

From: [Janae Huber](#)
To: [Housing Option Code Amendments](#)
Cc: [CityCouncil](#)
Subject: How housing intersects with race and the environment
Date: Friday, July 24, 2020 10:36:09 PM

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Dear members of the Planning Commission -

I had the chance to listen to/watch your July 20th meeting. There were a couple of aspects of your conversation that I really appreciated and some related articles I'd like to share.

Here is some recent analysis on the [segregating impacts of zoning in our own community](#). Unfortunately, this isn't a theoretical problem that occurs in other communities. It is a problem in Olympia. Similarly, one of your members mentioned some work that *The Olympian* had done to illuminate housing discrimination in the region. In case you haven't had a chance to read that editorial, [here's a link](#).

Additionally, on the topic of equity, I want to say how much I appreciate your online meetings. I am the working parent of a young child. I am deeply dedicated to achieving more diverse housing in this community and in my own neighborhood. Attending your meetings in person (over multiple years at this point) to track this issue is very difficult. Attending online meetings, while also spending time with my family, is much appreciated. I sincerely hope that the City is able to continue this form of participation, making public meetings more accessible to more members of our community.

And finally, I wanted to share a couple of articles about new research that connects equity, housing, and the environment. [The New York Times covered the issue](#) earlier this week, highlighting University of Michigan research that shows the ways our wealth and proportional housing size increase greenhouse gas emissions: "The numbers don't lie. They show that (with) people who are wealthier generally, there's a tendency for their houses to be bigger and their greenhouse gas emissions tend to be higher," said study lead author Benjamin Goldstein, an environmental scientist at the University of Michigan. "There seems to be a small group of people that are inflicting most of the damage to be honest."

The [Christian Science Monitor also covered this same research](#), including this quote, "We need to have denser and smaller homes," said Mr. Goldstein, who said home sizes in the U.S. and Canada are abnormally large compared with other rich nations. In addition to providing a variety of housing sizes and therefore costs, the housing options you are considering will give more people more choices about the footprint they'd like to leave.

Thank you for the work you are doing and for continuing to keep equity at the fore when you are thinking about issues of land use.

All the best,
Janae

JANAE HUBER
janae.huber@gmail.com

Olympia Time

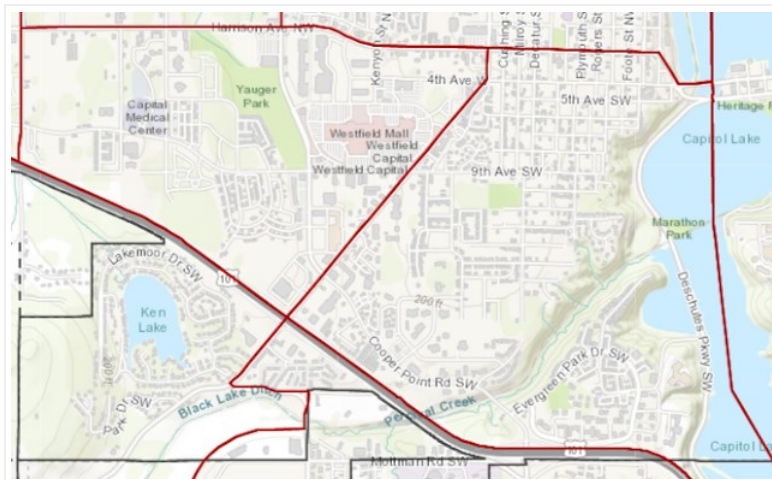
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Saturday, June 13, 2020

Tract 105 in Olympia. Or a story of how the nodes argument of density is racist

Last week I wrote about how on the macro-level, [Olympia's neighborhoods are racially segregated along density lines](#). **The more single-family homes in a neighborhood, the higher percentage of white people that live there.** And now I've found an example of how adding high-density housing in one neighborhood, and preserving single-family housing in the neighborhood next door, has a predictable impact on racial make-up.

Up until the 2010 Census, Tract 105 on Olympia's westside was one tract. But, since then it has been split into two tracts, 105.10 on the west and 105.20 on the east.



The two new tracts are split by Black Lake Boulevard. They range from the older residential neighborhood on a bluff over Capitol Lake to newer neighborhoods around Capital Medical Center and Yauger Park.

And, their journeys since their 2010 schism show how our current housing policy, especially the "nodes" approach, results in more white, single-family neighborhoods. While our intention hasn't been to create zoning that segregates on racial lines, that is what we've done.

The nodes approach to growth and density argues that we should build extremely high density near Capital Mall, the far Eastside and downtown. Then we won't have

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to allow for more reasonable increased density in exclusive single-family neighborhoods.

105.20 has been fairly static for the last 10 years in terms of available housing. It includes many older, largely single-family blocks. Before the 1980s, these blocks would have slowly densified as older single-family houses were replaced by duplexes, quadplexes, and small apartment buildings. This was the trend that was stopped forty years ago [when we downzoned](#) many near-downtown residential neighborhoods.

105.10 started the decade as a mostly commercial tract with a mobile home park and a few apartment buildings. Also, several undeveloped green zones. Since then, it has added a couple of new apartment complexes along either side of Capital Mall Boulevard where trees once stood.

A major portion of 105.1 in 2010:



2018:



Both tracts also began the decade in significantly different spots, racially speaking. 105.20 was comprised of just a hair less than 80 percent white people, a lower percentage than a city on the whole. 105.1 started as an extremely white neighborhood, clocking in at almost 94 percent.

	105.1 total	105.1 % white	105.1 white	105.1 nonwhite	105.2 total	105.2 % white	105.2 white	105.2 nonwhite
2010	1447	93.99%	1360	87	5853	79.57%	4657	1196
2017	1887	81.40%	1536	351	6547	85.75%	5614	933
Change	440	-12.59%	176	264	694	6.18%	957	-263

Since then, they've gone in completely different directions. 105.1 became strikingly more diverse in seven years, with its white population dropping to 81 percent. 105.2 went in the opposite direction, with its white population growing to almost 86 percent.

It looks even worse for 105.2 when you look at the raw numbers. The total number of non-white people living in 105.2 dropped by over 200 people between 2010 and 2017. At the same time, 150.1 went up by almost the same amount.

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8. LOWEST ROUND TRIP AIRFARE	>
9. ALL-INCLUSIVE TRAVEL PACKAGES	>
10. BUY TRAVEL INSURANCE	>
11. TRAVEL DEALS FOR SENIORS	>
12. OLYMPIA EMPLOYMENT	>

Recent comments

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- ▼ [2020](#) (4)
 - ▼ [June](#) (2)
 - Tract 105 in Olympia. Or a story of how the nodes ...
 - [Zoning and race in Olympia, WA](#)
 - [April](#) (1)
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- [2004](#) (40)
- [2003](#) (1)
- [2001](#) (1)

This has all happened as Olympia as a whole has slowly become more diverse, going from 85 percent white in 2000 to 83.6 percent white in 2010 to 82.5 percent white in 2017.

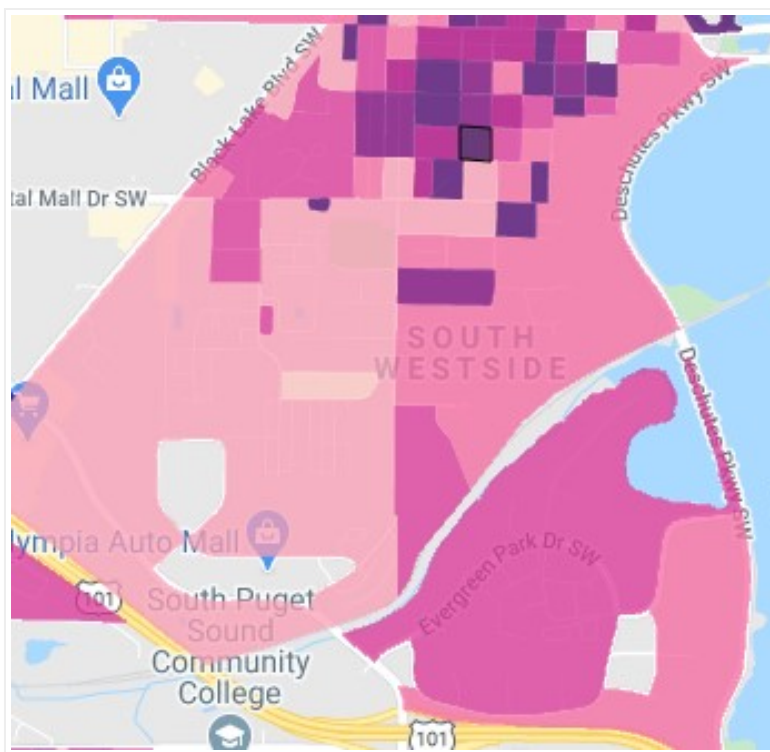
► 1990 (3)

One neighborhood built high-density housing (in a node) and became less white. The other followed the node approach by protect existing single-family homes and became more white.

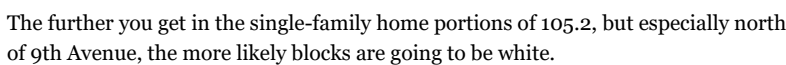
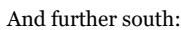
It is also worth noting, that while 105.2 got whiter in the last decade, it also includes a significantly sized apartment complexes. These are mostly concentrated along Black Lake Boulevard and Evergreen Park Drive. But, if you look back at the block-by-block data available from the 2010 Census, you see a stark racial breakdown even within 105.2.

The blocks zoned single-family are much more likely to be whiter.

From [JusticeMap](#), darker blocks are more white:



From Thurston Geodata, the red are single-family homes:



So, if you got this far, it's clear that as we build denser housing outside of single-family neighborhoods (and in an environmental lense, in what used to be a forest), **we are also keeping single-family neighborhoods white.**

There is no law in Olympia that some neighborhoods are reserved for white people. But, by focussing building higher density housing outside of these exclusive single-family zones, this is what we're doing. This is the current "nodes" strategy, or has some have called it "density done right."

And, this is the intention vs. impact this when we talk about racism ([here](#) and [here](#)).

I think it's helpful to quote Rachel Cargle here in her frame on racism:

Recognize that even when your good intentions are truly good, that's totally meaningless. Try this on for size: when you accidentally step on somebody else's foot, you do not make your good intentions the focus of the episode. Instead, you check to make sure the other person is OK, you apologize, and you watch where you're going. You don't get annoyed with the person you stepped on because you caused her pain or declare that she is too sensitive or defend yourself by explaining that you meant to step to the left of her foot... But I'm a nice person does not cancel out the fact that you've silenced, marginalized or used your privilege to further

disenfranchise black and brown people, whether you intended to do it or not.

We don't build neighborhoods with racially exclusive covenants ([but we did once](#)). There is nothing in our Comprehensive Plan that says it's our intention to build super white neighborhoods. But by not allowing even modest high-density housing throughout our city, we are doing a lot of damage.

Building more affordable housing types (literally anything other than single-family homes) would allow a more diverse population to grow. And, in conclusion, I'm just going to leave this here: [being able to live in a walkable, liveable \(non-node\) neighborhood is good for everyone](#).

Posted by [Emmett](#) at 6/13/2020 01:50:00 PM



Labels: [Olympia](#)

1 comment:

Adam Fletcher said...

Emmett, thanks for this analysis.

Correct me if I'm wrong, but from your article I infer that current arguments against housing density in traditionally single-family neighborhoods are in turn racist. This makes me wonder whether there has been any substantive data collection regarding racial perception connected to addresses in Olympia, e.g. can the case be made that some neighborhoods are more explicitly racist than others? Another interesting data comparison could show the relationships between rental, leasing and home sales availability in these neighborhoods compared to the race of applicants, e.g. could it be shown that there are people of color trying to move in but being prevented on the apparent basis of qualifications, when its actually racism?

Anyhow, thanks again for this analysis--its urgent and necessary.

[June 15, 2020 at 2:56 PM](#)

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Not so long ago you could refuse to sell a house to a black family in this county

BY THE OLYMPIAN EDITORIAL BOARD
MARCH 03, 2019 03:00 AM



Longtime Lacey City Councilman Virgil Clarkson experienced housing discrimination firsthand when he first moved to the county more than 50 years ago. STEVE BLOOM *STAFF PHOTOGRAPHER*

If February had 31 days, it would still be Black History Month. And anyway, we ought to study this essential part of our shared American history throughout the year. So here's a local contribution from our not-so-distant past:

Virgil Clarkson, a retired African American Lacey city council member and three term Mayor, has long been known as a local leader — in fact, the Lacey Senior Center bears his name. But what most people may not know is how his civic leadership in this community began. Following several years of military service, Clarkson came to Olympia in 1965 to work for the state Department of Natural Resources. At the time, he says there were only 15 black people in all of Thurston County. Clarkson recalls one family in Rochester, another off Marvin Road, and a handful of retired military people in Lacey. There were a few other black state employees — including the curator at the state museum — but they commuted from Tacoma or Seattle.

When he first arrived, Clarkson's boss helped him find a room to rent near the Capitol. But when Virgil's wife joined him here, and they went looking for a house, they were turned away time after time, and told obvious lies. Only after great difficulty were they able to buy a house on Boulevard Road.

Soon after the Clarksons' arrival, a young African American pregnant widow of a soldier killed in Vietnam came here to be with her sister, who worked as a housekeeper at the old St. Pete's hospital on the west side of Olympia. The widow had a sizable military death benefit for her husband, but when she sought to buy a house, the first real estate agent she went to refused to serve her, and assumed that she was on welfare.

Clearly, housing discrimination was rampant — and legal. In spite of longstanding civil rights campaigns for what was then called “open housing,” there was a wall of white resistance. In 1964, open housing ballot measures in both Seattle and Tacoma were defeated by large margins — in fact, the Tacoma measure went down three to one.

By 1968, Clarkson and his wife had become active members of the Methodist church and several service clubs. Clarkson's boss at the Department of Natural Resources had introduced him to local leaders, taken him to social events, and even to the Olympia Opera Society.

Clarkson became the person state officials went to for help recruiting people of color to state employment. And when new black families came to Thurston County, the Clarkson home was where they went for advice about how to find housing and which local businesses would or would not welcome them.

At church, the Clarksons became friends with Jim Dolliver, an aide to Governor Dan Evans. Dolliver shared Clarkson's concern about open housing, and set up a lunch at The Spar with Clarkston and Mike Layton, a reporter for the Olympian. (Layton later became a beloved columnist for the Seattle Post Intelligencer; Dolliver became a state Supreme Court Chief Justice. Both Dolliver and Layton have since passed away.)

At that lunch, Layton asked Clarkston to arrange an evening meeting at his home where Layton could hear stories from others in the local black community — which in 1968 was still small enough to fit in the Clarkson living room.

Clearly, Layton got an earful. The meeting went on for several hours; Layton stayed until 3 a.m. The next evening, April 4, Martin Luther King Jr. was assassinated in Memphis. That devastating news shared space in the Olympian with a series of articles on local housing discrimination by Mike Layton. Together, they were a call to action.

Clarkson took time off from work to make copies of a petition for local open housing ordinances. Within two days, over over two thousand people signed them.

The following week, Clarkson and his allies spoke and presented copies of the petitions at the Lacey City Council. The Council passed an open housing ordinance that very night. They took the same petition to the county and the cities of Tumwater and Olympia. All three referred the issue to committees, but passed ordinances within a few weeks.

A week later, President Lyndon Johnson signed the federal civil rights act, which included a provision forbidding housing discrimination. Seattle also finally passed a local open housing

ordinance — but because they still couldn't be sure of majority public support, they included an emergency clause that foreclosed a possible referendum.

The local ordinances didn't have strong enforcement mechanisms. And even the federal law couldn't change racist practices and attitudes overnight. But it was an important turning point for our community, and for our nation. It helped set us on course towards full equality and inclusion. That destination is still in the distance half a century later. But remembering how far we've come — and those who helped get us this far — inspire us to keep moving forward.

<https://www.theolympian.com/opinion/editorials/article227001334.html>

The New York Times<https://nyti.ms/3jqLJdu>

Rich Americans Spew More Carbon Pollution at Home Than Poor

By The Associated Press

July 20, 2020

Rich Americans produce nearly 25% more heat-trapping gases than poorer people at home, according to a comprehensive study of U.S. residential carbon footprints.

Scientists studied 93 million housing units in the nation to analyze how much greenhouse gases are being spewed in different locations and by income, according to a study published Monday in the Proceedings of the National Academy of Sciences. Residential carbon emissions comprise close to one-fifth of global warming gases emitted by the burning of coal, oil and natural gas.

Using federal definitions of income level, the study found that energy use by the average higher income person's home puts out 6,482 pounds of greenhouse gases a year. For a person in the lower income level, the amount is 5,225 pounds, the study calculated.

"The numbers don't lie. They show that (with) people who are wealthier generally, there's a tendency for their houses to be bigger and their greenhouse gas emissions tend to be higher," said study lead author Benjamin Goldstein, an environmental scientist at the University of Michigan. "There seems to be a small group of people that are inflicting most of the damage to be honest."

In Beverly Hills, the average person puts four times as much heat-trapping gases into the air as someone living in South Central Los Angeles, where incomes are only a small fraction as much. Similarly, in Massachusetts, the average person in wealthy Sudbury spews 9,700 pounds of greenhouse gases into the air each year, while the average person in the much poorer Dorchester neighborhood in Boston puts out 2,227 pounds a year.

“That is the key message about emissions patterns,” said University of California San Diego climate policy professor David Victor, who wasn’t part of the study. “I think it raises fundamental justice questions in a society that has huge income inequality.”

Even though richer Americans produce more heat-trapping gases, “the poor are more exposed to the dangers of the climate crisis, like heat waves, more likely to have chronic medical problems that make them more at risk to be hospitalized or die once exposed to heat, and often lack the resources to protect themselves or access health care,” said Dr. Renee Salas, a Boston emergency room physician and Harvard climate health researcher who wasn’t part of the study.

Salas and Sacoby Wilson, a professor of environmental health and epidemiology at the University of Maryland, who also wasn’t part of the study, pointed to studies in Baltimore and other cities showing that because of fewer trees, more asphalt and other issues, temperatures can be more than 10 degrees hotter in poorer neighborhoods.

“Heat waves are hell for the poor,” Wilson said.

Goldstein calculated the emission figures by crunching data on 78% of the housing units in America as of 2015, factoring the home’s age, size, heating supply, weather, electricity source and more. He then compared income levels.

Nine of the 10 states that produce the most heat-trapping gas per person rely heavily on coal or have cold weather. West Virginia by far leads the nation with 10,046 pounds of greenhouse gas per person per year, followed by Oklahoma, Wyoming, North Dakota, Kentucky, Missouri, Iowa, Alabama, South Dakota and Colorado.

California by far is the greenest state with 2,715 pounds of greenhouse gas per person. Oregon, New York, Utah, Washington, Rhode Island, Massachusetts, Idaho, Connecticut and New Mexico round out the 10 cleanest states.

The study’s 25 cleanest zip codes for residential greenhouse gas emissions are all in California and New York. The cleanest was Mission Bay in San Francisco, a white collar area with relatively new housing stock, where the average person produces only 1,320 pounds a year.

The zip codes that produced the most gas are scattered across Colorado, North Carolina, Pennsylvania, Alabama, Louisiana, Wyoming, Maryland, West Virginia, Minnesota, Missouri, Georgia, Arkansas, Indiana and Utah.

The zip code that produced the most greenhouse gas per person was in the mountains of western Boulder County, Colorado, where the 23,811 pounds per person is 18 times higher than in the San Francisco zip code.

Because some zip codes didn't have adequate data, Goldstein said there may be additional zip codes at the extremes of the emissions spectrum. Also, he said some zip codes with smaller, expensive, energy-efficient apartments buck the national trend of greater emissions in wealthy areas.

Wesleyan University climate economist Gary Yohe, who wasn't part of the study, said Goldstein's analysis helps the search for solutions to global warming by offering "two new targets for policy action or behavioral modification beyond the usual list: floor space and density."

But residential carbon emissions are harder to change than those from transportation, where you can trade a gas-guzzler for a cleaner electric vehicle, Goldstein said.

Noting that many residents are stuck with the fossil fuel-based energy delivered by their local utility, he said, "I don't think we can solve this based on personal choices. We need large scale structural transitions of our energy infrastructure."

Follow AP's climate coverage at <https://www.apnews.com/Climate>

Follow Seth Borenstein on Twitter at [@borenbears](https://twitter.com/borenbears) .

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— FIRST LOOK —

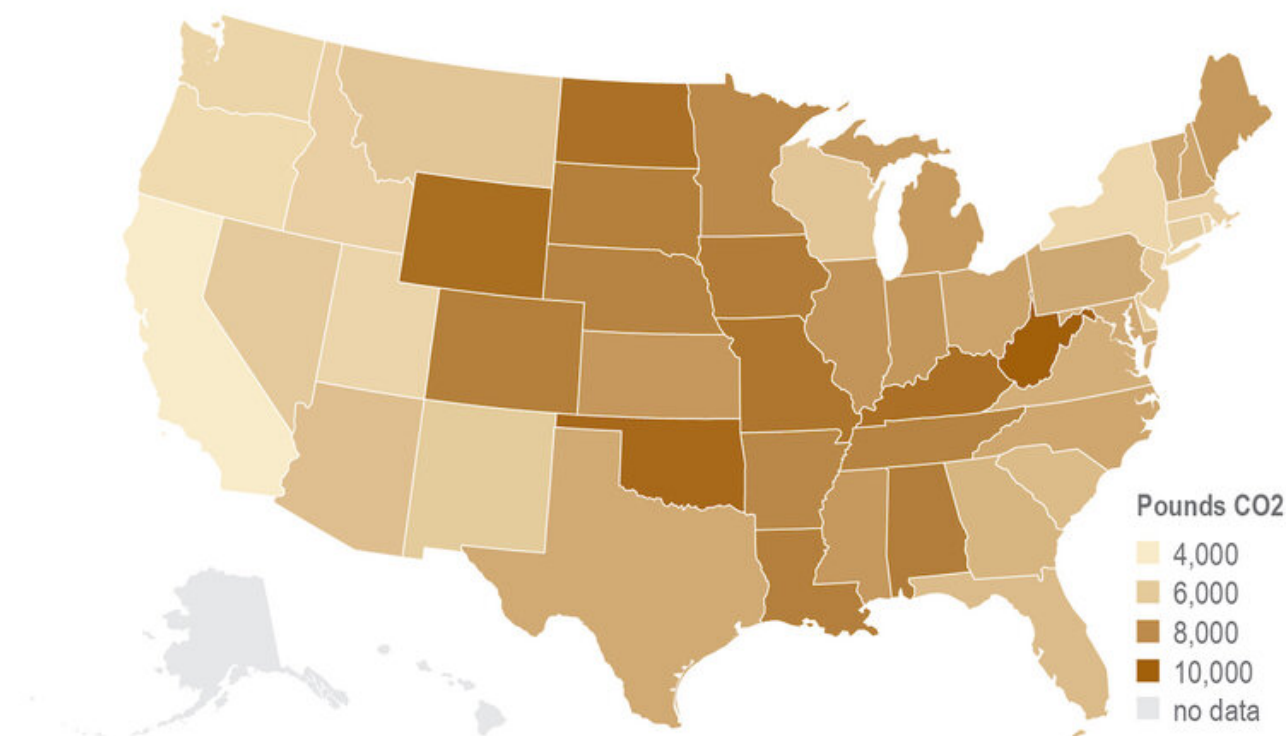
To cut emissions, could you give up living in a large house?

ATTACHMENT 6

A new study reports that U.S. homeowners' emissions vary between states, income brackets, and house sizes. For a greener future, buyers should get more compact houses in denser neighborhoods, researchers say.

Residential carbon pollution for each state

The states that produce the most heat-trapping gas per person rely heavily on coal or have cold weather. Map shows average pounds of carbon dioxide equivalent per person for each state.



Source: University of Michigan; Proceedings of the National Academy of Sciences

AP

University of Michigan/National Academy of Sciences/AP

The average pounds of carbon dioxide equivalent per person for each state. Household emissions on both the East and West coasts are far lower than in states in the middle of the country.

July 21, 2020

By Valerie Volcovici, Reuters

WASHINGTON

A house with a white picket fence in the verdant suburbs has long been an American dream. It could also be a major hurdle for the United States' chances of cutting climate-warming emissions, researchers at the University of Michigan said in a study on Monday.

U.S. households account for one-fifth of the country's total greenhouse gas emissions, thanks partly to Americans' general preference for bigger houses and spacious suburbs. Those preferences also translated into an emissions divide between the rich and the poor, with wealthier households in recent years emitting around 25% more than their lower-income counterparts in smaller homes, the researchers said.

To bring down the country's future emissions, Americans may need to rethink how they live, said Benjamin Goldstein, a co-author on the study published in the journal Proceedings of the National Academy of Sciences.

"Structural change is going to be important and necessary," said Mr. Goldstein, a professor at the University of Michigan. Developers might need to look for more options in already dense settlements. Builders can consider reducing floor spaces. And residential buildings might reconsider using natural gas, a fossil fuel, for heating and cooking, he said.

Such measures may be especially important, given that more than 100 million new homes are expected to be built in the next 30 years, while the country's 328 million population is projected to grow by more than a third in that time.

Because the average lifespan of an American house is around 40 years, the U.S. risks a "carbon lock-in" unless it commits to more energy-efficient homes and neighborhoods, the researchers said.

"We need to have denser and smaller homes," said Mr. Goldstein, who said home sizes in the U.S. and Canada are abnormally large compared with other rich nations.

Policies should also tackle emissions from existing buildings, with measures like tax incentives to spur retrofits, he said.

The study estimated energy use by 93 million U.S. homes, based on details from tax assessor records for 2015 including a house's size, age, location, and construction date.

Through analyzing ZIP codes, the study revealed a correlation between higher wealth and higher-per-capita energy use and emissions.

And poorer neighborhoods are more at risk to climate change, according to AP:

Even though richer Americans produce more heat-trapping gases, “the poor are more exposed to the dangers of the climate crisis, like heat waves, more likely to have chronic medical problems that make them more at risk to be hospitalized or die once exposed to heat, and often lack the resources to protect themselves or access health care,” said Dr. Renee Salas, a Boston emergency room physician and Harvard climate health researcher who wasn’t part of the study.

However, there were also big differences depending on the U.S. state: Household emissions on both the East and West coasts were far lower than in states in the middle of the country, with North Dakota, Oklahoma, and Missouri having among the highest average household emissions.

There is a growing movement by U.S. municipalities to tackle emissions from residential and commercial buildings, starting with banning the use of natural gas in new construction. San Francisco is the latest city to propose such a measure.

At the federal level, congressional Democrats unveiled a climate policy blueprint earlier this month that calls for an update of building codes to eliminate greenhouse gas emissions.

ATTACHMENT 6

Builders say, however, that home sizes have been trending downward since 2015, the year of focus in the study.

"Our surveys consistently show that consumers want homes that are more energy efficient," said Liz Thompson, spokeswoman for the National Association of Home Builders, the lobby group for the home construction industry.

The group said, however, that the four-year trend toward smaller houses may end this year, as people have spent more time at home during the COVID-19 pandemic and may again seek bigger spaces.

At the international level, Swedish teen activist Greta Thunberg said on Monday she would donate \$1.14 million from a new prize she has won to groups tackling climate change and defending nature.

She said in a video posted on Instagram that the award was "more money than I can even begin to imagine" and she hoped it would help her "do more good in the world."

This story was reported by Reuters. Reuters writer Thin Lei Win in Rome contributed to this report.

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- **COVER STORY** Rent or own? The new sharing economy values access over ownership

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From: [CityCouncil](#)
To: [Crater](#)
Cc: [Debbie Sullivan](#); [Cheryl Selby](#); [Dani Madrone](#); [Jay Burney](#); [Jessica Bateman](#); [Jim Cooper](#); [Joyce Phillips](#); [Keith Stahley](#); [Kellie Braseth](#); [Leonard Bauer](#); [Lisa Parshley](#); [Renata Rollins](#)
Subject: RE: City-Proposed Code Changes
Date: Thursday, July 30, 2020 1:53:44 PM

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

Susan Grisham, Executive Assistant & Legislative Liaison
 City of Olympia | P.O. Box 1967 | Olympia WA 98507
 360-753-8244 sgrisham@ci.olympia.wa.us

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-----Original Message-----

From: Crater <crater@spiretech.com>
 Sent: Thursday, July 30, 2020 1:52 PM
 To: CityCouncil <citycouncil@ci.olympia.wa.us>
 Subject: City-Proposed Code Changes

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Dear Olympia City Council,

Regarding proposed housing code changes:

As a life long member of this community who specifically moved back from Seattle where I attended college, I am deeply disappointed to find out that our voices have been minimized regarding input into how development occurs. I bought my house in the NE Olympia neighborhood in 2004. Not only does the type of density development that has occurred in Seattle over the last 15 years promote displacement and increased rents, it also increases homelessness, crime and limits the field of economic diversity in a community. Who benefits from this type of development- developers, who are typically one or two companies (as is the case with current downtown development) and obviously it supports the tax base. Please act responsibly. My vote will depend on it!

Megan Morrissey

From: [Whitney Bowerman](#)
To: [Housing Option Code Amendments](#); [CityCouncil](#)
Subject: YES! To Housing Options in Olympia!
Date: Tuesday, August 04, 2020 10:21:30 AM

External Email Alert!

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Hello, Friends!

I've been thinking about you, and your work on housing in Olympia.

Every morning I get an update from Zillow in my email inbox - "10 Homes We Think You'll Love." It's an easy way for me to keep my finger on the pulse of the housing market in Olympia. Week to week the prices for houses listed climb.

I have tenants in one of my studio rentals, a sweet 26 year old couple, who want to buy their first home. After speaking with a loan officer they determined they were looking in the \$250k range (16 years ago we bought our first house for \$100k - wow!). I think of them every morning when I read that update from Zillow - rarely is there a home under \$300k, even outside of Olympia proper. Where is this sweet, hardworking, born-and-raised-in-Olympia couple going to live? The options for them seem slim.

I talk to my various tenants regularly about housing prices, and I work hard to keep our rentals affordable. Currently that means only raising rents by what is necessary to cover increasing property taxes, insurance, and maintenance, rather than pushing the market, which seems to have gone completely insane. For the past couple of years my available rentals have not even hit the open market - there are so many desperate tenants out there looking for housing that I have been able to quickly rent my open units to friends and friends of friends. I have had people offer to pay more than the listed rent. Most prospective tenants now "pitch" themselves, telling me why they are the best tenant for me to choose. The housing market in Olympia is very unhealthy and imbalanced. This becomes even worse when one examines our housing market through a racial equity lense, where Olympia's pervasive single family zoning has resulted in notable racial segregation.

We need more housing, and we need more housing options. We needed them yesterday. I know this, you know this.

I know things are hard right now. Local governments have A LOT on their plates. A crazy amount. I honestly can't even imagine.

AND, I still hope that you all will keep plugging away on these housing issues.

Thanks for your time and your hard work. I appreciate you!

Whitney Bowerman
 Olympia, WA

From: [CityCouncil](#)
To: [Tessa Smith](#)
Cc: [Debbie Sullivan](#); [Cheryl Selby](#); [Dani Madrone](#); [Jay Burney](#); [Jessica Bateman](#); [Jim Cooper](#); [Joyce Phillips](#); [Keith Stahley](#); [Kellie Braseth](#); [Leonard Bauer](#); [Lisa Parshley](#); [Renata Rollins](#)
Subject: RE: Support housing inclusiveness!
Date: Monday, August 10, 2020 3:19:23 PM

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

Susan Grisham, Executive Assistant & Legislative Liaison
 City of Olympia | P.O. Box 1967 | Olympia WA 98507
 360-753-8244 sgrisham@ci.olympia.wa.us

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From: Tessa Smith <tessa@artisansgroup.com>
Sent: Monday, August 10, 2020 2:29 PM
To: CityCouncil <citycouncil@ci.olympia.wa.us>
Subject: Support housing inclusiveness!

External Email Alert!

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I support all of the more inclusive housing options being made easier to develop in our communities, its about time!

Cheers,
 Tess

Tessa Smith | Principal AIA CPHC LEED AP
 cel: [\(360\) 870-6280](tel:3608706280)
tessa@artisansgroup.com
ArtisansGroup.com
 The Artisans Group, Inc.
 1508 4th Ave E Olympia WA 98506

From: [ComcastIMAP](#)
To: [Leonard Bauer](#); [Joyce Phillips](#)
Subject: How Portland Dethroned the Single-Family Home - Bloomberg
Date: Friday, August 14, 2020 10:47:56 PM

External Email Alert!

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Leonard and Joyce,

Here is another article about what Portland has just adopted. I sent a related article earlier to the Council and to both of you. I neglected to include the Planning Commission. Please provide this email to the commission.

<https://www.bloomberg.com/news/articles/2020-08-13/how-portland-dethroned-the-single-family-home>

Thank you, Mike

Mike McCormick
360.754.2916

How Portland's Landmark Zoning Reform Could Work

The Residential Infill Project aims to boost “missing middle” housing — an expected boon for affordability in a city where the single-family home reigns.

By [Laura Bliss](#)

August 13, 2020 11:19 AM



Single-family homes dominate the housing stock in Portland, Oregon, but new zoning changes could bring more multi-family residences. *Photographer: Nicolle Gonzalez/Moment Mobile ED*



Laura Bliss is a writer and editor for CityLab in San Francisco, focused on transportation and technology. She also writes MapLab, a biweekly newsletter about maps.

[@mslaurabliss](#)

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▶ 6:49

In 2014, a group of architects, home builders, and neighborhood activists in Portland, Oregon, wrote a letter asking the city to rewrite local housing rules. At that point, a population boom in renters was creating an affordability crisis, with new multi-family housing coming online for twice the city's average price per square foot. With more than 70% of the Rose City's residential land then reserved for single-family homes, the signatories urged officials to review the laws that governed the shapes and sizes of residences allowed, and proposed several reforms that would legalize more units per lot within the city's urban growth boundary.

By doing so, they wrote, the city could push down costs and bring more people into Portland's famously walkable, bikeable neighborhoods: "It's time to address the mismatch between the types of homes encouraged by our codes and the needs of real people and households who live in Portland."

That letter helped start a movement, and on Wednesday that movement achieved one major goal. With a 3-1 vote, the Portland city council approved the "Residential Infill Project" (RIP), a package of amendments to the city's zoning code that legalizes up to four homes on nearly any residential lot and sharply limits building sizes. The changes pave the way for duplexes, triplexes, cottage clusters, backyard accessory dwelling units, basement apartments, and other types of affordable "missing middle" housing that have been banned in Portland since the adoption of the city's first zoning code in 1924.

Developers will also now have the option to build as many as six homes on any lot if at least half of the resulting sixplex is available to low-income households at regulated, below-market prices – a so-called "deeper affordability option" that advocates estimate is the equivalent of a free subsidy of \$100,000 or more per unit to nonprofit developers. Parking mandates that required builders to provide space for cars along with people are also now a thing of the past on most of the city's residentially zoned land.

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The changes put Portland
at the vanguard of U.S.
communities trying to
turn their surfeit of
single-family homes into
multi-unit residences.

More from

Mayor Ted Wheeler, who voted
in support of the plan at

To Get People to Wear Masks, Try Comparing Them to Seatbelts and Helmets

Minneapolis's Plan to Disband the Police Falters in First Test

Chicago's 1855 'Beer Riot' Is a Bridge to the Unrest of 2020

When Street Design Leaves Some People Behind

Wednesday's council meeting, said that the city's existing zoning regulations failed to serve all Portlanders equally. "I don't pretend that these changes rectify all past harms," he said, "but I fully believe that allowing for a greater mix of incomes is a crucial step in the right direction."

With a projected 123,000 new households arriving in Portland by 2035, city analyses estimate that RIP could generate 4,000 to

24,000 new units to accommodate them and that it will reduce displacement for vulnerable renters by 28%. The changes also put Portland at the vanguard of U.S. communities trying to turn their surfeit of single-family homes into multi-unit residences. Since 2018, Minneapolis, Seattle and Austin – along with Vancouver, British Columbia – have all passed various code reforms in order to increase housing stocks and lower costs to developers and residents.

But Portland's project is unique and potentially more effective, experts say. RIP increases the allowable floor-to-area ratio (FAR) for multi-unit buildings, while reducing FAR for new single-family homes – a devilish detail that may be key for accelerating production, according to Michael Andersen, a senior researcher at the Sightline Institute, a research center focused on sustainability and urban policy. This sliding size cap will allow multi-unit buildings to take up more of their lots than single-unit buildings. The changes are also by-right, which means developers will be able to utilize them without neighborhood design reviews and appeals processes that can stymie new plans, as vividly seen in drawn-out local zoning battles in neighboring California. On Tuesday, Andersen wrote that Portland's changes are "the most pro-housing reform to low-density zones in U.S. history."

Portland's new zoning changes also complement rather than clash with statewide housing laws. Unlike most states, Oregon requires and oversees urban growth boundaries, which encourages a certain level of density in populous areas like Portland. Those laws got a boost in August 2019 when state legislators passed an upzoning bill allowing duplexes or triplexes on most lots zoned for single-family homes throughout the state. That helped shift the politics in support of sweeping zoning reform more locally, according to Joe Cortright, the Portland-based economist and director of the City Observatory website. "When all the jurisdictions

are subject to the same requirements as you are, it lessens the political penalty for moving ahead,” he said.

After years of debate and analysis, RIP’s passage comes as Portland, famously among the whitest big cities in America, is gripped by ongoing protests over racism and police violence that have drawn national attention. While the city has grown more diverse in recent years, its urban center has become whiter. Thousands of African-American residents have moved to peripheral neighborhoods, some with poorer access to jobs and transit, while spikes in homelessness prompted a housing state of emergency in 2015 that continues to this day. A 2019 report by the city’s Bureau of Planning and Sustainability traced how the city’s 1924 zoning regulations – as in thousands of others in communities across the U.S. – “created and reinforced racial segregation and inequities” that manifest today in “accelerating gentrification and displacement of people of color by concentrating growth and density in vulnerable areas.”

On Wednesday, Wheeler praised RIP as a response to the city’s disparities, past and present, if not necessarily a complete one. City analyses have found that a few of Portland’s low-income neighborhoods could face slightly greater housing pressure under the new plan. That was one reason that outgoing commissioner Amanda Fritz said that she opposed it at Wednesday’s hearing, calling hers “the saddest vote I have ever cast on this council.” She also worried that increasing densities citywide could overpopulate neighborhoods with poor transit service, adding cars to the road. Portland, the first city in the U.S. to adopt a climate action plan in 1993, aims to reduce 80% of local carbon emissions by 2050.

But many environmental groups, including the local chapter of the Sunrise Movement, support the changes, as do anti-displacement activists who helped shape the sixplex amendment, which was added in 2019. Along with detailed changes to FAR that incentivize more low-income housing, the reforms are expected to “change the economics of displacement,” said David Sweet, a co-founder of Portland For Everyone, a coalition of housing nonprofits, residents and businesses that advocated for the infill change.

Sweet, a former civil servant in the city’s building permits department, was one of the names on the 2014 letter. He credits the work of younger Portlanders – many of them activists tied to local YIMBY groups – at a hearing in early 2020 with helping to cement the votes required to adopt the new changes, on top of years of civic engagement by housing providers, advocates, urbanists, and neighborhood activists.

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“This is a tribute to what a hard-working community
organizer can do,” he said.

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From: [Leonard Bauer](#)
To: [Joyce Phillips](#)
Subject: FW: Consider Zoning Reform for Olympia
Date: Wednesday, August 19, 2020 8:42:49 AM

Leonard Bauer, FAICP

Community Planning & Development Director
 City of Olympia
 PO Box 1967
 Olympia, WA 98501
 (360) 753-8206
www.olympiawa.gov

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From: CityCouncil <citycouncil@ci.olympia.wa.us>
Sent: Wednesday, August 19, 2020 8:12 AM
To: Aaron Dumas <aaron.ml.dumas@hotmail.com>
Cc: Councilmembers <Councilmembers@ci.olympia.wa.us>; Jay Burney <jburney@ci.olympia.wa.us>; Keith Stahley <kstahley@ci.olympia.wa.us>; Debbie Sullivan <dsulliva@ci.olympia.wa.us>; Kellie Braseth <kbraseth@ci.olympia.wa.us>; Leonard Bauer <lbauer@ci.olympia.wa.us>
Subject: RE: Consider Zoning Reform for Olympia

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

Susan Grisham, Executive Assistant & Legislative Liaison
 City of Olympia | P.O. Box 1967 | Olympia WA 98507
 360-753-8244 sgrisham@ci.olympia.wa.us

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From: Aaron Dumas <aaron.ml.dumas@hotmail.com>
Sent: Tuesday, August 18, 2020 3:10 PM
To: CityCouncil <citycouncil@ci.olympia.wa.us>
Subject: Consider Zoning Reform for Olympia

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attachments.

Dear Councilmembers,

The [City of Portland recently adopted a sweeping zoning reform](#) program that will increase the affordability, availability, and diversity of housing within the city. I recommend that the council to explore and implement similar zoning reforms for the City of Olympia.

Cities across Washington, especially in the Puget Sound region, are struggling with housing shortages and skyrocketing housing costs, which are adversely impacting many households already struggling with from the economic hardships of the COVID-19 pandemic. The Council needs to take action *now*. The City of Portland reforms do not create restrictions or new regulations, but instead expand the opportunity to build denser housing. The reforms include allowing up to six (6) units on a lot and removing parking requirements, which will significantly increase the number of homes that can be built while saving home builders money in construction costs. Examples that the City Council can draw from include [Vancouver, British Columbia](#), which has ordinances that allows duplexes and ADU, and [Minneapolis, MN](#), which proposes to eliminate single-family zoning.

These policies are not restrictive - quite the opposite - as they allow for more diverse housing options that benefit households of all income levels. Please consider zoning reform in the City of Olympia. In the long-run a reform of Olympia's zoning policies will create a more resilient, sustainable, and economically strong community.

Thank you.

Aaron Dumas, LEED Green Associate

Cell: (253) 229-5221

Email: aaron.ml.dumas@hotmail.com

[Home](#) / [Planning and Sustainability](#) / [Residential Infill Project](#) / [News](#)

Portland City Council adopts the Residential Infill Project

News article

Landmark zoning reforms will open Portland's residential neighborhoods to more – and less expensive – housing types for Portlanders today and those to come.

Published: August 12, 2020 1:32 pm

This morning, the Portland City Council voted 3-1 to adopt the [Residential Infill Project](#), a landmark piece of land use legislation that will increase housing opportunities for Portlanders across the city over the next several decades.

Watch the voting and speeches:



What will RIP do?

The Residential Infill Project reopens Portland's residential neighborhoods to more housing types (triplexes, fourplexes, sixplexes and cottage clusters), thus ensuring our city can meet the future housing needs of all our residents. Because of RIP, over the next 20 years up to 24,000 more households will be able to live in one of Portland's "complete" walkable neighborhoods, close to transit, parks, shops and other amenities.

"The Residential Infill Project and deeper affordability bonus will open up the market to start providing homes that have not existed for a while in Portland," said Steve Messinetti, CEO, Habitat for Humanity Portland Metro East. The new American dream is a stable home that you can afford. This will help make that dream possible for more people in our community."

Brian Hoop, Housing Oregon's executive director, concurred: "Passage of the Residential Infill Project – and the deeper affordability amendments – is a key long-term strategy to resolving Portland's housing crisis. RIP will ensure an expanded range of housing options throughout Portland neighborhoods, making them

accessible across the income continuum and creating a pathway to homeownership that would otherwise be unattainable for many Black, Indigenous, People of Color communities.”

Going big

This is the biggest rewrite of Portland’s zoning code since 1991. The City opened up residential neighborhoods to accessory dwelling units (ADU) in 1981, and in 1991 allowed duplexes on corners. The first-of-its-kind policy in the U.S. (going even further than Minneapolis), RIP inspired state-initiated HB2001 and goes further than that groundbreaking legislation. The project also allows development on most historically narrow lots, bringing Portland into conformance with SB534.

Explained Sightline Institute’s Senior Researcher Michael Andersen, “This is the most progressive reform to low-density urban zoning in American history. Portland is going above and beyond Oregon’s mandate for re-legalizing middle housing. Nonprofits will now be able to add below-market housing to any neighborhood. Middle-income Portlanders will be able to afford newly built, energy-efficient homes in walkable areas essentially by teaming up with each other to split the land costs.”

Getting smaller

The Residential Infill Project “right sizes” Portland’s single-family homes by resetting the maximum square footage from 6,500 to 2,500 sq. ft. And because it reduces the allowed size and scale of new units, more housing will be available to Portlanders at a lower – and relatively more modest – price.

Furthermore, these new units will be more energy efficient (with lower energy bills) and would allow more people to live in town, cutting freeway traffic from the suburbs and shrinking our carbon footprint.

Stated the Oregon Environmental Council, “RIP will shape residential redevelopment over time to be more supportive of transit, biking and walking, thus reducing greenhouse gas emissions and air pollution.”

Historical significance

By returning single-dwelling zones to more middle housing types, the Residential Infill Project starts to undo the exclusionary zoning practices of the past, which encouraged segregation and denied people of color access to complete neighborhoods.

1000 Friends of Oregon said that, “The passage of the Residential Infill Project sets the tone for cities all over America to acknowledge long-codified racist zoning practices, end exclusive single-dwelling zoning and provide the missing middle housing so many need, especially preventing and mitigating displacement.”

The zoning update also promotes housing preservation by discouraging demolitions and encouraging ADUs and cottages on flag lots, as well as providing flexibility and bonuses to preserve more older housing (ala the Albina Community Plan).

“Housing options should be as diverse as the people in our community,” said Catholic Charities of Oregon about the reforms. “With adoption of RIP, even more opportunities will exist for nonprofits and other socially minded developers to provide affordable homes – for rent and homeownership, for families and individuals, across Portland’s diverse neighborhoods.”

Planning for the ages

The Residential Infill Project also includes important changes to accommodate people of all ages and abilities in new residential development by requiring at least one of the homes in a triplex to be ADA-compliant.

“We’re excited that the final RIP policy package addresses these AARP priorities and applaud the city for listening deeply,” said AARP Oregon. “The Residential Infill Project will help make Portland a more age-friendly place where people of all ages, abilities, races, family size, and incomes can thrive.”

Power of partnership

The Residential Infill Project evolved over five years. It began as a response to the rise of demolitions of single-family homes and evolved into a comprehensive approach to eliminating exclusionary zoning practices. During the process, a coalition formed between housing advocates, homebuilders, climate activists, environmentalists and others to increase middle housing throughout the city. Together we worked to ensure building fourplexes and sixplexes would pencil out for affordable housing developers, thus creating more possibilities for affordable housing stock in residential neighborhoods.

“We are thrilled at the passage of the Residential Infill Project,” said Business for a Better Portland. “The policy change will allow more people to access jobs and opportunity in the city and, over time, help add housing options in neighborhoods across the city. We thank the many advocates and city leaders who worked for years to end an exclusionary zoning policy that was designed with the intent and outcome to discriminate against non-white Portlanders.”

What’s next?

The adoption of the Residential Infill Project must now be acknowledged by the State and implementation is expected in 2021.

The Residential Infill Project is the third and final leg of the Bureau of Planning and Sustainability’s housing “stool,” which started with the update of Portland’s mixed use zones followed by the city’s multi-family zones (Better Housing by Design). For RIP, the bureau conducted a displacement analysis, which was the first of its kind in the nation. It showed that, while displacement would still occur with RIP, the impact on vulnerable populations would be far less than doing nothing. It also allows us to target neighborhoods that are particularly vulnerable and develop interventions.

So, BPS is now positioned to build on this great work with the [Anti-displacement Action Plan](#), the [Shelter to Housing Continuum Project](#) and others to come.

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City of Portland, Oregon

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POLICY REPORT

Report Date: June 27, 2018
 Contact: Dan Garrison
 Contact No.: 604.673.8435
 RTS No.: 12677
 VanRIMS No.: 08-2000-20
 Meeting Date: July 24, 2018

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: Amendments to the Zoning and Development By-law for Most RS Zones to Allow Two-Family Dwellings (Duplexes) to Increase Housing Choice

RECOMMENDATION

- A. THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make application to amend the Zoning and Development By-law, generally as set out in Appendix A, to amend:
- (i) the RS-1, RS-1A, RS-1B, RS-5 and RS-6 District Schedules to provide more housing choice by introducing Two-Family Dwelling, Two-Family Dwelling with Secondary Suite, and Principal Dwelling Unit with Lock-off Unit in a Two-Family Dwelling as permitted dwelling uses;
 - (ii) the RS-2 and RS-7 District Schedules to provide more flexibility in the regulations for Two-Family Dwelling use and to introduce Two-Family Dwelling with Secondary Suite, and Principal Dwelling Unit with Lock-off Unit in a Two-Family Dwelling as permitted dwelling uses;
 - (iii) Section 10.21 to introduce a maximum dwelling unit size for lock-off units to more clearly differentiate these small units from secondary suites; and

FURTHER THAT the application be referred to a public hearing;

AND FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-laws, generally in accordance with Appendix A, for consideration at the public hearing.

- B. THAT, subject to enactment of the amending by-laws described in Recommendation A, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward, at the time of enactment of such

amending by-laws, related amendments to the Principal Dwelling Unit Combined with a Lock-off Unit Guidelines, generally in accordance with Appendix B, for Council adoption.

- C. THAT, subject to enactment of the amending by-laws described in Recommendation A, the Strata Title Policies for RS, RT and RM Zones be repealed and replaced with the policies generally in accordance with Appendix C;

FURTHER THAT the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward the amendment at the time of enactment of the amending by-laws for Council adoption.

- D. THAT, subject to enactment of the amending bylaws described in Recommendation A, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward, at the time of enactment of such amending by-laws, related amendments to the RS-7 Guidelines, generally in accordance with Appendix D, for Council adoption.
- E. THAT if the application to amend the Zoning and Development By-law as described in Recommendation A is referred to Public Hearing, then Recommendations B through D also be referred to the same Public Hearing.
- F. THAT Recommendations A through E be adopted on the following conditions:
- (i) THAT passage of the above resolutions creates no legal rights for any person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact any rezoning by-laws; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

REPORT SUMMARY

This report recommends amendments to most RS District Schedules to increase housing choice in those areas by introducing Two-Family Dwelling (duplex) with a secondary suite or lock-off unit as permitted dwelling uses. These are initial actions to allow a greater diversity of housing options in low-density neighbourhoods. The Making Room Housing Program, endorsed by Council on June 20, 2018, will identify further opportunities to provide more housing choice within these neighbourhoods.

This report also recommends introducing a maximum unit size for lock-off units. Lock-off units are small, self-contained units that enable households to expand or contract their space needs over time. The maximum unit size will help to distinguish lock-off units from secondary suites, which are intended to be larger and provide longer term rental housing.

As part of the Making Room Housing Program to enhance housing choices in low-density areas, this report is a companion to the policy report titled “Amendments to the Zoning and Development By-law for RT-7 and RT-8 Zones (Kitsilano) and RT-10 and RT-10N Zones (Kensington–Cedar Cottage) to Increase Housing Choice”.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Secondary suites as a permitted use in all RS zones (approved 2004)
- FSR and basement height increased in most RS zones to facilitate functional livable basements (2009)
- Laneway house as a permitted use in the RS-1 and RS-5 zones (approved 2009) and later in all RS zones (approved 2013)
- Principal Dwelling Unit Combined with a Lock-off Unit Guidelines (adopted 2009, amended 2013)
- *Housing Vancouver Strategy* (2018-2027) and Three-Year Action Plan (2018-2020) (approved 2017)
- Making Room Housing Program (program launch endorsed June 2018)

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The City Manager recommends approval of the foregoing. These amendments represent an initial step to create new housing opportunities in low-density neighbourhoods across the city and will work toward achieving the targets of the *Housing Vancouver Strategy*.

REPORT

Background/Context

The Making Room Housing Program was endorsed by Council in June 2018 (RTS 12644) to expand housing choice in neighbourhoods across Vancouver. The goal of the program is to deliver on the housing priorities identified in the *Housing Vancouver Strategy* and *Three-Year Action Plan* with a focus on providing more housing choice within neighbourhoods for families, downsizing seniors, and other households seeking housing options that are described as the “missing middle”—housing forms that fall between single-family homes and higher-density homes.

As an early action of the Making Room Housing Program, Council directed staff to advance work on amendments to the Zoning and Development By-law to add two-family dwelling (duplex) use to the menu of housing choices in some or all RS zones. Council also directed staff to report back on amendments to the lock-off unit regulations to regulate the maximum size of the units, in order to more clearly differentiate them from secondary suites.

Strategic Analysis

1. Change in RS Neighbourhoods and Regulatory Context Over Time

Over the past 100 years, Vancouver’s single-family (RS zoned) areas have seen significant change influenced both by local economic and societal trends and by larger global influences

such as two world wars, global economic events (i.e. the 2008 global financial crisis) and most recently the impact of global capital on the housing market.

Housing style, size and construction costs have changed considerably from a time when an average worker could afford to own a house in Vancouver. Today homeownership is out of reach for many Vancouverites as median household income over the past decade has increased at an average rate of 3.3%¹ while the benchmark² price for a detached home in Vancouver's east side has increased at an average rate of 10.5%³. The opportunity to live within such a neighbourhood is generally now limited to those who can afford \$2 million or more to purchase a house or those who are willing to rent (typically a basement suite or laneway home).

Secondary suites have a long history in Vancouver as a way of providing affordable housing for renters, while facilitating home ownership by providing additional revenue to help pay for mortgages. Suites also increase density in neighbourhoods without major changes to the built form or character of neighbourhoods. Although encouraged during World War II to ease housing shortages, for the next 30 years, secondary suites were seen by many single-family owners as a nuisance that should be removed from their neighbourhoods. Despite City actions to close suites in the early 1980s, the number of unauthorized secondary suites continued to increase. In the following years, opinion shifted in favour of suites.⁴ In 2004, zoning in all the single-family areas was changed to allow secondary suites. In the following years, policy focused on encouraging the creation and legalization of more suites, through changes in codes, relaxations and a simplified approval process. Then in 2009, the outright density in RS zones citywide was increased from 0.60 to 0.70 FSR to incentivize the development of basements and enable more basement suites.

Also in 2009, Council approved laneway housing in the RS-1 and RS-5 single-family zones to provide a detached rental housing option to encourage "gentle" density in RS neighbourhoods. In 2013, the Laneway House Program was expanded to include all RS zones citywide with a density incentive of 0.16 FSR. With the increase in house size to encourage secondary suites combined with the incentive for laneway homes the development potential on a standard lot in an RS zone⁵ at 0.86 FSR came to exceed that of most RT zones (0.75 FSR and two dwelling units/duplex) which were the areas identified originally in the 1956 Zoning and Development By-law to provide more density and housing choice.

Most recently, in 2018, Council approved amendments to incorporate optional incentives for the retention of character homes in all RS zones, using the RT zones from neighbourhoods with a high concentration of character homes (pre-1950s) as a model. The character home incentives encourage retention in RS zones citywide and provide additional housing choice with density incentives (up to 0.85 FSR) and the introduction of multiple conversion dwelling and infill development (both strata) previously unavailable in most RS neighbourhoods.⁶

¹ Statistics Canada – Canadian Taxfilers data for the City of Vancouver and University Endowment Lands combined, 2006-2015.

² Benchmark price is a composite value that represents a "benchmark home," which is a home with typical attributes and characteristics of the area it resides within. Benchmark prices are different from average or median prices.

³ Real Estate Board of Greater Vancouver – MLS® Home Price Index, Vancouver East benchmark detached prices for the month of October, 2006-2017.

⁴ The Role of Secondary Suites – Rental Housing Strategy, Study 4, City of Vancouver, 2009

⁵ (0.70 + 0.16 FSR = 0.86 FSR) 3 dwelling units: a house with secondary suite and laneway house

⁶ MCD and infill dwellings can be strata titled subject to building code upgrades.

2. Allowing Duplexes in Most RS Zones

As described above, the RS zones currently allow three units on a single lot (a house with a secondary suite and a laneway). Strata titling is generally not allowed, except under the character incentives program which allows infill and multiple conversion dwellings in conjunction with the retention of a character house. Two RS zones (RS-2 and RS-7) allow duplexes but only allow strata-titling of larger lots.

Recent updates to the intent statements of the RS zones removed reference to the “single family character” of the neighbourhoods to better reflect the range of housing types that now exist and are permitted in those areas. This report recommends further amendments to RS zoning, as described in Appendix A, to:

- add duplex as a permitted dwelling use to the RS-1, RS-1A, RS-1B, RS-5 and RS-6 zones;
- provide more flexible regulations for duplexes in the RS-2 and RS-7 zones (e.g. by removing the minimum site area requirements to strata title); and
- allow a secondary suite or lock-off unit in a duplex.

Lots in these seven RS zones account for 99% of the 68,000 RS zoned lots across the city. Allowing duplexes in these areas at 0.7 FSR (equal to density for a single-family house) is an interim measure that would add a new item to the “menu” of choices now allowed in RS zoning. Adding duplexes will enable modest change in neighbourhoods across the city while additional housing opportunities are pursued over the coming year through the Making Room Housing Program. The proposed duplex option would allow those who are already considering demolishing and replacing their existing house with a new large house to consider duplex as an alternative that would provide two ownership opportunities and secondary suites or lock-off units. This option may also appeal to those downsizing who wish to stay in their own neighbourhoods or those looking for inter-generational housing options.

Adding duplex to the RS-3 and RS-3A zones (generally located between West 37th and West 49th Avenues, between Granville and Cypress Streets) is not proposed at this time. These zones are generally comprised of large, irregular lots with a significant stock of character homes and floor area is regulated through an ‘above grade’ allowance which is inconsistent with the typical floor area measurement in RS zones and in duplex zones citywide, where basements are included in floor area.

These excluded areas represent under 1% of the RS zoned lots in the city and the complexity and extent of by-law changes required to implement duplex in these areas would delay the implementation of changes to allow duplex in the rest of the city. Further, staff anticipate that the Making Room Housing Program will identify new housing opportunities beyond duplex for large lots in these area and generally across the city.

A map identifying the RS zones where duplex is proposed and the location of each RS zone are included in Appendix E.

Proposed Duplex Regulations

The proposed zoning by-law amendments are an interim measure to allow duplexes at 0.7 FSR (equal to FSR in most RS zones), and each duplex unit may include a secondary suite or lock-off unit. The floor area on a standard 10 m (33 ft.) lot is not sufficient to include secondary

suites in a duplex development, so allowing smaller lock-off units provides an alternative secondary rental opportunity. Duplexes on lots greater than 511 sq. m. (5,500 sq. ft.) in area would be required to include a secondary suite for each unit as sufficient floor area (approximately 3,850 sq. ft.) is permitted on these sites to accommodate two duplex units of a reasonable size for a family and a secondary suite within each duplex. Staff are recommending this approach for larger lots as a performance measure to ensure larger lots provide four dwellings units⁷ if new duplex is built under these interim provisions.

The new regulations would continue to allow for the construction of a one-family dwelling, one-family dwelling with a secondary suite (both of which are allowed to have a laneway house) or a duplex. As in other zones where the options of duplex use and one-family dwelling with a laneway house are permitted, (e.g. the recently updated RT-5 zone), a laneway house would not be permitted in conjunction with a duplex. Combining a duplex with laneway would provide a similar opportunity to the character incentives program, without the public interest benefit or the cost premium associated with character home retention.

The proposed regulations for new duplexes, which include external design regulations using similar language included in the updated RT-5 zone,⁸ are generally as noted in the table below:

Table 1. Proposed Regulations for Duplexes in RS Zones

Density	FSR 0.7
Height	10.7 m
Site Coverage	45%
Building Depth	45% of depth of site
External Design Regulations	<ul style="list-style-type: none"> • Main entrances • Covered porches or verandahs • Roof pitch • Dormer roof pitch and width • Exterior windows
Parking	<ul style="list-style-type: none"> • Duplex –one space per dwelling unit • Duplex with secondary suite – minimum 3 spaces • No parking required for lock-off units

An example of the proposed changes to the RS-1 District Schedule, shown in italics and strike-out, is attached as Appendix F.

In the future as work progresses on Making Room, we anticipate that the RS regulations, including the duplex provisions, could change to be more intentional about the types of housing that staff want to see built in neighbourhoods across Vancouver. Following the approach used in RT-5 (duplex), floor area allowances combined with parking relaxations could be increased to incentivize duplex/triplex/fourplex development while floor area reduced to discourage new single-family homes (especially houses built without secondary suites).

⁷ 4 dwelling units: 2 duplexes each with a secondary suite

⁸ RT-5 updates enacted in January 2018 included new external design regulations for duplex to replace the earlier design guidelines and conditional approval process

3. Lock-off Units – Maximum Unit Size

Lock-off units are small, self-contained units with an external door and a shared internal door which can be locked, enabling both the principal dwelling unit and suite to be independent (e.g. used periodically for long-term rental), or unlocked and used as part of the principal dwelling. This allows households to expand or contract their space needs over time. Lock-off units are permitted in a range of principal dwelling types, including townhouses and apartments.

Section 10.21.2 of the Zoning and Development By-law restricts the minimum size of a lock-off unit to 26 sq. m (280 sq. ft.), which can be relaxed to 19 sq. m (205 sq. ft.). The small size enables a unit to be located in apartments or smaller townhouses which cannot accommodate a larger secondary suite [minimum size 29.7 sq. m (320 sq. ft.)]. Unlike secondary suites, lock-off units do not trigger parking space requirements and are not separately addressed. Work is also underway to ensure that lock-off units and secondary suites are treated equitably in terms of utility charges (garbage, water, sewer fees).

The maximum size of a lock-off suite is not currently regulated. However, some units are being built larger than was intended and are similar in size to secondary suites. To ensure these units are serving as flexible additions to a larger principal dwelling and are distinct from secondary suites, which are intended for long-term occupancy, staff propose that a maximum unit size of 29.7 sq. m (320 sq. ft.) be added to Section 10.21 (see Appendix A) and the Lock-off Unit Guidelines (see Appendix B). This would clarify that a unit less than or equal to 29.7 sq. m (320 sq. ft.) in size is a lock-off unit and a unit greater than 29.7 sq. m (320 sq. ft.) is a secondary suite.

The proposed change to regulate the size of lock-off units will mean that lock-off units larger than 29.7 sq. m (320 sq. ft.) built prior to the enactment of the amendment will become non-conforming with respect to size. This is a common outcome of changes to zoning regulations and can be managed.

Public Engagement

The Making Room Housing Program was created to address several key objectives set out in the *Housing Vancouver Strategy* and *Three-Year Action Plan*, including driving a shift towards the “right supply” of housing that meets the needs of people who live and work in Vancouver. The ideas, objectives, and actions in the *Housing Vancouver Strategy* and Action Plan are the product of over a year of intensive community and partner engagement and public consultation. This process involved a wide variety of public events, open houses and workshops, as well as online surveys that drew over 10,000 responses. The engagements ranged from small scale, embedded conversations as part of concurrent planning programs to the Re:Address Conference Week that drew local citizens, experts and housing leaders from around the world.

Through the Housing Vancouver conversations, we learned about the housing challenges facing Vancouver residents and about their priorities and vision for the future of housing in the city. We know that affordability is a top value for residents when it comes to housing, and many households are making significant trade-offs in order to stay in the city. Residents also identified equity as an important guiding value and the need to prioritize housing that promotes greater equity between generations and across tenures, income brackets and backgrounds. We also learned that residents want to see more of the “right supply” of housing, and a greater diversity in the types of housing choices available to them. Residents indicated they are open to

considering a diverse range of options for their next home, including more ground oriented forms such as townhouses, low- and mid-rise apartments and laneway homes.

On June 20, 2018, Council endorsed the launch of a new Making Room Housing Program to respond to the Housing Vancouver findings and strategy and focus on opportunities to add a greater diversity of more affordable housing options in our low-density neighbourhoods. Also on June 20, 2018 Council directed staff to advance work on zoning amendments to enable duplex use in some or all RS areas of the city as an interim measure as a way to reset the baseline in RS to allow two principal ownership units on most RS zoned lots. Additional housing opportunities including triplex, four-plex, townhouses and apartments will also be explored and advanced over the coming year. Given the extensive engagement opportunities provided during 2017 on the Vancouver Housing Strategy, and the modest change proposed to enable duplex in RS zones, staff are recommending referral of this option to public hearing.

Staff intend to hold information sessions in September in advance of a future public hearing (locations and dates to be determined). The Making Room Program web page (vancouver.ca/makingroom) also provides information about these initial actions.

Implications/Related Issues/Risk

1. Processing

The new regulations allow duplex as an outright use with external design regulations. The introduction of duplex as a new building type in most RS zones will mean that more duplex permits will be processed by the Housing Review Branch, which generally reviews less complex forms of development (e.g. single family houses and laneway houses). Successful implementation of the changes will require a coordinated and supportive approach.

Staff anticipate that only modest take-up of the duplex option in RS zones is likely to happen over the coming year and these new duplex permits would replace permits for new one-family dwellings (and laneway homes). Planning staff will work with staff in the Housing Review Branch to prepare for a modest increase in duplex applications in RS zones across the city. Staff have already committed to report back on early monitoring and evaluation of permit processing in the updated RT-5 and RT-6 zones as a result of recent changes and new opportunities in those zones. Higher work volumes of more complex permits could result in the need for additional staff or more staff with specific technical expertise to provide timely service to customers. Staff will monitor the volume of applications closely. Any additional staffing requirements will be considered as part of annual resource and fee reviews .

2. Utilities

Sewers

Engineering Services staff have reviewed the proposed Zoning and Development By-law amendments and the expected sewer load contributions from the changes in the applicable RS zoned areas of the city. It is not expected that a change of the RS zones that currently allow three units on a single lot (a house with a secondary suite and a laneway house) to duplex zoning, with each duplex unit possibly including a secondary suite or lock-off unit, will have a material change on the existing allowable load to the sewer system under current zoning.

Stormwater

All redevelopment in the areas proposed for change will require onsite stormwater management that at the minimum meets the requirements of the City's Integrated Rainwater Management Plan. The extent of the requirements to manage stormwater will depend on available system capacity in the area to handle the proposed development's stormwater load. If the receiving pipe network in the area is unable to accommodate the stormwater loading, then development may be prohibited unless stormwater management issues are adequately addressed onsite. Staff is in the process of developing additional information and education materials to support the implementation of adequate stormwater management. Work is also underway to develop a process for reviewing stormwater management plans and to ensure adequate resourcing.

3. Trade-offs

The addition of duplex as a choice in RS areas and broader changes to come as a result of the Making Room Housing Program will place more pressure on street parking. If larger new buildings are approved as part of future work, there will be tree loss and reduced green space. There may be concerns regarding loss of privacy and overlook and we can anticipate the loss of some character homes as change to neighbourhoods occurs. These considerations and objectives will be balanced with broader community objectives to achieve the best outcomes. It is noted that some objectives may conflict and various trade-offs are required to accommodate more housing choice in neighbourhoods across Vancouver.

4. Impact on Future Housing Options and Land Values

As noted in the section above, staff are recommending the introduction of duplex in a way that is designed to limit land value escalation. No extra floor area is proposed for duplex at this time; only the ability to have two principal dwelling units that can be strata titled. Based on earlier financial testing done in RS zones as part of recent community plan work, staff anticipate that land value escalation will be modest in some areas of the city, and in other areas, single-family (with secondary suites and laneway homes) will continue to be the most financially attractive option (highest and best use). In Grandview-Woodland, about 950 lots were rezoned in January 2018, from RS-1 and RS-7 to RT-5 (duplex) and only four new duplex applications have been submitted in that area.

Staff are recommending introducing duplex with an FSR equal to that allowed for a house so that it does not financially out-compete other incentive programs, (e.g. the recently approved character incentives program) and is unlikely to preclude opportunities for more substantial housing options resulting from the Making Room program. The duplex option may be attractive to downsizing homeowners that want to stay in their immediate neighbourhood and to homeowners seeking inter-generational housing options. On average 800 houses are demolished and replaced with a new house or a house with a secondary suite annually. If patterns continue and half of the homeowners who are planning to replace a house in the coming year chose to rebuild using the new duplex option, we could see about 400 duplexes built over the course of a year.

Financial

New development brings new residents into an area, increasing demand on city infrastructure and amenities. City-wide Development Cost Levis (DCLs) collected from development help pay

for public amenities and infrastructure required to support growth, including parks, childcare facilities, replacement (social/non-profit) housing and various engineering infrastructure.

The City has recently developed a substantial City-wide Utilities DCL program to begin to address the tremendous growth pressures on the utility infrastructure in the city. The utilities DCL program identifies specific neighbourhood-serving water, sewer and drainage/green infrastructure projects to support growth associated with approved policy plans. The program will be updated annually to reflect development patterns and integrate new land use plans, as and when they are approved by Council. For utility upgrades not included in the program, upgrades will continue to be achieved through development/rezoning conditions on a site-by-site basis. Further, there may also be other supportive engineering infrastructure, such as transportation improvements, that would be secured through development/rezoning conditions. All DCLs are subject to in-stream rate protection and annual adjustments.

The DCL waiver will continue to be offered on for-profit affordable rental housing units that meet the requirements of the DCL By-law and will be reviewed over the next year.

The City's Financing Growth policies are based upon the principle that development contributions should not deter growth or harm housing affordability. Independent review of the market impacts of development contributions found the primary impact of these in Vancouver is to put downward pressure on the value of land for redevelopment⁹. Affordability should not be negatively affected as long as rates are set so they do not impede the steady supply of development sites.

Staff will monitor the volume of applications closely. Any additional staffing requirements will be considered as part of annual resource and fee reviews.

CONCLUSION

As part of the implementation of the *Housing Vancouver Strategy* and the new Making Room Housing Program, the proposed changes to most RS zones to allow duplex will provide an additional housing option in low-density areas across Vancouver. This interim measure will allow for modest change in neighbourhoods while additional housing opportunities are explored and advanced over the coming year. The recommended changes to lock-off units will better differentiate these smaller flexible units from secondary suites intended for longer term rental housing.

* * * * *

⁹ CAC Policy and Housing Affordability: Review for the City of Vancouver, Coriolis Consulting, 2014

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting

BY-LAW NO. _____

**A By-law to amend the Zoning and Development By-law No. 3575
Regarding the Addition of Two-Family Dwellings to RS Zones**

1. This By-law amends the indicated provisions of the Zoning and Development By-law No. 3575.

2. In section 10.21, Council:

(a) adds a new section 10.21.3 as follows:

“10.21.3 The maximum floor area of a lock-off unit is 29.7 m².”; and

(b) renumbers the remaining sections of 10.21 accordingly.

3. Council strikes out section 1 of the RS-1 District Schedule and substitutes:

“1 Intent

The intent of this Schedule is generally to maintain the residential character of the RS-1 District in the form of one-family dwellings, secondary suites, laneway houses, two-family dwellings with secondary suites on larger lots and with lock-off units on smaller lots, and infill and multiple conversion dwellings in conjunction with retention of character houses. Emphasis is placed on encouraging neighbourly development by preserving outdoor space and views. Neighbourhood amenity is enhanced through the maintenance of healthy trees and planting which reflects the established streetscape.”.

4. Council strikes out section 1 of the RS-1A District Schedule and substitutes:

“1 Intent

The intent of this Schedule is to maintain the residential character of the District in the form of one-family dwellings, secondary suites, laneway houses, two-family dwellings with secondary suites on larger lots and with lock-off units on smaller lots, multiple conversion dwellings, and infill and multiple conversion dwellings in conjunction with retention of character houses.”.

5. Council strikes out section 1 of the RS-1B District Schedule and substitutes:

“1 Intent

The intent of the Schedule is to maintain the residential character of the District in the form of one-family dwellings, secondary suites, laneway houses, two-family dwellings with secondary suites on larger lots and with lock-off units on smaller lots, infill or two principal dwelling units on some sites, and infill and multiple conversion dwellings in conjunction with retention of character houses.”.

6. Council strikes out section 1 of the RS-2 District Schedule and substitutes:

“1 Intent

The intent of this Schedule is primarily to maintain the residential character of the District in the form of one-family dwellings, secondary suites, laneway houses, infill, multiple

conversion dwellings, two-family dwellings with secondary suites on larger lots and with lock-off units on smaller lots, multiple dwellings on large lots, and infill and multiple conversion dwellings in conjunction with retention of character houses.”.

7. Council strikes out section 1 of the RS-5 District Schedule and substitutes:

“1 Intent

The intent of this Schedule is generally to maintain the existing residential character of the RS-5 District in the form of one-family dwellings, secondary suites, and laneway houses, by encouraging new development that is compatible with the form and design of existing development, and by encouraging the retention and renovation of existing development. Two-family dwellings with secondary suites on larger lots and with lock-off units on smaller lots, and infill and multiple conversion dwellings in conjunction with retention of character houses may also be permitted. Emphasis is placed on design compatibility with the established streetscape. Neighbourhood amenity is intended to be enhanced through the maintenance and addition of healthy trees and plants.”.

8. Council strikes out section 1 of the RS-6 District Schedule and substitutes:

“1 Intent

The intent of this Schedule is to maintain the residential character of the District in the form of one-family dwellings, secondary suites, laneway houses and two-family dwellings with secondary suites on larger lots and with lock-off units on smaller lots, and to encourage a high standard of building design, materials, and landscape development while allowing design diversity in new development. Infill and multiple conversion dwellings in conjunction with retention of character houses may also be permitted. Neighbourhood amenity is enhanced through the maintenance of healthy trees and planting which reflects the established landscape.”.

9. Council strikes out section 1 of the RS-7 District Schedule and substitutes:

“1 Intent

The intent of this Schedule is to maintain the residential character of the RS-7 District in the form of one-family dwellings, secondary suites, laneway houses, infill, two-family dwellings with secondary suites on larger lots and with lock-off units on smaller lots, multiple conversion dwellings, and infill and multiple conversion dwellings in conjunction with retention of character houses. On larger lots, multiple dwellings may also be permitted. Neighbourhood amenity is enhanced through external design regulations.”.

10. In section 2.2.DW [Dwelling] of the RS-1, RS-1A, RS-1B, RS-2, RS-5, RS-6, and RS-7 District Schedules, Council adds the following after the bullet for One-Family Dwelling:

“

- Two-Family Dwelling, on lots less than 511 m² in area.”.

11. In section 3.2.1.DW [Dwelling] of the RS-1 and RS-5 District Schedules, Council adds the following after the bullet for Multiple Conversion Dwelling:

“

- Principal Dwelling Unit with a Lock-off Unit in Two-Family Dwelling.
- Two-Family Dwelling with Secondary Suite, provided that there is no more than one secondary suite for each dwelling unit.”.

12. In section 3.2.DW [Dwelling] of the RS-1A, RS-1B and RS-6 District Schedules, Council adds the following after the bullet for Multiple Conversion Dwelling:

“

- Principal Dwelling Unit with a Lock-off Unit in Two-Family Dwelling.
- Two-Family Dwelling with Secondary Suite, provided that there is no more than one secondary suite for each dwelling unit.”.

13. In section 3.2.DW [Dwelling] of the RS-2 District Schedule, Council strikes out:

“

- Two-Family Dwelling.”

and substitutes:

“

- Principal Dwelling Unit with a Lock-off Unit in Two-Family Dwelling.
- Two-Family Dwelling with Secondary Suite, provided that there is no more than one secondary suite for each dwelling unit.”.

14. In section 3.2.1.DW [Dwelling] of the RS-7 District Schedule, Council strikes out:

“

- Two-Family Dwelling, provided that access is provided from one dwelling unit to the other dwelling unit within the building except that this clause does not apply to:
 - (i) a building existing prior to January 9, 2001; or
 - (ii) a building on a site 668 m² or larger in area.”

and substitutes:

“

- Principal Dwelling Unit with a Lock-off Unit in Two-Family Dwelling.
- Two-Family Dwelling with Secondary Suite, provided that there is no more than one secondary suite for each dwelling unit.”.

15. Council strikes out section 4.1.1 of the RS-1 and RS-5 District Schedules and substitutes:

“4.1.1 The minimum site area for a one-family dwelling, one-family dwelling with secondary suite, two-family dwelling, or two-family dwelling with secondary suite, is 334 m², and the minimum site width for a one-family dwelling, one-family dwelling with secondary suite, two-family dwelling, or two-family dwelling with secondary suite, is 7.3 m.”.

16. In section 4.1.1 of the RS-1A District Schedule, Council strikes out the words “or one-family dwelling with secondary suite” and substitutes “, one-family dwelling with secondary suite, two-family dwelling, or two-family dwelling with secondary suite”.

17. In section 4.1.1 of the RS-1B District Schedule, Council adds the words “two-family dwelling, two-family dwelling with secondary suite,” after “one-family dwelling with secondary suite,”.

18. Council strikes out section 4.1.1 of the RS-2 District Schedule and substitutes:

“4.1.1 The minimum site area shall be:

(a) 334 m² for a one-family dwelling, one family dwelling with secondary suite, two-family dwelling, or two-family dwelling with secondary suite; and

(b) 929 m² for a multiple dwelling or infill.”

19. Council strikes out section 4.1.1 of the RS-6 District Schedule and substitutes:
“4.1.1 The minimum site area for a one-family dwelling, one-family dwelling with secondary suite, two-family dwelling, two-family dwelling with secondary suite, or multiple conversion dwelling, is 334 m², and the minimum site width for a one-family dwelling, one-family dwelling with secondary suite, two-family dwelling, or two-family dwelling with secondary suite, is 7.3 m.”.

20. In section 4.1.1 of the RS-7 District Schedule, Council strikes out the words “or two-family dwelling” and substitutes “two-family dwelling, or two-family dwelling with secondary suite”.

21. In section 4.1 of the RS-1A, RS-1B, RS-2 and RS-7 District Schedules, Council adds a new section 4.1.3 as follows:

“4.1.3 The maximum site area for a two-family dwelling is 511 m².”.

22. In section 4.1 of the RS-1, RS-5, and RS-6 District Schedules, Council adds a new section 4.1.4 as follows:

“4.1.4 The maximum site area for a two-family dwelling is 511 m².”.

23. Council strikes out section 4.3.1 of the RS-1 District Schedule, and substitutes the following:

“4.3.1 Height shall not exceed:

(a) for all uses other than two-family dwelling or two-family dwelling with secondary suite, 9.5 m in height and 2½ storeys, nor exceed the maximum dimensions created by the combination of:

(i) a primary envelope located in compliance with the side yard regulation and formed by planes vertically extended 4.9 m in height and then extending inward and upward at an angle of 30 degrees from the horizontal to the point where the planes intersect; and

(ii) a secondary envelope located between the required side yards and equal to 60 percent of the site width (except as provided for by section 4.3.2) and formed by planes vertically extended 7.6 m in height and then extending inward and upward at an angle of 45 degrees from the horizontal to the point where the planes intersect.

(b) for two-family dwelling or two-family dwelling with secondary suite, 10.7 m and 2 ½ storeys.”.

24. In section 4.3.1 of the RS-1B District Schedule, Council adds the words “, two-family dwelling, or two-family dwelling with secondary suite” after the words “a principal one-family dwelling”.

25. In section 4.3 of the RS-5 District Schedule, Council:

(a) strikes out section 4.3.1 and substitutes the following:

“4.3.1 Height shall not exceed:

(a) for all uses other than two-family dwelling or two-family dwelling with secondary suite, 9.2 m in height and 2½ storeys,

(b) for two-family dwelling or two-family dwelling with secondary suite, 10.7 m and 2 ½ storeys.”; and

(b) in section 4.3.2, strikes out the words “The height of the building” and substitutes “For all uses other than two-family dwelling or two-family dwelling with secondary suite, the height of the building”.

26. In section 4.3.1 of the RS-1B District Schedule, Council adds the words “, two-family dwelling, or two-family dwelling with secondary suite” after the words “a principal one-family dwelling”.

27. In section 4.5.1 of the RS-7 District Schedule, Council strikes out the words “For a single-family house, multiple conversion dwelling,” and substitutes “For a one-family dwelling, one-family dwelling with secondary suite, two-family dwelling, two-family dwelling with secondary suite, multiple conversion dwelling,”.

28. In section 4.6 of the RS-1 District Schedule, Council:

(a) in section 4.6.1, adds the words “for all uses except for two-family dwelling or two-family dwelling with secondary suite” after “A rear yard with a minimum depth of 45 percent of the site shall be provided”; and

(b) adds a new section 4.6.1A as follows:

“4.6.1AA rear yard with a minimum depth of 35 percent of the depth of the site shall be provided for two-family dwellings or two-family dwellings with secondary suite.”.

29. In section 4.6 of the RS-6 District Schedule, Council:

(a) in section 4.6.1, adds the words “for all uses except for two-family dwelling or two-family dwelling with secondary suite” after “A rear yard with a minimum depth of 40 percent of the depth of the site shall be provided”; and

(b) adds a new section 4.6.1A as follows:

“4.6.1A A rear yard with a minimum depth of 35 percent of the depth of the site shall be provided for two-family dwellings or two-family dwellings with secondary suite.”.

30. In section 4.7 of the RS-1, RS-1A, RS-2, RS-5, RS-6, and RS-7 District Schedules, Council:

(a) in section 4.7.1, adds the words “for all uses except for two-family dwelling or two-family dwelling with secondary suite” after “The floor space ratio”; and

(b) adds a new section 4.7.1A as follows:

“4.7.1A The floor space ratio for two-family dwellings or two-family dwellings with secondary suite must not exceed 0.70.”.

31. In section 4.7 of the RS-1B District Schedule, Council:

(a) in section 4.7.1, adds the words “for all uses except for two-family dwelling or two-family dwelling with secondary suite,” after “The floor space ratio shall not exceed 0.60”; and

(b) adds a new section 4.7.1A as follows:

“4.7.1A The floor space ratio for two-family dwellings or two-family dwellings with secondary suite must not exceed 0.70.”.

32. Council strikes out section 4.8.1 in the RS-1, RS-5, RS-6, and RS-7 District Schedules and substitutes the following:

“4.8.1 The maximum site coverage for buildings shall be:

- (a) 40 percent of the site area for all uses except for two-family dwellings and two-family dwellings with secondary suite; and
- (b) 45 percent of the site area for two-family dwellings and two-family dwellings with secondary suite.”.

33. Council strikes out section 4.16.1 of the RS-1 District Schedule and substitutes the following:

“4.16.1 The distance between the front yard and the rear yard of a site shall not exceed:

- (a) 35 percent of the depth of the site for all uses except for two-family dwelling or two-family dwelling with secondary suite, unless otherwise determined pursuant to the provisions of section 4.6.1; and
- (b) 45 percent of the depth of the site for two-family dwelling or two-family dwelling with secondary suite.”.

34. Council adds a new section 4.16 to the RS-1A, RS-1B and RS-2 District Schedules as follows:

“4.16 Building Depth

4.16.1 For two-family dwelling or two-family dwelling with secondary suite, the distance between the front yard and the rear yard of a site shall not exceed 45 percent of the depth of the site.”.

35. Council strikes out section 4.16.2 of the RS-5 and RS-7 District Schedules and substitutes the following:

“4.16.2 The maximum building depth shall not exceed:

- (a) 40 percent of the depth of the site for all uses except for two-family dwelling or two-family dwelling with secondary suite; and
- (b) 45 percent of the depth of the site for two-family dwelling or two-family dwelling with secondary suite.”.

36. In the RS-6 District Schedule, Council:

(a) strikes out section 4.16.1 and substitutes the following:

“4.16.1 The maximum permitted building depth for all uses other than two-family dwelling or two-family dwelling with secondary suite shall not exceed the percentages indicated in the following table:

Portion of building width and location	Maximum building depth as percent of site depth
Centre 60% of the maximum allowable building	40 percent

width	
20% of maximum allowable building width as measured from both side yard setback lines	35 percent

”; and

(b) adds a new section 4.16.1A as follows:

“4.16.1A The maximum permitted building depth for two-family dwelling or two-family dwelling with secondary suite shall not exceed 45 percent of the depth of the site depth.”.

37. In section 4.17 of the RS-1 and RS-5 District Schedules, Council adds new sections 4.17.6 through 4.17.9 as follows:

“4.17.6 In two-family dwellings and two-family dwellings with secondary suite, there must be two main entrances, one to each principal dwelling unit.

4.17.7 In two-family dwellings and two-family dwellings with secondary suite, there must be a covered verandah or porch at each main entrance, with a minimum width or depth of 1.6 m.

4.17.8 In two-family dwellings and two-family dwellings with secondary suite, roof design must comply with the following provisions:

- (a) all roofs except for dormer roofs must be hip, gable or a combination of both forms, and must have a minimum slope of 7:12;
- (b) dormer roofs must be gable, hip or shed in form and have a minimum slope of 4:12; and
- (c) the maximum total width of dormer roofs provided on a half storey above the second storey must comply with the following table:

Dormer Orientation	Maximum Total Dormer Width
Rear yard	40% of width of elevation of storey below
Interior side yard	25% of width of elevation of storey below
Street or flanking lane	30% of width of elevation of storey below

4.17.9 Exterior windows in a secondary suite must have:

- (a) a minimum total glazing area of 10% of the total floor area of the room, in each of the kitchen, living room and dining room; and
- (b) a minimum total glazing area of 5% of the total floor area of the room, in all other rooms, except bathrooms and laundry rooms.”.

38. In the RS-1A, RS-1B and RS-2 District Schedules, Council adds a new section 4.17 as follows:

“4.17 External Design

4.17.1 For the purpose of this section 4.17, a main entrance means a door facing a street not being a lane, which is visible from the street and is located at or within 1.8 m of grade, or connected to grade by stairs or a ramp.

4.17.2 In two-family dwellings and two-family dwellings with secondary suite, there must be two main entrances, one to each principal dwelling unit.

4.17.3 In two-family dwellings and two-family dwellings with secondary suite, there must be a covered verandah or porch at each main entrance, with a minimum width or depth of 1.6 m.

4.17.4 In two-family dwellings and two-family dwellings with secondary suite, roof design must comply with the following provisions:

- (a) all roofs except for dormer roofs must be hip, gable or a combination of both forms, and must have a minimum slope of 7:12;
- (b) dormer roofs must be gable, hip or shed in form and have a minimum slope of 4:12; and
- (c) the maximum total width of dormer roofs provided on a half storey above the second storey must comply with the following table:

Dormer Orientation	Maximum Total Dormer Width
Rear yard	40% of width of elevation of storey below
Interior side yard	25% of width of elevation of storey below
Street or flanking lane	30% of width of elevation of storey below

4.17.5 Exterior windows in a secondary suite must have:

- (a) a minimum total glazing area of 10% of the total floor area of the room, in each of the kitchen, living room and dining room; and
- (b) a minimum total glazing area of 5% of the total floor area of the room, in all other rooms, except bathrooms and laundry rooms.”.

39. In section 4.17 of the RS-6 and RS-7 District Schedules, Council adds new sections 4.17.39 through 4.17.41 as follows:

“4.17.39 In two-family dwellings and two-family dwellings with secondary suite, there must be two main entrances, one to each principal dwelling unit.

4.17.40 In two-family dwellings and two-family dwellings with secondary suite, there must be a covered verandah or porch at each main entrance, with a minimum width or depth of 1.6 m.

4.17.41 Exterior windows in a secondary suite must have:

- (a) a minimum total glazing area of 10% of the total floor area of the room, in each of the kitchen, living room and dining room; and
- (b) a minimum total glazing area of 5% of the total floor area of the room, in all other rooms, except bathrooms and laundry rooms.”.

40. In section 5.1 of the RS-1, RS-1A, RS-2 and RS-5 District Schedules, Council:

(a) strikes out the word “and” after “laneway house;” in subsection (d);

(b) adds two new subsections as subsections (e) and (f) as follows:

“(e) two-family dwelling;

(f) two-family dwelling with secondary suite; and”;

(c) rennumbers the existing subsection (e) as subsection (g).

41. In section 5.1 of the RS-7 District Schedule, Council:

- (a) adds a new subsection (f) as follows:
“f) two-family dwelling with secondary suite;” and
- (b) renumbers the existing subsections (f) and (g) as subsections (g) and (h) respectively.

DRAFT AMENDMENTS TO THE PRINCIPAL DWELLING UNIT COMBINED WITH A LOCK-OFF GUIDELINES

Note: Amendments to Council-adopted guidelines will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting. Italics and strikeout denote changes to the guidelines.

2 General Design Considerations

An application for the conditional use of a **Principal Dwelling Unit combined with a Lock-off Unit** will require approval by the Development Permit Board or the Director of Planning. In the consideration to allow this use, livability will be a primary goal. These guidelines delineate a set of principles for livability which include light and ventilation, privacy, sound insulation, security and outdoor space.

The minimum unit size for the lock-off unit is 26 m² which may be further reduced to 19 m². Since livability is directly related to the size of a dwelling unit, units that are smaller than 26 m² should compensate for the reduced size and attain the same standard of livability through increased enhancements of the other livability features listed below.

The maximum unit size for a lock-off unit is 29.7 m². Units greater in size are considered secondary suites and must comply with the regulations for secondary suites.

STRATA TITLE POLICIES FOR RS, RT AND RM ZONES

1 Application and Intent

These guidelines apply to the strata titling of previously occupied buildings or new construction in the RS, RT and RM zones.

Under Section 242 (1) of the **Strata Property Act** of British Columbia, City Council is the approving authority for conversion of previously occupied buildings into strata lots. Pursuant to Section 242 (10) of the **Strata Property Act**, Council has delegated its approval authority to the Approving Officer for previously occupied buildings containing less than six dwelling units.

Newly constructed buildings, which are not occupied prior to registration of a strata plan at the Land Title Office, do not require the approval of City Council or the Approving Officer.

2 Secondary Suite

In R zones, where one secondary suite is conditionally permitted in a one-family dwelling, the suite can either be built at the same time a new one-family dwelling (i.e. house) is being constructed, or a suite can be incorporated into an existing one-family dwelling. The construction and safety requirements of the Vancouver Building By-law (VBBL) for a secondary suite within an existing one-family dwelling (which may not be strata titled) are less demanding than for new construction.

In R zones where one secondary suite is conditionally permitted in each principal dwelling unit of a two-family dwelling, the suites can either be built at the same time a new two-family dwelling is being constructed or incorporated into an existing two-family dwelling. In the latter case, construction and safety requirements of the VBBL need to be confirmed.

Terms regarding suites are not the same in the Vancouver Building By-law and the Zoning and Development By-law (Z&D). The VBBL terms include Secondary Suite and Group “C” Residential Occupancy Classification. The Z&D terms include One-Family Dwelling with Secondary Suite and Two-Family Dwelling with Secondary Suite. Contact Development Services staff (VBBL) or Planning staff (Z&D) for how these two by-laws apply in your specific situation.

Developments with secondary suites may be strata titled in some instances, however a secondary suite cannot be defined as a separate strata lot under any circumstances.

3 Laneway House

In the R zones where a laneway house is conditionally permitted, a new laneway house can be built on a site which accommodates an existing one family dwelling, or a new laneway house can be built in conjunction with a new one family dwelling. In both cases, the one family dwelling can also include a secondary suite.

4 Principal Dwelling Unit with Lock-off Unit

In certain R zones, a principal dwelling unit with lock-off unit may be conditionally permitted.

For new construction, as a condition of development permit approval, the registered owner shall execute a covenant which must be registered against the title of the property prior to issuance of the Development Permit. The covenant is to ensure that the number of strata lots

created upon registration of a strata plan is consistent with the number of approved principal dwelling units (i.e. the lock-off unit cannot be defined as a separate strata lot).

5 Character Houses in RS and RT Zones

In certain R zones, Multiple Conversion Dwelling and Infill are conditionally permitted in conjunction with retention of a character house.

In these cases, Council or the Approving Officer may consider an application to convert a previously occupied building to strata title ownership, subject to the number of strata lots being consistent with the approved number of principal dwelling units (i.e. a Secondary Suite or a Lock-off Unit cannot be defined as a separate strata lot).

6 Policies

The following outlines the policies for the conversion of previously occupied buildings or new construction to strata title ownership in applicable zoning districts.

6.1 Conversions

Council, or the Approving Officer, will not entertain any applications to convert a previously occupied building to strata title ownership for One-Family Dwelling with Secondary Suite, One-Family Dwelling with Laneway House, or One-Family Dwelling with Secondary Suite and Laneway House as defined in the Zoning and Development By-law.

An exception may be made for existing developments containing two or more principal dwelling units (One-Family Dwelling with Infill Dwelling, Two One-family dwellings, Two-Family Dwelling or Multiple Conversion Dwelling), in combination with Secondary Suites or Lock-off Units. In these cases, Council or the Approving Officer may consider an application to convert the previously occupied building to strata title ownership, subject to the number of strata lots being consistent with the approved number of principal dwelling units. A Secondary Suite or a Lock-off Unit cannot be defined as a separate strata lot.

All other applications to convert previously occupied buildings to strata title ownership, including a One-Family Dwelling with a new Infill Dwelling, Two-Family Dwelling or Multiple Conversion Dwelling will be subject to approval by City Council or the Approving Officer and the process outlined in the City's Strata Title and Cooperative Conversion

6.2 New Construction

- (a) One-Family Dwelling with Secondary Suite, One-Family Dwelling with Laneway House, or One-Family Dwelling with Secondary Suite and Laneway House

As a condition of development permit approval, the registered owner shall execute a covenant which must be registered against the title of the property that prohibits registration of a strata plan. The city will release the covenant, on the owner's request, not less than 12 months after issuance of the occupancy permit.

- (b) New Developments containing two or more principal dwelling units, in combination with Secondary Suite(s) or Lock-off Units

As a condition of development permit approval for a new development containing two or more principal dwelling units (One-Family Dwelling with an Infill Dwelling, Two One-Family Dwellings, Two-Family Dwelling or Multiple Dwelling), in combination with Secondary Suites or Lock-off Units, the registered owner shall execute a covenant to

be registered against the title of the property. The covenant is to ensure that the number of strata lots created upon registration of a strata plan is consistent with the approved number of principal dwelling units (i.e. a Secondary Suite or a Lock-off Unit cannot be defined as a separate strata lot).

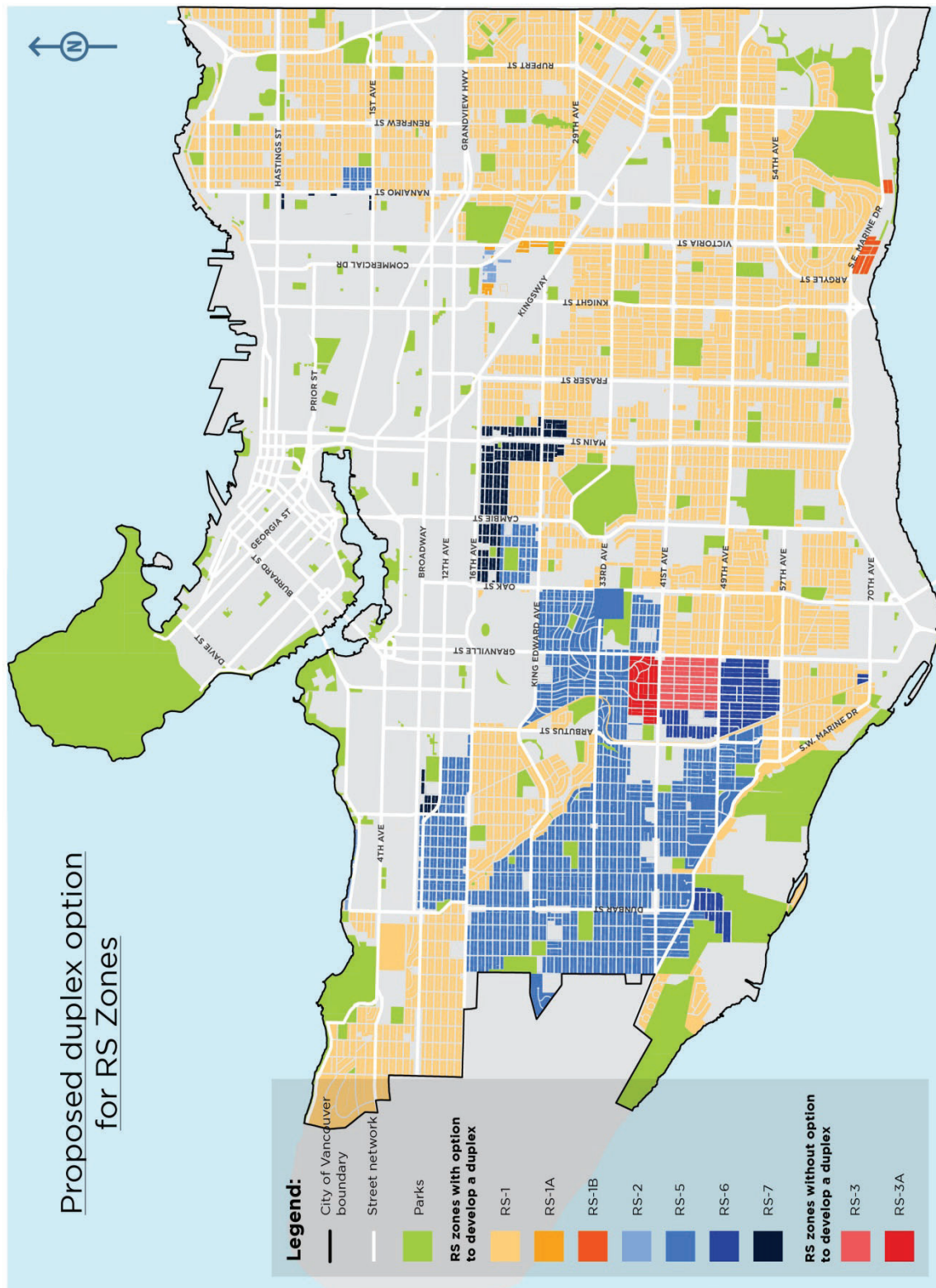
DRAFT AMENDMENTS TO THE RS-7 GUIDELINES

Note: Amendments to Council-adopted guidelines will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting. Italics and strikeout denote changes to the guidelines.

3.2 Single-Family and Two-Family Dwellings

For single-Family and Two-Family Dwellings:

- (a) the District Schedule Sections 4.17 External Design Regulations apply;
- (b) the District Schedule offers a floor area increase where an applicant complies with the RS-7 Guidelines Section 8 Landscaping requirements; *and*
- (c) compliance with other sections of the Guidelines is not mandatory but applicants may wish to consult the Guidelines for general design interest. *and*
- ~~(d) Dwelling Units may not be strata-titled on sites less than 668 m² in area.~~



EXAMPLE OF PROPOSED CHANGES TO RS-1 DISTRICT SCHEDULE

Note: Amendments will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting. Bold italics and strikeout denote changes to the district schedule.

RS-1 District Schedule

1 Intent

The intent of this Schedule is generally to maintain the residential character of the RS-1 District in the form of one-family dwellings with or without a secondary suite and with or without a laneway house, *two-family dwellings with or without secondary suites and lock-off units*, and infill and multiple conversion dwellings in conjunction with retention of character houses. Emphasis is placed on encouraging neighbourly development by preserving outdoor space and views. Neighbourhood amenity is enhanced through the maintenance of healthy trees and planting which reflects the established streetscape.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in the RS-1 District and shall be issued a permit.

2.2 Uses

- 2.2.A** • Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, provided that:
- (a) no accessory building exceeds 3.7 m in height measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge of a gable, hip or gambrel roof, provided that no portion of an accessory building may exceed 4.6 m in height;
 - (b) all accessory buildings are:
 - (i) located within 7.9 m of the ultimate rear property line or located within the permitted building depth as regulated by section 4.16.1 of this Schedule; and
 - (ii) in no case less than 3.1 m from the ultimate centre line of any rear or flanking lane and less than 1.5 m from a flanking street, subject also to the provisions of section 11.1 of this By-law;
 - (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 30% of the minimum rear yard prescribed in this Schedule, or 48 m², whichever is the greater, except that:
 - (i) floor area previously excluded from existing development pursuant to section 4.7.3(c), and
 - (ii) the floor area of a laneway house, shall be deducted from the total allowable accessory building floor area;
 - (d) not more than 80 percent of the width of the rear yard of any lot is occupied by accessory buildings;
 - (e) roof gardens and sun decks are not located on an accessory building located beyond the permitted building depth as regulated by section 4.16.1 of this Schedule.

- Accessory Uses customarily ancillary to any of the uses listed in this section, provided that accessory parking spaces shall comply with the provisions of section 2.2.A(b) of this Schedule.

2.2.DW [Dwelling]

- One-Family Dwelling.
- *Two-Family Dwelling, on lots less than 511 m² in area.*

2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations and relaxations that apply to a one-family dwelling.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
- (b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.1 The uses listed in section 3.2.1 may be permitted in the RS-1 District.

1. 3.2.1.A
 - Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, other than as provided for in section 2.2.A of this Schedule.
 - Accessory Uses customarily ancillary to any of the uses listed in this section.

3.2.1.AG [Agricultural]

- Urban Farm - Class A, subject to the provisions of section 11.29 of this By-law.

• 3.2.1.C [Cultural and Recreational]

- Community Centre or Neighbourhood House.
- Golf Course or Driving Range.
- Library in conjunction with a Community Centre.
- Marina.
- Park or Playground.
- Stadium or Arena.
- Zoo or Botanical Garden.

2. 3.2.1.D
 - Deposition or extraction of material so as to alter the configuration of the land.

• 3.2.1.DW [Dwelling]

- Dwelling Unit in conjunction with a neighbourhood grocery store existing as of July 29, 1980, subject to the provisions of section 11.16 of this By-law.
- Infill in conjunction with retention of a character house existing on the site as of January 16, 2018

- Infill One-Family Dwelling, provided that:
 - (a) it shall be for a caretaker;
 - (b) it shall be subject to the provisions of section 2.2.A regulating Accessory Buildings except that:
 - (i) clause (a) thereof shall not apply to any portion not located within 7.9 m of the ultimate rear property line;
 - (ii) clause (c) thereof shall not apply; and
 - (iii) clause (b) of section 11.1 of this By-law shall not apply; and
 - (c) its floor area shall not exceed 75 m² and shall be also counted in the accessory building area.
- One-Family Dwelling with Secondary Suite.
- Laneway House, subject to the provisions of section 11.24 of this By-law.
- Multiple Conversion Dwelling, in conjunction with retention of a character house existing on the site as of January 16, 2018, that contains no housekeeping or sleeping units.
- *Principal Dwelling Unit with a Lock-off Unit in a Two-Family Dwelling.*
- *Two-Family Dwelling with Secondary Suite provided that there is no more than one secondary suite for each dwelling unit.*
- Seniors Supportive or Assisted Housing, subject to section 11.17 of this By-law.
- 3.2.1.I [Institutional]
 - Ambulance Station.
 - Child Day Care Facility.
 - Church, subject to the provisions of section 11.7 of this By-law.
 - Hospital, subject to the provisions of section 11.9 of this By-law.
 - Public Authority Use essential in this District.
 - School - Elementary or Secondary, subject to the provisions of section 11.8 of this By-law.
 - Social Service Centre.
 - Community Care Facility – Class B, subject to the provisions of section 11.17 of this By-law.
 - Group Residence, subject to the provisions of section 11.17 of this By-law.
- 3.2.1.O [Office]
 - Temporary Sales Office, subject to the provisions of section 11.26 of this By-law.
- 3.2.1.P [Parking]
 - Parking Area ancillary to a principal use on an adjacent site.
- 3.2.1.R [Retail]
 - Farmers' Market, subject to the provisions of Section 11.21 of this By-law. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.*
 - Neighbourhood Grocery Store existing as of July 29, 1980, subject to the provisions of section 11.16 of this By-law.
 - Public Bike Share.
- 3.2.1.S [Service]

- Bed and Breakfast Accommodation, subject to the provisions of section 11.4 of this By-law.
- Short Term Rental Accommodation, subject to the provisions of section 11.32 of this By-law.
- 3.2.1.U [Utility and Communication]
 - Public Utility.

4 Regulations

All uses approved under sections 2 and 3 of this District Schedule shall be subject to the following regulations:

4.1 Site Area

4.1.1 The minimum site area for a one-family dwelling , one-family dwelling with secondary suite, *two-family dwelling, and two-family dwelling with secondary suite*, is 334 m², and the minimum site width for a one-family dwelling or one-family dwelling with secondary suite is 7.3 m.

4.1.2 Where the site is less than 9.8 m in width or less than 334 m² in area, the design of any new dwelling shall first require the approval of the Director of Planning.

4.1.3 The minimum site area for a dwelling unit for a caretaker shall be 3 000 m².

4.1.4 The maximum site area for a two-family dwelling is 511 m².

4.2 Frontage -- Not Applicable

4.3 Height

4.3.1 Height shall not exceed:

- (a) For all uses other than two-family dwelling or two-family dwelling with secondary suite, 9.5 m in height and 2½ storeys, nor exceed the maximum dimensions created by the combination of:
 - (i) a primary envelope located in compliance with the side yard regulation and formed by planes vertically extended 4.9 m in height and then extending inward and upward at an angle of 30 degrees from the horizontal to the point where the planes intersect; and*
 - ((ii) a secondary envelope located between the required side yards and equal to 60 percent of the site width (except as provided for by section 4.3.2) and formed by planes vertically extended 7.6 m in height and then extending inward and upward at an angle of 45 degrees from the horizontal to the point where the planes intersect.**
- (b) For two-family dwelling or two-family dwelling with secondary suite, 10.7 m and 2 ½ storeys, except that the Director of Planning may permit a building up to 3 storeys provided that consideration is first given to all applicable policies and guidelines adopted by Council.*

- 4.3.2 The secondary envelope need not be less than 9.8 m in width except as limited by the required side yard.
- 4.3.3 Height shall be measured from a hypothetical surface determined by joining the existing grades at the intersections of the hypothetical lines defining the front and rear yards and the side property lines, except that if the Director of Planning is of the opinion that the hypothetical surface determined by joining the existing grades is not compatible with the existing grades of adjoining sites or general topography of the area, he may instead require that height be measured from base surface.
- 4.3.4 Notwithstanding the height limitation in section 4.3.1, the Director of Planning may permit a building to exceed a height of 9.5 m but not to exceed a height of 10.7 m provided that he considers:
- (a) the impact of the increased height on views from surrounding development;
 - (b) the extent to which the increased height improves the roof lines of the building; and
 - (c) the effect of the increased height on adjacent properties and the character of the area.
- 4.3.5 Where the Director of Planning is prepared to approve an increase in floor space ratio pursuant to section 4.7.1(c), he may permit a building to exceed any of the maximum dimensions of section 4.3.1 provided that in no case shall the height be increased to more than 10.7 m.
- 4.3.6 Notwithstanding any other provisions in this By-law, the Director of Planning may relax the height requirement to accommodate building features designed to reduce energy consumption in a Passive House, if the Director of Planning first considers:
- (a) the intent of the relevant schedule;
 - (b) all applicable Council policies and guidelines;
 - (c) the relationship of the development to nearby residential development;
 - (d) the submission of any advisory group, property owner or tenant; and
 - (e) the relaxation does not exceed .5 m,

except that this relaxation shall not apply to laneway houses.

4.4 Front Yard

- 4.4.1 A front yard with a minimum depth of 20 percent of the depth of the site shall be provided, except that:
- (a) on a site where the average front yard depth of the two adjacent sites on each side of the site is more than the 20 percent depth by at least 1.5 m or is less than the 20 percent depth, the minimum depth of the front yard to be provided shall be that average, subject to the following:
 - (i) where an adjacent site is vacant, it shall be deemed to have a front yard depth of 20 percent of the depth of the site;
 - (ii) if one or more of the adjacent sites front on a street other than that of the development site or the adjacent sites are separated by a street or lane, then such adjacent sites shall not be used in computing the average;
 - (iii) where the site is adjacent to a flanking street or lane, the average depth shall be computed using the remainder of the adjacent sites;

- (b) the Director of Planning may vary the front yard requirement on a double fronting site or a site where a building line has been established pursuant to section 14.1 of this By-law;
- (c) if the provisions of section 4.4.1(a) and section 4.6.1 of this Schedule result in a distance between the front yard and the rear yard which is less than 35 percent of the depth of the site, and provided that the principal building is sited so that it abuts the required rear yard, the depth of the required front yard can be reduced so that the distance between the front yard and the rear yard is equal to 35 percent of the depth of the site; and
- (d) Covered porches complying with the conditions of section 4.7.3(g) shall be permitted to project into the required front yard a maximum of 1.8 m provided that such a projection is limited to 30 percent of the width of the building.

4.4.2 Where the Director of Planning is prepared to approve an increase in floor space ratio pursuant to section 4.7.1(c), he may permit a building having a lesser front yard than required in section 4.4.1.

4.5 Side Yard

4.5.1 A side yard shall be provided on each side of the building with a minimum width of not less than the site width multiplied by the percent of site width given by the following formula, except that this percent shall never be less than 10 percent and need never be more than 20 percent:

$$\% \text{ of site width} = \frac{\text{site width in metres}}{1.219} - 5$$

4.5.2 In the case of a corner site which has located at its rear, with or without the intervention of a lane, a site which fronts on the street flanking the corner site, the exterior side yard shall be regulated by the provisions of section 11.1 of this By-law.

4.5.3 Where the Director of Planning is prepared to approve an increase in floor space ratio pursuant to section 4.7.1(c), he may permit a building having a lesser side yard than required in section 4.5.1.

4.6 Rear Yard

4.6.1.1 A rear yard with a minimum depth of 45 percent of the depth of the site shall be provided *for all uses other than two-family dwelling or two-family dwelling with secondary suite*, except that the rear yard to be provided can be reduced to a depth of not less than the greater of the depths of the rear yards of the sites on either side, subject to the following:

- (a) where an abutting site is vacant, it shall be deemed to have a rear yard depth of 45 percent of its site depth;
- (b) where an adjacent site abuts the site by way of its rear property line or is separated by a street or lane, it shall not be used in computing the reduction in the depth of the rear yard to be provided;
- (c) where the site has an exterior side yard, the rear yard to be provided can be reduced to that of the abutting site; and
- (d) any portion of the principal building to be located within that part of the rear yard decreased as provided for in this section 4.6.1 must comply with the provisions of section 2.2.A(a) of this Schedule.

4.6.1.2 *A rear yard with a minimum depth of 35 percent of the depth of the site shall be provided for two-family dwelling or two-family dwelling with secondary suite.*

- 4.6.2 For the purposes of calculating the rear yard to be provided, where the rear property line does not abut a lane or abuts a lane that is only partially dedicated, the rear yard to be provided shall be calculated and measured from the ultimate rear property line.
- 4.6.3 Where a building line has been established pursuant to the provisions of section 14.2, such building line shall be deemed to be the southerly boundary of any required rear yard on lands described in “Plan A” of Part III of Schedule E to this By-law, notwithstanding any dimension contained herein.
- 4.6.4 For buildings existing prior to April 12, 1988 the depth of the required rear yard can be reduced by up to 3.1 m, provided that the resulting depth of the principal building does not exceed 35 percent of the depth of the site. The floor of a roof garden or sundeck located within that part of the rear yard decreased as provided for in this section shall not be any higher than the floor of the first storey of the principal building.
- 4.6.5 Where the Director of Planning is prepared to approve an increase in floor space ratio pursuant to section 4.7.1(c), he may permit a building having a lesser rear yard than required in section 4.6.1.
- 4.6.6 Notwithstanding section 4.6.1 of this schedule, the Director of Planning may decrease the rear yard requirement to accommodate building features designed to reduce energy consumption in a Certified Passive House to a minimum of 40 percent of the depth of the site, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.7 Floor Space Ratio

- 4.7.1.1 The floor space *ratio for all uses other than two-family dwelling or two-family dwelling with secondary suite on a site with one principal building* shall not exceed 0.60, subject to the following:
- (a) for buildings existing prior to April 12, 1988 the area of all floors at or above finished grade and of the floors of any storey, basement or cellar located below a storey which has a floor surface located 2.0 m or more above finished grade, all of which floors are located within the building depth as defined by section 4.16.1 of this Schedule shall not exceed a floor space ratio of 0.20 plus 130 m²;
 - (b) in all other cases, the area of all floors at or above finished grade and of the floors of any storey, basement, or cellar located below a storey which has a floor surface located 1.8 m or more above finished grade, all of which floors are located within the building depth as defined by section 4.16.1 of this Schedule, shall not exceed a floor space ratio of 0.20 plus 130 m²;
 - (c) notwithstanding clauses (a) and (b), where a site is 18.2 m or more in width and 500 m² or more in area the Director of Planning may permit an increase in the area of all floors as described in clause (a) or (b) as the case may be, to a floor space ratio not exceeding 0.3 plus 93 m² provided that:
 - (i) he considers the effect of the increase in floor area on adjacent properties and the character of the area, and
 - (ii) he first approves a plan showing existing and proposed trees and landscape;

- (d) if:
 - (i) the area of all floors at or above finished grade does not exceed the lesser of a floor space ratio of 0.45, and the floor space ratio determined under subsection (a), (b), or (c) of section 4.7.1,
 - (ii) the area of any floor, including the basement or cellar, does not exceed a floor space ratio of 0.25, and
 - (iii) no portion of the basement or cellar projects horizontally beyond the perimeter of the first storey, including covered porches,an increase in the floor space ratio to 0.70 is permissible;
- (e) for buildings existing prior to July 7, 2009, if:
 - (i) the area of all floors at or above finished grade does not exceed the lesser of a floor space ratio of 0.50 and the existing floor space ratio,
 - (ii) the area of all floors at, above or below finished grade, after the addition of a basement or cellar, does not exceed a floor space ratio of 0.75,
 - (iii) the area of any floor, including the basement or cellar, does not exceed a floor space ratio of 0.25, and
 - (iv) no portion of the basement or cellar projects horizontally beyond the perimeter of the first storey, including covered porches, a basement or cellar is permissible;
- (f) the Director of Planning may increase the maximum permitted floor space ratio to 0.75 to facilitate an addition to a character house, if the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
- (g) the Director of Planning may increase the maximum permitted floor space ratio to 0.85 for infill in conjunction with retention of a character house, if the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines

4.7.1.2 The floor space ratio for two-family dwelling or two-family dwelling with secondary suite on a site with one principal building must not exceed 0.70.

4.7.2 The following shall be included in the computation of floor space ratio:

- (a) all floors, including earthen floor, to be measured to the extreme outer limits of the building;
- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located;
- (c) where the distance from a floor to the floor above, or where there is no floor above, to the top of the roof joists, exceeds 3.7 m, an amount equal to the area of the floor below the excess height, except that the Director of Planning may exclude an area designed with venting skylights, opening clerestory windows or other similar features if:
 - (i) in the opinion of the Director of Planning, the area is designed to reduce energy consumption or improve natural light and ventilation, and
 - (ii) the area excluded does not exceed one percent of the permitted floor area; and
- (d) the floor area of bay windows, regardless of seat height, location on building or relationship to yard setbacks, in excess of the product of the total floor area permitted above the basement times 0.01.

4.7.3 The following shall be excluded in the computation of floor space ratio:

- (a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the permitted residential floor area;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;

- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage in multiple conversion dwellings containing 3 or more units or in multiple dwellings or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length so used which:
 - (i) are located in an accessory building located within 7.9 m of the ultimate rear property line, or
 - (ii) where a site has no developed secondary access, are located in a principal building, or in an accessory building located within the building depth regulated by the provisions of section 4.16, up to a maximum of 42 m².
- (d) child day care facilities to a maximum floor area of 10 percent of the permitted floor area, provided the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors which are located
 - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch; or
 - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m.
- (f) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (g) covered porches, provided that:
 - (i) they face a street or a rear property line and are located at the basement or first storey;
 - (ii) that portion facing the street or rear property line shall be open or protected by guard rails the height of which shall not exceed the minimum specified in the Building By-law;
 - (iii) the total area being excluded does not exceed 5 percent of the permitted floor area; and
 - (iv) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the porch floor;
- (h) the floor area of a laneway house; and
- (i) above grade floor area:
 - (i) built as open to below,
 - (ii) to which subsection 4.7.2(c) does not apply,
 - (iii) designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation, and
 - (iv) to a maximum exclusion of one percent of permitted floor area.

4.8 Site Coverage

- 4.8.1 The maximum site coverage for buildings shall be:
 - (a) 40 percent of the site area *for all uses other than two-family dwelling or two-family on a site with one principal building; and,*
 - (b) *45 per cent of the site area for two-family dwelling or two-family dwelling with secondary suite on a site with one principal building.*
- 4.8.2 For the purpose of this section, site coverage for buildings shall be based on the projected area of the outside of the outermost walls of all buildings and includes carports, but excludes steps, eaves, balconies and sun decks.
- 4.8.3 Except where the principal use of the site is a parking area, the maximum site coverage for any portion of the site used as parking area shall be 30 percent.

- 4.8.4 Where the Director of Planning is prepared to approve an increase in floor space ratio pursuant to section 4.7.1(c), he may permit a greater site coverage than specified in section 4.8.1.
- 4.8.5 The area of impermeable materials, including building coverage, shall not exceed 60 percent of the total site area except that where developed secondary vehicular access to a site is not available, the Director of Planning may exclude from the area of impermeable materials an amount not exceeding:
- (a) for the first parking space, the product of the distance, in metres as measured along the driveway centre line, from the point where the driveway crosses the property boundary to the point where it meets the nearest side of the approvable parking space times 3.1 m; and
 - (b) for each additional parking space, 67 m² to accommodate vehicular access and manoeuvring.
- 4.8.6 For the purposes of section 4.8.5, the following materials shall be considered impermeable: the projected area of the outside of the outermost walls of all buildings, including carports, covered porches and entries; asphalt; concrete; brick; stone; and wood.
- 4.8.7 Notwithstanding section 4.8.6, gravel, river rock less than 5 cm in size, wood chips, bark mulch, and other materials which, in the opinion of the Director of Planning, have fully permeable characteristics when in place installed on grade with no associated layer of impermeable material (such as plastic sheeting) that would impede the movement of water directly into the soil below, are excluded from the area of impermeable materials.
- 4.9 [Deleted -- see Parking By-law.]**
- 4.10 to 4.15 (Reserved.)**
- 4.16 Building Depth**
- 4.16.1 The distance between the front yard and the rear yard of a site shall not exceed:
- (a) 35 percent of the depth of the site *for all uses other than two-family dwelling or two-family dwelling with secondary suite on a site with one principal building; and*
 - (b) *45 percent of the depth of the site for two-family dwelling or two-family dwelling with secondary suite on a site with one principal building,*
- unless otherwise determined pursuant to the provisions of section 4.6.1.
- 4.16.2 Projections into front yards permitted under section 4.4.1(d) shall not be included in the calculation of building depth.
- 4.16.3 Where the Director of Planning is prepared to approve an increase in floor space ratio pursuant to section 4.7.1(c), he may permit a greater distance between the front yard and the rear yard of a site than specified in section 4.16.1.
- 4.16.4 Notwithstanding section 4.16.1 of this schedule, the Director of Planning may increase the permitted building depth to accommodate building features designed to reduce energy consumption in a Certified Passive House to a maximum of 40 percent of the depth of the site, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

- 4.16.5 Where the permitted building depth is increased in accordance with section 4.16.4, sections 4.6.1 (a), (b), (c) and (d) of this schedule do not apply.

4.17 External Design

Sections 4.17.6 to 4.17.10 of this schedule apply to a two-family dwelling or a two-family dwelling with secondary suite on a site with one principal building.

- 4.17.1 For the purpose of section 4.17, a front entrance means a door facing the front yard and located at or within 1.8 m of grade or connected to grade by stairs, a ramp or other means and a side entrance means a door located on that part of a building facing a side yard and at or within 1.8 m of grade or connected to grade by stairs, a ramp or other means.
- 4.17.2 There shall be no more than one separate and distinct front entrance to a one-family dwelling or one-family dwelling with secondary suite.
- 4.17.3 A side entrance to a one-family dwelling or one-family dwelling with secondary suite shall face a street or lane, or be located no less than 5.0 m from the side property line, except that there shall be no more than one side entrance facing each side property line.
- 4.17.4 For the purpose of providing light or access to a basement or cellar, the surface of the ground adjoining a building can be lowered without affecting the calculation of average elevation, provided that:
- (a) the lowered surface does not extend more than 3.1 m into the required front or rear yard; and
 - (b) that portion of the building abutting the lowered surface:
 - (i) faces either the front street or the rear property line; and
 - (ii) is not greater than half the width of the building, or 4.6 m, whichever is the lesser.
- 4.17.5 Notwithstanding section 4.17.2 or section 4.17.3, the Director of Planning may
- (a) on the advice of the Chief Building Official, permit one additional entrance facing a front yard or a side yard if it provides access to a building existing prior to March 14, 1989 in the RS-1 District; or
 - (b) permit one additional entrance facing a front yard for a one-family dwelling with a secondary suite if both entrances facing the front yard are located at or above grade.
- 4.17.6 For the purpose of this section 4.17, a main entrance means a door facing a street not being a lane, which is visible from the street and is located at or within 1.8 m of grade, or connected to grade by stairs or a ramp.*
- 4.17.7 There must be two main entrances, one to each principal dwelling unit.*
- 4.17.8 There must be a covered verandah or porch at each main entrance, with a minimum width or depth of 1.6 m.*
- 4.17.9 Roof design must comply with the following provisions:*
- (a) all roofs except for dormer roofs must be hip, gable or a combination of both forms, and must have a minimum slope of 7:12;*

- (b) dormer roofs must be gable, hip or shed in form and have a minimum slope of 4:12; and*
- (c) the maximum total width of dormer roofs provided on a half storey above the second storey must comply with the following table:*

<i>Dormer Orientation</i>	<i>Maximum Total Dormer Width</i>
<i>Rear yard</i>	<i>40% of width of elevation of storey below</i>
<i>Interior side yard</i>	<i>25% of width of elevation of storey below</i>
<i>Street or flanking lane</i>	<i>30% of width of elevation of storey below</i>

4.17.10 Exterior windows in a secondary suite must have:

- (a) a minimum total glazing area of 10% of the total floor area of the room, in each of the kitchen, living room and dining room; and*
- (b) a minimum total glazing area of 5% of the total floor area of the room, in all other rooms, except bathrooms and laundry rooms.*

5 Relaxation of Regulations

5.1 The Director of Planning may relax the minimum site area requirements (but not the minimum site width) of section 4.1 with respect to any of the following developments on an existing lot of lesser site area on record in the Land Title Office for Vancouver:

- (a) one-family dwelling;
- (b) one-family dwelling with secondary suite;
- (c) one-family dwelling with laneway house;
- (d) one-family dwelling with secondary suite and laneway house;
- (e) two-family dwelling;*
- (f) two-family dwelling with secondary suite; and*
- (g) infill or multiple conversion dwelling in conjunction with retention of a character house.

5.2 The Director of Planning may relax the height and yard provisions of sections 4.3, 4.4, 4.5, 4.6 and 4.16, and the floor space ratio exclusions for parking in accessory buildings of section 4.7.3(c)(i) of this Schedule where, due to conditions peculiar either to the site or to the proposed development, literal enforcement would result in unnecessary hardship, provided that:

- (a) he first considers the submission of any advisory group, property owner or tenant; and
- (b) in no case shall the height be increased to more than 10.7 m or the yard requirements be reduced to less than 60 percent of the amount specified in this Schedule.

5.3 In the case of a corner site, where the rear property line of a site adjoins, without the intervention of a lane, the side yard of a site in an R District, the Director of Planning may relax the provisions of section 4.7 of this Schedule to permit the exclusion of floor space used for off-street parking in the principal building up to a maximum of 42 m².

5.4 The Director of Planning may relax section 4.8.5 for buildings existing prior to May 30, 2000 to a maximum of 70 percent impermeable materials site coverage provided that:

- (a) the percentage of the site covered by existing impermeable materials is not increased by the proposed development;
- (b) he considers the advice of the City Engineer; and
- (c) he considers all applicable policies and guidelines adopted by Council.

- 5.5** The Director of Planning may relax the requirements of section 4.8.5 where, due to the peculiarities of the site or special circumstances related to the use of the site, literal enforcement would result in unnecessary hardship, provided that:
- (a) he considers all applicable guidelines and policies adopted by Council; and
 - (b) he considers the advice of the City Engineer.
- 5.6** The Director of Planning may relax the provisions of this District Schedule regarding height, required yards, maximum site coverage, building depth and external design when a character house is retained, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.



INTRODUCTION TOPICS

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THE PLAN Housing



Photo: Photo by CPED

TOPIC POLICIES:

[View policies that relate to this topic](#)

Minneapolis is growing faster than it has since 1950. The Metropolitan Council estimates that between 2010 and 2016 the city added over 12,000 housing units and more than 37,000 residents. With this growth comes increased demand for housing and an associated increase

in housing costs and rents. As a result, housing units that were once affordable no longer are, and less housing is available for low-income residents of Minneapolis.

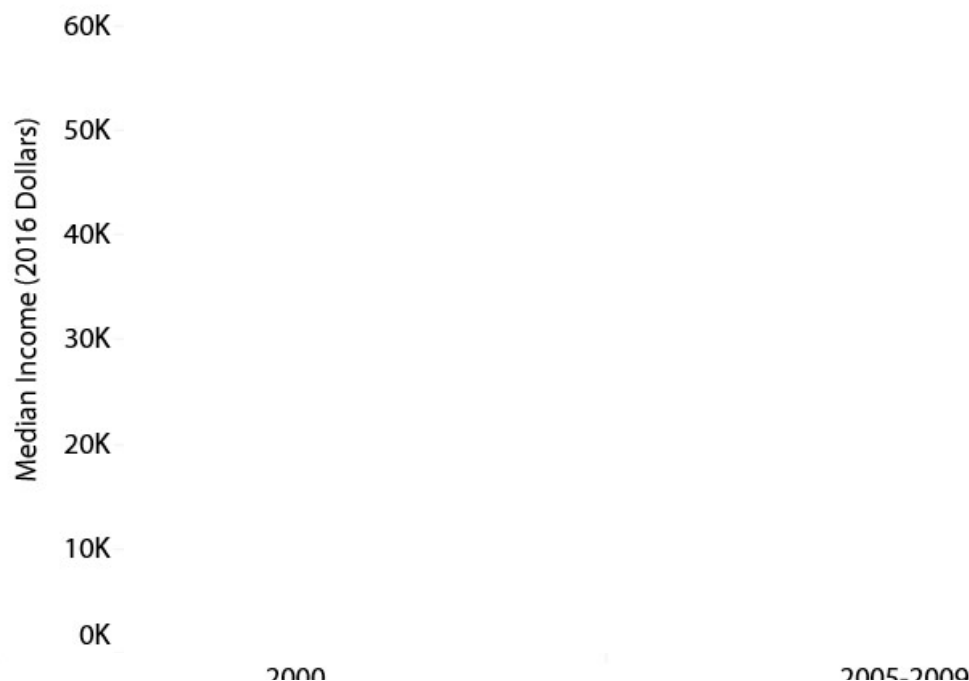
Since 2000, Minneapolis has lost roughly 15,000 housing units that are considered affordable for those earning 50 percent of the area median income. These units generally still exist, but they cost more to own or rent, making them unaffordable to this demographic. In 2017, for the 13-county metropolitan region, the U.S. Department of Housing and Urban Development (HUD) calculated a median family income of \$90,400. Based on this, 50 percent of the area median income for a single-person household is \$31,650 annually (or an hourly wage of \$15.22 for a standard workweek and year), and for a family of four it's \$45,200 annually (or a household hourly wage of \$21.73 for a standard workweek and year).

Also since 2000, overall household incomes in Minneapolis have slightly decreased – but not equally across racial groups. White non-Hispanic and Asian households have seen increases in household income since 2000, while black households have experienced an approximately 40 percent decrease in income.

Sources: Decennial Census, American Community Survey

Median Income by Race/Ethnicity in Minneapolis

- American Indian or Alaska Native
- Asian
- + Black or African American





MENU

For a growing number of residents, especially residents of color, incomes are not keeping up with rising housing costs. This results in fewer housing units in fewer neighborhoods that are affordable to renters. For households of color that are renters that means there are few, if any, housing units that are affordable.

The loss of affordable housing units and the changes in household income have resulted in a greater number of cost-burdened households – households in which more than 30 percent of household income goes toward housing. Thirty-seven percent of all households in Minneapolis are cost-burdened, but, similar to the change in household incomes, this is not equal across racial groups. Over 50 percent of black households and American Indian households, and over 45 percent Hispanic households in Minneapolis are cost-burdened, whereas one in three white households are cost-burdened.

Source: HUD Comprehensive Housing Affordability Strategy Estimates

Cost Burden by Race in Minneapolis, 2010-2014

Cost Burdened (30-50%)

Households (%)

50%

40%

30%

20%



MENU

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minneapolis | 2040

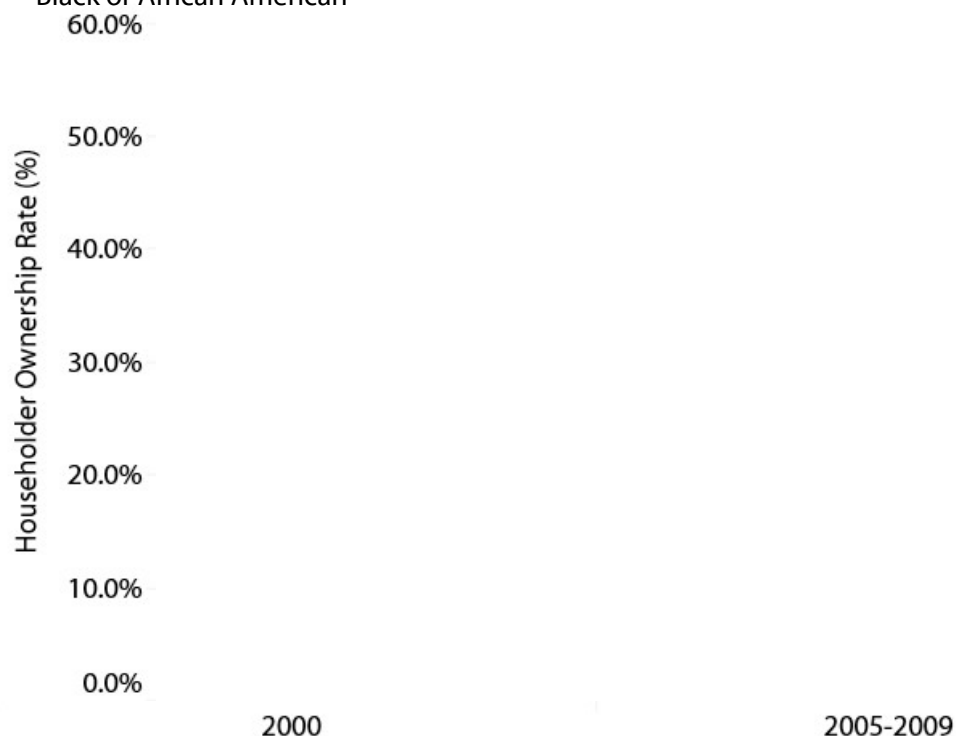


Racial disparities persist in all aspects of housing. The disparities that Minneapolis residents experience are intertwined with the city's development due to racially discriminatory housing practices and federal housing policy. In the first half of the 20th century, zoning regulations and racist federal housing policies worked together to determine who could live where and in what type of housing. This shaped the opportunities available to multiple generations of Minneapolis residents.

Sources: Decennial Census, American Community Survey

Home Ownership by Race/Ethnicity in Minneapolis

- American Indian or Alaska Native
- Asian
- + Black or African American



MENU



Following the Great Depression, redlining and other loan underwriting guidance from the federal government steered where private investment in housing were made. This practice prevented access to mortgages in areas with Jews, African-Americans and other minorities, as well as in the more densely populated and mixed-use parts of the city. Related guidance in Federal Housing Administration (FHA) underwriting manuals encouraged the segregation of land uses in order to reduce the financial risk of backing single-family home loans near land uses deemed undesirable, such as factories and even multifamily housing. This guidance, from 1934, reinforced the approach that Minneapolis and other cities in the United States began years earlier through the introduction of zoning ordinances.

The FHA promoted zoning as an effective tool for assuring a “homogenous and harmonious neighborhood.” In the view of the FHA, however, zoning was not enough to accomplish the segregation of the races as a means of protecting property values. The FHA underwriting manual made the case for racially restrictive covenants, using language that described people of color as undesirable neighbors in the same vein as nuisances such as odor and high traffic: “The more important among the adverse influential factors are the ingress of undesirable racial or nationality groups; infiltration of business or commercial uses of properties; the presence of smoke, odors, fog, heavy trafficked streets and railroads.”

These policies and regulations left a lasting effect on the physical characteristics of the city and the financial well-being of its residents. Areas of Minneapolis with higher densities and a mix of land uses experienced disinvestment, in part because banks did not lend in those areas. On the outskirts of the city, a post-Depression development pattern emerged with little variation in housing types and density and with few areas for commercial development. Today, the zoning map in these areas remains largely unchanged from the era of intentional racial segregation. This has shaped the opportunities available to multiple generations of Minneapolis residents and significantly contributed to many of the disparities people of color and indigenous people experienced and continue to experience.

To address these issues, the City of Minneapolis will expand opportunities to increase the housing supply in a way that meets changing needs and desires. This means allowing more housing options, especially in areas that currently lack housing choice and in areas with access to frequent and fast transit employment, and goods and services. It also means creating and expanding new resources and tools to produce and preserve affordable housing, to minimize the displacement of existing residents, and to ensure housing is maintained to promote health and safety. The City will also need to invest in its residents, especially residents of color and indigenous residents, to ensure that it identifies and removes barriers to accessing and retaining housing.



Policies

23 Policies relate to this topic. *Click on a policy below to learn more about it.*

Access to Housing



POLICY 1

Affordable Housing Production and Preservation



POLICY 33

II



P

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MENU

~~content~~
minneapolis | 2040

ABOUT THE PLAN

Minneapolis 2040 is a Comprehensive Plan that shapes how the city will grow and change. The plan covers topics such as housing, job access, the design of new buildings, and how we use our streets. [Read more about the plan.](#)



Should you require a reasonable accommodation in order to fully participate, or information in an alternative format, please contact the Department of Community Planning and Economic Development 612-673-3242. Para asistencia 612-673-2700 Rau kev pab 612-673-2800 Hadii aad Caawimaad u baahantahay 612-673-3500.

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Olympia City Council Referral Request

RECEIVED

Tracking Number
(Provided by Susan)

2019-0034
Click or tap
here to enter
text.

Date of
Referral

11/12/2019

Requester Bateman

NOV 29 2019

CP&D
City of Olympia

Referral To ☐ Study Session

☐ Finance Committee

☐ General Government Committee

☐ Land Use & Environment Committee

☒ Planning Commission

A clear concise description of the issue(s) that need(s) to be addressed.

The City Council considers it a high priority to provide a greater variety of housing types in low-density neighborhoods, consistent with the adopted Olympia Comprehensive Plan. Ordinance 7160 (Missing Middle) was recommended by the Planning Commission and adopted by the City Council. However, the Western WA Growth Management Hearings Board has invalidated this ordinance. The City has appealed the Board's order to Thurston County Superior Court. While that appeal is pending, however, additional housing options remain unavailable in much of the City.

Request

What is being requested to assist in addressing the issue described in the problem statement?

ESHB 1923 was adopted by the 2019 WA Legislature to increase residential building capacity. Section 1 provides options for cities to amend their development regulations to increase housing opportunities. Sections 1(3) and 4 provide that if a city adopts an ordinance implementing at least two of these options before April 1, 2021, the ordinance is not subject to legal or administrative appeals. The Olympia Planning Commission is requested to draft an ordinance that is fully compliant with Engrossed Substitute House Bill 1923, and would implement two or three of the optional actions listed in ESHB 1923, Section 1, subsections (1)(c), (1)(e) and (1)(j). The Commission should ensure all procedural requirements are completed before recommending this ordinance to the City Council.

Relationship to City Business or Proposed City Business/Services

Describe how this will enhance what is already offered and/or what it will provide that is not currently available. Why is this the City's issue to address? How will this create a more adaptive and resilient organization?

This referral will accomplish much of what was included in Ordinance 7160 when it was adopted by the City Council. ESHB 1923 provides an opportunity to re-adopt similar approaches to provide for an increase in the number and types of housing units in our City. The increased variety of housing will enable residents to better afford living in all areas of our City, while taking advantage of existing City infrastructure with capacity for infill development.

Connection to Comprehensive Plan

Choose all that apply.

☒ **Community, Safety and Health**

Inclusive, respectful, civic participation; a safe & prepared community; health and wellness; adequate food and shelter; a quality education

☐ **Downtown**

Vibrant, attractive urban destination; a safe and welcoming downtown for all; a mix of urban housing options; a variety of businesses; connections to our cultural & historic fabric; engaging arts & entertainment experience

☒ **Economy**

Abundant local products and services; a thriving arts and entertainment industry; sustainable quality infrastructure; a stable thriving economy

☐ **Environment**

Clean water & air; a daily connection to nature; preserved quality natural areas; a toxin-free community; a waste free culture

☒ Neighborhoods

Distinctive places & gathering spaces; nearby goods & services; neighborhoods that are engaged in community decision making; safe and welcoming places to live

Options

Describe proposed options for moving the idea or issue forward for the meeting body to consider.

Planning Commission should consider the three optional actions listed in ESHB 1923, Section 1, subsections (1)(c), (1)(e) and (1)(j). To comply with ESHB 1923, at least two, or all three, of these options would need to be included in an ordinance recommended by the Planning Commission.

Timing

Is this issue time sensitive, are there other timing factors to consider?

City Council would like to receive a recommended ordinance from the Planning Commission as soon as appropriate public comment processes and all legal requirements can be met.

Supporting Documentation

Are there documents that support your request or that should be considered?

The entire record of consideration for Ordinance 7160 (Missing Middle) and all supporting documents. Additionally, ESHB 1923 and all supporting documents considered by the WA Legislature in its adoption. Any and all guidance documents produced by the WA Dept. of Commerce related to housing and the implementation of ESHB 1923.

Councilmember Signatures


Two Councilmembers must support the request including the Chair of the Committee of referral. (Cannot be a committee quorum unless discussed at an open public meeting of the committee.)


Sponsoring Councilmember

1.


Councilmember

2.


Councilmember

Staff Supplement

Staff will review the request to generate administrative impacts to be considered as part of proposal (staff to initial after their review):

Budget Impacts: Staffing for the Planning Commission's consideration of this ordinance can be provided within existing budgetary resources.

Legal Review (to include regulatory authority): This action is specifically authorized by state law under ESHB 1923.

Policy implications: Specifically authorized by state law, this action will also implement comprehensive plan policies calling for a greater variety of housing in low-density neighborhoods with minimal impacts to the existing neighborhoods.

Implementation Considerations: Consideration of Ordinance 7160 included a very significant amount of public debate. It is likely the same will be true during consideration of this ordinance.

Staff Liaison: Joyce Phillips, Senior Planner; Leonard Bauer, Deputy Director, Community Planning and Development

Excerpt from Engrossed Second Substitute House Bill 1923 ([HB 1923](#)), Washington State Legislature, 2019

Section 1 of the law amends the Washington State Growth Management Act (RCW 36.70A) to include a list of actions that cities are encouraged to take in order to increase residential building capacity.

To do so, amendments to the city's development regulations would be required. In its referral to the Planning Commission, the City Council has asked for consideration of subsections c, e, and j of Section 1, which are highlighted below.

NEW SECTION. Sec. 1. A new section is added to chapter 36.70A RCW to read as follows:

(1) A city planning pursuant to RCW 36.70A.040 is encouraged to take the following actions in order to increase its residential building capacity:

- (a) Authorize development in one or more areas of not fewer than five hundred acres that include at least one train station served by commuter rail or light rail with an average of at least fifty residential units per acre that require no more than an average of one on-site parking space per two bedrooms in the portions of multifamily zones that are located within the areas;
- (b) Authorize development in one or more areas of not fewer than five hundred acres in cities with a population greater than forty thousand or not fewer than two hundred fifty acres in cities with a population less than forty thousand that include at least one bus stop served by scheduled bus service of at least four times per hour for twelve or more hours per day with an average of at least twenty five residential units per acre that require no more than an average of one on-site parking space per two bedrooms in portions of the multifamily zones that are located within the areas;
- (c) Authorize at least one duplex, triplex, or courtyard apartment on each parcel in one or more zoning districts that permit single-family residences unless a city documents a specific infrastructure of physical constraint that would make this requirement unfeasible for a particular parcel;
- (d) Authorize cluster zoning or lot size averaging in all zoning districts that permit single-family residences;
- (e) Authorize attached accessory dwelling units on all parcels containing single-family homes where the lot is at least three thousand two hundred square feet in size, and permit both attached and detached accessory dwelling units on all parcels containing single-family homes, provided lots are at least four thousand three hundred fifty-six square feet in size. Qualifying city ordinances or

regulations may not provide for on-site parking requirements, owner occupancy requirements, or square footage limitations below one thousand square feet for the accessory dwelling unit, and must not prohibit the separate rental or sale of accessory dwelling units and the primary residence. Cities must set applicable impact fees at no more than the projected impact of the accessory dwelling unit. To allow local flexibility, other than these factors, accessory dwelling units may be subject to such regulations, conditions, procedures, and limitations as determined by the local legislative authority, and must follow all applicable state and federal laws and local ordinances;

- (f) Adopt a subarea plan pursuant to RCW 43.21C.420;
- (g) Adopt a planned action pursuant to RCW 43.21C.440(1)(b)(ii), except that an environmental impact statement pursuant to RCW 43.21C.030 is not required for such an action;
- (h) Adopt increases in categorical exemptions pursuant to RCW 36 43.21C.229 for residential or mixed-use development;
- (i) Adopt a form-based code in one or more zoning districts that permit residential uses. "Form-based code" means a land development regulation that uses physical form, rather than separation of use, as the organizing principle for the code;
- (j) Authorize a duplex on each corner lot within all zoning districts that permit single-family residences;
- (k) Allow for the division or redivision of land into the maximum number of lots through the short subdivision process provided in chapter 58.17 RCW; and
- (l) Authorize a minimum net density of six dwelling units per acre in all residential zones, where the residential development capacity will increase within the city.

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2343

Chapter 173, Laws of 2020

66th Legislature
2020 Regular Session

URBAN HOUSING SUPPLY--VARIOUS PROVISIONS

EFFECTIVE DATE: June 11, 2020

Passed by the House March 7, 2020
Yeas 92 Nays 5

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate March 3, 2020
Yeas 36 Nays 11

CYRUS HABIB

President of the Senate

Approved March 27, 2020 2:15 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2343** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 27, 2020

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2343

AS AMENDED BY THE SENATE

Passed Legislature - 2020 Regular Session

State of Washington 66th Legislature 2020 Regular Session

By House Environment & Energy (originally sponsored by Representatives Fitzgibbon, Frame, Macri, Doglio, Tharinger, and Pollet)

READ FIRST TIME 01/30/20.

1 AN ACT Relating to urban housing supply; amending RCW 36.70A.600,
2 43.21C.495, 36.70A.620, and 36.70A.610; reenacting and amending RCW
3 36.70A.030; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 36.70A.600 and 2019 c 348 s 1 are each amended to
6 read as follows:

7 (1) A city planning pursuant to RCW 36.70A.040 is encouraged to
8 take the following actions in order to increase its residential
9 building capacity:

10 (a) Authorize development in one or more areas of not fewer than
11 five hundred acres that include at least one train station served by
12 commuter rail or light rail with an average of at least fifty
13 residential units per acre that require no more than an average of
14 one on-site parking space per two bedrooms in the portions of
15 multifamily zones that are located within the areas;

16 (b) Authorize development in one or more areas of not fewer than
17 ~~((five))~~ two hundred acres in cities with a population greater than
18 forty thousand or not fewer than ~~((two))~~ one hundred ~~((fifty))~~ acres
19 in cities with a population less than forty thousand that include at
20 least one bus stop served by scheduled bus service of at least four
21 times per hour for twelve or more hours per day with an average of at

1 least twenty-five residential units per acre that require no more
 2 than an average of one on-site parking space per two bedrooms in
 3 portions of the multifamily zones that are located within the areas;

4 (c) Authorize at least one duplex, triplex, quadplex, sixplex,
 5 stacked flat, townhouse, or courtyard apartment on each parcel in one
 6 or more zoning districts that permit single-family residences unless
 7 a city documents a specific infrastructure of physical constraint
 8 that would make this requirement unfeasible for a particular parcel;

9 (d) Authorize a duplex, triplex, quadplex, sixplex, stacked flat,
 10 townhouse, or courtyard apartment on one or more parcels for which
 11 they are not currently authorized;

12 (e) Authorize cluster zoning or lot size averaging in all zoning
 13 districts that permit single-family residences;

14 ~~((e) Authorize attached accessory dwelling units on all parcels~~
 15 ~~containing single-family homes where the lot is at least three~~
 16 ~~thousand two hundred square feet in size, and permit both attached~~
 17 ~~and detached accessory dwelling units on all parcels containing~~
 18 ~~single-family homes, provided lots are at least four thousand three~~
 19 ~~hundred fifty-six square feet in size. Qualifying city ordinances or~~
 20 ~~regulations may not provide for on-site parking requirements, owner~~
 21 ~~occupancy requirements, or square footage limitations below one~~
 22 ~~thousand square feet for the accessory dwelling unit, and must not~~
 23 ~~prohibit the separate rental or sale of accessory dwelling units and~~
 24 ~~the primary residence. Cities must set applicable impact fees at no~~
 25 ~~more than the projected impact of the accessory dwelling unit. To~~
 26 ~~allow local flexibility, other than these factors, accessory dwelling~~
 27 ~~units may be subject to such regulations, conditions, procedures, and~~
 28 ~~limitations as determined by the local legislative authority, and~~
 29 ~~must follow all applicable state and federal laws and local~~
 30 ~~ordinances;))~~

31 (f) Adopt a subarea plan pursuant to RCW 43.21C.420;

32 (g) Adopt a planned action pursuant to RCW 43.21C.440(1)(b)(ii),
 33 except that an environmental impact statement pursuant to RCW
 34 43.21C.030 is not required for such an action;

35 (h) Adopt increases in categorical exemptions pursuant to RCW
 36 43.21C.229 for residential or mixed-use development;

37 (i) Adopt a form-based code in one or more zoning districts that
 38 permit residential uses. "Form-based code" means a land development
 39 regulation that uses physical form, rather than separation of use, as
 40 the organizing principle for the code;

(j) Authorize a duplex on each corner lot within all zoning districts that permit single-family residences;

(k) Allow for the division or redivision of land into the maximum number of lots through the short subdivision process provided in chapter 58.17 RCW; (~~and~~)

(l) Authorize a minimum net density of six dwelling units per acre in all residential zones, where the residential development capacity will increase within the city. For purposes of this subsection, the calculation of net density does not include the square footage of areas that are otherwise prohibited from development, such as critical areas, the area of buffers around critical areas, and the area of roads and similar features;

(m) Create one or more zoning districts of medium density in which individual lots may be no larger than three thousand five hundred square feet and single-family residences may be no larger than one thousand two hundred square feet;

(n) Authorize accessory dwelling units in one or more zoning districts in which they are currently prohibited;

(o) Remove minimum residential parking requirements related to accessory dwelling units;

(p) Remove owner occupancy requirements related to accessory dwelling units;

(q) Adopt new square footage requirements related to accessory dwelling units that are less restrictive than existing square footage requirements related to accessory dwelling units;

(r) Adopt maximum allowable exemption levels in WAC 197-11-800(1) as it existed on the effective date of this section, or such subsequent date as may be provided by the department of ecology by rule, consistent with the purposes of this section;

(s) Adopt standards for administrative approval of final plats pursuant to RCW 58.17.100;

(t) Adopt ordinances authorizing administrative review of preliminary plats pursuant to RCW 58.17.095;

(u) Adopt other permit process improvements where it is demonstrated that the code, development regulation, or ordinance changes will result in a more efficient permit process for customers;

(v) Update use matrices and allowable use tables that eliminate conditional use permits and administrative conditional use permits for all housing types, including single-family homes, townhomes,

1 multifamily housing, low-income housing, and senior housing, but
2 excluding essential public facilities;

3 (w) Allow off-street parking to compensate for lack of on-street
4 parking when private roads are utilized or a parking demand study
5 shows that less parking is required for the project;

6 (x) Develop a local program that offers homeowners a combination
7 of financing, design, permitting, or construction support to build
8 accessory dwelling units. A city may condition this program on a
9 requirement to provide the unit for affordable home ownership or rent
10 the accessory dwelling unit for a defined period of time to either
11 tenants in a housing subsidy program as defined in RCW 43.31.605(14)
12 or to tenants whose income is less than eighty percent of the city or
13 county median family income. If the city includes an affordability
14 requirement under the program, it must provide additional incentives,
15 such as:

16 (i) Density bonuses;

17 (ii) Height and bulk bonuses;

18 (iii) Fee waivers or exemptions;

19 (iv) Parking reductions; or

20 (v) Expedited permitting; and

21 (y) Develop a local program that offers homeowners a combination
22 of financing, design, permitting, or construction support to convert
23 a single-family home into a duplex, triplex, or quadplex where those
24 housing types are authorized. A local government may condition this
25 program on a requirement to provide a certain number of units for
26 affordable home ownership or to rent a certain number of the newly
27 created units for a defined period of time to either tenants in a
28 housing subsidy program as defined in RCW 43.31.605(14) or to tenants
29 whose income is less than eighty percent of the city or county median
30 family income. If the city includes an affordability requirement, it
31 must provide additional incentives, such as:

32 (i) Density bonuses;

33 (ii) Height and bulk bonuses;

34 (iii) Fee waivers or exemptions;

35 (iv) Parking reductions; or

36 (v) Expedited permitting.

Housing Options Code Amendments

Response to Planning Commission questions about Low Density Neighborhoods

Language about balancing comprehensive plan goals and policies (From the Introduction to the Comprehensive Plan chapter, emphasis added)

The goals in this Plan identify what we hope to achieve as a community. Some goals will take longer than others to realize. Policies describe how the City will act in a broad sense to achieve these goals.

While some policies take a prescriptive approach by outlining what the City will specifically 'require' to achieve a goal, other policies present a more flexible approach whereby the City will 'encourage' or 'support' an action. Each type of approach has inherent trade-offs. Overall, the City's policy approach within the Plan aims to balance these trade-offs while meeting community goals.

As an example of a prescriptive approach, one policy requires land uses to prevent and treat stormwater runoff, which provides certainty that the City will use its authority to enforce practices that achieve our clean water protection goals. In order for the City to 'require' an action, it must have authority under the law to enforce it.

Sometimes a more flexible policy approach improves the capability of achieving certain goals. Having some flexibility over the 20-year planning period enables the City to respond more quickly when environmental or market conditions change. It also allows for tailoring implementation to geographic or land use type conditions at the zoning level. For example, a policy in the Plan states the City will require development to incorporate measures that reduce risks associated with rising sea levels. The policy includes, as an example, higher finished floor elevations, but does not specify what that particular measure will be. In order to respond appropriately to sea level rise, the City will need an adaptive strategy based on new information. The same adaptive methodology applies to policies regarding infill development. In order to meet our vision of a more vibrant and pedestrian-friendly downtown, the City will need flexibility to respond to changing market conditions over the 20-year planning period.

Where the City does not establish requirements, it may 'encourage' or 'support' actions. For example, one policy encourages the use of fruit and nut trees to support food self-sufficiency. This policy demonstrates the City's recognition of community support for trees that provide food, while also allowing flexibility for implementation through incentives or partnerships rather than regulation. To require fruit trees at the broad Plan level could hamper other goals during the implementation phase that call for providing a variety of tree species throughout neighborhoods and planting the right tree in the right place.

At times, goals or policies may seem to be in conflict with each other. For example, a goal to increase density may seem to be in conflict with a goal to preserve open space. Or a goal to

increase tree canopy may seem to be in conflict with a goal to increase solar energy access. Over the next 20 years, the complex challenges and opportunities we face as a community will often require us to strike a balance between different goals and policies to provide the best outcome for the community as a whole. Thus individual goals and policies should always be considered within the context of the entire Plan.

Throughout each and every year, City officials, along with the public, make a range of decisions about how community resources will be used and managed, and how both public and private development will occur. Community plans and programs often result from conscientious balancing among divergent interests based on the facts and context of a particular situation and on the entire set of Comprehensive Plan goals. Balancing these goals in a way that provides the best overall community benefit requires careful consideration, based on an understanding of multiple community objectives, the specific context and potential impacts.

This type of strategic decision-making can often lead to a selection of options that realize multiple goals. For example, when we protect the quality of our air and water, we improve our health and attract long-term investment in our City.

Description of Low Density Neighborhoods in Comprehensive Plan (Appendix A of Land Use and Urban Design Chapter)

Low-Density Neighborhoods. This designation provides for low-density residential development, primarily single-family detached housing and low-rise multi-family housing, in densities ranging from twelve units per acre to one unit per five acres depending on environmental sensitivity of the area. Where environmental constraints are significant, to achieve minimum densities extraordinary clustering may be allowed when combined with environmental protection. Barring environmental constraints, densities of at least four units per acre should be achieved. Supportive land uses and other types of housing, including accessory dwelling units, townhomes and small apartment buildings, may be permitted. Specific zoning and densities are to be based on the unique characteristics of each area with special attention to stormwater drainage and aquatic habitat. Medium Density Neighborhood Centers are allowed within Low Density Neighborhoods. Clustered development to provide future urbanization opportunities will be required where urban utilities are not readily available.

Some of the applicable Comprehensive Plan Goals and Policies

Land Use and Urban Design Chapter

Goal 1: Land use patterns, densities and site designs are sustainable and support decreasing automobile reliance.

Goal 16: The range of housing types and densities are consistent with the community's changing population needs and preferences.

Policy PL 16.2 Adopt zoning that allows a wide variety of compatible housing types and densities.

Policy PL 16.4 Disperse low and moderate-income and special needs housing throughout the urban area.

Policy PL 16.5 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.

Policy PL 16.9 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.

Policy PL 16.10 Require effective, but not unreasonably expensive, building designs and landscaping to blend multi-family housing into neighborhoods.

Policy PL 16.11 Require that multi-family structures be located near a collector street with transit, or near an arterial street, or near a neighborhood center, and that they be designed for compatibility with adjacent lower density housing; and be 'stepped' to conform with topography.

Goal 20: Development maintains and improves neighborhood character and livability.

Policy PL 20.1 Require development in established neighborhoods to be of a type, scale, orientation, and design that maintains or improves the character, aesthetic quality, and livability of the neighborhood.

Policy PL 20.4 Support development and public improvements consistent with healthy and active lifestyles.

Policy PL 20.5 Prevent physical barriers from isolating and separating new developments from existing neighborhoods.

Public Services Chapter

Goal 3: Affordable housing is available for all income levels throughout the community.

Policy PS 3.1 Promote a variety of residential densities and housing types so that housing can be available in a broad range of costs.

Definitions

Title 18 (Unified Development Code) of the Olympia Municipal Code (OMC) does not contain a definition of “multifamily”.

Related terms, as defined in OMC 18.02.180:

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.

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.

Duplex. One building containing two single-family dwelling units totally separated from each other by a one-hour fire wall or floor.

Single-Family Dwelling. A single unit providing complete, independent living facilities for a family, including permanent provisions for living, sleeping, cooking and sanitation.

Proposed definitions to be added to OMC 18.02.180

Courtyard Apartment. A dwelling within a structure or small detached structures on one parcel designed and used for occupancy by four or more individual persons or families living independently of each other. The units are oriented around a shared open space courtyard from which all ground floor units have primary entrances facing.

Triplex. One building containing three single-family dwelling units totally separated from each other by a one-hour fire wall or floor.



Planning Commission

Housing Options Code Amendments - Draft Recommendation Letter

Agenda Date: 11/2/2020
Agenda Item Number: 6.B
File Number: 20-0872

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

Title

Housing Options Code Amendments - Draft Recommendation Letter

Recommended Action

Move to authorize the Chair and Vice-Chair to sign a recommendation letter to the City Council.

Report

Issue:

Whether to forward its recommendation on the Housing Options Code Amendments to the City Council in writing, which is optional but not required.

Staff Contact:

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

Presenter(s):

Joyce Phillips, Senior Planner, Community Planning and Development

Background and Analysis:

Planning Commission recommendations to the City Council are not required to be in writing for amendments of the municipal code. The Commission may, at its discretion, provide its recommendation on code amendments in writing. The Commission has written comment letters in the past, especially when it wants to provide context around its recommendation(s) or to summarize information discussed during deliberations.

At its meeting on October 19, 2020, the Commission asked staff to prepare a preliminary letter for its consideration at its November 2, 2020 meeting. The draft letter attached reflects the preliminary position of the Planning Commission as of October 19th and would need to be finalized after the Commission completes its deliberation of, and votes on, the proposed Housing Options Code Amendments.

As drafted, the letter includes the attachment of the review worksheet used by the Planning Commission in its deliberations, which are not yet complete. The worksheet would need to be completed to reflect the final deliberations of the Commission before attaching it to the letter.

Neighborhood/Community Interests (if known):

There were several neighborhood and community interests raised during the Housing Options Code Amendments planning process. The Planning Commission considered all comments during its review and deliberations and those comments factored into the Commission's recommendation.

Options:

1. Finalize and approve a recommendation letter for the City Council, then move to authorize the Chair and Vice-Chair to sign a recommendation letter
2. Decide not to submit a recommendation letter to the City Council.

Financial Impact:

None.

Attachments:

Draft Recommendation Letter
Draft Review Worksheet

Olympia Planning Commission

November 2, 2020

Olympia City Council
PO Box 1967
Olympia, WA 98507

Dear Mayor Selby and City Councilmembers:

The Olympia Planning Commission (OPC) is pleased to provide its recommendation on the Housing Options Code Amendments related to the Council Referral to the Planning Commission (2019-0036).

The OPC conducted a public hearing on September 23, 2020 and considered several pages of written public comments as well as comments received at the public hearing and earlier public meetings. Our review focused on the following issues:

- The three options to increase residential building capacity identified by the Council in its referral for consideration, pursuant to 2019's House Bill 1923. These options are specific to Accessory Dwelling Units (ADUs); duplexes on corner lots; and considerations for duplexes, triplexes, and courtyard apartments.
- Review the recommendations for consistency with the Comprehensive Plan.
- Balancing various Goals and Policies within the Comprehensive Plan
- Modifications to the housing types under consideration, as adopted in 2020's House Bill 2343, which affected the ADU and duplex/triplex/courtyard apartment options.

The Commission supports approval of the staff recommendations proposed, with the following modifications:

1. Increase the maximum size of ADUs to 850 square feet. The increase in size is proposed in order to align with the size allowed by the City of Lacey and to help in the sharing of pre-approved ADU plans between the Cities of Olympia, Lacey, and Tumwater.
2. During its deliberations, the Planning Commission noticed differences in the way the term multifamily is used. The Commission recommends the City review its use of the term multifamily and make changes, if necessary, to the Unified Development Code (OMC Title 18).
3. In addition to the R6-12 zone as recommended by staff, the Commission recommends allowing triplexes in the R4-8 Zoning District.
4. ADD ANY ADDITIONAL MODIFICATIONS OF OPC.

Given the numerous recommendations and perspectives of each Commissioner, it should be noted

that there was not always on each proposed amendment. To provide the Council with a more complete summary of its deliberation topics, a copy of the Commission's review worksheet is attached.

The Commission would like to thank the City Council for its patience during its review. This included months of public meetings, conducting the public hearing, and Commission deliberations over three meetings. There were several issues to be discussed and worked through before reaching this recommendation.

Sincerely,

Candi Millar, CHAIR

Olympia Planning Commission

Paula Ehlers, VICE-CHAIR

Olympia Planning Commission

cc: Leonard Bauer, FAICP, Director of Community Planning and Development

Cari Hornbein, AICP, Senior Planner, Staff Liaison to the Planning Commission, Olympia CPD

Joyce Phillips, AICP, Senior Planner, Staff Lead, Olympia CPD

CPD file #20-0994



Housing Code

olympiawa.gov/housingcode

October 5, 2020;
Updated October 19, 2020;

Planning Commission Deliberations Review & Comment Worksheet

The City Council referred three housing options to the Planning Commission for review and consideration. Further, the Council tasked the Commission to develop an ordinance that would implement at least two of the three options. Staff recommendations and public comments were considered at the public hearing held on September 23, 2020, with additional written comments allowed through September 30, 2020.

HOUSING OPTION #1: ACCESSORY DWELLING UNITS

HB 1923 (Summarized, all one option): Authorize attached accessory dwelling units on all parcels containing single-family homes.... Qualifying city ordinances or regulations may not provide for on-site parking requirements, owner occupancy requirements, or square footage limitations below one thousand square feet for the ADU...To allow local flexibility, other than these factors, accessory dwelling units may be subject to such regulations, conditions, procedures, and limitations as determined by the local legislative authority, and must follow all applicable state and federal laws and local ordinances.

HB 2343 (Summarized, separate options):

- Authorize accessory dwelling units in one or more zoning districts in which they are currently prohibited.
- Remove minimum residential parking requirements related to accessory dwelling units.
- Remove owner occupancy requirements related to accessory dwelling units.
- Adopt new square footage requirements related to accessory dwelling units that are less restrictive than existing square footage requirements related to accessory dwelling units.

Proposed Revision	Req'd in 1923 option?	Yes	No	Not Sure	Comments
Eliminate parking requirement	Yes	x			Commissioner Adams is opposed – streets are congested with on street parking (emergency vehicles). Commissioner Sauerhoff acknowledges complexity of the issue, varies across neighborhoods. Commissioner Richmond supports (transit, affordability factor). Commissioner Cunningham – this is a minimum requirement, some may include it (scenarios can vary, costs). Chair Millar – dissenting opinion on this topic in Missing Middle process (primary house should have 2 spaces) – support as long as that occurs. Commissioner Ehlers concurs with Chair Millar. Commissioner Azegami supports. Commissioner Burns – safety is an issue (consider in R 6-12). Commissioner Huynh supports removal of this requirement.
Eliminate requirement for owner to live onsite	Yes	x			Commissioner Richmond struggles with removal of this requirement – institutional investors, especially from out of town (is there any data to address these concerns?) but agree it is a barrier for non-profits. Commissioner Adams – too difficult to manage. Commissioner Huynh – shares C Richmond's concerns but supports this change to help eliminate barriers. Commissioner Azegami believes this is a barrier for some (such

Housing Options Code Amendments – OPC Deliberations

October 5, 2020

Page 2

					as non-profits). Commissioner Sauerhoff shared outside investor concerns but is in favor of removing this provision. Commissioner Cunningham supports removal of this provision (ADUs won't change the outside investor situation/issues). Commissioner Ehlers supports removal of this provision. Commissioner Millar supports removal of this provision (we need more housing units).
Allow any ADU to be up to 800 sq. ft. regardless of primary house size.	HB 1923 = 1,000 sq. ft. <i>Modified by HB 2343.</i>	x (at 850 sq. ft.)			Commissioner Adams – support cities having shared ADU sizes. Commissioners Ehlers, Millar, Huynh, Cunningham (850 or 1,000), and Azegami support 850 sq ft (to match Lacey). Commissioner Sauerhoff supports 850... Commissioner Azegami is interested in going up to 1,000 sq ft. At least 850 but up to 1,000 sq ft – size of lot? Commissioner Burns supports consistency. Majority supports 850 sq. ft.
Increase max. height for detached ADUs (16' to 24'). If attached, max. height is still 35'.	No	x			Support. Still concerned about solar access and shading.
Clarify ADU could be attached to another Accessory Structure, each at max. size allowed.	No	x			Support.

Straw Poll: OPC general support to accept staff recommendation for ADUs – with the maximum ADU size being increased to 850 square feet.

HOUSING OPTION #2: DUPLEXES ON CORNER LOTS

HB 1923: “Authorize a duplex on each corner lot within all zoning districts that permit single-family residences”

Proposed Revision	Req'd to implement 1923 Option	Yes	No	Not Sure	Comments
Allow duplexes on corner lots in all zones that permit single family residences	Yes	x			R 1/5 zone – Duplexes may reduce the conservation value.

Straw Poll: Support.

HOUSING OPTION #3: DUPLEXES, TRIPLEXES, AND COURTYARD APARTMENTS

HB 1923: Authorize at least one duplex, triplex, or courtyard apartment on each parcel in one or more zoning districts that permit single-family residences unless a city documents a specific infrastructure or physical constraint that would make this requirement unfeasible for a particular parcel.

HB 2343: Revised language to add quadplexes, sixplexes, stacked flats, and townhouses to the housing types listed above.

*To implement Option #3, the Commission's recommendation should address which of these housing types are appropriate for which zoning districts. **Zoning map provided on last page.***

DUPLEXES

Proposed Revision	Yes	No	Not Sure	Comments
DUPLEXES				
Allow new duplexes in the R4 zone	x			Oct 5 Comments: Commissioner Burns – not opposed to concept but still have some concerns about this option 3. Comp plan language (some single family areas only). PL 16.11 contradiction? Is a comp plan amendment needed? Commissioner Azegami - there are a lot of provisions in the plan we are still working to implement (neighborhood centers, etc). Commissioner Richmond – appreciate T Burns comments but also support these recommendations. Commissioner Huynh supports. Commissioner Cunningham – other Comp Plan language supports. Commissioner Azegami – several policies to consider, balancing. Oct 19 Comments: Burns is opposed – concerns about process & where we came from. Still have to make the decision that these
Allow new duplexes in the R 4-8 zone	x			
In the R6-12 zone, modify lot size standards to allow “on each parcel”	x			

Housing Options Code Amendments – OPC Deliberations

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				<p>recommendations are consistent with the comprehensive plan. This option #3 is similar to Missing Middle. What other avenues are there to address this? Do we need a comprehensive plan amendment? Plain meaning of the word multifamily. Richmond agrees – question about lot size in R 6-12. Cunningham & Ehlers – recommend reducing parking requirements. Millar – we do need to look at parking and how to encourage non-motorized uses. Richmond – agree to consider addressing parking issues in a separate process. Would like to see these parking spaces as maximums rather than minimums. Millar – feeling conflict (consider duplexes, triplexes, fourplexes, and sixplexes) between what is “multifamily.” Feel like the Comp Plan should be looked at again as far as what multifamily means. Burns: MRSC glossary for multifamily says two or more. Fix the issue. Don’t see this as a legal issue. At least signal the issue to the City Council in the recommendation letter.</p>
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Straw Poll: Move forward but include in the letter the issue around the term of Multifamily and suggest a Comprehensive Plan Amendment: Burns. DOES NOT PASS.

Straw Poll: Approve, suggest adding a definition of multifamily in OMC, we don’t really need a comprehensive plan amendment: PASS (unanimous).

TRIPLEXES

Proposed Revision	Yes	No	Not Sure	Comments
TRIPLEXES				
In the R 6-12 zone, modify lot size standards to allow “on each parcel”	x			Same concerns as above.
Limit to two stories	x			Support.
Clarify: 5 parking spaces are required	x			No opposition (although concerns about car dependency).

Straw Poll: Support.

Should triplexes be allowed in any other low density zones not included in the staff recommendations? (Already allowed in Residential Low Impact, RLI)				
	Yes	No	Unsure	Comments
Residential 1 unit/5 acres (R1/5)		x		<p>Millar – concerns, conservation values.</p> <p>Richmond – agree about the value but it is developable in the City/UGA.</p> <p>Sauerhoff – pressure to help on a farm, a triplex could help (could have less impact than three separate units).</p>

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				Ehlers – More dense housing type. R 6-12 fine, 4-8 probably okay too. Don't really need to go into the other zones. Sauerhoff – Concerns about options to support more housing while maintaining a farm. Cunningham – Could have a 7,000 square foot home but can't have a 3,000 square foot triplex? (Correct).
Straw Poll: Approval? (two support, three if you could tie it to a farming purposes). DOES NOT PASS.				
Res. – 4 units per acre (R4)		x		Ehlers – More dense housing type. R 6-12 fine, 4-8 probably okay too. Don't really need to go into the other zones.
Straw Poll: Approval? Two support. DOES NOT PASS.				
Res. - 4 units per acre, Chambers Basin (R4CB)		x		Ehlers – More dense housing type. R 6-12 fine, 4-8 probably okay too. Don't really need to go into the other zones.
Straw Poll: Approval? Two support. DOES NOT PASS.				
Res 4-8 units/ acre (R4-8)	x			Ehlers – More dense housing type. R 6-12 fine, 4-8 probably okay too. Don't really need to go into the other zones.
Straw Poll: Anyone Opposed? Two opposed. DOES NOT PASS.				
Straw Poll: Support? Four support. PASS.				

Richmond – Would like people to keep Neighborhood Centers in mind. There are 17 dispersed across the UGA.

COURTYARD APARTMENTS

Proposed Revision	Yes	No	Not Sure	Comments
COURTYARD APARTMENTS				
In the R 6-12 zone, modify lot size standards to allow "on each parcel"				
Limit to two stories				
Require shared open space				
Require direct access of ground floor units to shared courtyard				
Require private open space				

Straw Poll:

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Should Courtyard Apartments be allowed in any other low density zones not included in the staff recommendations? (Already allowed in Residential Low Impact, RLI)				
	Yes	No	Unsure	Comments
Residential 1 unit/5 acres (R1/5)				
Straw Poll:				
Residential – 4 units/acre (R4)				
Straw Poll:				
Res.-4 units per acre, Chambers Basin (R4CB)				
Straw Poll:				
Res. 4-8 units per acre (R4-8)				
Straw Poll:				

OTHER HOUSING TYPES ADDED BY HOUSE BILL 2343*

**If the Planning Commission recommends adding any of these housing types, staff suggests limiting to two stories in all low density neighborhood zoning districts.*

Proposed Revision	Yes	No	Not Sure	Comments
FOURPLEXES				
Should fourplexes be allowed				
If yes, in which zones? R1/5; R4; R4CB; R 4-8; R 6-12				

Straw Poll:

Proposed Revision	Yes	No	Not Sure	Comments
SIXPLEXES				
Should sixplexes be allowed				
If yes, in which zones? R1/5; R4; R4CB; R 4-8; R 6-12				

Straw Poll:

Proposed Revision	Yes	No	Not Sure	Comments
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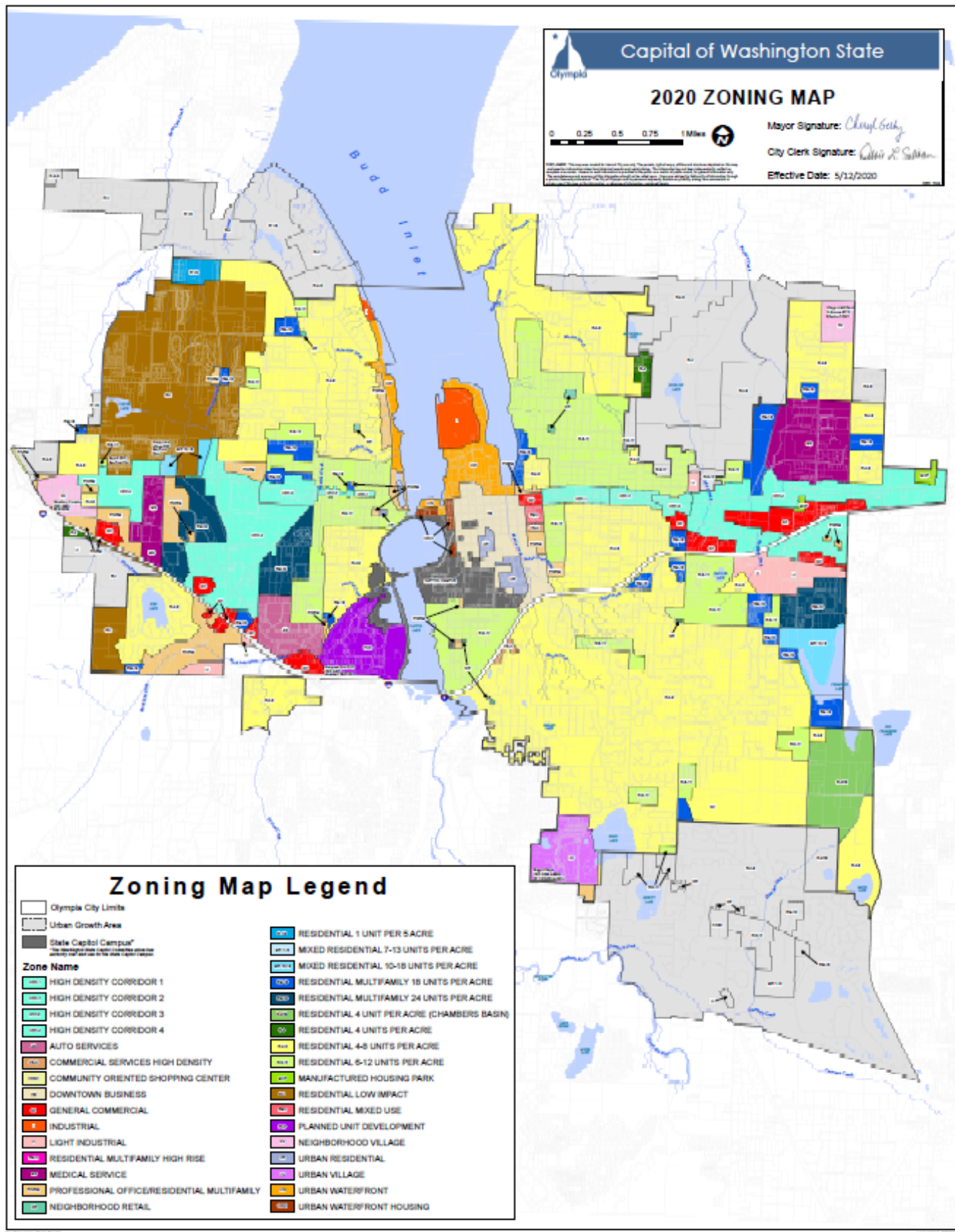
STACKED FLATS				
Should stacked flats be allowed				
If yes, should they be defined?				
If yes, in which zones? R1/5; R4; R4CB; R 4-8; R 6-12				

Straw Poll:**CONSISTENCY**

Proposed Revision	Yes	No	Not Sure	Comments
CONSISTENCY				
Include the draft language requiring the City to annually monitor density in the low density neighborhood zones				

Straw Poll:

Housing Options Code Amendments – OPC Deliberations
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Planning Commission

Shoreline Master Program Periodic Review -Briefing

Agenda Date: 11/2/2020
Agenda Item Number: 6.C
File Number:20-0871

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

Title

Shoreline Master Program Periodic Review - Briefing

Recommended Action

Information only. No action requested.

Report

Issue:

Discussion on the draft Shoreline Master Program (SMP) Periodic Review.

Staff Contact:

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

Presenter(s):

Joyce Phillips, Senior Planner, Community Planning & Development

Background and Analysis:

Shoreline Master Programs (SMPs) are local land use policies and regulations that guide development and the use of most shorelines. SMPs apply to both public and private uses for lakes, streams, associated wetlands, and marine shorelines. They protect natural resources for future generations, provide for public access to public waters and shores, and plan for water-dependent uses. SMPs must be consistent with the Shoreline Management Act (RCW 90.58) and must be approved by the Washington State Department of Ecology (Ecology).

SMPs must be reviewed and, if necessary, updated to ensure they remain compliant with state laws and local comprehensive plans. This review must be completed every eight (8) years and is known as the "Periodic Review". Olympia's SMP Periodic Review must be completed no later than June 30, 2021.

Ecology provides technical assistance, guidance documents, and grant funding for this work. Ecology's grant contract requires completion of five tasks, designed to ensure local governments complete the required Periodic Review. The primary task is to review the SMP and draft revisions, if needed.

The City used Ecology's checklist and determined that some changes are needed. This analysis was reviewed by Ecology for their input. The outcome of that review, known as the Gap Analysis, then became the minimum scope of work for the update.

The draft amendments will be available for public review in October. The public participation plan has been updated to focus more on online participation opportunities given the Covid-19 outbreak. We will continue using online methods to provide for meaningful input opportunities while limiting the need for people to gather in-person.

Neighborhood/Community Interests (if known):

Shoreline issues are of interest to our community. Active engagement and comments are anticipated now that there is a public draft available.

In mid-August the City issued an E-Newsletter to the Planning and Development listserv and sent an email to parties of record to inform people about the Periodic Review process, that the Gap Analysis is available for review and comment, and to let people know how to get involved in the process. The City will continue to provide updates throughout the process, including use of E-Newsletters, emails to Parties of Record, the SMP webpage, Planning Communications, and other communications.

Options:

Information only, no action required.

Financial Impact:

The City entered into a contract with the Washington State Department of Ecology for \$28,000 in grant funding to complete the Periodic Review. The Community Planning and Development Department hired The Watershed Company for professional services to conduct the review, draft required updates, and to assist in the process.

Attachments:

Project Webpage
Fact Sheet

Shoreline Master Program (SMP)



About the SMP

The Shoreline Master Program (SMP) is a set of local policies and regulations adopted by the City under the State's Shoreline Management Act that generally applies to all major water bodies and lands within 200 feet of those waters.

- [View the 2015 Olympia SMP](#)
- [View the 2018 Olympia SMP \(as amended\)](#)

Periodic review

Every eight years, counties and cities must review the SMP to ensure it remains consistent with any changes in state law, the adopted Comprehensive Plan, and any changes in local circumstance.

The periodic review is not as involved as the “comprehensive update” that Olympia completed in 2015. The comprehensive update was a major rewrite of the SMP that took several years to complete.

For the periodic review, the Washington State Department of Ecology (Ecology) provides a checklist for us to identify and evaluate any needed revisions. Ecology also provides grant funds to help cover the costs associated with conducting the review. The City of Olympia will conduct this review in 2020 and the first half of 2021.

- [View the gap analysis based on Ecology's checklist](#)
- [Fact sheet](#)

How to participate

If you would like to participate, please contact Joyce Phillips at 360.570.3722 or jphillip@ci.olympia.wa.us and ask to be added to the interested parties list. You will receive periodic email updates and a notice of the public hearing, which is not yet scheduled.

You can also subscribe to the Planning & Development newsletter at olympiawa.gov/subscribe to receive periodic updates on this and other planning related information.

- [View the Public Participation Plan](#)
- [Frequently Asked Questions](#)

Questions?

For questions about the Periodic Review contact Joyce Phillips at 360.570.3722 or jphillip@ci.olympia.wa.us.

For questions about shoreline development or permits contact 360.753.8314 or cpdinfo@ci.olympia.wa.us.

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The City of Olympia is committed to the non-discriminatory treatment of all persons in employment and the delivery of services and resources.



Shoreline Master Program - Periodic Review

October 2020

What is a Shoreline Master Program?

A Shoreline Master Program (SMP) is a set of written local land-use policies and regulations that guide the use of shorelines. The SMP applies to both public and private uses of shorelines. The main purposes of the SMP are to protect natural resources for future generations, provide for public access to public waters and shores, and plan for water-dependent uses.



In the City of Olympia the SMP applies to Lake Louise, Capitol Lake, Ward Lake, Ken Lake, Chambers Lake, Percival Creek, Black Lake Ditch, and the marine shoreline areas.

What is the “periodic review” of the SMP?

Every eight years, counties and cities must review the SMP to ensure it remains consistent with changes in state law, the adopted Comprehensive Plan, and any changes in local circumstance. The periodic review is not as involved as the “comprehensive update” that Olympia completed in 2015. The comprehensive update was a major rewrite of the SMP that took several years to complete. This review is expected to be complete by June 2021. Ecology provides grant funds to help cover costs associated with conducting the review. The City received a grant for \$28,000 to conduct the review and adopt revisions.

Gap Analysis

The City used the Washington State Department of Ecology (Ecology) checklist to identify and evaluate any needed revisions. The report was posted online and the public was invited to submit comments. Primary areas to be addressed during these updates include revisions to reflect changes in Ecology rules; updating wetland buffer widths to align with the newest Ecology guidance; integrating the City’s Sea Level Rise Response plan; adding references to shoreline restoration assessment reports; and addressing issues identified by staff and stakeholders as needing clarification or improvement. The gap analysis is available on the project webpage.

Where can I learn more about the proposed changes?

Information about the project, its timeline, and draft changes are available on the project webpage at olympiawa.gov/smp.

How can I stay informed?

The three primary ways to keep up to date on progress along the way is to request to be a “Party of Record” for this proposal. Parties of Record will receive updates and will receive a notice prior to the public hearing. To become a Party of Record please email Joyce Phillips at jphillip@ci.olympia.wa.us.

The City has several E-News distribution lists and you can subscribe to any that interest you. For this project, E-News announcements will be sent to the Planning & Development group. You can sign up at olympiawa.gov/subscribe.

The project webpage will be updated as new information, draft documents, or meeting announcements are made. Check back at your convenience at olympiawa.gov/smp.



Shoreline Master Program - Periodic Review

How can I share comments or concerns?

Written comments can be sent to Joyce Phillips, Senior Planner, at jphillip@ci.olympia.wa.us. You can call Joyce at 360.570.3722. Written comments will be shared with the Olympia Planning Commission during its review process, including conducting a public hearing.

Planning Commission meetings offer an opportunity for members of the community to comment at the beginning of the meeting. Planning Commission meeting dates and agenda topics can be found on the City's webpage by clicking on the [Agendas and Minutes](#) link. Additionally, the Planning Commission will hold a public hearing on the proposed changes before it makes a recommendation to City Council.

Does the City make the final decision on the SMP?

The SMP and any revisions to it must be approved by the City Council and the Department of Ecology.