

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING SECTIONS 18.06.040, TABLE 6.01, AND 18.06.060 OF THE OLYMPIA MUNICIPAL CODE RELATED TO THE MEDICAL SERVICE ZONING DISTRICT.

WHEREAS, the Housing Authority of Thurston County requested amendments to Chapter 18.06 of Olympia Municipal Code (OMC) related to the Medical Service Zoning District (the Proposed Amendments); and

WHEREAS, on September 26, 2018, the Proposed Amendments were sent to the Washington State Department of Commerce Growth Management Services with the Notice of Intent to Adopt a Development Regulation Amendment as required by RCW 36.70A.106, and no comments were received from state agencies during the comment period; and

WHEREAS, the City of Olympia determined the Proposed Amendments are exempt under the State Environmental Policy Act (SEPA), pursuant to Washington Administrative Code 197-11-800; and

WHEREAS, on November 19, 2018, the Olympia Planning Commission received briefings on the Proposed Amendments; and

WHEREAS, on November 22, 2018, a legal notice was published in *The Olympian* newspaper regarding the December 3, 2018 public hearing on the Proposed Amendments before the Olympia Planning Commission; and

WHEREAS, on December 3, 2018, the Planning Commission held a public hearing and deliberated on the Proposed Amendments; and

WHEREAS, following the public hearing and deliberations, the Planning Commission recommended amendments to Chapter 18.06 of the Olympia Municipal Code, as proposed; and

WHEREAS, the Proposed Amendments are consistent with the Olympia Comprehensive Plan other chapters of the Olympia Municipal Code; and

WHEREAS, the Proposed Amendments meets the goals and requirements of the Growth Management Act; and

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

WHEREAS, this Ordinance is supported by the staff report and materials associated with this Ordinance, along with other documents on file with the City of Olympia; and

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

Section 1. Amendment of OMC 18.06.040. Olympia Municipal Code Section 18.06.040, Table 6.01, is hereby amended to read as follows:

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	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
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	A S	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)							

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
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	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Auditoriums and Places of Assembly			P		P	P	P					P	P	
Boat Clubs					P	P								
Boating Storage Facilities					P			P						
Commercial Recreation		C	P		P	P	P	P		C	C	P	P	
Health Fitness Centers and Dance Studios	P	P 18.06.060(L)	P	P	P	P	P	P	P	P 18.06.060 (L)	P 18.06.060(L)	P	P	
Libraries	C	C	C	C	P	P	P		P	C	P	P	P	18.04.060(V)
Marinas/Boat Launching Facilities					P 18.06.060 (CC)	P								
Museums		C	P		P	P	P		P	C	C	P	P	18.04.060(V)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Parks, Neighborhood	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(T)
Parks & Playgrounds, Other	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(T)
Theaters (Drive-in)			C											
Theaters (No drive-ins)			P		P	P	P				C	P	P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
5. RESIDENTIAL														
Apartments		P	P	P 18.06.060 (T)	P	P	P		P	P	P	P	P	
Apartments above ground floor in mixed	P	P	P	P 18.06.060 (T)	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	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
use development														
Boarding Houses		P	P	P 18.06.060 (F)	P	P	P		P	P	P	P	P	
Co-Housing		P	P			P	P			P	P		P	
Duplexes	P	P	P	P 18.06.060 (F)			P		P	P	P		P	
Fraternities, Dormitories		C	P	P 18.06.060 (F)	P	P	P		P	C	P	P	P	
Group Homes (6 or less)	P	P	P 18.06.060 (K)	P 18.06.060 (F)	P	P	P 18.06.060(K)		P	P	P	P 18.06.060 (K)	P 18.06.060 (K)	18.04.060(K)
Group Homes (7 or more)	C	C	C 18.06.060 (K)	C 18.06.060 (F)	C	C	C 18.06.060(K)		C	C	C	C 18.06.060 (K)	P 18.06.060 (K)	18.04.060(K)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Mobile or Manufactured Homes Park - Existing		C	C	C 18.06.060 (F)						C			C	18.04.060(P)
Quarters for Night Watch person/Caretaker					P	P								
Retirement Homes		P	P	P 18.06.060 (F)	P	P	P		P	P	P	P	P	
Single-Family Residences	P	P	P	P 18.06.060 (F)			P		P	P	P	P	P	
Single Room Occupancy Units			C		P	P	P		P				C	
Townhouses	P	P	P	P 18.06.060 (F)		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	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Triplexes, Fourplexes, and Cottage Housing		P											P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
6. RETAIL SALES														
Apparel and Accessory Stores			P		P	P	P					P	P	
Boat Sales and Rentals			P		P	P	P	P					P	
Building Materials, Garden and Farm Supplies	P		P		P	P	P					P	P	
Commercial Greenhouses, Nurseries, Bulb Farms	C	C 18.04.060(G)	C	C					C		P	P		18.04.060(G)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
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	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
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	A S	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	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)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Houses (1 guest room)														
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)
Child Day Care Centers	C	P	P	P	P	P	P		P	P	C	P	P	18.04.060(D)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
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	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
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)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
School - Colleges and Business, Vocational or Trade Schools		C	P		P	P	P		P	C	C	C	P	18.06.060(X)
Service and Repair Shops			P				P	P				P	P	
Service Stations/Car Washes			P				P 18.06.060(W)	P				P 18.06.060(W)	P 18.06.060(W)	
Service Stations/Car Washes - Existing			P		P 18.06.060(W)		P 18.06.060(W)				P	P 18.06.060(W)	P 18.06.060(W)	
Servicing of Personal Apparel and Equipment	P	P	P		P	P	P			P	P	P	P	
Truck, Trailer, and			P					P						

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Recreational Vehicle Rentals														
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)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
														18.04.060(K)
Other Correctional Facilities		C	C	C 18.06.060 (T)	C	C	C		C	C	C	C	C	18.06.060(G)
Other facilities as designated by the Washington State Office of Financial Management, except prisons and solid waste handling facilities		C	C		C		C			C	C	C	C	18.06.060(G)
Radio/TV and Other Communication Towers and Antennas	C	C	C	C	C	C	C	C	C	C	C	C	C	18.06.060(G)) 18.44.100

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
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	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Off Site Contractor Offices	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(D D)
Emergency Housing	P	P	P	P	P			P	P	P	P	P	P	18.04.060(D D)
Fireworks, as determined by Fire Dept.			P		P	P	P				P	P	P	9.48.160
Mobile Sidewalk Vendors		P	P	P	P	P	P			P	P	P	P	
Parking Lot Sales			P		P	P	P	P			P	P	P	
Residences Rented for Social Event (6 or less in 1 year)	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(D D)
Residences Rented for Social Event (7	C	C	C	C	C	C	C		C	C	C	C	C	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
or more in 1 year)														
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	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Fraternal Organizations		P	P		P	P	P		P/C 18.06.060(I)	P	P	P	P	
Gambling Establishments			C											
Garage/Yard/Rummage and Other Outdoor Sales	P	P	P	P	P	P	P		P	P	P	P	P	5.24
Home Occupations	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(L)
Parking Facility, Commercial		P	P		P	P	P 18.06.060(S)			P	P	P 18.06.060(S)	P	18.04.060(V)
Places of Worship	C	C	P	C	P	P	P		C	C	C	P	P	18.04.060(U)
Racing Pigeons	C	C	C	C					C	C	C	C	C	18.04.060(Y)
Satellite Earth Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	18.44.100

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
Schools	C	C	P	C	C	C	C		C	C	C	P	P	18.04.060(D)
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 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	18.44

LEGEND

P = Permitted Use

MS = Medical Services

DB = Downtown Business

C = Conditional Use

PO/RM = Professional
Office/Residential Multifamily

AS=Auto Services

NR = Neighborhood Retail

GC = General Commercial

UW = Urban Waterfront

UW-H = Urban Waterfront-Housing

CSH = Commercial Services-High Density

HDC-1=High Density Corridor-1

HDC-2=High Density Corridor-2

HDC-3=High Density Corridor-3

HDC-4=High Density Corridor-4

Section 2. Amendment of OMC 18.06.060. Olympia Municipal Code Chapter 18.06.060 is hereby amended to read as follows:

18.06.060 Commercial districts' use standards

A. Accessory Uses and Structures.

Only those uses that meet the definition of an Accessory Use as defined under this chapter will be permitted in the zones outlined in the tables of this chapter.

B. Adult Oriented Businesses.

1. Location. Adult oriented businesses may be permitted, but only if the following separation and distance conditions are met:

a. No adult oriented businesses shall be located closer than one thousand (1,000) feet to another such business whether such other business is located within or outside the city limits. Said distance shall be measured by following a straight line from the nearest point of public entry into the structure which will house the proposed adult facility to the nearest point of public entry into the structure housing another adult facility.

b. No adult oriented businesses may be located closer than two hundred fifty (250) feet from the nearest point of the boundary of a General Commercial (GC, or High Density Corridor-4 (HDC-4) district; PROVIDED, this restriction shall not apply to a proposed business with respect to a particular zone boundary when the proposed site of the business is separated from said boundary by an arterial street of at least four (4) travel lanes in width.

c. No adult oriented businesses shall be located closer than three hundred thirty (330) feet of any of the following uses whether such use is located within or outside the city limits:

i. Any residential use;

ii. Family child care home;

iii. Child day care center;

iv. Preschool facility; and

v. Nursery school;

vi. The point of ingress to or egress from any public trail identified in the city's Comprehensive Plan, Urban Trails, except when such point is separated from the proposed business by a four-lane or wider street arterial.

d. No adult oriented businesses shall be located closer than one thousand three hundred twenty (1,320) feet to any of the following uses whether such use is located within or outside the City limits:

- i. Public park;
- ii. Public or private primary or secondary schools, colleges and universities; and
- iii. Places of worship (e.g., church, temple or synagogue or other facility primarily devoted to the teaching or practice of religious beliefs);
- iv. Public library

e. Such distance shall be measured by following a straight line distance between the point of public entry into the structure housing the adult facility and:

- i. The nearest point on a property line of a public park; or
- ii. The nearest point of public entry to any residential use, public library, child day care home, child day care center, preschool, nursery school, public or private primary or secondary school, college, university, church, temple, or synagogue, or other facility primarily devoted to the teaching or practice of religious beliefs, or the nearest point on the perimeter of the area actually used in conjunction with any such use, whichever is closer.

For purposes of this ordinance, "actually used in conjunction with" means areas used for the primary and related structures, yards, parking lots, designated play areas and other areas used to determine site coverage under this code.

f. Waiver of Distance Requirements. The following procedures and criteria shall be adhered to with regard to a request for waiver of distance requirements:

- i. Distance waiver required. Any party proposing to locate an adult facility within less than the required distances from uses or zones as specified in this ordinance may do so only after obtaining a waiver therefor from the Hearing Examiner through a conditional use permit.
- ii. Waiver notice requirements. In addition to the notice requirements for conditional use permits, first class mailing notice shall be made to all parties within either distance set forth in subsections 18.06.060(B)(1)(c) and (d), depending upon the use in question. The applicant shall provide the names and addresses of all property owners and businesses within said distances from the proposed use.

iii. Criteria for decision. The final decision on the request for waiver of distance shall be made by the Hearing Examiner, based on consideration of the following:

- (a) The extent to which physical features would result in an effective separation in terms of visibility and access.
- (b) Compatibility with adjacent and surrounding land uses.
- (c) The availability or lack of alternative locations for the proposed use.
- (d) Ability to avoid the adult facility by alternative vehicular and pedestrian routes.

2. Intervening Uses. Uses and zones specified in Subsection 18.06.060(B)(1)(c) and (d) shall not be allowed to locate within the specified distances of an adult oriented business. Any party proposing to locate such a use or zone within the specified distances of an adult facility is considered an intervening use and may do so only after obtaining a distance waiver pursuant to the provisions of Subsection 18.06.060(B)(1)(f) of this code regarding waiver of distance requirements; provided, that notice requirements shall conform with the provisions of Section 18.78.020 of the Olympia Municipal Code; and provided further, that the owner seeking to expand a sensitive use specified in Subsections 18.06.060(B)(1)(c) or (d) into a separation area provided herein need not procure a waiver of distance requirement under (B)(1)(f) herein if such expansion is to be done on the same parcel on which the sensitive use is located and no new lots are thereby created.

3. Adult Oriented Businesses - Forbidden in Other Zones. The allowance of adult oriented businesses shall be limited to the General Commercial (GC, or High Density Corridor-4 (HDC-4) zones and such uses are forbidden in all other zones within the City of Olympia.

C. Animals. All Commercial Districts:

1. Quantity. No more than three (3) pets, such as dogs, cats, hens, and untraditional pets (e.g., potbelly pigs and rabbits), four (4) months of age or older, shall be permitted per dwelling unit. (Traditional pets are defined as a species of animals which can be house-broken, 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. Birds. Song birds or other traditional pet birds (e.g., parrots) are permitted. Fowl, such as roosters, ducks and geese, are prohibited. [NOTE: The keeping of racing and performing pigeons is permitted as a conditional use.]

3. Other Animals. Swine, other than potbelly pigs, and goats are prohibited. The keeping of other animals and pets, which are not specifically prohibited in this section is permitted, provided that:

- a. There shall be no more than one (1) animal per acre, in addition to those animals/pets permitted in Subsection C.1 above; and
- b. Such animals shall be confined within a suitably fenced area which shall be located no closer than fifty (50) feet from any property line; and
- c. The keeping of such animals does not constitute a nuisance or hazard to the peace, health or welfare of the community in general and neighbors in particular.

D. Banks.

1. High Density Corridor-3 (HDC-3) Requirements. Banks which offer only drive-through service (i.e., which serve customers exclusively in or on their vehicles) are not permitted.
2. Urban Waterfront (UW) and Downtown Business (DB) District Requirements. Drive-through banks may be permitted with a conditional use permit if the proposed project meets the Street Edge Development Standards of the Pedestrian Streets Overlay District, Chapter 18.16 OMC. The proposed project may be exempted from the Pedestrian-Oriented Street Wall Requirement under the "Pedestrian Streets Overlay District Requirements" if it is found that:
 - a. The proposed design meets the intent of the Pedestrian Streets Overlay District, "Pedestrian Streets Overlay District Requirements"; and
 - b. The building site presents unusual conditions which require an alternative design to accomplish the intent of the Pedestrian Streets Overlay District, "Pedestrian Streets Overlay District Requirements."

E. Bed and Breakfast Houses. Professional Office/Residential Multifamily (PO/RM), High Density Corridor-1 (HDC-1), General Commercial (GC), High Density Corridor-4 (HDC-4), and Medical Services (MS) districts requirements: All Bed and Breakfast Houses are subject to the Bed and Breakfast House requirements in residential districts, Section 18.04.060(L)(3)(c).

F. Drive-Through and Drive-In Uses.

1. High Density Corridor-3 (HDC-3) Requirements. Businesses which serve customers exclusively in their vehicles are prohibited. This includes uses such as drive-through laundry pick-up agencies, drive-through-only banks, and drive-through photo processing services. This does not include car washes. Restaurants are not permitted to have drive-up or drive-through facilities.
2. Downtown Business and Urban Waterfront (UW) Requirements. Drive-through and drive-in uses are prohibited as a primary or accessory use (exception: drive-through banks are a conditional use). Existing drive-in and drive-through restaurants permitted before January 1, 1994, are conforming uses. Such

uses shall be treated the same as other allowed uses, consistent with applicable regulations or conditional use requirements. Other uses made nonconforming by this zoning ordinance are subject to the requirements of Chapter 18.37, Nonconforming Buildings and Uses.

3. Pedestrian Streets and Drive-Through or Drive-In Uses. Drive-through and drive-in uses are allowed on parcels that abut pedestrian oriented streets, as follows:

a. A Streets: Drive-through or drive-in uses are permitted on parcels abutting Pedestrian Oriented A Streets when there is another building(s) or a designated pedestrian plaza or other gathering space located between the drive-through or drive-in building and the street. In the event a pedestrian plaza or gathering space is located between the building and an "A" Street, provisions to prevent vehicles from entering the plaza or gathering space shall be provided (e.g. curb and a landscaped area, bollards, low masonry wall).

b. B Streets: Drive-through lanes are prohibited between the pedestrian oriented street and the building. Drive-through lanes may be located to the side or rear of the building when designed for the safety of pedestrians or bicyclists on the sidewalk or other internal designated routes for pedestrians and/or bicyclists.

G. Public Facilities, Essential.

1. Regulations applicable to all commercial zoning districts. Essential public facilities are subject to the procedures and conditions listed in Section 18.04.060(W), as well as any other applicable provisions of this Title.

2. Community Retail District (CMR) and Professional Office/Residential Multifamily District (PO/RM) Regulations. "Other facilities as designated by the Washington State Office of Financial Management, except prisons and solid waste handling facilities" (see Table 6.01 above) shall be limited to office uses.

3. General Commercial District (GC), High Density Corridor-4 (HDC-4), Urban Waterfront (UW), and Downtown Business District (DB) Regulations. "Other facilities as designated by the Washington State Office of Financial Management, except prisons and solid waste handling facilities" (see Table 6.01 above) shall be limited to those office uses, industrial uses, recreation and culture uses otherwise allowed in these districts. In addition to the requirements for Essential Public Facilities, these uses shall meet all other applicable regulations of this Chapter and Title.

H. Food Stores. Professional Office/Residential Multifamily District (PO/RM), and High Density Corridor-1 (HDC-1) Requirements: Food stores are allowed up to a maximum size of five thousand (5,000) square feet of gross floor area. EXCEPTION: 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.

I. Fraternal Organizations. Fraternal organizations are permitted within the CSH zone district under the condition that if alcohol is served, the use shall be subject to all requirements governing nightclubs, taverns and lounges (see Section 18.06.060(P) Nightclubs and Taverns, below).

J. General Merchandise Stores. Professional Office/Residential Multifamily District (PO/RM), and High Density Corridor-1 (HDC-1) Requirements: General Merchandise stores shall have a maximum size of five thousand (5,000) square feet of gross floor area. EXCEPTION: 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.

K. Group Homes.

1. General requirements for group homes are identified in subsection 18.04.060(K).
2. Downtown Business District (DB) Requirements. There is no minimum lot size for group homes with up to twenty (20) unrelated residents, exclusive of on-site operators.
3. General Commercial District (GC), High Density Corridor-3 (HDC-3), High Density Corridor-4 (HDC-4), and Medical Services District (MS) Requirements. The Hearing Examiner may relax the minimum lot size standard in paragraph 18.04.060(K)(3) where the characteristics of the home so warrant.

L. Health Fitness Centers and Dance Studios. Professional Office/Residential Multifamily (PO/RM), High Density Corridor-1 (HDC-1), and High Density Corridor-2 (HDC-2) District Requirements: These uses shall have a maximum size of five thousand (5,000) square feet of gross floor area. EXCEPTION: 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.

M. Industry, Heavy. CW - 1 Zone District: Manufacturing, compounding, processing, treatment or assembly of products--except those which cause excessive danger or offense--is permitted within this district. Heavy industrial uses are not permitted south of Corky Street.

N. Industry, Light.

1. Urban Waterfront (UW) Requirements. Light industry is a permitted use east of Washington Street. It is a conditional use west of Washington Street.

O. Laundry and Laundry Pick-Up Agency. High Density Corridor-3 (HDC-3) Requirements: No drive-through facilities are allowed for drop-off or pick-up of laundry.

P. Nightclubs and Taverns. Commercial Services - High Density (CS-H) District Requirements: Night clubs, taverns and lounges are a conditional use, subject to the following conditions:

1. Setback. No building shall be located closer than sixty (60) feet from a property line abutting a residential use.
2. Noise Insulation. The building shall be of sound-reducing construction that will assure compliance with the sound emission requirements of Section 18.40.080, Property Protection Standards.
3. Loudspeakers. There shall be no outside loudspeakers.

Q. On-Site Treatment and Storage Facilities for Hazardous Waste. Urban Waterfront (UW) District Requirements: These facilities are allowed only as an accessory use, subject to siting criteria pursuant to Chapter 70.105 RCW.

R. Operating Hours - Neighborhood Retail (NR) District. Operating hours for businesses in the NR District shall be limited to the hours between 6:00 a.m. and 11:00 p.m. A later opening time and/or an earlier closing time may be required if necessary to assure compatibility with the adjacent residential neighborhood.

S. Parking Facilities and Garages.

1. High Density Corridor-3 (HDC-3) Requirements. Parking lots established as separate, primary uses are a conditional use. The proposed parking lot shall exclusively serve specifically identified uses in or adjacent to the district to accommodate shared employee or customer parking or off-site employee parking. The uses served by the lot may change over time.
2. Downtown Business District (DB) Requirements. Public plazas, temporary surface parking lots (See OMC 18.04.060(EE)(1)(h)), or structured parking is permitted. Parking lots not associated with a permitted or conditional use are prohibited. All existing parking lots permitted before January 1, 1994, are conforming uses. Such lots shall be treated the same as other allowed uses, consistent with applicable regulations. Other uses made nonconforming by this zoning ordinance are subject to the requirements of Chapter 18.37, Nonconforming Buildings and Uses.

~~T. Residential Restrictions in the Medical Services District (MS). Residential uses may not be constructed within six hundred (600) feet of Lilly Road except above the ground floor in mixed-use buildings. Reserved.~~

U. Restaurants.

1. Downtown Business (DB) District Requirements. New drive-in and drive-through restaurants are not permitted. All existing drive-in and drive-through restaurants permitted before January 1, 1994, are conforming uses. Such uses shall be treated the same as other allowed uses, consistent with applicable regulations. Other uses made nonconforming by this zoning ordinance are subject to the requirements of Chapter 18.37, Nonconforming Buildings and Uses.

2. Medical Services (MS) District Requirements. Restaurants may be allowed as a conditional use where it can be demonstrated that the medical community or the consumers of medical services are clearly and primarily benefitted by the convenience of the facilities.

3. Restaurants in the Neighborhood Retail District shall be limited to one thousand (1000) square feet of gross floor area and shall not require nor include a Type I Hood as defined in the Uniform Mechanical Code.

V. Recycling Facilities. Only Type I Recycling Facilities are allowed in the following districts: Neighborhood Retail (NR), Community Retail (CMR), Professional Office/Residential Multifamily (PO/RM), Medical Services (MS), Urban Waterfront (UW), High Density Corridor-1 (HDC-1), High Density Corridor-2 (HDC-2), High Density Corridor-3 (HDC-3), High Density Corridor-4 (HDC-4), and Commercial Services-High Density (CS-H).

W. Electric Vehicle Infrastructure, Service Stations and Car Washes.

1. High Density Corridor-3 (HDC-3) District Requirements. Car washes are permitted only in conjunction with a service station.

2. High Density Corridor-3 (HDC-3) and High Density Corridor-4 (HDC-4) District Requirement. Service stations and car washes are not permitted to locate on corner properties at intersections. Services stations and car washes vested before January 20, 2001 are conforming uses.

3. Downtown Business District (DB) Requirements.

a. Service stations, car washes and accessory uses are not permitted, except on those properties located south of Union Street and east of Plum/Henderson (see Figure 6-1) or where otherwise listed as allowed under this section. This also applies to gasoline dispensing facilities accessory to a permitted use.

b. All existing service stations permitted before January 1, 1994, are conforming uses. Such uses shall be treated the same as other allowed uses, consistent with applicable regulations.

c. Detached drive-thru restaurants of less than 200 square feet without Type I hoods are permitted as an accessory use to service stations in this District.

- d. Electric Vehicle Infrastructure is permitted as an accessory use in the Downtown Business District if it meets the criteria set forth in OMC 18.04.060GG.



FIGURE 6-1

Other uses made nonconforming by this zoning ordinance are subject to the requirements of Chapter 18.37, Nonconforming Buildings and Uses.

4. Urban Waterfront (UW) Requirements.

- a. New service stations and car washes are not permitted. This also applies to gasoline dispensing facilities accessory to a permitted use. **EXCEPTION:** gasoline dispensing facilities accessory to a marina or boat club are permitted.
- b. All existing service stations and car washes permitted before January 1, 1994, are conforming uses. Such uses shall be treated the same as other allowed uses, consistent with applicable regulations. Other uses made nonconforming by this zoning ordinance are subject to the requirements of Chapter 18.37, Nonconforming Buildings and Uses.
- c. Electric Vehicle Infrastructure is permitted as an accessory use in the Urban Waterfront (UW) District if it meets the criteria set forth in OMC 18.04.060GG.

5. Neighborhood Retail District (NR) and Community Retail (CMR) District Requirements. State or regional transportation facilities shall be linear facilities only, such as roads or railroads.

- a. Underground petroleum storage tanks are prohibited within the Allison Springs aquifer recharge area.
 - b. No more than four (4) gas dispensing devices serving a maximum of eight (8) vehicles at one time are permitted at convenience stores/gas stations in the CMR District.
 - c. No more than two (2) gas dispensing devices serving a maximum of four (4) vehicles at one time are permitted at convenience stores in the NR District.
6. Urban Waterfront Housing (UW-H) Requirements.
- a. Electric Vehicle Infrastructure is permitted as an accessory use in the Urban Waterfront Housing (UW-H) District if it meets the criteria set forth in OMC 18.04.060GG.

X. School - Colleges and Commercial, Business or Trade Schools. The following requirements apply to all colleges and commercial, business or trade schools requiring a Conditional Use Permit hereafter erected, established or relocated.

- 1. Lot Size. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area of a school in excess of four (4) students shall be based upon a determination made by the Hearing Examiner.
- 2. Setbacks. Setbacks and screening shall be sufficient to protect neighboring uses.
- 3. Traffic. The Hearing Examiner shall set such conditions as may be necessary to limit traffic impacts to levels that will be compatible with the neighborhood. If the traffic to be generated cannot be adequately mitigated without adverse impacts, the permit shall be denied.

Y. Specialty Stores.

- 1. High Density Corridor-3 (HDC-3) District Requirements. No drive-through facilities are allowed for retail uses, such as a pick-up window for photo processing.
- 2. Medical Services (MS) District Requirements. Retail developments such as florists, gift shops and the like may be allowed as a conditional use where it can be demonstrated that the medical community or the consumers of medical services are clearly and primarily benefitted by the convenience of such retail facilities.
- 3. Neighborhood Retail (NR) District Requirements. Specialty stores are limited to those selling such items as gifts, antiques, variety goods, light hardware, hobby supplies, garden supplies, reading materials and other small items used primarily in a private home.

4. Professional Office/Residential Multifamily District (PO/RM), and High Density Corridor-1 (HDC-1) Requirements. Specialty stores shall have a maximum gross floor area of five thousand (5,000) square feet. EXCEPTION: In the PO/RM area west of Yaeger Road adjacent to Harrison/Mud Bay Road, maximum gross floor area shall be ten thousand (10,000) square feet.

Z. 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 pay the fee required by OMC 4.40.010(A).

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

a. Temporary uses not listed in the use table of 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.

b. 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 Building Code.

c. 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 Director 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 such abatement action and costs should the permittee fail to properly clean and repair the property.

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

e. Unless otherwise stated in this section temporary use permits are valid from the date of issuance for ninety (90) consecutive days per calendar year.

f. Unless otherwise stated in this section no more than two (2) temporary use permits will be issued for any specific site per calendar year.

- g. Nothing in this section shall exempt the applicant from obtaining all necessary applicable permits from all other agencies having jurisdiction.
 - h. Hours of operation, including the use of generators and lot lighting, excluding security lighting, shall be limited to 7:00 a.m. to 10:00 p.m. unless otherwise specified in writing by the Planning Director or his designee. Security lighting shall be shielded to prevent light spillage onto adjacent properties.
3. Specific Temporary Use Standards. The following temporary uses are permitted in commercial districts and the Evergreen Park PUD, subject to the following regulations:
- a. Entertainment Events to include: circuses, carnivals and similar transient amusement enterprises, limited to operation of not more than twice each year, and not more than ten (10) consecutive days per event per site in any one (1) calendar year.
 - b. Off-site contractor's Offices (including trailers and mobile homes) and storage yards associated with an active construction project, not to exceed one (1) year in duration.
 - c. Mobile Vendors.
 - i. Temporary use permits for mobile vendors are valid for one (1) year from the date of issuance.
 - ii. Approval from the property owner, or underlying property owner if located in a right-of-way, is required.
 - iii. Mobile vendors located within the sidewalk right-of-way must comply with the following rules:
 - (a). Only one mobile sidewalk vendor shall be permitted per block face.
 - (b). Public sidewalks used by mobile vendors shall have a minimum width of eight (8) feet.
 - (c). In no instance shall the clear walking area around a sidewalk vendor be less than forty-eight (48) inches. The clear walking area around a sidewalk vendor must be at least six (6) feet if within the downtown "Pedestrian Walking Lane" area delineated in OMC 9.16.180(B), Figure 1.
 - (d). The maximum length of space occupied by a mobile sidewalk vendor and equipment is eight (8) feet.

- (e). Mobile sidewalk vendor stands must be readily movable at all times.
 - (f). Mobile sidewalk vendors shall locate their stands at the back of the sidewalk away from curb.
 - (g). All locations shall be approved on a first-come, first-serve basis.
 - (h). Mobile sidewalk vendors shall sign a Hold Harmless Agreement with the City of Olympia.
- d. Parking lot and other outdoor sales of merchandise and/or services unrelated to the primary use of the property must comply with the following:
- i. Merchandise displays may only occupy parking stalls which are in excess of city parking requirements.
 - ii. There shall be no obstruction of emergency exits, Fire Lanes or other Emergency apparatus.
 - iii. Sales areas shall be maintained in an attractive and trash-free manner.
 - iv. Sales areas shall not substantially alter the existing circulation pattern of the site.
- e. 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.
- f. Temporary surface parking lots on previously developed property are allowed subject to approval by the Director, and are limited to a one time permit valid for two years. A one year extension may be granted by the Director if a complete Land Use Application has been submitted for review. All applications must provide a complete Site Plan and comply with the following:
- i. A twenty by twenty (20'x20') foot paved surface at all approved points of ingress/egress.
 - ii. A dust-free surface.
 - iii. An erosion control and stormwater containment plan.

- iv. Clear designation of parking spaces and drive aisles consistent with OMC 18.38.220 with striping and/or parking blocks. To prevent obstruction of public rights-of-way wheel blocks must be provided at the perimeter of the site.
- v. No new or additional points of access.
- vi. Provision for an enforceable compliance and closure agreement.
- vii. May not be established on Pedestrian "A" streets per OMC 18.16.080(H).

4. Violations. At any time a temporary use is operated in violation of required conditions of this section or of the permit (Subsection 18.06.060(Z)(2)(b)) or otherwise found to constitute a nuisance, the City may take appropriate enforcement action including the process set forth at OMC 18.73.010.

AA. Warehousing.

1. Urban Waterfront (UW) District Requirements:

- a. East of Adams Street and north of Olympia Avenue.
 - i. Warehousing is a permitted use.
- b. Elsewhere in the District:
 - i. Warehouses are prohibited except when part of a larger project and included within the proposed building.
 - ii. All existing warehouses permitted before January 1, 1994, are conforming uses. Such warehouses shall be treated the same as other allowed uses, consistent with applicable regulations. Other uses made nonconforming by this zoning ordinance are subject to the requirements of Chapter 18.37, Nonconforming Buildings and Uses.

BB. Wholesale Sales. The following Conditional Use Permit restrictions apply to wholesale uses:

1. Urban Waterfront (UW) District Requirements. Wholesale sales are a permitted use in those portions of the UW District which are not within the Pedestrian Streets Overlay District (see Chapter 18.16). In those portions of the UW District which are within the Pedestrian Streets Overlay District, wholesale sales may be allowed as a conditional use if the proposed project meets the Street Edge Development Standards of the Pedestrian Streets Overlay District. The proposed project may be exempted from the Pedestrian-Oriented Street Wall Requirement if:

- a. The proposed design meets the intent of the Chapter; and

b. The building site presents unusual conditions which require an alternative design to accomplish the intent.

2. Commercial Services - High Density (CS-H) District Requirements. Permitted uses include those which offer specialized products at wholesale to other uses permitted in this district, including, but not limited to, office machine sales and repair services, and office supply sales.

CC. Marinas. Urban Waterfront (UW) District Requirements: As an accessory use, marinas may provide sites for recreational vehicles for users of the marina, at a rate of up to 1.5 sites per 100 mooring slips. These sites shall be provided with hook-ups for water, sewer, and electricity. Users of these sites shall be limited to two (2) weeks occupancy per year.

DD. Office Supplies and Equipment. High Density Corridor-1 (HDC-1), and Professional Office/Residential Multifamily District (PO/RM) Requirements. Office supplies and equipment stores shall have a maximum gross floor area of five thousand (5,000) square feet. EXCEPTION: 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.

EE. Pharmacies and Medical Supply Stores. High Density Corridor-1 (HDC-1), and Professional Office/Residential Multifamily District (PO/RM) Requirements. Pharmacies and medical supply stores shall have a maximum gross floor area of five thousand (5,000) square feet. EXCEPTION: 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.

FF. Equipment Rental Services. Existing equipment rental services legally established as of July 2001 are conforming uses in the PO/RM District and shall be treated the same as other allowed uses, consistent with applicable regulations. 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.

GG. Drinking Establishments. Existing drinking establishments legally established (as of July 2001) are conforming uses in the PO/RM District and shall be treated the same as other allowed uses, consistent with applicable regulations. 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.

HH. Urban Waterfront Housing. Up to a maximum of 1 FAR (floor area ratio) can be made up of allowed uses other than residential. (Refer to Pedestrian Street Overlay District 18.16.060(B) for amount and location of commercial uses in a predominantly residential project on "A" streets.)

II. Veterinary Clinic and Office, Veterinary Clinic. Downtown Business (DB), Medical Services (MS), High Density Corridor-1 (HDC-1), and Professional Office/Residential Multifamily District (PO/RM) Requirements. Animals shall be kept indoors except for very brief periods of time as necessary for the animal's health.

Section 3. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

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

Section 6. Effective Date. This Ordinance shall take effect five (5) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED: