

Ordinance No. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING SECTIONS WITHIN CHAPTERS 16 AND 18 OF THE OLYMPIA MUNICIPAL CODE TO REFINE REQUIREMENTS OF LOW IMPACT DEVELOPMENT TO MORE ACCURATELY IMPLEMENT THE INTENT OF THE 2016 LOW IMPACT DEVELOPMENT UPDATE**

**WHEREAS**, the Washington State Department of Ecology NPDES Phase II permit required permittees to revise development standards to make Low Impact Development the preferred and commonly-used approach to development and the City of Olympia's 2016 update to Olympia's Development Code met these requirements; and

**WHEREAS**, through daily use and application the City has identified a need for minor revision to development standards to fully implement the intent of the 2016 update.

**WHEREAS**, the Olympia Planning Commission received a briefing on the proposed amendments on June 18, 2018, held a public hearing on July, 23 2018, and deliberated on August 6, 2018; and

**WHEREAS**, following the public hearing and deliberations, the Planning Commission recommended amendments to the Olympia Municipal Code authorizing the draft amendments; and

**WHEREAS**, pursuant to the State Environmental Policy Act (SEPA), the City adopted the existing Determination of Non-significance issued for the 2016 Low Impact Development Code Update initially issued on January 4, 2016 and re-issued on July 13, 2018; and

**WHEREAS**, this Ordinance is consistent with the City of Olympia Comprehensive Plan policy to "establish regulations and design standards for new developments that will minimize impacts to stormwater runoff, environmentally sensitive areas, wildlife habitat, and trees"; and

**WHEREAS**, this Ordinance 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**, on \_\_\_\_\_, the City Council \_\_\_\_\_; 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 16.48.040. Olympia Municipal Code Section 16.48.040 is hereby amended to read as follows:**

**16.48.040 Permit or approval required**

No person, corporation, or other legal entity ~~shall~~ may engage in land clearing in the city without having complied with one of the following:

A. Obtaining approval of a tree-protection soil and replacement vegetation plan and obtaining a tree removal permit as provided for in this chapter;

B. Received a grading permit from the building official;

C. Having obtained approval of the proposed work under the processes described in subsection A of Section 16.48.050, ~~subsequent to~~ after the adoption date of the ordinance codified in this chapter.

**Section 2. Amendment of OMC 16.48.045. Olympia Municipal Code Section 16.48.045 is hereby amended to read as follows:**

16.48.045 Tree removal

No trees, as defined by Section 16.48.030, ~~shall~~ may be removed without first obtaining approval of a tree protection soil and replacement vegetation plan and a tree removal permit pursuant to this chapter.

Development plans may be required to be modified or changed when necessary to preserve individual trees or groups of trees.

**Section 3. Amendment of OMC 16.60.020.W. Olympia Municipal Code Subsection 16.60.020.W is hereby amended to read as follows:**

16.60.020 Definitions

W. "Remove or removal" is the act of removing a tree and associated soil, or vegetation within the critical root zone of the tree, by digging up, cutting down, or any act which causes a tree to die, significantly impacts its natural growing condition ~~and~~ or results in diminished environmental benefits or a hazard tree; including but not limited to, damage inflicted on the root system by machinery, storage of materials, or soil compaction; changing the ground level in the area of the tree's root system; damage inflicted on the tree permitting infections or infestation; excessive pruning; paving with concrete, asphalt, or other impervious material within the critical root zone, or any other action which is ~~deemed~~ harmful to the tree.

**Section 3. Amendment of OMC 16.60.080.A. Olympia Municipal Code Subsection 16.60.080.A is hereby amended to read as follows:**

16.60.080 Tree density requirement

A. Minimum Tree Density Requirement Established. A minimum tree density of 30 tree units per acre is required on the buildable area of each site, except within the Green Cove Basin (see OMC 16.60.080(5) and in critical areas, see OMC 18.32. The tree density may consist of existing trees, replacement trees or a combination of existing and replacement trees, pursuant to the priority established in Section 16.60.070. For the purpose of calculating required minimum tree density in areas outside of Green Cove, critical areas, critical area buffers, city rights-of-way, and areas to be dedicated as city rights-of-way ~~shall be~~ are excluded from the buildable area of the site. For areas within Green Cove, only city rights-of-way and areas dedicated as rights-of-way are excluded from the buildable area of the site.

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

18.02.180 Definitions

H. DEFINITIONS - SPECIFIC.

Handoff Candidate. A wireless communication facility that receives call transference from another wireless facility, usually located in an adjacent first "tier" surrounding the initial wireless facility.

Hard Surface. An impervious surface, a permeable pavement ([pervious concrete](#), [porous asphalt](#), [permeable pavers](#)), [water penetrable decking](#), or a vegetated roof, in contrast with vegetated permeable soils.

Hazardous Materials. Those materials which are acutely toxic, ignitable, corrosive, reactive, persistent, carcinogenic, or which leach hazardous constituents, as described in Chapter [173-303](#) WAC. Examples include, but are not limited to, pesticides, acids, paint strippers and antifreeze.

Hazardous Waste. Those wastes which are acutely toxic, ignitable, corrosive, reactive, persistent, carcinogenic, or which leach hazardous constituents or are specifically listed as hazardous waste, as described in Chapter [173-303](#) WAC. Examples include, but are not limited to, pesticides, acids, paint strippers and antifreeze.

Hazardous Waste, Extremely. Any dangerous waste which:

- a. Will persist in a hazardous form for several years or more at a disposal site and which in its persistent form:
  - i. Presents a significant environmental hazard and may be concentrated by living organisms through a food chain or may affect the genetic makeup of man or wildlife, and/or
  - ii. Is highly toxic to man or wildlife;
- b. Is disposed of at a disposal site in such quantities as would present an extreme hazard to people or the environment. (See also Ash, Incinerator and Off-Site Treatment and Storage Facility.)

Health Fitness Centers and Dance Studios. Health clubs, aerobics centers, athletic clubs and gymnasiums, indoor tennis and swim clubs, handball and racquetball clubs, weight-reducing centers, dance studios, and other businesses primarily engaged in indoor health and recreation activities, whether on a membership basis or for the general public. (See also Commercial Recreation, Golf Courses, Country Clubs, and Riding Stables.)

Health Officer. That person of the Thurston County Health Department described as such in Chapter of [70.05](#) RCW or a duly authorized representative.

Hearing Examiner. See Examiner.

Hedge. A row of shrubs or low-branching trees planted close together that forms a sight-obscuring or obstructing barrier below seven feet above the ground.

Height, Building. The vertical distance from grade plane to the average height of the highest roof surface.

Herbicide. Any substance used to kill plants, especially weeds.

Heritage Commission. A commission charged with historic planning and preservation, consisting of members appointed by the City Council.

Heritage Register or Register. The listing of properties having special historic significance and is listed on the Olympia Heritage Register, and including listings on the Washington Heritage Register, or National Register of Historic Places.

Heritage Review Committee. A sub-committee of the Heritage Commission charged with reviewing proposed changes to properties on the Heritage Register or within a historic district, and with making recommendations on permit approval to the Building Official.

Historic Building. A building listed on the Olympia Heritage Register, the National Register of Historic Places and/or the Washington Heritage Register.

Historic District. A geographically defined area containing buildings, structures, sites, objects and spaces linked historically through location, design, setting, materials, workmanship, feeling, and/or association. The significance of a district is the product of the sense of time and place in history that its individual components collectively convey. This sense may relate to developments during one period or through several periods in history.

Historic House Museum. A home owned by a public or registered nonprofit organization that has been placed on the National, local or State Register of Historic Places, and which is open to the public.

Historic Preservation Officer, Preservation Officer. The person designated by the Director to respond to requests for review and information relating to historic preservation and to be the primary staff liaison to work with the Heritage Commission.

Historic Resources. Any building, structure, object, district, area, or site that is significant in the history, architecture, archaeology or culture of this city, state, or nation, as identified by the Olympia Heritage Register, Washington Heritage Register, or the National Register of Historic Places.

Historic Site. A place where a significant event or pattern of events occurred. It may be the location of prehistoric or historic occupation or activities that may be marked by physical remains; or the site may be the symbolic focus of a significant event or pattern of events that may not have been actively occupied. A site may

be the location of a ruined or now nonexistent building, structure, or object if the location itself possesses historic, cultural, or archaeological significance.

Historic Sites (Registered). Those buildings, structures, districts, sites and objects which are on the City Heritage Register or the State or National Register of Historic Places. (See also Archaeological Sites.)

Home Occupation. A commercial use within a residential dwelling unit which is clearly incidental and accessory to the residential use of the property and complies with applicable provisions of this Title.

Hospice Care Center. See Dwelling, Assisted Living.

Hospital. A medical institution or facility within an integrated campus setting for the purpose of diagnosis, care, and treatment of human illness, including surgery, long-term and emergency medical treatment. (See also Office, Medical.)

Hotel. See Dwelling, Transient.

Human Scale. The size or proportion of a building element or space, or an article of furniture, relative to the structural or functional dimensions of the human body. For example, a brick is approximately the size of a human hand.

Hydric Soil. A hydric soil is a soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part. (USDA - NRCS 1995, Federal Register, 7/13/94, Vol. 59, No. 133, pp 35680-83). Hydric soils that occur in areas having positive indicators of hydrophytic vegetation and wetland hydrology are wetland soils, as defined by the Washington State Wetlands Identification and Delineation Manual (1997), Ecology Publication #96-94, as amended or revised.

**Section 5. Amendment of OMC 18.04.040. Olympia Municipal Code Section 18.04.040, Table 4, is hereby amended to read as follows:**

## **18.04.040 TABLES: Permitted and Conditional Uses**

### **TABLE 4.01 PERMITTED AND CONDITIONAL USES**

DISTRICT	R1/5	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	2,000 SF minimum 3,000 SF average = townhouse 4,000 SF = other 6,000 SF = duplex 7,200 SF = multi-family	2,500 SF = cottage 2,000 SF minimum, 3,000 SF average = townhouse 4,000 SF = other	2,000 SF = cottage 1,600 SF minimum, 2,400 SF average = townhouse 7,200 SF = duplex, triplex 9,600 SF = fourplex	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 7,200 SF = duplex 2,500 SF = mobile home park 3,500 SF = other	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) <a href="#">Chapter 18.64</a> (townhouses) 18.04.060(P) (mobile home parks)

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
			subdivision plat.			3,500 SF = other									
MINIMUM LOT WIDTH	30' except: 16' = townhouse	50' except: 18' = townhouse	100'	30' except: 16' = townhouse; 60' = duplex 80' = multi-family	45' except: 35' = cottage 18' = townhouse	40' except: 30' = cottage 16' = townhouse 80' = duplex, triplex, fourplex	40' except: 30' = cottage 16' = townhouse 70' = duplex 80' = multifamily	40' except: 30' = cottage 40' = zero lot 16' = townhouse 70' = duplex 80' = multifamily	30' = mobile home park	30' = mobile home park	---	---	40' except: 30' = cottage 16' = townhouse 80' = duplex 30' = mobile home park	---	18.04.080(D)(1) 18.04.080(F) 18.04.080(G) 18.04.060(P) (mobile home parks)
MINIMUM FRONT YARD SETBACKS	20' except: 5' for agricultural buildings with farm animals	20'	20'	20' except: 10' with side or rear parking; 10' for flag lots 5' for agricultural buildings with farm animals	20' except: 10' with side or rear parking; 10' for flag lots; 5' for agricultural buildings with farm animals	20' except: 10' with side or rear parking; 10' for flag lots; 5' for agricultural buildings with farm animals	20' except: 10' with side or rear parking; 10' for flag lots; 5' for agricultural buildings with farm animals	15' except: 10' with side or rear parking; 10' for flag lots; 5' for agricultural buildings with farm animals	10'	5'	5' except: 10' for structures 35' or taller	10' except: 20' along Legion Way	20' except: 10' with side or rear parking; 5' for agricultural buildings with farm animals	0-10' except: 10' on Capitol House Block	18.04.080(H) 18.04.080(I)
MINIMUM REAR YARD SETBACKS	10' except: 5' for agricultural	25'	50'	10' except: 5' for agricultural	20' except: 5' for agricultural buildings	20' except: 5' for agricultural buildings	20' except: 15' for multifamily; 10' for	15' except: 10' for cottages,	10' except: 15' for multifamily	10' except: 20' next to an R 4-8 or R-12 district	5' except: 20' for structure	5'	20' except: 5' for agricultural buildings	5' except: 10' for	18.04.080(D) 18.04.080(F) 18.04.080(H) 18.04.080(I)

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
	al buildings with farm animals			al buildings with farm animals.	with farm animals; 10' for cottages, and wedge shaped lots	with farm animals 10' for cottages, and wedge shaped lots	cottages, and wedge shaped lots	and wedge shaped lots, 20' with alley access			s 35' or higher		with farm animals; 10' for cottages	structures over 42'	
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, fourplex 10' along flanking streets; except garages shall meet Minimum Front Yard Setbacks 6' on one side of zero lot; 3' for cottages; 5' for agricultural buildings with farm animals	5' except: 10' along flanking streets; except garages shall meet Minimum Front Yard Setbacks 6' on one side of zero lot; 3' for cottages;	5' 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; 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	40' except: 16' for	40' except: 16' for	35', except: 16' for accessory	35', except: 16' for accessory	45', except: 25' for cottage; 16'	45', except: 25' for cottage; 16'	35, except: 16' for accessory	42'	60'	See 18.04.080 (I)	2 stories or 35' whichever is	42' or as shown on Figure 4-	18.04.080(I)



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
		accessory buildings	accessory buildings	accessory buildings	buildings; 25' for cottage 35' on sites 1 acre or more, if setbacks equal or exceed building height	buildings; 25' for cottages	for accessory buildings	for accessory buildings	buildings; 25' for cottage				less, except: 16' for accessory buildings; 25' for cottages	5A & 18.04.080 (3)	
MAXIMUM BUILDING COVERAGE	45% = lots of 10,000 SF; 25%=lots of 10,001 SF to 1 acre; 6%=1.01 acre or more	35% 60% = townhouses	6%; increased to 18% if associated with drainage dispersal tract of at least 65% in the same subdivision plat.	Refer to Maximum Coverage below	45% = .25 acre or less 40% = .26 acres or more 60% = townhouses	55% = .25 acre or less 40% = .26 acres or more 60% = townhouses	45%	50%	50%	55%	85%	85%	45% = .25 acres or less 30% = .26 to 1 acre 25% = 1.01 to 3 acres 20% = 3.01 acres or more	85% except for stoops, porches or balconies	
MAXIMUM ABOVE-GRADE STORIES		2 stories	3 stories	3 stories	2 stories	2 stories, 3 stories = triplex, fourplex	4 stories	4 stories	3 stories	3 stories	5 stories			5 stories	
MAXIMUM IMPERVIO	45% or 10,000sf	35%	6%; increased	2,500 SF or 6%	45% = .25 acre or less	55% = .25 acre or less	65%	65%	65%	75%	85%	85%	65% = .25 acre or less	85% except	<a href="#">18.04.080(k)</a>

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
US SURFACE COVERAGE	(whichever is greater) = lots <u>greater</u> <u>less</u> than 4 acres; 6%=4.1 acre or more	60% = Townhouses	to 18% if associated with drainage dispersal tract of at least 65% in the same subdivision plat.	coverage whichever is greater.	40% = .26 acre or more 60% = Townhouses	40% = .26 acres or more 60% = Townhouses							40% = .26 to 1 acre 35% = 1.01 to 3 acres 25% = 3.01 + acres 70% = townhouses	for stoops, porches or balconies	
MAXIMUM HARD SURFACE	<u>45.65%</u> or 10,000sf (whichever is greater) = lots less than 4 acres; <u>625%</u> =4.1 acre or more	<u>45%</u> <u>70.65%</u> <u>80%</u> = Townhouses	<u>6%;</u> <u>increased to 18% if associated with drainage dispersal tract of at least 65% in the same subdivision plat;</u> <u>25%</u>	<u>2,500 SF</u> <u>55%</u> or <u>6%</u> <u>coverage;</u> <u>3,500sf</u> (whichever is greater) <u>= .25 acre or less;</u> <u>25% or 6,000sf</u> (whichever is greater) <u>= .26 acre or more.</u>	<u>55.65%</u> = .25 acre or less <u>50.70%</u> = .26 acre or more <u>70.80%</u> = Townhouses	<u>65.75%</u> = .25 acre or less <u>50.70%</u> = .26 acre or more <u>70.80%</u> = Townhouses	<u>70.75%</u>	<u>70.75%</u>	<u>70.75%</u>	<u>75.80%</u>	<u>85.90%</u>	<u>85.90%</u>	<u>65.85%</u> = .25 acre or less <u>40.60%</u> = .26 to 1 acre <u>35.55%</u> = 1.01 to 3 acres 25% = 3.01+ acres <u>70.90%</u> = townhouses	<u>85%</u> <u>except for stoops, porches or balconies</u> <u>95%</u>	<u>18.04.080(k)</u>
MINIMUM OPEN SPACE	220 tree units per		65% drainage dispersal		450 SF/unit for cottage	450 SF/unit for cottage	<u>30%</u> <u>25%;</u> for multifamily;	<u>30%</u> <u>25%</u> for multifamily;	<u>30%</u> <u>25% for multifamily;</u>	<u>25%</u> <u>20% for multifamily;</u>	<u>15%</u> <u>10% for</u>	<u>15%</u>	450 SF/unit for cottage	15% may include stoops,	18.04.080(J)

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 required		area <u>may</u> <u>be</u> required; <u>it</u> may double as tree tract or critical areas buffer.		developments	developments	450 SF/unit for cottage developments	450 SF/unit for cottage developments	500 SF/space for mobile home park	500 SF/space for mobile home park	<u>multifamily</u> <u>y</u>	<u>.10% for multifamily</u> <u>y</u> ; 500 SF/space for mobile home park	development <u>s</u> ; 500 SF/space for mobile home park	porches or balcony areas	

#### LEGEND

SF = Square Feet

RL1 = Residential Low Impact

R-4 = Residential - 4

MR 7-13 = Mixed Residential 7-13

MR 7-13 = Mixed Residential 7-13

Zero Lot = A Lot with Only One Side Yard

R 4-8 = Residential 4-8

MR 10-18 = Mixed Residential 10-18

RMH = Residential Multifamily High Rise

--- = No Regulation

R 6-12 = Residential 6-12

RM 18 = Residential Multifamily - 18

RMU = Residential Mixed Use

UR - Urban Residential

**Section 6. Amendment of OMC 18.04.080. A NEW SUBSECTION K is hereby added the Olympia Municipal Code Subsection 18.04.080 to read as follows:**

18.04.080 Residential districts' development standards

K. Surface Coverage Limits:

1. Increased Surface Coverage Limits: Non-residential uses such, as schools, parks, and places of worship, located in residential zones may increase the total amount of impervious or hard surfaces above the established maximum by up to ten percent (10%) for impervious surfaces, and twenty percent (20%) for hard surfaces, provided all of the following criteria are met:

- a) The project site is greater than one (1) acre in size.
- b) The increase is not caused by a desire for additional surface parking areas in excess of the range established in table 38.01 of OMC 18.38.100.
- c) Low impact development requirements in the Drainage Design and Erosion Control Manual are determined feasible and are implemented.

2. Existing Surfaces: An existing lot, which was legally built under regulations applicable at the time of its building, but which exceeds current impervious or hard surface coverage limits, may be replaced within the existing lot footprint, but cannot be expanded in a way that would increase the nonconformity. Replacement of such surfaces must comply with the Drainage Design and Erosion Control Manual, including, providing stormwater control measures.

3. Calculation Exclusions: The following are excluded from the impervious and hard surface coverage limit calculations. Note: these exclusions do not apply to calculations or requirements related to the Drainage Design and Erosion Control Manual.

- a) Ingress/egress easements serving a neighboring property;
- b) Areas excluded from the minimum lot area calculations (OMC 18.04.080(c)(4)), such as the panhandle of a flag lot;
- c) Portions of the driveway that extend beyond the required setback area when the additional length is caused by compliance with municipal code requirements, such as critical area and buffer protections.

**Section 7. Amendment of OMC 18.04.080.H. Olympia Municipal Code Subsection 18.04.080.H is hereby amended to read as follows:**

18.04.080 Residential ~~districts'~~districts development standards

H. Setbacks.

1. Measurement. The required setback area shall be measured from the outermost edge of the building foundation to the closest point on the applicable lot line.
2. Reduced Front Yard Setbacks. Front yard setbacks in the R-4, R 4-8, R 6-12, MR 7-13 and MR 10-18 districts may be reduced to a minimum of ten (10) feet under the following conditions:
  - a. When garage or parking lot access is from the rear of the lot;
  - b. When the garage is located at least ten (10) feet behind the front facade of the primary structure on the lot; or
  - c. When the driveway will be aligned to provide at least a twenty (20) foot long parking space between the sidewalk edge (closest to lot) and the garage. (See Chapter [18.100](#) Design Review and Chapter [18.175](#) Infill and Other Residential.)

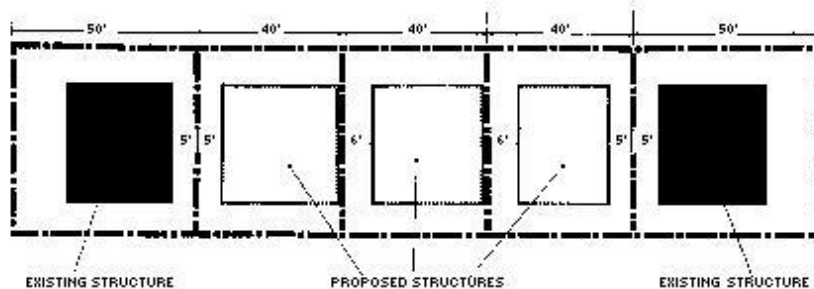


FIGURE 4-3

3. Rear Yard Setbacks. See Section [18.04.080\(H\)\(5\)](#), Encroachments into Setbacks, Section [18.04.080\(D\)\(2\)](#), Transitional Lots, and Table 4.04.
4. Side Yard Setbacks.
  - a. Reduced side yard setbacks. ~~Except for the R-4CB district, a~~ side yard building setback ~~shall~~ is not be required for a lot, served by an alley (such alley must be open, improved and accessible, not solely a right-of-way) provided it meets the following conditions:
    - i. Provision for reduced or zero setbacks shall specifically appear upon the face of a final short or long plat. Such plat shall provide that the minimum distance between residences will be six (6) feet. If the distance between a proposed dwelling and a property line is less than three (3) feet, the applicant shall provide evidence of a maintenance easement, at least

three (3) feet in width, which provides sufficient access for the owner of the dwelling to maintain the applicable exterior wall and roof of the dwelling. (Except as expressly provided, any reduced side yard provision appearing on a final plat shall withstand later amendments of this Title and shall be considered conforming.)

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



**ZERO LOT LINE**

**FIGURE 4-4**

b. The minimum side yard setback from bikepaths and walkways shall comply with the side yard setback from the lot line as specified for the district in Table 4.04.

5. Encroachment Into Setbacks. The buildings and projections listed below shall be allowed outside of utility, access or other easements. See 18.04.080(H)(5) for additional exceptions.

a. Except for Accessory Dwelling Units, any accessory structures may be located in a required rear yard and/or in the rear twenty (20) feet of a required interior side yard; however, if a garage entrance faces a rear or side property line, it shall be setback at least ten (10) feet from that property line. Accessory dwelling units may not encroach into required side yard setbacks. Accessory dwelling units may encroach into rear yards however, if the rear yard does not abut an alley, the accessory unit must be set back ten (10) feet from the rear property line. Further, any garage attached to any accessory dwelling unit shall conform with this Section.

- b. Up to fifty (50) percent of a rear yards width may be occupied by a dwelling (primary residence or ADU) provided that the structure (foundation) is located at least ten (10) feet from the rear property line. For purposes of this section the rear yards width shall be measured in a straight line between the side property lines at the point of intersection with the rear property line.

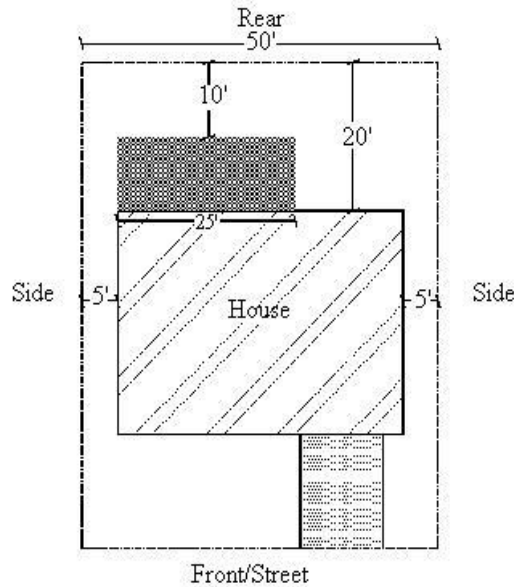


Figure 4-4a

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

**Section 8. Amendment of OMC 18.06.080. Olympia Municipal Code OMC 18.06.080 Table 6.02 is hereby amended to read as follows:**

**TABLE 6.02**

**COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS**

<b>STANDARD</b>	<b>NR</b>	<b>PO/RM</b>	<b>GC</b>	<b>HDC-1</b>	<b>HDC-2</b>	<b>HDC-3</b>	<b>HDC-4 and HDC-4 Capital Mall</b>	<b>ADDITIONAL REGULATIONS</b>
MINIMUM LOT SIZE	7,200 Sq. Ft.	No minimum, except 1,600 = cottage 3,000 = zero lot 1,600 sq. ft. minimum 2,400 sq. ft. average = townhouse 6,000 sq. ft. = duplex 7,200 sq. ft. = multifamily 4,000 = other	No minimum, except 1,600 sq. ft. minimum 2,400 sq. ft. average = townhouse	No minimum, except 1,600 = cottage 3,000 = zero lot 1,600 sq. ft. minimum 2,400 sq. ft. average = townhouse 6,000 sq. ft. = duplex 7,200 sq. ft. = multifamily 4,000 = other	No minimum, except 1,600 = cottage 3,000 = zero lot 1,600 sq. ft. minimum 2,400 sq. ft. average = townhouse 6,000 sq. ft. = duplex 7,200 sq. ft. = multifamily 4,000 = other	No minimum, except 1,600 sq. ft. minimum 2,400 sq. ft. average = townhouse	No minimum, except 1,600 sq. ft minimum 2,400 sq. ft. average = townhouse	See also 18.06.100(D) for regulations on existing undersized lots of record.
FRONT YARD SETBACK	See Chapter <a href="#">18.110</a> , Basic Commercial Design Criteria	10' maximum, if located in a High Density Corridor; 10' minimum otherwise.	5' minimum for residential otherwise none.	0-10' See 18.130	0-10' See 18.130	0-10' See 18.130	0-10' See 18.130	1. 50' minimum from property line for agriculture buildings (or structures) which house animals other than pets. 2. Must comply with clear sight triangle requirements, Section <a href="#">18.40.060</a> (C).



**TABLE 6.02**

**COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS**

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
								3. Must comply with site design standards, Chapter <a href="#">18.100</a> .
REAR YARD SETBACK	15' minimum.	10' minimum; Except: 1. Next to an R 4, R 4-8, or R 6-12 district = 15' minimum + 5' for each bldg. floor above 2 stories. 2. Next to MR 7-13, MR 10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories.	10' minimum; Except: 1. Next to single-family use or an R 4, R 4-8, or R 6-12 district = 15' minimum + 5' for each bldg. floor above 2 stories. 2. Next to MR 7-13, MR 10-18, RM-18, RM-24 or RMH district (refer to 1 above if adjacent use is single-family) = 10' minimum + 5' for each	10' minimum; Except: 1. Next to an R4, R4-8, or R6-12 district = 15' minimum + 5' for each bldg. floor above 2 stories; 10 ft. where an alley separates HDC-1 from the above residential district. 2. Next to MR7-13, MR 10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories.	10' minimum; Except: 1. Next to an R4, R4-8, or R6-12 district = 15' minimum + 5' for each bldg. floor above 2 stories; 10 ft. where an alley separates HDC-2 from the above residential district. 2. Next to MR7-13, MR 10-18, RM-18, RM-24, or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories.	10' minimum; Except: 1. Next to single-family use or an R4, R4-8, or R6-12 district = 15' minimum + 5' for each bldg. floor above 2 stories. 2. Next to MR7-13, MR10-18, RM-18, RM-24 or RMH district (refer to 1 above if adjacent use is single-family) = 10' minimum + 5' for each bldg. floor above 2 stories.	10' minimum; Except: 1. Next to single-family use or an RLI, R4, R4-8, or R6-12 district - 15' minimum + 5' for each bldg. floor above 2 stories. 2. Next to MR7-13, MR10-18, RM-18, RM-24 or RMH district (refer to 1 above if adjacent use is single-family) = 10' minimum + 5' for each bldg. floor above 2 stories.	1. 50' minimum from property line for agriculture buildings (or structures) which house animals other than pets. 2. Must comply with site design standards, Chapter <a href="#">18.100</a> .

**TABLE 6.02**

**COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS**

<b>STANDARD</b>	<b>NR</b>	<b>PO/RM</b>	<b>GC</b>	<b>HDC-1</b>	<b>HDC-2</b>	<b>HDC-3</b>	<b>HDC-4 and HDC-4 Capital Mall</b>	<b>ADDITIONAL REGULATIONS</b>
			bldg. floor above 2 stories.					
SIDE YARD SETBACK	15' minimum.	No minimum on interior, 10' minimum on flanking street; Except: 1. Next to R 4, R 4-8, or R 6- 12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR 7-13, MR 10- 18, RM-18, RM- 24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding	No Minimum; Except: 1. Next to R 4, R 4-8, or R 6- 12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR 7-13, MR 10- 18, RM-18, RM- 24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding mixed use structures: 5' except 6' on	No minimum on interior, 10' minimum on flanking street; Except: 1. Next to R4, R4-8, or R6-12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR7- 13, MR10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding mixed use structures:	No minimum on interior, 10' minimum on flanking street; Except: 1. Next to R4, R4-8, or R6-12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR7- 13, MR10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each building floor above 2 stories. 3. Residential excluding mixed use structures:	No Minimum; Except: 1. Next to R4, R4-8, or R6-12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR7- 13, MR10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding mixed use structures; 5' except 6' on one side of zero lot.	No Minimum; Except: 1. Next to RLI, R4, R4-8, or R6- 12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR7- 13, MR10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding mixed use structures; 5' except 6' on one size of zero lot.	1. 50' minimum from property line for agriculture buildings (or structures) which house animals other than pets. 2. Must comply with clear sight triangle requirements, Section <u>18.40.060(C)</u> . 3. Residential sideyards can be reduced consistent with 18.04.080(H)(5). 4. Must comply with site design standards, Chapter <u>18.100</u> .

**TABLE 6.02**

**COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS**

<b>STANDARD</b>	<b>NR</b>	<b>PO/RM</b>	<b>GC</b>	<b>HDC-1</b>	<b>HDC-2</b>	<b>HDC-3</b>	<b>HDC-4 and HDC-4 Capital Mall</b>	<b>ADDITIONAL REGULATIONS</b>
		mixed use structures: 5' except 6' on one side of zero lot.	one side of zero lot.	5' except 6' on one side of zero lot.	5' except 6' on one side of zero lot.			
<b>MAXIMUM BUILDING HEIGHT</b>	Up to 35', whichever is less.	Up to 35', if any portion of the building is within 100' of R 4, R 4-8, or R 6-12 district; Up to 60' otherwise.	Up to 35', if any portion of the building is within 100' of R 4, R 4-8, or R 6-12 district; Up to 60' otherwise; or up to 70', if at least 50% of the required parking is under the building; or up to 75', if at least one story is residential.	The portion of a building within 100' of land zoned for maximum density of less than 14 units per acre is limited to 35'. The portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more is limited to the lesser of 60' or the height allowed in the abutting district.	The portion of a building within 100' of land zoned for maximum density of less than 14 units per acre is limited to 35'. The portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more is limited to the lesser of 60' or the height allowed in the abutting district.	The portion of a building within 100' of land zoned for maximum density of less than 14 units per acre is limited to 35'. The portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more is limited to the lesser of 60' or the height allowed in the abutting district.	The portion of a building within 100' of land zoned for maximum density of less than 14 units per acre is limited to 35'. The portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more is limited to the lesser of 60' or the height allowed in the abutting district.	1. Not to exceed height limit set by State Capitol Group Height District, 18.10.060, for properties near the State Capitol Campus. 2. Must comply with site design standards, Chapter <a href="#">18.100</a> . 3. HDC-1 and HDC-2 additional story must comply with OMC 18.06.100.A.6.

**TABLE 6.02****COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS**

<b>STANDARD</b>	<b>NR</b>	<b>PO/RM</b>	<b>GC</b>	<b>HDC-1</b>	<b>HDC-2</b>	<b>HDC-3</b>	<b>HDC-4 and HDC-4 Capital Mall</b>	<b>ADDITIONAL REGULATIONS</b>
				Up to 60' otherwise. Provided that one additional story may be built for residential development only.	Up to 60' otherwise. Provided that one additional story may be built for residential development only.	Up to 60' otherwise; or up to 70', if at least 50% of the required parking is under the building; or up to 75', if at least one story is residential.	Up to 60' otherwise; or up to 70', if at least 50% of the required parking is under the building; or up to 75', if at least one story is residential. See 18.130.060 Significant Building Entry tower exemption (allows an additional 30' for a tower element at Capital Mall). Up to 75' for HDC-4 zoned properties where the proposed project provides for the development of	

**TABLE 6.02**

**COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS**

<b>STANDARD</b>	<b>NR</b>	<b>PO/RM</b>	<b>GC</b>	<b>HDC-1</b>	<b>HDC-2</b>	<b>HDC-3</b>	<b>HDC-4 and HDC-4 Capital Mall</b>	<b>ADDITIONAL REGULATIONS</b>
							replacement dwelling units in a development agreement and the project site is all or part of an area of 40 acres or more that was in contiguous common ownership in 2009.	
MAXIMUM BUILDING COVERAGE	45%	70%, except 55% for residential only structures	70%; or 85% if at least 50% of the required parking is under the building.	70% for all structures	70% for all structures	70% for all structures, 85% if at least 50% of the required parking is under the building.	70% for all structures. 85% of the site if at least 50% of the required parking is under the building. On redeveloped sites, 85% if at least 50% of new required parking is under	For projects in the GC and HDC-4 zones west of Yauger Way, limitations of building size per 18.06.100(C) and 18.130.020 apply.

**TABLE 6.02**

**COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS**

<b>STANDARD</b>	<b>NR</b>	<b>PO/RM</b>	<b>GC</b>	<b>HDC-1</b>	<b>HDC-2</b>	<b>HDC-3</b>	<b>HDC-4 and HDC-4 Capital Mall</b>	<b>ADDITIONAL REGULATIONS</b>
							the building or in a structured parking form. 85% for HDC-4 zoned properties where the proposed project provides for the development of replacement dwelling units in a development agreement and the project site is all or part of an area of 40 acres or more that was in contiguous common ownership in 2009.	
MAXIMUM IMPERVIOUS	50%	70%	85%	85% for all structures	85% for all structures	85% for all structures	85% for all structures	See OMC <a href="#">18.06.100(D)</a> .

TABLE 6.02

## COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
SURFACE COVERAGE								
MAXIMUM HARD SURFACE	<del>60</del> <u>70</u> %	<del>85%, except 75% for residential structures</del> <u>85%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	
ADDITIONAL DISTRICT- WIDE DEVELOPMENT STANDARDS	Maximum building size (gross sq. ft.): 3,000 for single use; 6,000 for mixed use.	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B) and Figure 6- 3).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building Floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	For properties in the vicinity of the Downtown or Kaiser Road and Harrison Ave NE, also see Pedestrian Streets Overlay District, Chapter <u>18.16</u> . For retail uses over 25,000 square feet in gross floor area, see Section <u>18.06.100(G)</u> Large Scale Retail Uses. EXCEPTION: Section <u>18.06.100(G)</u> shall not apply to motor vehicle sales.

### LEGEND

NR = Neighborhood Retail  
GC = General Commercial

PO/RM = Professional  
Office/Residential Multifamily

HDC-1=High Density Corridor-1  
HDC-2=High Density Corridor-2  
HDC-3=High Density Corridor-3  
HDC-4=High Density Corridor-4

**TABLE 6.02**

### COMMERCIAL DEVELOPMENT STANDARDS

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
MINIMUM LOT AREA	7,200 Sq. Ft.	No minimum.	No minimum.	No minimum.	7,200 Sq. Ft. if bldg. height is 35' or less. 12,500 Sq. Ft. if bldg. height is over 35'.	No minimum.	
FRONT YARD SETBACK	10' maximum.	No minimum; however, see Chapter <a href="#">18.100</a> for design guidelines for pedestrian access and view corridors.	No minimum.	No minimum.	No minimum.	30' minimum for buildings; 15' for other structures except signs	1. 50' minimum from property line for agriculture buildings (or structures) which house animals other than pets. 2. Must comply with clear sight triangle requirements, Section <a href="#">18.40.060(C)</a> . 3. See Design Guidelines, Chapter <a href="#">18.100</a> .



**TABLE 6.02**

**COMMERCIAL DEVELOPMENT STANDARDS**

<b>STANDARD</b>	<b>MS</b>	<b>UW</b>	<b>UW-H</b>	<b>DB</b>	<b>CS-H</b>	<b>AS</b>	<b>ADDITIONAL REGULATIONS</b>
REAR YARD SETBACK	15' minimum; If next to a residential zone, 15' minimum plus 5' for every story over 3 stories.	No minimum; however, see Chapter <a href="#">18.100</a> for design guidelines for pedestrian access and view corridors.	No minimum.	No minimum.	5' minimum if building has 1 or 2 stories. 10' minimum if building has 3 or more stories.	15' minimum.	50' minimum from property line for agriculture buildings (or structures) which house animals other than pets.
SIDE YARD SETBACK	10' minimum; 15' minimum plus 5' for every story over 3 stories if next to a residential zone.	No minimum; however, see Chapter <a href="#">18.100</a> for design guidelines for pedestrian access and view corridors.	No minimum.	No minimum.	5' minimum if building has 1 or 2 stories. 10' minimum if building has 3 or more stories; AND the sum of the 2 side yards shall be no less than 1/2 the building height.	5' minimum 30' minimum for buildings and 15' minimum for other structures from flanking streets.	1. 50' minimum from property line for agriculture buildings (or structures) which house animals other than pets. 2. Must comply with clear sight triangle requirements, Section <a href="#">18.40.060(C)</a> . 3. See Design Guidelines, Chapter <a href="#">18.100</a> .
MAXIMUM BUILDING HEIGHT	75'; except hospitals, which may exceed that height.	See Figure 6-2, Urban Waterfront District Height Limits Exceptions:	Refer to Figure 6-2 and 6-2B for specific height and building configurations	75'; PROVIDED, however, that two additional stories may be built, if they are	75' Exception: Up to 100' may be allowed with conditional approval by the	40' accessory building limited to 20'.	Not to exceed height limit set by State Capitol Group Height District, 18.10.060, for

**TABLE 6.02**

**COMMERCIAL DEVELOPMENT STANDARDS**

<b>STANDARD</b>	<b>MS</b>	<b>UW</b>	<b>UW-H</b>	<b>DB</b>	<b>CS-H</b>	<b>AS</b>	<b>ADDITIONAL REGULATIONS</b>
		1) In the portion of the area Downtown with a height limit of 65', two additional residential stories may be built. See 18.06.100(A)(2)(b). 2) In the portion of the area on West Bay Drive with a height limit of 42' to 65', the taller height limit is conditioned upon the provision of certain waterfront amenities. See 18.06.100(A)(2)(c).	required on specific blocks.	residential. There are also restrictions around Sylvester Park. For details, see 18.06.100(C)(6) Height, Downtown Business District.	City Council, upon recommendation of the Hearing Examiner. For details, see 18.06.100(C)(5), Height, Commercial Services-High Density.		properties near the State Capitol Campus.
MAXIMUM BUILDING COVERAGE	50%	60% for properties between the shoreline and the nearest upland street. 100% for properties not between the shoreline and the nearest upland street. See also Chapter <u>18.100</u> for design guidelines for pedestrian access and view corridors.	100%	No requirement.	No requirement.	85%	
MAXIMUM IMPERVIOUS	60%	100% <del>development coverage.</del>	100%	100%	100%	85%	See OMC <u>18.06.100(D)</u> .

**TABLE 6.02**

**COMMERCIAL DEVELOPMENT STANDARDS**

<b>STANDARD</b>	<b>MS</b>	<b>UW</b>	<b>UW-H</b>	<b>DB</b>	<b>CS-H</b>	<b>AS</b>	<b>ADDITIONAL REGULATIONS</b>
SURFACE COVERAGE							
MAXIMUM HARD SURFACE	<u>65</u> 80%	<u>100</u> %	<u>100</u> %	<u>100</u> %	<u>100</u> %	<u>100</u> %	
ADDITIONAL DISTRICT-WIDE DEVELOPMENT STANDARDS	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(F)). Residential uses (Section 5 of Table 6.01) may not be constructed within 600 feet of Lilly Road except in upper stories of mixed use building; all	Street ends abutting the water shall be preserved to provide views of and public access to the water, pursuant to Section <u>12.16.050</u> (D) OMC. See also Chapter <u>18.100</u> for Downtown design guidelines for Pedestrian Access and View Corridors and Waterfront Public Access; Chapter <u>18.100</u> for Port Peninsula design guidelines for Pedestrian Connections and View Corridors; Section <u>18.06.100</u> (A)(2)(c) for West Bay Drive building height and view blockage limits; and Chapter <u>18.100</u> for West Bay Drive view corridors. See also	Street ends abutting the water shall be preserved to provide views of and public access to the water, pursuant to OMC Section <u>12.16.050</u> (D).		Residential uses must comply with High Rise Multi-family (RM-H) development standards.	6' of sight-screening buffer shall be provided along north, east, and west district boundaries. See Olympia Park Replat covenants for access, and other standards applicable to replat lots.	For properties in the vicinity of the Downtown, also see Pedestrian Streets Overlay District, Chapter <u>18.16</u> . For retail uses over 25,000 square feet in gross floor area, see Section <u>18.06.100</u> (G) Large Scale Retail Uses. EXCEPTION: Section <u>18.06.100</u> (G) shall not apply to motor vehicle sales.

**TABLE 6.02****COMMERCIAL DEVELOPMENT STANDARDS**

<b>STANDARD</b>	<b>MS</b>	<b>UW</b>	<b>UW-H</b>	<b>DB</b>	<b>CS-H</b>	<b>AS</b>	<b>ADDITIONAL REGULATIONS</b>
	other development standards are the same as for commercial uses.	Chapter <a href="#">18.100</a> for Downtown design guidelines for Pedestrian Access and View Corridors and Waterfront Public Access; Chapter <a href="#">18.100</a> for Port Peninsula design guidelines for Pedestrian Connections and View Corridors; Section <a href="#">18.06.100(A)(2)(c)</a> for West Bay Drive building height and view blockage limits; and Chapter <a href="#">18.100</a> for West Bay Drive view corridors.					

**LEGEND**

MS = Medical Services

CS-H = Commercial Services -

UW = Urban Waterfront

DB = Downtown Business

High Density

UW-H = Urban Waterfront-Housing

AS=Auto Services

**Section 9. Amendment of OMC 18.36.060.C. Olympia Municipal Code Subsection 18.36.060.C is hereby amended to read as follows:**

18.36.060 General requirements

C. Irrigation.

1. Irrigation, if used, ~~shall must~~ be ~~temporary the minimum necessary~~ for the purposes of plant establishment- ~~and maintenance~~.
2. All irrigation systems shall be adequate to ensure survival of all retained and new plants and may be equipped with a controller capable of dual or multiple programming. Controllers must have multiple start capability and flexible calendar programming. They must also allow for at least seven day timing cycles. Timers should be set to water during evening hours after sundown.
3. Irrigation systems shall be designed and operated to minimize runoff and overspray to non-irrigated areas.
4. The water schedule for each circuit identified on the approved landscape plan must be posted inside the corresponding controller.

**Section 10. Amendment of OMC 18.36.180.C. Olympia Municipal Code Subsection 18.36.180.C is hereby amended to read as follows:**

18.36.180 Parking lot landscape and screening.

C. Interior Parking Lot Landscaping.

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

Required landscape area per parking stall.

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

2. Landscape Islands - Design.

a. ~~Landscape Islands~~The applicant shall install landscape islands which must be a minimum of one hundred forty-four (144) square feet ~~and no more than five hundred (500) square feet in size.~~ Islands ~~shall~~must be designed so that trees will be planted a minimum of ~~four (4)~~six (6) feet from any hard scape surface. The minimum island size may be reduced, ~~on a case by case basis, if appropriate 'structural soil' is provided to ensure that trees can achieve maturity.~~ The maximum allowable size of five hundred (500) square feet may be increased to allow for the preservation of existing trees and associated vegetation pursuant to OMC ~~16.60~~ or to accommodate stormwater infiltration/treatment/conveyance practices if appropriate accommodations for the trees and roots to mature to full size are provided. Accommodations can include 'structural soil' or other methods that provide adequate soil volume as provided by the City.

b. Islands shall be provided in the following location:

i. Landscaping islands shall be placed at the end of every parking row and with a spacing of approximately one (1) island for every nine (9) parking spaces consistent with a goal of maximizing canopy tree coverage at maturity; and

ii. Between loading doors/maneuvering areas and parking area; and

iii. Any remaining required landscaping shall be dispersed throughout the parking lot interior to reduce visual impact.

c. Permanent curbing shall be provided in all landscape areas within or abutting parking areas. Based on appropriate surface water considerations, other structural barriers such as concrete wheel stops may be substituted for curbing.

### 3. Landscape Islands - Materials.

a. One tree ~~shall~~must be planted for every two hundred (200) square feet of landscape island area; provided that every landscape island must contain at least one (1) tree. Two (2) trees are required in islands separating or ending a double row of parking, regardless of the island size. Planting areas ~~shall~~must be provided with the maximum number of trees possible given recommended spacing for species type, and the estimated mature size of the tree.

b. All landscape islands within parking areas shall be comprised of a minimum of 60% native vegetation, or well-adapted drought-tolerant vegetation, where site conditions are appropriate for establishment and long-term survival. Grass lawn is prohibited except as needed and approved for stormwater conveyance.

c. No plant material greater than twelve inches in height shall be located within two (2) feet of a curb or other protective barrier in landscape areas adjacent to parking spaces and vehicle use areas.

d. Deciduous and/or evergreen trees shall be used which form a canopy. Deciduous trees shall have a minimum size of two (2) inches in caliper measured six (6) inches above the base. Evergreen trees shall be a minimum six (6) feet in height at planting.

e. Shrubs and ground cover. Ground cover shall be planted and spaced in a triangular pattern which will result in eighty (80) percent coverage in three (3) years. The mature size of shrubs and trees whose canopy is no more than two (2) feet above the ground may also be included in total ground cover calculations.

f. Motor vehicle overhang. Parked motor vehicles may overhang landscaped areas up to two (2) feet when wheel stops or curbing are provided. Plants more than twelve (12) inches tall are not allowed within the overhang area.

**Section 11. 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 12. 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 13. Ratification.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

**Section 14. Effective Date.** This Ordinance shall take effect *[thirty (30) days or five (5) days [Legal will determine]]* after publication, as provided by law.

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MAYOR

**ATTEST:**

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CITY CLERK

**APPROVED AS TO FORM:**

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DEPUTY CITY ATTORNEY

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**PASSED:**

**APPROVED:**

**PUBLISHED:**

DRAFT