

STAFF REPORT



Date: February 24, 2026
To: Planning Commission
From: Brad Medrud, Community Development Director

2026 Development Code Housekeeping

During 2025 and 2026, staff gathered information on five proposed minor development code housekeeping amendments to the Tumwater Municipal Code to be considered collectively in 2026. The five proposed amendments are intended to make minor corrections to the City’s development regulations.

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1. 2026 Development Code Housekeeping Amendments

The following is a summary of the five proposed amendments.

A. Building Demolition

The amendments clarify that removal of foundations is a part of the building demotion process that is addressed through TMC Chapter 15.50 *Building Demolition*. Currently, the code does not address the removal of foundations during demolition, and this has been an issue that results in health and safety concerns.

Code Sections to be amended:

- TMC 15.50.020 – Building Demolition – Definitions
- TMC 15.50.035 – Building Demolition – Application Requirements
- TMC 15.50.060 – Building Demolition – Final Inspection by the City

Proposed amendment language:

15.50.020 Definitions.

For the purpose of this chapter, the following definitions shall apply:

A. *“Demolition” means the tearing down, razing or removal of a building or structure or portion thereof, including foundations when no replacement structures are proposed, for the purpose of complete or partial removal of buildings or structures, or to prepare for reconstruction or remodeling of a building or structure.*

[...]

F. *“Valuation” for the purpose of providing a bond and calculating a permit fee for building demolition shall be the estimated cost to complete all scheduled demolition work; including, but not limited to: (1) removal of buildings, structures and foundations; (2) removal and termination of public and private site utilities; (3) abatement and/or removal of asbestos or other hazardous materials; (4) restoration of street frontage improvements; (5) protection of the property from erosion; and (6) restoration of the site to eliminate trash, debris, attractive nuisances, or hazards to life or property. When permit applications for replacement structures have been submitted to the city, valuation does not include the removal of foundations.*

15.50.035 Application requirements.

Application shall be made for demolition permits on forms provided by the city. An application shall also include:

A. *Site plan of property where work is going to take place. This plan shall include structure(s) being demolished, including foundations, location of utilities, septic tanks, an itemized statement of valuation of demolition and restoration work to be performed, or other such items as may be required by the building official.*

[...]

F. *A written work schedule for the demolition project. Included in this may be, but are not limited to, street closures, building moving dates, right-of-way work, how the site will be addressed after demolition, including, removing foundations, final grading, and erosion control, or other items as required by the building official.*

[...]

15.50.060 Final inspection by the city.

A final inspection shall be made when all demolition-related debris, contaminated soil, paving, concrete, foundations, and utilities have been removed from the property and disposed of properly. Final inspection does not include the removal of foundations when permit applications for replacement structures have been submitted to the city.

B. Housing – State Department of Commerce

After the City Council approved Ordinance No. O2025- 011 2025 Development Code Amendments on December 16, 2025, as part its review process the State Department of Commerce provided the following comments to the City on January 12, 2026.

Thanks for submitting the city’s adopted development regulations. We just have a couple of comments for the city to consider moving forward:

- *Please ensure that ADUs are defined consistent with a dwelling unit located on the same lot as a single-family housing unit, duplex, triplex, townhome or other housing unit (RCW 36.70A.696(6)).*
- *This may be an oversight, but it appears in code sections 18.12.050.D and 18.16.050.D density is limited to two dwelling units per lot including ADUs. You actually have it correct in code section 18.42.010.A, which allows two ADUs with the principal structure, and is consistent with state law.*
- *It would be a good idea to clarify in code section 18.42.010.E that zoning and design review requirements for ADUs are not more restrictive than those for the principal units (RCW 36.70A.681(1)(h))*

The amendments address Commerce’s comments.

Code Sections to be amended:

- TMC 18.04.010, A Definitions
- TMC 18.12.050, Development Standards
- TMC 18.14.050, Development Standards
- TMC 18.16.050, Development Standards
- TMC 18.42.010, Accessory Dwelling Units

Proposed amendment language:

18.04.010 A definitions.

“A-board sign” or “sandwich board sign” means a portable sign consisting of two sign faces hinged at the top and separated at the bottom to make itself standing.

[...]

“Accessory dwelling unit” means a dwelling unit located on the same lot as a single-family detached dwelling, duplex, triplex, townhouse, or other ~~that is an accessory use or structure subordinate to a principal residential structure~~ subject to the general land use regulations found in TMC 18.42.010.

[...]

18.12.050 Development standards.

Development in the LDR low density residential zone district must meet the following requirements:

[...]

D. Dwelling Unit Allowance.

1. Density on individual lots in the LDR low density residential zone district can be exceeded to meet the dwelling unit allowance as follows:

a. Allow up to two dwelling units per lot, except for accessory dwelling units, which are subject to TMC 18.12.050(D)(2).

b. Allow up to four dwelling units per lot if at least one dwelling unit on the lot is permanently affordable housing that meets the requirements of TMC 18.12.050(D)(6).

2. There shall be no more than two accessory dwelling units per lot in conjunction with a principal residential structure.

~~*Two accessory dwelling units are allowed on all principal lots and are subject to the same regulations as a principal unit.*~~

~~*3. Accessory dwelling units count towards the dwelling unit allowance.*~~

~~*43. The standards of TMC 18.12.050(D) do not apply to lots less than 1,000 square feet.*~~

~~*54. A sleeping unit in co-living housing is calculated as one-quarter of a dwelling unit for purposes of calculating density.*~~

~~*65. To qualify for additional units under the affordable housing provisions of TMC 18.12.050(D)(1)(b), the required number of affordable housing dwelling units shall meet the permanently affordable housing standards in TMC 18.42.170.*~~

[...]

18.14.050 Development standards.

Development in the MDR medium density residential zone district must meet the following requirements:

[...]

D. Dwelling Unit Allowance.

1. Density on individual lots in the MDR medium density residential zone district can be exceeded to meet the dwelling unit allowance as follows:

a. Allow up to two dwelling units per lot, except for accessory dwelling units, which are subject to TMC 18.14.050(D)(2).

b. Allow up to four dwelling units per lot if at least one dwelling unit on the lot is permanently affordable housing that meets the requirements of TMC 18.14.050(D)(6).

2. There shall be no more than two accessory dwelling units per lot in conjunction with a principal residential structure.

~~Two accessory dwelling units are allowed on all principal lots and are subject to the same regulations as a principal unit.~~

~~3. Accessory dwelling units count towards the dwelling unit allowance.~~

~~43. The standards of TMC 18.14.050(D) do not apply to lots less than 1,000 square feet.~~

~~54. A sleeping unit in co-living housing is calculated as one-quarter of a dwelling unit for purposes of calculating density.~~

~~65. To qualify for additional units under the affordable housing provisions of TMC 18.14.050(D)(1)(b), the required number of affordable housing dwelling units shall meet the permanently affordable housing standards in TMC 18.42.170.~~

E. Lot coverage, maximum impervious surface: seventy percent of total area of the lot.

[...]

18.16.050 Development standards.

Development in the HDR high density residential zone district must meet the following requirements:

[...]

D. Dwelling Unit Allowance.

1. Density on individual lots in the HDR high density residential zone district can be exceeded the dwelling unit allowance as follows:

a. Allow up to two dwelling units per lot, except for accessory dwelling units, which are subject to TMC 18.16.050(D)(2).

b. Allow up to four dwelling units per lot if at least one dwelling unit on the lot is permanently affordable housing that meets the requirements of TMC 18.16.050(D)(5).

2. There shall be no more than two accessory dwelling units per lot in conjunction with a principal residential structure.

~~Two accessory dwelling units are allowed on all principal lots and are subject to the same regulations as a principal unit.~~

~~3. Accessory dwelling units count towards the dwelling unit allowance.~~

~~43. A sleeping unit in co-living housing is calculated as one-quarter of a dwelling unit for purposes of calculating density.~~

~~54. To qualify for additional units under the affordable housing provisions of TMC 18.16.050(D)(1)(b), the required number of affordable housing dwelling units shall meet the permanently affordable housing standards in TMC 18.42.170.~~

[...]

18.42.010 Accessory dwelling units.

It is the specific purpose and intent of allowing accessory dwelling units within the RSR residential/sensitive resource, LDR low density residential, MDR medium density, HDR high density residential, and BD brewery district zone districts, to provide the opportunity and encouragement for the development of small housing units designed, in particular, to meet the housing needs of persons of low and moderate incomes who might otherwise have difficulty finding homes within Tumwater. Furthermore, it is the purpose and intent of this provision to allow the more efficient use of Tumwater’s existing stock of dwellings and accessory buildings to provide economic support of present resident families of limited income, and to protect and preserve property values. To help achieve these goals and to promote the other objectives of this title, the following specific standards are set forth for such accessory dwelling unit uses:

[...]

E. An accessory dwelling unit, together with the principal residential structure with which it is associated, shall conform to the provisions of this chapter and all other applicable codes and ordinances. The requirements of TMC Title 18 Zoning and the city of Tumwater citywide design guidelines shall not be more restrictive than the requirements for a principal residential structure.

[...]

C. Child Care Centers

The state legislature approved ESSB 5509 on July 7, 2025, which stated that cities “must allow child care centers, and the conversion of existing buildings for use as child care centers, as an outright permitted use in all zones except industrial zones, light industrial zones, and open space zones.”

Child care centers are defined in TMC 18.04.030 as “...a person or agency that provides care for thirteen or more children during part of the twenty-four-hour day.”

Currently, child care centers are a conditional use in all residential zone districts, a permitted use in commercial zone districts, and a conditional use in the LI Light Industrial and ARI Airport Related Industry zone districts.

The amendments address the new state regulations.

Code Sections to be amended:

- TMC 18.07.010, Residential Zone Districts Permitted and Conditional Uses
- TMC 18.08.020, Permitted Uses.
- TMC 18.08.040, Conditional Uses.
- TMC 18.12.020, Permitted Uses.
- TMC 18.12.040, Conditional Uses.
- TMC 18.14.020, Permitted Uses.
- TMC 18.14.040, Conditional Uses.
- TMC 18.16.020, Permitted Uses.
- TMC 18.16.040, Conditional Uses.
- TMC 18.49.020, Permitted Uses
- TMC 18.49.040, Conditional Uses
- TMC 18.52.040, Child Day Care Center

Proposed amendment language:

18.07.010, Residential Zone Districts Permitted and Conditional Uses

18.08.020, Permitted Uses.

18.08.040, Conditional Uses.

18.12.020, Permitted Uses.

18.12.040, Conditional Uses.

18.14.020, Permitted Uses.

18.14.040, Conditional Uses.

18.16.020, Permitted Uses.

18.16.040, Conditional Uses.

18.49.020, Permitted Uses

18.49.040, Conditional Uses

Change Child Care Centers from a conditional to a permitted use in all residential zone districts.

18.52.040 Child day care center.

A child day care center may be allowed in the designated zone districts as follows:

A. A child day care center may be allowed in ~~the RSR residential/sensitive resource, LDR low density residential, MDR medium density residential, HDR, high density residential, or HI heavy industrial~~ ~~HI~~ zone districts only upon issuance of a conditional use permit pursuant to TMC Chapter 18.56 and subject to the following requirements:

- 1. Meet Washington State child day care licensing requirements;*
- 2. Install an approved fire sprinkler system;*
- 3. Possess a valid child day care business license from the city;*
- 4. No structural or decorative alteration, which will alter the residential character of an existing residential structure used for a child care center, is permitted. Any new or remodeled structure must be designed to be compatible with the residential character of the surrounding neighborhood;*
- 5. Be located so that access streets and parking and/or loading areas are sufficient to accommodate safely the number of vehicle trips associated with the day care use.*

B. A child day care center may be allowed in RSR residential/sensitive resource, LDR low density residential, MDR medium density residential, HDR high density residential, and MHP manufactured home park zone districts subject to the following requirements:

- 1. Meet Washington State child day care licensing requirements;*
- 2. Install an approved fire sprinkler system;*
- 3. Possess a valid child day care business license from the city;*
- 4. No structural or decorative alteration, which will alter the residential character of an existing residential structure used for a child care center, is permitted. Any new or remodeled structure must be designed to be compatible with the residential character of the surrounding neighborhood;*
- 5. Be located so that access streets and parking and/or loading areas are sufficient to accommodate safely the number of vehicle trips associated with the day care use.*

CB. A child care center is a permitted use in TC town center, NC neighborhood commercial, MU mixed use, GC general commercial, CS community services, LI light industrial, HC historic commercial, and ARI airport related industry zone districts subject to the following requirements:

- 1. Meet Washington State child care licensing requirements;*
- 2. Install an approved fire sprinkler system;*
- 3. Possess a valid child day care business license from the city.*

DE. Limitations in Use of a Family Residence. No child day care center shall be located in a private family residence unless the portion of the residence where the children have access is used exclusively for the children during the hours the center is in operation, or is separate from the usual living quarters of the family.

D. Signage

The amendments narrow the type of conditional exemptions to the sign code and clarify when an increase in the allowable square footage for wall signs on large commercial or industrial buildings may be approved by the community development director for large commercial or industrial buildings.

Code Sections to be amended:

- TMC 18.44.075, Conditional Exemptions
- TMC 18.44.155, Multiple Building Complexes, Multiple Tenant Buildings, and Large Commercial or Industrial Buildings

Proposed amendment language:

18.44.075 Conditional exemptions.

Except to the extent that permits may be required under the International Building Code, the following signs are conditionally exempt from the permit requirements of this chapter, but they shall be included in the computation of sign size area for regulated signs. An application for a conditionally exempt sign must be completed on forms available at the community development department and accompanied by a fee as established by resolution of the city council. The application shall require such information as deemed necessary by the community development director, including but not limited to specific location and sign design.

A. Signs ~~flush mounted or painted directly on the wall of a building, or erected against the wall of a building parallel to the wall;~~

[...]

18.44.155 Multiple building complexes, multiple tenant buildings, and large commercial or industrial buildings.

The following regulations shall apply to all freestanding signs located within multiple building complexes, or intended to serve multiple tenant buildings; and further shall apply to wall signs installed upon large commercial or industrial buildings having more than fifty thousand square feet of floor area:

A. One freestanding sign for a multiple building complex or a multiple tenant building may be located within yard setback areas; provided, that it is part of an overall landscaping plan and it is not determined by the city to create a sight distance hazard. Any such sign in a yard setback area may exceed the height limits set forth in TMC 18.44.040, but it must conform to all other height restrictions in the underlying zone district.

B. Any freestanding sign for a multiple building complex or multiple tenant building located outside yard setback areas may exceed the maximum freestanding sign size restrictions set forth in TMC 18.44.150 by thirty-five percent; provided, that the sign is a part of a consistent signage plan for the entire site.

C. For multiple building complexes or multiple tenant buildings having more than fifty thousand square feet of floor area, monument signs not exceeding forty percent of the size of the principal freestanding sign may be located at any other site entrance intended for use by the general public. These monument signs are permitted in addition to the freestanding sign allowed in subsection A of this section, and shall not be included in the overall sign size computation for the development.

D. In addition to the allowable square footage for wall signs set forth in TMC 18.44.150, an increase in the allowable square footage for wall signs on large commercial or industrial buildings may be approved by the community development director to the limits described below; ~~provided, that an equivalent reduction of allowable open square footage for freestanding signs (pole and monument) is agreed to in writing by the building owner.~~

Building Area	Percentage of Additional Wall Sign Area
<u>Greater than or equal to</u> >50,000 sq. ft.	Up to 15% additional wall sign area
<u>Greater than or equal to</u> >75,000 sq. ft.	Up to 20% additional wall sign area
<u>Greater than or equal to</u> >100,000 sq. ft.	Up to 25% additional wall sign area

If such buildings have more than one public facade or contains multiple businesses, the allowable square footage for individual wall signs may be combined on a single public facade or distributed among the various facades; provided, that the total square footage of wall signs does not exceed twenty percent of the public facade upon which the sign is placed.

E. In addition to the allowable square footage for wall signs above, additional wall signage up to the amount allowable for multiple public facades on the same building may be installed on one other building facade other than a public facade; provided, that the total square footage of wall signs on the additional facade does not exceed twenty percent of either the public facade or the other wall upon which the sign is placed. A second wall sign on a side that is not the public facade may be allowed if the square footage of the building is over one hundred and fifty thousand square feet.

<u>Building Area</u>		<u>Percentage of Additional Wall Sign Area</u>
<u><i>Less than or equal to 150,000 sq. ft.</i></u>	<u><i>A building must have more than one public facade or contain multiple businesses.</i></u>	<u><i>One additional wall sign allowed no larger than 20% of the public facade or wall which the sign is placed.</i></u>
<u><i>Greater than 150,000 sq. ft.</i></u>	<u><i>A building must have more than one public facade or contain multiple businesses.</i></u>	<u><i>Two additional wall signs allowed no larger than 20% of the public facade or wall which the sign is placed</i></u>

F. Interstate 5 Wall Signage. For multiple building complexes or multiple tenant buildings having more than one-hundred fifty thousand square feet of floor area, one building located along Interstate 5 is allowed to have one wall sign on the side of the building facing Interstate 5. The size of the wall sign shall not exceed twenty percent of the main public facade.

E. Essential Public Facilities.

The Governor signed 2E2SSB 5536 on May 16, 2023, which added “opioid treatment facilities” to the list of essential public facilities that City is required to allow to be sited in the community. The Governor signed ESSB 5801 on May 20, 2025, which added “Improvements to high capacity transportation systems” to the list of essential public facilities that City is required to allow to be sited in the community. Other amendments to the state’s list of essential public facilities have occurred in recent years.

The proposed amendments bring the City’s essential public facilities regulations into compliance with state law.

Code Sections to be amended:

- TMC 18.56.140, “E” uses

Proposed amendment language:

18.56.140 “E” uses.
 “Essential public facilities”

A. *The following uses are considered essential public facilities, which shall require a conditional use permit as indicated in each individual zone. Additionally, the siting process outlined in subsection B of this section shall be followed.*

1. Airports.
2. State education facilities.
3. ~~Large-scale~~ State or regional state or regional transportation facilities as defined in RCW 47.06.140.
4. Regional transit authority facilities as defined in RCW 81.112.020.
5. Improvements to high capacity transportation systems as defined in RCW 81.104.015, bus rapid transit routes and stops or improvements to such routes and stops. "Bus rapid transit" means a fixed route bus system that features assets indicating permanent, high capacity service including, but not limited to, elevated platforms or enhanced stations, off-board fare collection, dedicated lanes, busways, or transit signal priority.
46. Prisons, jails, and other correctional facilities (including but not limited to: jails; juvenile detention facilities; prisons and prerelease facilities; work release facilities).
57. Solid waste handling facilities including organic materials management facilities.
68. Opioid treatment programs including both mobile and fixed-site medication units, recovery residences, harm reduction programs excluding safe injection sites. Harm reduction programs mean programs that emphasize working directly with people who use drugs to prevent overdose and infectious disease transmission, improve the physical, mental, and social well-being of those served, and offer low threshold options for accessing substance use disorder treatment and other services.
9. Inpatient facilities including substance ~~abuse~~ use disorder treatment facilities (including but not limited to: intensive inpatient facilities; long-term residential drug treatment facilities; recovery house facilities).
710. Mental health facilities (including but not limited to: congregate care facilities; adult residential treatment facilities; evaluation and treatment centers).
811. Sewage treatment facilities (not including individual or community wastewater treatment systems).
912. Emergency communication towers and antennas.
103. Secure community transition facilities as defined on RCW 71.09.020.

B. *Essential public facilities identified as conditional uses in the zone district shall be subject, at a minimum, to the following requirements:*

1. *Essential public facilities classified as follows:*

a. *Type One. Multicounty facilities. These are major facilities serving or potentially affecting more than one county. These facilities include, but are not limited to, regional transportation facilities, such as regional airports; state correction facilities; and state education facilities.*

b. *Type Two. These are local or interlocal facilities serving or potentially affecting residents or property in more than one jurisdiction. They could include, but are not limited to, county jails, county landfills, organic material management facilities, community colleges, sewage treatment facilities, emergency communication towers and antennas, secure community transition facilities, and inpatient facilities (e.g., substance abuse facilities, mental health facilities, and group homes).*

(Note: Such facilities, which would not have impacts beyond the jurisdiction in which they are proposed to be located, would be type three facilities.)

c. *Type Three. These are facilities serving or potentially affecting only the jurisdiction in which they are proposed to be located.*

In order to enable the city to determine the project's classification, the applicant shall identify the proposed service area of the facility and the approximate area within which the proposed project could potentially have adverse impacts, such as increased traffic, public safety risks, noise, glare, emissions, or other environmental impacts.

2. *Provide early notification and involvement of affected citizens and jurisdictions as follows:*

a. *Type One and Two Facilities. At least ninety days before submitting an application for a type one or type two essential public facility, the prospective applicant shall notify the affected public and jurisdictions of the general type and nature of the proposal, identify sites under consideration for accommodating the proposed facility, and identify opportunities to comment on the proposal. Applications for specific projects shall not be considered complete in the absence of proof of a published notice regarding the proposed project in a newspaper of general circulation in the affected area. This notice shall include the information described above and shall be published at least ninety days prior to the submission of the application.*

It is expected that an environmental impact statement may be required for most type one and type two facilities in accordance with the SEPA environmental review process.

The Thurston Regional Planning Council may provide the project sponsor and affected jurisdictions with their comments or recommendations regarding alternative project locations during this ninety-day period.

(Note: The purpose of this provision is to enable potentially affected jurisdictions and the public to review and comment collectively on alternative sites for major facilities before the project sponsor has made their siting decision.)

- b. *Type Three Facilities. Type three essential public facilities are subject to the city’s standard notification requirements for conditional uses.*
- 3. *Should any of the above-listed facilities be proposed to be sited in the city, they should be consistent with the intent of the underlying zoning of the proposed site.*
- 4. *Essential public facilities shall not have any probable significant adverse impact on critical areas or resource lands, except for lineal facilities, such as highways, where no feasible alternative exists (adapted from county-wide Policy 5.2(a)).*
- 5. *Major public facilities, which generate substantial traffic, should be sited near major transportation corridors (adapted from county-wide Policy 5.2(b)).*
- 6. *Applicants for type one essential public facilities shall provide an analysis of the alternative sites considered for the proposed facility. This analysis shall include the following:*
 - a. *An evaluation of the site’s capability to meet basic siting criteria for the proposed facility, such as size, physical characteristics, access, and availability of necessary utilities and support services;*
 - b. *An explanation of the need for the proposed facility in the proposed location;*
 - c. *The site’s relationship to the service area and the distribution of other similar public facilities within the service area or jurisdiction, whichever is larger; and*
 - d. *A general description of the relative environmental, traffic, and social impacts associated with locating the proposed facility at the alternative sites, which meet the applicant’s basic siting criteria. The applicant shall also identify proposed mitigation measures to alleviate or minimize significant potential impacts.*

The applicant shall also briefly describe the process used to identify and evaluate the alternative sites.
- 7. *The proposed project shall comply with all applicable provisions of the comprehensive plan, zoning ordinance, and other city regulations.*
- C. *The following tables shall denote Tumwater’s policies for siting and expansion of essential public facilities within existing zone districts: See Figures 18.56.140(A) and (B).*

Figure 18.56.140(A)

CITY OF TUMWATER ESSENTIAL PUBLIC FACILITY SITING POLICIES FOR CITY ZONING																		
EPF Code	Tumwater Zone Districts																	
	RSR	LDR	MDR	HDR	MU	CBC	NC	CS	GC	TC	LI	HI	HC	GB	OS	AP	ARI	BD
A																	P	
B					C	C		C	C	C	C						C	C
C								C	C		C	C					C	C
D								C	C		C	C					C	C

CITY OF TUMWATER ESSENTIAL PUBLIC FACILITY SITING POLICIES FOR CITY ZONING																		
EPF Code	Tumwater Zone Districts																	
	RSR	LDR	MDR	HDR	MU	CBC	NC	CS	GC	TC	LI	HI	HC	GB	OS	AP	ARI	BD
<u>E</u>								C	C		C	C					C	C
<u>FD</u>								C(3) (4)			C(3) (4)	C(3) (4)					C(3) (4)	
<u>GE</u>											C	C					C	
<u>H</u>			C	C	C	C	C		C									
<u>IF</u>			C	C	C	C	C		C									
<u>JG</u>			C	C	C	C	C		C									
<u>KH</u>											C	C					C	
<u>L</u>		C	C	C	C		C	C	C	C(1)	C	C					C	
<u>M</u>											C(2)							
<u>N</u>								C	C		C	C						

Figure 18.56.140(A) Footnotes:

“C” means conditional use; “P” means permitted use.

Shaded areas mean use is not permitted.

Figure 18.56.140(A) Explanatory Notes:

(1) In the TC town center zone district, emergency communication antennas must be affixed to or erected upon existing buildings, water tanks, or other existing structures. Antennas shall not be affixed to a wireless communication support structure. Emergency communication towers are not permitted.

(2) “Secure community transition facilities” shall meet the following conditions:

A. Minimum Conditions.

1. Location.

a. In no case may a secure community transition facility be sited adjacent to, immediately across a street or parking lot from, or within the line of sight of risk potential activities or facilities in existence at the time a site is listed for consideration. “Within the line of sight” means that it is possible to reasonably visually distinguish and recognize individuals;

b. In no case may a secure community transition facility be sited within three hundred feet of a residential zone district;

c. Secure community transition facilities are permitted as a conditional use in the LI light industrial zone district excluding LI light industrial zone districts north of Sapp Road Southwest and west of Crosby Boulevard Southwest;

2. *Compliance with Statutory Requirements. The applicant shall provide verification from the Department of Social and Health Services that the proposed facility complies with all applicable state regulations and requirements pursuant to Chapter 71.09 RCW. Where the requirements of this section conflict with the state requirements, the state requirements shall be adhered to over this section;*

3. *A maximum of three beds for sexually violent predators may be located within any secure community transition facility.*

B. *Process Requirements. In addition to the standard public notification requirements, all property owners and residents within one-half mile of the proposed project site shall be sent notice of the public hearing regarding the requested conditional use.*

(3) *“Juvenile detention facilities” shall meet the following conditions:*

A. *Minimum Conditions.*

1. *Location.*

a. *Buildings accommodating juvenile detention facilities shall not be located closer than two hundred feet from the boundary of a district in which the use is not allowed as a conditional use;*

b. *Juvenile detention facilities shall be located such that outside law enforcement officers can respond to a call for assistance within five minutes under typical conditions;*

c. *Advance life support service, as defined in RCW 18.73.030(19), must be available within five minutes under typical conditions;*

2. *Security.*

a. *The applicant shall submit a security plan, reviewed by the police chief, which at a minimum complies with applicable American Corrections Association’s security standards for juvenile detention facilities. This plan shall identify staffing levels and scheduling, building security, and escape search plan, and provisions for immediate public notification of escapes;*

3. *Design.*

a. *Size. Juvenile detention facilities with capacity for up to seventy-five inmates shall be located on a site of at least five acres. Sites shall contain an additional four acres for each additional fifty-bed increase in capacity above this threshold;*

b. *Setbacks. The facility shall be set back at least seventy-five feet from public rights-of-way and property lines;*

4. *Landscaping/Buffers.*

a. *The applicant shall submit a landscaping plan, which serves to maintain or enhance the character of the area without jeopardizing security. This plan*

shall incorporate at least a twenty-five-foot landscaping buffer along public rights-of-way;

b. The applicant shall install an eight-foot-high fence in character with the neighborhood between the facilities and all property boundaries, with the exception of the landscaped street frontage, which effectively screens the site from adjacent properties. The hearing examiner may waive or lessen this requirement if he/she determines that, due to existing site features or the type of character of adjoining uses, the privacy and security of the occupants of adjoining properties can be maintained in the absence of a fence or with a lower fence;

c. Barbed wire topped fencing shall not be visible from public rights-of-way;

d. Outdoor activity areas located in residential districts shall not be visible from public rights-of-way or adjacent properties;

5. Noise.

a. The hearing examiner may require conditions to minimize potential noise impacts including, but not limited to, altering the locations of outdoor use areas and noise-generating facilities, and installations of noise reducing elements such as walls, berms, and landscaping;

6. Access.

a. Juvenile detention facilities shall have direct access to an arterial or collector unless the hearing examiner determines that access via lesser classifications of street would not be detrimental to neighborhood character and would not increase public safety risks.

B. Process Requirements. *Property owners within one thousand four hundred feet of the proposed project site shall be sent notice of the public hearing regarding the requested conditional use.*

(4) “Work release facilities” shall meet the following conditions:

A. Minimum Conditions.

1. General Requirements.

a. The applicant shall provide verification from the Department of Corrections (DOC) that the proposed facility complies with DOC standards and applicable state and local regulations;

b. The site must be within one-quarter mile of public transportation or an alternative transportation program, approved by the hearing examiner, must be provided to serve the needs of the facility’s occupants;

2. Location.

- a. *Work release facilities shall not be located closer than five hundred feet from the boundary of a district in which the use is not allowed as a conditional use;*
- b. *Setbacks. The facility shall be set back at least seventy-five feet from public rights-of-way and property lines;*
- c. *Landscaping/Buffers.*
 - i. *The applicant shall submit a landscaping plan, which serves to maintain or enhance the character of the area without jeopardizing security. This plan shall incorporate at least a twenty-five-foot landscaping buffer along public rights-of-way;*
 - ii. *The applicant shall install an eight-foot-high fence in character with the neighborhood between the facilities and all property boundaries, with the exception of the landscaped street frontage, which effectively screens the site from adjacent properties. The hearing examiner may waive or lessen this requirement if he/she determines that, due to existing site features or the type of character of adjoining uses, the privacy and security of the occupants of adjoining properties can be maintained in the absence of a fence or with a lower fence;*
- d. *Noise.*
 - i. *The hearing examiner may require conditions to minimize potential noise impacts including, but not limited to, altering the locations of outdoor use areas and noise generating facilities, and installations of noise reducing elements such as walls, berms, and landscaping;*
- e. *Access.*
 - i. *The proposed site shall have direct access to an arterial or collector unless the hearing examiner determines that access via a lesser classification of street would not be detrimental to neighborhood character and would not increase public safety risks.*

B. Process Requirements. *Property owners within one thousand four hundred feet of the proposed project site shall be sent notice of the public hearing regarding the requested conditional use.*

LEGEND

<i>RSR – Residential/Sensitive Resource</i>	<i>NC – Neighborhood Commercial</i>	<i>LI – Light Industrial</i>
<i>LDR – Low Density Residential</i>	<i>CS – Community Services</i>	<i>HI – Heavy Industrial</i>
<i>MDR – Medium Density Residential</i>	<i>ARI – Airport Related Industrial</i>	<i>HC – Historic Commercial</i>
<i>HDR – High Density Residential</i>	<i>AP – Airport Overlay</i>	<i>GB – Greenbelt</i>
<i>MU – Mixed Use</i>	<i>GC – General Commercial</i>	<i>OS – Open Space</i>

LEGEND

CBC – Capitol Boulevard Community

TC – Town Center

BD – Brewery District

Figure 18.56.140(B)

CITY OF TUMWATER LIST OF ESSENTIAL PUBLIC FACILITIES	
Essential Public Facility Code	Essential Public Facility
A	Airports.
B	State education facilities.
C	Large scale State or regional transportation facilities <u>as defined in RCW 47.06.140.</u>
<u>D</u>	<u>Regional transit authority facilities as defined in RCW 81.112.020.</u>
<u>E</u>	<u>Improvements to high capacity transportation systems as defined in RCW 81.104.015, bus rapid transit routes and stops or improvements to such routes and stops. "Bus rapid transit" means a fixed route bus system that features assets indicating permanent, high capacity service including, but not limited to, elevated platforms or enhanced stations, off-board fare collection, dedicated lanes, busways, or transit signal priority.</u>
D <u>E</u>	Prisons, jails, and other correctional facilities (including but not limited to: jails; juvenile detention facilities; prisons and prerelease facilities; work release facilities).
E <u>G</u>	Solid waste handling facilities including organic materials management facilities.
<u>H</u>	<u>Opioid treatment programs including both mobile and fixed-site medication units, recovery residences, harm reduction programs excluding safe injection sites. Harm reduction programs mean programs that emphasize working directly with people who use drugs to prevent overdose and infectious disease transmission, improve the physical, mental, and social well-being of those served, and offer low threshold options for accessing substance use disorder treatment and other services.</u>
F <u>I</u>	Inpatient facilities including substance abuse <u>use disorder treatment</u> facilities (including but not limited to: intensive inpatient facilities; long-term residential drug treatment facilities; recovery house facilities).
G <u>J</u>	Mental health facilities (including but not limited to: congregate care facilities; adult residential treatment facilities; evaluation and treatment centers).
H <u>K</u>	Sewage treatment facilities (not including individual or community wastewater treatment systems).
I <u>L</u>	Emergency communication towers and antennas.
M <u>M</u>	Secure community transition facilities <u>as defined in RCW 71.09.020.</u>

<i>CITY OF TUMWATER LIST OF ESSENTIAL PUBLIC FACILITIES</i>	
<i>Essential Public Facility Code</i>	<i>Essential Public Facility</i>
<i>#N</i>	<i>Other facilities designated by the Washington State Office of Financial Management as essential public facilities.</i>

2. Public Approval Process

An Environmental Checklist for a non-project action is expected to be prepared in February 2026 under the State Environmental Policy Act (Chapter 43.21C RCW), pursuant to Chapter 197-11 WAC, and a Determination of Non-Significance is expected to be issued in February 2026.

The ordinance is expected to be sent to the Washington State Department of Commerce in February 2026 for their required 60-day review before the proposed text amendments are adopted, in accordance with RCW 36.70A.106.

The Planning Commission will receive a briefing on the proposed code amendments on February 24, 2026, and is expected to hold a work session on the proposed code amendments March 10, 2026.

A Notice of Public Hearing for the Planning Commission is expected to be issued on March 13, 2026, prior to a public hearing. The notice will be posted, published as a press release, distributed to interested individuals and entities that have requested such notices, and published in The Olympian.

The Planning Commission is expected to hold a public hearing on the proposed amendments on March 24, 2026. Following the public hearing and deliberations, the Planning Commission is expected to recommend that Council consider the proposed amendments.

The City Council is scheduled to review the Planning Commission’s recommendation on the proposed amendments on April 28, 2026. The City Council is scheduled to consider the proposed amendments on May 5, 2026.

3. Staff Contacts

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