

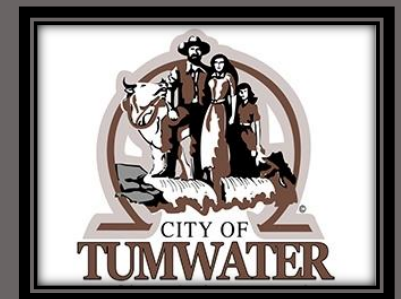
2022 Annual Housekeeping Amendments

Final Docket Amendments

Ordinance No. O2022-013

September 14, 2022

General Government Committee Briefing



Issue

- During 2020 and 2021, staff gathered information on proposed minor Tumwater Municipal Code housekeeping amendments to be considered collectively in 2022
- The proposed amendments are intended make minor corrections to the City's development regulations

Review Process

- TMC 18.60.025(A) establishes a process for **development code housekeeping amendments** that is similar to the one the City follows for annual Comprehensive Plan amendments
- On June 21, 2022, the City Council approved all the items on the **preliminary docket** of proposed amendments to move forward a part of the final docket

Review Process

- Staff prepared Ordinance No. O2022-013 for consideration by the Planning Commission and City Council
- The **other housekeeping amendments** that do not fall under the same TMC 18.60.025(A) process, will be considered as part of Ordinance O2022-015 at the same time as Ordinance No. O2022-013

Staff Report

For each amendment, the staff report includes:

- Summary of the amendment
- Code section(s) to be amended
- Proposed amendment language

Final Docket Amendments

- A. Accessory Dwelling Unit Entrances
- B. Adult Family Homes/Residential Care Facilities
- C. Bicycle Storage
- D. Capitol Boulevard Community – Multifamily
Parking Requirements
- E. Car Washes
- F. Duplexes
- G. Impound Yards

Final Docket Amendments

- H. Mixed Use Overlay
- I. Nonconforming Signs
- J. Optometry Clinics
- K. Personal and Professional Services
- L. Residential Mechanical Equipment in Setbacks
- M. School, Public Building and Church Signs
- N. Storage Shed Access
- O. Subdivision Dedication Code Language Update

Accessory Dwelling Entrances

Amendment to TMC 18.42.010(D)(3) would change a requirement to an option:

[...]

D. An accessory dwelling unit shall be designed to maintain the appearance of the main building of the single-family residence.

[...]

3. The primary entrance to an accessory dwelling unit ~~shall~~ are encouraged to not be visible from the yard on the same side of the lot on which the primary entrance to the primary single-family dwelling unit is located.

Functionally Disabled Housing

Amendments would address consistency of adult family home and residential care facilities as permitted and conditional uses with:

- RCW 70.128.140 *Compliance with local codes and state and local fire safety regulations*
- TMC Title 18 *Zoning* in individual zone districts
- TMC 18.53 *Housing for the Functionally Disabled*

Adult Family Homes

Amend TMC 18.53.020 as follows:

18.53.020 Adult family home.

An adult family home shall be a permitted use in the following zoning districts: GB, OS, RSR, SFL, SFM, MFM, MFH, MHP, CBC, BD, NC, MU, GC, ~~LI~~, CS, HC, and TC and ~~ARI~~.

Amend TMC 18.53.030 as follows:

18.53.030 Residential care facility.

A residential care facility shall be a permitted use in the following zoning districts: GB, OS, RSR, SFL, SFM, MFM, MFH, MHP, CBC, BD, NC, MU, GC, CS, HC, and TC ~~LI and ARI. It shall be a conditional use in the following zone district: HI.~~

Bicycle Storage

Clarify bicycle storage requirements.

18.50.120 Required bicycle facilities.

[...]

C. Long-term (class 1) bicycle facilities shall protect bicycles and their components from theft, unauthorized access, and weather. Examples include a lockable bike cage or class 1 bicycle lockers.

[...]

3. Each residential unit shall have access to ~~a~~ the required long-term bicycle ~~space~~ facilities.

4. Long term bicycle facilities shall be provided as specified in Figure 18.50.120(A).

CBC – Parking Requirements

Adjust the 1.0 parking space per dwelling unit limit for multifamily dwellings to relieve off-street parking impacts on adjacent neighborhoods

18.21.060 Development standards.

Development standards in the Capitol Boulevard Community zone district are intended to achieve a human-scale, pedestrian- and transit-oriented environment:

[...]

N. Notwithstanding the requirements of TMC 18.50.070~~notwithstanding~~, the number of required parking spaces for multifamily dwellings shall not be more than one off-street space per studio apartment, 1.5 spaces per one to two bedroom dwelling unit, two spaces per three or more bedroom dwelling units, and one guest space for every ten units dwelling.

Car Washes

Add “carwash” as an amendment to the Title 17 *Zoning* definitions, instead of a specifically listed use.

18.04.010 A definitions.

[...]

“Automobile service station” means any area of land, including the structures thereon, that is used for the sale of gasoline or other motor fuels, oils, lubricants, and auto accessories, including but not limited to transmission and lube service, tire sales, electric vehicle charging stations, and car washes as an accessory use; and which may or may not include washing, lubricating, and other minor servicing as accessory uses with the exception of automobile body work.

[...]

Duplexes

Amended the permitted uses in the RSR and SFL:

“Duplexes” are allowed in the residential/sensitive resource (RSR) and single-family low density residential (SFL) zone districts on individual lots legally established before or on April 15, 2021. ~~Such uses~~ Duplexes shall not occupy more than twenty percent of the total lots in a new short plat or subdivision, which was legally established after April 15, 2021. In such cases, the community development director shall have the discretion to alter the percentage in order to allow the new short plat or subdivision to meet minimum required densities due to topography or other special conditions related to the site, such as critical areas.

Duplexes

Amended the permitted uses in the SFM:

“Duplexes” are allowed in the single-family medium density residential (SFM) zone district on individual lots legally established before or on April 15, 2021. ~~Such uses~~ Duplexes shall not occupy more than thirty percent of the total lots in a new short plat or subdivision, which was legally established after April 15, 2021. In such cases, the community development director shall have the discretion to alter the percentage in order to allow the new short plat or subdivision to meet minimum required densities due to topography or other special conditions related to the site, such as critical areas.

Impound Yards

Add “impound yards” use, which is not currently permitted in any zone districts in the City:

- Create a new definition in TMC 18.04.090
- Add as a conditional use to the LI, HI, and ARI zone districts
- Add minimal conditions through the conditional use process in TMC 18.56.180

Mixed Use Overlay

Clarifying that *MUO* requires commercial uses along primary roadways rather than 20% of every building

18.33.060 Development standards.

~~Buildings entirely or partially located more than two hundred feet from the Tyee Drive/Israel Road intersection right-of-way and that contain a commercial and/or residential use shall meet the density standards below and the applicable development standards in TMC 18.20.060(B) through (H) of the underlying mixed use zone district. See Diagram 18.33.060. All other uses shall meet the applicable development standards of TMC 18.20.060(A) through (H).~~

Mixed Use Overlay

A. Each parcel in the mixed use overlay shall contain residential and commercial uses. The entire gross floor area of the first floor of building(s) facing existing or new public right-of-way frontage shall be dedicated to commercial uses with the exception of required building features serving the residential uses on the upper floors, such as a residential lobby, stairways, mechanical equipment, and elevators. A minimum of twenty percent of each building shall be commercial and a minimum of twenty percent shall be residential.; ~~provided, that n~~ No less than eight thousand five hundred square feet of gross floor area of a building and no more than fifty thousand square feet of gross floor area of a building shall be dedicated to commercial uses. ~~The percentage shall be calculated by determining the percent of square feet devoted to each type of use.~~

[...]

[Delete Diagram 18.33.060]

Nonconforming Signs

Addressing a conflict in the nonconforming signs requirements in TMC 18.44 *Signs*

18.44.090 Existing signs.

Any existing sign may continue to be in operation and be maintained after the effective date of the ordinance codified in this chapter and shall be a legal nonconforming sign provided:

[...]

B. A nonconforming sign may not be structurally altered or relocated. However, if such alteration or relocation is required as a result of government action, then said action is exempt.

Nonconforming Signs

Addressing a conflict in the nonconforming signs requirements in TMC 18.44 *Signs*

18.44.090 Existing signs.

[...]

~~*C. A nonconforming sign will cease to be a legal nonconforming sign if a structural alteration or relocation increases its nonconforming status. An increase in nonconforming status will be construed to be a violation of this chapter and such sign will be subject to removal as provided in this chapter and TMC Chapter 18.54. Changes in the sign face wording of a nonconforming sign shall not be deemed an alteration under this section.*~~

Optometry Clinics

Address “optometry clinics”, which do not fit in the existing “medical clinic” or “professional services” uses

- Create a new “optometry clinics” use with a new definition in TMC 18.04.150
- Add as a permitted use to the NC, CS, MU, CBC, GC, TC, LI, HC, BD, and ARI zone districts

Personal/Professional Services

For consistency and understanding, split “personal and professional services” into “personal services” and “professional services” and remove “personal and professional and services and sales” from the TMC

18.07.020 Table Commercial zone districts permitted and conditional uses – Summary Tables of Uses

Personal/Professional Services

18.04.160 P definitions.

[...]

“Personal service” means a business which is neither the practice of a profession, nor dealing primarily with the sale of products as stock-in-trade on the premises. Product sales shall not occupy more than twenty-five percent of the gross floor area of the business. Such businesses include, but are not limited to, barber and beauty shops, tailoring, shoe repairing, photographic studios, tanning parlors, and pet grooming and obedience training.

[...]

Personal/Professional Services

- Change “personal and professional services” to “personal services”
- Add the use to NC zone district and amend the name of the use in the CS, MU, CBC, GC, HC, and TC zone districts
- Delete the combined “personal and professional services or sales” from NC and TC zone districts
- Change “personal and professional services” to “personal services” in the LI and ARI zone districts

Personal/Professional Services

- Add “professional services” as a standalone permitted use in all commercial zone districts
- Add “professional services” as a standalone permitted use in the LI and ARI zone districts
- Add “professional services” as a permitted use to all subdistricts except the Bluff subdistrict in the BD zone district

Mechanical Equipment

- Allow “residential mechanical equipment” in the RSR, SFL, and SFM zone districts rear setbacks

School, Public Building, & Church Signs

Adding exemptions for the size and number of signs for schools, public buildings, and churches located in residential zone districts.

18.04.160 P definitions.

[...]

“Public building” means any structure or facility owned or leased, and principally used by a governmental agency.

[...]

School, Public Building, & Church Signs

18.44.140 Residential zone districts.

The following regulations shall apply to all residential zone districts (RSR residential/sensitive resource, SFL single-family low density residential, SFM single-family medium density residential, MFM multifamily medium density residential, MFH multifamily high density residential, and MHP manufactured home park zone districts):

[...]

School, Public Building, & Church Signs

[...]

F. In all residential zone districts, the height of any freestanding sign shall not exceed six feet, except schools, public buildings, and churches are allowed one freestanding sign up to fifteen feet in height. Any additional freestanding signs for schools, public buildings, and churches must not be more than six feet in height;~~and~~

G. Agriculture uses on lots less than one acre in size are allowed a single sign, twelve square feet in area. Agriculture uses on lots one acre and larger are allowed a single sign thirty-two square feet in area for each street frontage; and

H. Schools, public buildings, and churches located in residential zone districts are allowed up to fifty-five square feet of signage. Signs may be freestanding or wall mounted. The allowed square footage may be applied to more than one sign, but the overall amount may not exceed fifty-five square feet.

Storage Shed Access

- Add an exemption for storage sheds smaller than five hundred square feet in the Green Belt (GB), Open Space (OS), Residential/Sensitive Resource (RSR), Single-Family Low Density Residential (SFL), or Single-Family Medium Density Residential (SFM) zone districts from driveway surface requirements

Storage Shed Access

- Currently, if a property owner wants to build a detached storage shed in a low density residential property having a gravel driveway, TMC 18.50.020(A)(1) requires compliance with the current parking regulations
- In this case, TMC 18.50.030(B) requires property owner in a low density residential property to convert the driveway to a hard surface, such as asphalt or concrete

Subdivision Dedication Code

Update the subdivision dedication code language in TMC 17.24.030(D)(2) to change “men” to “persons”

Recommendation

- At their August 8, 2022 hearing, the Planning Commission recommended approval of Ordinance No. O2022-013

Next Steps

Final Docket Amendments (O2022-013)

City Council

- City Council worksession – September 27, 2022
- City Council consideration – October 4, 2022