

Chapter 18.26

HC HISTORIC COMMERCIAL ZONE DISTRICT

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18.26.010 Intent.



Recognizing that Tumwater was the first American settlement on Puget Sound, and one of the industrial and commercial centers of Washington Territory, the historic commercial (HC) zone district is created to help preserve the character of the built environment of the Tumwater historic district as it once existed. Development in this district should be consistent with the goals and general land use plan set forth in the 1993 City of Tumwater New Market Historic District Master Plan (and as amended), thereby promoting the general welfare of the citizens of Tumwater and the economy of Tumwater by developing and maintaining the city's commerce and vacation/travel industry.

(Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Amended, 12/19/1995; Ord. 883, Added, 05/06/1984)

18.26.020 Permitted uses.



Permitted uses in the HC district are as follows:

A. Parks, open space;

B. All uses which were legally established prior to January 1, 1996, except where there is a cessation of the use for three or more years;

C. Multifamily dwellings;

D. Personal and professional services;

E. General retail sales;

F. Offices;

G. Hotel/motel and conference facilities;

H. Restaurants, taverns, cocktail lounges;

I. Post office, library, museum, art gallery or cultural center;

J. The wholesaling, manufacturing, assembling, warehousing, storing, repairing, fabricating, or handling of products entirely within a building;

K. Support facilities;

L. Child day care center; child mini-day care center;

M. Adult family homes, residential care facilities;

N. Family day care homes;

O. Educational institutions;

P. Fish hatcheries, associated appurtenances, and related interpretive centers;

Q. Electric vehicle infrastructure;

R. Recreational facilities;

S. Community gardens;

T. Farmers markets.

(Ord. O2010-029, Amended, 06/07/2011; Ord. O2010-015, Amended, 09/07/2010; Ord. O2007-004, Amended, 09/04/2007; Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Amended, 12/19/1995; Ord. 1289, Amended, 06/04/1991; Ord. 1288, Amended, 06/04/1991; Ord. 883, Added, 05/06/1984)

18.26.025 Accessory uses.



Accessory uses in the HC district are as follows:

A. On-site hazardous waste treatment and storage facilities;

B. Home occupations, as approved by the director of community development;

C. Accessory wireless communication antenna, subject to development regulations of TMC [18.26.040](#).

(Ord. O2011-002, Amended, 03/01/2011; Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Amended, 12/19/1995; Ord. 1166, Added, 09/20/1988; Ord. O97-019, Amended, 06/17/1977)

18.26.030 Density regulations. SHARE

Density regulations in the HC district are as follows:

A. Site area: no minimum, except the lot shall be adequate to provide for required parking, yards and landscaping;

B. Lot coverage: no maximum, except adequate space shall be provided for required parking, yards and landscaping;

C. Structure height: subject to approval by the city council;

D. Yards.

1. Front: no minimum.

2. Side: no minimum.

3. Rear: no minimum.

(Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Amended, 12/19/1995; Ord. 883, Added, 05/06/1984)

18.26.040 Development regulations. SHARE

Development regulations in the HC district are as follows:

A. No building or structure shall be erected, reconstructed, altered or restored within the Tumwater historic district unless and until an application for a certificate of appropriateness shall have been approved by the Tumwater historic preservation commission. An application fee shall be established by resolution of the city council.

B. No building or structure within the Tumwater historic district shall be razed without first obtaining a demolition permit approved by the commission. The commission shall be empowered to refuse such a permit for any

building or structure of architectural or historic interest, the removal of which in the opinion of the commission would result in adverse impact to the environment and be otherwise detrimental to the general welfare of the city.

C. 1. The commission shall review all plans, elevations, and other information made available by the applicants that is deemed necessary by the commission to determine the appropriateness of any building or structure, including signs, proposed to be erected, reconstructed, altered or restored within the Tumwater historic district.

2. The commission, in passing upon the appropriateness of any such proposal, shall consider, among other things, the extent to which:

a. The proposed building or structure helps recreate the ambience and landscape of the historic district as it existed from 1845 to 1906; and

b. The proposed building or structure is consistent with the 1993 City of Tumwater New Market Historic District Master Plan (and as amended).

c. Accessory wireless communication antennas shall be limited to attached devices camouflaged into approved architectural features of an existing structure on the property such that the presence of the device is not detectable, unless otherwise determined to be appropriate pursuant to subsection (C)(3) of this section.*

3. The commission shall make this determination based on the following criteria:

a. Placement;

b. General design, scale, gross volume, size and height; and

c. Exterior texture, color, and materials of construction.

d. Historical photographs in the possession of local or state historical repositories shall be the objective standard of what constitutes the ambience and landscape of the Tumwater historic district as it existed from 1845 to 1906.

D. Upon approval of the plans, the commission shall cause a certificate of appropriateness, dated and signed by the mayor, to be issued to the applicant.

E. The building inspector shall promptly stop any work attempted to be done without, or contrary to, a permit issued under this chapter, and shall promptly prosecute any person responsible for such a violation of this chapter or engaged in such violation.

*Use may also be subject to applicable provisions of TMC Chapter [11.20](#), Communication Antennas and Towers.

(Ord. O2010-017, Amended, 12/21/2010; Ord. O97-019, Amended, 06/17/1997; Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Amended, 12/19/1995; Ord. 1147, Amended, 12/15/1987; Ord. 883, Added, 05/06/1984)

18.26.050 Exemptions to development regulations.



The following types of development are exempt from the requirements of TMC [18.26.040](#); provided, that the development is consistent with the 1993 City of Tumwater New Market Historic District Master Plan (and as amended):

A. Any development of which the total cost or fair market value, whichever is higher, does not exceed \$2,500;

B. Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition after decay or partial destruction;

C. Emergency construction necessary to protect property from damage by the elements. An "emergency" is an unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a time too short to allow full compliance with TMC [18.26.040](#).

(Ord. O96-022, Added, 12/17/1996)