

**REQUIRED AND RECOMMENDED UPDATES**

City of Tumwater - Middle Housing Development Regulations

Code Section	Title	SCJ Recommendations/Notes	Tumwater Staff Comments
<b>Chapter 18.02 - GENERAL PROVISIONS</b>			
18.02.010	Interpretation of text.	<p>The Commerce Middle Housing Model Ordinance includes an "applicability" section that is recommended for addition to the code. The applicability language outlines where the provisions of the middle housing code apply (as indicated in RCW 36.70A.635(1)(a)) and do not apply (as indicated in RCW 36.70A.635(8)). This may be one possible location for that information.</p> <p>--</p> <p>Note - SMO can be found here (applicability language on page 9): <a href="https://deptofcommerce.app.box.com/s/tfivrrq4t97nggquanr3syaz4zeo8nxd">https://deptofcommerce.app.box.com/s/tfivrrq4t97nggquanr3syaz4zeo8nxd</a></p>	<p>For all proposed middle housing amendments, the City's preference is to adopt code language that complies with the RCW and works in harmony with the rest of Title 18. Commerce's Model Ordinance is useful as a guide for language, but should not be adopted without amendment unless it is compatible with the rest of our code. We would prefer not to add this proposed section to Title 18, as it fits more into the findings for the ordinance or as policy. The actual content of Title 18 (allowed uses, density requirements, etc.) will comply with the RCW. We should discuss how we address the exemption from middle housing requirements for lots created through the splitting of a single family lot.</p>
18.02.030	Application outside city limits.	<p>This section may need to be updated, dependent on any collaborative efforts and decision made with Thurston County regarding development in the UGA.</p>	<p>The City will consider amendments as part of the Joint Plan/Development Code update process.</p>
<b>Chapter 18.04 - DEFINITIONS</b>			
18.04.010	A definitions.	<p>Required to add definition for "Administrative design review", as provided in RCW 36.70A.030(3).</p> <p>Recommend adding definition for "All lots zoned predominantly for residential use" to help clarify where middle housing types should be allowed.</p> <p>--</p> <p>Note - RCW 36.70A.635(1) applies the middle housing unit per lot standards to "all lots zoned predominantly for residential use".</p> <p>Sample definition text could read as follows: <i>"All lots zoned predominantly for residential use" means all zoning districts in which residential dwellings are the predominant use. This excludes lands zoned primarily for commercial, industrial, and/or public uses, even if those zones allow for the development of detached single-family residences. This also excludes lands zoned primarily for mixed uses, even if those zones allow for the development of detached single-family residences, if the zones permit by-right multifamily use and a variety of commercial uses, including but not limited to retail, services, eating and drinking establishments, entertainment, recreation, and office uses.</i></p>	<p>Our Citywide Design Guideline process is already an administrative process, we do not have a design board or require a hearing unless design review is part of the consolidate permit process for larger project approval that requires a hearing for one of its approvals. It does not make sense to include a definition of "all lots zoned predominantly for residential use" or use it in Title 18 as a term, because it essentially describes the process we are going through with this amendment process to allow middle housing in all residential zone districts. "All lots zoned predominantly for residential use" not added because the term appropriate for guiding regulatory updates, but not as a regulation itself.</p>
18.04.030	C definitions.	<p>Add required definitions for "Cottage housing" and "Courtyard apartments" as provided in RCW 36.70A.030(9) and (10), respectively.</p>	<p>We will be using the following six of nine middle housing building types in our residential zone districts: duplexes, triplexes, fourplexes, townhouses, stacked flats and cottage housing. We will not be adding fiveplexes, sixplexes or courtyard apartments, leaving those types to fall under our definition of multifamily dwelling.</p>
18.04.040	D definitions.	<p>Recommend adding definition for "Development regulations" as provided in RCW 36.70A.030(13).</p>	<p>We will not add a definition for "development regulations," as that could be so wide ranging as to be meaningless.</p>
18.04.060	F definitions.	<p>Recommend adding definitions for "Fourplex" and "Fiveplex."</p> <p>--</p> <p>Note - Consider having the terms phrased as "Dwelling, Fourplex" in order to locate all "dwelling types" together in the D section.</p>	<p>We will be using the following six of nine middle housing building types in our residential zone districts: duplexes, triplexes, fourplexes, townhouses, stacked flats and cottage housing. We will not be adding fiveplexes, sixplexes or courtyard apartments, leaving those types to fall under our definition of multifamily dwelling. We use "duplex", etc. throughout the current Title 18, so it makes sense to match that and make it easier to find the definition.</p>

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18.04.130	M definitions.	Add required definitions for "Major transit stop" and "Middle housing" as provided in RCW 36.70A.030(25) and (26).	Added definitions, but edited the middle housing definition to reflect our terminology and the six middle housing types.
18.04.180	S definitions.	Add required definitions for "Single-family zones" and "Stacked flats" as provided in RCW 36.70A.030(39) and (40).	We will be using the following six of nine middle housing building types in our residential zone districts: duplexes, triplexes, fourplexes, townhouses, stacked flats and cottage housing. We will not be adding fiveplexes, sixplexes or courtyard apartments, leaving those types to fall under our definition of multifamily dwelling. Add definition for stacked flats and edited it. We are eliminating single family zoning as part of larger 2025 Development Code updates, so we will not add that definition.
18.04.190	T definitions.	Required to update definition for "Townhouses" as provided in RCW 36.70A.030(41). Recommend adding definition for "Tier 2 city" (RCW 36.70A.635(1)(a)).	Added definition of "townhouse," but edited it to work with our current definition. Did not add "Tier 2 City", which is relevant only to the RCW.
18.04.200	U definitions.	Recommend adding definition for "Unit density" as found in RCW 36.70A.635(1)(a).	Added "dwelling unit density" that includes ADUs. Not clear on what "on a lot" means or if it is needed.
<b>Chapter 18.07 - SUMMARY TABLE OF USES</b>			
18.07.010	Residential zone districts permitted and conditional uses.	<p>Table 18.07.010 needs to be updated to ensure inclusion of all Middle Housing Types - Duplexes, Triplexes, Fourplexes, Fiveplexes, Sixplexes, Townhouses, Stacked Flats, Courtyard Apartments, and Cottage Housing.</p> <p>--</p> <p>Note - Subject to the requirements of RCW 36.70A635(5), all lots zoned predominantly for residential use must allow each of these uses as permitted outright, unless zoning permits higher densities or intensities than those listed for Tier 2 unit density (outlined in RCW 36.70A.635(1)(a)).</p>	We will be using the following six of nine middle housing building types in our residential zone districts: duplexes, triplexes, fourplexes, townhouses, stacked flats and cottage housing. We will not be adding fiveplexes, sixplexes or courtyard apartments, leaving those types to fall under our definition of multifamily dwelling. The MHP Manufactured Home Park zone should be excluded from middle housing as it is a special district. We may want to see if RSR Residential / Sensitive Resource zone district can be excluded under the 75% RCW exemption as it is a 2 to 4 dwelling unit density zone district because of sensitive areas.
<b>Chapter 18.08 - RSR RESIDENTIAL/SENSITIVE RESOURCE ZONE DISTRICT</b>			
18.08.010	Intent.	This is a unique zone that allows for single-family, duplexes, cottage housing and manufactured homes in areas that have environmental sensitivity. Would recommend working with staff and policy makers to determine intention for this zoning. If the current permitted housing types are maintained, would recommend expanding on the explanation for why higher density uses would not be appropriate.	Our preference would exclude the RSR from middle housing aside from duplexes and cottage housing under the 75% RCW exemption. From our Comprehensive Plan Land Use Element (p. 32-33): "The purpose of this designation is to recognize areas of unique open space character and sensitivity to environmental disturbance such as around stream corridors, lakes, and wetlands within the city limits and Tumwater's Urban Growth Area. Residential/Sensitive Resource areas are intended to be used only for exceptional places within the City and its Urban Growth Area. This designation should be applied to areas that are not protected by the Shoreline Management Act and are not already built out. These areas are where intensive urban development would adversely affect ground or surface waters or environmental resource areas. [...] In order to protect groundwater resources from contamination by failing septic tanks and to ensure that urban services can be provided to certain areas in a cost efficient manner, a minimum density policy of two dwelling units/acre is recommended."
18.08.020	Permitted uses.	Based on outcome of the discussion regarding the "Intent" section, this section may need to be updated to reflect additional missing middle housing types.	See above. Amended duplexes.
18.08.030	Accessory uses.	Ensure that the referenced section 18.42.105 regarding ADUs is up to date and accurate.	

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18.08.080	Screening and buffering requirements.	Example Density Transfer Calculation Figures and Tables will need to be updated to reflect density changes.	
<b>Chapter 18.10 - SFL SINGLE-FAMILY LOW DENSITY RESIDENTIAL ZONE DISTRICT</b>			
18.10.010	Intent.	Needs to be updated to remove reference to low density allowances.	Will update to match Comprehensive Plan amendments to the SFL. References to single-family only uses will be removed. Reviewing density ranges as part of the Comprehensive Plan Land Use Element update.
18.10.020	Permitted uses.	Needs to be updated to ensure inclusion of all Middle Housing Types - Duplexes, Triplexes, Fourplexes, Fiveplexes, Sixplexes, Townhouses, Stacked Flats, Courtyard Apartments, and Cottage Housing.	We are not required to allow for all nine middle housing types. We will be using the following six of nine middle housing building types in our residential zone districts: duplexes, triplexes, fourplexes, townhouses, stacked flats and cottage housing. We will not be adding fiveplexes, sixplexes or courtyard apartments, leaving those types to fall under our definition of multifamily dwelling.
18.10.030	Accessory uses.	Ensure that the referenced section 18.42.105 regarding ADUs is up to date and accurate.	Will review and update as needed
18.10.050	Development standards.	Needs to be updated to reflect density requirements for Tier 2 Cities as described in RCW 36.70A.635(1)(a), and ensure dimensional standards comply with RCW 36.70A.635(6)(b) which indicates middle housing standards may not be more restrictive than those for detached single-family residences.	Reviewing density ranges as part of the Comprehensive Plan Land Use Element update. No changes to current density requirements. State middle housing requirements do not eliminate minimum or maximum density requirements, they just add a dwelling unit density requirement for individual lots in "predominately residential zones" on top of it. Added dwelling unit density requirements on lots and added a new section to TMC 18.42 addressing affordable housing requirements. No changes to lot coverages as current lot coverages are no more restrictive than those for detached single-family residences. Middle housing will following the same rear setback requirements as ADUs currently do.
<b>Chapter 18.12 - SFM SINGLE-FAMILY MEDIUM DENSITY RESIDENTIAL ZONE DISTRICT</b>			
18.12.010	Intent.	Needs to be updated to remove reference to low density allowances.	Will update to match Comprehensive Plan amendments to the SFM. References to single-family only uses will be removed. Reviewing density ranges as part of the Comprehensive Plan Land Use Element update.
18.12.020	Permitted uses.	Needs to be updated to ensure inclusion of all Middle Housing Types - Duplexes, Triplexes, Fourplexes, Fiveplexes, Sixplexes, Townhouses, Stacked Flats, Courtyard Apartments, and Cottage Housing	We are not required to allow for all nine middle housing types. We will be using the following six of nine middle housing building types in our residential zone districts: duplexes, triplexes, fourplexes, townhouses, stacked flats and cottage housing. We will not be adding fiveplexes, sixplexes or courtyard apartments, leaving those types to fall under our definition of multifamily dwelling.
18.12.030	Accessory uses.	Ensure that the referenced section 18.42.105 regarding ADUs is up to date and accurate.	Will review and update as needed
18.12.050	Development standards.	Needs to be updated to reflect density requirements for Tier 2 Cities as described in RCW 36.70A.635(1)(a), and ensure dimensional standards comply with RCW 36.70A.635(6)(b) which indicates middle housing standards may not be more restrictive than those for detached single-family residences.	Reviewing density ranges as part of the Comprehensive Plan Land Use Element update. No changes to current density requirements. State middle housing requirements do not eliminate minimum or maximum density requirements, they just add a dwelling unit density requirement for individual lots in "predominately residential zones" on top of it. Added dwelling unit density requirements on lots and added a new section to TMC 18.42 addressing affordable housing requirements. No changes to lot coverages as current lot coverages are no more restrictive than those for detached single-family residences. Middle housing will following the same rear setback requirements as ADUs currently do.

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<b>Chapter 18.14 - MFM MULTIFAMILY MEDIUM DENSITY RESIDENTIAL ZONE DISTRICT</b>			
18.14.010	Intent.	Recommend analyzing currently permitted density in this higher density zoning district.	Will update to match Comprehensive Plan amendments to the MFM. References to multifamily only uses will be removed. Reviewing density ranges as part of the Comprehensive Plan Land Use Element update.
18.14.020	Permitted uses.	This multifamily zone already allows for a variety of housing types. May want to consider updating to add the additional middle housing types specified in 36.70A.030(26).	We are not required to allow for all nine middle housing types. Eight middle housing types are currently allowed in the MFM. Added stacked flats.
18.14.030	Accessory uses.	Ensure that the referenced section 18.42.105 regarding ADUs is up to date and accurate.	Will review and update as needed
18.14.050	Development standards.	Needs to be updated to reflect density requirements for Tier 2 Cities as described in RCW 36.70A.635(1)(a), and ensure dimensional standards comply with RCW 36.70A.635(6)(b) which indicates middle housing standards may not be more restrictive than those for detached single-family residences.	Reviewing density ranges as part of the Comprehensive Plan Land Use Element update. No changes to current density requirements. State middle housing requirements do not eliminate minimum or maximum density requirements, they just add a dwelling unit density requirement for individual lots in "predominately residential zones" on top of it. Added dwelling unit density requirements on lots and added a new section to TMC 18.42 addressing affordable housing requirements. No changes to lot coverages as current lot coverages are no more restrictive than those for detached single-family residences. No changes to setback requirements as the current setback requirements are less than the proposed amendments.
<b>Chapter 18.16 - MFH MULTIFAMILY HIGH DENSITY RESIDENTIAL ZONE DISTRICT</b>			
18.16.010	Intent.	This work provides an opportunity to review densities and determine if maximums are still appropriate.	Will update to match Comprehensive Plan amendments to the MFH. References to multifamily only uses will be removed. Reviewing density ranges as part of the Comprehensive Plan Land Use Element update.
18.16.020	Permitted uses.	This multifamily zone already allows for a variety of housing types. May want to consider updating to add the additional middle housing types specified in 36.70A.030(26).	We are not required to allow for all nine middle housing types. MFH currently meets the requirements for six middle housing types. Adding stacked flats.
18.16.030	Accessory uses.	Ensure that the referenced section 18.42.105 regarding ADUs is up to date and accurate.	Will review and update as needed
18.16.050	Development standards.	Needs to be updated to reflect density requirements for Tier 2 Cities as described in RCW 36.70A.635(1)(a), and ensure dimensional standards comply with RCW 36.70A.635(6)(b) which indicates middle housing standards may not be more restrictive than those for detached single-family residences.	Reviewing density ranges as part of the Comprehensive Plan Land Use Element update. No changes to current density requirements. State middle housing requirements do not eliminate minimum or maximum density requirements, they just add a dwelling unit density requirement for individual lots in "predominately residential zones" on top of it. Added dwelling unit density requirements on lots and added a new section to TMC 18.42 addressing affordable housing requirements. No changes to lot coverages as current lot coverages are no more restrictive than those for detached single-family residences. No changes to setback requirements as the current setback requirements are less than the proposed amendments.
<b>Chapter 18.23 - TC TOWN CENTER ZONE DISTRICT</b>			
18.23.010	Intent.	May want to update subsection (A) to reflect any reference to transit-oriented development related to residential use allowances.	Updated section to add reference to transit-oriented development.

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Code Section	Title	SCJ Recommendations/Notes	Tumwater Staff Comments
<b>Chapter 18.42 - GENERAL LAND USE REGULATIONS</b>			
18.42.010	Accessory dwelling units.	Update for compliance with HB 1337.	Amended size and number of accessory dwelling units. Parking requirements are addressed in TMC 18.50.
18.42.100	Single-family uses.	Update for conformance with RCW 36.70A.635(1)(a) outlining permitted unit density on all lots zoned predominantly for residential use.	Reference changed to only RSR zone district and updated.
18.42.130	Park and open space area standards for development without divisions of land.	Update to ensure conformance with RCW 36.70A.635(6)(b) which states the City may not require any standards for middle housing than those required for detached single-family residences.	Removed reference to townhouses.
<b>Chapter 18.43 - CITYWIDE DESIGN GUIDELINES</b>			
18.43.010	Community development department authority.	<p>Consider incorporating Design Manual into this chapter by reference.</p> <p>--</p> <p>Note - No changes needed within the language of the municipal code. However, the Design Manual to which this section refers (found online at <a href="https://www.ci.tumwater.wa.us/home/showpublisheddocument/9500/636076379459870000">https://www.ci.tumwater.wa.us/home/showpublisheddocument/9500/636076379459870000</a>) may need updates to be consistent with density requirements and dimensional standards as described in RCW 36.70A.635(1)(a) and RCW 36.70A.635(6)(b). Specific Design Manual chapters that may need to be updated include:</p> <ul style="list-style-type: none"> <li>- Chapter 2, Commercial, Mixed Use, and Multifamily</li> <li>- Chapter 5, Cottage Housing</li> <li>- Chapter 6, Single Family Residences</li> </ul>	City has requested that SCJ review the Tumwater Citywide Design Manual and potentially revising language to be consistent with the state requirements and amended Title 18.

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<b>Chapter 18.50 - OFF-STREET PARKING</b>			
18.50.070	Off-street parking space standards.	Update section and Table 18.50.070(A) for conformance with RCW 36.70A.635(6)(d-f) and RCW 36.70A.635(7)(a-b).	Current parking for ADUs is less than state requirements, so no amendments are proposed. Middle housing standard created.
<b>Chapter 18.51 - COTTAGE HOUSING</b>			
18.51.030	Development standards.	Update for conformance with dimensional standards described in RCW 36.70.635(6)(a) and cottage housing design standards described in RCW 36.70A.030(9).	No amendments needed for TMC 18.51.030(A). Citywide design guidelines for cottage housing should be reviewed by SCJ. No changes to current density requirements. TMC 18.51.030 - State middle housing requirements do not eliminate minimum or maximum density requirements. Proposed edit references incorrect chapter. No changes to parking requirements, which meet state requirements. Added state open space requirements.