

ORDINANCE NO. O2026-002

AN ORDINANCE of the City Council of the City of Tumwater, Washington, amending Title 18 of the Tumwater Municipal Code to address minor development code housekeeping amendments.

WHEREAS, during 2025 and 2026, staff gathered information on proposed minor development code housekeeping amendments to the Tumwater Municipal Code to be considered collectively in 2026; and

WHEREAS, the City is required to plan under Chapter 36.70A RCW, the Growth Management Act; and

WHEREAS, this Ordinance meets the goals and requirements of the Growth Management Act; and

WHEREAS, this Ordinance is consistent with the City's Comprehensive Plan; and

WHEREAS, this Ordinance was sent to the Washington State Department of Commerce on February 25, 2026, at least sixty days before the proposed code amendments were adopted, in accordance with RCW 36.70A.106; and

WHEREAS, an Environmental Checklist for a non-project action was prepared under the State Environmental Policy Act (Chapter 43.21C RCW), pursuant to Chapter 197-11 WAC on February 13, 2026, and a Determination of Non-Significance (DNS) was issued on March 6, 2026; and

WHEREAS, the Attorney General *Advisory Memorandum and Recommended Process for Evaluating Proposed Regulatory or Administrative Actions to Avoid Unconstitutional Takings of Private Property* (October 2024) was reviewed and utilized by the City in objectively evaluating the proposed amendments; and

WHEREAS, the Planning Commission received a briefing on the proposed code amendments on February 24, 2026, conducted a work session on March 10, 2026, and held a public hearing on April 14, 2026; and

WHEREAS, following the public hearing and deliberations, the Planning Commission recommended approval of the proposed code amendments by the City Council; and

WHEREAS, the City Council discussed the Planning Commission’s recommendation on the proposed code amendments at a work session on April 28, 2026; and

WHEREAS, the City Council considered the proposed code amendments on May 5, 2026; and

WHEREAS, the City Council finds that the provisions of this Ordinance are in the best interest of and protect the health, safety, and welfare of the citizens of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUMWATER, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section TMC 18.04.010, A Definitions, of the Tumwater Municipal Code is hereby amended to read as follows:

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 building, structure, use” means the use of land, a subordinate building or structure, or a portion of a principal building or structure, such use being secondary or incidental to a permitted use, building, or structure.

“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.

“Accessory wireless communication antenna” means a ground mounted (freestanding) or building mounted (attached) antenna for the sole use of residents, patrons of a business, or other occupants of property for the original transmission or final reception of communications or data as an accessory to a permitted use on the property on which the antenna is located. Types of accessory wireless communication antennas include:

A. “Category I (radio and television)” means “receive-only” radio and television antennas, or parabolic (“dish”) antennas not exceeding one meter (approximately thirty-nine and one-half inches) in diameter, usually supported by a single pole, post, or mast, with an antenna height not exceeding fifteen feet above grade for freestanding antennas or ten feet above the height of the building upon which mounted for attached antennas;

B. “Category II (amateur radio antenna)” means “send and receive” citizen band radio antennas or similar antennas operated by a federally licensed amateur (“ham”) radio operator at a dwelling, with an antenna height not exceeding the maximum height for buildings on the property upon which the antenna is located, except as provided otherwise in TMC 11.20.070(F);

C. “Category III (accessory mobile antenna device)” means an antenna including, but not limited to, mobile test antennas and global positioning satellite (GPS) equipment, or mobile radio or television antennas which are less than twelve inches in height or width, excluding the support structure; or

D. “Category IV (minor telecommunications antenna)” means “send and receive” data transmission or communication antennas or parabolic (dish) antennas (other than Category I and II antennas) not exceeding one meter (approximately thirty-nine and one-half inches) in diameter, usually supported by a single pole, post, or mast, with an antenna height not exceeding fifteen feet above grade for freestanding antennas or the height of the building upon which mounted for attached antennas, and including small cell wireless facility antennas that meet the size requirements set forth in TMC Chapter 11.20.

Provided, however, that accessory wireless communications antennas or support structures shall be subject to the provisions of TMC Chapter 11.20, Wireless Communication Facilities, generally, and specifically to the location and landscaping requirements of TMC 11.20.070.

“Administrative official” means a duly appointed officer of the city or his appointed representative charged with the administration of building and occupancy permits, and for the interpretation and enforcement of this title.

“Adult family home” means the regular family abode of a person or persons who are providing personal care, room and board, under a license issued pursuant to RCW 70.128.060, to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services; except that a maximum of eight adults may be permitted if the Washington State Department of Social and Health Services determines that the home and the provider are capable of meeting standards and qualifications provided for by law (RCW 70.128.010).

“Administrative design review” means a land use permit review process whereby a design review application is reviewed, approved, or denied by the director of community development or their designee based solely on objective design standards found in the citywide design guidelines without an open recording hearing, unless such review is part of a consolidated review and decision process pursuant to TMC Title 14 Development Code Administration, otherwise required by state or federal law, or the structure is a designated landmark or historic district established under the city’s preservation ordinance. A city will utilize the process

found in the citywide design guidelines to consider, recommend, or approve requests for deviations.

“Advertising vehicle” means any vehicle or trailer placed on a public right-of-way, on public property, or on private property, having attached thereto or located thereon any sign or advertising device which advertises a product, business or service, or directs people to a business or activity located on the same or nearby property or any premises. This provision is not to be construed as prohibiting the identification of a firm or its principal products on a vehicle operated during the normal course of business. Franchised buses or taxis are specifically excluded from this definition.

“Affordable housing” means, unless the context clearly indicates otherwise, residential housing whose monthly costs, including utilities other than telephone, do not exceed thirty percent of the monthly income of a household whose income is: (A) For rental housing, 60 percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development; or (B) For owner-occupied housing, 80 percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

“Agriculture” means the use of land for agricultural purposes, including farming, dairying, pasturage agriculture, horticulture, floriculture, viticulture, beekeeping, and animal and poultry husbandry and the necessary accessory uses for selling, packing, treating, or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary. The term “agriculture” shall not include the operation or maintenance of a commercial stockyard or feed lot.

“Airport fueling facility” means a centralized aviation fuel storage facility where aviation fuel is transferred to aboveground storage tanks and various types of aircraft are fueled.

“Alley” means a public or private way, at the rear or side of property, permanently reserved as a secondary means of vehicular or pedestrian access to a property. Alleys are not considered streets for the purpose of calculating setbacks.

“Alterations” means any repair, reconstruction, or improvement of a structure, the cost of which does not equal or exceed fifty percent of the market value of the structure.

“Amendment” means any change, modification, deletion, or addition to the wording, text, or substance of the zoning ordinance, or any modification, deletion or addition to the application of the zoning ordinance to property within the city, including any alteration in the boundaries of the zone when adopted by the city council.

“Animal clinic” or “animal hospital” means any medical facility except those designed and used for the care of human beings, maintained by or for the use of licensed veterinarians in the diagnosis, treatment, and prevention of animal diseases and ailments.

“Aquaculture” means activities relating to the fishing or harvesting of wild and planted fish stock for recreational and commercial purposes.

“Arcade” means a covered walk with shops along one side and a line of arches or columns on the other side.

“Articulation” means a design emphasis placed on a particular architectural feature through the use of one or more of the following: special details or materials; changes in building plane (recessed or extended from building surface); contrasting materials; or decorative artwork.

“Attached wireless communication facility” is a wireless communication facility that is affixed to an existing structure other than a wireless communication support structure. Examples of attached wireless communication facilities include antennas affixed to or erected upon existing buildings, water tanks, or other existing structures.

“Auto repair facilities” means any area of land, including the structures thereon, that is used for major auto repairs including, but not limited to, engine or transmission overhaul and replacement, collision services such as auto body and frame repair and painting, and the general servicing and replacement of parts.

“Auto repair facilities” shall not include businesses which exclusively perform minor servicing such as oil changes, car washes, tire installation services, stereo installation, etc.

“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.

“Automobile wrecking” means the dismantling or wrecking of used motor vehicles or the storage, sale or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or parcel of land of five or more motor vehicles, which for a period exceeding thirty days have not been capable of operating under their own power, and from which parts have been or are to be removed for reuse or sale, shall constitute prima facie evidence of an automobile wrecking yard.

“Aviation use” means any runway, taxiway, connector, apron or heliport designed for the landing and taking off of aircraft, transfer of passengers and/or cargo, surface access, and other support facilities typically associated with airports,

including: hangars, control towers, communication and maintenance facilities, operations area, airport fueling facilities, fixed-based operators (FBO) and passenger and cargo terminals (including retail and eating and drinking establishments located within a terminal or FBO building).

“Awning” means a rigid structure affixed to a building that extends over windows, sidewalks, or doors.

“Awning, illuminated” means a structure affixed to a building that extends over windows, sidewalks, or doors, which is designed to be illuminated from within.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2022-013, Amended, 10/04/2022; Ord. O2021-019, Amended, 01/18/2022; Ord. O2020-005, Amended, 03/16/2021; Ord. O2018-025, Amended, 12/18/2018; Ord. O2017-007, Amended, 11/05/2018; Ord. O2018-007, Amended, 10/16/2018; Ord. O2017-022, Amended, 12/05/2017; Ord. O2017-014, Amended, 07/18/2017; Ord. O2013-013, Amended, 10/01/2013; Ord. O2010-029, Amended, 06/07/2011; Ord. O2008-017, Added, 10/21/2008; Ord. O2004-009, Added, 12/07/2004; Ord. O2002-019, Amended, 01/07/2003; Ord. O97-019, Added, 06/17/1997; Ord. O95-037, Added, 12/05/1995; Ord. O95-035, Amended, 12/19/1995; Ord. 1289, Added, 06/04/1991; Ord. 883, Added, 05/06/1984. Formerly 18.04.010 – 18.04.042)

Section 2. Section TMC 18.04.030, C Definitions, of the Tumwater Municipal Code is hereby amended to read as follows:

18.04.030 C definitions.

“Camp facility” means an area or tract of land on which accommodations for temporary occupancy are located or may be placed, including cabins, lodges, tents, amphitheatres and areas and equipment for active and passive recreational uses, and which is primarily used for recreational purposes and retains an open air or natural character.

“Campground” or “recreational vehicle park” means any parcel of land under private or public ownership in which any sites are offered for rent or lease for the purpose of overnight camping in a recreational vehicle, tent, teepee, shelter or other accommodations for enjoying an outdoor experience. A campground designed to accommodate recreational vehicles may be considered to be a recreational vehicle park. A campground or recreational vehicle park shall not be considered to be a facility designed to accommodate mobile homes as defined in TMC 18.04.130.

“Canopy” means a permanent roof-like structure that projects outwards from a building and is attached to and supported by a building.

“Caretaker dwelling” means a single-family dwelling unit accessory to a park, cemetery, golf course or camping facility use for occupancy by the owner/caretaker.

“Carwash” means a lot on which motor vehicles are washed and waxed, either by the patron or by others using machinery specially designed for that purpose.

“Cemetery” means land used or intended to be used for the burial of human and animal remains and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

“Child ~~day~~ care center” means a person or agency that provides care for thirteen or more children during part of the twenty-four-hour day.

~~“Child mini-day care center” means a person or agency providing care during part of the twenty-four-hour day to twelve or fewer children in a facility other than the family abode of the person or persons under whose direct care the children are placed.~~

“Church” means a building wherein persons regularly assemble for religious worship and which is primarily used for such purposes, and those accessory activities as are customarily associated therewith.

“Civic center complex” means a prominent land development within the city that is constructed to be a public focal point or center containing two or more public and/or governmental buildings.

“Club” means an organization of persons for some common purpose but not including groups organized primarily to render a service which is customarily carried on as a business, or which is operated for profit.

“Clustered subdivision” means a subdivision development in which building lots are smaller and placed closer together than conventional development in order to preserve the remaining undeveloped land as open space and/or recreational land. Density requirements for clustered subdivisions are described in the text for the applicable zone district.

“Co-living housing” means a type of residential development with sleeping units that are independently rented and lockable and provide living and sleeping space, and residents share kitchen facilities with other sleeping units in the building. Also known as congregate living facilities, single room occupancy, rooming house, boarding house, lodging house, and residential suites.

“Commercial park” or “industrial park” means a multiple building complex.

“Community center” means a city-owned facility that provides recreational activities and programs for senior citizens, youth, general community and similar groups. The facility may contain classroom/multipurpose areas, a gymnasium, kitchen facilities, conference room, swimming pool (indoor or outdoor), office and administration space, and outdoor facilities similar to those found in parks (sports courts/fields, picnic areas, trails, parking, etc.).

“Community development department” means the department charged with the administration of the building and occupancy permits and for the interpretation of the zoning ordinance codified in this title. The director of the community development department will also be recognized as the administrative official and city planner.

“Community garden” means land managed by a public or nonprofit organization, or a group of individuals, that is used to grow edible plants and harvest food or ornamental crops from them for donation, sale, or use by those cultivating the land and their households. The majority of the products grown and produced from the community garden must be edible. “Community garden” does not include “collective garden” under Chapter 181, Laws of 2011 (E2SSB 5073).

“Conditional uses” means certain uses which because of special requirements or unusual characteristics related to the subject property, or because of possible detrimental effects on surrounding properties, may be permitted in use districts if found under the conditional use section, and after the granting of a conditional use permit by the hearing examiner. Conditional uses require a special degree of control to make such uses consistent with and compatible to other existing or permissible uses in the same zone district or zone districts.

Convalescent Center. See “rest home,” “co-living housing” and “group foster home,” TMC 18.04.170, 18.04.020 and 18.04.070.

Corner Lot. See “lot, corner,” TMC 18.04.120.

“Cornice” means a horizontal projection that crowns or completes a building or parking structure.

“Corporate flag” means a flag that carries a logo, trademark, or corporate seal of a company or organization and does not carry another commercial message.

“Correctional facility” means: (A) a state or local government operated facility which provides for physical restriction of residents; (B) a facility to which persons are sentenced for a specific period of time by the court.

“Cottage housing” means detached residential units on a lot with a common open space that either: (A) is owned in common; or (B) has units owned as condominium units with property owned in common and a minimum of twenty percent of the property as open space..

“Crematory” means a furnace or place of incineration of a corpse, whether human or animal.

“Cross-dock facility” means a type of motor freight terminal or warehouse distribution center with loading docks on opposite sides of a relatively shallow structure designed for the purpose of quick loading, sorting, or unloading from one

vehicle to another (i.e., materials from one truck at a loading dock are unloaded, sorted, and reloaded onto one or more trucks).

“Cultural resources” is physical evidence or place of past human activity, site, object, landscape, structure; or a site, structure, landscape, object or natural feature of significance to a group of people traditionally associated with it.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2017-007, Amended, 11/05/2018; Ord. O2017-023, Amended, 07/17/2018; Ord. O2017-022, Amended, 12/05/2017; Ord. O2017-008, Amended, 09/05/2017; Ord. O2017-006, Amended, 07/18/2017; Ord. O2013-013, Amended, 10/01/2013; Ord. O2010-029, Added, 06/07/2011; Ord. O2002-019, Amended, 01/07/2003; Ord. O2001-020, Added, 05/07/2002; Ord. O95-035, Amended, 12/19/1995; Ord. 883, Added, 05/06/1984. Formerly 18.04.105 – 18.04.150)

Section 3. Section TMC 18.04.130, M Definitions, of the Tumwater Municipal Code is hereby amended to read as follows:

18.04.130 M definitions.

“Major transit stop” means (A) a stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW; (B), commuter rail stops; (C) stops on rail or fixed guideway systems; (D) stops on bus rapid transit routes, including those stops that are under construction, or (E) stops for a bus or other transit mode providing actual fixed route service at intervals of at least 15 minutes for at least five hours during the peak hours of operation on weekdays. Section E of the definition is applicable only to accessory dwelling units and co-living housing.

“Mansard roof” means a roof or roof-like facade with a slope of sixty degrees or more from the horizontal and architecturally able to be treated as a building wall.

“Manufactured home” means a single-family dwelling built according to the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act, which is a national, preemptive building code. A manufactured home does not meet the criteria to be classified as a “designated manufactured home.” See also “designated manufactured home” and “new manufactured home,” TMC 18.04.040 and 18.04.140.

“Manufactured home park” means any real property lot which is rented or held out for rent to others for the placement of three or more manufactured homes, designated manufactured homes, or new manufactured homes for the primary purpose of production of income, except where such real property lot is rented or held out for rent for seasonal recreational purposes only and is not intended for year-round occupancy.

“Marijuana processor” means a person licensed by the State Liquor and Cannabis Board to process marijuana into useable marijuana and marijuana-infused

products, package and label useable marijuana and marijuana-infused products for sale in retail outlets, and sell useable marijuana and marijuana-infused products at wholesale to marijuana retailers.

“Marijuana producer” means a person licensed by the State Liquor and Cannabis Board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

“Marijuana retailer” means a person licensed by the State Liquor and Cannabis Board to sell useable marijuana and marijuana-infused products in a retail outlet.

“Marquee” means a roof-like structure made of solid materials, projecting over an entrance to a building and connected to the wall with no columnar support. The front of the marquee is often hung from chains or rods extending out from the face of the building.

“Massing” means the physical bulk or volume of a building or parking structure. In architectural terms, a single mass building is a single geometric form such as rectangular or square, and may include a simple roof form with no variation in the roofline. Massing refers to variation in the mass and may involve multiple masses joined together.

“Mean sea level” means the average height of the sea for all stages of the tide.

“Medical clinic” means a place where medical or dental care is provided to persons on an outpatient basis by professionals in the health care field.

“Mental health facilities” means medical facilities offering assistance to persons afflicted with mental disease including but not limited to congregate care facilities; adult residential treatment facilities; evaluation and treatment centers.

“Middle housing” means buildings that are compatible in scale, form, and character with single-family detached dwellings that contain two to four attached or stacked dwelling units including duplexes, triplexes, quadplexes, and stacked flats, as well as townhouses or cottage housing with three or more dwelling units.

“Mineral extraction” means the removal of minerals, including, but not limited to, sand, gravel, shale, rock, coal, soil, peat or clay, from an excavation in the earth. This shall not include the following:

- A. Excavation and grading at building construction sites where such construction is authorized by a valid building permit; or
- B. Excavation and grading in public rights-of-way for the purpose of on-site road construction, or in private rights-of-way for the same purpose if authorized by the public works department.

“Mini-child care center” means a person or agency providing care during part of the twenty-four-hour day to twelve or fewer children in a facility other than the family abode of the person or persons under whose direct care the children are placed.

“Ministorage facilities” means a storage facility providing garages, rooms, closets and lockers for rent on an individual basis, usually by month.

“Mixed use” is characterized by:

A. Complementary land uses – land uses that are at least compatible and, preferably, work together for mutual benefit (e.g., personal commercial services that serve adjacent residences).

B. Convenient pedestrian connections.

“Mixed use development” means the development of a parcel or structure with one or more different land uses, such as a combination of residential, office, manufacturing, retail, public, or entertainment in a single or physically integrated group of structures.

“Mixed use structure” means a building that includes an appropriate combination of multiple uses located inside a single structure. A mixed use structure is characterized as a structure where a variety of different living activities (live, work, shop and play) are in close proximity (walking distance) to residents. A mixed use structure can be vertical in nature, meaning a single structure with retail, service or commercial and office uses on the ground floor, and residential, senior housing facilities and office uses on the floors above. A mixed use structure can also be horizontal in nature, meaning a single structure that provides retail, service, commercial or office uses in the portion of the building fronting the street with attached residential, senior housing facilities or office uses behind.

“Mobile home” means a factory-built dwelling built prior to June 15, 1976, to standards other than the United States Department of Housing and Urban Development (HUD) Code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since introduction of the HUD Manufactured Home Construction and Safety Standards Act.

“Mobile home park” means any real property lot which is rented or held out for rent to others for the placement of three or more mobile homes for the primary purpose of production of income, except where such real property lot is rented or held out for rent for seasonal recreational purposes only and is not intended for year-round occupancy.

“Modular unit” means a factory-fabricated transportable building unit designed to be used by itself or to be incorporated with similar units at a building site into a modular structure to be used for residential, commercial, educational, or industrial

purposes. A modular unit shall be built to comply with the building code as adopted in TMC Title 15.

“Monument sign” means a freestanding sign in which the entire bottom of the sign is mounted on and permanently attached to the ground. A monument sign shall not be more than six feet in height.

Motel. See “hotel” or “motel,” TMC 18.04.080.

“Motor freight terminal” means a facility used for either (A) the loading, unloading, dispensing, receiving, interchanging, gathering, or otherwise physically handling freight for shipment or (B) exchanging freight by motor carriers between vehicles. Motor freight terminals include but are not limited to cross-dock operations. Motor freight terminals do not include mail or package delivery services and buildings with twelve or fewer loading docks.

“Motor vehicle sales facility” means any area of land, including the structures thereon, that is used for the display, sale, rental, or leasing of operable motorized vehicles, including but not limited to automobiles, RVs and boats, and related nonmotorized vehicles such as trailers, and which may or may not include on-site service and repair facilities. This definition does not include motorsport vehicles, which are defined separately in this section.

“Motorsports facility” means any area of land, including the structures thereon, that contains a raceway, racetrack, or course for motorized vehicles.

“Motorsports sales facility” means any area of land, including the structures thereon, that is used for the display, sale, rental, or leasing of motorsport vehicles; and which may or may not include on-site service and repair facilities. Motorsport vehicles include, but are not limited to: all-terrain vehicles (ATVs), motorcycles (both street legal and off-road), three-wheelers, four-wheelers, jet skis and other similar personal watercraft, and snowmobiles.

“Multifamily ~~d~~Dwelling” means a building containing five or more residential dwelling units and where all dwelling units are located on the same lot.

“Multiple building complex” means a group of two or more commercial or industrial structures sharing a common development plan.

“Multiple tenant building” means a single structure housing two or more commercial or industrial businesses that share the same lot, access and/or parking facilities.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2017-007, Amended, 11/05/2018; Ord. O2017-023, Amended, 07/17/2018; Ord. O2013-013, Amended, 10/01/2013; Ord. O2012-003, Added, 07/17/2012; Ord. O2010-017, Amended, 12/21/2010; Ord. O2008-017, Added, 10/21/2008; Ord. O2008-016, Added, 09/16/2008; Ord. O2005-011, Amended, 07/05/2005; Ord. O2003-001, Added, 02/18/2003; Ord. O2002-019, Added,

01/07/2003; Ord. O95-035, Amended, 12/19/1995; Ord. 1157, Amended, 06/21/1988; Ord. 883, Added, 05/06/1984. Formerly 18.04.356 – 18.04.390)

Section 4. Section TMC 18.04.170, R Definitions, of the Tumwater Municipal Code is hereby amended to read as follows:

18.04.170 R definitions.

“Radiation machine” means any device capable of producing ionizing radiation except those which produce radiation only from radioactive material.

“Radioactive material” means any material (solid, liquid or gas) which emits radiation spontaneously.

“Recreation, active” means leisure activities, usually performed with others, often requiring equipment and taking place at prescribed places, sites or fields. The term “active recreation” includes, but is not limited to, swimming, tennis and other court games, baseball and other field sports, golf and playground activities.

“Recreation facilities” means public or private facilities for use by the general public such as boat or yacht clubs, docks, swimming pools, athletic clubs, golf and country clubs. Recreation facilities shall not include intensive recreation uses such as race tracks or amusement parks.

“Recreation, passive” means low-intensity recreational uses or activities including, but not limited to, viewpoints, unpaved trails, limited picnic facilities, hiking, nature study, photography and fishing.

“Recycling collection center” means a collection point for small recyclable items and materials, such as cans, bottles, newspapers, secondhand goods and used motor oil. Activities of a recycling collection center are limited to sorting, compacting and transferring.

“Religious organization” means the federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property and includes, but is not limited to, churches, mosques, synagogues, temples, nondenominational ministries, interdenominational and ecumenical organizations, mission organizations, faith-based social agencies, and other entities whose principal purpose is the study, practice, or advancement of religion.

“Residential care facility” means a facility, licensed by the state, that cares for at least five but not more than fifteen people with functional disabilities, that has not been licensed as an adult family home pursuant to RCW 70.128.060.

“Rest home,” “convalescent home,” “nursing home,” etc., mean a home operated similarly to co-living housing but not restricted to any number of guests or guestrooms, and the operator of which is licensed by the state to give special care or supervision to his or her charges; and in which nursing, dietary, and other personal

services are furnished to convalescents, invalids and aged persons. (See TMC 18.04.020 and 18.04.070.)

“Retail sales” means the selling of goods or merchandise and related services to the general public for personal or household consumption. Services shall be secondary to the sale of goods and merchandise at the establishment. The retail sales establishment is usually a place of business and is engaged in activity to attract the general public to buy goods.

“Rezone” means a change in zoning classification of an area from one use district to another.

“Ribbons” has the same meaning as pennants.

“Riding academy” means any establishment where horses are kept for riding, driving, or stabling for compensation, or as an accessory use in the operation of a club, association, ranch, or similar establishment.

“Risk potential activity” or “risk potential facility,” in accordance with RCW 71.09.020, means an activity or facility that provides a higher incidence of risk to the public from persons conditionally released from the special commitment center. Risk potential activities and facilities include: public and private schools, school bus stops, licensed ~~child-day~~ care and licensed preschool facilities, public parks, publicly dedicated trails, sports fields, playgrounds, recreational and community centers, churches, synagogues, temples, mosques, public libraries, and others identified by the Department of Social and Health Services following the hearings on a potential site required in RCW 71.09.315. For purposes of this chapter, “school bus stops” does not include bus stops established primarily for public transit.

“Roof” means a structural covering over any portion of a building or structure including projections beyond the walls or supports of the building or structure.

“Roofline” means where a wall meets the roof.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2017-007, Amended, 11/05/2018; Ord. O2017-022, Amended, 12/05/2017; Ord. O2013-013, Amended, 10/01/2013; Ord. O2003-001, Amended, 02/18/2003; Ord. O2002-013, Added, 08/20/2002; Ord. O2001-012, Amended, 03/19/2002; Ord. O95-035, Amended, 12/19/1995; Ord. 1307, Amended, 11/05/1991; Ord. 1289, Added, 06/04/1991; Ord. 883, Added, 05/06/1984. Formerly 18.04.491 – 18.04.520)

Section 5. Section TMC 18.07.010, Residential zone districts permitted and conditional uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.07.010 Residential zone districts permitted and conditional uses.

If there are any inconsistencies between Table 18.07.010 and the specific requirements in the underlying zone district, the requirements in the underlying zone district shall be followed.

TABLE 18.07.010

RESIDENTIAL ZONE DISTRICTS PERMITTED AND CONDITIONAL USES

RESIDENTIAL DISTRICTS Note: See Figure 18.23.020 for residential uses allowed in the TC town center zone district; and Table 18.27.040 for residential uses allowed in the BD brewery district zone	RSR	LDR	MDR	HDR	MHP	Applicable Regulations
Adult family homes, residential care facilities	P	P	P	P	P	18.53
Agriculture up to 30 acres in size	P	P	P			18.42.070
Animals (the housing, care and keeping of)	P	P	P			6.08
Attached wireless communication facilities	P	P	P	P		11.20
Bed and breakfasts	C ¹	C ¹	P		C ¹	18.56
Cemeteries	C	C	C	C	C	18.56
Child day -care center	EP	EP	EP	EP	EP	18.56 18.52
Churches	C	C	C	C	C	18.56
Co-living housing			P	P		
Community garden	P	P	P	P		
Cottage housing	P	P	P			18.51
Designated manufactured home parks			P			18.48; 18.49
Designated manufactured homes	P	P	P		P	18.48
Duplexes	P	P	P			
Emergency communication towers or antennas	C	C	C	C	C	18.56; 11.20
Family child care home, mini -child mini -day-care center	P	P	P	P	P	18.52
Group foster homes	C	C	C	C	C	18.56
Inpatient facilities			C	C		18.56
Medical clinics or hospitals			C	C		18.56
Mental health facilities			C	C		18.56
Multifamily dwellings			P	P		

RESIDENTIAL DISTRICTS Note: See Figure 18.23.020 for residential uses allowed in the TC town center zone district; and Table 18.27.040 for residential uses allowed in the BD brewery district zone	RSR	LDR	MDR	HDR	MHP	Applicable Regulations
Manufactured home parks in accordance with the provisions of TMC Chapter 18.48					P	18.48
Mobile home parks which were legally established prior to July 1, 2008					P	18.48
Neighborhood community center	C	C	C	C	C	18.56
Neighborhood-oriented commercial center		C	C	C	C	18.56
Parks, trails, open space areas and recreational facilities	P	P	P	P	P	
Permanent supportive housing	P	P	P	P	P	18.42.150
Planned unit developments		P	P	P	P	18.36
Private clubs and lodges		C	C	C		18.56
Quadplexes		P	P	P		
Recreational vehicle parks			C			18.56
Schools	C	C	C	C	C	18.56
Senior housing facilities, assisted			C	C		18.56
Senior housing facilities, independent			P	P		
Single-family detached dwellings	P	P			P	
Single-family detached dwellings existing prior to April 15, 2021			P ²			
Stacked Flats		P	P	P		
Support facilities	P	P	P	P	P	
Temporary expansions of schools, such as portable classrooms	C	C	C	C	C	18.56
Townhouses		P	P	P		18.16.050 (F)(1)(a)
Transitional housing	P	P	P	P	P	18.42.150
Triplexes		P	P	P		
Wildlife refuges and forest preserves	P	P	P	P		
Wireless communication towers	C	C	C	C	C	11.20; 18.56

LEGEND

P = Permitted Use

C = Conditional Use

RSR = Residential/Sensitive Resource

LDR = Low Density Residential

MDR = Medium Density Residential

HDR = High Density Residential

MHP = Manufactured Home Park

Table 18.07.010 Footnotes:

(1) “Bed and breakfasts” with only one guest room are a permitted use but a public notice that an application has been submitted shall be sent to immediate neighbors. Administrative decisions may be appealed pursuant to TMC Chapter 14.12.

(2) Single-family detached dwellings constructed after April 15, 2021, are not allowed in the MDR medium density residential zone district.

Table 18.07.010 Explanatory Notes:

1. If the box is shaded, the use is not allowed in that zone district.

2. Accessory uses are listed in each zone district chapter.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2024-005, Amended, 12/03/2024; Ord. O2022-013, Amended, 10/04/2022; Ord. O2022-006, Amended, 08/01/2022; Ord. O2021-019, Amended, 01/18/2022; Ord. O2020-005, Amended, 03/16/2021; Ord. O2020-003, Amended, 09/15/2020; Ord. O2019-007, Amended, 09/03/2019; Ord. O2018-025, Amended, 12/18/2018; Ord. O2017-006, Added, 07/18/2017)

Section 6. Section TMC 18.07.020, Commercial zone districts permitted and conditional uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.07.020 Commercial zone districts permitted and conditional uses.

If there are any inconsistencies between Table 18.07.020 and the specific requirements in the underlying zone district, the requirements in the underlying zone district shall be followed.

TABLE 18.07.020

COMMERCIAL ZONE DISTRICTS PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICTS Note: See Figure 18.23.020 for commercial uses allowed in the TC town center zone district; and Table 18.27.040 for commercial uses allowed in the BD brewery district zone	NC	CS	MU	CBC	GC	HC	TC ¹	Applicable Regulations
Adult family homes, residential care facilities	P	P	P	P	P	P	P	18.53
Animal clinics or hospitals	C		C	C	P			18.56
Appliance equipment repair/sales					P			
Attached wireless communication facilities	P	P	P		P		P	11.20
Auto repair facility					P			
Automobile service stations			C ²		P		C	18.56
Breweries, wineries, distilleries				P	P	P	P	
Centers for senior citizens, youth, general community and similar groups	P	P	P	P	P	P	P	
Child day care center	P	P	P	P	P	P	P	18.52
Child mini-day care center	P	P	P	P	P	P	P	18.52
Churches		C	C	P	P		C	18.56
Civic center complex		P	P	P	P		P	
Co-living housing			P		P			
Community center		P					P	
Community gardens	P	P	P	P	P	P	P	
Convalescent centers, rest homes, nursing homes			P	P	P			
Cottage housing			P					18.51
Crematories								
Dance clubs				P				18.21.030
Electric vehicle infrastructure	P	P	P	P	P	P	P	
Emergency communication towers or antennas		C	C		C		C	18.56
Emergency housing			P	P	P	P	P	18.42.150
Emergency shelter			P	P	P	P	P	18.42.150
Entertainment facility		P	P	P	P		P	
Equipment rental and sales facility					P			
Existing uses, legally established prior to adoption	P	P	P			P		
Family child care home	P	P	P	P	P	P	P	18.52
Farmers markets	P	P	P	P	P	P	P	

COMMERCIAL DISTRICTS Note: See Figure 18.23.020 for commercial uses allowed in the TC town center zone district; and Table 18.27.040 for commercial uses allowed in the BD brewery district zone	NC	CS	MU	CBC	GC	HC	TC ¹	Applicable Regulations
Fish hatcheries, associated appurtenances, and related interpretive centers						P		
Food truck or trailer courts	P	P	P	P	P	P	P	18.42.120
Food trucks or trailers	P	P	P	P	P	P	P	18.42.120
Freestanding wireless communication facilities		C	C		C			11.20; 18.56
Group foster homes	C	P	P	P	P		P	18.56
High-rise residential (five stories or more)				P	C			18.21
Inpatient facilities	C		C	C	C			18.56
Kennels					C			18.56
Library, museum, art gallery	P	P	P	P	P	P	P	
Manufacturing, assembly, processing and/or fabrication activities entirely within a building and ancillary to primary office use (less than 25 percent of building)								
Marijuana retailer				P	P			18.42.080
Medical clinics	P		P	P	P		P	
Mental health facilities	C		C	C	C			18.56
<u>Mini-child care center</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>18.52</u>
Mini-storage					C			18.56
Mixed use structures	P ³		P	P	P		P	
Motels, hotels			P	P	P	P	P	
Motor vehicle sales facilities					P			18.42.090
Motorsports sales facility					P			18.22.020
Movie theaters, playhouses and similar performance and assembly facilities				P	P		P	
Multifamily dwellings			P			P		
Multifamily dwellings (three or four stories)					P			18.22.020
Nurseries, retail			P	C	P			18.56; 18.21.050
Offices	P	P	P	P	P	P	P	
Optometry clinics	P	P	P	P	P	P	P	
Parcel delivery facility		P						
Park and ride lots		P	C	P	P			18.56; 18.21.030(DD)

COMMERCIAL DISTRICTS Note: See Figure 18.23.020 for commercial uses allowed in the TC town center zone district; and Table 18.27.040 for commercial uses allowed in the BD brewery district zone	NC	CS	MU	CBC	GC	HC	TC ¹	Applicable Regulations
Parking lots, parking structures		P	C	P & C	P	P	P	18.19.020(R); 18.56; 18.21.030; 18.21.050
Parks and open space areas	P	P	P	P	P	P	P	
Permanent supportive housing	P	P	P	P	P	P	P	18.42.150
Personal services	P	P	P	P	P	P	P	
Planned unit developments	P	P	P	P	P		P	18.36
Post office	P	P	P	P	P	P	P	
Prisons, jails and other correctional facilities		C			C			18.56
Private clubs and lodges		C	P	P	P		P & C	18.56
Private post-secondary educational facilities				C	C			
Professional services	P	P	P	P	P	P	P	
Recreational facilities	P ⁴	P	P	P	P	P	P	
Recreational vehicle park					P			
Residential uses	P ⁵		P	P			P	18.20.030; 18.21.060; 18.23.020
Restaurants		P	P ⁶	P	P	P	P	
Restaurants (without drive-in windows)	P ⁷		P ⁸				P	
Retail sales			P	P	P	P	P	
Retail sales (no more than 3,000 square feet) (6:00 a.m. – 10:00 p.m.)	P						P	
Retail sales (no more than 3,000 square feet) (10:00 p.m. – 6:00 a.m.)	C						P	18.56
Retail sales (no more than 15,000 square feet)		P					P	
Riding academies					P			
Schools	C	P	C	P	C ⁹	P	P	18.56
Senior housing facilities, assisted	C		P	P	P		P	18.56
Senior housing facilities, independent	P		P	P	P		P	
Sewage treatment facilities								18.56
State education facilities		C	C	C	C		C	18.56
Support facilities	P	P	P	P	P	P	P	

COMMERCIAL DISTRICTS Note: See Figure 18.23.020 for commercial uses allowed in the TC town center zone district; and Table 18.27.040 for commercial uses allowed in the BD brewery district zone	NC	CS	MU	CBC	GC	HC	TC ¹	Applicable Regulations
Taverns, cocktail lounges	C ¹⁰	P	P	P	P	P	P	
Temporary expansions of schools, such as portable classrooms	P	P	P	P	P	P	P	
Transitional housing	P	P	P	P	P	P	P	18.42.150
Transportation facilities, large scale state or regional		C			C			18.56
Transportation terminals					C		C	18.56
Used motor oil recycling collection point			P		P			
Wholesaling, manufacturing, assembling, repairing, fabricating, or other handling of products and equipment entirely within a building						P		
Wildlife refuges and forest preserves		P				P		

LEGEND

P = Permitted Use

C = Conditional Use

NC = Neighborhood Commercial

CS = Community Services

MU = Mixed Use

CBC = Capitol Boulevard Community

GC = General Commercial

HC = Historic Commercial

TC = Town Center

Table 18.07.020 Footnotes:

(1) See TMC 18.23.020 for specific requirements for uses in the TC Town Center subdistricts.

(2) Automobile service stations are a conditional use for all parcels in the MU mixed use zone district in the city, except for those parcels in the MU mixed use zone district located on the north side of Israel Road SW between Littlerock Road SW and Tyee Drive SW where the use is prohibited.

- (3) Mixed use structures subject to the size limitations for individual uses and TMC 18.18.050(D) and the density requirements for residential use in the NC neighborhood commercial zone district.
- (4) Recreational facilities occupying no more than three thousand square feet in floor area in the NC neighborhood commercial zone district.
- (5) Multifamily residential use as part of a mixed use development is allowed with a minimum density of four dwelling units per net acre and a maximum density of eight dwelling units per net acre, which is calculated by averaging the densities of all of the different types of housing provided within the development in accordance with TMC 18.14.050(B), excluding the area of the building and parking associated with the commercial development.
- (6) Restaurants are a permitted use for all parcels in the MU mixed use zone district in the city, except for those parcels in the MU mixed use zone district located on the north side of Israel Road SW between Littlerock Road SW and Tyee Drive SW. In that location, restaurants without drive-through windows are allowed, but restaurants with drive-through windows are prohibited.
- (7) Restaurants without drive-in windows occupying no more than three thousand square feet in floor area and drive-through espresso stands/coffee shops occupying no more than five hundred square feet in floor area in the NC neighborhood commercial zone district.
- (8) Restaurants (without drive-through windows) are a permitted use for those parcels in the MU mixed use zone district located on the north side of Israel Road SW between Littlerock Road SW and Tyee Drive SW.
- (9) Except temporary expansions of schools, such as portable classrooms.
- (10) Taverns, cocktail lounges occupying no more than three thousand square feet in floor area in the NC neighborhood commercial zone district.

Table 18.07.020 Explanatory Notes:

1. If the box is shaded, the use is not allowed in that zone district.
2. Accessory uses are listed in each zoned district chapter.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2022-013, Amended, 10/04/2022; Ord. O2021-019, Amended, 01/18/2022; Ord. O2020-005, Amended, 03/16/2021; Ord. O2019-020, Amended, 11/19/2019; Ord. O2018-029, Amended, 01/15/2019; Ord. O2018-025, Amended, 12/18/2018; Ord. O2017-023, Amended, 07/17/2018; Ord. O2017-024, Amended, 01/16/2018; Ord. O2017-017, Amended, 09/19/2017; Ord. O2017-006, Added, 07/18/2017)

Section 7. Section TMC 18.07.030, Industrial zone districts permitted and conditional uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.07.030 Industrial zone districts permitted and conditional uses.

If there are any inconsistencies between Table 18.07.030 and the specific requirements in the underlying zoning district, the requirements in the underlying zoning district shall be followed.

TABLE 18.07.030

INDUSTRIAL ZONE DISTRICTS PERMITTED AND CONDITIONAL USES

INDUSTRIAL DISTRICTS Note: See Table 18.27.040 for industrial uses allowed in the BD brewery district zone	LI	HI	ARI	Applicable Regulations
Agriculture	P		P	
All industrial activities involving the manufacture, assembly, bulk storage, processing, repair, recycling or servicing of goods or products		P		
Animal clinics or hospitals	P	C		18.56
Attached wireless communication facilities	P	P	P	11.20
Automobile repair facilities	P		P	
Automobile service stations	P	P	P	
Aviation, aviation related uses, aviation fueling facilities			P	18.34.020(A); 18.34.020(F)
Breweries, wineries, distilleries, and associated restaurants	P		P	
Cemeteries	C	C		18.56
Child day care center	P	C	P	18.52; 18.56
Child mini-day care center	P	C	P	18.52
Community gardens	P	P	P	
Crematories	P	P	P	
Cross-dock facilities, 50,000 square feet or smaller in size	P	P	P	
Electric vehicle infrastructure	P	P	P	
Emergency communication towers or antennas	C	C	C	18.56
Emergency housing			P	18.42.150
Emergency shelter			P	18.42.150
Energy systems			P	
Equipment rental and sales	P	P	P	
Family child care home	P	C		18.52; 18.56

INDUSTRIAL DISTRICTS Note: See Table 18.27.040 for industrial uses allowed in the BD brewery district zone	LI	HI	ARI	Applicable Regulations
Farmers markets	P	P	P	
Food truck or trailer courts	P	P	P	18.42.120
Food trucks or trailers	P	P	P	18.42.120
Hotel/motel and conference facilities			P	
Impound yards	C	C	C	18.56
Kennels	P		P	
Marijuana retailer	P		P	18.42.080
Marijuana processor, within a fully enclosed secure indoor structure only	C		C	18.42.080
Marijuana producer, within a fully enclosed secure indoor structure only	C		C	18.42.080
Mineral extraction		P		
<u>Mini-child care center</u>	<u>P</u>	<u>C</u>	<u>P</u>	<u>18.52</u>
Mini-storage	P		P	
Motor freight terminals, 50,000 square feet or smaller in size	P	P	P	
Motor pool and equipment parking	P		P	
Motor vehicle sales facilities	P		P	18.42.090
Motorsports facility – Indoor	P		P	
Motorsports sales facility	P		P	
Nurseries, retail or wholesale	P		P	18.24.020(O)
Offices	P		P	
Off-site hazardous waste treatment and storage facilities	P	P	C	18.24.020(L); 18.56
Optometry clinics	P		P	
Park and ride facilities	P	P	P	
Parks, open space areas and recreational facilities	P	C	P	18.56
Permanent supportive housing			P	18.42.150
Personal services	P		P	
Planned unit developments not including residential uses	P	P	P	18.36
Post offices, museum, library, art gallery	P		P	
Prisons, jails or other correctional facilities	C	C	C	18.56
Private post-secondary education facilities			C	18.56
Professional services	P		P	

INDUSTRIAL DISTRICTS Note: See Table 18.27.040 for industrial uses allowed in the BD brewery district zone	LI	HI	ARI	Applicable Regulations
Recycling collection centers	C	P		18.25.020(A); 18.56
Restaurants	P		P	
Retail sale of goods or products manufactured on the premises, or utilized in manufacturing, repairing, or servicing activities which are permitted in the same zoning district		P	P	
Schools, other than through the eighth grade	P			
Schools on parcels abutting residential zones and outside of air hazard areas			P	
Secure community transition facilities	C			18.56
Sewage treatment facilities	C	C	C	18.56
Sexually oriented businesses	P		P	18.04; 18.42.050
Solid waste handling facilities	C	C	C	18.56
State education facilities	C		C	18.56
Storage, manufacture or sale of highly volatile or extremely hazardous substances or materials other than airport fueling facilities			C	18.56
Support facilities	P	P	P	
Taverns, cocktail lounges	P			
Temporary expansions of schools, such as portable classrooms	P		P	
The raising of crops, including trees			P	18.34.020(J)
Transit facilities	P		P	
Transitional housing			P	18.42.150
Transportation facilities, large scale or regional	C	C	C	18.56
Transportation terminal facilities	P	P	P	
Truck stops or travel centers ³	P ³			
Uses having to do with buying and selling, or of a general commercial nature	P			
Warehouse distribution centers ⁴	P		P	18.42.110
Warehouses, nondistribution, 200,000 sq. ft. or smaller in size	P	P	P	
Warehouses, nondistribution, larger than 200,000 sq. ft. in size ⁴	P		P	18.42.110
Wholesaling, manufacturing, assembling, repairing, fabricating, or other handling of products and equipment	P	P	P	
Wildlife refuges and forest preserves	P		P	

INDUSTRIAL DISTRICTS				
Note: See Table 18.27.040 for industrial uses allowed in the BD brewery district zone	LI	HI	ARI	Applicable Regulations
Wireless communication towers	P	P	P	11.20
Wrecking yards and junk yards		C		18.56

LEGEND

P = Permitted Use

C = Conditional Use

LI = Light Industrial

HI = Heavy Industrial

ARI = Airport Related Industrial

Table 18.07.030 Explanatory Notes:

1. If the box is shaded, the use is not allowed in that zone district.
2. Accessory uses are listed in each zoned district chapter.
3. Truck stops or travel centers are limited to an area within one-half mile of the Interstate 5 and 93rd Avenue SW interchange.
4. All warehouse distribution centers regardless of size and nondistribution warehouses that are larger than 200,000 sq. ft. in size are subject to the requirements of TMC 18.42.110.

(Ord. O2022-013, Amended, 10/04/2022; Ord. O2022-006, Amended, 08/01/2022; Ord. O2021-019, Amended, 01/18/2022; Ord. O2019-020, Amended, 11/19/2019; Ord. O2019-007, Amended, 09/03/2019; Ord. O2019-019, Amended, 07/23/2019; Ord. O2019-018, Amended, 04/02/2019; Ord. O2018-025, Amended, 12/18/2018; Ord. O2018-007, Amended, 10/16/2018; Ord. O2017-023, Amended, 07/17/2018; Ord. O2017-022, Amended, 12/05/2017; Ord. O2017-006, Added, 07/18/2017)

Section 8. Section TMC 18.08.020, Permitted uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.08.020 Permitted uses.

Permitted uses in the RSR residential/sensitive resource zone district are as follows:

- A. Single-family detached dwellings;
- B. Duplexes;
- C. Cottage housing;
- D. Designated manufactured homes on single lots of record, in accordance with the provisions of TMC Chapter 18.48;

- E. Parks, trails, open space areas, and other related passive recreation facilities;
- F. Wildlife refuges and forest preserves;
- G. Support facilities;
- H. Family child care home; mini-child ~~mini-day~~ care center, subject to TMC Chapter 18.52;
- I. Adult family homes, residential care facilities;
- J. The housing, care and keeping of animals consistent with the requirements of TMC Chapter 6.08;
- K. Agriculture up to thirty acres in size, subject to TMC 18.42.070;
- L. Attached wireless communication facilities, except that it is prohibited to attach a nonaccessory wireless communication antenna on a single-family or middle housing dwelling;*
- M. Community gardens;
- N. Permanent supportive housing, subject to TMC 18.42.150;
- O. Transitional housing, subject to TMC 18.42.150;
- P. Child care center, subject to TMC Chapter 18.52.

*Wireless communication facilities are subject to Federal Aviation Administration (FAA) standards and approval, and furthermore are subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2022-013, Amended, 10/04/2022; Ord. O2021-019, Amended, 01/18/2022; Ord. O2020-005, Amended, 03/16/2021; Ord. O2018-025, Amended, 12/18/2018; Ord. O2017-022, Amended, 12/05/2017; Ord. O2017-006, Amended, 07/18/2017; Ord. O2010-029, Amended, 06/07/2011; Ord. O2011-002, Amended, 03/01/2011; Ord. O2005-011, Amended, 07/05/2005; Ord. O2000-004, Amended, 07/18/2000; Ord. O97-019, Amended, 06/17/1997; Ord. O95-035, Amended, 12/19/1995; Ord. O95-014, Added, 07/18/1995)

Section 9. Section TMC 18.08.040, Conditional uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.08.040 Conditional uses.

Conditional uses in the RSR zone district are as follows:

- A. Churches;
- B. Wireless communication towers;*
- C. Cemeteries;

~~D. Child day care center;~~

~~ED.~~ Schools;

~~FE.~~ Neighborhood community center;

~~GF.~~ Group foster homes;

~~HG.~~ The following essential public facilities:

1. Emergency communications towers and antennas;*

~~IH.~~ Temporary expansions of schools, such as portable classrooms;

~~JL.~~ Bed and breakfasts.**

*Emergency communication towers and antennas and wireless communication facilities are subject to Federal Aviation Administration (FAA) standards and approval, and furthermore both uses are subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.

**Bed and breakfasts with only one guest room are permitted uses but a public notice that an application has been submitted shall be sent to immediate neighbors. Administrative decisions may be appealed pursuant to TMC Chapter 14.12.

(Ord. O2024-005, Amended, 12/03/2024; Ord. O2020-003, Amended, 09/15/2020; Ord. O2018-025, Amended, 12/18/2018; Ord. O2017-006, Amended, 07/18/2017; Ord. O97-019, Amended, 06/17/1997; Ord. O95-035, Amended, 12/19/1995; Ord. O95-014, Added, 07/18/1995)

Section 10. Section TMC 18.12.020, Permitted uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.12.020 Permitted uses.

Permitted uses in the LDR low density residential district are as follows:

- A. Single-family detached dwellings;
- B. Duplexes;
- C. Triplexes;
- D. Quadplexes;
- E. Stacked flats;
- F. Townhouses;
- G. Cottage housing;
- H. Designated manufactured homes on single lots of record, in accordance with the provisions of TMC Chapter 18.48;
- I. Parks, trails, open space areas, and recreational facilities;

- J. Support facilities;
- K. Planned unit developments;
- L. Family child care home; mini-child ~~mini-day~~ care center, subject to TMC Chapter 18.52;
- M. Adult family homes, residential care facilities;
- N. Attached wireless communication facilities, except that it is prohibited to attach a nonaccessory wireless communication antenna on a single-family detached or middle housing dwelling;*
- O. Agriculture up to thirty acres in size, subject to TMC 18.42.070;
- P. Community gardens;
- Q. The housing, care and keeping of animals consistent with the requirements of TMC Chapter 6.08;
- R. Wildlife refuges and forest preserves;
- S. Permanent supportive housing, subject to TMC 18.42.150;
- T. Transitional housing, subject to TMC 18.42.150;
- U. Child care center, subject to TMC Chapter 18.52.

*Wireless communication facilities are subject to Federal Aviation Administration (FAA) standards and approval, and furthermore are subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2022-013, Amended, 10/04/2022; Ord. O2021-019, Amended, 01/18/2022; Ord. O2020-005, Amended, 03/16/2021; Ord. O2018-025, Amended, 12/18/2018; Ord. O2017-006, Amended, 07/18/2017; Ord. O2010-029, Amended, 06/07/2011; Ord. O2011-002, Amended, 03/01/2011; Ord. O2010-005, Amended, 09/07/2010; Ord. O2005-011, Amended, 07/05/2005; Ord. O2000-004, Amended, 07/18/2000; Ord. O98-009, Amended, 10/20/1998; Ord. O97-019, Amended, 06/17/1997; Ord. O95-035, Added, 12/19/1995)

Section 11. Section TMC 18.12.040, Conditional uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.12.040 Conditional uses.

Conditional uses in the LDR low density residential zone district are as follows:

- A. Churches;
- B. Wireless communication towers;*
- C. Cemeteries;

~~D. Child day care center;~~

~~DE.~~ Schools;

~~EF.~~ Neighborhood community center;

~~FG.~~ Neighborhood-oriented commercial center;

~~GH.~~ Private clubs and lodges;

~~HI.~~ The following essential public facilities:

1. Emergency communications towers and antennas;*

~~JI.~~ Group foster homes;

~~JK.~~ Bed and breakfasts;**

~~KL.~~ Temporary expansions of schools, such as portable classrooms.

*Emergency communication towers and antennas and wireless communication facilities are subject to Federal Aviation Administration (FAA) standards and approval, and furthermore both uses are subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.

**Bed and breakfasts with only one guest room are permitted uses but a public notice that an application has been submitted shall be sent to immediate neighbors. Administrative decisions may be appealed pursuant to TMC Chapter 14.12.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2024-005, Amended, 12/03/2024; Ord. O2019-007, Amended, 09/03/2019; Ord. O2018-025, Amended, 12/18/2018; Ord. O2017-006, Amended, 07/18/2017; Ord. O2010-029, Amended, 06/07/2011; Ord. O2001-012, Amended, 03/19/2002; Ord. O97-019, Amended, 06/17/1997; Ord. O95-035, Added, 12/19/1995)

Section 12. Section TMC 18.12.050, Development standards, of the Tumwater Municipal Code is hereby amended to read as follows:

18.12.050 Development standards.

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

A. Site Area. All land divisions are subject to the lot size provisions of this section; provided, that all land divisions must meet the following density requirements:

1. Minimum: six dwelling units per acre:
 - a. In situations where density requirements and lot size, shape, topography, or location result in a subdivision that cannot possibly meet the density requirements, a reduction in minimum density (i.e., an increase in maximum lot size) may be granted by the community development director if all of the following criteria can be met:

- i. The lot to be subdivided must be less than or equal to one-half acre in total area.
 - ii. The reduction in minimum density may not result in more than one additional single-family detached dwelling.
 - iii. The reduction in density will not result in a density that is less than eighty-five percent of the minimum density required in the applicable zone district.
 - iv. The conditions unique to the site (size, shape, topography, etc.) are not the result of actions by the applicant.
 - v. In no event may a reduction in density be granted if it would result in a use that would not be allowed as a permitted use, accessory use, or conditional use in the district in which the property is located.
2. Maximum: nine dwelling units per acre. The purchase of transfer of development rights in accordance with TMC Chapter 18.57 would allow a maximum density of ten dwelling units per acre. Provided, if a land division is subject to the clustering provisions of subsection F of this section and not subject to the wetland protection standards of TMC Chapter 16.28, the maximum density shall be no greater than one hundred twenty-five percent of the maximum density that would otherwise be allowed.

B. Density Calculation. The calculation of the density requirements in subsection A of this section is based on the portion of the site that contains lots devoted to residential and associated uses (e.g., dwelling units; private community clubs; stormwater detention, treatment and infiltration). The following land is excluded from density calculations:

1. Land that is required to be set aside for public use as open space, right-of-way, or land on which development is prohibited by TMC Title 16, Environment, and land that is to be used for private roads. Provided, that portion of park and open space areas that consists of stormwater facilities and that is designed for active and/or passive recreational purposes in accordance with the drainage design and erosion control manual for Tumwater shall not be excluded from density calculations;
2. Land that is intended for future phases of development created in accordance with TMC 18.12.060;
3. Land that consists of lots devoted to uses other than residential and associated uses, including but not limited to churches, schools, and support facilities (except for stormwater detention, treatment, and infiltration facilities).

C. Division of Land Not on Public Sanitary Sewer. Division of land in areas without sewer must occur in a manner that maintains long-term potential to

achieve minimum required densities and efficient provision of sewer once sewer becomes available. For a proposed division of land not required to be served by the extension of public sewer at the time of approval, a conversion plan shall be submitted in accordance with TMC 18.12.060 for the entire property, and the proposed land division shall be subject to the following:

1. For land division of an existing lot of record created prior to September 15, 1998:
 - a. Any division creating two lots shall not be subject to the minimum density requirements of subsection A of this section, provided one of the lots created is at least five acres in size. A note must be included on the recorded land division that future land divisions shall meet minimum density requirements of subsection A of this section in each phase of development.
 - b. Any division creating more than two lots shall meet the minimum density requirements of subsection A of this section in each phase of development.

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.
- ~~45.~~ A sleeping unit in co-living housing is calculated as one-quarter of a dwelling unit for purposes of calculating density.
- ~~56.~~ 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.

E. Lot Size Requirements.

1. Maximum: none;
2. Minimum: three thousand two hundred square feet. Minimum for a townhouse development consisting of at least three attached townhouses: two thousand square feet;
3. Lot width: fifty feet, minimum, except if there is an alley located adjacent to a side property line the minimum lot width shall be forty feet. Townhouses can be decreased to a minimum 20 feet lot width.

F. Clustered Subdivision. Any site in this zone district may be subdivided as a clustered subdivision; provided, that a clustered subdivision must meet all other provisions of this chapter and the following criteria:

1. Cluster subdivision shall not be allowed in subdivisions containing less than five acres.
2. Cluster subdivision shall meet the overall density requirements as set forth in this chapter.
3. For the purposes of this chapter, the minimum lot size for the LDR low density residential zone district shall be divided into the gross area of land being subdivided to ascertain the total number of lots that will be allowed by this procedure.
4. Individual lot sizes may be reduced by no more than twenty-five percent of the minimum lot size of the LDR low density residential zone district.
5. All such lot reductions shall be compensated for by an equivalent amount of land area in open space to be preserved and maintained for recreation or conservation purposes.
6. Individual lot depth and width requirements in the LDR low density residential zone district may be reduced by not more than twenty percent.
7. All other development regulations and use limitations remain in full force and effect.

G. Lots Located Adjacent to a Wetland. Lots located adjacent to a wetland and/or wetland buffer shall be encouraged to be as large as practicable within the allowances of this section and the physical conditions of the site.

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

I. Structure height: thirty-five feet, maximum; provided, however, that no structure shall penetrate imaginary airspace surfaces as defined by 14 C.F.R. Part 77. A map that provides detailed information on ground and imaginary airspace surface elevations is available for inspection in the community development department.

J. Yards.*

1. Front: ten feet minimum from frontage property line:
 - a. Driveways in front yards of single-family detached dwellings and middle housing must be a minimum of eighteen feet in length as measured along the shortest edge of the driveway starting from the front property line;
2. Side: five feet from property line, minimum; provided, that side yards may be reduced to zero where the number of lots created is equal to the unit density allowance in TMC 18.12.050(D) or where a townhouse attached to another townhouse;
3. Rear: twenty feet from property line, minimum. Exceptions: Structures on existing lots of record with rear structural setbacks or rear yards between five and twenty feet shall be considered conforming. Storage, garden, or tool sheds two hundred square feet or less in area, and residential mechanical equipment, may be located a minimum of five feet from property line. Rear setbacks for second dwelling units, including accessory dwelling units, may be reduced to a minimum of five feet.
4. Alley: eighteen feet if proposing a driveway; if no driveway is proposed minimum five feet from rear property line.

K. Yards Exception. Any side or rear yard, not abutting on a public or private street, may be reduced to zero, provided:

1. That the yard area reduced by this procedure is added to the required setback on the opposite side of the site;
2. The opposite side yard setback is no less than ten feet after the yard area has been added, as described in subsection (J)(1) of this section;
3. Where zero yard setback is used, the abutting site must be held under the same ownership at the time of initial construction or the owners of the abutting property(ies) record agreements or deed restrictions providing maintenance access and consent in writing to such zero yard setback;
4. The adjacent setback for such abutting property(ies) is not less than ten feet.

L. Park and Open Space Area. A new subdivision in this zone district shall set aside land for park and open space area as specified in TMC 17.12.210 and the citywide design guidelines.

*See Diagram 18.04.670, Yard Determination Diagram, in TMC 18.04.230, Y definitions.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2022-013, Amended, 10/04/2022; Ord. O2020-005, Amended, 03/16/2021; Ord. O2020-015, Amended, 02/16/2021; Ord. O2020-003, Amended, 09/15/2020; Ord. O2018-007, Amended, 10/16/2018; Ord.

O2017-022, Amended, 12/05/2017; Ord. O2016-037, Amended, 01/03/2017; Ord. O2011-002, Amended, 03/01/2011; Ord. O2008-017, Amended, 10/21/2008; Ord. O2004-009, Amended, 12/07/2004; Ord. O2000-004, Amended, 07/18/2000; Ord. O98-009, Amended, 10/20/1998; Ord. O98-001, Amended, 09/15/1998; Ord. O97-027, Amended, 03/03/1998; Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Added, 12/19/1995)

Section 13. Section TMC 18.14.020, Permitted uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.14.020 Permitted uses.

Permitted uses in the MDR medium density residential zone district are as follows:

- A. Single-family detached dwellings which were legally established prior to April 15, 2021;
- B. Duplexes;
- C. Triplexes;
- D. Quadplexes;
- E. Stacked flats;
- F. Townhouses;
- G. Multifamily dwellings;
- H. Cottage housing;
- I. Co-living housing;
- J. Designated manufactured homes on single lots of record, and in designated manufactured home parks, in accordance with the provisions of TMC Chapter 18.48;
- K. Designated manufactured home parks;
- L. Senior housing facilities, independent;
- M. Parks, trails, open space areas, and recreational facilities;
- N. Support facilities;
- O. Planned unit developments;
- P. Family child care home; mini-child ~~mini-day~~-care center, subject to TMC Chapter 18.52;
- Q. Adult family homes, residential care facilities;
- R. Any combination of the permitted uses listed in this section may be combined on one site, in accordance with the provisions of TMC 18.14.050;

S. Attached wireless communication facilities, except that it is prohibited to attach a nonaccessory wireless communication antenna on a single-family detached or middle housing dwelling;*

T. Bed and breakfasts;

U. Agriculture uses up to thirty acres in size which were established prior to January 1, 2011, subject to TMC 18.42.070;

V. Community gardens;

W. The housing, care and keeping of animals consistent with the requirements of TMC Chapter 6.08;

X. Wildlife refuges and forest preserves;

Y. Permanent supportive housing, subject to TMC 18.42.150;

Z. Transitional housing, subject to TMC 18.42.150;

AA. Child care center, subject to TMC Chapter 18.52.

*Wireless communication facilities are subject to Federal Aviation Administration (FAA) standards and approval, and furthermore are subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2022-006, Amended, 08/01/2022; Ord. O2021-019, Amended, 01/18/2022; Ord. O2020-005, Amended, 03/16/2021; Ord. O2020-003, Amended, 09/15/2020; Ord. O2018-025, Amended, 12/18/2018; Ord. O2017-006, Amended, 07/18/2017; Ord. O2010-029, Amended, 06/07/2011; Ord. O2011-002, Amended, 03/01/2011; Ord. O2010-005, Amended, 09/07/2010; Ord. O2005-011, Amended, 07/05/2005; Ord. O2001-012, Amended, 03/19/2002; Ord. O2000-004, Amended, 07/18/2000; Ord. O97-019, Amended, 06/17/1997; Ord. O95-035, Added, 12/19/1995)

Section 14. Section TMC 18.14.040, Conditional uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.14.040 Conditional uses.

Conditional uses in the MDR medium density residential zone district are as follows:

A. Churches;

B. Wireless communication towers;*

C. Cemeteries;

~~D. Child day care center;~~

DE. Schools;

- EF. Neighborhood community center as a primary use;
- FG. Neighborhood-oriented commercial center;
- GH. Private clubs and lodges;
- HI. Medical clinics or hospitals;
- IJ. The following essential public facilities:
 1. Emergency communications towers and antennas;*
 2. Mental health facilities (including but not limited to congregate care facilities; adult residential treatment facilities; evaluation and treatment centers);
 3. Inpatient facilities including substance abuse facilities (including but not limited to: intensive inpatient facilities; long-term residential drug treatment facilities; recovery house facilities);
- KJ. Group foster homes;
- KL. Recreational vehicle parks;
- LM. Senior housing facilities, assisted;
- MN. Temporary expansions of schools, such as portable classrooms.

*Emergency communication towers and antennas and wireless communication facilities are subject to Federal Aviation Administration (FAA) standards and approval, and furthermore both uses are subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2020-005, Amended, 03/16/2021; Ord. O2018-025, Amended, 12/18/2018; Ord. O2017-006, Amended, 07/18/2017; Ord. O2000-004, Amended, 07/18/2000; Ord. O97-019, Amended, 06/17/1997; Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Added, 12/19/1995)

Section 15. Section TMC 18.14.050, Development standards, of the Tumwater Municipal Code is hereby amended to read as follows:

18.14.050 Development standards.

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

- A. Site Area. All residential developments must meet the following density requirements:
 1. Minimum: ten dwelling units per acre;
 2. Maximum: nineteen dwelling units per acre. The purchase of transfer of development rights in accordance with TMC Chapter 18.57 would allow a

maximum density of twenty dwelling units per acre. Projects that provide two permanently affordable housing units in the MDR medium density residential zone district would be allowed an increase of one additional dwelling unit above the maximum current density of nineteen dwelling units per acre up to a maximum increase in density of five dwellings unit per acre. This would create a new maximum density of twenty-four dwelling units per acre in the MDR medium density residential zone district for projects providing permanently affordable housing units. Projects providing permanently affordable housing units by this method would have to be part of a new multifamily housing project that provides ten or more dwelling units and meet the requirements of TMC 18.42.140.

B. Density Calculation. The calculation of the density requirements in subsection A of this section is based on the portion of the site devoted to residential and associated uses (e.g., dwelling units; private community clubs; open space; stormwater detention, treatment and infiltration). The following land is excluded from density calculations:

1. Land that is required to be set aside for public use as open space, right-of-way, or land on which development is prohibited by TMC Title 16, Environment, and land that is to be used for private roads. Provided, that portion of park and open space areas that consists of stormwater facilities and that is designed for active and/or passive recreational purposes in accordance with the drainage design and erosion control manual for Tumwater shall not be excluded from density calculations;
2. Land that is intended for future phases of development created in accordance with TMC 18.14.060;
3. Land that consists of lots devoted to uses other than residential and associated uses, including but not limited to churches, schools, and support facilities (except for stormwater detention, treatment, and infiltration facilities).

C. Division of Land Not on Public Sanitary Sewer. Division of land in areas without sewer must occur in a manner that maintains long-term potential to achieve minimum required densities and efficient provision of sewer once sewer becomes available. For a proposed division of land not required to be served by the extension of public sewer at the time of approval, a conversion plan shall be submitted in accordance with TMC 18.14.060 for the entire property, and the proposed land division shall be subject to the following:

1. For land division of an existing lot of record created prior to September 15, 1998:
 - a. Any division creating two lots shall not be subject to the minimum density requirements of subsection A of this section, provided one of the lots created is at least five acres in size. A note must be included on the recorded

land division that future land divisions shall meet minimum density requirements of subsection A of this section in each phase of development.

b. Any division creating more than two lots shall meet the minimum density requirements of subsection A of this section in each phase of development.

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.

F. Structure height: forty feet, maximum; provided, however, that no structure shall penetrate imaginary airspace surfaces as defined by 14 C.F.R. Part 77. A map that provides detailed information on ground and imaginary airspace surface elevations is available for inspection in the community development department.

G. Yards.*

1. Front: ten feet minimum from frontage property line.

a. Driveways in front yards of any dwelling units must be a minimum of eighteen feet in length as measured along the shortest edge of the driveway starting from the front property line.

2. Side: five feet from property line, minimum; provided, that side yards may be reduced to zero where the number of lots created is equal to the unit density allowance in TMC 18.14.050(D) or where a townhouse attached to another townhouse.

3. Rear: five feet from property line, minimum.

Where any structures or portions of structures, except for single-family detached dwellings, are adjacent to the RSR residential/sensitive resource and LDR low density residential zone districts, the minimum setback shall be twenty feet..

H. Yards Exception. Any side or rear yard, not abutting on a public or private street, may be reduced to zero, provided:

1. That the yard area reduced by this procedure is added to the required setback on the opposite side of the site;

2. The opposite side yard setback is no less than ten feet after the yard area has been added as described in subsection (F)(1) of this section;

3. Where zero yard setback is used, the abutting site must be held under the same ownership at the time of initial construction or the owners of the abutting property(ies) record agreements or deed restrictions providing maintenance access and consent in writing to such zero yard setback;

4. The adjacent setback for such abutting property(ies) is not less than ten feet.

I. Park and Open Space Area. New development in this zone district shall set aside land for park and open space area as specified in TMC 17.12.210 and 18.42.130 and the citywide design guidelines.

*See Diagram 18.04.670, Yard Determination Diagram, in TMC 18.04.230, Y definitions.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2020-005, Amended, 03/16/2021; Ord. O2020-015, Amended, 02/16/2021; Ord. O2018-007, Amended, 10/16/2018; Ord. O2016-037, Amended, 01/03/2017; Ord. O2011-002, Amended, 03/01/2011; Ord. O2008-017, Amended, 10/21/2008; Ord. O2004-009, Amended, 12/07/2004; Ord. O2000-004, Amended, 07/18/2000; Ord. O98-009, Amended, 10/20/1998; Ord. O98-001, Amended, 09/15/1998; Ord. O97-027, Amended, 03/03/1998; Ord. O97-024, Amended, 03/03/1998; Ord. O96-021, Amended, 12/02/1997; Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Added, 12/19/1995)

Section 16. Section TMC 18.16.020, Permitted uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.16.020 Permitted uses.

Permitted uses in the HDR high density residential zone district are as follows:

- A. Triplexes;
- B. Quadplexes;
- C. Stack flats;
- D. Multifamily dwellings;
- E. Co-living housing;
- F. Parks, trails, open space areas, and recreational facilities;
- G. Support facilities;
- H. Planned unit developments;
- I. Family child care home; mini-child ~~mini-day~~ care center, subject to TMC Chapter 18.52;
- J. Adult family homes, residential care facilities;
- K. Senior housing facilities, independent;
- L. Any combination of the permitted uses listed in this section may be combined on one site, in accordance with the provisions of TMC 18.16.050;
- M. Attached wireless communication facilities, except that it is prohibited to attach a nonaccessory wireless communication antenna on a single-family detached or middle housing dwelling;*
- N. Townhouses;
- O. Community gardens;
- P. Wildlife refuges and forest preserves;
- Q. Permanent supportive housing, subject to TMC 18.42.150;
- R. Transitional housing, subject to TMC 18.42.150;
- S. Child care center, subject to TMC Chapter 18.52.

*Wireless communication facilities are subject to Federal Aviation Administration (FAA) standards and approval, and furthermore are subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2022-006, Amended, 08/01/2022; Ord. O2021-019, Amended, 01/18/2022; Ord. O2020-005, Amended, 03/16/2021; Ord. O2018-025, Amended, 12/18/2018; Ord. O2017-006, Amended, 07/18/2017; Ord. O2010-029, Amended, 06/07/2011; Ord. O2011-002, Amended, 03/01/2011; Ord.

O2010-005, Amended, 09/07/2010; Ord. O98-001, Amended, 09/15/1998; Ord. O97-019, Amended, 06/17/1997; Ord. O95-035, Added, 12/19/1995)

Section 17. Section TMC 18.16.040, Conditional uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.16.040 Conditional uses.

Conditional uses in the HDR high density residential zone district are as follows:

- A. Churches;
- B. Wireless communication towers;*
- C. Cemeteries;
- ~~D. Child day care center;~~
- ~~E~~D. Schools;
- ~~F~~E. Neighborhood community center as a primary use;
- ~~G~~F. Neighborhood-oriented commercial center;
- ~~H~~G. Private clubs and lodges;
- ~~I~~H. Medical clinics or hospitals;
- ~~J~~I. The following essential public facilities:
 - 1. Emergency communications towers and antennas;*
 - 2. Mental health facilities (including but not limited to congregate care facilities; adult residential treatment facilities; evaluation and treatment centers);
 - 3. Inpatient facilities including substance abuse facilities (including but not limited to: intensive inpatient facilities; long-term residential drug treatment facilities; recovery house facilities);
- ~~K~~J. Group foster homes;
- ~~L~~K. Senior housing facilities, assisted;
- ~~M~~L. Temporary expansions of schools, such as portable classrooms.

*Emergency communication towers and antennas and wireless communication facilities are subject to Federal Aviation Administration (FAA) standards and approval, and furthermore both uses are subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2020-005, Amended, 03/16/2021; Ord. O2018-025, Amended, 12/18/2018; Ord. O2017-006, Amended, 07/18/2017; Ord. O98-001, Amended, 09/15/1998; Ord. O97-019, Amended, 06/17/1997; Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Added, 12/19/1995)

Section 18. Section TMC 18.16.050, Development standards, of the Tumwater Municipal Code is hereby amended to read as follows:

18.16.050 Development standards.

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

A. Site Area. All residential developments must meet the following density requirements:

1. Minimum: twenty dwelling units per acre;
2. Maximum: No maximum dwelling units per acre.

B. Density Calculation. The calculation of the density requirements in subsection A of this section is based on the portion of the site devoted to residential and associated uses (e.g., dwelling units; private community clubs; open space; stormwater detention, treatment and infiltration). The following land is excluded from density calculations:

1. Land that is required to be set aside for public use as open space, right-of-way, or land on which development is prohibited by TMC Title 16, Environment, and land that is to be used for private roads; provided, that portion of park and open space areas that consists of stormwater facilities and that is designed for active and/or passive recreational purposes in accordance with the drainage design and erosion control manual for Tumwater shall not be excluded from density calculations.
2. Land that is intended for future phases of development created in accordance with TMC 18.16.060.
3. Land that consists of lots devoted to uses other than residential and associated uses, including but not limited to churches, schools, and support facilities (except for stormwater detention, treatment, and infiltration facilities).

C. Division of Land Not on Public Sanitary Sewer. Division of land in areas without sewer must occur in a manner that maintains long-term potential to achieve minimum required densities and efficient provision of sewer once sewer becomes available. For a proposed division of land not required to be served by the extension of public sewer at the time of approval, a conversion plan shall be submitted in accordance with TMC 18.16.060 for the entire property, and the proposed land division shall be subject to the following:

1. For land division of an existing lot of record created prior to September 15, 1998:
 - a. Any division creating two lots shall not be subject to the minimum density requirements of subsection A of this section, provided one of the lots

created is at least five acres in size. A note must be included on the recorded land division that future land divisions shall meet minimum density requirements of subsection A of this section in each phase of development.

b. Any division creating more than two lots shall meet the minimum density requirements of subsection A of this section in each phase of development.

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.

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

~~3. The standards of TMC 18.16.050(D) do not apply to lots less than 1,000 square feet.~~

~~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.

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

F. Structure height: fifty feet or five stories, whichever is less; provided, however, that no structure shall penetrate imaginary airspace surfaces as defined by 14 C.F.R. Part 77. A map that provides detailed information on ground and imaginary airspace surface elevations is available for inspection in the community development department. Note: New multifamily projects with a total of thirty or more dwelling units that provide thirty percent of those units as permanently affordable housing units would be allowed a maximum building height increase of ten feet, subject to imaginary airspace surface limitations. This would create a new maximum height limit of sixty feet. Projects providing permanently affordable

housing units by this method would have to meet the requirements of TMC 18.42.140;

G. Yards.*

1. Front: ten feet minimum from frontage property line;
 - a. Driveways in front yards of any dwelling units must be a minimum of eighteen feet in length as measured along the shortest edge of the driveway starting from the front property line;
2. Side: five feet from property line, minimum;
3. Rear: five feet from property line, minimum.

Where any structures or portions of structures are adjacent to the RSR residential/sensitive resource and LDR low density residential zone districts, the minimum setback shall be twenty feet. Where structures are constructed over one story, the setback from the adjacent property line or lines shall be increased by ten feet for every story above the ground level story of the proposed new building, and shall be completely screened from view in accordance with TMC Chapter 18.47.

H. Park and Open Space Area. New development in this zone district shall set aside land for park and open space as specified in TMC 17.12.210 and 18.42.130 and the citywide design guidelines.

*See Diagram 18.04.670, Yard Determination Diagram, in TMC 18.04.230, Y definitions.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2020-005, Amended, 03/16/2021; Ord. O2020-015, Amended, 02/16/2021; Ord. O2016-037, Amended, 01/03/2017; Ord. O2011-002, Amended, 03/01/2011; Ord. O2010-005, Amended, 09/07/2010; Ord. O2004-009, Amended, 12/07/2004; Ord. O2000-004, Amended, 07/18/2000; Ord. O98-009, Amended, 10/20/1998; Ord. O98-001, Amended, 09/15/1998; Ord. O97-024, Amended, 03/03/1998; Ord. O97-027, Amended, 03/03/1998; Ord. O96-021, Amended, 12/02/1997; Ord. O96-022, Amended, 12/19/1996; Ord. O95-035, Added, 12/19/1995)

Section 19. Section TMC 18.18.020, Permitted uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.18.020 Permitted uses.

Permitted uses in the NC neighborhood commercial zone district are as follows:

- A. Personal services;
- B. Professional services;
- C. Recreational facilities occupying no more than three thousand square feet in floor area;

- D. Support facilities;
- E. Post office, library, museum, art gallery;
- F. Parks and open space areas;
- G. Planned unit development;
- H. Retail sales occupying no more than three thousand square feet in floor area and for which operating hours are limited to between 6:00 a.m. and 10:00 p.m.;
- I. Medical clinics;
- J. Child ~~day~~-care center, mini-child ~~mini-day~~-care center, subject to TMC Chapter 18.52;
- K. Adult family homes, residential care facilities;
- L. 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;
- M. Restaurants without drive-in windows occupying no more than three thousand square feet in floor area;
- N. Offices;
- O. Family child care homes;
- P. Mixed use structures subject to the size limitations for individual uses and TMC 18.18.050(D) and the density requirements for residential use in the NC district found in subsection W of this section;
- Q. Attached wireless communication facilities, except that it is prohibited to attach a nonaccessory wireless communication antenna on a single-family detached or middle housing dwelling;*
- R. Electric vehicle infrastructure;
- S. Community gardens;
- T. Farmers markets;
- U. Centers for senior citizens, youth, general community, and similar groups;
- V. Temporary expansions of schools, such as portable classrooms;
- W. Multifamily residential use as part of a mixed use development with a minimum density of six dwelling units per net acre and a maximum density of nine dwelling units per net acre, which is calculated by averaging the densities of all of the different types of housing provided within the development in accordance with TMC 18.14.050(B), excluding the area of the building and parking associated with the commercial development;

- X. Drive-through espresso stands/coffee shops occupying no more than five hundred square feet in floor area;
- Y. Food trucks or trailers in accordance with TMC 18.42.120;
- Z. Food truck or trailer courts in accordance with TMC 18.42.120;
- AA. Senior housing facilities, independent;
- BB. Permanent supportive housing, subject to TMC 18.42.150;
- CC. Transitional housing, subject to TMC 18.42.150;
- DD. Optometry clinics.

*Wireless communication facilities are subject to Federal Aviation Administration (FAA) standards and approval, and furthermore are subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2022-013, Amended, 10/04/2022; Ord. O2021-19, Amended, 01/18/2022; Ord. O2020-005, Amended, 03/16/2021; Ord. O2019-020, Amended, 11/19/2019; Ord. O2018-029, Amended, 01/15/2019; Ord. O2018-025, Amended, 12/18/2018; Ord. O2017-006, Amended, 07/18/2017; Ord. O2010-029, Amended, 06/07/2011; Ord. O2010-015, Amended, 09/07/2010; Ord. O97-019, Amended, 06/17/1997; Ord. O95-035, Added, 12/19/1995)

Section 20. Section TMC 18.19.020, Permitted uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.19.020 Permitted uses.

Uses permitted in the CS community services zone district are as follows:

- A. General offices;
- B. Schools;
- C. Community center;
- D. Parks and open space areas;
- E. Personal services;
- F. Entertainment facilities;
- G. Recreational facilities;
- H. Post office, parcel delivery facility;
- I. Museum, library, art gallery;
- J. Child ~~day~~-care center; mini-child ~~mini-day~~-care center, subject to TMC Chapter 18.52;

- K. Group foster homes;
- L. Support facilities;
- M. Family child care home;
- N. General retail sales limited to fifteen thousand square feet or less;
- O. Planned unit development;
- P. Restaurants;
- Q. Parking structures;
- R. Parking lots as separate, primary uses are permitted. The proposed parking lot shall exclusively serve specifically identified uses in or adjacent to the district to accommodate shared employee or customer parking or off-site employee parking. The uses served by the lot may change over time. Parking lots are prohibited on corner lots;
- S. Park and ride lots;
- T. All uses which were legally established prior to January 1, 1997, except where there is a cessation of the use for three or more years;
- U. Attached wireless communication facilities, except that it is prohibited to attach a nonaccessory wireless communication antenna on a single-family detached or middle housing dwelling;*
- V. Adult family homes, residential care facilities;
- W. Electric vehicle infrastructure;
- X. Community gardens;
- Y. Farmers markets;
- Z. Centers for senior citizens, youth, general community, and similar groups;
- AA. Civic center complex;
- BB. Taverns, cocktail lounges;
- CC. Wildlife refuges and forest preserves;
- DD. Temporary expansions of schools, such as portable classrooms;
- EE. Food trucks or trailers in accordance with TMC 18.42.120;
- FF. Food truck or trailer courts in accordance with TMC 18.42.120;
- GG. Permanent supportive housing, subject to TMC 18.42.150;
- HH. Transitional housing, subject to TMC 18.42.150;
- II. Professional services;

JJ. Optometry clinics.

*Wireless communication facilities are subject to Federal Aviation Administration (FAA) standards and approval, and furthermore are subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2022-013, Amended, 10/04/2022; Ord. O2021-019, Amended, 01/18/2022; Ord. O2019-020, Amended, 11/19/2019; Ord. O2018-025, Amended, 12/18/2018; Ord. O2017-006, Amended, 07/18/2017; Ord. O2010-029, Amended, 06/07/2011; Ord. O2010-015, Amended, 09/07/2010; Ord. O2001-020, Amended, 05/07/2002; Ord. O97-019, Amended, 06/17/1997; Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Added, 12/19/1995)

Section 21. Section TMC 18.20.030, Permitted uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.20.030 Permitted uses.

Uses permitted in the MU mixed use zone district are as follows:

- A. Professional services;
- B. Retail sales;
- C. General offices;
- D. Support facilities;
- E. Parks, open space areas and recreational facilities;
- F. Restaurants*;
- G. Restaurants (without drive-through windows)**;
- H. Post offices;
- I. Motels, hotels;
- J. Planned unit development (PUD) (see TMC Chapter 18.36) , subject to TMC Chapter 18.52;
- K. Medical clinics;
- L. Child ~~day~~-care center; mini-child ~~mini-day~~-care center;
- M. Adult family homes, residential care facilities;
- N. Group foster homes;
- O. Private clubs and lodges;
- P. Family child care home;

- Q. All residential uses, provided the minimum density standards in TMC 18.20.060 are met;
- R. Personal services;
- S. Used motor oil recycling collection point;
- T. Nurseries, retail;
- U. Museum, library, art gallery;
- V. All uses not permitted which were legally established prior to January 1, 1996, except where there is a cessation of the use for three or more years;
- W. Civic center complex;
- X. Centers for senior citizens, youth, general community, and similar groups;
- Y. Entertainment facilities;
- Z. Attached wireless communication facilities, except that it is prohibited to attach a nonaccessory wireless communication antenna on a single-family detached or middle housing dwelling;***
- AA. Senior housing facilities, independent and assisted;
- BB. Electric vehicle infrastructure;
- CC. Community gardens;
- DD. Farmers markets;
- EE. Animal clinics or hospitals;
- FF. Churches;
- GG. Civic center complex;
- HH. Convalescent centers, rest homes, nursing homes;
- II. Taverns, cocktail lounges;
- JJ. Temporary expansions of schools, such as portable classrooms;
- KK. Food trucks or trailers in accordance with TMC 18.42.120;
- LL. Food truck or trailer courts in accordance with TMC 18.42.120;
- MM. Cottage housing;
- NN. Permanent supportive housing, subject to TMC 18.42.150;
- OO. Transitional housing, subject to TMC 18.42.150;
- PP. Emergency housing, subject to TMC 18.42.150;
- QQ. Emergency shelter, subject to TMC 18.42.150;

RR. Optometry clinics.

*Restaurants are a permitted use for all parcels in the MU mixed use zone district in the city, except for those parcels in the MU mixed use zone district located on the north side of Israel Road SW between Littlerock Road SW and Tyee Drive SW. In that location, restaurants without drive-through windows are allowed, but restaurants with drive-through windows are prohibited.

**Restaurants (without drive-through windows) are a permitted use for those parcels in the MU mixed use zone district located on the north side of Israel Road SW between Littlerock Road SW and Tyee Drive SW.

***Wireless communication facilities are subject to Federal Aviation Administration (FAA) standards and approval, and furthermore are subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2022-013, Amended, 10/04/2022; Ord. O2021-019, Amended, 01/18/2022; Ord. O2020-005, Amended, 03/16/2021; Ord. O2019-020, Amended, 11/19/2019; Ord. O2018-025, Amended, 12/18/2018; Ord. O2017-024, Amended, 01/16/2018; Ord. O2017-006, Amended, 07/18/2017; Ord. O2010-029, Amended, 06/07/2011; Ord. O2010-015, Amended, 09/07/2010; O2000-004, Amended, 07/18/2000; Ord. O97-019, Amended, 06/17/1997; Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Added, 12/19/1995)

Section 22. Section TMC 18.21.030, Permitted uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.21.030 Permitted uses.

Uses permitted in the Capitol Boulevard Community zone district are as follows:

- A. Professional services;
- B. Retail sales;
- C. General offices;
- D. Support facilities;
- E. Parks, open space areas and recreational facilities;
- F. Restaurants, taverns, cocktail lounges, brew pubs and similar dining and drinking establishments;
- G. Post offices;
- H. Motels, hotels;
- I. Planned unit development (PUD) (see TMC Chapter 18.36);
- J. Medical clinics;

- K. Child ~~day~~-care center, mini-child ~~mini-day~~-care center, subject to TMC Chapter 18.52;
- L. Adult family homes, residential care facilities;
- M. Group foster homes;
- N. Private clubs and lodges;
- O. Family child care home;
- P. All residential uses, provided the minimum density standards in TMC 18.21.060 are met;
- Q. Personal services;
- R. Schools;
- S. Churches, synagogues, mosques and similar places of worship;
- T. Library, museum, art gallery and similar institutions;
- U. All uses not permitted which were legally established prior to January 1, 2013, except where there is a cessation of the use for two or more years. A legal nonconforming use, established prior to January 1, 2013, that is required to relocate under threat of eminent domain shall be allowed as a permitted use consistent with this subsection;
- V. Civic center complex;
- W. Centers for senior citizens, youth, general community, and similar groups;
- X. Entertainment facilities;
- Y. Senior housing facilities, independent and assisted;
- Z. Electric vehicle infrastructure;
- AA. Community gardens;
- BB. Farmers markets;
- CC. Dance clubs, provided they are located north of Lee Street;
- DD. Detached parking structures;
- EE. Movie theaters, playhouses and similar performance and assembly facilities;
- FF. Marijuana retailers;
- GG. Breweries, wineries, distilleries;
- HH. Animal clinics or hospitals;
- II. Optometry clinics;
- JJ. Convalescent centers, rest homes, nursing homes;

- KK. Temporary expansions of schools, such as portable classrooms;
 - LL. Food trucks or trailers in accordance with TMC 18.42.120;
 - MM. Food truck or trailer courts in accordance with TMC 18.42.120;
 - NN. Permanent supportive housing, subject to TMC 18.42.150;
 - OO. Transitional housing, subject to TMC 18.42.150;
 - PP. Emergency housing, subject to TMC 18.42.150;
 - QQ. Emergency shelter, subject to TMC 18.42.150.
- (Ord. O2022-013, Amended, 10/04/2022; Ord. O2021-019, Amended, 01/18/2022; Ord. O2020-005, Amended, 03/16/2021; Ord. O2019-020, Amended, 11/19/2019; Ord. O2017-006, Amended, 07/18/2017; Ord. O2016-006, Amended, 06/07/2016; Ord. O2013-025, Added, 01/07/2014)

Section 23. Section TMC 18.22.020, Permitted uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.22.020 Permitted uses.

Uses permitted in the GC general commercial zone district are as follows:

- A. Professional services;
- B. General retail sales;
- C. General offices;
- D. Appliance equipment repair;
- E. Support facilities;
- F. Parks and open space areas;
- G. Recreational facilities;
- H. Restaurants;
- I. Automobile service stations including car washes;
- J. Post offices;
- K. Motels, hotels;
- L. Planned unit developments (PUD);
- M. Medical clinics;
- N. Child ~~day~~-care center, mini-child ~~mini-day~~-care center, subject to TMC Chapter 18.52;
- O. Adult family homes, residential care facilities;

- P. Group foster homes;
- Q. Private clubs and lodges;
- R. Family child care home;
- S. Mixed use structures;
- T. The following multifamily residential:
 - 1. Multifamily residential structures with a minimum density of forty dwelling units per acre that are part of a mixed use development in the same structure or site.
 - 2. Multifamily residential structures consisting of a minimum of three and a maximum of four stories on sites within one-quarter mile of a degree-granting state education facility. A minimum density of fourteen dwelling units per acre shall be provided. Calculation of density is based on the portion of the site devoted to residential and associated uses (e.g., dwelling units; private community clubs; open space; stormwater detention, treatment and infiltration). The following land is excluded from density calculations:
 - a. Land that is required to be dedicated for public use as open space, right-of-way, or land on which development is prohibited by TMC Title 16, Environment, and land that is to be used for private roads. Provided, that portion of park and open space areas that consists of stormwater facilities and that is designed for active and/or passive recreational purposes in accordance with the drainage design and erosion control manual for Tumwater shall not be excluded from density calculations.
 - b. Land that consists of lots devoted to uses other than residential and associated uses, including but not limited to churches, schools, and support facilities (except for stormwater detention, treatment and infiltration facilities);
- U. Personal services;
- V. Used motor oil recycling collection point;
- W. Parking lots as separate, primary uses are permitted. The proposed parking lot shall exclusively serve specifically identified uses in or adjacent to the district to accommodate shared employee or customer parking or off-site employee parking. The uses served by the lot may change over time;
- X. Parking structures;
- Y. Park and ride lots;
- Z. Museum, library, art gallery;
- AA. Recreational vehicle parks;

- BB. Riding academies;
- CC. Entertainment facilities;
- DD. Nurseries, retail;
- EE. Attached wireless communication facilities, except that it is prohibited to attach a nonaccessory wireless communication antenna on a single-family detached or middle housing dwelling;*
- FF. Equipment rental and sales facilities;
- GG. Motorsports sales facility, provided outdoor displays or visible storage of vehicles does not cover an area larger than ten percent of the gross floor area of the facility;
- HH. Electric vehicle infrastructure;
- II. Community gardens;
- JJ. Farmers markets;
- KK. Marijuana retailer;
- LL. Motor vehicle sales facilities located west of Interstate 5 and south of Bishop Road subject to the requirements set forth in TMC 18.42.090;
- MM. Breweries, wineries, distilleries;
- NN. Auto repair facilities;
- OO. Churches;
- PP. Temporary expansions of schools, such as portable classrooms;
- QQ. Animal clinics or hospitals;
- RR. Convalescent centers, rest homes, nursing homes;
- SS. Movie theaters, playhouses and similar performance and assembly facilities;
- TT. Senior housing facilities, independent and assisted;
- UU. Taverns, cocktail lounges;
- VV. Food trucks or trailers in accordance with TMC 18.42.120;
- WW. Food truck or trailer courts in accordance with TMC 18.42.120;
- XX. Permanent supportive housing, subject to TMC 18.42.150;
- YY. Transitional housing, subject to TMC 18.42.150;
- ZZ. Emergency housing, subject to TMC 18.42.150;
- AAA. Emergency shelter, subject to TMC 18.42.150;
- BBB. Optometry clinics.

*Wireless communication facilities are subject to Federal Aviation Administration (FAA) standards and approval, and furthermore are subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2024-008, Amended, 01/21/2025; Ord. O2022-013, Amended, 10/04/2022; Ord. O2021-019, Amended, 01/18/2022; Ord. O2020-005, Amended, 03/16/2021; Ord. O2019-020, Amended, 11/19/2019; Ord. O2018-025, Amended, 12/18/2018; Ord. O2017-006, Amended, 07/18/2017; Ord. O2016-006, Amended, 06/07/2016; Ord. O2015-001, Amended, 10/20/2015; Ord. O2014-012, Amended, 08/19/2014; Ord. O2013-013, Amended, 10/01/2013; Ord. O2012-003, Amended, 07/17/2012; Ord. O2010-029, Amended, 06/07/2011; Ord. O2010-015, Amended, 09/07/2010; Ord. O2003-001, Amended, 02/18/2003; Ord. O97-019, Amended, 06/17/1997; Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Added, 12/19/1995)

Section 24. Section TMC 18.23.020, Uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.23.020 Uses.

Land uses allowed for each subdistrict are listed in Figure 18.23.020. Permitted uses are identified with a “P,” conditional uses with a “C,” and accessory uses with an “A.”

Figure 18.23.020

LAND USES	TOWN CENTER ZONE SUBDISTRICTS			
	Town Center Mixed Use	Town Center Professional Office	Town Center Residential	Town Center Civic
Accessory wireless communication antennas	A ¹	A ¹	A ¹	A ¹
Adult family homes, residential care facilities	P		P	
Attached wireless communication facilities	P ¹	P ¹	P ¹	P ¹
Automobile service station legally established prior to June 9, 2002	C ²			
Breweries, wineries, distilleries	P			
Centers for senior citizens, youth, general community and similar groups	P	P		P
Child day-care center; <u>mini-child mini-day-care center, subject to TMC Chapter 18.52</u>	P	P	P	P
Churches	C		C	
Civic center complex	P			P
Community center	P	P		P

LAND USES	TOWN CENTER ZONE SUBDISTRICTS			
	Town Center Mixed Use	Town Center Professional Office	Town Center Residential	Town Center Civic
Community gardens	P	P	P	P
Co-living housing	A			
Distribution, fabrication, and assembly facilities occurring within buildings lawfully constructed on Port of Olympia property on or before January 1, 2000	C ⁴			
Drive-through uses	P ¹²			
Electric vehicle infrastructure	P	P	P	P
Emergency communication antennas (essential public facility)	C ^{1, 5}	C ^{1, 5}	C ^{1, 5}	C ^{1, 5}
Emergency housing	P ¹⁵ , A ¹⁶		A ¹⁶	
Emergency shelter	P ¹⁵ , A ¹⁶		A ¹⁶	
Entertainment facilities	P ⁶			
Family child care homes	P		P	
Farmers markets	P	P	P	P
Food truck or trailer courts	P ¹³	P ¹³		P ¹³
Food trucks or trailers	P ¹⁴	P ¹⁴		P ¹⁴
Group foster homes	P	P	P	P
Home occupations	A		A	
Library, museum, art gallery	P			P
Medical clinics	P	P		
Mixed use commercial/residential developments	P			
Motels, hotels	P			
Movie theaters, playhouses and similar performance and assembly facilities	P			P
Noncommercial recreational structures including but not limited to swimming pools and recreational ball courts			A	
Offices	P	P		P
Optometry clinics	P	P		P
Parking lots	A ⁷	A	A	A
Parking structures	P ⁸	P	P	P
Parks and open space areas	P	P	P	P
Permanent supportive housing	P ¹⁵ , A ¹⁶		P ¹⁵ , A ¹⁶	

LAND USES	TOWN CENTER ZONE SUBDISTRICTS			
	Town Center Mixed Use	Town Center Professional Office	Town Center Residential	Town Center Civic
Personal services	P	P		P
Planned unit development (see TMC Chapter 18.36)	P	P	P	P
Post offices	P	P		P
Preschool childcare facilities	A	A	A	A
Private clubs and lodges	P	P	C	
Professional services	P	P		P
Recreational facilities	P	P	P	P
Residential uses approved after June 9, 2002, provided the minimum density standards in TMC 18.23.030(B)(2) are met			P	
Residential uses which were legally established prior to June 9, 2002			P	
Restaurants	P	A ⁹	A ¹⁰	
Retail sales	P	A	A ¹⁰	
Schools	P			
Senior housing facilities, independent and assisted	P		P	
State education facilities (essential public facility)	C			
Storage sheds, tool sheds, greenhouses, carports			A	
Support facilities	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Taverns, cocktail lounges	P ³			
Temporary expansions of schools, such as portable classrooms	P			
Transitional housing	P ¹⁵ , A ¹⁶		P ¹⁵ , A ¹⁶	
Transportation terminals	C	C		

Figure 18.23.020 Footnotes:

- (1) Emergency communication antennas and wireless communication facilities are subject to Federal Aviation Administration (FAA) standards and approval, and furthermore both uses are subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.
- (2) Any alteration to the site or building that requires a conditional use permit shall meet the minimum conditions provided in TMC Chapter 18.56. An application

for a conditional use permit shall be processed pursuant to TMC Title 14, Development Code Administration, and TMC Chapter 2.58, Hearing Examiner.

- (3) Cocktail lounges are also permitted as accessory uses within restaurants.
- (4) The cumulative amount of future expansions shall not exceed fifty percent of the covered floor space existing on January 1, 2000, for each site. See TMC Chapter 18.56.
- (5) 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.
- (6) Motorized go-cart facilities are not permitted.
- (7) See TMC 18.23.040(F) for surface parking lot siting requirements on properties fronting main streets.
- (8) In the Town Center Mixed Use subdistrict, a parking structure may be located along a main street, provided the portion of the first floor fronting the main street is designed to accommodate a use allowed by this chapter other than parking.
- (9) Restaurants may be allowed as accessory uses within a general or professional office building in the Town Center Professional Office subdistrict.
- (10) Restaurants and retail sales are allowed as accessory uses in the Town Center Residential subdistrict when located on the first floor of a multistory residential building, provided the gross floor area dedicated to restaurant and/or retail sales use shall not exceed one thousand five hundred square feet per building or twenty-five percent of the first floor of each building, whichever is greater, and provided the residential portion of the development meets the density standards described in TMC 18.23.030.
- (11) Electrical switching substations, electrical power transmission towers, natural gas pipelines, natural gas gate stations and regulating stations, and park and ride facilities are not permitted.
- (12) Drive-through uses for espresso stands less than five hundred square feet in floor area, pharmacies, and banks and credit unions are allowed in the areas specified on Figure 18.23.010. Properties with drive-through uses in the TC Town Center zone district shall not have direct vehicular access onto either Capitol Boulevard or Tumwater Boulevard. The director may allow temporary vehicular access to Capitol Boulevard in order to accommodate changes to the street grid. Drive-through uses shall also meet the drive-through design guidelines of TMC Chapter 18.43. Where conflicts occur between this chapter and TMC Chapter 18.43, the more restrictive requirement shall apply.
- (13) Food truck or trailer courts are subject to the requirements of TMC 18.42.120.

- (14) Food trucks or trailers are subject to the requirements of TMC 18.42.120.
- (15) Supportive housing facilities such as emergency housing, emergency shelters, permanent supportive housing, and transitional housing are subject to the requirements of TMC 18.42.150.
- (16) Supportive housing facilities such as emergency housing, emergency shelters, permanent supportive housing, and transitional housing are permitted as an accessory use only as part of a permitted church use. Such supportive housing facilities shall not exceed twenty percent of the total building square footage of a church use and are subject to the requirements of TMC 18.42.150.

Figure 18.23.020 Explanatory Note:

- 1. If the box is shaded, the use is not allowed in that zone district.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2022-013, Amended, 10/04/2022; Ord. O2021-019, Amended, 01/18/2022; Ord. O2020-005, Amended, 03/16/2021; Ord. O2019-020, Amended, 11/19/2019; Ord. O2019-007, Amended, 09/03/2019; Ord. O2018-025, Amended, 12/18/2018; Ord. O2017-019, Amended, 12/05/2017; Ord. O2017-006, Amended, 07/18/2017; Ord. O2016-006, Amended, 06/07/2016; Ord. O2013-025, Amended, 01/07/2014; Ord. O2011-006, Amended, 11/15/2011; Ord. O2010-029, Amended, 06/07/2011; Ord. O2010-015, Amended, 09/07/2010; Ord. O2006-034, Amended, 07/17/2007; Ord. O2001-020, Added, 05/07/2002)

Section 25. Section TMC 18.23.050, Development and design standards – Specific to properties fronting main streets, of the Tumwater Municipal Code is hereby amended to read as follows:

18.23.050 Development and design standards – Specific to properties fronting main streets.

The following requirements apply to development proposals on land within the town center mixed use subdistrict that has frontage on rights-of-way designated as main streets in Figure 18.23.010. These requirements supplement requirements described in other sections of this chapter.

A. Maximum Setback.

- 1. Intent. Enclose and define the street space. Place building walls that will:
 - a. Provide human-scaled street enclosure and building edge continuity on key town center streets.
 - b. Contribute to a continuous building edge on lots adjacent to designated main streets.
 - c. Provide a pedestrian-friendly environment by making physical and visual contact between interior building activities and the street.

2. Requirement.

a. The maximum setback shall be zero feet from the abutting main street right-of-way. Where a lot has frontage on more than one main street, the maximum setback shall apply only to New Market Street; provided, that first floor uses required by subsection E of this section that front any main street shall be zero feet from the abutting main street right-of-way.

b. Exceptions. Exceptions may be granted to allow setbacks of existing buildings to be maintained, and to integrate publicly accessible site design elements in new developments that encourage pedestrian use and activity along the street. Such site design elements may include but not be limited to the following:

- i. Building modulation.
- ii. Pedestrian plazas or courtyards.
- iii. Covered or recessed building entryways.
- iv. Commercial uses and/or displays, such as vendors, newsstands and cafes.
- v. Public art, such as water features and sculptures.
- vi. Seating and/or planting areas.
- vii. Pedestrian-oriented signs.

B. Primary Building Entrance.

1. Intent. Generate pedestrian and street activity. Create a prominent entry that conveys a clear sense of arrival and that uses high quality products that contribute to the richness and detail of the facade.

2. Requirements.

a. Primary building entrance(s) must face the main street. Where a lot is adjacent to more than one main street, primary building entrances shall face New Market Street.

b. Primary building entrances must be clearly visible from the sidewalk in front of the building.

c. Direct access shall be provided from either the sidewalk if the building facade is directly adjacent to the sidewalk, from a pedestrian plaza, or both. A pedestrian plaza must be integrated into the streetscape and be visually and physically accessible from the public rights-of-way.

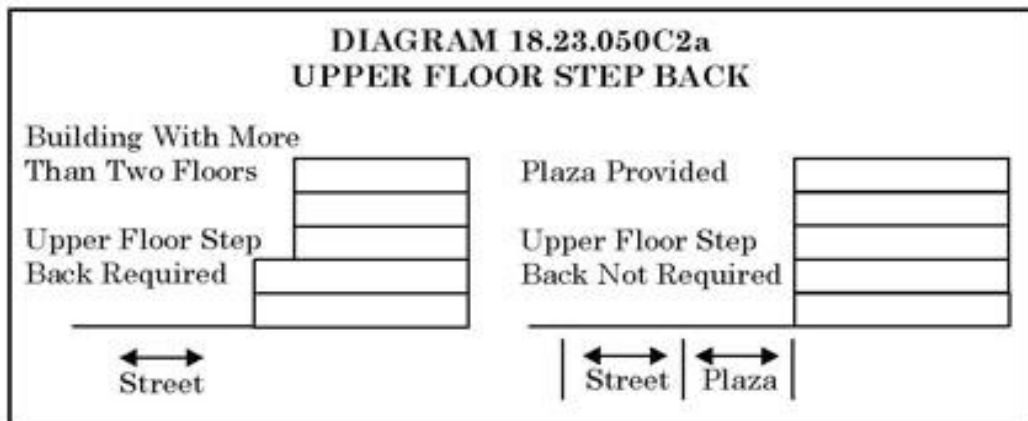
C. Building Design.

1. Intent. Design buildings and parking structures to promote an architecturally appealing environment. Design emphasis should be given to the pedestrian through the provision of structural and facade elements that encourage pedestrian activity.

2. Requirements.

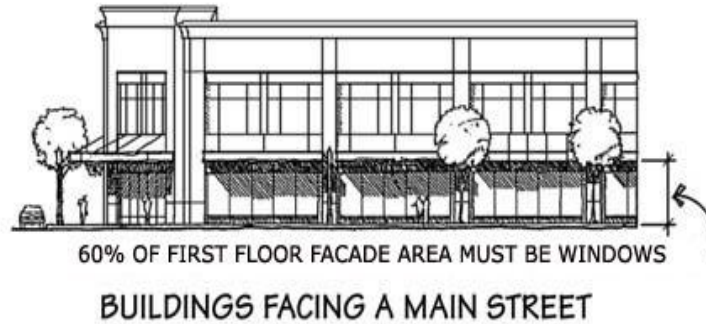
a. Upper Floor Step Back (Diagram 18.23.050C2a). Buildings and parking structures that face a main street must step back all floors above the second floor a minimum of ten feet (for example, a four-story building would have the two floors abutting the sidewalk, and all floors above the second floor would be stepped back a minimum of ten feet from the sidewalk). This requirement shall not apply to the following with the approval of the community development director:

- i. Portions of a building or parking structure that abut a publicly accessible pedestrian plaza or courtyard located between the building or parking structure and the front yard property line.
- ii. Building design features, such as pedestrian entryways; provided the feature does not cover more than fifteen percent of the total building facade facing a main street.



b. Transparency. Windows shall cover at least sixty percent of the first floor building wall area facing a main street for commercial uses. First floor windows must provide visibility into building interiors. Glass must be clear or lightly tinted. These requirements shall apply to that area of the first floor building wall fronting the street up to the finished ceiling height of the first floor building space. Windowsills shall begin twelve to thirty inches above the finished grade of the first floor building space. See Diagram 18.23.050C2b.

DIAGRAM 18.23.050C2b

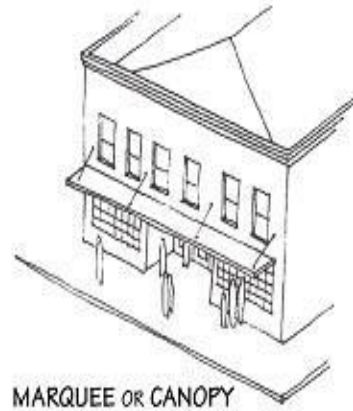
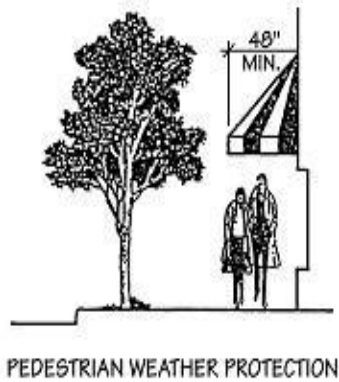


c. Pedestrian Weather Protection. Building facades with first floor commercial uses facing a main street shall be designed to provide for pedestrian weather protection through the use of awnings, canopies, marquees, arcades or building overhangs. Pedestrian weather protection structures shall extend along at least the length of the main street facing facade with a first floor commercial use.

i. Pedestrian weather protection structures shall extend a minimum of four feet out from the building facade. Awnings, canopies, marquees and building overhangs may project into the public right-of-way, subject to the projection requirements of the Tumwater building code. Projections into the public right-of-way must be approved by the community development director, public works director and the building official. Arcades must be on private property. Pedestrian weather protection structures shall be architecturally integrated with the ground level design of the building to which they are attached. See Diagram 18.23.050C2c.

ii. The minimum height of the pedestrian weather protection structures shall be ten feet above the sidewalk surface. Maintain a horizontal consistency by aligning the bottom edge of weather protection structures with those on adjacent buildings; provided, that the bottom edge of such structures shall be at least ten feet above the sidewalk surface. See TMC 18.44.150(C) for suspending signs beneath weather-protection structures.

DIAGRAM 18.23.050C2c



D. Surface Parking Lots.

1. Intent. Discourage the disruption of the continuous building edge along the street. Minimize potential interaction between pedestrians and vehicles.
2. Requirements. Surface parking lots are not allowed to abut New Market Street. Surface parking shall be located behind buildings but may be allowed to abut 73rd and 71st Avenues with landscaping buffers and/or visual screening. One curb cut for access to parking lots is allowed on each side of the portion of New Market Street designated MS4 in the Tumwater town center street design plan. Access to parking lots from other portions of New Market Street is prohibited unless no other alternative is feasible.

E. First Floor Uses in Commercial and Residential Developments.

1. Intent. Create a pedestrian environment with first floor land uses that generate pedestrian activity which complement the wide sidewalks, street trees,

pedestrian-level street lights, street furniture and mid-block crossings that characterize the pedestrian-oriented streetscape.

2. Requirement. For commercial and residential developments, a minimum of twenty percent of the gross floor area on the first floor shall be dedicated to one or more of the following: retail sales, restaurants, personal services, professional services, medical clinics, child ~~day~~-care centers, mini-child ~~mini~~-~~day~~-care centers, museums, or art galleries. These uses may be located within mixed use structures or in separate structures within the development. For example, a professional office building may incorporate a restaurant on the first floor, or a building dedicated entirely to professional offices may be constructed adjacent to a single-use restaurant building within the same development.

First floor uses required by this section must be externally oriented. “Externally oriented” for the purpose of this regulation shall mean having a public entrance opening directly to the outside and facing the main street. A minimum finished ceiling height of ten feet is required.

(Ord. O2023-012, Amended, 02/06/2024; Ord. O2011-002, Amended, 03/01/2011; Ord. O2006-034, Amended, 07/17/2007; Ord. O2001-020, Added, 05/07/2002)

Section 26. Section TMC 18.24.020, Permitted uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.24.020 Permitted uses.

Permitted uses in the LI light industrial zone district are as follows:

- A. All uses having to do with buying and selling, or of a general commercial nature;
- B. Wholesaling, manufacturing, assembling, repairing, fabricating, or other handling of products and equipment;
- C. Warehouse distribution centers, subject to the requirements of TMC 18.42.110;
- D. Recreational facilities;
- E. Support facilities;
- F. Parks, open space areas and recreational facilities;
- G. Transportation terminal facilities;
- H. Planned unit developments not including residential uses;
- I. Post offices;
- J. Park and ride facilities;
- K. Schools, ninth grade and above;
- L. Off-site hazardous waste treatment and storage facilities;

1. Off-site treatment and storage facilities must be located a minimum of two hundred fifty feet from surface water, residential zone districts, and public gathering places;
2. Off-site treatment and storage facilities are subject to the state siting criteria adopted pursuant to the requirements of Chapter 70.105 RCW;

M. Child ~~day~~-care center, mini-child ~~mini-day~~-care center, subject to TMC Chapter 18.52;

N. Sexually oriented businesses as defined in TMC Chapter 18.04 subject to the provisions of TMC 18.42.050;

O. Nurseries, retail or wholesale;

P. Museum, library, art gallery;

Q. Transit facilities;

R. Family childcare homes;

S. Motor pools and transit facilities;

T. Automobile service stations;

U. Attached wireless communication facilities, except that it is prohibited to attach a nonaccessory wireless communication antenna on a single-family detached or middle housing dwelling;*

V. Wireless communication towers;*

W. Motor vehicle sales facilities, subject to the requirements set forth in TMC Chapter 18.42;

X. Equipment rental and sales facilities;

Y. Motorsports facility – indoor;

Z. Motorsports sales facility;

AA. Auto repair facilities;

BB. Crematories;

CC. Electric vehicle infrastructure;

DD. Agriculture;

EE. Community gardens;

FF. Farmers markets;

GG. Marijuana retailer;

HH. Breweries, wineries, distilleries, and associated restaurants;

- II. Taverns, cocktail lounges;
- JJ. Animal clinics or hospitals;
- KK. Kennels;
- LL. Offices;
- MM. Mini-storage;
- NN. Wildlife refuges and forest preserves;
- OO. Temporary expansions of schools, such as portable classrooms;
- PP. Restaurants;
- QQ. Cross-dock facilities, fifty thousand square feet or smaller in size;
- RR. Motor freight terminals, fifty thousand square feet or smaller in size;
- SS. Warehousing, nondistribution, two hundred thousand square feet or smaller in size;
- TT. Warehousing, nondistribution, larger than two hundred thousand square feet in size, subject to the requirements of TMC 18.42.110;
- UU. Truck stops or travel centers;**
- VV. Food trucks or trailers in accordance with TMC 18.42.120;
- WW. Food truck or trailer courts in accordance with TMC 18.42.120;
- XX. Optometry clinics;
- YY. Personal services;
- ZZ. Professional services.

*Wireless communication facilities are subject to Federal Aviation Administration (FAA) standards and approval, and furthermore are subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.

** Truck stops or travel centers are limited to an area within one-half mile of the Interstate 5 and 93rd Avenue SW interchange.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2022-013, Amended, 10/04/2022; Ord. O2019-020, Amended, 11/19/2019; Ord. O2019-019, Amended, 07/23/2019; Ord. O2019-018, Amended, 04/02/2019; Ord. O2018-025, Amended, 12/18/2018; Ord. O2018-007, Amended, 10/16/2018; Ord. O2017-023, Amended, 07/17/2018; Ord. O2017-022, Amended, 12/05/2017; Ord. O2017-006, Amended, 07/18/2017; Ord. O2016-006, Amended, 06/07/2016; Ord. O2014-012, Amended, 08/19/2014; Ord. O2013-025, Amended, 01/07/2014; Ord. O2013-013, Amended, 10/01/2013; Ord. O2010-029, Amended, 06/07/2011; Ord. O2010-015, Amended, 09/07/2010; Ord.

O2008-017, Amended, 10/21/2008; Ord. O2008-016, Amended, 09/16/2008; Ord. O2006-037, Amended, 03/04/2008; Ord. O2005-011, Amended, 07/05/2005; Ord. O2003-001, Amended, 02/18/2003; Ord. O2000-004, Amended, 07/18/2000; Ord. O97-019, Amended, 06/17/1997; Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Added, 12/19/1995)

Section 27. Section TMC 18.25.040, Conditional uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.25.040 Conditional uses.

Conditional uses in the HI district are as follows:

- A. Cemeteries;
- B. Recreational facilities;
- C. Parks and open space areas;
- D. The following essential public facilities:
 - 1. Large scale or regional transportation facilities;
 - 2. Prisons, jails or other correctional facilities:
 - a. Juvenile detention facilities;
 - b. Work release facilities;
 - c. Prisons and prerelease facilities;
 - d. Jails;
 - 3. Solid waste handling facilities;
 - 4. Sewage treatment facilities (not including individual or community wastewater treatment systems);
 - 5. Emergency communication towers and antennas;*
- E. Child ~~day~~-care center; mini-child ~~mini-day~~-care center, subject to TMC Chapter 18.52;
- F. Family child care homes;
- G. Animal clinics or hospitals;
- H. Wrecking yards and junk yards;
- I. Impound yards;
- J. The maximum building height may be exceeded upon approval of the hearing examiner for specific uses. Requests for such approval shall be processed in accordance with the conditional use procedure of TMC Chapter 18.56 and additional minimum conditions outlined in TMC 18.56.110.

*Emergency communication towers and antennas are subject to Federal Aviation Administration (FAA) standards and approval, and furthermore the use is subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.

(Ord. O2023-012, Amended, 02/06/2024; Ord. O2022-013, Amended, 10/04/2022; Ord. O2018-025, Amended, 12/18/2018; Ord. O2017-006, Amended, 07/18/2017; Ord. O2000-004, Amended, 07/18/2000; Ord. O97-019, Amended, 06/17/1997; Ord. O95-035, Added, 12/19/1995)

Section 28. Section TMC 18.26.020, Permitted uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.26.020 Permitted uses.

Permitted uses in the HC district are as follows:

- A. Parks and open space areas;
- 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 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. Wholesaling, manufacturing, assembling, repairing, fabricating, or other handling of products and equipment entirely within a building;
- K. Support facilities;
- L. Child ~~day~~-care center, mini-child mini-day-care center, subject to TMC Chapter 18.52;
- M. Adult family homes, residential care facilities;
- N. Family ~~day-child~~ care homes;
- O. Schools;
- P. Fish hatcheries, associated appurtenances, and related interpretive centers;
- Q. Electric vehicle infrastructure;
- R. Recreational facilities;

- S. Community gardens;
- T. Farmers markets;
- U. Breweries, wineries, distilleries;
- V. Centers for senior citizens, youth, general community, and similar groups;
- W. Wildlife refuges and forest preserves;
- X. Parking lots, parking structures;
- Y. Temporary expansions of schools, such as portable classrooms;
- Z. Food trucks or trailers in accordance with TMC 18.42.120;
- AA. Food truck or trailer courts in accordance with TMC 18.42.120;
- BB. Permanent supportive housing, subject to TMC 18.42.150;
- CC. Transitional housing, subject to TMC 18.42.150;
- DD. Emergency housing, subject to TMC 18.42.150;
- EE. Emergency shelter, subject to TMC 18.42.150;
- FF. Optometry clinics;
- GG. Professional services.

(Ord. O2022-013, Amended, 10/04/2022; Ord. O2021-019, Amended, 01/18/2022; Ord. O2019-020, Amended, 11/19/2019; Ord. O2017-023, Amended, 07/17/2018; Ord. O2017-006, Amended, 07/18/2017; Ord. O2016-006, Amended, 06/07/2016; 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)

Section 29. Section TMC 18.27.040, Uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.27.040 Uses.

Land uses allowed for each subdistrict are listed in Table 18.27.040. Permitted uses are identified with a “P,” conditional uses with a “C,” and accessory uses with an “A.”

Table 18.27.040

Land Uses (5)	Triangle (1)	Deschutes	Bates North	Bates South	Knoll (7)	Valley	Bluff
Accessory dwelling units	A	A	A	A	A	A	A
Accessory wireless communication antenna (2)	A	A	A	A	A		A

Land Uses (5)	Triangle (1)	Deschutes	Bates North	Bates South	Knoll (7)	Valley	Bluff
Adult family homes, residential care facilities (13)	P	P	P	P	P	P	P
Agriculture, indoor						P	
All existing uses legally established prior to September 1, 2014, except where there is a cessation of the use for two or more years	P	P	P	P	P	P	P
Animal clinics or hospitals (6)	P	P	P	P	P	P	
Attached wireless communications facilities (3)	P	P	P	P	P	P	P
Bed and breakfasts	P	P	P	P	P		P
Breweries, wineries, distilleries	P	P			P	P	
Child day care centers; mini-child mini-day care centers, <u>subject to TMC Chapter 18.52</u>	P	P	P	P	P	P	P
Churches	C	C	C		C	P	C
Community gardens	P	P	P	P	P	P	P
Convalescent center, rest home, nursing home	P	P	P	P	P		
Cottage housing	P	P		P			P
Electric vehicle infrastructure	P	P	P	P	P	P	P
Emergency housing (11)(12)	P/A	P/A			P/A		
Emergency shelter (11)(12)	P/A	P/A			P/A		
Energy systems	A	A	A	A	A	A	A
Entertainment facilities	P	P	P	P	P	P	
Family child care homes	P	P	P	P	P		P
Farmers markets	P	P	P	P	P	P	
Fish hatcheries, associated appurtenances and related interpretive centers						P	
Food truck or trailer courts (9)	P	P	P		P	P	
Food trucks or trailers (10)	P	P	P		P	P	
General offices	P	P	P	P	P	P	
Group foster homes	P	P	P	P			
Home occupations	P	P	P	P	P	P	P
Large scale state or regional transportation facilities (essential public facility)						C	
Medical clinics	P	P	P	P	P		
Motels, hotels	P	P			P		
Movie production; movie studio					P	P	

Land Uses (5)	Triangle (1)	Deschutes	Bates North	Bates South	Knoll (7)	Valley	Bluff
Museums, libraries, art galleries	P	P	P	P	P		
Noncommercial recreational structures associated with a residential use which include but are not limited to swimming pools and recreational ball courts	A	A	A	A	A	A	A
Off-street parking and loading	A	A	A	A	A	A	A
Optometry clinics	P	P	P	P	P	P	
Parking structures	P	P	P	P	P	P	P
Parks, open space areas and recreational facilities	P	P	P	P	P	P	P
Permanent supportive housing (11)(12)	P/A	P/A	P/A	P	P/A	P/A	P/A
Personal services	P	P	P	P	P	P	
Planned unit developments	P	P	P	P	P	P	P
Post offices	P	P			P		
Private clubs and lodges	P	P	P		P	P	
Private garages and carports	A	A	A	A	A	A	A
Professional services	P	P	P	P	P	P	
Public parking lot as a primary use	P	P	P	P	P	P	
Residential	P	P	P	P	P	P	P
Restaurants, taverns, cocktail lounges, brew pubs and similar dining and drinking establishments	P	P	P	P	P	P	
Retail sales	P	P	P	P	P	P	
Schools	P	P			P	P	
Senior housing facilities, independent and assisted	P	P	P	P	P		
State education facilities (essential public facility)					C	C	
Storage sheds, toolsheds, greenhouses (8)	A	A	A	A	A	A	A
Support facilities	P	P	P	P	P	P	P
Temporary expansions of schools, such as portable classrooms	P	P			P	P	
Transitional housing (11)(12)	P/A	P/A	P/A	P	P/A	P/A	P/A
Transportation terminals	C						
Wholesaling, manufacturing, assembling, repairing, fabricating, nondistribution warehousing (4)						P	

Table 18.27.040 Footnotes:

- (1) Along the Cleveland Avenue Main Street, active ground floor uses are required in accordance with TMC 18.27.080(B)(1)(e).
- (2) Emergency communication antennas and wireless communication facilities are subject to Federal Aviation Administration (FAA) standards and approval, and furthermore both uses are subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.
- (3) 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.
- (4) Warehousing must be for product for use in or production resulting from on-site manufacturing, assembly, repair or fabrication.
- (5) Drive-through uses are prohibited in the Bates North and Bates South subdistricts. For all other subdistricts, drive-through uses are limited to espresso stands less than five hundred square feet in floor area, pharmacies, banks, credit unions, and the reuse of permitted drive-through facilities in existence as of the effective date of O2014-007 (September 1, 2014) for restaurant uses.
- (6) All animals must be kept at all times within a fully enclosed building with adequate controls so that animal noise and odor cannot be detected on adjoining property or in adjoining units with shared walls.
- (7) South of Custer Way, development must consist of two or more of the listed uses; provided, that each use shall occupy a minimum of twenty percent of the gross floor area of the project.
- (8) Buildings or structures for storage, a greenhouse, detached garage, or carport in the Bates South subdistrict accessory to a permitted use are subject to the provisions in TMC 18.42.015.
- (9) Food truck or trailer courts in accordance with TMC 18.42.120.
- (10) Food trucks or trailers in accordance with TMC 18.42.120.
- (11) Supportive housing facilities such as emergency housing, emergency shelters, permanent supportive housing, and transitional housing are subject to the requirements of TMC 18.42.150.
- (12) Supportive housing facilities such as emergency housing, emergency shelters, permanent supportive housing, and transitional housing are permitted as an accessory use only as part of a permitted church use. Such supportive housing facilities shall not exceed twenty percent of the total building square footage of a church use and are subject to the requirements of TMC 18.42.150.
- (13) Adult family homes and residential care facilities in accordance with TMC Chapter 18.53.

Table 18.27.040 Explanatory Note:

1. If the box is shaded, the use is not allowed in that zone district.

(Ord. O2022-013, Amended, 10/04/2022; Ord. O2021-019, Amended, 01/18/2022; Ord. O2020-005, Amended, 03/16/2021; Ord. O2019-020, Amended, 11/19/2019; Ord. O2019-007, Amended, 09/03/2019; Ord. O2018-025, Amended, 12/18/2018; Ord. O2018-007, Amended, 10/16/2018; Ord. O2017-006, Amended, 07/18/2017; Ord. O2014-007, Added, 07/15/2014)

Section 30. Section TMC 18.32.070, Prohibited uses within compatible use zones, of the Tumwater Municipal Code is hereby amended to read as follows:

18.32.070 Prohibited uses within compatible use zones.

Uses listed in this section are prohibited, except for those uses permitted pursuant to TMC 18.32.060. A use or building is deemed to be within the applicable compatible use zone if any portion of the use or building touches or extends into the applicable zone. The mere application of the zone on a tract of land upon which such use or building is located or proposed to be located shall not prohibit otherwise authorized development on the portion of the tract outside of the zone.

A. Zone 1 – Runway Protection Zone – Prohibited Uses.

1. Residential dwellings;
2. Stormwater wet ponds;
3. Active recreational facilities;
4. Schools, preschools, ~~mini~~-child care facilities, child ~~day~~-care centers, churches, hospitals, independent and assisted senior housing facilities, rest homes and group foster homes;
5. Uses that:
 - a. Create lighting that diminishes the ability of pilots to distinguish between airport lights and nonairport lights;
 - b. Create electrical interference with navigational signals or radio communication between the airport and aircraft;
 - c. Create dust, smoke or other emissions that result in impairment of visibility for pilots.

B. Zone 2 – Inner Approach/Departure Zone – Prohibited Uses.

1. Multifamily dwellings;
2. Active recreational facilities;

3. Schools, preschools, /mini-child care facilities, child ~~day~~-care centers, churches, hospitals, independent and assisted senior housing facilities, rest homes and group foster homes;

4. Uses that:

a. Create lighting that diminishes the ability of pilots to distinguish between airport lights and nonairport lights;

b. Create electrical interference with navigational signals or radio communication between the airport and aircraft;

c. Create dust, smoke or other emissions that result in impairment of visibility for pilots.

C. Zone 3 – Inner Turning Zone – Prohibited Uses.

1. Multifamily dwellings;

2. Active recreational facilities;

3. Schools, preschools, /mini-child care facilities; child ~~day~~-care centers; churches, hospitals, independent and assisted senior housing facilities, rest homes and group foster homes;

4. Uses that:

a. Create lighting that diminishes the ability of pilots to distinguish between airport lights and nonairport lights;

b. Create electrical interference with navigational signals or radio communication between the airport and aircraft;

c. Create dust, smoke or other emissions that result in impairment of visibility for pilots.

D. Zone 4 – Outer Approach/Departure Zone – Prohibited Uses.

1. Multifamily dwellings;

2. Schools, preschools, /mini-child care facilities; child ~~day~~-care centers; churches, hospitals, independent and assisted senior housing facilities, rest homes and group foster homes;

3. Uses that:

a. Create lighting that diminishes the ability of pilots to distinguish between airport lights and nonairport lights;

b. Create electrical interference with navigational signals or radio communication between the airport and aircraft;

c. Create dust, smoke or other emissions that result in impairment of visibility for pilots.

E. Zone 5 – Sideline Zone – Prohibited Uses.

1. Multifamily dwellings;
2. Schools, preschools, ~~mini~~-child care facilities; child ~~day~~-care centers; churches, hospitals, independent and assisted senior housing facilities, rest homes and group foster homes;
3. Uses that:
 - a. Create lighting that diminishes the ability of pilots to distinguish between airport lights and nonairport lights;
 - b. Create electrical interference with navigational signals or radio communication between the airport and aircraft;
 - c. Create dust, smoke or other emissions that result in impairment of visibility for pilots.

(Ord. O2020-005, Amended, 03/16/2021; Ord. O2006-015, Amended, 08/01/2006; Ord. O2004-009, Added, 12/07/2004)

Section 31. Section TMC 18.34.020, Permitted uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.34.020 Permitted uses.

Permitted uses in the ARI airport related industry zone district are as follows:

- A. Aviation and aviation-related uses;
- B. Wholesaling, manufacturing, assembling, repairing, fabricating, or other handling of products and equipment;
- C. Warehouse distribution centers, subject to the requirements of TMC 18.42.110;
- D. General retail;
- E. Offices;
- F. Aviation fueling facilities;
- G. Motor pool and equipment parking;
- H. Park and ride facilities;
- I. Transit facilities;
- J. The raising of crops, including trees;
- K. Hotel/motel and conference facilities;
- L. Support facilities;
- M. Parks, open space areas, and recreational facilities;

- N. Post offices;
- O. Child ~~day~~-care center, mini-child ~~mini-day~~-care center, subject to TMC Chapter 18.52;
- P. Schools on parcels abutting residential zone districts and outside of the airport hazard area subject to the provisions of TMC Chapter 18.56;
- Q. Sexually oriented businesses subject to the provisions of TMC 18.42.050;
- R. Retail and wholesale nurseries or greenhouses;
- S. Museums, libraries, art galleries;
- T. Transportation terminal facilities;
- U. Restaurants;
- V. Automobile service stations;
- W. Attached wireless communication facilities, except that it is prohibited to attach a nonaccessory wireless communication antenna on a single-family detached or middle housing dwelling;*
- X. Wireless communication towers;*
- Y. Motor vehicle sales facilities, subject to the requirements set forth in TMC Chapter 18.42;
- Z. Equipment rental and sales facilities;
- AA. Motorsports facility – indoor;
- BB. Motorsports sales facility;
- CC. Auto repair facilities;
- DD. Crematories;
- EE. Electric vehicle infrastructure;
- FF. Agriculture;
- GG. Community gardens;
- HH. Farmers markets;
- II. Marijuana retailer;
- JJ. Breweries, wineries, distilleries;
- KK. Kennels;
- LL. Mini-storage;
- MM. Wildlife refuges and forest preserves;
- NN. Temporary expansions of schools, such as portable classrooms;

- OO. Cross-dock facilities, fifty thousand square feet or smaller in size;
- PP. Motor freight terminals, fifty thousand square feet or smaller in size;
- QQ. Warehousing, nondistribution, two hundred thousand square feet or smaller in size;
- RR. Warehousing, nondistribution, larger than two hundred thousand square feet in size, subject to the requirements of TMC 18.42.110;
- SS. Energy systems;
- TT. Food trucks or trailers in accordance with TMC 18.42.120;
- UU. Food truck or trailer courts in accordance with TMC 18.42.120;
- VV. Permanent supportive housing, subject to TMC 18.42.150;
- WW. Transitional housing, subject to TMC 18.42.150;
- XX. Emergency housing, subject to TMC 18.42.150;
- YY. Emergency shelter, subject to TMC 18.42.150;
- ZZ. Planned unit developments not including residential uses;
- AAA. Optometry clinics;
- BBB. Personal services;
- CCC. Professional services.

*Wireless communication facilities are subject to Federal Aviation Administration (FAA) standards and approval, and furthermore are subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2022-013, Amended, 10/04/2022; Ord. O2022-006, Amended, 08/01/2022; Ord. O2021-019, Amended, 01/18/2022; Ord. O2019-020, Amended, 11/19/2019; Ord. O2019-007, Amended, 09/03/2019; Ord. O2018-025, Amended, 12/18/2018; Ord. O2018-007, Amended, 10/16/2018; Ord. O2017-023, Amended, 07/17/2018; Ord. O2017-006, Amended, 07/18/2017; Ord. O2016-023, Amended, 01/03/2017; Ord. O2016-006, Amended, 06/07/2016; Ord. O2014-012, Amended, 08/19/2014; Ord. O2013-025, Amended, 01/07/2014; Ord. O2013-013, Amended, 10/01/2013; Ord. O2010-029, Amended, 06/07/2011; Ord. O2010-015, Amended, 09/07/2010; Ord. O2008-017, Amended, 10/21/2008; Ord. O2008-016, Amended, 09/16/2008; Ord. O2006-037, Amended, 03/04/2008; Ord. O2003-001, Amended, 02/18/2003; Ord. O2000-004, Amended, 07/18/2000; Ord. O98-009, Amended, 10/20/1998; Ord. O97-019, Amended, 06/17/1997; Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Added, 12/19/1995)

Section 32. Section TMC 18.42.010, Accessory dwelling units, of the Tumwater Municipal Code is hereby amended to read as follows:

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:

- A. There shall be no more than two accessory dwelling units per lot in conjunction with a principal residential structure.
- B. An accessory dwelling unit may be attached to, created within, or detached from a new or existing principal residential structure.
- C. Off-street parking shall be provided according to the standards set forth in TMC Chapter 18.50.
- D. To ensure that the accessory dwelling unit is clearly secondary to the principal residential structure, the floor area for the accessory dwelling unit shall in no case exceed one thousand square feet of finished living space excluding garages, unfinished attics, or unfinished basements nor be less than the International Building Code minimum residential building square footage for finished living space. Garages shall be not more than three hundred square feet in size for accessory dwelling units.
- 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. Aside from the requirements of this section, 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.
- F. An accessory dwelling unit that is separate from a garage may be sited on the rear lot line if the rear lot line abuts a public alley.
- G. Non-conforming structures legally established prior to December 16, 2025, may be converted into an accessory dwelling unit regardless of setbacks or lot coverage requirements. Conversions within non-conforming structures may not be expanded

beyond the existing footprint. Such conversions must meet the size requirements of section D.

H. Accessory dwelling units may be sold independently from the principal residential structure upon approval and completion of a condominium or unit lot subdivision.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2022-013, Amended, 10/04/2022; Ord. O2020-005, Amended, 03/16/2021; Ord. O2018-007, Amended, 10/16/2018; Ord. O2017-022, Amended, 12/05/2017; Ord. O2013-025, Amended, 01/07/2014; Ord. O2000-004, Amended, 07/18/2000; Ord. O99-001, Amended, 04/20/1999; Ord. O97-025, Amended, 12/02/1997; Ord. O95-035, Added, 12/19/1995)

Section 33. Section TMC 18.42.050, Sexually oriented businesses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.42.050 Sexually oriented businesses.

A. Conditions of Approval. Sexually oriented businesses may be permitted as indicated in TMC 18.24.020 and 18.34.020 but only if the following separation and distance conditions are met:

1. No sexually oriented business shall be located closer than one thousand three hundred twenty feet to another sexually oriented business whether such facility is located within or outside the city limits. Said distance shall be measured by following a straight line from the nearest point of public entry into the structure which will house the proposed sexually oriented business to the nearest point of public entry into the structure housing another sexually oriented business.
2. No sexually oriented business shall be located closer than one thousand three hundred twenty feet from the nearest point on the boundary of the light industrial (LI) and the airport related industry (ARI) districts;
3. No sexually oriented business shall be located closer than one thousand three hundred twenty feet to any of the following uses whether such use is located within city corporate limits or within Thurston County:
 - a. Public or private primary or secondary schools, colleges and universities;
 - b. Preschool facility;
 - c. Nursery school;
 - d. ~~Day-Child~~ care center;
 - e. Mini-~~child~~day care center;
 - f. Family ~~child~~day care home;
 - g. Public library;

- h. Church, temple or synagogue or other facility primarily devoted to the teaching or practice of religious beliefs;
- i. Public parks;
- j. Bike or pedestrian paths or trails not associated with vehicle rights-of-way;
- k. Any residential use.

4. In the event one or more of the uses denominated in subsection (A)(3) of this section locates within one thousand three hundred twenty feet of a sexually oriented business after the sexually oriented business has commenced operation, said sexually oriented business shall be deemed a nonconforming use only if the subsequently established use is situated within three hundred feet of the sexually oriented business.

5. Such distance shall be measured by following a straight line distance between the point of public entry into the structure housing the sexually oriented business and:

- a. The nearest point on a property line of a public park or bike or pedestrian path or trail; or
- b. The nearest point of public entry or point on a property line, whichever is closer, or public or private primary or secondary schools, colleges and universities, preschool facility, nursery school, ~~child~~day care center, mini-~~child~~day care center, family ~~child~~day care home, public library, church, temple or synagogue or other facility primarily devoted to the teaching or practice of religious beliefs, or any residential use.

In the case of any use utilizing leased area or facilities, “property line” shall refer only to such leased area or facility.

B. Sexually Oriented Businesses – Forbidden in Other Zones. The allowance of adult arcades, adult bookstores, adult novelty stores, adult video stores, adult cabarets, adult motion picture theaters, adult theaters, sexual encounter establishments, semi-nude model studios, escort agencies or adult motels shall be limited to the light industrial (LI) and airport related industry (ARI) zones and such uses are forbidden in all other zones within the city of Tumwater.

C. Sexually Oriented Businesses – Preexisting Sexually Oriented Businesses. Sexually oriented businesses existing prior to the adoption of the ordinance codified in this chapter shall be considered a nonconforming use and shall not be subject to the distance requirements set forth in subsection A of this section, but shall be subject to the provisions of TMC Chapter 18.54.

(Ord. O95-035, Amended, 12/19/1995; Ord. O94-014, Added, 07/09/1994)

Section 34. Section TMC 18.44.075, Conditional exemptions, of the Tumwater Municipal Code is hereby amended to read as follows:

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;~~
- B. Temporary commercial signs, subject to the following:
 - 1. The maximum height of freestanding signs shall be six feet;
 - 2. Building-mounted signs shall not be displayed above the roofline;
 - 3. Signs shall not be placed within the rights-of-way and they shall not block the sight distance of motorists per TMC 18.42.040(A);
 - 4. Signs shall not be illuminated internally or externally;
 - 5. Signs shall not have any pennants, balloons, or similar device attached to it;
 - 6. Owners of such signs shall be required to keep their signs legible, intact, clean, graffiti free, and in good repair;
 - 7. Signs placed on the inside of windows shall not exceed fifty percent of the area of the window on which they are displayed in aggregate;
 - 8. Signs may not be displayed more than six weeks in a calendar year except for A-board or sandwich board signs, which may be displayed year-round during business hours only; and
 - 9. A-frame or sandwich board signs are subject to the following, additional requirements:
 - a. The sign shall be no more than sixteen square feet in area total, including all faces of the sign; provided, that no one sign face is larger than fifty percent of the total allowable sign area;

- b. Only one sign is allowed per business;
- c. The sign must be placed on the ground and cannot be elevated in any way; and
- d. Signs shall be constructed out of materials able to withstand typical Northwest weather. Such materials may be metal, finished wood, chalkboard, whiteboard, or plastic. Signs and copy shall be of professional quality.

(Ord. O2017-007, Amended, 11/05/2018; Ord. O2011-002, Amended, 03/01/2011; Ord. O2009-004, Amended, 05/19/2009; Ord. O95-035, Amended, 12/19/1995; Ord. O94-018, Added, 07/19/1994)

Section 35. Section TMC 18.44.155, Multiple building complexes, multiple tenant buildings, and large commercial or industrial buildings, of the Tumwater Municipal Code is hereby amended to read as follows:

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 is allowed per~~ the limits described below; ~~provided, that an equivalent reduction of allowable 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 >50,000 sq. ft.</u>	<u>Up to 15% additional wall sign area</u>
<u>Greater than or equal to >75,000 sq. ft.</u>	<u>Up to 20% additional wall sign area</u>
<u>Greater than or equal to >100,000 sq. ft.</u>	<u>Up to 25% additional wall sign area</u>

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 the lesser of twenty percent of either the public facade or the other wall upon which the sign is placed or three hundred square feet. 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. This sign shall not exceed three hundred square feet.

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 with frontage on 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 three hundred square feet.

G. Interstate 5 Freestanding Signage. For multiple building complexes or multiple tenant buildings having more than one-hundred fifty thousand square feet of floor area with frontage on Interstate 5, one freestanding sign is allowed on the side of the complex or building facing Interstate 5 and one freestanding sign is allowed along the main access frontage of the complex or building. The size of all the faces of the freestanding signs shall not exceed five hundred and fifty square feet.

(Ord. O2011-002, Amended, 03/01/2011; Ord. O2002-008, Amended, 08/20/2002; Ord. O95-035, Amended, 12/19/1995; Ord. O94-018, Amended, 07/19/1994; Ord. 1254, Added, 02/05/1991)

Section 36. Section TMC 18.49.020, Permitted Uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.49.020 Permitted Uses.

Permitted uses within the MHP zone district are as follows:

- A. Manufactured home parks in accordance with the provisions of TMC Chapter 18.48;
- B. Designated manufactured homes on existing single lots of record, in accordance with the provisions of TMC Chapter 18.48;
- C. Mobile home parks which were legally established prior to July 1, 2008;
- D. One single-family detached dwelling per existing single lot of record;
- E. Parks, trails, open space areas, and other related recreation facilities;
- F. Support facilities;
- G. Family child care home; mini-child mini-day care center, . subject to TMC Chapter 18.52~~subject to review by the community development director, the building official, and the fire chief;~~
- H. Planned unit developments;
- I. Adult family homes;
- J. Residential care facilities;
- K. Child care center.

(Ord. O2022-013, Amended, 10/04/2022; Ord. O2022-006, Amended, 08/01/2022; Ord. O2011-002, Amended, 03/01/2011; Ord. O2008-009, Added, 02/17/2009)

Section 37. Section TMC 18.49.040, Conditional Uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.49.040 Conditional uses.

Conditional uses within the MHP zone district are as follows:

- A. Churches;
- B. Wireless communication towers;*
- C. Cemeteries;
- ~~D. Child day care center;~~
- ED. Schools;

- ~~FE~~. Neighborhood community center;
- ~~GF~~. Neighborhood-oriented commercial center;
- ~~HG~~. The following essential public facilities:

1. Emergency communications towers and antennas;

~~IH~~. Group foster homes;

~~JL~~. Bed and breakfasts;**

~~KJ~~. Temporary expansions of schools, such as portable classrooms.

*Wireless communication facilities are subject to Federal Aviation Administration (FAA) standards and approval, and furthermore are subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.

**Bed and breakfasts with only one guest room are permitted uses but a public notice that an application has been submitted shall be sent to immediate neighbors. Administrative decisions may be appealed pursuant to TMC Chapter 14.12.

(Ord. O2024-005, Amended, 12/03/2024; Ord. O2019-007, Amended, 09/03/2019; Ord. O2018-025, Amended, 12/18/2018; Ord. O2017-006, Amended, 07/18/2017; Ord. O2008-009, Added, 02/17/2009)

Section 38. Section TMC 18.50.070, Off-street parking space standards, of the Tumwater Municipal Code is hereby amended to read as follows:

18.50.070 Off-street parking space standards.

A. Off-street parking spaces shall be calculated using the standards outlined in Figure 18.50.070(A). Standards represent minimum and maximum numbers unless otherwise noted. Standards may be modified in accordance with TMC 18.50.075.

Figure 18.50.070(A)

RESIDENTIAL	NUMBER OF PRESCRIBED SPACES
Single-family dwelling and designated manufactured homes	Minimum of 2.0 spaces per dwelling unit.
Accessory dwelling	1.0 space per dwelling unit, if no on-street parking is available within 300 feet of the unit. Off-street parking is not required if an accessory dwelling unit is within one-half mile walking distance of a major transit stop.
Studio apartment	1.0 space per dwelling unit.
Multifamily dwelling	Minimum of 1.5 spaces per 1 – 2 bedroom dwelling unit, 2.0 spaces per 3+ bedroom dwelling units, plus 1.0 guest space for every 10 units. ¹
Middle housing	Minimum of 2.0 spaces per dwelling unit if lot is 6,000 square feet or larger, minimum of 1.0 space per dwelling unit if lot is less than 6,000 square feet. ² Off-street parking

	is not required if a middle housing dwelling is within one-half mile walking distance of a major transit stop.
Senior housing	1.0 space per 2 bedroom unit plus 1.0 guest spaces for every 10 units.
Co-living housing	0.25 spaces per sleeping unit. Off-street parking is not required if a co-living housing facility is within one-half mile walking distance of a major transit stop.
Bed and breakfasts	1.0 space for each guest bedroom and 2.0 spaces for the operator.
Group foster home	1.0 space for each staff member plus 1.0 space for every 5 residents. Additionally, 1.0 space shall be provided for each vehicle used in connection with the facility.
Adult family home	1.0 space in addition to the space(s) required for the residential unit.
Residential care facility	1.0 space for each staff member plus 1.0 space for every 5 residents. Additionally, 1.0 space shall be provided for each vehicle used in connection with the facility.
Designated manufactured home park	1.0 spaces per lot or unit, whichever is greater. In addition, if recreation facilities are provided, 1.0 space per 10 units or lots, whichever is greater.
Home occupation	1.0 space for each employee outside of the immediate family in addition to the spaces required for the dwelling unit. If the occupation requires any customers and/or clients to visit the premises, at least 2.0 additional spaces shall be provided.

(1) Can be reduced to 1.0 spaces per 1 – 2 bedroom dwelling unit and 1.5 spaces per 3+ bedroom unit if within one-half mile of a transit stop by sidewalk or paved path.

(2) Before any zero lot line subdivisions or lot splits.

COMMERCIAL	NUMBER OF PRESCRIBED SPACES
Banks with drive-through windows/ATM units	3.0 per 1,000 square feet.
Beauty salon, barber shop	See Retail use.
Carpet and furniture showrooms	1.25 spaces per 1,000 square feet of gross showroom floor area. Each store shall have a minimum of 4.0 spaces.
Family child care home, mini-child mini-day care center, child day care center	1.0 space for each staff member plus 1.0 space per 10 children. A facility located in a family residence must also provide required parking for a dwelling unit.
Hardware and building materials retailer	2.75 spaces per 1,000 square feet.
Hotel and motel	1.0 space for each room or suite and 1.0 space per manager's unit. Banquet and meeting rooms shall provide 6.0 spaces for 1,000 square feet of seating area. Restaurants are figured separately.
Laundromat, dry cleaner	See Retail use.
Market, shopping center, and large retail/wholesale outlet	Less than 20,000 square feet = 3.5 spaces per 1,000 square feet of gross floor area. Greater than 20,000 square feet = 3.25 spaces per 1,000 square feet of gross floor area.
Mini-storage facility	1.0 space for every 100 storage units and 2.0 spaces for permanent on-site managers with a minimum of 3.0 spaces for all facilities, regardless of size.

Mixed use	Shared or combined parking standards shall be used to calculate needed parking. This calculation is based upon the gross leasable area for each shop or business and does not include atriums, foyers, hallways, courts, maintenance areas, etc. See Shared and combined parking facilities, TMC 18.50.090.
Mortuary and funeral parlor	1.0 space per 75 square feet of assembly area or 13.0 stalls per 1,000 square feet of gross area, whichever is greater.
Offices, general	Gross floor area up to 2,000 square feet = 4.0 spaces per 1,000 square feet. GFA 2,001 to 7,500 square feet = 3.3 spaces per 1,000 square feet. GFA 7,501 to 40,000 square feet = 2.8 spaces per 1,000 square feet. GFA greater than 40,000 square feet = 2.5 spaces per 1,000 square feet.
Offices, government	3.5 spaces per 1,000 square feet.
Retail use	3.5 spaces per 1,000 square feet.
Automotive services (e.g., tire installation, lubrication, repair)	The community development director may require a parking demand study or determine the standards that should be applied to the use in question.
Warehouse distribution center, cross-dock facility, or motor freight terminal	1.0 space per 2,000 square feet, or the community development director may require a parking demand study or determine the standards that should be applied to the use in question.
Warehouse, storage	10,000 square feet or less = 1.0 space per 2,000 square feet, 10,001 to 20,000 square feet = 10.0 spaces plus 0.75 spaces for each additional 2,000 square feet, Over 20,000 square feet = 18.0 spaces plus 0.5 space for each additional 2,000 square feet; or the community development director may require a parking demand study or determine the standards that should be applied to the use in question.

RESTAURANT	NUMBER OF PRESCRIBED SPACES
Drive-up stands (espresso, etc.)	2.0 spaces plus 1 lane for each drive-up window with stacking space for 3 vehicles. See TMC 18.43.020 for additional stacking lane requirements.
Cafe, bar, and other drinking establishments	10.0 spaces per 1,000 square feet.
Car hop (auto-borne customers served outside of building only)	1.0 space per 15 square feet.
Fast food	10.0 spaces per 1,000 square feet plus 1 lane for each drive-up window. See TMC 18.43.020 for stacking lane requirements.
Restaurant with seats	1.0 space per 100 square feet of dining area.

INDUSTRIAL	NUMBER OF PRESCRIBED SPACES
Manufacturing use	1.0 space for each employee on the largest shift, with a minimum of 5.0 spaces, or the community development

	director may require a parking demand study or determine the standards that should be applied to the use in question.
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EDUCATIONAL	NUMBER OF PRESCRIBED SPACES
Elementary and middle schools	1.0 space per 6 students at design capacity.
High school	1.25 spaces per classroom or office, plus 1.0 space per 4 students. Public assembly areas, such as auditoriums, stadiums, etc., that are primary uses may be considered a separate use.
Library and museum	5.0 spaces per 1,000 square feet of public floor area.

HEALTHCARE	NUMBER OF PRESCRIBED SPACES
Nursing home, congregate care, rest home, hospice care home and mental health facility	1.0 space per 4 regular beds, plus 1.0 space for every regular employee on the largest shift.
Medical clinics	5.0 spaces per 1,000 square feet.
Emergency housing, emergency shelter, permanent supportive housing, and transitional shelter	A parking plan based on population served and projected needs should be submitted and approved by the community development director.

PLACES OF ASSEMBLY	NUMBER OF PRESCRIBED SPACES
Church	1.0 space per 4 seats or 1.0 space per 6 feet of bench or other seating. 6.0 spaces per 1,000 square feet of assembly area where seats or pews are not provided or when circumstances warrant increased parking, such as a church which attracts a large, regional congregation or one which has multiple functions. See Shared and combined parking facilities, TMC 18.50.090.
Private club or lodge	6.0 spaces per 1,000 square feet.
Theater and auditorium	1.0 space per 4.5 fixed seats. If the theater or auditorium is a component of a larger commercial development, the above parking standard may be modified to account for shared or combined parking; TMC 18.50.090.
Theater and auditorium without fixed seats	1.0 space per 3 permitted occupants.

RECREATION AND AMUSEMENT	NUMBER OF PRESCRIBED SPACES
Bowling alley	5.0 spaces per alley.
Health club	5.0 spaces per 1,000 square feet.
Skating rink and other commercial recreation	5.0 spaces per 1,000 square feet.

B. Parking spaces provided within a parking structure or underneath a building shall be exempt from maximum parking requirements.

C. All vehicle parking standards are based on gross square feet of building area, unless otherwise noted.

D. Up to fifteen percent of off-street parking stalls may be compact stalls. Compact stalls shall be eight feet in width by seventeen feet in length.

E. Additional standards for residential parking:

1. Parking spaces that count towards minimum parking requirements may be enclosed or unenclosed.
2. Parking spaces in tandem must count towards meeting minimum parking requirements at a rate of one space for every twenty linear feet with any necessary provisions for turning radius. For purposes of this subsection, "tandem" is defined as having two or more vehicles, one in front of or behind the others with a single means of ingress and egress.
3. Existence of legally nonconforming gravel surfacing in existing designated parking areas may be used to meet parking standards, up to a maximum of six parking spaces.
4. Parking spaces may not be required to exceed eight feet by twenty feet in the required parking design standards (Figure 18.50.060(A)), except for required parking for people with disabilities; and
5. If compliance with tree retention requirements would otherwise make a proposed residential development or redevelopment infeasible, off street parking requirements are waived.
6. Existing parking spaces that do not conform to the requirements of this section by December 16, 2025, are not required to be modified or resized, except for compliance with the Americans with disabilities act. Existing paved parking lots are not required to change the size of existing parking spaces during resurfacing if doing so will be more costly or require significant reconfiguration of the parking space locations.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2021-019, Amended, 01/18/2022; Ord. O2020-005, Amended, 03/16/2021; Ord. O2017-023, Amended, 07/17/2018; Ord. O2017-022, Amended, 12/05/2017; Ord. O2016-037, Amended, 01/03/2017; Ord. O2014-008, Amended, 10/07/2014; Ord. O2011-006, Amended, 11/15/2011; Ord. O97-015, Added, 03/03/1998)

Section 39. Section TMC 18.52.010, Definitions, of the Tumwater Municipal Code is hereby amended to read as follows:

18.52.010 Definitions.

For the purpose of this chapter, unless otherwise apparent from the context, certain words and phrases used in this chapter are defined as follows:

- A. 1. "Child ~~day~~-care" means the provision of supplemental parental care and supervision:

- a. For a nonrelated child or children;
- b. On a regular basis;
- c. For less than twenty-four hours a day; and
- d. Under license by the Washington State Department of Social and Health Services.

2. As used in this chapter, the term is not intended to include babysitting services of a casual, nonrecurring nature or in the child’s own home. Likewise, the term is not intended to include cooperative, reciprocative child care by a group of parents in their respective homes.

B. “Child ~~day~~-care center” means a person or agency that provides care for thirteen or more children during part of the twenty-four-hour day.

C. “Child ~~day~~-care facility” means a building or structure in which an agency, person, or persons regularly provide care for a group of children for periods of less than twenty-four hours a day. Child care facilities include family ~~child day~~-care homes, ~~mini-child mini-day~~-care centers, and child ~~day~~-care centers regulated by the Washington State Department of Social and Health Services, as presently defined and hereafter amended. (Chapter 74.15 RCW, WAC 388-73-422.)

D. “~~Mini-c~~Child ~~mini-day~~-care center” means a person or agency providing care during part of the twenty-four-hour day to twelve or fewer children in a facility other than the family abode of the person or persons under whose direct care the children are placed.

E. “Family child care home” means a facility in the family residence of the licensee providing regularly scheduled care for twelve or fewer children, with a birth through eleven-years-of-age range exclusively, for a period less than twenty-four hours.

(Amended during 2011 reformat; O95-035, Amended, 12/19/1995; Ord. 1288, Added, 06/04/1991)

Section 40. Section TMC 18.52.020, Family child care home, of the Tumwater Municipal Code is hereby amended to read as follows:

18.52.020 Family child care home.

A family child care home shall be a permitted use in all zone districts permitting residences and shall be subject to the following requirements:

- A. Meet Washington State child-~~day~~ care licensing requirements;
- B. Comply with all building, fire safety, health code and business licensing requirements;

C. Lot size, building size, setbacks and lot coverage conform to the standards of the zone district except if the structure is a legal nonconforming structure;

D. Signage, if any, will conform to TMC Chapter 18.44;

E. No structural or decorative alteration which will alter the character of an existing or proposed residential structure or be incompatible with surrounding residences is permitted.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O95-035, Amended, 12/19/1995; Ord. 1288, Added, 06/04/1991)

Section 41. Section TMC 18.52.030, Child mini-day care center, of the Tumwater Municipal Code is hereby deleted in its entirety as follows:

~~18.52.030 — Child mini-day care center.~~

~~A child mini-day care center is allowed in the designated zoning districts as follows:~~

~~A. Residential Zoning Districts. For residential zones, a child mini-day care center shall be reviewed, by the community development director, for compliance with the following requirements:~~

~~1. Administrative Review Notice. Notice of the proposal shall be given as provided below:~~

~~a. Notices shall be posted in a conspicuous place at or near the location of the proposal at least ten calendar days prior to final action of the application;~~

~~b. The notice shall include a description of the proposal, site location, deadline for submitting written comments, and the address and phone number of the community development director;~~

~~c. The community development director shall review applications for a mini-day care center and may approve, modify, or deny the application subject to the following requirements:~~

~~i. Meet Washington State child day care licensing requirements,~~

~~ii. Comply with all building, fire safety, health codes and business licensing requirements,~~

~~iii. Signage, if any, will conform to the requirements of TMC Chapter 18.44,~~

~~iv. Parking requirements shall conform to TMC Chapter 18.50,~~

~~v. The site must be landscaped in a manner compatible with the residential character of the surrounding neighborhood,~~

~~vi.— No structural or decorative alteration which will alter the residential character of an existing residential structure used for a child mini-day care center is permitted;~~

~~vii.— The community development director may attach conditions to the permit in order to reduce conflicts between the child mini-day care center and the surrounding neighborhood including, but not limited to, noise attenuation, special parking needs, and hours of operation;~~

~~viii.— If the community development director finds that there is just cause for a public hearing, final approval shall be determined through the conditional use permit process and shall be subject to the requirements of TMC 18.52.040 and TMC Chapter 18.56;~~

~~2.— The process used to appeal a decision of the community development director is contained in TMC Chapter 18.62.~~

~~B.— All Other Zoning Districts. A child mini-day care center is a permitted use in the NC, TC, CS, MU, GC, LI, HC, and ARI zoning districts, provided the conditions set forth in subsections (A)(1)(c)(i) through (v) and (vii) of this section are met.~~

~~(Ord. O2018-007, Amended, 10/16/2018; Ord. O2011-002, Amended, 03/01/2011; Ord. O2001-020, Amended, 05/07/2002; Ord. O97-025, Amended, 12/02/1997; Ord. O95-035, Amended, 12/19/1995; Ord. 1288, Added, 06/04/1991)~~

Section 42. Section TMC 18.52.040, Child day care center, of the Tumwater Municipal Code is hereby amended to read as follows:

18.52.040 Child ~~day care center~~ and mini-child care centers.

A child ~~day care center~~ or a mini-child care center may be allowed in the designated zone districts as follows:

A. A child ~~day care center~~ or a mini-child care center may be allowed in ~~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;~~

45. 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 child day-care use.

B. A child care center or a mini-child 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 care licensing requirements;
2. Install an approved fire sprinkler system;
3. Possess a valid child 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 or a mini-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 child care use.

CB. A child care center or a mini-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.

DC. Limitations in Use of a Family Residence. No child-~~day~~ care center or mini-child 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.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2017-017, Amended, 09/19/2017; Ord. O2017-006, Amended, 07/18/2017; Ord. O2001-020, Amended, 05/07/2002; Ord. O97-025, Amended, 12/02/1997; Ord. O95-035, Amended, 12/19/1995; Ord. 1288, Added, 06/04/1991)

Section 43. Section TMC 18.56.120, “C” uses, of the Tumwater Municipal Code is hereby amended to read as follows:

18.56.120 “C” uses.

“Campgrounds”

A. Minimum Conditions.

1. Minimum site size for a campground shall be two acres;
 2. Each camping site shall be a minimum of one thousand square feet in size, and separated by a minimum of ten feet from any other camping site or permanent building within or adjacent to the campground;
 3. The campground shall provide a minimum of ten feet of buffer area planted with sight-obscuring vegetation to screen the site from adjacent land uses;
 4. The campground shall meet all state requirements for such facilities;
 5. The campground shall be designed for temporary occupancy only, not permanent year-round occupancy, as distinguished from a mobile or manufactured home park;
 6. The campground shall provide adequate sanitation, heating, lighting and ventilation facilities in accordance with applicable state and local codes and ordinances;
 7. The campground shall provide sewage disposal facilities for campground customers only;
8. No wood burning campfires are allowed.

“Cemeteries”

A. Minimum Conditions.

1. Site must be on or within three hundred feet of a major or secondary arterial;
2. A twenty-foot setback on front, side, and rear yards;
3. Screening shall be provided along each property line and shall consist of a continuous fence, wall, evergreen hedge, landscape planting, or combination thereof, so as to screen effectively the property from immediate adjoining properties and public right-of-way. In cases where physical characteristics of the property make actual screening from adjoining parcels impossible or unreasonable, this requirement may be completely or partially waived by the hearing examiner. All shrubs, trees, fencing, etc., used in the landscaping and screening, shall be maintained in a healthy growing condition. Dead or dying plants shall be replaced as soon as possible. Planting areas shall be maintained reasonably free of weeds and trash. No landscaping planting materials shall impair pedestrian or vehicular safety;

4. Off-street parking of one space per each employee. Other cemetery-related uses, such as mausoleums, crematoria, funeral homes, or other uses similar in nature, shall be considered separate uses and subject to the applicable provisions of this title;
5. The hours of operation shall be limited to daylight hours (sunrise to sunset) so as not to interfere with residential character of the neighborhood;
6. Except for Memorial Day and Veterans Day, no use of sound amplification or lighting equipment that would be audible or visible from adjacent property.

“Child ~~day~~-care center” and “mini-child care center”

A. Minimum Condition.

1. Child ~~day~~-care centers and mini-child care centers shall meet the conditions listed in TMC 18.52.040(A).

“Churches”

A. Minimum Conditions.

1. Site must be on or within three hundred feet of an arterial or the intersection of two or more collectors;
2. Plans showing the site layout and the design of the buildings shall be submitted for approval to the hearing examiner. These plans shall demonstrate that the proposed development will be compatible with the appearance and character of the surrounding neighborhood, and that such development will not be unduly detrimental to surrounding property;
3. Twenty-five-foot setback on front, side, and rear yards, and any additions to an existing structure shall not encroach upon any required yard;
4. Church-sponsored uses located apart from the main building, such as residences, schools, auditoriums, convents, preschool facilities, or other uses similar in nature, shall be considered separate uses and subject to the applicable provisions of this title.

“Convalescent centers, rest homes and nursing homes”

A. Minimum Conditions.

1. Must meet licensing requirements of the State Department of Social and Health Services;
2. The minimum site area shall be adequate to provide for the required parking, yards, and at least one off-street loading space;
3. The facility must be located on an arterial or collector road or street.

(Ord. O2017-006, Amended, 07/18/2017; Ord. O2013-025, Amended, 01/07/2014; Ord. O2008-009, Amended, 02/17/2009; Ord. O2005-034, Amended, 01/17/2006; Ord. O2001-020, Amended, 05/07/2002; Ord. O99-001, Amended, 04/20/1999; Ord. O98-009, Amended, 10/20/1998; Ord. O97-025, Amended, 12/02/1997; Ord. O97-024, Amended, 03/03/1998; Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Amended, 12/19/1995

Section 44. Section TMC 18.56.140, “E” uses, of the Tumwater Municipal Code is hereby amended to read as follows:

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~~ S-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 facilities housing 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~~residences).

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.

130. 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 community members ~~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
<u>D</u>								<u>C</u>	<u>C</u>		<u>C</u>	<u>C</u>					<u>C</u>	<u>C</u>
<u>E</u>								<u>C</u>	<u>C</u>		<u>C</u>	<u>C</u>					<u>C</u>	<u>C</u>
<u>FD</u>								C(3) (4)			C(3) (4)	C(3) (4)					C(3) (4)	
<u>GE</u>											C	C					C	
<u>H</u>			<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		<u>C</u>									
<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>LI</u>		C	C	C	C		C	C	C	C(1)	C	C					C	
<u>MJ</u>											C(2)							

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>N</u>								<u>C</u>	<u>C</u>		<u>C</u>	<u>C</u>						

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

RSR – Residential/Sensitive Resource	NC – Neighborhood Commercial	LI – Light Industrial
LDR – Low Density Residential	CS – Community Services	HI – Heavy Industrial
MDR – Medium Density Residential	ARI – Airport Related Industrial	HC – Historic Commercial
HDR – High Density Residential	AP – Airport Overlay	GB – Greenbelt
MU – Mixed Use	GC – General Commercial	OS – Open Space
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>
DF	Prisons, jails, and other correctional facilities (including but not limited to: jails; juvenile detention facilities; prisons and prerelease facilities; work release facilities).
EG	Solid waste handling facilities including organic materials management facilities.
<u>H</u>	<u>Opioid treatment facilities 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>
FI	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 residences).
GJ	Mental health facilities (including but not limited to: congregate care facilities; adult residential treatment facilities; evaluation and treatment centers).
HK	Sewage treatment facilities (not including individual or community wastewater treatment systems).
<u>IL</u>	Emergency communication towers and antennas.
JM	Secure community transition facilities <u>as defined in RCW 71.09.020.</u>
KN	Other facilities designated by the Washington State Office of Financial Management as essential public facilities.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2017-017, Amended, 09/19/2017; Ord. O2017-006, Amended, 07/18/2017; Ord. O2014-007, Amended, 07/15/2014; Ord. O2013-025, Amended, 01/07/2014; Amended during 2011 reformat; O2008-015, Amended, 04/15/2008; Ord. O2006-021, Added, 07/10/2006; Ord. O2002-013,

Amended, 08/20/2002; Ord. O2001-020, Amended, 05/07/2002; Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Added, 12/19/1995)

Section 45. Corrections. The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Section 46. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 47. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 48. Effective Date. This ordinance shall become effective thirty (30) days after passage, approval and publication as provided by law.

ADOPTED this _____ day of _____, 2026.

CITY OF TUMWATER

Leatta Dahlhoff, Mayor

ATTEST:

Melody Valiant, City Clerk

APPROVED AS TO FORM:

Karen Kirkpatrick, City Attorney

Published:_____

Effective Date:_____