

STAFF REPORT

Date: November 25, 2025
To: Planning Commission
From: Brad Medrud, Community Development Director, and Erika Smith-Erickson, Housing and Land Use Planner



2025 Development Code Periodic Update – Ordinance No. O2025-011

On a ten-year cycle, Tumwater must conduct a Growth Management Act periodic update of its Comprehensive Plan and related development regulations. For the current cycle, Tumwater is required to complete work on the periodic update by December 31, 2025.

The Planning Commission will be asked to conduct a public hearing, take public testimony, and forward a recommendation of approval to the City Council on Ordinance No. O2025-011.

A separate 2026 Development Code periodic update ordinance to address development code amendments in support of the 2025 Comprehensive Plan update that are not required by the state to be completed by December 31, 2025, will be presented to the Planning Commission in early 2026.

Revisions Since Work Session

Since the Planning Commission set the public hearing date at their Monday, November 10, 2025, work session, there have been three sets of changes to Ordinance No. O2025-011 that are summarized below.

1. Based on discussions during the Planning Commission work session on November 10, 2025, “zone district” has been added to the definition of “district” in TMC 18.04.040 (page 38 of the ordinance).
2. After the Planning Commission work session on November 10, 2025, staff added a minimum lot size of 2,000 square feet for a townhouse development in the LDR Low Density Residential zone district consisting of at least three attached townhouses in TMC 18.12.050(E) (page 86 of the ordinance). This is intended to work with the proposed amendment to the same section to allow a minimum lot width of 20 feet for townhouses. For all other uses, the minimum lot size in the LDR Low Density Residential zone remains 3,200 square feet.
3. The State Department Commerce provided a draft comment letter dated November 17, 2025, (Attachment F) regarding Tumwater’s proposed 2025 Comprehensive Plan and Development Code update as part of their Notice of Intent review. Staff were able to address all the comments from Commerce in the revised ordinance included in the

packet. The comments from Commerce regarding Ordinance No. O2025-011 and staff responses are summarized below:

Accessory Dwelling Units:

- a. **Commerce Comment:** City code section 18.42.010(E) appears to limit ADUs to “one family” which may be inconsistent with state law occupancy allowances. Please ensure that ADUs are defined to be consistent with the dwelling unit(s) located on the same lot as the single-family housing unit, duplex, triplex, townhome, or other dwelling unit (RCW 36.70A.696(6)).

Staff Response: Addressed. Staff deleted TMC 18.42.010(F) (original code reference). See page 148 of Ordinance No. O2025-011.

- b. **Commerce Comment:** City code sections 18.12.050(D) and 18.14.050(D) appear to limit lots to two units. Within urban growth areas, cities must allow at least two ADUs on all lots that meet the minimum lot size in zoning districts that allow for single-family homes (RCW 36.70A.681(1)(c)).

Staff Response: Addressed. Staff modified the amended TMC 18.12.050(D)(2) and the amended TMC 18.14.050(D)(2) to address this comment. See pages 86 and 97 of Ordinance No. O2025-011.

Middle Housing:

- a. **Commerce Comment:** City code section 17.12.040 requires a separate lot for each dwelling unit (except ADUs). Middle housing statute requires that tier 2 cities allow the option of 2-4 dwelling units per lot. We recommend updating the city code to clearly specify that 2-4 middle housing dwelling units per lot are allowed.

Staff Response: Addressed. Staff deleted the second sentence of TMC 17.12.040. See page 25 of Ordinance No. O2025-011

- b. **Commerce Comment:** In our review it appears the city only allows zero lot line development for townhouses. State statute requires that zero lot line development is allowed where the number of lots created are equal to the required unit density (RCW 36.70A.635(5)).

Staff Response: Addressed. Staff modified the amended TMC 18.12.050(J)(2) and the amended TMC 18.14.050(G)(2) to address this comment. See pages 87 and 98 of Ordinance No. O2025-011.

- c. **Commerce Comment:** In our review we did not find language specifying that no off-street parking is required within one-half mile walking distance of a major transit stop (RCW 36.70A.635(6)(d)). Please provide language that clarifies this allowance.

Staff Response: Addressed. Staff added the exemption for middle housing to Figure 18.50.070(A). See page 198 of Ordinance No. O2025-011.

The comments from Commerce regarding the Housing Element will be addressed in the staff report for the joint City Council and Planning Commission work session on December 9, 2025.

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1 – Summary

Ordinance No. O2025-011 contains state required housing related amendments to the Tumwater Municipal Code (TMC), the Zoning Map for Tumwater and its Urban Growth Area, and the Tumwater Citywide Design Guidelines that need to be completed by December 31, 2025, to meet state requirements as part of the 2025 Comprehensive Plan and Development Code periodic update. City staff have been working with the community, Planning Commission, and City Council on the Development Code periodic update since the fall of 2022.

2 – Amendment Criteria

The periodic update to the Development Code is subject to the Plan amendment criteria below from TMC 18.60.020:

A. Proposed text amendments, or comprehensive plan amendments and associated requests for rezone shall first be heard by the planning commission and the recommendation of the planning commission shall be forwarded to the city council. The city shall hold a public hearing on any such proposed amendments. Notice of a public hearing which shall be equally applied to all applications and applicants shall be given as follows:

[...]

3 – Public Approval Process

An Environmental Checklist for a non-project action was prepared on October 10, 2025, under the State Environmental Policy Act (Chapter 43.21C RCW), pursuant to Chapter 197-11 WAC, and a Determination of Non-Significance was issued in October 17, 2025. The comment period on the determination ended October 31, 2025, and the appeal period ended November 6, 2025.

The ordinance was sent to the State Department of Commerce on October 13, 2025, for their required 60-day review before the proposed periodic update is adopted, in accordance with RCW 36.70A.106. The 60-day review period will end December 12, 2025.

The Planning Commission was briefed on the ordinance October 28, 2025, and held a work session on November 10, 2025. Following the public hearing and deliberations, the Planning Commission is expected to make their recommendation on the proposed periodic update to the City Council.

A Joint City Council and Planning Commission work session will review the Planning Commission's recommendation on both the Comprehensive Plan and related 2025 Development Code periodic update on December 9, 2025; and the City Council is scheduled to consider the Ordinances No. O2025-010 and O2025-011 on December 16, 2025.

4 – Public Notification

A Notice of Public Hearing for the Planning Commission is expected to be issued on November 14, 2025. The notice will be published as a press release, distributed to interested individuals and entities that have requested such notices, and published in The Olympian.

5 –2025 Amendments Summary

Ordinance No. O2025-011 must address a number of state requirements by December 31, 2025. As part of the 2025 Comprehensive Plan update, Ordinance No. O2025-010, staff updated the Housing Element, which provides policy guidance for the development code, to allow for more housing types suitable for all income brackets to meet the forecasted demand for housing over the next twenty years. In turn, the development code determines what types of housing are allowed, how many units, and where.

The types of amendments that are a part of Ordinance No. O2025-011 are arranged by relative level of importance below.

- **Middle housing [E2SHB 1110 (2023)]**. The legislation contained a number of amendments to the Revised Code of Washington (RCW) that provide more options for housing affordability by increasing the number of middle housing types allowed in residential zone districts as well as allowing more than one residential unit on a lot.

Why this is important? The amendments allow for more housing types suitable for all income brackets in more areas of the City and they remove regulations that made middle housing more complex or restrictive than single family detached housing.

- **Residential density [E2SHB 1220 (2021)]**. The portion of the legislation concerning emergency shelters, transitional housing, emergency housing, and permanent supportive housing was addressed by Ordinance No. O2021-019 (January 18, 2022).

Why this is important? To support more housing types that meet affordability requirements and reduce sprawl, the City increased the density ranges of its four primary residential zone districts and combines the SFL Single Family Low Density Residential and SFM Single Family Medium Density Residential zone districts into one new LDR Low Density Residential zone district. The MFM Multifamily Medium Density Residential zone district has been renamed the MDR Medium Density Residential zone district, and the MFH Multifamily High Density Residential zone district has been renamed the HDR High Density Residential zone district.

- **Accessory dwelling unit [EHB 1337 (2023)]**.

Why this is important? Accessory dwelling units provide the ability to add more smaller housing units on individual residential lots without needing to meet density requirements and complete the subdivision process. Furthermore, the maximum size for an accessory dwelling unit has been increased to 1,000 square feet per unit. Design review standards have been revised to reduce restrictive requirements such as how the unit should look, be oriented, where the front door is, and having to match the look existing residential structures on the property.

- **Residential parking requirements [SSB 6015 (2024), RCW 36.70A.622]. Note that ESSB 5184 (2025)** (only applies to cities with more than 30,000 people).

Why this is important? To simplify the permitting processes, parking requirements have been reduced to potentially costly improvements to help support housing production.

- **Design review standards [ESHB 1293 (2023)]**.

Why this is important? Residential projects are reviewed to ensure they meet quality standards and are compatible with surrounding developments. Design Reviews enhance pedestrian features and improve compatibility. This includes overall design, building materials, landscaping, lighting and safety, and access. The Citywide Design Guidelines have been updated for middle housing to ensure they are not more restrictive than a single family detached residence.

- **Use of existing buildings for residential purposes [ESHB 1042 (2023)]**.

Why this is important? Converting existing buildings, such as offices, can be a faster way to create more housing units in areas with existing infrastructure. Reusing existing buildings and associated parking also can have a lower environmental impact. New legislation removes the requirement for existing, unchanged portions of a building to meet the current energy code, which can be prohibitively expensive and involve major renovations like replacing entire heating systems.

- **Co-living housing [ESHB 1998 (2024)].**

Why this is important? Co-living homes are affordable to tenants with moderate to low incomes, without requiring any public subsidy. Rents in newly constructed, market-rate co-living homes in the Puget Sound region are commonly affordable to people earning as low as 50 percent of the area median income. Rents in older co-living buildings can be even lower.

- **Religiously sponsored housing density bonus [SHB 1377 (2023)].**

Why this is important? The legislation provides incentives to build affordable housing on faith community owned land. Faith communities who choose to use their land to create homes for their low and middle income neighbors making below 80% Area Median Income receive a density bonus for the development. Dwelling units built using the density bonus must remain affordable for 50 years.

- **Religiously sponsored homeless housing [ESHB 1754 (2020)].**

Why this is important? The legislation allows religious organizations to host the homeless housing on their property, whether indoors or outdoors, and prevents local municipalities from imposing certain restrictions on these hosting activities and provides guidelines for how Tumwater can regulate the health and safety of these temporary settings, such as outdoor encampments, indoor overnight shelters, and vehicle resident safe parking.

Additional Tumwater amendments that support the 2025 Comprehensive Plan periodic update are included in Ordinance No. O2025-011. These amendments include addressing amendments in the following areas:

- **Building permit application review and extensions.**

6 –2026 Amendments Summary

A second development code amendment ordinance will be presented in the first half of 2026 to address additional amendments that support the 2025 Comprehensive Plan periodic update. These amendments include addressing amendments in the following areas:

- **Unit Lot Subdivisions [ESSB 5258 (2023) Amended by E2SHB 1096 (2025)].** Deadline in E2SHB 1096 (2025) is May 20, 2027.
- **SEPA Categorical Exemptions [SSB 5818 (2022) and SSSB 5412 (2023)].** Changes to address attached housing and categorical exemptions
- **Manufactured Housing [ESSB 5183 (2019)].**

- **Critical Areas Regulations [GMA Update].** Minor updates as needed to address state requirements.
- **Use of Lands Adjacent to Natural Resource Lands [RCW 36.70A.060(1)(a) and WAC 365-190-040].**
- **Short Plat Requirements for Condominiums [SSB 5258 (2023)].**
- **Highways of statewide significance exempt from transportation concurrency ordinances [RCW 36.70A.070(6)(a)(iii)(C)].**
- **Essential Public Facilities.** Regulations for County-Wide Planning Policies include a process for siting and ensuring essential public facilities are not precluded.
- **Organic Materials Management [ESSHB 1799 (2022)].**

8 – Details of 2025 Amendments

| Topic | Summary | Code Amended | Notes |
|------------------------------------|--|----------------------------|--|
| Middle Housing (E2SHB 1110) | Increase middle housing in areas traditionally dedicated to single-family detached housing | Throughout Title 18 Zoning | <p>Amendments included:</p> <ul style="list-style-type: none"> • Adding six of the nine types of middle housing in the LDR Low Density Residential and MDR Medium Density Residential zone districts (cottage housing, duplexes, triplexes, quadplexes, stacked flats, and townhouses) and t middle housing types that allow three or more units in the HDR High Density Residential zone district. • Allow at least two units per lot in residential zones and at least four units per lot in residential zones if at least one unit is affordable housing. • Limit design review for middle housing to standards that apply to single-family houses. • Limit parking requirements for middle housing to one parking space on lots less than 6,000 square feet and two spaces on lots greater than 6,000 square feet. • As allowed under state law two residential zone districts are proposed to be excluded from middle housing requirements <ul style="list-style-type: none"> ➤ The intent of the RSR Residential/Sensitive Resource zone district is to accommodate and establish low density residential neighborhoods in a manner that is compatible with areas of unique open space character and environmental sensitivity with a minimum density of two dwelling units per acre and maximum density of four dwelling units per acre. The RSR Residential/Sensitive Resource zone district currently allows for duplexes and cottage housing. ➤ The MHP Manufactured Home Park zone district is intended to provide sufficient land for manufactured homes in manufactured home parks. |

| Topic | Summary | Code Amended | Notes |
|---|--|----------------------------|---|
| Residential Density (E2SHB 1220) | Density changes to support Housing Element | Throughout Title 18 Zoning | <p>Amendments included:</p> <ul style="list-style-type: none"> • Updates density ranges for residential zone districts to match Land Use Element. • The City combined the SFL Single Family Low Density Residential and SFM Single Family Medium Density Residential zone districts into one new LDR Low Density Residential zone district, which allows the same minimum density of six dwelling units per acre and maximum density of nine dwelling units per acre as the SFM Single Family Medium Density Residential zone district. • The MFM Multifamily Medium Density Residential zone district was changed to the MDR Medium Density Residential zone district, and the minimum density was increased from nine to ten dwelling units per acre, and the maximum density was increased from fifteen to nineteen dwelling units per acre. • The MFH Multifamily High Density Residential zone district was changed to the HDR High Density Residential zone district, and the minimum density was increased from fourteen to twenty dwelling units per acre, and the maximum density of twenty-nine dwelling units was changed to no maximum. |

| Topic | Summary | Code Amended | Notes |
|--|--|---|--|
| Accessory Dwelling Units (EHB 1337, 2023) | Expand housing options by easing barriers to the construction and use of accessory dwelling units. | Sections throughout Title 18 Zoning, especially TMC 18.42.010 Accessory Dwelling Units | Amendments included: <ul style="list-style-type: none"> • Allow two accessory dwelling units per lot. Current code limits accessory dwelling units to one per lot with a single-family structure. • Increased maximum size of accessory dwelling units to 1,000 square feet. Current code limits accessory dwelling units to 800 square feet in size. • No development or design standards for accessory dwelling units that are more restrictive than on the principal home. Current code limits the design of an accessory dwelling to maintaining the main building of the single-family residence. • Must allow conversion of existing building to an accessory dwelling unit even if nonconforming. Current code does not allow this. |

| Topic | Summary | Code Amended | Notes |
|--|---|------------------------------|--|
| Residential Parking Requirements (SSB 6015) | Update residential parking requirements to meet state law | TMC 18.50 Off-Street Parking | <p>Amendments included:</p> <ul style="list-style-type: none"> • Adding requirements for middle housing and co-living housing. • Parking spaces that count towards minimum parking requirements may be enclosed or unenclosed. • Parking spaces in tandem must count towards meeting minimum parking requirements at a rate of one space for every 20 linear feet with any necessary provisions for turning radius. "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. • Existence of legally nonconforming gravel surfacing in existing designated parking areas may not be a reason for prohibiting utilization of existing space in the parking area to meet local parking standards, up to a maximum of six parking spaces. • Parking spaces for residential uses may not be required to exceed eight feet by 20 feet, except for required parking for people with disabilities. • Off-street parking is not required as a condition of permitting a residential project if compliance with tree retention would otherwise make a proposed residential development or redevelopment infeasible. • Parking spaces that consist of grass block pavers may count toward minimum parking requirements. • Existing parking spaces that do not conform to these requirements of by June 6, 2024, 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. |

| Topic | Summary | Code Amended | Notes |
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| Design Review Standards (ESHB 1293) | Apply only clear and objective design review standards to the exterior of new development. | Chapter 18.43 Citywide Design Standards | Updated the Citywide Design Guidelines to ensure they meet the legislation's definition of 'clear and objective.' |
| Use of Existing Buildings for Residential Purposes (ESHB 1042) | Update use of existing commercial, industrial, or institutional buildings for residential purposes. | TMC 18.42.160 Conversion of existing structures into residential use | Amendments included: <ul style="list-style-type: none"> • In zone districts that allow multifamily residential, it allows internal units up to 50% of maximum zoning density. • Does not require more parking for internal units. • Does not impose permitting or development standards beyond those that apply to all residential uses in that zone district. • Makes design standards not applicable to residential conversions in existing buildings. • Allows residential units in all areas of buildings except defined ground floor retail on 'major pedestrian corridors.' • Not require unchanged units to meet new energy code. • Not deny building permit due to existing nonconformities. • Not require a transportation concurrency study or environmental study. |
| Co-Living Housing (ESHB 1998) | Increase the supply and affordability of residential units affordable to people with an AMI of 50% or more. | Sections throughout Title 18 Zoning | Amendments included: <ul style="list-style-type: none"> • Defining co-living housing as sleeping units that are independently rented and provide living and sleeping space, in which residents share kitchen facilities with residents of other units in the building. • Allowing co-living housing as a permitted use on any lot located within Tumwater that allows at least six multifamily residential units, including on a lot that is zoned for mixed use development. |

| Topic | Summary | Code Amended | Notes |
|--|---|--|---|
| Religiously Sponsored Housing Density Bonus (SB 1377) | Provide an increased density bonus for affordable housing development (either single-family or multifamily) on property owned or controlled by a religious organization, provided certain conditions are met. | Title 18 Zoning, including TMC 18.42.170 | Amendments included: <ul style="list-style-type: none"> The housing must be affordable for households earning less than 80% of the area median income and must remain affordable for at least 50 years—regardless of whether the religious organization continues to own the property. |
| Religiously Sponsored Homeless Housing (ESHB 1754) | Update regulations on outdoor encampments, safe parking efforts, indoor overnight shelters, and temporary small houses if on property owned or controlled by a religious organization | TMC 18.59.050 Homeless encampments | Amendments included: <ul style="list-style-type: none"> Clarifying City requirements on outdoor encampments, safe parking efforts, indoor overnight shelters, and temporary small houses on property owned or controlled by a religious organization. |

| Topic | Summary | Code Amended | Notes |
|--|--|---------------|--|
| Building permit application review and extensions | Update building permit application review. | TMC 15.01.050 | Amendments included: <ul style="list-style-type: none"> Addressing the time limits for building permit application review and extensions for applications where a permit has not been issued. |

9 – Details of 2026 Amendments

| Topic | Summary | Code Amended | Notes |
|---|---|---|---|
| Unit Lot Subdivision (ESSSB 5258) (RCW 58.17.060(3)) | Unit lot subdivisions are one method for dividing multiple housing units on a parcel into individual unit lots for sale to individual owners, providing fee simple homeownership opportunities. | Title 17 Land Division Title 18 Zoning | Will address the following: <ul style="list-style-type: none"> Unit lot subdivisions included as a short plat process Portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners' association Does not impose permitting or development standards beyond those that apply to all residential uses in that zone district Development as a whole on the parent lot must comply with applicable dimensional standards Individual unit lots are not subject to dimensional standards that apply to the parent lot, such as: lot dimensions, setbacks, coverage, impervious surface limits, landscape area..." Allows residential units in all areas of buildings except defined ground floor retail on 'major pedestrian corridors.' Effective no later than six months after 2025 Comprehensive Plan update deadline (June 30, 2026). |

| Topic | Summary | Code Amended | Notes |
|---|--|--|---|
| SEPA Categorical Exemptions (SSB 5818/2SSB 5412) | Authorize City adoption of SEPA categorical exemption for project actions that develop housing within a UGA. | Chapter 16.04 Environmental Policy | Will address the following: <ul style="list-style-type: none"> • Specific language regarding “and attached” residential uses to categorical exemptions • Adoption of higher categorical exemptions for all housing projects in the urban growth area. |
| Manufactured Housing (ESSB 5183) | Update manufactured housing codes to meet state requirements. | Chapter 18.48 Designated Manufactured Homes – Manufactured Homes – New Manufactured Homes – Mobile Homes – Manufactured Home Parks | Will address the following: <ul style="list-style-type: none"> • Starting in 2019, manufactured housing is regulated the same as site-built housing (RCW 35.21.684 amended in 2019, RCW 35.63.160, RCW 35A.21.312 amended in 2019 and RCW 36.01.225 amended in 2019). • The City may require that manufactured homes: (1) are new, (2) are set on a permanent foundation, and (3) comply with local design standards applicable to other homes in the neighborhood but may not discriminate against consumer choice in housing. |
| Critical Areas Regulations (GMA Update) | Update critical areas regulations for wetlands, critical aquifer recharge areas, frequently flooded areas, geologically hazardous areas, and fish wildlife conservation areas. | Title 16 Environment | Will address the following: <ul style="list-style-type: none"> • Guided by the State Department of Commerce Critical Areas Checklist, minor updates to Title 16 Environment to reflect current state requirements. |

| Topic | Summary | Code Amended | Notes |
|---|---|---|---|
| Use of lands adjacent to natural resource lands [RCW 36.70A.060(1)(a) and WAC 365-190-040] | Update regulations to address state requirements for natural resource lands. | Title 16 Environment | Will address the following: <ul style="list-style-type: none"> Regulations to assure that use of lands adjacent to natural resource lands does not interfere with natural resource production. RCW 36.70A.060(1)(a) and WAC 365-190-040. Regulations require notice on all development permits and plats within 500 feet of designated natural resource lands that the property is within or near a designated natural resource land on which a variety of commercial activities may occur that are regulations to implement comprehensive plan. |
| Short Plat requirements for condominiums [SSB 5258 (2023)] | Update regulations to address condominiums. | Title 17 Land Division | Will address the following: <ul style="list-style-type: none"> Platting requirements for condominium developments. |
| Highways of statewide significance are exempt from transportation concurrency ordinances | Update regulations to address state requirements for highways of statewide significance | TMC 15.48 Transportation Concurrency Requirements | Will address the following: <ul style="list-style-type: none"> Highways of statewide significance (HSS) are exempt from the concurrency ordinance. RCW 36.70A.070(6)(a)(iii)(C). |
| Essential Public Facilities | Update regulations to address for specific essential public facilities | TMC 18.56.140 Essential Public Facilities | Will address the following: <ul style="list-style-type: none"> RCW 36.70A.200 amended by SB 5536 to include essential public facilities for opioid treatment programs. |

| Topic | Summary | Code Amended | Notes |
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| Organic Materials Management (ESSHB 1799) | Update essential public facilities code to address compost handling to | TMC 18.56.140 Essential Public Facilities | <p>Will address the following:</p> <ul style="list-style-type: none"> • Add compost handling facilities as a category of essential public facilities allowed in Tumwater requiring a conditional use permit. Help meet climate commitment goals by reducing the emissions of methane through the diversion of organic materials from landfills. • New section RCW 36.70A.142; new in 2022 legislation HB 1799: Development regulations newly developed, updated, or amended <i>after January 1, 2025</i> allow for the siting of organic materials (OM) management facilities as identified in local solid waste management plans (SWMP) to meet OM reduction and diversion goals. Siting to meet criteria described in RCW 70A.205.040(3). See also RCW 36.70.330. <u>For applicability, see RCW 70A.205.540.</u> |

11 –2025 New Definitions

The following new definitions were added in TMC Chapter 18.04:

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.

“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.

“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.

“Dwelling unit allowance” means the total number of dwelling units, including accessory dwelling units, allowed on a lot, regardless of lot size.

“Low-income households” mean households with income less than or equal to eighty percent and more than fifty percent of Thurston County’s median household income as determined by the Office of Financial Management.

“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.

“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.

“Permanent affordable housing” means a project in which all or a portion of the residential dwelling units within the project are set aside for or are occupied by low-income households for a term of at least fifty years. Permanent affordable housing shall have costs, including utilities other than telephone, that do not exceed thirty percent of the monthly income of a household whose income does not exceed sixty percent of median household income for rental housing and eighty percent of the median household income for owner-occupied housing adjusted for household size in Thurston County, as reported by the United States Department of Housing and Urban Development. The applicant shall record a covenant or deed restriction that ensures the continuing rental or ownership of units subject to these affordability requirements consistent with the conditions in chapter 84.14 RCW for a period of no less than 50 years. The covenant or deed restriction shall address criteria and policies to maintain public benefit if the property is converted to a use other than that which continues to provide for permanently affordable housing.

“Principal residential structure” means the single-family detached dwelling or middle housing located on the same lot as an accessory dwelling unit. If the single-family detached dwelling meets the accessory dwelling unit size provisions in TMC 18.04.010, it can be reclassified as an accessory dwelling unit, and a new single-family detached dwelling or middle housing can be designated as the principal residential structure during or after subsequent development.

“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.

“Stacked flat” means a residential building of no more than three stories in which each floor is one dwelling unit and the dwelling units may be separately rented or owned.

“Very low-income households” mean households with income less than or equal to fifty percent of Thurston County’s median household income as determined by the Office of Financial Management.

The following definitions were removed, replaced, or amended in TMC Chapter 18.04:

“Boardinghouse.” Replaced by “Co-living housing” definition above.

“Dwelling, multifamily.” Replaced by “Multifamily Dwelling” means a building containing five or more residential dwelling units.

“Dwelling, single-family detached.” Replaced by “Single-family detached dwelling” means a building that is not attached in any way to another dwelling unit or structure that provides complete, independent living facilities for a family.

“Fourplex.” Replaced by “Quadplex” means one building designed for and used exclusively for occupancy by four families independent of each other where all four dwelling units are located on the same lot and are completely separated from each other, except for common stairwells or garages.

“Roominghouse.” Replaced by *“Co-living housing”* definition above.

“Townhouse” amended to read *“Townhouse” means one of a line or row of three or more dwelling units attached one to the other, having common walls between individual units, generally two stories in height (and sometimes three). Each unit occupies the space between common walls from the lowest level to the roof, where common walls are the property lines between units and that have a yard or public or private street, alleys, pathways, or similar feature on not less than two sides.*

12 – Citywide Design Guidelines

In response to middle housing requirements the Citywide Design Guidelines have been amended as follows.

| Section | Current Version | Amended Version | Notes |
|--------------------------|------------------------------------|--|--|
| Table of Contents | Table of Contents | Table of Contents | Final version of the Table of Contents will be updated to reflect the amended Citywide Design Guidelines |
| Chapter 1 | Introduction - Applicability | Introduction | Amendments to Chapter 1 reflect new order of chapters. |
| Chapter 2 | Commercial, Mixed and Multi-Family | Commercial, Mixed and Multi-Family | Amendments throughout Chapter 2 to formatting, clarifying Chapter 2 applies to multifamily residential development, and removing townhouse development (old Section 2.B.11) to Chapter 6 |
| Chapter 3 | Industrial | Industrial | No changes to Chapter 3 |
| Chapter 4 | Institutional | Institutional | No changes to Chapter 4 |
| Chapter 5 | Cottage Housing | Middle Housing, Single Family Detached Dwellings, and Accessory Dwelling Units | Current version of Chapter 5 (Cottage Housing) deleted and replaced by new Chapter 5 Middle Housing, Single Family Detached Dwellings, and Accessory Dwelling Units |
| Chapter 6 | Single-Family | Definitions | Current version of Chapter 6 (Single-Family) deleted and replaced by amended former Chapter 7 (Definitions) |

| Section | Current Version | Amended Version | Notes |
|-------------------|---------------------|---------------------|--|
| Chapter 7 | Definitions | No Chapter 7 | Current version of Chapter 7 (Definitions) deleted and not replaced by a new Chapter 7 |
| Appendix A | Street Designations | Street Designations | No changes to Appendix A |

11 – Staff Conclusions

1. The proposed Development Code periodic update is consistent with the goals of the updated Comprehensive Plan, the Washington State Growth Management Act, and the Thurston County County-Wide Planning Policies.
2. Based on the above review and analysis, staff concludes that the proposed Development Code periodic update is consistent with the requirements of the Washington State Growth Management Act, Thurston County-Wide Planning Policies, and the updated Comprehensive Plan.

13 – Staff Recommendation

Staff recommends approval of the proposed Development Code periodic update by Ordinance No. O2025-0011.

14 – Effect of the Proposed Periodic Update

The proposal amends the Tumwater Municipal Code, Zoning Map, and Citywide Design Standards as shown in Ordinance No. O2025-011.