

TMC TITLE 18B

DEVELOPMENT STANDARDS - ZONING

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Chapter 18B.10

LAND USE TYPES AND LEVELS

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18B.10.010 Purpose. This Chapter lists and describes various types of land uses that are regulated within this Title in order to ensure orderly, uniform, and fair regulation that results in not only the appropriate siting of land uses, but also the appropriate physical relationship of different land uses, which are sometimes not complementary, to one another as zoning is applied. (A summary table is provided at the end of this Chapter for ease of reference.)

18B.10.015 Enforcement. The provisions of Section 18.30.130 Enforcement shall apply to this Title. (Ord. 731 § 1, 2007)

18B.10.020 Applicability. Each land use within Tenino shall be characterized according to the listed descriptors, which form the use identification categories, types, and levels. The use of a property is defined by the activity for which it or structures occupying it is or are intended, designed, arranged, occupied, or maintained. In all regulatory zones there shall be no limit as to the number of principal uses allowed on a lot, provided each principal use is permitted in the zone and meets all pertinent regulatory requirements. However, no more than one single-family detached dwelling unit or one two-unit dwelling unit, as appropriate, shall be permitted as a principal use on any individual lot, excluding addition of an Accessory Dwelling Unit. For the purpose of reasonable and appropriate regulation, uses that are not listed shall be evaluated for substantial similarity to the listed use categories, types, and levels.

18B.10.030 Organization. Uses listed herein are grouped into the following major categories: Agricultural, Residential, Civic, Utilities, Office/Business Uses, Commercial, Industrial, and Accessory. Each use category includes a number of use types which, in turn, may contain one or more levels that are organized from the least to most intensive, in terms of size or potential impact on surrounding land uses.

Example:

Category: *Commercial Use*

Use Type: Lodging
Level: 2

Uses are grouped into major categories: [Agricultural](#), [Residential](#), [Civic](#), [Utilities](#), [Office/Business](#), [Commercial](#), [Industrial](#) and [Accessory Uses](#). Each use category includes a number of use types. Each use type may contain one or more levels based on the intensity or characteristics of the use. The description of the use types and level(s) may contain examples of usual and customary uses. The use examples are intended to be typical and are not intended to represent all possible uses that are substantially similar in nature and intensity to the listed uses and which, as such, may be allowed and regulated equally.

18B.10.040 Establishing and Discontinuing a Use. The use of a property is defined by the activity for which it or structures occupying it is or are intended, designed, arranged, occupied, or maintained. A property may contain uses that fall into one or more categories or use type. When more than one use category or use type level applies to one property, each use shall be classified and may be regulated separately. There shall be no limit as to the number of uses combined on a single property, provided:

- A. Each use is permitted in the zoning district;
- B. Each use meets all pertinent regulatory requirements; and
- C. No more than one single-family detached dwelling unit shall be permitted as a principle use on any lot.
- D. If a use was established prior to the adoption of this Title, or was permitted by an Administrative or Conditional Use permit, that use is allowed to continue without the need to obtain or renew any use permit. (Ord. 731 § 1, 2007)

18B.10.050 Residential Use Category. The Residential use category includes permanent living accommodations for individuals or families of varying economic means, including those having special needs. The Residential use category has been separated into the following types based upon distinguishing features such as the type of structure; number, age and special needs of individuals who reside in the structure; and any applicable state or local licensing requirements.

- A. **A single-family detached dwelling** is a residential dwelling unit that is not attached to another residential dwelling unit by any means and provides living accommodations for a single individual or family and may be separately located on an individual lot with or without an attached or detached carport or garage.

Pursuant to Washington State law, individual manufactured homes and modular homes, when sited on a permanent foundation in accordance with Tenino's Building Code, are considered detached dwellings.

1. **Manufactured home** means a factory-assembled structure intended solely for human habitation, which has sleeping, eating and plumbing facilities, that is being used for residential purposes, that was constructed in accordance with the 1976 or later [HUD] Federal Manufactured Housing Construction and Safety Standards Act in effect at the time of construction, and that is constructed in a way suitable for movement along public highways. The appropriate HUD or Department of Labor and Industries label must be displayed on the unit.
2. **Modular home** shall mean a detached dwelling that is designed for human habitation and is either entirely or substantially prefabricated or assembled at a place other than

a building site and meets all of the requirements of [WAC 296-150F](#). Modular homes are also commonly referred to as factory-built or prefab housing. The appropriate HUD or Department of Labor and Industries label must be displayed on the unit.

3. See [TMC 18B.40.090](#), Manufactured Home on Individual Lots for minimum standards for siting manufactured homes on an individual lot.

B. Single-family attached dwelling is a single-family residential structure that is structurally attached to another single-family residential structure and provides living accommodations for an individual or family. Attached dwelling units may be separate structures located on individual lots or on a commonly owned parcel. Modular construction may be utilized.

Level 1: Duplexes. Not to exceed 5,000 square feet.

Level 2: Townhouses. Building not to exceed 12,000 square feet and two habitable stories above average grade. Townhouses may include underground parking, provided that parking is constructed entirely below grade.

C. Multifamily dwellings are multiple residential units within a single residential structure, or multiple residential structures, which provide separate living accommodations for multiple individuals or families. Multifamily dwelling units are typically under common ownership and management, but may be separately or cooperatively owned condominium units on a commonly owned parcel and are limited to two habitable stories. Modular construction may be utilized.

Multifamily Type I: Three or more multiple dwelling units horizontally and/or vertically attached.

Level 1: Multifamily dwelling up to 6,000 square feet.

Level 2: Multifamily dwelling up to 12,000 square feet.

Multifamily Type II: Multiple, horizontally and/or vertically attached dwelling units combined vertically with and above an allowed commercial use.

Level 1: Multifamily dwelling up to 5,000 square feet.

Level 2: Multifamily dwelling up to 10,000 square feet.

Level 3: Multifamily dwelling up to 20,000 square feet.

D. Group Home Type I. Publicly or privately operated living accommodations for related or unrelated individuals such as state-licensed foster homes and group homes for children; group homes for disabled individuals, group homes for those in recovery from alcohol or substance dependence with a maximum of seven residents, including resident staff.

E. Group Home Type II. Publicly or privately operated living accommodations for juveniles under the jurisdiction of the criminal justice system, including state-licensed group care homes or halfway houses for juveniles which provide residence in lieu of incarceration, and halfway houses providing residence to juveniles needing correction or for juveniles selected to participate in state-operated work release and pre-release programs; provided, that the Designee, in his sole discretion, may classify a group home proposing to serve juveniles convicted of the offenses listed under the Type III Group Home Residential use type as a Type III Group Home for the purposes of regulation, and

any such home shall be sited in accordance with Type III Group Home regulations with a maximum of seven (7) residents, which includes resident staff.

- F. **Group Home Type III.** Publicly or privately operated living accommodations for adults under the jurisdiction of the criminal justice system who have entered a pre- or post-charging diversion program or have been selected to participate in state-operated work/training release or other similar programs as provided in Chapters [137-56](#) and [137-57 WAC](#). Such groups also involve individuals who have been convicted of a violent crime against a person or a crime against property with a sexual motivation and charged or convicted as a sexual or assaultive, violent predator.
- G. **Hospice Care Center.** A homelike, noninstitutional facility where services such as symptom and pain management are provided to terminally ill individuals and emotional, spiritual, and bereavement support is offered for the individual and family, and which are regulated under Chapter [70.127 RCW](#). Use type requires:
 - 1. Appropriate state licensure.
 - 2. Certificate of occupancy and fire inspection.
 - 3. City business license for commercial operations.
- H. **Nursing Home.** Multi-unit or multi-bed facilities that are licensed or approved to provide living accommodations and round-the-clock health care and medical supervision and which are regulated under Chapter [18.51 RCW](#). Use type requires:
 - 1. Appropriate state licensure.
 - 2. Certificate of occupancy and fire inspection.
 - 3. City business license for commercial operations.
- I. **Assisted Living Facilities.** A multifamily dwelling facility where at least one individual is at least age 55 or has special needs, which provides its residents with round-the-clock living assistance services that may include complete daily meals, personal care, custodial services, supervision of self-administered medication, recreational activities, security, and transportation assistance. The dwelling units may be private or semi-private and may be fully self-contained. This use type does not include hospitals, nursing homes, medical clinics or offices, medical treatment, or multifamily dwellings, which do not provide assistance with activities of daily life. Assisted living facilities provide rooms, meals, personal care and supervision of self-administered medication, recreational activities, financial services, and transportation.
- J. **Senior Housing.** Living accommodations where at least one member of the family or an individual is age 55 or over and no member of the household is under 18 years of age. Housing types consist of independent living units comprised of grouped multi-family housing where elderly individuals or families reside and care for themselves.
- k. **Caretaker Housing.** Quarters that do not exceed 800 square feet for a caretaker, guards or other persons whose permanent residency on the premises is required for operational safety or protective purposes. (Ord. 731 § 1, 2007)

18B.10.060 Civic Use Category. The Civic use category includes facilities or services that serve a demonstrated public function and are generally considered to be of community importance, such as educational, cultural, medical, protective, and governmental facilities and uses.

- A. **Administrative Government Facilities and Services.** The executive, legislative, judicial, administrative and regulatory activities of local, state, federal, and international

governments or special districts that may perform public services and work directly with citizens. Examples include courthouses, armories, human and social service offices, health offices, and government offices.

Level 1: Uses that serve primarily the neighborhood in which they are located and do not exceed 2,000 square feet of floor area.

Level 2: Uses that serve primarily a neighborhood or group of neighborhoods in which they are located and do not exceed 5,000 square feet of floor area.

Level 3: Uses that serve primarily a Citywide or regional area not to exceed 20,000 square feet of floor area.

B. Day Care Facilities. The use of a building, or any portion thereof, for the regular care of human individuals needing supervision and care on a less-than-24-hour basis. The term shall also include facilities commonly known as day care facilities, day care centers, and preschools.

Level 1: Home-based day care for six or fewer children or adults, subject to appropriate state and local licensure.

Level 2: Home-based day care for up to 12 children or adults, subject to appropriate state and local licensure and the specific standards set forth in [TMC 18B.40.040, Day Care Facilities](#).

Level 3: Day care centers for more than 12 children or adults, subject to appropriate state and local licensure and the specific standards set forth in [TMC 18B.40.040, Day Care Facilities](#).

C. Community and Cultural Services. Establishments primarily engaged in the provision of services that are strongly associated with community, social, or public importance. Examples include libraries, museums, art galleries, senior centers, community centers, performing arts theaters, and community clubs and organizations.

Level 1: Establishments which serve primarily the immediate neighborhood in which they are located and do not exceed 3,000 gross square feet of floor space.

Level 2: Establishments which generally serve more than one neighborhood, with a gross floor area between 3,000 and 10,000 square feet of floor space.

Level 3: Establishments that serve a Citywide or regional area and/or have more than 10,000 up to 20,000 gross square feet of floor area.

D. Education. Educational services provided by public, private, or parochial institutions. Examples include grade schools, community colleges, public and private colleges or universities.

Level 1: Primary educational facilities such as kindergarten, and elementary schools.

Level 2: Secondary educational facilities such as middle, junior high schools and high schools.

Level 3: Higher educational facilities such as community colleges, trade schools, colleges or universities.

E. Health Services. Any health-related facilities, and as day surgery facilities, medical facilities providing 24-hour walk-in services, blood banks and respite facilities for the elderly, or handicapped.

F. **Postal Services.** Mailing services provided by the United States Postal Service or contractors, including branch post offices, contract stations, terminals, and distribution centers.

Level 1: Postal facilities serving neighborhoods, such as contract stations or branch offices. A contract station post office means a privately operated, limited-service postal facility carried on as adjunct to a principal business or use. A branch post office means a government operated subdivision of a main Post Office serving as a base for one or more carrier routes and providing customer postal service.

Level 2: Central or main postal facilities which process mail and provide full customer services.

Level 3: Terminal postal processing facilities which provide no or limited customer services.

G. **Open Space/Recreation.** Recreational areas and recreation facilities which primarily are owned or operated by public or non-profit entities for the use and enjoyment of the general public. In some cases, such areas and facilities may be incidental to private development, such as open space set-asides necessary for environmental mitigation and children's play areas ("tot lots") within a subdivision; are intended to be principally used by a finite group; and may constitute private property. Examples include neighborhood parks, community parks, regional parks, waterfront parks, open space, arboretums, small or special landscaped areas, community and "pea patch" gardens, fairgrounds, zoos, and swimming pools.

Level 1: Natural open space and passive recreation. This level includes protected open space areas in a natural state, together with low-impact passive recreational facilities including single-track hiking trails, viewing areas, interpretive signage, and fences.

Level 2: Neighborhood-scale active recreation and limited accessory structures. This level includes parks and playgrounds less than (3) in size including Mini and Pocket Parks.

Level 3: Parks and playgrounds from three (3) to ten (10) acres in size; multi-use linear trails; sports fields with seating for 400 spectators; swimming pools for community or regional use; public and private outdoor recreational facilities such as golf courses, equestrian clubs, and marinas; and arboretums and community gardens more than two acres in size.

Level 4: Community parks and playgrounds from ten (10) to twenty (20) acres in size, stadiums, and regional recreational facilities.

Level 5: Community/regional parks and recreational facilities generally over twenty (20) acres in size, stadiums and regional recreational facilities.

H. **Religious Assembly.** Religious services involving public assembly such as those that customarily occur in synagogues, temples, and churches. For the purpose of compliance with the federal Religious Land Use and Institutionalized Persons Act of 2000, except where lands are restricted to public facilities, Religious Assembly use types shall be treated equally with Community and Cultural Services Civic use types. These use types do not include homeless shelters, food banks, or other social services, which shall instead be treated as a Social Services Civic use type; Day care or preschools, which shall instead be treated as a Day care Facilities Civic use type; schools, which shall instead be treated

as an Education Civic use type; or facilities for residence of religious orders, which shall instead be treated as a Co-Housing Residential use type.

- Level 1: Religious Assembly up to 5,000 square feet.
- Level 2: Religious Assembly up to 10,000 square feet.
- Level 3: Religious Assembly up to 20,000 square feet.
- Level 4: Religious Assembly up to 30,000 square feet.
- Level 5: Religious Assembly up to 40,000 square feet.

I. **Safety Services and Animal Control.** Public safety and emergency services such as police and fire stations; animal control facilities, such as an animal shelter or Humane Society facilities.

- Level 1: Police and fire/emergency medical aid stations, including private ambulance services.
- Level 2: Animal control services.

J. **Transportation.** The provision of public transportation services. Examples include parking garages, park-and-ride lots, commercial parking lots, bus shelters, bus stations, bus transfer centers, passenger rail stations, and other types of public transportation facilities.

- Level 1: Transportation uses serving neighborhoods such as bus shelters on major or secondary arterial streets.
- Level 2: Park and Ride Lots not exceeding forty (40) parking spaces.
- Level 3: Transportation uses serving communities and regions, such as passenger rail stations, parking facilities, school bus yards, bus barns, bus stations, and park and ride lots over forty (40) parking spaces.

Level 4: Commercial parking lots and structures (short-term automobile).

K. **Utility and Public Maintenance Facilities.** Facilities for storage and maintenance of vehicles, equipment, or related materials used in a utility or public facility activity.

- Level 1: Indoor maintenance and storage facility not exceeding 3,000 gross square feet of floor space. Outdoor storage of equipment, materials, or vehicles and vehicle maintenance is prohibited.
- Level 2: Indoor maintenance and storage facility not exceeding 5,000 gross square feet of floor space with outdoor storage not exceeding 2,000 gross square feet.

L. **Social Services.** Establishments primarily engaged in the provision of services that are strongly associated with meeting basic needs. Establishments which are accessory to a primary Community and Cultural services, Religious Assembly, or Education use type where the use serves primarily the immediate neighborhood in which it is located and does not exceed 2500 gross square feet of floor space. Examples include clothing banks, food banks, temporary shelters, and counseling services.

18B.10.070 Utilities Use Category. The Utilities use category refers to facilities serving the public by means of an integrated system of collection, transmission, distribution, and processing facilities through more or less permanent physical connections between the plant of the serving entity and the premises of the customer. Included are systems for the delivery of water, natural gas, electricity, telecommunication services, for the collection of stormwater, and for the collection and disposal of sewage and refuse.

- A. **Communication Facilities.** Facilities used in the transmission of information by wire, radio, optical cable, electromagnetic or other similar means. Examples include central office switching units, remote switching units, telecommunications radio relay stations and cellular communication facility support structures.
- Level 1: Local cable, fiber optics, traffic control, or telephone transmission lines, poles, or apparatus, not including antennae, wireless telecommunications facilities, structures, or private antenna and satellite dishes.
 - Level 2: Regional cable, fiber optics, traffic control, or telephone transmission lines, poles, or apparatus, not including antennae or wireless telecommunications facilities.
 - Level 3: Wireless telecommunications facilities, subject to specific standards, including siting criteria set forth in [TMC 18B.40.110](#), Personal Wireless Communication Facilities.
- B. **Electrical Facilities.** Electrical transmission lines.
- Level 1: Local distribution lines.
 - Level 2: sub and switching equipment.
 - Level 3: Industrial or regional distribution lines and associated sub and switching stations.
- C. **Natural Gas Facilities.** Facilities engaged in the local distribution and storage of natural gas. Examples include local distribution lines, natural gas gate stations, and interim propane storage systems.
- D. **Organic Waste Processing Facilities.** This use type refers to any solid waste facility specializing in the controlled decomposition of organic solid waste and which requires a solid waste permit under [RCW 70.95](#) including soil treatment facilities. Soil treatment facility means a solid waste facility that utilizes bioremediation to treat petroleum contaminated soil or vector waste for reuse or final disposal.
- E. **Sanitary Sewage Collection Facilities.** This use type refers to facilities used to collect sewage, including but not limited to local collector systems, wastewater transfer facilities, odor control structures, and pump stations and lift stations. Odor control structure means equipment or structures appurtenant to wastewater conveyance facilities used to lessen the odors of the liquids being transported.
- F. **Sewerage System.** This use type refers to a system of sewers and appurtenances for the collection, transportation, pumping, treatment and disposal of domestic wastewater together with industrial waste that may be present. By definition a sewerage system is a "domestic wastewater facility" pursuant to 173-240 WAC.
- G. **Stormwater Facilities.** A conveyance, system of conveyances, or stormwater control facilities (including roads with drainage systems, catch basins, curbs, and gutters); ditches; man-made channels; storm drains; retention/detention facilities; and infiltration facilities which are designed or used for collection, storage, conveyance and treatment of stormwater.
- Level 1: Stormwater collection and local conveyance systems.
 - Level 2: Neighborhood detention/retention ponds and facilities, and constructed wetlands.
 - Level 3: Stormwater pond facilities that are also developed to allow uses such as parks, recreational, educational and research structures and activities, known as stormwater multiple use facilities.

- H. Waste/Recycling Transfer Facilities.** Solid waste facilities where solid waste is collected or subjected to interim processing before being transported to a permanent disposal or recycling site. Examples include recycling collection sites, drop-box transfer stations, transfer stations, recyclables recovery facilities, waste separation recovery facilities, moderate-risk waste facilities, and scrap tire piles which are not otherwise listed as accessory to numerous specific use types.
- Level 1: Recycling collection sites serving a single neighborhood. Recycling collection site means a site with collection boxes or other containerized storage where citizens can leave materials for recycling.
 - Level 2: Drop-box transfer stations. Drop-box transfer station means a solid waste facility needing a Solid Waste permit which is used for placement of a detachable container including the area adjacent for necessary entrance and exit roads, unloading and turn-around areas. The facility normally serves the general public with loose loads and receives waste from off-site.
- I. Water Supply Facilities.** Water purification facilities, water storage facilities, wellheads and pump stations.
- Level 1: Local distribution systems, wellheads, pump stations, water purification facilities not exceeding 2,000 square feet of building area. Water storage facilities.
 - Level 2: Water purification facilities exceeding 2,000 square feet of building area.
 - Level 3: Chemical storage, handling, and usage in a water supply facility excluding Fluoride.

18B.10.080 Office/Business Use Category. The Office/Business Use category includes establishments serving businesses or individuals with a wide variety of services such as providing advice, reports, marketing, financial needs, engineering, research, telecommunications services, management and related services that are necessary to conduct personal or professional business.

- A. Administrative and Professional Offices.** This use type refers to offices, private firms, or organizations, which provide professional or administrative services to individuals or businesses. Typical uses include employment services, property management services, title companies, law offices, engineering/surveying consulting firms, architecture and landscape architecture firms, advertising and public relations firms, medical and dental offices, diagnostic testing services, advertising agencies, travel agencies, talent agencies, insurance offices, real estate offices, investment brokers, financial planners, banking services, offices for non-profit and quasi-public agencies, and other business offices customarily associated with professional or administrative office services.
- Level 1: Single story office building with a gross floor area not exceeding 5,000 square feet.
 - Level 2: Single story office building with a gross floor area between 5,000 to 15,000 square feet.
 - Level 3: Two story office building with a footprint up to 15,000 square feet.
- B. Private Training School.** This use type refers to educational services provided by private organizations or individuals with the primary purpose of preparing students for jobs in a trade or a profession. Typical uses include commercial/vocational schools, driver's training, beauty and barber schools, business schools, and conservatories of art,

music, or drama. Facilities larger than 10,000 gross square feet are considered an Education Level 2 use.

Level 1: Establishments with a gross floor area not exceeding 5,000 square feet without outdoor facilities.

Level 2: Establishments with a maximum 10,000 gross square feet of floor area without outdoor facilities.

18B.10.090 Commercial Use Category. The Commercial use category includes establishments, facilities, and individuals providing services and the sale, distribution or rental of goods that benefit the daily needs of the general public, which are not otherwise classified in another use category.

A. **Sexually Oriented Business.** This use type refers to business that includes as a primary part of its business any one or more of the following: an adult entertainment facility; adult oriented merchandise; adult retail use; panorama; or similar facility, merchandise, or entertainment as defined in [TMC 18B.40.100](#), Sexually Oriented Business, limited to a maximum of 5,000 square feet of floor area.

B. **Amusement and Recreation.** This use type refers to establishments or places of business primarily engaged in the provision of sports, entertainment, or recreational services to the general public or members. Examples include video arcades, teen clubs, athletic clubs, swimming pools, billiard parlors, bowling alleys, ice or roller skating rinks, indoor movie theaters, drive-in theaters, miniature golf courses, golf courses, theme parks, amusement parks, and sports arenas.

Level 1: Indoor facilities not exceeding 5,000 gross square feet of total floor area and/or outdoor facilities with a gross lot area not exceeding 35,000 square feet.

Level 2: Indoor facilities exceeding 30,000 gross square feet of total floor area and/or outdoor facilities with a gross lot area up to two acres.

Level 3: Outdoor facilities (Ord. 731 § 1, 2007)

Level 4: Campgrounds (Ord. 731 § 1, 2007)

Level 5: Recreational Vehicle Parks (Ord. 731 § 1, 2007)

C. **Funeral Services.** Funeral facilities such as preparation and display facilities, funeral chapels, crematories, and affiliated offices.

Level 1: Mortuaries, including affiliated funeral chapels and offices.

Level 2: Cemeteries, including affiliated mausoleums, funeral chapels, and offices.

D. **Building/Garden Supply and Nurseries.** Establishments primarily engaged in wholesale and retail selling of lumber, building materials, paint, glass, wallpaper, hardware, nursery stock, lawn and garden, plumbing, and electrical supplies.

Level 1: Establishments primarily engaged in the retail sales. Utilization of outdoor areas for retail display and storage may occur as an accessory use. The combination of gross total floor area and outdoor storage and display area is less than 10,000 square feet.

Level 2: Establishments primarily engaged in retail sales. Utilization of outdoor areas for retail display or storage purposes may occur as an accessory use. Single story with 15,000 gross total floor area and 20,000 uncovered outdoor storage and display area.

- Level 3: Establishments primarily engaged in retail sales with two stories with a footprint of 15,000 square feet and 40,000 square feet uncovered outdoor storage and display.
- E. **Bulk Fuel Dealers.** Establishments that sell fuels, which, by their nature, are flammable, explosive, or toxic, to businesses and households for transportation, heating, and business purposes. Examples include propane gas sales, heating oil dealers, liquefied petroleum gas dealers, coal, wood, or other fuel dealers.
- F. **Business Services.** Businesses primarily engaged in providing services to other businesses on a contract or fee basis with a building area up to 10,000 square feet and up to one-acre in lot area. Examples include courier services, parcel delivery services, fax services, telegraph services, reproduction services, commercial art and photography services, stenographic services, and janitorial services.
- G. **Buy-Back Recycling Center.** Any business less than one (1) acre with no outside storage with building area up to 10,000 square feet that does not include industrial activity which collects, receives or buys recyclable materials from household, commercial or industrial sources for the purpose of sorting, grading or packaging recyclables for subsequent shipment and marketing.
- H. **Eating and Drinking Establishment.** Establishments that sell prepared food and/or beverages, including liquor, subject to appropriate state and local licensure, including health permits. Examples include espresso stands, restaurants including fast food, cafes, taverns, and cocktail lounges.
- Level 1: Establishments selling pre-prepared food and/or beverages, or food and/or beverages made to order, less than 2,000 square feet in gross floor area, which is not intended to be consumed on the premises, including facilities strictly accessed by motor vehicle.
- Level 2: Establishments selling food and/or beverages, less than 4,000 square feet in gross floor area, made to order which is intended to be consumed on the premises or which may, at the customer's option, be taken away, which may include a drive-up option.
- Level 3: Establishments selling food and/or beverages, less than 6,000 square feet in gross floor area, made to order which is intended to be consumed on the premises or which may, at the customer's option, be taken away, which may include a drive-up option.
- Level 4: Establishments with live or active entertainment including, but not limited to, bands, dancing, disc jockeys, or performances, which are less than 8,000 square feet of gross floor area.
- I. **Food Stores.** Stores primarily engaged in the retail sale of a variety of canned and dry foods, fresh fruits and vegetables, or meats, poultry, and fish, which may include a variety of non-food products as well. Examples include meat and fish markets, vegetable markets, retail bakeries, dairy stores, grocery stores, and specialty food and beverage stores; provided, that neither gasoline sales nor drive-through facilities are located on the same lot.
- Level 1: Gross floor area up to 5,000 square feet.
- Level 2: Gross floor area between 5,000 and 10,000 square feet.
- Level 3: Gross floor area between 10,000 and 20,000 square feet.
- Level 4: Gross floor area between 20,000 and 30,000 square feet.

- Level 5: Gross floor area up to 40,000 square feet.
- J. **Garden Center:** Establishment primarily engaged in the retail sales of indoor/outdoor plants, bushes, trees, turf products, mulch, hand garden tools, containers, and yard ornaments. Accessory uses may include greenhouses (up to a 5,000 square foot footprint for each greenhouse), potting sheds, business offices, indoor and outdoor display and storage, and plant production.
- Level 1: Establishments primarily engaged in the retail sales. The combination of gross total floor area and outdoor storage and display area is less than 15,000 square feet. Utilization of outdoor areas for retail display and storage may occur as an accessory use.
- Level 2: Establishments primarily engaged in retail sales stories with a building footprint of 18,000 square feet and 60,000 square feet of uncovered outdoor storage and display.
- K. **Lodging.** Establishments that provide transitory lodging services, subject to appropriate state and local licensure.
- Level 1: Bed and breakfast means a single structure, small-scale temporary lodging, not exceeding four (4) rentable rooms, which provides a single meal and where the proprietors of the service reside in the structure.
- Level 2: Hotels and motels containing a single building or a group of detached or semi-detached buildings with a maximum 40,000 gross square feet. This use type contains guest rooms or self-contained suites, with parking provided on the site for the use of those staying in the rooms or suites, which is or are designed and used for the accommodation of transient travelers for a period not to exceed 30 days.
- L. **Motor Vehicle Service and Repair.** Facilities or places where the repair and service of automobiles, trucks, motorcycles, recreational vehicles, boats, commercial vehicles, and construction equipment occurs. Includes the sale of or refilling of personal or recreational propane tanks.
- Level 1: Gasoline service stations with/without accessory automobile repair and convenience shopping, and car wash with a one-car capacity with no outdoor storage up to 5,000 gross square feet.
- Level 2: Automotive repair shops, car wash, auto detailing, and vehicle storage up to 10,000 gross square feet. Vehicle storage is limited to vehicles under repair and shall not include impound vehicle storage. Typical uses include general repair shops, transmissions and engine rebuild shops, muffler shops, glass repair shops, truck bed liner, automobile upholstery services, car washes, detailing, and lube/oil shops.
- Level 3: Auto body repair, vehicle painting subject to state air quality standards up to 10,000 gross square feet.
- M. **Motor Vehicle and Construction Equipment Rental and Sales.** This use type refers to establishments or places of business engaged in the leasing or service of automobiles, trucks, motorcycles, recreational vehicles, boats, commercial trucks, construction equipment, and heavy equipment. (Ord. 731 § 1, 2007)
- Level 1: On-site rental of automobiles, trucks not exceeding three tons of vehicle weight, self-moving single axle trucks, motorcycles, recreational vehicles, boats, and garden/home improvement equipment.

Level 2: On-site lease or rental of commercial truck, buses, construction equipment, and heavy equipment.

Level 3: On-site sales of motor vehicles, such as cars, trucks, boats, recreational vehicles, and other such vehicles that are required to be licensed by the Department of Motor Vehicles. (Ord. 731 § 1, 2007)

N. **Personal Services.** Businesses primarily engaged in providing services to meet individuals' periodic personal needs. Examples include coin-operated laundries, dry cleaning drop-off/pick-up establishments, dry cleaners, beauty shops, barber shops, clothing alterations, tanning salons, travel agencies, payday loan establishments, photographic studios, carpet and upholstery cleaners, and personal improvement services.

Level 1: Establishments in which the gross floor area does not exceed 2,500 square feet and do not involve outdoor storage of vehicles.

Level 2: Establishments in which the gross floor area up to 5,000 square feet.

O. **Storage.** This use type refers to businesses engaged in the storage of items for personal and business use. Business activities other than rental of storage spaces are prohibited. Examples include mini-warehousing, vehicle and boat storage yards. Does not include vehicle impound lots. A mini-warehouse means a facility consisting of separate storage units, which are rented to customers having exclusive access to their respective units for storage of residential or commercial oriented goods. No business is conducted out of storage units. Indoor/outdoor up to 40,000 gross square feet.

P. **Pet Sales and Services.** This use type refers to places of business primarily engaged in the retail sale and services associated with small animals and household pets. Examples include pet stores, pet grooming shops, pet day care, and veterinary hospitals for small animals and pets.

Level 1: Retail and service establishments, with or without accessory kennels, with less than 2,500 gross square feet in floor area.

Level 2: Indoor retail and service establishments, with or without accessory kennels, up to 5,000 gross square feet of floor area.

Q. **Rental and Repair Services.** Establishments primarily engaged in the provision of rental and repair services or closely related uses. Examples include home improvement, garden, and party equipment rental; upholstery shops, appliance repair shops, small engine and power tool rental and repair such as lawn mowers and chainsaws, vacuum cleaner repair, medical equipment rental and repair services, rental furnishings, and instrument repair services. Does not include vehicle repair or auto body, which is instead treated as Motor Vehicle Service and Repair Commercial use types.

Level 1: Rental and repair services not exceeding 5,000 gross square feet of floor area with no outdoor storage.

Level 2: Rental and repair services not exceeding 5,000 gross square feet of floor area and up to 1,000 square feet of outdoor storage display.

R. **Sales of General Merchandise.** Establishments that sell new general merchandise including apparel and accessories; auto parts; bookstores, legal pharmaceuticals; optical goods; furniture and home furnishings; and computers and electronics. Does not include establishments primarily engaged in selling lumber and other building materials, paint, glass, wallpaper, hardware, nursery stock, and lawn and garden supplies, which are

instead treated as Building Materials, Hardware, Plumbing, Electrical, and Nurseries/Garden Supplies Commercial use types.

Level 1: Establishments primarily engaged in retail sales activities with a gross floor area up to 5,000 square feet.

Level 2: Establishments primarily engaged in retail sales activities with a gross floor area over 5,000 and up to 10,000 square feet.

Level 3: Establishments primarily engaged in retail sales activities with a gross floor area over 10,000 and up to 20,000 square feet.

Level 4: Establishments primarily engaged in retail sales activities with a gross floor area over 20,000 and up to 30,000 square feet.

S. Sale of Secondhand Property. This use type refers to establishments that sell secondhand property. Secondhand property/goods means and includes, but is not limited to, any and all used or secondhand goods or items of personal property, which can be used again for the purpose for which they were originally intended. For the purposes of this Title, secondhand property/goods also includes valuable coins (coins with a value greater than their face value); precious metals, precious stones and jewelry, but shall not include bullion in the form of fabricated hallmarked bars. Examples of this use type include pawnbrokers, secondhand, antique, and transient traders in secondhand property, garage sales and flea markets. This use type does not include used or pre-owned automobiles or other vehicles, wrecking yards, or parts yards.

Level 1: Yard sale means and includes all sales entitled "garage sale," "lawn sale," "attic sale," "rummage sale," "estate sale," or any similar casual sale of tangible personal property from a private residential use which is advertised by any means whereby the public at large is or can be made aware of the sale. Four yard sales a year are allowed.

Level 2: Antique, surplus, military, used book, used clothing, used furniture and appliances, used jewelry and valuable coins, and valuable collectibles sales by secondhand dealers up to 5,000 gross floor square feet.

Level 3: Miscellaneous sales and flea markets. Flea market means and includes, but is not limited to, arrangements whereby a person or persons sell, lease, rent, offer or donate to one or more persons a place or area where such persons may offer or display secondhand or junk items up to 15,000 gross floor square feet with up to 40,000 square feet outside. Flea market includes, but is not limited to, swap meets but does not include antique malls where stalls are leased, which are treated as a Level 2 use listed above.

18B.10.100 Industrial Use Category. The Industrial use category includes the on-site production, manufacturing, assembly, processing, storage, movement, servicing or repair of goods and materials. Industrial uses regulated under this category typically exhibit one or more of the following characteristics: requires relatively large acreage, creates substantial odor or noise, creates heavy traffic passenger vehicle and/or truck volumes, employs relatively large numbers of people, and/or creates visual impacts incompatible with residential development. If not specified, building will not exceed 30,000 gross square feet of floor area.

A. Manufacturing and Major Assembly. This use type refers to uses that involve the primary processing of a material. Examples may include, but are not limited to:

1. Soil remediation facilities;
2. Manufacturing of products by predominately chemical processes and which ultimately are to be used for consumer or industrial consumption;
3. Manufacturing of computer hardware components and related equipment, and other machinery, apparatus and supplies for the generation, storage, transmission, transformation and utilization of electrical energy;
4. Manufacturing and assembly of industrial and commercial machinery and equipment;
5. Manufacturing and assembly of paper and paperboard and its conversion into other paper-based products;
6. Decorative and glass products;
7. Manufacturing and assembly of ferrous and non-ferrous metal products and a variety of metal and wire products manufacturing, including sheet metal;
8. Manufacturing and assembly of woven and knit fabrics, and carpets and rugs from yarn; and
9. Manufacturing and assembly of concrete and gypsum products and other secondary products from materials taken principally from the earth in the form of stone, clay and sand.

B. Limited Manufacturing/Assembly. This use type refers to uses that involve intermediate processing of semi-processed material into a consumer good and to uses that involve the assembly of semi-processed and/or intermediate processed products into a consumer good. This use type is limited to: Clothing and fabricated products, finished products made entirely or mainly of wood for use in construction, instruments for measuring, testing, analyzing, and controlling, optical instruments and lenses, surveying and drafting instruments, medical instruments and equipment, photographic equipment, watches and clocks, and supplies associated with the previous products, and electronic computer hardware components and related equipment. Examples may include:

1. Manufacturing and assembly of clothing, fabricated products, and related textile;
2. Manufacturing and assembly of equipment for transportation of people or cargo by land, air, rail or water;
3. Assembly of electronic computers, computer hardware components and related equipment, and other machinery, apparatus and supplies for the generation, storage, transmission, transformation and utilization of electrical energy;
4. Assembly of industrial and commercial machinery and equipment;
5. Assembly of finished products made entirely or mainly from wood for use in construction;
6. Assembly of ferrous and non-ferrous metal products and a variety of metal and wire products;
7. Assembly of products manufactured or assembled from plastic resins and from natural, synthetic or reclaimed rubber;
8. Manufacturing and assembly of instruments for measuring, testing, analyzing and controlling, optical instruments and lenses, surveying and drafting instruments, medical instruments and equipment, photographic equipment, watches and clocks, and supplies associated with the previous products;
9. Photographic processing labs;

10. Manufacturing and assembly of glass and glass products, clay products, pottery, decorative concrete products, and other secondary products from materials taken principally from the earth in the form of stone, clay and sand;
 11. Application of dyeing, finishing, coating, waterproofing and other treating of fiber, yarn and fabrics; and
 12. Other manufacturing and/or assembly processes in which processed or semi-processed materials are made or assembled into consumer products.
 - Level 1: Indoor manufacturing and assembly not exceeding 5,000 gross square feet of floor space and/or outside storage not exceeding 5,000 gross square feet.
 - Level 2: Indoor manufacturing and assembly with a gross floor area up to 10,000 square feet and/or outside storage not exceeding 6,000 gross square feet.
 - Level 3: Indoor manufacturing and assembly with a gross floor area up to 20,000 square feet and/or outside storage not exceeding 9,000 gross square feet.
 - Level 4: Indoor manufacturing and assembly with a gross floor area up to 30,000 square feet and/or outside storage not exceeding 12,000 gross square feet.
- C. **Food and Related Products.** This use type refers to uses, which involve the processing of non-animal food materials, raw milk, ice manufacturing, and other food products manufacturing, processing, storage and packaging. Examples may include, but are not limited to: bakeries which distribute products to many retail outlets, creameries and other dairy products manufacturing without on- site dairy animals, soft drink bottling plants, feed and cereal mills, flour mills, vegetable oil manufacturing, refining or storage, yeast plants, and starch, glucose and dextrin manufacturing, and dry pet food, pickles, sauerkraut, and vinegar manufacturing, sugar refining, breweries and distilleries.
- Level 1: Breweries and wineries (excluding microbreweries in association with an eating and drinking establishment).
 - Level 2: All other uses in this use type.
- D. **Industrial Services.** This use type refers to uses providing large scale or bulk services to commercial and industrial businesses but not directly to the consumer, e.g., clothes cleaning plants, bulk laundries, diaper services, power laundries, linen supply, industrial laundries, other laundry and garment services; and industrial services related strictly to industrial uses.
- E. **Printing, Publishing and Related Industries.** This use type refers to uses engaged in printing by one or more common processes, such as letterpress, lithography, or screen; services for the printing trade, such as bookbinding and plate making; and publishing newspapers, books and periodicals.
- Level 1: Indoor facilities not exceeding 5,000 gross square feet of floor area.
 - Level 2: Indoor facilities with a gross floor area up to 10,000 square feet.
 - Level 3: Indoor facilities with a gross floor area up to 20,000 square feet.
 - Level 4: Indoor facilities with a gross floor area up to 30,000 square feet.
- F. **Warehousing, Distribution and Freight Movement.** This use type refers to the large scale warehousing and distribution of manufactured or processed products for one or more businesses and the large-scale distribution of raw, manufactured or processed products for one or more businesses at a central location. Examples may include, but are not limited to: grocery chain distribution centers and parcel delivery distribution centers,

storage of fabricated concrete blocks, finished lumber storage yards, new automobile storage areas.

- Level 1: Indoor facilities not exceeding 5,000 gross square feet.
 - Level 2: Indoor facilities with a gross floor area more than 20,000 square feet and not exceeding 30,000 square feet and/or outside storage not exceeding 9,000 gross square feet.
 - Level 3: Indoor facilities with a gross floor area greater than 30,000 square feet up to 1,000,000 square feet and/or outside storage exceeding 9,000 square feet up to 50,000 square feet. (Ord. 731 § 1, 2007)
- G. Contractor Yards.** This use type refers to an area for construction or contracting business offices and the interior or outdoor storage, repair or maintenance of heavy equipment, vehicles, and construction supplies and materials. Maintenance and storage facilities not exceeding 30,000 gross square feet with unlimited outdoor storage.
- H. Motion Picture/Television and Radio Production Studios.** This use type refers to uses engaged in the production and distribution of motion pictures, production and distribution of television segments, radio and television production of commercial spots, and other related activities.
- I. Research, Development, and Laboratories.** This use type includes businesses primarily devoted to experimental research and development. Research, development, and laboratories with limited manufacturing/assembly at the level allowed in the zoning district.
- Level 1: Indoor facilities with a gross floor area up to 5,000 square feet.
 - Level 2: Indoor facilities with a gross floor area up to 10,000 square feet.
 - Level 3: Indoor facilities with a gross floor area up to 20,000 square feet.
 - Level 4: Indoor facilities with a gross floor area up to 30,000 square feet.
- J. Mineral Extraction and Processing.** This use type is the extraction of any natural substance, other than water, from the ground and processing those materials into other forms such as the manufacturing of concrete and asphalt by batch plant operations, Indoor/outdoor processing of minerals, recycled materials, and petroleum products into such uses as stone, marble and granite monument works, manufacturing of brick, tile, terra cotta, clay, concrete and asphalt products. Industrial areas designated with this use are depicted with a Mineral Resource Overlay. (Ord. 731 § 1, 2007)

18B.10.110 Agricultural Use Category. The Agricultural use category includes uses which typically might be found and are generally restricted to rural environments, but which can pose viable, unobtrusive land uses in portions of the urban environment that, by their nature, otherwise possess limited development potential.

- A. Agricultural Sales.** Agricultural Sales Use Type refers to uses, which involve the sales of agricultural supplies, including feed, grain, fertilizers, and farming equipment or the sale of agricultural products.
- Level 1: Agricultural Sales of goods produced on individual farms located within the City. The retail outlet such as vegetable stands shall not exceed 1,000 gross square feet.
 - Level 2: Agricultural Sales uses, which involve the sale of goods such as, produce, shrubbery, plants, eggs, wine, and dairy products in a farmer's market format with a building footprint up to 5,000 gross square feet. Examples

include produce stands, horticultural nurseries, and wineries.

- Level 3: Agricultural Sales uses, which provide feed, grain, fertilizers, and small farming equipment sales and service with a building footprint up to 5,000 gross square feet. Examples include feed and grain stores.
 - Level 4: Agricultural Sales uses, which involve the sale of goods such as produce, shrubbery, plants, eggs, wine, dairy products, produce stands, horticultural nurseries, wineries, selected crafts booths, and small scale restaurant booths in a farmer's market format with a building footprint up to 40,000 gross square feet. An example is a mix of individual booths selling a variety of wares similar to the Olympia Farmer's Market format. (Ord. 731 § 1, 2007)
- B. Agricultural Services.** Agricultural Services Use Type refers to businesses that support the agricultural industry and operate primarily outside an office setting with a building up to 5,000 gross square feet. Typical uses include soil preparation and soil testing services, farm and farm labor management services, landscape and crop fertilizing and spraying services, livestock veterinary services, and other commercial services which typically provide the personnel and equipment necessary to maintain agricultural productivity.
- C. Animal Production, Boarding and Training, and Slaughtering.** Animal Production and Slaughtering Use Type refers to uses, which involve the commercial raising of animals, training of animals, the production of animal products, such as eggs or dairy products, the boarding and training of animals, and the slaughtering and processing of animals.
- Level 1: Uses that involve the commercial raising or boarding and training of animals or production of animal products, such as eggs or dairy products produced on-site, on an agricultural or commercial basis, but excluding the slaughtering and processing of animals raised outside of the community. Examples include grazing, ranching, dairy farming, commercial stables, riding academies, and breeding and boarding facilities.
 - Level 2: Breeding and boarding facilities for a combination of six cats and dogs.
- D. Crop Production.** Crop Production Use Type refers to uses which involve the raising and harvesting of row crops, field crops, or tree crops on an agricultural or commercial basis, including packing, primary processing, and storage facilities.
- Level 1: The family farm or "hobby farm" of less than two (2) acres in size where crop production uses which involve the raising and harvesting of row crops, field crops, or tree crops on an agricultural or commercial basis with one or two buildings not exceeding 1,000 square feet total. Examples include grain and vegetable crops, fruit trees, and horticultural nurseries.
 - Level 2: A farm of more than two (2) acres in size where crop production uses which involve the raising and harvesting of row crops, field crops, or tree crops on an agricultural or commercial basis with one or two buildings not exceeding 5,000 square feet total. Examples include grain and vegetable crops, fruit trees, and horticultural nurseries.
 - Level 3: Crop Production uses which involve the primary processing, packaging, and storage of agricultural products with one or two buildings not exceeding 30,000 square feet total. Examples include fruit and vegetable packing and shipment plants, warehouses, fruit and vegetable cold storage

plants, and other uses involved in the harvesting and primary processing of locally grown agricultural products. This Use Type does not include the processing of agricultural products described under the "Food and Related Products Use Type" of the Industrial Category. For the purposes of this Use Type, primary processing means performing service on crops subsequent to their harvest with the intent of preparing them for market or further processing.

- E. **Fish Hatcheries and Aquaculture.** Fish Hatcheries and Aquaculture Use Type refers to uses that involve the production of finfish, or other marine products within a confined space and under controlled feeding, sanitation, and harvesting procedures. Examples include salmon farms and fish hatcheries.
- F. **Forestry.** Forestry Use Type refers to uses, which involve commercial harvesting of forest products, and scientific research related to management of forestlands, which involve commercial harvesting of forest products and scientific research related to management of forestlands. Examples include timber harvesting, gathering of forest products (e.g., bark, berries, mushrooms), silvicultural.

18B.10.120 Accessory Use Category. The Accessory use category includes those uses which are customarily and routinely found in conjunction with, and which are clearly incidental and secondary to, other listed uses, except as may be specifically limited by use levels otherwise listed herein. Accessory uses, other than fences, retaining walls and barns, are prohibited from locating on a lot prior to a legal principal use.

A. Residential Accessory.

1. Attached carports or garages for the sole use of occupants of premises and their guests, for storage of personal household goods and motor, recreational, and sporting vehicles. Detached carports or garages are allowed in conjunction with an approved access point and driveway. Other accessory buildings and structures such as hobbyist greenhouses and storage buildings for personal household goods and yard maintenance equipment are allowed up to a combined maximum size of 1,000 square feet of gross floor area.
2. Outdoor storage of two recreational/sporting vehicles is allowed, subject to [TMC 18B.30.060, Outdoor Storage](#).
3. Home occupations and limited home business, subject to the provisions of [TMC 18B.40.070, Home Business](#) and [TMC 18B.100.080, Limited Home Business](#).
4. Minor service and repair of a vehicle owned by a resident or a relative of a resident of the site on which the activity is performed, where the activity is not performed for pay or the exchange of goods or services, and subject to the provision of [TMC 18B.40.010, Accessory Residential Vehicle and Repair Standards](#).
5. Hobbyist crops or flowers gardens that are non-commercial and serve one or more neighborhood homes on an informal, cooperative basis, as distinguished from Open Space/Recreation uses.
6. Civic use types ("pea-patch" or community gardens). May include private, on-site composting facility with less than ten cubic yards capacity.
7. On-site underground heating oil storage tanks to serve a residential use.

8. Antennae and satellite dishes for private telecommunication services, subject to specific standards, including siting criteria, set forth in [TMC 18B.40.110](#), Personal Wireless Telecommunications Facilities.
9. Decks and patios.
10. Non-commercial recreational facilities and areas, indoor and outdoor, including swimming pools and tennis courts, for exclusive use by residents and guests.
11. Retaining walls, freestanding walls, and fences.

B. Civic Accessory.

1. Administrative and Professional Offices (Level 1).
2. Eating and Drinking Establishment (Level 1/ 2).
3. Storage buildings and outdoor storage, subject to the provisions of [TMC 18B.30.060](#), Outdoor Storage, for maintenance equipment and goods utilized in the primary use.
4. Antennae and satellite dishes for private telecommunication services, subject to specific standards, including siting criteria, set forth in [TMC 18B.40.110](#), Personal Wireless Telecommunications Facilities.
5. Facilities used in on-site grounds maintenance.
6. Retaining walls, freestanding walls, and fences.
7. Community and Cultural Services (Level 1/ 2), in conjunction with a Recreation use type.
8. Amusement and Recreation (Level 1), in conjunction with a Recreation use type.
9. Lodging (Level 2), in conjunction with an Open Space/Recreation use type.

C. Commercial Accessory.

1. Administrative and Professional Offices (Level 1).
2. Eating and Drinking Establishment (Level 1/2).
3. Outdoor storage, subject to the provisions of [TMC 18B.30.060](#), Outdoor Storage.
4. Antennae and satellite dishes for private telecommunication services, subject to specific standards, including siting criteria, set forth in [TMC 18B.40.110](#), Personal Wireless Telecommunications Facilities.
5. Facilities used in on-site grounds maintenance.
6. Retaining walls, freestanding walls, and fences.

D. Industrial Accessory.

1. Administrative and Professional Offices (Level 1).
2. Eating and Drinking Establishment (Level 1/2).
3. Outdoor storage, subject to the provisions of [TMC 18B.30.060](#), Outdoor Storage.
4. Antennae and satellite dishes for private telecommunication services, subject to specific standards, including siting criteria, set forth in [TMC 18B.40.110](#), Personal Wireless Telecommunications Facilities.
5. Incidental hazardous materials storage or use, subject to applicable federal and state regulations.
6. Facilities used in on-site grounds maintenance.
7. Retaining walls, freestanding walls, and fences.
8. Caretaker facilities. (Ord. 731 § 1, 2007)

E. Agricultural Accessory.

1. Outdoor storage, subject to the provisions of [TMC 18B.30.060](#), Outdoor Storage.
2. Incidental hazardous materials storage or use, limited to agricultural chemicals, subject to applicable federal and state regulations.

3. Retaining walls, freestanding walls, and fences.
4. Barns.

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Chapter 18B.20

LAND USE ZONES

Sections:

- [18B.20.010](#) **Purpose.**
- [18B.20.020](#) **Establishment of Zones.**
- [18B.20.030](#) **Zoning Map.**
- [18B.20.040](#) **Single-Family (SF-ES, SF, SF-D) Residential Zoning District.**
- [18B.20.045](#) **Professional Office (PO) Overlay Zoning District. (Ord. 731 § 1, 2007)**
- [18B.20.050](#) **Multi-Family (MF) Residential Zoning District.**
- [18B.20.060](#) **Mixed Use (MU) Zoning District.**
- [18B.20.070](#) **Retail/Service Commercial (C-1) Zoning District.**
- [18B.20.080](#) **Heavy Commercial (C-2) Zoning District.**
- [18B.20.090](#) **Historic Preservation (HP) Zoning District.**
- [18B.20.100](#) **Historic Character Overlay (HC) Zoning District.**
- [18B.20.110](#) **Industrial-1 (I-1) Zoning District.**
- [18B.20.115](#) **Heavy Industrial (I-2) Zoning District. (Ord. 731 § 1, 2007)**
- [18B.20.120](#) **Public/Semi-Public (P/SP) Zoning District.**

18B.20.010 The purpose of this Chapter is to list and describe the Zoning Districts and their purposes. This Chapter provides interpretation of uses allowed in each Zoning District and classifies these uses according to a limited number of categories on the basis of common compatibility characteristics.

18B.20.20 Establishment of Zones.

- A. The classification system used in the Comprehensive Plan was established and mapped as a management tool to implement the policies and intent of the Comprehensive Plan. Land use designations are established to appropriately carry out the intent and purpose of the Comprehensive Plan and defined Comprehensive Plan land use element. The zoning district classifications established to implement each of the Comprehensive Plan land use designations for the City are shown in Table 18B.20-1 below.

Table 18B.20-1 Comprehensive Plan Zoning District Correlation Matrix (Ord. 731§1, 2007)

Comprehensive Plan Designation	Zoning District Classification
Single-Family Residential - Environmentally Sensitive	<u>Single-Family ES (SF-ES)</u>
Single-Family Residential District	<u>Single-Family (SF)</u>
Single-Family Duplex Residential District	<u>Single-Family Duplex (SF-D)</u>
Professional Office Overlay District	Underlying SF zoning designation
Multiple Family Residential District	<u>Multi-Family Residential (MF)</u>
Mixed Use District	<u>Mixed Use (MU)</u>
Retail/Service Commercial District	<u>Retail/Service Commercial (C-1)</u>
Heavy Commercial District	<u>Heavy Commercial (C-2)</u>
Historic Preservation District Overlay	<u>Historic Preservation (HP)</u>
Historic Character Overlay District	<u>Historic Character Overlay (HC)</u>
Industrial District	<u>Industrial 1 (I-1)</u>
Heavy Industrial District	Industrial 2 ((I-2)
Public/Semi-Public District	<u>Public/Semi-Public (P/SP)</u>

- B. Zoning boundaries are depicted on the City’s official zoning map, which is hereby adopted by reference. The abbreviated zoning designations used in this Title have the same meaning as the entire zoning district classification title as stated above.
- C. Individual water, on-site wastewater, public water and public wastewater availability are the underlying determinates of the zoning densities allowed within each of the established zones, which are summarized in the following table:

TABLE 18B.20-2 Density by Zone Based on Infrastructure Requirements. (Ord. 731 § 1, 2007)

Zone	Density below is Expressed in Dwelling Units per Acre		
	Individual Water & *Onsite Wastewater	Public Water & *Onsite Wastewater	Public Water & Public Wastewater
SF-ES	1	3.48	4
SF	1	3.48	6
SF-D	1	3.48	8
PO	Same as Underlying Zone		
MF	1	3.48	10
MU	1	3.48	12
C-1	1	3.48	14
HP	Same as C-1		
HC	Same as C-1		
C-2	0	0	0
I-1 (Industrial)	0	0	0
I-2 (Heavy Industrial)	0	0	0
P/SP	0	0	0
<p>*NOTE: The Thurston County Health Department is the jurisdiction with approval authority regarding ultimate lot size, which may require more land than shown above. This decision based on physical constraints of the land regarding proximity of Individual Water (if applicable) and area requirements for Onsite Waste systems.</p>			

- D. Notwithstanding any provisions in this Title to the contrary, the location of lot lines or setback lines at a development and construction related thereto shall be the responsibility of the applicant/owner.

18B.20.030 Zoning Map.

- A. The location and boundaries of all zones or districts designated in this Title are hereby established as shown on the map entitled, “City of Tenino Official Zoning Map,” as adopted herewith and as may be amended from time to time, and hereafter may be referred to as “the zoning map.” The zoning map shall be as shown on a geographic coverage layer attributed to zoning that is maintained as a part of the City’s geographic information system (GIS) under the supervision of the Designee. No unauthorized person may alter or modify the zoning GIS layer without approval by the Designee. This geographic coverage layer, and as amended from time to time, shall constitute the official zoning map for the City’s zoning jurisdictions and shall be incorporated into this Title by reference as if fully set forth herein. An original, signed copy of the zoning map containing the zoning districts designated at the time of adoption of this Title shall be retained in the office of the City Clerk pursuant to [RCW 35.63.100](#), and duplicates shall

be filed in the Community Development Department for reference and public distribution. All amendments thereafter made to the zoning map shall be made by ordinance and shall be reflected on such map, and it shall be the responsibility of the Community Development Department to ensure that an up-to-date map is maintained at all times.

- B. Where uncertainty exists as to any of the zone boundaries as shown on the zoning map, the following rules shall apply:
1. A boundary shown on the zoning map as approximately following a lot line or parcel boundary shall be construed as following the lot line or parcel boundary as it actually existed at the time the zoning boundary was established. If, subsequent to the establishment of the zoning boundary, a lot line should be moved as a result of a legally performed boundary line adjustment, the zoning boundary shall be construed as moving with the lot line only if the lot line is moved no more than ten feet and remains generally parallel to the original line.
 2. A boundary shown on the zoning map as approximately following a creek, lake, or other watercourse shall be construed as following the actual centerline of the watercourse. If, subsequent to establishment of the boundary, the centerline of the watercourse should move as a result of natural processes, the boundary shall be construed as moving with the centerline of the watercourse.
 3. A boundary shown on the zoning map as approximately following a ridgeline or topographic contour line shall be construed as following the actual ridge or contour line. If, subsequent to the establishment of the boundary, the ridge or contour line should move as a result of natural processes, the boundary shall be construed as moving with the ridge or contour line.
 4. A boundary shown on the zoning map as approximately following a street or railroad line shall be construed as following the centerline of the street or railroad right-of-way. If, subsequent to the establishment of the boundary, the centerline of the street or railroad right-of-way should be moved as a result of its widening or minor realignment (such as at an intersection), the boundary shall be construed as moving with the centerline only if the centerline is moved no more than 20 feet.
 5. Whenever any street or other public right-of-way is vacated in the manner prescribed by law, the zoning district adjoining each side of said street or other public right-of-way shall be automatically extended to the centerline of the former street or other public right-of-way, and all of the area included in the vacation shall then and henceforth be subject to all regulations of the extended districts.
 6. Whenever a single lot, one acre or less in size, is located within two or more different zoning districts, the district regulations applicable to the district within the larger portion of the lot lies shall apply to the entire lot.
 7. Whenever a single lot greater than one acre in size is located within two or more different zoning districts, each portion of that lot shall be subject to all the regulations applicable to the district in which it is located.
 8. If the specific location of a zoning boundary line cannot be determined from application of the above rules to the zoning map, it shall be determined by the use of the scale designated on the zoning map.
 9. Where questions still arise concerning the exact location of a district boundary, the Designee shall interpret the zone boundaries.

18B.20.040 Single-Family Residential Zoning Districts.

A. Purpose.

1. The Single-Family ES (SF-ES) zoning district requires special consideration of environmental constraints, thus typically requiring larger residential lots. This zoning district seeks to reduce potential impacts created by the built environment and any potential impact to the environment, while also considering any potential environmental consequences that may befall existing or permitted uses.
2. The Single-Family (SF) zoning district provides for larger residential lots in specific areas where a pattern of larger lots exists. This zoning district seeks to preserve the identity of these residential areas and reduce traffic volumes to provide safe, family friendly areas.
3. The Single-Family / Duplex (SF-D) zoning district is the City's primary residential zone, which provides for single-family and duplex dwellings in established residential neighborhoods.

B. Permitted Uses. The following uses are permitted within the Single-Family zoning districts, subject to planning approval and all applicable development permits:

1. SF-ES Zoning District.
 - a. Agricultural Use:
 - 1). Agricultural Sales (Level 1);
 - 2). Animal Production, Boarding and Slaughtering (Level 1);
 - 3). Crop Production (Level 1).
 - b. Residential Use:
 - 1). Single-Family Detached Dwelling;
 - 2). Group Home Type I;
 - 3). Manufactured Home;
 - 4). Modular Home;
 - c. Civic Use:
 - 1). Day care Facilities (Level 1);
 - 2). Open Space/Recreation (Level 1/2);
 - 3). Religious Assembly (Level 1).
 - d. Utilities Use:
 - 1). Communication Facilities (Level 1);
 - 2). Electrical Facilities (Level 1);
 - 3). Natural Gas Facilities;
 - 4). Sanitary Sewage Collection Facilities;
 - 5). Stormwater Facilities (Level 1).
 - e. Commercial Uses:
 - 1). Sale of Second Hand Property (Level 1).
 - f. Residential Accessory Uses.
2. SF Zoning District.
 - a. Agricultural Uses:
 - 1). Agricultural Sales (Level 1);
 - 2). Animal Production, Boarding and Slaughtering (Level 1);
 - 3). Crop Production (Level 1).
 - b. Residential Uses:
 - 1). Single-Family Detached Dwelling;

- 2). Group Home Type I;
- 3). Manufactured Home;
- 4). Modular Home.
- c. Civic Use:
 - 1) Day care Facilities (Level 1);
 - 2) Open Space/Recreation (Level 1/2);
 - 3) Religious Assembly (Level 1);
- d. Utilities Uses:
 - 1) Communication Facilities (Level 1);
 - 2) Electrical Facilities (Level 1);
 - 3) Natural Gas;
 - 4) Sanitary Sewage Collection Facilities;
 - 5) Stormwater Facilities (Level 1).
- e. Commercial:
 - 1) Sale of Secondhand Property (Level 1).
- f. Residential Accessory Uses.
- 3. SF-D Zoning District.
 - a. Agricultural Uses:
 - 1). Agricultural Sales (Level 1);
 - 2). Animal Production, Boarding and Slaughtering (Level 1);
 - 3). Crop Production (Level 1).
 - b. Residential Uses:
 - 1) Attached Dwelling (Level 1);
 - 2) Single-Family Detached Dwelling;
 - 3) Group Home Type I;
 - 4) Manufactured Home;
 - 5) Modular Home.
 - c. Civic Use:
 - 1) Day care Facilities (Level 1);
 - 2) Open Space/Recreation (Level 1/2);
 - 3) Religious Assembly (Level 1).
 - d. Utilities Uses:
 - 1) Communication Facilities (Level 1);
 - 2) Electrical Facilities (Level 1);
 - 3) Natural Gas;
 - 4) Sanitary Sewage Collection Facilities;
 - 5) Stormwater Facilities (Level 1).
 - e. Commercial:
 - 1) Sale of Secondhand Property (Level 1).
 - f. Residential Accessory Uses.
- C. **Administrative Approval.** The following uses are permitted within the Single-Family zoning districts, subject to approval of an administrative use permit and all applicable development permits.
 - 1. SF-ES Zoning District.
 - a. Civic Uses:

- 1). Religious Assembly (Level 2/3);
 - 2). Social Services;
 - 3). Transportation (Level 1).
 - b. Utilities Uses:
 - 1). Communication Facilities (Level 2);
 - 2). Electrical Facilities (Level 2);
 - 3). Stormwater Facilities (Level 2);
 - 4). Water Supply Facilities (Level 1).
 - 2. SF Zoning District.
 - a. Civic Uses.
 - 1). Community and Cultural Services (Level 1);
 - 2). Day care Facilities (Level 2);
 - 3). Open Space / Recreation (Level 3/4);
 - 4). Religious Assembly (Level 2/3);
 - 5). Social Services;
 - 6). Transportation (Level 1).
 - b. Utilities Uses.
 - 1). Communications Facilities (Level 2);
 - 2). Electrical Facilities (Level 2);
 - 3). Stormwater Facilities (Level2);
 - 4). Water Supply Facilities (Level 2).
 - 3. SF-D Zoning District.
 - a. Civic Uses:
 - 1). Community and Cultural Services (Level 1);
 - 2). Day care Facilities (Level 2);
 - 3). Open Space / Recreation (Level 4);
 - 4). Religious Assembly (Level 2/3);
 - 5). Social Services;
 - 6). Transportation (Level 1).
 - b. Utilities Uses:
 - 1). Communications Facilities (Level 2);
 - 2). Electrical Facilities (Level 2);
 - 3). Stormwater Facilities (Level 2);
 - 4). Waste / Recycle Transfer Facilities (Level 1);
 - 5). Water Supply Facilities (Level 1).
- D. Conditional Approval.** The following uses are permitted within the Single-Family zoning districts, subject to approval of a conditional use permit and all applicable development permits:
- 1. SF-ES Zoning District.
 - a. Civic Uses:
 - 1). Open Space / Recreation (Level 5);
 - 2). Religious Assembly (Level 4/5);
 - b. Utilities Uses:
 - 1). Stormwater Facilities (Level 3);
 - 2. SF Zoning District.
 - a. Civic Uses:

- 1). Day care Facilities (Level 3);
 - 2). Education Public/Private (Level 1/2);
 - 3). Religious Assembly (Level 4/5)
 - b. Utilities Uses:
 - 1). Stormwater Facilities (Level 3).
- 3. SF-D Zoning District.
 - a. Civic Uses:
 - 1). Day care Facilities (Level 3);
 - 2). Education Public/Private (Level 2/3);
 - 3). Open Space / Recreation (Level 5)
 - 4). Religious Assembly (Level 4/5).
 - b. Utilities Uses:
 - 1). Stormwater Facilities (Level 3).
- E. **Public Facilities Permit.** The following uses are permitted within the Single-Family zoning districts, subject to approval of a public facilities permit pursuant to TMC 18.50.060 and all applicable development permits:
 - 1. SF-ES / SF / SF-D Districts.
 - a. Civic Uses:
 - 1). Safety Services and Animal Control (Level 1);
 - 2). Utility or Public Maintenance Facilities (Level 1).
 - b. Utilities Uses:
 - 1). Electrical Facilities (Level 3);
 - 2). Water Supply Facilities (Level 2/3).
- F. **Other Development Standards.**
 - 1. Density. The permissible number of dwelling units allowed per acre of land (see Table 18.20-2).
 - 2. Lot Area. The minimum allowed total area in gross square feet (gsf) within the lot lines of a lot, excluding any public or private right-of-way and Critical Areas/buffers. For the purposes of flood regulations, any portion of a lot lying below the ordinary high water mark or lawfully constructed bulkhead shall not be included in a lot area calculation.
 - 3. Lot Coverage. The maximum building coverage and impervious surface for the Single-Family zoning districts is 50%, and subject to stormwater requirements. For existing lots in the SF-ES zoning districts less than 10,000 gross square feet in size, the maximum impervious surface requirements of the SF zoning district shall apply.
 - 4. Setbacks. The minimum setbacks for the Single-Family zoning districts. For flag and irregular lots, see [TMC 18B.30.040, Setbacks, Projection Exceptions, Heights & Widths.](#)
 - 5. Street Frontage. The minimum street frontage for lots abutting public or private streets. For flag and irregularly shaped lots see [TMC 18B.30.040, Setbacks, Projection Exceptions, Heights & Widths.](#)
 - 6. Building Height. The maximum height allowed in the Residential zoning districts is 35 feet (see [TMC 18B.30.040, Setbacks, Projection Exceptions, Heights & Widths.](#))
 - 7. Significant tree identification and preservation and/or replacement shall be required as set forth in [TMC 18B.30.120, Tree Preservation.](#)

8. Landscaping shall be provided as set forth in [TMC 18B.30.100](#), Landscaping as it applies in the appropriate zones.
9. Parking shall conform to the requirements of TMC 18B.30.090, [Table 18B.30-3 Parking](#).
10. Signage shall conform to the requirements of [TMC 18B.30.130](#), Signs.
11. In addition to the regulations and requirements contained in other Sections of this Title, the following property development standards apply to all land and buildings in the Single-Family zoning districts, subject to Thurston County and Washington State health Department requirements:

Table 18B.20-3 Single-Family Property Development Standards.

Standards	Individual Water & Onsite Wastewater	Public Water & Onsite Wastewater	Public Water & Public Wastewater
Lot Area			
SF-ES	1 DU/Acre or 43,560 SF	3.48 DU/Acre or 12,500 SF	4 DU/Acre or 10,890 SF
SF	1 DU/Acre or 43,560 SF	3.48 DU/Acre or 12,500 SF	6 DU/Acre or 7,260 SF
SF-D	1 DU/Acre or 43,560 SF	3.48 DU/Acre or 12,500 SF	8 DU/Acre or 5,445 SF
Minimum Setbacks (In feet)			
Front Yards			
SF-ES	20	20	20
SF	10	10	10
SF-D	10 for SF - 15 Duplex	10 SF - 15 Duplex	10 SF - 15 Duplex
Garages/Carports from front yard	20	20	20
Side Yards			
SF-ES	15	15	15
SF	10	10	10
SF-D	5	5	5
Rear Yards			
SF-ES	35	35	35
SF	20	20	20
SF-D	10	10	10

18B.20.045 Professional Office (PO) Overlay Zoning District. Uses and development standards of this overlay zone shall conform to the requirements of the underlying zoning district:

- A. Permitted Uses In addition to the uses allowed by the underlying zone, this overlay zone allows for the following Office / Business Uses:
 1. Administrative and Professional Offices (Level 1/2);
 2. Private Training Schools (Level 1/2).
 (Ord. 731 § 1, 2007)

18B.20.050 Multi-Family Residential (MF) Zoning District.

- A. The purpose of the Multi-Family Residential (MF) zoning district is to promote residential renewal to small-lot attached dwellings, such as apartments, condominiums and townhouses. This district provide for moderate residential density using a variety of urban housing types and designs. The mix of housing may take a variety of forms, either mixed within a single site or mixed within a general area, with varied dwelling types.
- B. **Permitted Use.** The following uses are permitted within the Mixed Residential zoning district, subject to planning approval and all applicable development permits:
 1. Agricultural Uses:

- a. Agricultural Sales (Level 1);
- 2. Residential Uses:
 - a. Attached Dwelling (Level 1/2);
 - b. Single-Family Detached Dwelling;
 - c. Group Home Type I;
 - d. Manufactured Home;
 - e. Modular Home;
 - f. Multi-Family Dwelling Type I (Level 1);
 - g. Senior Housing.
- 3. Civil Uses:
 - a. Day care Facilities (Level 1);
 - b. Open Space/Recreation (Level 1/2);
 - c. Religious Assembly (Level 1).
- 4. Utilities Uses:
 - a. Communication Facilities (Level 1);
 - b. Electrical Facilities (Level 1);
 - c. Natural Gas Facilities;
 - d. Sanitary Sewage Collection Facilities;
 - e. Stormwater Facilities (Level 1).
- 5. Commercial Uses:
 - a. Lodging (Level 1/2);
 - b. Sale of Secondhand Property (Level 1).
- 6. Residential Accessory Uses.
- C. **Administrative Use.** The following uses are permitted within the Multi-Family Residential zoning district, subject to approval of an administrative use permit and all applicable development permits:
 - 1. Residential Uses:
 - a. Assisted Living Facilities;
 - b. Multi-Family Dwelling Type 1 (Level 2)
 - 2. Civic Uses:
 - a. Administrative Government Facilities and Services (Level 1);
 - b. Community and Cultural Services (Level 1);
 - c. Day care Facilities (Level 2);
 - d. Libraries;
 - e. Open Space / Recreation (Level 4);
 - f. Religious Assembly (Level 2/3/4/5).
 - 3. Utilities Uses:
 - a. Communication Facilities (Level 2);
 - b. Electrical Facilities (Level 2);
 - c. Stormwater Facilities (Level 2);
 - d. Water Supply Facilities (Level 1).
- D. **Conditional Use.** The following uses are permitted within the Multi-Family Residential zoning district, subject to approval of a conditional use permit and all applicable development permits:
 - 1. Residential Uses:
 - a. Nursing Home.

2. Civic Use:
 - a. Day care (Level 3)
 - b. Education Public / Private (Level 3);
 - c. Health Services;
3. Utilities Uses:
 - a. Stormwater Facilities (Level 3).
- E. **Public Facilities Permit.** The following uses are permitted within the Multi-Family Residential zoning district, subject to approval of a public facilities permit pursuant to TMC 18.50.060 and all applicable development permits:
 1. Civic Uses:
 - a. Utility or Public Maintenance Facilities (Level 1).
 2. Utilities Uses:
 - a. Electrical Facilities (Level 3);
 - b. Water Supply Facilities (Level 2/3).
- F. **Other Development Standards.**
 1. Density. The permissible number of dwelling units allowed per acre of land (see Table 18.20-1a
 2. Lot Area. The minimum allowed total area in gross square feet (gsf) within the lot lines of a lot, excluding any public or private right-of-way and Critical Areas/buffers. For the purposes of flood regulations, any portion of a lot lying below the ordinary high water mark or lawfully constructed bulkhead shall not be included in a lot area calculation.
 3. Lot Coverage. The maximum building coverage and impervious surface for the MF zoning district is 60%, subject to stormwater requirements.
 4. Setbacks. The minimum setbacks for the MF zoning district. For flag and irregular lots, see [TMC 18B.30.040, Setbacks, Projection Exceptions, Heights & Widths.](#)
 5. Street Frontage. The minimum street frontage for lots abutting public or private streets. For flag and irregularly shaped lots see [TMC 18B.30.040, Setbacks, Projection Exceptions, Heights & Widths.](#)
 6. Building Height. The maximum height allowed in the MF zoning districts is 35 feet (see [TMC 18B.30.040, Setbacks, Projection Exceptions, Heights & Widths.](#))
 7. Significant tree identification and preservation and/or replacement shall be required as set forth in [TMC 18B.30.120, Tree Preservation.](#)
 8. Landscaping shall be provided as set forth in [TMC 18B.30.100, Landscaping](#) as it applies in the appropriate zones.
 9. Parking shall conform to the requirements of TMC 18B.30.090, [Table 18B.30-3 Parking.](#)
 10. Signage shall conform to the requirements of [TMC 18B.30.130, Signs.](#)
 11. In addition to the regulations and requirements contained in other sections of this Title, the following property development standards apply to all land and buildings in the Multi-Family (MF) Residential zoning districts, subject to Thurston County and Washington State health Department requirements::

Table 18B.20-4 MF Residential Property Development Standards

Standards	Individual Water & Onsite Wastewater	Public Water & Onsite Wastewater	Public Water & Public Wastewater
Lot Area	1 DU/Acre or 43,560 SF	3.48 DU/Acre or 12,500 SF	10 DU/Acre or 4,356 SF
Lot Coverage	60%	60%	60%
Setbacks (In feet)			
Front	15	15	15
Side	5	5	5
Rear	10	10	10
Garages/Carports from front yard	20	20	20

18B.20.060 Mixed Use (MU) Zoning District

A. The Mixed Use (MU) zoning allows the mixing of multi-family residential, single-family, commercial, professional offices, and some light commercial and industrial uses within the City of Tenino. This district includes areas with concentrations of commercial, office and multi-unit developments located along major arterials.

B. **Permitted Use.** The following uses are permitted within the Mixed Use Residential zoning district, subject to planning approval and all applicable development permits:

1. Agricultural Uses:
 - a. Agricultural Sales (Level 1);
 - b. Animal Production, Boarding, and Slaughtering (Level 2).
2. Residential Uses:
 - a. Assisted Living Facilities;
 - b. Attached Dwelling (Level 1/2);
 - c. Single-Family Detached Dwelling;
 - d. Group Home Type I;
 - e. Manufactured Home;
 - f. Modular Home;
 - g. Multi-Family Dwelling Type I (Level 1/2);
 - h. Multifamily Dwelling Type II (Level 1);
 - i. Senior Housing.
3. Civic Uses:
 - a. Community and Cultural Services (Level 1);
 - b. Day care Facilities (Level 1/2/3);
 - c. Health Services;
 - d. Postal Services (Level 1);
 - e. Open Space / Recreation (Level 1/2);
 - f. Religious Assembly (Level 1).
4. Utilities Uses:
 - a. Communication Facilities (Level 2);
 - b. Electrical Facilities (Level 1);
 - c. Natural Gas Facilities;
 - d. Sanitary Sewage Collection Facilities;
 - e. Stormwater Facilities (Level 1).
5. Office/Business Uses:
 - a. Administration and Professional Offices (Level 1);
6. Commercial Uses:

- a. Business Services;
 - b. Buy-back Recycling Center;
 - c. Eating and Drinking Establishment (Level 1/2);
 - d. Food Stores (Level 1);
 - e. Garden Centers (Level 1);
 - f. Lodging (Level 1/2);
 - g. Personal Services (Level 1);
 - h. Sales of General Merchandise (Level 1/2);
 - i. Sales of Secondhand Property (Level 1/2).
7. Industrial Uses:
- a. Printing, Publishing and Related Industries (Level 1)
 - b. Residential Accessory Uses.
 - c. Civic Accessory Uses.
 - d. Commercial Accessory Uses.
 - e. Industrial Accessory Uses.
- C. **Administrative Use.** The following uses are permitted within the Mixed Use Residential zoning district, subject to approval of an administrative use permit and all applicable development permits:
- 1. Residential Uses:
 - a. Multi-Family Dwelling Type I (Level 2).
 - 2. Civic Uses:
 - a. Administrative Government Facilities and Service (Level 1/2);
 - b. Community and Cultural Services (Level 2);
 - c. Libraries;
 - d. Open Space / Recreation (Level 3/4);
 - e. Religious Assembly (Level 2/3/4/5);
 - f. Safety Service and Animal Control (Level 1);
 - g. Social Services;
 - h. Transportation (Level 1).
 - 3. Utilities Uses:
 - a. Communication Facilities (Level 2);
 - b. Electrical Facilities (Level 2);
 - c. Stormwater Facilities (Level 2);
 - d. Waste/Recycle Transfer Facilities (Level 1);
 - e. Water Supply Facilities (Level 1).
 - 4. Office/Business Uses:
 - a. Administrative and Professional Offices (Level 2);
 - b. Private Training Schools (Level 1/2).
 - 5. Commercial Uses:
 - a. Amusement and Recreation (Level 1/5);
 - b. Building Materials/Garden Supplies/Hardware/Plumbing/Electrical (Level 1/2);
 - c. Food Stores (Level 2);
 - d. Funeral Services (Level 1);
 - e. Motor Vehicle Service and Repair (Level 1);
 - f. Motor Vehicle and Construction Equipment Rental (Level 1);
 - g. Personal Services (Level 2);

- h. Pet / Animal Sales and Services (Level 1/2/3);
 - i. Rental and Repair Services (Level 1/3);
 - j. Sales of General Merchandise (Level 3);
 - k. Sales of Secondhand Property (Level 3).
6. Industrial Uses:
- a. Printing, Publishing and Related Industries (Level 2).
- D. **Conditional Use.** The following uses are permitted within the Mixed Use zoning district, subject to approval of a conditional use permit and all applicable development permits:
- 1. Residential Uses:
 - a. Hospice Care Center.
 - 2. Civic Uses:
 - a. Administrative Government Facilities and Services (Level 3);
 - b. Education Public/Private (Level 1/2/3);
 - c. Postal Services (Level 2);
 - d. Open Space / Recreation (Level 5);
 - e. Safety Services and Animal Control (Level 2);
 - f. Transportation (Level 4).
 - 3. Utilities Uses:
 - a. Stormwater Facilities (Level 3);
 - 4. Office / Business Uses:
 - a. Administrative and Professional Offices (Level 3).
 - 5. Commercial Uses:
 - a. Amusement and Recreation (Level 2/3);
 - b. Building Materials/Garden Supplies/Hardware/Plumbing/Electrical (Level 3);
 - c. Eating and Drinking Establishment (Level 3/4);
 - d. Food Stores (Level 3);
 - e. Lodging (Level 3);
 - f. Motor Vehicle and Construction Equipment Rental (Level 2);
 - 6. Industrial Uses:
 - a. Printing, Publishing and Related Industries (Level 3).
- E. **Public Facilities Permit.** The following uses are permitted within the Mixed Use zoning district, subject to approval of a public facilities permit pursuant to TMC 18.50.060 and all applicable development permits:
- 1. Civic Uses:
 - a. Transportation (Level 3);
 - b. Utility or Public Maintenance Facilities (Level 1/2).
 - 2. Utilities Uses:
 - a. Electrical Facilities (Level 3);
 - b. Water Supply Facilities (Level 2/3).
- F. **Other Development Standards.**
- 1. Density. The permissible number of dwelling units allowed per acre of land (see Table 18.20-1a
 - 2. Lot Area. The minimum allowed total area in gross square feet (gsf) within the lot lines of a lot, excluding any public or private right-of-way and Critical Areas/buffers. For the purposes of flood regulations, any portion of a lot lying below the ordinary

- high water mark or lawfully constructed bulkhead shall not be included in a lot area calculation.
3. Lot Coverage. The maximum building coverage and impervious surface for the MU zoning district is 90%, subject to stormwater requirements.
 4. Setbacks. The minimum setbacks for the MU zoning district. For flag and irregular lots, see [TMC 18B.30.040, Setbacks, Projection Exceptions, Heights & Widths.](#)
 5. Street Frontage. The minimum street frontage for lots abutting public or private streets. For flag and irregularly shaped lots see [TMC 18B.30.040, Setbacks, Projection Exceptions, Heights & Widths.](#)
 6. Building Height. The maximum height allowed in the MU zoning districts is 35 feet (see [TMC 18B.30.040, Setbacks, Projection Exceptions, Heights & Widths.](#)).
 7. Significant tree identification and preservation and/or replacement shall be required as set forth in [TMC 18B.30.120, Tree Preservation.](#)
 8. Landscaping shall be provided as set forth in [TMC 18B.30.100, Landscaping](#) as it applies in the appropriate zones.
 9. Parking shall conform to the requirements of TMC 18B.30.090, [Table 18B.30-3 Parking.](#)
 10. Signage shall conform to the requirements of [TMC 18B.30.130, Signs.](#)
 11. Design features shall be required for multifamily, civil, utilities, office and business, commercial, and industrial uses as set forth in [TMC 18B.30.140, Design Standards.](#)
 12. In addition to the regulations and requirements contained in other sections of this Title, the following property development standards apply to all land and buildings in the MU zoning district, subject to Thurston County and Washington State health Department requirements:

Table 18B.20-5 MU Property Development Standards.

Standards	Individual Water & Onsite Wastewater	Public Water & Onsite Wastewater	Public Water & Public Wastewater
Lot Area	1 DU/Acre or 43,560	3.48 DU/Acre or 12,500 SF	12 DU/Acre or 3,630 SF
Lot Coverage	50%	90%	90%
Setbacks (In feet)			
Front	15	15	15
Side	5	5	5
Rear	10	10	10
Garages/Carports from front yard	20	20	20

18B.20.070 Retail/Service Commercial (C-1) Zoning District

- A. The Retail/Service Commercial (C-1) zoning district promotes employment, services, retail, and business uses serving and linking neighborhoods to Tenino’s major transportation networks, including pedestrian and bicycle access. The geographic relationship of the commercial corridors to major road networks and their integration with adjacent neighborhoods promote employment, services, and retail uses linked to major transportation networks. Residential uses are encouraged in the C-1 Zoning District. Residential dwelling units can be allowed above commercial activities or as stand-alone buildings.

- B. Permitted Use.** The following uses are permitted within the C-1 zoning district, subject to planning approval and all applicable development permits:
1. Agricultural Uses.
 - a. Agricultural Sales (Level 1/2);
 - b. Animal Production, Boarding, and Slaughtering (Level 2);
 2. Residential Uses:
 - a. Attached Dwelling (Level 2);
 - b. Multi-Family Type 2 (Level 1);
 - c. Nursing Home;
 - d. Senior Housing.
 3. Civic Uses:
 - a. Community and Cultural Services (Level 1/2);
 - b. Day care Facilities (Level 1/2/3);
 - c. Health Services;
 - d. Libraries;
 - e. Postal Services (Level 1);
 - f. Open Space/Recreation (Level 1);
 - g. Religious Assembly (Level 1).
 4. Utilities Uses:
 - a. Communication Facilities (Level 1);
 - b. Electrical Facilities (Level 1);
 - c. Natural Gas Facilities;
 - d. Sanitary Sewage Collection Facilities;
 - e. Stormwater Facilities (Level 1).
 5. Office/Business Uses:
 - a. Administration and Professional Offices (Level 1/2);
 - b. Private Training School (Level 1);
 6. Commercial Uses:
 - a. Amusement and Recreation (Level 1/5);
 - b. Building/Garden Supplies, Hardware, Plumbing & Electrical (Level 1).
 - c. Business Services;
 - d. Buy-Back Recycling Center;
 - e. Eating and Drinking Establishment (Level 1/2);
 - f. Food Stores (Level 1/2/3);
 - g. Funeral Services (Level 1);
 - h. Garden Centers (Level 1);
 - i. Lodging (Level 1/2).
 - j. Personal Services (Level 1/2);
 - k. Sales of General Merchandise (Level 1/2/3);
 - l. Sales of Secondhand Property (Level 2).
 7. Industrial Uses:
 - a. Food and Related Products (Level 1/2);
 - b. Printing, Publishing and Related Industries (Level 1);
 - c. Research, Development and Laboratories (Level 1).
 8. Civic Accessory Uses.
 9. Commercial Accessory Uses.

10. Industrial Accessory Uses.

C. **Administrative Use.** The following uses are permitted within the C-1 zoning district, subject to approval of an administrative use permit and all applicable development permits:

1. Residential Uses:

- a. Assisted Living Facilities;
- b. Hospice Care Center
- c. Multi-Family Dwelling Type 2 (Level 2/3).

2. Civic Uses:

- a. Administrative Government Facilities and Services (Level 1/2);
- b. Postal Services (Level 2);
- c. Open Space/Recreation (Level 2);
- d. Religious Assembly (Level 2);
- e. Safety Services and Animal Control (Level 1);
- f. Social Services;
- g. Transportation (Level 1/2).
- h. Utility or Public Maintenance Facilities (Level 1/2).

3. Utilities Uses:

- a. Communication Facilities (Level 2);
- b. Electrical Facilities (Level 2);
- c. Stormwater Facilities (Level 2);
- d. Water Supply Facilities (Level 1).

4. Office /Business Uses:

- a. Administrative and Professional Offices (Level 3);
- b. Private Training Schools (Level 2).

5. Commercial Uses:

- a. Amusement and Recreation (Level 2/5);
- b. Building/Garden Supplies/Hardware/Plumbing/Electrical (Level 2/3);
- c. Eating and Drinking Establishments (Level 3/4);
- d. Food Stores (Level 4);
- e. Lodging (Level 3);
- f. Motor Vehicle Service and Repair (Level 1/2);
- g. Motor Vehicle and Construction Equipment Rental (Level 1/2);
- h. Pet Sales and Services (Level 1/2);
- i. Rental and Repair Services (Level 2);
- j. Sales of General Merchandise (Level 4);
- k. Sales of Secondhand Property (Level 3).

6. Industrial Uses:

- a. Printing, Publishing and Related Industries (Level 2/3);
- b. Research, Development and Laboratories (Level 2).

D. **Conditional Use.** The following uses are permitted within the C-1 zoning district, subject to approval of a conditional use permit and all applicable development permits:

1. Residential Uses:

- a. Group Homes Type II and III.

2. Civic Uses:

- a. Administrative Government Facilities and Services (Level 3);

- b. Community and Cultural Services (Level 3)
- c. Transportation (Level 4).
- 3. Utilities Uses:
 - a. Communication Facilities (Level 3);
 - b. Stormwater Facilities (Level 3).
- 4. Commercial Uses:
 - a. Amusement and Recreation (Level 3);
 - b. Food Stores (Level 5);
 - c. Pet / Animal Sales and Services (Level 3);
 - d. Rental and Repair Services (Level 3).
- 5. Industrial Uses:
 - a. Motion Picture / Television and Radio Production Studios;
 - b. Printing, Publishing and Related Industries (Level 4);
 - c. Research, Development and Laboratories (Level 3).
- E. **Public Facilities Permit.** The following uses are permitted within the C-1 zoning district, subject to approval of a public facilities permit pursuant to TMC 18.50.060 and all applicable development permits:
 - 2. Utilities Uses:
 - a. Electrical Facilities (Level 3);
 - b. Water Supply Facilities (Level 2/3).
- F. **Other Development Standards.**
 - 1. Density. The permissible number of dwelling units allowed per acre of land (see Table 18.20-1a)
 - 2. Lot Area. The minimum allowed total area in gross square feet (gsf) within the lot lines of a lot, excluding any public or private right-of-way and Critical Areas/buffers. For the purposes of flood regulations, any portion of a lot lying below the ordinary high water mark or lawfully constructed bulkhead shall not be included in a lot area calculation.
 - 3. Lot Coverage. The maximum building coverage and impervious surface for the C-1 zoning district is 100%, subject to stormwater requirements.
 - 4. Setbacks. The minimum setbacks for the MU zoning district. For flag and irregular lots, see [TMC 18B.30.040, Setbacks, Projection Exceptions, Heights & Widths.](#)
 - 5. Street Frontage. The minimum street frontage for lots abutting public or private streets. For flag and irregularly shaped lots see [TMC 18B.30.040, Setbacks, Projection Exceptions, Heights & Widths.](#)
 - 6. Building Height. The maximum height allowed in the C-1 zoning districts is 35 feet (see [TMC 18B.30.040, Setbacks, Projection Exceptions, Heights & Widths.](#))
 - 7. Significant tree identification and preservation and/or replacement shall be required as set forth in [TMC 18B.30.120, Tree Preservation.](#)
 - 8. Landscaping shall be provided as set forth in [TMC 18B.30.100, Landscaping](#) as it applies in the appropriate zones.
 - 9. Parking shall conform to the requirements of TMC 18B.30.090, [Table 18B.30-3 Parking.](#)
 - 10. Signage shall conform to the requirements of [TMC 18B.30.130, Signs.](#)
 - 11. Design features shall be required for multifamily, civil, utilities, office and business, commercial, and industrial uses as set forth in [TMC 18B.30.140, Design Standards.](#)

12. In addition to the regulations and requirements contained in other sections of this Title, the following property development standards apply to all land and buildings in the C-1 zoning district, subject to Thurston County and Washington State health Department requirements:

Table 18B.20-6 C-1 Property Development Standards.

Standards	Individual Water & Onsite Wastewater	Public Water & Onsite Wastewater	Public Water & Public Wastewater
Lot Area	1 DU/Acre or 43,560 SF	3.48 DU/Acre or 12,500 SF	14 DU/Acre or 3,111 SF
Lot Coverage	50%	100%	100%
Setbacks - 0 Feet			

18B.20.080 Heavy Commercial (C-2) Zoning District.

A. The Heavy Commercial (C-2) zoning district provides for more intense commercial than the C-1 zoning district, a variety of civic, utilities, and a mixed of industrial uses with a special commercial focus based on Tenino’s unique local character. This district encourages uses that support the surrounding residential and commercial activities.

B. **Permitted Uses.** The following uses are permitted within the C-2 zoning district subject to planning approval and all applicable development permits:

1. C-2 Zoning District.
 - a. Agricultural Uses:
 - 1). Agricultural Sales (Level 1/2/3);
 - 2). Animal Production, Boarding, and Slaughtering (Level 2).
 - b. Residential Uses:
 - 1). Group Home Type I;
 - 2). Hospice Care Center.
 - c. Civic Uses:
 - 1). Day care Facilities (Level 2/3);
 - 2). Health Services;
 - 3). Libraries;
 - 4). Postal Services (Level 1);
 - 5). Open Space/Recreation (Level 1);
 - 6). Religious Assembly (Level 1).
 - d. Utilities Uses:
 - 1). Communication Facilities (Level 1);
 - 2). Electrical Facilities (Level 1);
 - 3). Natural Gas Facilities;
 - 4). Sanitary Sewage Collection Facilities;
 - 5). Stormwater Facilities (Level 1).
 - e. Office/Business Uses:
 - 1). Administration and Professional Offices (Level 1/2/3);
 - 2). Private Training School (Level 1/2).
 - f. Commercial Uses:
 - 1). Amusement and Recreation (Level 1/2/3);
 - 2). Building/Garden Supplies/Hardware/Plumbing/Electrical (Level 1/2);
 - 3). Business Services;
 - 4). Buy-back Recycling;

- 5). Eating and Drinking Establishment (Level 1/2/3/4);
- 6). Food Stores (Level 1);
- 7). Lodging (Level 1/3);
- 8). Motor Vehicle Service and Repair (Level 1/2);
- 9). Motor Vehicle and Construction Equipment Rental (Level 1);
- 10). Personal Services (Level 1/2);
- 11). Pet / Animal Sales and Services (Level 1);
- 12). Rental and Repair Services (Level 1);
- 13). Sales of General Merchandise (Level 1/2);
- 14). Sales of Secondhand Property (Level 2).

g. Industrial Uses:

- 1). Contractors Yard;
- 2). Food and Related Products (Level 1/2);
- 3). Limited Manufacturing / Assembly;
- 4). Printing, Publishing and Related Industries (Level 1/2);
- 5). Research, Development and Laboratories (Level 1/2);

h. Civic Accessory Uses.

i. Commercial Accessory Uses.

C. Administrative Use. The following uses are permitted within the C-2 zoning district, subject to approval of an administrative use permit and all applicable development permits:

1. C-2 Zoning District.

a. Residential Uses:

- 1). Group Home Type II and Type III;

b. Civic Uses:

- 1). Administrative Government Facilities and Services (Level 1/2);
- 2). Community and Cultural Services (Level 2);
- 3). Postal Services (Level 2);
- 4). Open Space (Level 2);
- 5). Religious Assembly (Level 4/5);
- 6). Safety Services and Animal Control (Level 1);
- 7). Transportation (Level 1);
- 8). Utility or Public Maintenance Facilities (Level 1).

c. Utilities Uses:

- 1). Communication Facilities (Level 2);
- 2). Electrical Facilities (Level 2);
- 3). Stormwater Facilities (Level 2);
- 4). Water Supply Facilities (Level 1).

d. Commercial Uses:

- 1). Amusement and Recreation (Level 5);
- 2). Building/Garden Supplies/Hardware/Plumbing/Electrical (Level 3);
- 3). Food Stores (Level 4);
- 4). Garden Centers (Level 1);
- 5). Motor Vehicle and Construction Equipment Rental (Level 2);
- 6). Pet / Animal Sales and Services (Level 2/3);
- 7). Rental and Repair Services (Level 2/3);

- 8). Sales of General Merchandise (Level 3);
- 9). Sales of Secondhand Property (Level 3).
- e. Industrial Uses:
 - 1). Motion Picture / Television and Radio Productions Studios;
 - 2). Printing Publishing and Related Industries (Level 3/4);
 - 3). Research, Development and Laboratories (Level 3);
 - 4). Warehousing, Distribution and Freight Movement (Level 1).
- D. **Conditional Uses.** The following uses are permitted within the C-2 zoning district subject to approval of a conditional use permit and all applicable development permits:
 - 1. C-2 Zoning District.
 - a. Civic Uses:
 - 1). Community and Cultural Services (Level 3).
 - 2). Education - Public / Private (Level 1/2/3).
 - 3). Postal Services (Level 3);
 - 4). Safety Services and Animal Control (Level 2);
 - 5). Transportation (Level 2);
 - b. Utilities Uses:
 - 1). Communication Facilities (Level 3);
 - 2). Stormwater Facilities (Level 3);
 - c. Commercial Uses:
 - 1). Food Stores (Level 5);
 - 2). Garden Center (Level 2);
 - 3). Motor Vehicle Service and Repair (Level 3);
 - d. Industrial Uses:
 - 1). Research, Development and Laboratories (Level 4);
 - 2). Warehousing, Distribution and Freight Movement (Level 2).
- E. **Public Facilities Permit.** The following uses are permitted within the C-2 zoning district, subject to approval of a public facilities permit pursuant to TMC 18.50.060 and all applicable development permits:
 - 1. Civic:
 - a. Transportation (Level 3);
 - 2. Utilities Uses:
 - a. Electrical Facilities (Level 3);
 - b. Water Supply Facilities (Level 2/3).
- F. **Other Development Standards.**
 - 1. Density. The permissible number of dwelling units allowed per acre of land (see Table 18.20-1a).
 - 2. Lot Area. The minimum allowed total area in gross square feet (gsf) within the lot lines of a lot, excluding any public or private right-of-way and Critical Areas/buffers. For the purposes of flood regulations, any portion of a lot lying below the ordinary high water mark or lawfully constructed bulkhead shall not be included in a lot area calculation.
 - 3. Lot Coverage. The maximum building coverage and impervious surface for the C-2 zoning district is 100%, subject to stormwater requirements.
 - 4. Setbacks. The minimum setbacks for the MU zoning district. For flag and irregular lots, see [TMC 18B.30.040](#), Setbacks, Projection Exceptions, Heights & Widths.

5. Street Frontage. The minimum street frontage for lots abutting public or private streets. For flag and irregularly shaped lots see [TMC 18B.30.040, Setbacks, Projection Exceptions, Heights & Widths.](#)
6. Building Height. The maximum height allowed in the C-2 zoning districts is 35 feet (see [TMC 18B.30.040, Setbacks, Projection Exceptions, Heights & Widths.](#))
7. Significant tree identification and preservation and/or replacement shall be required as set forth in [TMC 18B.30.120, Tree Preservation.](#)
8. Landscaping shall be provided as set forth in [TMC 18B.30.100, Landscaping](#) as it applies in the appropriate zones.
9. Parking shall conform to the requirements of TMC 18B.30.090, [Table 18B.30-3 Parking.](#)
10. Signage shall conform to the requirements of [TMC 18B.30.130, Signs.](#)
11. Design features shall be required for multifamily, civil, utilities, office and business, commercial, and industrial uses as set forth in [TMC 18B.30.140, Design Standards.](#)
12. In addition to the regulations and requirements contained in other sections of this Title, the following property development standards apply to all land and buildings in the C-2 zoning district, subject to Thurston County and Washington State health Department requirements:

Table 18B.20-7 C-2 Property Development Standards.

Standards	Individual Water & Onsite Wastewater	Public Water & Onsite Wastewater	Public Water & Public Wastewater
Lot Area	1 DU/Acre or 43,560 SF	3.48 DU/Acre or 12,500 SF	10 DU/Acre or 4,356 SF
Lot Coverage	50%	100%	100%
Setbacks - 0 foot			

18B.20.090 Historic Preservation (HP) Zoning District.

Tenino has a designated Historic Preservation Overlay Zone that includes 21 properties with frontage on Sussex Avenue, and encompasses 2.99 acres. The Historic Preservation (HP) zone is identified to encourage the preservation of lands, sites, and structures of historical or archaeological significance through continued use of these historic places and structures.

Most of the properties within the HP overlay zone have been submitted for listing on the National Historic Register as historic properties. The current and underlying zoning (C-1) remains in effect, to include height, setbacks and uses as allowed in TMC 18B.20.070, C-1 zoning. Density standards are identified in Table 18B.20-2, which are the same as those for the C-1 zoning District, except public facility permits not allowed within this overlay district. Renovations or new building will require Design Review pursuant to TMC 18B.30.140, Design Standards, to preserve the historic buildings or structures.

18B.20.100 Historic Character Overlay (HC) Zoning District.

The purpose of this district is to promote Tenino’s sandstone heritage by requiring new commercial development in the downtown core to add sandstone to the exterior of its building and to encourage existing buildings to also add sandstone.

Downtown Tenino is the focal point of the community, and contains most of the area’s historic sandstone buildings. The downtown area includes retail and service oriented businesses and is

characterized by historic sandstone buildings built in the early 1900s as well as newer development that includes sandstone facades on buildings.

The intent of this zone is to highlight Tenino's sandstone heritage by requiring design review standards for all new commercial activities fronting the main arterials within this District. Design standards shall require the use of sandstone and/or brick to some degree pursuant to TMC 18B.30.140, Design Standards. Existing commercial business will be encouraged, but not required, to conform to the design character. The current and underlying zoning (C-1) remains in effect, to include height, setbacks and uses as allowed in TMC 18B.20.070, C-1 zoning. Density standards are identified in Table 18B.20-2, which are the same as those for the C-1 zoning District, except public facility permits not allowed within this overlay district.

18B.20.110 Industrial-1 (I) Zoning District.

- A. The Industrial (I) zoning district provides for some commercial and utilities activities and large-scale industrial types of activities. The designation allows for the manufacturing freight warehousing and finished product movement areas.
- B. **Permitted Uses.** The following uses are permitted within the I zoning districts, subject to planning approval and all applicable development permits:
 - 1. I Zoning District.
 - a. Agricultural Uses:
 - 1). Agricultural Services;
 - 2). Agricultural Sales (Level 1/2/3);
 - 3). Crop Production (Level 1).
 - b. Civic Uses:
 - 1). Health Services;
 - 2). Utility or Public Maintenance Facilities (Level 1/2).
 - c. Utilities Uses:
 - 1). Communication Facilities (Level 1);
 - 2). Electrical Facilities (Level 1);
 - 3). Natural Gas Facilities;
 - 4). Sanitary Sewage Collection Facilities;
 - 5). Stormwater Facilities (Level 1);
 - 6). Waste / Recycle Transfer Facilities (Level 1).
 - d. Commercial Uses:
 - 1). Building Materials/Garden/Hardware/Plumbing/Electrical (Level 1/2/3);
 - 2). Buy-back Recycling Center;
 - 3). Eating and Drinking Establishments (Level 1);
 - 4). Motor Vehicle Service and Repair (Level 1/2/3);
 - 5). Motor Vehicle and Construction Equipment Rental (Level 1/2);
 - 6). Personal Services (Level 2);
 - 7). Pet / Animal Sales and Services (Level 2);
 - 8). Rental and Repair Services (Level 1/2);
 - 9). Sales of General Merchandise (Level 3/4);
 - 10). Sales of Secondhand Property (Level 2).
 - e. Industrial Uses:
 - 1). Contractors Yard;

- 2). Food and Related Products (Level 1/2);
 - 3). Industrial Services;
 - 4). Limited Manufacturing / Assembly;
 - 5). Manufacturing and Major Assembly (Level 1);
 - 6). Motion Picture / Television and Radio Productions Studios;
 - 7). Printing, Publishing and Related Industries (Level 1/2);
 - 8). Research, Development and Laboratories (Level 1/2);
 - 9). Warehousing and Freight Movement (Level 1).
- (Ord. 731 § 1, 2007)

- f. Office/Business Uses. Administration and Professional Offices (Level 1/2/3).
- g. Commercial Uses. Eating and Drinking Establishment (Level 1).

C. **Administrative Uses.** The following uses are permitted within the Public zoning district, subject to approval of an administrative use permit and all applicable development permits:

1. I Zoning District.

- a. Agricultural Uses:
 - 1). Crop Production (Level 2).
- b. Civic Uses:
 - 1). Postal Services (Level 3);
 - 2). Safety and Animal Control (Level 1/2);
 - 3). Social Services;
 - 4). Transportation (Level 1);
- c. Utilities Uses:
 - 1). Communication Facilities (Level 2);
 - 2). Electrical Facilities (Level 2);
 - 3). Stormwater (Level 2);
 - 4). Waste/Recycling Transfer Facilities (Level 2);
 - 5). Water Supply Facilities (Level 1).
- d. Commercial Uses:
 - 1). Funeral Services (Level 1);
 - 2). Eating and Drinking Establishments (Level 2);
- e. Industrial Uses:
 - 1). Manufacturing and Major Assembly (Level 2);
 - 2). Printing, Publishing and Related Industries (Level 3/4);
 - 3). Research, Development and Laboratories (Level 3);
 - 4). Warehousing, Distribution and Freight Movement (Level 2).

D. **Conditional Uses.** The following uses are permitted within the I zoning district, subject to approval of a conditional use permit and all applicable development permits:

1. I Zoning District.

- a. Agricultural Uses:
 - 1). Crop Production (Level 3).
- b. Civic Uses:
 - 1). Transportation (Level 2).
- c. Utilities Uses:
 - 1). Organic Waste Processing Facilities
 - 2). Stormwater Facilities (Level 3).

- d. Commercial Uses:
 - 1). Bulk Fuel Dealers;
 - 2). Garden Centers (Level 2);
 - 3). Personal Services (Level 1);
 - 4). Sexually Oriented Businesses.
 - e. Industrial Uses:
 - 1). Manufacturing and Major Assembly (Level 3/4);
 - 2). Research, Development and Laboratories (Level 4).
 - 3). Mineral Extraction and Processing (only within Mineral Resource Overlay) (Ord. 731 § 1, 2007)
- E. Public Facilities Permit.** The following uses are permitted within the I zoning district, subject to approval of a public facilities permit pursuant to TMC 18.50.060 and all applicable development permits:
- 1. Civic:
 - a. Transportation (Level 3).
 - 2. Utilities Uses:
 - a. Electrical Facilities (Level 3);
 - b. Water Supply Facilities (Level 1/2).
- F. Other Development Standards.**
- 1. Lot Coverage. The maximum building coverage and impervious surface for the Industrial zoning district is 100%, subject to stormwater requirements.
 - 2. Setbacks. The minimum setbacks for the Industrial zoning district.
 - 3. Building Height. The maximum height allowed in the Industrial zoning district is 40 feet (see [TMC 18B.30.040](#), [Setbacks](#), [Projection Exceptions](#), [Heights & Widths](#)).
 - 4. Significant tree identification and preservation and/or replacement shall be required as set forth in [TMC 18B.30.120](#), [Tree Preservation](#).
 - 5. Landscaping shall be provided as set forth in [TMC 18B.30.100](#), [Landscaping](#).
 - 6. Parking shall conform to the requirements of TMC 18B.30.090, [Table 18B.30-3 Parking](#).
 - 7. Signage shall conform to the requirements of [TMC 18B.30.130](#), [Signs](#).
 - 8. Design features shall be required as set forth in [TMC 18B.30.140](#), [Design Standards](#).
 - 9. Where master plans are utilized, the master plan for each facility or coherent group of facilities shall specifically state the type and level of uses proposed therein.
 - 10. In addition to the regulations and requirements contained in other sections of this Title, the following property development standards apply to all land and buildings in the Industrial zoning district, subject to Thurston County and Washington State health Department requirements:

Table 18B.20-8 Industrial Property Development Standards.

Standards	Individual Water & Onsite Wastewater	Public Water & Onsite Wastewater	Public Water & Public Wastewater
Lot Coverage	60%	100%	100%
Setbacks - 0 feet setbacks			

18B.20.115 Heavy Industrial (I-2) Zoning District. Uses and development standards of this zoning district shall conform to the requirements of 18B.20.110 Industrial-1 zoning district. In

addition to the uses allowed by 18B.20.110 and corresponding approval review, this zone allows for the following uses:

A. Conditional Uses:

1. Motor Vehicle and Construction Equipment Rental and Sales (Level 3);
2. Warehousing, Distribution and Freight Movement (Level 3); and
3. Mineral Extraction and Processing (only within Mineral Resource Overlay).

(Ord. 731 § 1, 2007)

18B.20.120 Public/Semi-Public (P/SP) Zoning District.

A. The Public/Semi-Public (P/SP) zoning district provides for moderate- and large-scale activities relating to the purposes of state and local governmental entities and semi-public institutions by providing necessary public services. The designation allows for the specialized needs of providing public services to all areas of Tenino.

B. **Permitted Uses.** The following uses are permitted within the P/SP zoning districts, subject to planning approval and all applicable development permits:

1. P/SP Zoning District.

a. Agricultural Uses:

- 1). Agricultural Sales (Level 2);

b. Civic Uses:

- 1). Open Space/Recreation (Level 1/2/3/4/5);
- 2). Safety Services and Animal Control (Level 1).

c. Utilities Uses:

- 1). Communication Facilities (Level 1);
- 2). Electrical Facilities (Level 1);
- 3). Natural Gas Facilities;
- 4). Sanitary Sewage Collection Facilities;
- 5). Stormwater Facilities (Level 1).

d. Office and Business Uses

- 1). Administrative and Professional Offices (Level 1/2/3).

e. Commercial Uses:

- 1). Amusement and Recreation (Level 1/2/3/4);
- 2). Eating and Drinking Establishments (Level 1).

C. **Administrative Uses.** The following uses are permitted within the P/SP zoning district, subject to approval of an administrative use permit and all applicable development permits:

1. P/SP Zoning District.

a. Civic Uses:

- 1). Administrative Government Facilities and Services (Level 1/2/3);
- 2). Social Services;
- 3). Transportation (Level 1);

f. Utilities Uses:

- 1). Communication Facilities (Level 2);
- 2). Electrical Facilities (Level 2);
- 3). Stormwater Facilities (Level 3);
- 4). Waste/Recycling Transfer Facilities (Level 1);
- 5). Water Supply Facilities (Level 1).

D. **Conditional Uses.** The following uses are permitted within the P/SP zoning district, subject to approval of a conditional use permit and all applicable development permits:

1. P/SP Zoning District.
 - a. Agricultural Sales (Level 4);
 - b. Civic Uses:
 - 1). Education (Level 1/23);
 - 2). Libraries;
 - 3). Postal Services (Level 1/2).
 - c. Utilities Uses:
 - 1). Stormwater Facilities (Level 3).
 - d. Commercial Uses:
 - 1). Funeral Services (Level 2).

E. **Public Facilities Permit.** The following uses are permitted within the P/SP zoning district, subject to approval of a public facilities permit pursuant to TMC 18.50.060 and all applicable development permits:

1. Civic Uses:
 - a. Transportation (Level 3);
 - b. Utility or Public Maintenance Facilities (Level 1/2).
2. Utilities Uses:
 - a. Electrical Facilities (Level 3);
 - b. Sewerage Systems;
 - c. Water Supply Facilities (Level 2/3).

F. **Other Development Standards.**

1. Because of the nature of the typical uses characterizing this use type and the high need for flexibility in siting and operating public facilities, general development standards shall be determined by the Designee on a case-by-case basis considering the type and intensity of the proposed use, adjacent uses and zoning, environmental issues, site design, and/or type and construction of buildings.
2. Where master plans are utilized, the master plan for each facility or coherent group of facilities shall specifically state the type and level of uses proposed therein.
3. Design features shall be required as set forth in [TMC 18B.90.140, Design Standards](#).
4. Significant tree identification and preservation and/or replacement shall be required as set forth in [TMC 18B.90.120, Tree Preservation](#).
5. Landscaping shall be provided as set forth in [TMC 18B.90.090, Landscaping](#). As it applies in their appropriate zones.
6. Parking shall conform to the requirements of [TMC 18B.90.130, Parking](#).
7. Signage shall conform to the requirements of [TMC 18B.90.130, Signs](#).

Table 18B.20-10 P/SP Property Development Standards.

Standards	Individual Water & Onsite Wastewater	Public Water & Onsite Wastewater	Public Water & Public Wastewater
Lot Coverage	75%	100%	100%
Setbacks - 0 feet			

Chapter 18B.30

DEVELOPMENT STANDARDS CITY-WIDE APPLICABILITY

Sections:

<u>18B.30.010</u>	Purpose.
<u>18B.30.020</u>	Concurrency.
<u>18B.30.030</u>	Density Standards.
<u>18B.30.040</u>	Setbacks, Projection Exceptions, Heights & Widths.
<u>18B.30.050</u>	Accessory Buildings.
<u>18B.30.060</u>	Outdoor Storage & Storage Containers.
<u>18B.30.070</u>	Non-conformities.
<u>18B.30.080</u>	Performance Standards.
<u>18B.30.090</u>	Parking.
<u>18B.30.100</u>	Landscaping.
<u>18B.30.110</u>	Streetscapes.
<u>18B.30.120</u>	Tree Preservation.
<u>18B.30.130</u>	Signs (Reserved).
<u>18B.30.140</u>	Design Standards (Reserved).
<u>18B.30.150</u>	Accessory Dwelling Units.

18B.30.010 Purpose.

- A. This Section, in conjunction with other chapters and Sections of the Development Code provides specific minimal development standards and methodologies for applying development standards.
- B. These development standards are applicable to all land development and uses, including improvements, intensification, changes in use, or building and development permits and land use approvals and actions.

18B.30.020 Concurrency.

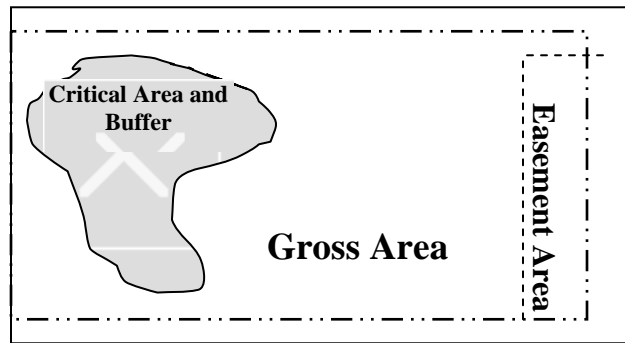
- A. All new development, improvements, expansion, or intensifications of existing uses shall be connected at applicant expense, to a primary infrastructure system to support the use.
- B. If primary infrastructure is not available to the site or the existing infrastructure does not contain sufficient capacity to support the proposed development, the City may not:
 1. Issue development permits which would allow for an increase in the amount of infrastructure demand generated from the site; or
 2. Permit subdivision of the property that requires the increased potential development or demand for infrastructure.
- C. Primary infrastructure includes, but is not limited to:
 1. Stormwater;
 2. Police, fire, and emergency medical service;
 3. Water;
 4. Transportation and transit facilities;
 5. Electrical;
 6. Septic systems or, when available, Sanitary sewers;
 7. Schools; and

8. Parks.

18B.30.030 Density Standards.

- A. The maximum density of each zoning district is the maximum number of dwelling units allowed per net buildable area of an acre, and is expressed as a ratio, i.e., one (1) dwelling unit per net buildable acre. The minimum lot size does not determine maximum density.
- B. Gross area is the total sum area of the lot. The required critical area buffers and all legally recorded private access easements shall not be subtracted from the gross area.
- C. The buildable area is the area of a lot remaining after public and/or private rights-of-way and critical area/buffers is subtracted from the gross area (Figure 18.30-1 below).
- D. Also see TMC 18D.20.060, Transfer of Development Rights - Density Transfer Program.

Figure 18B.30-1 – Gross Area.



- E. Lots shall be designed to allow a circle of the size in the following table, based on the zoning classification, to fit within the required setbacks of the underlying zoning district. The lot must meet the circle criteria **and** the minimum lot size square footage of the underlying zoning district. Also, see Figure 18.30-4.

Table 18B.30-1 Lot Size Determined by Circle within Setbacks AND Minimum Required Square Footage in Underlying Zoning District.

Zone Classification	SF-ES	SF	SF-D	MF	MU	*C-1	C-2	I-1 and I-2	Public
Circle Diameter In Feet	60	55	50	45	40	24	NA	NA	NA

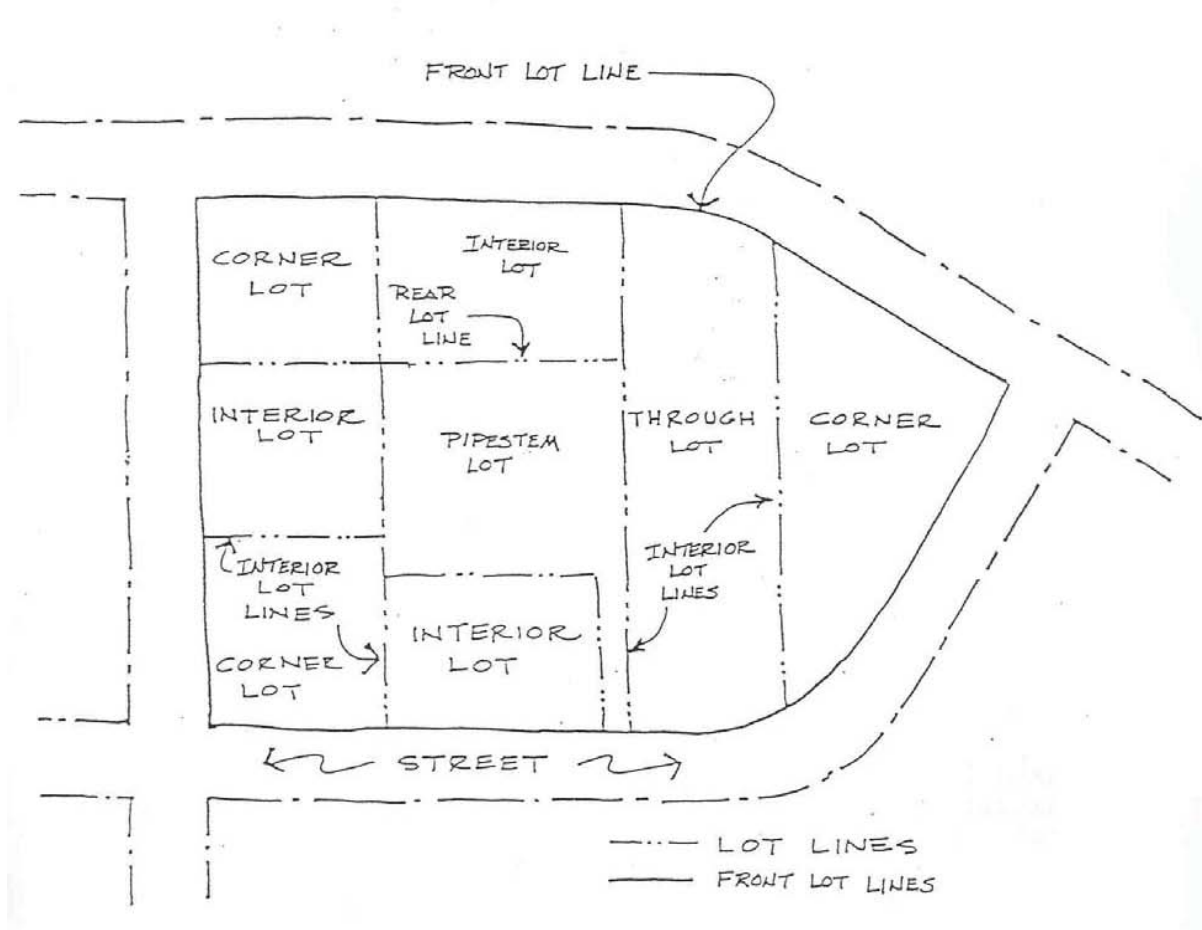
*Note. For Residential in C-1 zone, minimum lot area is 24x24 feet per dwelling unit.
(Ord. 731 § 1, 2007)

18B.30.040 Setbacks, Projection Exceptions, Heights & Widths.

- A. **Setback Measurement.** The minimum required distance between any structure and a specified line such as a property line, easement, critical area and/or buffer, or an established public or private street right-of-way or any other private or public space that is required to remain free of structures unless otherwise provided herein. Setbacks are also measured from any future rights-of-way based on that road classification width.
- B. **Designation of Required Setbacks.** All lots must contain at least one front yard setback except pipestem lots. A front yard setback shall be required abutting each right-of-way on corner lots and through lots. All lots must contain one rear yard setback except for corner, through, and pipestem lots. All other setbacks will be considered interior yard setbacks.

- C. **Corner Lot Exception.** A lot that abuts the intersection of two or more rights-of-way is allowed to have one of the front yard setbacks reduced to 15 feet, provided the reduced yard does not abut a State Highway or major arterial.
- D. **Through Lots.** If a lot abuts two or more rights-of-way, the front yard setback for the frontage not providing primary access may be reduced to 15 feet, provided the reduced yard does not abut a State Highway or major arterial.
- E. **Pipestem or Flag Lots.** A flag lot shall have setbacks of twenty (20) feet from all property lines for both principal and accessory structures.
 - 1. Flag lots in residential zones (SF-ES, SF, SF-D, and MF) shall have a minimum frontage of twenty (20) feet on a public road or street from which access is taken. If such frontage does not exist, an easement to a public road or street shall be a minimum of twenty (20) feet in width.

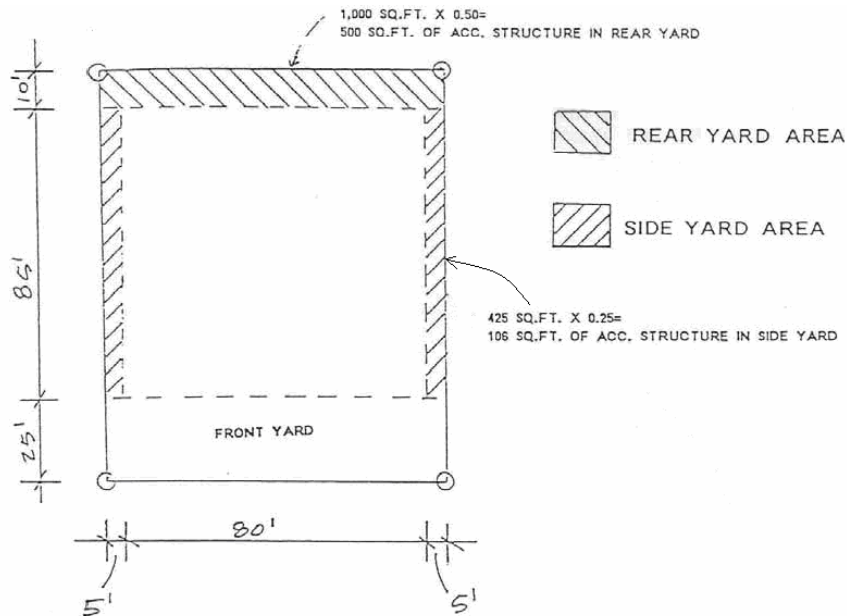
Figure 18B.30-2 Required Setback Designations



- 2. Flag lots in non-residential zones (MU, C-1, C-2, I, and P) shall have a minimum frontage of twenty-four (24) feet on a public road or street from which an access way is taken. If such frontage does not exist, an easement to a public road or street shall be a minimum of twenty-four (24) feet in width.

- F. **Front Yard Setback Averaging.** Averaging may be used to reduce a front yard setback requirement when a principal building has been established on an adjacent lot within the required yard. This provision shall not apply if the adjacent lot has received a reduced setback based upon a discretionary land use approval. This exception shall be calculated as follows:
1. Averaging shall be calculated by adding the existing front yard setbacks of the adjacent lots together and dividing that figure by two.
 2. In the case of a corner lot or when an adjacent lot is vacant, averaging shall be calculated by adding the front yard setback of the adjacent developed lot with the minimum front yard setback of the zone in which the construction is proposed and dividing that figure by two.
- G. **Slopes.** If the topography of a lot is such that the minimum front yard setback line is eight feet or more above the street grade, and there is no reasonable way to construct a driveway up to the dwelling unit level, a garage/carport may be built into the bank and set at least five feet back from the right-of-way.
- H. **Accessory Structures, Interior Yard Exception.** Detached, one-story accessory structures may occupy 25 percent of the total area of an interior yard and shall maintain a minimum 3-foot setback, including any projections for the Accessory Structure (see 18B.10.120, Accessory Uses, for additional requirements).
- I. **Accessory Structures, Rear Yard Exception.** Detached, one-story accessory structures may occupy 50 percent of the total area of a rear yard and must maintain a 3-foot setback, including any projections for the Accessory Structure (see 18B.10.120, Accessory Uses, for additional requirements).

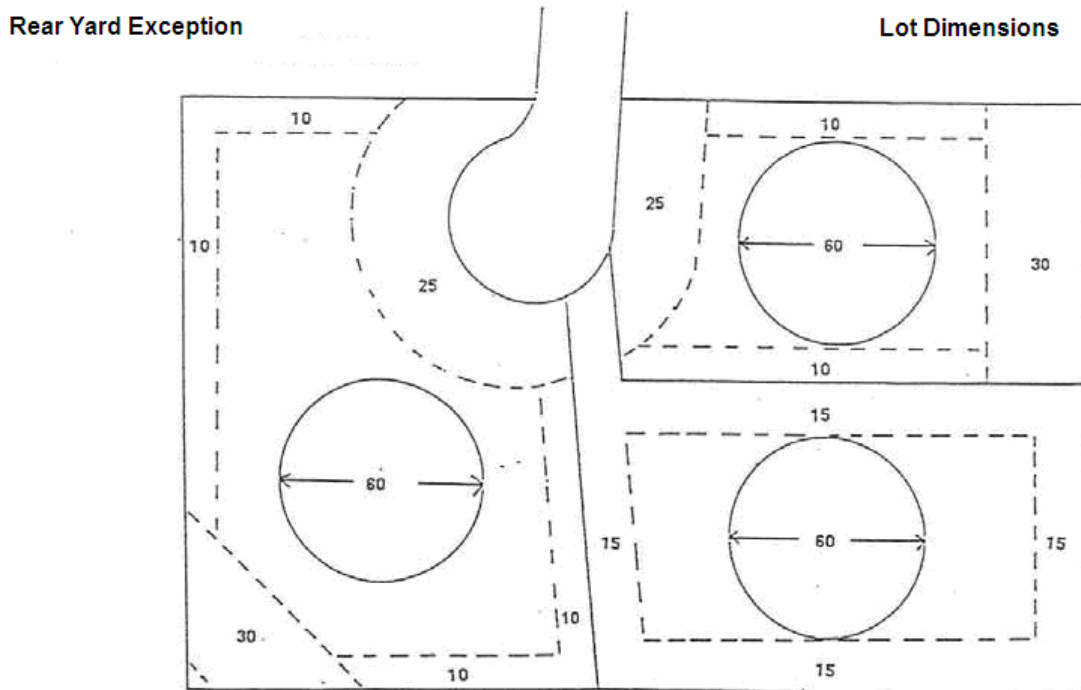
Figure 18B.30-3 Accessory Use Setback Exception.



- J. **Bus Shelters.** Bus shelters for school district or transit authority purposes may be located within a front yard setback when located on private property if they do not exceed 50 square feet of floor area and one story in height, provided that all applicable site distance requirements of the currently adopted Site Development Regulations are met.

- K. Projection Exception.** For principle building and ADU's, fireplace structures, bay or garden windows, enclosed stair landings, ornamental features, or similar structures may project into any setback, provided such projections are:
1. Limited to two per required yard.
 2. Not wider than 10 feet.
 3. Not more than two feet into an interior or rear yard setback.
 4. Not more than three feet into a front yard setback.
 5. Uncovered porches and decks which do not exceed 30 inches from finished lot grade may project into any setback, provided such projections do not extend more than five feet into a front yard setback.
 6. Wheelchair ramps may project into any required setback.
 7. Eave overhangs may project two feet into any required setback.
- L. Rear Yards, Exception.**
1. In the case of triangular or otherwise irregularly shaped lots, a line 10 feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line, may be considered the "rear lot line" at the owner's discretion (Figure 18.30-4).

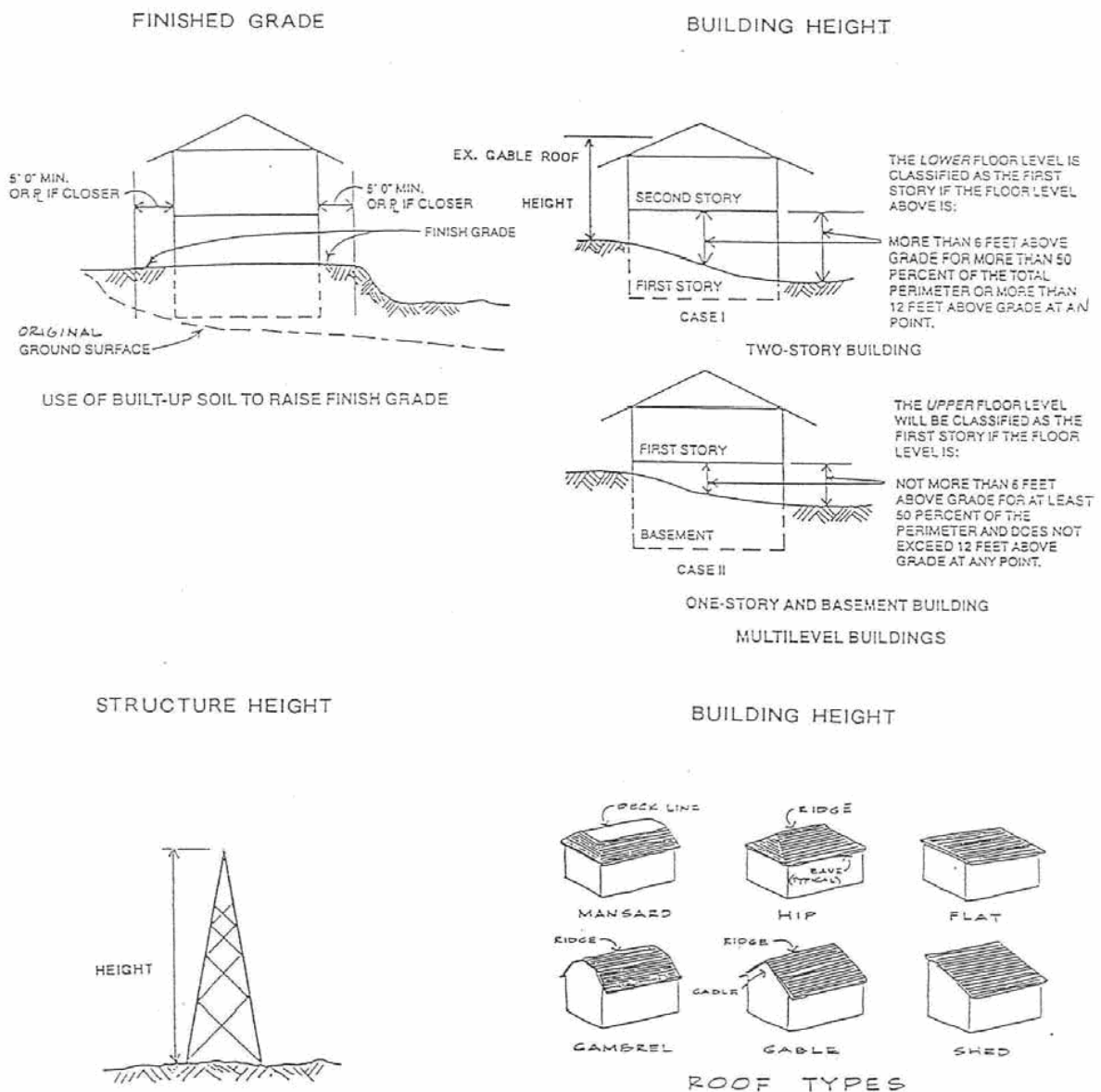
Figure 18B.30-4 Rear Yard Exceptions.



2. For lots abutting a shoreline pursuant to the Shoreline Management Regulations, the ordinary high water mark may be considered the rear lot line for purposes of setbacks.
- M. Interior Yards, Exception.** Lots located in a SF-ES classification that are 100 feet or less in width may reduce each interior yard setback to 10 percent of the lot width. In no case shall the setback be less than 3 feet unless a variance is approved.
- N. Height Standards.**

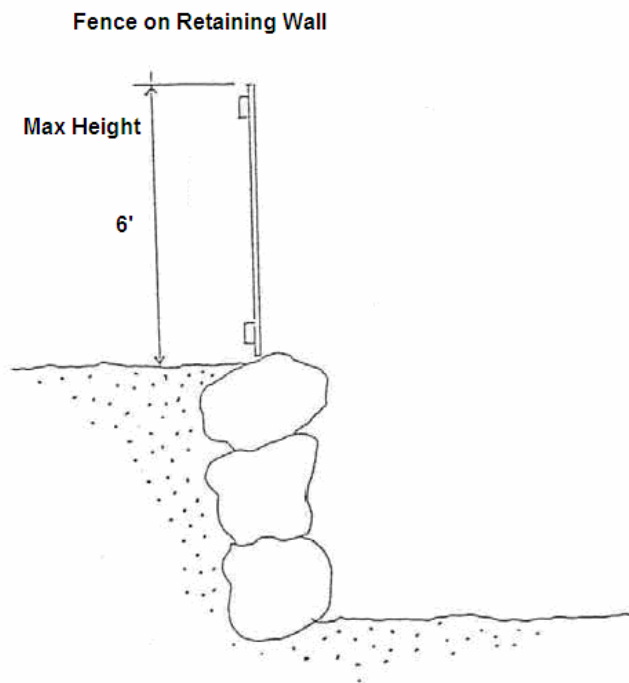
1. **Building Height.** The height of a building is the vertical distance from the average elevation of the finished grade on each corner of a building to the top of a flat or shed roof, or the deck level on a mansard roof, and the average distance between the bottom of the eaves to the highest point of a pitched, hipped, gambrel, or gable roof.
2. **Structure Height.** The height of all structures (except buildings) is the vertical distance of a structure measured from the average elevation of the finished grade surrounding the structure to the highest point of the structure. Flagpoles shall not exceed forty-five feet in height from the average grade. All such poles shall be placed so as to neither obstruct nor obscure adjacent property owners' lines of vision. Such poles shall not display more than three (3) flags at any one time. All structures greater than six (6) feet in height require a building permit.

Figure 18B.30-5 Building Heights.



3. **Measurement – Height of a Fence/Retaining Wall.** The height of a fence shall be measured from a point on the ground immediately adjacent to the fence to the top of the fence. The height of a fence located on a rockery, retaining wall, or berm shall be measured from the ground on the high side of the rockery, retaining wall, or berm to the top of the fence. Net fences, such as those as used on golf courses and/or driving ranges shall not be higher than thirty-five (35) feet and shall meet the setbacks required for structures. The top of a fence shall include all attachments, ornamentation, and security devices such as barbed wire. All structures greater in height than six (6) feet require a building permit. Fences are limited to no more than four-feet in height beyond the front of the principle building or structure in front yards and may be built to the property lines unless otherwise provided.

Figure 18B.30-6 Fence Height



4. **Exceptions.** Height standards shall not apply to the following:
 - a. Church spires, belfries, domes, chimneys, antennas, satellite dishes, ventilation stacks, or similar structures, provided the structure is set back one additional foot for every foot said structure exceeds the height limitation in the underlying zone classification.
 - b. Rooftop mechanical equipment. All rooftop mechanical equipment may extend 10 feet above the height limit of the zone, provided all equipment is set back 10 feet from the edge of the roof.
 - c. These exceptions still require a building permit.
- O. Lot Width Measurement.**
1. When a lot has four sides or has more than four sides and has an essentially rectangular, or pie shape, the lot width shall be the horizontal distance between the side lot lines measured at right angles to the line comprising the depth of the lot at a point midway between the lot front and the lot rear line.

2. For pipestem or flag lots, the access easement or lot extension shall not be included in determining the width or depth of the lot.
3. For lots with more than four sides that are irregular in shape, lot width shall be measured at the widest portion of the lot between the side lot lines.

18B.30.050 Accessory Buildings.

- A. Residential detached accessory structures which are less than one hundred twenty (120) square feet in size and not higher than ten (10) feet, including garden sheds or greenhouses or combination of both; children's play equipment; arbors; and gazebos, placed in a rear half of a lot shall have a minimum three (3) foot setback. Attached accessory structures must meet the same setbacks as the main building.
- B. In the Single-Family (SF-ES/SF/SF-D) and Multifamily Residential (MF) zoning districts, garages or other accessory buildings greater than one hundred twenty (120) square feet but not exceeding one thousand (1,000) square feet, which do not exceed fourteen (14) feet in height, may be placed within the rear or interior yard.
 1. The structure must maintain a minimum five (5) foot setback, unless the zoning district allows a lesser setback; and
 2. Be located at least six (6) feet from a primary structure located on an adjacent property.
- C. Pools, hot tubs, and similar accessory structures may not be located in the rear or interior yard setbacks.
- D. Areas for automobiles shall be designed in such a manner that adequate visibility is ensured for ingress and egress.
- E. Every building hereafter erected or moved shall be on a lot adjacent to a public street or with access to an approved private street, and all structures shall be located on lots as to provide safe and convenient access for servicing and provide for required off-street parking.
- F. Parking areas shall have a durable surface.

18B.30.060 Outdoor Storage & Storage Containers.

- A. The storage or parking of a recreational vehicle or a sporting vehicle on any residential premises in any zone that allows residential uses shall be subject to the following standards:
 1. Recreational and Sporting Vehicles shall not be stored on a non-contiguous lot where no residential use exists.
 2. No more than two (2) recreational and/or sporting vehicles as defined in TMC 18.20, Definitions, or equipment shall be stored outside an enclosed building or structure on residential property;
 3. Said vehicles and equipment shall be screened from view of surrounding neighbors to the maximum extent feasible and shall not be used for habitation.
 4. Recreational and Sporting Vehicles shall not be used for dwelling purposes.
 5. Recreational and Sporting Vehicles shall be stored on a parking pad or in the driveway of the residence. No portion of the vehicle shall be located within the public right-of-way, even if vehicle is located in the driveway, a portion of which may be located within the public right-of-way.
 6. The parking pad shall have a durable surface.

- B. Outdoor Storage Areas and Yards.
1. Outdoor storage areas and yards shall be paved with asphalt or concrete, including contractor storage yards and areas where vehicles or heavy equipment will be parked or stored.
 2. Non-vehicle storage areas such as those for materials may utilize alternative surface materials if the following standards are met:
 - a. Maneuver areas, aisles, assembly areas, and public access areas of the lot shall be paved.
 - b. No hazardous materials shall be stored or utilized in unpaved areas.
 - c. The Designee may only approve alternative surface materials for the portion on the yard that may, in the Designee's opinion, be used for material storage.
 - d. The storage area shall be screened and fenced pursuant to [TMC 18B.30.100, Landscaping](#).
- C. **Storage Units, Compartments, and Containers.** These are manufactured container units, which are the corrugated metal containers, usually 8 feet wide and 20 to 40 feet long, originally designed to hold cargo on trucks, trains or ships. Permitted zones and Uses are:
1. Businesses or institutions may use containers for the transportation of freight.
 2. Containers are allowed on construction sites in all zones for temporary storage of materials and equipment and shall be removed prior to any required final inspection.
 3. Placement, storage or use of containers in all other zones not permitted.

18B.30.070 Nonconformities.

- A. Within the zoning districts established by this Title, or as amended, lots, uses, and structures may exist that were lawfully when established but no longer conform to the provisions and standards of the zoning district in which they are located. Nonconformities may adversely affect the development and redevelopment of the City consistent with the provisions of the Comprehensive Plan. This Section provides for the regulation of these legally existing nonconformities and attempts to balance the rights of property owners to continue the use of their properties and the perpetuation of uses envisioned under the City's Comprehensive Plan and this Title. These standards specify the circumstances, conditions, and procedures under which such nonconformities are permitted to endure.
- B. This Section shall apply to legally existing nonconformities, except the following:
1. Nonconforming sexually oriented businesses as defined in [TMC 18B.40.100, Sexually Oriented Businesses](#), which shall instead be governed by standards set forth in that Section.
 2. Nonconforming signs as defined in [TMC 18B.30.130, Signs](#), which shall instead be governed by standards set forth in that Section.
 3. Nonconforming personal wireless telecommunications facilities as defined in [TMC 18B.40.110, Wireless Telecommunications Facilities](#), which shall instead be governed by standards set forth in that Section.
 4. Permit applications at the time of this Title's passage that constitute vested development shall instead be governed by existing standards. Future plans to further develop property shall not constitute a basis for nonconformity status, whether or not documented in public record, except when they constitute a vesting. Nothing in this

Section shall be construed to require a change in plans, construction, or intended use related to vested development, though it may thereafter be regulated as non-conformity.

5. Single-family residences within a commercial-1 (C-1) zoning district may rebuild to no more than 125% of the home's square footage due to damage or destruction, based on Assessor records of the prior square footage. Restoration or replacement of the single-family home shall commence within one-year from the date of the damage. Setbacks and other site development standards for restoration or replacement of a damaged or destroyed single-family home shall be based on criteria of TMC 18B.20.040 SF-D Zoning District, but in no case closer to the property lines than the existing footprint. If the existing footprint is used and is within the setback standards prescribed in TMC 18B.20.040 SF-D Zoning District, no projection exceptions pursuant to TMC 18B.30.040 shall be allowed within this encroachment to the SF-D setback standards. (Ord. 731 § 1, 2007)
- C. The provisions of this section apply only to nonconformities that were lawful, either by right or by discretionary permit, when initially established and these provisions may not be used as an alternative to removal or cessation of activities, structures, and uses which were illegal at the time of their establishment. This provision shall not apply to dwelling units located in residential zones or in established mobile home parks, which may be reconstructed or replaced with no substantial change in floor area or other nonconforming feature.
- D. The entire contiguous ownership of land shall be considered as a single parcel of land for determination of nonconformance as a consideration of development. A record of separate lot or parcel boundaries shall be disregarded. It is recognized that the dimensions of some nonconforming lots of record are so constrained that meeting some Development Regulations such as setbacks would render such lots essentially unbuildable. The City will consider unusual hardships in reviewing applications for such development. Pursuant to TMC 18.50.080, Variances, variances may be granted in such instances based on individual circumstances and may conditioned negative effects on the surrounding area are mitigated.
- E. Nonconforming lots may not be altered in any way that would increase the degree of nonconformity; provided, this does not preclude acquisition or dedication of additional public rights-of-way when deemed necessary by the Designee.
- F. Nonconforming Uses. Nonconforming uses may continue to operate as provided below:
 1. Routine maintenance and repairs may be performed on land or structures containing a nonconforming use.
 2. A nonconforming use shall not be changed to another nonconforming use.
 3. Nonconforming uses outside of a structure, which occupy only a portion of a lot, may not be expanded to any other portion of the property.
 4. Nonconforming uses may not be materially expanded unless such expansion is required by law or a public agency in order to comply with public health, safety or welfare regulations.
 5. All applicable construction permits must first be obtained for any such work.
- G. Nonconforming Structures. Maintenance, minor improvements and minor alterations to nonconforming structures are allowed to prevent them from becoming blighted and having detrimental impacts on the surrounding neighborhood.

- H. Nothing in this Section shall be construed to prevent the strengthening or restoring to a safe condition any nonconforming structure or part thereof declared to be unsafe by the Building Official or other proper authority. No structure partially occupied by a nonconforming use shall be moved, altered, or enlarged in such a way as to permit the enlargement of the space occupied by the nonconforming use. Alterations or expansions of nonconforming structures which are required by law or a public agency in order to comply with public health, safety or welfare regulations are allowable, even if in conflict with other provisions of this Title. All applicable construction permits must first be obtained for any such work.
- I. The burden of demonstrating that nonconformity is lawful under this Title rests with the property or business owner. Some examples of evidence that may indicate legal nonconforming status include: tax assessment records, construction or other permit records, personal or business income tax records, business license records, dated past advertising, dated business receipts to customers, dated rent receipts, affidavits from neighbors or tenants, testamentary documents, photographs whose date may be clearly ascertained, and other such information which is competent and factual. The City may, at its discretion, request such records from a property or business owner as a basis for determining whether nonconformity was legally established and preexisting.
- J. Termination of Nonconforming Status. A non-conforming development or use shall terminate under the following conditions:
1. When the use has been abandoned for a period of six (6) or more months.
 2. When the structure, which is non-conforming, has been damaged or destroyed to an extent exceeding fifty percent (50%) or more of its fair market value as indicated by the records of the Thurston County Assessor.
- K. Provided that damaged uses that are allowed to reestablish, as provided in [TMC 18B.30.070](#) (L), [Nonconformities](#), shall not be considered to be terminated. Once terminated, the use shall not be reestablished, and any subsequent use must comply with the regulations of the zoning district in which it is located.
- L. Damage or Destruction.
1. If a nonconforming use or structure is damaged or destroyed by any means to the extent of fifty percent (50%) or more of last assessed value, it may not be reestablished except in compliance with the regulations of the zoning district in which it is located.
 2. If a nonconforming use or structure is damaged due to an involuntary event of fire, natural disaster or other casualty, to the extent of less than fifty percent (50%) of fair market value, it may be restored to substantially the same extent of nonconformance as preexisted the damage, provided that all applicable construction permits are obtained prior to commencement of demolition and reconstruction. This provision shall not be construed as reducing any requirements of construction standards in effect for rebuilt structures. Restoration or replacement shall commence within one year from the date of damage.
- M. The transfer of ownership of a nonconforming lot, use, or structure will not alter its legal nonconforming status.
- N. By their nature, nonconformities can be unique and difficult to identify and equitably regulate. If questions arise with regard to nonconforming status or replacement when abandonment, damage, or destruction has occurred, the Designee is hereby empowered to

issue case-by-case determinations based on individual circumstances. Such determinations will constitute administrative determinations as set forth in TMC 18.50.020, Administrative Interpretation, and shall be appealed pursuant to TMC 18.40.090, Process II, Administrative Action.

18B.30.080 Performance Standards.

- A. Performance standards deal with the operational aspects of land uses and their impacts on other adjacent uses, the community and the general public. The intent of this Section is to provide standards and regulations to minimize and mitigate the potential adverse effects to other properties, development and people.
- B. While performance standards are primarily concerned with the impact of commercial and industrial development upon the environment, performance standards shall apply to all land uses within the City. Continued compliance with the performance standards shall be required of all uses, except as otherwise provided for in this Title. No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable condition. The following elements, if created, may become dangerous, injurious, noxious or otherwise objectionable under the circumstances, and are then referred to as dangerous or objectionable elements:
 - 1. Noise, vibration or glare.
 - 2. Smoke, dust, odor or other form of air pollution.
 - 3. Heat, cold or dampness.
 - 4. Hazardous substances and wastes.
- C. Uses established before the effective date of this Title, which are nonconforming as to performance standards shall be given five (5) years from the date of adoption of this Title in which to conform therewith.
- D. The determination of the existence of any dangerous and objectionable elements shall be made at the location of the use creating the dangerous and/or objectionable elements and at any point where the existence of such elements may be more apparent. This is provided, however, that the measurement of performance standards for noise, vibration, odors, glare or hazardous substances or wastes shall be taken at the property lines and/or at the buffer zone setback line for any hazardous substance land use facility, in all zoning districts.
- E. Restrictions on Dangerous and Objectionable Elements.
 - 1. The provisions of TMC Title 8, Noise Control, shall apply. In addition, frequent, repetitive or continuous sounds emanating from any use or facility, other than transportation facilities or temporary construction work shall not exceed seventy-five (75) decibels at the property lines. If the Designee determines it to be necessary or has reason to believe that noise levels are being exceeded, the owner and/or operator of a use or facility shall be required to provide noise reading data for noise levels at all property lines.
 - 2. No vibration shall be permitted which is discernible without instruments at the points of measurement specified in this section.
 - 3. No emission shall be permitted of odorous gases or other odorous matter released from any operation or activity in such quantities so as to exceed the odor threshold beyond lot lines. The odor threshold shall be defined as the concentration in the air of a gas or vapor which will just evoke a response in the human olfactory system.

4. No direct or reflected light or glare, whether from floodlights or from high temperature processes such as combustion or welding or otherwise, so as to be visible at the property lines or skyward beyond the building height of the zone, shall be permitted.
 5. The regulations of the federal occupational safety and health standards shall apply for all radioactivity and electrical disturbance unless local Codes and ordinances supersede this federal regulation.
- F. The Designee shall have the power to authorize the following procedures prior to the issuance of a application approval:
1. An application for approval for a use subject to performance standard procedures shall be accompanied by a site plan and detailed information describing the proposed machinery, processes and products, and specifications for the mechanisms and techniques to be used in restricting the creation or emission of dangerous and objectionable elements as set forth in [TMC 18B.30.080, Performance Standards](#). The applicant shall also provide such supporting scientific, technical or other data and/or information as is necessary to establish that the use will comply with the performance standards set forth in [TMC 18B.30.080, Performance Standards](#), review by Expert Consultants. The Designee may refer the application to one or more expert consultants to obtain advice whether a proposed use will conform to the applicable performance standards specified in [TMC 18B.30.080, Performance Standards](#), is consistent with the application.
 2. The applicant shall be responsible for costs of the expert review required by the City. A deposit is required to cover costs prior to review. If the deposit is insufficient, the City will notify the applicant and discontinue further review until additional deposit funds have been applied. All unused deposits will be refunded upon completion of review. A copy of such report shall be provided to the applicant and filed with the Community Development Department for inspection by interested persons.
 3. The Designee shall determine whether the proposed use will conform to the applicable performance standards, and on such basis shall authorize or refuse to authorize issuance of a zoning approval, or require a modification of the proposed equipment or operation. Any zoning approval so authorized and issued shall be conditioned upon, among other things, the applicant's completed buildings and installations application conforming to the applicable performance standards.
 4. Enforcement.
 - a. The Community Development Department shall investigate any purported violation of performance standards. For the purpose of investigating such violations, the Designee may employ qualified experts.
 - b. After investigation, on due notice to the alleged violator, the Designee may order the violations corrected within a prescribed period of time, and if such violations are not so corrected, may order the violator to cease and desist from carrying on that portion of the operation or process causing a violation.
 - c. If a violation has occurred, the Designee may employ any or all of those enforcement measures established in this Title necessary to ensure future compliance with this Section.

18B.30.090 Parking.

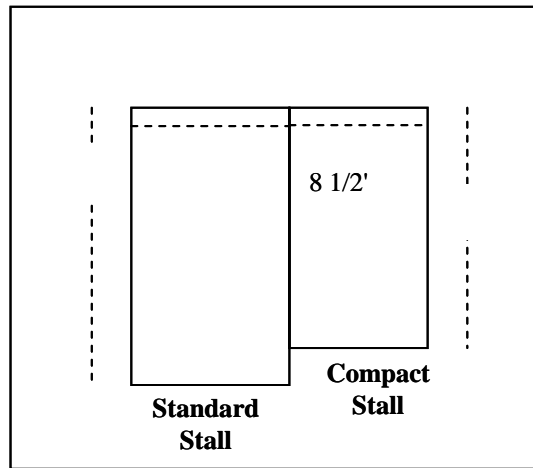
- A. The purpose of this section is to regulate parking and loading activities in order to improve traffic circulation and contribute to the public health, safety, general welfare and aesthetics of the City of Tenino by providing sufficient on-site areas for the maneuvering and parking of motor vehicles. Furthermore, it is the intent of this section to allow the provision of sufficient off-street parking to meet the needs of urban development, but not an excess surplus of spaces, and to promote more efficient use of the City's transportation facilities by encouraging the movement of people from place to place via alternative modes of transportation to the single occupancy vehicle.
- B. This section is applicable to all new development, alterations and additions to, or expansion of, existing development in the City, except single-family residences.
- C. Parking Standards.
 - 1. Where any structure is enlarged, expanded, erected, major exterior remodeled, or the use is changed, off-street parking spaces shall be provided for said expansion or enlargement in accordance with this section. A change in use in an existing structure may require additional off-street parking spaces as set forth in this section.
 - 2. In the case of a use that is not specifically mentioned in this section, the requirements for off-street parking facilities shall be determined by the Designee based upon the requirements for the most comparable use specified in this section; or, where in the opinion of the Designee no comparable use exists, based upon a reasonable rationale provided an official determination written to the applicant. The Designee may require that the applicant conduct a parking study to evaluate the parking needs associated with a proposed use.
 - 3. All areas used for parking, maneuvering, circulation, pedestrian access, and loading or unloading shall be paved with asphalt, concrete, or other durable material such as grasscrete, other pervious materials or gravel capable of withstanding load requirements of emergency responder vehicles, and shall be improved and available for use at the time of final building inspection.
 - 4. Off-street parking facilities shall be located on the same property as the use they are required to serve and within 300 feet of the use. Where a distance is specified, such distance shall be the walking distance measured from the nearest point of the parking facilities to the nearest point of the building that such facility is required to serve.
 - a. For a nursing home, assisted living facility, convalescent home, or group home, the parking facilities shall be located within 100 feet of the building they are required to serve.
 - b. Required parking shall not be located in a required front or side yard setback abutting a public street, except as allowed in [TMC 18B.30.140, Design Standards](#).
 - 5. Size and Access:
 - a. A standard parking space shall have a minimum width of nine feet and a minimum length of 18 feet. Compact stalls shall have a minimum width of eight and one-half feet and a minimum length of 15 feet (see Figure 6).
 - b. Up to 30% of the required parking for a development may consist of compact stalls. No more than four compact stalls may be adjacent to each other, and the compact stalls shall be evenly dispersed throughout the parking area and clearly identified with permanent marking on the pavement as approved by the Designee.

- c. Two-way drive aisles shall have a minimum width of 24 feet where providing access to spaces at a 90 degree angle to the drive aisle, and 20 feet where spaces are at angles of 70 degrees or less to the drive aisle. One-way drive aisles shall have a minimum width of 20 feet where providing access to spaces at a 90 degree angle to the drive aisle. Where spaces are at angles of 70 degrees or less to the drive aisle, the standards listed in Table 18.30-2 shall apply:

Table 18B.30-2 Parking Angles

Parking Angle	Minimum One-Way Aisle Width
50 degrees or less	15'
55	16'
60	17'
65	18'
70	19'

Figure 18B.30-7 Stall Lengths & Widths



- d. Except for a single-family dwelling, groups of more than two parking spaces shall be provided with adequate aisles or turnaround areas so that all vehicles may enter the street in a forward manner. More than three parking spaces shall be served by a driveway designed and constructed to facilitate the flow of traffic on and off the site, with due regard to pedestrian and vehicle safety, and which shall be clearly and permanently marked and defined.
- e. Driveways, aisles, turnaround areas, and ramps shall have a minimum vertical clearance of 14 feet for their entire length and width but such clearance may be reduced in parking structures.
- f. For the purpose of loading and unloading children, one-way driveways with a continuous forward flow design shall be located on the site of schools and Day care facilities which have a capacity greater than 50 children.
- g. Wheel stops, a minimum of two feet from any obstruction or the end of the parking stall, shall be required in the following locations.
 - 1). Where the parking stall abuts a building or where vehicles may overhang a property line;

- 2). Where the parking stall abuts a raised pedestrian walkway of less than eight feet in width;
- 3). Where a parking stall abuts any physical object that may be impacted, such as light standards, fire hydrants fences, power vaults, utility poles, etc.
- 4). Where a hazardous grade difference exists between the parking area and the abutting property;
- 5). Where hazardous situations may exist as determined by the Designee.
- h. Multiple level parking structures developed either as a single use structure or as parking incorporated into a structure shall be designed and laid out in accordance with the dimension and numeric requirements of this Section.
6. Unit of Measurement. Where stationary, non-moveable seating is used by patrons or spectators in places of assembly, each 20 inches of width shall count as one seat for the purpose of determining requirements of off-street parking facilities under this Section.
7. Where off-street parking is required, a plan indicating how the off-street parking and loading requirement is to be provided and shall accompany the application for a development permit. Applications for single-family dwellings are exempt from the requirements of this section. The plan shall show all those elements necessary to indicate that these requirements to be fulfilled including but not limited to:
 - a. Delineation and dimensions of individual parking spaces, both regular and compact spaces, and loading and unloading areas;
 - b. Dimensions of circulation and maneuvering areas necessary to serve spaces;
 - c. Access to streets, alleys, and properties served;
 - d. Curb cuts and curb placement;
 - e. Dimensions, continuity and substance of landscaping and screening;
 - f. Grading, drainage, surfacing and subgrading details;
 - g. Delineation of all structures or other obstacles to parking, circulation and visual clearance on the site;
 - h. Specifications as to location of signs and wheel stops;
 - i. Sidewalks and pedestrian pathways;
 - j. Vision clearance areas for all points of ingress and egress.
8. Parking Study Requirements. When directed by the Designee, the applicant will prepare a parking study evaluating the parking needs associated with a proposed use. This study will contain a recommendation of effective parking management strategies to improve traffic circulation and contribute to the public health, safety, general welfare and aesthetics of the City of Tenino by providing sufficient on-site areas for the maneuvering and parking of motor vehicles. This study shall have all the elements necessary to indicate that parking needs have been mitigated including, and not limited to:
 - a. Existing parking conditions.
 - b. Parking supply.
 - c. Parking utilization data.
 - d. Parking demand.
 - e. Parking capacity.
 - f. Average parking duration.
 - g. Other jurisdictions' parking policies.

- h. Comparison of minimum parking requirements.
 - 9. Accessible parking for persons with disabilities shall be provided consistent with state and federal regulations.
 - 10. Parking areas shall meet applicable landscaping requirements of [TMC 18B.30.100, Landscaping](#).
 - 11. Parking areas shall meet applicable landscaping requirements of [TMC 18B.30.140, Design Standards](#).
- D. Any building erected or enlarged shall provide a minimum of one off-street or off-alley loading area as follows:
- 1. The minimum area required for commercial and industrial loading spaces is as follows:
 - a. 250 square feet for buildings of 5,000 to 20,000 gross square feet.
 - b. 500 square feet for buildings of 20,000 to 30,000 gross square feet.
 - c. Additional loading space shall be required of buildings based on the size, proposed use, potential uses, and location as deemed necessary by the Designee.
 - 2. Each loading space shall measure not less than 30 feet by 12 feet and shall have an unobstructed height of 14 feet.
 - 3. Each loading space shall be made permanently available for such purpose, and shall be surfaced, improved, maintained, and screened in accordance with this Section and [TMC 18B.90.100, Landscaping](#).
 - 4. Loading spaces shall be located adjacent to the building to be served thereby in such a way that trucks these spaces shall not encroach upon or interfere with areas reserved for off-street parking nor project into any public right-of-way or interior pedestrian area. Loading space or maneuvering areas shall be in addition to required off-street parking spaces.
 - 5. Loading berths shall be located not closer than 50 feet to any residential district, unless wholly enclosed within a building, or unless screened from such residential area by a wall or uniformly painted fence not less than six feet in height and Type V, Solid Barrier Landscaping.
 - 6. Space for loading berths may occupy all or any part of any required setback except for landscaping setback requirements as long as the loading berth is uncovered. A covered loading area shall comply with the minimum building setback requirements for the district.
 - 7. If the site upon which such loading space or spaces is to be located abuts upon an alley, such loading space or spaces shall be off-alley.
 - 8. Buildings that utilize dock-high loading doors shall provide a minimum of 100 feet of clear maneuvering area in front of each door. Buildings that utilize ground level service or loading doors shall provide a minimum of 45 feet of clear maneuvering area in front of each door.
- E. Use and Site Specific Standards.
- 1. **Drive-Through Facilities.** All establishments and businesses which maintain drive-in facilities which are intended to serve customers who remain in their motor vehicles during the business transactions, or are designed in such a manner that customers must leave their automobiles temporarily in a driving line located adjacent to the facility, shall provide stacking space for the stacking of motor vehicles as follows:

- a. The drive-in facility shall be so located that sufficient stacking space is provided for the handling of motor vehicles using such facility during peak business hours of such a facility.
 - b. Entrances and exits shall not be so located as to cause congestion in any public right-of-way.
 - c. When located in a shopping center, drive-in facilities shall provide sufficient stacking space to handle peak business demands and shall not in any way obstruct the normal circulation pattern of the shopping center.
- 2. Transit Support Facilities.**
- a. For developments that generate a parking demand of greater than 24 parking spaces, the developer shall fund the purchase and installation of one or more transit shelters and/or other related transit support facilities as determined by Thurston Transit operational criteria, based on the size and nature of the use.
 - b. When a transit shelter is not required to be installed, transit stops shall include design features or changes in materials that demarcate the stop. A bench is to be provided at a bus stop where at least five transit riders are expected to board buses on an average weekday, and a shelter is to be provided at a bus stop where at least 10 transit riders are expected to board buses on an average weekday.
 - c. Any single-family development with 100-250 units, or multifamily residential with 50-100 units that will be located on a street where regularly scheduled transit service is provided, shall be required to provide a concrete pad adjacent to the sidewalk and a transit shelter with all required transit support facilities.
 - d. Any single-family development with over 250 units, or multifamily residential with over 100 units that will be located on a street where regularly scheduled transit service is provided, shall be required to provide two concrete pads adjacent to the sidewalk and two transit shelters with all required transit support facilities.
 - e. Transit facilities shall be sited in accordance with the requirements of the appropriate transit agency and this Title. Transit shelters and related facilities shall be provided for transit stops that are located adjacent to or within 600 feet of the development site on each side of the street that has a transit route. This requirement may be waived when the appropriate transit agency has determined that current and projected ridership do not warrant the installation of a shelter within the 600 foot distance.
 - f. When a transit shelter is required to be installed, seating, garbage receptacles, and lighting shall also be provided.
 - g. Transit pullouts shall be provided as an element of street improvements if Thurston Transit and the City determine that a pullout is necessary to provide a safe refuge for transit vehicles or to minimize conflicts with other vehicles.
- F. Joint use of required parking spaces may be permitted where two or more uses on the same site or separate sites in close proximity are able to share the same parking spaces because their parking usage does not materially overlap (e.g. uses primarily of a daytime vs. nighttime, or weekday vs. weekend nature). Shared parking shall be legally encumbered and shall meet all of the applicable standards of this Section. Joint use of required nonresidential parking spaces may be authorized by the Designee if the following documentation is submitted in writing to the Community Development Department:

1. The names and addresses of the owners and/or tenants that are sharing the parking;
2. The uses that are involved in the shared parking;
3. The location and number of parking spaces that are being shared;
 - a. An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and
 - b. A legal instrument such as an easement or deed restriction that guarantee continuing access to the parking for both uses subject to the review and approval by the City Attorney.

G. Parking Space Standards by Use Type.

1. The size of a development and the proposed use type determine the minimum number of required parking spaces. Unless otherwise specified, the number of parking requirements is based on the gross square footage (gsf) of the building.
2. The parking requirement for any office space associated with a use shall be calculated at the rate of one parking space for each 250 gsf of office use.
3. One parking space shall be required for each commercial vehicle that originates from the site or is regularly present on the site.
4. The number of employee spaces required shall be based on the maximum number of employees who may be on-site at any one-time.

Table 18B.30-3 Parking Requirements by Use (Ord. 731 § 1, 2007)

	USE CATEGORY	REQUIRD PARKING SPACES
A	Residential Use Category	
1	Assisted Living Facilities	One per three beds, plus one per employee.
2	Single-Family Detached Dwelling	Two per dwelling unit.
3	Single-Family Attached Dwelling Levels 1/2	Two per dwelling unit.
4	Group Homes	One per three beds plus one per employee.
5	Hospice Care Center	One per four beds plus one per employee.
6	Multi-Family Dwelling, Level 1/2	Two per dwelling unit.
7	Nursing Home	One per four beds plus one per employee.
8	Senior Housing	One per dwelling unit
B	Civic Use Category	
1	Administrative Government Facilities & Services Levels 1/2/3	One per 250 gross square feet.
2	Community and Cultural Services Levels 1/2/3	One per 250 gross square feet.
3	Day care Facilities	
	Levels 1/2	Two per facility, plus one per employee
	Level 3	One per employee, plus one/five clients, and loading area
4	Education Levels 1/2/3	For primary schools, two per employee, plus one per 31 children, plus parking for buses. For secondary schools and higher education facilities, two per employee, plus one per four students, plus parking for buses
5	Health Services	One per 250 gross square feet. Hospitals - parking study
6	Libraries	One per three seats.
7	Postal Services Levels 1/2/3	One per 250 gross square feet customer service area, plus one per 1,000gsf of warehouse
8	Open Space/Recreation Levels 1/2/3/4/5	Parking study required.
9	Religious Assembly	
	Levels 1/2	One per three seats.
	Level 3/4/5	Parking study required.

10	Safety, Service and Animal Controls	
	Level 1	Parking study required.
	Level 2	One per 500 gross square feet.
11	Social Services	One per 250 gross square feet.
12	Transportation	
	Level 1	None.
	Level 3	One per commercial vehicle.
	Levels 2/4	Parking study required.
13	Utility & Public Maintenance Facilities Levels 1/2	Parking study required.
C	Utilities Use Category	
1	Communication Facilities	
	Levels 1/2	NA.
	Level 3	Parking study required
2	Electrical Facilities Levels 1/2/3	NA.
3	Natural Gas Facilities	NA.
4	Organic Waste Processing Facilities	One per employee.
5	Sanitary Sewage Collection Facilities	NA.
6	Stormwater Facilities Levels 1/2/3	NA.
7	Waste/Recycling Transfer Facilities	
	Level 1	Two per facility.
	Level 2	Parking study required.
8	Water Supply Facilities Levels 1/2/3	Parking study required.
D	Office/Business Use Category	
1	Administrative and Professional Offices	One per 250 gross square feet.
2	Private Training School Levels 1/2	Parking study required.
E	Commercial Use Category	
1	Amusement and Recreation Levels 1/2/3/4/5	Parking study required.
2	Building/Garden Supply & Nurseries	
	Levels 1/2	One per 300 gross square feet.
	Levels 3	Parking study required.
3	Bulk Fuel Dealers	One/750 gross SF of building devoted to maintenance
4	Business Services	One per 250 gross square feet.
5	Buy-Back Recycling Center	One per 750 gross square feet.
6	Eating and Drinking Establishment	
	Level 1	NA
	Level 2	One per employee, plus two per establishment.
	Level 3	One per 200 gross square feet.
	Levels 4	One per 100 gross square feet.
7	Food Stores Levels 1/2/3/4/5	One per 300 gross square feet.
8	Funeral Services Levels 1/2	One per three seats.
9	Garden Centers Levels 1/2	Parking study required.
10	Lodging	
	Level 1	One per guest room.
	Level 2	One per guest room, plus two per three employees.
	Level 3	Parking study required.
11	Motor Vehicle and Construction Equipment	
	Rental and Sales Levels 1/2/3	One per 5,000 gross square feet.
12	Motor Vehicle Service and Repair	

	Level 1	One per 500 gross square feet, plus one per commercial vehicle
	Level 2	Parking study required.
	Level 3	One per 400 gross square feet.
13	Personal Services Levels 1/2	One per 250 gross square feet.
14	Pet Sales and Services Levels 1/2/3	One per 300 gross square feet.
15	Rental and Repair Services Levels 1/2	One per 500 gross square feet.
16	Sales of General Merchandise	
	Levels 1/2/3	One per 300 gross square feet.
	Level 4	Parking study required.
17	Sales of Secondhand Property Levels 2/3	One per 300 gross square feet.
18	Sexually Oriented Business	One per 100 gross square feet.
19	Storage	One per 2,000 gross square feet.
F	Industrial Use Category	
1	Contractor Yards	Parking study required.
2	Food and Related Products Levels 1/2	One per 1,000 gross square feet.
3	Industrial Services	One per 1,000 gross square feet.
4	Limited Manufacturing/ Assembly Levels 1/2/3	One per 1,000 gross square feet.
5	Manufacturing and Major Assembly	
	Levels 1/2/3/4	One per 1,000 gross square feet.
6	Mineral Extraction	Parking study required.
7	Motion Picture/TV/Radio Production Studios	Parking study required.
8	Printing, Publishing, and related industries	
	Levels 1/2/3/4	One per 1,000 gross square feet.
9	Research, Development, and Laboratories Levels 1/2/3/4	One per 1,000 gross square feet.
10	Warehousing, Distribution and Freight Movement Levels 1/2/3	One per 2,000 gross square feet.
G	Agricultural Use Category	
1	Agriculture Services Levels	Parking study required.
2	Agricultural Uses 1/2/3	One per 300 gross square feet.
3	Animal Production, Boarding & Slaughtering Level 1/2	Parking study required.
4	Crop Production Levels 1/2/3	Parking study required.
5	Fish Hatcheries and Aquaculture	Parking study required.
6	Forestry	Parking study required.

18B.30.100 Landscaping.

- A. This section establishes landscape maintenance, street trees, and landscaping standards for new construction. The use of landscaping, street trees, and the retention of existing vegetation by property owners reduces visual, noise and lighting impacts, and promotes compatibility between land uses while enhancing the visual appearance of the City. Landscaping protects and enhances critical areas, facilitates aquifer recharge, reduces erosion and stormwater runoff, and helps to define public and private open spaces. Landscaping provides an opportunity for a balanced and harmonious environment for both the local citizens of a community as well as the resident wildlife species of an area. Man has the ability to shape and mold his environment to meet his needs, but often foregoes the need of other species sharing his environment. Proper selection and arrangement of landscaping can emphasize the buildings it surrounds, be pleasing to the eye and still be useful to the birds and other wildlife with a surprising rate of success. By

providing a diversity of trees, shrubs and grasses, one can increase the chances of providing a balanced habitat for a greater variety of wildlife, while at the same time provide an aesthetically pleasing, visual environment. In addition, proper landscaping can prevent soil erosion, and provide for slope stabilization. This section also encourages the use and protection of vegetation native and common to the Puget Sound region while providing policies and standards for the maintenance of natural vegetation and maintenance of landscaping within the City of Tenino.

- B. This section shall be used in the review of all land development permits with the exception of existing lots that cannot be further subdivided. The requirements for landscaping and street trees are applicable Citywide and shall be provided in accordance with the requirements of each individual zoning district and the provisions of this section. In the event a permit is not required for the establishment of a use, the standards of this section still apply.
- C. Exceptions to this section may be allowed at the discretion of the Designee under the following circumstances:
 - 1. If contiguous lots or driveways are developed jointly with like uses, a portion of the perimeter buffering requirements between the jointly developed lots may be relocated to other areas of the site at the discretion of the Designee, provided that the remaining portion of the perimeter buffering area is landscaped in a pedestrian-friendly manner.
 - 2. Where existing vegetation can provide the same level of screening as required by the landscaping requirements, the Designee may grant a waiver from the standard requirements. In this case, the applicant is responsible for submitting to the Community Development Department an alternative conceptual landscape plan, supporting photographs and a brief explanation as to how the alternative plan satisfies the intent of the landscape level required. Supplemental plant material may be required to be installed within, or adjacent to, the natural landscape area to fully comply with the intent of the required landscape level.

D. Landscaping Standards.

- 1. Landscaping required pursuant to this Section and each zoning district is applicable to all land developments, permits, or land use activities.
- 2. The proponent or applicant of a landscape plan review shall reimburse the City for the costs of any professional consultants hired by the City to review any landscape plan. These professional services may include, but shall not be limited to engineering, legal, financial and accounting services. The proponent or applicant shall submit a base deposit as established by City to cover anticipated costs of retaining professional consultants. Additional amounts shall be deposited at the request of the City if the cost is over and above the deposit amount.
- 3. Failure to complete all of the required landscaping shall be cause for non-issuance of the certificate of occupancy.
- 4. It shall be the responsibility of the project manager or business owner to contact the City upon completion of the landscaping work and request an inspection. Prior to the final inspection, the nursery receipts shall be provided to the City to confirm species and quantities of the plant materials.
- 5. General Provision.

- a. Where any commercial or industrial structure is enlarged or expanded, then landscaping shall be provided for said expansion or enlargement in accordance with [TMC 18B.30.100, Landscaping](#). A change of use in an existing commercial or industrial structure may require landscaping upgrades set forth in this section.
 - b. If the development proposal is a structural remodel or exterior tenant improvement, and the parking area is not reconfigured or expanded, perimeter landscaping and parking area landscaping is only required pursuant to [TMC 18B.30.140, Design Standards](#).
 - c. If the development proposal is a commercial or industrial structural remodel or a major exterior tenant improvement, and the parking area shall be reconfigured to match the proposed use and the following standard applies:
 - 1). Perimeter landscaping is required pursuant to [TMC 18B.30.100,\(E\)5a Landscaping](#).
 - 2). Parking area landscaping is required pursuant to [TMC 18B.30.100,\(E\)6 Landscaping](#).
 - b. If the development proposal is for a new commercial or industrial structure, the following standards shall apply:
 - 1). Perimeter landscaping is required pursuant to [TMC 18B.30.100,\(A\) Landscaping](#).
 - 2). Parking area landscaping is required pursuant to [TMC 18B.30.100,\(E\)6 Landscaping](#).
6. All parking areas of over twenty thousand (20,000) square feet shall have a minimum of ten percent (10%) of the total parking area, drive aisles, maneuvering area and loading space landscaped as a means to reduce the barren appearance of the lot and to reduce the amount of stormwater runoff. Perimeter landscaping, required adjacent to property lines, shall not be calculated as part of the ten percent (10%) figure.
 7. All ingress or egress driveways and easements which provide access corridors to the subject lot, and which are not adjacent to a public right-of-way, shall be considered the same as a public right-of-way. Landscape requirements for driveways and easement corridors shall be the same as those required adjacent to public rights-of-way.
 8. All outside storage areas shall be screened by fencing and landscaping. This screen shall encompass a five-foot radius around the storage area unless it is determined by development plan review that such screening is not necessary because stored materials are not visually obtrusive.
 9. All trash containers shall be screened from abutting properties and streets by a one hundred percent (100%) sight-obscuring fence or wall and appropriate landscaping.
 10. Where a fire hydrant is located, shrubs 18-inches in height or less must be placed a minimum of five (5) feet away from the hydrant. Shrubs or trees larger than 18-inches in height must be placed a minimum of 10 feet away from a hydrant.
 11. Any 100% sight obscuring fences shall have landscaping as required by this Chapter placed outside of it, unless it is determined by the Community Development Department that such an arrangement would be detrimental to the stated purpose of this Chapter.
 12. All portions of a lot not devoted to a building, parking, storage or accessory uses shall be landscaped in a manner appropriate to the stated purpose of this Chapter.

13. All required landscaping areas shall extend to the curb line or the property line.
 14. Landscaping shall not conflict with the safety of those using adjacent sidewalks or with traffic safety. Safety features of landscaping shall be discussed at the time of development plan review, if necessary.
 15. All property, except SF, SF-D and MF residentially zoned properties, that abut Sussex, shall provide landscaping pursuant to TMC 18B.140, Design Standards.
 16. Quantity, arrangement and types of plants installed shall be appropriate to the size of the required landscape area and purpose of planting area as noted in [TMC 18B.30.100, Landscaping](#).
 17. Landscape plans shall include, where feasible, a diversity of native plant species which promote native wildlife habitat.
 18. Landscaping adjacent to required biofiltration systems that do not exceed 1v:3h slope may be considered part of any required landscaping areas, subject to City approval. Landscaping shall not be permitted within the treatment area of a biofiltration system and the chosen vegetation shall not result in any disruption of bioswale functions.
 19. Landscaping buffers shall be required adjacent to any open or above ground storm water facilities, as required in the City's site development construction standards, subject to City approval. The configuration and plant species of landscape areas on a site shall be designed to not disrupt the functions of any stormwater systems.
 20. Use of man-made non-vegetative material, such as plastic or artificial plants or grass, is prohibited as substitute for the required landscaping. Non-vegetative material is not a substitute for plant material. Non-porous weed barriers are prohibited in landscaped areas. Bark, mulch, rock or other non-vegetative material shall only be used in conjunction with landscaping to assist vegetative growth and maintenance or to visually complement plant material.
 21. Required landscape areas shall be provided with adequate drainage to prevent ponding, erosion of mulch or soil, and excessive water retention detrimental to plant health.
 22. All trees shall be triple (3) staked for the first two (2) years.
 23. Slopes within landscaped areas shall not exceed a 1v:3h, in order to decrease erosion potential and assist in ease of maintenance.
 24. Landscaping shall be provided along access points or circulation routes in conformance with TMC 13, Site Development Regulations.
- E. **Plant Standards.** Where new landscaping is required, the following plant standards apply:
1. Deciduous tree. A minimum of 1.5-inches diameter at three (3) feet above grade at the time of planting.
 2. Evergreen tree. A minimum six (6) feet in height above grade at the time of planting.
 3. Low Shrub. Plants shall be a minimum of eighteen inches in height at the time of planting with approximately a two (2) gallon pot or ball-and-burlap.
 4. Medium Shrub. Plants shall be a minimum of three (3) feet in height at the time of planting with approximately a five (5) gallon pot or ball-and-burlap.
 5. Ornamental tree. A minimum of three (3) feet above grade. Ornamental trees may count as medium shrubs, but do not count for trees otherwise required.
 6. Vegetative Groundcover. Grass sod, or spreading groundcover in four (4) inch pots with a maximum spacing of twelve (12) inches, or one (1) gallon pots with a

maximum spacing of twenty-four (24) inches at the time of planting of sufficient size, spacing and type as to spread to form a solid cover over the planting area within two years from the time of planting.

7. The use of native and drought tolerant, low water use plants shall be encouraged.

F. **Irrigation Standards.** The intent of this standard is to ensure that plants will survive the critical establishment period when they are most vulnerable to lack of watering and to survive periods of extended drought once they are established.

1. When irrigation systems are incorporated into a landscaping area, the applicant shall prepare a water use and conservation plan for review and approval by the Designee.

2. The applicant shall choose one of the following options to provide all landscaped areas with an irrigation method:

a. A permanent underground irrigation method with an automatic controller plus an overriding rain switch. All landscape that is placed in median stripes in the middle of street rights-of-ways shall be irrigated with underground automated irrigation systems; or

b. An irrigation method which provides sufficient water to ensure that the plants will become established. The method shall be required to be permanent unless the plant material selected are determined to be drought tolerant by the Community Development Department, in which case irrigation standards shall be required only during the first growing season following installation. Even if drought tolerant plants are used in the landscape design, there must be an identified method to easily provide water to the plants in the case of a drought. Any automatic/mechanical system designed under this option shall be fitted with an overriding rain switch.

G. **Landscaping Types.** The landscaping types are intended to provide a basic list of landscaping standards that may be applied within a proposed project as necessary to provide for the intent of the Comprehensive Plan.

1. **Type I, Vegetative Buffer.** A combination of landscaping, evergreen/deciduous trees, and fencing that provides a substantial visual block between uses and creates an impression of separation of spaces along an interior property line. The following standards shall be applied:

a. Landscaping strip shall be a minimum fifteen (15) feet in width as required by [TMC 18B.30.100, Landscaping](#);

b. Depending on the use, a sight obscuring barrier may be required to be placed within the landscaping strip to consist of:

1). Fence/wall four (4) feet in height; or

2). Medium shrub barrier (hedge) which is such a density as to provide a solid visual barrier.

c. One evergreen or deciduous tree is required per twenty (20) linear feet of landscaping strip. Trees shall be spaced at intervals not greater than (20) feet on center along the full extent of the landscaping strip. No more than sixty percent (60%) of the trees may be deciduous;

d. The percentage of evergreen trees allowed may be further reduced at the discretion of the Designee to address public safety concerns;

e. Shrubs:

- 1). Two (2) medium evergreen/deciduous shrubs are required per four (4) linear feet of landscaping strip and placed no greater than four (4) feet on center, and
 - 2). Three (3) low evergreen/deciduous shrubs are required per three (3) linear feet of landscaping strip and placed no greater than three (3) feet on center;
 - 3). Shrubs shall be placed along the entire length of the landscaping strip as to provide a vegetative barrier.
 - 4). No more than sixty percent (60%) of the shrubs may be deciduous.
- f. Vegetative groundcover;
- g. Landscaping shall be placed along the entire length of the landscaping strip so as to provide a vegetative buffer. These standards are minimum, additional landscaping may be required if, in the determination of the Designee, the proposed landscaping plan does not provide effective separation.
2. **Type II, Streetscapes.** Subject to provisions of TMC 12 and adopted Rights-of-way and Infrastructure Standards and Specifications Manual. (Ord. 731 § 1, 2007)
3. **Type III, Parking Areas.** At least five percent (5%) of the interior parking area shall have landscaping to break up the bulk of a parking area. The following standards shall be applied: (internal circulation of pedestrians, including bricking and paving of walkways)
- a. Landscaping Islands. Landscaped islands shall be located at the end of each parking row. Internal landscaping islands shall occur at intervals within the row so that no parking stall within that parking row is more than ten (10) parking stalls or ninety (90) feet, whichever is less, from a landscaped island. The following standards shall apply:
 - 1). The length of the island shall be the same depth of the parking stalls and a minimum five (5) feet in width;
 - 2). Curbed;
 - 3). Contain one (1) street tree per fifteen (15) linear feet;
 - 4). One (1) medium shrub or two (2) small shrubs per twelve (12) square feet of island;
 - 5). Vegetative ground cover.
 - b. If internal landscaping other than landscaping islands is included in a parking area, the internal landscaping shall consist of vegetative groundcover and shrubs.
 - c. Landscaping around the perimeter of the parking area shall be a Type I, Vegetative Buffer.
4. **Type IV, Solid Barrier.** A combination of fencing and landscaping which is intended to provide a solid sight barrier between uses, to create a strong impression of spatial separation. The following standards shall be applied:
- a. Landscaping strip minimum ten (10) feet in width.
 - b. Solid fence or wall six- (6) feet in height located within the landscape strip.
 - c. The Designee may direct the location, style, and construction materials of the required fence/wall to lessen visual impact on adjacent properties.
 - d. One deciduous or evergreen tree is required per twenty (20) linear feet of landscaping strip. Trees shall be spaced at intervals not greater than twenty (20) feet on center along the full extent of the landscaping strip. No more than fifty percent (50%) of the trees may be deciduous;

- e. The percentage of evergreen trees allowed may be further reduced at the discretion of the Designee to address public safety concerns;
 - f. Shrubs:
 - 1). Two (2) medium evergreen/deciduous shrubs are required per four (4) linear feet of landscaping strip and placed no greater than five (5) feet on center, and
 - 2). Three (3) low evergreen/deciduous shrubs are required per four (4) linear feet of landscaping strip and placed no greater than four (4) feet on center.
 - g. Vegetative groundcover;
 - h. Landscaping shall be placed along the entire length of the landscaping strip so as to provide a vegetative barrier. These standards are minimum, additional landscaping may be required if, in the determination of the Designee, the proposed landscaping plan does not provide an actual or effective barrier or separation.
5. **Type V, Area Screening.** A combination of fencing/wall and landscaping that provides visual relief from dumpsters, recycling areas, or small storage yards, of less than one hundred fifty (150) square feet in size. The following standards shall be applied:
- a. Landscaping strip a minimum five (5) feet in width around the area, excluding access points;
 - b. Solid fence or wall six (6) feet in height located on the interior of the landscaping strip; Arborvitae trees at four (4) feet on center.
 - c. Shrubs.
 - 1). One (1) medium evergreen/deciduous shrub per four (4) linear feet of landscaping strip and placed no more than four (4) feet on center;
 - 2). One (1) small evergreen/deciduous shrub per four (4) linear feet of landscaping strip and placed no more than four (4) feet on center; and
 - 3). Shrubs shall be spaced at intervals along the full extent of the landscaping strip.
 - 4). Vegetative groundcover.
 - 5). No more than sixty percent (60%) of the shrubs may be deciduous.

H. Landscaping Regulations by Zoning Districts.

- 1. Type II, Streetscapes per adopted R/W manual shall apply to C-2 and Industrial zones and shall be applied to all proposed developments, other than a single family dwelling, that front on public streets. (Ord. 731 § 1, 2007)
- 2. Type III, Parking Areas; and Type V, Area Screening are types of landscaping that shall apply in all zones.
- 3. Discretionary land use permits may utilize any landscaping type in order to mitigate the impacts of the proposed use.
- 4. The following standards are representative and may not include all uses or types. Where individual uses or zones are not specified, the Designee shall make a determination as to the most appropriate Landscaping Type in order to mitigate the impacts of the proposed development.

Table 18B.30-4 Landscape Requirements. (Ord. 731 § 1, 2007)

ZONES		MINIMUM LANDSCAPE REQUIREMENTS
1	SF-ES/SF/SF-D Residential Zones that abut:	LANDSCAPE TYPE
	Single-Family Zones	Exempt from Perimeter Landscaping Standards
	All Other Zones	Type I, Vegetative Buffer, 10' landscape strip
2	MF (Multi-Family) Zone that abut:	
	Single-Family Zones	Type I, Vegetative Buffer, 15' landscape strip
	Public Zones	Type I, Vegetative Buffer, 15' landscape strip
3	MU (Mixed Use) Zone that abut:	
	Single-Family Zones	Type IV, Solid Barrier, 10' landscape strip
	Public Zones	Type IV, Solid Barrier, 10' landscape strip
	All Other Zones	Type I, Vegetative Buffer, 15' landscape strip
4	HC/HP Zones that abut:	
	Single-Family Zones	Type IV, Solid Barrier, 10' landscape strip
	Fronting Sussex	See TMC 18B.30.140 Design Standards
	Fronting other Streets in the Overlay Zones	See TMC 18B.30.140 Design Standards
	All Other Zones	Type I, Vegetative Buffer, 15' landscape strip
5	C-1 (Commercial) Zones that abut:	
	Single-Family Zones	Type IV, Solid Barrier, 10' landscape strip
	All Other Zones	Type I, Vegetative Buffer, 15' landscape strip
6	C-2 (Commercial) Zones that abut:	
	Single-Family Zones	Type IV, Solid Barrier, 10' landscape strip
	Fronting public streets	Type II, Streetscape per R/W Manual
	All Other Zones	Type I, Vegetative Buffer, 15' landscape strip
7	I (Industrial) Zones that abut:	
	Single Family Zones	Type IV, Solid Barrier, 15' landscape strip
	Fronting public streets	Type II, Streetscape per R/W Manual
8	P/SP Zone that abut:	
	Single Family Zones	Type IV, Solid Barrier, 10' landscape strip
	All Other Zones	Type I, Vegetative Buffer, 15' landscape strip
9	Parking Lots within the following zones:	
	Commercial	Type I, Vegetative Buffer & Type III, Parking Areas
	Industrial	Type I, Vegetative Buffer & Type III, Parking Areas
10	Storage Space:	
	Under 150 gross square feet	Type V, Area Screening
	Over 150 gross square feet	Type IV, Solid Barrier
	Industrial and Outdoor	Type IV, Solid Barrier
	Substation	Type IV, Solid Barrier
11	Personal Wireless Telecommunication Facilities	See TMC 18B.40.110, PWTFs

- I. In addition to the requirements of this Section, [TMC 18B.30.140, Design Standards](#) promote connectivity between landscape improvements and adjacent sites and buildings.
- J. All street trees shall meet the following standards:
 - 1. A minimum of 1.5-inches diameter at three (3) feet above grade at the time of planting.
 - 2. Street trees shall be located and placed within the street right-of-way in accordance with the requirements of Designee, unless otherwise permitted in [TMC 18B.30.100, Landscaping](#).

3. Street trees may be planted within ten (10) feet of the right-of-way only if the right-of-way is insufficient to accommodate street trees, or if curbs, gutters and sidewalks already exist;
 4. The adjoining property owner shall be responsible for all maintenance of street trees and landscaping in public right-of-way.
 5. Street tree shall be trimmed to maintain the street canopy and provide for public safety. Street trees can not be removed without the prior approval of the Designee.
 6. Trees planted within five (5) feet of a public or private road pavement edge, curbing, or sidewalk or within parking areas, shall be surrounded by a root control barrier. Root control barriers shall consist of galvanized metal or plastic sheets extending a minimum of two (2) feet below the finished grade of the surrounding surface.
 7. All trees shall be triple (3) staked for the first two (2) years.
 8. All street trees shall be of a species approved by the Community Development Department.
- K. The Designee shall review and may approve, approve with modifications, or disapprove the landscape development plans subject to the provisions of this Section. The following plans are required and provide standards for the maintenance and enhancement of natural vegetation in the City:
1. Irrigation plan.
 - a. All proposed multifamily or non-residential developments require an irrigation plan. An irrigation plan is required to ensure that the planting will be watered at a sufficient level to ensure plant survival and healthy growth. The irrigation plan shall indicate the location of pipes, sprinkler heads, and back flow devices. The Designee may require additional information, including, but not limited to pumps, pipe size, and head capacity, water pressure in pounds per square inch at the pump and sprinkler heads, and timer system. The irrigation plan shall conform to the requirements of this Section.
 - b. The irrigation plan shall be prepared by a Washington State registered landscape architect, a Washington State certified nurseryman, or a Washington State certified landscaper, except irrigation plans for short plats and for street tree requirements, which may be prepared by the applicant. Where the required landscaping is less than two hundred (200) gross square feet in area, the plan may be prepared by a lay person. However, if the Designee determines that the quality of the plan is not sufficient, the Designee may require that the plan be developed in accordance with [TMC 18B.30.100, Landscaping](#).
 2. Tree Retention (See [TMC 18B.30.120, Tree Preservation](#)) Landscape Plan. Significant tree retention plans (See [TMC 18B.30.120, Tree Preservation](#)) and landscape plans shall be submitted to the Community Development Department for any development action or land use permit unless the application is exempt.
 3. Landscape plan.
 - a. The landscape plans shall be prepared by a Washington State registered landscape architect, a Washington State certified nurseryman, or a Washington State certified landscaper, except street tree requirements, and canopy tree requirements for properties abutting vacant land may be prepared by the applicant and approved by the Designee.

- b. A building permit or zoning approval shall not be issued until the landscaping plan has been approved.
 - c. At the time of the pre-application conference, the Community Development Department staff shall review specific landscape requirements with the applicant.
- L. Water Conservation and Plant Materials.** The following guidelines are required to reduce the maintenance cost of a development, enhance the long-term health of plant material and reduce the cost of watering. The intent of this section is to ensure that costly plant material is provided an opportunity to take advantage of natural watering, thus reducing water requirements to maintain plants during the dry season. This section is also to encourage the use of native Pacific Northwest plants and introduced plants common to the Pacific Northwest to maximize rainwater use, reduce general maintenance needs and encourage development of landscape designs reflective of our natural surroundings. This section is further intended to encourage the use of drought tolerant plants in landscape designs to reduce water demands at a time when population pressures are increasing faster than the water supply. Water conservation measures shall be employed in the following manner:
- 1. Landscape area should be deep-tilled to a depth of at least twelve (12) inches to facilitate deep-water penetration and soil oxygenation. Use of soil amendments is encouraged to improve water drainage, moisture penetration or water-holding capacity. For all newly landscaped areas organic matter should be incorporated to a depth of four (4) to six (6) inches to facilitate deep water penetration and soil oxygenation.
 - 2. Mulch should be applied regularly to, and maintained in, all planting areas to assist soils in retaining moisture, reducing weed growth and minimizing erosion. Mulches include organic materials such as wood chips and shredded bark. Non-porous materials, such as plastic sheeting, are prohibited. Mulches should be applied to the following depths: three (3) inches over bare soil and two (2) inches where plant materials will cover.
 - 3. Applicants are strongly encouraged to utilize drought tolerant plant material native to the Western Washington and introduced noninvasive plants common to the area that are well suited to the wet/dry climate of the Puget Sound.
- M. Maintenance.** The following standards shall be followed for the maintenance of on-site landscaping and landscaping on adjacent public right-of way:
- 1. Failure to complete all of the required landscaping or any part of it within three (3) months of the building occupancy, issuance of the certificate of occupancy, or the planning department final inspection, shall constitute a zoning violation.
 - 2. It shall be the responsibility of the project business owner to contact the City upon completion of the landscaping work and request a final inspection.
 - 3. Whenever landscaping is required in accordance with the provisions of this Title or any addition or amendments to this Title, or in accordance with the provisions of any previous Code or ordinance of the City, the landscaping shall be permanently maintained in such a manner as to accomplish the purpose for which it was initially required.
 - 4. The Community Development Department may inspect the landscaping upon request of the project business owner or at any time after the three (3) month expiration date.

5. Any installed plant material that dies shall be replaced within the spring or fall growing season following plant loss, but not to exceed three (3) months from the time of loss. This standard applies for the life of the project.
 6. Regardless of whether the landscaping existed prior to the effective date of this Code or was added thereafter, replacement landscaping shall comply with all provisions of this Section.
 7. All landscape materials shall be pruned and trimmed as necessary to maintain a healthy growing condition, to prevent primary limb failure, and to prevent limbs from becoming an impediment or hazard to vehicles or pedestrian traffic.
 8. All landscape areas shall be kept free of trash and weeds and all irrigation systems shall be properly maintained by the property owner to ensure the function of the requirements of this Code.
 9. Failure to maintain all of the required landscaping or any part of it shall constitute a zoning violation.
- N. **Bonding.** In order to guarantee performance of the landscaping requirements, cash bonds or other appropriate security (including letters of credit) in the amount of one hundred twenty-five percent (125%) of the estimated cost of the required landscaping shall be required if landscaping is not installed prior to issuance of occupancy permits. The cash bonds or other appropriate security shall be forfeitable by the City if the work is not completed within ninety (90) days of the date of posting of the cash bonds or other appropriate security, or upon such other date as agreed to between the City and the property owner or authorized person acting on the property owner's behalf. In the case where such a cash bond(s) or other appropriate security is forfeited to the City and the City shall use the proceeds to effectuate the landscaping requirements, which were not so completed. Along with the requirement for the cash bond(s) or other appropriate security, the property owner, or authorized person acting on the property owner's behalf, shall agree and consent to entry upon the property by the City or its agents or representatives, in the event of bond forfeiture, and completion of the landscaping requirements by the City or its agents or representatives.

18B.30.110 Streetscapes.

- A. Streetscapes shall be improved as specified in [TMC 18B.30.140](#), [Design Standards](#), [TMC 18B.30.100 Landscaping](#), and [TMC 18B.30.090 Parking](#).
- B. The Designee may modify commercial streetscape improvements requirements for structure remodeling or tenant improvements in accordance with [TMC 18B.30.140](#), [Design Standards](#), [TMC 18B.30.100 Landscaping](#), the adopted R/W Manual, and [TMC 18B.30.090 Parking](#), and the following:
 1. The Designee may permit modification of streetscape improvements, requirements and standards when development of the required landscaping improvement(s), in the opinion of the Designee, is not practical due to physical limitations of the site which are no fault of the applicant.
 2. The Designee may permit modification of streetscape improvement standards where the required streetscape, in the opinion of the Designee, is not roughly proportionate to the impact, type, scale, and cost of the proposed development action.
 3. The streetscape design alternatives shall be documented as an administrative determination.

4. Mailing notice to adjacent property owners potentially affected by the development regulation modifications is required.

18B.30.120 Tree Preservation.

- A. The purpose of this section is:
 1. Regulate the removal of trees from property within the city in order to preserve, protect and enhance a valuable natural resource;
 2. Establish standards to limit the removal of and ensure the replacement of trees sufficient to safeguard the ecological and aesthetic environment of a community;
 3. Discourage the unnecessary clearing and disturbance of land so as to preserve the natural and existing growth of vegetation; and
 4. Maintain a minimum number of significant trees.
- B. This section establishes significant tree preservation for any development action or land use development to protect the treed environment within the City of Tenino by regulating the removal of significant trees and providing incentives to preserve trees that, because of their size, species, or location, provide special benefits. Tree preservation protects and enhances critical areas, facilitates aquifer recharge, reduces erosion and stormwater runoff and helps to define public and private open spaces.
- C. Applications for single-family detached dwelling building or construction permits are exempt from the provisions of this Chapter.
- D. The requirements for tree preservation are applicable to all zoning districts and shall be provided in accordance with the requirements of each individual zoning district and the provisions of this section. In the event a permit is not required for the establishment of a use, the standards of this section still apply.
- E. Significant tree preservation standards shall be required for any development action or land use development permit.
 1. A significant tree is an existing tree, which:
 - a. Is measured at average breast height above grade and is fifteen inches in diameter;
 - b. Must be in good health;
 - c. Is not detrimental to the community (e.g., is not diseased, dying, or likely of falling into public open space or right-of-way, etc.) or obscuring safe sight distance requirements;
 - d. Is not an identified species pursuant to TMC 18D Critical Areas and Natural Resource Lands; and
 - e. Is not one of the following species:
 - 1). Cottonwood;
 - 2). Alder;
 - 3). Poplar; or
 - 4). Big-leaf Maple.
 2. In addition, trees will not be considered “significant” if, following an inspection and concurrence by the City, the tree is determined to be:
 - a. Safety hazards due to potential root, trunk or primary limb failure, or exposure of mature trees which have grown in a closed, forested situation;
 - b. At the discretion of the City, damaged or standing dead trees may be retained and counted toward the significant tree requirement if demonstrated that such trees will provide important wildlife habitat and are not classified as danger trees.

- c. Authorization by the City is required for the removal of any significant tree or street tree as defined herein or trees removed pursuant to a tree retention plan unless specifically exempted within this Section.
 - d. All significant trees shall be preserved according to the following criteria:
 - 1). All significant trees within fifteen (15) feet of the lot perimeter or required buffer or setback, whichever is greater, shall be preserved.
 - 2). At the discretion of the Designee, significant trees may be removed for access, buildings, sight areas, required roads, utilities, sidewalks, trails, or storm drainage improvements provided they are replaced in accordance with [TMC 18B.30.120 \(D\)](#), [Tree Preservation](#).
 - e. Tree preservation criteria listed above shall exclude sensitive/critical areas and their buffers, and designated open space areas and tracts. All trees within such areas shall be retained except as may be specifically indicated in a discretionary land use permit or tree removal plan.
 - f. State Environmental Policy Act Requirements. Additional or specific tree retention may be required as SEPA mitigation in addition to the requirements of this Section.
- F. Retention required. Significant trees shall be retained on the subject property to the maximum extent possible in all residential, commercial, industrial, or institutional developments as follows:
- 1. If the approved development on the subject property will require the removal of more than 75 percent of the significant trees on the subject property, significant trees shall be replaced in amount equal to 25 percent of the significant trees which existed on the subject property prior to commencing any development activity.
 - 2. All significant trees located within any required perimeter landscaping area shall be retained, provided that this requirement shall not apply to commercial zoning districts.
 - 3. Significant trees required to be retained within on-site sensitive areas can be used toward satisfying the 25 percent on-site significant tree retention regulations.
 - 4. All significant trees located within required on-site recreation or open spaces shall be retained, provided they do not conflict with on-site active recreation areas.
 - 5. The significant tree retention requirements of this chapter shall not apply to the city center zoning district.
 - 6. There shall be no cutting of significant trees without authorization from the city for the purpose of preparing that site for future development.
 - 7. Up to one-half of the 25 percent significant tree replacement requirement may be satisfied by planting larger trees in required landscape areas such as landscape islands, buffers, and perimeter landscaped areas. Such trees shall be a minimum 12 feet in height for evergreen and three and one-half-inch caliper for deciduous or broadleaf trees. Example: 100 on-site significant trees requires 25 to be retained or replaced. Applicant may plant 13 larger trees within required landscape areas which meet size requirements mentioned above.
- G. Permit Required. A Class IV Forest Practice Permit is required by The Department of Natural Resources under provisions of 76.09 RCW unless exempt. The applicant shall submit a tree retention plan concurrent with the first permit application for that development. The tree retention plan shall consist of the following:

1. A tree survey or cluster survey that identifies the location, size, number and species of all significant trees on the site.
2. A development plan identifying the significant trees that are proposed to be retained, removed, transplanted, or replaced, including a final report on percentage retained and shall contain:
 - a. A tree survey that identifies the location, size and species of all significant trees on a site.
 - 1). The tree survey may be conducted by a method that locates individual significant trees, or
 - 2). Where site conditions prohibit physical survey of the property, standard timber cruising methods may be used to reflect general locations, numbers and groupings of significant trees.
 - b. If tree retention and/or landscape plans are required, no clearing shall be allowed on a site until approval of such plans;
 - c. The tree retention plan shall also show the location, species, and dripline of each significant tree that is intended to qualify for retention credit, and identify the significant trees that are proposed to be retained, and those that are designated to be removed.
 - d. Each significant tree that is located outside of the perimeter area and is retained may be credited as two trees for complying with the retention requirements above, provided it meets one or more of the following criteria:
 - 1). The tree exceeds sixty (60) feet in height, or twenty four (24) inches in diameter for evergreen trees, or thirty (30) inches in diameter for deciduous trees;
 - 2). The tree is located in a grouping of at least five (5) other significant trees with canopies that touch or overlap;
 - 3). The tree provides energy savings, through wind protection or summer shading, as a result of its location relative to buildings;
 - 4). The tree belongs to a unique or unusual species;
 - 5). The tree is located within twenty five (25) feet of any critical area or required critical area buffers; or
 - 6). The tree is eighteen (18) inches in diameter or greater and is identified as providing valuable wildlife habitat.
 - e. In any required perimeter landscaping area as defined in this Section, the applicant shall retain all significant trees, except as provided in this Section.
 - f. An area free of disturbance, corresponding to the drip line of the significant tree's canopy shall be identified and protected during the construction stage with a temporary three-foot high chain-link or plastic net fence. No impervious surfaces, fill, excavation, storage of construction materials, operations or parking of vehicles shall be permitted within the area defined by such fencing or stakes;
 - g. A protective tree well may be required to be constructed if the grade level around the tree is to be raised or lowered. The inside diameter of the well shall be at least equal to the diameter of the tree spread dripline, plus at least five feet of additional diameter;

- h. The Designee may approve use of tree protection techniques other than those listed above if the trees will be protected to an equal or greater degree than by the techniques listed above.
 - i. The applicant shall demonstrate on the tree retention plan those tree protection techniques intended to be utilized and approved by the Designee during land alteration and construction in order to provide for the continual healthy life of retained significant trees.
 - j. If any significant tree that has been specifically designated to be retained in the tree preservation plan dies within three years of the development of the site, then the significant tree or replacement shall be replaced at the specified rate.
- H. Each retained significant tree not located within perimeter landscaping may be credited as two trees for purposes of complying with the retention requirements of subsection F(1), provided the tree meets at least one of the following criteria:
 - 1. The tree is located in a grouping of at least five trees with canopies that touch or overlap; or
 - 2. The tree provides energy savings through winter wind protection or summer shading as a result of its location relative to proposed buildings; or
 - 3. The tree belongs to a unique or unusual species of native or non-native tree not usually found locally.
- I. Where it is not feasible to retain required significant trees due to site constraints including, but not limited to, topography, ingress/egress requirements, existing and proposed utility locations, trails, storm drainage improvements, a site specific tree plan, drawn to scale, shall be prepared. The tree plan shall show the precise location of all significant trees on the site, in relation to the proposed buildings, streets, parking areas, required landscaped areas, surface water facilities, and utilities. The director of community development shall review the plan in relation to the proposed development to ensure tree removal is the minimum amount necessary to comply with the proposed development and meet the purposes of this chapter.
- J. When required significant trees cannot be retained (see subsection K(7) of this section), significant trees that are removed shall be replaced with:
 - 1. Transplanted or retained on-site trees four-inch caliper or larger, which meet the definition of significant tree in all manner except size, and approved by the community development director, based upon the director's assessment of the location of the tree in relation to the proposed site development; or
 - 2. New evergreen trees that are a minimum 10 feet in height, or deciduous trees that are a minimum three-inch caliper.
 - 3. The number of replacement trees, combined with the number of retained significant trees, shall equal 25 percent of the amount of on-site significant trees which existed prior to development.
- K. The following management practices shall be observed on sites containing significant trees, to provide the best protection for significant trees:
 - 1. No clearing shall be allowed on a proposed development site until the tree retention and landscape plans have been approved by the City;
 - 2. A no disturbance area, which shall be defined to be to the drip line of the significant tree, shall be identified during the construction stage with either:
 - 3. A temporary five-foot chain link fence.

4. A line of five-foot high, orange-colored two-by-four inch stakes placed no more than ten feet apart connected by highly visible surveyor's ribbon;
5. No impervious surfaces, fill, excavation, or storage of construction materials shall be permitted within the no disturbance area;
6. If the grade level around the tree is to be raised by more than one foot, a rock well shall be constructed. The inside diameter of the rock well shall be equal to the diameter of the tree trunk plus 10 feet. Proper drainage, and irrigation if necessary, shall be provided in all rock wells;
7. The grade level shall not be lowered within the larger of the two areas defined as follows:
 8. The drip line of the tree(s); or
 9. An area around the tree equal to one foot in diameter of each inch of tree trunk diameter measured four feet above the ground;
10. Alternative protection methods may be used if accepted by the director of community development department to provide equal or greater tree protection;
11. Encroachment into the no disturbance area may be allowed where the director determines encroachment would not be detrimental to the health of the tree.

18B.30.130 Signs (Reserved).

18B.30.140 Design Standards (Reserved).

18B.30.150 Accessory Dwelling Units.

- A. **Purpose.** Accessory dwelling units (ADUs) are intended to increase the supply of affordable, independent housing, increase home and personal security, provide supplemental earnings for people with limited incomes, and increase residential densities. This should occur by utilizing existing infrastructure and community resources throughout the City while protecting the existing character of single-family neighborhoods.
- B. **Procedures.** Any owner/occupant seeking to establish an ADU shall apply for approval in accordance with established procedures. These procedures shall include:
 1. **Application.** The owner/occupant shall apply for a Building Permit for an ADU. A complete application form must demonstrate that the ADU meets all size thresholds, design standards and general requirements.
 2. **Affidavit.** An affidavit is required that affirms that the owner will occupy the ADU or the principal dwelling and agrees to all requirements provided in this Section.
 3. An ADU shall be converted to another permitted use or shall be removed if one of the two dwelling units is not owner occupied.
 4. **Title Notice.** Prior to issuance of building permits, the owner occupant shall record a notice on the property title acknowledging the existence of the ADU with the Thurston County Auditor. Such notice shall be in a form as specified by the Department and shall include as a minimum:
 - a. The legal description of the property which has been approved for an ADU;
 - b. The applicability of the restrictions and limitations contained in this Section;
 - c. A copy of the City-approved floor/site plan; and

- d. The property owner's signature on the notice, which shall be notarized prior to recording the notice.
 5. A copy of the recorded document shall be provided to the City prior to issuance of any final certificate of occupancy.
- C. **Reports.** The Department shall provide the City Council with an annual report that includes:
1. ADU applications;
 2. The number of units established;
 3. Their distribution throughout the City;
 4. The average size of the units;
 5. The number and types of any complaints and any enforcement-related actions.
- D. **General Requirements.** One ADU shall be allowed per lot of record as an accessory use in conjunction with any single-family structure. ADUs shall not be included in density calculations. ADUs shall only be permitted in the SF-ES or SF zones.
- E. **Type of Unit.** An ADU shall be permitted as a second dwelling unit attached to, or detached from, the principal single-family residential dwelling.
- F. **Size.**
1. An ADU shall be no greater than 1,000 square feet.
 2. The ADU may include only a single car garage or carport that may be attached to or detached from the ADU, which is not counted in the 1,000 square foot ADU size calculation. However, one off-street parking space shall be required for any ADU in addition to off-street parking required for the principal single-family residential dwelling pursuant to Section 18B.30.090, Parking.
- G. **Design.** The following standards shall apply when the separation between the principal dwelling and proposed accessory dwelling is less than 100 linear feet:
1. The entrance to an attached ADU shall not be directed toward any front yard unless utilizing an existing doorway.
 2. Detached ADUs shall be no closer to the front lot line than the front edge of the principal residential dwelling.
 3. New construction of a detached ADU or conversion to an ADU from an existing detached structure shall not be permitted within any required yard setback. An exception to the required rear yard setback may be allowed if the rear yard abuts an alley.
 4. If the ADU is created by construction of a new detached unit, the ADU building height shall not be greater than the height of the principal single-family residential dwelling.

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Chapter 18B.40

DEVELOPMENT STANDARDS - USE SPECIFIC

Sections:

<u>18B.40.010</u>	Accessory Residential Vehicle Service and Repair Standards.
<u>18B.40.020</u>	Recreation/Amusement Establishment.
<u>18B.40.030</u>	Animals.
<u>18B.40.040</u>	Day care Facilities.
<u>18B.40.050</u>	Essential Public Facilities.
<u>18B.40.060</u>	Group Homes.
<u>18B.40.070</u>	Home Business.
<u>18B.40.080</u>	Limited Home Business.
<u>18B.40.090</u>	Manufactured Home on Individual Lots.
<u>18B.40.100</u>	Sexually Oriented Businesses.
<u>18B.40.110</u>	Personal Wireless Telecommunication Facilities.

18B.40 010 Accessory Residential Vehicle Service and Repair Standards. The repair, service, restoration, modification, assembly, disassembly, construction, reconstruction, or other work on a motor vehicle, recreational vehicle or a sporting vehicle on any residential premises in any zone that allows residential uses shall be subject to the following standards:

- A. Work shall be limited to the non-commercial repair and maintenance of motor vehicles, recreational vehicles, sporting vehicles and vehicular equipment that is currently registered to a resident of the premises or a member of the residents' family, which shall be limited to parents, grandparents, spouse, or children related by blood, marriage or adoption.
- B. Such work is prohibited in multi-family residential complexes of three (3) or more dwelling units on a parcel.
- C. Such work shall be conducted on no more than one vehicle at any one time.
- D. Such work shall be conducted only between the hours of 7:00 A.M. and 10:00 P.M. on weekdays and 8:00 A.M. and 7:00 P.M. on weekends.
- E. Assembly, disassembly or bodywork shall only be conducted within a fully enclosed garage or accessory building. Minor service and repair work may be performed in an open accessory structure or in the driveway directly adjacent to the garage or carport. Such work shall not be performed in the public right-of-way nor shall vehicles be stored in the public right-of-way, even if the driveway is located in the public right-of-way.
- F. Parts, equipment, debris, excess materials or other supplies needed for the repair of a vehicle on the premises shall be stored within a fully enclosed structure such as a garage or accessory building. No items shall be left outside overnight.
- G. The performance of such work shall not create a nuisance to the neighbors.
- H. Upon completion of any work allowed by this section, the property shall be cleaned of all debris, oil, grease, gasoline, cloths or rags, and all other equipment or material used in the work, and the property shall be left in such a condition that no hazard to persons or

property shall remain. Storage and disposal of all hazardous materials shall be in accordance with state and local regulations.

- I. Disposal of all waste products shall be in accordance with state and local regulations.
- J. Painting of vehicles is prohibited.

18B.40.020 Amusement and Recreation. A commercial recreation/amusement establishment may be authorized after consideration of the following factors:

- A. Adequacy of access from principal streets, together with the probable affect on traffic volumes of abutting and nearby streets;
- B. Adequacy of off-street parking;
- C. Adequacy of building and site design provisions to meet performance standards pursuant to [TMC 18B.30.080, Performance Standards](#);
- D. If the Amusement and Recreation activity is Temporary (less than 90 days) in nature, the requirements of TMC 18.50.070, Temporary Use Permit shall apply.

18B.40.030 Animals.

- A. Animals, specifically including household pets, horses, cows, sheep, llamas, goats, and other livestock are permitted in any zoning district in the City.
- B. Animals, specifically farm animals such as cows, sheep, goats, and other livestock are permitted to be slaughtered in any zoning district (except Public) provided that if a firearm is to be used for dispatch of farm animals within the City limits, and prior to the use of a firearm, the Tenino Police Department shall be notified.
- C. Domesticated fowl valued for their meat and eggs, such as chicken and turkeys are exempt from these provisions.
- D. Also see TMC Title 6 – Animals.

18B.40.040 Day Care Facilities.

- A. Affordable, good quality, licensed day care within Tenino is a needed service critical to the well being of parents, children, elders, and disabled persons in the community. It is the purpose of this Section to facilitate the location of licensed facilities in the City in a manner that both simplifies the review and approval process and ensures that the facilities are compatible with the surrounding land uses.
- B. This section shall apply to family day care homes and day care centers, as defined in this Title and by [RCW 35.63.170](#), operating within the City of Tenino. It shall not apply to foster care, group homes, and other residential programs providing round-the-clock care; nor shall it apply to care services of a casual, non-recurring nature or provided in the home of the person being cared for (i.e., babysitting) or cooperative, reciprocal care by a group of individuals in their respective homes (i.e., childcare co-operative).
- C. The Designee, or Planning Commission, as appropriate, shall approve applications for family Day care homes and Day care centers subject to the following general requirements:
 - 1. **Day Care Facilities, Level 1.**
 - d. Washington State day care licensure and all applicable state and local licensure and land use permits shall be obtained prior to operation and shall be maintained.
 - e. The facility shall comply with all building, fire safety, health Code, and business licensing requirements.

- d. A safe passenger loading area shall be provided.
 - e. Signage, if any, shall conform to the requirements of [TMC 18B.30.130, Signs](#).
 - f. Parking shall conform to the requirements of [TMC 18B.30.090, Parking](#).
 - g. No structural or decorative alteration shall be made to the dwelling, which will alter the single-family character of an existing or proposed residential structure, or which is incompatible with surrounding residences.
 - h. Hours of operation shall be compatible with the neighborhood during the week, and if care is provided on the weekends, to not present more than a typical disruption in the late evening or early morning hours.
2. **Day Care Facilities, Level 2.** The following requirements apply for Level 2 in addition to the requirements of Level 1 above:
 - a. The outdoor recreation areas shall be enclosed by a four-foot-high fence.
 - b. The outdoor play equipment for child day care facilities shall not be located in any required front or side yard setback area.
 3. **Day Care Facilities, Level 3.** The following requirements apply for Level 3 in addition to the requirements Level 1 and 2 above:
 - a. The Day care center shall not be located within three hundred (300) feet of another Day care facility, and shall not be located in the residence of the care provider.
 - b. Outdoor recreation areas shall be enclosed by a four-foot-high fence.
 - c. Outdoor play equipment for child day care facilities shall not be located in any required front or side yard setback area.
 - d. The permit may be conditioned in order to reduce potential conflicts between the day care center and surrounding neighborhood, including, but not limited to, noise attenuation, special parking needs, and hours of operation.
 - e. There shall be a clearly marked, off-street area for loading and unloading clients.
 - f. Adequate vehicle turnaround areas shall be provided on site for parking and loading so as to preclude the necessity of backing out onto the street.

18B.40.050 Essential Public Facilities. Under the state Growth Management Act, essential public facilities include those facilities that are typically difficult to site such as airports, state education facilities and state or regional transportation facilities as defined in [RCW 47.06.140](#); state and local correctional facilities; solid waste handling facilities; and in-patient facilities including substance abuse facilities, mental health facilities, and group homes. For the purposes of and within this title, essential public facilities are treated as listed or substantially similar to listed use types, thereby affirming their siting in appropriate areas; except as applied to public lands, where they are liberally construed to include a broad array of public services. Essential public facilities do not include personal wireless telecommunications facilities.

18B.40.060 Group Homes.

- A. **Intent.** The intent of this subsection is to outline general conditions with which Type II and Type III Group Homes, as defined in [TMC 18B.10.050, Residential Use Category](#) must comply when applying for a conditional use permit to locate in the City.
- B. **Dispersion Requirements.** Type II and III Group Homes must locate a minimum of six hundred (600) feet from any other Type II or III Group Home. Group Homes shall have a *one thousand foot separation* from the following land uses and zones:

1. Public or private schools;
 2. Churches or other Religious facilities or institutions;
 3. Parks and playgrounds;
 4. Day care Facilities;
 5. Residential Uses;
 6. Residential Zones; and
 7. Other comparable land uses as determined by the Designee.
- C. Registration and Licensing. Group homes shall obtain all licenses necessary for operation by state and federal agencies. Group Homes Type II and Type III shall also register with the City by supplying information pertinent to the validity, update and renewal status of the home's state and federal license. The City shall verify accuracy of all information contained in any state or federal license to the extent possible. Any applicant for a group home conditional use permit shall have the responsibility to ensure that information regarding any changes made to the license prior to its renewal is immediately provided to the City.

18B.40.070 Home Business. The purpose of this section is to provide standards that allow residents of single- or multifamily dwellings to operate businesses or conduct commercial activity from their principal residence or from a permitted accessory structure while achieving the goals of retaining the residential character of the dwelling and the neighborhood.

- A. Home businesses are limited to an accessory use in conjunction with a Single-Family Detached Dwelling use type. Obtaining a Home business permit is required.
- B. The following uses are exempt from the regulations of this section.
 1. Day care Facilities (Level 1/2), which are subject to [TMC 18B.40.040, Day Care Facilities](#).
 2. Lodging, (Level 1).
 3. Garage sales, yard sales, bake sales, temporary home bazaars for hand-crafted items or parties for the display of clothing, gifts and household products, and other similar uses shall not be subject to regulation pursuant to this Section; provided, that
 - a. Any such use shall not be in existence for more than four (4) times in any one (1) calendar year, and is not in violation of any other section of the Title or other City ordinances; and
 - b. That any such garage sales and yard sales involve only the sale of household goods, none of which were purchased for the purpose of resale.
 4. For the profit sale of produce or other food products is limited to the temporary seasonal sale of produce grown on the premises.
 5. Hobbies, which do not result in payment to those, engaged in such activity.
- C. Prohibited Activities.
 1. It is a violation of this Title to operate a home business or business use on residential property that a person owns, occupies or is in lawful control of, contrary to the provisions of this section.
 2. The following on-site activities are prohibited as home businesses:
 - a. Motor vehicle, commercial truck and heavy equipment, repair, bodywork, painting, washing and/or detailing services.
 - b. Storage of:
 - 1) Motor vehicles, commercial trucks or heavy equipment.

- 2) Used parts of vehicles and/or used machinery in inoperable condition.
 - 3) Building materials such as lumber, plasterboard, pipe, paint or other construction materials unless being used to construct a specific structure on the premises, other than for the use associated with a current building permit.
- D. The following performance standards prescribe the parameters under which home business activities may be conducted when incidental to a residential use. Activities that exceed these performance standards are subject to [TMC 18B.10, Use Types and Levels](#), to determine the appropriate [Civic](#), [Commercial](#), or [Industrial](#) use category that applies to the activity.
1. The following standards apply to *all home business* activities within Tenino:
 - a. A home business permit shall be obtained for each home business and any property on which a home business is undertaken.
 - b. A City business registration shall be obtained and maintained for each home business.
 - c. The home business shall be clearly incidental and secondary to the use of the property as residential purposes and shall not change the residential character of the dwelling or neighborhood.
 - d. There shall be no more than three deliveries per week to the residence by suppliers.
 - e. Traffic generated by a home business shall not exceed sixteen (16) round trips per day associated with the home business, including deliveries and client-related trips.
 - f. Utility demand for sewer, water, electricity, garbage or natural gas shall not exceed normal residential levels.
 - g. Equipment or operation processes shall not be utilized which would produce or cause the emission of gasses, dust, odors, vibration, electrical interference, smoke, noise, or light in a manner likely to cause offense or irritation to neighboring residents.
 - h. The home business(es) shall not use electrical or mechanical equipment that results in:
 - 1). A change to the fire rating of the structure(s) used for the home business(es);
 - 2). Visual or audible interference in radio or television receivers, or electronic equipment located off-premises; or
 - 3). Fluctuations in line voltage at or beyond the property line.
 - i. There shall be no storage, distribution and/or production of toxic or flammable materials, nor spray painting or spray finishing operations that involve toxic or flammable materials, which, in the judgment of the Fire Marshal, pose a dangerous risk to the residence, its occupants, and/or surrounding properties. An applicant shall make available the Material Safety Data Sheets, listing all potentially toxic and/or flammable materials associated with the home business, to the Fire Marshal if requested for review.
- E. One (1) or more home business may be conducted in a Single-Family Residential Detached Dwelling use type as an accessory use, except as prohibited in [TMC 18B.40.070 \(D\), Home Business](#), provided that the home business shall:
1. Be operated by a resident of the property on which the business is located.

2. Employ no more than one full or part-time person, other than residents of the dwelling.
 3. Be operated within the dwelling or other accessory buildings normally associated with uses permitted in the zone in which the property is located.
 4. Not interfere with existing uses on nearby land or with other uses permitted in the zone in which the property is located.
 5. Comply with all conditions imposed pursuant to [TMC 18B.40.070](#), Home Business Permit.
 6. Have one (1) parking space per employee provided on the same parcel of land, in addition to that parking required for the dwelling.
 7. Not utilize more than two (2) vehicles and utility trailers, with a gross vehicle and trailer weight of more than 10,000 pounds, in the operation of the home business. Parking for said vehicles and/or trailers shall be provided on the subject property.
 8. Store all materials, parts, tools and other equipment used in the operation of the home business entirely within the dwelling or accessory building.
 9. Comply with building, land use and fire Code requirements for permits, occupancy, and inspection, including use of hazardous materials or equipment.
 10. Limit manufacturing to the small-scale assembly of already manufactured parts but shall not preclude production of small, individually hand-crafted items, furniture or other wood items as long as the activity meets the other standards of this Section.
 11. Prohibit customers or clients on the premises prior to 8:00 A.M. and after 8:00 P.M. on Mondays through Fridays, and prior to 9:00 A.M. and after 5:00 P.M. on weekends and state or federal holidays
 12. Limit the home business activity to less than 40% of the gross floor area of the residence, including garages, unfinished basements and accessory buildings; or 2,000 square feet, whichever is less.
 13. Meet the signage requirements of [TMC 18B.30.130](#), Signs.
 14. Meet the business requirements in TMC Chapter 5.05, Business License Regulation.
- F. The decision to approve, approve with conditions, or deny an application for a home business permit shall be made by the Designee upon findings of whether or not the purposed home business is, or will be:
1. In compliance with the standards contained in this section;
 2. Subordinate to the residential use of the property; and
 3. Undertaken in a manner that is not detrimental or disruptive in terms of appearance or operation to neighboring properties or the community.
 4. The Designee may impose conditions upon the approval of a home business permit to ensure compatibility with adjacent residential uses and surrounding neighborhoods. These conditions may include, but are not limited to, the following:
 - a. Further limiting the hours, days, place and manner of operation.
 - b. Requiring site and building design features that minimize environmental impacts such as noise, vibration, air pollution, glare, odor and dust.
 - c. Requiring additional building setbacks, and increased lot area, depth or width.
 - d. Further limiting the building area used by the home business and restricting the location of the use on the site in relationship to adjoining uses.
 - e. Designating the size, number, location and design of vehicle access points.

- f. Requiring street right-of-way to be free at all times of vehicles associated with the home business.
 - g. Requiring landscaping, buffering and/or screening of the home business from adjoining uses and establishing standards for the continued maintenance of these improvements.
 - h. Requiring storm drainage improvements, and surfacing of parking and loading areas.
 - i. Limiting the extent and type of interior or exterior building remodeling necessary to accommodate the home business.
 - j. Limiting or setting standards for the location and intensity of outdoor lighting.
 - k. Requiring and designating the size, height, location of fences and materials used for their construction.
- G. Permit Revocation and Expiration.
- 1. The Designee may revoke a home business permit if in non-compliance with the approval conditions or the home business is otherwise being conducted in a manner contrary to this Title, or TMC Chapter 5.05.
 - 2. When a home business permit has been revoked due to violation of these standards, a minimum period of one year shall elapse before another application for a home business permit by the applicant(s) or member of the family residing on the subject property will be considered.
 - 3. A home business permit shall become invalid if the applicant moves to a new address.
- H. An ongoing home business may be granted nonconforming status, provided that it was permitted under Thurston County, State or Federal authority prior to adoption of this Title, and has been in continuous operation since initial approval. The burden of proving a home business's nonconforming status rests with the property owner or tenant. A home business without appropriate jurisdictional approval and cannot prove nonconforming status shall be considered in violation of this section and shall ordered to cease operations until the appropriate approvals have been granted.

18B.40.080 Limited Home Businesses.

- A. The purpose of this section is to provide standards that allow residents of single- or multifamily dwellings to operate businesses or conduct commercial activity from their principal residence or from a permitted accessory structure while achieving the goals of retaining the residential character of the dwelling and the neighborhood.
- B. Limited home businesses are permitted as an accessory use in conjunction with Single-Family Detached Dwelling, Single-Family Attached Dwelling, and Multifamily Attached Dwelling use types.
- C. The following uses are exempt from the regulations of this Section.
 - 1. Day care Facilities, (Level 1/2), which are subject to [TMC 18B.40.040](#), Day Care Facilities.
 - 2. Lodging, (Level 1).
 - 3. Garage sales, yard sales, bake sales, temporary home bazaars for hand-crafted items or parties for the display of clothing, gifts and household products, and other similar uses shall not be subject to regulation pursuant to this Section; provided, that

- a. Any such use shall not be in existence for more than four times in any one (1) calendar year and is not in violation of any other section of the Title or other City ordinances; and
 - b. That any such garage sales and yard sales involve only the sale of household goods, none of which were purchased for the purpose of resale.
 - 4. For the profit sale of produce or other food products is limited to the temporary seasonal sale of produce grown on the premises.
 - 5. Hobbies, which do not result in payment to those, engaged in such activity.
- D. Prohibited Activities.
- 1. It is a violation of this Title to operate a home business or business use on residential property that a person owns, occupies or is in lawful control of, contrary to the provisions of this section.
 - 2. The following on-site activities are prohibited as home businesses:
 - a. Motor vehicle, commercial truck and heavy equipment, repair, bodywork, painting, washing and/or detailing services.
 - b. Storage of:
 - 1) Motor vehicles, commercial trucks or heavy equipment.
 - 2) Used parts of vehicles and/or used machinery in inoperable condition.
 - 3) Building materials such as lumber, plasterboard, pipe, paint or other construction materials unless being used to construct a specific structure on the premises, other than for the use associated with a current building permit.
- E. The following performance standards prescribe the parameters under which limited home business activities may be conducted when incidental to a residential use. Activities that exceed these performance standards are subject to [TMC 18B.10, Use Types and Levels](#), to determine the appropriate [Civic](#), [Commercial](#), or [Industrial](#) use category that applies to the activity.
- 1. The following standards apply to all limited home business activities within the City of Tenino:
 - a. A limited home business permit shall be obtained for each limited home business and any property on which a limited home business is undertaken.
 - b. A City business license shall be obtained and maintained for each limited home business.
 - c. The limited home business shall be clearly incidental and secondary to the use of the property as residential purposes and shall not change the residential character of the dwelling or neighborhood.
 - d. All the activities of the limited home business(es) shall be conducted indoors, except for those related to growing or storing of plants used by the limited home occupation(s).
 - e. No modification shall be made to the dwelling to establish or operate the limited home business that would cause it to resemble anything other than a dwelling.
 - f. There shall be no more than three deliveries per week to the residence by suppliers.
 - g. Traffic generated by a limited home business shall not exceed sixteen (16) round trips per day associated with the home business, including deliveries and client-related trips.

- h. Sales, either retail or wholesale, shall be limited to mail order and telephone sales with off-site delivery.
 - i. Services to patrons shall be arranged by appointment or provided off-site.
 - j. Utility demand for sewer, water, electricity, garbage or natural gas shall not exceed normal residential levels.
 - k. Equipment or operation processes shall not be utilized which would produce or cause the emission of gasses, dust, odors, vibration, electrical interference, smoke, noise, or light in a manner likely to cause offense or irritation to neighboring residents.
 - l. The home business(es) shall not use electrical or mechanical equipment that results in:
 - 1). A change to the fire rating of the structure(s) used for the home business(s);
 - 2). Visual or audible interference in radio or television receivers, or electronic equipment located off-premises; or
 - 3). Fluctuations in line voltage at or beyond the property line.
 - m. There shall be no storage, distribution and/or production of toxic or flammable materials, nor spray painting or spray finishing operations that involve toxic or flammable materials, which in the judgment of the Fire Marshal pose a dangerous risk to the residence, its occupants, and/or surrounding properties. An applicant shall make available the Material Safety Data Sheets, listing all potentially toxic and/or flammable materials associated with the home occupation, to the Fire Marshal if requested for review.
- F. One (1) or more limited home business may be conducted in a residential dwelling as accessory uses, excepted as prohibited in [TMC 18B.40.070 \(D\)](#), Home Business, provided that the limited home business shall:
- 1. Not have any employee, volunteer or other person engaged in the commercial activity on the site, other than residents of the dwelling.
 - 2. Be operated in its entirety within the principal dwelling.
 - 3. Not have a separate entrance from outside the building.
 - 4. Not use any mechanical equipment except that which is used normally for purely domestic or household purposes.
 - 5. Not utilize more than twenty-five percent (25%) of the total floor area of the living space of the dwelling. Areas within attached garages, unfinished basements and storage buildings shall not be considered living space for purposes of calculating allowable home business area but may be used for storage of goods associated with the limited home business.
 - 6. Not show any evidence that a business is being conducted from the premises.
 - 7. Not have any exterior signage that identifies the property as a business location.
 - 8. Not allow clients or customers to visit the premises for any reason.
 - 9. Not have any exterior storage of materials.
 - 10. Meet the business requirement of TMC 5.05, Business License Regulation.
- G. Permit Revocation and Expiration.
- 1. The Designee may revoke a home business permit if the conditions of approval have not been complied with and the home business is otherwise being conducted in a manner contrary to this Title.

2. When a home business permit has been revoked due to violation of these standards, a minimum period of one year shall elapse before another application for a home or limited home business permit by the applicant(s) or member of the family residing on the subject property will be considered.
 3. A home business permit shall become invalid if the applicant changes addresses.
- H. An ongoing home business may be granted nonconforming status, provided that it was permitted under Thurston County, State or Federal authority prior to adoption of this Title, and has been in continuous operation since initial approval. The burden of proving a home business's nonconforming status rests with the property owner or tenant. A home business without appropriate jurisdictional approval and cannot prove nonconforming status, shall be considered in violation of this section and shall ordered to cease operations until the appropriate approvals have been granted.

18B.40.090 Single-Family & Manufactured Homes on Individual Lots. It is the intent of this Section to set forth the terms and conditions under which single-family homes may be sited, and to ensure that manufactured homes as defined herein may be sited in any zone where single-family homes are permitted. However, nothing in this Section shall be construed as to permit housing designs or construction standards that do not meet the standards of the Historic Character overlay zone. Manufactured homes placed on an individual lot shall be considered a Single-family detached dwelling. Minimum siting standards for single-family dwellings are:

- A. Be placed on a permanent conventional foundation and set up in accordance with building code requirements;
- B. A dwelling shall be not less than fourteen (14) feet in width at the narrowest point of its first story.
- C. Include a parking area of a durable surface for at least two vehicles, where an attached or detached carport or garage may be used for some or all of the parking requirement;
- D. Include a finished porch or deck for each entrance door;
- E. No manufactured home more than three years old on the date of installation shall be permitted on any lot.
- F. Meet requirements of TMC Title 15 Building and Construction;
- G. Meet currently adopted stormwater management requirements;
- H. Meet requirements of TMC Title 18D Critical Areas and Natural Resource Lands (if applicable); and
- I. Provide proof of title elimination prior to building occupancy if the dwelling is a manufactured home.
- J. Where any conflict arises between these regulations and the adopted building code, the stricter standard shall apply.

18B.40.100 Sexually Oriented Businesses.

- A. The purpose of this section is to protect Tenino's residents and corporate citizens from documented harmful secondary effects attributable to sexually oriented businesses as documented by the findings of other jurisdictions dealing with similar issues. The regulations included herein are intended to;

1. Shield the community from crime, disease, and prostitution;
 2. To provide a quality environment for children in the community;
 3. To advance the goals and purposes of schools and religious organizations serving Tenino; and
 4. To foster and preserve family orientation of the City's residential neighborhoods.
- B. This section shall apply to all Sexually Oriented Business, as defined herein and as may be hereafter defined, located within the City of Tenino.
- C. Sexually Oriented Business uses are prohibited:
1. Within two hundred (200) feet of any property zoned with residential use or of any property used or any single-family or multiple-family residential use;
 2. Within two hundred (200) feet of any public or private elementary or secondary school property;
 3. Within two hundred (200) feet of any child day care center, child care service, nursery, preschool, or community youth center;
 4. Within two hundred (200) feet of any church or other facility or institution used primarily for religious purposes;
 5. Within two hundred (200) feet of any public park, open space or other place where children are likely to congregate;
 6. Within two hundred (200) feet of any public or school bus stop and,
 7. Within five hundred (500) feet of any other Sexually Oriented Business use.
 8. As used herein, the distances shall mean the straight-line distance between the edge or corner of the property on which the use is located to the nearest edge or corner of the property of another Sexually Oriented Business use or any of the sensitive receptor areas set forth above.
- D. Any business subject to the regulations of this section shall be required to obtain a conditional use permit, in conformance with TMC 18.50.040, Conditional Use Permits.
- E. The definitions in this section apply throughout this Chapter unless the context clearly requires otherwise.
1. Any establishment where the business or activity of the facility includes the following:
 - a. Any exhibition, performance, dance or conduct of any type conducted in a premises where such exhibition, performance, or dance involves a person who is unclothed or in such costume, attire, or clothing as to expose any portion of the female breast below the top of the areola or any portion of the pubic region, anus, buttocks, vulva or genitals, or wearing any device or covering exposed to view which simulates the appearance of any portion of the female breast below the top of the areola or any portion of the pubic region, anus, buttocks, vulva or genitals, or human male genitals in a discernibly turgid state, even if completely and opaquely covered; or
 - b. Any exhibition, performance, dance or conduct of any type conducted in a premises where such exhibition, performance or dance is distinguished or characterized by a predominant emphasis on the depiction, description, simulation or relation to the following specified sexual activities:
 - 1). Human genitals in a state of sexual stimulation or arousal,
 - 2). Acts of human masturbation, sexual intercourse or sodomy, or
 - 3). Fondling or other erotic touching of human genitals, pubic region, buttocks or

- female breast; or
- 4). Any exhibition, performance, dance or conduct which is intended to sexually stimulate any member of the public and which is conducted on a regular basis or as a substantial part of the activities in these premises. This includes, but is not limited to, any such exhibition, performance, dance or conduct performed for, arranged with or engaged in with fewer than all members of the public on the premises at that time, for which payment is made, either directly or indirectly, for such performance, exhibition, dance or conduct and which is commonly referred to as table dancing, couch dancing, taxi dancing, lap dancing, private dancing or straddle dancing, or similar types of performances, exhibitions, dances or conduct.
 - c. Provided, however, that for the purposes of this Chapter, adult entertainment activities do not include the following: plays, operas, musicals, or other dramatic works that are not obscene; classes, seminars and lectures which are held for serious scientific or educational purposes and which are not obscene; or exhibitions, performances, expressions or dances that are not obscene.
 - d. Provided, further, that these exemptions shall not apply to the sexual conduct defined in TMC 05.14, Business License nor the sexual conduct described in [RCW 7.48A.010 \(2\)\(b\)\(ii\) and \(iii\)](#).
2. Any goods, products, commodities, or other wares, including but not limited to, videos, CD-ROMs, DVDs, magazines, books, pamphlets, posters, cards, periodicals or non-clothing novelties, which depict, describe or simulate specified anatomical areas or specified sexual activities.
 3. A retail establishment which, for money or any other form of consideration, either:
 - a. Has, as a primary part of its business, the purpose or function of selling, exchanging, renting, loaning, trading, transferring, and/or providing for viewing or use, off the premises, any adult oriented merchandise; or
 - b. Provides for, as its substantial stock in trade, the sale, exchange, rental, loan, trade, transfer, and/or provide for viewing or use, off the premises, any adult-oriented merchandise.

For the purposes of this Chapter, a “primary part of [a] business” includes, but is not limited to, instances where a business provides or has advertising displays, merchandise, or product information reasonably visible to customers and other persons within the business facilities that shows, displays, or otherwise depicts adult-oriented merchandise or other sexually oriented business activities. Provided, however, that it shall not be considered a “primary part of [a] business” if such display, merchandise, or product information is only reasonably visible from within a limited portion of the business facility screened from general view, taking up not more than 20 percent of the customer floor space, and where the access to the limited portion can be controlled to prevent accidental or incidental viewing of the display, merchandise, or product information by customers and other persons outside the limited portion of the business facilities.

Also, for the purposes of this Chapter, a “substantial stock in trade” refers to, but is not limited to, instances where 50 percent or more of the revenue generated by the business is derived from the sale, exchange, rental, loan, trade, transfer, and/or provision of adult-oriented merchandise; 50 percent or more of the inventory of the business is

adult-oriented merchandise; or 50 percent or more of the customers of the business buy, exchange, rent, borrow, trade, transfer, and/or shop for adult-oriented merchandise in or from the business.

4. Any device which, for payment of a fee, membership fee, or other charge, is used to view, exhibit, or display a film, videotape, or videodisc. All such devices are denominated in this Chapter by the terms “panoram” or “panoram device.” The terms panoram and panoram device as used in this Chapter do not include games which employ pictures, views, or video displays; or state-regulated gambling devices.
 5. Those uses and zoning designations where children are likely to congregate, including property zoned for residential use or any single-family or multifamily residential use; public or private elementary or secondary schools; day care facilities, nurseries, or pre-schools for children; churches or other facilities or institutions used primarily for religious purposes; and public parks or open spaces where children are likely to congregate.
 6. A business that includes, as a primary part of its business, any one or more of the following as defined herein: “adult entertainment facility,” “adult-oriented merchandise,” “adult retail use,” and/or “panoram”; or a similar facility, merchandise, or entertainment.
 7. Specified anatomical areas. Any of the following:
 - a. Less than completely and opaquely covered human genitals, anus, pubic region, buttock, or female breast below a point immediately above the top of the areola; or
 - b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
 8. Specified sexual activities. Any of the following:
 - a. Human genitals in a state of sexual stimulation or arousal; or
 - b. Acts of human masturbation, sexual intercourse, sodomy, oral copulation, or bestiality; or
 - c. Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts, whether clothed or unclothed, of oneself or of one person by another; or
 - d. Excretory functions as part of or in connection with any of the activities set forth in this subsection.
- F. If any portion of this section is deemed to be in conflict or inconsistent with any other provisions of the Tenino Municipal Code, including, but not limited to other sections of this Title, such other provisions shall be construed in conformity herewith; provided, that if such other provisions are not able to be so construed, the provisions of this section shall control, and such other provisions shall be deemed modified to conform herewith, for the purposes of this section only.

18B.40.110 Personal Wireless Telecommunications Facilities (PWTF).

- A. This Section addresses the issues of location and appearance associated with Personal Wireless Telecommunication Facilities (PWTF). It provides adequate siting opportunities through a range of locations and options, which minimize safety hazards and visual impacts sometimes associated with wireless communications technology. The

siting of facilities on existing buildings or structures, collocation of several providers' facilities on a single- support structure, and visual mitigation measures are encouraged to maintain neighborhood appearance and reduce visual clutter in the City. This ordinance is subject to periodic review and revision in accordance with the Comprehensive Plan.

B. Definitions.

1. **Antenna(s)**. Any system of electromagnetically tuned wires, poles, rods, reflecting discs or similar devices used to transmit or receive electromagnetic waves between terrestrial and/or orbital based points, includes, but is not limited to:
 - a. Whip antenna(s): An omni-directional antenna which transmits and receives radio frequency signals in a 360 degree radial pattern, typically four inches or less in diameter.
 - b. Panel antenna(s): A directional antenna which transmits and receives radio frequency signals in a specific directional pattern of up to 120 degrees, typically thin and rectangular in shape.
 - c. Tubular antenna(s): A hollow tube typically 12 inches in diameter containing either omni-directional or directional antennas, depending on the specific site requirement. Often used as a means to mitigate the appearance of antennas on top of light standards and power poles.
 - d. Parabolic (or dish) antenna(s): A bowl-shaped device for the reception and/or transmission of communications signals in a narrow and specific direction.
 - e. Ancillary antenna(s): An antenna that is less than 12 inches in its largest dimension and that is not directly used to provide personal wireless communications services. An example would be a global positioning satellite (GPS) antenna.
2. **Electromagnetic field (EMF)**. The field produced by the operation of equipment used in transmitting and receiving radio frequency signals.
3. **Equipment shelter**. The structure associated with a PWTF that is used to house electronic switching equipment, cooling system, and back-up power systems.
4. **Microcell**. A wireless communication facility consisting of an antenna that is either:
 - a. Four feet in height and with an area of not more than five-hundred eighty square (580) inches; or
 - b. If a tubular antenna, no more than twelve (12) inches in diameter and no more than six (6) feet length.
5. **Minor facility**. A wireless communication facility consisting of up to three (3) antennas, each of which is either:
 - a. Four (4) feet in length and with an area of not more than five-hundred eighty (580) square inches; or
 - b. If a tubular antenna, no more than twelve (12) inches in diameter and no more than six (6) feet in length; and the associated equipment cabinets that is six (6) feet or less in height and no more than forty-eight (48) square feet in floor area.
 - c. A whip antenna which is four (4") inches or less in diameter and no more than fifteen feet in length.
6. **Support structure**. Any built structure, including any guy wires and anchors, to which antenna and other necessary associated hardware is mounted. Support structures may include the following:

- a. **Lattice tower.** A support structure that consists of a network of crossed metal braces, forming a tower, which is usually triangular or square in cross-section.
 - b. **Guy tower.** A support structure such as a pole or narrow metal framework, which is held erect by, the use of guy wires and anchors.
 - c. **Monopole.** A support structure, which consists of a single steel pole sunk into the ground and/or attached to a concrete pad.
 - d. **Existing nonresidential structure.** Existing structures identified in this chapter to which a PWTF may be attached with certain conditions.
- C. The following are exempt from the provisions of this chapter and shall be permitted in all zones:
- 1. Industrial processing equipment and scientific or medical equipment using frequencies regulated by the Federal Communication Commission (FCC).
 - 2. Antennas and related equipment, no more than three (3) feet in length that are being stored, shipped, or displayed for sale.
 - 3. Facilities used for purposes of public safety, such as, but not limited to, police, hospitals, and the regional 911 system.
 - 4. Wireless radio utilized for temporary emergency communications in the event of a disaster.
 - 5. Licensed amateur (ham) radio stations.
 - 6. Satellite dish antennas less than two (2) meters in diameter, including direct to home satellite services, when used as a secondary use of the property.
 - 7. Personal wireless service facilities, which existed on or prior to adoption of this Title; except that this exemption does not apply to any modifications of existing facilities or any reporting requirements.
 - 8. Routine maintenance or repair of a personal wireless service facility and related equipment, (excluding structural work or changes in height or dimensions of antennas, towers, or buildings) provided that compliance with the standards of this ordinance are maintained
 - 9. Subject to compliance with all other applicable standards of this ordinance, a building permit application need not be filed for emergency repair or maintenance of a personal wireless service facility until thirty (30) days after the completion of such emergency activity.
 - 10. Automated Meter Reading Systems are permitted on utility poles provided any equipment mounted on the poles are less than fourteen (14”) inches x twelve (12”) inches x twelve (12”) inches for the structure and associated antennas are less than eighteen 18” from the structure. This exemption shall be allowed in all zoning areas; however, structures are allowed only on power poles for the intended use of the power poles owner and may not be leased to other users.
- D. PWTF Locations.
- 1. PWTFs may be conditionally permitted the following Land Use Districts:
 - a. Industrial; and
 - b. Public.
 - 2. **Existing Buildings and Structures.** In addition to the zoning districts identified in subsection D.1 above, PWTFs may also be placed on the following existing buildings and structures:

- a. Any tower currently used by a permitted PWTF; provided that the tower is in full compliance with all terms and conditions of its approval.
 - b. City water company water tanks; provided that only whip antenna, or panel antennas mounted on the side, which do not extend above the top of the tank, may be located on water tanks.
 - c. Microcell and minor facilities may be located on existing non-residential buildings located within one-hundred feet (100') of Sussex Street SE, Highway 99 SE (at the west end of the City) and Wichman Street SE in the commercial zone.
 - d. Existing light standards and power poles located in rights-of-way within one-hundred feet (100') of Sussex Street SE, Highway 99 SE (at the west end of the City) and Wichman Street SE, in the Commercial zone when the PWTF consists of a single whip not to exceed fifteen (15') feet in height or tubular antenna not to exceed six (6') feet in height and the equipment cabinet is appropriately screened for these types of PWTF; provided that the height of the light standard or power pole is not increased, but for the height of the antenna. The light standard or power pole must have existed, and not have been changed for a higher pole, for eighteen months prior to application.
- E. General Provisions.
1. PWTFs may be considered either principal or accessory uses. A different use of an existing structure on the same lot shall not preclude the installation of a PWTF on that lot.
 2. PWTFs are not considered essential public facilities as defined in the Growth Management Act and shall not be regulated or permitted as essential public facilities.
 3. The applicant must demonstrate that it is licensed by the FCC if it is required to be licensed under FCC regulations. The applicant, if not the telecommunications service provider, shall submit proof of lease agreements with an FCC licensed telecommunications provider if they are required to be licensed by the FCC.
 4. For purposes of determining whether the installation of a PWTF complies with development standards, such as, but not limited to, setback and lot coverage requirements, the dimensions of the entire lot shall control, even though a PWTF is located on a leased parcel within that lot.
 5. No wireless equipment shall be used for the purpose of mounting signs or message displays of any kind.
 6. PWTFs shall not be artificially lighted unless required by the Federal Aviation Authority (FAA) or other applicable authority.
 7. The City shall consider the cumulative visual effects of PWTFs mounted on existing structures and/or located on a given permitted site in determining whether the additional permits can be granted so as to not adversely effect the visual character of the City.
 8. All PWTF installations shall comply with all relevant provisions of the City of Tenino Design Standards.
 9. All applicants shall obtain a City of Tenino business license prior to issuance of any permits.
- F. All PWTFs shall be constructed, erected or built in accordance with Tenino Municipal Codes and with the following site development standards:

1. PWTFs, equipment, and equipment cabinets shall be screened or camouflaged through employing the best available technology. This may be accomplished by use of compatible materials, location, color, stealth technologies such as, but not limited to artificial trees and hollow flagpoles, and/or other tactics to achieve minimum visibility of the facility as viewed from public streets or residential properties.
2. PWTFs may be mounted on nonresidential buildings and structures with an Administrative Use Permit provided that the following conditions are met:
 - a. The PWTF consists of a microcell or a minor facility.
 - b. The combined antennas and supporting hardware shall not extend more than fifteen (15) feet above the roof structure, or existing light or utility poles. Antennas may be mounted to rooftop appurtenances provided they do not extend beyond fifteen (15) feet above the roof proper; and
 - c. The antennas are mounted on a building, light standard or power pole such that they are located and designed to minimize visual and aesthetic impacts to surrounding land uses and structures and shall, to the greatest extent possible, blend into the existing environment. Panel and parabolic antennas shall be completely screened.
3. New free-standing PWTFs, all non-exempt repair & maintenance, the expansion and/or alteration of existing PWTFs, and all other PWTFs not meeting the criteria for an Administrative Use Permit will require a Conditional Use Permit to be issued pursuant to the Planning Commission decision process (Type III) and shall conform to the following site development standards:
 - a. The applicant shall demonstrate that the PWTF tower is the minimum height required to function satisfactorily. No freestanding PWTF shall exceed forty-five (45) feet in height from the natural grade of the site. No freestanding PWTF that is taller than this height shall be approved. Height shall be measured to the top of the antenna(s).
 - b. Placement of a freestanding PWTF shall be denied if placement of the antennas, on an existing structure, can meet the applicant's technical and network location requirements;
 - c. Monopoles shall be the only freestanding structures allowed in the City;
 - d. A freestanding PWTF, including the support structure and associated electronic equipment, shall comply with all required setbacks of the zoning district in which it is located; EXCEPT when on a lot adjacent to a residential use or residentially zoned property, then the minimum setback from the property line(s) of the adjacent residential use(s) shall equal the height of the proposed facility.
 - e. Freestanding PWTFs shall be designed and placed on the site in a manner that takes maximum advantage of existing trees, mature vegetation, and structures so as to use existing site features:
 - 1). To screen as much of the total PWTF as possible from prevalent views; and/or
 - 2). As a background so that the total PWTF blends into the background with increased sight distances.
 - f. In reviewing the proposed placement of a facility on the site and any associated landscaping, the City may condition the application to supplement existing trees and mature vegetation to more effectively screen the facility;

- g. Support structures, antennas, and any associated hardware shall be painted a non-reflective color or color scheme appropriate to the background against which the PWTF would be viewed from a majority of points within its view-shed. Proposed color or color scheme to be approved by the City.
 - h. The Planning Commission shall conduct an open public hearing and review all Conditional Use Permits under this chapter.
 - i. The applicant has the burden of proving that the proposed facility meets all criteria and conditions of this chapter.
 - j. The Planning Commission may approve an application for a facility, approve with additional requirements to comply with the criteria of this chapter or approve with additional requirements or modifications to comply with local conditions not envisioned by the criteria of this chapter.
 - k. The Planning Commission shall deny an application for a facility if the proposal does not meet the criteria or cannot be conditioned or modified to meet the criteria of this chapter or cannot meet the criteria necessitated by local conditions.
4. Electronics equipment enclosures shall conform to the following:
- a. Screening of PWTF equipment enclosures shall be provided with one or a combination of the following: underground, fencing, walls, landscaping, structures, or topography which will block the view of the equipment shelter, as much as practicable, from any street and/or adjacent properties. Screening may be located anywhere between the enclosure and the above mentioned viewpoints. Landscaping for the purposes of screening shall be maintained in a healthy condition; and
 - b. No wireless equipment reviewed under this Section shall be located within required building setback areas.
5. Security fencing, if used, shall conform to the following:
- a. No fence shall exceed six (6) feet in height;
 - b. Security fencing shall be effectively screened from view through the use of appropriate landscaping materials; and
 - c. Chain-link fences shall be painted or coated with a nonreflective color, and shall have a minimum three (3) foot deep area to be planted with approved plant species in a manner that will completely screen the fencing.
- G. The intent of collocation is to encourage several providers to use the same structure to keep the number of PWTFs sites to a minimum as a means to reduce the overall visual effects throughout the community. The following procedures are required to further the intent of PWTF collocation:
- 1. A permit holder shall cooperate with other PWTF providers in collocating additional antenna on support structures and/or on existing buildings provided said proposed collocates have received a permit for such use at said site from the City. A permit holder shall allow other providers to collocate and share the permitted site, provided such shared use does not give rise to a substantial technical level impairment of the permitted use (as opposed to a competitive conflict or financial burden).
 - 2. A signed statement indicating that the applicant agrees to allow for the potential collocation of additional PWTF equipment by other providers on the applicant's structure shall be submitted by the applicant as part of the permit application. If an

- applicant contends that future collocation is not possible on their structure, they must submit a technical study documenting why.
3. PWTFs proposed for collocation on an existing support facility that do not involve an increase in height or expansion, may be permitted through an Administrative Use Permit, provided that the applicant can document that the existing support facility is in full compliance with the conditions of its approval.
- H. In instances where a PWTF is to be removed, the removal shall be in accordance with the following procedures:
1. The operator of a PWTF shall notify the City upon the discontinuance of a particular facility. The PWTF shall be removed by the facility owner within ninety (90) days of the date the PWTF is discontinued, it ceases to be operational, the permit is revoked, or if the facility falls into disrepair or is abandoned. Disrepair includes structural features, paint, landscaping, or general lack of maintenance which could result in safety or visual impacts; and
 2. If the provider fails to remove the facility upon ninety (90) days of its discontinued use, the responsibility for removal falls upon the landholder on which the facility has been located. If the landholder fails to remove the facility within ninety (90) additional days, the City may cause the facility to be removed at the owner's expense.
- I. Electromagnetic Field (EMF) Standards Compliance. All PWTFs shall be operated in compliance with the following standards:
1. The applicant shall comply with Federal standards for EMF emissions. Within six months after the issuance of its operational permit, and annually thereafter, the applicant shall submit a project implementation report which provides cumulative field measurements of radio frequency (EMF) power densities of all antennas installed at the subject site. The report shall quantify the EMF emissions and compare the results with established Federal standards. Said report shall be subject to review and approval of the City for consistency with the project proposal report and the adopted Federal standards. If on review, the City finds that the PWTF does not meet Federal standards, the City may revoke or modify the permit. The applicant shall be given a reasonable time based on the nature of the problem to comply with the Federal standards. If the permit is revoked, then the facility shall be removed.
 2. The applicant shall ensure that the PWTF will not cause localized interference with the reception of, but not limited to, area television or radio broadcasts. If upon review of a registered complaint the City finds that the PWTF interferes with such reception, the City may revoke or modify the permit. The applicant shall be given a reasonable time based on the nature of the problem to correct the interference. If the permit is revoked, then the facility shall be removed.
- J. Application Requirements. The Designee shall issue a written determination when an application has been determined to be complete. Applications for a PWTF shall be in a form prescribed by the City of Tenino and at a minimum shall contain the following information:
1. Photosimulations of the proposed facility from affected residential properties and public rights-of-way at varying distances;
 2. A site plan clearly indicating the location, type and height of the proposed PWTF, on-site land uses and zoning, adjacent land uses and zoning, adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the

- proposed tower, and any other proposed structures. A site elevation and landscaping plan indicating the specific placement of the facility on the site, the location of existing structures, trees, and other significant site features, and a complete description of all measures proposed to camouflage the facility, including the type and location of plant materials used to screen the facility, and the proposed color schemes for the facility and the method of fencing.
3. A signed statement indicating that;
 - a. The applicant and landowner agree they will diligently negotiate in good faith to facilitate co-location of additional personal wireless service facilities by other providers on the applicant's structure or within the same site location,
 - b. The applicant and/or landlord agree to remove the facility within ninety (90) days after abandonment,
 - c. A signed statement from the owner of the site accepting the ultimate responsibility for the removal of abandoned facilities.
 4. Copies of any environmental documents required by any federal agency. These shall include the environmental assessment required by FCC Paragraph 1.1307, or, in the event that an FCC environmental assessment is not required, a statement that describes the specific factors that obviate the requirement for an environmental assessment.
 5. Evidence of site control.
 6. A current map showing the location and service area of the proposed PWTF, a map showing the locations and service areas of other personal wireless service facilities operated by the applicant and those proposed by the applicant that are close enough to impact service within the City.
 7. Legal description of the parcel.
 8. The approximate distance between the proposed tower and the nearest residential unit or residentially zoned properties.
 9. A letter signed by the applicant stating the PWTF will comply with all FAA regulations and EIA Standards and all other applicable federal, state and local laws and regulations.
 10. Certification that the antenna usage will not interfere with other adjacent or neighboring transmission or reception functions.
 11. If the facility is proposed for location in the City right-of-way or other public property, evidence of bonding and insurance in amounts prescribed by the City.
 12. Prepare and submit a copy of an acceptable franchise agreement for those facilities permitted in City right-of-way or other public property that shall be executable prior to completion of final inspection.
 13. The application shall include documentation demonstrating compliance with the City of Tenino surface water requirements.
 14. If applicable, the applicant shall include documentation as to how the proposed facility meets the specific requirements of the City of Tenino Design Guidelines.
 15. Application for a City business license that shall be issued upon approval of the appropriate use permit, and annual renewal thereafter.
- K. Approved permits issued by the City for PWTFs shall be restricted by the following permit limitations:

1. A permit for a PWTF shall expire five (5)-years after the effective date of the permit approval. A permittee wishing to continue the use of a specific PWTF at the end of the five (5)-year period must apply for an application to continue that use at least six (6) months prior to its expiration. The renewal application will be under an Administrative Use Permit provided that no changes, modification or additions to the PWTF are proposed or that no new facilities were developed since the date of the original or renewal permit.
 2. Renewal applications that involve any changes, modifications or additions shall be processed as a new conditional use permit application and must conform to the development standards in place at the time the renewal application is deemed to be complete.
 3. An approved permit shall be valid for one (1) year from the date of the City's approval, with opportunity for a six (6)-month extension. If not used within one (1) year, or within the extension period, the permit shall become null and void.
- L. Assignment/Sublease. No facility, site or permit may be sold, transferred, assigned or sublet without written notification of and approval by the City. This notification shall include a statement acknowledging and accepting the terms and conditions of all permits issued for the site and/or facility, and
1. Documentation that the site/facility is currently in full compliance with its permits and applicable City ordinances.
 2. A statement assuring ongoing compliance with all permits and applicable City ordinances.
- M. It is the policy of the City of Tenino that applicants pay the full cost associated with processing an application.
1. The fees are established for all PWTF applications based on the adopted fee schedule for the required type of application.
 2. In addition to the application fee, the applicant shall reimburse the City for costs of professional engineers and other consultants hired by the City to review and inspect the applicant's proposal when the City is unable to do so with existing in-house staff. These professional services may include but are not limited to: engineering, technical reviews, legal, planning, environmental review, critical areas review, financial, accounting, soils, mechanical and structural engineering. In the event that a project requires special staff analysis beyond that which is included in the base fee, the applicant shall reimburse the City at the adopted fee schedule staff rate for the staff conducting the review. The City may require the applicant to deposit an amount with the City to cover anticipated costs of retaining professional consultants or performing special staff analysis.
- N. Appeals are based on the application process type pursuant to TMC 18.40.070, Process Types Table 1.

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