

# **TUMWATER GENERAL GOVERNMENT COMMITTEE**

## **MINUTES OF VIRTUAL MEETING**

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**CONVENE:** 2:00 p.m.

**PRESENT:** Chair Michael Althaus and Councilmembers Joan Cathey and Leatta Dahlhoff.

Staff: Community Development Director Michael Matlock and Planning Manager Brad Medrud.

### **APPROVAL OF MINUTES: GENERAL GOVERNMENT COMMITTEE, - APRIL 13, 2022:**

**MOTION:** Councilmember Cathey moved, seconded by Councilmember Dahlhoff, to approve the General Government Committee meeting minutes of April 13, 2022 as published. A voice vote approved the motion unanimously.

### **PRELIMINARY DOCKET FOR 2022 ANNUAL HOUSEKEEPING AMENDMENTS:**

Manager Medrud reported the proposed amendments are intended to address minor changes to the code that do not warrant an individual ordinance. The process as outlined in Tumwater Municipal Code (TMC) 18.60.025(A) addresses housekeeping amendments for the Tumwater Development Code. Other housekeeping amendments under the same TMC 18.60.025(A) process will be considered jointly with the development code final docket in the fall.

Manager Medrud reviewed the proposed amendments within the development code housekeeping preliminary docket:

#### **A. Accessory Dwelling Unit Entrances**

Addresses accessory dwelling unit primary entrance language. Accessory dwelling unit (ADU) shall be designed to maintain the appearance of the main building of the single-family residence. In some cases, it is not possible for the primary entrance to an accessory dwelling unit not to be visible from the yard on the same side of the lot on which the primary entrance to the primary single-family dwelling unit is located. The amendment would change this from a requirement to an option.

*Councilmember Dahlhoff commented that she considered the requirement an issue in terms impeding accessibility for seniors who may reside in an accessory dwelling unit. Manager Medrud agreed that the entrance to an ADU that is clear and provides the shortest path is much more preferable rather than design features that might be gained by hiding an entrance. The code includes other mechanisms to address those types of issues.*

#### **B. Adult Family Homes/Residential Care Facilities**

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Addresses consistency of adult family home and residential care facilities as permitted and conditional uses with state law and internally in TMC Title 18 Zoning in individual zone districts and TMC 18.53 *Housing for the Functionally Disabled*.

*Councilmember Cathey supported the proposal as it permits those types of uses within residential districts as requiring the use in an industrial zone would inhibit occupants from seeking help or assistance if needed.*

*Chair Althausen asked whether residential care facilities include childcare facilities. Manager Medrud said childcare is considered within another use category with two levels dependent upon the number of children in a facility.*

#### **C. Bicycle Storage**

Clarifies whether residential uses require one long-term bike storage spot per unit one per four units as shown in the table at the end of TMC 18.50 Off-Street Parking. TMC 18.50.120 *Required bicycle facilities* and TMC Figure 18.50.120(A) establish bicycle parking spaces requirements for both short-term (Class 2) bicycle facilities and long-term (Class 1) bicycle facilities.

#### **D. Capitol Boulevard Community – Multifamily Parking Requirements**

Removes one parking space per dwelling unit limit for multifamily dwellings in the Capitol Boulevard Community to relieve off-street parking impacts on adjacent neighborhoods.

#### **E. Car Washes**

Adds “carwash” to General Commercial uses through an amendment to the Title 17 *Zoning* definitions, instead of a specifically listed use.

*Chair Althausen asked for clarification as to whether the code currently allows car washes as an accessory use with a gas station. Manager Medrud said that within the current definition of “automobile service stations” in section 18.04, car washes are not included as an accessory use. The proposal would include a car wash as an accessory use within an automobile service station.*

#### **F. Impound Yards (new addition)**

Impound yards are regulated by state code and limit the time a car can be retained in the yard up to 30 days. An impound yard is not considered a ‘wrecking yard’ as defined by state law. Impound yards serve as a storage area for vehicles only. The proposal adds the use to industrial zones as the City currently does not allow impound yards in the City.

#### **G. Mixed Use Overlay**

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Clarifies the intent of TMC 18.33 *MUO (Mixed Use Overlay)* to require commercial or office uses along primary roadways rather than 20% of every building.

#### **H. Nonconforming Signs**

Addresses a conflict in nonconforming signs requirements in TMC 18.44.090 *Existing signs* in TMC 18.44 *Signs*.

#### **I. Optometry Clinics**

Addresses “optometry clinics” use, which does not fit well with either the existing “medical clinic” use or “professional services” use. Creates new “optometry clinics” use with a new definition in TMC 18.04.150 and adds as a permitted use in zone districts currently allowing medical facilities and offices.

#### **J. Personal and Professional Services**

For consistency and understanding, the proposal splits “personal and professional services” into “personal services” and “professional services” and removes “personal and professional and services and sales” from the TMC 18.07.020 Table Commercial zone districts as permitted and conditional uses – Summary Tables of Uses.

#### **K. Public Building Signs**

Adds exemptions for the size and number of signs for public buildings located in residential zone districts, such as schools.

*Councilmember Dahlhoff asked whether the proposal would be applicable to churches located in residential zone districts. Manager Medrud advised that the change pertains to public buildings as a broader category. Churches would be an appropriate use within that category. However, the proposal would not allow flashing electronic signs.*

#### **L. Residential Mechanical Equipment in Setbacks**

Allows “residential mechanical equipment” in the three single-family zone districts rear setbacks.

#### **M. Residential Storage Sheds – Gravel Access**

Addresses driveway surface for residential storage sheds. Currently, if a residential property owner wants to build a detached storage shed on a property having a gravel driveway, TMC 18.50.020(A)(1) requires compliance with the current parking regulations. In this case, TMC 18.50.030(B) requires residential property owner to convert the driveway to a hard surface.

#### **N. Subdivision Dedication Code Language Update**

Updates the subdivision dedication code language to change “men” to “persons.”

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Manager Medrud reported on one additional addition since the review of the proposed list with the Planning Commission. When the City changed the code to address housing affordability by allowing duplexes in single family residential zones, the change allowed for the development of duplexes up to a maximum of 20% of a short plat or a preliminary plat with the remaining developed as single family units and up to 30% in multifamily medium density zone districts. Permitting staff have encountered proposals for building duplexes on an existing lot within a residential zone, which does not allow duplexes. Staff is examining a potential change to allow duplexes to be built on an existing lot. *Manager Medrud responded to a question about the difference between a townhouse with two units and a duplex. A duplex is located on a single lot consisting of two units owned by one owner while a townhouse is considered two separate lots with the property line along the dividing wall of the two townhouses that are separately owned. Councilmember Cathey said she believes the example she cited is a duplex on one lot under one ownership with two units resembling a townhouse.*

Manager Medrud requested the committee consider scheduling the proposal for inclusion on the consent calendar for consideration by the City Council on June 21, 2022.

Additional proposed amendments falling outside of the Tumwater Development Code include:

#### **O. Sidewalks – Obstructions, Maintenance, and Repair**

The proposal clarifies which owners are responsible for ongoing maintenance and repair of sidewalks. Currently, neither the TMC nor Tumwater Development Guide addresses the issue. Staff plans to review the proposal with the Public Works Committee for review.

#### **P. Staff Reports for Hearing Examiner - Schedule**

The hearing examiner has asked to change the date when staff reports must be available from five working days prior to the public hearing to seven days.

#### **Q. Traffic Study Requirements**

TMC Title 12 addresses the threshold for a required traffic study as part of a development project. The proposal would require generation of a traffic study when a specific number of trips are generated in one direction.

*Councilmember Cathey asked whether staff has considered any requirements within traffic studies addressing the environment. Manager Medrud said the environment is included within the SEPA process. Projects are evaluated in terms of impacts to air and other environmental factors. Traffic studies are focused on transportation impacts, such as volume of trips and direction of trips rather than pollution generated by traffic trips.*

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*Councilmember Cathey asked whether studies consider the type of vehicles. Manager Medrud affirmed studies consider truck and diesel impacts in addition to trips.*

Manager Medrud reviewed timing for the next steps:

- Briefing on the Final Docket and Other Housekeeping Amendments with the Planning Commission on September 13, 2022
- City Council Worksession – September 27, 2022
- Planning Commission Public Hearing – October 11, 2022

Chair Althausen cited contact by a community member about confusion with the code for fencing because of different height limitations within fencing provisions that were unclear on how accurately to measure the height and whether the maximum height of a retaining wall is measured from a brick embedded in the ground rather than from bricks located above ground. Manager Medrud advised that fencing provisions are within the zoning code. He recommended directing questions to permitting staff. Retaining wall heights are more complicated as walls above a specific height trigger a requirement for a building permit. Fencing requirements also address visibility on corners, front yard fencing, and wildlife.

Director Matlock added that a permit for fencing is only required when height is over six feet in height, which also requires a building permit.

**CONSENSUS:**

**The General Government Committee supported forwarding the Preliminary Docket for 2022 Annual Housekeeping Amendments for placement on the consent calendar on June 21, 2022 for City Council consideration.**

**URBAN FORESTRY  
MANAGEMENT  
PLAN – TREE  
PRESERVATION  
REGULATION  
CONTRACT:**

Manager Medrud presented the scope of work for the consultant contract to update the tree preservation ordinance as part of the actions included within the Urban Forestry Management Plan. Staff released a Request for Proposal (RFP) in March 2022 with no submittals. Following discussions with the City Attorney, staff contacted a firm and through mutual discussions, a contract and scope of work were developed. The effective date is August 1, 2022.

Manager Medrud reported the scope of work is similar to prior reviews as part of the RFP process. The scope includes project administration with staff working with the consultant, development of the public engagement plan to include identification of internal and external stakeholders, implementation of the plan to include an online open house in addition to stakeholder meetings, and reviewing and proposing changes to the code. The schedule includes 10 meetings with the Tree Board, Planning Commission, and the City Council throughout the update process. Staff proposes forwarding the

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contract for the Council's consideration at its next meeting on the consent calendar.

Councilmember Cathey asked whether the Council's determination for tree preservation policies would be based on stakeholder feedback. Manager Medrud advised that to develop the ordinance and present a proposal it would be important to have an outreach process with a variety of interests and well as inclusion of those responsible for ongoing maintenance and preservation of trees, the development community, and other interests to ensure proposed solutions are workable. The intent of the process is to improve the process and reduce the need for issuing development waivers for trees. It is important to involve as many voices as part of the process with the final decision by the Council.

Councilmember Cathey asked whether the update pertains only to tree preservation. Manager Medrud explained that staff has released the street tree update RFP with no responses received. Staff is undertaking a similar process with a potential consultant as the update is funded by grant funds received from the Department of Natural Resources. Landscaping codes are scheduled for an update later in the year.

Councilmember Cathey said it appears the proposal is a lengthy process to discuss issues with different interests that the Council has strived over many years to change.

Discussion ensued on the timeline of the schedule with some concerns that the schedule might be too accelerated. Manager Medrud responded to the concerns and explained how the process will evolve with flexibility to accommodate timing changes.

Councilmember Cathey requested examples of other jurisdiction's tree preservation codes that have been recently revised. Manager Medrud said other examples of tree protection plans and requirements will be reviewed as part of the update process. He encouraged members to visit the Municipal Research and Service Center website as the site includes a page devoted to urban forestry and tree preservation providing information on other plans and approaches to tree preservation. Another aspect of contracting with a consultant is the experience and expertise the firm has working with other jurisdictions and on other approaches for tree protection. Manager Medrud said he would forward a link to the website to the Council.

Manager Medrud shared information on the involvement of several departments during the review process to include the City's new Sustainability Coordinator. He added that the scope of work will include a series of dates that will be based on the development of the public participation plan.

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**CONSENSUS:**                **The General Government Committee supported forwarding the Tree Preservation Regulation Contract to the City Council as part of the consent calendar during the June 21, 2022 meeting.**

**ADJOURNMENT:**        **With there being no further business, Chair Althausen adjourned the meeting at 3:00 p.m.**

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