ORDINANCE NO. O2026-017

AN ORDINANCE of the City Council of the City of Tumwater, Washington, amending Chapter 3.30, *Multifamily Housing Tax Exemptions*, of the Tumwater Municipal Code to extend the program deadlines as more particularly described herein.

WHEREAS, Chapter 84.14 RCW authorizes the City to designate residential targeted areas and adopt standards and guidelines to implement a multifamily housing tax exemption program; and

WHEREAS, the City adopted Chapter 3.30 TMC, Multifamily Housing Tax Exemptions, by Ordinance No. O2017-004 on April 18, 2017, and amended by Ordinance No. O2019-023 adopted January 21, 2020; and

WHEREAS, the City wishes to extend the program to provide time for City Council and staff to complete the work on the Multifamily Tax Exemption Program evaluation and update; and

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

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

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

WHEREAS, this Ordinance was sent to the Washington State Department of Commerce on August 28, 2026, at least sixty days before the proposed code amendments were adopted, in accordance with RCW 36.70A.106; and

WHEREAS, an Environmental Checklist for a non-project action was prepared under the State Environmental Policy Act (Chapter 43.21C RCW), pursuant to Chapter 197-11 WAC on August 28, 2026, and a Determination of Non-Significance (DNS) was issued on September 9, 2026; and

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

WHEREAS, the Planning Commission received a briefing on the proposed code amendments on September 22, 2026, and held a public hearing on October 13, 2026; and

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

WHEREAS, the General Government Committee discussed the Planning Commission's recommendation on the proposed code amendments at a briefing on October 21, 2026; and

WHEREAS, the City Council considered the proposed code amendments on November 2, 2026; and

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

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

Section 1. TMC 3.30.130, Application deadline and program expiration, of the Tumwater Municipal Code is hereby amended to read as follows:

3.30.130 Application deadline and program expiration.

A. Applications for the multifamily housing tax exemption program will not be accepted after December 31, 2027. Applications for final certificate of tax exemption will not be accepted after December 31, 2030.

B. The multifamily housing tax exemption program, this chapter, shall expire March 31, 2043.

(Ord. O2017-004, Added, 04/18/2017)

Section 2. Corrections. The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 4. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph,

subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 5. **Effective Date**. This Ordinance shall become effective thirty days after passage, approval, and publication as provided by law.

ADOPTED this _____day of _____, 2026.

CITY OF TUMWATER

_____
Leatta Dahlhoff, Mayor

ATTEST:

_____
Melody Valiant, City Clerk

APPROVED AS TO FORM:

_____
Karen Kirkpatrick, City Attorney

Published:_____

Effective Date:_____