



CITY OF TUMWATER PLANNING COMMISSION MEETING
DEVELOPMENT REVIEW CASE STUDY MEMORANDUM
September 27, 2022

Background

The Planning Commission discussed the scope of a new board member and continuing education training program for the Commission at their February 8 and 22, 2022 meetings. One continuing education component of the training program focused on the City's development review process. At their July 12, 2022 meeting, the Commission discussed the current structure of the City's development review process.

The next step is connecting the information on the City's development review process to a specific development review project. This will be done through a discussion of the Forest Park Townhomes project.

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Attachments

- A1. Hearing Examiner Decision 10-13-2021
- A2. Final Staff Report 09-15-2021
- A3. Aerial Map 08-23-2021
- A4. Variance Request Letter 07-23-2021
- A5. Preliminary Plat and PUD Map 08-02-2021
- A6. Preliminary Plat PUD and Variance Notice of Application Amended with DNS and Plat Map 08-12-2021
- A7. Formal Site Plan (TUM-15-0298) Original Tree Protection Plan 06-23-2015
- A8. Formal Site Plan Approval (TUM-15-0298) 03-04-2016
- A9. Site Development and Grading Permit (TUM-20-0350) Tree Protection Plan - Peer Review 06-26-2020
- A10. Site Development and Grading Permit (TUM-20-0350) Approved Landscape Plans 03-19-2021

I. Project Reviewed

A summary of the project is found below.

1. Forest Park Townhomes – Starlight Lane SW

Preliminary Plat, Planned Unit Development, and Variance

The Tumwater hearing examiner approved the Preliminary Plat, Planned Unit Development, and Variance applications for Forest Park Townhomes after an open record public hearing on June 24, 2021. There were no appeals of the hearing examiner decision. See the hearing examiner decision (Attachment A1) and the staff report (Attachment A2) for more detail.

The applicant requested approvals of a Preliminary Plat (TUM-21-0046), a Preliminary Planned Unit Development (TUM-21-0117) for private internal roads, and a Variance (TUM-21-1231) from required zoning setbacks and required open space area requirements. See the Variance request letter (Attachment A4) for more detail. The applications resulted in an approval that subdivided

a 7.73-acre parcel into 22 multifamily family lots totaling 67 dwelling units, with four open space tracts (Tracts A – D) and one private roadway tract (Tract E). See the Preliminary Plat and PUD map (Attachment A5).

The City approved the original development application for the site under Site Plan Review (TUM-15-0298) on March 4, 2016. See the Formal Site Plan Approval letter (Attachment A8) for more detail. The City approved a Site Development and Grading Permit (TUM-20-0350) on March 30, 2021 and site construction started in the spring of 2021.

Improvements started under Site Development and Grading Permit (TUM-20-0350) include mass grading for private roads and lot pads, construction of frontage improvements on Ridgeview Loop SW abutting the east side of the project site, extension of City water and sewer utilities to serve the project, stormwater systems to treat and detain/retain stormwater generated from new pollution generating impervious surfaces, street lighting, and extension of private utilities (i.e. power, gas, cable and telephone). See the approved landscape plans for the Site Development and Grading Permit (Attachment A10) for more detail.

Subsequently, the applicant decided to subdivide the original 7.73-acre parcel (Thurston County Tax Parcel No. 5520-12-00000) that contained the approved project into 22 multifamily family lots totaling 67 dwelling units, four open space tracts (Tracts A – D), one private roadway tract (Tract E), and utility easements as part of the Preliminary Plat (TUM-21-0046). Findings and approvals issued for the original development were incorporated into the Preliminary Plat, Planned Unit Development, and Variance.

The Preliminary Plat (TUM-21-0046) application was submitted on December 31, 2020, the Preliminary Planned Unit Development (TUM-21-0117) application was submitted on January 14, 2021, and the Variance (TUM-21-1231) application was submitted on July 29, 2021.

The Preliminary Plat and Preliminary Planned Unit Development applications were deemed complete on May 13, 2021. The Variance (TUM-21-1231) application was deemed complete on July 30, 2021.

Under TMC 2.58.090, review authority for the Preliminary Plat, the Preliminary Planned Unit Development, and the Variance applications fall under the purview of the Hearing Examiner.



Figure 1. Forest Park Townhomes (2022)

a. Project Location

The property was located at 1653 Starlight Lane SW, Tumwater, WA 98512 off Ridgeview Loop SW. The site was on Thurston County Tax Parcel No. 5520-12-00000.

b. Existing Conditions

The property was vacant.

The topography of the property was hilly with steep slopes. The site was mostly forested before site construction started in the spring of 2021.

c. Project Permit/Approvals Issued

The following permits and approvals had been issued for the project prior to the submittal of the Preliminary Plat, the Preliminary Planned Unit Development, and the Variance applications:

1. State Environmental Policy Act (SEPA) threshold determination (TUM-15-0726) on January 7, 2016
2. Site Plan Approval (TUM-15-0298) on March 4, 2016
3. Landscape Plan Approval as part of the Site Development/Grading Permit (TUM-20-0350) on March 19, 2021
4. Site Development/Grading Permit (TUM-20-0350) on March 30, 2021
5. Sign Permit (TUM-21-0592) on April 20, 2021
6. Blasting Permit (TUM-20-1394) on November 24, 2020
7. Retaining Wall and Rockery Wall Permits (TUM-20-0905 on September 15, 2020 and TUM-21-0598 on April 22, 2021)
8. National Pollutant Discharge Elimination System (NPDES) Construction Stormwater General Permit

d. SEPA Determination

As provided by RCW 43.21C.240 and WAC 197-11-158, the City as lead agency determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the applicable development regulations and comprehensive plan adopted under RCW 36.70A and in other local, state, or federal laws or rules. Therefore, the proposal was not likely to have a probable significant adverse impact on the environment. An Environmental Impact Statement was not required under RCW 43.21C.030(2)(c), and the lead agency did not require additional mitigation measures under SEPA.

The decision was made after review of a completed environmental checklist and other information on file with the lead agency as part of the State Environmental Policy Act (SEPA) threshold determination (TUM-15-0726) issued January 7, 2016.

The scope and impacts of the proposed Preliminary Plat (TUM-21-0046), Preliminary Planned Unit Development (TUM-21-0117), and Variance (TUM-21-1231) approvals are addressed by the State Environmental Policy Act (SEPA) threshold determination (TUM-15-0726) issued January 7, 2016.

e. Regulatory Framework

See the staff report (Attachment A2) for an evaluation of the regulatory framework for the project.

f. Public Notification

Public notification for the September 29, 2021 public hearing was mailed to property owners within 300 feet of the subject property and various agencies, posted on-site, and published in *The Olympian* on September 17, 2021, in conformance with Tumwater Municipal Code (TMC) 14.06.

g. Staff Recommendation

Pursuant to TMC 2.58.110, staff recommended approval of the Preliminary Plat, Preliminary Planned Unit Development, and Variance application with 73 conditions addressing stormwater, construction, water and sewer service, and other items. See the staff report (Attachment A2) for more detail.

h. Hearing Examiner Decision

See the hearing examiner decision (Attachment A1) for the hearing examiner's evaluation of the application and decision.

II. Basis for Development Review



Figure 2. Foundation for Development Review

III. Development Review

State laws, City plans, policies, codes, and regulations have been enacted that establish the following:

- Deciding how and where we will grow
 - Providing areas for new housing and jobs
- Separating incompatible land uses
- Providing for essential public facilities
- Supporting affordable housing and other City goals
- Establishing timelines for review and vesting requirements

- Protecting the environment
 - Streams and wetlands
 - Wildlife
 - Trees and open space
 - Climate Change
- Moving people and goods efficiently with multiple modes of travel

The next step is the application of plans, policies, codes, and regulations in Figure 1 to a specific project proposal.

IV. Public Input

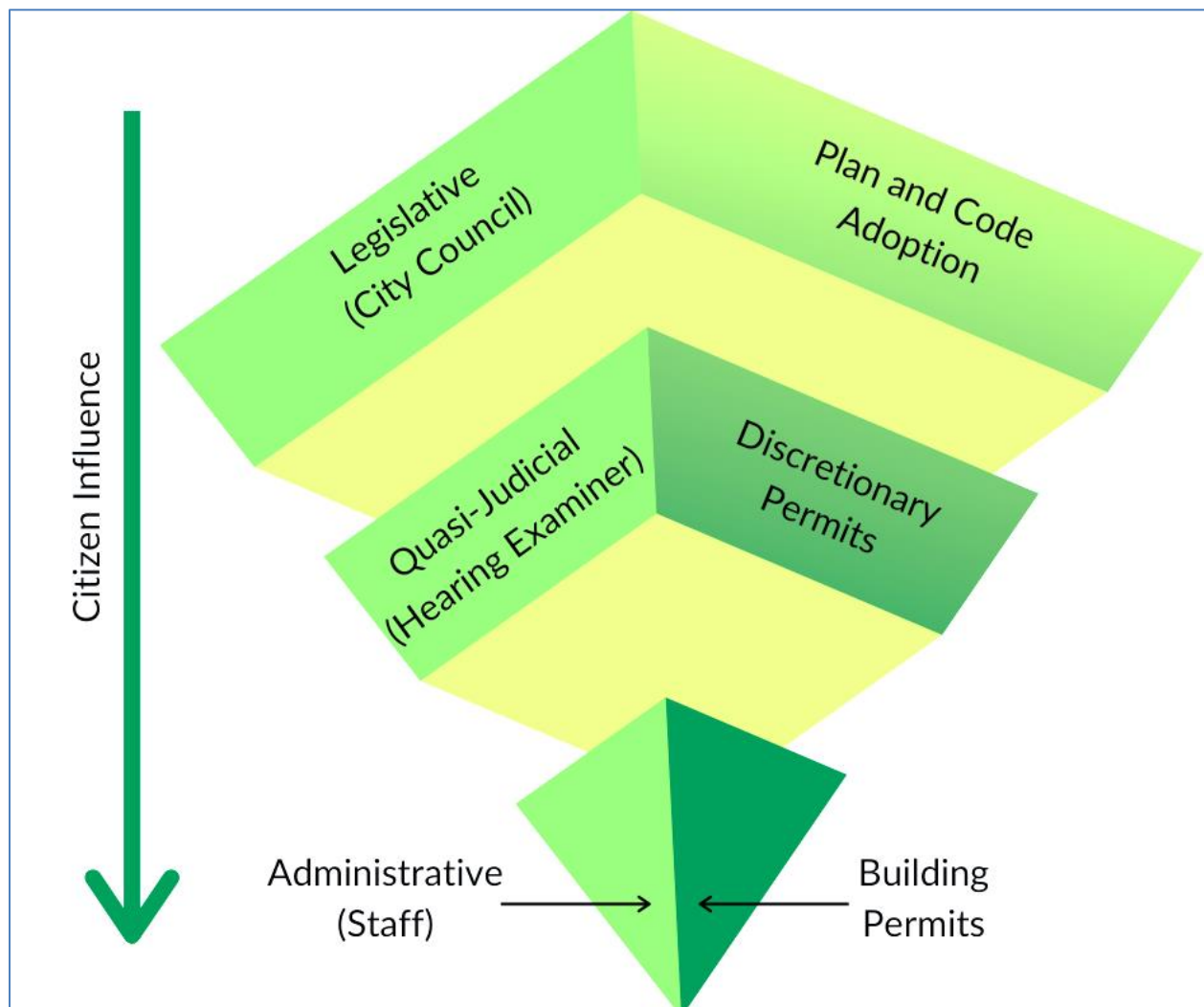


Figure 3. Citizen Input Diagram

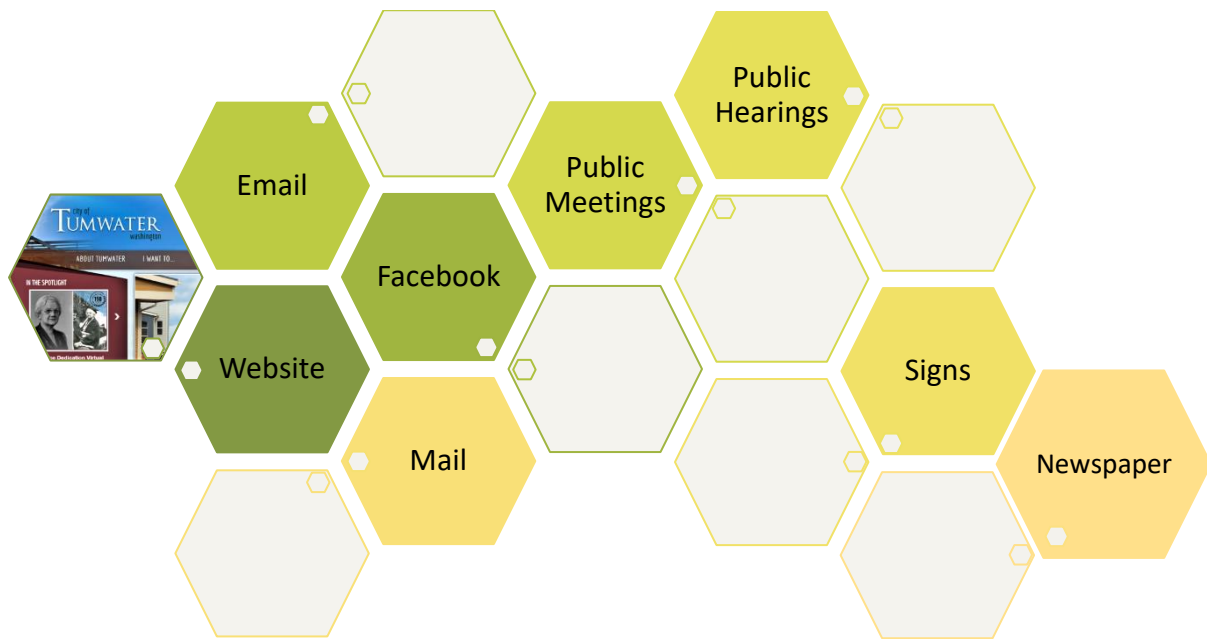


Figure 4. Opportunities for Public Engagement

V. City Development Review Information and Contacts

Permitting and Building Division Website

<https://www.ci.tumwater.wa.us/departments/community-development/permitting-building>

Notice of Applications and SEPA Determinations

<https://www.ci.tumwater.wa.us/departments/community-development/permitting-building/notice-of-applications-sepa-determinations>

Development Review Committee (DRC) Meetings and Agendas

<https://www.ci.tumwater.wa.us/departments/community-development/permitting-building/development-review>

Zoning Maps

<https://www.ci.tumwater.wa.us/departments/community-development/zoning>

Municipal Code

<https://www.codepublishing.com/WA/Tumwater/>

Community Development Department Contacts

- Community Development Department (360) 754-4180
- Tami Merriman, Permit Manager, tmerriman@ci.Tumwater.wa.us
- Alex Baruch, Associate Permit Planner, ABaruch@ci.tumwater.wa.us
- Al Christensen, Building and Fire Safety Official, achristensen@ci.Tumwater.wa.us
- Michael Matlock, Community Development Director, mmatlock@ci.Tumwater.wa.us
- Brad Medrud, Planning Manager, bmedrud@ci.Tumwater.wa.us

Appendix 1 – City Application, Review, and Approval Process

Development Review Committee

The City's Development Review Committee is composed of members of the Permit Division, Building Division, Development Engineering, and the Director of Community Development Department. The primary purpose of the DRC is to conduct preapplication conferences, make determinations on issuance of project permits, and Community Development Department staff recommendations where the hearing examiner is charged with approval authority.

Consolidated Development Application and Review

The City has a consolidated development application and review process, which integrates development permit and environmental review processes to avoid the duplication of the review processes.

Exempt Actions

The following actions are exempt from the project permit application process:

- Zoning code text amendments
- Adoption of development regulations and amendments
- Area-wide rezones to implement new City policies
- Adoption of the comprehensive plan and any plan amendments
- Annexations
- Certificates of appropriateness
- Landmark designations
- Street vacations
- Street use permits

Under state law building permits, boundary line adjustments, and other construction permits, or similar administrative approvals which are categorically exempt from environmental review under SEPA (Chapter 43.21C RCW), or permits and approvals for which environmental review has been completed in connection with other project permits are exempt from the following procedures:

- Determination of completeness
- Notice of application, except as provided in TMC 14.06.010(B)
- Except as provided in RCW 36.70B.140, optional consolidated project permit review processing

- Joint public hearings
- Single report stating all the decisions and recommendations made as of the date of the report that do not require an open record hearing
- Notice of decision
- Completion of project review within any applicable periods including the 120-day permit processing time

Project Permit Application

Applications for project permits are submitted upon forms provided by the City. An application need to consist of all materials required by the City's development guide and other applicable development regulations, and include the following general information:

- A completed project permit application form and site plan checklist
- A verified statement by the applicant that the property affected by the application is in the exclusive ownership of the applicant, or that the applicant submitted the application with the consent of all the owners of the affected property
- A property and/or legal description of the site for all applications, as required by the applicable development regulations
- The applicable fee
- Evidence of adequate water supply
- Evidence of sewer availability, or approval and authorization to construct a community or individual sewer or septic system

Additional information may be required depending on the type of project permit.

Table 1. Project Review Processes

General Project Step	Specific Action	General Time	Public Notice	Notes
1. Pre-Application Review	<i>a. Feasibility Review</i>	First step in pre-application review process	<p>Application may be submitted at any time and are scheduled for consideration at the next available meeting.</p> <p>The Development Review Committee typically meets weekly on Thursdays for pre-application reviews. Meetings are open to the public, but public comment is not taken. Agendas can be found here: https://www.ci.tumwater.wa.us/departments/community-development/permitting-building/development-review</p>	<p>Optional preapplication meeting between applicant and Development Review Committee (DRC)</p> <p>Community Development Department staff review limited to verbal, nonbinding comments.</p>
	<i>b. Preliminary Review</i>	Typically occur after a feasibility review	<p>Application may be submitted at any time and are scheduled for consideration at the next available meeting.</p> <p>The Development Review Committee typically meets weekly on Thursdays for pre-application reviews. Meetings are open to the public, but public comment is not taken. Agendas can be found here: https://www.ci.tumwater.wa.us/departments/community-development/permitting-building/development-review</p>	<p>Required for most permits, this is the first stage of a preapplication meeting between applicant and Development Review Committee (DRC)</p> <p>Intended to analyze an applicant’s initial development proposal, usually based on information received from a feasibility review.</p> <p>The preliminary review is the initial review of development proposal documents to identify potential problems and develop the preliminary proposal toward submittal of the project permit application.</p>
	<i>c. Formal Review</i>	Typically occur after a preliminary review	<p>Application may be submitted at any time and are scheduled for consideration at the next available meeting.</p> <p>The Development Review Committee typically meets weekly on Thursdays for pre-application reviews.</p>	<p>Required for most permits, this is the second and final preapplication meeting between applicant and Development Review Committee (DRC).</p>

			<p>Meetings are open to the public, but public comment is not taken. Agendas can be found here: https://www.ci.tumwater.wa.us/departments/community-development/permitting-building/development-review</p>	<p>Intended to provide feedback and additional guidance to applicants on how effectively they have incorporated information received during the preliminary review into their development proposal.</p> <p>The formal review is an evaluation of a development proposal to determine suitability for submittal of the project permit application.</p>
2. Project Review	<i>a. Application Submittal</i>	After required preapplication meetings are complete		
	<i>b. Determination of Completeness</i>	Process complete 28 days or sooner after formal application submittal	<p>City issues a written determination that an application is complete or not complete to the application. If the application is not complete, the applicant has 90-days to submit the required information and the City has a further 14-day period to review for completeness.</p> <p>If an application is complete, the City issues the public Notice of Application in the next step.</p>	<p>The City is required by state law to review application submittals within 28-days of submittal to determine if the application submittal is ready for review.</p> <p>If an application is determined to be complete, it triggers vesting.</p> <p>The determination of completeness may be made when the application is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently.</p> <p>The determination of completeness does not preclude the City from requesting additional information or studies at the time of the notice of completeness or at some later time, if new</p>

				information is required or where there are substantial changes in the proposed action.
	<i>c. Notice of Application</i>	<p>Notice must be issued within 14 days of the Determination of Completeness being made</p> <p>Notices of application have to be issued at least 15 days prior to an open public hearing.</p>	<p>A Notice of Application is issued for all project permit applications for which the Tumwater Hearing Examiner has decision making authority or SEPA review is required</p> <p>Notices can be found here: https://www.ci.tumwater.wa.us/departments/community-development/permitting-building/notice-of-applications-sepa-determinations</p> <p>Notices are required to be published, posted, and mailed to all property owners within 300 feet of the project agencies with jurisdiction, and parties of record.</p>	<p>The City is required by state law to complete its review of the project applications 120-days after the date of the determination of completeness, unless the “clock is stopped” to request more information from the applicant.</p>
	<i>d. Project Review</i>	<p>120 days or sooner after the Determination of Completeness is made</p>	<p>Projects subject to hearing go to the next step.</p> <p>For projects that do not require a hearing, written notice of final decisions are required to be sent to the applicant and parties of record within 120 days of the date of the complete application.</p>	<p>The City is required by state law to complete its review of the project applications 120-days after the date of the determination of completeness, unless the “clock is stopped” to request more information from the applicant.</p> <p>The Development Review Committee reviews the application materials for consistency with applicable regulations and the Comprehensive Plan.</p> <p>The City also completes an initial SEPA review for applications that are not categorical exempt.</p>

				See the Specific Municipal Code Requirements – Development Review section below for more details on potentially applicable regulations.
	<i>e. Open Record Hearing</i>		Public notice of the open record hearing are required to be published, posted, and mailed to all property owners within 300 feet of the project, agencies with jurisdiction, and parties of record at least ten days prior to the hearing. Written notice of final decisions are required to be sent to the applicant and parties of record within 120 days of the date of the complete application.	A hearing conducted by primarily by the hearing examiner, which creates the record through testimony and submission of evidence and information. An open record hearing may be held prior to a decision on a project permit to be known as an “open record predecision hearing.” An open record hearing may be held on an appeal, to be known as an “open record appeal hearing,” if no open record predecision hearing was held on the project permit.
	<i>f. Closed Record Hearing</i>		Public notice of the closed record hearing are required to be published, posted, and mailed to all property owners within 300 feet of the project, agencies with jurisdiction, and parties of record at least ten days prior to the hearing. Written notice of final decisions are required to be sent to the applicant and parties of record within 120 days of the date of the complete application.	An administrative appeal on the record following an open record hearing on a project permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appeal argument allowed.

Notes:

1. These provisions apply to all land use permits under TMC Titles 15, 16, 17 and 18 and to the related regulation implementing these provisions or any other ordinance or law. (TMC 14.02.010)
2. See Table 2 – Table 14.08.030 – Development Review Processes below for information on which body issues recommendations, makes the final decisions, or handles appeals of permits and decisions.

3. See Definitions section below for more detail on terms used.

Appendix 2 – Review Processes for Specific Permits or Approvals

Table 2 below contains information on who makes recommendations, final decisions, and hears appeals for all decisions and permits.

Administrative Versus Hearing Examiner Decisions:

- Administrative decisions and permits issued by Community Development Department staff or the Development Review Committee:
 - Examples include: building permits, site plan approvals, boundary line adjustments, land clearing permits, grading permits, critical areas approvals
 - Community Development Department staff or the Development Review Committee takes public comments and concerns, but can only respond within adopted regulations
 - All comments are considered by Community Development Department staff or the Development Review Committee
 - Community Development Department staff or the Development Review Committee considers the entire record and issues a decision
 - Community Development Department staff and the Development Review Committee decisions are final unless appealed to the Hearing Examiner
- Hearing Examiner decisions:
 - Examples include: subdivisions, conditional use permits, variances, appeals of Community Development Department staff decisions
 - Quasi-Judicial Decisions
 - Public Hearing
 - Written comments submitted to Community Development Department staff for inclusion in the record
 - All comments are considered by the Hearing Examiner
 - Hearing Examiner considers the entire record and issues a decision
 - Hearing Examiner decisions are final unless appealed to Superior Court

Table 14.08.030 Key:

- R – Recommendation to Higher Review Authority
- D – Decision
- A – Appeal Decision
- C – Closed Record Appeal Hearing

OP – Open Record Predetermination Hearing

Table 2. Table 14.08.030 – Development Review Processes

	HISTORIC COMMISSION	COMMUNITY DEVELOPMENT DEPARTMENT STAFF	DEVELOPMENT REVIEW COMMITTEE	HEARING EXAMINER	PLANNING COMMISSION	CITY COUNCIL
ZONING						
Conditional Use Permits			R	D(OP)		
Variance			R	D(OP)		
Site-Specific Rezones Required as a Result of a Comprehensive Plan Change					R(OP)	D(OP)
Site-Specific Rezones not Requiring a Comprehensive Plan Amendment		R		D(OP)		
Zoning Text Amendment (Development Regulation Changes)					R(OP)	D(OP)
Area Wide Map Amendment					R(OP)	D(OP)
Home Occupation		D		A(OP)		
Certificate Of Appropriateness	D	R		A(C)		
COMPREHENSIVE PLAN						
Comprehensive Plan Text Amendment					R(OP)	D(OP)
Comprehensive Plan Map Amendment					R(OP)	D(OP)

	HISTORIC COMMISSION	COMMUNITY DEVELOPMENT DEPARTMENT STAFF	DEVELOPMENT REVIEW COMMITTEE	HEARING EXAMINER	PLANNING COMMISSION	CITY COUNCIL
LAND DIVISION						
Replat			R	D(OP)		
Plat Vacation			R	D(OP)		
Boundary Line Adjustment		D		A(OP)		
Lot Consolidation		D		A(OP)		
Preliminary Plat			R	D(OP)		
Short Plat		D		A(OP)		
Final Plat		D		A(OP)		
Planned Unit Development			R	D(OP)		
Binding Site Plan			D	A(OP)		
Plat Time Extension		D		A(OP)		
Plat Alteration with Hearing		R		D(OP)		
Plat Alteration without Hearing		D		A(OP)		
ENVIRONMENTAL						
Wetland Permit		D		A(OP)		
Tree Plans		D		A(OP)		
SEPA Determination		D		A(OP)		
SHORELINES						
Substantial Development Permit			R	D(OP)		
Conditional Use Permit			R	D(OP) (1)		
Variance			R	D(OP) (1)		
Exempt		D		A(OP)		
OTHER						

	HISTORIC COMMISSION	COMMUNITY DEVELOPMENT DEPARTMENT STAFF	DEVELOPMENT REVIEW COMMITTEE	HEARING EXAMINER	PLANNING COMMISSION	CITY COUNCIL
Development Code Interpretations		D		A(OP)		
Building Permit Per International Building Code		D		A(OP)		
Administrative Orders		D		A(OP)		
Civil Penalties		D		A(OP)		
Reasonable Use Exceptions		R		D(OP)		
Building Moving Permit		D		A(OP)		
Grading Permit Per International Building Code		D		A(OP)		
Impact Fee Determinations		D		A(OP)		
Concurrency Determinations		D		A(OP)		

Note

1. Decisions on shoreline conditional use permits are issued by the City and the local decision can be appealed. The City's decision is sent to the Washington State Department of Ecology for further review and approval or disapproval. After the City appeal process and Ecology's review processes are complete, appeals may be made to the Shorelines Hearings Board within twenty-one days of the "date of filing" as defined in RCW 90.58.140(6).

Appendix 3 – Definitions from TMC 14.02.020

“Closed record appeal” means an administrative appeal on the record following an open record hearing on a project permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appeal argument allowed.

“Days” means calendar days, including weekends and holidays.

“Determination of completeness” means a written determination by the director or his/her designee that all required elements of an application have been received by the City. This determination initiates the statutory review period for the application, if any, and subject to certain exceptions, entitles the applicant to have the application considered and reviewed pursuant to the laws, regulations, and standards in effect on the date the application was complete.

“Development review committee (DRC)” means a group of staff members of the community development department (usually three) assigned by the director to conduct preapplication conferences and review and/or approve development permit applications.

“Director” means the director of the department of community development of the City of Tumwater unless another department or agency is in charge of the project in which case it refers to the chief administrative officer of that department or agency.

“Feasibility review” means an optional preapplication meeting between a prospective applicant or development proponent and the DRC to provide limited information on applicable development and site requirements as a precursor to a “preapplication conference.”

“Formal review” means the second and final stage of preapplication conference to provide feedback and additional guidance to applicants on how effectively they have incorporated information received during the preliminary review into their development proposal. The formal review is an evaluation of a development proposal to determine suitability for submittal of the project permit application.

“Open record hearing” means a hearing, conducted by a single hearing body or officer, that creates the record through testimony and submission of evidence and information. An open record hearing may be held prior to a decision on a project permit to be known as an “open record predecision hearing.” An open record hearing may be held on an appeal, to be known as an “open record appeal hearing,” if no open record predecision hearing was held on the project permit.

“Planned action” means one or more types of project actions that are designated planned actions by City ordinance or resolution as more particularly outlined in TMC 14.04.030(B)(2).

“Preapplication conference” means one or more of the two stages of meetings between an applicant and DRC usually held after a “feasibility review,” but prior to submission of a project permit application. The two stages, “preliminary review” and “formal review,” are progressions toward development of the project permit application designated to evaluate developing application submittal documents, to answer questions and provide procedural information to prospective applicants, and to guide applicants with preparation of a permit application submittal.

“Preliminary review” means the first stage of a preapplication conference to analyze an applicant’s initial development proposal, usually based on information received from a feasibility review. The preliminary review is the initial review of development proposal documents to identify potential problems and develop the preliminary proposal toward submittal of the project permit application.

“Project permit” means any land use or environmental permit or license required from the City for a project action, including but not limited to subdivisions, planned unit developments, conditional uses, shoreline substantial development permits, permits or approvals required by critical area ordinances, site-specific rezones authorized by a comprehensive plan or subarea plan, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations except as otherwise specifically included in this subsection. Project action also includes any proposal for development of any new commercial/industrial or multifamily (three units or more) structure or addition or modification to a commercial/industrial or multifamily structure or change in occupancy of such an existing structure that changes utility requirements, parking requirements or necessitates additional site improvements.

Appendix 4 – Specific Municipal Code Requirements – Development Review

Title 14 – *Development Code Administration*

TMC 14.02 *Project Permit Processing/Applications*

TMC 14.04 *Project Consistency/Time Limits*

TMC 14.06 *Public Notice Requirements*

TMC 14.08 *Approval, Review And Appeal Authority*

Title 15 – *Buildings and Construction*

General Regulations

TMC 15.01 *General Provisions*

TMC 15.44 *Vesting of Development Rights*

TMC 15.48 *Transportation Concurrency Requirements*

Tumwater Development Guide

TMC 15.02 *Public Works Construction Standards*

Building Code Related Regulations

TMC 15.04 *International Building Code*

TMC 15.06 *International Residential Code*

TMC 15.08 *International Mechanical Code*

TMC 15.12 *Uniform Plumbing Code*

TMC 15.16 *International Fire Code*

TMC 15.18 *International Property Maintenance Code*

[Code Enforcement]

TMC 15.20 *International Energy Conservation Code*

TMC 15.32 *Building Moving*

TMC 15.40 *Unsafe and Unfit Buildings, Structures and Premises*

[Code Enforcement]

TMC 15.50 *Building Demolition*

Development Code

Title 16 – *Environment*

State Environmental Policy Act (SEPA)

TMC 16.04 *Environmental Policy*

[SEPA thresholds, process, and notifications]

Critical Areas Regulations

TMC 16.20 *Geologically Hazardous Areas*

[Steep slopes, landslide hazards, liquefaction]

TMC 16.24 *Aquifer Protection Standards*

TMC 16.26 *Wellhead Protection*

TMC 16.28 *Wetland Protection Standards*

[Wetlands and buffers]

TMC 16.32 *Fish and Wildlife Habitat Protection*

[Streams and habitat lands]

Other Environment Regulations

TMC 16.08 *Protection of Trees and Vegetation*

TMC 16.12 *Right-To-Farm*

Title 17 – Land Division

General Regulations

TMC 17.02 *General Provisions*

TMC 17.04 *Definitions*

TMC 17.28 *Deviation from Requirements*

Minor Land Division Actions

TMC 17.06 *Lot Consolidations*

TMC 17.10 *Boundary/Lot Line Adjustments*

Major Land Division Actions

TMC 17.08 *Binding Site Plans*

TMC 17.14 *Preliminary Land Divisions*

TMC 17.24 *Final Land Divisions*

TMC 17.26 Replats/Vacations/Alterations

Development Requirements

TMC 17.12 General Design Standards

TMC 17.16 Specific Design Standards

TMC 17.18 Public Improvements

TMC 17.20 Dedications and Contributions

Title 18 – Zoning

General Zoning Regulations

TMC 18.02 General Provisions

TMC 18.04 Definitions

TMC 18.06 Districts Designated

TMC 18.07 Summary Tables Of Uses

Individual Zone District and Overlay Regulations

- *Permitted, accessory, and conditional uses*
- *Requirements for minimum and maximum residential densities*
- *Division of land not on public sanitary sewer*
- *Minimum lot size*
- *Clustered subdivisions*
- *Lot coverage/impervious surface*
- *Structure height*
- *Front, side, and rear yard setbacks*

Residential Zone Districts

TMC 18.08 RSR Residential/Sensitive Resource Zone District

TMC 18.10 SFL Single-Family Low Density Residential Zone District

TMC 18.12 SFM Single-Family Medium Density Residential Zone District

TMC 18.14 MFM Multifamily Medium Density Residential Zone District

TMC 18.16 MFH Multifamily High Density Residential Zone District

TMC 18.49 MHP Manufactured Home Park Zone District

Commercial and Mixed Use Zone Districts

TMC 18.18 NC Neighborhood Commercial Zone District

TMC 18.19 CS Community Services Zone District

TMC 18.20 MU Mixed Use Zone District

TMC 18.21 CBC Capitol Boulevard Community Zone District

TMC 18.22 GC General Commercial Zone District

TMC 18.23 TC Town Center Zone District

TMC 18.26 HC Historic Commercial Zone District

TMC 18.27 BD Brewery District Zone

Industrial Zone Districts

TMC 18.24 LI Light Industrial Zone District

TMC 18.25 HI Heavy Industrial Zone District

TMC 18.34 ARI Airport Related Industry Zone District

Other Zone Districts

TMC 18.30 GB Greenbelt Zone District

TMC 18.31 OS Open Space Zone District

Overlays

TMC 18.32 AP Airport Overlay

TMC 18.33 MUO Mixed Use Overlay

TMC 18.35 GCO General Commercial Overlay

TMC 18.36 PUD Planned Unit Development Overlay

TMC 18.38 FP Floodplain Overlay

TMC 18.39 AQP Aquifer Protection Overlay

General Land Use Regulations

TMC 18.40 Environmental Performance Standards

TMC 18.42 General Land Use Regulations

TMC 18.43 Citywide Design Guidelines

Specific Land Use Regulations

TMC 18.44 Signs

TMC 18.46 Fencing

TMC 18.47 Landscaping

*TMC 18.48 Designated Manufactured Homes – Manufactured Homes – New
Manufactured Homes – Mobile Homes – Manufactured Home Parks*

TMC 18.50 Off-Street Parking

TMC 18.51 Cottage Housing

TMC 18.52 Child Care Facilities

TMC 18.53 Housing for the Functionally Disabled

Use Permits and Other Regulations

TMC 18.54 Nonconforming Uses

TMC 18.56 Conditional Use Permits

TMC 18.57 Transfer of Development Rights

TMC 18.58 Variances

TMC 18.59 Temporary Uses

TMC 18.60 Text Amendments and Rezones

TMC 18.62 Appeals

TMC 18.64 Enforcement and Penalty

Other Relevant Sections

Title 2 – Administration and Personnel

Roles and Responsibilities

TMC 2.56 Planning Commission

In addition, the Planning Commission Rules of Procedure adds further detail
on how the Planning Commission conducts its business

TMC 2.58 Hearing Examiner

TMC 2.66 Tree Board

Title 3 – Revenue and Finance

Taxes and Development Impact Fees

TMC 3.30 *Multifamily Housing Tax Exemptions*

TMC 3.50 *Impact Fees*

TMC 3.52 *Tumwater Park Impact Fees*

Title 6 – Animals

Regulations Related to Animals in the City

TMC 6.04 *Dogs, Cats and Other Pets*

TMC 6.05 *Pet Shops*

TMC 6.08 *Livestock*

Title 8 – Health and Safety

Code Enforcement

TMC 8.04 *Nuisances*

Title 11 – Telecommunications and Telecommunications Facilities

Cell Towers and Other Wireless Communication Facilities

TMC 11.20 *Wireless Communication Facilities*

Title 12 – Streets, Sidewalks and Public Places

All Street Related Regulations, Includes Construction Requirements for Development

TMC 12.04 *Street and Alley Vacations*

TMC 12.12 *Construction of Curbs and Sidewalks*

TMC 12.24 *Street Trees*

Title 13 – Public Services

All Public Utility Related Regulations, Includes Drainage Design and Erosion Control Manual]

TMC 13.04 *Water Service Regulations*

TMC 13.08 *Sewer Service Regulations*

TMC 13.12 *Stormwater System*