

ORDINANCE NO. O2025-010

AN ORDINANCE of the City Council of the City of Tumwater, Washington, relating to planning under the Growth Management Act, Chapter 36.70A RCW, of the State of Washington updating the City's Comprehensive Plan and Future Land Use Map as more particularly described herein; declaring an emergency and establishing an effective date.

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

WHEREAS, the Growth Management Act, Chapter 36.70A RCW, contains fifteen goals that guide the development and adoption of the Comprehensive Plan, which relate to urban growth, reducing sprawl, transportation, housing, economic development, property rights, permits, natural resource industries, open space and recreation, environment, public participation and coordination, public facilities and services, historic preservation, climate change and resiliency, and shorelines of the state; and

WHEREAS, the Growth Management Act, Chapter 36.70A RCW, requires the Comprehensive Plan to demonstrate and uphold the concepts of internal consistency, conformity, and concurrency; and

WHEREAS, the Growth Management Act, Chapter 36.70A RCW, requires a process of early and continuous public participation for updating the Comprehensive Plan; and

WHEREAS, the Growth Management Act, Chapter 36.70A RCW, requires the City to review and, if needed, revise its Comprehensive Plan periodically every ten years in accordance with RCW 36.70A.130(1) to ensure the plan complies with the requirements of the Growth Management Act, Chapter 36.70A RCW; and

WHEREAS, under the schedule established in RCW 36.70A.130(5), the deadline for the City to take action to comply with the ten year review and evaluation process was December 31, 2025; and

WHEREAS, the Comprehensive Plan periodic update was processed in compliance with the requirements of the State Environmental Policy Act; and

WHEREAS, due to the State deadline to adopt the required 2025 Comprehensive Plan periodic update; the City Council finds a public emergency exists; and

WHEREAS, the City Council reviewed all the evidence presented and has made findings of fact and conclusions related to the Comprehensive Plan periodic update, which are set forth below.

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

Section 1. Findings. For the purposes of effective land use planning, the Tumwater City Council adopts the following findings of fact:

1. The City Council approved Long Range Work Programs on January 17, 2023, January 16, 2024, and January 21, 2025.
2. The Long Range Work Programs included work on the Comprehensive Plan periodic update, which included the Climate Element, Conservation Element, Housing Element, Land Use Element, Lands for Public Purposes Element, Transportation Plan, and Utilities Element of the Comprehensive Plan.
3. The Comprehensive Plan periodic update addressed the requirements of the Growth Management Act, Chapter 36.70A RCW, ten year periodic update and brought the Comprehensive Plan's goals and policies up to date to reflect changes to the community and align with current values.
4. The lack of City staff during the update process delayed the review and approval of the Comprehensive Plan periodic update.
5. City staff reviewed the Comprehensive Plan for consistency with the requirements of the Growth Management Act, Chapter 36.70A RCW. Based on this analysis, City staff prepared proposed revisions needed to update the Comprehensive Plan to comply with the Growth Management Act, Chapter 36.70A RCW.
6. The Comprehensive Plan periodic update meets the intent of and is consistent with the Growth Management Act, Chapter 36.70A RCW, County-Wide Planning Policies, and the internal goals and policies of the City's Comprehensive Plan are consistent.
7. 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 order to objectively evaluate the Comprehensive Plan periodic update.

8. The Comprehensive Plan periodic update was prepared in conformance with the Public Participation and Intergovernmental Coordination Procedures contained in the Comprehensive Plan, which meet the Growth Management Act, Chapter 36.70A RCW, requirements for the same.
9. The City engaged the community through three open houses, three public outreach surveys, topic focused working groups, listening sessions with individuals, civic groups, and organizations, as well as briefings and work sessions with the Planning Commission, Tree Board, General Government Committee, Public Works Committee, and the City Council.
10. The Planning Commission reviewed the work plan, staff analysis, and the Comprehensive Plan Elements, and the Future Land Use Map in briefings and work sessions.
11. The Planning Commission reviewed the Comprehensive Plan Elements in briefings and work sessions on October 25, 2022, February 28, 2023, June 27, 2023, July 25, 2023, August 8, 2023, August 22, 2023, September 12, 2023, September 26, 2023, October 24, 2023, November 14, 2023, November 28, 2023, January 9, 2024, February 13, 2024, February 27, 2024, March 26, 2024, April 23, 2024, May 14, 2024, May 28, 2024, June 11, 2024, August 13, 2024, September 10, 2024, September 24, 2024, November 12, 2024, December 10, 2024, January 14, 2025, February 11, 2025, March 25, 2025, April 8, 2025, May 13, 2025, May 27, 2025, June 10, 2025, June 24, 2025, July 22, 2025, August 26, 2025, and September 9, 2025.
12. The Tree Board reviewed the Comprehensive Plan Elements in a work session on June 9, 2025.
13. General Government Committee and Public Works Committee reviewed the Comprehensive Plan Elements in briefings and work sessions on November 9, 2022, January 11, 2023, July 12, 2023, August 9, 2023, September 13, 2023, October 11, 2023, November 8, 2023, December 13, 2023, January 10, 2024, February 14, 2024, April 10, 2024, June 12, 2024, July 17, 2024, September 11, 2024, October 9, 2024, December 11, 2024, January 8, 2025, February 18, 2025, March 18, 2025, May 14, 2025, June 11, 2025, July 9, 2025, August 21, 2025, September 10, 2025, and October 8, 2025.

14. The City Council discussed the Comprehensive Plan Elements in briefings and work sessions on October 24, 2023, July 9, 2024, May 14, 2025, June 10, 2025, June 24, 2025, July 22, 2025, and August 26, 2025.
15. The City Council and the Planning Commission held joint work sessions on the Comprehensive Plan Elements on December 13, 2022, December 12, 2023, April 9, 2023 (Housing Tour), June 25, 2024, July 9, 2024, and February 25, 2025 (Transportation Tour).
16. The Transportation Plan was sent to the Thurston Regional Planning Council for review and certification on September 17, 2025, as required by Growth Management Act, Section 365-196-430 WAC.
17. The City served as the Lead Agency under the State Environmental Policy Act, Chapter 43.21C RCW, for the Comprehensive Plan periodic update.
18. An Environmental Checklist for a non-project action for the Comprehensive Plan periodic update ordinance was prepared under the State Environmental Policy Act, Chapter 43.21C RCW, pursuant to Chapter 197-11 WAC on October 10, 2025, and a Determination of Non-Significance was issued on October 17, 2025.
19. The Comprehensive Plan periodic update ordinance was provided to the Washington State Department of Commerce on October 13, 2025, for the required 60-day review before the Comprehensive Plan periodic update ordinance was adopted, in accordance with RCW 36.70A.106.
20. The Planning Commission received a briefing on the Comprehensive Plan periodic update ordinance on October 14, 2025, and discussed the Comprehensive Plan periodic update ordinance at a work session on October 28, 2025.
21. A Notice of Public Hearing for the Planning Commission public hearing on the Comprehensive Plan periodic update ordinance was issued on October 31, 2025. The notice was posted, published as a press release, distributed to interested individuals and entities that have requested such notices, and published in The Olympian.
22. The Planning Commission held the public hearing on the Comprehensive Plan periodic update ordinance on November 10, 2025.

23. Following a public hearing and deliberations on November 10, 2025, the Planning Commission recommended approval of the Comprehensive Plan periodic update ordinance to the City Council.
24. The City Council and the Planning Commission discussed the Planning Commission recommendation on the Comprehensive Plan periodic update ordinance in a joint work session on December 9, 2025.
25. The City Council considered the Comprehensive Plan periodic update ordinance on December 16, 2025.
26. The Comprehensive Plan periodic update ordinance will be submitted to the Washington State Department of Commerce no later than ten days after final adoption, pursuant to RCW 36.70A.106.
27. Any Conclusion herein, which may be deemed a Finding, is hereby adopted as such.

Section 2. Conclusions. For the purposes of effective land use planning, the Tumwater City Council makes the following conclusions:

1. Based on its review of the requirements of the Growth Management Act, Chapter 36.70A RCW, the analysis and proposed revisions prepared by City staff, and the public comments received, the City Council finds, declares, and concludes that the review and needed revisions have been prepared in conformance with applicable law. This includes the Growth Management Act, Chapter 36.70A RCW, the State Environmental Policy Act, Chapter 43.21C RCW, and the City of Tumwater Public Participation and Intergovernmental Coordination Procedures.
2. Based on its review of the requirements of the Growth Management Act, Chapter 36.70A RCW, the analysis and proposed Comprehensive Plan periodic update prepared by City staff, the recommendation forwarded by the Planning Commission, and the public comments received, the City Council accepts the analysis and proposed Comprehensive Plan periodic update. The City Council hereby finds, declares, and concludes that the Comprehensive Plan as revised by this ordinance complies with the requirements of the Growth Management Act, Chapter 36.70A RCW.
3. Any Finding herein, which may be deemed a Conclusion, is hereby adopted as such.

Section 3. Adoption. The City Council of the City of Tumwater Washington hereby adopts:

1. The City of Tumwater 2025 Comprehensive Plan attached hereto as Exhibit “A” and incorporated herein by reference.
2. The City of Tumwater 2025 Comprehensive Plan Future Land Use Map attached hereto as Exhibit “B” and incorporated herein by reference.

Section 4. 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 5. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 6. 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 7. Declaration of Emergency – Effective Date. For the reasons set forth above, and to promote the objectives stated herein, the City Council finds that a public emergency exists, necessitating that this ordinance take effect immediately upon its passage by unanimous vote of the City Council in order to protect the public health, safety, property, and general welfare. This ordinance shall take effect and be in force immediately upon unanimous passage by the City Council.

Section 8. Alternative Effective Date. If this Ordinance does not become effective immediately as provided in Section 7, then this Ordinance shall become effective thirty days after passage, approval, and publication as provided by law.

ADOPTED this _____ day of _____, 20__.

CITY OF TUMWATER

Debbie Sullivan, Mayor

ATTEST:

Melody Valiant, City Clerk

APPROVED AS TO FORM:

Karen Kirkpatrick, City Attorney

Published:_____

Effective Date:_____

Exhibit “A”

City of Tumwater Comprehensive Plan

[Attach City of Tumwater Comprehensive Plan]

Exhibit “B”

City of Tumwater Comprehensive Plan Future Land Use Map

[Attach City of Tumwater Comprehensive Plan Future Land Use Map]