



**2022 OTHER HOUSEKEEPING AMENDMENTS
STAFF REPORT
CITY COUNCIL CONSENT**

Issue

During 2020 and 2021, staff gathered information on proposed minor housekeeping amendments in the Tumwater Municipal Code to be considered collectively in 2022 that are not part of the development code, which is defined as Title 16 *Environment*, Title 17 *Land Division*, and Title 18 *Zoning*. These housekeeping amendments are separate from the development code housekeeping amendments being considered as part of Ordinance No. O2022-013 that are following the process in TMC 18.60.025(A), but will follow the same schedule.

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Summary

The proposed amendments are intended make minor corrections to the City's municipal code.

Background

The amendments are a part of the approved 2022 Long Range Planning work program.

Other Housekeeping Amendment Summary

The following is a summary of the proposed amendments that make up the other housekeeping amendments:

A. Sidewalks – Obstructions, Maintenance, and Repair

At the request of City staff, address short-term and long-term sidewalk maintenance. The intent would be to clarify which owners are responsible for maintenance of sidewalks. Currently the Tumwater Municipal Code or Tumwater Development Guide does not address this issue.

New Code Sections to be created:

- TMC 12.08.035 – Removal of sidewalk obstructions – Street and Side Obstructions
- TMC 12.12.070 – Sidewalk maintenance and repair – Construction of Curbs and Sidewalks

B. Staff Reports for Hearing Examiner - Schedule

Review when a staff report is needed for a hearing examiner hearing. The hearing examiner has asked that the date when staff reports have to be available be changed from the current five working days prior to the public hearing to seven days.

Code Section to be amended:

- TMC 2.58.110 – Distribution of information – Hearing Examiner

C. Traffic Study Requirements

Update the criteria for when a traffic impact analysis study is required.

Code Section to be amended:

- TMC 15.48.060 – Traffic study – Transportation Concurrency Requirements

Public Approval Process

An Environmental Checklist for a non-project action will be prepared in August 2022 under the State Environmental Policy Act (Chapter 43.21C RCW), pursuant to

Chapter 197-11 WAC, and a Determination of Non-Significance will be issued later in August 2022.

The ordinance will be sent to the Washington State Department of Commerce in August 2022 for the required 60-day review before the proposed text amendments were adopted, in accordance with RCW 36.70A.106.

The Planning Commission is expected to receive a briefing on the proposed other housekeeping amendments on September 13, 2022 and hold a worksession on the ordinance on September 27, 2022.

A Notice of Public Hearing for the Planning Commission is expected to be issued on September 30, 2022 prior to a public hearing. The notice will be posted, published as a press release, distributed to interested individuals and entities that have requested such notices, and published in *The Olympian*.

The Planning Commission is expected to hold a public hearing for the amendments on October 11, 2022. Following the public hearing and deliberations, the Planning Commission will make a recommendation that Council on the amendments.

The Public Works Committee is expected to hold a briefing on the amendments to the Tumwater Development Guide on November 17, 2022.

The General Government Committee is scheduled to review the amendments in a briefing on November 9, 2022 and recommend that the ordinance be discussed at a City Council worksession. The City Council is scheduled to review the amendments at a worksession on November 22, 2022 and consider the amendments on December 6, 2022.

Public Notification

A Notice of Public Hearing for October 11, 2022 for the Planning Commission is expected to be issued, posted, mailed to interested parties, and published in *The Olympian* on September 30, 2022, after the Planning Commission is expected to set the public hearing date on September 27, 2022.

Staff Conclusions

1. The proposed text amendments will need to be consistent with the goals of the Washington State Growth Management Act.
 - a. This ordinance will need to be consistent with Goal 7 of the Growth Management Act which states:

“Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.”

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The Ordinance establishes concise requirements for the application, review process, and approval of planned unit developments.

2. The proposed amendments will need to be consistent with the Economic Development Plan because the proposed amendments improve the clarity and specificity of the regulations for submittal, review, and approval of planned unit developments.

- a. Goal #1 of the Economic Development Plan states:

“Establish a development climate that stimulates economic activity and desirable investment.”

- b. The text of the Economic Development Plan states that one of the ways to support Goal #1 is:

“...by making ongoing improvements to existing development regulations, systems, and processes.”

- c. Action item 1.D. of the Economic Development Plan states:

“Ensure a predictable and efficient experience for business owners and developers seeking to invest in Tumwater.”

This Ordinance will need to be improve the existing regulations for the application, review process, and approval of planned unit developments.

3. Based on the above review and analysis, staff will need to conclude that the proposed text amendments are consistent with the requirements of the Washington State Growth Management Act and the Tumwater Comprehensive Plan.

Staff Recommendation

Staff recommends that the City Council review the proposed amendments and provide comment to staff.

Effects of the Proposed Amendments

The proposed text amendments would necessitate changes to the Tumwater Municipal Code.

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