

**TUMWATER PLANNING COMMISSION
MINUTES OF VIRTUAL MEETING
February 22, 2022 Page 1**

CONVENE: 7:01 p.m.

PRESENT: Chair Elizabeth Robbins and Commissioners Grace Edwards, Terry Kirkpatrick, Nam Duc Nguyen, Nathan Peters, Meghan Sullivan, and Michael Tobias.

Staff: Planning Manager Brad Medrud and Senior Planner David Ginther.

CHANGES TO AGENDA: The recognition of Commissioner Catlin was moved to later in the meeting.

**APPROVAL OF
MINUTES –
FEBRUARY 8, 2022:**

MOTION: Commissioner Tobias moved, seconded by Commissioner Kirkpatrick, to approve the minutes of February 8, 2022 as presented. Motion carried unanimously.

COMMISSIONER REPORTS: There were no reports.

MANAGER’S REPORT: There was no report.

PUBLIC COMMENT: There were no public comments.

ORDINANCE NO. O2022-004, BINDING SITE PLANS Planner Ginther reported binding site plans was added to the Long Range Planning Work Program by the Council. State law authorizes binding site plans as an alternative method for land division. A binding site plan essentially is a comprehensive site plan containing details of the development and is binding to the property, such as circumstances where there are shared amenities, such as stormwater, parking, or access, etc.

The City’s existing code governing the use of binding site plans is minimal and it was added following the adoption of the Growth Management Act and the first zoning code in the 1990s. The provision is unclear as to how binding site plans correlate with other sections in Title 17 governing land use divisions and approvals, as well as vesting provisions in the code.

Planner Ginther reviewed proposed changes addressing binding site plans:

1. TMC Chapter 15.44 Vesting of Development Rights - Added “binding site plan” to sections that specify the type of land

TUMWATER PLANNING COMMISSION
MINUTES OF VIRTUAL MEETING
February 22, 2022 Page 2

division that is vested to clarify how and when binding site plan applications are vested.

2. TMC 17.08.010 Binding site plan - Clarified that binding site plans can be utilized for manufactured home parks. The code already states condominiums and commercial/industrial developments are allowed to utilize binding site plans. State law allows manufactured home parks to use this method of land division as well. Added references to the land division processes addressed in the other portions of TMC Title 17 Land Division.
3. In TMC 17.14.040 Review Criteria, added several review criteria specific to binding site plans to address the following:
 - Identify building envelopes and land uses
 - Parking lot plans
 - Access, roads and utilities
 - Identification of previously approved uses
 - Identification of open space tracts, critical areas and buffers, and utility easements
 - Uses allowed in the underlying zone district
 - Adjacent properties and future development
4. TMC 17.14.050 Administrative Consideration - Required findings for approval were added that are specific to binding site plans and include the following:
 - Consistency with the Comprehensive Plan, Tumwater Development Guide, Tumwater Municipal Code, and any applicable state laws
 - A statement that uses approved for the property and the conditions under which they are allowed are binding to the property
 - A statement that a binding site plan may not create new nonconforming uses or structures or increase the nonconformity of existing nonconforming uses or structures
 - A reference to the criteria in TMC 17.14.040 was added
5. TMC 17.14.080 Duration of approval - "Binding site plan" was added to the section to clarify that it applies to binding site plans. Like other land divisions, such as plats, short plats, etc., the initial period of approval is for five years with up to three additional one-year extensions allowed.
6. TMC 17.14.090 Phasing of development - Phasing of a residential binding site plan is allowed if it contains 10 or more residential dwellings. This is consistent with the SEPA exemption threshold that Tumwater adopted for short plats. Commercial or industrial binding site plans over 20 acres in size are allowed to phase development. Phased binding site plans are considered for approval or disapproval by the City's hearing examiner.

**TUMWATER PLANNING COMMISSION
MINUTES OF VIRTUAL MEETING
February 22, 2022 Page 3**

Planner Ginther reported the proposed public hearing is recommended for March 22, 2022 to ensure adequate time for the SEPA process to be completed. The General Government Committee is scheduled to consider the proposal in April followed by a Council worksession. The proposal is scheduled for review and consideration by the City Council on May 17, 2022. He invited questions or comments on the proposal. The Commission offered no questions or comments.

MOTION:

Commissioner Sullivan moved, seconded by Commissioner Tobias, to schedule a public hearing on Ordinance No. O2022-004, Binding Site Plans, on March 22, 2022. Motion carried unanimously.

**PLANNING
COMMISSION
TRAINING
PROGRAM
DISCUSSION:**

Manager Medrud reported the review continues the discussion by the Commission on training and includes a review of a training proposal for new Commissioners and continuing education training for existing Commissioners. In both instances, the focus would be similar.

Staff contacted the City of Lacey and City of Olympia for information on what training each jurisdiction provides to its respective planning commission. In both cases, the cities provide some level of training for new Commissioners but limited continuing education training for existing commissioners.

Manager Medrud recommended beginning with new Commissioner training as the goal is seeking input on the type and extent of information to provide. He outlined proposed training for new Commissioners:

1. Legal basis for planning and the role of the Planning Commission
 - a. Washington State Law
 - b. Tumwater Municipal Code
 - c. Open Government Training
 - d. Other legal training as identified
2. Organization of the Planning Commission and its relationship to City government
 - a. Planning Commission Rules of Procedure
3. Meeting management
 - a. Robert's Rules and other materials that discuss what makes productive meetings
4. Open Public Meetings Act (OPMA) and records training – required for new Commissioners and then every four years as continuing education
5. Specific long range planning topics
 - a. How much time to expect to spend on Planning Commission meetings and preparation

TUMWATER PLANNING COMMISSION
MINUTES OF VIRTUAL MEETING
February 22, 2022 Page 4

- b. Continuing education opportunities
- c. List of materials/websites for information
- d. City of Tumwater and Planning Terms Glossary (created at the request of Commissioner Peters)
- e. Schedule for regular updates of Plans and Codes, color coded over next ten years (draft of the schedule is in progress)
- f. Relationships with other organizations – Department of Commerce, Municipal Research Service Center (MRSC), Regional Housing Council (RHC), Thurston Regional Planning Council (TRPC), and others
- g. How to be better ambassadors for the City by knowing who to ask and where to look for more information:
 - i. Who to contact if you have questions, including:
 - 1. City Staff
 - 2. Planning Commission chair and vice chair
 - ii. Structure of the City website
 - iii. How to access City Records
 - iv. City social media outlets
 - v. Frequently Asked Questions (FAQs) for Planning Commissioners, including:
 - 1. Meeting agenda structure
- 6. The City's Long Range Planning Work Program
- 7. Specific long range planning topics addressing:
 - a. Growth Management
 - b. The Comprehensive Plan and subarea plans and policies
 - c. Development regulations, including:
 - i. Tumwater Municipal Code
 - ii. Tumwater Development Guidelines
 - iii. Citywide Design Standards
 - d. Housing and other topics that are of current interest

Chair Robbins and Commissioner Peters conveyed appreciation for the draft glossary of terms.

Manager Medrud invited feedback on the best format for new Commissioner training.

Commissioner Edwards recommended an initial orientation/overview of the information would be beneficial with the understanding that the volume of information is substantial and difficult to grasp at the onset, which would speak to the need of an initial orientation followed by periodic check-ins to review information in more detail.

Commissioner Kirkpatrick suggested a meeting with staff is important, as well as meeting individually with the Mayor when first appointed. Manager Medrud noted that he would include the suggestion within the

TUMWATER PLANNING COMMISSION
MINUTES OF VIRTUAL MEETING
February 22, 2022 Page 5

final document. The Mayor would likely agree with the suggestion. Mayor Sullivan has been focused on meeting each City employee and likely would extend that effort to all Commissioners as well individually.

Manager Medrud reviewed the proposal for continuing education for the Commission and noted that similar to new Commission training, some of the general training topics would be the same:

1. Legal basis for planning and the role of the Planning Commission
2. Organization of the Planning Commission and its relationship to City government
3. Meeting management – Robert’s Rules of Procedures
4. Open Public Meetings Act and Records training
5. The City’s Long range Planning Work Program, including discussions on:
 - a. What to include on work programs
 - i. Continuation of joint City Council/Planning Commission meetings to develop work programs
 - ii. Reflections on previous work programs to gauge what went well, what did not, and what was learned and applied to the next year’s work
 - iii. Preparation for new work program:
 1. Identify ways to help Commissioners prepare to consider new issues, manage magnitude of information, engage in healthy deliberations, and achieve well thought decisions.
 2. Confirm the amount of time each Commissioner spends preparing for meetings.

Manager Medrud invited feedback on sub 1 and 2 in terms of assisting the Commission prepare for consideration of new issues and managing the magnitude of information.

Chair Robbins suggested that providing the historical context or the reason the City Council has assigned specific topics to the Commission would be helpful. Often, that information is shared during joint meetings with the Council. However, it would be helpful for the Commission to have a sense of the context for specific topics to assist in identifying information that would help inform the Commission as it prepares its recommendations to the Council. Manager Medrud invited the Commission to continue sharing feedback during the course of the year as different issues are under consideration.

During the recent City Council retreat, the Council reviewed its Strategic Goals. The Council uses the goals to determine City priorities. It appears the Council may have shortened the list of goals to four

TUMWATER PLANNING COMMISSION
MINUTES OF VIRTUAL MEETING
February 22, 2022 Page 6

important goals with all goals pertinent to the Commission's work.

Commissioner Kirkpatrick suggested involving the Commission early in the development of the different elements of the Comprehensive Plan as part of the major update of the Plan. The Commission should not be confined to a one meeting review of the Elements that have been drafted over a six-month period. Manager Medrud agreed and shared that staff has initiated some discussions with the Transportation and Engineering Director and other directors to enable sufficient time for the Commission's review.

Chair Robbins offered the suggestion of assembling a series of resources available through the Department of Commerce or from other cities or even the American Planning Association for different ideas on addressing issues. A sole resource sheet on issues highlighting recent actions or state of the art solutions by others would be helpful information for the Commission.

Manager Medrud advised that the Department of Commerce is releasing information on a series of updated resources this summer for the Comprehensive Plan Update process. The City's requirements and deadline for the update is one year behind other Puget Sound jurisdictions enabling the City to contact other jurisdictions to take advantage of information and resources.

6. Specific long range planning topics such as Comprehensive Plans, housing, or other current topics
7. Information on the development review process – *Manager Medrud noted that the Tree Board has asked questions about the development review process and some specific approvals. He offered to allocate time during a meeting to walk through a development application review process to provide the Commission with information on what occurs when staff implements updated codes and regulations. He suggested scheduling a session during the summer as the update of the Comprehensive Plan begins to share information on how policies are translated into regulations and how those regulations are applied to development proposals.*
8. Schedule annual individual meetings with Commissioners and staff to assess current efforts
9. Consider opportunities for internal training and coordination to include:
 - a. Annual meetings with City Council to coordinate long range work programs and address specific long range topics
 - b. Meetings with other City boards or commissions to coordinate specific long range topics
 - c. Field trips to support review of specific long range topics

**TUMWATER PLANNING COMMISSION
MINUTES OF VIRTUAL MEETING
February 22, 2022 Page 7**

- d. Retreats to discuss special Planning Commission topics
- 10. Opportunities for external training could include:
 - a. Washington State Department of Commerce Short Course for Planners
 - b. American Planning Association – Washington Chapter and South Sound and Planning Association of Washington annual conferences and trainings
 - c. Municipal Research and Service Center trainings
 - d. Other trainings and special topics
- 11. Receiving regular updates on City activities from City monthly newsletters, Tumwater on Tap
- 12. Some other information to consider:
 - a. What information do Commissioners find important when deliberating decisions?
 - b. How do Commissioners access information?
 - c. What framework is helpful to Commissioners in understanding the issues on the work program?
 - d. What information would Commissioners like to see in an executive summary?
 - e. What is policy and what is technical?
 - f. How do Commissioners know when they have received sufficient and balanced information needed to make decisions?

Manager Medrud requested feedback on ways to recognize the work completed by the Planning Commission. He recommended using the draft as an outline moving forward.

CONSENSUS: **The Commission supported using the draft outline as the training plan for new and existing Commissioners moving forward.**

NEXT MEETING DATE: The next meeting is scheduled on March 8, 2022. The agenda includes the scope of work for amendments to tree preservation. The City is contracting with a consultant to assist staff with the amendments. The scope of work will be presented to the Commission for input to release a Request for Proposal to consultants. At the last meeting in March, the Commission is scheduled to discuss the scope of work for the landscaping updates.

RECOGNITION OF COMMISSIONER DOTY CATLIN: Chair Robbins recognized the service of Commissioner Catlin during her tenure on the Commission. Commissioner Catlin contributed much in all discussions, particularly discussions and recommendations on housing issues. The Commission wishes her well on her future endeavors.

ADJOURNMENT: **Commissioner Peters moved, seconded by Commissioner Tobias, to adjourn the meeting at 7:52 p.m. Motion carried unanimously.**

**TUMWATER PLANNING COMMISSION
MINUTES OF VIRTUAL MEETING
February 22, 2022 Page 8**

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