

**TUMWATER PLANNING COMMISSION
MINUTES OF HYBRID MEETING
October 22, 2024 Page 1**

CONVENE: 7:01 p.m.

PRESENT: Chair Elizabeth Robbins and Commissioners Grace Edwards, Terry Kirkpatrick, Gina Kotek, Brandon Staff, and Michael Tobias.

Absent: Commissioners Malissa Paulsen, Cody Perez, and Anthony Varela.

Staff: Planning Manager Brad Medrud and Planner Erica Smith-Erickson.

COMMISSIONER MICHAEL TOBIAS THANK YOU: Commissioners and staff shared their respective sentiments and thanks to Commissioner Tobias for his participation, commitment, input, and for his questions during his six-year tenure on the Commission. The Commission hosted a reception for Commissioner Tobias following the meeting featuring cake and refreshments.

CHANGES TO AGENDA: There were no changes.

COMMISSIONER'S REPORTS: There were no reports.

MANAGER'S REPORT: Manager Medrud reported that the election of Chair and Vice Chair positions for 2025 is scheduled at the November 12, 2024 meeting as required by the bylaws.

Manager Medrud said he plans to contact Commissioners individually to schedule a time to meet as a check-in and to receive any input on the 2025 Work Plan.

Manager Medrud referred to the current schedule of the Comprehensive Plan Periodic Update. A joint meeting with the City Council is scheduled on December 10, 2024. The joint meeting includes a review of the 2025 Work Plan, reviews of the Land Use and Housing Elements, and updates to the Development Code.

Progress on the periodic update is moving forward with a recent meeting with the City's climate consultant. The consultant anticipates releasing a public draft of the Climate Element by the end of the year. The consultant team has completed a substantial amount of work to include public outreach.

Staff is reviewing the draft Lands for Public Purposes Element for a briefing to the Commission on November 26, 2024, as well as a

**TUMWATER PLANNING COMMISSION
MINUTES OF HYBRID MEETING
October 22, 2024 Page 2**

discussion on the 2025 Work Program. The Conservation Element is scheduled for the Commission's initial review on November 12, 2024.

PUBLIC COMMENT:

There were no public comments.

**DEVELOPMENT CODE
ADMINISTRATION
(ORDINANCE NO. O2024-005):**

Manager Medrud said the request is to schedule a public hearing on proposed Ordinance No. O2024-005 on November 12, 2024.

The proposed ordinance was outlined in the staff report at the previous meeting. A draft of the ordinance was included in the staff report. Since the Commission's last review, several changes have occurred. The proposed ordinance primarily amends TMC Title 14 Development Code Administration to address revisions needed to bring City's regulations into compliance with amendments to state law and update the City's approval processes, as well as amending portions of some sections in the Tumwater Municipal Code (TMC).

The first change is an addition in Title 18 creating new Chapter 18.55 Site Plan Review. Site plan review applies to development proposals that do not require a conditional use permit or other special permit and involves construction or expansion of new facilities or structures, except for individual single-family dwellings, duplexes, triplexes, quadplexes, townhouses, and stacked units. The current process should be codified as it enables City planners to review a proposed project for all land use related requirements for zoning, setbacks, bulk and dimension, use, landscaping plans, and critical areas, etc. and issue an approval. The proposal establishes a permit type for the review and issuance of a determination. A successful review provides the applicant with vested approval for 18 months. Land uses subject to the proposed provision include multifamily (5 units or more), commercial projects, industrial projects, and institutional projects (schools, public buildings). Manager Medrud invited comments and questions.

Chair Robbins questioned whether some of the larger sections that were stricken from the ordinance were either replaced or removed entirely. Manager Medrud explained that for some chapters, minor changes were made to existing language; however, for Title 14, the entire title was replaced with new language. The old version is posted online. The ordinance strike-through version has the new section in red underlined text. However, some sections in the ordinance refer to new sections outside of Title 14 that are not underlined.

Commissioner Kirkpatrick requested more information on

TUMWATER PLANNING COMMISSION
MINUTES OF HYBRID MEETING
October 22, 2024 Page 3

substantive changes made since the last review. Manager Medrud said most of the substantive changes are in Chapter 18.55 Site Plan Review. References added in Title 14 cite new Chapter 18.55.

Planner Smith-Erickson added that a new table was added listing all permit types and the different land use type applications of Type 1, II, III, and IV. Previously, the code did not identify the permit application type. Timelines were also added to conform to recent legislation.

Commissioner Kirkpatrick said one substantive change he noticed was language that indicates staff had the ability to make certain recommendations. Manager Medrud said the ordinance includes several levels of approval. Approvals can be administrative through the Director of Community Development or their designated appointee or the Hearing Examiner who has the ability to issue a decision on Type III permits, as an example. In all cases, either staff or the Development Review Committee is the first body to review applications and provide recommendations to the final decision-maker. This process has been in practice. However, the proposed changes in the ordinance solidify and clarify the process.

Commissioner Tobias cited Chapter 16 and the strikethroughs that appear to be related to the appeals process. He asked about any changes to the appeal process. Manager Medrud said that the new language clarifies the current code. Some particular sections, such as in Title 11 Telecommunications, have a specific process for handling individual wireless permits and refers to former Chapter 14.08, which was broader than just land use permits and included other provisions that did align within the section. Changes to Chapter 14 are specific to land use permits as specified in Title 18 Zoning, Title 17 Land Division, or Title 16 Environment. All those titles pertain to land use permits.

Planner Smith-Erickson noted that the prior structure of the codes included an appeal process for each application type. The proposed changes consolidate the review and appeal process for each type of application.

Manager Medrud noted that the appeal process did not change in the proposed ordinance. For administrative decisions issued by the Community Development Director, any appeal is considered by the Hearing Examiner for a final determination. Any appeal of a Hearing Examiner decision is appealed to Thurston County Superior Court.

Manager Medrud added that in addition, the list of required

**TUMWATER PLANNING COMMISSION
MINUTES OF HYBRID MEETING
October 22, 2024 Page 4**

elements for a permit application was updated (Chapter 14.08.010). The City issues a determination of complete application to the applicant when the application is procedurally complete. Previously, the process was somewhat nebulous because the City did not specify in detail the documents required. A new level of detail is required to meet new state standards. As each permit type has different requirements, language was included allowing the Director to issue an amendment authorizing a checklist for each of the permit types rather than an entire laundry list of requirements, which might not be applicable to the specific development proposal. As part of the pre-application process for the Development Review Committee, the committee can modify the checklist and request additional information. Any additional information requested by the committee would need to be included in the complete application.

MOTION: **Commissioner Kirkpatrick, moved, seconded by Commissioner Tobias, to schedule a public hearing on Ordinance No. O2024-005; Development Code Administrative Revisions on November 12, 2024. A voice vote approved the motion unanimously.**

NEXT MEETING DATE: The next meeting is scheduled on November 12, 2024.

ADJOURNMENT: **Commissioner Tobias moved, seconded by Commissioner Kirkpatrick, to adjourn the meeting at 8:31 p.m. A voice vote approved the motion unanimously.**