

TUMWATER PLANNING COMMISSION
MINUTES OF VIRTUAL MEETING
November 23, 2021 Page 1

CONVENE: 7:00 p.m.

PRESENT: Chair Elizabeth Robbins and Commissioners, Joel Hansen, Terry Kirkpatrick, Meghan Sullivan, and Michael Tobias.

Excused: Commissioners Doty Catlin, Nam Duc Nguyen, and Nathan Peters.

Staff: Community Development Director Michael Matlock and Planning Manager Brad Medrud.

CHANGES TO AGENDA: There were no changes to the agenda.

NEXT MEETING DATE: The next meeting is a joint City Council and Planning Commission meeting on December 14, 2021 at 5:30 p.m. followed by a Commission public hearing on the emergency shelters ordinance at 7 p.m.

COMMISSIONERS' REPORTS: There were no reports.

MANAGER'S REPORT: Manager Medrud reported the City completed interviews for vacancies on the City's advisory boards and commissions on November 18, 2021. Four appointments have been recommended for approval by the City Council to include the appointment of Grace Edwards to the Planning Commission. Ms. Edwards serves as an Analyst at the Department of Health.

The City Council is moving forward with a discussion and a possible public hearing on the proposed development agreement with the Port of Olympia on the Panattoni proposal during a special meeting on November 30, 2021. Staff was able to review the development agreement and forwarded some recommended changes to the City Council.

The City is sponsoring an open house for the proposed island annexations on Wednesday, December 1, 2021 from 5 p.m. to 8 p.m. The format of the open house is virtual with a presentation followed by online breakout rooms with staff available to answer questions from the public. Thurston County staff will also participate in the open house. A Notice of Availability will be published and posted in December during a four-week period to inform residents that the interlocal agreement between the City of Tumwater and Thurston County for the annexation process is available for review. The intent is to schedule a joint public hearing on January 18, 2022 with the City Council and Board of County Commissioners to receive testimony from the public.

TUMWATER PLANNING COMMISSION
MINUTES OF VIRTUAL MEETING
November 23, 2021 Page 2

Mayor Kmet's retirement celebration is scheduled on Wednesday, December 15, 2021 at 5:30 pm. at the South Puget Sound Community College Student Union Building Commons. COVID protocols will be followed.

PUBLIC COMMENT: There were no public comments.

**EMERGENCY
SHELTERS AND
HOUSING,
ORDINANCE NO.
O2021-019:**

Manager Medrud reported staff incorporated changes recommended by the Commission at the last meeting prior to the review of the ordinance by City Attorney Kirkpatrick. City Attorney Kirkpatrick supported the proposed changes and included some minor modifications. The ordinance reflects the Commission's discussions and it removes all references to distant requirements from other uses and simplifies the agency/non-profit information required for reporting to the City.

Manager Medrud shared a map of where the uses could be allowed as requested by the Commission. Planner Ginther developed several maps, as well as a map of grocery store locations. Manager Medrud shared a map of emergency shelter locations with red lines designating transit service routes, and green designating zoning districts where emergency shelters would be permitted. The area around and near the airport is owned by the Port of Olympia. It is unlikely the Port of Olympia would approve an emergency shelter based on FAA restrictions. Emergency shelters are allowed in General Commercial, Capitol Boulevard Commercial Corridor, Brewery District, and in some Mixed Use zoning districts.

Commissioner Sullivan asked whether the FAA rules limit or prohibit the use only in the flight path. Manager Medrud said the hotel project (Oyo Hotel) is located at the southeast corner of Tumwater Boulevard and Interstate 5. The area owned by the Port of Olympia in Tumwater requires an exemption from the FAA agreement, which essentially pertains to the prior action of the federal government transferring ownership of the airport, at that time, to the City of Olympia from military to civilian use and placing restrictions on the use of the property. One of the restrictions was residential uses. Two elements of the Port property are the airport proper and the area outside the airport fence known as the New Market Industrial Campus (NMIC). The intent of the NMIC when the FAA transferred the property was to provide income potential to support and sustain airport operations to reduce dependence on federal funding. FAA restrictions are essentially in place to ensure uses that are allowed will generate income. The Oyo Hotel has requested the Port petition the FAA to remove the property from the restriction. The City supports that proposal.

Commissioner Kirkpatrick asked about City-owned property along 79th Avenue planned to house the City's new public works maintenance

TUMWATER PLANNING COMMISSION
MINUTES OF VIRTUAL MEETING
November 23, 2021 Page 3

facility and a neighborhood park. Manager Medrud said the underlying zoning is General Commercial and a potential location for an emergency shelter would need to be designated.

Chair Robbins questioned whether the Port of Olympia is subject to the Growth Management Act (GMA). Manager Medrud advised that ports are not subject to the GMA because ports do not have land use authority.

Manager Medrud reviewed the map on supportive and transitional housing. Red lines designate transit routes, green areas designate where the uses are permitted, and pink areas designate where the uses are not allowed with most located in Light Industrial and Heavy Industrial zoning districts.

Another map reflects the location of grocery stores with convenience stores excluded, as most people do not shop primarily for groceries at convenience stores. Grocery stores are depicted by a star on the map are allowed in all the zones that allow emergency shelters.

Chair Robbins recommended including the Tumwater Farmers Market on the map. She supports enabling access to food and services for emergency shelters and supportive housing.

Manager Medrud reported staff recommends the Commission schedule a public hearing on the ordinance following the joint meeting with the City Council on December 14, 2021 at 7 p.m.

Commissioner Kirkpatrick questioned the necessity of distance requirements between supportive housing facilities. He cited how that limitation would not have allowed the construction of the Drexel House high rise. He advocated for eliminating the distance requirement as efficiencies could be gained by several supportive housing facilities located in close proximity. The Drexel House complex is operated by Catholic Community Services. The complex includes an emergency shelter, permanent supportive housing, veterans housing, and transitional housing. Staff members serving the facilities are located in the ground floor of the shelter facility.

Manager Medrud commented on the importance of retaining the distance requirements as it protects against impacts and ensures the facilities are located broadly across the City rather than concentrated in one area; however, the issue surrounding a shared owner offering multiple types of colocated support facilities is also warranted. He recommended adding language to the section that speaks to not requiring a distance requirement for an owner/operator offering a variety of similar facilities in close proximity.

TUMWATER PLANNING COMMISSION
MINUTES OF VIRTUAL MEETING
November 23, 2021 Page 4

Chair Robbins asked about other circumstances that might be appropriate for facilities to be located closer than the distance requirement. Manager Medrud responded that another mechanism to consider is language in the ordinance that speaks to the Community Development Director's ability to modify standards in the subsection if the applicant can demonstrate how the modification would result in a safe supportive housing facility and benefit the community under the specific circumstances of the application.

Commissioner Sullivan supported Commissioner Kirkpatrick's recommendation despite some flexibility in the ordinance for the Community Development Director's ability to modify standards because the City should not impose restrictions given other limitations imposed for emergency housing and supportive housing in conjunction with other existing barriers for delivery of those types of services. Manager Medrud acknowledged the concerns. The purpose of the provisions is to avoid over-burdening one neighborhood while acknowledging that there is a need in the community for people to have access to those services. He cited reasons for retaining the distance requirement. In response, Commissioner Sullivan did not support including a distance requirement.

Commissioner Hansen said he continues to evaluate whether a distance requirement is necessary.

Manager Medrud pointed out that the Commission would have another opportunity at the December 14, 2021 meeting to discuss the issue and recommend any changes at that time.

Commissioner Tobias commented on the language that speaks to "adverse impacts" to avoid impacts to neighborhoods and those in need of housing; however, he is concerned that the language is too vague or general and that it could be misapplied and impede the process for siting supportive housing. Manager Medrud said the Commission's work plan next year includes a proposal to discuss the topic of neighborhood character to address that type of issue. The ordinance affords the Community Development Director some flexibility to render a decision. Adverse impacts language was included to avoid situations that could result in an impact. He welcomed suggested changes while ensuring the ordinance includes some language to enable staff to render decisions.

Commissioner Sullivan offered a suggestion of including several examples, such as, "e.g. not limited to ..." that could speak to adverse public impacts. The proposed language is too broad, which is concerning and perhaps more clarity would be warranted without including "adverse."

**TUMWATER PLANNING COMMISSION
MINUTES OF VIRTUAL MEETING
November 23, 2021 Page 5**

Manager Medrud offered to review the Council's Strategic Plan and discuss the concerns with staff to determine the best language to address the concerns.

Commissioner Tobias clarified that his concerns do not center on the issue of the language in itself, but rather he agrees that the language should be broad to the extent that the Community Development Director has some flexibility because his concern is how the language could be applied by anyone opposed to supportive housing development.

Chair Robbins questioned whether "adverse" could potentially trigger a SEPA review and whether the Director has to demonstrate the reasoning for determining whether the use is adverse and the basis for the decision. Manager Medrud advised that SEPA is a separate issue. SEPA thresholds would be established by the size of the use, e.g. number of units or other impacts. In this instance, the use of "adverse" would not be connected to SEPA. The proposed modification to enable the Community Development Director some latitude would require the applicant to identify something in the proposal that would vary from the requirements. The Director would issue an administrative determination based on that information as part of the approval of the project. After the project is approved, the project could be subject to an appeal to the hearing examiner.

MOTION:

Commissioner Sullivan moved, seconded by Commissioner Kirkpatrick, to schedule a public hearing on Ordinance O2021-019, Emergency Shelters And Housing, on December 14, 2021. Motion carried unanimously.

**2022 LONG RANGE
PLANNING WORK
PROGRAM:**

Manager Medrud described the process and timing for development of the annual work program, as well as available staff resources throughout the year. The work program is categorized into two areas with the first focused on the annual Comprehensive Plan Docket and Development Code amendments and the second for general planning and ongoing activities. Staff calculates the estimated hours required for each work item.

Manager Medrud reviewed the proposed 2022 Long Range Planning Work Program:

COMPREHENSIVE PLAN AMENDMENT DOCKET

1. 2025 Comprehensive Plan Update Process - Starting in fall 2022 through June 2025, the required eight-year update to the City's Comprehensive Plan includes updates to the Conservation, Housing, Land Use, Lands for Public Purposes, and Utilities Elements as well as the Parks, Recreation, and Open Space Plan

TUMWATER PLANNING COMMISSION
MINUTES OF VIRTUAL MEETING
November 23, 2021 Page 6

and Transportation Plan. Work in 2022 will primarily be preparing the scope and schedule for the periodic update with other City departments in the second half of 2022. *Chair Robbins asked about any changes to the Capital Facilities Plan (CFP) as the result of the update. Manager Medrud advised that the City is scheduled to update the CFP in 2023 based on the two-year update cycle. Approval of the 2025 Comprehensive Plan update will provide more information on required projects that could be considered during the CFP update. The Commission reviews the CFP and provides input.*

2. 2022 Comprehensive Plan Amendments - May include at least five public and private amendments through preliminary and final docket process. Amendments include two City proposed amendments: 1) Neighborhood Character, and 2) Comprehensive Plan map amendment to change Single Family Medium Density to Multifamily Medium Density of the triangle west of the Dennis Street SW and Linderson Way SW intersection. Staff anticipates the City receiving two additional applications for property located in west Tumwater and the second for property located at the corner of Littlerock Road and Israel Road.
3. Tumwater/Thurston County Joint Plan Update - Ongoing from 2020 and 2021. Complete the Joint Plan update process through County Board of Commissioners approval and revise all documents and maps as needed. Coordination with County staff and actual schedule will depend on County work plan.

DEVELOPMENT REGULATION AMENDMENT DOCKET

1. Housing Action Plan - Development Code Amendments – Following acceptance of Tumwater Housing Action Plan in 2021, the work program includes proposed updates to development regulations to respond to Plan actions.
2. Housing Action Plan - Rental Housing Amendments (Ordinance No. O2021-023). Part of Resolution No. O2018-016 Homelessness and Housing Affordability response and addressing 2021 Tumwater Housing Action Plan actions.
3. Urban Forestry Management Plan Amendments - Landscaping and Buffering Requirements, Street Tree Regulation Update (Ordinance No. O2021-016), and Tree Preservation Regulation Update. A consultant will assist in processing the updates.

OTHER AMENDMENTS

- a. Binding Site Plan Amendments - Update to binding site plan regulations in Title 17
- b. General Development Code Housekeeping Amendments -

TUMWATER PLANNING COMMISSION
MINUTES OF VIRTUAL MEETING
November 23, 2021 Page 7

Delayed until 2022 by staff reductions in 2021. Minor housekeeping amendments from 2020 and 2021.

- c. Emergency Shelters and Housing (Ordinance No. O2021-019)
- d. Planned Unit Development Chapter Update
- e. Thurston Climate Mitigation Plan - Related Development Code Amendments
- f. Thurston County Code Title 22 - Tumwater Urban Growth Area Zoning

OTHER PLANNING PROJECTS

- 1. Annexations - Island Annexation Process - Ongoing from 2020 and 2021. After approval of Interlocal Agreement with Thurston County for island annexations scheduled for January 2022, coordinate with consultant and City Attorney to support two annexation ordinances.
- 2. Equity Toolbox - At request of the City Administrator, staff will work with consultant to prepare equity toolbox. *Chair Robbins suggested included training opportunities for Commissioners on relevant topics and on equity and inclusion. Manager Medrud advised that within the work program section on general management and coordination, hours have been allocated to support the Planning Commission and the Tree Board, which covers both meetings and to ensure the Commissions are aware of training opportunities. The Equity Toolbox would likely include other recommendations for additional training opportunities. Chair Robbins offered that although the explanation might suffice if the Commission believes the inclusion is appropriate, her recommendation is for minimal staff involvement to inform Commissioners about or organize sessions with the Department of Commerce, such as a short course devoted on the Commission and Commissioner questions. Manager Medrud supported scheduling an in-person planning training similar to other training sessions he participated in with other jurisdictions.*
- 3. GIS Support - Support on unspecified projects, inquiries, and requests.
- 4. Grant Funding - Delayed until 2022 because of staff reductions. Research grant funding opportunities that support long range planning goals. Senior housing support is one potential grant area.
- 5. Habitat Conservation Plan (HCP) - Ongoing from 2016. Phase II work. Includes consultant management and coordination with Port and US Fish and Wildlife Service (USFWS), NEPA/SEPA EIS support as state SEPA lead agency. 2022 grant extension with Washington State Department of Fish and Wildlife and USFWS. The City plans to hire a coordinator whose duties would include overseeing the development and implementation

TUMWATER PLANNING COMMISSION
MINUTES OF VIRTUAL MEETING
November 23, 2021 Page 8

of the HCP.

6. Hazard Mitigation Plan for the Thurston Region - Update the City of Tumwater chapter of the Hazard Mitigation Plan for the Thurston Region. The current plan is due for an update by August 2022. Thurston County Emergency Management and Thurston Regional Planning Council (TRPC) secured a FEMA Pre-Disaster Mitigation grant to update region's plan. The plan update process is expected to launch in November 2021 and take approximately 12 to 15 months to complete.
7. Housing - Affordability and Homelessness - Ongoing from 2020 and 2021.
8. Housing Affordability Amendments - Infrastructure - Part of Housing Affordability Fee Work Plan approved May 28, 2019. Work with the Public Works Department on infrastructure investments for infill areas needing upgrades with follow-up by staff to develop potential scenarios with emphasis on areas where housing affordability is most likely to occur.
9. Long Range Planning Website Updates
10. Public Inquiries and General City Council and Interdepartmental Support.
11. Thurston Climate Mitigation Plan - Phase 4 Ongoing from 2020 and 2021. Work with other jurisdictions on Phase 4 of the Thurston Climate Mitigation Plan: addressing equity and implementation of strategies and action with Commerce grant. Expected transition of work to new Sustainability Coordinator position in Water Resources and Sustainability Department at some point.
12. US Census - Thurston County Jail - As part of the 2021 adjustments to Office of Financial Management's (OFM) Preliminary Population Estimate Review for Tumwater, OFM staff noted that the 2020 Census block where Thurston County Jail is located did not have any general quarters population counted. OFM believes the City has a case to submit to the Count Question Resolution (CQR) program. If successful, the city population would be adjusted upwards through a Corrected Federal Census count, potentially increasing Tumwater's population by 200-400. OFM suspects it was a geocoding error and the Census Bureau may have placed the GQ population at the mailing address rather than the actual location. Correcting this error with the Census Bureau will update the population federal funding is based on, impacting the City's federal funding for the decade.
13. Urban Forestry Management Plan - Ongoing from 2021. Plan implementation and annual Directors and Tree Board coordination on actions in coordination with the City's Sustainability Coordinator.

**TUMWATER PLANNING COMMISSION
MINUTES OF VIRTUAL MEETING
November 23, 2021 Page 9**

GENERAL MANAGEMENT AND COORDINATION

- General Coordination with Other City Departments
- General Coordination with Other Jurisdictions
- Department Management

Additionally, staff identified a number of other projects; however, time is not available to pursue most of those projects. Some pending projects include the Citywide Design Standards after working with new permitting staff. The list of projects is long and reflects future projects in the near term when resources can support the work.

Chair Robbins said some of the projects might interrelate with other projects allocated resources next year. Projects related to autonomous vehicles and electric car infrastructure could be combined with the Transportation Element of the Comprehensive Plan if staff capacity is available. Manager Medrud noted that the two projects were included on the primary list but were removed. The projects may be considered as part of the ongoing Climate Mitigation Plan follow-up.

Manager Medrud asked Commissioners to review the work program and contact him with any questions or identify items that should be included in the work program.

ADJOURNMENT: **Commissioner Sullivan moved, seconded by Commissioner Tobias, to adjourn the meeting at 8:21 p.m. Motion carried unanimously.**

Prepared by Puget Sound Meeting Services, psmsoly@earthlink.net