

**JOINT TUMWATER PLANNING COMMISSION
& TUMWATER TREE BOARD MEETING
MINUTES OF HYBRID MEETING
May 9, 2023 Page 1**

CONVENE: 7:00 p.m.

PRESENT: Planning Commission Chair Elizabeth Robbins and Commissioners Grace Edwards, Terry Kirkpatrick, Meghan Sullivan, Michael Tobias, Anthony Varela, and Kelly Von Holtz.

Excused: Commissioner Brian Schumacher.

Tree Board Chair Trent Grantham and Commissioners Brodrick Coval, Michael Jackson, and Hannah Ohman.

Excused: Commissioners Brent Chapman, Tanya Nozawa, and Jim Sedore.

Staff: Planning Manager Brad Medrud, Sustainability Coordinator Alyssa Jones Wood, and Housing and Land Use Planner Erika Smith-Erikson.

Others: Kim Frappier, Environmental Planner & Urban Forester, and Devin Melville, Environmental Planner and Certified Arborist, DCG/Watershed.

WELCOME & INTRODUCTIONS: Planning Commission Chair Robbins welcomed everyone to the meeting. A meeting quorum was established. Members provided self-introduction.

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

**DRAFT
PLANNING
COMMISSION
MEETING
MINUTES: APRIL
11, 2023: APRIL 25,
2023, & JANUARY
10, 2023:**

MOTION: Commissioner Kirkpatrick moved, seconded by Commissioner Sullivan, to approve the minutes of January 10, 2023, April 11, 2023, and April 25, 2023 as published. A voice vote approved the motion unanimously.

COMMISSIONER'S REPORTS: Commissioner Tobias advised that as a renter in Tumwater, he recently received a packet of information from the City of Tumwater containing a guide for landlords and tenants and updates to the Tumwater Municipal Code (TMC) including updates to notices to increase rent and notices to vacate. He conveyed appreciation to the City for the outreach and a copy of

**JOINT TUMWATER PLANNING COMMISSION
& TUMWATER TREE BOARD MEETING
MINUTES OF HYBRID MEETING
May 9, 2023 Page 2**

the materials.

Manager Medrud replied that the City Council recently approved several ordinances for tenant protections effective April 8, 2023 requiring all landlords in the City to provide information on the rights and responsibilities for both tenants and landlords. The City also mailed information to all identified rental properties in the City and completed a social media campaign. Many of the calls received by the City were from landlords who were positive with many requesting clarification on their specific responsibilities under the new regulations.

**BOARD
MEMBER'S
REPORTS:**

There were no reports.

**MANAGER'S
REPORT:**

Manager Medrud referred members to a copy of the current meeting schedule and meeting agendas.

**COORDINATOR'S
REPORT:**

Coordinator Jones Wood advised of the Council's recent approval of designating a tree in the City as a Heritage Tree. The City received a \$40,000 grant from the Department of Natural Resources to update the City's street tree inventory, other City-owned properties, and create a maintenance plan with estimated costs. She advised of plans to apply for a federal urban forestry grant to use to implement actions within the Urban Forestry Management Plan. She plans to pursue other grant sources if the City does not receive the federal grant.

The Arbor Day celebration was well attended. Approximately 36% of the trees provided during the event were distributed to Tumwater residents with other residents living in Yelm, Lacey, and Olympia. All trees were distributed to residents who reside in the Deschutes watershed.

**PUBLIC
COMMENT:**

Jerome Tuaño said he represents *The Jolt* and is attending the meeting on behalf of the publication.

Charlotte Persons reported she lives in northeast Olympia and frequently represents the Black Hills Audubon Society. As a member of the Society, she served as a member of the City's stakeholder group for the update of the Tree and Vegetation Protection regulations update. The Society recognizes the importance of the code update as the Society anticipates Olympia and Lacey updating their ordinances in the same fashion. She noted membership was a good experience and she was pleased with the draft update as the feedback from stakeholders was considered. She has listened to some of the prior joint meetings and believes both bodies are doing a good job on the updates. She recently submitted written comments and hopes that during the discussions on implementing a new system of

**JOINT TUMWATER PLANNING COMMISSION
& TUMWATER TREE BOARD MEETING
MINUTES OF HYBRID MEETING
May 9, 2023 Page 3**

minor permits for homeowners and major permits for developers, higher fines will be considered for illegal removal of trees as it would assist in enforcement. Another consideration for the update centers on incentives for developers. It is important to include firmness in the code while also offering incentives to encourage people to protect trees.

Margaret Fleming said she lives in Olympia and is representing all people and creatures that will follow her. In terms of the update, definitions matter and it is important not to have efforts stymied by a lack of definitions. She has reviewed information about the possibility of categorizing trees in exceptional and significant categories. At this point in time, mature shading and oxygen-generating trees must be saved. She mentioned that in Olympia and Tumwater, companies serving as tree trimmers and cutters should be licensed as well as subject to fines above anything a homeowner would be fined. Tree service companies should be well informed as to the proper care of trees and should be held accountable. She recommended a separation between the deciders versus those removing trees. The deciders should be the professionals, such as the arborists who are assigned at random from a pool of arborists to determine which trees should be removed and whether removal of the trees could also entail any concerns, such as avoiding any conflict of interest in terms of receiving payment for removal of trees. Although she is not familiar with the City's system, tree replacement should include provisions to guarantee the health of trees over time.

Manager Medrud reported on the receipt of four emails with one email requesting information on how to attend the meeting. The remaining three emails were provided to both bodies earlier in the day.

**JOINT PLANNING
COMMISSION
AND TREE
BOARD BRIEFING
ON THE TREE
AND
VEGETATION
PRESERVATION
REGULATION
UPDATE:**

Manager Medrud briefed members on the status of the update process and the draft documents. He outlined the agenda for the briefing on the proposed amendments.

The City has not updated the tree preservation code since 2006 although a number of actions have occurred since 2006 to include adoption of the Urban Forestry Management Plan in 2021 following a four-year process. The Urban Forestry Management Plan established the importance of the "right tree in the right place" and defined the process and steps to enact the plan. One of the first steps is updating regulations. The purpose of the briefing is to share information on the totality of the update and information on how each element is related and well as identifying important elements of focus.

Manager Medrud asked members to respond to two questions:

1. What were the big takeaways from the Community Conversations

**JOINT TUMWATER PLANNING COMMISSION
& TUMWATER TREE BOARD MEETING
MINUTES OF HYBRID MEETING
May 9, 2023 Page 4**

and public outreach process initiated in November?

2. What is the primary issue to address as part of the code amendments?

Planning Commissioner responses included:

- Commissioner Kirkpatrick said his biggest takeaway is that the update is a complex effort and much is required in the existing codes as current regulations do not account for what should be addressed. There has been a substantial amount of effort to reach the current point in the update process. The public involvement sessions were interesting as the public discussed many different areas with no central target and comments geared in different directions, which leads to the Commission and staff contending with an effort necessary to bring all the different elements together. His primary issue is with unfunded mandates for homeowners, specifically surrounding the payment to arborists as the cost is out of reach from an equity lens perspective for a large portion of the population. It is possible for the City to consider contracting with a group of arborists and allocate hours to individual homeowners when the City mandates owners to provide input from an arborist.
- Commissioner Von Holtz agreed with the comments because it has become a very complex issue and although there is much public interest there is no central area of focus, which will make the update interesting. Her interest is ensuring against any unfair burdens to homeowners from any proposals.
- Commissioner Tobias said most of the messages from the public are concerns surrounding heritage trees or the idea that trees are just more than an obstacle for people to overcome for the sake of development but that trees are part of the common heritage of the City and the people who live within the City and others around the Northwest. The big question is how to measure something as intangible as the common heritage of all mankind within the community of Tumwater. If it is not possible to protect trees for preservation and the City lacks the funds to create another park or nature preserve, the issue is how to maintain a stable level of tree canopy while also keeping open the option for people and industry to grow within Tumwater. The issue is the balance between heritage and development.
- Commissioner Sullivan agreed with Commissioner Kirkpatrick in terms of the complexity of the issues. Some of the public comments from the Community Conservations were balancing equity and environmental justice and environmental preservation with regulations that impact homeowners and how those regulations would be functionally implemented. Some of the issues are how

**JOINT TUMWATER PLANNING COMMISSION
& TUMWATER TREE BOARD MEETING
MINUTES OF HYBRID MEETING
May 9, 2023 Page 5**

the City will measure, quantify, incentivize, and determine the balance between incentives and penalties. There are too many things to consider; however, she is interested in identifying ways to preserve existing trees or replacing trees that have been removed.

- Commissioner Varela said the common theme is how to balance the desire to preserve Tumwater as it is and the need to change and the end result. The City still needs to expand as the population is increasing and it is important to attract business while another goal is not making Tumwater so unrecognizable. The issue is how to balance those goals that achieves both ends. The primary issue surrounds the discussions on incentives and penalties. He believes that neither will assist the City in achieving its goals unless there is a shared vision for everyone to move towards a common direction. Otherwise, penalties and incentives will not be equitable as they essentially attempt to hit moving targets continually.
- Commissioner Edwards said she supports comments from other Commissioners in terms of the complexity of the issues. Her hope is for the process to be forward thinking for both the present and for the future and how the update will impact the community in the future.
- Chair Robbins said she was impressed that the City conducted public outreach. The outreach was effectively offered as it was available online and offered a number of opportunities for people to participate. Her major concern surrounding the update is the holistic approach and that trees are part of the ecosystem that support habitat, corridors, and different values trees play either monetarily or aesthetically. Thinking about how to measure the success of the code, she would like to see that those goals are tied to the vision encapsulated within the Comprehensive Plan or elements within the Comprehensive Plan and the Urban Forestry Management Plan. Shared vision should be articulated and if any measurements are implemented they should be tied to the vision. She is also interested in knowing the costs for implementation of the code amendments and who assumes those costs, e.g., the City, homeowners/property owners, or developers and how those costs would be allocated.

Tree Board member responses included:

- Boardmember Jackson said the consultants handled the complex issues very well during the Community Conversations. Tree companies who operate within the City of Tumwater must understand the code. Previously, a number of individuals did not know the code existed even though the code has been enacted for some time. His primary issue is ensuring definitions are well

**JOINT TUMWATER PLANNING COMMISSION
& TUMWATER TREE BOARD MEETING
MINUTES OF HYBRID MEETING
May 9, 2023 Page 6**

thought out and simple to understand. Currently, the definition for tree professionals is confusing. He has been in the profession for 50 years and yet there are some jurisdictions that he cannot operate within because of provisions in the code. Definitions are most important. Once the code amendments are adopted, the City should publicize and ensure developers and others who work within the City understand the intent of the codes.

- Boardmember Ohman commented that most of the comments pertained to concerns about plants, trees, heritage trees, and a desire for an aesthetically pleasing community while also following the rules. It is important the codes do not penalize people and that the codes represent a balance.
- Boardmember Coval expressed appreciation for the presentation to become familiar with the past, current, and future goals. Overall, he agrees with Boardmember Sedore's comments. The current code includes many avenues to avoid tree retention. Regardless of the intent of the code or the vision of the plan, if the amendments do not include a level of intentionality it would not be possible to close gaps adequately thereby stifling the City's vision or not achieving the vision.
- Chair Grantham said the major messages from public outreach were many community members conveying interest in saving trees and enhancing wildlife habitat. There was a lack of feedback from the opposite perspective, such as the development community. For developers, there should be some incentive to retain trees otherwise developers will not save trees. The code must be readable and understandable. Enforcement is another concern with comments ranging from less enforcement on homeowners because of the costs and affordability while enforcing the code for developers who may or may not be adhering with the code. In many instances, development may appear not to be following the code but likely is more so than a homeowner who might not be aware of the codes and the permitting process. It is a delicate balance of being able to save what is possible and enhance to the degree possible while also enabling large development projects and ways the code can assist developers move through the process. The proposed amendments will also support landscaping code amendments and the Urban Forestry Management Plan.

Boardmember Jackson added that historically, Tumwater was divided into small lots. In some cases, some property owners would own five to six lots containing many trees. Other five-acre parcels were sold and often subdivided into many homes. To meet the code and City rules, the development process is very complex. In those areas of annexation, the issues are different as the parcels are larger with many properties logged

**JOINT TUMWATER PLANNING COMMISSION
& TUMWATER TREE BOARD MEETING
MINUTES OF HYBRID MEETING
May 9, 2023 Page 7**

years ago leaving scotch broom.

Manager Medrud thanked members for their feedback. Staff plans to track how the code update process addresses the concerns. He encouraged members to share other concerns with staff via email.

Manager Medrud reported the City has a history of tree preservation efforts. The City is in an unusual position than other jurisdictions as the intent is preserving existing trees versus adding more trees to replace trees that have been removed. Trees provide many benefits, such as environmental, social, climate mitigation, and aesthetics. Encapsulating all those benefits in the ordinance will be difficult with the intent of including as many as possible. Environmental and equity issues are very important to ensure that those areas of the City that currently lack tree cover have the ability to add trees over time while ensuring no additional regulatory burdens on those communities to retain trees.

The history of the project began with the City Council establishing four major Strategic Priorities. One priority was actions for urban forestry. Community and urban forestry is defined in the Urban Forestry Management Plan as all trees and vegetation on public and private property in the City. The plan measures success over time by an increase in tree canopy. The Council adopted the Urban Forestry Management Plan in 2021. A number of implementation actions are identified in the plan to ensure the urban forest expands. One important goal and action in the plan is ensuring the City's regulations are updated to match the intent of the actions in the Urban Forestry Management Plan.

Other strategic priorities are supported by goals in the Urban Forestry Management Plan to balance the protection of and support of the community urban forest with other City Strategic Priorities to include providing affordable housing, developing a walkable urban community, economic development, addressing climate change, and protecting endangered species.

Another action is reviewing Tree Preservation, Landscaping, and Street Tree regulations regularly to ensure they are working with other strategic priorities, regulations, and responding to changes in climate and in implementing the Urban Forestry Management Plan.

Regulations protecting the City's urban forest do not exist in a vacuum. Regulations support a number of City goals, such as creating a healthy, equitable, and climate-resilient community. However, the proposed amendments could potentially conflict with other priorities, such as reducing sprawl by concentrating growth within the urban area rather than throughout the county. The City is also responsible for allowing the

**JOINT TUMWATER PLANNING COMMISSION
& TUMWATER TREE BOARD MEETING
MINUTES OF HYBRID MEETING
May 9, 2023 Page 8**

creation and maintenance of affordable housing. The City is required to protect endangered species as well as actions for economic development and redevelopment to ensure that those who live in the City have a place of employment and facilities to recreate.

The proposed amendments will likely result in increased costs to property owners, homeowners, and renters as they comply with the regulations, as well as increased costs to the City for enacting and enforcing the regulations.

Staff requests the Commission and the Tree Board focus on the details of the regulatory changes for tree protection as well as how the regulations will affect the overall community in terms housing affordability, etc.

Actions completed to date include working with the Watershed Company beginning in summer 2022 to assist in the update process. The consultant team played an instrumental role in assisting staff in developing the public engagement process, developing the gap analysis, and providing examples of other community processes. The overall public engagement strategy for the project is soliciting broad outreach, engaging a wide and diverse audience, and compiling, distilling, and interpreting feedback into actionable guidance that informs the regulation update process.

The project website at *tumwatertreecity.com* includes social media promotion, print materials, mailing to all property owners and tenants in the City, posters, Community Conversations, external stakeholder meetings, and direct engagement.

During spring and summer 2023, the update process will require most of the summer to complete draft amendments. Staff anticipates that following the Commission's public hearing on the ordinance and after forwarding a recommendation to the City Council, the Council review process will begin in late fall and conclude in early 2024.

Community Conversations began in November and concluded in January 2023. The three meetings were offered both online and in-person and were facilitated by staff and the Watershed consultant team. Community members provided input on the following:

- Addressing environmental justice and equitable allocation of resources
- Programs and incentives to support the community by tree planting and reforestation on public property
- Preserving and replacing of trees
- Designating special trees and groves
- Allocating tree account funds

**JOINT TUMWATER PLANNING COMMISSION
& TUMWATER TREE BOARD MEETING
MINUTES OF HYBRID MEETING
May 9, 2023 Page 9**

During Community Conversation #2 in December 2022, community members who attended the first Community Conversation were asked if they wanted to participate in specific focus group discussions. Based on stakeholder feedback, five topics were identified for discussion by the focus group:

- Environmental equity and resource allocation
- Protection of large trees and groves
- Tree retention and replacement standards
- Development incentives
- Enforcement and penalties

Community Conversations #3 held in January 2023 included a discussion on the themes shared during the first two Community Conversations. Community members provided input on how to quantify tree retention and incentives for tree preservation.

Overall, Community Conversations themes focused on:

- Protecting large diameter trees
- Considering habitat value of trees, groves, and corridors
- Clear permitting requirements
- Stronger tree retention and replacement requirements
- Incentives for homeowners and developers
- Climate change mitigation and adaptation
- Stricter code enforcement and strong, but fair penalties for violations
- Use a credit system for determining tree retention and replacement

The development of the Gap Analysis by the consultant team identified current regulations and regulatory gaps. The Gap Analysis is posted on the website and includes an Introduction and Methods, Analysis of Existing Ordinance, Additional Recommendations, and Coordination with other City Plans & Policies. The Gap Analysis identified potential changes in five categories of reorganization of code sections, early urban forestry review at pre-submittal, arborist reports/site plan requirements, tree retention and replacement standards, and major/minor permit types. Priority topics identified included:

- Tree retention & replacement requirements
- Tree protection designations for large diameter trees
- Update methodology for quantifying tree retention
- Permit types & requirements
- Incentives for development projects & existing property owners
- Maintenance requirements for tree tracts within HOAs &

**JOINT TUMWATER PLANNING COMMISSION
& TUMWATER TREE BOARD MEETING
MINUTES OF HYBRID MEETING
May 9, 2023 Page 10**

commercial/industrial sites

Manager Medrud addressed questions on whether illustration and graphics would be included as part of the code update. Graphics and examples can be included as long as illustrations or the pictures are accessible and understandable by various electronic devices. The City is required to follow state law to ensure standards are achieved within the code document.

Manager Medrud reported the staff report includes current and proposed versions of the code. Staff and the consultant team developed the proposed version of the code based on the Gap Analysis and feedback from the community through the three Community Conversations, online open house, and written comments, as well as meeting with the Planning Commission, Tree Board, and General Government Committee. Staff and the consultants are reviewing the details of some proposed code sections. The final version of the amendments in Ordinance No. O2023-006 and the June 13, 2023 staff report at the joint worksession may differ from the draft version presented in the staff report for the current presentation.

Based on Gap Analysis Sections 2.3 and 2.4 and community feedback, staff and the consultants reviewed definitions to be clear and easy to understand, removed definitions no longer used, reviewed definitions for consistency, added more definitions of trees, and added other definitions as needed.

Particular definitions for review by the Commission and the Tree Board include:

- Buildable area
- Critical root zone
- Development
- Grove tree
- Hazard , unhealthy trees, and nuisance trees
- Landmark tree
- Project permits
- Significant tree
- Tree
- Vegetation

Chair Robbins noted the definition section appears to lack a definition for the consequences of removal or disruption of a particular tree, grove of trees, or a forested corridor. She suggested including a table describing those types of situations to ensure the public understands what the requirements may be for a permit when certain conditions are present.

Manager Medrud advised that the code includes thresholds for removal with

**JOINT TUMWATER PLANNING COMMISSION
& TUMWATER TREE BOARD MEETING
MINUTES OF HYBRID MEETING
May 9, 2023 Page 11**

specific triggers when certain actions are contemplated.

Chair Robbins said the consequences to the environment should be considered when trees are illegally removed. Manager Medrud advised that the aspect of protecting ecosystem values would be part of a longer discussion in terms of the values assigned in the code to tree groves.

The section on Heritage Trees was updated adding more information on how the City evaluates heritage trees, specificity for the process for heritage tree removal, and a requirement for a written landowner consent form and the notice on title.

A new section on Landmark Trees was added based on the Gap Analysis and community feedback to recognize that larger trees should be retained more than smaller trees because of greater benefits such as carbon sequestration and habitat. Landmark trees are defined in the Definitions section. Size thresholds for a landmark trees vary in the state. Critical habitat protections for animals and vegetation will continue to be addressed in TMC 16.32 Fish and wildlife habitat protection. Greater protections for landmark trees should be balanced with other City strategic priorities and property owner rights and responsibilities.

A new section was added on Tree Credits based on the Gap Analysis and community feedback. Provisions assign values to current and proposed trees. The team explored tree credit and canopy cover approaches. Tree credits are a general indicator of tree size and canopy cover over time. Tree diameter by species is used to correlate canopy, age, and ultimate size when assessing retention values for specific species. Specific land use zone districts or uses will have specific minimum tree density credits that must be met. During permit review, existing tree credits will be calculated based on trees retained versus removed. Tree credits are used because of the ease of data collection regardless of expertise as they do not require aerial imagery, online data sources, and trunk size is easily quantifiable. The tree credit method has cost implications, which vary based on the level of staffing available to review permit applications and the rigor of review requirements.

Manager Medrud cited the City of Burien's code as an example. For a 5,400 square foot single-family residential property, 1 tree credit is required per 1,000 square feet of developable area for 5.4 minimum tree credits. Additionally, existing trees on the site are assigned credits based on tree diameter.

The current version of TMC 16.08 allows for tree removal based on the development proposal. On any parcel of land, 30% of existing trees can be removed within a ten-year period. On sites proposed for development, 20%

**JOINT TUMWATER PLANNING COMMISSION
& TUMWATER TREE BOARD MEETING
MINUTES OF HYBRID MEETING
May 9, 2023 Page 12**

of existing trees or 12 trees per acre must be retained, whichever is greater. Six trees every three years can be removed on developed properties except for heritage trees or in greenbelts or critical areas.

Based on the Gap Analysis and community feedback, the team updated when the Tree Account may be used, especially in support of addressing equity.

A new section on Tree & Vegetation Removal Permits was added:

- Created new permit types that differentiate based on project size and type
- Added more specificity to the permitting types and requirements to streamline the permitting process and more efficiently allocate staff resources for small-scale permit review versus large-scale development projects
- More specificity could also aid in enforcement of TMC 16.08 and monitoring short- and long-term trends in tree removal types and processes
- Updated the types of reports and plans that need to be submitted for a complete application for each permit type, including the level of detail needed for arborist reports
- The proposed version of the code integrates the current land clearing permit process into the proposed minor and major tree removal permit process:
 - Minor tree removal permits would be for tree removal on properties that are not part of a development permit application being reviewed
 - Major tree removal permits would be for tree removal on properties that are a part of a development permit application being reviewed
- Updated the materials required to be submitted with permit applications

A new Tree Removal Not Associated with Development section describes minor tree removal permits based on the Gap Analysis and community feedback:

- Minor tree removal permits would be for removing trees on properties that are not part of a development permit application being reviewed
- Establishes permit application submittal requirements and review process
- Minor tree removal permits are administrative approvals, defines when tree replacement is required, defines how many significant trees can be removed without a permit

**JOINT TUMWATER PLANNING COMMISSION
& TUMWATER TREE BOARD MEETING
MINUTES OF HYBRID MEETING
May 9, 2023 Page 13**

Commissioner Jackson commented that although the section on Tree and Vegetation Removal speaks to vegetation, many of the provisions speak only to trees rather than vegetation. In some circumstances, developers will remove all understory vegetation resulting in damage to root systems of most trees in the area. Manager Medrud responded that the draft is a work in progress and staff continues to quantify vegetation. The issue will be part of the Commission and Board's discussion.

Commissioner Coval suggested that for clarity, terminology for major and minor tree removal should be revised to reflect the intent.

Manager Medrud reported a new section on Tree Removal Associated with Development describes major tree removal permits based on the Gap Analysis and community feedback:

- Major tree removal permits are for removal of trees on properties that are a part of a development permit application being reviewed.
- Establishes permit application submittal requirements and review process.
- Major tree removal permits are submitted with and reviewed in conjunction with project permits and require a tree retention plan and replacement plans if property is below required number of tree credits.

Updated tree retention standards are also included for the number of trees that need to be retained on a property either subject to or not part of a current development. The proposed language includes tree condition rating standards, tree retention priorities and locations, consideration for decreasing the removal allowances on properties without a development permit, establishing tree size, species, and location as criteria for retention, and additional protections for retention of large diameter trees, such as those equal to or greater than 24 inch dimension at standard height.

The proposal updates how retained trees are identified, surveyed, and protected, strengthened tree protections by outlining detailed requirements that are readily enforceable, created standards for tree retention, protection, and replacement plans, arborist reports, and how that information should be shown in a development project's application materials.

The Replacement Tree section includes replacement requirements that are applicable if tree retention does not meet code standards, establishes tree replacement standards and ratios related to tree credits, and updates standards related to tree species, location, and quality.

In the current version of the code on sites without a development proposal, a 1:1 placement ratio is required with trees 24 inches or more in diameter

**JOINT TUMWATER PLANNING COMMISSION
& TUMWATER TREE BOARD MEETING
MINUTES OF HYBRID MEETING
May 9, 2023 Page 14**

equal to two trees. On sites with new development, a 3:1 replacement ratio is required. Replacement trees as required in the existing code must be seedlings at least two years of age of the same or similar species of the trees removed.

Updated Maintenance sections establishes maintenance requirements and a maintenance period of three years to ensure plants survive. Staff continues to work on language for ongoing maintenance requirements beyond the initial three years. The proposal includes a requirement for maintenance agreement between the property owner and the City, tree pruning requirements, maintenance of trees on City property, failure to maintain, and performance and maintenance bonds. Much of the language is from the existing code with new language added.

The code includes a section on Exemptions, which will be retained but updated and expanded. The staff and consultant team reviewed current exemptions and determined that the provisions are generally consistent with the exemptions of other recently updated tree preservation codes. Some additional exemptions are proposed based on the City's unique circumstances. As two-thirds of the City includes habitat for endangered prairie species, certain provisions will be included for conservation lands that are part of a federally approved permit. Exemptions would be included in order to create and maintain prairie habitat for conservation.

A section on Alternative Plans enables submission of alternative plans that provide better protections than the existing code. Some language has been included in the the section on permitting criteria for alternative reports or plans submitted in place of the required site plans and arborist report for a development project or land clearing permit.

The appeal procedure section was revised and updated in the proposed version, as well as the Criminal Penalties section.

Other related issues not reflected in the proposal include the process for regulating businesses that prune and remove trees. Staff and the consultant team are reviewing processes for regulating businesses that prune and remove trees. Those processes could include the following:

- Requiring registration and education with penalties if trees are pruned or removed improperly or without a permit.
- Requiring that any arboriculture or forestry professional working within the City be licensed and bonded, obtain a City endorsement to their State Business License, as well as submit a signed statement declaring their understanding of the City's urban forestry regulations.

**JOINT TUMWATER PLANNING COMMISSION
& TUMWATER TREE BOARD MEETING
MINUTES OF HYBRID MEETING
May 9, 2023 Page 15**

Another issue was identified earlier in the year during the update of the Thurston Hazard Mitigation Plan, a FEMA required document that considers all potential natural disasters. Urban wildlife fire has been identified as a risk. The new State Building Code Council adopted the International Wildland Urban Interface Code, which establishes minimum requirements for land use and built environment in designated wildland-urban interface areas, such as limiting the amount and type of trees and vegetation that are near structures. The City will likely adopt the Code as part of its state-required Building Code update to be completed by July 1, 2023. More than half the City will be affected by the new requirements. Staff is evaluating how the adoption of the Code will affect the update to TMC 16.08, as well as the update to the City's landscaping code that may result in changes to the proposed version of TMC 16.08.

The updates to the Street Tree Code and the Street Tree Plan Update follow a similar process. Staff is drafting code amendments to present to the Tree Board and the Commission in the summer with the ordinance scheduled for adoption by the end of the year. A similar schedule has been adopted for the Landscaping Code update.

Next steps include SEPA Review and Notice of Intent in late May or June. Guidance has been developed for the submittal of public comments with written comments submitted at any time. Any comments from the community will be included in the packet for consideration by the Board and the Commission.

Commission/Board worksessions will be hybrid meetings starting at 7 p.m. Meeting agendas include information on how to attend meetings in person or remotely. The Commission is scheduled to meet on May 23, 2023 to review the material and offer additional questions.

The joint Planning Commission and Tree Board worksession on Tuesday, June 13, 2023 initiates the formal review of Ordinance No. O2023-006. Focus of the worksession will be on definitions, landmark trees, tree credits, and tree account. A Planning Commission worksession scheduled on Tuesday, June 27, 2023 will follow up on questions addressed at the June 13, 2023 joint worksession. The next joint Planning Commission and Tree Board worksession is scheduled on Tuesday, July 11, 2023 to review tree retention and replacement, tree and vegetation removal permits system, exemptions, and alternative plans. A joint worksession on Tuesday, August 8, 2023 will focus on remaining sections of the code. Staff proposes scheduling a public hearing on the proposed ordinance at the Commission's meeting on September 26, 2023. At the hearing, the community will have the opportunity to present oral and written comments for consideration by the Commission. After the public hearing and deliberations, the Commission will forward a recommendation on the proposed amendments

**JOINT TUMWATER PLANNING COMMISSION
& TUMWATER TREE BOARD MEETING
MINUTES OF HYBRID MEETING
May 9, 2023 Page 16**

to the City Council for consideration.

The City Council's procedures for public comments are located at <https://www.ci.tumwater.wa.us/departments/city-meetings/attending-a-citycouncil-meeting>. City Council meeting agendas and minutes are available at <https://www.ci.tumwater.wa.us/departments/city-meetings>.

Staff continues to provide updates to the General Government Committee. The next update to the committee is scheduled on May 10, 2023 at 8 a.m.

Manager Medrud addressed questions about any anticipated changes to the current draft prior to the next worksession. Staff does not anticipate any substantial changes to the format or to the sections. Changes will likely occur in areas denoted in red text. Staff will provide additional information to fill in the details. If those details affect other areas of the code, those changes will be noted. The City publishes the next meeting packet by Wednesday before the meeting to afford time for members to review the materials.

NEXT MEETING: The next Planning Commission meeting is on May 23, 2023. The next joint Planning Commission and Tree Board meeting is scheduled on June 13, 2023.

ADJOURNMENT: Councilmember Sullivan moved, seconded by Councilmember Tobias, to adjourn the meeting at 9:02 p.m. A voice vote approved the motion unanimously.

Prepared by Valerie Gow, Recording Secretary/President
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