

TUMWATER PLANNING COMMISSION

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CONVENE: 7:00 p.m.

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

Excused: Commissioners Grace Edwards and Nathan Peters.

Staff: Planning Manager Brad Medrud.

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

APPROVAL OF MINUTES – FEBRUARY 22, 2022:

MOTION: Commissioner Kirkpatrick moved, seconded by Commissioner Tobias, to approve the minutes of February 22, 2022 as presented. Motion carried unanimously.

COMMISSIONER REPORTS: There were no reports.

MANAGER'S REPORT: Mayor Sullivan is planning to attend the April 11, 2022 meeting for a question and answer session with the Commission.

The City hired the new Sustainability Coordinator. Alyssa Jones-Wood will join the City in May. Ms. Jones-Wood is from south Florida where she currently works as a Sustainability Coordinator for the City of Hallandale Beach, Florida. She has a master's degree in geoscience with a focus on human environment and sustainability. Her responsibilities in the new position include coordinating the implementation of the Thurston Climate Mitigation Plan and providing support to the Tree Board and implementation of the Urban Forestry Management Plan.

The City has received applications for the two open Commission positions. Interviews are scheduled at the end of March for the first vacant position.

The City is advertising to fill the Economic Development Manager and Habitat Conservation Coordinator positions serving in the Community Development Department.

PUBLIC COMMENT: There were no public comments.

URBAN FORESTRY Manager Medrud reported the next step in the implementation of the

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MANAGEMENT PLAN – TREE PRESERVATION REGULATION UPDATE, SCOPE OF WORK:

Urban Forestry Management Plan is the preparation of an update to the City's tree preservation regulations. The process will involve hiring a consultant to work with staff, stakeholders, and the Tree Board, Planning Commission, and City Council to update the City's tree and vegetation preservation regulations (Tumwater Municipal Code (TMC) 16.08 Protection of Trees and Vegetation), as well as review and update other relevant regulations, plans, and handouts. The draft scope of work for the consultant will be included in a Request for Proposals (RFP) that the City will be issuing later in March 2022 for a consultant to work on the regulation update.

The update will be an extensive process. Staff received substantial input and interest with respect to the update. Another update closely following this update is the City's landscaping and buffering codes within the zoning code.

Manager Medrud requested feedback on the scope of work for the RFP. The RFP includes a description of the project, goals of the project, and a general scope of work to guide the consultant's RFP submission. The consultant's expertise will be focused on community engagement and engagement with the Tree Board, Planning Commission, and City Council. Staff is also seeking more expertise on trees and vegetation to help inform any of the updates to the ordinances.

Chair Robbins asked about the possibility of including the formation and management of a stakeholder group. Manager Medrud responded by reviewing the staff report outlining next steps. The issuance of the RFP is scheduled within the next several weeks with the draft RFP under review by the Commission and the General Government Committee at its next meeting. The scope of work outlines general project administration involving the coordination of the consultant with City staff and required meetings and other coordinating activities/meetings. The scope of work includes the preparation of a public engagement plan with the consultant to work with City staff to identify all stakeholders. Several comments received by staff earlier and forwarded to the Commission are indicative of the need to expand the list of stakeholders. Manager Medrud reviewed the draft list of stakeholders and described why particular stakeholders were included.

Commissioner Kirkpatrick said he visited the City's website and was unable to locate a listing of homeowner associations in the City. The City of Lacey has an extensive list of homeowner associations as well as staff meetings with neighborhood associations on a regular basis. He does not believe the City has pursued a similar direction with respect to outreach to homeowner associations.

Commissioner Sullivan added that the City of Olympia also maintains a

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list of homeowner associations.

Manager Medrud said the City has a list of homeowner associations, although it may be outdated. The update might offer an opportunity to initiate some discussions on ways to reach out to homeowner associations for a variety of reasons. He agreed developing a list beyond the existing list is important to include within the scope of work.

Staff identified the following stakeholders:

- Residential property owners
- Homeowner associations
- Commercial, industrial, and institutional property owners
- Residential, commercial, industrial, and institutional developers
- Professional consultants, such as landscape architects, foresters, and arborists
- Tree cutting/landscape maintenance companies
- City development review staff, including planning, building and development engineering staff
- City maintenance staff
- City code enforcement staff
- Environmental interests

Chair Robbins recommended including private utility companies, such as Puget Sound Energy because those companies work in the right-of-way. Commissioner Kirkpatrick suggested including the Tumwater Area Chamber of Commerce. Manager Medrud affirmed the recommendations.

Commissioner Tobias asked about the cost-sharing for sidewalk repairs between the City and homeowner associations for those instances where tree roots are breaking through the sidewalk. Manager Medrud said those situations can vary and would be subject to more conversations when the Commission reviews housekeeping ordinances later in the year. If sidewalks are along a public street, abutting homeowners are responsible for repairs to the sidewalk. The City has participated with homeowner associations or a larger group of homeowners to replace some sections of sidewalks. However, in practical terms, the City relies on adjacent property owners. For sidewalks located off private lanes and roads, property owners are responsible for sidewalk maintenance and repairs.

Manager Medrud reported the public engagement plan will also explicitly address how to promote equity and environmental justice. The RFP draft stresses the importance of treating all areas in the City equally with all community members having the same level of access to improvements and benefits. In terms of a stakeholder group either

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externally or internally, the draft defers to the consultant to provide feedback on the best process to pursue. The plan also requires the development of a project schedule to accommodate stakeholder and community meetings as part of the update process, as well as identifying deliverables to the Tree Board, Planning Commission, and the City Council in sufficient time to engage in thorough discussions. Public worksessions will initiate the process of reviewing the ordinance. Materials will be identified for posting on the website and through the City's social media accounts.

Commissioner Kirkpatrick encouraged staff to consider adding a resident of Tumwater as an environmental representative rather than a national environmental organization as the update speaks to the importance of participation by community members.

Commissioner Sullivan commented that in terms of applying equity within the process, some experience she has gained from her professional career on reaching hard to reach populations such as low-income communities or communities of color has been by considering some form of compensation for their time especially if they are requested to participate in a stakeholder group. Manager Medrud affirmed that the topic was also reviewed during conversations on the tenant protection ordinance.

Manager Medrud said public engagement would likely include a public open house for community-wide outreach followed by stakeholder group meetings.

Work products for the project in addition to materials for public engagement include:

- a. Amendments to the following, as needed, in the final form of an ordinance:
 - 1) Municipal Code in Title 16 Environment (TMC 16.08 Protection of Trees and Vegetation)
 - 2) Other relevant sections of the Tumwater Municipal Code as identified during the process
 - 3) Tumwater Development Guide, text and details as needed
 - 4) Citywide Design Guidelines, text and details as needed
 - 5) Comprehensive Plan and Subarea Plans as needed
 - 6) Littlerock Road Subarea Plan, Chapter 5 Implementation as needed Capitol Boulevard Community Zone Design Guidelines as needed
- b. The ordinance should be assessed for compliance with the Growth Management Act (GMA) requirement to comply with the Attorney General's Guidance regarding takings

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Manager Medrud reviewed the schedule for the update. At its March 9, 2022 meeting, the General Government Committee is scheduled to provide input on the draft scope of work. The RFP process and consultant selection process will begin in March through April 2022 followed by the consultant starting work in May 2022.

Manager Medrud shared information on the professional background of Tree Board members. Tree Board Chair Trent Grantham is a landscape architect for a local firm and works closely with developers to design landscaping for projects, Brent Chapman serves as the Arborist for Capitol Campus, Michael Jackson is a professional forester and owns a firm specializing in that type of work, another member serves as a geologist, and Jim Sedore is a former forester and landscape consultant. The remaining two members have environmental backgrounds. The Mayor recommends appointments to the Tree Board based on appropriate representation within the industry.

Manager Medrud reviewed a proposed schedule for the Planning Commission beginning with a Commission worksession transitioning to joint meetings with the Tree Board. The Commission will conduct a public hearing and forward a recommendation to the City Council. A joint worksession is scheduled with the City Council to review the update process and introduce the consultant. The schedule will likely change over time as the schedule is aggressive and will likely require more time.

The Urban Forestry Management Plan was reviewed for guidance in developing the scope of work. Staff asked Permitting Division staff to provide recent asbuilt plans and landscaping plans for recent projects such as Skyview for review by the Planning Commission and Tree Board. During a worksession, staff will walk the Planning Commission and Tree Board through the development review process. Staff also reviewed materials related to the scope of work provided by Ben Thompson and his staff at the Washington State Department of Natural Resources.

Chair Robbins suggested including representatives engaged in urban agriculture, such as community gardens, orchards, or the Thurston County Conservation District within the public engagement process. Another consideration is the area of historically or culturally significant trees in the City that could include the tribes or others engaged in historical research.

PUBLIC COMMENT: **JJ Lindsey** said she is a homeowner who lives off 4th Avenue Southwest in Tumwater. The Thurston Climate Mitigation Plan mandates the City and the county to mitigate carbon and to save as many trees as possible. She emphasized the importance of using that

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criteria when considering the type of urban forestry the City should be protecting. She supports the protection of heritage trees while also using the size of trees as a metric that is just as important as heritage trees. Typically, heritage trees are large and have value for many different reasons. Large trees are being mowed down for large warehouses in Tumwater and many residents in the City are concerned by the disappearance of large tracts of trees for large warehouses with impervious surface resulting in the loss of carbon mitigation, stormwater mitigation, energy savings of shade trees, loss of beauty in the City, and the loss of habitat. Those values should be considered. Additionally, the listed stakeholders on the list does not include an environment-oriented stakeholder, which is concerning as the list includes arborists with competing interests because many are in the business to remove trees. She has had experience with arborists through her neighbors when trees were removed that were not diseased but were removed for suspicious reasons. She is an owner of a very large cedar tree on her property and someone wants her to remove to improve views of Mt. Rainier. She has retained the tree because of its value on many levels for shade, energy savings, mitigation of carbon, and stormwater mitigation. Trees are important for many different reasons and she does not want them viewed as a measurement in a metric that are not valued as a living creature. She suggested the process should include stakeholders who reflect those values. In response to Commissioner Kirkpatrick's comments regarding the recommendation to exclude external environmentalists, those organizations know more about the value of trees than anyone else and she would trust membership representing the Sierra Club or the Black Hills Audubon or other groups as specialists that have the knowledge as to why trees should be retained and preserved in Tumwater. She asked whether the Commission plans to address the membership list.

Valerie Krull said she lives in Olympia. She echoed the comments of Ms. Lindsey and was also surprised the Tree Board lacks environmental members. Although foresters were referred to as environmentalists, they are not necessarily environmentalists because they can be focused on a specific outcome. Although not a citizen of Tumwater, she believes trees in Tumwater are just as important as trees in Olympia as all trees are important to habitat and the environment. She has spoken to similar groups about the importance of trees for the last 40 years. Forty years ago, she was one of the lone speakers about the environment whereas today, most people understand how natural habitat is the most important thing. The community does not need more huge blocks of concrete preventing the natural environment from functioning as it should. The City should be doing everything it can to save the planet while the planet still exists. She is hopeful the suggestion of including members on the stakeholder group who represent a broader scope is considered.

Melinda Hughes, Executive Director, Thurston Climate Action Team (TCAC), said she lives on the border of west Olympia and Tumwater. She supports previous comments that speak to the importance of including experts. In terms of the Thurston Climate Mitigation Plan, climate change recognizes no boundaries. Impacts to one area affect all areas. She has approximately 25 years of forest management experience and natural resource conservation management, as well as an environment law degree. Seeking experts is definitely a must for the process because not only is the plan to be implemented soon, it likely will be included in the Comprehensive Plan that spans the next 30 years. She thanked the Commission for considering climate change and equity.

Manager Medrud advised that based on the feedback, he would revise the scope of work and release the RFP for consultant proposals.

**URBAN FORESTRY
MANAGEMENT
PLAN –
LANDSCAPING AND
BUFFERING
REGULATION
UPDATE, SCOPE OF
WORK:**

Manager Medrud said the scope of work for landscaping and buffering regulations is similar to the tree preservation update with a similar process and stakeholders. The goal of the update is to achieve a desired outcome of a project. Landscaping codes serve multiple purposes ranging from environmental benefits, improving aesthetics, and buffering the impacts of one use from another use. Buffering is required for uses adjacent to other types of uses to mitigate impacts of noise, visual, or other issues. Landscaping and buffering regulations address required plants in specific areas of a specific size, maintenance responsibilities, and other landscaping and buffering requirements. Landscaping is required in multifamily developments, commercial and industrial developments, and manufactured home parks to maintain and protect property values and enhance appearance and sense of place. Landscaping requirements are not required for single-family residences other than for open spaces established as part of a plat.

Commissioner Kirkpatrick said it appears the code does address single-family housing. He cited a section that addresses single-family low and single-family medium within a chart on stormwater ponds and buffers. Manager Medrud clarified that the code does not apply to individual single-family lots. Codes do apply to open spaces within a subdivision plat, for instance.

Manager Medrud explained that the update would include a similar set of stakeholders. The focus will be specific to those users who rely on the code to help them understand the code and that the code is enforceable. He invited comments and suggestions as to other stakeholders who should be included. With no additional feedback, Manager Medrud confirmed he would make the changes previously discussed for the tree preservation update.

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Manager Medrud reviewed the scope of work and the schedule. The update will follow the tree preservation update to afford time for staff to complete work with the consultant and to serve as an opportunity to improve the stakeholder process from the tree preservation update. The General Government Committee is scheduled to review the proposal at its meeting in April. The schedule calls for the issuance of an RFP in June 2022 for a consultant.

Chair Robbins asked about the possibility of any overlap between the stakeholder groups for the two updates to ensure clarity as to which codes are under review as it appears there could be some concurrency of the updates. Manager Medrud advised that it would be dependent upon the consultants who respond to the RFPs. It is possible staff would consider one consultant working on both updates. The conversation with the consultant will cover how work on one update might inform the other update. However, it is likely the consultant would not have the capacity to manage both updates. The responses from consultants will assist in determining the process moving forward. His concern is to avoid overwhelming stakeholders while recognizing the importance of not extending the process.

**NEXT MEETING
DATE:**

The next meeting on March 22, 2022 includes a public hearing on the binding site plan ordinance. The Commission's initial discussion on the planned unit development chapter is scheduled in April.

Commissioner Kirkpatrick conveyed his appreciation for receiving a copy of what appears to be an internal newsletter. The information was helpful as it included a listing of development activities occurring in the City. He asked to be placed on the distribution list for future newsletters. Manager Medrud said he would forward future newsletters to the Commission regularly.

ADJOURNMENT:

Commissioner Tobias moved, seconded by Commissioner Sullivan, to adjourn the meeting at 8:04 p.m. A voice vote approved the motion unanimously.