

**TUMWATER GENERAL GOVERNMENT COMMITTEE
MINUTES OF VIRTUAL MEETING
JUNE 11, 2025 PAGE 1**

CONVENE: 8:00 a.m.

PRESENT: Chair Michael Althaus and Councilmembers Joan Cathey and Leatta Dahlhoff.

Staff: Assistant City Administrator Kelly Adams, City Attorney Karen Kirkpatrick, Finance Department Director Troy Niemeyer, Parks and Recreation Department Director Chuck Denney, Community Development Department Director Brad Medrud, Recreation Manager Todd Anderson, Housing and Land Use Planner Erika Smith-Erickson, and Associate Planner Dana Bowers.

**APPROVAL OF
MINUTES: GENERAL
GOVERNMENT
COMMITTEE, MAY 14,
2025:**

MOTION: Councilmember Dahlhoff moved, seconded by Councilmember Cathey, to approve the May 14, 2025 minutes as presented. A voice vote approved the motion.

**SERVICE PROVIDER
AGREEMENT WITH THE
ARTISANS GROUP FOR
THE UPDATE OF THE
ACCESSORY DWELLING
UNIT PLANS:**

Director Medrud advised that the agenda includes two items related to accessory dwelling unit plans. The first is a service provider agreement with the Artisans Group and the second request is an interlocal agreement with Olympia, Lacey, and Yelm. Both requests are the result of the City of Tumwater assuming the lead in managing the contract with the Artisans Group. The request to the committee is to place the service provider agreement and the interlocal agreement on the June 17, 2025 City Council Consent Calendar for approval.

Director Medrud reported that the purpose of accessory dwelling unit plans is for each jurisdiction to provide approved stock plans to the public who may want to build an accessory dwelling unit. The Artisans Group is updating its current set of plans to reflect the new state requirements for 1,000 square-foot ADUs, new energy code changes, and other options to the four sets of plans.

MOTION; Councilmember Cathey moved, seconded by Councilmember Dahlhoff, to place the Service Provider Agreement with the Artisans Group for the update of the Accessory Dwelling Unit Plans on the June 17, 2025, City Council Consent Calendar with a recommendation to approve and authorize the Mayor to sign. A voice vote approved the motion unanimously

**INTERLOCAL
AGREEMENT WITH**

Director Medrud requested approval of the proposal as reviewed.

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**CITIES OF LACEY,
OLYMPIA AND YELM FOI
THE UPDATE OF THE
ACCESSORY DWELLING
UNIT PLANS:**

MOTION:

Councilmember Dahlhoff moved, seconded by Councilmember Cathey, to place the Interlocal Agreement with Cities of Lacey, Olympia and Yelm for the update of the Accessory Dwelling Unit Plans on the June 17, 2025, City Council Consent Calendar with a recommendation to approve and authorize the Mayor to sign. A voice vote approved the motion unanimously.

**2025 COMPREHENSIVE
PLAN PERIODIC
UPDATE –
CONSERVATION
ELEMENT:**

Planner Bowers briefed members on the draft of the Conservation Element of the Comprehensive Plan. The briefing covered the format of Parts 1 and 2, a review and discussion on the draft Conservation Element, and committee feedback on goals, policies, and draft implementation actions.

Part 1- Goals, Policies, and Actions includes:

- Chapter 1 - Introduction
- Chapter 2 - Growth Management Act (GMA) County-Wide Planning Policies
- Chapter 4 - Element Goals and Policies
- Appendix A - Draft Implementation Actions

Part 2- Technical Information

- Chapter 1 - Introduction
- Chapter 2 - Natural Resources
- Chapter 3 - Critical Areas
- Appendix A - Foundational Documents and Best Available Science
- Appendix B - Open Space Taxation Act Summary
- Appendix C - Tumwater Soils Report

The GMA goal controls sprawl by keeping urban growth and development within the boundaries of city limits and urban growth areas (UGA) to enable counties to have long-term and significant commercial agriculture, forestry, and mining operations. Urban agriculture uses within city boundaries are at a community-level scale. Urban agriculture is typically less than 30 acres, but it is dependent on its location as some farmland can be located both within the city limits and outside city limits.

Seven percent of the City's soils are considered prime farmland. Conversely, 70% of all City soils are prime soils only if drained or

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irrigated. The City is prioritizing agriculture over wildlands and wetlands, which speaks to the importance of recognizing different goals. Irrigation is also dependent upon water availability.

The City recognizes the importance of forestlands. Within the City and its UGA, 371 acres have been identified as forestland, which is protected by designation at the state level. Forestry land is used for commercial harvesting of timber, which must be maintained to continue its protected designation and tax status.

The City has implemented local tree protection regulations for urban forests rather than commercial forestlands. Urban forestry protections are governed by Tumwater Municipal Code Chapter 12.24 Tree Street Ordinance, Chapter 16.08 Tree Protections and Vegetation Protections, and Chapter 18.47 Landscaping Code.

Councilmember Cathey asked about the status of potential changes to the City's tree ordinance. Planner Bowers explained that the current focus has been on the completion of the periodic update of the Comprehensive Plan and changes to the Development Code through September. Staff will begin working on changes to the tree protection ordinance. With recent changes in personnel, it is important for the new Planning Manager to be aware of the proposed changes, as the new manager will lead update efforts for the ordinance.

Councilmember Cathey conveyed concerns surrounding completion of many changes through the update of the Comprehensive Plan while lacking any updates to the tree protection ordinance. Planner Bowers acknowledged the concerns while acknowledging that the actions within the Urban Forestry Management Plan speak to the importance of updating the codes by reference to different goals and policies for preserving tree canopy and ensuring actions lead to achieving canopy goals. Councilmember Cathey noted that in addition to preserving tree canopy, it is also important to consider the loss of trees during development processes.

Chair Althaus encouraged members to review goals and strategies in the Conservation Element that should be strengthened in support of the vision of preserving trees and tree canopy.

Planner Bowers reviewed different policies that also tie into forestry, such as critical areas ordinance, endangered species list, and the Habitat Conservation Plan (HCP). The protections are tied to land use and design regulations (in some cases), as well as subarea plans that include policies for tree protection.

Under mineral land resources, the City's mineral resources are typically

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gravel and rocks. Within the built landscape throughout the City and the UGA, aggregate resources are needed from a local source to control costs. Aggregate mineral resources are only allowed in the City's Heavy Industrial zoning districts to protect other users from the impacts of mineral extraction operations.

Planner Bowers emphasized that the Conservation Element is in alignment with the Urban Forestry Management Plan, Hazard Mitigation Plan, and the Development Code. The Conservation Element focuses on the function and preservation of functions of different landscapes.

Councilmember Dahlhoff cited development activity occurring off Kirsop Road, which involved elimination of a wetland. She asked how that action was permitted under the existing Conservation Element. Planner Bowers explained that the Critical Areas Ordinance was updated in 2019, and some development was permitted prior to the update of the ordinance.

Director Medrud added that the Conservation Element and the Critical Areas Ordinance are aligned when protecting resources within the City. The development activity off Kirsop was approved under the City's current regulations, which are based on state models that were reviewed by the Department of Ecology. The activity is not contrary to best available science for protecting resources. In terms of conservation, it is important to protect those critical areas as required by state law. However, cities have the ability to balance interests and render choices by extending specific protections in a greater way while also being mindful of the impacts of what could occur in achieving other state requirements, such as housing and accommodating growth. When the City updated regulations in 2019 to reflect state guidance it was because of the state's better understanding of the protection of critical areas, such as wetlands, steep slopes, and habitat. The City meets the state's requirements as well as balancing all other requirements within an urban area.

Councilmember Dahlhoff responded that she supports the Conservation Element, but it does not align with what is occurring on the ground. She understands the goal of meeting state requirements and laws, but the activity does not align with the City's actions. She questioned how to frame the element to meet with the community's expectations of balance. She believes more discussion is warranted because the element does not align with the comments and questions she receives from community members about what is occurring and what the City purports to protect.

Director Medrud replied that a conversation is warranted to discuss

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what it means to “protect” and the City’s actions and how they align with requirements. One important aspect of the conversation is how the City “enhances,” which is a new goal within the GMA. It is important to discuss how the City uses limited urban lands in all the different ways the state dictates should be used.

Councilmember Cathey expressed her concerns about wetlands as well. She believes it will become more difficult to protect wetlands because of the array of exceptions to too many situations. The conversation is helpful, and she looks forward to extending a conversation on both enhancement and protection.

Planner Bowers referred to critical aquifer recharge areas and the importance of protecting drinking water and wellhead protection areas. She encouraged members to review the information. Wellhead protection areas were established based on the time it requires for one drop of water to travel to a well. Protection areas have been established for six months, one year, five years, and ten years.

Within frequently flooded areas, FEMA guidance dictates how the City classifies and protects those areas. The City follows the guidance in addition to adopting low impact development strategies. Within floodplains only low-impact development is allowed with less pavement and more natural environment to ensure adequate absorption and protection of infrastructure during flooding events.

Development regulations have been adopted for hazardous areas, such as steep slopes. The regulations guide appropriate land use and density. In some cases, no land use is appropriate based on the category of the slope and the type of soil.

Fish and habitat conservation areas focus on the protection of habitats rather than species. The draft HCP identifies habitat for listed species and the Critical Areas Ordinance identifies buffer areas for protection.

Planner Bowers reviewed goals and encouraged members to submit comments about the timelines, unintended consequences, additional information to include, and any additional impacts:

Goal C-1 Recognize the significant role played by natural features and systems in determining the overall environmental quality and livability of Tumwater

Highlights:

- Natural systems make Tumwater livable
- Protect and enhance environment
- Use adopted plans

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Goal C-2 Promote conservation of natural resources and the protection of the environment in cooperation with residents, property owners, other jurisdictions, and tribes

Highlights:

- Support education programs

Councilmember Dahlhoff asked how to prevent the situation surrounding the Davis Meeker oak tree from occurring in the future in terms of how the plan assists the City moving forward on the possibility of similar scenarios that require some form of resolution.

Planner Bowers replied that in terms of listed species or designated historic features, the Development Code implements actions. The intent of the Conservation Element is to create more accessibility with the document utilized more on a regular basis to review any potential situation that might occur.

Director Medrud added that the Conservation Element provides the framework and policy background to address future issues that might arise that could involve listed trees, animals, or vegetation. The element does not necessarily anticipate every potential outcome, but it does provide the City with the framework to determine a way to address specific issues.

Councilmember Dahlhoff asked whether staff refers to the Conservation Element as a daily guide to implement actions rather than only updating the element every 10 years. She asked how staff plans to weave the element into the work moving forward. Director Medrud advised that the current strategic planning process will focus on how to make connections between the Conservation Element and other elements. Additionally, the state has mandated cities with additional reporting requirements every five years. It also important for the City to build those requirements within the larger processes to evaluate accomplishments.

Goal C-3 Support urban agriculture for access to local food production

Highlights:

- Work with partners to ensure agricultural viability
- Support local food production
- Completion of the City's Food System Plan

Goal C-5 Support urban forestry

Highlights:

- Canopy retention

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- Conversions compatible with surrounding development pattern

Goal C-6 Protect mineral resource lands

Highlights:

- Allow extraction where it won't cause degradation
- Protect sites from incompatible uses
- Restoration extraction sites

Goal C-7 Protect and enhance water quality

Highlights:

- Enhance ecological functions
- Support restoration of stream channels and wetlands
- Allow public access for monitoring and education
- Balance habitat, water supply, recreation and all needs

Planner Smith-Erickson commented that based on previous discussions on wetlands, staff drafted an implementation action to address wetland concerns. The state requirements do not require the City to enhance wetlands; however, other options are available. Based on internal stakeholder feedback from City departments, a need was identified for a staff biologist to assist staff in reviewing wetland reports to ensure there is no net loss of function and that any mitigation measure ensures the wetland is functioning properly and monitoring is implemented in terms of balancing development with protection of the environment and ongoing functions of critical areas.

Councilmember Dahlhoff stressed the importance of considering location. She cited the potential urban growth land swap with Thurston County of property located at the corner of Old Highway 99 and 93rd Avenue with land near Black Lake consisting primarily of wetlands. She questioned why the City would be willing to swap wetlands for other land. Director Medrud said that the potential land swap is in process and has not been finalized. Under the state swap law, if there are areas within the UGA that are not developable to urban levels because of the presence of wetlands, steep slopes, or critical habitat for protected species, those areas would be removed from the City's UGA and moved to the county to afford the land a higher level of protection with less development pressure in exchange for lands that are more appropriate for urban development. State law dictates that any lands within the UGA should be developable at urban levels.

Councilmember Dahlhoff commented that the issue is about optics as the City has a Conservation Element and promotes preservation and protection while a pending action would transfer protected land to the county.

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Director Medrud added that the counties have the ability to offer greater protections to critical areas with development density less intense. The adjacency of land uses plays a role in terms of how parcels may or may not develop. Critical area protections are similar because in some instances counties policies are stronger than city policies. Counties are not required to develop at urban densities similar to the densities required of cities.

Councilmember Cathey requested clarification as to what constitutes a wetland buffer. Director Medrud responded that buffers are intended to establish an area adjacent to a critical resource to ensure against the encroachment of development from the critical area. Dependent upon the habitat quality of the wetlands and the type of wetland, a size range of buffers is identified. The large wetland complex on the westside of the City is classified higher and has larger buffers. Options are available for development to occur within portions of the buffer only if wetland functions remain unchanged. A reduction in buffer size requires enhancement of the wetland and the buffer.

In the interests of time, the committee agreed to defer the review of the remaining goals to the next meeting of the committee.

**AGREEMENT WITH
THURSTON COUNTY
FOR SPECIALIZED
RECREATION:**

Manager Anderson reported Thurston County provides specialized recreation for the cities of Olympia, Lacey, and Tumwater. The City has entered into prior agreements with Thurston County for a period of three decades. Each city reimburses Thurston County to operate recreational services for people with disabilities, such as day trips, monthly events, dances, movie nights, and fitness programming. The City's allocation of funds is approximately \$2,125 annually over a two-year period.

The committee supported moving the agreement with Thurston County to the City Council for consideration.

MOTION:

Councilmember Cathey, moved, seconded by Councilmember Dahlhoff, to place the Interlocal Agreement between the City of Tumwater and Thurston County for Specialized Recreation Services on the June 17, 2025, Council Consent Calendar with a recommendation to approve and authorize the Mayor to sign. A voice vote approved the motion unanimously.

ADDITIONAL ITEMS:

Chair Althausser addressed the meeting schedule that was previously revised to start at 8 a.m. primarily to accommodate his schedule. He currently has the flexibility to meet later in the day. Director Medrud noted that the availability of staff is limited on Wednesdays from 10

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a.m. to noon because of management team meetings.

Chair Althausen recommended sending out a poll to identify a time that is compatible with the schedules of both members and staff. Members agreed with the suggestion.

ADJOURNMENT:

With there being no further business, Chair Althausen adjourned the meeting at 8:57 a.m.

Prepared by Valerie L. Gow, Recording Secretary/President
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