



**PLANNING COMMISSION  
MEETING AGENDA**

**Online via Zoom and In Person at  
Tumwater Fire Department  
Headquarters, Training Room, 311 Israel  
Rd. SW, Tumwater, WA 98501**

**Tuesday, September 27, 2022  
7:00 PM**

1. Call to Order
2. Roll Call
3. Changes to Agenda
4. Approval of Minutes
  - [a.](#) Tumwater Planning Commission Minutes August 23 2022
  - [b.](#) Tumwater Planning Commission Minutes September 13, 2022
5. Commissioner's Reports
6. Manager's Report
  - [a.](#) 2022 Planning Commission Meeting Schedule
7. Public Comment
- [8.](#) Ordinance No. O2022-003, Final Docket for 2022 Comprehensive Plan Amendments
- [9.](#) Planning Commission Training Program – Development Review Case Study
10. Next Meeting Date - 10/11/2022
11. Adjourn

**Meeting Information**

The public are welcome to attend in person, by telephone or online via Zoom.

**Watch Online**

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**Public Comment**

The public is invited to attend the meeting and offer comment. The public may register in advance for this webinar to provide comment:

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After registering, you will receive a confirmation email containing information about joining the webinar.

The public may also submit comments prior to the meeting by sending an email to:

[cdd@ci.tumwater.wa.us](mailto:cdd@ci.tumwater.wa.us). Please send the comments by 1:00 p.m. on the date of the meeting.

Comments are submitted directly to the Commission Members and will not be read individually into the record of the meeting.

If you have any questions, please contact Planning Manager, Brad Medrud at (360) 754-4180 or

[bmedrud@ci.tumwater.wa.us](mailto:bmedrud@ci.tumwater.wa.us).

### **Post Meeting**

Audio of the meeting will be recorded and later available by request, please email

[CityClerk@ci.tumwater.wa.us](mailto:CityClerk@ci.tumwater.wa.us).

### **Accommodations**

The City of Tumwater takes pride in ensuring that people with disabilities are able to take part in, and benefit from, the range of public programs, services, and activities offered by the City. To request an accommodation or alternate format of communication, please contact the City Clerk by calling (360) 252-5488 or email [CityClerk@ci.tumwater.wa.us](mailto:CityClerk@ci.tumwater.wa.us). For vision or hearing impaired services, please contact the Washington State Relay Services at 7-1-1 or 1-(800)-833-6384. To contact the City's ADA Coordinator directly, call (360) 754-4128 or email [ADACoordinator@ci.tumwater.wa.us](mailto:ADACoordinator@ci.tumwater.wa.us).

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### ***What is the Planning Commission?***

*The Tumwater Planning Commission is a citizen advisory commission that is appointed by and advisory to the City Council on the preparation and amendment of land use plans and implementing ordinances such as zoning. Actions by the Planning Commission are not final decisions; they are Commission recommendations to the City Council who must ultimately make the final decision. If you have any questions or suggestions on ways the Commission can serve you better, please contact the Community Development Department at (360) 754-4180.*

**TUMWATER PLANNING COMMISSION  
MINUTES OF HYBRID MEETING  
August 23, 2022 Page 1**

**CONVENE:** 7:03 p.m.

**PRESENT:** Chair Elizabeth Robbins and Commissioners Terry Kirkpatrick, Brian Schumacher, Meghan Sullivan, and Michael Tobias.

Excused: Commissioners Grace Edwards, Nathan Peters, and Anthony Varela.

Staff: Planning Manager Brad Medrud

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

**COMMISSIONER'S  
REPORTS:** There were no reports.

**MANAGER'S  
REPORT:** Manager Medrud reported on the pending appointment of Kelly Van Holtz, who is a current member of the Parks and Recreation Commission. Following her appointment at the September 6, 2022 City Council meeting, she will attend the Commission's next meeting on September 13, 2022.

**PUBLIC  
COMMENT:** There were no public comments.

**ORDINANCE  
NO. O2022-003,  
FINAL DOCKET  
FOR 2022  
COMPREHENSIVE  
PLAN**

Manager Medrud referred to the final docket of the Tumwater Comprehensive Plan and encouraged Commissioners to submit questions on any amendments other than the amendment concerning Neighborhood Character. The Commission has two worksessions scheduled to review the Comprehensive Plan amendments.

**AMENDMENTS:** Commissioner Tobias asked whether the Wells Littlerock Comprehensive Plan Land Use Map Amendment (TUM-21-1848) and Corresponding Rezone (TUM-21-1804) was a City or private initiated amendment. Manager Medrud advised that the application was filed by a representative of the landowner. The amendment is the only private amendment in the final docket. Staff believes the amendment should move forward because of its location and the proposal.

Commissioner Kirkpatrick asked whether the City has any flexibility in the terms of specific zoning districts allowing essential public facilities. Manager Medrud said the City has flexibility in the location but the City cannot prohibit essential public facilities based on state law. The City's provisions for essential public facilities are included in the Comprehensive Plan and in Title 18 *Zoning* of the Tumwater Municipal Code (TMC). Both provisions are nearly identical. Commissioner Kirkpatrick asked whether the amendment is for consideration to expand the zones permitting

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essential public facilities or alignment of language between the Comprehensive Plan and the TMC. Manager Medrud explained that earlier in the spring, staff received an inquiry from an existing drug rehab center and overnight care facility. The owner was considering the expansion of the facility to an adjacent parcel; however, both the current parcel and the adjacent parcel do not allow the use. Staff was tasked to review the codes to accommodate the request, as well as looking at the existing use as a conforming use as well as the proposed expansion. Staff considered several options and determined the issue should include a public process because it could represent a big change affecting a neighborhood and surrounding area. Since staffing resources are not available this year, staff proposes to remove the amendment from the final docket and consider the proposal as part of the larger Comprehensive Plan update process over the next several years.

A similar proposal also involves amendments to the Conservation Element to incorporate Thurston Climate Mitigation Plan greenhouse gas emissions targets as the state recently adopted reduction in greenhouse gas emissions based on 1990 data while the Thurston Climate Mitigation Plan is based on 2015 data. As the Thurston Climate Mitigation Plan was part of a regional effort, staff believes alignment with state law should be accomplished through a regional effort by modifying the Thurston Climate Mitigation Plan and then pursuing amendments to each jurisdiction's comprehensive plan.

Manager Medrud displayed a map identifying homeowner associations within the City for residential single family. A prior question from Commissioner Kirkpatrick was on the affect of HOA covenant restrictions versus City restrictions. Lacking specific HOA copies of covenants, it is not possible to identify HOA restrictions except assuming that there is some level of various types of restrictions.

Commissioner Kirkpatrick cited a missing neighborhood that was established in the 1980s. Manager Medrud offered to follow-up with GIS staff to review the source of data.

Manager Medrud asked for feedback on the proposed amendment packet with some articles on neighborhood character. Chair Robbins said she found the articles to be helpful in terms of history surrounding neighborhood character.

Kirkpatrick Commissioner commented on the inherent difficulty in defining "character." Character has its own character and it is used in many different ways in the proposed amendment with multiple uses not resembling the same idea from one paragraph to another.



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Commissioner Tobias referred to an article on “neighborhood character” included within the information that speaks to the restriction of two front doors to a residential structure. It appears to be ambiguous throughout Canada and likely in the U.S. The author of the article described some of the theories surrounding architectural design. He questioned why the front door aspect of a house is considered so central to neighborhood character. Manager Medrud said he suspects the restriction of more than one front door is to preserve lower density single-family neighborhoods otherwise neighborhoods could be identified as multifamily housing or other types of neighborhoods.

Commissioner Tobias mentioned recent information concerning Phoenix, Arizona on how areas with more trees integrated within neighborhood landscapes can affect the temperature range by many degrees. Areas of lower economic status or lower median income tended to be the areas with less trees and vegetation resulting in higher temperatures. Neighborhood character is not just an intangible aesthetic because it could have a very real impact, such as what is experienced in Phoenix where temperatures are higher often leading to health impacts.

Commissioner Kirkpatrick commented that prior to the interstate system the City of Baltimore, a large port city, had ships that often supplied marble to many brownstones for front doorsteps. It was possible when driving through brownstone neighborhoods to distinguish between rental and owned units as owners of the rental brownstone units removed and sold the marble while owner-occupied brownstones retained their marble doorsteps.

Councilmember Schumacher commented that as a new member, much of the information within the staff report is detailed and he is hopeful the City strives to increase density to help both the housing crisis and reduce homelessness. The lack of affordable housing has increased and one day he would like to purchase a home; however, home prices average six to seven times the average income for the area. The only way to solve an equity or market problem is by providing more supply. He hopes that as development occurs in the City, density increases without the need to add more multiple story buildings. He asked whether City development information could be provided in a spreadsheet format to enable tracking of the type of development occurring in the City.

Manager Medrud said the information resides in a software program that the City is currently replacing. The system is not user-friendly and is difficult to extract information. At this time, staff is unable to provide concise information as to development activity occurring in the City. The City has been transitioning to a new system incorporating modules for finance, permitting, public works, and other department systems. The

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intent of the new system is to improve interoperability between the departments and afford quick and easy access to information.

Manager Medrud spoke to the issue of increasing density to accommodate growth, as well as maintaining or lowering housing prices. The role of design and requirements for design help to reduce the impacts of increasing density. The City implemented design guidelines approximately six years ago as part of the project review process. As the City begins focusing on more intense densities, it will be important to consider the importance of design and, at some point, explore other options for zoning than currently in place. One option is form-based zoning that focuses on the intensity of the use rather than the type of use. That effort will require a substantial work program.

Commissioner Schumacher commented on the prevalence of development in areas lacking services. He advocated for housing above retail so that residents do not need to drive to services.

Chair Robbins asked whether staff's research on neighborhood character included any information from the National Association of Cities. The organization published information on design guidelines for neighborhoods many years ago that could be helpful to the discussion. Manager Medrud said he would conduct some additional research.

Manager Medrud recommended reviewing *GOAL H-7: To ensure that housing is compatible in quality, design, and density with surrounding land uses, traffic patterns, public facilities, and environmentally sensitive area*. The first policy is *H-7.1 Support the stability of established residential neighborhoods through appropriate plans and codes*. The policy has been subject to interpretation as there is substantially no allowance for any changes while other policies speak to the importance of stability but also allow for growth and other factors.

Commissioner Kirkpatrick pointed to several sections that speak to establishing residential neighborhoods that is indicative of a wider interpretation rather than a narrow definition. He suggested the language does not speak to transitional residential uses while still retaining the neighborhood as a residential use. There may be residential areas in the City that might convert to commercial uses over the course of several decades. Today, residential uses include a wide range of uses. Designations of single family and multifamily are often no longer different. Today, any residential neighborhood could include single-family or multistory apartment buildings.

Chair Robbins commented on the term of "stability" because it implies a static and unchanging condition, which is not realistic today. She

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suggested exploring other terminology that describes continuity of a neighborhood as it evolves, changes, and redevelops.

Commissioner Kirkpatrick agreed with substituting another term; however, the term “stability” within the policies speak not to the structure but to the people living within the structures. It speaks to people wanting to live a stable life in either an apartment or a house to raise a family. He believes that is the context of “stability” within the policies.

Chair Robbins advised that the Commission’s recommendations to the City Council could include creating a situation where the proposed language creates the conditions for people to thrive and sustain themselves. It is important to create those conditions regardless of the structures or the type of nearby services or businesses. It is important to recognize change is occurring.

Commissioner Tobias referred to *GOAL H-8: To support healthy residential neighborhoods which continue to reflect a high degree of pride in ownership or residency* and cited trends occurring nationally where home ownership is becoming difficult because of rising interest rates. The long-term effects are unknown in terms of a pending recession or a sustained environment of high interest rates. It is fair to say that in the short-term, fewer people are applying for financing to purchase a home, fewer homes are being sold, and those that are sold are at a much higher rate than most average Americans can afford. Another new trend is the purchase of homes by large institutional investors, such as real estate funds, private equity groups, and others that are purchasing homes with cash and converting the structures to rental properties. It does not change the structure or the character of a neighborhood in that sense, but it does change in terms of the people who live in those homes who are renters rather than owners. There may be a change in character if the trend continues with neighborhoods with homeowner associations comprised of tenants rather than owners.

Manager Medrud added that the City is uniquely located because of the military base with many instances of military personnel owning homes and when reassigned renting their homes. The City of Lacey has more rental single-family homes than the City of Tumwater. However, the City does have a fair number of rental homes.

Commissioner Tobias offered that it is a trend that should be tracked in terms of ownership versus rental. The City of Olympia has transitioned within the last several years from a majority owner community to a majority rental community.

Chair Robbins commented on possibilities of incentivizing and ensuring people are able to own homes rather than renting homes. During the 2008

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and 2009 recession many homes were repossessed and offered on the market with some provisions or conditions where buyers who intended to live in the home were favored over a commercial entity that would rent the home. She asked about the possibility of implementing a similar policy favoring home ownership versus the home becoming a rental property. Manager Medrud said the ideas are valid to review; however, at the zoning level, he is unsure as to whether such policies could be considered as the City does not consider specific ownership of a structure nor does the City have policies that discourages the sale of properties for future use as a rental. He shared that he plans to review materials published by the Department of Commerce for updating the City's Housing Element. All the questions are valid because the City prefers local residents owning and renting as they all have a stake in the community. However, how those goals relate to zoning along with accompanying provisions the City implements are questions to ponder moving forward as part of the review.

Commissioner Schumacher shared that he rents a home and has offered to split the cost for upgrading the home. The company is not interested in improving the home and its appearance, which affects the neighborhood in the longer term which affects the City when minimum standard rental units outnumber owned properties. He questioned whether it is even possible to address those issues through the zoning code.

Commissioner Kirkpatrick said the intent of the goals is to ensure housing is compatible in quality design and density. The City's design standards should require appropriate construction of homes built to a minimum standard. Commissioner Schumacher said his contention is that builders are constructing homes to minimum standards and generally do not add improvements.

Commissioner Tobias shared information about Vancouver B.C. and how the government had to take action to alleviate similar issues with foreign investors purchasing homes and leaving the homes vacant leading to a housing crisis in the city. Eventually, the government stepped in and approved charging a 15% tax to foreign investors purchasing homes in the city as a way to curb the practice of purchasing homes and leaving them vacant. It may be possible to incentivize or disincentivize certain housing practices in the City.

Manager Medrud commented that future discussions may necessitate the need to provide more explanation in terms of provisions and policies in terms of residential uses. Although, he does not envision the need for dramatic changes at this time, the issues speak to broader issues that would be better considered under the umbrella of the update process for the Comprehensive Plan.

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Commissioner Schumacher asked whether the City requires rental housing to be licensed, as it could represent a good first step. Manager Medrud responded that the subject is scheduled for review by the General Government Committee in October. The City Council directed staff in 2018 as part of efforts addressing affordable housing and homelessness to consider tenant protections and rental housing in the City. Staff developed a proposal for the Council's consideration of an initial rental registration program intended primarily for educational purposes. The intent is to develop a proposal for multifamily development of five units or more to require a business license. A second element is developing a mechanism to contact rental properties to provide assistance. Should the trial be effective, the City could extend the program to all rental properties in the City. However, because of the ease of identifying five units or more in the City, it would be much more difficult to identify single-family rental homes, and it would be important to reach out to all tenants and landlords for equal access to all information.

Chair Robbins said she is appreciative of the ideas and is hopeful that at this time, the ideas should not be automatically disqualified. There may be practical reasons why some ideas would be difficult to implement; however the discussion is still in the idea stage. She asked whether census data could provide information on rental units within the City.

Commissioner Schumacher commented on the availability of internet database companies providing demographic data on individuals. It is possible to query a database on different demographics, such as age or home ownership. The companies charge for the service, but information can be accessed.

Commissioner Sullivan offered that the discussion and feedback speaks to the problems to be solved. It is important for the Commission to ask that question as it reviews the policies and goals as it might help Commissioners consider hidden biases, as some of the takeaways of the articles spoke to neighborhoods contributing to institutional racism. Unless there is an intentional process of examining how all systems may have been set up for privilege, such as the legacy of redlining and families continuing to pass on generational wealth, it is very easy to miss the layers of policies and goals that continue to promote those systems. She agreed to the importance of considering the intent of the problems to solve as the Commission considers redefining some goals and policies. It is also important to understand what "stability" means as many of the policies and goals are subjective and were established to benefit and reinforce systems that benefit certain groups of people. She would prefer pursuing a thoughtful, careful, and strategic process that affords adequate time to understand the issues to offer recommendations that may be bold but advance equity.

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Commissioner Kirkpatrick said the staff report is straightforward as the intent is to eliminate language that negatively affects the Housing Action Plan, which serves as the first filter in addition to other filters that could be addressed. Many times, “character” may cause impacts while many times, “character” is part of a sentence with no impacts to providing a diverse housing market.

Commissioner Sullivan agreed that the suggestion is the first step with the second a deeper review because unless the Commission works to understand and recommend policies that are actively antiracist, the Commission has not advanced to the extent that she views as truly serving the diversities and correcting historical inequities.

Commissioner Tobias referred to the issue of “stability” as it appears to be a double-edged sword because the intent is to ensure stability of people who live in Tumwater are not priced out of the home market or even as a renter experiencing rental increases to the point where the tenant must move. It can also involve the situation of a retired homeowner whereby the home increases in value with property taxes increasing to the extent that the homeowner is no longer able to pay the taxes. On the opposite side, some measures for housing “stability” could backfire when existing homeowners within a neighborhood are favored, which could serve to prevent new owners from entering the market subsequently limiting the ability for new and diverse individuals and families to live in the City. It is important to create a housing environment that enables people to continue to live and thrive in the City while enabling others to live in Tumwater by finding a home to live in and thrive.

Chair Robbins commented that although zoning is the primary focus of the Commission, other issues such as taxation levels also play an important role. Wild fluctuations in property values also create unstable situations and often people lack the stability to either stay in their home or remain in a rental. She asked whether it is an element that the Commission should understand in terms of how it affects housing stability.

Manager Medrud advised that the issue could be explored; however, other similar efforts by the City include soliciting for a consultant to assist the City in the development of an equity toolbox. The intent of the toolbox is to help guide City decisions on policies and other provisions through the lens of equity to avoid current biases. The Commission’s discussion has a place as part of the larger update of the Comprehensive Plan rather than through an amendment in the next month as the issues feed into the larger discussion by the City especially based on the state-mandated changes to the Housing Element within the Comprehensive Plan.

Commissioner Tobias asked whether staff is aware of the current vacancy rate in the City and the surrounding communities. Manager Medrud said

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he does not have any information other than from recent conversations, the housing market is beginning to stabilize; however, issues continue to exist.

Manager Medrud reported the staff report highlights all instances of character, stability, and other terms.

Commissioner Kirkpatrick commented on recent changes to single-family medium density residential enabling transitioning of different types of housing. Manager Medrud advised that recent information reflects that for the first time in the City, more multifamily units have received permits than single-family units this year. It has been some time since the City has experienced more construction of multifamily complexes. Additionally, the City has experienced an increase in proposals for accessory dwelling units (ADUs). This year, six building permits were issued for ADUs and another five are under review. Some of the units are located in new subdivisions. He noted that it takes an extended period to experience changes in land use.

Manager Medrud encouraged Commissioners to share ideas or submit any requirements for any additional information for the next meeting discussion.

Commissioner Kirkpatrick questioned whether other policies within the section would be considered. Manager Medrud said he identified the main issues with the Commission pointing out additional issues within the neighborhood appendix in terms of character of a neighborhood. Commissioner Kirkpatrick spoke to the importance of design standards for residential. He advocated for distinction through color, shape, and size of housing units and that design standards should address those distinctions. Manager Medrud said the design standards are effective for multifamily housing. Newer development reflects some improvements.

Chair Robbins asked how the design standards were developed or modified. Manager Medrud said the City hired a consultant to assist staff. The consultant was experienced in architecture and design. The guidelines were established prior to his arrival to the City and address general types of buildings and uses for commercial, industrial, multifamily residential, and a small section on single family residential. The work program includes a review on the effectiveness of the City's design guidelines. The review may be delayed until after the update of the Comprehensive Plan is completed as it takes time for development to occur in order to assess the effectiveness of design guidelines.

**NEXT MEETING**  
**DATE:**

The next meeting is on Tuesday, September 13, 2022.

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**ADJOURNMENT:**      **Commissioner Schumacher moved, seconded by Commissioner Tobias, to adjourn the meeting at 8:34 p.m. Motion carried unanimously.**

Prepared by Valerie Gow, Recording Secretary/President  
Puget Sound Meeting Services, psmsoly@earthlink.net



**TUMWATER PLANNING COMMISSION  
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**CONVENE:** 7:03 p.m.

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

Excused: Commissioner Brian Schumacher.

Staff: Planning Manager Brad Medrud and Economic Development Manager Austin Ramirez.

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

**APPROVAL OF  
MINUTES: AUGUST  
9, 2022:**

**MOTION:** Commissioner Kirkpatrick moved, seconded by Commissioner Edwards, to approve the minutes of August 9, 2022 as published. A voice vote approved the motion unanimously.

**COMMISSIONER'S REPORTS:** Chair Robbins reported on the recent resignation of Nathan Peters, who accepted another work position with more responsibilities.

Commissioners provided self-introductions. Newly appointed Commissioner, Kelly Van Holtz, shared that although she is new to the Commission, she has been a resident of Tumwater for over 20 years. Until recently, she served on the Tumwater Parks and Recreation Commission.

**MANAGER'S REPORT:** Manager Medrud reported on the Tree Board field trip to visit several development projects in the City. Much of the discussion by the Board will support much of the work by the Commission on the tree protection ordinance.

At the second meeting in September, the Commission is scheduled to review an example of a development proposal process. The first meeting in October will be a joint meeting with the Tree Board. The City's consultant, The Watershed Group, is assisting staff on potential amendments to the Street Tree Plan and Tree Protection Ordinance.

**PUBLIC COMMENT:** There were no public comments.

**ECONOMIC DEVELOPMENT:** Austin Ramirez, Economic Development Manager, provided a self-introduction as the City's newly hired Economic Development Manager. Manager Ramirez shared that he from Southern California and began his

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career in economic development at the City of Claremont, California, located one hour east of Los Angeles. He eventually tired of traffic and the heat in California and moved to the Pacific Northwest where he joined Lane County based out Eugene Oregon, the county seat. Lane County encompasses the area from the Pacific Ocean to the Cascade Mountains. He was able to work in a variety of rural and urban settings and served as the county's Economic Development Manager. He and his wife selected the Tumwater area to raise their family and the position provided an opportunity to create a brand new position and become involved in the Tumwater Craft District and other unique City projects.

Prior to his arrival to the City, economic development was promoted within the City through various efforts and staffed with limited resources. The current Tumwater Economic Development Plan (EDP) highlights the need for the position and identified projects and responsibilities for the position.

Manager Medrud noted that the original EDP was adopted during the recession. When the plan was updated in 2019, the plan continued to identify the need for an economic development position.

Manager Ramirez said he has reviewed numerous economic development plans and was impressed with the City's EDP because it is a data-driven and evidence-based plan with priorities and decision-making identified. The 2019 update identified the need for equity and inclusivity before diversity, inclusivity, and equity were identified as a national effort and goal.

Manager Ramirez reviewed goals in the EDP:

- Business retention and expansion - Fostering an environment that facilitates economic equity in Tumwater
- Focused industry recruitment - Diversification of Tumwater industries to ensure a resilient city through proactive collaboration and communicating with partners and the business community
- Brownfields Program funding – Seek and leverage state and federal funding
- Coordinate legislative efforts
- Habitat Conservation Plan (HCP) implementation
- Support brewery redevelopment - Tumwater has embarked on building its craft culture with high quality makers of all types of crafts to include food and beverage production

Manager Ramirez reviewed areas he is focusing on at this time:

- Business Retention and Expansion – Supporting existing businesses and assisting businesses in expanding and growing

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- Focused Industry Recruitment
- Brownfields Program Funding – The federal Environmental Protection Agency is offering nearly \$1 billion this year for funding projects to assess and cleanup environmental contamination.
- Coordinate legislative efforts – The new position is responsible for coordination of all legislative efforts by the City. The City recently released a Request for Proposal for legislative advocacy services for the City.
- HCP Implementation – The HCP is important to the future of Tumwater, as well as for economic development potential in the City.
- Support Brewery Redevelopment – Redevelopment of the brewery property will take time and many resources. The redevelopment of the brewery property is important to the City in terms of its historical significance.

Commissioner Tobias mentioned recent economic development activity in the City of Olympia with the renovation of the multistory office building located on the isthmus fronting Capitol Lake. The building now houses retail on the first floor with residential units on the upper floors.

Manager Medrud agreed that the project was a successful conversion from office to residential use as a single-use building. The developer demolished some of the surrounding buildings and replaced them with new buildings. The brewery buildings in Tumwater offer a different kind of challenge as the buildings were built for a specific use with many of the buildings renovated or added on over time. The brewery buildings would be difficult to convert to another use. It is likely the brewery buildings would need to be demolished except the warehouse buildings in Tumwater Valley.

Commissioner Van Holtz asked about any remaining grants that might be available through the Department of Commerce. Manager Ramirez reported he meets with the Department of Commerce representatives regularly concerning some unfunded work within the Craft District and within the Capitol Boulevard Corridor Plan. Additionally, the City anticipates the Washington Department of Transportation placing its property located off Capitol Boulevard on the market early next year.

Commissioner Kirkpatrick advised that he was involved in the 2019 update of the EDP. City administration also indicated the plan goals would be accomplished within the next four years. He urged Manager Ramirez to consider the plan with a “grain of salt” and consider one of the first priorities as reviewing the plan and reconvening the Planning Commission to work on the goals rather than delaying actions until the

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next update. In particular, for most categories of economic development, the plan lists more negative aspects than positive aspects of development. There seemed to be a prevalence of the City not wanting economic development when the plan was initially developed. He encouraged Manager Ramirez to review the plan because the City Council was comprised of different members when the plan was first developed. Since then, the City has a new Mayor and new Councilmembers and it is likely the aspect of the plan's focus could be different. He urged Manager Ramirez not to hesitate in recommending changes to the plan because the EDP serves as a plan that has not, for the most part, been implemented. He added that when he first arrived to Tumwater, many residents spoke to the need for a pharmacy. Over the years, a Walgreens was developed and the City has since lost all other private pharmacies in the City. He urged caution in what the City may wish for because it can often lead to unintended consequences.

*Commissioner Varela joined the meeting via zoom at 7:29 p.m. He noted that he has been participating by telephone but was unable to speak and subsequently transferred to the zoom platform.*

**DISCUSSION/  
ACTION:**

**ORDINANCE NO.  
O2022-003, FINAL  
DOCKET FOR 2022  
COMPREHENSIVE  
PLAN  
AMENDMENTS:**

Manager Medrud advised that the Commission reviewed and discussed the final docket of the 2022 Comprehensive Plan Amendments during a briefing and a worksession. The final docket includes one private map amendment and associated rezone and three City-sponsored text amendments the City Council forwarded to review and discuss. Following the initial reviews, staff recommends that additional work is required for the three text amendments that could be part of the overall major Comprehensive Plan Update process. He recommended the Commission's recommendation include language requesting the deferral of the three text amendments to the larger update process of the Comprehensive Plan next year. Additionally, the docket includes a City-sponsored map amendment and associated rezone for consideration.

Manager Medrud invited questions on any of the proposed amendments. Staff recommends the Commission schedule a public hearing on September 27, 2022 to receive public testimony on the final docket.

Commissioner Tobias asked about any feedback staff received on the language for the text amendments on neighborhood character. Manager Medrud said staff recommends deferring the text amendment on neighborhood character to the update of the Comprehensive Plan next year because it provides an opportunity to examine the terms and how they are framed within the context of the entire plan to ensure clarity of the intent. Staff believes a review of the language is important and

**TUMWATER PLANNING COMMISSION**  
**MINUTES OF HYBRID MEETING**  
**September 13, 2022 Page 5**

recommends including any updates as part of the overall Comprehensive Plan update. The intent is creating a new document with some existing elements carried over from the current plan. The Commission is scheduled to review the scope of the Comprehensive Plan Update during its second meeting in October. Staff is beginning to meet with other City staff to discuss the update process, as well as with administration and the Mayor.

**MOTION:** **Commissioner Tobias moved, seconded by Commissioner Varela, to schedule a public hearing on September 27, 2022 on Ordinance No. O2022-003 Final Docket for 2022 Comprehensive Plan Amendments.**

Manager Medrud responded to questions on whether the three text amendments on Neighborhood Character, Thurston Climate Mitigation Plan to update greenhouse gas emission (GHG) targets in the Conservation Element to address HB 2311 4, and Essential Public Facilities Amendments would be addressed. Staff plans to include a description of the discussion of the proposed amendments in the staff report for the public hearing. However, staff recommends excluding the amendments from the final docket ordinance and including them within the major update of the Comprehensive Plan scheduled next year.

**MOTION:** **A voice vote approved the motion unanimously.**

**NEXT MEETING DATE:** The next meeting is on Tuesday, September 27, 2022.

Commissioner Tobias requested receiving a copy of the current Commission meeting schedule.

**ADJOURNMENT:** **Commissioner Sullivan moved, seconded by Commissioner Edwards, to adjourn the meeting at 8:41 p.m. A voice vote approved the motion unanimously.**

Prepared by Valerie Gow, Recording Secretary/President  
 Puget Sound Meeting Services, psmsoly@earthlink.net

**DRAFT TUMWATER PLANNING COMMISSION - 2022 MEETING SCHEDULE**

Note: Schedule is tentative and subject to change; Updated 9/15/22

<b><u>MEETINGS</u></b>	<b><u>AGENDA ITEMS</u></b>
January 11, 2022	<u>Briefing</u> : Preliminary Docket for 2022 Comprehensive Plan Amendments (O2022 – 003) – Brad <u>Discussion</u> : Open Public Meetings Act Training – Brad
January 25, 2022	<u>Worksession</u> : Preliminary Docket for 2022 Comprehensive Plan Amendments (O2022 – 003) – Brad <u>Worksession</u> : Urban Forestry Amendments –Street Tree Standards Scope Update (O2021-016) – Brad
February 8, 2022	<u>Briefing</u> : Binding Site Plan Amendments (O2022-004) – David <u>Discussion</u> : Planning Commissioner Training – Brad
February 22, 2022	<u>Worksession</u> : Binding Site Plan Amendments (O2022-004) – David <u>Discussion</u> : Planning Commissioner Training – Brad
March 8, 2022	<u>Briefing</u> : Urban Forestry Amendments – Landscaping and Buffering Requirements– Brad <u>Briefing</u> : Urban Forestry Amendments – Tree Preservation Regulation Update – Brad
March 22, 2022	<u>Hearing</u> : Binding Site Plan Amendments (O2022-004) – David
April 12, 2022	<u>Hearing (cont.)</u> : Binding Site Plan Amendments (O2022-004) – Brad <u>Discussion</u> : Mayor Sullivan Meet and Greet and Q&A with Advisory Boards and Commissions – Brad
April 26, 2022	<u>Briefing</u> : 2022 General Development Code Housekeeping Amendments– Brad <u>Briefing</u> : Planned Unit Development Chapter Update (O2022-006) – Brad
May 10, 2022	<u>Worksession</u> : 2022 General Development Code Housekeeping Amendments – Brad <u>Worksession</u> : Planned Unit Development Chapter Update (O2022-006) – Brad
May 24, 2022	<u>[Meeting Cancelled]</u>
June 14, 2022	<u>Worksession</u> : Planned Unit Development Chapter Update (O2022-006) – Brad
June 28, 2022	<u>Hearing</u> : Planned Unit Development Chapter Update (O2022-006) – Brad <u>Discussion</u> : Planning Commission Meeting Format and Training Discussion – Brad
July 12, 2022	<u>Discussion</u> : Development Review Case Study – Brad <u>Briefing</u> : 2022 General Development Code Housekeeping Amendments (O2022-013) – Brad <u>Briefing</u> : 2022 Other Housekeeping Amendments (O2022-015) – Brad
July 26, 2022	<u>Worksession</u> : 2022 General Development Code Housekeeping Amendments (O2022-013) – Brad <u>Worksession</u> : 2022 Other Housekeeping Amendments (O2022-015) – Brad
August 9, 2022	<u>Hearing</u> : 2022 General Development Code Housekeeping Amendments (O2022-013) – Brad <u>Hearing</u> : 2022 Other Housekeeping Amendments (O2022-015) – Brad <u>Briefing</u> : Final Docket for 2022 Comprehensive Plan Amendments (O2022 – 003) – Brad
August 23, 2022	<u>Worksession</u> : Final Docket for 2022 Comprehensive Plan Amendments (O2022 – 003) – Brad
September 13, 2022	<u>Worksession</u> : Final Docket for 2022 Comprehensive Plan Amendments (O2022 – 003) – Brad <u>Discussion</u> : Economic Development Introduction – Brad/Austin
September 27, 2022	<u>Hearing</u> : Final Docket for 2022 Comprehensive Plan Amendments (O2022 – 003) – Brad <u>Discussion</u> : Development Review Case Study – Brad
October 11, 2022	<u>Briefing</u> : Urban Forestry Amendments – Tree Preservation Regulation Update (O2022-008) – Brad (Joint Meeting with Tree Board)

<b><u>MEETINGS</u></b>	<b><u>AGENDA ITEMS</u></b>
October 25, 2022	<u>Discussion</u> : Discussion of Comprehensive Plan Update Scope and Format – Brad
November 8, 2022	<u>Discussion</u> : Election of New Planning Commission Chair and Vice Chair
November 22, 2022	[May Cancel Meeting]
December 13, 2022	<u>Joint Worksession with City Council</u> : 2023 Work Program
December 27, 2022	[May Cancel Meeting]

January 10, 2023 –

**Notes:**

The following will need to be rescheduled on the 2022 and 2023 Planning Commission meeting schedule:

- Urban Forestry Amendments –Street Tree Standards Update (O2021-016) – Brad
- Urban Forestry Amendments – Landscaping and Buffering Requirements (O2022-007) – Brad
- Equity Toolbox – Brad
- Housing Action Plan - Development Code Amendments (O2022-0XX) – Brad
- Thurston Climate Mitigation Plan - Related Development Code Amendments (O2022 – 0XX) – Brad

TO: Planning Commission  
FROM: Brad Medrud, Planning Manager  
DATE: September 27, 2022  
SUBJECT: Ordinance No. O2022-003, Final Docket for 2022 Comprehensive Plan Amendments

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1) Recommended Action:

Conduct a public hearing on Ordinance No. O2022-003 and forward a recommendation of approval to the City Council.

Staff recommends that the Planning Commission forward a recommendation to the City Council the two proposed Comprehensive Plan map amendments and corresponding rezones by Ordinance No. O2022-003 be approved.

In addition, staff recommends that the Planning Commission forward a recommendation to the City Council that the three proposed text amendments that were not included in Ordinance No. O2022-003 after Planning Commission discussions, concerning Neighborhood Character, updates related to the Thurston Climate Mitigation Plan, and Essential Public Facilities be incorporated into the 2022-25 ten-year Comprehensive Plan Update.

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2) Background:

Pursuant to RCW 36.70A.130 and TMC 18.60.025(A)(2), proposed map and text amendments to the City's Comprehensive Plan and corresponding rezones are only considered once per calendar year.

The City's annual 2022 Preliminary Docket of Comprehensive Plan amendments include a private application for map amendments that was filed by the Monday, December 6, 2021 deadline for 2022 amendments and four City-sponsored Comprehensive Plan text and map amendments and rezone.

The Planning Commission had a briefing on all the amendments on August 9, 2022. The Planning Commission held a worksession to discuss potential amendments related to neighborhood character on August 23, 2022. A second Planning Commission worksession on the amendments was held September 13, 2022.

The City Council's General Government Committee will review the proposed amendments in a briefing on October 12, 2022 and the City Council will hold a worksession to discuss the amendments on October 25, 2022. The City Council will consider the proposed amendments at a hearing tentatively scheduled for November 15, 2022.

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3) Alternatives:

☐ None



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4) Attachments:

- A. Staff Report
- A1. Permit TUM-21-1804 Application 11-17-2021
- A2. Permit TUM-21-1804 Map 11-17-2021
- A3. PermitTUM-21-1804 Mtn 2 Coast Surveyor 11-17-2021
- A4. Permit TUM-21-1804 Narrative11-17-2021
- A5. Permit TUM-21-1848 Application 12-06-2021
- A6. Permit TUM-21-1848 Cover Letter 12-06-2021
- A7. Permit TUM-21-1848 Glenn Wells Map 12-06-2021
- B. Ordinance No. O2022-003
- C. Presentation

**2022 ANNUAL CITY OF TUMWATER  
COMPREHENSIVE PLAN MAP AND TEXT AMENDMENTS AND  
CORRESPONDING REZONES**

**FINAL DOCKET – ORDINANCE NO. 2022-003**

**STAFF REPORT**

**PLANNING COMMISSION PUBLIC HEARING**

**Introduction**

Pursuant to RCW 36.70A.130 and TMC 18.60.025(A)(2), proposed map and text amendments to the City’s Comprehensive Plan and corresponding rezones can only be considered once per calendar year and must be considered together.

On March 1, 2022, the City Council approved the list of amendments to be included in the final docket for further review. The final docket included one private application for a map amendment filed by the Monday, December 6, 2021 deadline for the 2022 Comprehensive Plan amendments from residents or property owners, and four City-sponsored Comprehensive Plan map or text amendments.

Private Map Amendment

1. **Wells Littlerock Comprehensive Plan Land Use Map Amendment (TUM-21-1848) and Corresponding Rezone (TUM-21-1804)** - A Comprehensive Plan map amendment and corresponding rezone for three adjacent parcels that total 2.76-acres located south of 7223 Littlerock Road SW. The amendment area includes Thurston County Assessor Parcel Numbers 1270-44-30901, 1270-44-30902, and 1270-44-30903.

City-Sponsored Map and Text Amendments

2. **Neighborhood Character** – Review of the Housing and Land Use Elements of the Comprehensive Plan for potential amendments related to the use of “neighborhood character” and similar terms in support of the *Tumwater Housing Action Plan*.
3. **Thurston Climate Mitigation Plan** – Review updating greenhouse gas emission (GHG) targets in the Conservation Element to address HB 2311.
4. **Essential Public Facilities Amendments** – Review potential amendments to the goals, policies, and actions in the Lands for Public Purposes Element of the Comprehensive Plan and TMC Title 18 *Zoning* to

allow an expansion of the area in the City that would allow for essential public facilities such as inpatient facilities including substance abuse facilities. These essential public facilities uses include, but not limited to, intensive inpatient facilities; long-term residential drug treatment facilities; recovery house facilities.

5. **Comprehensive Plan Map Amendment and Corresponding Rezone to Change Triangle West of the Dennis Street SW and Linderson Way SW Intersection** – A Comprehensive Plan map amendment and corresponding rezone for an approximately 0.30-acre portion of one parcel that totals 5.73-acres located at 6501 Linderson Way SW at the western corners of Linderson Way SW and Dennis Street SW. The amendment area is a portion of Thurston County Assessor Parcel Number 1270-32-40303.

Each of the five proposed Comprehensive Plan map and text amendments and corresponding rezones are reviewed separately in the staff report and then all amendments going forward are reviewed together with the criteria found in TMC 18.60.025(B):

1. *Does the amendment conform to the Growth Management Act?*
2. *Is it consistent with the Comprehensive Plan, Thurston County-Wide Planning Policies, and related plans?*
3. *Have area conditions changed or are changing to justify a change in land use for the area?*
4. *Is there a need to provide a community-related use not anticipated by the Comprehensive Plan?*

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## A. 2022 PRIVATELY SPONSORED COMPREHENSIVE PLAN MAP AMENDMENT AND CORRESPONDING REZONE

### 1. Wells Littlerock Comprehensive Plan Land Use Map Amendment (TUM-21-1848) and Corresponding Rezone (TUM-21-1804)

#### ***Summary***

A private applicant is requesting a Comprehensive Plan map amendment and corresponding rezone for three adjacent parcels that total 2.76-acres located south of 7223 Littlerock Road SW (Thurston County Assessor Parcel Numbers 1270-44-30901, 1270-44-30902, and 1270-44-30903).

The applicant's request is to change the current Single Family Medium Density Residential (SFM) Comprehensive Plan map designation of the parcels to Multi-Family Medium Density Residential (MFM).

The amendment and rezone applications can be found in Appendix 1.3 – *Applications for the Wells Littlerock Comprehensive Plan Land Use Map Amendment and Rezone*.

#### ***Proposal***

1. Amend the City-Wide Land Use Map to change the current Comprehensive Plan land use map designation of the properties from Single Family Medium Density Residential (SFM) to Multi-Family Medium Density Residential (MFM).
2. Amend the City-Wide Zoning Map to change the current zone district of the properties from Single-Family Medium Density Residential (SFM) to Multifamily Medium Density Residential (MFM).

#### ***Tumwater***

***Permit Numbers*** TUM-21-1804 (Rezone) and TUM-21-1848 (Comprehensive Plan Map Amendment)

***Applicant*** Glenn Wells

***Owner*** Estate of Marvin L. Beagles

***Location*** Three adjacent parcels located to the south of 7223 Littlerock Road SW

***Parcel Number*** Thurston County Assessor Parcel Numbers 1270-44-30901, 1270-44-30902, and 1270-44-30903

**Property Size** 2.76 acres

**Current Use** Vacant

**Utilities** Sewer, water, and other utilities are available in the vicinity

**Access** The easternmost parcel property abuts Littlerock Road SW

### Maps

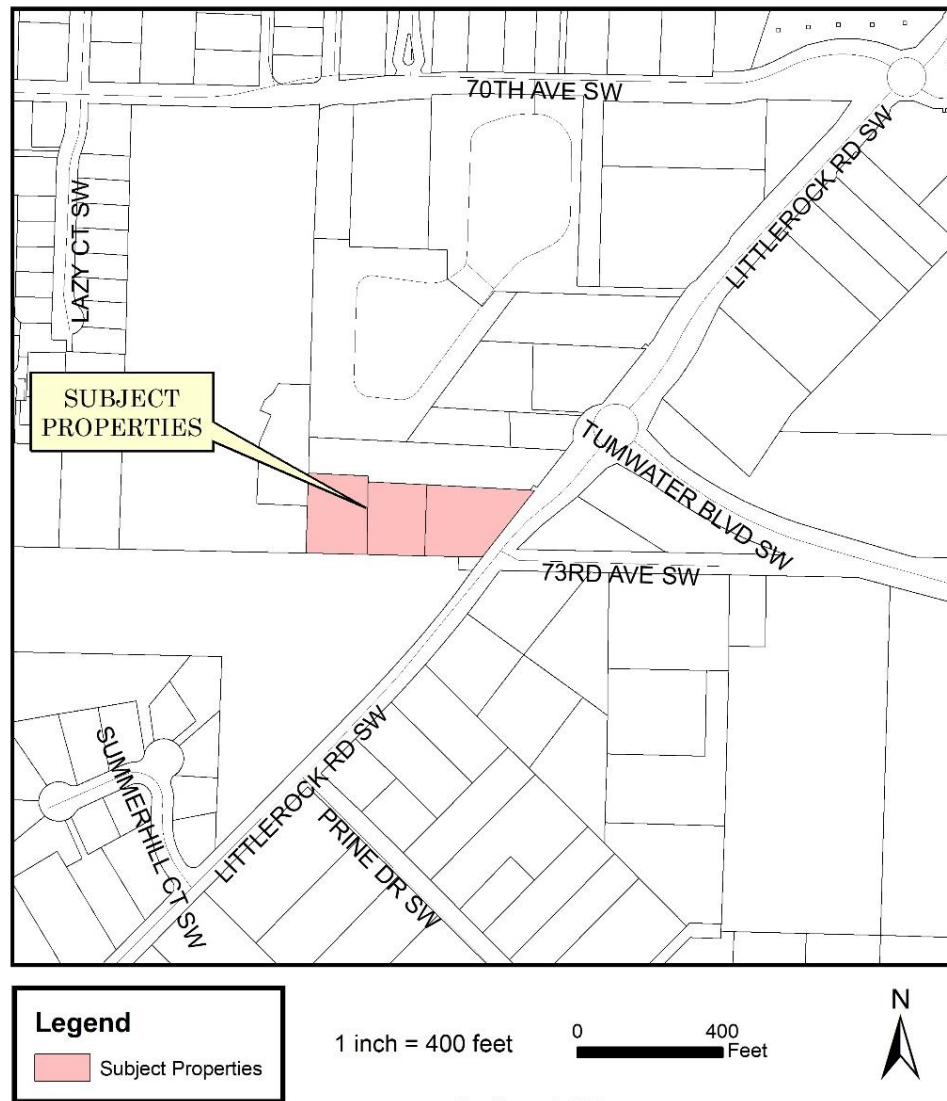


Figure 1. Wells Littlerock Parcel Map



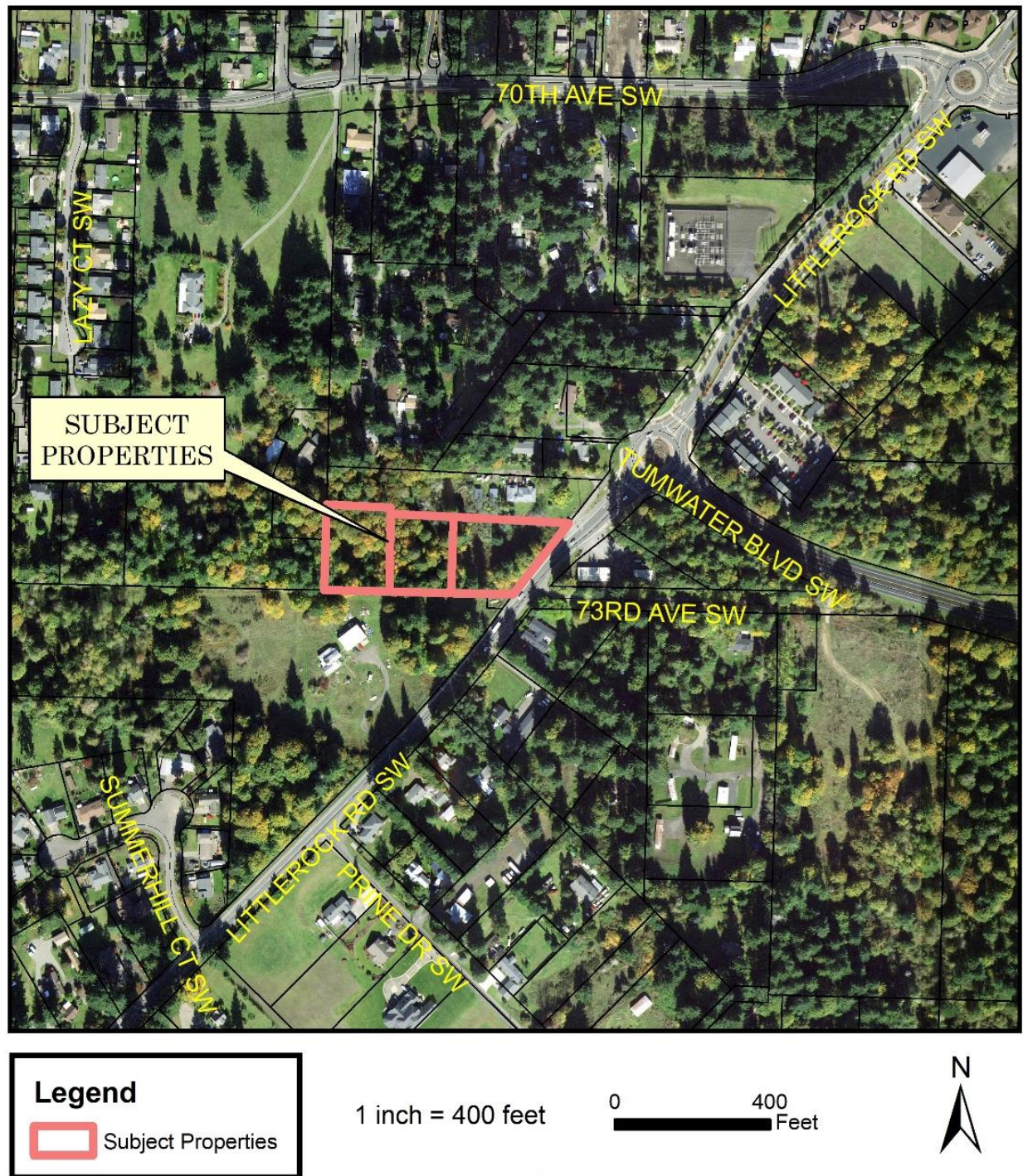
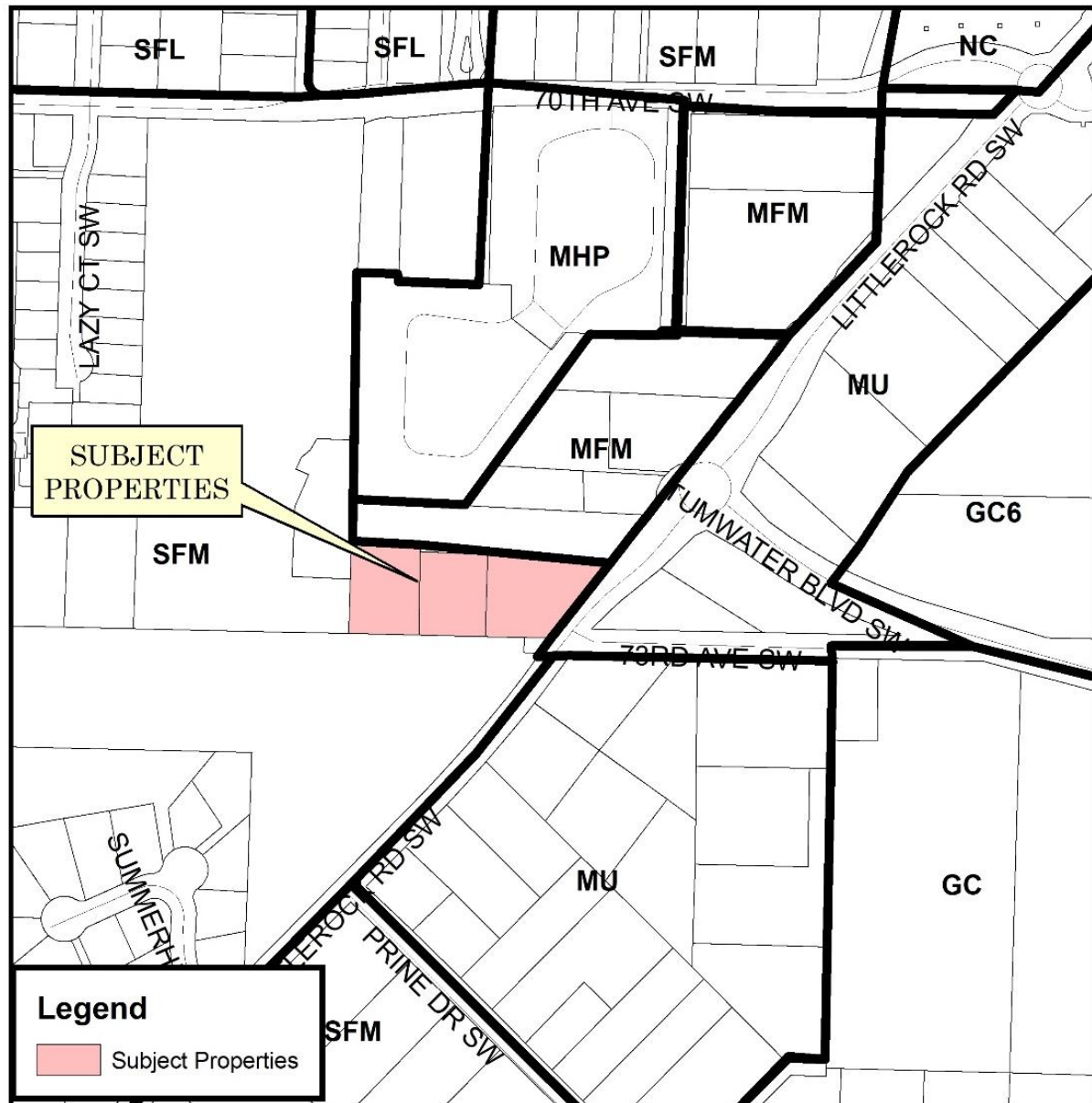


Figure 2. Wells Littlerock 2019 Aerial





**Designations**  
 GC General Commercial  
 NC Neighborhood Commercial  
 MFM Multi Family Medium Density (9-15/acre)  
 MHP Manufactured Home Park  
 MU Mixed Use  
 SFL Single Family Low Density (4-7/acre)  
 SFM Single Family Medium Density (6-9/acre)

1 inch = 400 feet

0 400  
Feet



Map Date: 1-4-2022

MXD: Wells Littlerock Rezone 2022

DISCLAIMER: The City of Tumwater does not warrant, guarantee, or accept any liability for the accuracy, precision, or completeness of any information shown hereon or for any inferences made therefrom.

Figure 3. Wells Littlerock Current Zoning

***Current Comprehensive Plan City-Wide Land Use Map Designation***

The current land use designation for the proposed amendment area is Single Family Medium Density Residential (SFM). See Appendix 1.1 – *Maps* for the current Comprehensive Plan City-Wide Land Use Map (Map 1A).

***Surrounding Land Use Map Designations, Zone Districts, and Existing Land Uses******North***

Land Use Map Designation: Multi-Family Medium Density Residential (MFM)

Zone District: Multifamily Medium Density Residential (MFM)

Current Land Use: Single-family dwelling

***East***

Land Use Map Designation: Mixed Use (MU)

Zone District: Mixed Use (MU)

Current Land Use: Littlerock Road SW and 73<sup>rd</sup> Avenue SW

***South***

Land Use Map Designation: Single Family Medium Density Residential (SFM)

Zone District: Single-Family Medium Density Residential (SFM)

Current Land Use: Residential subdivision under construction

***West***

Land Use Map Designation: Single Family Medium Density Residential (SFM)

Zone District: Single-Family Medium Density Residential (SFM)

Current Land Use: Single-family dwellings

***Constraints/Environmental Issues***

The proposed amendment area does contain the “more preferred” soils for the protected Mazama Pocket Gopher, so critical area site analyses would need to be completed before future development could occur.

***Background***

In accordance with Tumwater Municipal Code 18.60.025(A)(5), applications for 2022 Comprehensive Plan Amendments and associated rezones were due by the first Monday in December. The City published notice on September 30, 2021 that applications for 2022 Comprehensive Plan Amendments and associated rezones would be due Monday, December 6, 2021.

The City received the applicant's rezone application (TUM-21-1804) on November 17, 2021. Community Development Department staff sent out a letter of incompleteness for the rezone application (TUM-21-1804) on December 6, 2021.

The City received the Comprehensive Plan map amendment application (TUM-21-1848) on December 6, 2021. Community Development Department staff sent out a letter of completeness for the Comprehensive Plan map amendment and rezone applications (TUM-21-1848 (Comprehensive Plan Map Amendment) and TUM-21-1804 (Rezone)) on December 10, 2021.

The City Council placed the proposed Comprehensive Plan amendment and rezone on the 2022 Long Range Planning Work Program on January 18, 2022. The Planning Commission reviewed the preliminary docket and provided comments at their January 11, 2022 meeting. The Planning Commission recommended further review of the proposal on January 25, 2022, as part of the 2022 preliminary docket. On February 9, 2022, the General Government Committee reviewed the preliminary docket and forwarded it to the full City Council for review.

The City Council held a worksession on February 22, 2022 and recommended that the preliminary docket be placed on the City Council agenda for their March 1, 2022 meeting. On March 1, 2022, the City Council considered the Planning Commission's recommendation and the review by the General Government Committee and included the proposal in the 2022 annual Comprehensive Plan amendment preliminary docket to be reviewed by Community Development Department staff and presented later in 2022.

After the City Council approved the final docket on March 1, 2022 for the 2022 annual Comprehensive Plan map and text amendments, Community Development Department staff reviewed the proposed amendment and prepared the staff report with a recommendation.

Approval of the amendment would result in a Comprehensive Plan map amendment that would change the proposed amendment area from the Single Family Medium Density Residential (SFM) Comprehensive Plan map designation to the Multi-Family Medium Density Residential (MFM) Comprehensive Plan map designation. Approval

of the amendment would also result in a corresponding rezone from the Single Family Medium Density Residential (SFM) zone district to the Multifamily Medium Density Residential (MFM) zone district.

### ***Review and Approval Criteria***

Comprehensive Plan map amendments are subject to the criteria below from Tumwater Municipal Code (TMC) 18.60.025(B):

1. *All amendments to the comprehensive plan must conform with the requirements of the Washington State Growth Management Act, Chapter 36.70A RCW, and all amendments for permanent changes to the comprehensive plan must be submitted to the Washington State Department of Commerce, pursuant to RCW 36.70A.106.*

The proposed amendment being considered is in accordance with the City's annual Comprehensive Plan amendment process, as required by RCW 36.70A. If the amendment is approved by the City Council, the proposed amendment will be submitted to the Washington State Department of Commerce pursuant to RCW 36.70A.106.

The proposed Comprehensive Plan map amendment and corresponding rezone meet the fourteen goals of the Washington State Growth Management Act as follows:

- (1) *Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.*

The proposed amendment occurs near the central urban area of the City 0.30 miles from the Intercity Transit 12 West Tumwater line. Utilities including sewer and water are in the immediate vicinity. The site is close to services. The proposed amendment could provide more housing in close proximity to services and jobs.

- (2) *Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.*

The proposed amendment is consistent with this goal, as it would allow for residential uses in close proximity to jobs and services. The requested Multi-Family Medium Density Residential (MFM) land use designation and Multifamily Medium Density Residential (MFM) zone district is the least intense multifamily designation and zone district in the City at nine to fifteen dwellings per acre.

- (3) *Transportation. Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.*

Littlerock Road SW is designated an arterial in the City's Transportation Plan. Future development of the site would trigger frontage improvements. The location is good for higher intensity residential uses because of its connectivity for multimodal transportation options.

- (4) *Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.*

The proposed Comprehensive Plan map amendment and corresponding rezone would allow for an enhancement in the variety of housing stock in the City. Additionally, Chapter 4 of the Land Use Element of the Comprehensive Plan on page 76 states that

*"...as population increases in the Thurston County area and housing costs become increasingly more expensive due to land and construction cost, it is likely that a larger market for higher density development will occur."*

The proposal is a Comprehensive Plan map amendment from Single Family Medium Density Residential (SFM) to Multi-Family Medium Density Residential (MFM) and corresponding rezone from Single-Family Medium Density Residential (SFM) to Multifamily Medium Density Residential (MFM). The proposal would allow for more intense residential uses, which is consistent with this goal.

- (5) *Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.*

A change in land use designation and zone district would allow the proposed amendment area to be developed with a wider range of more intense residential uses as compared to the current Single Family Medium Density Residential (SFM) land use designation. Generally, businesses need residential uses in close proximity in order to survive. The proposal increases multifamily residential uses in close proximity to business centers, which is consistent with the goal.

- (6) *Property rights. Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.*

The proposal does not require any taking of private property.

- (7) *Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.*

The proposed Comprehensive Plan map amendment and corresponding rezone is being considered as a part of the City's annual Comprehensive Plan amendment review.

- (8) *Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.*

Neither the proposed amendment area nor any of the properties in the vicinity are designated for natural resources.

- (9) *Open space and recreation. Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.*

The proposed amendment area is not designated for open space and recreation. Future development of the proposed amendment area would need to comply with all development regulations that pertain to open space and parks requirements.

- (10) *Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.*

Any future development would need to comply with all the applicable environmental regulations.

- (11) *Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.*

All property owners within 300 feet of the exterior boundaries of the proposed amendment area were notified about the application by letter on July 27, 2022. All property owners within 300 feet of the exterior boundaries of the proposed amendment area and all interested agencies and jurisdictions were sent a separate notification about the public hearing for the proposal. In addition, City residents and all interested parties, agencies and jurisdictions were notified about the application and the public hearing for the proposal as part of the proposed 2022 Comprehensive Plan map amendment and rezone process.

- (12) *Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.*

The City provides sewer and water service to the proposed amendment area. Streets in the general vicinity are operating within the expected levels of service. Future development of the proposed amendment area would likely require a traffic study and mitigation of the impacts, as well as proof of adequate water and sewer service

- (13) *Historic preservation. Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.*

The proposed amendment area is not the site of known historical or archaeological significance.

- (14) *Shorelines of the state.*

The proposed amendment area is not located within 200 feet of any shoreline of the state.



2. *Text amendments and site-specific rezone applications should be evaluated for internal consistency with the comprehensive plan, and for consistency with the county-wide planning policies, related plans, and the comprehensive plan of Thurston County or cities which have common borders with Tumwater.*

The proposed Comprehensive Plan map amendment and corresponding rezone is consistent with the Comprehensive Plan, including the Land Use and Housing Elements. The Comprehensive Plan is consistent with the Thurston County-Wide Planning Policies and the goals of Sustainable Thurston.

The applicable goals of the Land Use Element of the Comprehensive Plan are as follows:

Land Use Element Goal LU-2 states:

*Ensure development takes place in an orderly and cost-efficient manner in order to best utilize available land and public services, conserve natural resources, protect critical areas, preserve open space, and reduce sprawl.*

The proposal would allow for future urban infill development in an area with existing services. The proposed amendment area is within close proximity to jobs, as well as other retail and service providers north of the property.

Land Use Element Goal LU-3 states:

*Ensure adequate public services, facilities, and publicly owned utilities are available to proposed and existing development.*

City sewer and water service are available in the immediate vicinity of the proposed amendment area.

Land Use Element Goal LU-4 states:

*Encourage land use patterns that increase the availability of affordable housing for all economic segments of the Tumwater population.*

The proposal would change the current land use designation of the proposed amendment area from Single Family Medium Density Residential (SFM) to Multi-Family Medium Density Residential (MFM), which is the least intense multifamily land use designation in the City. If the proposed amendment area was developed with the Multi-Family Medium Density Residential (MFM) land use designation, it could help

to provide additional housing diversity for a range of lifestyles, incomes, abilities, and ages.

Land Use Element Goal LU-5 states:

*Ensure development patterns encourage efficient multimodal transportation systems coordinated with regional, City, and county transportation plans.*

The proposed amendment area is near jobs and services.

Land Use Element Goal LU-6 states:

*Reduce impacts from flooding; encourage efficient stormwater management; and ensure that the groundwater of Tumwater is protected and preserved.*

The proposed amendment area is not located within a 100-year floodplain. At the time of the future development of the proposed amendment area, the Public Works Department would review the stormwater management system, in order to protect and preserve the groundwater and reduce impacts from flooding.

Land Use Element Goal LU-11 states:

*Ensure new and existing development is energy efficient.*

All new development in the City must meet the Washington State Energy Code.

The applicable goals of the Housing Element of the Comprehensive Plan are as follows:

Housing Element Goal H-5 states:

*To supply sufficient, safe, suitable housing sites and housing supply to meet projected future housing needs for Tumwater over the next 20 years.*

Housing Element Goal H-6 states:

*To promote a selection of housing that is decent, safe, and sound, in close proximity to jobs and daily activities, and varies by location, type, design, and price.*

The proposal meets the intent of both Goals 5 and 6 since it would allow for lower density multifamily residential development within walking distance of services, retail, and jobs.

Housing Element Goal H-12 states:

*To encourage urban growth within the city limits with gradual phasing outward from the urban core.*

The proposal meets the intent of the goal. The proposed amendment is consistent with the goal because the proposed amendment area contains vacant property located within close proximity to a core urban area of the City.

3. *Whether conditions in the area for which comprehensive plan change/zoning amendment is requested have changed or are changing to such a degree that it is in the public interest to encourage a change in land use for the area.*

The conditions in the area for which the proposed Comprehensive Plan map amendment and corresponding rezone covers has changed to a degree that it is in the public interest to support an amendment to the current land use designation and zone district for the area.

Since the property was originally designated Single Family Medium Density Residential (SFM) there has been high degree of interest in higher intensity development in the area.

4. *Whether the proposed comprehensive plan zoning amendment is necessary in order to provide land for a community-related use which was not anticipated at the time of adoption of the comprehensive plan.*

The criterion does not apply.

### **Staff Conclusions**

1. The proposal meets the review and approval criteria found in TMC 18.60.025(B).
2. The proposed Comprehensive Plan map amendment and corresponding rezone are consistent with the goals of the Washington State Growth Management Act.
3. The proposed Comprehensive Plan map amendment and corresponding rezone are consistent with Goals LU-2, LU-3, LU-4, LU-5, LU-6, and LU-11 of the Land Use Element of the Comprehensive Plan.
4. The proposed Comprehensive Plan map amendment and corresponding rezone are consistent with Goals H-5, H-6, and H-12 of the Housing Element of the Comprehensive Plan.

5. The potential impacts of the proposed Comprehensive Plan amendment has been considered together with the other amendments in the 2022 annual Comprehensive Plan amendment final docket with the criteria found in TMC 18.60.025(B) and proposed amendments do not create any inconsistencies when evaluated together.
6. Based on the above review and analysis, Community Development Department staff concludes that the proposed Comprehensive Plan map amendment and corresponding rezone are consistent with the requirements of the Washington State Growth Management Act, Thurston County-Wide Planning Policies, the goals of Sustainable Thurston, and the Comprehensive Plan.

### ***Staff Recommendation***

1. Community Development Department staff recommends approval of the proposed Comprehensive Plan map amendment from Single Family Medium Density Residential (SFM) to Multi-Family Medium Density Residential (MFM) and corresponding rezone from Single-Family Medium Density Residential (SFM) to Multifamily Medium Density Residential (MFM) as shown in the Appendix 1.2 – *Proposed Map Amendments*.

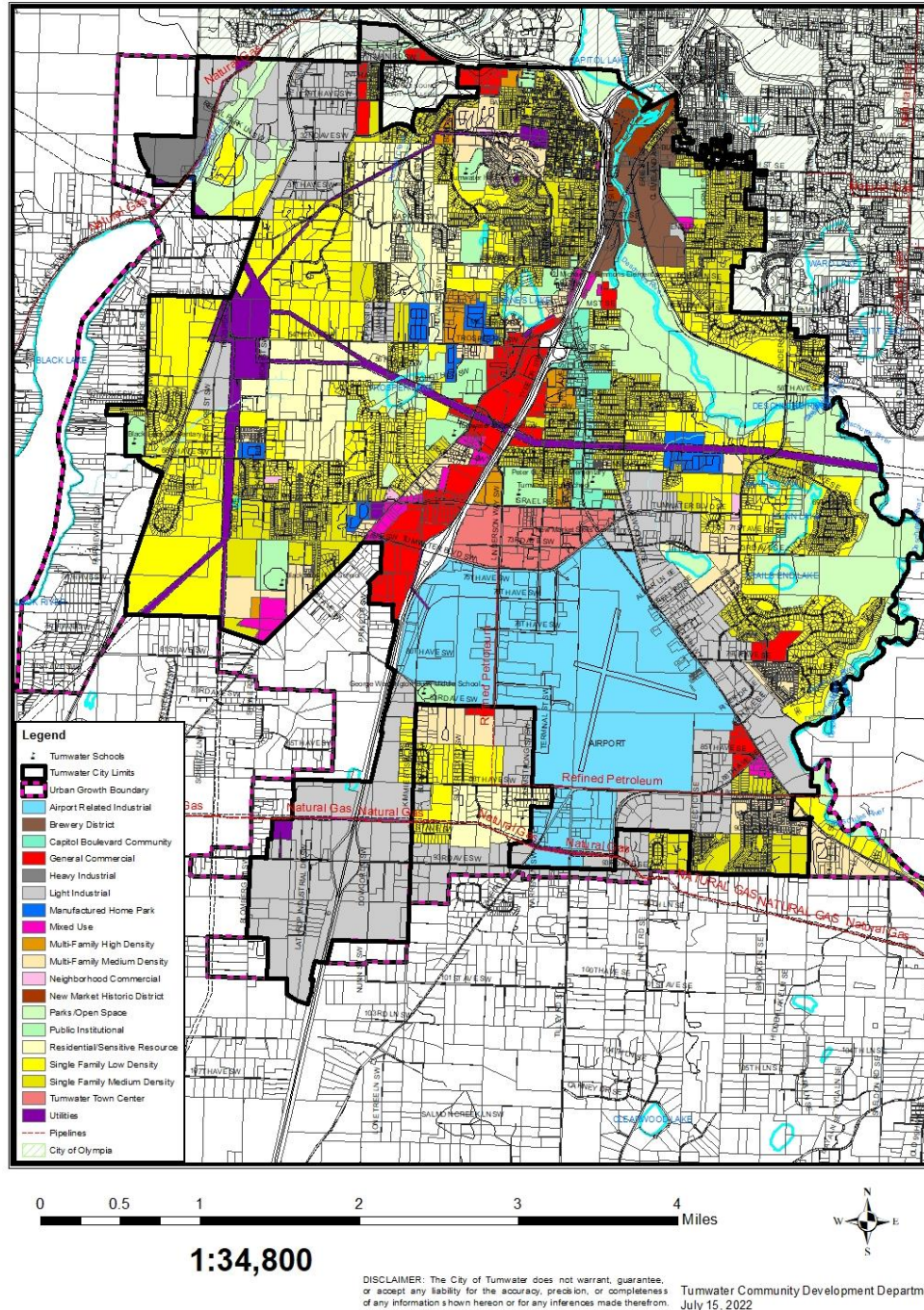
### ***Effects of the Proposed Amendment***

The proposed Comprehensive Plan map amendment and corresponding rezone would necessitate changes to the City-Wide Land Use Map in the Comprehensive Plan (Map 1C), the Littlerock Neighborhood Future Land Use Map in the Comprehensive Plan (Map 1D), and the City-Wide Zoning Map (Map 1E) as shown in Appendix 1.2 – *Proposed Map Amendments* and Ordinance No. O2022-003.

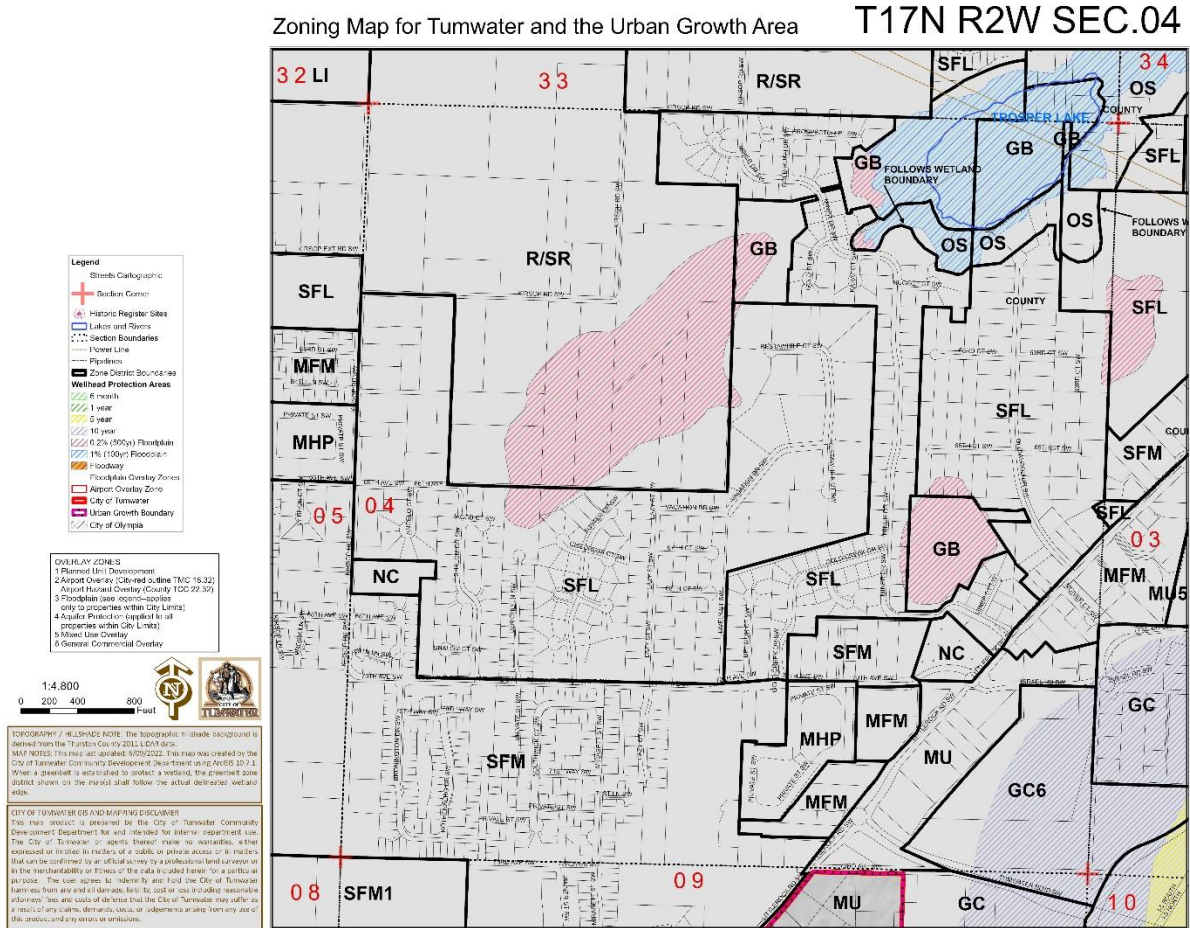
## Appendix 1.1 – Maps

*Map 1A – Existing Comprehensive Plan Designations*

## City of Tumwater City-Wide Land Use Map

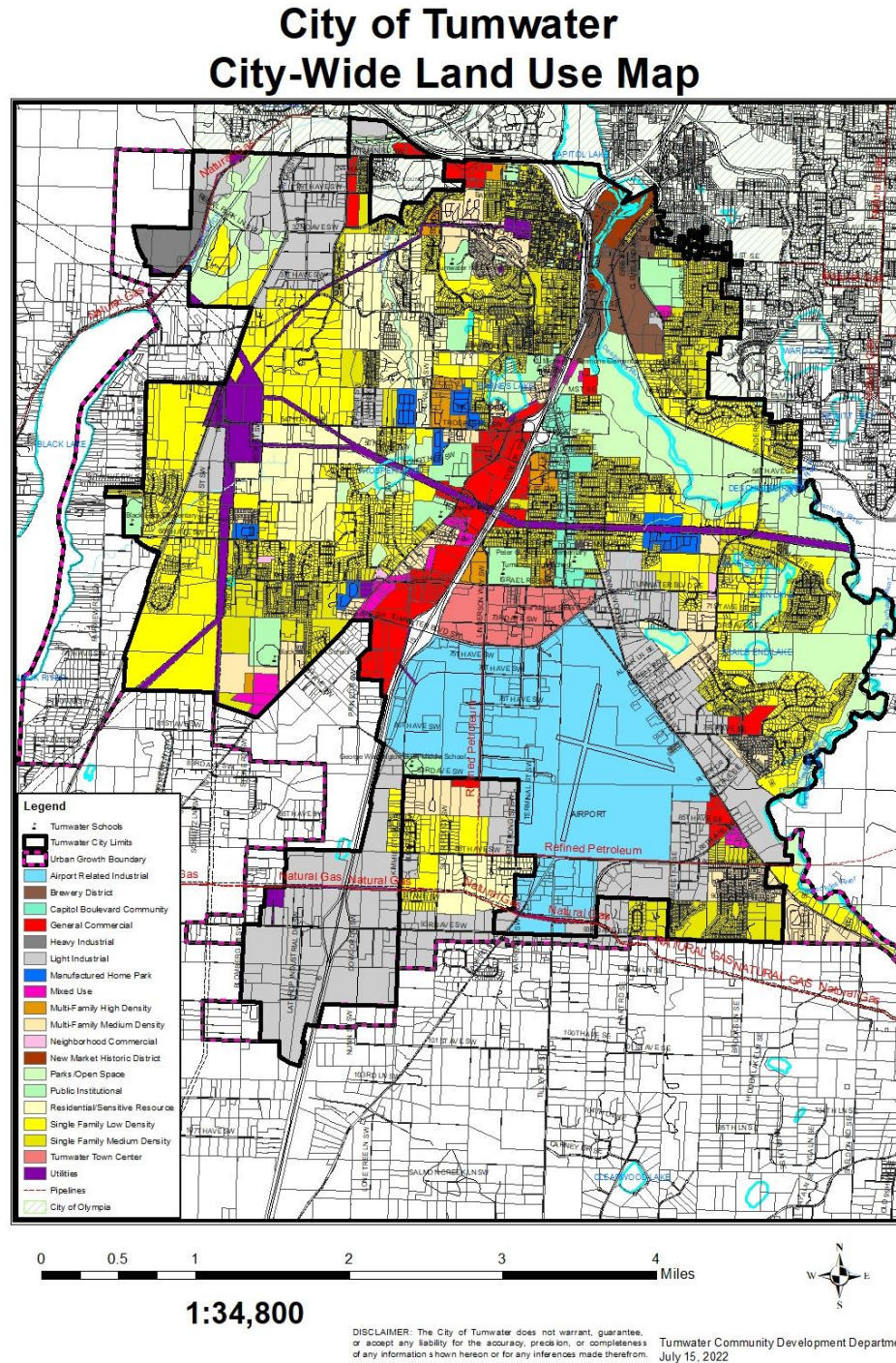




**Map 1B – Existing Zone District**

## Appendix 1.2 – Proposed Map Amendments

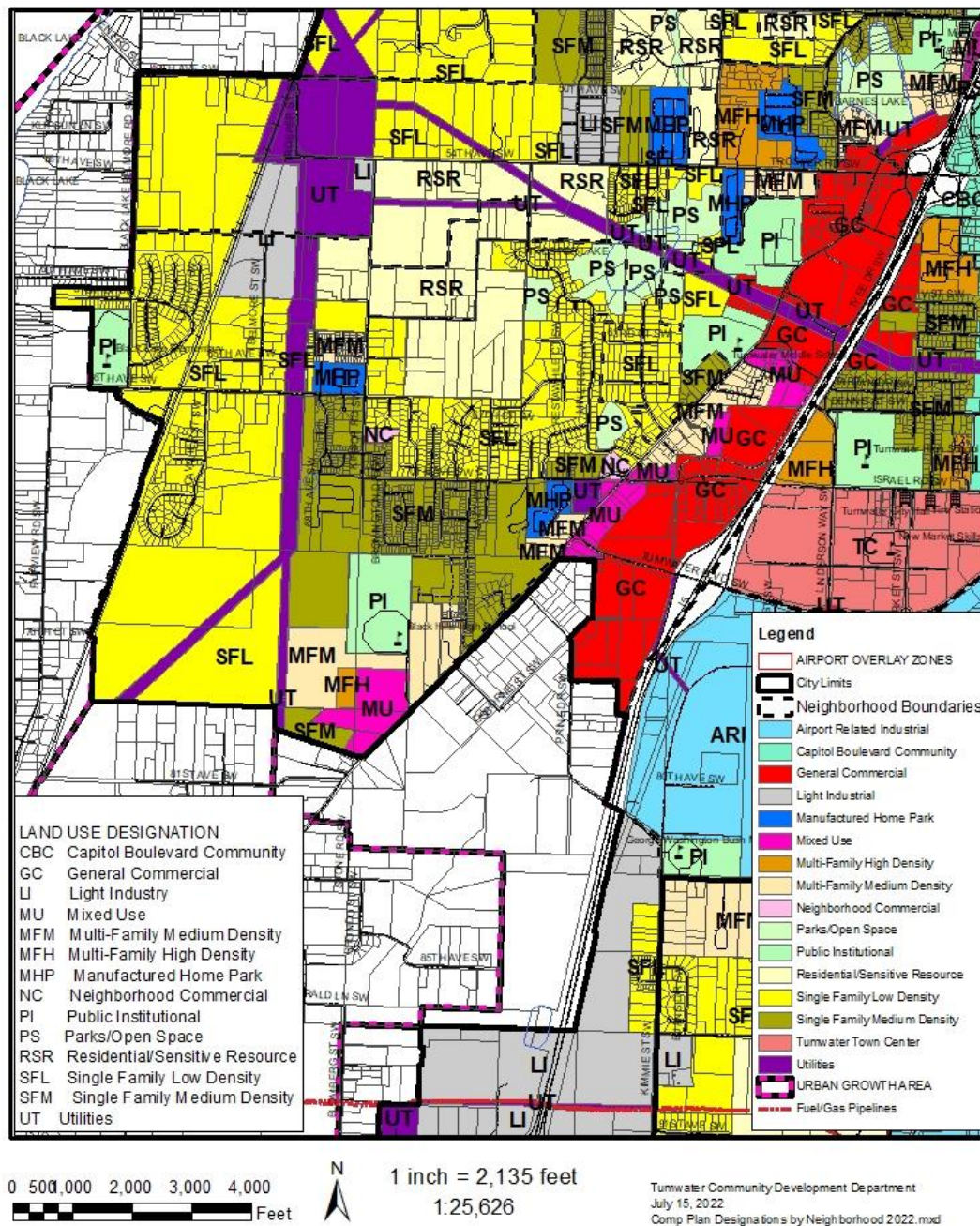
### Map 1C – Proposed Amendment to the Comprehensive Plan City-Wide Land Use Map



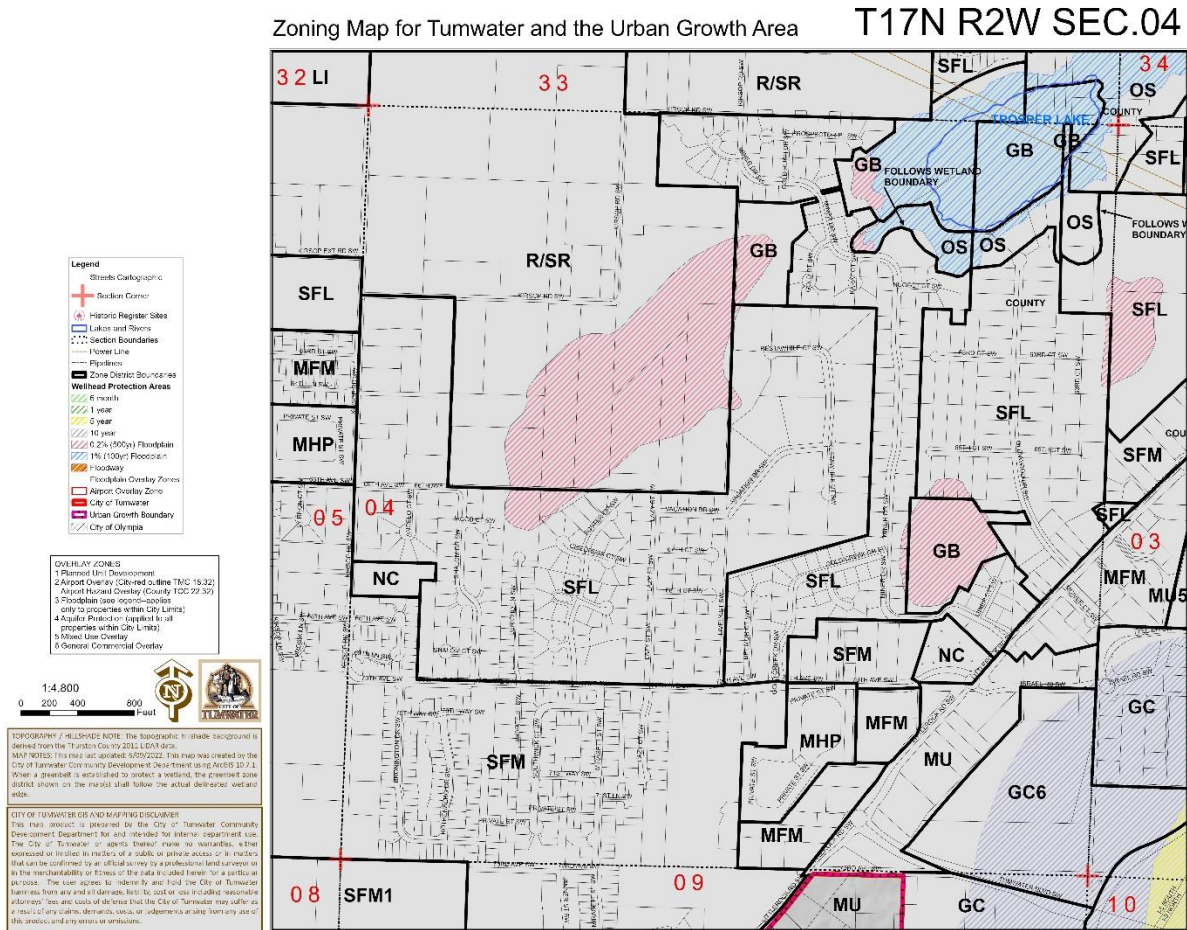


**Map 1D – Proposed Amendment to the Comprehensive Plan Littlerock Neighborhood Future Land Use Map**

## Littlerock Neighborhood Future Land Use





**Map 1E – Proposed Amendment to the City-Wide Zoning Map**

**Appendix 1.3 – Applications for the Wells Littlerock Comprehensive Plan  
Land Use Map Amendment and Rezone**

[See attached]

## **B. 2022 CITY SPONSORED COMPREHENSIVE PLAN MAP AND TEXT AMENDMENTS AND CORRESPONDING REZONE**

### **2. Neighborhood Character – Review Comprehensive Plan Housing and Land Use Elements**

#### ***Summary***

The proposal is a City sponsored review of the Housing and Land Use Elements of the Comprehensive Plan for potential amendments related to the use of “neighborhood character” in support of the *Tumwater Housing Action Plan*.

#### ***Proposal***

1. Review of the Housing and Land Use Elements of the Comprehensive Plan for potential amendments related to the use of “neighborhood character” and similar terms in support of the *Tumwater Housing Action Plan*.

#### ***Sponsor***

City of Tumwater

#### ***Background***

The City Council placed the proposed Comprehensive Plan amendment on the 2022 Long Range Planning Work Program on January 18, 2022. The Planning Commission reviewed the preliminary docket and provided comments at their January 11, 2022 meeting. The Planning Commission recommended further review of the proposal on January 25, 2022, as part of the 2022 preliminary docket. On February 9, 2022, the General Government Committee reviewed the preliminary docket and forwarded it to the full City Council for review.

The City Council held a worksession on February 22, 2022 and recommended that the preliminary docket be placed on the City Council agenda for their March 1, 2022 meeting. On March 1, 2022, the City Council considered the Planning Commission’s recommendation and the review by the General Government Committee and included the proposal in the 2022 annual Comprehensive Plan amendment preliminary docket to be reviewed by Community Development Department staff and presented later in 2022.

After the City Council approved the final docket on March 1, 2022 for the 2022 annual Comprehensive Plan map and text amendments, Community Development Department staff reviewed the Comprehensive Plan Housing and Land Use Elements to evaluate the use of the term “neighborhood character” in support of the *Tumwater Housing Action Plan*. Appendix 2.1 contains the relevant sections of the Comprehensive Plan that address “character,” “atmosphere,” or a similar term in **yellow highlight**.

At their August 23, 2022 worksession, the Planning Commission focused their discussion on Amendment #2 – Neighborhood Character.

Prior to the August 23, 2022 worksession, Community Development Department staff recommended that the Planning Commission review Appendix 2.1 – *Relevant Sections of the Housing and Land Use Elements of the Comprehensive Plan* to see how “character” and similar terms are being used in the Comprehensive Plan Housing and Land Use Elements. In addition, Community Development staff recommended that the Planning Commission review all the goals, policies, and actions in the attached Housing and Land Use Elements in Appendix 2.1 as well to understand the policy context for the discussion.

At their August 23, 2022 worksession, the Planning Commission did not identify specific amendments to consider as part of the 2022 Comprehensive Plan amendment cycle, but did recommend that staff include a similar review as part of the 2022-2025 Comprehensive Plan Update. In that review, the Planning Commission recommended focusing on the use of the terms “residential,” “character,” and “stability.” The intent would be to make sure that “residential” encompasses all types of residential developments and intensities and “character” and “stability” are not used prelude new development that meets the City’s design guidelines and is safe, compact, efficient, encourages natural and social interaction, provides most needs within short distances, discourages environmentally disruptive influences, and is well connected with other areas

### ***City of Olympia Comprehensive Plan Land Use and Urban Design***

In 2021, at the direction of the Olympia City Council, the City of Olympia went through a Comprehensive Plan amendment process to review and amend the Land Use and Urban Design section of their Comprehensive Plan to address the use of the term “neighborhood character.” The Olympia City Council started with a recommendation for a definition of “neighborhood character” as “accessible, sustainable, and culturally inclusive neighborhoods.”

After further discussion with City of Olympia staff, the Council of Neighborhoods Association, and the Planning Commission, the Olympia City Council approved the final amendment language:

*Neighborhood character is made up of a variety of elements that give a neighborhood its distinct identity. Neighborhood characteristics are not stagnant and will change over time. Consideration of neighborhood character will vary by the unique features of a neighborhood and includes its physical attributes that contribute to its sense of place and identity. These elements may include, but are not limited to, a neighborhood’s land use, urban design, visual resources, and/or historic resources. This includes design elements of buildings (mass, scale,*

*materials, setting, and setbacks), parks and open space, provision of City utilities, street grids and connections, and street trees. Our community considers it essential that all neighborhoods become accessible, sustainable, and culturally inclusive.*

- *Accessible: Includes ADA compliancy, multimodal mobility, and housing affordability.*
- *Sustainable: Promotes a healthy environment, a diverse and resilient local economy, and historic preservation, including, reuse, and adaptability of existing buildings.*
- *Culturally inclusive: Recognizes, supports and promotes diverse housing types, strong arts and historic preservation, and the various contributions of diverse Olympians, past and present.*

*Neighborhood character will be balanced with other plan goals and policies, such as increasing the variety of housing types and providing people-oriented places, and implemented through the City's development regulations.*

### **Comprehensive Plan Review**

Community Development Department staff reviewed the Housing and Land Use Elements of the Comprehensive Plan. In Appendix 2.1 – Relevant Sections of the Housing and Land Use Elements of the Comprehensive Plan, Community Development Department staff identified all the sections of the Housing and Land Use Elements that addressed the character of the City, land use designation, or neighborhood.

### **Staff Conclusions**

1. Community Development Department staff reviewed the potential for including amendments to the Comprehensive Plan in the 2022 Comprehensive Plan text amendment process with the input of the Planning Commission.
2. Based on the above review and analysis, Community Development Department staff concludes that any amendments to the Comprehensive Plan to address the use of the term neighborhood character should not be included in the 2022 Comprehensive Plan amendments, but should be considered in the required ten-year Comprehensive Plan update process that will start in the fall of 2022.

### **Staff Recommendation**

1. Community Development Department staff recommends that no amendments to the Comprehensive Plan to address neighborhood character at this time.

2. Community Development Department staff recommends that amendments to the Housing and Land Use Elements of the Comprehensive Plan be considered as part of the next Washington State Growth Management Act required ten-year Comprehensive Plan update that will start in the fall of 2022 that is due June 2025.

## Appendix 2.1 – Relevant Sections of the Housing and Land Use Elements of the Comprehensive Plan

*(Pages 29-38 of the Comprehensive Plan Housing Element)*

### 5.1 Housing Goals, Policies, and Actions

**GOAL H-1: To conserve and improve the existing city housing stock and quality of life of neighborhoods.**

<u>Policy</u>	<u>Action</u>
H-1.1	Assist city neighborhoods in maintaining and rehabilitating the existing housing stock as decent, safe, sanitary, and affordable housing.
	H-1.1.1 Create a formal maintenance and rehabilitation program beyond the current City code enforcement procedures to support Policy H-1.1 in coordination with the City's work with the Regional Housing Council.
H-1.2	Encourage a range of housing, economic development, and community revitalization in the city.
H-1.3	Promote the quality of life of existing communities and implementation of community housing goals through the preparation of comprehensive plans and the development review process.
H-1.4	Provide assistance to improve community surroundings and infrastructure in residential areas.
H-1.5	Encourage and facilitate economic development as an important part of provision of housing by providing jobs.
	H-1.5.1 Continue implementation of economic development efforts to provide jobs in Tumwater.
<b>GOAL H-2:</b>	<b>To provide a sufficient number of single family dwelling units, multi-family dwelling units, manufactured homes, and group housing to provide an affordable selection of housing to each economic segment of the Tumwater population.</b>

<u>Policy</u>	<u>Action</u>
H-2.1	Provide sufficient, suitably zoned land for development of all housing types to accommodate the future needs for each type of housing, including single-family detached dwellings, accessory dwelling units, townhouses, duplexes, triplexes, fourplexes, multi-family dwellings, cottage housing, senior housing, roominghouses, group housing, and manufactured homes in manufactured home parks and on single lots.
H-2.2	Provide opportunities for a range of housing types to provide for all economic segments of Tumwater's population.
H-2.2.1	Monitor the Land Use Element and Zoning Code to ensure an adequate supply of suitably zoned land.
<b>GOAL H-3:</b>	<b>To provide adequate, affordable housing for residents of all income groups, including sufficient housing affordable to low and moderate-income groups.</b>

<u>Policy</u>	<u>Action</u>
H-3.1	Encourage the development of innovative plans, codes, standards, and procedures in order to take advantage of new private and public sector approaches to housing provision.
H-3.1.1	The Zoning Code allows manufactured homes on single-family lots in all residential zones. It is the intent of the Housing Element to promote the designation of a sufficient supply of land for traditional mobile/manufactured home parks—and to recognize that modular/manufactured housing on single family lots and in manufactured home parks is a viable form of housing construction.
H-3.1.2	Increase code enforcement efforts and build public private partnerships to encourage renovations of unfit structures for use as transitional or affordable housing.
H-3.2	Encourage provision of adequate building sites through appropriate land use planning and zoning codes, infrastructure supply, and overall regulatory climate.



H-3.3 Tumwater should assume its "fair share" of housing for low and moderate income groups, in cooperation with other jurisdictions in Thurston County.

H-3.3.1 Monitor land supply, census data, and housing policies to ensure Tumwater accommodates its fair share of housing for low and moderate income groups.

H-3.3.2 Work with Tumwater School District, Housing Authority, and other agencies and organizations to pursue grant funding and implement transitional housing strategies for families with children.

H-3.3.3 Establish a multi-family tax exemption program that gives financial incentive for developers to create multi-family structures in target areas and to set aside a percentage of units as low-income housing.

H-3.4 Tumwater should work with the other jurisdictions in Thurston County as part of the Regional Housing Council to share decision making responsibilities related to homelessness and affordable housing in Thurston County to allow for collaboration in expanding affordable housing options and sharing the planning for, identification of, and resource allocation to activities and programs intended to support individuals experiencing homelessness in Thurston County.

**GOAL H-4: To provide adequate opportunities for housing for all persons regardless of age, race, color, national origin, ancestry, sex, sexual orientation, familial status, marital status, ethnic background, source of income use of federal housing assistance, or other arbitrary factors.**

#### **Policy**

#### **Action**

H-4.1 Support the inclusion of living opportunities for families with children throughout the city.

H-4.2 Support and encourage a variety of housing types and price ranges through appropriate policies and regulations.

H-4.2.1 Continue the requirement for reasonable maximum lot sizes in order to create smaller lots that are more

affordable and that allow a more efficient use of City services.

- H-4.2.2 Encourage homeowner associations to adopt Covenants, Conditions, and Restrictions (CCRs) consistent with this policy.

**GOAL H-5: To supply sufficient, safe, suitable housing sites and housing supply to meet projected future housing needs for Tumwater over the next 20 years.**

<u>Policy</u>	<u>Action</u>
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| H-5.1 | Ensure appropriate land use designations and Zoning Code designations to provide sufficient land for housing construction. |
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|---------|--|
| H-5.1.1 | Monitor the Land Use Element and Zoning Code to ensure an adequate supply of suitably zoned vacant land. (2.1.1) |
|---------|--|

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|---------|---|
| H-5.1.2 | Continue joint planning with Thurston County to plan for future growth in Tumwater. |
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| H-5.2 | Lands not suitable for development due to site constraints such as wetlands, steep slopes, geologically hazardous areas, etc., should be identified and considered when determining sufficient land for new housing in accordance with Tumwater's Conservation Plan. |
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|-------|--|
| H-5.3 | Encourage construction practices, which exceed minimum standards. Tumwater will support the use of alternative building designs and methods that exceed the minimum standards set by Tumwater. |
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**GOAL H-6: To promote a selection of housing that is decent, safe, and sound, in close proximity to jobs and daily activities, and varies by location, type, design, and price.**

<u>Policy</u>	<u>Action</u>
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| H-6.1 | Protect residential areas from undesirable activities and uses through aggressive enforcement of adopted City codes. |
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| H-6.2 | Provide for a dynamic mix of residential land uses and zones in order to create a diverse mix of sites available for different housing types. |
|-------|---|

- H-6.2.1 Continue to monitor the available land supply, census data, and City policies to ensure a diverse mix of land for residential housing stock.
- H-6.2.2 Continue to implement innovative design techniques, such as zero lot line developments, architectural design standards, alley houses, and attached single-family housing. Zero lot line developments are residential real estate in which the structure comes up to or very near to the edge of the property. Zero-lot-line houses are built very close to the property line in order to create more usable space.
- H-6.3 Support increasing housing opportunities along urban corridors and centers.
- H-6.4 Encourage provision of affordable housing near public transit routes to promote efficient transportation networks.
- H-6.4.1 Continue to involve Intercity Transit in Tumwater's development review process.
- H-6.5 Tumwater will maintain current Building Code standards and will use the most up to date future Code editions.
- H-6.6 Increase the variety of housing types outside of corridors and centers of appropriate intensities with supporting design guidelines to meet the needs of a changing population.
- GOAL H-7: To ensure that housing is compatible in quality, design, and density with surrounding land uses, traffic patterns, public facilities, and environmentally sensitive areas.**

**Policy****Action**

- H-7.1 Support the stability of established residential neighborhoods through appropriate plans and codes.
- H-7.1.1 Continue to implement design standards for multi-family and attached single-family dwellings in order to ensure compatibility with existing neighborhoods.
- H-7.2 Assure housing will be well maintained and safe.

H-7.3 Enhance the appearance of and maintain public spaces in residential areas.

H-7.4 Promote community involvement to achieve neighborhood improvement.

**GOAL H-8: To support healthy residential neighborhoods which continue to reflect a high degree of pride in ownership or residency.**

<u>Policy</u>	<u>Action</u>
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H-8.1	Support the stability of established residential neighborhoods.
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H-8.2	Assure housing will be well maintained and safe.
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H-8.2.1	Protect residential areas from undesirable activities and uses through aggressive enforcement of adopted City codes.
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H-8.3	Enhance the appearance of and maintain public spaces in residential areas.
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H-8.4	Promote community involvement to achieve neighborhood improvement.
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H-8.4.1	Encourage neighborhood meetings to discuss community issues as situations and concerns arise.
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H-8.5	Encourage home ownership for Tumwater residents.
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**GOAL H-9: To encourage a variety of housing opportunities for those with special needs, particularly those with problems relating to age or disability.**

<u>Policy</u>	<u>Action</u>
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H-9.1	Require housing to meet the needs of those with special housing requirements without creating a concentration of such housing in any one area.
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H-9.2	Assist social service organizations in their efforts to seek funds for construction and operation of emergency, transitional, and permanent housing.
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- H-9.3 Support and plan for assisted housing opportunities using federal, state, or local aid.
- H-9.4 Encourage and support social and health service organizations, which offer support programs for those with special needs, particularly those programs that help people remain in the community.
- H-9.5 Encourage alternative housing strategies for homeless youth, which may include Host Homes.

**GOAL H-10: To provide housing that is compatible and harmonious with existing neighborhood character through use of innovative designs that enhance the appearance and quality of Tumwater's neighborhoods.**

<u>Policy</u>	<u>Action</u>
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|----------|---|
| H-10.1   | Encourage innovation and variety in housing design and development. Tumwater will support efforts to build housing with unique individual character, which avoids monotonous neighborhood appearance. |
| H-10.2   | Multi-family residential housing should be subject to design criteria that relate to density, structure bulk, size and design, landscaping, and neighborhood compatibility.                           |
| H-10.2.1 | Continue to implement multi-family housing design standards.  |

**GOAL H-11: To provide housing to accommodate Tumwater's housing needs in the urban growth area and make the most efficient use of infrastructure and services.**

<u>Policy</u>	<u>Action</u>
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| H-11.1 | Reference the Transportation Element and anticipated transportation impacts when making housing decisions affecting the location and density of housing. |
| H-11.2 | Reference utility plans and the impact of housing decisions on capital improvements planning.  |
| H-11.3 | Encourage the construction of affordable housing, including cottage housing and accessory dwelling units, within a half mile or twenty minute            |

walk of an urban center, corridor or neighborhood center with access to goods and services to provide access to daily household needs.

**GOAL H-12: To encourage urban growth within the city limits with gradual phasing outward from the urban core.**

<b><u>Policy</u></b>	<b><u>Action</u></b>
H-12.1	Encourage the construction of housing on vacant property within the city and the redevelopment of underdeveloped property within residential areas to minimize urban sprawl and associated public service costs.
H-12.1.1	Continue to review and revise, as necessary, City Development Standards deemed unnecessary and make development more expensive and/or difficult.
H-12.1.2	Continue to support high-density zoning within specific areas of the city that have the infrastructure and services to support high-density housing.
H-12.1.3	Continue to implement minimum density levels for all residential zoning districts to ensure efficient use of the urban growth area.
H-12.1.4	Work cooperatively with Thurston County to provide for more efficient and orderly annexations to facilitate urban service delivery.

**GOAL H-13: Ensure consistency with RCW 36.70A.070(2)(c) which requires sufficient land be available for all types of housing including manufactured housing.**

<b><u>Policy</u></b>	<b><u>Action</u></b>
H-13.1	Maintain the manufactured home park district zoning in appropriate areas in order to prevent conversion of affordable housing to other uses without replacement.
H-13.1.1	Encourage manufactured housing park district zoning to locate near transit services.

- H-13.2 When locating zones and designations for manufactured home parks, carefully consider the risks from natural hazards, such as flooding and liquefaction, and the impacts of those hazards on the future residents of those manufactured home parks, Tumwater's emergency responders, and the city as a whole.

*(Pages 29-38 of the Comprehensive Plan Land Use Element)***2.2 Residential Uses**

The quality and integrity of Tumwater's residential neighborhoods defines the **character of the community** and makes it unique. Ensuring that these neighborhoods remain stable and vital is of primary importance. Residential designations in Tumwater should provide a broad range of housing choices to meet the needs of all people in the community.

Residential development in Tumwater should be developed with the following guidelines:

- Residential development should provide for a dynamic mix of housing types to accommodate the many diverse housing needs of the citizens of Tumwater.
- New residential development should provide open spaces. "Wall to wall" development is not acceptable.
- Ensure that housing is compatible in quality, design, and intensity with surrounding land uses, traffic patterns, public facilities, and environmentally sensitive areas.
- Ensure that new residential development promotes a reasonable diversity in housing types.
- Support the stability of established residential neighborhoods.
- Support incentives for housing ownership in addition to rental housing.
- Enhance the appearance of and maintain public spaces in residential areas.
- Promote community involvement to achieve neighborhood improvement.

Some neighborhood-scale commercial uses are appropriate in residential areas to serve the needs of the local neighborhood. These uses may include neighborhood-scale retail uses, personal services, and small professional offices, including residences in conjunction with these businesses. These uses should be allowed in all residential zones except those designated Residential and Sensitive Resource. These uses should only be allowed as conditional uses to ensure that the uses demonstrate compatibility with the existing neighborhood.



Compatibility should be achieved using buildings that are sized and designed to be residential in scale; small overall area devoted to neighborhood-scale commercial use; and design and layout, which screens residential areas from excessive noise, lights, storage, and parking areas. These uses should be oriented primarily towards pedestrian and bicycle use. Uses, which would result in excessive automobile traffic, should be discouraged, such as gas stations, drive-thru restaurants.

Most neighborhood-scale commercial areas serving a particular neighborhood will consist of one business. However, new neighborhood-scale commercial uses may be considered in areas where one or more such uses already exist. In those cases, additional businesses should be located adjacent to the existing business in small clusters to avoid the development of commercial strips or many small businesses strung out along transportation corridors.

Mobile and manufactured home parks, which were legally established prior to adoption of this plan, should have the “Manufactured Home Park” designation applied to them in order to ensure a sufficient supply of land for manufactured homes in parks.

Several designations for residential land use in Tumwater were developed in order to meet the goals of the Growth Management Act, the Land Use Element, and the Housing Element. Each of these designations has specific criteria and characteristics related to development in each designation.

**Table 6. Range of Dwelling Units per Acre by Land Use Designation and Zone District**

Land Use Designation	Implementing Zone District	Dwelling Units Per Acre
Residential/Sensitive Resource	• Residential/Sensitive Resource	2-4 Dwelling Units/Acre
Single Family Low Density	• Single Family Low Density	4-7 Dwelling Units/Acre
Single Family Medium Density	• Single Family Medium Density	6-9 Dwelling Units/Acre
Multi-Family Medium Density	• Multi-Family Medium Density	9-15 Dwelling Units/Acre*
Multi-Family High Density	• Multi-Family High Density	14-29 Dwelling Units/Acre**
Manufactured Home Park	• Manufactured Home Park	6-9 Dwelling Units/Acre
Mixed Use	• Mixed Use	Minimum 14 Dwelling Units/Acre

Land Use Designation	Implementing District	Zone	Dwelling Units Per Acre
Capitol Boulevard Community	• Capitol Boulevard Community		Minimum 30 Dwelling Units/Acre or less, depending on subsection
Brewery District	• Brewery District		8-20 Dwelling Units/Acre
Tumwater Town Center	• Town Center		Minimum 30 Dwelling Units/Acre or less, depending on subsection

\* – Projects that provide permanently affordable housing dwelling units or other forms of permanently inclusive housing dwelling units in the Multi-Family Medium Density land use designation would be allowed to exceed the maximum density stated in Table 6 up to a new maximum density of 20 dwelling units per acre.

\*\* – Projects that provide permanently affordable housing dwelling units or other forms of permanently inclusive housing dwelling units in the Multi-Family High Density land use designation would be allowed to exceed the maximum density stated in Table 6 up to a new maximum density of 39 dwelling units per acre.

### 2.2.1 Residential/Sensitive Resource (2-4 Dwelling Units/Acre)

The purpose of this designation is to recognize areas of **unique open space character** and sensitivity to environmental disturbance such as around stream corridors, lakes, and wetlands within the city limits and Tumwater's Urban Growth Area.

Residential/Sensitive Resource areas are intended to be used only for exceptional places within the City and its Urban Growth Area. This designation should be applied to areas that are not protected by the Shoreline Management Act and are not already built out. These areas are where intensive urban development would adversely affect ground or surface waters or environmental resource areas.

In addition to being of a relatively low density, development in these areas should be clustered. Clustering means grouping or "clustering" development onto part of a property so that the remainder can be preserved as unbuilt open space. The intent of clustering development in this area is to preserve open space along environmentally sensitive areas and provide a lot configuration that allows for the preservation of the specified amount of open space and also allows for future applied density to be achieved over the 20-year time period.

In addition to clustering, other methods of preserving open space shall be strongly encouraged to guide development into less sensitive portions of the land, such as

purchase or donation, easements or deed restrictions, covenants, land exchanges, and transfer of development rights as a method of preserving open space. Densities in this designation should be two to four dwelling units/acre.

In order to protect groundwater resources from contamination by failing septic tanks and to ensure that urban services can be provided to certain areas in a cost efficient manner, a minimum density policy of two dwelling units/acre is recommended.

It is not the intent of this policy to prohibit construction on lots larger than are required for minimum density. What is important is that the property has the capacity to be developed at the minimum density in the future.

For example: If a property owner proposes to construct a house on a five-acre lot and the minimum density is two dwelling units per acre (one-half acre lots), they would not be prohibited from doing so. However, the house must be sited on the five-acre lot such that other houses could be built on the site in the future if needed.

Soils and other natural systems should be capable of supporting densities of up to four dwelling units per acre with urban services without resulting in the degradation of sensitive areas such as stream corridors, lakes, and sensitive aquifers.

The full range of urban services should be available or be planned in the near future in accordance with the City's Lands for Public Purposes Element and Capital Facilities Plan.

Construction activities in areas assigned this designation should only occur in the drier months of the year in order to protect Percival Creek from sedimentation and construction-associated runoff.

Density transfer in the Planned Unit Development overlay zoning district is not appropriate in this designation due to the extreme sensitivity of the area to environmental disturbance.

Accessory units should be permitted in this designation within the permitted density on lots with sewer connections, except where the Health Department has approved septic systems. Accessory units will provide affordable housing and extra income for homeowners.

Where clustering is used, it should be applied in the following manner in areas with this designation:

- Clustering is recommended for development proposals in the Residential/Sensitive Resource designation.

- Open space preserved through clustering should be at least 30% of the gross area of the site. Of this 30%, at least half should be useable for passive recreational purposes. Passive recreational uses include activities such as hiking, bicycling, horseback riding, and fishing; and areas that provide access to shorelines and other recreational uses. If half (50%) of the 30% preserved for open space on a lot or development proposal is not useable for passive recreational purposes, then an additional amount of open space should be set aside to make the amount of area usable for passive recreational purposes. This should be equal to the amount of open space area that is not useable for passive recreational purposes.

Designated manufactured housing should be permitted on single lots in this designation.

### 2.2.2 Single Family Low Density (4-7 Dwelling Units/Acre)

The density of new development in the Single Family Low Density designation should be averaged over the entire site in order to reach the maximum densities required to accommodate future population. It is not the intent of the City to require that lots be of a specific size but that densities are met as an average of the overall site.

Clustering should be considered in this residential designation to protect sensitive areas yet still accommodate residential development.

Designated manufactured housing should be permitted on single lots in this designation.

Accessory units should be permitted in this designation within the permitted density on lots with sewer connections, except where the Health Department has approved septic systems. Accessory units will provide affordable housing and extra income for homeowners.

Single-family dwellings and duplexes should be permitted in this designation subject to Citywide Design Standards.

### 2.2.3 Single Family Medium Density (6-9 Dwelling Units/Acre)

The density of new development in the Single Family Medium Density designation should be averaged over the entire site in order to reach the maximum densities required to accommodate future population. It is not the intent of the City to require that lots be of a specific size but that densities are met as an average of the overall site.

It is envisioned that underlying zoning in this designation would permit innovative housing techniques such as attached single family, alley houses, z-lot, and alternate width lot housing. In order for these techniques to be used, there must be mechanisms to ensure neighborhood compatibility and design quality. Some of the innovative techniques that could be used in this designation include small single-family housing with alleys and zero lot line or Z-lot developments.

Clustering should be considered in this residential designation to protect sensitive areas yet still accommodate residential development.

Accessory units should be permitted within the permitted density in this designation to provide affordable housing and extra income for homeowners.

Duplexes should be permitted in this designation subject to design standards. Designated manufactured housing should be permitted on single lots in this designation.

This residential designation should provide a mix of housing types in order to provide affordable housing and ensure neighborhood stability.

#### 2.2.4 Multi-Family Medium Density (9-15 Dwelling Units/Acre)\*

The density of new development in the Multi-Family Medium Density designation should be averaged over the entire site in order to reach the maximum densities required to accommodate future population. It is not the intent of the City to require that lots be a specific size but that densities are met as an average of the overall site.

Detached Single Family housing could be provided in the Multi-Family Medium Density designation as long as the overall site meets the density goals of the designation. The intent of this policy is to ensure diversity in housing types in these areas. This residential designation is meant to provide primarily for multi-family condominium and apartment types of structures.

Clustering should be considered in this residential designation to protect sensitive areas yet still accommodate residential development.

Accessory units should be permitted in this designation within the permitted density to provide affordable housing and extra income for homeowners.

Designated manufactured housing should be permitted on single lots in this designation.

Manufactured home parks are permitted in the Multi-Family Medium Density Residential designation subject to City standards and site plan review by the Hearing Examiner.

Additionally, Multi-Family Medium Density designated areas should be accompanied by open space, environmental protection for sensitive areas and mass transit linkage in order to make these higher densities viable and compatible with the community.

\* – Projects that provide permanently affordable housing dwelling units or other forms of permanently inclusive housing dwelling units in the Multi-Family Medium Density land use designation would be allowed to exceed the maximum density stated in Tables 5 and 6 up to a new maximum density of 20 dwelling units per acre

#### 2.2.5 Multi-Family High Density (14-29 Dwelling Units/Acre)\*

The Multi-Family High Density designation should be applied in areas that are planned-for major transportation corridors and areas adjacent to the city center. The density of new development in the Multi-Family High Density designation should be averaged over the entire site in order to reach the maximum densities required to accommodate future population. It is not the intent of the City to require that lots be of a specific size but that densities are met as an average of the overall site.

Clustering should be considered in this residential designation to protect sensitive areas yet still accommodate residential development.

Accessory units should be permitted in this designation only in areas of existing lower density single-family development. Minimum density requirements would preclude accessory units within new development in this designation.

Multi-Family High Density designated areas should be accompanied by significant open spaces, environmental protection for sensitive areas and mass transit linkage in order to make these higher densities viable and compatible with the community.

\* – Projects that provide permanently affordable housing dwelling units or other forms of permanently inclusive housing dwelling units in the Multi-Family High Density land use designation would be allowed to exceed the maximum density stated in Tables 5 and 6 up to a new maximum density of 39 dwelling units per acre.

### 2.2.6 Manufactured Home Park (6-9 Dwelling Units/Acre)

The Manufactured Home Park (MHP) land use designation is intended to ensure consistency with RCW 36.70A.070(2)(c) which requires sufficient land be available for all types of housing including manufactured housing.

Manufactured home parks are permitted in this designation subject to City development standards and site plan review by the Hearing Examiner.

Designated manufactured housing should be permitted on pre-existing single lots of record in this designation.

This residential designation should help to provide sufficient land for manufactured housing in manufactured home parks and ensure neighborhood stability.

Uses that are incompatible or inconsistent with the goal of protecting and preserving manufactured home parks should not be allowed.

Manufactured Home Park designated areas should be accompanied by open space and environmental protection for sensitive areas in order to make these areas compatible with the community.

Subdivision and platting of properties for residential purposes, including condominiums, should not be allowed.

Additionally, these areas should be located along or near mass transit linkages and close to urban services.

Table 7 provides a summary of innovative land use techniques that are recommended to be used in each residential designation.

Table 7. Land Use Management Techniques for Residential Development

	<b>Residential / Sensitive Resource 2-4 Dwelling Units/Acre</b>	<b>Single Family Low Density 4-7 Dwelling Units/Acre</b>	<b>Single Family Medium Density 6-9 Dwelling Units/Acre</b>	<b>Multi- Family Medium Density 9-15 Dwelling Units/Acre *</b>	<b>Multi- Family High Density 14-29 Dwelling Units/Acre **</b>
Design Review	X	X	X	X	X
Revised Development Standards	X	X	X	X	X
Minimum Average Density	X	X	X	X	X
Clustering	X	X	X	X	X
Manufactured Homes on single lots	X	X	X	X	

\* – Projects that provide permanently affordable housing dwelling units or other forms of permanently inclusive housing dwelling units in the Multi-Family Medium Density land use designation would be allowed to exceed the maximum density stated in Tables 5 and 6 up to a new maximum density of 20 dwelling units per acre.

\*\* – Projects that provide permanently affordable housing dwelling units or other forms of permanently inclusive housing dwelling units in the Multi-Family High Density land use designation would be allowed to exceed the maximum density stated in Tables 5 and 6 up to a new maximum density of 39 dwelling units per acre.



*(Pages 47-50 of the Comprehensive Plan Land Use Element)***2.16 Design Review**

The City is, for the most part, a designed environment. Design will influence the degree to which development is attractive and appealing, comfortable and safe, compact, efficient, encourages natural and social interaction, provides most needs within short distances, discourages environmentally disruptive influences, and is well connected with other areas. Greater awareness and appreciation of the value of design will continue, and the demand for development that demonstrates design excellence will increase.

This trend and the movement to plan comprehensively will create new partnerships to achieve community goals. Public participation and interest in design will continue to increase with greater emphasis on design in City projects. With increasing density in some areas, design will become an important factor in providing stylistic compatibility and privacy.

The Design Guidelines complement the City's zoning code and provide a better tool for ensuring lasting value. Unlike zoning codes that can be prohibitive and exclusionary in their tone and language, Design Guidelines are illustrative and prescriptive.

They have proved very effective in promoting well designed, mixed-use, new and infill development.

The intent of design review in Tumwater is to create design and development guidelines that ensure lasting value through:

1. Infill and strengthening existing neighborhoods;
2. Livable neighborhoods;
3. Affordable housing;
4. Diversity in housing types and styles; and
5. Streetscape design as well as building and site design.

The Design Guidelines establish a context for development and encourage resolution of technical planning and urban design issues such as pedestrian and traffic circulation, stormwater runoff, landscaping and buffering, and building location and design.

Functions of Design Review through design and development guidelines:

1. Establishes a community design context;
2. Creates community planning and urban design policy;
3. Assures conformance to City plans and policies; and
4. Expedites project approval.

The design review process includes elements such as:

1. The appearance or image of a community
2. Street layout and design
3. Incorporating transit
4. Natural and scenic resources
5. Streetscape
  - Street character and liveliness
  - Pedestrian environment
  - Landscape design
  - Residence and street transition
6. Site Planning
  - Neighborhood character
  - Adjacent properties
  - Siting
  - Natural elements
  - Transit facilitation

## 7. Building Design

- Architectural character
- Character and massing
- Architectural elements
- Exterior finish materials
- Parking garages
- Mixed-use buildings
- Conversions and additions
- Special needs housing

Design review is necessary in Tumwater to ensure that new development is compatible with existing neighborhoods; to provide guidelines for innovative land use management techniques; and to provide guidelines for special areas of the City.

Design Guidelines were developed as a follow on implementing ordinance for the remaining areas of the City after consultation with affected groups including citizens, builders, and City staff. Design standards were developed through a process involving substantial public participation.

The goals and purpose of the Design Guidelines in Tumwater are to:

- Encourage the development of visually sensitive developments;
- Encourage developments that will contribute to the stability and integrity of a safe and attractive neighborhood;
- Recognize that aesthetic considerations along with environmental review contribute toward an enhanced environment; and
- Recognize that aesthetic considerations are appropriate in order to protect property values of adjacent properties and to ensure that developments contribute to desirable neighborhood character.

*(Pages 53-66 of the Comprehensive Plan Land Use Element)***3.2 Goals, Policies, and Actions**

**GOAL LU-1:       Ensure the Land Use Element is implementable and coordinated with all applicable City plans and the plans of other jurisdictions in the Thurston region.**

<b><u>Policy</u></b>	<b><u>Action</u></b>
LU-1.1	Ensure the Land Use Element is consistent with adopted County-Wide Planning Policies and integrate transportation considerations into land use decisions, and vice versa.
	LU-1.1.1     Implement the eleven County-Wide Policy elements in the County-Wide Policy Plan (Reference Appendix B: County-Wide Planning Policies).
LU-1.2	Ensure the Land Use Element is consistent with the goals of Sustainable Thurston.
	LU 1.2.1     Implement specific Sustainable Thurston goals identified in Land Use Element Section 1.6, Sustainable Thurston Goals (Reference Appendix C: Sustainable Thurston)
LU-1.3	Engage in planning on a neighborhood level with residents of the City (Reference Appendix A: Neighborhood Appendix)
LU-1.4	Encourage the creation of a new city center that is compatible with the Land Use Element.
LU-1.5	Coordinate the Land Use Element with the <i>Port of Olympia Master Plan</i> (2016).
LU-1.6	Ensure consistency between the Land Use Element and Tumwater Historic District Master Plan.
LU-1.7	Coordinate the Land Use Element with the Shoreline Master Program.
	LU-1.7.1     Make sure the Land Use Element is consistent with the recommendations of the Shoreline Master Program.

- LU-1.8      Coordinate the Land Use Element with the City's Economic Development Element.
- LU-1.8.1      Implement goals and associated policies and actions of the Economic Development Element.
- LU-1.9      Ensure consistency between the Land Use Element and the Tumwater Zoning Code.
- LU-1.9.1      Implement the Land Use Element by revising the Zoning Code and other municipal Codes to reflect the goals, policies, actions, and designations outlined in the Land Use Element.
- LU-1.10      Coordinate the Land Use Element with the City's Lands for Public Purposes Element and the Capital Facilities Plan.
- LU-1.10.1      Implement low impact development through land use and stormwater planning.
- LU-1.11      Make capital budget decisions consistent with the comprehensive plan in accordance with RCW 36.70A.120 (Reference the City's current six-year Capital Facilities and Transportation Improvement Plans).
- LU-1.12      Coordinate the Land Use Element with local, state, and national initiatives that support the City's vision whenever practical to increase the chance of additional funding.
- LU-1.13      Coordinate the Land Use Element with the strategies in the City of Tumwater Housing Action Plan.
- LU-1.14      Coordinate the Land Use Element with the strategies in the most recent version of the Thurston Climate Mitigation Plan.

**GOAL LU-2:      Ensure development takes place in an orderly and cost-efficient manner in order to best utilize available land and public services, conserve natural resources, protect critical areas, preserve open space, and reduce sprawl.**

<b><u>Policy</u></b>	<b><u>Action</u></b>
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| LU-2.1 | Encourage the highest intensity growth to locate within the City's corporate limits. |
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- LU-2.1.1 Implement goals and associated policies and actions of the Economic Development Element. (Reference Goal LU-1.8.1)
- LU-2.2 Reduce inappropriate conversion of undeveloped land into sprawling low-density development.
  - LU-2.2.1 Ensure the eleven County-Wide Policy elements in the County-Wide Policy Plan are implemented. (Reference Goal LU-1.1.1)
- LU-2.3 Encourage innovative land use management techniques such as density bonuses, cluster housing, zero-lot-line development, planned unit developments, and transfer of development rights to create vibrant centers, corridors, and neighborhoods while accommodating growth.
  - LU-2.3.1 Consider revision of the City's Development Standards to encourage innovative land use management techniques.
- LU-2.4 Ensure new annexations adhere to the goals and policies of the City's Annexation Policy.
- LU-2.5 Encourage development of architectural and landscape design standards.
  - LU-2.5.1 Implement Goals 5 and 6 of the Economic Development Element.
- LU-2.6 Ensure the City's capital budget decisions in the City's current six-year Capital Facilities and Transportation Improvement Plans are coordinated with the Land Use Element, Lands for Public Purpose Element, and Transportation Element.
- LU-2.7 Create vibrant city centers and activity nodes along transit corridors that support active transportation and housing, jobs, and services.
- LU-2.8 Create safe and vibrant neighborhoods with places that build community and encourage active transportation.
- LU-2.9 Protect designated mineral resource lands from incompatible development.

LU-2.10 Reduce the City's carbon footprint where possible and move towards a carbon-neutral community.

**GOAL LU-3: Ensure adequate public services, facilities, and publicly owned utilities are available to proposed and existing development.**

<b><u>Policy</u></b>	<b><u>Action</u></b>
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LU-3.1	Coordinate development with the City's six-year Capital Facilities Plan.
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LU-3.1.1	Ensure the Capital Facilities Plan can be implemented through the Land Use Element's projected densities and the direction found in the Lands for Public Purposes Element.
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LU-3.2	Ensure development is in conformance with the Water System Plan and Sanitary Sewer Comprehensive Plan.
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LU-3.3	Analyze all proposed development for anticipated impact on services, either as an element of site plan review or as part of an environmental impact assessment.
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LU-3.4	Give preference to providing adequate public facilities to settled areas rather than extending new services to sparsely settled or undeveloped areas and to serving incorporated land before serving unincorporated areas.
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LU-3.4.1	Ensure the eleven County-Wide Policy elements in the County-Wide Policy Plan are implemented. (Reference Goal LU-1.1.1)
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LU-3.5	Work with developers to determine where and when new public facilities are to be placed to permit proper development of commercial and residential projects. This process should be directly related to the Lands for Public Purposes Element, the Capital Facilities Plan, and site plan review in order to achieve concurrency.
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LU-3.5.1	Ensure the eleven County-Wide Policy elements in the County-Wide Policy Plan are implemented. (Reference Goal LU-1.1.1)
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LU-3.6 Require residential and commercial development utilizing septic tanks for sewerage disposal to hook up to sanitary sewer when the system fails, needs replacement, or requires major repairs when sanitary sewer laterals are readily available.

LU-3.6-1 In consultation with the LOTT partners, develop a program to connect developments that are on septic systems to LOTT's sewerage treatment system to reduce impacts to groundwater and surface water quality.

LU-3.7 Require residential and commercial development utilizing private wells for water systems to connect to City water service when the well fails, needs replacement, or requires major repairs, where City water service available

**GOAL LU-4: Encourage land use patterns that increase the availability of affordable housing for all economic segments of the Tumwater population.**

<u>Policy</u>	<u>Action</u>
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LU-4.1	Coordinate the Land Use Element with the Housing Element and fully implement the goals, policies, and actions of the Housing Element.
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LU-4.2	Encourage innovative techniques for providing affordable housing resulting in an attractive product that will be an asset to the Tumwater community.
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LU-4.2.1	Consider revision of the City's Development Standards to encourage innovative land use management techniques. (Reference Goal LU-2.3.1)
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LU-4.3	Continue to allow manufactured housing on individual lots within the City, as well as within mobile and manufactured home parks, to encourage affordable housing.
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LU-4.3.1	Consider methods to provide sufficient land for manufactured housing in accordance with the Growth Management Act.
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LU-4.4	Permit implementing regulations to experiment in new forms of residential development where amenities of open space, privacy, and visual quality can be maintained or improved, and flexible solutions to
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land use problems such as density, diversity, equitability, and affordability can be achieved.

LU-4.4.1 Consider revision of the City's Development Standards to encourage innovative land use management techniques. (Reference Goal LU-2.3.1)

LU-4.5 Encourage higher density residential uses in order to provide affordable housing. These uses should blend with the existing character of the community.

LU-4.6 Increase housing types and densities in corridors and centers to meet the needs of a changing population.

LU-4.7 Increase the variety of housing types outside of corridors and centers of appropriate intensities with supporting design guidelines to meet the needs of a changing population.

**GOAL LU-5: Ensure development patterns encourage efficient multi-modal transportation systems coordinated with regional, City, and county transportation plans.**

<u>Policy</u>	<u>Action</u>
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LU-5.1	Ensure coordination with the Transportation Element.
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LU-5.2	Ensure coordination with the Thurston Regional Transportation Plan.
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LU-5.2.1	Ensure the eleven County-Wide Policy elements in the County-Wide Policy Plan are implemented. (Reference Goal LU-1.1.1)
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LU-5.3	Ensure coordination with the Parks, Recreation, and Open Space Plan (Element).
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LU-5.4	Established pedestrian and bicycle trail links with various parts of Tumwater and within the business area.
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LU-5.4.1	Ensure coordination of the Land Use Element with the Parks, Recreation, and Open Space Plan (Element) and the Transportation Element.
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- LU-5.5 Encourage provision of urban plazas and access to transit stops when new construction or major renovation is proposed. Incentives for providing such amenities should be sought.
- LU-5.5.1 Consider revision of the City's Development Standards to encourage provision of these amenities. Consider development of a citywide design standards program. (Reference Goal LU-2.3.1)
- LU-5.6 Allow densities and mixes of uses that reduce the number and lengths of vehicle trips and increase the opportunity to use public transit and non-motorized modes of travel.
- LU-5.7 Reinforce the link between land use and public transportation by encouraging development to occur at urban residential densities along designated transit corridors, nodes, and near commercial centers.
- LU-5.8 Ensure proposed capacity improvements to the City's transportation systems are designed to serve proposals that are contiguous to existing development, as a means to discourage the occurrence of "leap frog" development patterns.
- LU-5.9 Provide development incentives, such as increased density, increased square footage, or increased height for proposed land developments located adjacent to transportation corridors when amenities for transit users, bicyclists, and pedestrians are included.
- LU-5.10 Encourage land development proposals to utilize the capacity of the existing transportation system, especially transit and non-motorized modes.
- LU-5.11 Encourage public and private development proposals to enhance the street side environment to maximize comfort for the transit user and the pedestrian.
- LU-5.12 Encourage subdivision and commercial and retail project design that facilitates cost-effective transit and emergency service delivery.
- LU-5.13 Discourage transportation improvements, regardless of their financing mechanisms that would trigger premature development; that is, development inconsistent with applicable comprehensive plans and zoning.

- LU-5.14 Ensure alternative transportation modes are included in comprehensive plans, subdivisions, and other land developments.
- LU-5.15 Expand bicycle and pedestrian data collection efforts.
- LU-5.16 Establish a regional bicyclist and pedestrian advisory body.
- LU-5.17 Support efforts of the local traffic safety campaigns to educate bicyclists and pedestrians of the laws pertaining to walking and biking.

**GOAL LU-6: Reduce impacts from flooding; encourage efficient stormwater management; and ensure the groundwater of Tumwater is protected and preserved.**

**Policy      Action**

- LU-6.1 Ensure new development is in conformance with requirements and standards of the *Northern Thurston Groundwater Protection Plan*.
- LU-6.2 Ensure new development is in conformance with requirements and standards of the *Drainage Design and Erosion Control Manual for Tumwater*, as amended.
- LU 6.2.1 Implement specific Sustainable Thurston goals identified in Land Use Element Section 1.6, Sustainable Thurston Goals (Reference Appendix C: Sustainable Thurston)
- LU-6.3 Ensure coordination with the *Percival Creek Comprehensive Drainage Basin Plan*.
- LU-6.4 Ensure new development is in conformance with aquifer protection standards of the Conservation Element.
- LU-6.5 Ensure implementation of the *Natural Hazards Mitigation Plan for the Thurston Region* to reduce or eliminate the human and economic costs of natural disasters for the overall good and welfare of the community.
- LU-6.6 Ensure coordination with the *Salmon Creek Comprehensive Drainage Basin Plan*.
- LU-6.6.1 Incorporate the development review process within the *Salmon Creek Comprehensive Drainage Basin Plan* into the Tumwater Municipal Code.

**GOAL LU-7: Encourage retention of open space, parks, trails, and development of recreational opportunities within Tumwater.**

<b><u>Policy</u></b>	<b><u>Action</u></b>
LU-7.1	Ensure coordination of the Land Use Element with the Parks, Recreation, and Open Space Plan (Element).
LU-7.2	Ensure coordination of the Land Use Element with open space retention and natural area preservation standards of the Conservation Element.
LU-7.3	Preserve environmentally sensitive lands, farmlands, mineral resources, and prairies, by developing compact urban areas.
LU-7.4	Provide a variety of open spaces including landscaped buffers, small parks, plazas, and other community areas to balance higher density development and enhance quality of living.
LU-7.4.1	Specify the amount of area that must be dedicated for open space and require configuration useful for the purpose desired in the City's Zoning Ordinance to make certain that areas of developments dedicated to open space provide the functions intended.

**GOAL LU-8: Ensure physical limitations of the land are observed during the development process.**

<b><u>Policy</u></b>	<b><u>Action</u></b>
LU-8.1	Ensure new development is in conformance with standards and requirements for critical areas within the Conservation Element.
LU-8.1.1	Consider implementation of the state geological study and mapping program for the City. This study should address geologic, erosion, landslide, seismic, and volcanic hazard areas.
LU-8.2	Reserve the right to prohibit or set conditions on development based on anticipated adverse environmental impact.
LU-8.3	Ensure development within the jurisdiction of the Shoreline Management Act adheres to the flood control policies, land use controls, and regulations

of the applicable environmental designation as described in the Tumwater Shoreline Master Program.

- LU-8.4 Ensure new development is in conformance with the standards of the City's Protection of Trees and Vegetation Ordinance.

**GOAL LU-9: Identify what conditions should be applied to development in residential areas.**

**Policy      Action**

- LU-9.1 Protect residential developments from excessive noise, odors, dirt, glare, and other nuisances emanating from commercial and industrial uses.

- LU-9.2 Allow for multi-family residential development in the zoning code. Consideration should be given to encouraging this type of development near centers of community services.

- LU-9.2.1 Consider revision of the City's Development Standards to encourage innovative land use management techniques. (Reference Goal LU-2.3.1)

- LU-9.3 Integrate design features of existing natural systems into the layout and siting of new residential dwelling units. Preserve trees and significant ecological systems, whenever possible and practical.

- LU-9.3.1 Consider revision of the City's Development Standards to encourage innovative land use management techniques. (Reference Goal LU-2.3.1)

- LU-9.4 Permit experimentation in development regulations with newer forms of residential development where amenities of open space, privacy, and visual quality can be maintained or improved, and flexible solutions to land use problems can be achieved.

- LU-9.4.1 Consider revision of the City's Development Standards to encourage innovative land use management techniques. (Reference Goal LU-2.3.1)

- LU-9.5 Do not permit private residential gated communities.

- LU-9.6 Promote nearby access to healthy food for residential developments.

LU-9.6.1 Allow and encourage farm stands supplying fresh food in residential areas.

LU-9.6.2 Consider measures to encourage the creation of healthy corner stores within residential areas.

**GOAL LU-10: Identify the City's policies and regulations pertaining to commercial and industrial areas and uses.**

<b><u>Policy</u></b>	<b><u>Action</u></b>
LU-10.1	Implement the goals, policies, and actions of the Economic Development Element through the Land Use Element.
LU-10.2	Encourage industry clusters to create jobs, and increase revenue circulation locally.
LU-10.3	Ensure adequate supply of developable land along primary transportation corridors and invest in commercial and industrial redevelopment.
LU-10.4	Encourage developers to concentrate non-residential land uses in integrated centers in order to insure convenient access and prevent strip development.
LU-10.5	Group commercial, industrial, and manufacturing uses into centers rather than dispersed throughout the City. These centers shall have a landscaped, urban park quality.
LU-10.6	Rest future development of commercial, manufacturing, and light industrial areas in Tumwater on a comprehensive, integrated planning scheme incorporating performance standards regarding green belts, and buffering, landscaping, parking facilities, and other items of site design as appropriate.
LU-10.7	Use land use regulations to guide new industrial development into areas and patterns that minimize heavy trucking through residential and business areas.
LU-10.8	Ensure commercial and industrial structures, where practical, are low profile and provide landscaping including lawns, trees, and shrubs.
LU-10.9	Locate commercial and industrial land uses close to arterial routes and freeway access and rail facilities.

- LU-10.10 Encourage neighborhood commercial uses that supply nearby residents with everyday convenience shopping goods in the City to reduce traffic generation, where, generally, these uses are very small, not generate excessive traffic, and compatible with nearby residences.
- LU-10.11 Encourage businesses to allow food trucks at work sites to bring diverse meal options and fresh produce to workers.
- LU-10.12 Emphasize sustainable practices while encouraging economic development.

**GOAL LU-11: Ensure new and existing development is energy efficient.**

<b><u>Policy</u></b>	<b><u>Action</u></b>
LU-11.1	Recognize potential energy efficiencies associated with mixed-use developments and centers.
LU-11.2	Encourage building design, orientation, and land use arrangements that take advantage of natural landforms, existing vegetation, and climatic features for reducing energy demands for heating and cooling purposes.
LU-11.3	Aggressively pursue conservation or system improvements as a potential means to defer the siting and development of new facilities where appropriate.
LU-11.4	Recognize savings in energy usage for heating and cooling purposes associated with common wall construction.
LU-11.5	Encourage existing and new development to use landscaping to take advantage of the sun's warming rays in winter and to provide shade in summer.
LU-11.6	Recognize potential energy savings through optimally using solar energy and orient development sites accordingly.
LU-11.7	Consider the impact of new development and landscaping on solar accessibility of adjoining lots and mitigate wherever feasible.
LU-11.8	Encourage development and integration of new energy technologies in the design of new development and redevelopment, which result in energy and cost savings.

LU-11.9 Develop a program to encourage energy retrofits of existing buildings to improve their energy efficiency.

LU-11.10 Coordinate the City's energy efficiency programs with the strategies in the most recent version of the Thurston Climate Mitigation Plan.

**GOAL LU-12: Promote preservation of sites of historical and cultural significance.**

<b><u>Policy</u></b>	<b><u>Action</u></b>
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LU-12.1	Ensure coordination of the Land Use Element with Tumwater and Thurston County historic preservation programs.
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LU-12.2	Make land use decisions that protect designated state and national landmarks listed by the State Office of Archaeology and Historic Preservation.
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**GOAL LU-13: Protect Olympia Regional Airport from incompatible land uses and activities that could affect present and future use of airport facilities and operations. Regulations and criteria should reflect the urban environment adjacent to the airport.**

<b><u>Policy</u></b>	<b><u>Action</u></b>
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LU-13.1	Promote safe operation of Olympia Regional Airport by encouraging compatible land uses and activities and discouraging uses or activities that will impede safe flight operations or endanger the lives of people on the ground.
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LU-13.2	Coordinate protection of Olympia Regional Airport with Thurston County by developing consistent implementing regulations.
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*(Pages 66-68 of the Comprehensive Plan Land Use Element)***3.3 Implementation Policies**

Successful implementation of concepts, goals, and policies of the Land Use Element will require changes in regulations, procedures, programs, capital investments, and other activities.

The Land Use Element includes strategies that identify actions to achieve stated goals and policies. The following actions are proposed to implement the goals and policies of Land Use Element:

1. Change zoning designations, as may be appropriate, in certain areas of the City to be consistent with the overall City Land Use Map, the individual neighborhood maps, and policies.
2. Develop or modify existing zoning and land use regulations to achieve mixed-use areas, allow clustering and the use of innovative housing techniques, and address infill.
3. Protect Olympia Regional Airport from incompatible uses by applying development standards of the Airport Overlay Zone, Chapter 18.32 of the Tumwater Municipal Code. The Airport Overlay Zone addresses three primary issues further described below: height hazards, compatible land uses, and Airport Overlay Zone disclosure statements. Any changes to this chapter, as may be appropriate, should be made after consideration of the State Department of Transportation Aviation Division Publication "Airports and Compatible Land Use, Volume 1," and other best available technical information to the extent practical within an urban area.
4. Height Hazards. Prohibit structures and trees from penetrating airspace surfaces as defined by Title 14 of the Code of Federal Regulations Part 77, except as necessary and incidental to airport operations.

Land Use Types and Intensities. Permit appropriate land uses compatible with airport and aviation uses. Encourage contiguous open space areas within the Airport Overlay Zone that provide functional open space needs for aircraft in cases of an emergency. Open space areas should be large and contiguous to other open space areas.

5. Disclosure Statement. Require a disclosure statement to be recorded

with the Thurston County Auditor for subdivisions, short subdivisions, binding site plans, and building permits located within the Airport Overlay Zone. The disclosure statement should state the property is located within the Airport Overlay Zone in which a variety of aviation activities occurs. Such activities may include but are not limited to noise, vibration, chemicals, odors, hours of operation and other associated activities.

6. Develop urban design plans and development standards to address compatibility of new development, **preserve neighborhood character**, and create pedestrian-oriented transit supportive development.
7. Through the Tumwater and Thurston County joint planning process and the County-Wide Planning Policies for Thurston County, direct the timing and location of development with the provision of adequate facilities and services within Tumwater's Urban Growth Area.
8. Invest in public improvements to facilitate and complement private development including streetscape improvements, public open spaces, and other amenities.
9. Review and modify, as necessary, existing plans to ensure consistency with the Land Use Element.
10. Continue public involvement in the planning process so decisions made regarding the growth and development of the City are reflective of general community goals and sensitive to special interests of effected parties.
11. Modify the land use regulatory review, permitting, and approval system for consistency with the Growth Management Act and adopted plans to ensure predictability and allow processing of development permits in a timely and fair manner.
12. Work with the Port of Olympia and the Federal Aviation Administration to remove the restrictions on residential development on Port owned land in the Town Center to allow full implementation of the City of Tumwater Town Center.
13. Clarify the differences in the City of Tumwater's definitions of warehouse distribution center and warehousing that is accessory to a manufacturing use.

14. Implement the Housing Action Plan strategies through land use actions by the City.
15. Implement the strategies in the most recent version of the Climate Mitigation Plan through land use actions by the City.
16. Implement the Urban Forestry Management Plan through the municipal code, Development Guidelines, City employee processes, and community education and engagement.

***(Pages 37-39 of the Comprehensive Plan Land Use Element Neighborhood Appendix)***

**2.4 Brewery District**

The Brewery District designation has been applied to the area identified on the Brewery Neighborhood Future Land Use Map and in Figure 3. The designation is based on the *Brewery District Plan* adopted by the City Council in 2014. A Brewery District Zone will be created that consists of seven subdistricts. Zone district design and development standards will transform the Brewery District over time from a largely auto-oriented commercial node, into a lively, walkable, and economically vibrant neighborhood center with a mixture of housing and neighborhood-serving businesses in accordance with the goals and objectives of the Brewery District Plan. Additionally, the Brewery District Zone is intended to provide for a mix of uses within the former brewery properties consistent with the Economic Development Element, *Strategic Plan*, and the *Final Report for the Community Visioning Project for the Former Olympia Brewery*.

**Knoll.** The location overlooking the Deschutes River, with high visibility from the freeway and close proximity to the historic district, makes this a unique economic and community development opportunity. A mixture of uses is desirable to create a vibrant sense of place that appeals to pedestrians and creates a community focal point for Tumwater and the surrounding area. A broad mix of uses should be allowed in this subdistrict, including but not limited to retail, personal and professional services, restaurants, educational, entertainment, lodging, and residential.

**Valley.** Existing industrial buildings located adjacent to rail access make this area ideal for light industrial uses that do not create compatibility issues with other land uses, and the kinds of commercial uses that are most appropriately located as neighbors of industrial uses.

**Bluff.** Vacant land overlooking the valley and in close proximity to residential development to the south and east makes multifamily residential a possibility. A minimum net density of ten units per acre should be applied to promote the efficient use of land and to provide a density pattern that will support public transit in the long term.

**Triangle.** Given its proximity to surrounding residential neighborhoods and the former brewery properties, excellent transit service, and its visibility and access from Interstate 5 and major urban corridors, the Triangle has the potential to transform into a highly pedestrianized neighborhood center with a broad mixture of uses, including medium-density housing, and community-

serving commercial uses. New development in the Triangle should be a mixture of uses with buildings up to five stories in height. Active ground floor uses should be encouraged that engage the sidewalk, particularly along Cleveland Avenue “Main Street.”

**Deschutes.** Referred to as the South Focus Area in the *Brewery District Plan*, this subdistrict benefits from excellent freeway access as well as high volumes of pass-by traffic, which may increase upon completion of the E Street extension, and consequently, this area may experience increased development pressure in the future. Given its relative isolation from surrounding residential areas and the remainder of the Brewery District, new development in the Deschutes Subdistrict will likely remain dependent upon automobile access for its success. Such new development may include a mixture of office and retail uses, as well as housing, which may be desirable adjacent to the park.

Design and development standards should improve the **character of development in this area** as well as the appearance of this important gateway into the Brewery District, with a focus on decreasing the visibility of surface parking areas and improving building frontage conditions along key rights-of-way. This subdistrict extends further south than the South Focus Area depicted in the *Brewery District Plan*. The extension of this subdistrict to Linwood Avenue ensures that land on both sides of Capitol Boulevard at this southern gateway into the Brewery District will be developed in accordance with consistent development and design standards.

**Bates Neighborhood North.** Referred to as the Bates Neighborhood Periphery in the *Brewery District Plan*, development located in this subdistrict should create a transition between the small-scale, **residential character of development** in the Bates Neighborhood South and the higher-intensity commercial area in the Triangle and along Capitol Boulevard. Buildings may provide commercial-style elements and site development patterns, including large ground-floor windows, articulated architectural bays, and masonry facades, and may reach up to four stories in height.

**Bates Neighborhood South.** Referred to as the Bates Neighborhood Interior in the *Brewery District Plan*, new development in this subdistrict should reflect and be compatible with the detached, single-family structures currently seen in this area. While uses within these structures may be commercial or residential, buildings in this area should continue to be **residential in character**, mirroring not only surrounding building heights, but also providing site development and building design elements, including setbacks, landscaping, building materials, and architectural elements, that are

consistent with the surrounding residential character. New development should be limited to a maximum height of three stories.

*(Page 61 of the Comprehensive Plan Land Use Element Neighborhood Appendix)*

#### **4.6 Single Family Medium Density Residential**

The residential areas east of Cleveland Avenue and north of Yelm Highway form a well-established and stable neighborhood in Tumwater. This area should and will **remain residential in character**, continuing to infill with residential uses on the good building sites that are still vacant. It is anticipated that over a 20 year time period densities will increase in this area. In order to protect the **quiet residential atmosphere**, promote neighborhood stability and continuity, and provide a variety of affordable housing types, the Single Family Medium Density designation would be appropriate in this area.

***(Page 62 of the Comprehensive Plan Land Use Element Neighborhood Appendix)***

**4.8 Neighborhood Commercial**

The neighborhood store on the corner of Hoadly and North Streets, which provides a day to day service for residents in the surrounding area has been designated Neighborhood Commercial to protect and encourage the present use of the site. This area has been designated Neighborhood Commercial, in part to provide for less intensive commercial uses and to help minimize traffic conflict and circulation problems which have affected this area. The development of additional commercial areas along North Street would not be appropriate due to limitations for traffic circulation and the residential character of the area.

The Neighborhood Commercial designation would allow neighborhood scale retail uses, personal services and professional offices in residential areas where local demand, community support, and design solutions demonstrate compatibility with the neighborhood.

In any area where commercial development is adjacent to residential areas, landscaping, screening, and buffering should be used to protect the residences from possible adverse impacts. Existing trees and other vegetation with landscaping and aesthetic value should be preserved where practical. Whenever local commercial development is located adjacent to major streets, ingress, and egress should be from the lesser of the intersecting arterials. The intent of buffering Neighborhood Commercial uses from adjoining residential areas is to ensure that residential areas are not impacted by noise, light and glare, and excessive traffic.

Provision of urban plazas and access to transit stops should be encouraged when new construction or major renovation is proposed. Incentives for providing such amenities should be sought.



***(Pages 68-71 of the Comprehensive Plan Land Use Element Neighborhood Appendix)***

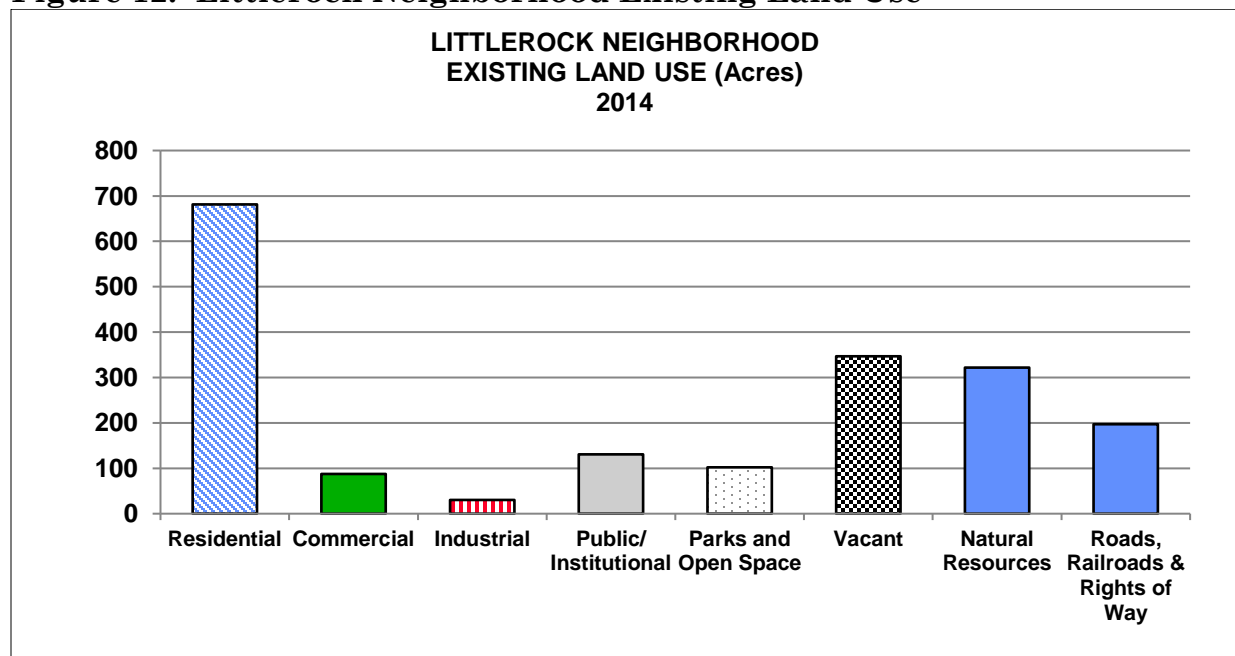
## 5.1 Introduction

The Littlerock Neighborhood is generally bounded on the north by the Trospen Road/Littlerock Road commercial area, to the east by Interstate 5, to the west by Black Lake Belmore Road and the Black Lake Elementary School, and to the south by the present city limit boundary south of the Doelman farm and the Black Hills High School.

The eastern portion of this neighborhood can expect intensive commercial development within the near future. As a result, this area will probably experience significant future growth. Because of this anticipated growth, the potential exists for great changes in the **character of this neighborhood**. A subarea plan for the Littlerock neighborhood was completed in 1997 and updated in 2006 to provide a more detailed plan for this neighborhood. The updated *Littlerock Road Subarea Plan* should be referenced as a refinement of this chapter, particularly for the eastern side of the neighborhood lying along Littlerock Road.

Figure 13 illustrates the proportions of land uses that are presently within the Littlerock Neighborhood.

**Figure 12. Littlerock Neighborhood Existing Land Use**



Source: Thurston Regional Planning Council Buildable Lands Database – *Land Use by Planning Area*

The largest single land use in the neighborhood is residential which covers 41% of the neighborhood. The second most dominant land use is open space at 26%. Vacant land is the third largest land use in the neighborhood at 19%. The majority of the public/institutional category (7%) is taken up by the Black Lake Elementary School, the Tumwater Middle School, and the Black Hills High School. After the public/institutional category, the next most predominant land uses are commercial at 5% and industrial uses at 2%.

Littlerock Road, a minor arterial, serves as the major north-south transportation corridor in this neighborhood. Major east-west transportation routes include the 66th Avenue/70th Avenue corridor. Trosper Road and Israel Road provide an east-west link to other areas of the city. Tumwater Boulevard, presently a major arterial, connects the neighborhood with industrial uses near the Olympia Regional Airport. Both Trosper Road and Tumwater Boulevard link the Littlerock Neighborhood to the Tumwater Town Center located north of Tumwater Boulevard, south of Trosper Road and east of Interstate 5. The Glenwood Drive residential area and Gold Creek access Littlerock Road from the west.

For future road alignments in the area of the Black Hills High School, refer to the Black Hills Subarea Study, which was adopted into the Transportation Element in 2003. This detailed plan analyzes the existing transportation system in the area and provides guidance for future road projects.

For future road alignments in the Littlerock Subarea along Littlerock Road and Interstate 5 refer to the *Littlerock Road Subarea Plan* which was updated and re-adopted into the Comprehensive Plan in 2006. This detailed plan analyzes the existing transportation system in the area and provides guidance for future road projects.

Perhaps the most important transportation improvement planned for the Littlerock Neighborhood is a minor arterial, Tyee Drive that will run from Trosper Road to Tumwater Boulevard, and eventually further to the south, roughly parallel to and between Interstate 5 and Littlerock Road. The road would open up vacant land available for commercial and mixed-use development while reducing impacts along Littlerock Road itself.

A pedestrian bridge crosses Interstate 5, connects to Bishop Road, and leads to the Tumwater Middle School. This bridge is the only non-vehicular Interstate 5 crossing in Tumwater and provides an important pedestrian link between eastern and western areas of the city. Additionally, the bridge will eventually provide an important commuting link between state offices and other businesses expected to locate in the Tumwater Town Center. This bridge is identified as a part of Trail T8

in the Cities of Lacey, Olympia, and Tumwater Urban Trails Plan. The Parks, Recreation, and Open Space Plan (Element) includes the recommendations of this plan relating to this trail linkage. The Transportation Element identifies on-street linkages for trails in the Littlerock Neighborhood. The corridor along Bishop Street should be preserved for this trail linkage.

The *Littlerock Road Subarea Plan* describes a possible future trail location between Bishop Road and Tumwater Boulevard, generally located between the commercial and residential areas. The plan also includes an illustration of the possible route of this future trail. As the area along this route develops, open space dedications, when possible, should be located along this general route. Locating the open space in this manner will allow the eventual development of this pedestrian link and provide more of a buffer between the commercial and residential areas.

The Transportation Element and the *Littlerock Road Subarea Plan* make specific recommendations for transportation improvements in the Littlerock Neighborhood. These documents should be referenced for these specific improvement recommendations.

There is an existing Burlington Northern Railroad line bisecting the western portion of the neighborhood from north to south. This line is a candidate for possible future use as a recreational trail. Thurston County has acquired the southern portion of this railroad and it plans to convert it into a recreational trail.

The Parks, Recreation, and Open Space Plan (Element) and the *Littlerock Road Subarea Plan* make specific recommendations for trails, open space, and parks within the Littlerock Neighborhood. These documents should be referenced for specific recommendations that affect the Littlerock Neighborhood.

The *Littlerock Subarea Plan* is the key document for guidance in the eastern portion of the Littlerock Neighborhood. This Plan should be referenced first for goals and actions related to future land use and infrastructure planning within the eastern portion of the neighborhood.

The *Strategic Plan* also has specific goals and action strategies for the eastern portion of the Littlerock Neighborhood. The following is an excerpt from the plan:

*The vision for this area is to create a mixed use “village” atmosphere that is transit-oriented and pedestrian-friendly in the south/central portion of the subarea in the vicinity of the Israel Road/Littlerock Road intersection and along Littlerock Road south to Tumwater Boulevard, with commercial areas concentrated along I-5 to provide vibrant retail opportunities for Tumwater and surrounding residents.*

*Key strategies for advancing this vision focus on infrastructure investment and planning, including the Littlerock Road street improvement project and Tyee Drive planning.*

The *Strategic Plan* should be referred to for additional specific goals for the eastern portion of the Littlerock Neighborhood.<sup>1</sup>

#### 5.1.1 Economic Development Element

The Economic Development Element was adopted in 2010. It replaced the previous element, which was adopted in 1990. This element contains specific guidance and direction for land use planning within the Littlerock Neighborhood. The following is an excerpt from the Economic Development Element:

*Capitol Boulevard and the Littlerock Road Subarea are important short-term economic development opportunities, as they are changing and hold significant potential for development and redevelopment. Both areas are located near entrances to the city from I-5 and their development will help to define Tumwater's image in the region. City guidance and support via targeted infrastructure investment are important priorities of this Plan to ensure that these opportunities are fully realized.*

Both the Economic Development Element and the *Strategic Plan* stress the importance of infrastructure improvements within the Littlerock Road Subarea. Some of these projects are already well underway, such as the Littlerock Road street improvement project. The Tyee Drive extension has been completed from Trospen Road to Israel Road. The following is an excerpt from both plans:

1. *Use public investment and development regulations to encourage development of a village-like area in the south/central portion of the Subarea*
  - *Complete the Littlerock Road street improvement project*
  - *Do planning for the Tyee Drive extension*
  - *Revise development regulations to identify gateways and transition areas, including boundaries between zoning districts for the Subarea*
  - *Consider an additional review of the Subarea Plan to identify and*

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<sup>1</sup> See Action Strategy D on p.19 of the *Strategic Plan*

*plan for a unique street plan*

- *Consider adopting a street plan for the Subarea that includes east-west connector roads between Littlerock Road and Tyee Drive*
- *Consider adopting more specific building design guidelines for the Littlerock Road Subarea, consistent with possible adoption of a village-like area in the south/central portion of the Subarea*

2. *Seek opportunities to enhance the connection between the Subarea and neighboring areas*

The Economic Development Element should be referenced for further recommendations in this neighborhood.

#### 5.1.2 Other Considerations

Most of the vacant land within the eastern portion of the Littlerock Neighborhood has very few development limitations because of level topography and a stable underlying geology. Inversely, the western portion of the neighborhood has several very large wetlands and areas of high groundwater flooding.

City water and sewer service is available to most areas of the Littlerock Neighborhood at this time. The Capital Facilities Element identifies water and sewer extension along the north-south collector road route as a high priority.

Uses that surround the Littlerock Neighborhood include residential uses to the north, low-density residential uses in the county to the west, Interstate 5 to the east, and mostly vacant and scattered residential areas in the county to the south.

There is a large island of county land west of Littlerock Road. This area includes the neighborhood accessed by Glenwood Drive. The Littlerock Neighborhood is also adjacent to county areas to the south. Land use planning within this area is addressed through the Joint Plan. When feasible, this island should become part of Tumwater.

Portions of this neighborhood have seasonally high groundwater that can result in groundwater flooding in places. The *Littlerock Road Subarea Plan*, the *Salmon Creek Comprehensive Drainage Basin Plan*, and the *Tumwater Stormwater Comprehensive Plan* should be referenced for specific recommendations that affect groundwater, stormwater, and drainage issues within the Littlerock Neighborhood.

All uses within the Littlerock Neighborhood should follow the guidelines for groundwater protection set forth in the *Northern Thurston County Ground Water Management Plan*.

Following are discussions of each land use designation as they are applied by this plan in the eastern portion of the Littlerock Neighborhood. The *Littlerock Road Subarea Plan* should be referenced to supplement this information.

*(Page 73 of the Comprehensive Plan Land Use Element Neighborhood Appendix)*

## **5.2 Residential/Sensitive Resource**

The area near Kirsop Road has been designated Residential/ Sensitive Resource (2 - 4 Dwelling Unit/Acre) to ensure that the **unique open space character and** environmental sensitivity of the extensive wetlands is protected from the effects of intensive urban development. Although these large wetlands drain to both Black Lake and Trosper Lake, these drainages lack sufficient stream flow to be under the protection of the Shoreline Management Act and, therefore, lack the special protection measures afforded by the Act.

There are two urban farms located within this neighborhood and within this designation. One is an unnamed blueberry farm on the western portion of 54th Avenue and the other is Kirsop Farms on Kirsop Road. Kirsop Farms also has a secondary location on Littlerock Road near the Black Hills High School. While an urban area is generally not conducive to large-scale farming, there is certainly a role for smaller scale urban farms and community gardens. Because of the importance of food access, food security, and overall environmental sustainability, there is a role for Tumwater in encouraging a wide range of farming and gardening within Tumwater. For further information on agriculture, the Conservation Element should be referenced.

***(Pages 73-74 of the Comprehensive Plan Land Use Element Neighborhood Appendix)***

### **5.3 Single Family Low Density Residential**

Several areas within this neighborhood are suitable for the Single Family Low Density Residential designation because of existing development patterns and natural and physical constraints. The Single Family Low Density Residential designation best accomplishes the goals of preserving the existing neighborhoods while providing for development that is sensitive to the inherent limitations of the topography.

There is a very small area within the city limits located on the west side of Littlerock Road and south of the Tumwater Middle School that has been designated Single Family Low Density Residential to reflect the existing uses surrounding the site. Another small but similar area is located behind the school and has been designated Single Family Low Density for the same reasons. Most of the adjacent area (Glenwood Drive) west of Littlerock Road is under the jurisdiction of Thurston County. Please refer to the Tumwater/Thurston County Joint Plan for land use planning information for that area.

The area on the north side of 70th Avenue is characterized primarily by low, urban density single-family development. These are established neighborhoods and should be protected and preserved. In order to protect the residential atmosphere, and promote neighborhood stability and continuity, this area is designated Single Family Low Density Residential. This area includes the single-family development on Miner Drive (Gold Creek) and a number of single-family subdivisions on the north side of 70th Avenue.

A large area along the entire western end of the neighborhood has been designated Single Family Low Density. This includes most of the area west of the power line easement, which runs north to south from Littlerock Road to the substation on Troser Road. The Black Lake Park and Black Hawk subdivisions as well as a large portion of the Doelman farm are within this area. The Doelman farm has been envisioned to develop as an urban village and has had a number of different land use designations placed on the property in order to facilitate this development vision for the property. Refer to the Multi-Family Medium Density Section of this chapter for more information on the Doelman urban village.

Where the Single Family Low Density Residential designation abuts an area designated Light Industrial, such as on Belmore Street, landscaping, screening and buffering should be used to protect the residential development from possible adverse impacts and visually separate the different uses.



***(Pages 74-75 of the Comprehensive Plan Land Use Element Neighborhood Appendix)***

#### **5.4 Single Family Medium Density Residential**

The area along the south side of 70th Avenue west of Littlerock Road was once characterized by rural residential single-family development. However, within the last decade several hundred new single-family homes have been built in this area. The lots for these homes are relatively small and are consistent with the Single Family Medium Density designation. This area should remain residential in character, continuing to in-fill as densities increase over time. In order to maintain the residential atmosphere and provide a variety of affordable housing types, the Single Family Medium Density Residential designation is appropriate for this area.

The small area on the north side of 70th Avenue, south of Miner Drive, near Littlerock Road is also an appropriate location for this designation. This area is characterized by older single-family homes on large deep lots. As redevelopment of these lots occurs, the Single Family Medium Density designation would allow for platting of these lots. This would allow densities to increase over time and provide a variety of housing types in close proximity to urban services.

The area designated Single Family Medium Density Residential that is west of the Black Hills High School is a portion of a large area under a single ownership known as the Doelman farm. This property extends from Littlerock Road west to the Burlington Northern railroad corridor and it has received a mix of land use designations. The portion of this property designated Single Family Medium Density Residential should receive a planned unit development overlay zone to ensure its consistency with the overall development of this property. A more detailed discussion of policies for development of this property is contained near the end of the next Section, Multi-Family Medium Density Residential.

The area west of Littlerock Road south of Tumwater Boulevard has been designated Single Family Medium Density Residential. This area has some rural residential uses and a small single-family subdivision. It should be encouraged to infill with similar, compatible types of residential uses in order to provide a mixture of housing types for all income levels in this portion of the subarea. This area is close to the high school just west of Littlerock Road, and to a node of commercially designated land on the west side of Littlerock Road. Littlerock Road also is anticipated to be a primary transit route in this area. It is important to provide a mixture of housing types close to these needed services.

***(Pages 75-77 of the Comprehensive Plan Land Use Element Neighborhood Appendix)***

### **5.5 Multi-Family Medium Density Residential**

The area on the east side of Littlerock Road generally between the Bishop Road area and Israel Road consists of primarily residential development. Currently, this area is a mixture of single and multi-family residential development. The residential character of this area should be protected and allowed to infill and slightly increase in density. This is consistent with the recommendations of the Littlerock Road Subarea Plan to provide for housing in close proximity to planned commercial and mixed-use development to the north, east, and south, and to provide a transition between those areas and the single-family residential areas and the middle school to the west. The Multi-Family Medium Density Residential designation would best accomplish these goals.

Several areas of Multi-Family Medium Density Residential development have been located along Littlerock Road. Two of these areas are close to the high school just west of Littlerock Road, and to a node of commercially designated land on the west side of Littlerock Road. Littlerock Road is anticipated to be a primary transit route in this area. It is important to provide a mixture of housing types close to these needed services. To accomplish this, Multi-Family Medium Density Residential areas are interspersed with Single Family Medium Density Residential along this portion of Littlerock Road. These areas contain existing multi-family and single-family uses.

Where multi-family residential development abuts general commercial, landscaping, screening, and buffering should be used to protect the residential development from possible adverse impacts and to separate the different uses visually.

Additional multi-family housing units will be provided close to employment centers through the designation of a Multi-Family Medium Density Residential area on the west side of the intersection of Tumwater Boulevard and Littlerock Road. This area currently is adjacent to a manufactured home park and other residential uses.

An area north of the Laurel Park Estates Mobile Home Park has been designated Multi-Family Medium Density Residential to help provide a variety of affordable housing types within the neighborhood.

An area west of Littlerock Road near the Black Hills High School has also been designated Multi-Family Medium Density Residential. This is a portion of a large area under single ownership and known as the Doelman farm. This property extends from Littlerock Road west to the Burlington Northern railroad corridor and it has

received a mix of land use designations. These include Mixed Use, Multi-Family High and Medium Density, Single Family Low and Medium Density, Utilities and Public Institutional. In the past, this property has been a part of the Doelman dairy farming operation and it has been used primarily for growing feed and winter cattle storage. Land use designations have been assigned to this property with the purpose of creating a framework for the development of a mixed-use village, which would provide a variety of housing types close to needed services, such as commercial establishments, a high school, and a transit route along Littlerock Road.

To facilitate the development of the Doelman property according to this stated purpose, it is recommended that the multi-family designated portions of the property be developed as a Planned Unit Development. It is also recommended that development near the several wetland areas and utility transmission corridors on the property receive an overlay zone to ensure they are developed under Planned Unit Development standards. The Planned Unit Development standards require public hearings for any development that would be proposed for these areas. Clustering and density transfers using a Planned Unit Development approach should be considered where limitations for development exist. This land, developed as a Planned Unit Development, could be ideally suited for cluster construction of small lots with large open spaces of undeveloped area to preserve natural features and avoid siting residences close to high-voltage utility transmission lines.

Special attention should be paid during the design review process to maintaining a similar quality and appearance of construction throughout the village envisioned for the Doelman property.

Multiple access routes should be provided for automobile, transit, pedestrian, and bicycle transportation into the Doelman property from Littlerock Road; 81st, 70th, and 66th Avenues; and Kirsop Road to ensure adequate traffic circulation through the village. Within the village, pedestrian and bicycle routes should be emphasized to encourage their use. Street patterns should provide for numerous circulation routes through the village, and it should be designed to discourage automobile travel at speeds that are not compatible with safe pedestrian use. A pedestrian/bicycle trail should be encouraged in the Burlington Northern railroad corridor in the western portion of the property.

The Black Hills Subarea Transportation Plan was completed in 2003 through a joint effort between the Doelman family, Tumwater, Thurston County, the Tumwater School District and nearby residents. This plan has been integrated into Transportation Element and it should be referenced for specific transportation recommendations for this particular area.

The Strategic Plan and the Economic Development Element should be also referenced for guidance regarding the future development of the Doelman properties.

All multi-family development in Tumwater should be subject to specific multi-family urban design standards, which would assure compatibility of the development with the surrounding neighborhoods.

***(Pages 88-89 of the Comprehensive Plan Land Use Element Neighborhood Appendix)***

## **6.2 Single Family Low Density Residential**

The Bush Mountain residential development is located in the southern portion of the Mottman/Black Lake Neighborhood and is characterized by single-family homes on lots of five acres or larger. The Single Family Low Density Residential designation is appropriate in this area due to the nature of existing residential uses in this area.

The area north of Sapp Road consists of scattered low-density residential development that is currently rural in character. The designation of Single Family Low Density Residential would be appropriate in this area because of its location and proximity to proposed urban facilities. This area should be buffered from light industrial uses to the north. Recommendations for a buffer in this area are contained in Section 5.3.

The land west of the Burlington Northern Santa Fe Railway right of way, outside of the jurisdiction of the Shoreline Master Program, have been designated Single Family Low Density Residential. More intensive residential uses are not likely in this area due to the constraints of being adjacent to or surrounded by wetland areas and the unavailability of sewer and water service to the area. Because this area is protected by the stringent land use regulations of the Shoreline Management Act, this area would not meet the criteria required for application of the Residential/Sensitive Resource designation. It is envisioned that residential uses will eventually be phased out in the area that is surrounded by the jurisdiction of the Shoreline Master Program. Park or open space would be an appropriate long-term use of this area.

*(Page 95 of the Comprehensive Plan Land Use Element Neighborhood Appendix)*

## **7.2 Single Family Medium Density Residential**

The area south of Dennis Street and along 6th Avenue SW is a part of Tumwater's downtown neighborhood. This area forms a well-established and stable neighborhood in Tumwater. **This area should and will remain residential in character**, continuing to infill with residential uses on the good building sites that are still vacant. It is anticipated that, over the 20-year planning period, densities will increase in this area. In order to **protect the residential atmosphere**, promote neighborhood stability and continuity, and provide a variety of housing types, the Single Family Medium Density designation would be appropriate in this area.

***(Pages 97-105 of the Comprehensive Plan Land Use Element Neighborhood Appendix)***

## **7.7 Tumwater Town Center**

The citizens of Tumwater envision a future downtown on 190-acres of the New Market Neighborhood bordered by Interstate 5, Tumwater Boulevard, Nicholas Street, and Israel Road. This Section of the Land Use Element Appendix offers a framework for a mixed-use, urban density, transit-supported community services center, a true downtown for a city whose urban nucleus was decimated by freeway construction in the late 1950s. This area is called the Tumwater Town Center, and it represents a component of the New Market Neighborhood.

The vision for this area includes creation of a downtown and community gathering place, a broad mix of uses, clustered development to create a critical mass for public transportation, and continuing responsiveness to regional goals for growth management and environmental protection.

In addition to the major goal of replacing the town center lost by the construction of Interstate 5, other goals of the Tumwater Town Center plan are to:

- Create a mixed-use town center consisting of commercial developments of office, retail, and service businesses, residential, educational, civic services, support facilities, and public assembly facilities.
- Site and develop new professional office facilities to build a critical mass of employment, which is critical to encouraging high-capacity public transit and discouraging the use of single-occupant vehicles.
- Create open space and park areas to preserve the area's natural resources and beauty.

Portions of this area are located in the Airport Overlay Zone. The purpose of the overlay zone in Chapter 18.32 Tumwater Municipal Code is to protect the viability of Olympia Regional Airport as a significant resource to the community by encouraging compatible land uses and densities and reducing hazards that may endanger the lives and property of the public and aviation users. The Airport Overlay Zone identifies a series of compatible use zones designed to minimize such hazards. New developments in the Airport Overlay Zone must comply with the standards of the overlay zone in addition to the standards of the underlying zoning district.

This plan is distinguished by nine elements:

1. **Land Use** – The Tumwater Town Center is envisioned to include a mix of land uses: state facilities, private commercial developments of office, retail, and service businesses, residential, educational, civic and community services, support facilities/services (i.e., childcare), public assembly, open spaces, and parking. A vibrant mixture of activity, with people potentially present 24 hours a day, is anticipated. Land uses that reinforce this activity are encouraged.

Tumwater Town Center is divided into four subareas. Each of these subareas is described below. Supporting policies provide a framework to guide future development of the Tumwater Town Center.

- A. **Mixed Use.** The goal of the Mixed Use Subarea is to provide mixed retail, office, and residential uses at a level of intensity sufficient to support transit services and to provide a focus for the town center. A broad mix of land uses should be allowed, including retail, offices, services, restaurants, entertainment, lodging, community facilities and residential. The following percentages represent a desirable mix of ground floor land uses for this subarea. These percentages are intended to monitor the development of the entire Mixed Use Subarea over time. It is not the intent to apply these percentages to individual development proposals.

Office – 45%

Retail – 40%

Residential – 15%

#### Mixed Use Policies:

- Consider use of incentives and zoning requirements for mixed-use developments that incorporate retail or office uses on the ground floor with services or housing on upper stories.
- New Market Street is designated as the main street for the Tumwater Town Center. Encourage retail uses along this street. Consideration should be given to adopting zoning code requirements for ground floor retail as a component of land development projects on New Market Street to promote development of a concentrated shopping area that serves as an activity, people oriented focus to the town center.



- Buildings should be oriented toward the street and other public spaces. Where a lot is adjacent to more than one street, and one of the streets is New Market Street, buildings should be oriented toward New Market Street. Building facades should provide visual interest to pedestrians. Street level windows, minimum building setbacks, on-street entrances, landscaping, and articulated walls should be encouraged.
- Encourage public and private sector cooperation in providing capital investment, such as parking and street improvements that contribute to encouraging new business to locate in the town center.
- Initiate a capital improvement strategy to implement pedestrian and street improvements, gateway and other beautification projects, and parks and other civic facilities in the town center. Refer to the action items identified in the *Tumwater Town Center Street Design Plan* as a starting point in developing such a strategy.
- Among the existing uses in this area are an underground petroleum pipeline and a United Parcel Service distribution facility and a fabrication and assembly facility. New zoning standards for the town center should allow the distribution, fabrication and assembly facilities to remain as conditional uses. Future additions or expansions of these facilities of up to 50% of the existing floor space should be allowed subject to design and development standards to ensure compatibility with the surrounding area.

- B. **Professional Office.** The goal of this subarea is to provide an area for large professional office buildings in close proximity to transit and arterial and collector roadways. This subarea is intended to provide for employment growth in professional, business, health, and personal services.

#### Professional Office Policies

- Encourage retention, location, and expansion of professional, financial, and commercial office land uses for personal and business services.

- Provide opportunities for complementary retail uses within office structures.

- C. **Civic.** Existing civic land uses include the Tumwater City Hall, Tumwater Timberland Library, and the new Tumwater Headquarters Fire Station. The goal of this subarea is to provide civic uses that provide identity and focus for the Tumwater Town Center.

#### Civic Policies

- Encourage development of buildings and public spaces within the Civic Subarea that can provide civic functions.

- D. **Residential.** The goal of the Residential Subarea is to provide for a high quality, high-density living environment within walking distance of jobs, shopping and public transportation.

#### Residential Policies

- Encourage the development of housing in the Tumwater Town Center to support business activities and to increase the vitality of the area.
- Encourage a mix of housing choices to create variety in residential opportunity and to maintain a jobs/housing balance within the Tumwater Town Center, to make the town center a people place in the early morning, daytime and evening hours.
- Encourage a variety of well-designed housing styles.
- Apply development standards and guidelines to promote aesthetically pleasing, private, safe, and comfortable housing through design and open space.

2. **Density and Scale** – The area should consist of multi-story buildings that will define a new town center for Tumwater. The density should be greatest along New Market Street. Such density is needed to accommodate predicted future use demands and create the development pattern. Further, the density is desirable to create a critical mass of potential transit ridership.

3. **Architectural Character** – Creation of an urban character that is not rural or suburban is key. Buildings should front directly on designated main streets where possible. Overhangs and awnings could provide pedestrian protection and link individual buildings. Parking should not disrupt building activity and should be located unobtrusively. Design review guidelines and development standards have been developed for this area to facilitate its future development as a town center. These standards require urban features, such as wide sidewalks, zero setbacks and public plazas. Future development should be encouraged to install benches, kiosks and other street furniture to provide a unifying element and aid in developing the pedestrian scale of the area.
4. **Landscaping and Open Space** – A plaza, central square or commons should be provided as a gathering place in the Tumwater Town Center. Visual pedestrian features, e.g., fountains, sculptures and other focal points that will draw people to this type of facility should be considered. A centrally located site that could be re-developed as a plaza is the current City maintenance shop site located south of City Hall.

The Parks, Recreation, and Open Space Plan (Element) calls for a neighborhood park to be developed in a central location within the downtown area. The element specifically calls for this park to be oriented toward passive recreation. A potential site for a neighborhood park should be identified.

Open space corridors with trails should be provided throughout the Tumwater Town Center area. Specific routes for trails/walkways should be identified. Routes should connect other open space or landscaped areas. Connection of land uses provides for activity throughout the town center at all times of the day and night. Existing City open space and landscaping standards should be required for new developments locating in the city center area. Funding alternatives for public open space areas should be explored.

Consolidation of open space areas in the Tumwater Town Center into a specific area may be considered as an alternative to providing small pockets of open space throughout the town center.

5. **Lighting and Signage** – Lighting and signage should provide a consistent and distinguishable character to the area. Architectural features and focal buildings will define primary destinations and access points. Signage and lighting should add to those features by providing

information, orientation, and safety. Of particular importance will be transit signage. Transit shelters and other facilities should be consistent with the **city center character** and meet the needs and standards of Intercity Transit. Lighting must not create any navigational hazards for the Olympia Regional Airport.

6. **Circulation** – The *Tumwater Town Center Street Design Plan* identifies locations, alignments, and streetscape designs for town center streets. This plan incorporates three types of streets: Main Street (New Market Street), Green Streets (71<sup>st</sup> and 73<sup>rd</sup> Avenues), and Connector Streets (additional north-south streets). The street plan provides for numerous multi-modal transportation connections into and through the area.

New Market Street and other north-south streets identified in the street plan should be extended to permit circulation route alternatives between Tumwater Boulevard and Israel Road; 71<sup>st</sup> and 73<sup>rd</sup> Avenues should be extended to provide east-west street connections linking the town center to Linderson Way to the west, and Cleanwater Lane and Capitol Boulevard to the east. Streets through the area in both north to south and east to west directions will encourage growth of retail services, housing and commercial/residential mixed-use projects. The streets should also enhance transit service alternatives and increase pedestrian activity. Walkways throughout the Tumwater Town Center should be wide and generous to provide pedestrian-friendly access and circulation.

7. **Utilities** – All utilities are available to the area. Electrical power, natural gas, water, storm drainage, and sanitary sewer systems will require upgrading and extension to complete the utility service system. The concept for distribution follows existing and new public rights-of-way.

The subsurface conditions in the area are significant to the Tumwater Town Center's development. Groundwater is at relatively shallow depths, typically about ten feet. Surface materials are highly permeable and they will require significant storm drainage retention/detention systems as part of the area's development. Options for addressing storm drainage should be explored. One alternative is to provide a regional storm drainage facility on property located outside of the neighborhood. Another option is to incorporate low impact development techniques to minimize stormwater runoff in conjunction with storm drainage facilities for individual developments. Design and aesthetic standards should be developed to ensure the facilities are safe (i.e. not too steep)

and aesthetically pleasing. Utility improvements are envisioned to be concurrent with proposed development.

8. **Street Design** – The *Tumwater Town Center Street Design Plan* identifies design standards for town center streets. Its principle elements are summarized below. Please refer to the street design plan for specific standards for each street.

#### Main Street

New Market Street will form the town center's activity spine, linking public facilities at the north to mixed-use and retail business at the south. It is envisioned as a traditional main street, with curbside parking and small retail on the first floor of zero-setback mixed-use buildings. In order to attract businesses and customers along this corridor and to interface with fast-paced Tumwater Boulevard, the southern part of the town center should develop as larger retail stores, with excellent visibility and access from Tumwater Boulevard.

New Market Street will provide an excellent pedestrian environment with extended sidewalks (curb bulbs) at intersections and mid-block crosswalks. Small-scale street trees, street furniture, landscaping, and accent paving will enhance the pedestrian experience.

#### East/West Green Streets

The east/west green corridors, 71st and 73rd Avenues, will be the opposite of the **main street in character**. The wide right-of-way will be mainly dedicated to landscaping and pedestrian and bicycle traffic. The corridors will provide the residences and offices with an attractive setting and connect them to the highly active main street. With heavy, informal landscaping, these corridors will provide a more peaceful promenade environment, a unique feature in a town center of this size.

#### Connector Streets

Connector streets that provide convenient access and, in some cases, on-street parking complete the proposed street grid. In terms of **design character**, these streets serve to unify the town center with uniform street trees and paving.

#### Gateways

Gateways are recommended at the intersections of Israel Road/Capitol Boulevard, Israel Road/New Market Street, New Market Street/Tumwater Boulevard, Tumwater Boulevard/Linderson Way, and Linderson Way/Israel Road. Gateways should reflect **the traditional character** of the town center's public buildings, and the general design should be adaptable to the configurations of the different intersections.

### Streetscape Elements

Streetscape elements will provide both continuity and variety. Street lights as described in the Tumwater Town Center Street Design Plan, colored crosswalk pavements, concrete sidewalks, and standardized street furniture finished in Tumwater's signature dark green color will be the unifying elements. To provide variety, the main street will feature special accent pavements, small-scale street trees, raised planters, banners, and trellises. Contrasting informal landscaping and gently curving sidewalks will give the green streets a **more campus-like character**.

9. **Parking** – Parking alternatives should be explored. On-street parking should be accommodated in the Tumwater Town Center. The City should work with Intercity Transit to identify possible sites for the eventual construction of a transit center. One or more parking garages should be considered. Possible sites, funding options, and design features (e.g. first floor retail) should be evaluated. Development standards for surface parking lots and parking garages will be developed in the design review guidelines for the area. Several concepts the City should consider are provided below.
  - Limit the amount of street front surface parking lots, with no surface parking lots on New Market Street.
  - Limit curb cuts to minimize the apparent width of parking lots.
  - Adopt design guidelines that will apply to parking structures that face the street, unless such structures are located underground.
  - Require parking structures to be located behind building.
  - Allow parking structures to be located along the street if the ground floor is utilized for retail use.
  - Restrict surface parking lots on corners so that buildings are the

- dominant features of the intersection.
- Require parking facilities to be designed so that access is from an alley or from a street at locations that do not conflict with pedestrian circulation. Maximize on-street parking for customer short-term use to provide a pedestrian-friendly environment; develop standards for on-street parking areas.

***(Pages 111-113 of the Comprehensive Plan Land Use Element Neighborhood Appendix)***

### **8.3 Single Family Medium Density Residential**

The residential areas east of Capitol Boulevard and north of Dennis Street, form a well-established and stable neighborhood in Tumwater. This area should and will **remain residential in character**, continuing to infill with residential uses on the good building sites that are still vacant. It is anticipated that over a 20-year period, densities will increase in this area. In order to **protect the quiet residential atmosphere**, promote neighborhood stability and continuity, and provide a variety of affordable housing types, the Single Family Medium Density designation would be appropriate for these areas.

Portions of this area are located in the Airport Overlay Zone. The purpose of the overlay zone in Chapter 18.32 of the Tumwater Zoning Code is to protect the viability of Olympia Regional Airport as a significant resource to the community by encouraging compatible land uses and densities and reducing hazards that may endanger the lives and property of the public and aviation users. The Airport Overlay Zone identifies a series of compatible use zones designed to minimize such hazards. New developments in the Airport Overlay Zone must comply with the standards of the overlay zone in addition to the standards of the underlying zoning district.

Two areas, one located on Tumwater Boulevard southeast of the Silver Ridge residential subdivision, and the other area on Henderson Boulevard northwest of the intersection of Henderson Boulevard and 68<sup>th</sup> Avenue SE, have been designated Single Family Medium Density. The close proximity to the businesses and job opportunities available in the Tumwater Town Center and the neighboring Neighborhood Commercial areas make both these areas logical locations for moderately dense single-family homes.

The area located between Interstate 5 and Capitol Boulevard, north of Dennis Street and south of West V Street is also an area of well-established single-family homes. In order to **protect the residential atmosphere**, promote neighborhood stability and continuity, and provide a variety of affordable housing types, the Single Family Medium Density designation would be appropriate for this area.

Where commercial development is adjacent to residential areas, landscaping, screening, and buffering should be used to protect the residences from possible adverse impacts. Existing trees and other vegetation and landscaping of aesthetic value should be preserved wherever possible. The overall intent of these measures should be to visually separate the residential from the commercial uses and aid in discouraging through traffic from using the residential streets.



There are approximately 90 homes with roughly 200 residents within the residential area accessed via West X Street. West X Street is the only access point for all of these homes. For health and safety reasons, as well as convenience for the residents of the neighborhood, a second access point to this particular neighborhood is necessary. 7<sup>th</sup> Avenue should be improved and connected between 65<sup>th</sup> Way and West Y Street through either a City project or when development occurs adjacent to the site. Steps should be taken to ensure the adjacent commercial uses to the west do not utilize this road on a regular basis. Steps can include, but are not limited to, restricting the adjacent commercial access points on the 7<sup>th</sup> Avenue frontage to gated emergency access only. Additional recommendations for this area are contained within the *Capitol Boulevard Corridor Plan*.

The area south of the Bonneville Power easement, east of Linderson, should be preserved in order to buffer the residences to the south from commercial uses. This area contains mature trees and vegetation that would provide a suitable natural buffer.

Many of the single-family areas within the SE Capitol Boulevard Neighborhood will probably experience pressures for higher density in the future as the need for housing increases in this area of Tumwater because of the development of the Tumwater Town Center. The Tumwater Town Center will result in a significant increase in the number of people working in the area. These people will probably be interested in obtaining housing near where they work. It is expected that pressures for commercial conversion of property will decrease due to the availability of large areas of vacant commercially zoned properties to the west along Littlerock Road.

*(Page 129 of the Comprehensive Plan Land Use Element Neighborhood Appendix)*

## **10.2 Residential/Sensitive Resource**

The area west of Rural Road south of Sapp Road has been designated Residential/Sensitive Resource (2 - 4 Dwelling Units/Acre) to ensure that the **unique open space character** and environmental sensitivity of Percival Creek is protected from the effects of intensive urban development. Most of the southern portion of Percival Creek lacks sufficient stream flow to be under the protection of the Shoreline Management Act and, therefore, lacks the special protection measures afforded by the Act. However, Percival Creek connects two areas of the city that are under the protection of the Shoreline Management Act: Trosper Lake and the Black Lake Drainage Ditch/Percival Creek Lower Reach.

Areas in the 100-year flood plain have been designated Parks/Open Space to ensure consistency with the Conservation Element. Areas outside of the 100-year flood plain, however, should receive a land use designation that would be low intensity yet still allow for development on sanitary sewer in order to protect Percival Creek and the groundwater in this area.

This designation is also appropriate for a large area west of Lambskin Street along the south side of 54th Avenue. This area includes a relatively large amount of sizeable wetlands associated with Fishpond Creek, which drains into Black Lake and Trosper Lake.

*(Page 130 of the Comprehensive Plan Land Use Element Neighborhood Appendix)*

#### **10.4 Single Family Medium Density Residential**

The area east and north of the Beehive Industrial Park, has been designated Single Family Medium Density Residential. It is anticipated that this area will develop slowly due to the need for the extension of roads, water, and sewer, and topographical limitations for construction such as poorly drained soils and low areas. Most of the property is presently vacant. As the remaining portion of this area is developed, it should be buffered from industrial uses in the Beehive Industrial Park. Clustering and density transfer should be considered where limitations for development exist.

The area west and north of Barnes Lake forms a well-established and stable neighborhood in Tumwater. **This area should and will remain residential in character.** It is anticipated that over a 20 year time period densities will increase in this area. In order to protect the **quiet residential atmosphere**, promote neighborhood stability and continuity, and provide a variety of affordable housing types, the Single Family Medium Density designation would be appropriate in this area.

**To protect the residential character of this neighborhood,** physical buffers should be established to minimize the impact of the commercial development along Trooper Road. These buffers should be provided as new commercial development occurs. These buffers could take many forms, but their overall intent should be to visually separate the residential from the commercial uses and aid in discouraging through-traffic from using the residential streets.

***(Pages 130-131 of the Comprehensive Plan Land Use Element Neighborhood Appendix)***

**10.5 Multi-Family Medium Density Residential**

The area south of Barnes Lake is dominated by the Barnes Lake Park condominium development. The Multi-Family Residential Medium Density designation best reflects this current use and it will serve as an appropriate designation for the future. To protect the residential character of this neighborhood, physical buffers should be established to minimize the impact of the commercial development along Trospen Road. These buffers could take many forms, but their overall intent should be to visually separate the residential from the commercial uses and aid in discouraging through-traffic from using the residential streets.

Near Schoth Road, south of Trospen Road, are some duplexes and a few single-family homes that have deteriorated over the years. This area has been designated Multi-Family Medium Density Residential as it is envisioned that these uses will transition to higher density residential uses as development in the area increases.

The area east of Barnes Lake and west of 2nd Avenue is an area that is transitioning from older single-family large lot residential uses to multi-family uses. This trend is likely to continue in the future, and the Multi-Family Medium Density Residential designation would best anticipate this trend.

Clustering and density transfer using a Planned Unit Development should be considered where limitations for development exist in this area. The land, developed as a Planned Unit Development, could be ideally suited for cluster construction of small lots with large open spaces of undevelopable area.

*(Page 141 of the Comprehensive Plan Land Use Element Neighborhood Appendix)*

## **11.2 Residential/Sensitive Resource**

The area north of Sapp Road, east of RW Johnson Boulevard, south of Somerset Hill Drive, and west of Crosby Boulevard has been designated Residential/Sensitive Resource (2-4 Dwelling Units/Acre) to ensure that the **unique open space character** and environmental sensitivity of Percival Creek is protected from the effects of intensive urban development. Most of Percival Creek lacks sufficient stream flow to be under the protection of the Shoreline Management Act; and, therefore, lacks the special protection measures afforded by the Act.

However, Percival Creek connects two areas of the city that are under the protection of the Shoreline Management Act: Trosper Lake and the Black Lake Drainage Ditch/Percival Creek Lower Reach. Areas in the 100-year flood plain have been designated Parks/Open Space to ensure consistency with the Conservation Element. Areas outside of the 100-year flood plain, however, should receive a land use designation that would be low intensity yet still allow the area to be developed on sanitary sewer in order to protect Percival Creek itself and the groundwater in the area.

***(Page 142 of the Comprehensive Plan Land Use Element Neighborhood Appendix)***

#### **11.4 Single Family Medium Density Residential**

The area east of RW Johnson Boulevard, south of Mottman Road is known as the Firland development. This development consists of houses on small lots. Phase II of the Firland subdivision has been constructed east of RW Johnson Boulevard and south of Somerset Hill Drive. The Single Family Medium Density best reflects the existing use of this area. Existing and future residential uses in this area should be protected from impacts from industrial uses using buffering and other means where possible. Additionally, truck traffic should be discouraged from traveling through these residential areas.

The area of Somerset Hill Drive, west of Crosby Boulevard is a well-established, single-family neighborhood with some duplex development. The Single Family Medium Density designation would best reflect the current use of this area and would allow for possible future infill that is compatible with the existing neighborhood. Areas adjacent to the Parks/Open Space designation of Percival Creek would not meet the criteria established for application of the Residential/Sensitive Resource Designation (2 - 4 Dwelling Units/Acre).

The residential areas of the Tumwater Hill Neighborhood west of Interstate 5 form a well-established and stable neighborhood in Tumwater. This area should and will remain residential in character, continuing to in-fill with residential uses on the good building sites that are still vacant. It is anticipated that, over a 20-year period, densities will increase in this area. In order to protect the quiet residential atmosphere, promote neighborhood stability and continuity, and provide a variety of affordable housing types, the Single Family Medium Density designation would be appropriate in this area.

### 3. **Thurston Climate Mitigation Plan – Update greenhouse gas emission (GHG) targets in the Conservation Element to address HB 2311**

#### **Summary**

The proposal is a City sponsored review for potential amendments to the goals, policies, and actions in the Conservation Element of the Comprehensive Plan to address HB 2311 and support the City's acceptance of the *Thurston Climate Mitigation Plan*.

#### **Proposal**

1. Review the Comprehensive Plan Conservation Element to determine if amendments are needed to address HB 2311.

#### **Sponsor**

City of Tumwater

#### **Background**

The City Council placed the proposed Comprehensive Plan amendment on the 2022 Long Range Planning Work Program on January 18, 2022. The Planning Commission reviewed the preliminary docket and provided comments at their January 11, 2022 meeting. The Planning Commission recommended further review of the proposal on January 25, 2022, as part of the 2022 preliminary docket. On February 9, 2022, the General Government Committee reviewed the preliminary docket and forwarded it to the full City Council for review.

The City Council held a worksession on February 22, 2022 and recommended that the preliminary docket be placed on the City Council agenda for their March 1, 2022 meeting. On March 1, 2022, the City Council considered the Planning Commission's recommendation and the review by the General Government Committee and included the proposal in the 2022 annual Comprehensive Plan amendment preliminary docket to be reviewed by Community Development Department staff and presented later in 2022.

The City Council approved the final docket on March 1, 2022 for the 2022 annual Comprehensive Plan map and text amendments for further review. The Community Development Department staff reviewed the goals, policies, and actions and text in the Comprehensive Plan Conservation Element to determine if specific amendments were needed at this time.

Climate change is already affecting the Thurston region with such things as hotter summers, wildfire smoke, and flooding affecting health, homes, and businesses. Meeting the challenge of climate change will involve transforming the City and the larger Thurston region with participation from every segment of society. In addition, it will require a conversation about how the City can best enable and empower its

residents to build a future in which all parts of the community have the opportunity to thrive.

The *Sustainable Thurston Plan* adopted by the Thurston Regional Planning Council in 2013 and subsequently accepted by the cities of Lacey, Olympia, and Tumwater, set a goal for the Thurston region to move toward carbon neutrality, recommended supporting emissions reduction targets through 2050, and identified the creation of a regional climate action plan as a first action step.

The regional climate action plan consists of two parts:

1. The *Thurston Climate Adaptation Plan* adopted by the Thurston Regional Planning Council in January 2018; and
2. The *Thurston Climate Mitigation Plan* accepted by the City of Tumwater and Thurston County and the cities of Olympia and Lacey in January 2021.

Climate mitigation refers to strategies and actions that take heat-trapping greenhouse gases like carbon dioxide out of the atmosphere or prevent them from entering the atmosphere in the first place. The amount of greenhouse gases emitted is directly related to how warm the planet will get. The more emissions produced the more severe and damaging the climate change impacts.

Reducing or mitigating emissions locally will help to limit the amount of warming experienced globally and will result in fewer negative impacts on the City and Thurston region. Reducing emissions can help protect the health and safety of the City residents and the Thurston region's infrastructure.

The sources of greenhouse gas emissions in Thurston County include:

- **Buildings and energy**, including electricity and natural gas consumption. (57% of the total)
- **Transportation and land use**, including vehicle travel and fuel consumption. (32% of the total)
- **Waste and wastewater**, including solid waste management and wastewater treatment. (5% of the total)
- **Agriculture and forests**, including animal farming and land fertilization. (2% of the total)



- **Other sources**, such as refrigerant use, street lighting, and deforestation. (4% of the total)

Currently, the majority of the Thurston region's contributions to climate change come from powering, heating, and cooling its buildings and driving vehicles. The built environment and transportation account for 89 percent of the county's total emissions. Emissions related to solid waste disposal, wastewater treatment, agriculture and land use, and refrigerant leakage also contribute to Thurston County's total, but a much smaller portion.

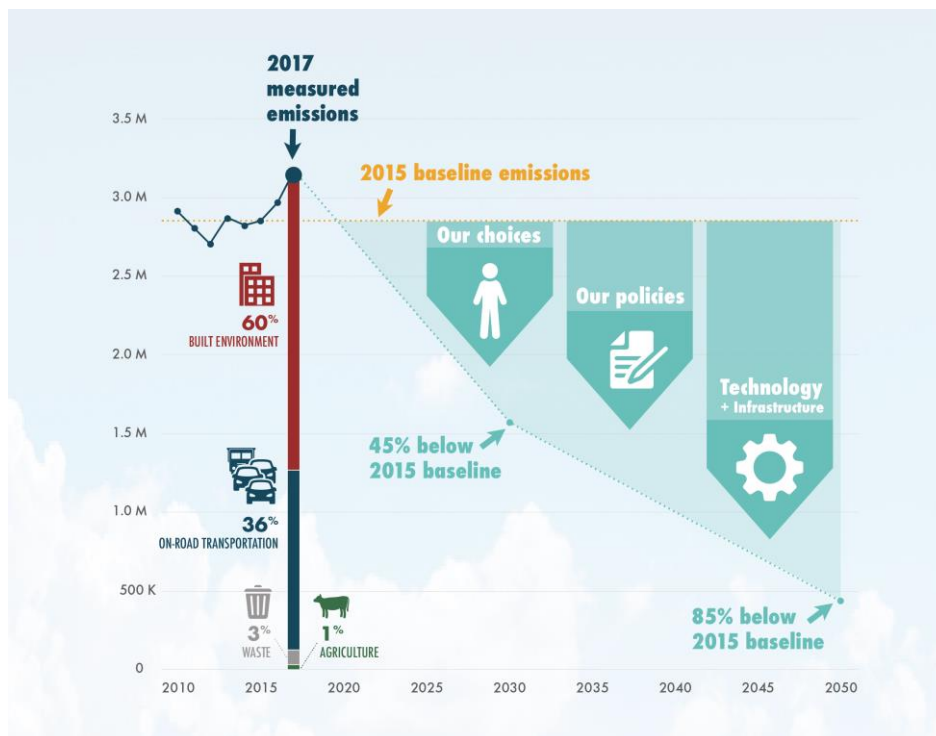


Figure 4. *Thurston Climate Mitigation Plan* Greenhouse Emissions Reduction Targets.

While population growth accounts for some recent increases, it cannot explain it all. While the population of Thurston County increased 3.6 percent since the 2015 baseline year, per-capita emissions increased nearly eight percent over the same period.

The *Thurston Climate Mitigation Plan* includes strategies and actions the City can take to make measurable progress toward greenhouse gas emission reduction goals, while maintaining, and potentially improving, the quality of life in the region. The primary focus of the Plan is to identify strategies and actions that will enable the City and the Thurston region to work collectively to minimize the causes of climate change.

To that end, in 2018 all four jurisdictions adopted the shared emissions reduction targets below.

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### ***Emissions Reduction Targets***

*Reduce net communitywide greenhouse gas emissions 45% below 2015 levels by 2030 and 85% below 2015 levels by 2050 to ensure that our community does its part to keep the global average temperature from rising more than 2° Celsius (3.6°) above historic levels.*

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As part of the 2019 Comprehensive Plan map and text amendments, the City Council adopted the following policy in the Conservation Element of the Comprehensive Plan:

Conservation Element Policy C-1.6: *Reduce communitywide greenhouse gas emissions 45 percent below 2015 levels by 2030 and 85 percent below 2015 levels by 2050 to ensure that local communities do their part to keep the global average temperature from rising more than 2°C.*

The state adopted HB 2311 on June 11, 2020, which updated the states emissions goals for consistency with the most recent assessment of climate change science. HB 2311 updated RCW 70.235.020 to reflect new emission reduction targets from 1990 levels to new levels for 2020, 2030, and 2050.

The state new targets with HB 2311 are:

- 2020 - reduce to 1990 levels
- 2030 - 45% below 1990 levels
- 2040 - 70% below 1990 levels
- 2050 - 95% below 1990 levels and achieve net zero emissions

When the targets for the *Thurston Climate Mitigation Plan* were proposed in 2019, the goals of the plan were more ambitious than the state, but now they are not. If HB 1099 had passed last session, Comprehensive Plans would have been required to include a climate change element consistent with the state target, and the City likely would have been looking at an amendment to the *Thurston Climate Mitigation Plan* target to go to net zero by 2050. Since that bill did not pass, these updates are discretionary. Some jurisdictions are choosing to use the state goals in their periodic updates, and the guidance under development by the Washington State Department of Commerce will be focused on the state target.

### ***Comprehensive Plan Review***

Community Development Department staff reviewed the Conservation Element of the Comprehensive Plan and identified the following Conservation Element

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Comprehensive Plan policies that support the implementation of the *Thurston Climate Mitigation Plan*:

Conservation Element Policy C-1.6: *Reduce communitywide greenhouse gas emissions 45 percent below 2015 levels by 2030 and 85 percent below 2015 levels by 2050 to ensure that local communities do their part to keep the global average temperature from rising more than 2°C.*

Conservation Element Policy C-1.7: *Implement the strategies contained in the most recent version of the accepted Thurston Climate Mitigation Plan.*

### **Staff Conclusions**

1. Community Development Department staff reviewed the potential for including amendments to the Comprehensive Plan in the 2022 Comprehensive Plan text amendment process.
2. The City's current emission reduction targets are from the *Thurston Climate Mitigation Plan* and they were adopted into the Conservation Element of the Comprehensive Plan in 2021.
3. The City's current emission reduction targets used 2015 as a baseline, while HB 2311 used 1990. Translating the 1990 baseline to the 2015 baseline is complicated.
4. There currently are regional discussions about pursuing changes to the Countywide Planning Policies to include climate-focused policies that are more explicit, as well as amendments to the *Thurston Climate Mitigation Plan*.
5. Based on the above review and analysis, Community Development Department staff concludes that any substantial amendments to the Comprehensive Plan to address the requirements of HB 2311 should be included in the required ten-year Comprehensive Plan update process that will start in the fall of 2022.

### **Staff Recommendation**

1. Community Development Department staff recommends that no amendments to the Comprehensive Plan to address the requirements of HB 2311 be done at this time.
2. Community Development Department staff recommends that amendments to address HB 2311 be part of the larger review and update of the next Washington State Growth Management Act required ten-year Comprehensive Plan update that will start in the fall of 2022 that is due June 2025.

#### 4. Essential Public Facilities Amendments

##### **Summary**

The proposal is a City sponsored review of the potential for amendments to the goals, policies, and actions in the Lands for Public Purposes Element of the Comprehensive Plan and TMC Title 18 *Zoning* to allow an expansion of the area in the City that would allow for essential public facilities such as inpatient facilities including substance abuse facilities. These essential public facilities uses include, but not limited to, intensive inpatient facilities, long-term residential drug treatment facilities, and recovery house facilities.

##### **Proposal**

1. Review the Comprehensive Plan Lands for Public Purposes Element and TMC Title 18 *Zoning* to determine if amendments are needed to address essential public facilities such as inpatient facilities in the City.

##### **Sponsor**

City of Tumwater

##### **Background**

The City Council placed the proposed Comprehensive Plan amendment and rezone on the 2022 Long Range Planning Work Program on January 18, 2022. The Planning Commission reviewed the preliminary docket and provided comments at their January 11, 2022 meeting. The Planning Commission recommended further review of the proposal on January 25, 2022, as part of the 2022 preliminary docket. On February 9, 2022, the General Government Committee reviewed the preliminary docket and forwarded it to the full City Council for review.

The City Council held a worksession on February 22, 2022 and recommended that the preliminary docket be placed on the City Council agenda for their March 1, 2022 meeting. On March 1, 2022, the City Council considered the Planning Commission's recommendation and the review by the General Government Committee and included the proposal in the 2022 annual Comprehensive Plan amendment preliminary docket to be reviewed by Community Development Department staff and presented later in 2022.

The City Council approved the final docket on March 1, 2022 for the 2022 annual Comprehensive Plan map and text amendments for further review. The Community Development Department staff reviewed the goals, policies, and actions and text in the Comprehensive Plan Lands for Public Purposes Elements to determine what specific amendments were needed to address essential public facilities such as Inpatient facilities including substance abuse facilities (including but not limited to: intensive inpatient facilities; long-term residential drug treatment facilities; recovery house facilities).

The potential amendments are in response to the possible expansion of an existing nonconforming inpatient facility use in the City. Community Development Department staff reviewed the potential for amendments to the Lands for Public Purposes Element of the Comprehensive Plan and to TMC Chapter 18.56 *Conditional Use Permits*. Such amendments would be needed to address essential public facilities such as inpatient facilities including substance abuse facilities, including but not limited to: intensive inpatient facilities, long-term residential drug treatment facilities, and recovery house facilities.

Chapter 3 of the Lands for Public Purposes Element of the Comprehensive Plan contains the discussion of the essential public facilities. The discussion is similar to the language in TMC Chapter 18.56 *Conditional Use Permits*, so if amendments were proposed to Chapter 3 of the Lands for Public Purposes Element, they would need to be reflected in TMC Chapter 18.56. The goals, policies, and actions of the Land Use and Lands for Public Purposes Elements are silent on essential public facilities.

“Inpatient facilities including substance abuse facilities” have an Essential Public Facility Code of “F”. Such uses are allowed in the Multi-Family Medium Density Residential (MFM), Multi-Family High Density Residential (MFH), Mixed Use (MU), Capitol Boulevard Community (CBC), Neighborhood Commercial (NC), and General Commercial (GC) land use designations as a conditional use.

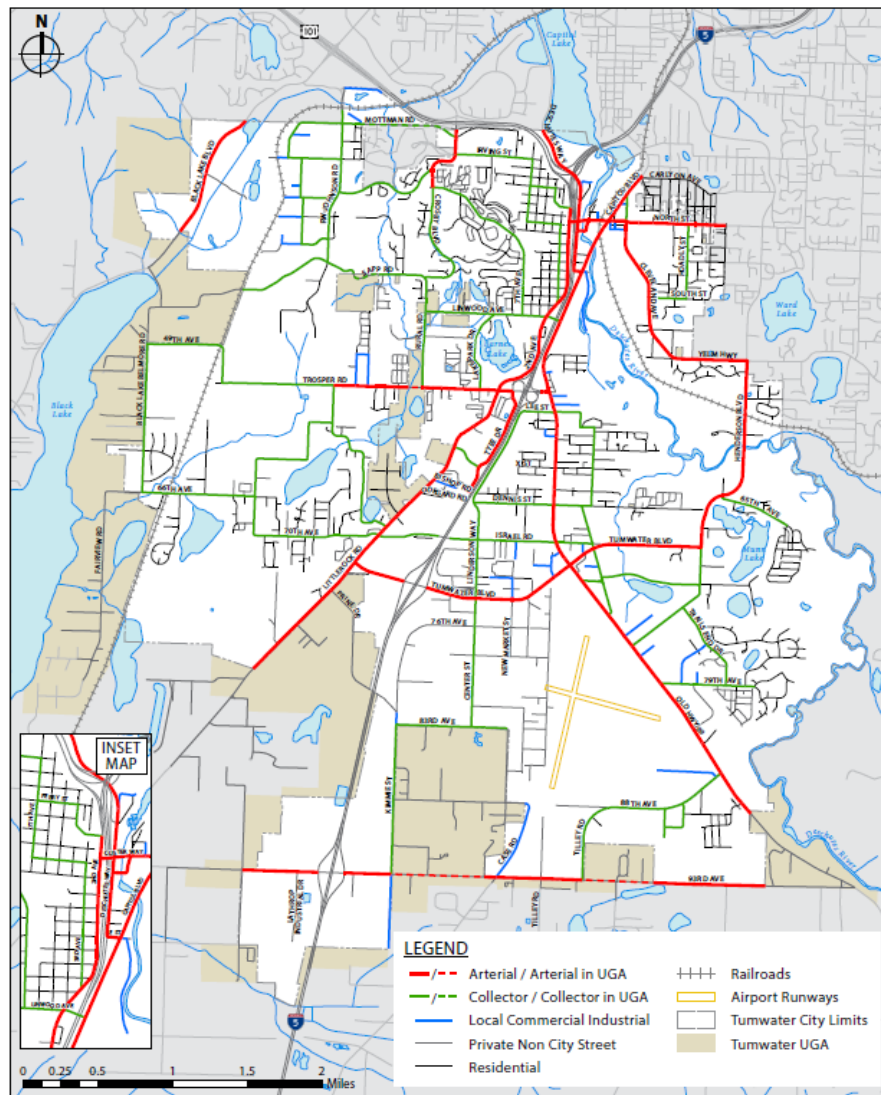
Chapter TMC 18.56 Conditional Use Permits includes the regulations that govern essential public facilities. “Inpatient facilities including substance abuse facilities” have an Essential Public Facility Code of “F”. Such uses are allowed in the Multifamily Medium Density Residential (MFM), Multifamily High Density Residential (MFH), Mixed Use (MU), Capitol Boulevard Community (CBC), Neighborhood Commercial (NC), and General Commercial (GC) zone districts as a conditional use.

The regulations are similar to the language in the Lands for Public Purposes Element, so if amendments were proposed to TMC Chapter 18.56 they would need to be reflected in Chapter 3 of the Lands for Public Purposes Element. Proposed amendments to TMC 18.56.140 “E” Uses would need to be addressed at the same time as the Comprehensive Plan amendments through another ordinance.

Community Development Department staff considered four potential kinds of amendments to allow for an expansion of where essential public facilities such as inpatient facilities could be allowed in the City:

1. Process a Comprehensive Plan Map Amendment and Associate Rezone for the subject properties.

2. Amend the Comprehensive Plan and TMC Title 18 *Zoning* to allow the proposed use in the Single Family Low Density Residential (SFL) land use designation and zone district.
3. Create an Overlay Zone that would allow the proposed use in a limited area of the City.
4. Creating a Citywide Overlay Zone that would allow the proposed use along arterials as defined by the City's Transportation Plan. See Figure 6 below.



**CITY OF TUMWATER**  
Transportation Master Plan

**Figure 2**  
Roadway Functional Classification

**Figure 5. Roadway Functional Classification**

***Comprehensive Plan Review***

Community Development Department staff reviewed the Comprehensive Plan Lands for Public Purposes Element. The goals, policies, and actions of the Land Use and Lands for Public Purposes Elements are silent on essential public facilities.

***Zoning Code Review***

Community Development Department staff reviewed the essential public facilities regulations found in TMC 18.56.140 “E” Uses for consistency with the proposed Comprehensive Plan text amendments.

***Staff Conclusions***

1. Community Development Department staff reviewed the potential for including amendments to the Comprehensive Plan in the 2022 Comprehensive Plan text amendment process with the input of the Planning Commission.
2. Community Development Department staff reviewed the four potential kinds of amendments that could be required to allow for the potential expansion of an essential public facilities such as inpatient facilities including substance abuse facilities uses and concluded that there was not sufficient Community Development Department staff resources available this year to adequately evaluate the potential impacts and conduct the appropriate level of public engagement.
3. Based on the above review and analysis, Community Development Department staff concludes that any substantial amendments to the Comprehensive Plan to address the potential expansion of an essential public facilities such as inpatient facilities including substance abuse facilities uses in the City should be included in the required ten-year Comprehensive Plan update process that will start in the fall of 2022.

***Staff Recommendation***

1. Community Development Department staff recommends that no amendments to the Comprehensive Plan to address the requirements of HB 2311 at this time.
2. Community Development Department staff recommends that amendments to the Lands for Public Purposes Element of the Comprehensive Plan and to TMC Chapter 18.56 *Conditional Use Permits* be considered as part of the next Washington State Growth Management Act required ten-year Comprehensive Plan update that will start in the fall of 2022 that is due June 2025.

**5. Comprehensive Plan Map Amendment and Corresponding Rezone to Change Triangle West of the Dennis Street SW and Linderson Way SW Intersection**

***Summary***

The City is proposing a Comprehensive Plan map amendment and corresponding rezone for an approximately 0.30-acre portion of one parcel that totals 5.73-acres located at 6501 Linderson Way SW at the western corners of Linderson Way SW and Dennis Street SW (Portion of Thurston County Assessor Parcel Number 1270-32-40303). The City's proposal is to change the current Single Family Medium Density Residential (SFM) Comprehensive Plan map designation of the parcels to Multi-Family High Density Residential (MFH).

***Proposal***

1. Amend the City-Wide Land Use Map to change the current Comprehensive Plan land use map designation of the property from Single Family Medium Density Residential (SFM) to Multi-Family High Density Residential (MFH).
2. Amend the City-Wide Zoning Map to change the current zone district of the property from Single-Family Medium Density Residential (SFM) to Multifamily High Density Residential (MFH).

***Sponsor***

City of Tumwater

***Location***

6501 Linderson Way SW at the western corners of Linderson Way SW and Dennis Street SW

***Parcel Number***

Portion of Thurston County Assessor Parcel Number 1270-32-40303

***Property Size***

Part of 5.73-acre parcel, approximately 0.30-acres

***Current Comprehensive Plan City-Wide Land Use Map Designation***

The current land use designation for the proposed amendment area is Single Family Medium Density Residential (SFM). See Appendix 5.1 – *Maps* for the current Comprehensive Plan City-Wide Land Use Map (Map 5A).

***Surrounding Land Use Map Designations, Zone Districts, and Existing Land Uses***

***North***

Land Use Map Designation: Interstate 5



Zone District: Interstate 5

Current Land Use: Interstate 5

*East*

Land Use Map Designation: Single Family Medium Density Residential (SFM)

Zone District: Single-Family Medium Density Residential (SFM)

Current Land Use: Linderson Way SW, Dennis Street SW, and single-family dwellings

*South*

Land Use Map Designation: Multi-Family High Density Residential (MFH)

Zone District: Multifamily High Density Residential (MFH)

Current Land Use: Multifamily development

*West*

Land Use Map Designation: Interstate 5

Zone District: Interstate 5

Current Land Use: Interstate 5

***Constraints/Environmental Issues***

The proposed amendment area does contain the “more preferred” soils for the protected Mazama Pocket Gopher, so critical area site analyses would need to be completed before future development could occur.

***Background***

In 2019, Community Development Department Permit Division staff proposed a cleanup of the City-Wide Land Use Map and City-Wide Zoning Map. Figure 8 below contains a portion of the 1984 Zoning Map. Linderson Way SW used to run along the freeway all the way to Israel Road. When the road location was changed, the zone district was not changed

The City Council placed the proposed Comprehensive Plan amendment on the 2022 Long Range Planning Work Program on January 18, 2022. The Planning Commission reviewed the preliminary docket and provided comments at their

January 11, 2022 meeting. The Planning Commission recommended further review of the proposal on January 25, 2022, as part of the 2022 preliminary docket. On February 9, 2022, the General Government Committee reviewed the preliminary docket and forwarded it to the full City Council for review.

The City Council held a worksession on February 22, 2022 and recommended that the preliminary docket be placed on the City Council agenda for their March 1, 2022 meeting. On March 1, 2022, the City Council considered the Planning Commission's recommendation and the review by the General Government Committee and included the proposal in the 2022 annual Comprehensive Plan amendment preliminary docket to be reviewed by Community Development Department staff and presented later in 2022.

After the City Council approved the final docket on March 1, 2022 for the 2022 annual Comprehensive Plan map and text amendments, Community Development Department staff reviewed the amendment and prepared the staff report with a recommendation.

Approval of the amendment would result in a Comprehensive Plan map amendment that would change the proposed amendment area from the Single Family Medium Density Residential (SFM) Comprehensive Plan map designation to the Multi-Family High Density Residential (MFH) Comprehensive Plan map designation. The corresponding rezone would change the proposed amendment area from the Single-Family Medium Density Residential (SFM) zone district to the Multifamily High Density Residential (MFH) zone district.

### ***Review and Approval Criteria***

Comprehensive Plan map amendments are subject to the criteria below from Tumwater Municipal Code (TMC) 18.60.025(B):

1. *All amendments to the comprehensive plan must conform with the requirements of the Washington State Growth Management Act, Chapter 36.70A RCW, and all amendments for permanent changes to the comprehensive plan must be submitted to the Washington State Department of Commerce, pursuant to RCW 36.70A.106.*

The proposed amendment being considered is in accordance with the City's annual Comprehensive Plan amendment process, as required by RCW 36.70A. If the amendment is approved by the City Council, the proposed amendment will be submitted to the Washington State Department of Commerce pursuant to RCW 36.70A.106.

The proposed Comprehensive Plan map amendment and corresponding rezone meet the fourteen goals of the Washington State Growth Management Act as follows:

- (1) *Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.*

The proposed amendment occurs near the central urban area of the City 0.25 miles from the Intercity Transit 12 West Tumwater and 13 East Tumwater lines. Utilities including sewer and water are in the immediate vicinity. The site is close to services. The proposed amendment could provide more housing in close proximity to services and jobs.

- (2) *Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.*

The proposed amendment is consistent with this goal, as it would allow for residential uses in close proximity to jobs and services. The requested Multi-Family High Density Residential (MFH) land use designation and zone district is the most intense multifamily designation and zone district in the City at 14 to 29 dwellings per acre.

- (3) *Transportation. Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.*

Linderson Way SW and Dennis Street SW are designated collectors in the City's Transportation Plan. Future development of the site would trigger frontage improvements. The location is good for higher intensity residential uses because of its connectivity for multimodal transportation options.

- (4) *Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.*

The proposed Comprehensive Plan map amendment and corresponding rezone would allow for an enhancement in the variety of housing stock in the City. Additionally, Chapter 4 of the Land Use Element of the Comprehensive Plan on page 76 states that

*"...as population increases in the Thurston County area and housing costs become increasingly more expensive due to land and construction cost, it is likely that a larger market for higher density development will occur."*

The proposal is a Comprehensive Plan map amendment from Single Family Medium Density Residential (SFM) to Multi-Family High Density Residential (MFH) and a corresponding rezone from Single-Family Medium Density Residential (SFM) to Multifamily High Density Residential (MFH). The proposal would allow for more intense residential uses, which is consistent with this goal.

- (5) *Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.*

A change in land use designation and zone district would allow the proposed amendment area to be developed with a wider range of more intense residential uses as compared to the current Single Family Medium Density Residential (SFM) land use designation. Generally, businesses need residential uses in close proximity in order to survive. The proposal provides an increase in multifamily residential uses in close proximity to business centers, which is consistent with the goal.

- (6) *Property rights. Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.*

The proposal does not require any taking of private property.

- (7) *Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.*

The proposed Comprehensive Plan map amendment and corresponding rezone is being considered as a part of the City's annual Comprehensive Plan amendment review.

- (8) *Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.*

Neither the proposed amendment area nor any of the properties in the vicinity are designated for natural resources.

- (9) *Open space and recreation. Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.*

The proposed amendment area is not designated for open space and recreation. Future development of the proposed amendment area would need to comply with all development regulations that pertain to open space and parks requirements.

- (10) *Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.*

Any future development would need to comply with all the applicable environmental regulations.

- (11) *Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.*

All property owners within 300 feet of the exterior boundaries of the proposed amendment area were notified about the application by letter on July 27, 2022. All property owners within 300 feet of the exterior boundaries of the proposed amendment area and all interested agencies and jurisdictions received a separate notification about the public hearing for the proposal on September 16, 2022. In addition, City residents and all interested parties, agencies and jurisdictions were notified about the application and the public hearing for the proposal as

part of the proposed 2022 Comprehensive Plan map amendment and rezone process on September 16, 2022.

- (12) *Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.*

The City provides sewer and water service to the proposed amendment area. Streets in the general vicinity are operating within the expected levels of service. Future development of the proposed amendment area would likely require a traffic study and mitigation of the impacts, as well as proof of adequate water and sewer service

- (13) *Historic preservation. Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.*

The proposed amendment area is not the site of known historical or archaeological significance.

- (14) *Shorelines of the state.*

The proposed amendment area is not located within 200 feet of any shoreline of the state.

2. *Text amendments and site-specific rezone applications should be evaluated for internal consistency with the comprehensive plan, and for consistency with the county-wide planning policies, related plans, and the comprehensive plan of Thurston County or cities which have common borders with Tumwater.*

The proposed Comprehensive Plan map amendment and corresponding rezone is consistent with the Comprehensive Plan, including the Land Use and Housing Elements. The Comprehensive Plan is consistent with the Thurston County-Wide Planning Policies and the goals of Sustainable Thurston.

The applicable goals of the Land Use Element of the Comprehensive Plan are as follows:

Land Use Element Goal LU-2 states:

*Ensure development takes place in an orderly and cost-efficient manner in order to best utilize available land and public services, conserve*

*natural resources, protect critical areas, preserve open space, and reduce sprawl.*

The proposal would allow for future urban infill development in an area with existing services. The proposed amendment area is within close proximity to a school, jobs, as well as other retail and service providers north of the property.

Land Use Element Goal LU-3 states:

*Ensure adequate public services, facilities, and publicly owned utilities are available to proposed and existing development.*

City sewer and water service are available in the immediate vicinity of the proposed amendment area.

Land Use Element Goal LU-4 states:

*Encourage land use patterns that increase the availability of affordable housing for all economic segments of the Tumwater population.*

The proposal would change the current land use designation of the proposed amendment area from Single Family Medium Density Residential (SFM) to Multi-Family High Density Residential (MFH) and a corresponding rezone from Single-Family Medium Density Residential (SFM) to Multifamily High Density Residential (MFH)), which is the most intense multifamily designation in the City. If the proposed amendment area was developed as Multi-Family Medium Density Residential (MFM), it could help to provide additional housing diversity for a range of lifestyles, incomes, abilities, and ages.

Land Use Element Goal LU-5 states:

*Ensure development patterns encourage efficient multimodal transportation systems coordinated with regional, City, and county transportation plans.*

The proposed amendment area is near jobs and services. Bike paths and wide shoulders exist between the proposed amendment area and the aforementioned job locations.

Land Use Element Goal LU-6 states:

*Reduce impacts from flooding; encourage efficient stormwater management; and ensure that the groundwater of Tumwater is protected and preserved.*

The proposed amendment area is not located within a 100-year floodplain. At the time of the future development of the proposed amendment area, the Public Works Department would review the stormwater management system, in order to protect and preserve the groundwater and reduce impacts from flooding.

Land Use Element Goal LU-11 states:

*Ensure new and existing development is energy efficient.*

All new development in the City must meet the Washington State Energy Code.

The applicable goals of the Housing Element of the Comprehensive Plan are as follows:

Housing Element Goal H-5 states:

*To supply sufficient, safe, suitable housing sites and housing supply to meet projected future housing needs for Tumwater over the next 20 years.*

Housing Element Goal H-6 states:

*To promote a selection of housing that is decent, safe, and sound, in close proximity to jobs and daily activities, and varies by location, type, design, and price.*

The proposal meets the intent of both Goals 5 and 6 since it would allow for higher density multifamily residential development within walking distance of services, retail, and jobs.

Housing Element Goal H-12 states:

*To encourage urban growth within the city limits with gradual phasing outward from the urban core.*

The proposal meets the intent of the goal. The proposed amendment is consistent with the goal because the proposed amendment area contains vacant property located within close proximity to a core urban area of the City.

3. *Whether conditions in the area for which comprehensive plan change/zoning amendment is requested have changed or are changing to such a degree that it is in the public interest to encourage a change in land use for the area.*

The conditions in the area for which the proposed Comprehensive Plan map amendment and corresponding rezone covers has changed to a degree that it



is in the public interest to support an amendment to the current land use designation and zone district for the area.

Since the property was originally designated Single Family Medium Density Residential (SFM), there has been high degree of interest in higher intensity development in the area.

4. *Whether the proposed comprehensive plan zoning amendment is necessary in order to provide land for a community-related use which was not anticipated at the time of adoption of the comprehensive plan.*

The criterion does not apply.

### **Staff Conclusions**

1. The proposal meets the review and approval criteria found in TMC 18.60.025(B).
2. The proposed Comprehensive Plan map amendment and corresponding rezone are consistent with the goals of the Washington State Growth Management Act.
3. The proposed Comprehensive Plan map amendment and corresponding rezone are consistent with Goals LU-2, LU-3, LU-4, LU-5, LU-6, and LU-11 of the Land Use Element of the Comprehensive Plan.
4. The proposed Comprehensive Plan map amendment and corresponding rezone are consistent with Goals H-5, H-6, and H-12 of the Housing Element of the Comprehensive Plan.
5. The potential impacts of the proposed Comprehensive Plan amendment has been considered together with the other amendments in the 2022 annual Comprehensive Plan amendment final docket with the criteria found in TMC 18.60.025(B) and proposed amendments do not create any inconsistencies when evaluated together.
6. Based on the above review and analysis, Community Development Department staff concludes that the proposed Comprehensive Plan map amendment and corresponding rezone are consistent with the requirements of the Washington State Growth Management Act, Thurston County-Wide Planning Policies, the goals of Sustainable Thurston, and the Comprehensive Plan.

### ***Staff Recommendation***

Community Development Department staff recommends approval of the proposed Comprehensive Plan map amendment from Single Family Medium Density Residential (SFM) to Multi-Family High Density Residential (MFH) and a corresponding rezone from Single-Family Medium Density Residential (SFM) to Multifamily High Density Residential (MFH) as shown in the Appendix 5.2 – *Proposed Map Amendments*.

### ***Effects of the Proposed Amendment***

The proposed Comprehensive Plan map amendment and corresponding rezone would necessitate changes to the City-Wide Land Use Map in the Comprehensive Plan (Map 5C), the Littlerock Neighborhood Future Land Use Map in the Comprehensive Plan (Map 5D), the SE Capitol Boulevard Neighborhood Future Land Use Map in the Comprehensive Plan (Map 5D), and the City-Wide Zoning Map (Map 5F) as shown in in Appendix 5.2 – *Proposed Map Amendments* and Ordinance No. O2022-003.

### **Maps**

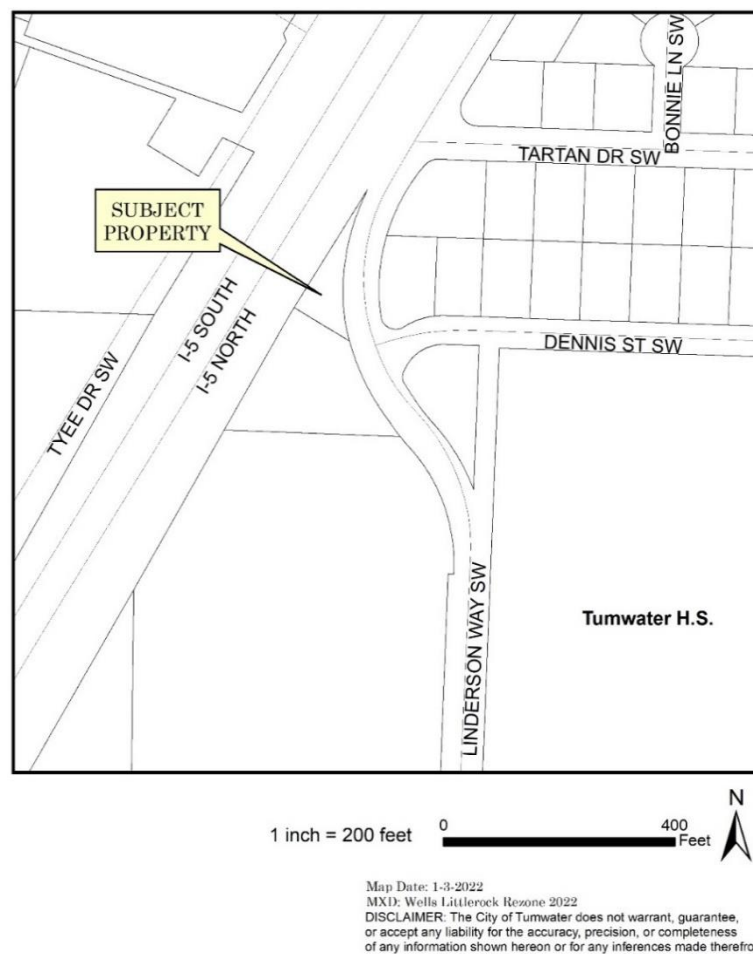


Figure 6. Dennis and Linderson Triangle Parcels and Ownership



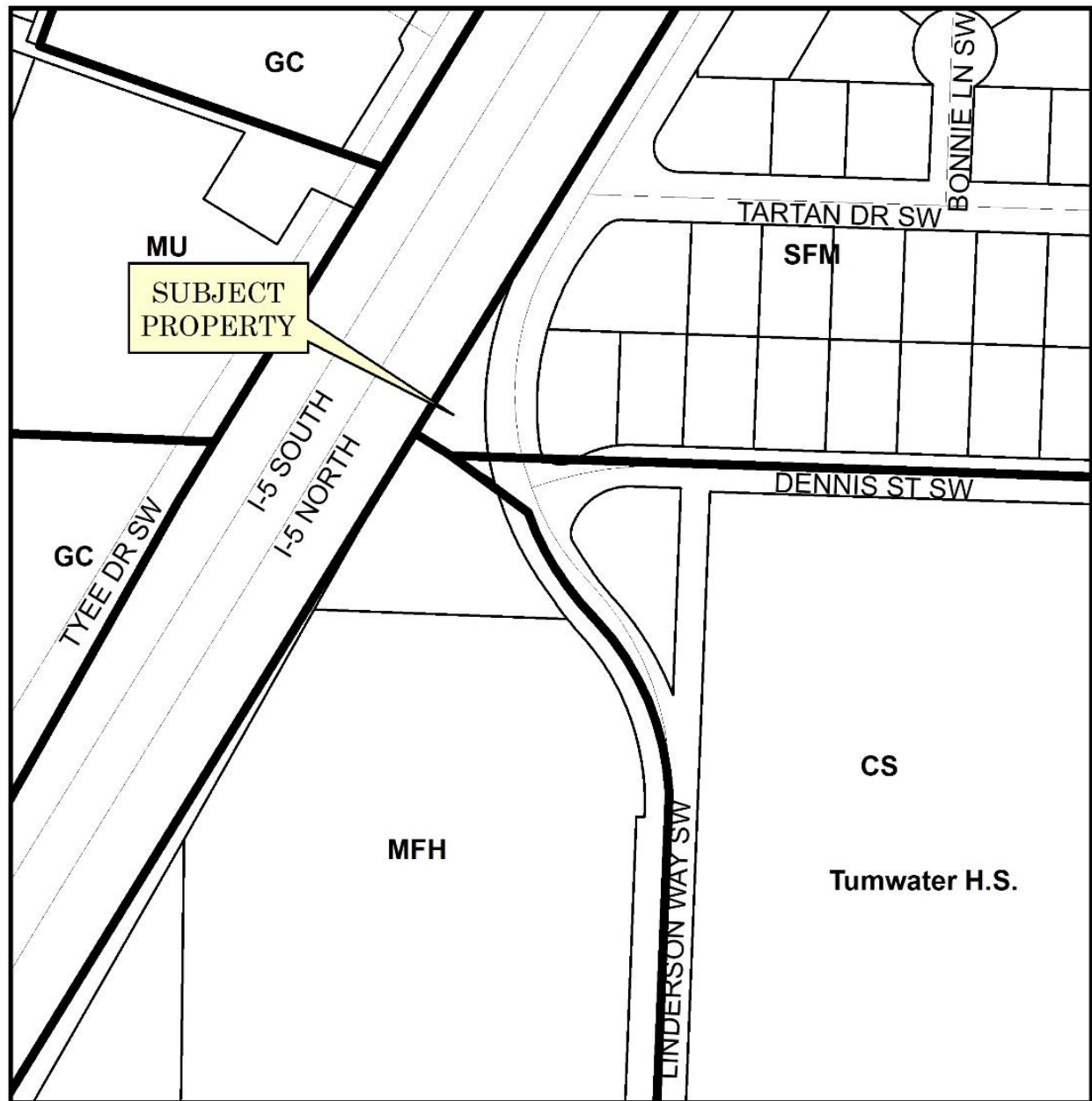
Map Date: 1-3-2022

MXD: Wells Littlerock Rezone 2022

DISCLAIMER: The City of Tumwater does not warrant, guarantee, or accept any liability for the accuracy, precision, or completeness of any information shown hereon or for any inferences made therefrom.

Figure 7. Dennis and Linderson Triangle 2019 Aerial





**Designations**  
 CS Community Services  
 MU Mixed Use  
 MFH Multi Family High Density (14-29/acre)  
 SFM Single Family Medium Density (6-9/acre)

1 inch = 200 feet

0 400 Feet



Map Date: 1-3-2022

MXD: Wells Littlerock Rezone 2022

DISCLAIMER: The City of Tumwater does not warrant, guarantee, or accept any liability for the accuracy, precision, or completeness of any information shown hereon or for any inferences made therefrom.

Figure 8. Dennis and Linderson Triangle Zoning

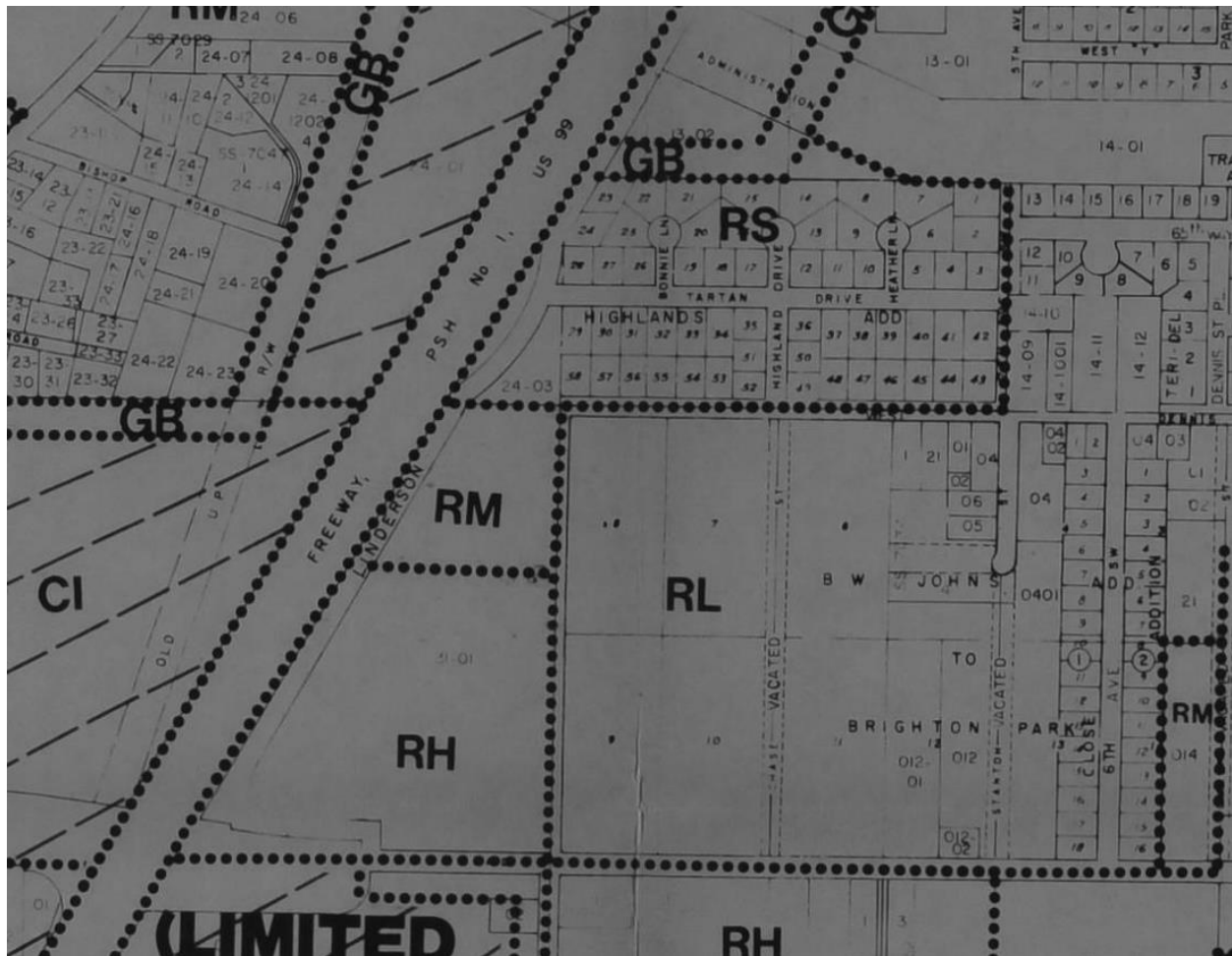
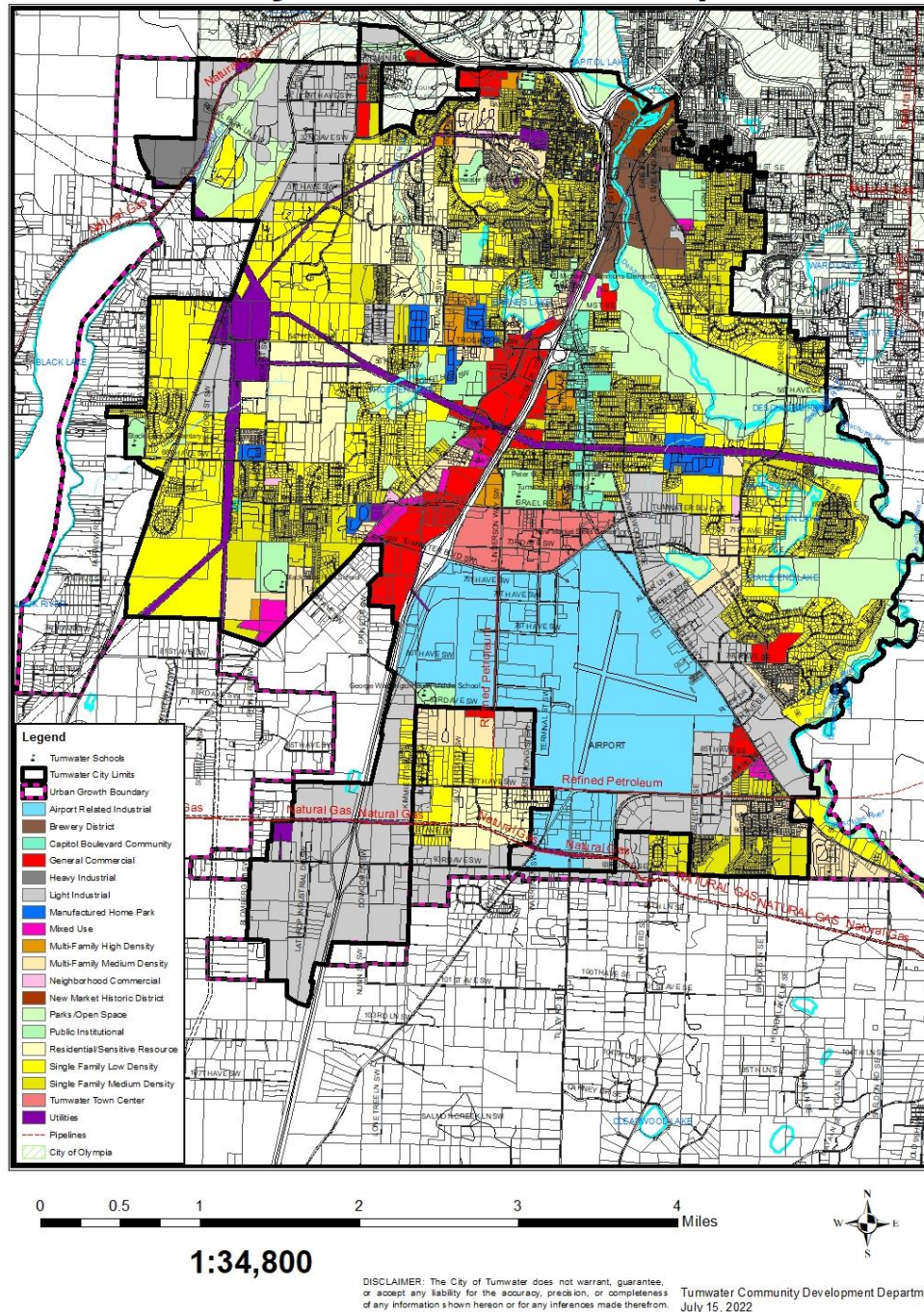


Figure 9. Dennis and Linderson Triangle Original Alignment of Linderson

## Appendix 5.1 – Maps

*Map 5A – Existing Comprehensive Plan Designations*

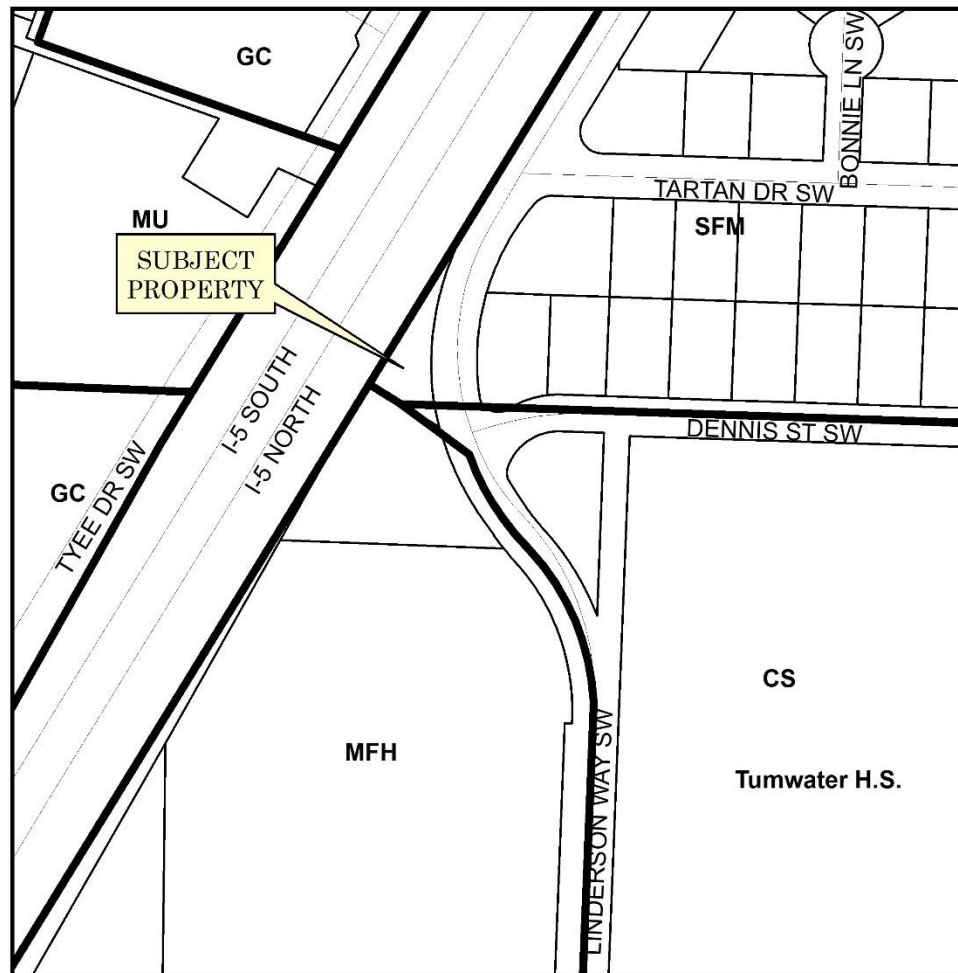
## City of Tumwater City-Wide Land Use Map





**Map 5B – Existing Zone District**

Zoning Map  
A Portion of 1270-32-40303



**Designations**  
**CS** Community Services  
**MU** Mixed Use  
**MFH** Multi Family High Density (14-29/acre)  
**SFM** Single Family Medium Density (6-9/acre)

1 inch = 200 feet  
 0 400 Feet  
 N

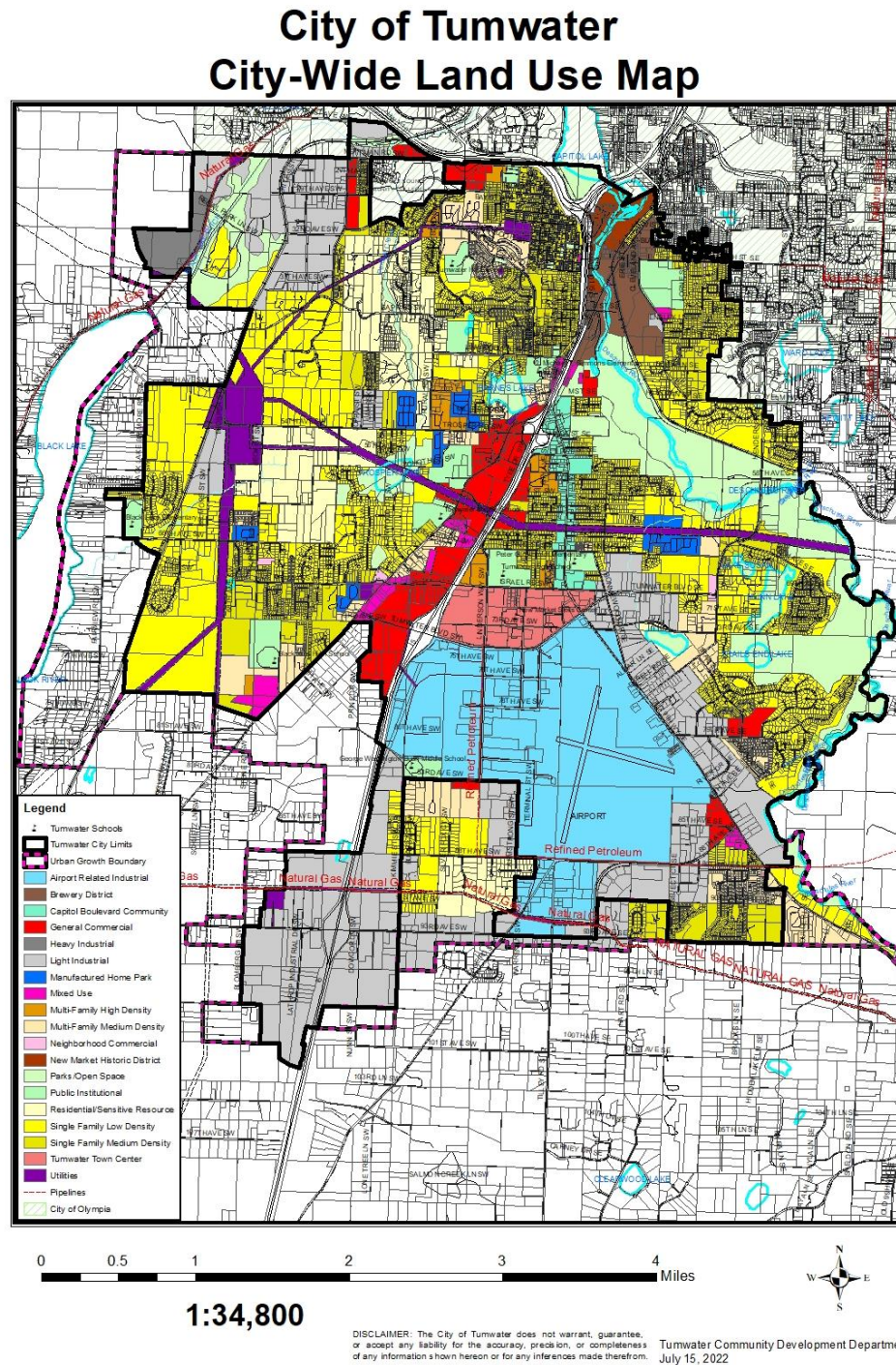
Map Date: 1-3-2022

MXD: Wells Littlelock Rezone 2022

DISCLAIMER: The City of Tumwater does not warrant, guarantee, or accept any liability for the accuracy, precision, or completeness of any information shown hereon or for any inferences made therefrom.

## Appendix 5.2 – Proposed Map Amendments

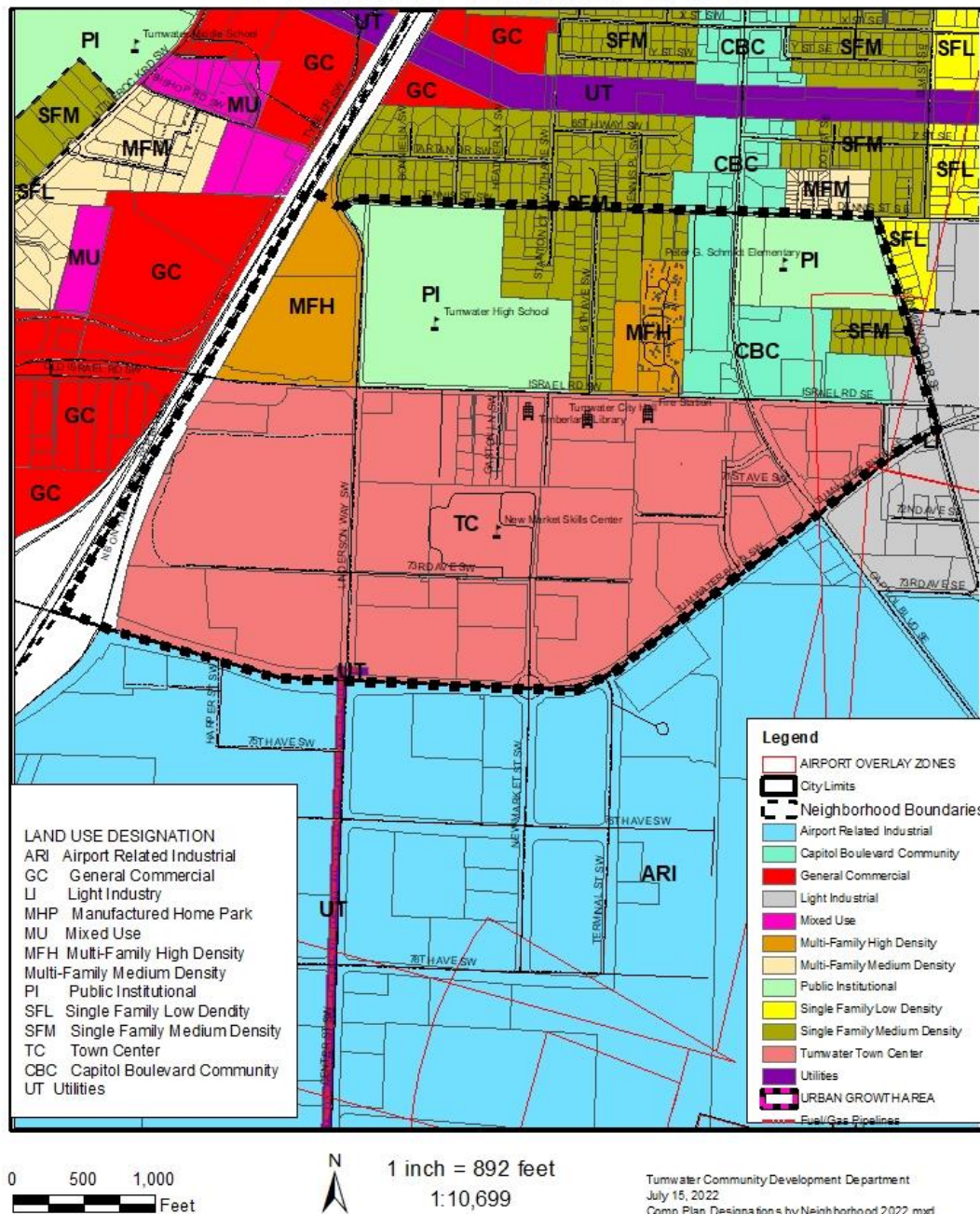
### Map 5C – Proposed Amendment to the Comprehensive Plan City-Wide Land Use Map





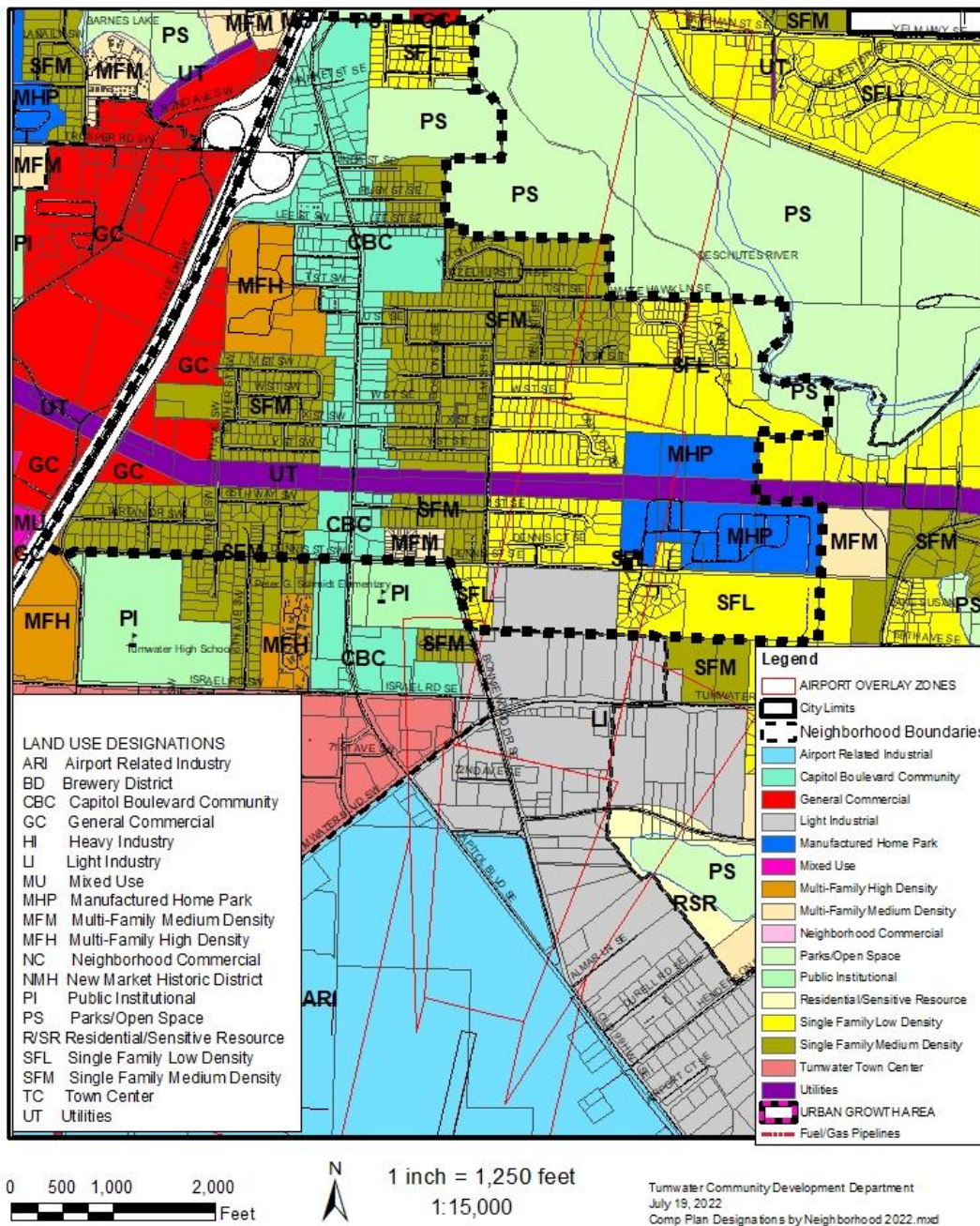
**Map 5D – Proposed Amendment to the Comprehensive Plan New Market Neighborhood Future Land Use Map**

# New Market Neighborhood Future Land Use

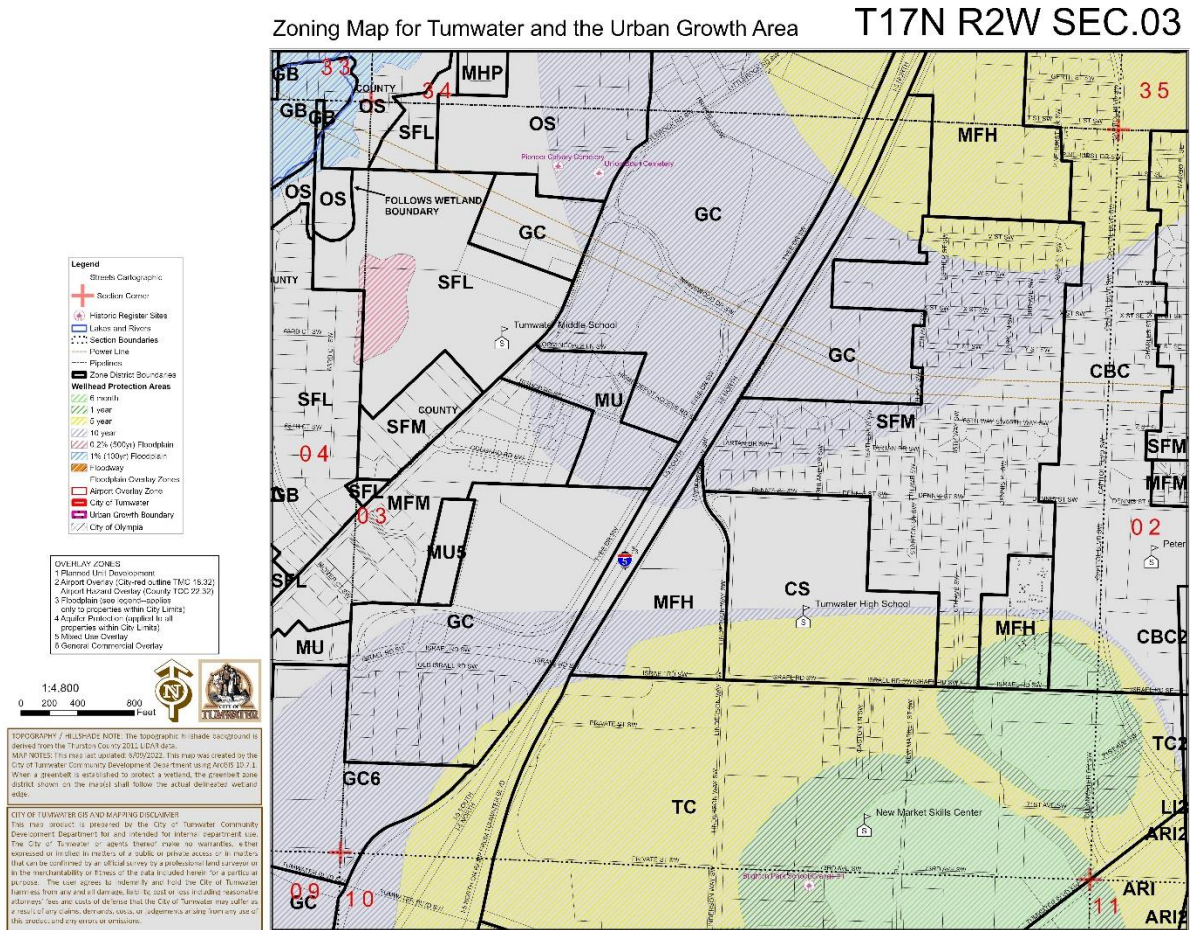


**Map 5E – Proposed Amendment to the Comprehensive Plan SE Capitol Boulevard Neighborhood Future Land Use Map**

## SE Capitol Boulevard Neighborhood Future Land Use





**Map 5F – Proposed Amendment to the City-Wide Zoning Map**

## C. SUMMARY OF ALL AMENDMENTS

### 6. Public Approval Process

The City Council placed the five proposed Comprehensive Plan amendments on the 2022 Long Range Planning Work Program on January 18, 2022. The Planning Commission reviewed the preliminary docket and provided comments at their January 11, 2022 meeting. The Planning Commission recommended further review of the proposal on January 25, 2022, as part of the 2022 preliminary docket. On February 9, 2022, the General Government Committee reviewed the preliminary docket and forwarded it to the full City Council for review.

The City Council held a worksession on February 22, 2022 and recommended that the preliminary docket be placed on the City Council agenda for their March 1, 2022 meeting. On March 1, 2022, the City Council considered the Planning Commission's recommendation and the review by the General Government Committee and included five of the six proposed amendments in the 2022 annual Comprehensive Plan amendment preliminary docket to be reviewed by Community Development Department staff and presented later in 2022.

After the City Council approved the final docket on March 1, 2022 for the 2022 annual Comprehensive Plan map and text amendments for further review, Community Development Department staff reviewed the goals, policies, and actions and text in the Comprehensive Plan Conservation, Housing, and Land Use Elements.

Letters notifying all property owners within 300 feet of the exterior boundaries of the proposed map amendment area of the public review process went out on July 27, 2022. The Notice of Intent was filed with the Washington State Department of Commerce on August 3, 2022 for Ordinance No. O2022-003. The SEPA environmental checklist was issued on August 2, 2022 for Ordinance No. O2022-003 and the Determination of Nonsignificance was issued on August 16, 2022.

The Planning Commission received a briefing on the amendments on August 9, 2022. The Planning Commission discussed the proposed neighborhood character amendments at worksessions on August 23, 2022. The Planning Commission discussed the proposed amendments at a worksession on September 13, 2022.

The Planning Commission will hold a public hearing for the proposed amendments on September 27, 2022. Following the public hearing and deliberations, the Planning Commission is expected to make their recommendation on the proposed amendments to the City Council.

The General Government Committee is expected to review the proposed Comprehensive Plan amendments in a briefing on October 12, 2022. The City Council

is expected to hold a worksession to discuss the amendments on October 25, 2022 and consider the proposed amendments at a meeting on November 15, 2022.

## **7. Public Notification**

A Notice of Public Hearing for the Planning Commission was issued September 16, 2022 after the Planning Commission established a hearing date on the final docket. The notice was posted in the proposed map amendment areas, published as a press release, distributed to interested individuals and entities that have requested such notices, and published in *The Olympian*. Notices informing all property owners within 300 feet of the exterior boundaries of the proposed map amendment areas of the public hearing were sent out around at the same time.

## **8. Staff Conclusions**

1. The two proposed Comprehensive Plan map amendments and corresponding rezones meet the review and approval criteria found in TMC 18.60.025(B).
2. The two proposed Comprehensive Plan map amendments and corresponding rezones are consistent with the goals of the Washington State Growth Management Act.
3. The two proposed Comprehensive Plan map amendments and corresponding rezones are consistent with the goals of the Land Use Element of the Comprehensive Plan.
4. The potential impacts of the two proposed 2022 Comprehensive Plan map amendments and corresponding rezones have been considered together with the criteria found in TMC 18.60.025(B) and proposed amendments do not create any inconsistencies when evaluated together.
5. Based on the above review and analysis, Community Development Department staff concludes that the two proposed Comprehensive Plan map amendments and corresponding rezones are consistent with the requirements of the Washington State Growth Management Act, Thurston County-Wide Planning Policies, the goals of Sustainable Thurston, and the Comprehensive Plan.

## **9. Staff Recommendation**

Community Development Department staff recommends that the Planning Commission forward a recommendation to the City Council the two proposed Comprehensive Plan map amendments and corresponding rezones by Ordinance No. O2022-003 be approved.

In addition, Community Development Department staff recommends that the Planning Commission forward a recommendation to the City Council that the three proposed text amendments that were not included in Ordinance No. O2022-003 after Planning Commission discussions, concerning Neighborhood Character, updates related to the Thurston Climate Mitigation Plan, and Essential Public Facilities be incorporated into the 2022-25 ten-year Comprehensive Plan Update.

**10. Effects of the Proposed Amendments Considered Together**

As noted above, the potential impacts of the two proposed 2022 Comprehensive Plan map amendments and corresponding rezones have been considered together with the criteria found in TMC 18.60.025(B) and the two proposed amendments do not create any inconsistencies when evaluated together.

**11. Staff Contact**

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City of Tumwater Community Development Department  
(360) 754-4180  
[bmedrud@ci.tumwater.wa.us](mailto:bmedrud@ci.tumwater.wa.us)





**CITY OF TUMWATER**  
 555 ISRAEL RD. SW, TUMWATER, WA 98501  
 (360) 754-4180 (360) 754-4126 (FAX)  
 Email: cdd@ci.tumwater.wa.us

**REZONE  
Application**

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RECEIVED

NOV 17 2021

Application fee: \$1,500.00

**SUBJECT PROPERTY**

SITE ADDRESS: xx23 Littlerock Road SW

SECTION: 04 TOWNSHIP: 17 RANGE: 2W PARCEL NUMBER(S): 12704430901, 02 & 03

LEGAL DESCRIPTION OF PROPERTY (attach additional sheets if necessary): See attached

GENERAL DESCRIPTION OF LOCATION: The three adjacent parcels to the south of 7223 Littlerock Rd. SW

**PROPERTY OWNER(S)**

NAME OF PROPERTY OWNER(S) (attach additional sheets if necessary): Estate of Marvin Beagles

MAILING ADDRESS: 7223 Littlerock Rd SW

OWNER'S TELEPHONE(S): 360-870-8661 (representative)

OWNER'S E-MAIL: kathyholt@johnlscott.com

**PROJECT CONTACT/REPRESENTATIVE**

NAME: Glenn Wells

MAILING ADDRESS: 324 West Bay Dr Ste 214 Olympia WA

99502 TELEPHONE(S): 360-239-5971

E-MAIL: glennwellsarchitect@gmail.com

**GENERAL DESCRIPTION OF PROPOSAL** See attached written narrative CURRENT ZONE

DISTRICT: SFM NEW REQUESTED ZONE DISTRICT: MFM

SURROUNDING ZONE DISTRICTS: EAST: MU WEST: SFM NORTH: MFM  
 SOUTH: SFM

CURRENT COMPREHENSIVE PLAN DESIGNATION: Single Family medium residential EXISTING  
 LAND USE(S) AND IMPROVEMENTS: Vacant PAST LAND USE OR HISTORY: Parcel History  
 Parcel was subdivided in 1978 through the short subdivision process to create the 4 existing lots. Parcel 4 has been built on.  
 Parcels 1-3 remain undeveloped.

EXPLANATION OF NEED FOR CHANGE AND HOW THE PROPOSAL MEETS THE CRITERIA OF TMC

18.60.025B (Attach additional sheets if necessary): See attached written narrative

## THIS APPLICATION MUST BE ACCOMPANIED BY THE FOLLOWING INFORMATION:

1. A SITE PLAN DRAWING OR DRAWINGS AT A SCALE OF NOT LESS THAN ONE INCH (1") FOR EACH TWO HUNDRED FEET (200') WHICH SHALL INCLUDE OR SHOW:

A: THE LOCATION OF ALL EXISTING STRUCTURES, INCLUDING BUILDINGS, FENCES, CULVERTS, BRIDGES, ROADS, AND STREETS;

B: THE BOUNDARIES OF THE PROPERTY AND NEARBY PROPERTIES;

C: ALL EXISTING EASEMENTS; AND

D: LOCATION OF EXISTING NATURAL FEATURES, SUCH AS TREES, STREAMS, OR LAKE FRONTAGE.

D: CURRENT ZONING OF SUBJECT PROPERTY AND NEARBY PROPERTIES.


## INITIATED BY:

\_\_\_\_\_ PLANNING COMMISSION (DATE OF INITIATION \_\_\_\_\_).

\_\_\_\_\_ CITY COUNCIL (DATE OF INITIATION \_\_\_\_\_).

\_\_\_\_\_ PROPERTY OWNERS AS FOLLOWS:

I (WE) UNDERSTAND AND AGREE WITH THE ABOVE EXPLAINED NEED FOR THE MAP CHANGE AND ARE CURRENT OWNERS OF THE PROPERTY WITHIN THE CITY OF TUMWATER.

 **Lavonne Anundson**  
SIGNATURE

As personal representative

SIGNATURE

**Lavonne Anundson**  
PRINTED NAME

As personal representative

PRINTED NAME

DATED THIS 12 DAY OF November, 2021









**Professional Land Surveyors**  
Where Sound Practice, Innovation and Client Service Collide

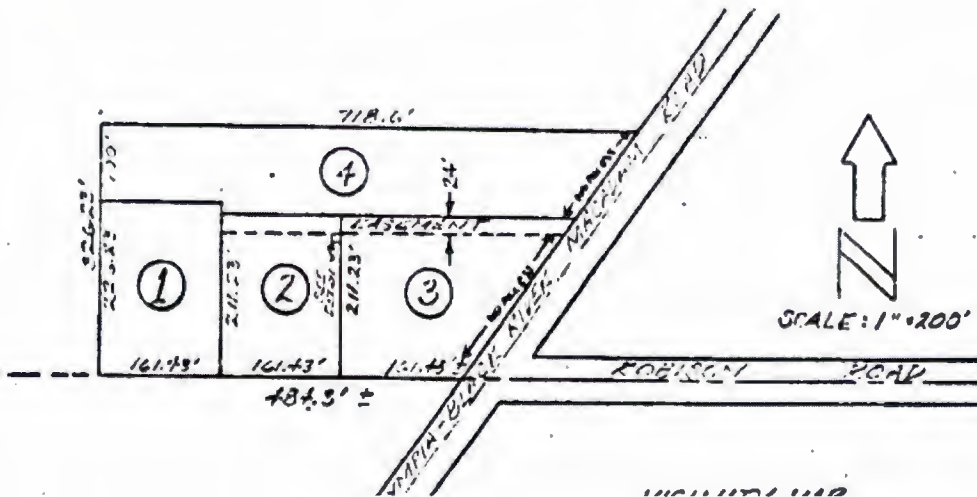
2320 Mottman Road SW, Suite 106, Tumwater, WA 98512  
(360) 688-1949 • www.mtn2coast.com

November 11, 2021

Re: Tax Parcel Descriptions



SS-0832, AFN 1036924  
Section 4, T17N, R2W, WM



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2320 Mottman Road SW, Suite 106, Tumwater, WA 98512  
(360) 688-1949 • [www.mtn2coast.com](http://www.mtn2coast.com)**Parcel descriptions**

TPN :12704430901

Parcel 1 of Short Subdivision No. SS-0832, as recorded May 9<sup>th</sup>, 1978, under Auditor's File No. 1036924, Thurston County, Washington. Subject to easements and conditions of record.

TPN :12704430902

Parcel 2 of Short Subdivision No. SS-0832, as recorded May 9<sup>th</sup>, 1978, under Auditor's File No. 1036924, Thurston County, Washington. Subject to easements and conditions of record.

TPN :12704430903

Parcel 3 of Short Subdivision No. SS-0832, as recorded May 9<sup>th</sup>, 1978, under Auditor's File No. 1036924, Thurston County, Washington. Subject to easements and conditions of record.

TPN :12704430904

Parcel 4 of Short Subdivision No. SS-0832, as recorded May 9<sup>th</sup>, 1978, under Auditor's File No. 1036924, Thurston County, Washington. Subject to easements and conditions of record.**Parcel History**

Parcel was subdivided in 1978 through the short subdivision process to create the 4 existing lots. Parcel 4 has been built on.

Parcels 1-3 remain undeveloped.

## LITTLEROCK REZONE

### WRITTEN NARRATIVE

October 19, 2021

The rezone application applies to three parcels currently zoned SFM. They are adjacent to 7223 Littlerock Rd SW, which is currently a single-family house and zoned MFM. The MFM site and the three SFM parcels are all owned by the same entity and are being sold in one transaction. These four lots will be redeveloped into a multi-family residential project by Fourth Street Housing, LLC (FSH).

The comprehensive plan designation for the SFM lots is Single-Family Medium Density Residential, which has a minimum density of 6 units per acre and a maximum of 9 residential units per acre. The conversion to Multi-Family Medium Density would change the density to a minimum 9 residential units/acre to 15 units/acre, which would include a transfer of development rights. Additional units could be developed per acre if an affordable residential element is included.

The three SFM lots are a combined 2.76 acres and would yield a density of 25 units under the current zone. If the parcels were rezoned to MFM, the density potential would increase to between 39 units and 55 units depending on transfer of development rights and the number of affordable units provided.

The purpose of this rezone application is to extend the MFM zoning one parcel to the south, which would allow additional density in an area that could support it. In addition, the parcels under consideration have a great many existing mature trees, which would make the transition to the SFM zone to the south better than the current SFM/MFM boundary.

There is an historic lack of residential units in Thurston Co and all of western Washington due to a number of conditions; Lack of residential construction during the recession, high number of people moving into the county, delayed response by developers, and lack of developable sites not encumbered by critical areas, such as steep slopes, wetlands and gophers. This combination has caused a spike in rents, which has placed a tremendous burden on people trying to find safe, affordable housing.

FSH was formed as a company to develop Merritt Manor, an 82-unit affordable housing project on Martin Way in Olympia. It is one of the few wholly private-sector affordable housing projects in the state. Rents at MM are well below 60% of the Thurston Co Median Income level.

Creating additional density on these three parcels makes sense on a number of levels: The parcels are located on an arterial road that can support this density. They are across the Street from Tumwater Blvd, which accesses both north and south bound movements to I-5. The new I-5 bridge project at Tumwater Blvd provides a great deal of additional capacity and anticipates increased growth in this area. The zone across Littlerock Rd SW is MU, which has a much higher density and is more compatible with a MFM zone than the existing SFM zone. Providing additional density in this area is much more desirable than many other areas in the city and county. MFM is a medium density project and as such will have the advantage of maintaining a tremendous amount of open space and existing trees on site, resulting in a higher quality project.





**CITY OF TUMWATER**  
 555 ISRAEL RD. SW, TUMWATER, WA 98501  
 Email: cdd@ci.tumwater.wa.us  
 (360) 754-4180

**COMPREHENSIVE PLAN  
 MAP AMENDMENT  
 Application**

TUM 21- 1848 Kelly ROWD BY	DATE STAMP <b>RECEIVED</b> DEC 06 2021 CITY OF TUMWATER COMMUNITY DEVELOPMENT
-------------------------------------	---

Application fee: \$1,500.00

**APPLICANT** (please print neatly)

NAME OF APPLICANT: Fourth Street Housing, LLC  
 APPLICANT'S MAILING ADDRESS (COMPLETE): 324 West Bay Dr. Suite 214 Olympia WA 98502  
 APPLICANT'S TELEPHONE(S): 360-239-5971 APPLICANT'S E-MAIL: glennwellsarchitect@gmail.com

**PROPERTY OWNER**

NAME OF PROPERTY OWNER: Estate of Marvin Beagles  
 OWNER'S MAILING ADDRESS (COMPLETE): 7223 Littlerock Rd SW  
 OWNER'S TELEPHONE(S): 360-870-8661 (representative) OWNER'S E-MAIL: kathyholt@johnlscott.com

**CONTACT PERSON**

NAME OF CONTACT: Glenn Wells  
 CONTACT'S MAILING ADDRESS (COMPLETE): 324 West Bay Dr. suite 214 Olympia WA 98502  
 CONTACT'S TELEPHONE(S): 360-239-5971 CONTACT'S E-MAIL: glennwellsarchitect@gmail.com

**PROPERTY INFORMATION**

PROPERTY ADDRESS (COMPLETE): xx23 Littlerock Rd  
 LOCATION OF PROPERTY (COMMONLY KNOWN AS...): The three adjacent properties to the south of 7223 Littlerock Rd. SW

ASSESSOR'S PARCEL NUMBER(S): 12704430901, 02 & 03  
 SECTION / TOWNSHIP / RANGE: 04/17/2W CURRENT ZONE CLASSIFICATION: SFM sfm COMPREHENSIVE PLAN DESIGNATION: SFM

GENERAL DESCRIPTION OF PROPOSAL (ATTACH ADDITIONAL SHEETS AND DOCUMENTATION, AS NEEDED): Rezone the three parcels under cons from SFM to MFM, which matches the adjacent parcel at 7223 Littlerock Rd. See rezone narrative.

CURRENT LAND USE AND IMPROVEMENTS: Vacant

PAST LAND USE OR HISTORY: See Attached

FULL LEGAL DESCRIPTION OF SUBJECT PROPERTY (ATTACH ADDITIONAL SHEET IF NECESSARY): See Attached

CURRENT COMPREHENSIVE PLAN LANGUAGE (IF APPLICABLE):

Verbiage as stated in 2.2.3

NEW COMPREHENSIVE PLAN LANGUAGE:

Verbiage as stated in 2.2.4

EXISTING LAND USES (IF APPLICABLE):

Vacant

EXPLANATION OF NEED FOR CHANGE:

To increase density in an area that has the infrastructure to support it.

**THIS APPLICATION MUST BE ACCOMPANIED BY THE FOLLOWING INFORMATION:**

1. A complete list of all property owners and addresses as listed on records of the Thurston County Assessor within a 300-foot radius of the external boundaries of the subject property.
2. A site plan drawing or drawings at a scale of not less than 1"=200' which shall include or show:
  - A. Site boundaries
  - B. Streets abutting the site
  - C. Proposed buildings, including dimensions, identification of types, and the number of dwelling units in each residential type
  - D. Location and dimension of all common open space
  - E. Location, dimension, and design of off-street parking facilities showing their size and locations of internal circulation and parking spaces, and points of ingress to and egress from the site
  - F. Existing buildings and indication of future use or disposition
  - G. Existing and proposed structures, indicating setback lines, including fences, culverts, bridges, roads and streets
  - H. All proposed and existing landscaping, clearly indicating type of vegetation, location of plantings, rate of growth and height maturity
  - I. All existing and proposed easements
  - J. Existing and proposed storm water drainage systems
  - K. Proposed land use and densities
  - L. The location of all loading spaces including, but not limited to, loading platforms and loading docks where trucks will load or unload

Initiated By:

\_\_\_\_ Planning Commission (Date of initiation \_\_\_\_\_).

\_\_\_\_ City Council (Date of initiation \_\_\_\_\_).

☒ Property owners as follows:

I (WE) UNDERSTAND AND AGREE WITH THE ABOVE-EXPLAINED NEED FOR THE MAP CHANGE, AND ARE CURRENT OWNERS OF THE PROPERTY WITHIN THE CITY OF TUMWATER.

AuthentisIGN  
**Lavonne Anundson** 12/02/2021  
 SIGNATURE 12/2/2021 7:49:20 PM PST  
 As Personal Representative

Lavonne Anundson (personal rep)

PRINTED NAME

ADDRESS (COMPLETE):



SIGNATURE

Glenn Wells (Applicant)

PRINTED NAME

ADDRESS (COMPLETE): 324 West Bay Dr suite 214 Olympia WA 98502

SIGNATURE

PRINTED NAME

ADDRESS (COMPLETE):

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

### ASSIGNMENT OF CONTRACT

The undersigned, Monolith Holdings, LLC ("Monolith"), and Fourth Street's Housing, LLC ("Fourth Street") hereby acknowledge and agree and follows:

WHEREAS, Monolith is party as "Buyer" to the Commercial & Investment Real Estate Purchase and Sale Agreement (the "Contract") executed on or about August 28, 2021. Under the terms of the Contract, Monolith has agreed to purchase certain real property bearing Tax Parcel No(s): 12704430904, 12704430901, 12704430902 and 12704430903 in Thurston County, WA (the "Property"); and,

WHEREAS, Monolith desires to assign the Contract to Fourth Street.

Therefore, Monolith and Fourth Street agree to such assignment under the following terms and conditions:

1. For good and valuable consideration, the receipt of which is hereby acknowledged, Monolith hereby assigns all right, title and interest in, to and under the Contract to Fourth Street.
2. Fourth Street accepts such assignment and agrees to perform all of the obligations of Buyer under the Contract and to hereafter be bound by the terms of the Contract.

Executed this 28<sup>th</sup> day of September, 2021

Fourth Street's Housing, LLC

By:  Glenn Wells 09/29/2021  
9/29/2021 4:00:06 PM PDT

Title: member

Monolith Holdings, LLC

By:  Zach Kosturos 09/30/2021  
9/30/2021 9:19:16 AM PDT

Title: manager



# LITTLEROCK REZONE

## WRITTEN NARRATIVE

October 19, 2021

The rezone application applies to three parcels currently zoned SFM. They are adjacent to 7223 Littlerock Rd SW, which is currently a single-family house and zoned MFM. The MFM site and the three SFM parcels are all owned by the same entity and are being sold in one transaction. These four lots will be redeveloped into a multi-family residential project by Fourth Street Housing, LLC (FSH).

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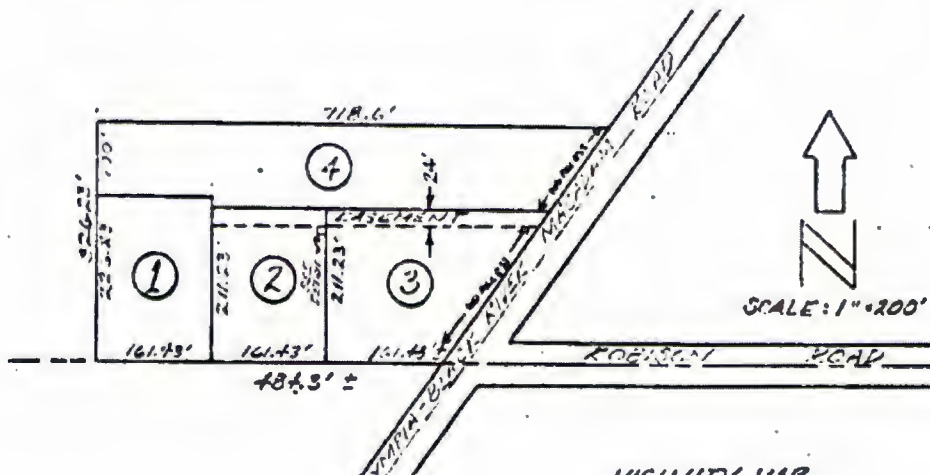
2320 Mottman Road SW, Suite 106, Tumwater, WA 98512  
(360) 688-1949 • [www.mtn2coast.com](http://www.mtn2coast.com)

November 11, 2021

Re: Tax Parcel Descriptions



SS-0832, AFN 1036924  
Section 4, T17N, R2W, WM





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2320 Mottman Road SW, Suite 106, Tumwater, WA 98512  
(360) 688-1949 • [www.mtn2coast.com](http://www.mtn2coast.com)

### Parcel descriptions

TPN :12704430901

Parcel 1 of Short Subdivision No. SS-0832, as recorded May 9<sup>th</sup>, 1978, under Auditor's File No. 1036924, Thurston County, Washington. Subject to easements and conditions of record.

TPN :12704430902

Parcel 2 of Short Subdivision No. SS-0832, as recorded May 9<sup>th</sup>, 1978, under Auditor's File No. 1036924, Thurston County, Washington. Subject to easements and conditions of record.

TPN :12704430903

Parcel 3 of Short Subdivision No. SS-0832, as recorded May 9<sup>th</sup>, 1978, under Auditor's File No. 1036924, Thurston County, Washington. Subject to easements and conditions of record.

TPN :12704430904

Parcel 4 of Short Subdivision No. SS-0832, as recorded May 9<sup>th</sup>, 1978, under Auditor's File No. 1036924, Thurston County, Washington. Subject to easements and conditions of record.

### Parcel History

Parcel was subdivided in 1978 through the short subdivision process to create the 4 existing lots. Parcel 4 has been built on.

Parcels 1-3 remain undeveloped.



**THURSTON**  
COUNTY TITLE

THURSTON COUNTY TITLE COMPANY  
105 EAST 8<sup>TH</sup> AVE.  
OLYMPIA, WA 98501  
PHONE: (360) 943-7300  
FAX: (360) 786-931

DATE: December 6, 2021

TO: City of Tumwater

Dear Sir or Madam,

On Tuesday December 6<sup>th</sup>, 2021, Glenn Wells from Fourth Street Housing LLC contacted Thurston County Title, Co., to request ownership information and mailing labels addressed to the owners of parcels within a 300-foot radius of the following property:

**Tax Parcel Number:**

1270-44-30901

1270-44-30902

1270-44-30903

**Street Address:**

Unknown Address  
Tumwater, WA

Unknown Address  
Tumwater, WA

Unknown Address  
Tumwater, WA

The ownership information and mailing labels we provided in response to this request were compiled using data taken from the website of the Thurston County Assessor's Office. If you have any questions about the information or how it was compiled, please don't hesitate to contact our office by email at customerservice@tctitle.net, or by phone at (360) 943-7300, M-F, 8 a.m. – 5 p.m.

Kind regards,

Chris Andersen

chrisa@tctitle.net

Thurston County Title Company







**ORDINANCE NO. O2022-003**

**AN ORDINANCE** of the City Council of the City of Tumwater, Washington, related to planning under the Growth Management Act of the State of Washington and the 2022 City of Tumwater Comprehensive Plan map amendments and corresponding rezones amending the land use designation map of the Comprehensive Plan and the Zoning Map.

**WHEREAS**, the City is required to plan under the Growth Management Act, Chapter 36.70A RCW; and

**WHEREAS**, this ordinance meets the goals and requirements of the Growth Management Act; and

**WHEREAS**, the Growth Management Act, Chapter 36.70A RCW, and Tumwater Municipal Code 18.60.025(A)(2) require amendments to the City's Comprehensive Plan be considered concurrently and no more than once annually; and

**WHEREAS**, the City Council, Planning Commission, property owners, or City staff may propose amendments to the City's Comprehensive Plan map and text, and corresponding zone districts; and

**WHEREAS**, the deadline for 2022 private applications for proposed Comprehensive Plan map and text amendments and corresponding rezones was Monday, December 6, 2021; and

**WHEREAS**, Tumwater Municipal Code 18.60.025(A) establishes a process by which the preliminary docket of proposed Comprehensive Plan map and text amendments and corresponding rezones undergoes an initial review by the Planning Commission for recommendation to the City Council; and

**WHEREAS**, the City Council made a determination on which proposed Comprehensive Plan map and text amendments and corresponding rezones in the preliminary docket would be included in the final docket on March 1, 2022; and

**WHEREAS**, the Growth Management Act, Chapter 36.70A RCW, requires a process of early and continuous public participation for the proposed Comprehensive Plan map and text amendments and corresponding rezone; and

**WHEREAS**, the adoption of proposed Comprehensive Plan map and text amendments and corresponding rezones must be processed in compliance with the requirements of the State Environmental Policy Act; and

**WHEREAS**, the City Council reviewed all the evidence presented and has made findings of fact and conclusions related to the proposed Comprehensive Plan map amendments and corresponding rezones which are set forth below.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUMWATER, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1. Findings.** For the purposes of effective land use planning, the Tumwater City Council adopts the following findings of fact:

**A. General Findings**

1. The proposed Comprehensive Plan map amendments and corresponding rezones meet the intent of and are consistent with the Growth Management Act, Chapter 36.70A RCW, County-Wide Planning Policies, and internal goals and policies of the City's Comprehensive Plan.
2. The Attorney General Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property (September 2018) on takings was reviewed and utilized by the City in objectively evaluating the proposed Comprehensive Plan map amendments and corresponding rezone.
3. The proposed Comprehensive Plan map amendments and corresponding rezones have been prepared in conformance with the Public Participation and Intergovernmental Coordination Procedures contained in the City's Comprehensive Plan, which meet the Growth Management Act, Chapter 36.70A RCW, requirements for the same.
4. The City engaged the community through public briefings, worksessions, and meetings with the Planning Commission, the General Government Committee, and the City Council.
5. An Environmental Checklist for a non-project action was prepared under the State Environmental Policy Act (Chapter 43.21C RCW), pursuant to Chapter 197-11 WAC on August 2, 2022, and a Determination of Non-Significance was issued on August 16, 2022.
6. The ordinance was sent to the Washington State Department of Commerce on August 3, 2022 for the required 60-day review before the proposed Comprehensive Plan map amendments and corresponding rezones were adopted, in accordance with RCW 36.70A.106.
7. The Planning Commission reviewed the preliminary docket and provided comments at their January 11, 2022 and January 25, 2022 meetings.



8. The General Government Committee discussed the Planning Commission's preliminary docket recommendation at their February 9, 2022 meeting.
9. The City Council held a worksession on February 22, 2022 and recommended that the preliminary docket be placed on the City Council agenda for their March 1, 2022 meeting.
10. The City Council approved the preliminary docket for further review by staff at their March 1, 2022 meeting.
11. City staff completed their review of the final docket of proposed Comprehensive Plan map and text amendments and corresponding rezone.
12. The potential impacts of the proposed Comprehensive Plan map amendments and corresponding rezones have been considered together and they do not create any inconsistencies when evaluated together.
13. The property owners within 300 feet of the proposed Comprehensive Plan map amendment areas were notified on July 27, 2022 by letter of the proposed amendments and the proposed public meeting schedule.
14. The Planning Commission received a briefing on the final docket of the proposed Comprehensive Plan map and text amendments and corresponding rezones on August 9, 2022 and discussed the proposed amendments at worksessions on August 23, 2022 and September 13, 2022.
15. A Notice of Public Hearing for the Planning Commission public hearing was issued on September 16, 2022. The notice was posted in the subject areas, published as a press release, distributed to interested individuals and entities that have requested such notices, and published in *The Olympian*. The letters notifying all property owners within 300 feet of the exterior boundaries of the map amendment areas of the public hearing was sent out on September 16, 2022.
16. The Planning Commission held a public hearing for the Comprehensive Plan map amendments and corresponding rezones on September 27, 2022.
17. Following a public hearing and deliberations on September 27, 2022, the Planning Commission recommended approval of the proposed Comprehensive Plan map amendments and corresponding rezones to the City Council.

18. The City Council's General Government Committee reviewed the proposed Comprehensive Plan map amendments and corresponding rezones in a briefing on October 12, 2022.
19. The City Council discussed the proposed Comprehensive Plan map amendments and corresponding rezones in a worksession on October 25, 2022.
20. On November 15, 2022, the City Council held the public meeting to consider the 2022 Comprehensive Plan map amendments and corresponding rezone.
21. The proposed Comprehensive Plan map amendments and corresponding rezones will be submitted to the Washington State Department of Commerce ten days after final adoption, pursuant to RCW 36.70A.106.
22. Any Conclusion herein, which may be deemed a Finding, is hereby adopted as such.

## **B. Findings – Comprehensive Plan Land Use Map and Zoning Map**

### **Wells Littlerock – Comprehensive Plan Map Amendment and Corresponding Rezone**

1. The applicant filed timely applications for a Comprehensive Plan map amendment and corresponding rezone on November 17, 2021 for the 2.76-acre property located to the south of 7223 Littlerock Road SW (Parcel Numbers 1270-44-30901, 1270-44-30902, and 1270-44-30903) (Permit Numbers TUM-21-1804 and TUM-21-1848). The applications would change the Single Family Medium Density Residential (SFM) Comprehensive Plan map designation to Multi-Family Medium Density Residential (MFM) Comprehensive Plan map designation and the Single Family Medium Density Residential (SFM) to Multifamily Medium Density Residential (MFM) zone district.
2. Staff sent out a letter of completeness for the applications (Permit Numbers TUM-21-1804 and TUM-21-1848) on December 10, 2021.
3. During the preliminary docket review, the City Council, Planning Commission, and staff supported further review of the proposed amendment.
4. Approval of the amendment would result in Comprehensive Plan map amendments of the property from the Single Family Medium Density Residential (SFM) Comprehensive Plan map designation to Multi-Family Medium Density Residential (MFM) Comprehensive Plan map designation, and a corresponding rezone from the Single Family Medium Density

Residential (SFM) to Multifamily Medium Density Residential (MFM) zone district.

5. The subject property is currently vacant.
6. The Comprehensive Plan map designations of the properties surrounding the amendment area are Multi-Family Medium Density Residential (MFM) to the north, Mixed Use (MU) to east, and Single Family Medium Density (SFM) to the west and south.
7. The zone districts of the properties surrounding the amendment area are Multifamily Medium Density Residential (MFM) to the north, Mixed Use (MU) to east, and Single-Family Medium Density (SFM) to the west and south.
8. Single-family dwellings are to the north and west.
9. A residential subdivision is under construction to the south.
10. Littlerock Road SW and 73<sup>rd</sup> Avenue SW are to the east.
11. The proposed Comprehensive Plan map amendment and corresponding rezone are in accordance with the City of Tumwater's annual Comprehensive Plan amendment process, as required by Chapter 36.70A RCW.
12. The proposed Comprehensive Plan map amendment and corresponding rezone meet the fourteen goals of the Washington State Growth Management Act.
13. The proposed Comprehensive Plan map amendment and corresponding rezone for the subject area are internally consistent with the City of Tumwater Comprehensive Plan, including the Housing and Land Use Elements. The City of Tumwater Comprehensive Plan is consistent with County-wide Planning Policies.
14. Conditions in the area have changed to the degree that it is in the public interest to support the amendments to the Comprehensive Plan map and zone district.

### **C. Findings – Comprehensive Plan Land Use Map and Zoning Map**

#### **Triangle West of the Dennis Street SW and Linderson Way SW Intersection – Comprehensive Plan Map Amendment and Corresponding Rezone**

1. The City is proposing a Comprehensive Plan map amendment and corresponding rezone for the northern approximately 0.30-acre portion of a

5.73 acre property located at 6501 Linderson Way SW at the western corners of Linderson Way SW and Dennis Street SW (Portion of Parcel Numbers 1270-32-40303). The amendment would change the Single Family Medium Density Residential (SFM) to Multi-Family High Density Residential (MFH) Comprehensive Plan map designation and the Single-Family Medium Density Residential (SFM) to Multifamily High Density Residential (MFH) zone district.

2. During the preliminary docket review, the City Council, Planning Commission, and staff supported further review of the proposed amendment.
3. Approval of the amendment would result in Comprehensive Plan map amendments of the property from the Single Family Medium Density Residential (SFM) to Multi-Family High Density Residential (MFH) Comprehensive Plan map designation, and a corresponding rezone from the Single-Family Medium Density Residential (SFM) to Multifamily High Density Residential (MFH) zone district.
4. The subject property is currently vacant.
5. The Comprehensive Plan map designations of the properties surrounding the amendment area are Interstate 5 to the north and west, Single Family Medium Density Residential (SFM) to the east, and Multi-Family High Density Residential (MFH) to the south.
6. The zone districts of the properties surrounding the amendment area are Interstate 5 to the north and west, Single-Family Medium Density Residential (SFM) to the east, and Multifamily High Density Residential (MFH) to the south.
7. Linderson Way SW and single-family dwellings are to the east.
8. A multifamily development is to the south.
9. Interstate 5 is to the north and west.
10. The proposed Comprehensive Plan map amendment and corresponding rezone are in accordance with the City of Tumwater's annual Comprehensive Plan amendment process, as required by Chapter 36.70A RCW.
11. The proposed Comprehensive Plan map amendment and corresponding rezone meet the fourteen goals of the Washington State Growth Management Act.

12. The proposed Comprehensive Plan map amendment and corresponding rezone for the subject area are internally consistent with the City of Tumwater Comprehensive Plan, including the Housing and Land Use Elements. The City of Tumwater Comprehensive Plan is consistent with County-wide Planning Policies.
13. Conditions in the area have changed to the degree that it is in the public interest to support the amendments to the Comprehensive Plan map and zone district.

**Section 2. Conclusions.** For the purposes of effective land use planning, the Tumwater City Council makes the following conclusions:

#### **A. General Conclusions**

1. Based on its review of the requirements of Chapter 36.70A RCW, the analysis and proposed revisions prepared by City staff, and the public comments received, the City Council finds and declares that the Comprehensive Plan map amendments and corresponding rezones have been prepared in conformance with applicable law. This includes Chapter 36.70A RCW, Chapter 43.21C RCW, and the City of Tumwater Public Participation and Intergovernmental Coordination Procedures.
2. Based on its review of the requirements of Chapter 36.70A RCW, the analysis and proposed revisions prepared by City staff, the proposed revisions forwarded by the Planning Commission, and the public comments received, the City Council accepts the Comprehensive Plan map amendments, and corresponding rezones. The City Council hereby finds and declares that the Comprehensive Plan map amendments and corresponding rezones comply with the requirements of Chapter 36.70A RCW.
3. Any Finding herein, which may be deemed a Conclusion, is hereby adopted as such.

#### **B. Conclusions – Comprehensive Plan Land Use Map and Zoning Map**

##### **Wells Littlerock – Comprehensive Plan Map Amendment and Corresponding Rezone**

Consistent with the aforementioned findings, the properties located south of 7223 Littlerock Road SW (Thurston County Assessor Parcel Numbers 1270-44-30901, 1270-44-30902, and 1270-44-30903) are to be re-designated from Single Family Medium Density Residential (SFM) to Multi-Family Medium Density Residential (MFM) the Comprehensive Plan map designation of the parcels and rezoned from

Single-Family Medium Density Residential (SFM) to Multifamily Medium Density Residential (MFM) as shown in Exhibit “A-1”, Exhibit “A-2”, and Exhibit “A-3”.

### **C. Conclusions – Comprehensive Plan Land Use Map and Zoning Map**

#### **Triangle West of the Dennis Street SW and Linderson Way SW Intersection – Comprehensive Plan Map Amendment and Corresponding Rezone**

Consistent with the aforementioned findings, the northern approximately 0.30-acre portion of a 5.73 acre property located at 6501 Linderson Way SW at the western corners of Linderson Way SW and Dennis Street SW (A portion of Parcel Number 1270-32-40303) are to be re-designated from Single Family Medium Density Residential (SFM) to Multi-Family High Density Residential (MFH) the Comprehensive Plan map designation of the parcels and rezoned from Single-Family Medium Density Residential (SFM) to Multifamily High Density Residential (MFH) as shown in Exhibit “B-1”, Exhibit “B-2”, Exhibit “B-3”, and Exhibit “B-4”.

**Section 3. Wells Littlerock – Comprehensive Plan Map Amendment and Corresponding Rezone.** The City-Wide Land Use Map in the City of Tumwater Comprehensive Plan (Exhibit “A-1”), the Littlerock Neighborhood Future Land Use Map (Exhibit “A-2”), and the City of Tumwater City-Wide Zoning Map (Exhibit “A-3”) are hereby amended as shown in Exhibits “A-1”, “A-2”, and “A-3” attached hereto.

Parcel Numbers 1270-44-30901, 1270-44-30902, and 1270-44-30903 are hereby re-designated from Single Family Medium Density Residential (SFM) to Multi-Family Medium Density Residential (MFM) and rezoned from Single-Family Medium Density Residential (SFM) to Multifamily Medium Density Residential (MFM).

**Section 4. Triangle West of the Dennis Street SW and Linderson Way SW Intersection – Comprehensive Plan Map Amendment and Corresponding Rezone.** The City-Wide Land Use Map in the City of Tumwater Comprehensive Plan (Exhibit “B-1”), the New Market Neighborhood Future Land Use Map (Exhibit “B-2”), SE Capitol Boulevard Neighborhood Future Land Use Map (Exhibit “B-3”), and the City of Tumwater City-Wide Zoning Map (Exhibit “B-4”) are hereby amended as shown in Exhibits “B-1”, “B-2”, “B-3”, and “B-4” attached hereto.

A portion of Parcel Number 1270-32-40303 is hereby re-designated from Single Family Medium Density Residential (SFM) to Multi-Family High Density Residential (MFH) and rezoned from Single-Family Medium Density Residential (SFM) to Multifamily High Density Residential (MFH).

**Section 5. Corrections.** The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

**Section 6. Ratification.** Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

**Section 7. Severability.** The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

**Section 9. Effective Date.** This ordinance shall become effective thirty (30) days after passage, approval, and publication as provided by law.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

CITY OF TUMWATER

\_\_\_\_\_  
Debbie Sullivan, Mayor

ATTEST:

\_\_\_\_\_  
Melody Valiant, City Clerk

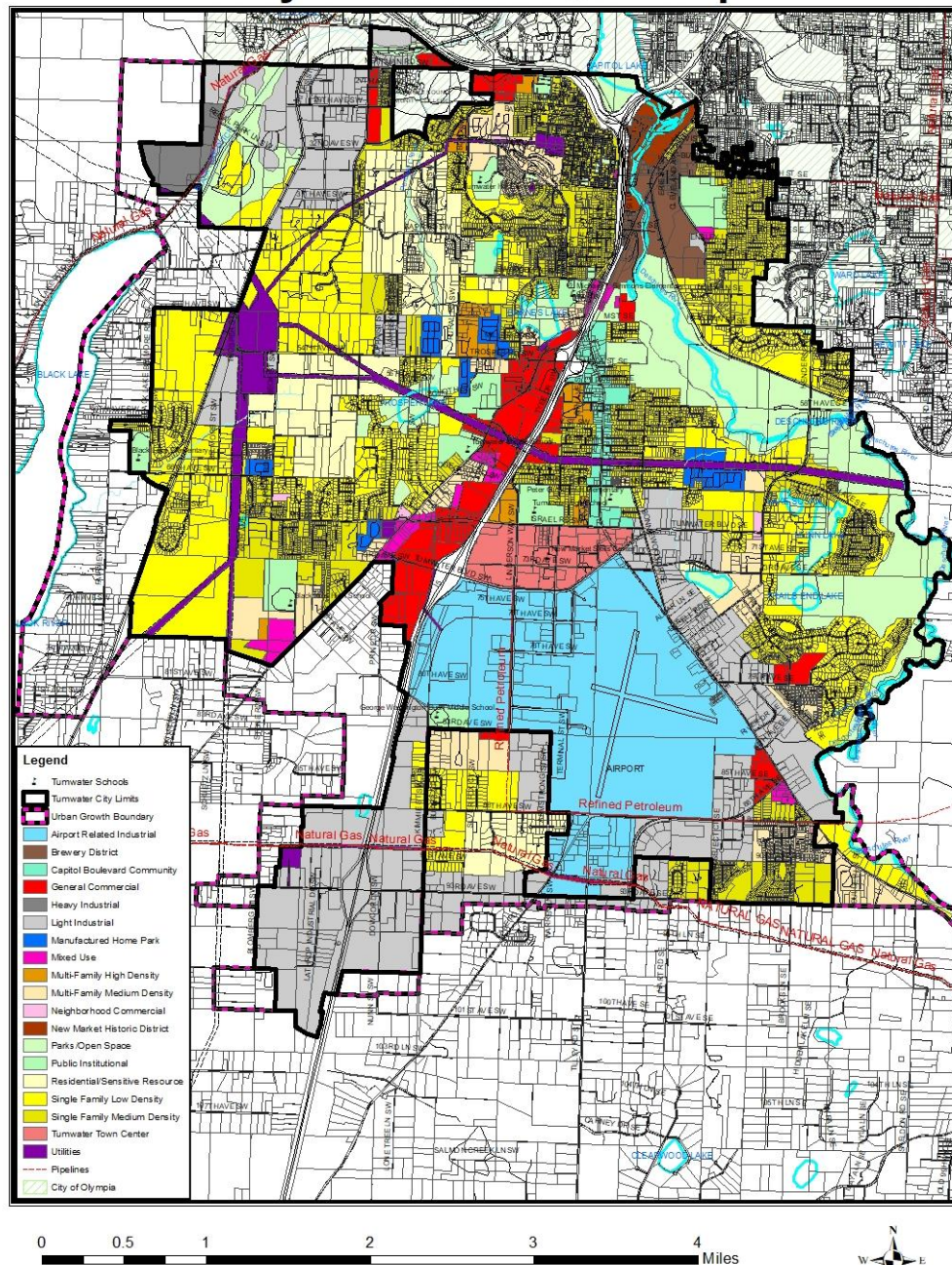
APPROVED AS TO FORM:

\_\_\_\_\_  
Karen Kirkpatrick, City Attorney

Published:\_\_\_\_\_

Effective Date:\_\_\_\_\_



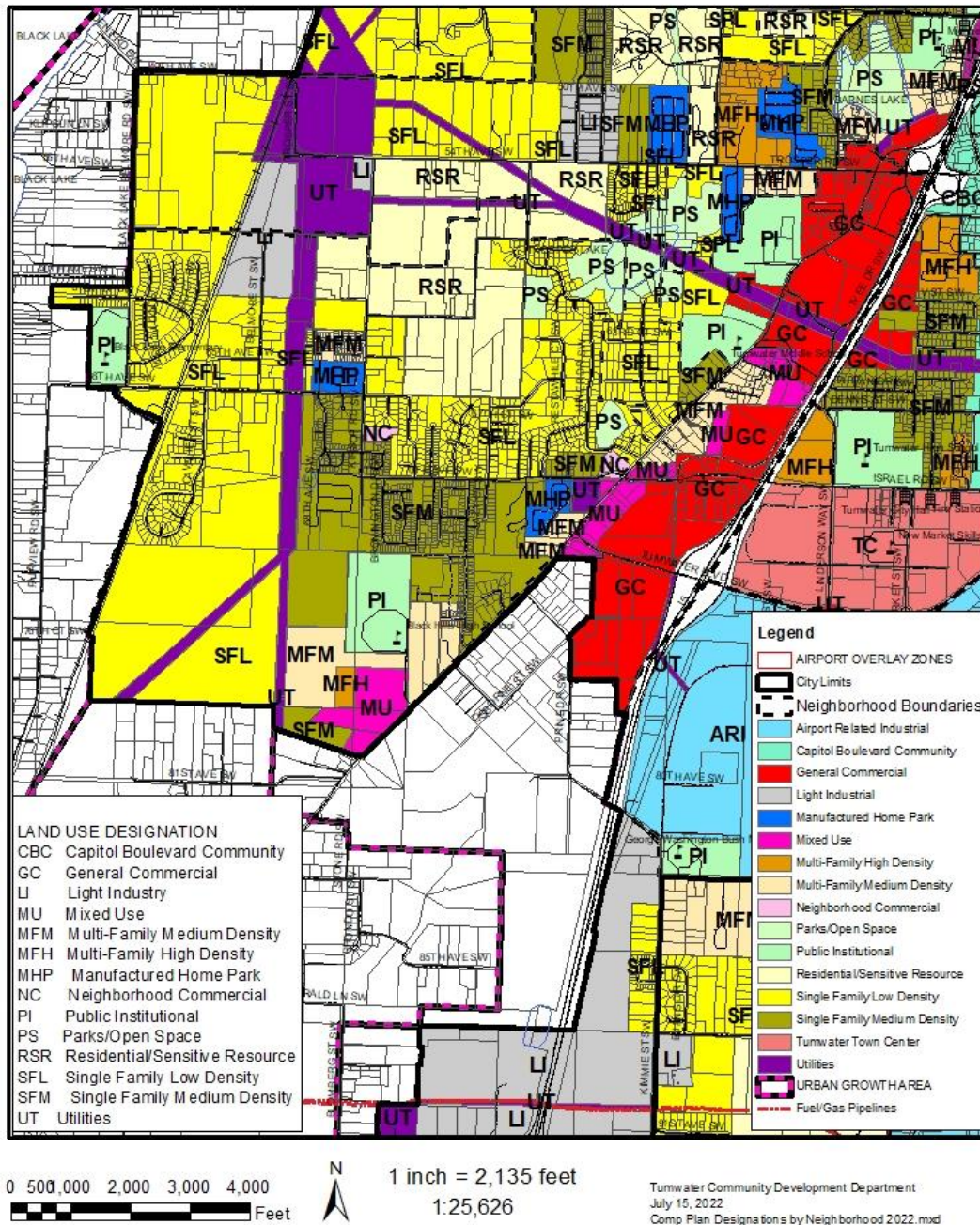
*Exhibit "A-1"***Wells Littlerock Amendment to the City of Tumwater Comprehensive Plan  
City-Wide Land Use Map****City of Tumwater  
City-Wide Land Use Map**

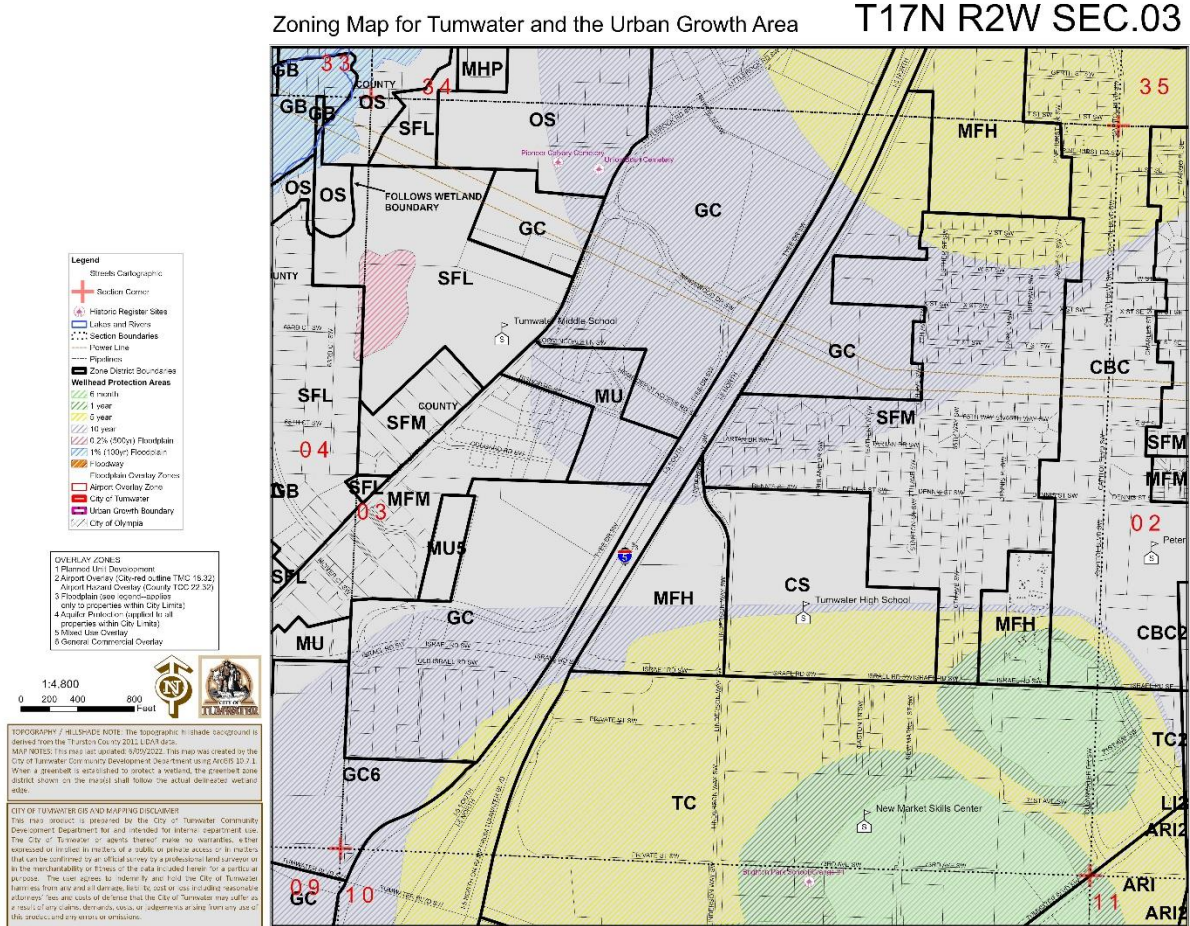


*Exhibit "A-2"*

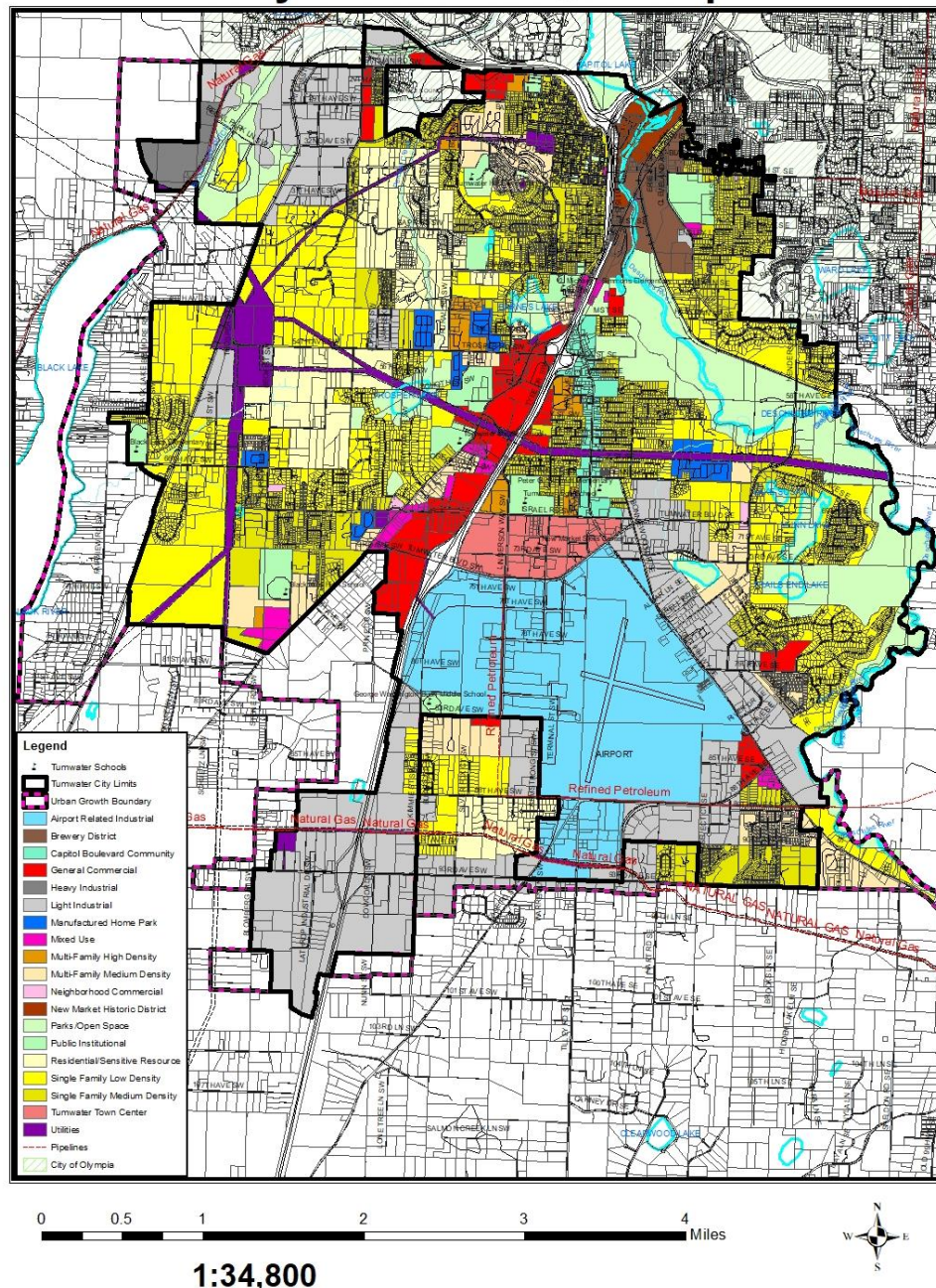
***Wells Littlerock Amendment to the City of Tumwater Comprehensive Plan  
Littlerock Neighborhood Future Land Use Map***

## Littlerock Neighborhood Future Land Use



*Exhibit "A-3"****Wells Littlerock Amendment to the City of Tumwater City-Wide Zoning Map***

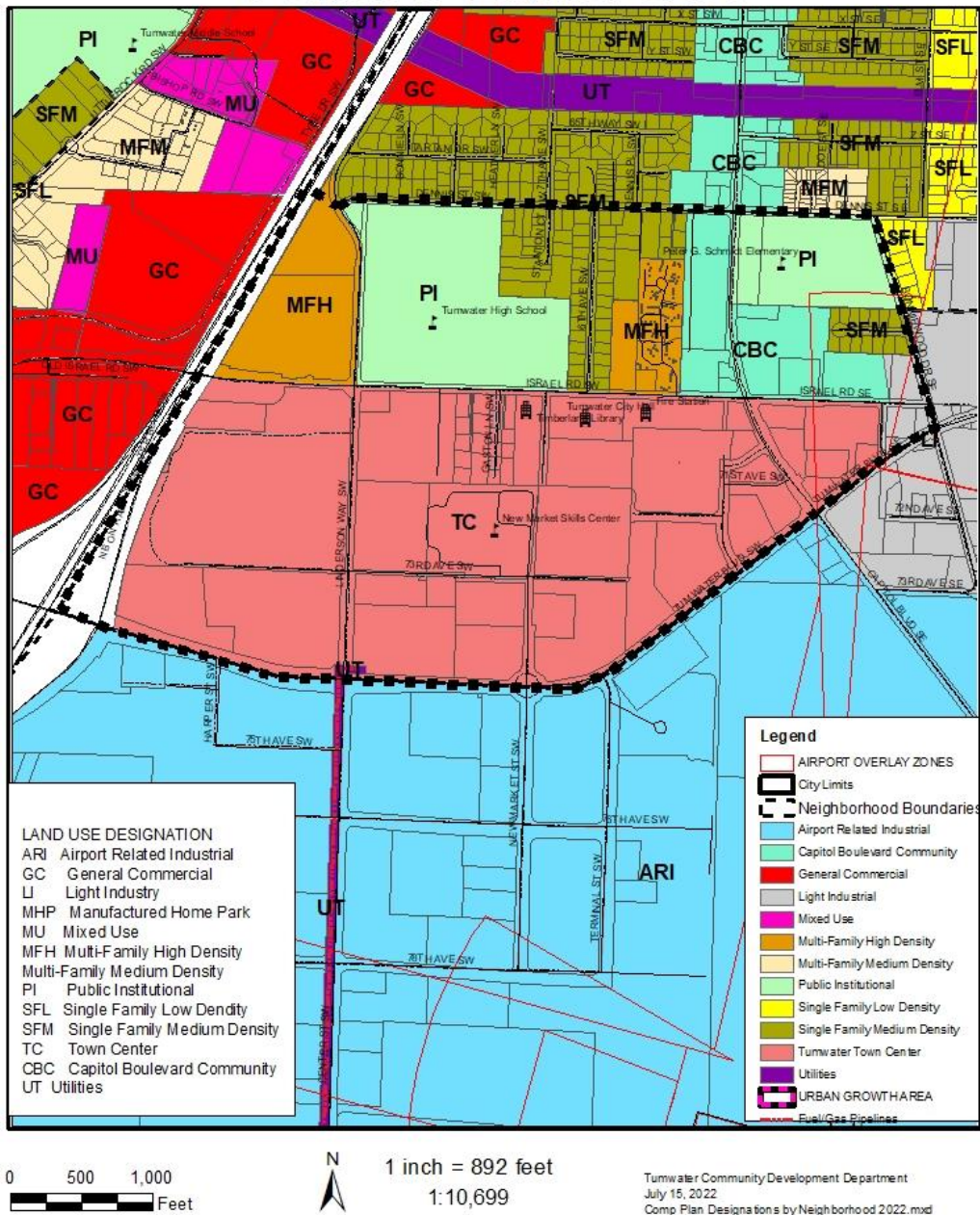


*Exhibit "B-1"****Triangle West of the Dennis Street SW and Linderson Way SW Intersection  
Amendment to the City of Tumwater Comprehensive Plan City-Wide  
Land Use Map*****City of Tumwater  
City-Wide Land Use Map**

*Exhibit "B-2"*

***Triangle West of the Dennis Street SW and Linderson Way SW Intersection  
Amendment to the City of Tumwater Comprehensive Plan New Market  
Neighborhood Future Land Use Map***

## New Market Neighborhood Future Land Use

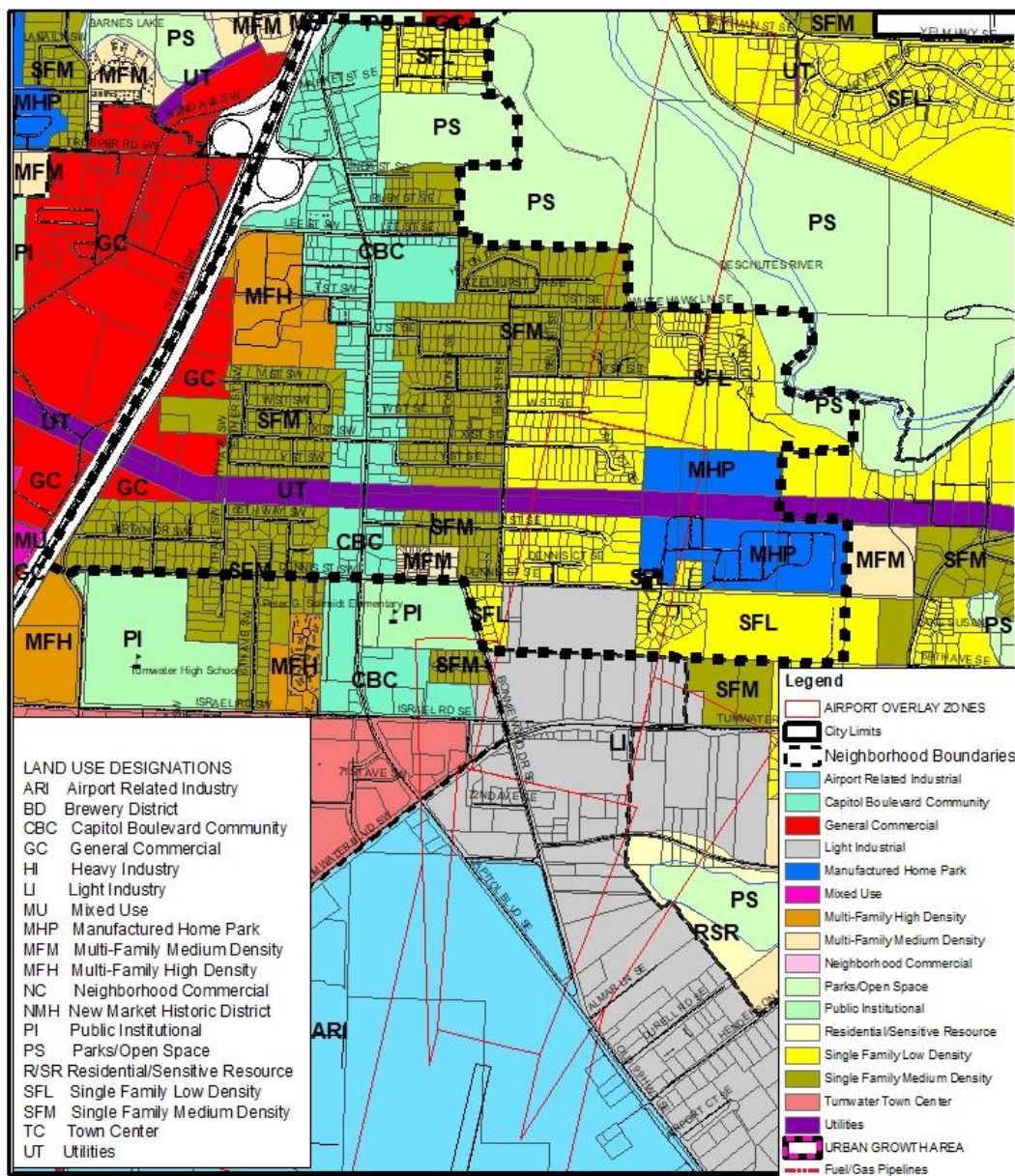




*Exhibit "B-3"*

***Triangle West of the Dennis Street SW and Linderson Way SW Intersection  
Amendment to the City of Tumwater Comprehensive Plan SE Capitol  
Boulevard Neighborhood Future Land Use Map***

## SE Capitol Boulevard Neighborhood Future Land Use



0 500 1,000 2,000  
Feet

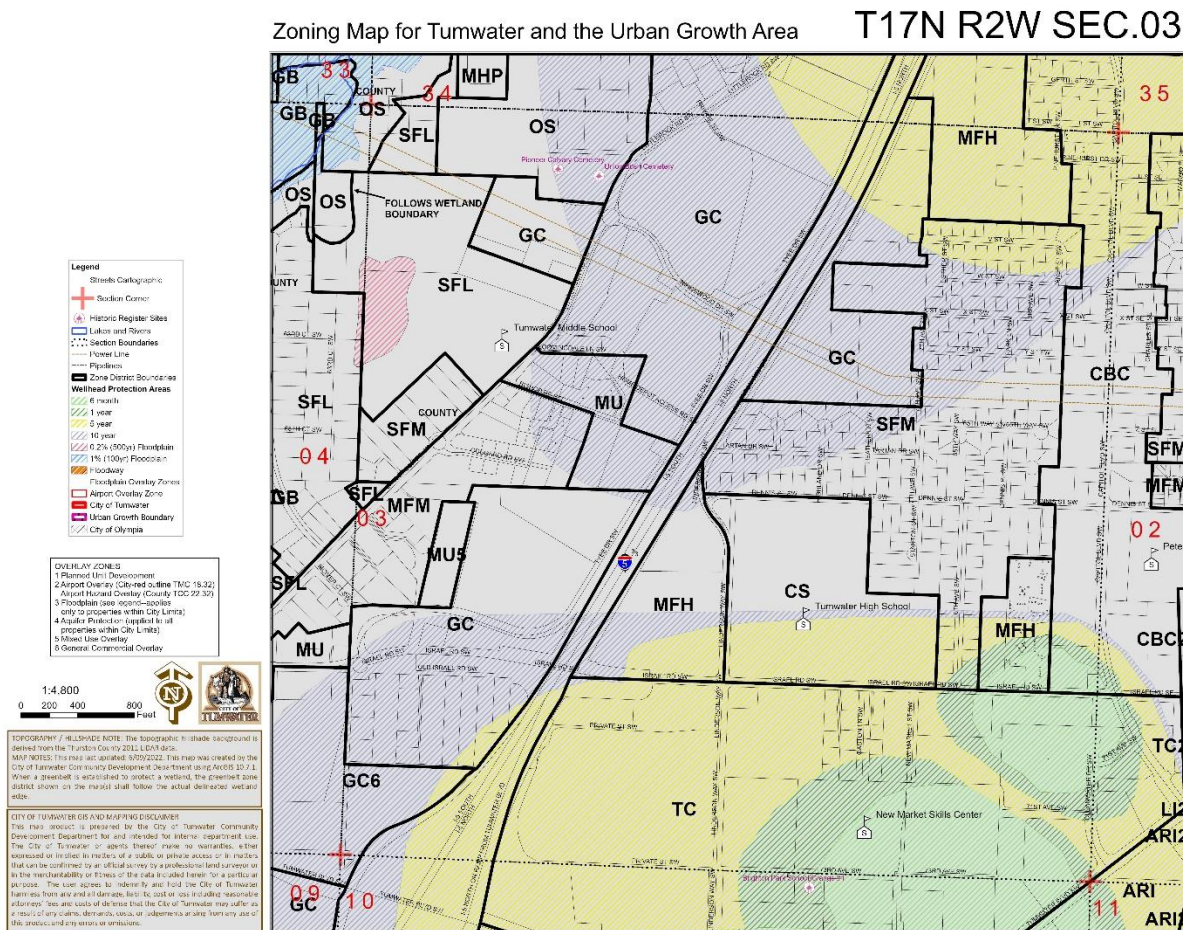


1 inch = 1,250 feet  
1:15,000

Tumwater Community Development Department  
July 19, 2022  
Comp Plan Designations by Neighborhood 2022.mxd

Exhibit "B-4"

***Triangle West of the Dennis Street SW and Linderson Way SW Intersection  
Amendment to the City of Tumwater City-Wide Zoning Map***

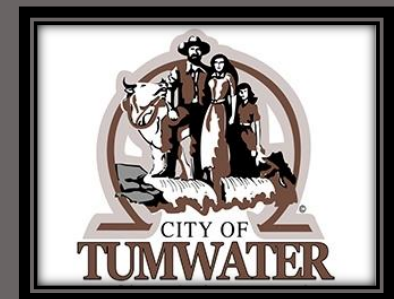




# 2022 Comprehensive Plan Map & Text Amendments and Associated Rezones

## Final Docket

September 27, 2022  
Planning Commission Public Hearing



# 2022 Proposed Amendments

1. One private map amendment and associated rezone
2. Three City sponsored text amendments
3. One City sponsored map amendment and associated rezone

# 2022 Private Amendment

## **Proposed Private Map Amendment and associated rezone:**

1. Wells Littlerock Comprehensive Plan Land Use Map Amendment (TUM-21-1848) and Corresponding Rezone (TUM-21-1804)

# 1. Wells Littlerock

<b>Proponent:</b>	Glenn Wells
<b>Owner:</b>	Marvin L. Beagles
<b>Location:</b>	Three adjacent parcels located to the south of 7223 Littlerock Road SW
<b>Parcel Numbers:</b>	1270-44-30901, 1270-44-30902, and 1270-44-30903
<b>Area Size:</b>	2.76 Acres
<b>Current Use:</b>	Vacant

# 1. Amendment Summary

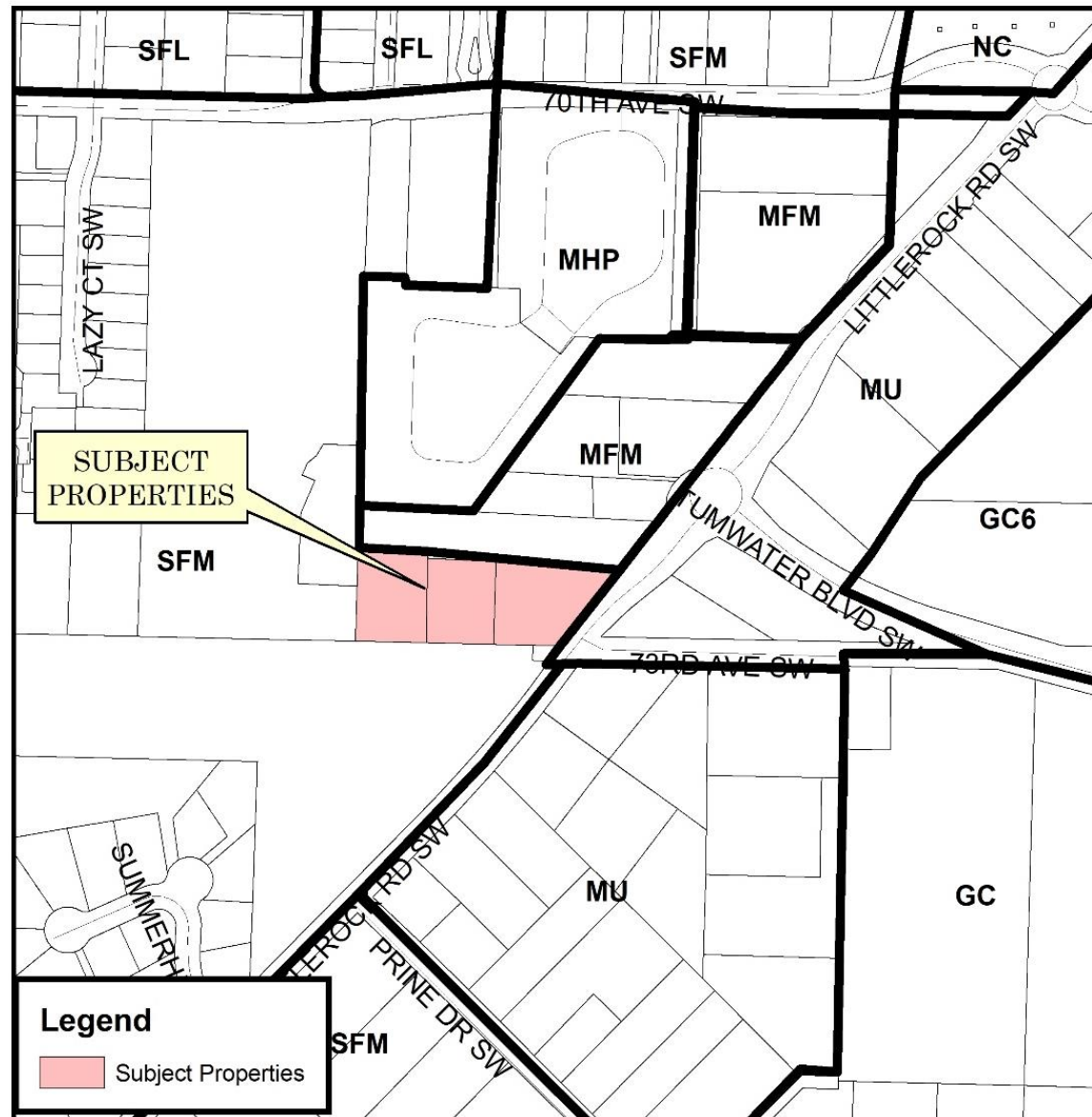
**Current Comprehensive Plan map designation and zone district:**

- Single Family Medium Density Residential (SFM)

**Proposed Comprehensive Plan map designation and zone district:**

- Multi-Family Medium Density Residential (MFM)

# 1. Map of Amendment Area





# 1. Map of Amendment Area



# 2022 Text Amendments

2. Neighborhood Character
3. Thurston Climate Mitigation Plan – Update greenhouse gas emission (GHG) targets in the Conservation Element to address HB 2311
4. Essential Public Facilities Amendments

## 2. Neighborhood Character

Review Comprehensive Plan Housing and Land Use Elements to determine if there are amendments needed to address “neighborhood character”

## 2. Neighborhood Character

- Staff has reviewed and recommends no amendments to address this issue in 2022
- Amendments to address this issue should be included as part of the larger 2022-25 review and update of the Comprehensive Plan

# 3. GHG Targets

Review Comprehensive Plan Conservation and Land Use Elements and determine if there are amendments needed to address HB 2311

### 3. GHG Targets

- Staff has reviewed and recommends no amendments to address the requirements of HB 2311 in 2022
- Amendments to address HB 2311 should be included as part of the larger 2022-25 review and update of the Comprehensive Plan that address climate change



## 4. Essential Public Facilities

Review the Comprehensive Plan Land Use Element and determine if there are amendments needed to address essential public facilities, including but not limited to: intensive inpatient facilities; long-term residential drug treatment facilities; recovery house facilities

## 4. Essential Public Facilities

- Staff has reviewed and recommends no amendments to address essential public facilities in 2022
- Amendments to address essential public facilities should be included as part of the larger 2022-25 review and update of the Comprehensive Plan

# 5. Dennis/Linderson Triangle

<b>Proponent:</b>	City of Tumwater
<b>Location:</b>	6501 Linderson Way SW at the western corners of Linderson Way SW and Dennis Street SW
<b>Parcel Numbers:</b>	Portion of 1270-32-40303
<b>Area Size:</b>	Portion of 5.73 Acres
<b>Current Use:</b>	Vacant

# 5. Amendment Summary

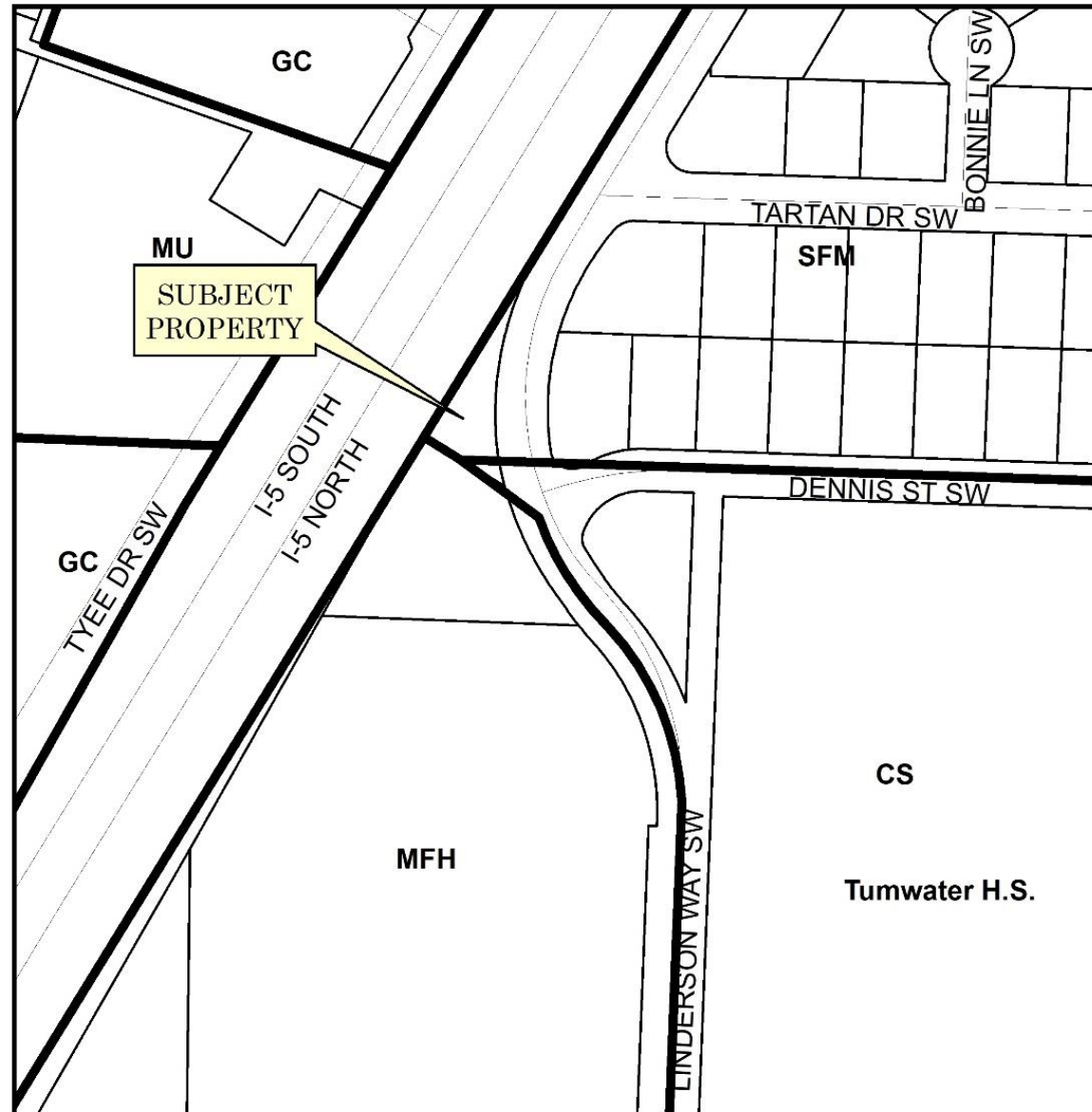
**Current Comprehensive Plan map designation and zone district:**

- Single Family Medium Density Residential (SFM)

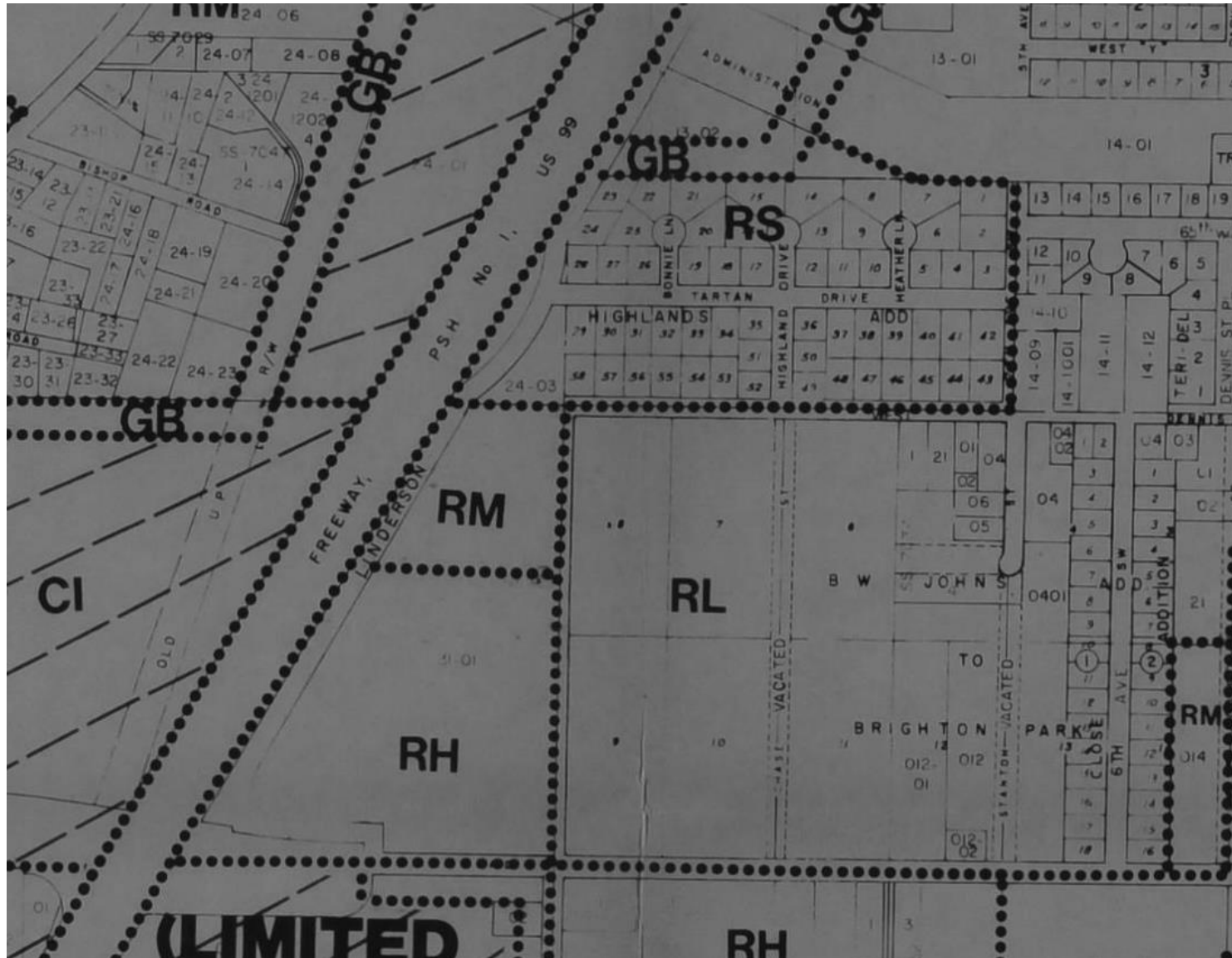
**Proposed Comprehensive Plan map designation and zone district:**

- Multifamily High Density Residential (MFH)

# 5. Map of Amendment Area



# 5. Map of Amendment Area





# 5. Map of Amendment Area



# Staff Recommendation

1. Staff recommends that the Planning Commission forward a recommendation to the City Council the two proposed Comprehensive Plan map amendments and corresponding rezones by Ordinance No. O2022-003 be approved

# Staff Recommendation

2. In addition, staff recommends that the Planning Commission forward a recommendation to the City Council that the three proposed text amendments that were not included in Ordinance No. O2022-003 after Planning Commission discussions, concerning Neighborhood Character, updates related to the Thurston Climate Mitigation Plan, and Essential Public Facilities be incorporated into the 2022-25 ten-year Comprehensive Plan Update

# Next Steps

## **Proposed Final Docket Review and Approval Process:**

- October 12, 2022 – General Government Committee briefing
- October 25, 2022 – City Council worksession
- November 15, 2022 – City Council consideration



City Hall  
555 Israel Road SW  
Tumwater, WA 98501-6515  
Phone: 360-754-5855  
Fax: 360-754-4138

## CITY OF TUMWATER NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the Tumwater Planning Commission will hold a public hearing at or about 7:00 p.m. on Tuesday, September 27, 2022, for the purpose of considering a recommendation that the Tumwater City Council adopt the proposed 2022 Annual Comprehensive Plan Map Amendments and Associated Rezone by Ordinance No. O2022-003. The meeting and public hearing will be conducted in-person and remotely, using a web-based platform. The public will have in-person, telephone, and online access to all meetings.

### Hearing Information

The public are welcome to attend in person, by telephone or online via Zoom.

### ATTEND in Person

Tumwater Fire Department Headquarters, Training Room, 311 Israel Rd SW, Tumwater, WA 98501.

### WATCH Online

Go to <http://www.zoom.us/join>, and enter the Webinar ID 822 4548 8180 and Passcode 417562.

### LISTEN by Telephone

Call (253) 215-8782, listen for the prompts, and enter the Webinar ID 822 4548 8180 and Passcode 417562.

The public is invited to attend the hearing and offer comment. The public may attend in person to provide comment or register in advance for this webinar to provide comment:

[https://us02web.zoom.us/webinar/register/WN\\_bCEoU0V2RBmmL4HXae8gTg](https://us02web.zoom.us/webinar/register/WN_bCEoU0V2RBmmL4HXae8gTg)

After registering, you will receive a confirmation email containing information about joining the webinar.

The public may also submit comments prior to the hearing by sending an email to: [cdd@ci.tumwater.wa.us](mailto:cdd@ci.tumwater.wa.us). Please send the comments by 1:00 p.m. on Tuesday, September 27, 2022. Comments are submitted directly to the Planning Commissioners and will not be read individually into the record of the meeting.

If you have any questions, please contact Planning Manager Brad Medrud at (360) 754-4180 or [bmedrud@ci.tumwater.wa.us](mailto:bmedrud@ci.tumwater.wa.us).

Copies of the draft ordinance (O2022-003) are available for review in the Community Development Department at Tumwater City Hall during regular business hours.

Audio of the meeting will be recorded and later available on demand.

**TUMWATER PLANNING COMMISSION**

A handwritten signature in black ink, appearing to read 'Brad Medrud', is written over a horizontal line.

Brad Medrud, Planning Manager

PUBLISHED: Friday, September 16, 2022  
POSTED: Friday, September 16, 2022



TO: Planning Commission  
 FROM: Brad Medrud, Planning Manager  
 DATE: September 27, 2022  
 SUBJECT: Planning Commission Training Program – Development Review Case Study

---

1) Recommended Action:

None.

---

2) Background:

The Planning Commission discussed the scope of a new board member and continuing education training program for the Commission at their February 8 and 22, 2022 meetings. One continuing education component of the training program focused on the City's development review process. At their July 12, 2022 meeting, the Commission discussed the current structure of the City's development review process.

The next step is connecting the information on the City's development review process to a specific development review project. This will be done through a discussion of the Forest Park Townhomes project.

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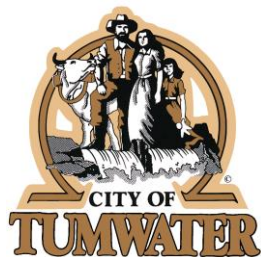
3) Alternatives:

☐ None.

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4) Attachments:

- A. PC Development Review Case Study Memorandum
- A1. Hearing Examiner Decision 10-13-2021
- A2. Final Staff Report 09-15-2021
- A3. Aerial Map 08-23-2021
- A4. Variance Request Letter 07-23-2021
- A5. Preliminary Plat and PUD Map 08-02-2021
- A6. Preliminary Plat PUD and Variance Notice of Application Amended with DNS and Plat Map 08-12-2021
- A7. Formal Site Plan (TUM-15-0298) Original Tree Protection Plan 06-23-2015
- A8. Formal Site Plan Approval (TUM-15-0298) 03-04-2016
- A9. Site Development and Grading Permit (TUM-20-0350) Tree Protection Plan - Peer Review 06-26-2020
- A10. Site Development and Grading Permit (TUM-20-0350) Approved Landscape Plans 03-19-2021



City Hall  
555 Israel Road SW  
Tumwater, WA 98501-6515  
Phone: 360-754-5855  
Fax: 360-754-4138

**CITY OF TUMWATER PLANNING COMMISSION MEETING**  
**DEVELOPMENT REVIEW CASE STUDY MEMORANDUM**  
**September 27, 2022**

### **Background**

The Planning Commission discussed the scope of a new board member and continuing education training program for the Commission at their February 8 and 22, 2022 meetings. One continuing education component of the training program focused on the City's development review process. At their July 12, 2022 meeting, the Commission discussed the current structure of the City's development review process.

The next step is connecting the information on the City's development review process to a specific development review project. This will be done through a discussion of the Forest Park Townhomes project.

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III. Development Review .....	7
IV. Public Input .....	8
V. City Development Review Information and Contacts .....	9
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Appendix 2 – Review Processes for Specific Permits or Approvals .....	18
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## Training – Development Review Case Study Memorandum

September 27, 2022

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**Attachments**

- A1. Hearing Examiner Decision 10-13-2021
- A2. Final Staff Report 09-15-2021
- A3. Aerial Map 08-23-2021
- A4. Variance Request Letter 07-23-2021
- A5. Preliminary Plat and PUD Map 08-02-2021
- A6. Preliminary Plat PUD and Variance Notice of Application Amended with DNS and Plat Map 08-12-2021
- A7. Formal Site Plan (TUM-15-0298) Original Tree Protection Plan 06-23-2015
- A8. Formal Site Plan Approval (TUM-15-0298) 03-04-2016
- A9. Site Development and Grading Permit (TUM-20-0350) Tree Protection Plan - Peer Review 06-26-2020
- A10. Site Development and Grading Permit (TUM-20-0350) Approved Landscape Plans 03-19-2021

**I. Project Reviewed**

A summary of the project is found below.

**1. Forest Park Townhomes – Starlight Lane SW***Preliminary Plat, Planned Unit Development, and Variance*

The Tumwater hearing examiner approved the Preliminary Plat, Planned Unit Development, and Variance applications for Forest Park Townhomes after an open record public hearing on June 24, 2021. There were no appeals of the hearing examiner decision. See the hearing examiner decision (Attachment A1) and the staff report (Attachment A2) for more detail.

The applicant requested approvals of a Preliminary Plat (TUM-21-0046), a Preliminary Planned Unit Development (TUM-21-0117) for private internal roads, and a Variance (TUM-21-1231) from required zoning setbacks and required open space area requirements. See the Variance request letter (Attachment A4) for more detail. The applications resulted in an approval that subdivided

## Training – Development Review Case Study Memorandum

September 27, 2022

Page 3

a 7.73-acre parcel into 22 multifamily family lots totaling 67 dwelling units, with four open space tracts (Tracts A – D) and one private roadway tract (Tract E). See the Preliminary Plat and PUD map (Attachment A5).

The City approved the original development application for the site under Site Plan Review (TUM-15-0298) on March 4, 2016. See the Formal Site Plan Approval letter (Attachment A8) for more detail. The City approved a Site Development and Grading Permit (TUM-20-0350) on March 30, 2021 and site construction started in the spring of 2021.

Improvements started under Site Development and Grading Permit (TUM-20-0350) include mass grading for private roads and lot pads, construction of frontage improvements on Ridgeview Loop SW abutting the east side of the project site, extension of City water and sewer utilities to serve the project, stormwater systems to treat and detain/retain stormwater generated from new pollution generating impervious surfaces, street lighting, and extension of private utilities (i.e. power, gas, cable and telephone). See the approved landscape plans for the Site Development and Grading Permit (Attachment A10) for more detail.

Subsequently, the applicant decided to subdivide the original 7.73-acre parcel (Thurston County Tax Parcel No. 5520-12-00000) that contained the approved project into 22 multifamily family lots totaling 67 dwelling units, four open space tracts (Tracts A – D), one private roadway tract (Tract E), and utility easements as part of the Preliminary Plat (TUM-21-0046). Findings and approvals issued for the original development were incorporated into the Preliminary Plat, Planned Unit Development, and Variance.

The Preliminary Plat (TUM-21-0046) application was submitted on December 31, 2020, the Preliminary Planned Unit Development (TUM-21-0117) application was submitted on January 14, 2021, and the Variance (TUM-21-1231) application was submitted on July 29, 2021.

The Preliminary Plat and Preliminary Planned Unit Development applications were deemed complete on May 13, 2021. The Variance (TUM-21-1231) application was deemed complete on July 30, 2021.

Under TMC 2.58.090, review authority for the Preliminary Plat, the Preliminary Planned Unit Development, and the Variance applications fall under the purview of the Hearing Examiner.

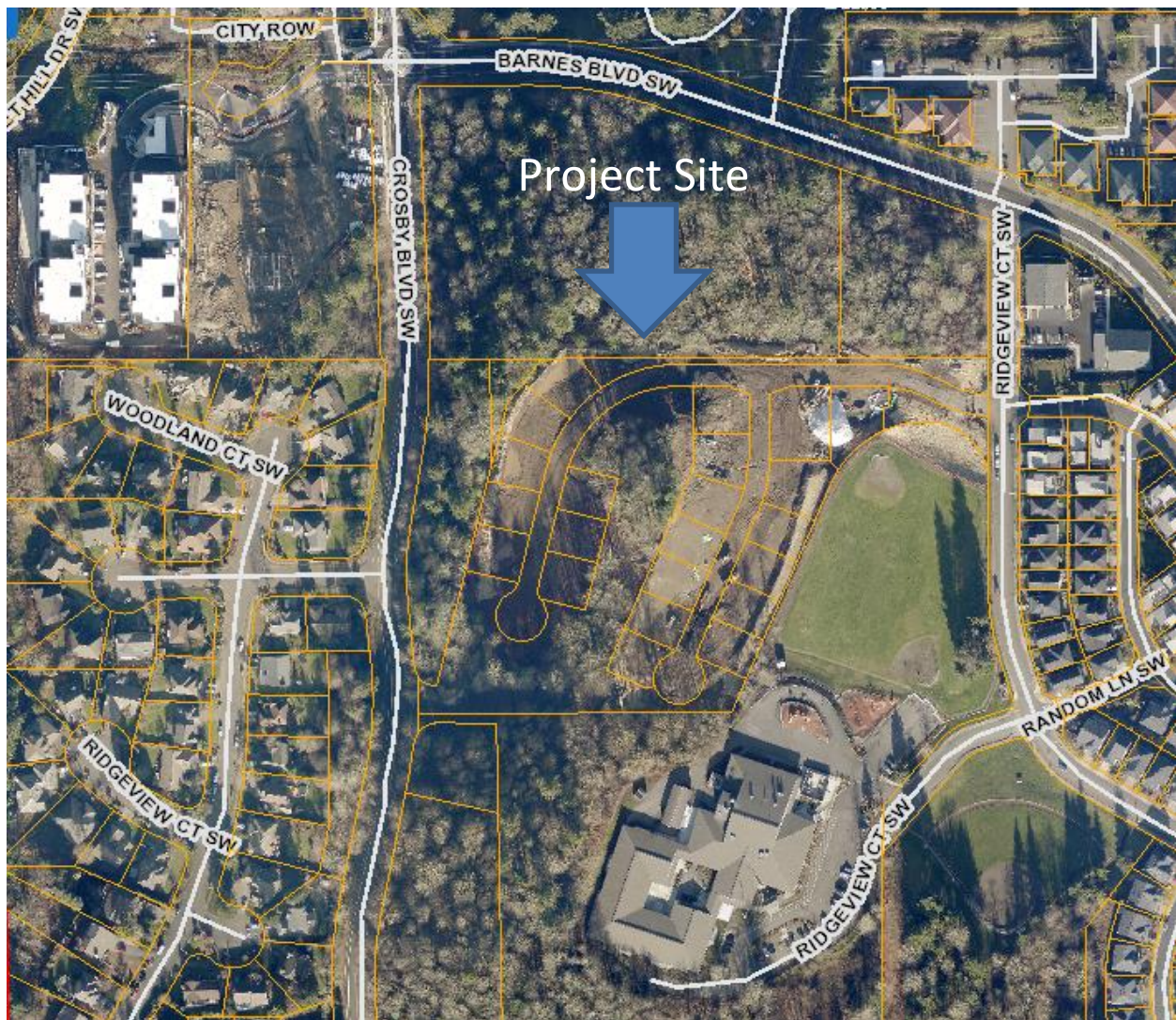


Figure 1. Forest Park Townhomes (2022)

a. Project Location

The property was located at 1653 Starlight Lane SW, Tumwater, WA 98512 off Ridgeview Loop SW. The site was on Thurston County Tax Parcel No. 5520-12-00000.

b. Existing Conditions

The property was vacant.

The topography of the property was hilly with steep slopes. The site was mostly forested before site construction started in the spring of 2021.

## Training – Development Review Case Study Memorandum

September 27, 2022

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c. Project Permit/Approvals Issued

The following permits and approvals had been issued for the project prior to the submittal of the Preliminary Plat, the Preliminary Planned Unit Development, and the Variance applications:

1. State Environmental Policy Act (SEPA) threshold determination (TUM-15-0726) on January 7, 2016
2. Site Plan Approval (TUM-15-0298) on March 4, 2016
3. Landscape Plan Approval as part of the Site Development/Grading Permit (TUM-20-0350) on March 19, 2021
4. Site Development/Grading Permit (TUM-20-0350) on March 30, 2021
5. Sign Permit (TUM-21-0592) on April 20, 2021
6. Blasting Permit (TUM-20-1394) on November 24, 2020
7. Retaining Wall and Rockery Wall Permits (TUM-20-0905 on September 15, 2020 and TUM-21-0598 on April 22, 2021)
8. National Pollutant Discharge Elimination System (NPDES) Construction Stormwater General Permit

d. SEPA Determination

As provided by RCW 43.21C.240 and WAC 197-11-158, the City as lead agency determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the applicable development regulations and comprehensive plan adopted under RCW 36.70A and in other local, state, or federal laws or rules. Therefore, the proposal was not likely to have a probable significant adverse impact on the environment. An Environmental Impact Statement was not required under RCW 43.21C.030(2)(c), and the lead agency did not require additional mitigation measures under SEPA.

The decision was made after review of a completed environmental checklist and other information on file with the lead agency as part of the State Environmental Policy Act (SEPA) threshold determination (TUM-15-0726) issued January 7, 2016.

The scope and impacts of the proposed Preliminary Plat (TUM-21-0046), Preliminary Planned Unit Development (TUM-21-0117), and Variance (TUM-21-1231) approvals are addressed by the State Environmental Policy Act (SEPA) threshold determination (TUM-15-0726) issued January 7, 2016.

e. Regulatory Framework

See the staff report (Attachment A2) for an evaluation of the regulatory framework for the project.



Training – Development Review Case Study Memorandum

September 27, 2022

Page 6

f. Public Notification

Public notification for the September 29, 2021 public hearing was mailed to property owners within 300 feet of the subject property and various agencies, posted on-site, and published in *The Olympian* on September 17, 2021, in conformance with Tumwater Municipal Code (TMC) 14.06.

g. Staff Recommendation

Pursuant to TMC 2.58.110, staff recommended approval of the Preliminary Plat, Preliminary Planned Unit Development, and Variance application with 73 conditions addressing stormwater, construction, water and sewer service, and other items. See the staff report (Attachment A2) for more detail.

h. Hearing Examiner Decision

See the hearing examiner decision (Attachment A1) for the hearing examiner's evaluation of the application and decision.

## II. Basis for Development Review



Figure 2. Foundation for Development Review

## III. Development Review

State laws, City plans, policies, codes, and regulations have been enacted that establish the following:

- Deciding how and where we will grow
  - Providing areas for new housing and jobs
- Separating incompatible land uses
- Providing for essential public facilities
- Supporting affordable housing and other City goals
- Establishing timelines for review and vesting requirements

## Training – Development Review Case Study Memorandum

September 27, 2022

Page 8

- Protecting the environment
  - Streams and wetlands
  - Wildlife
  - Trees and open space
  - Climate Change
- Moving people and goods efficiently with multiple modes of travel

The next step is the application of plans, policies, codes, and regulations in Figure 1 to a specific project proposal.

#### IV. Public Input

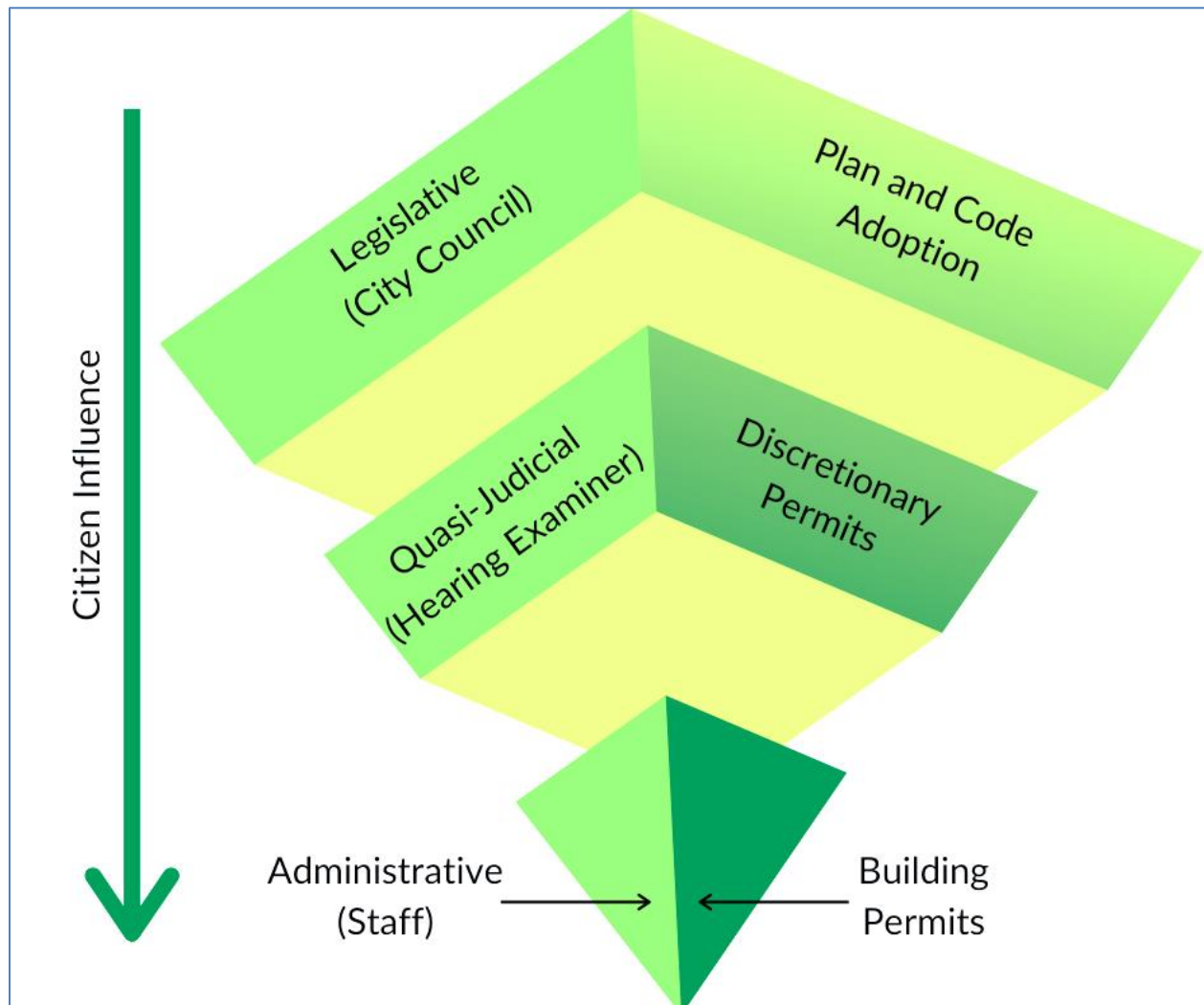


Figure 3. Citizen Input Diagram

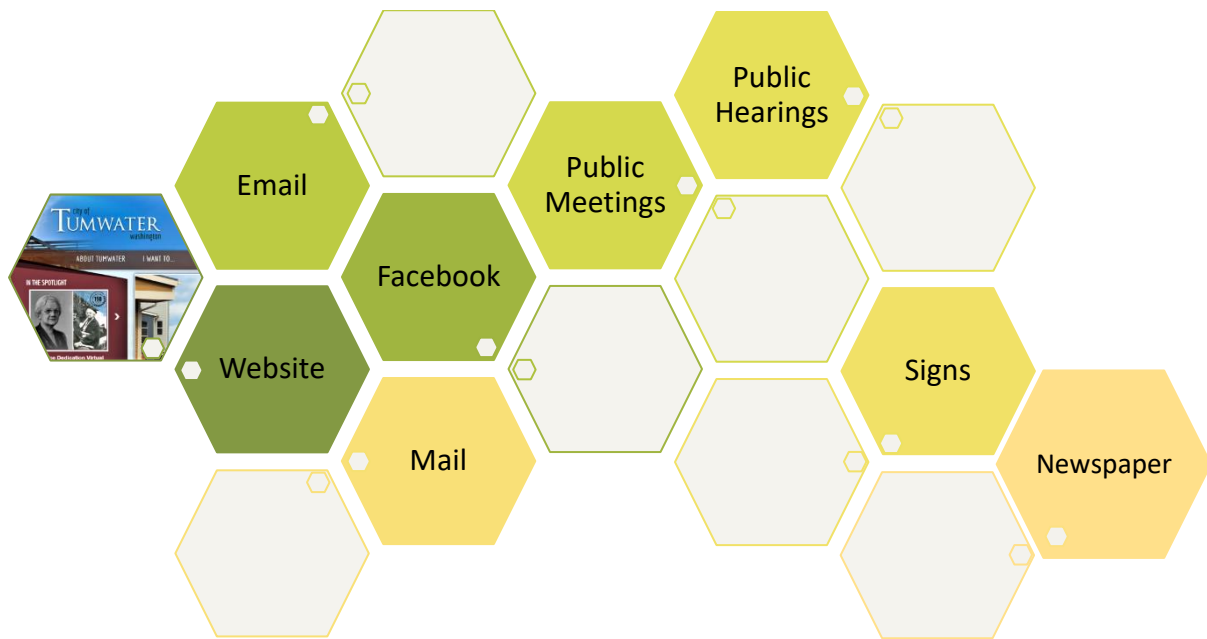


Figure 4. Opportunities for Public Engagement

## V. City Development Review Information and Contacts

### Permitting and Building Division Website

<https://www.ci.tumwater.wa.us/departments/community-development/permitting-building>

### Notice of Applications and SEPA Determinations

<https://www.ci.tumwater.wa.us/departments/community-development/permitting-building/notice-of-applications-sepa-determinations>

### Development Review Committee (DRC) Meetings and Agendas

<https://www.ci.tumwater.wa.us/departments/community-development/permitting-building/development-review>

### Zoning Maps

<https://www.ci.tumwater.wa.us/departments/community-development/zoning>

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Municipal Code

<https://www.codepublishing.com/WA/Tumwater/>

Community Development Department Contacts

- Community Development Department (360) 754-4180
- Tami Merriman, Permit Manager, tmerriman@ci.Tumwater.wa.us
- Alex Baruch, Associate Permit Planner, ABaruch@ci.tumwater.wa.us
- Al Christensen, Building and Fire Safety Official, achristensen@ci.Tumwater.wa.us
- Michael Matlock, Community Development Director, mmatlock@ci.Tumwater.wa.us
- Brad Medrud, Planning Manager, bmedrud@ci.Tumwater.wa.us

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**Appendix 1 – City Application, Review, and Approval Process****Development Review Committee**

The City's Development Review Committee is composed of members of the Permit Division, Building Division, Development Engineering, and the Director of Community Development Department. The primary purpose of the DRC is to conduct preapplication conferences, make determinations on issuance of project permits, and Community Development Department staff recommendations where the hearing examiner is charged with approval authority.

**Consolidated Development Application and Review**

The City has a consolidated development application and review process, which integrates development permit and environmental review processes to avoid the duplication of the review processes.

**Exempt Actions**

The following actions are exempt from the project permit application process:

- Zoning code text amendments
- Adoption of development regulations and amendments
- Area-wide rezones to implement new City policies
- Adoption of the comprehensive plan and any plan amendments
- Annexations
- Certificates of appropriateness
- Landmark designations
- Street vacations
- Street use permits

Under state law building permits, boundary line adjustments, and other construction permits, or similar administrative approvals which are categorically exempt from environmental review under SEPA (Chapter 43.21C RCW), or permits and approvals for which environmental review has been completed in connection with other project permits are exempt from the following procedures:

- Determination of completeness
- Notice of application, except as provided in TMC 14.06.010(B)
- Except as provided in RCW 36.70B.140, optional consolidated project permit review processing



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- Joint public hearings
- Single report stating all the decisions and recommendations made as of the date of the report that do not require an open record hearing
- Notice of decision
- Completion of project review within any applicable periods including the 120-day permit processing time

Project Permit Application

Applications for project permits are submitted upon forms provided by the City. An application need to consist of all materials required by the City's development guide and other applicable development regulations, and include the following general information:

- A completed project permit application form and site plan checklist
- A verified statement by the applicant that the property affected by the application is in the exclusive ownership of the applicant, or that the applicant submitted the application with the consent of all the owners of the affected property
- A property and/or legal description of the site for all applications, as required by the applicable development regulations
- The applicable fee
- Evidence of adequate water supply
- Evidence of sewer availability, or approval and authorization to construct a community or individual sewer or septic system

Additional information may be required depending on the type of project permit.

Table 1. Project Review Processes

General Project Step	Specific Action	General Time	Public Notice	Notes
1. <i>Pre-Application Review</i>	a. <i>Feasibility Review</i>	First step in pre-application review process	Application may be submitted at any time and are scheduled for consideration at the next available meeting.  The Development Review Committee typically meets weekly on Thursdays for pre-application reviews. Meetings are open to the public, but public comment is not taken. Agendas can be found here: <a href="https://www.ci.tumwater.wa.us/departments/community-development/permitting-building/development-review">https://www.ci.tumwater.wa.us/departments/community-development/permitting-building/development-review</a>	Optional preapplication meeting between applicant and Development Review Committee (DRC)  Community Development Department staff review limited to verbal, nonbinding comments.
	b. <i>Preliminary Review</i>	Typically occur after a feasibility review	Application may be submitted at any time and are scheduled for consideration at the next available meeting.  The Development Review Committee typically meets weekly on Thursdays for pre-application reviews. Meetings are open to the public, but public comment is not taken. Agendas can be found here: <a href="https://www.ci.tumwater.wa.us/departments/community-development/permitting-building/development-review">https://www.ci.tumwater.wa.us/departments/community-development/permitting-building/development-review</a>	Required for most permits, this is the first stage of a preapplication meeting between applicant and Development Review Committee (DRC)  Intended to analyze an applicant’s initial development proposal, usually based on information received from a feasibility review.  The preliminary review is the initial review of development proposal documents to identify potential problems and develop the preliminary proposal toward submittal of the project permit application.
	c. <i>Formal Review</i>	Typically occur after a preliminary review	Application may be submitted at any time and are scheduled for consideration at the next available meeting.  The Development Review Committee typically meets weekly on Thursdays for pre-application reviews.	Required for most permits, this is the second and final preapplication meeting between applicant and Development Review Committee (DRC).

			Meetings are open to the public, but public comment is not taken. Agendas can be found here: <a href="https://www.ci.tumwater.wa.us/departments/community-development/permitting-building/development-review">https://www.ci.tumwater.wa.us/departments/community-development/permitting-building/development-review</a>	Intended to provide feedback and additional guidance to applicants on how effectively they have incorporated information received during the preliminary review into their development proposal.  The formal review is an evaluation of a development proposal to determine suitability for submittal of the project permit application.
<b>2. Project Review</b>	<i>a. Application Submittal</i>	After required preapplication meetings are complete		
	<i>b. Determination of Completeness</i>	Process complete 28 days or sooner after formal application submittal	City issues a written determination that an application is complete or not complete to the application. If the application is not complete, the applicant has 90-days to submit the required information and the City has a further 14-day period to review for completeness.  If an application is complete, the City issues the public Notice of Application in the next step.	The City is required by state law to review application submittals within 28-days of submittal to determine if the application submittal is ready for review.  If an application is determined to be complete, it triggers vesting.  The determination of completeness may made when the application is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently.  The determination of completeness does not preclude the City from requesting additional information or studies at the time of the notice of completeness or at some later time, if new

				information is required or where there are substantial changes in the proposed action.
	c. <i>Notice of Application</i>	Notice must be issued within 14 days of the Determination of Completeness being made  Notices of application have to be issued at least 15 days prior to an open public hearing.	A Notice of Application is issued for all project permit applications for which the Tumwater Hearing Examiner has decision making authority or SEPA review is required  Notices can be found here: <a href="https://www.ci.tumwater.wa.us/departments/community-development/permitting-building/notice-of-applications-sepa-determinations">https://www.ci.tumwater.wa.us/departments/community-development/permitting-building/notice-of-applications-sepa-determinations</a>  Notices are required to be published, posted, and mailed to all property owners within 300 feet of the project agencies with jurisdiction, and parties of record.	The City is required by state law to complete its review of the project applications 120-days after the date of the determination of completeness, unless the “clock is stopped” to request more information from the applicant.
	d. <i>Project Review</i>	120 days or sooner after the Determination of Completeness is made	Projects subject to hearing go to the next step.  For projects that do not require a hearing, written notice of final decisions are required to be sent to the applicant and parties of record within 120 days of the date of the complete application.	The City is required by state law to complete its review of the project applications 120-days after the date of the determination of completeness, unless the “clock is stopped” to request more information from the applicant.  The Development Review Committee reviews the application materials for consistency with applicable regulations and the Comprehensive Plan.  The City also completes an initial SEPA review for applications that are not categorical exempt.

				See the Specific Municipal Code Requirements – Development Review section below for more details on potentially applicable regulations.
	<i>e. Open Record Hearing</i>		Public notice of the open record hearing are required to be published, posted, and mailed to all property owners within 300 feet of the project, agencies with jurisdiction, and parties of record at least ten days prior to the hearing.  Written notice of final decisions are required to be sent to the applicant and parties of record within 120 days of the date of the complete application.	A hearing conducted by primarily by the hearing examiner, which creates the record through testimony and submission of evidence and information.  An open record hearing may be held prior to a decision on a project permit to be known as an “open record predecision hearing.”  An open record hearing may be held on an appeal, to be known as an “open record appeal hearing,” if no open record predecision hearing was held on the project permit.
	<i>f. Closed Record Hearing</i>		Public notice of the closed record hearing are required to be published, posted, and mailed to all property owners within 300 feet of the project, agencies with jurisdiction, and parties of record at least ten days prior to the hearing.  Written notice of final decisions are required to be sent to the applicant and parties of record within 120 days of the date of the complete application.	An administrative appeal on the record following an open record hearing on a project permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appeal argument allowed.

Notes:

1. These provisions apply to all land use permits under TMC Titles 15, 16, 17 and 18 and to the related regulation implementing these provisions or any other ordinance or law. (TMC 14.02.010)
2. See Table 2 – Table 14.08.030 – Development Review Processes below for information on which body issues recommendations, makes the final decisions, or handles appeals of permits and decisions.

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3. See Definitions section below for more detail on terms used.



## **Appendix 2 – Review Processes for Specific Permits or Approvals**

Table 2 below contains information on who makes recommendations, final decisions, and hears appeals for all decisions and permits.

### **Administrative Versus Hearing Examiner Decisions:**

- Administrative decisions and permits issued by Community Development Department staff or the Development Review Committee:
  - Examples include: building permits, site plan approvals, boundary line adjustments, land clearing permits, grading permits, critical areas approvals
  - Community Development Department staff or the Development Review Committee takes public comments and concerns, but can only respond within adopted regulations
  - All comments are considered by Community Development Department staff or the Development Review Committee
  - Community Development Department staff or the Development Review Committee considers the entire record and issues a decision
  - Community Development Department staff and the Development Review Committee decisions are final unless appealed to the Hearing Examiner
- Hearing Examiner decisions:
  - Examples include: subdivisions, conditional use permits, variances, appeals of Community Development Department staff decisions
  - Quasi-Judicial Decisions
  - Public Hearing
  - Written comments submitted to Community Development Department staff for inclusion in the record
  - All comments are considered by the Hearing Examiner
  - Hearing Examiner considers the entire record and issues a decision
  - Hearing Examiner decisions are final unless appealed to Superior Court

### **Table 14.08.030 Key:**

- R – Recommendation to Higher Review Authority
- D – Decision
- A – Appeal Decision
- C – Closed Record Appeal Hearing

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OP – Open Record Predetermination Hearing

Table 2. Table 14.08.030 – Development Review Processes

	HISTORIC COMMISSION	COMMUNITY DEVELOPMENT DEPARTMENT STAFF	DEVELOPMENT REVIEW COMMITTEE	HEARING EXAMINER	PLANNING COMMISSION	CITY COUNCIL
<b>ZONING</b>						
Conditional Use Permits			R	D(OP)		
Variance			R	D(OP)		
Site-Specific Rezones Required as a Result of a Comprehensive Plan Change					R(OP)	D(OP)
Site-Specific Rezones not Requiring a Comprehensive Plan Amendment		R		D(OP)		
Zoning Text Amendment (Development Regulation Changes)					R(OP)	D(OP)
Area Wide Map Amendment					R(OP)	D(OP)
Home Occupation		D		A(OP)		
Certificate Of Appropriateness	D	R		A(C)		
<b>COMPREHENSIVE PLAN</b>						
Comprehensive Plan Text Amendment					R(OP)	D(OP)
Comprehensive Plan Map Amendment					R(OP)	D(OP)

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	HISTORIC COMMISSION	COMMUNITY DEVELOPMENT DEPARTMENT STAFF	DEVELOPMENT REVIEW COMMITTEE	HEARING EXAMINER	PLANNING COMMISSION	CITY COUNCIL
<b>LAND DIVISION</b>						
Replat			R	D(OP)		
Plat Vacation			R	D(OP)		
Boundary Line Adjustment		D		A(OP)		
Lot Consolidation		D		A(OP)		
Preliminary Plat			R	D(OP)		
Short Plat		D		A(OP)		
Final Plat		D		A(OP)		
Planned Unit Development			R	D(OP)		
Binding Site Plan			D	A(OP)		
Plat Time Extension		D		A(OP)		
Plat Alteration with Hearing		R		D(OP)		
Plat Alteration without Hearing		D		A(OP)		
<b>ENVIRONMENTAL</b>						
Wetland Permit		D		A(OP)		
Tree Plans		D		A(OP)		
SEPA Determination		D		A(OP)		
<b>SHORELINES</b>						
Substantial Development Permit			R	D(OP)		
Conditional Use Permit			R	D(OP) (1)		
Variance			R	D(OP) (1)		
Exempt		D		A(OP)		
<b>OTHER</b>						

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	HISTORIC COMMISSION	COMMUNITY DEVELOPMENT DEPARTMENT STAFF	DEVELOPMENT REVIEW COMMITTEE	HEARING EXAMINER	PLANNING COMMISSION	CITY COUNCIL
Development Code Interpretations		D		A(OP)		
Building Permit Per International Building Code		D		A(OP)		
Administrative Orders		D		A(OP)		
Civil Penalties		D		A(OP)		
Reasonable Use Exceptions		R		D(OP)		
Building Moving Permit		D		A(OP)		
Grading Permit Per International Building Code		D		A(OP)		
Impact Fee Determinations		D		A(OP)		
Concurrency Determinations		D		A(OP)		

**Note**

1. Decisions on shoreline conditional use permits are issued by the City and the local decision can be appealed. The City's decision is sent to the Washington State Department of Ecology for further review and approval or disapproval. After the City appeal process and Ecology's review processes are complete, appeals may be made to the Shorelines Hearings Board within twenty-one days of the "date of filing" as defined in RCW 90.58.140(6).

**Appendix 3 – Definitions from TMC 14.02.020**

“Closed record appeal” means an administrative appeal on the record following an open record hearing on a project permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appeal argument allowed.

“Days” means calendar days, including weekends and holidays.

“Determination of completeness” means a written determination by the director or his/her designee that all required elements of an application have been received by the City. This determination initiates the statutory review period for the application, if any, and subject to certain exceptions, entitles the applicant to have the application considered and reviewed pursuant to the laws, regulations, and standards in effect on the date the application was complete.

“Development review committee (DRC)” means a group of staff members of the community development department (usually three) assigned by the director to conduct preapplication conferences and review and/or approve development permit applications.

“Director” means the director of the department of community development of the City of Tumwater unless another department or agency is in charge of the project in which case it refers to the chief administrative officer of that department or agency.

“Feasibility review” means an optional preapplication meeting between a prospective applicant or development proponent and the DRC to provide limited information on applicable development and site requirements as a precursor to a “preapplication conference.”

“Formal review” means the second and final stage of preapplication conference to provide feedback and additional guidance to applicants on how effectively they have incorporated information received during the preliminary review into their development proposal. The formal review is an evaluation of a development proposal to determine suitability for submittal of the project permit application.

“Open record hearing” means a hearing, conducted by a single hearing body or officer, that creates the record through testimony and submission of evidence and information. An open record hearing may be held prior to a decision on a project permit to be known as an “open record predecision hearing.” An open record hearing may be held on an appeal, to be known as an “open record appeal hearing,” if no open record predecision hearing was held on the project permit.

“Planned action” means one or more types of project actions that are designated planned actions by City ordinance or resolution as more particularly outlined in TMC 14.04.030(B)(2).

“Preapplication conference” means one or more of the two stages of meetings between an applicant and DRC usually held after a “feasibility review,” but prior to submission of a project permit application. The two stages, “preliminary review” and “formal review,” are progressions toward development of the project permit application designated to evaluate developing application submittal documents, to answer questions and provide procedural information to prospective applicants, and to guide applicants with preparation of a permit application submittal.

“Preliminary review” means the first stage of a preapplication conference to analyze an applicant’s initial development proposal, usually based on information received from a feasibility review. The preliminary review is the initial review of development proposal documents to identify potential problems and develop the preliminary proposal toward submittal of the project permit application.

“Project permit” means any land use or environmental permit or license required from the City for a project action, including but not limited to subdivisions, planned unit developments, conditional uses, shoreline substantial development permits, permits or approvals required by critical area ordinances, site-specific rezones authorized by a comprehensive plan or subarea plan, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations except as otherwise specifically included in this subsection. Project action also includes any proposal for development of any new commercial/industrial or multifamily (three units or more) structure or addition or modification to a commercial/industrial or multifamily structure or change in occupancy of such an existing structure that changes utility requirements, parking requirements or necessitates additional site improvements.



## **Appendix 4 – Specific Municipal Code Requirements – Development Review**

### **Title 14 – *Development Code Administration***

TMC 14.02 *Project Permit Processing/Applications*

TMC 14.04 *Project Consistency/Time Limits*

TMC 14.06 *Public Notice Requirements*

TMC 14.08 *Approval, Review And Appeal Authority*

### **Title 15 – *Buildings and Construction***

#### **General Regulations**

TMC 15.01 *General Provisions*

TMC 15.44 *Vesting of Development Rights*

TMC 15.48 *Transportation Concurrency Requirements*

#### **Tumwater Development Guide**

TMC 15.02 *Public Works Construction Standards*

#### **Building Code Related Regulations**

TMC 15.04 *International Building Code*

TMC 15.06 *International Residential Code*

TMC 15.08 *International Mechanical Code*

TMC 15.12 *Uniform Plumbing Code*

TMC 15.16 *International Fire Code*

TMC 15.18 *International Property Maintenance Code*

[Code Enforcement]

TMC 15.20 *International Energy Conservation Code*

TMC 15.32 *Building Moving*

TMC 15.40 *Unsafe and Unfit Buildings, Structures and Premises*

[Code Enforcement]

TMC 15.50 *Building Demolition*

### ***Development Code***

### **Title 16 – *Environment***

State Environmental Policy Act (SEPA)

TMC 16.04 *Environmental Policy*

[SEPA thresholds, process, and notifications]

Critical Areas Regulations

TMC 16.20 *Geologically Hazardous Areas*

[Steep slopes, landslide hazards, liquefaction]

TMC 16.24 *Aquifer Protection Standards*

TMC 16.26 *Wellhead Protection*

TMC 16.28 *Wetland Protection Standards*

[Wetlands and buffers]

TMC 16.32 *Fish and Wildlife Habitat Protection*

[Streams and habitat lands]

Other Environment Regulations

TMC 16.08 *Protection of Trees and Vegetation*

TMC 16.12 *Right-To-Farm*

**Title 17 – Land Division**

General Regulations

TMC 17.02 *General Provisions*

TMC 17.04 *Definitions*

TMC 17.28 *Deviation from Requirements*

Minor Land Division Actions

TMC 17.06 *Lot Consolidations*

TMC 17.10 *Boundary/Lot Line Adjustments*

Major Land Division Actions

TMC 17.08 *Binding Site Plans*

TMC 17.14 *Preliminary Land Divisions*

TMC 17.24 *Final Land Divisions*

*TMC 17.26 Replats/Vacations/Alterations*

Development Requirements

*TMC 17.12 General Design Standards*

*TMC 17.16 Specific Design Standards*

*TMC 17.18 Public Improvements*

*TMC 17.20 Dedications and Contributions*

**Title 18 – Zoning**

General Zoning Regulations

*TMC 18.02 General Provisions*

*TMC 18.04 Definitions*

*TMC 18.06 Districts Designated*

*TMC 18.07 Summary Tables Of Uses*

Individual Zone District and Overlay Regulations

- *Permitted, accessory, and conditional uses*
- *Requirements for minimum and maximum residential densities*
- *Division of land not on public sanitary sewer*
- *Minimum lot size*
- *Clustered subdivisions*
- *Lot coverage/impervious surface*
- *Structure height*
- *Front, side, and rear yard setbacks*

Residential Zone Districts

*TMC 18.08 RSR Residential/Sensitive Resource Zone District*

*TMC 18.10 SFL Single-Family Low Density Residential Zone District*

*TMC 18.12 SFM Single-Family Medium Density Residential Zone District*

*TMC 18.14 MFM Multifamily Medium Density Residential Zone District*

*TMC 18.16 MFH Multifamily High Density Residential Zone District*

*TMC 18.49 MHP Manufactured Home Park Zone District*

*Commercial and Mixed Use Zone Districts*

*TMC 18.18 NC Neighborhood Commercial Zone District*

*TMC 18.19 CS Community Services Zone District*

*TMC 18.20 MU Mixed Use Zone District*

*TMC 18.21 CBC Capitol Boulevard Community Zone District*

*TMC 18.22 GC General Commercial Zone District*

*TMC 18.23 TC Town Center Zone District*

*TMC 18.26 HC Historic Commercial Zone District*

*TMC 18.27 BD Brewery District Zone*

*Industrial Zone Districts*

*TMC 18.24 LI Light Industrial Zone District*

*TMC 18.25 HI Heavy Industrial Zone District*

*TMC 18.34 ARI Airport Related Industry Zone District*

*Other Zone Districts*

*TMC 18.30 GB Greenbelt Zone District*

*TMC 18.31 OS Open Space Zone District*

*Overlays*

*TMC 18.32 AP Airport Overlay*

*TMC 18.33 MUO Mixed Use Overlay*

*TMC 18.35 GCO General Commercial Overlay*

*TMC 18.36 PUD Planned Unit Development Overlay*

*TMC 18.38 FP Floodplain Overlay*

*TMC 18.39 AQP Aquifer Protection Overlay*

*General Land Use Regulations*

*TMC 18.40 Environmental Performance Standards*

*TMC 18.42 General Land Use Regulations*

*TMC 18.43 Citywide Design Guidelines*

Specific Land Use Regulations

*TMC 18.44 Signs*

*TMC 18.46 Fencing*

*TMC 18.47 Landscaping*

*TMC 18.48 Designated Manufactured Homes – Manufactured Homes – New  
Manufactured Homes – Mobile Homes – Manufactured Home Parks*

*TMC 18.50 Off-Street Parking*

*TMC 18.51 Cottage Housing*

*TMC 18.52 Child Care Facilities*

*TMC 18.53 Housing for the Functionally Disabled*

Use Permits and Other Regulations

*TMC 18.54 Nonconforming Uses*

*TMC 18.56 Conditional Use Permits*

*TMC 18.57 Transfer of Development Rights*

*TMC 18.58 Variances*

*TMC 18.59 Temporary Uses*

*TMC 18.60 Text Amendments and Rezones*

*TMC 18.62 Appeals*

*TMC 18.64 Enforcement and Penalty*

***Other Relevant Sections***

***Title 2 – Administration and Personnel***

Roles and Responsibilities

*TMC 2.56 Planning Commission*

In addition, the Planning Commission Rules of Procedure adds further detail  
on how the Planning Commission conducts its business

*TMC 2.58 Hearing Examiner*

*TMC 2.66 Tree Board*

**Title 3 – Revenue and Finance**

Taxes and Development Impact Fees

TMC 3.30 *Multifamily Housing Tax Exemptions*

TMC 3.50 *Impact Fees*

TMC 3.52 *Tumwater Park Impact Fees*

**Title 6 – Animals**

Regulations Related to Animals in the City

TMC 6.04 *Dogs, Cats and Other Pets*

TMC 6.05 *Pet Shops*

TMC 6.08 *Livestock*

**Title 8 – Health and Safety**

Code Enforcement

TMC 8.04 *Nuisances*

**Title 11 – Telecommunications and Telecommunications Facilities**

Cell Towers and Other Wireless Communication Facilities

TMC 11.20 *Wireless Communication Facilities*

**Title 12 – Streets, Sidewalks and Public Places**

All Street Related Regulations, Includes Construction Requirements for Development

TMC 12.04 *Street and Alley Vacations*

TMC 12.12 *Construction of Curbs and Sidewalks*

TMC 12.24 *Street Trees*

**Title 13 – Public Services**

All Public Utility Related Regulations, Includes Drainage Design and Erosion Control Manual]

TMC 13.04 *Water Service Regulations*

TMC 13.08 *Sewer Service Regulations*

TMC 13.12 *Stormwater System*

**BEFORE THE HEARING EXAMINER  
FOR THE CITY OF TUMWATER**

In the Matter of the Application of	)	Nos. TUM-21-0046; TUM-21-0117;
	)	and TUM 21-1231
	)	
	)	
<b>KPFF Consulting Engineers, on behalf</b>	)	<b>Forest Park Townhomes Preliminary</b>
<b>of Morningside Development Group</b>	)	<b>Plat, Planned Unit Development, and</b>
	)	<b>Variance</b>
	)	
For Approval of a Preliminary Plat,	)	FINDINGS, CONCLUSIONS,
<u>Planned Unit Development, and Variance</u>	)	AND DECISION

**SUMMARY OF DECISION**

The request for a preliminary plat and planned unit development, to subdivide a 7.73-acre parcel into 22 multifamily lots for 67 dwelling units, four open space tracts, and a private roadway tract, and for a variance from zoning setback and recreational open space area requirements, at 1653 Starlight Lane SW, is **APPROVED**. Conditions are necessary to address specific impacts of the proposal.

**SUMMARY OF RECORD**

Hearing Date:

The Hearing Examiner held an open record hearing on the request on September 29, 2021, using access technology.

Testimony:

The following individuals provided testimony under oath at the open record hearing:

Brad Medrud, City Planning Manager  
Tom Reynolds  
Mark Steepy, Applicant Representative  
John Lape

Exhibits:

The following exhibits were admitted into the record:

1. Staff Report, dated September 17, 2021
2. Site Aerial Photograph Map, published August 23, 2021
3. Preliminary Plat Application, dated December 16, 2020
4. Preliminary Planned Unit Development Application, dated January 12, 2021

*Findings, Conclusions, and Decision*

*City of Tumwater Hearing Examiner*

*Forest Park Townhomes PP, PUD, and Variance*

*Nos. TUM-21-0046; TUM-21-0117; and TUM-21-1231*



5. Variance Application, dated July 23, 2021
6. Variance Site Plan, dated July 23, 2021
7. Variance Request Narrative, dated July 23, 2021
8. Variance Site Section – Building 5, dated July 7, 2021
9. Variance Site Section – Building 7, dated July 7, 2021
10. Preliminary Plat and Planned Unit Development Map, dated August 2, 2021
11. Wall and Storm Drainage Plan, dated November 25, 2020
12. Notice of Public Hearing, dated September 15, 2021
13. Comprehensive Plan Tumwater Hill Neighborhood Map, dated January 16, 2019
14. Zoning Map, dated August 23, 2021
15. Determination of Nonsignificance (DNS), dated January 7, 2016
16. DNS Appeal Order of Dismissal, dated April 22, 2016
17. Notice of Application, with plat map, dated May 19, 2021
18. Affidavit of Posting, dated May 20, 2021
19. Amended Notice of Application, with DNS and Plat Map, dated August 12, 2021
20. Affidavit of Posting, dated August 12, 2021
21. Amended Notice of Application Ad confirmation, for publication in *The Olympian* on August 12, 2021
22. Updated Water and Sewer Availability Letter, dated August 25, 2021
23. Formal Site Plan (TUM-15-0726) Notice of Application, dated October 6, 2015
24. Formal Site Plan (TUM-15-0726) Critical Area Map, dated January 25, 2016; SEPA Environmental Checklist, submitted August 3, 2015
25. Tree Protection Plan, Sound Urban Forestry, dated June 23, 2015
26. Formal Site Plan (TUM-15-0726) Approval, dated March 4, 2016
27. Tree Protection Plan Peer Review Letter, Professional Forestry Services, Inc., dated June 26, 2020
28. Site Development/Grading Permit (TUM-20-0350) Approved Civil Plans, dated August 26, 2020
29. Site Development/Grading Permit (TUM-20-0350), issued September 15, 2020
30. Site Development/Grading Permit (TUM-20-0350) Approved Landscape Plans, dated March 19, 2021
31. Roadway Photometrics, dated August 19, 2021
32. Plat Name Reservation Certificate, dated May 11, 2021
33. Title Report, dated December 3, 2020
34. Comment from Squaxin Island Tribe, dated May 26, 2021
35. Comment from Squaxin Island Tribe, dated August 16, 2021
36. Comment from Washington State Department of Ecology, dated August 26, 2021

The Hearing Examiner enters the following findings and conclusions based upon the admitted testimony and exhibits:

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## **FINDINGS**

### Background

1. On March 30, 2021, the City of Tumwater (City) approved an application for Site Plan Review (TUM-15-0298) to allow construction of 67 dwelling units in 22 multifamily apartment buildings on a 7.73-acre parcel, with associated open space, landscaping, private roadways, frontage improvements, stormwater management features, and utility extensions. Notably, in approving the application for site plan review, the City determined that, with conditions, the proposed development would be consistent with the City Comprehensive Plan and would meet all applicable municipal code requirements, including requirements related to density, building coverage, building height, setbacks (including setbacks from abutting single-family residential zoning districts), pedestrian access, design review, off-street parking, lighting, landscaping, signage, critical areas, transportation concurrency, open space (including recreational open space), clearing, tree protection, utilities, street design standards, and stormwater management. The property is located at 1653 Starlight Lane SW, approximately a half-mile south of the intersection of Ridgeview Loop SW and Barnes Boulevard SW.<sup>1</sup> *Exhibit 1, Staff Report, pages 1 and 3; Exhibits 23 through 26.*
  
2. The City issued a Site Development/Grading Permit (TUM-20-0350) on March 30, 2021, and site construction commenced shortly thereafter. Site improvements that have been completed, or are nearing completion, under the approved site development/grading permit include mass grading for private roads and lot pads (including completion of necessary blasting), construction of frontage improvements on Ridgeview Loop SW abutting the east side of the project site, extension of City water and sewer utilities and private utilities to serve the development, stormwater management features to address runoff generated from new pollution-generating impervious surfaces, and street lighting. *Exhibit 1, Staff Report, pages 1, 3, and 4; Exhibit 7; Exhibits 23 through 30.*

### Application and Notice

3. The property has changed ownership since the earlier approval. Accordingly, KPFF Consulting Engineers, on behalf of Morningside Development Group (Applicant), now requests approval of a preliminary plat and planned unit development (PUD) to subdivide the 7.73-acre parcel comprising the previously approved development project into 22 multifamily residential lots for 67 dwelling units, four open space tracts, a private roadway tract, and utility easements. The Applicant does not propose any changes to the previously approved site plan and, as noted above, development of the property has commenced consistent with the approved site plan and site development/grading permit issued for the project. Variances from the minimum building setback from an abutting single-family residential zone requirement of Tumwater Municipal Code (TMC) 18.14.050.F, and from the minimum active recreation open space area requirement of

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<sup>1</sup> The property is identified by Thurston County Tax Parcel No. 5520-12-00000. *Exhibit 1, Staff Report, page 1.* A legal description of the property is included with the Preliminary Plat Map. *Exhibit 10.*

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TMC 17.12.210.G, are required for the proposed subdivision because the previously approved development project would not meet these standards and could not feasibly meet these standards through reasonable changes to the proposal due to unique site constraints and other circumstances, as detailed later in this decision. As noted above, the subject property is located at 1653 Starlight Lane SW. *Exhibit 1, Staff Report, page 1; Exhibits 3 through 11; Exhibits 23 through 26; Exhibit 33.*

4. The City determined that the preliminary plat and PUD applications were complete on May 13, 2021, and that the variance application was complete on July 30, 2021. The City originally provided notice of the preliminary plat and PUD applications on May 19, 2021. After receiving the variance application, the City provided revised notice of the applications on August 12, 2021, by mailing or emailing notice to property owners within 300 feet of the site and to reviewing government agencies and tribes, posting notice on-site, and publishing notice in *The Olympian*, with a comment deadline of August 26, 2021. On September 17, 2021, the City provided notice of the open record hearing associated with the applications by mailing or emailing notice to property owners within 300 feet of the site and to reviewing government agencies and tribes, posting notice on-site, and publishing notice in *The Olympian*. *Exhibit 1, Staff Report, pages 3, 8, and 9; Exhibits 3 through 5; Exhibits 17 through 21.*
5. The City did not receive any comments on the proposal from members of the public in response to its notice materials. The City received comments from two reviewing agencies in response to its notice materials. Specifically:
  - The Squaxin Island Tribe commented that it does not have specific concerns over cultural resources related to the project site but stated that it would concur with recommendation by the Washington State Department of Archaeology and Historic Preservation (DAHP) to conduct a cultural resources survey. The Squaxin Island Tribe also commented that, if any archeological or cultural resources are discovered on site, work should halt and DAHP and the tribe should be contacted. DAHP did not comment on the proposal.
  - The Washington State Department of Ecology (DOE) provided general comments noting that all grading and filling of land must utilize only clean fill and that all removed debris must be disposed at an approved site. DOE also noted that, if toxic contamination is suspected, discovered, or occurs during development, the Applicant must test the potential contaminated medium and notify DOE.*Exhibit 1, Staff Report, pages 8, 9, 29, and 30; Exhibits 34 through 36.*

#### State Environmental Policy Act

6. The City Community Development Department (CDD) acted as lead agency and analyzed the environmental impacts of the original development proposal under the State Environmental Policy Act (SEPA), Chapter 43.21C Revised Code of Washington RCW (RCW). CDD reviewed the Applicant's environmental checklist, and other information

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on file, and determined that the proposal would not have a probable significant adverse impact on the environment. Accordingly, CDD issued a Determination of Nonsignificance (DNS) on January 7, 2016, with an appeal deadline of January 13, 2016. An appeal of the DNS was filed (by the original property owner), but the Hearing Examiner later granted the property owner's request to withdraw the appeal prior to the scheduled hearing. The City has determined that the scope and impacts of the proposed preliminary plat, PUD, and variances are addressed by the January 7, 2016, DNS and, accordingly, no further SEPA review is necessary. *Exhibit 1, Staff Report, pages 2 and 9; Exhibits 15 and 16; Exhibit 24.*

#### Comprehensive Plan and Zoning

7. The property is within the Tumwater Hill Neighborhood and is designated "Multi-Family Medium Density Residential" under the City Comprehensive Plan, which provides for a density of 9 to 15 dwelling units per acre. The previously approved development would provide a density of 13.7 dwelling units per acre, consistent with the Comprehensive Plan designation for the property. The Comprehensive Plan provides that the Multi-Family Medium Density Residential land use designation is intended to provide primarily for multifamily condominium and apartment building types and that the density of new development "should be averaged over the entire site in order to reach the maximum densities required to accommodate future population" and that it "is not the intent of the City to require that lots be a specific size but that densities are met as an average of the overall site." *Comprehensive Plan, Land Use Element, page 35.* In addition, "Multi-Family Medium Density designated areas should be accompanied by open space, environmental protection for sensitive areas and mass transit linkage in order to make these higher densities viable and compatible with the community." *Comprehensive Plan, Land Use Element, page 36.* City staff determined that the proposal would be consistent with the Comprehensive Plan. *Exhibit 1, Staff Report, pages 4 through 6; Exhibit 13.*
  
8. The property is located in the "Multifamily Medium Density Residential" (MFM) zoning district, which allows a minimum net density of 9 units per acre and a maximum net density of 15 units per acre. *TMC 18.14.050.* The intent of the MFM zoning district is to provide for a high standard of development for residential areas of medium density including both single-family and multifamily housing; promote the efficient use of land; encourage and plan for the availability of public services and community facilities, such as utilities, police and fire protection, streets, public transit, schools, and parks and recreation; encourage development of attractive residential areas that provide a sense of community, establish a pedestrian-friendly atmosphere, and contain a variety of housing types; and ensure that development without municipal utilities is at a density and in a configuration that enables cost-effective urban density in-fill development when municipal utilities become available. *TMC 18.14.010.* Multifamily dwellings, including triplexes and fourplexes, are a permitted use in the MFM zone. *TMC 18.14.020. Exhibit 1, Staff Report, pages 10, 22, and 24.*

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9. TMC 18.14.050 provides development standards applicable to the MFM zoning district, which include a required building setback from abutting single-family residential zones of 20 feet, plus an additional 10 feet for every story of a multifamily structure above the ground-level story. As part of its initial formal site plan review approval, the City determined that the proposed development would comply with this zoning setback requirement by locating the proposed multilevel, multifamily buildings along the property's eastern border a minimum of 20 feet from adjacent property zoned "Single-Family Low Density Residential" (SFL). The City's approval of this 20-foot setback from the abutting single-family residential zone was due to its overlooking the fact that an additional setback area from the abutting zone would be required for multi-story buildings. Development standards for the MFM zoning district also require new development projects to designate a minimum of 15 percent of the gross site area as open space with both passive and active recreation facilities for the enjoyment of residents. *TMC 18.14.050.H; TMC 17.12.210.B.* In another part of its initial formal site plan review approval, the City originally determined that the proposed development would exceed open space requirements by designating over 38 percent of the gross site area for open spaces and providing for both passive and active recreational opportunities. Since the time of the approval, however, the code has been updated to require 50 percent of the open space to be used for active recreation. *TMC 17.12.210.G.* As discussed in detail below, the Applicant has requested variances from the building setback requirement and the active open space area requirement described above to allow the proposed subdivision to be developed consistent with the previously approved site plan. The proposal would comply with all other development standards applicable to the MFM zoning district. *Exhibit 1, Staff Report, pages 1, 2, and 16 through 29; Exhibits 5 through 9; Exhibit 14; Exhibits 23 through 30.*
10. The property is located in the Aquifer Protection (AQP) overlay zoning district. The AQP overlay district is an overlay zone covering the entire city: it is intended to "protect vulnerable and/or critical aquifer recharge areas within the city and urban growth area" by "preventing future pollution from new or different land uses or activities." *TMC 18.39.010.* The proposed residential subdivision is not a restricted use within the AQP overlay district. *Exhibit 1, Staff Report, page 24.*

#### Existing Site and Surrounding Development

11. As noted above, development of the 7.73-acre subject property has commenced consistent with the previously approved site plan and site development/grading permit, including mass grading for private roads and lot pads, construction of frontage improvements on Ridgeview Loop SW, utility extensions, stormwater management features, and street lighting. Prior to the start of construction, the subject property consisted of undeveloped forested areas. The project site is hilly and contains steep slope geologically hazardous areas. In issuing the site development/grading permit for the development project, the City approved a geotechnical engineering report that provided

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recommendations for building setbacks from the top and toe of geologically hazardous steep slopes on the property. No other regulated critical areas or associated buffers were identified on the property. Properties immediately to the north and west of the subject property are zoned MFM and consist of undeveloped forested areas. Property immediately to the south and east of the subject property is zoned SFL and is developed with the Tumwater Hill Elementary School, with the portion of the school property adjacent to the subject property consisting of an athletic field. *Exhibit 1, Staff Report, pages 4, 12, and 13; Exhibit 2; Exhibit 11; Exhibit 14; Exhibit 24; Exhibit 26; Exhibit 28.*

#### Trees and Open Space

12. Chapter 16.08 TMC regulates the removal and preservation of existing trees on a development site. In addition, TMC 17.12.070 requires development projects to preserve to the greatest extent feasible natural vegetation and features on-site, including trees. The City reviewed a professional forester's report, tree inventory, and tree protection plan submitted prior to issuance of the site development/grading permit and determined that the proposed development would satisfy the requirements of Chapter 16.08 and TMC 17.12.070. TMC 17.12.210 provides general design standards for open spaces in a preliminary plat. As noted above, the City originally determined, as part of its initial formal site plan review approval, that the proposed development would meet applicable open space design standards. Since the time of that approval, however, TMC 17.12.210 has been updated to require 50 percent of the open space to be used for active recreation, necessitating the Applicant's request for a variance to develop open space areas within the subdivision in conformance with the approved site plan. *Exhibit 1, Staff Report, pages 9, 11, and 16 through 20; Exhibits 5 through 7; Exhibit 10; Exhibits 23 through 30.*

#### Stormwater

13. The City reviewed a preliminary storm drainage report with the site development/grading permit application and determined that the proposed preliminary stormwater design would comply with the 2018 City of Tumwater Drainage Design and Erosion Control Manual. *Exhibit 1, Staff Report, page 21; Exhibit 10; Exhibit 11; Exhibits 23 through 30.*

#### Utilities

14. The City issued an updated Water and Sewer Availability Certificate for the proposed development on August 25, 2021. As noted above, site improvements currently underway with the approved site development/grading permit include extensions of City water and sanitary sewer and private utilities. All utilities associated with the development project have been or would be installed underground, in accord with the requirements of TMC 17.12.200 and Section 3.14 of the Tumwater Development Guide. *Exhibit 1, Staff Report, pages 4, 15, 16, and 21; Exhibit 22; Exhibit 28; Exhibit 29.*

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### Access, Parking, and Traffic

15. Access to the property would be provided from Ridgeview Loop SW, with access to the individual lots provided by two new private internal roadways terminating in cul-de-sacs. Additional connections providing access through the proposed subdivision would not be required because adjacent property to the south consists of school property and because on-site steep slopes make additional roadway connections impractical. As depicted on the approved site development/grading permit plans, the proposed internal private roads would include four-foot-wide sidewalks on one side, which would connect to the public sidewalk along Ridgeview Loop SW. The City has determined, in association with its issuance of the site development/grading permit, that the new private roadways serving the development would comply with all applicable street design standards, including standards related to street size, street alignment, driving surfaces, cul-de-sac specifications, maximum street grades, street signage, emergency vehicle access, and lot access. As addressed in detail below, the Applicant requests approval of a planned unit development to allow the new internal roadways serving the subdivision to be constructed as private roads. A Transportation Concurrency Application and Trip Distribution Diagram was submitted for review and approved by the City Public Works Director as part of the formal site plan review approval. The transportation concurrency ruling determined that traffic generated from the proposed development would not cause any impacted corridors or intersections to fall below acceptable levels of service. City staff determined that, by connecting to Ridgeview Loop SW to the east, the proposal would be consistent with the Tumwater Transportation Plan. As noted in the formal site plan approval, the project would be required to provide a minimum of 1.5 off-street parking stalls for each dwelling unit containing one or two bedrooms and two off-street parking stalls for each dwelling unit containing three or more bedrooms, plus an additional guest stall for each 10 dwelling units, as well as short- and long-term bicycle parking facilities. *Exhibit 1, Staff Report, pages 6 through 15; Exhibit 4; Exhibit 10; Exhibit 15; Exhibits 23 through 31.*
  
16. The City has adopted a Sustainable Development Plan for the Thurston Region to reduce vehicle miles traveled and to preserve sensitive areas, farmland, forestland, prairies, and rural lands. The project site is located approximately 0.06 miles south of properties located at the intersection of Ridgeview Loop SW and Barnes Boulevard SW that are zoned Neighborhood Commercial (NC). The NC zoning designation allows a mix of retail and service business uses, such as restaurants, recreation facilities, and day care centers, which could serve residents of the proposed subdivision who walk or use bicycles. City staff determined that the project would not conflict with the Sustainable Development Plan for the Thurston Region. *Exhibit 1, Staff Report, pages 5 and 6.*

### Schools and Parks

17. Children residing within the proposed subdivision would attend Tumwater Hill Elementary School (approximately 0.15 miles to the south of the site), Tumwater Middle School (approximately 2.8 miles to the south of the site), and Black Hills High School

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(approximately 4.8 miles to the south of the site). As noted above, the proposed new private streets serving the subdivision would include four-foot-wide sidewalks that would connect to the public sidewalk along Ridgeview Loop SW, which would ensure safe walking conditions for students walking to Tumwater Hill Elementary School or to a school bus stop located on Ridgeview Loop SW. School and park impact fees would be assessed to each dwelling unit in the subdivision at the building permit stage. *Exhibit 1, Staff Report, pages 10, 22, and 35; Exhibit 10.*

18. The City participates in the Thurston Regional Planning Council, which adopted a Thurston Regional Trail Plan in December 2007. City staff determined that the proposed project would not affect implementation of this plan. *Exhibit 1, Staff Report, pages 7 and 8.*

#### Planned Unit Development

19. The Applicant requests approval to develop the property as a planned unit development (PUD) to allow for private internal roadways. The intent of PUDs is to encourage new development not limited by strict application of the City's zoning code. *TMC 18.36.010.A.* More specifically, the purpose of PUDs is to encourage flexibility in design and development that will result in a more efficient and desirable use of land; permit flexibility of design, placement of buildings, use of required open spaces, circulation facilities, off-street parking areas, and otherwise better utilize the potential of sites characterized by special features, such as geography, topography, size or shape; provide for maximum efficiency in the layout of streets, utility networks, and other public improvements; produce an integrated or balanced development of mutually supportive uses that might otherwise be inharmonious or incongruous; and provide a guide for developers and City officials who review and approve developments meeting the standards and purposes of this chapter. *TMC 18.36.010.B.* PUDs achieve these purposes by providing relief from the minimum requirements of the underlying zone, with the following exceptions:
  - A. Minimum Project Size. There is no minimum project size for a planned unit development.
  - B. Project Densities. Densities established by the underlying zone district shall prevail.
  - C. Setbacks. Project setbacks as required by the underlying zoning district shall prevail on all perimeter boundary lines.
  - D. Land Coverage. Maximum land coverage, as established by the underlying zone district, may be exceeded by no more than 25 percent.
  - E. Uses Allowed. The use of the development shall be limited to those allowed either as permitted, accessory, or conditional uses in the underlying zones.
  - F. Open Space/Park. The open space/park dedication requirements of the underlying zoning district shall prevail.*TMC 18.36.080.* The Applicant requests PUD approval to develop the property with

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private internal roads. *Exhibit 1, Staff Report, pages 24 through 26; Exhibit 4.*

20. Under TMC 18.36.050, all PUDs must (1) substantially conform to the Comprehensive Plan, (2) harmonize with the surrounding area or its potential future use, and (3) ensure the size of the proposed overlay can accommodate the proposed development. City staff analyzed the proposal for consistency with the requirements for a PUD and determined:
- The proposal would be consistent with the Tumwater Comprehensive Plan.
  - The proposal would be consistent with the surrounding residential area that is developed at urban densities.
  - The proposal would comply with the densities allowed in the MFM zoning district.

*Exhibit 1, Staff Report, pages 1, 9, 10, 13 through 15, and 24 through 26.*

#### Variances

21. The Applicant requests a variance from TMC 18.14.050.F to reduce the required building setback from adjacent SFL-zoned property to 20 feet for proposed Lots 1 through 8. The Applicant also requests a variance from the updated requirement under TMC 17.12.210.G mandating that residential subdivisions provide active recreation features within at least 50 percent of required open space areas. Approval of both variances would allow the subdivision to be developed consistent with the previously approved site plan and in compliance with all other current requirements of the municipal code. *Exhibit 1, Staff Report, pages 26 through 29; Exhibits 5 through 10; Exhibits 23 through 30.*
22. The Applicant submitted a project narrative addressing the specific criteria for approval of a variance with respect to the requested setback variance, which notes:
- The intent of the setback provisions under TMC 17.12.210.G is to provide additional separation between single-family residences and taller, multifamily buildings. Although proposed Lots 1 through 8 abut SFL-zoned property, the adjacent property does not contain single-family residences and, instead, consists of school district property developed with an athletic field. In addition, due to the grade change on-site, the school district property is at a higher elevation than the proposed buildings on Lots 1 through 8. Site section illustrations provided with the variance application demonstrate that the height of the proposed buildings above the grade of the adjacent property would be roughly equivalent to a single story. Therefore, the intent of the municipal code would be met by reducing the required setback to 20 feet.
  - The 20-foot rear yard setback shown in the site plan review that was approved in 2016 has been maintained from the original approval through construction documents for site improvements. The need for additional rear yard setback was not brought up during the site plan review process. At the time of site plan

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approval, all parties were under the impression that the 20-foot rear yard setback met code requirements.

- The intent of the setback requirement would be met through the previously approved 20-foot rear yard setback for proposed Lots 1 through 8 and, therefore, granting the variance would not confer a special privilege to the property.
- Granting the variance would not be materially detrimental to the public welfare or injurious to surrounding properties. The adjacent SFL-zoned property consists of school property that is not developed with single-family residences, and the proposed multi-story buildings would be partially embedded in the side of a slope, which would ensure that the buildings would not tower above the adjacent property.

*Exhibit 7.*

23. The Applicant's project narrative also addresses the variance criteria with respect to the recreational open space variance request, noting:

- There is a significant grade change across the site, with over 100 vertical feet in topographic relief from east to west. With the previously approved site plan, a large portion of the open spaces on-site are also tree protection areas that are required to be undisturbed. To provide additional active recreation areas required under TMC 17.12.210.G, these tree protection areas would have to be reduced to create more flat area suitable for recreation facilities, which would also require significant earthwork, walls, and potential blasting in bedrock.
- The overall open space quantity requirement would be met by the project, but the ability to create the required amount of active recreation space is limited due to site constraints, including steep topography, tree protection open space areas, and the presence of bedrock. These constraints are all related to conditions of the property and are not a result of the Applicant's actions.
- Because the variance is necessary due to site constraints, granting the variance would not confer a special privilege to the property.
- The reduction of open space for active recreation would not be materially detrimental to the public welfare or injurious to surrounding properties. By allowing this reduction, the amount of tree protection area can remain, and the overall amount of open space exceeds minimum requirements.

*Exhibit 7.*

24. City staff reviewed the Applicant's variance proposals, agreed with the analysis provided in the Applicant's project narrative, and determined that the proposals would satisfy the specific criteria for approval of variances under TMC 18.58.040.A. *Exhibit 1, Staff Report, pages 26 through 29.*

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### Testimony

25. City Planning Manager Brad Medrud testified generally about how City staff reviewed the applications for consistency with the Comprehensive Plan, zoning requirements, and the specific criteria for approval of a preliminary plat, planned unit development, and variance. He stated that the City has approved the development project through formal site plan review and the issuance of a site development/grading permit but that the Applicant now requests preliminary plat approval to subdivide the 7.73-acre property into 22 multifamily residential lots, four open space tracts, a private roadway tract, and utility easements. Mr. Medrud explained that preliminary planned unit development approval is required to allow the internal roadways to be constructed as private streets, consistent with the previously approved site plan, and that variances from applicable building setback and recreational open space requirements are also required to develop the property consistent with the approved site plan. He noted that the subject property is currently being developed consistent with the previously approved site plan and site development/grading permit. Mr. Medrud stressed that the findings and approvals issued for the development project, which determined that the project would comply with all applicable municipal code requirements, have been incorporated into this current proposal and that, with conditions and approval of the variances and planned unit development, the current proposal would satisfy all current municipal code requirements, as well as all local and state requirements for the subdivision of land. Regarding the request for a variance to allow the buildings on proposed Lots 1 through 8 to be set back 20 feet from adjacent property zoned “Single-Family Low Density Residential” (SFL), Mr. Medrud explained that the 20-foot setback was approved with the formal site plan review and the site development/grading permit due to an oversight of the fact that additional setback area would be required due to the height of the proposed multifamily structures. He noted that the previously approved 20-foot setback from the adjacent property would meet the intent of the code because the adjacent property is developed with a public school and associated athletic field rather than single-family housing and because of the substantially higher elevation of the adjacent property. Regarding the request for a variance from recreational open space requirements, Mr. Medrud explained that the development would provide open space areas in excess of that required under the municipal code but that it would not meet current recreational open space requirements. He explained that the provision of additional recreational facilities on the property would not be practical because it would require significant earthwork and, potentially, the blasting of bedrock due to existing site conditions. *Testimony of Mr. Medrud.*
26. Tom Reynolds, of Morningside Development Group (MDG), testified that MDG purchased the property after formal site plan review was approved by the City, explaining that MDG is seeking to subdivide the property to facilitate financing of the project. He noted that, after consulting with the City, MDG decided to develop the property under the prior permit approval while at the same time seeking preliminary plat approval to subdivide the lots. Mr. Reynolds explained that site development is nearly complete and

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ready for building construction. He stressed that the property is currently being developed, and would continue to be developed, consistent with the previously approved site plan and that the Applicant is seeking preliminary plat approval only to create separate lots. *Testimony of Mr. Reynolds.*

27. Applicant Representative Mark Steepy, of KPFF Consulting Engineers, testified that he agrees with City staff's analysis of the proposal as provided in the staff report and the testimony of Mr. Medrud. He noted that development of the site consistent with the previously approved site plan is nearly complete and that the requested variances are necessary to allow the current site layout. Mr. Steepy explained how the 20-foot setback from adjacent, SFL-zoned property would meet the intent of the setback requirements, as described in the Applicant's project narrative. *Testimony of Mr. Steepy.*
28. The Applicant's project architect, John Lape, explained that the multifamily buildings on Lots 1 through 8 would meet the general setback requirement from the adjacent SFL-zoned property but that a variance is required because additional setback area is normally required for multifamily buildings exceeding one story. *Testimony of Mr. Lape.*

#### Staff Recommendation

29. City staff recommends approval of the preliminary plat, preliminary planned unit development, and variance requests, with conditions. *Exhibit 1, Staff Report, pages 30 through 39.*

### **CONCLUSIONS**

#### Jurisdiction

The Hearing Examiner has authority to hear and decide applications for preliminary plats, planned unit developments, and variances. The Hearing Examiner may grant, deny, or grant with such conditions, limitations, modifications, and restrictions as the Hearing Examiner finds necessary to make the application compatible with applicable laws and regulations, including but not limited to compatibility with the environment, the Comprehensive Plan, other official policies and objectives, and land use regulatory enactments. *TMC 2.58.090.A; TMC 2.58.130.A.2; Table 14.08.030.*

#### Criteria for Review

##### Preliminary Plat

The Hearing Examiner shall inquire into the public use and interest proposed to be served by the establishment of the proposed land division. *TMC 17.14.040.A.* Under TMC 17.14.040.A, the Hearing Examiner shall determine whether

appropriate provisions are made for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, other grounds, transit stops, potable water supplies, sanitary wastes, parks and recreation playgrounds, schools and school grounds, fire protection and

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other public facilities, and shall consider all other relevant facts, including the physical characteristics of the site, and determine whether the public interest will be served by the land division. Further, consideration shall be given for sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school.

If the Hearing Examiner finds that the proposed division of land makes appropriate provisions, and makes written findings to that effect, then it shall be approved. If the Hearing Examiner finds that the proposed land division does not make such appropriate provisions or that the public use and interest will not be served, then the Hearing Examiner shall disapprove the proposed division of land. *TMC 17.14.040.A.*

Dedication of land, provision of public improvements to serve the land division, and/or payment of impact fees allowed by state law, to any public body, may be required as a condition of land division approval. The Hearing Examiner shall not, as a condition of approval, require an Applicant to obtain a release from damages from other property owners. The Hearing Examiner will consider the physical characteristics of a proposed land division site and may disapprove a proposed division because of flood, inundation, or wetland conditions. Construction of protective improvements may be required as a condition of approval. *TMC 17.14.040.B, .040.C, and .040.D.*

The subdivision provisions of the Tumwater Municipal Code are substantially similar to RCW 58.17.110(2), which provides:

A proposed subdivision and dedication shall not be approved unless the city, town, or county legislative body makes written findings that: (a) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) the public use and interest will be served by the platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication make such appropriate provisions and that the public use and interest will be served, then the legislative body shall approve the proposed subdivision and dedication.

#### *Planned Unit Development*

TMC 18.36.050 provides the following, specific to planned unit developments:

The application for a planned unit development shall be heard before the hearing examiner of the city at a duly published public meeting. The hearing examiner's

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decision to approve or deny the development shall be based on at least, but not limited to, the following criteria:

- A. Substantial conformance to the Tumwater comprehensive plan;
- B. The proposal's harmony with the surrounding area or its potential future use; and
- C. The adequacy of the size of the proposed overlay to accommodate the contemplated developments.

#### *Variance*

Where difficulties exist that render compliance with the zoning ordinance impractical and such compliance would create unnecessary hardship to the owners or users of land or buildings, the Hearing Examiner may grant a variance after due notice and a public hearing. *TMC 18.58.010*. A variance may be granted, after investigation, provided all of the following findings of fact exist:

- 1. That special conditions exist which are peculiar to the land, such as size, shape, topography, or location, not applicable to other lands in the same district, and that literal interpretation of the provisions of this title would deprive the property owners of rights commonly enjoyed by other properties similarly situated in the same district under the terms of this title;
- 2. That the special conditions and circumstances are not the result of actions of the applicant;
- 3. That the granting of the variance requested will not confer a special privilege to the property that is denied other lands in the same district;
- 4. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements of the vicinity and zone in which the subject property is situated; and
- 5. That the reasons set forth in the application justify the granting of the variance, and that the variance, if granted, would be the minimum variance that will make possible the reasonable use of the land.

*TMC 18.58.040.A.*

In no event may a variance be granted if it would permit a use that would not be permitted as a primary, accessory, or conditional use in the district involved. *TMC 18.58.040.B.*

The criteria for review adopted by the Tumwater City Council are designed to implement the requirement of Chapter 36.70B RCW to enact the Growth Management Act. In particular, RCW 36.70B.040 mandates that local jurisdictions review proposed development to ensure consistency with City development regulations, considering the type of land use, the level of development, infrastructure, and the characteristics of development. *RCW 36.70B.040.*

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## Conclusions Based on Findings

### *Preliminary Plat*

1. **With conditions, the preliminary subdivision would make appropriate provisions for the public health, safety, and general welfare and for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, and schools and school grounds.** The property is designated Multi-Family Medium Density Residential under the City Comprehensive Plan and is located in the Multifamily Medium Density Residential (MFM) zoning district, which allows a density of 9 to 15 dwelling units per acre. The proposal is for a subdivision with a net density of 13.7 dwelling units per acre. The City previously approved the proposed development through formal site plan review, at which time the City determined that, with conditions, the proposal would meet all applicable municipal code requirements, including requirements related to density, building coverage, building height, pedestrian access, design review, off-street parking, lighting, landscaping, signage, critical areas, transportation concurrency, clearing, tree protection, utilities, stormwater management, street design standards, open space (including recreational open space areas), and setbacks (including required setbacks from abutting single-family residential zoning districts). The Applicant does not propose any changes to the previously approved site plan and has commenced development of the property consistent with the approved site plan and with the site development/grading permit issued for the project. As proposed, approved through the formal site plan review process, and conditioned herein, the project would meet all current municipal code requirements for multifamily development in the MFM zoning district, apart from setback requirements for multi-story, multifamily buildings adjacent to single-family residential zones and the requirement to provide active recreation facilities on a minimum of 50 percent of required open space areas. As detailed in Conclusions 4 through 8 below, variances from these requirements are warranted due to unique conditions and circumstances of the subject property that are not the result of any action by the Applicant.

In light of the City's prior review and approval of the project through formal site plan review, development of the property consistent with the previously approved site plan would ensure that adequate provisions would be made for the public health, safety, and general welfare and would meet all other requirements for preliminary subdivision approval. Specifically, the proposed subdivision would provide open space areas on over 38 percent of the gross area of the site, which would provide both passive and active recreational opportunities for residents; preserve existing trees within dedicated open space areas consistent with the previously approved tree protection plan; include installation of stormwater management features in compliance with the City's current Drainage Design and Erosion Control Manual; provide off-street parking meeting or exceeding municipal code requirements; and include construction of internal private roadways and cul-de-sacs in compliance with all applicable street design standards,

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which would include sidewalks providing safe walking conditions from the subdivision to nearby schools or school bus stops. In addition, the City Public Works Director issued a transportation concurrency ruling determining that traffic generated from the proposed development would not cause any impacted corridors or intersections to fall below acceptable levels of service, and the City issued an updated Water and Sewer Availability Certificate noting that there is adequate water and sanitary sewer capacity to serve the proposed development.

Conditions, as detailed below, are necessary to ensure that the project proceeds in conformance with the previously approved site plan, adheres to the conditions of the previously issued site development/grading permit, and satisfies all other local and state requirements for preliminary plat approval. *Findings 1 – 3, 7 – 29.*

2. **With conditions, the proposed subdivision would be consistent with development regulations, considering land use type, development level, infrastructure, and development characteristics, such as development standards, as required by Chapter 58.17 RCW and Title 17 TMC.** The City provided reasonable notice and opportunity to comment on the proposal. The City did not receive any comments on the proposal from members of the public. The City received comments from the Squaxin Island Tribe concerning the inadvertent discovery of cultural resources during construction. The City also received general comments from DOE concerning the use of clean fill, the proper disposal of debris, and the proper procedures for addressing any potential contaminated media during development. These agency comments are addressed through the conditions of plat approval detailed below. Environmental impacts of the proposed development were considered, as required by SEPA, during the formal site plan review process, and the City issued a DNS on January 7, 2016. An appeal of the DNS was filed but later withdrawn by the Appellant. The scope and impacts of the current plat proposal, which does not include any changes to the previously approved site plan, are addressed by the January 7, 2016, DNS. With approval of the requested planned unit development and variances addressed in the conclusions below, the preliminary plat would provide multifamily residential development consistent with all applicable development regulations. City staff determined that, with conditions, the proposal would be consistent with all applicable local and state requirements, including the applicable Comprehensive Plan, municipal code, and development standards. The public interest would be served by the platting of the subdivision. Conditions, as noted in Conclusion 1 and detailed below, are necessary to ensure that the proposal meets all criteria required for plat approval. *Findings 1 – 29.*

#### *Planned Unit Development*

3. **With conditions, the proposal would be consistent with the requirements for a planned unit development under TMC 18.36.050.** Under TMC 18.36.010, the intent of using a PUD overlay is to encourage flexibility in design and development that would

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result in a more efficient and desirable use of land; permit flexibility of design, placement of buildings, use of required open spaces, circulation facilities, off-street parking areas, and otherwise better utilize the potential of sites characterized by special features, such as geography, topography, size or shape; provide for maximum efficiency in layout of streets, utility networks, and other public improvements; produce an integrated or balanced development of mutually supportive uses that might otherwise be inharmonious or incongruous; and provide a guide for developers and City officials who review and approve developments. The Applicant has sought approval of a PUD to allow private internal streets to serve the subdivision. Connections providing public access through the subdivision is not necessary because adjacent property to the south consists of public school property and because steep slope hazard areas on-site make additional roadway connections impractical. The City has determined, in association with its issuance of the site development/grading permit, that the new private roadways serving the development would comply with all applicable street design standards, including standards related to street size, street alignment, driving surfaces, cul-de-sac specifications, maximum street grades, street signage, emergency vehicle access, and lot access. As discussed above in Conclusions 1 and 2, the proposal, with conditions, would be consistent with all applicable local and state requirements, including the applicable Comprehensive Plan, municipal code, and development standards, and would be harmonious with surrounding development. City staff reviewed the proposal and determined that the PUD overlay would be adequate in size to accommodate the contemplated development. The Hearing Examiner concurs with City staff's assessment. The public interest would be served by the platting of the subdivision and planned unit development. As discussed in the above conclusions and detailed below, conditions are necessary to ensure that the proposal meets all criteria required for plat approval and approval of a planned unit development. *Findings 1 – 29.*

#### *Variances*

4. **Special conditions exist that are peculiar to the land, such as size, shape, topography, or location, not applicable to other lands in the same district, and that literal interpretation of the provisions of this title would deprive the property owner of rights commonly enjoyed by other properties similarly situated in the same district.** Consistent with the previously approved site plan and site development/grading permit, the proposed multi-story, multifamily buildings on Lots 1 through 8 would be set back at least 20 feet from adjacent property to the east and south, which is zoned "Single-Family Low Density Residential" (SFL). TMC 18.14.050, however, requires a 20-foot building setback *plus* an additional 10-foot setback for every story of a multifamily structure above the ground-level story. The intent of this additional required setback area is to ensure that the development of taller, multifamily structures would be compatible with single-family development on adjacent property. Here, the adjacent property within the SFL zoning district is not developed with single-family residences and, instead, consists of an athletic field associated with a public school on the property. Accordingly, strict adherence to the additional setback requirement is not necessary to ensure

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compatibility with adjacent single-family residential uses. In addition, the adjacent school district property is at a significantly higher elevation than the ground level of the proposed buildings on Lots 1 through 8. Due to this significant grade change, the height of the proposed buildings would extend only approximately one story from the ground level of the adjacent school district property and, therefore, a 20-foot setback would meet the intent of the code.

Also consistent with the previously approved site plan and site development/grading permit, the Applicant would dedicate open space areas in excess of the minimum requirement but would not provide the minimum amount of active recreation areas currently required under TMC 17.12.210.G. Compliance with this minimum active recreation area requirement is not feasible due to unique conditions of the property that include steep site topography, tree preservation areas, and the presence of bedrock that would require blasting to accommodate the installation of recreation facilities. *Findings 1 – 3, 7 – 29.*

5. **The special conditions and circumstances are not the result of actions of the Applicant.** Development of the property has commenced consistent with the previously approved site plan and site development/grading permit. At the time of formal site plan approval, the City determined that the 20-foot setback from adjoining SFL-zoned property met applicable code requirements, and the Applicant has commenced site development in reliance on that determination. Site constraints related to topography, the presence of bedrock, and tree preservation within dedicated open space areas, are conditions of the property that are not the result of any actions by the Applicant. *Findings 1 – 3, 7 – 29.*
6. **The granting of the variance requested would not confer a special privilege to the property that is denied to other lands in the same district.** The intent of the zoning setback requirement would be met because adjacent SFL-zoned property consists of an athletic field associated with a public school on the property, rather than single-family residential development, and is at a significantly higher grade than the ground-level of the proposed multi-story, multifamily buildings on Lots 1 through 8. In addition, unique site constraints render it infeasible for the Applicant to install recreation facilities necessary to meet the minimum active recreational open space requirement. Accordingly, granting the requested variances to allow the property to be developed consistent with the previously approved site plan and site development/grading permit would not confer a special privilege denied to other properties in the MFM district. *Findings 1 – 3, 7 – 29.*
7. **With conditions, the granting of the variance would not be materially detrimental to the public welfare or injurious to the property or improvements of the vicinity and zone in which the subject property is situated.** As addressed in the above conclusions, the City provided reasonable notice and opportunity to comment on the proposal and did not receive any comments from members of the public. Comments from reviewing

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agencies have been addressed by the conditions below. The scope and impacts of the proposed variances, which would allow the property to be developed consistent with the previously approved site plan, are addressed by the DNS issued in association with the approved site plan. Conditions, as detailed below, are necessary to ensure that the project proceeds in conformance with the previously approved site plan, adheres to the conditions of the previously issued site development/grading permit, and satisfies all criteria for variance approval. *Findings 1 – 29.*

8. **The reasons set forth in the application justify the granting of the variance, and the variance, if granted, would be the minimum variance that will make possible the reasonable use of the land.** The requested variances from applicable zoning setback requirements and from active recreation open space area requirements are the minimum necessary to allow the property to be developed consistent with the previously approved site plan and site development/grading permit. *Findings 1 – 3, 7 – 29.*

### DECISION

Based on the preceding findings and conclusions, the request for a preliminary plat and planned unit development to subdivide a 7.73-acre parcel into 22 multifamily lots for 67 dwelling units, four open space tracts, and a private roadway tract, and for a variance from zoning setback and open space area requirements, at 1653 Starlight Lane SW, is **APPROVED**, with the following conditions:<sup>2</sup>

1. Stormwater from impervious surfaces associated with the project shall be managed in accordance with the City of Tumwater 2018 Drainage Design and Erosion Manual.
2. Erosion and sediment control measures that comply with the City of Tumwater 2018 Drainage Design and Erosion Manual shall be implemented during construction of the project to prevent sediment-laden runoff from entering surface waters.
3. Construction shall follow the conditions of the Site Development/Grading Permit (TUM-20-0350) issued by the City for grading, street, sidewalk, and utility construction, tree removal, and construction of storm drainage facilities.

This project will be considered "engineered grading." Special hazards may include steep slopes, terracing with rockeries or multiple retaining walls. Inspection of the grading shall be performed by the civil engineer and geotechnical engineer approved by the City of Tumwater Building Official. In addition, special inspectors approved by the City of Tumwater Building Official shall perform inspections of fill placement, compaction testing, and blasting. All special inspections must be performed by Washington

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<sup>2</sup> Conditions include legal requirements applicable to all developments as well as requirements designed to mitigate specific impacts of the proposal.

Association of Building Officials (WABO) registered labs and inspectors who have expertise in grading and earthwork.

When the grading work is complete and ready for final inspection, the civil engineer of record is responsible for providing a final inspection report which will include the geotechnical and special reports. In addition, as-built drawings for the site must be submitted in a PDF format. (IBC Appendix J).

4. Should contaminated soils be encountered during construction, all of the following shall apply:
  - A. Construction activity shall be immediately suspended;
  - B. The contractor shall immediately notify the Washington State Department of Ecology;
  - C. Contaminated materials shall be properly handled, characterized, and disposed of consistent with applicable regulations.
5. Should archeological artifacts be encountered during construction, all of the following shall apply:
  - A. Construction activity shall be immediately suspended;
  - B. The contractor shall immediately notify the City of Tumwater Community Development Department;
  - C. The contractor shall immediately notify the Washington State Department of Archeology and Historic Preservation;
  - D. The contractor shall immediately notify potentially affected tribal nations including, but not limited to, the Squaxin Island Tribe, Chehalis Tribe, and Nisqually Tribe.
6. All grading and filing of land must utilize only clean fill. All other materials may be considered solid waste and permit approval may be required from the local jurisdictional health department prior to filing. All removed debris resulting from this project must be disposed of at an approved site. Contact the Thurston County Health Department for proper management of these materials.
7. If contamination is suspected, discovered, or occurs during construction of the proposed project, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by testing, Ecology must be notified. Contact the Environmental Report Tracking System Coordinator for the Southwest Regional Office (SWRO) for the Washington State Department of Ecology at (360) 407-6300. For assistance and information about subsequent cleanup and to identify the type of testing that will be required, contact Thomas Middleton with the SWRO, Toxics Cleanup Program at (360) 407-7263.

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8. Disposal of construction debris and overburden associated with construction and grading activity that is not suitable for fill is required to be disposed of at an approved location.
9. The project proponent shall follow the procedures in the City of Tumwater Standard Inadvertent Archaeological and Historical Resources Discovery Plan.
10. If any archaeological or cultural resources are uncovered during construction, the project proponent shall stop work in the area of discovery; follow the procedures in TMC 18.40.065 Inadvertent Discovery of Archaeological and Cultural Resources; and contact the City of Tumwater, the Washington State Department of Archaeology and Historic Preservation, and the Squaxin Island Tribe's Archaeologist, Shaun Dinubilo via email at [sdinubilo@squaxin.us](mailto:sdinubilo@squaxin.us).
11. The project proponent shall follow the requirements of the National Pollutant Discharge Elimination System (NPDES) Construction Stormwater General Permit issued for the project by the Washington State Department of Ecology.
12. The proposed private streets within the subdivision shall comply with the Tumwater Development Guide design requirements in place at the time the preliminary plat application was vested.
13. Street frontage improvements including curb and gutter, sidewalk, landscape strip, bike lane, street illumination, and storm drainage facilities complying with the design requirements of the Tumwater Development Guide shall be constructed along the property frontage on Ridgeview Loop SW per TMC 12.12.010.
14. The City's water and sewer utilities shall be extended to serve the needs of the subdivision. The utility extensions shall be in accordance with the Tumwater Development Guide requirements in place at the time the preliminary plat application was vested. All necessary right-of-way and/or easement will need to be dedicated to the City of Tumwater.
15. The project proponent shall be responsible for providing the City with all costs associated with the installation of water, sewer, street, and storm drainage systems that are dedicated to the City of Tumwater.
16. The engineering plans shall show all existing and proposed utilities and easements including streetlights, street trees, water, sewer, storm, gas, cable, power, telephone, signage, and striping. Provide street sections showing dimensions of existing and proposed improvements. Include the line sizes on the water and sewer mains and services. All rockeries proposed shall also be shown on the site plan.

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17. All engineering designs and construction shall be in accordance with the City of Tumwater's Development Guide and WSDOT standards.
18. All street construction, utility installation, and storm drainage work requires engineered plans certified by a professional engineer licensed to practice in the State of Washington. The plans shall be submitted for review and approval by the City.
19. The project proponent shall be responsible for all plan check, inspection, and connection fees.
20. Any public or private utility relocation necessary to construct the project shall be the sole responsibility of the project proponent.
21. The project proponent shall be responsible for the maintenance and timely repair of all public improvements for a period of 30 months following final certification by the City and shall submit a surety for maintenance equal in value to fifteen (15) percent of the total value of the required public improvements certified by the Transportation and Engineering Director. Please refer to Chapter 3 of the Development Guide for further clarification.
22. All legal descriptions on documents submitted to the City must be accompanied with an appropriate drawing that the City can use to verify the legal description. All engineering drawings must be on 24" x 36" paper sheets.
23. The owner or owner's representative is also responsible for furnishing the City with electronic files on CD ROM, compatible with Release 2014 or newer Auto CAD format. Drawings shall be in TCHPN (Thurston County High Precision Network) horizontal datum and NGVD-29 vertical datum. Provide individual drawings independent of x-refs. Include all non-standard font files and plot files. Also, please furnish a CD with PDF files printed from the Auto-CAD files. A utility maintenance agreement, easements, and bills-of-sale will also be required.
24. A note shall be added on the site plan that the Professional Land Surveyor responsible for the surveying of the project must obtain a permit from the Washington State Department of Natural Resources before any existing survey monuments are disturbed.
25. The project proponent shall provide a cover page with all dedication and easement language.
26. Any water main extension will require a minimum of an eight-inch system. The main size will depend on the fire flow requirements for this project. The system shall be designed for a maximum velocity of eight feet per second.

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27. The eight-inch sanitary sewer main this project is tying into is a private main for the Tumwater Hill Elementary School. The existing line will be required to pass the appropriate tests to be taken over by the City of Tumwater. The Tumwater School District will need to provide a bill-of-sale.
28. All sanitary sewer mains must be TV'd. The project proponent shall provide a tape of the sanitary sewer line prior to recording the Final Plat.
29. A drainage design and erosion control plan will be required according to City of Tumwater's 2018 Drainage Design and Erosion Manual.
30. Maintenance of the on-site stormwater system will be the responsibility of the project proponent, their successors, or assigns. A stormwater maintenance agreement must be recorded against the property prior to recording the Final Plat.
31. This project will provide treatment of the stormwater on-site and release to Crosby Boulevard SW. The water is then routed to the Linwood Regional Stormwater Facility.
32. A separate permit and engineered design is required for any retaining walls on site if the height of the wall is over four feet measured from the bottom of the footing or if the wall is supporting a surcharge.
33. Fire hydrants shall be provided at all intersections and at approximately 600-foot spacing along the internal streets.
34. All water wells on site shall be abandoned in accordance with the Washington State Department of Ecology requirements. A permit from the Washington State Department of Ecology shall be obtained for each well to be abandoned.
35. If applicable, on and off-site well locations within 200 feet of the proposed subdivision shall be shown on the Final Plat with the associated 100-foot protective radii.
36. All septic systems on the property shall be abandoned in accordance with the Thurston County Environmental Health requirements. A permit shall be obtained from Thurston County Environmental Health for each separate system to be abandoned.
37. The maximum lot coverage for impervious surface shall be 70 percent of the total area of the lot.
38. Off-street parking stalls shall be provided per Chapter 18.50 TMC.

No parking will be allowed in the proposed cul-de-sac turnarounds and this shall be posted accordingly per TMC 17.12.130.

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39. ~~A minimum of one van accessible barrier free parking stall shall be provided for the office per IBC Section 1106. [Condition withdrawn].~~
40. The clubhouse building and site are required to be accessible. An accessible route of travel shall be provided to all portions of the building, to accessible building entrances, and connecting the building and the public way. The accessible route of travel shall be shown on the site plan.
41. Street trees are required along Ridgeview Loop SW and must be installed in accordance with the Tumwater Development Guide, the Comprehensive Street Tree Plan, and the Urban Forestry Management Plan.
42. Impact fees for traffic, community parks, and schools will be assessed to each dwelling unit in the subdivision as Building Permits are issued. The impact fees will be in accordance with the most current fee resolution adopted by the City at the time of vesting of the Building Permit applications.
43. Dumpsters are required to be gated and screened with masonry walls and/or sight-obscuring fence with landscaping.
44. Dumpsters and containers with an individual capacity of 1.5 cubic yards or more shall not be stored in buildings or placed within five feet of combustible walls, openings, or combustible roof eaves lines unless the area is protected by an approved automatic sprinkler system per IFC Section 304.3.3.
45. The project proponent must maintain a current Plat Name Reservation Certificate approved by the Thurston County Auditor.
46. Property taxes must be paid in full for the current year, including any advance and delinquent taxes, before a Final Plat can be recorded.
47. A Forest Park Townhomes Homeowners Association is required to be formed for the project. Prior to recording the Final Plat, the project proponent shall supply the City with copies of the grantee organization's articles of incorporation and bylaws, and with evidence of a binding commitment to convey. The articles of incorporation shall provide that membership in the organization shall be appurtenant to ownership of land in the land division; that the corporation is empowered to assess such land for costs of construction and maintenance of the improvements and property owned by the corporation, and that such assessments shall be a lien upon the land.
48. Consolidated postal drop-off facilities shall be provided for the site. The location of the facilities must be coordinated and approved by the U.S. Postal Service.

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49. A school bus pad may be required along one of the exterior streets and will be dictated by the Tumwater School District. The project proponent must contact the District to coordinate the bus pad location.
50. The building designs shall conform to the City of Tumwater's Citywide Design Guidelines. Architectural elevation drawings of each building-type shall be submitted for review and approval prior to issuance of Building Permits.
51. Exterior walls are required to be of one-hour fire-rated construction when less than ten feet to the property line. Protected openings are required when less than five feet to the property line. No openings are permitted less than three feet to the property line.
52. Water cross connection control shall be provided in accordance with the provision of the Plumbing Code. Cross connection control devices or assemblies must be models approved under WAC 246-290-490.
53. If water pressure at the meter exceeds 80 psi, a pressure-reducing valve will be required to be installed on the private side of the water line.
54. Backwater valves shall be installed for each structure when the sewer is lower than the street manhole.
55. Automatic sprinkler systems shall be provided throughout all buildings in this project.
56. Fire alarm systems shall be required to be installed in all buildings in this project.
57. The project proponent must coordinate with the City of Tumwater Building Safety Official on the location of the City of Tumwater Fire Department connection, post indicator valve, remote annunciator panel, and Knox boxes. The locations of the fire suppression equipment must be approved by the City of Tumwater Building Safety Official.
58. Any dead-end fire access roads that are in excess of 150 feet in length shall be provided with an approved turnaround.
59. Fire lane signs and yellow striping shall be provided on-site to identify the City of Tumwater Fire Department access roads and prohibit the obstruction thereof.
60. When any portion of a building constructed on the site is in excess of 150 feet from a water supply on a public street, as measured by an approved route around the exterior of the building, there shall be provided on the site fire hydrants capable of supplying the

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required fire flow. Placement of the hydrants shall be coordinated with the City of Tumwater Building Safety Official.

61. The water main shall be looped around the entire site.
62. Building plans and specifications shall be prepared and stamped by an architect or an engineer licensed to practice in the State of Washington.
63. Building Permit applications (including shell permits) shall include architectural, structural, plumbing, mechanical, and energy plans, and specifications. Fire sprinkler and fire alarm permit applications and plans may be submitted separately from the main permit application.
64. All new building projects are required to provide for the storage of recycled materials and solid waste. The storage area shall be designed to meet the needs of the occupancy, efficiency of pick-up, and shall be available to occupants and haulers.

DECIDED this 13<sup>th</sup> day of October 2021.



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ANDREW M. REEVES  
Hearing Examiner  
Sound Law Center

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**EXHIBIT 1**

**CITY OF TUMWATER  
HEARING EXAMINER STAFF REPORT  
Hearing Date: September 29, 2021**

**Project Name:** Forest Park Townhomes Preliminary Plat, Preliminary Planned Unit Development, and Variance

**Case Numbers:** TUM-21-0046, TUM-21-0117, and TUM-21-1231

**Owner:** Morningside Development Group, Attn: Tom Reynolds  
P.O. Box 218, DuPont, WA 98327

**Project Proponent/  
Representative:** KPFF Consulting Engineers, Attn: Mark Steepy  
612 Woodland Square Loop SE, Lacey, WA 98503

**Type of Action Requested:** The project proponent is requesting approvals of a Preliminary Plat (TUM-21-0046), a Preliminary Planned Unit Development (TUM-21-0117) for private internal roads, and a Variance (TUM-21-1231) from required zoning setbacks and required open space area requirements. The applications would subdivide a 7.73-acre parcel into 22 multifamily family lots totaling 67 dwelling units, with four open space tracts (Tracts A – D) and one private roadway tract (Tract E) (Exhibits 2 – 9).

The City approved the original development application under Site Plan Review (TUM-15-0298) on March 4, 2016. The City issued a Site Development/Grading Permit (TUM-20-0350) on March 30, 2021 and site construction started in the spring of 2021 (Exhibits 15, 16, and 23 – 30).

Subsequently, the project proponent decided to subdivide the original 7.73-acre parcel (Thurston County Tax Parcel No. 5520-12-00000) that contained the approved project into 22 multifamily family lots totaling 67 dwelling units, four open space tracts (Tracts A – D), one private roadway tract (Tract E), and utility easements as part of the Preliminary Plat (TUM-21-0046). Findings and approvals issued for the original development have been incorporated into this proposal. In addition, a Preliminary Planned Unit Development (TUM-21-0117) approval is requested because the project will provide private internal roads and a Variance (TUM-21-1231) is requested from required zoning setbacks and required open space area requirements.

**Project Location:** The property is located at 1653 Starlight Lane SW, Tumwater, WA 98512 off Ridgeview Loop SW. The site is in a portion of the Northwest quarter of the Southwest quarter, Section 27, Township 18 North, Range 2 West on Thurston

County Tax Parcel No. 5520-12-00000 (Exhibit 2).

**Project Permit/Approvals Issued:** The following permits and approvals have been issued for the project:

1. State Environmental Policy Act (SEPA) threshold determination (TUM-15-0726) on January 7, 2016 (Exhibits 15 and 16)
2. Site Plan Approval (TUM-15-0298) on March 4, 2016 (Exhibit 26)
3. Landscape Plan Approval as part of the Site Development/Grading Permit (TUM-20-0350) on March 19, 2021 (Exhibit 30)
4. Site Development/Grading Permit (TUM-20-0350) on March 30, 2021 (Exhibit 29)
5. Sign Permit (TUM-21-0592) on April 20, 2021
6. Blasting Permit (TUM-20-1394) on November 24, 2020
7. Retaining Wall and Rockery Wall Permits (TUM-20-0905 on September 15, 2020 and TUM-21-0598 on April 22, 2021)
8. National Pollutant Discharge Elimination System (NPDES) Construction Stormwater General Permit

**SEPA Determination:** As provided by RCW 43.21C.240 and WAC 197-11-158, the City as lead agency determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the applicable development regulations and comprehensive plan adopted under RCW 36.70A and in other local, state, or federal laws or rules. Therefore, this proposal was not likely to have a probable significant adverse impact on the environment. An Environmental Impact Statement was not required under RCW 43.21C.030(2)(c), and the lead agency did not require additional mitigation measures under SEPA.

This decision was made after review of a completed environmental checklist and other information on file with the lead agency as part of the State Environmental Policy Act (SEPA) threshold determination (TUM-15-0726) issued January 7, 2016.

The scope and impacts of the proposed Preliminary Plat (TUM-21-0046), Preliminary Planned Unit Development (TUM-21-0117), and Variance (TUM-21-1231) approvals are addressed by the State Environmental Policy Act (SEPA) threshold determination (TUM-15-0726) issued January 7, 2016 (Exhibits 3 – 10, 15, 16, 23 – 30, and 32 – 33).



**Public Notification:** Public notification for the September 29, 2021 public hearing was mailed to property owners within 300 feet of the subject property and various agencies, posted on-site and published in *The Olympian* on September 17, 2021, in conformance with Tumwater Municipal Code (TMC) 14.06 (Exhibit 12).

**Staff Recommendation:** Approval, subject to conditions identified at the end of the staff report in Section IV *Recommendation*.

**Staff Planner:** Brad Medrud, Planning Manager  
 Phone: (360) 754-4180  
 E-Mail: [bmedrud@ci.tumwater.wa.us](mailto:bmedrud@ci.tumwater.wa.us)

## I. BACKGROUND INFORMATION

### A. Application and Review Process

The original development application was approved under Site Plan Review (TUM-15-0298) on March 4, 2016. A Site Development/Grading Permit (TUM-20-0350) was issued on March 30, 2021 and site construction was started in the spring of 2021.

Subsequently the owner and project proponent decided to subdivide the original 7.73-acre parcel (Thurston County Tax Parcel No. 5520-12-00000) that contained the approved project into 22 lots, four open space tracts (Tracts A – D), one private roadway tract (Tract E), and utility easements as part of the Preliminary Plat (TUM-21-0046). Findings and approvals issued for the original development have been incorporated into this proposal. A Preliminary Planned Unit Development (TUM-21-0117) approval is requested because the project will provide private internal roads and a Variance (TUM-21-1231) is requested from required zoning setbacks and required open space area requirements.

The Preliminary Plat (TUM-21-0046) application was submitted on December 31, 2020, the Preliminary Planned Unit Development (TUM-21-0117) application was submitted on January 14, 2021, and the Variance (TUM-21-1231) application was submitted on July 29, 2021.

The Preliminary Plat and Preliminary Planned Unit Development applications were deemed complete on May 13, 2021. The Variance (TUM-21-1231) application was deemed complete on July 30, 2021 (Exhibits 17 – 21).

Under TMC 2.58.090, review authority for Preliminary Plat, Preliminary Planned Unit Development, and Variance applications fall under the purview of the Hearing Examiner.

## B. Existing Conditions

The property is vacant (Exhibit 2).

The topography of the property is hilly with steep slopes. The site was mostly forested before site construction started in the spring of 2021.

## C. Project Description

The proposal is to subdivide a 7.73-acre parcel into 22 multifamily lots totaling 67 dwelling units, with four open space tracts (Tracts A – D) and one private roadway tract (Tract E).

Improvements started under Site Development/Grading Permit (TUM-20-0350) include mass grading for private roads and lot pads, construction of frontage improvements on Ridgeview Loop SW abutting the east side of the project site, extension of City water and sewer utilities to serve the project, stormwater systems to treat and detain/retain stormwater generated from new pollution generating impervious surfaces, street lighting, and extension of private utilities (i.e. power, gas, cable and telephone) (Exhibits 11 and 27 – 31).

## II. REGULATORY FRAMEWORK

The proposal is subject to the following policies and regulations:

### A. Tumwater Comprehensive Plan:

The project site is located in the Tumwater Hill Neighborhood as designated by the Land Use Element of the City's Comprehensive Plan. The land use designation for 7.73-acre site is Multi-Family Medium Density Residential (MFM) (Exhibit 13).

Section 2.2.4 *Multi-Family Medium Density (9-15 Dwelling Units/Acre)* in the Land Use Element of the Comprehensive Plan states:

*“The density of new development in the Multi-Family Medium Density designation should be averaged over the entire site in order to reach the maximum densities required to accommodate future population. It is not the intent of the City to require that lots be a specific size but that densities are met as an average of the overall site.*

*Detached Single Family housing could be provided in the Multi-Family Medium Density designation as long as the overall site meets the density goals of the designation. The intent of this policy is to ensure diversity in housing types in*

*these areas. This residential designation is meant to provide primarily for multi-family condominium and apartment types of structures.*

*Clustering should be considered in this residential designation to protect sensitive areas yet still accommodate residential development.*

*[...]*

*Additionally, Multi-Family Medium Density designated areas should be accompanied by open space, environmental protection for sensitive areas and mass transit linkage in order to make these higher densities viable and compatible with the community.*

Section 11.5 *Multi-Family Medium Density Residential* (MFM) in Tumwater Hill Neighborhood section of the Neighborhood Appendix of the Land Use Element of the Comprehensive Plan states:

*“The Tumwater Hill Neighborhood possesses several recently constructed apartment developments. These include Breckenridge at the northeast corner of Barnes Boulevard and Crosby Boulevard, Somerset Hill at the top of Tumwater Hill on both sides of Barnes Boulevard, and Westridge, located east of Somerset Hill Drive and west of Crosby Boulevard. The Multi-Family Medium Density designation at a maximum density of 15 dwelling units per acre would be appropriate for this area given existing uses and environmental and infrastructure constraints of the surrounding area.*

*It is recommended that undeveloped areas with the Multi-Family Medium Density designation be subject to design standards to ensure that multi-family development is compatible with existing and surrounding neighborhoods and to provide guidelines for innovative land use management techniques. Sections 2.2.4 and 2.2.5 of the Land Use Element address the issue of design standards.”*

**Staff Response and Recommended Finding:** *The overall density of the project with the 22 multifamily lots totaling 67 dwelling units proposed is 13.7 dwelling units per acre.*

*The minimum and maximum densities allowed in the Multi-Family Medium Density Residential (MFM) land use designation and the Multifamily Medium Density Residential (MFM) zone district are 9 and 15 dwelling units per acre respectively. The density calculation is based on net acreage of the site after subtracting critical areas and their buffers (i.e. geologically hazardous areas) and all private roads serving the project.*

*After subtracting out the area for private streets (1.34 acres) and critical areas (1.50 acres) from the gross site area, the net developable area for the subdivision is 4.89 acres.*

*Based upon a net developable acreage of 4.89, the maximum density for the subdivision is 73 dwelling units (4.89 acres x 15 DU = 73.35). The minimum density for a standard subdivision based upon a net developable acreage of 4.89 is 45 dwelling units (4.89 acres x 9 DU = 44.01).*

*The proposed density meets the density envisioned in the Comprehensive Plan.*

*Staff finds that the project is consistent with the Comprehensive Land Use Plan.*

**B. Tumwater Transportation Plan:** The Transportation Plan includes language speaking to regional consistency and coordination to address both motorized and non-motorized transportation links and corridor.

**Staff Response and Recommended Finding:** *Goal and policy excerpts from the Transportation Plan relevant to the project are as follows:*

*Goal 9. Streets, Roads, and Bridges: Establish a street and road network that provides for the safe and efficient movement of people and goods while supporting adopted land use goals.*

*Policy 9.a: Design and construct multimodal, context-sensitive, complete streets and roads.*

*[...]*

*Policy 9.d Develop an interconnected grid of local streets and roads to increase individual travel options and neighborhood connectivity, while improving efficient use of the overall transportation system.*

*[...]*

*Policy 9.g: Ensure that street, road, and bridge projects are integrated with pedestrian amenities in districts and neighborhoods, and add lasting value to the community.*

*[...]*

*Policy 9.j: Meet pm peak Level of Service (LOS) standards:*

- LOS E or better in Urban Core Areas [where these areas overlap with Strategy Corridors the LOS may exceed adopted standards].*
- LOS D or better elsewhere inside the City limits.*

*A Transportation Concurrency Application along with a Trip Distribution Diagram was submitted for review by the Tumwater Public Works Director and approved as part of the Formal Site Plan Review Approval (TUM-15-0298). The transportation concurrency ruling indicating that traffic generated from the project will not cause the level of service at any impacted corridors or intersections to fall below the City's level of service standard (Exhibit 15).*

*Staff finds that by connecting to Ridgeview Loop SW to the east the project will not adversely affect level of service standards and that the project is consistent with the Tumwater Transportation Plan.*

- C. Sustainable Development Plan for Thurston Region:** The Plan indicates that the regional community has set a target to reduce vehicle miles traveled and to preserve sensitive areas, farmland, forestland, prairies, and rural lands.

*To implement the goal in the Plan to reduce vehicle miles traveled strategies are stated including connecting streets, sidewalks and trails to provide multiple safe travel routes and shorter distances for all travel modes and encouraging a multimodal transportation system that includes walk, bike, bus, carpool, vanpool, telework, car, truck, and rail transportation systems.*

*With the extension of the private streets with sidewalks into the project as well as providing street improvements on the site frontage of Ridgeview Loop SW, the project is contributing to the goal in the Plan of reducing vehicle miles traveled.*

*The Plan also has a target goal stating that by 2035, 72 percent of all (new and existing) households in our cities, towns, and unincorporated growth areas will be within a half-mile (comparable to a 20-minute walk) of an urban center, corridor, or neighborhood center with access to goods and services to meet some of their daily needs.*

*The project site is located approximately 0.06 miles south of the intersection of Ridgeview Loop SW and Barnes Boulevard SW. Properties at the intersection of Ridgeview Loop SW and Barnes Boulevard SW have a zoning designation of Neighborhood Commercial (NC). The Neighborhood Commercial (NC) zone district allows a mix of retail and service businesses that can serve the residents of the proposed subdivision by walking or riding a bicycle.*

*Staff finds that the project is not in conflict with the Sustainable Development Plan for Thurston Region.*

- D. Thurston Regional Trail Plan:** The City of Tumwater is a participating member of the Thurston Regional Planning Council (TRPC). TRPC adopted the Thurston Regional Trail Plan in December 2007.

The Regional Trails Plan defines a trail network blueprint and a set of guidelines and recommendations for all of Thurston County and its cities, towns and communities. The Goals and Policies section of the Plan serves to link local trail planning efforts within the broader context of planning the regional transportation network. The plan charts a systematic path creating interconnected corridors that improve access to community destinations.

***Staff Response and Recommended Finding:*** *The project site is not affected by the regional trail network outlined in the Thurston Regional Trail Plan.*

*Staff finds that approval of the project will not affect implementation of the Thurston Regional Trail Plan.*

- E. Hearing Examiner – TMC 2.58.090:** Hearing Examiner has authority to review Preliminary Plat, Preliminary Planned Unit Development, and Variance requests.

***Staff Response and Recommended Finding:*** *Preliminary Plats, Preliminary Planned Unit Developments, and Variances require a public hearing and decision by the Tumwater Hearing Examiner. Final Plat and Final Planned Unit Development approval authority is with City of Tumwater staff.*

- F. Public Notice Requirements –TMC Chapter 14.06:** TMC Chapter 14.06 requires the City to provide public notification of certain application types by issuing a Notice of Application (TMC 14.06.010) and a Notice of Open Record Hearing (TMC 14.06.070).

***Staff Response and Recommended Finding:*** *The Preliminary Plat and Preliminary Planned Unit Development applications were deemed complete on May 13, 2021.*

*Public notice for the Preliminary Plat and Preliminary Planned Unit Development applications indicating that the applications were submitted and deemed complete was mailed to property owners within 300 feet of the subject property, affected agencies and posted on-site May 13, 2021; and published in the Olympian on May 13, 2021 (Exhibits 17 – 18).*

*The Variance application was deemed complete on July 30, 2021.*

*An Amended Notice of Application for the Preliminary Plat, Planned Unit Development and Variance applications indicating that the Variance application was submitted and deemed complete was mailed to property owners within 300 feet of the subject property, affected agencies and posted on-site August 12, 2021; and published in the Olympian on August 12, 2021 (Exhibits 19 – 21).*

*Public notice for the application containing notification for the September 29, 2021 public hearing was mailed to property owners within 300 feet of the subject property, affected agencies and posted on-site on September 17, 2021; and published in The Olympian on September 17, 2021, in conformance with TMC 14.06.070 (Exhibit 12).*

- G. State Environmental Policy Act – TMC 16.04:** The City of Tumwater Community Development Department reviewed a SEPA Environmental Checklist and other information submitted by the project proponent and issued a Determination of Non-Significance on January 7, 2016.

***Staff Response and Recommended Finding:*** *The City of Tumwater Community Development Department, as lead agency, has completed environmental review in accordance with TMC 16.04, RCW 43-21C and WAC 197-11.*

*The City's SEPA threshold determination (TUM-15-0726) was issued on January 7, 2016 and an appeal was filed, but it was dismissed before a public hearing was held (Exhibit 15 and 16).*

*The SEPA threshold determination was appealed and the SEPA appeal hearing scheduled for April 25, 2016. However, the appeal was withdrawn. Consequently, the SEPA threshold determination was upheld (Exhibit 16).*

- H. Tree Protection and Replacement Ordinance – TMC 16.08:** TMC Chapter 16.08 regulates the removal and preservation of existing trees on a site to be developed.

***Staff Response and Recommended Finding:*** *A professional forester's report, tree inventory, and tree protection plan that complied with TMC Chapter 16.08 were submitted prior to issuance of the Site Development/Grading Permit (TUM-20-0350). In accordance with TMC 17.12.210.E, except where removal is required to meet active recreational requirements, existing trees, and significant vegetation shall be retained in the proposed open space areas (Exhibits 25 and 27).*

*Staff finds that the plat is consistent with TMC 16.08 and TMC 17.12.070.*

- I. General Plat Design Standards – TMC 17.12:**

The subdivision is required to comply with the following standards of design and development as required by TMC 17.12.010.

- 1) **TMC 17.12.020 – Future Subdivision and Access:** All land divisions shall be designed to accommodate the future land division of adjoining land by providing for adequate future access and utility service. Pedestrian and bicycle access to schools, parks, shorelines, recreation areas, and open space



shall be provided by walkway where street access is unsafe or inadequate.

***Staff Response and Recommended Finding:*** *The two proposed internal roadways are private roads that terminate in cul-de-sacs. There is not a need to provide additional connections as the property to the south is a public school and the steep slopes on the site makes additional roadway connections impractical and difficult. A utility easement connects the cul-de-sac at the end of Starlight Lane SW to Crosby Boulevard SW.*

*Pedestrian access elements are required throughout the site and they must be connected to the public sidewalk on Ridgeview Loop SW.*

*The approved Site Development/Grading Permit (TUM-20-0350) plans depict a four-foot wide integral sidewalk on one side of the private internal streets connecting to the public sidewalk on Ridgeview Loop SW.*

*With these conditions, Staff finds that the plat is consistent with TMC 17.12.020.*

- 2) **TMC 17.12.030 – Blocks:** Blocks in non-residential zones shall be dimensioned to accommodate the intended purpose of the land. All blocks shall be arranged so as to minimize the number of intersections and access points on arterial streets.

***Staff Response and Recommended Finding:*** *The proposed subdivision is in the Multifamily Medium Density Residential (MFM) zone district. One public access point into the project is proposed from Ridgeview Loop SW.*

*Staff finds that the plat is consistent with TMC 17.12.030.*

- 3) **TMC 17.12.040 – Minimum Lot Size:** Lots or tracts shall conform to the size set forth in the zoning district unless dedicated or restricted by covenant for open space, park, recreational or other community or public use. In subdivisions intended for single family dwelling units or townhouse/rowhouse development, a separate lot or tract shall be provided for each dwelling unit, not including accessory dwelling units. If the land division is submitted in phases/divisions of development, each phase/division submitted for approval shall meet all provisions of this section.

***Staff Response and Recommended Finding:*** *There is not a minimum or maximum lot size in the Multifamily Medium Density Residential (MFM) zone district.*

*There are four open space tracts (Tracts A – D), located on the property intended to serve the project storm drainage, utility and open space requirements. The storm*

*drainage and open space tracts must be restricted by covenant to tie maintenance responsibilities to the Forest Park Townhomes Homeowners Association (Exhibits 12 and 28)*

*The intended use for 20 of the lots within the proposed subdivision is for a triplex, one lot will contain a triplex attached to a clubhouse, and one lot will contain a fourplex. The intended use for the open space tracts (Tracts A – D) is to meet the project storm drainage, utility and open space requirements.*

*The proposed plat is not large enough to qualify for phasing as allowed for by TMC 17.14.090.*

*Staff finds that the plat is consistent with TMC 17.12.040.*

- 4) **TMC 17.12.060 – Residential Lot Building Sites:** Each residential lot in low density residential zones shall have a building site no less than 1,600 square feet in area within which a suitable building can be built and served by utilities and vehicular access unless dedicated or restricted by covenant for open space, park, recreation or other public use. The building site area herein required shall not exceed a 25% cross slope or include any very severe development limitation areas. Such building sites shall be indicated on the face of the preliminary land division.

**Staff Response and Recommended Finding:** *The proposed project is not in a low-density residential zone.*

*Staff finds this section is not applicable to the project.*

- 5) **TMC 17.12.070 – Natural Vegetation and Features:** Natural vegetation and features such as trees, streams, wetlands, and wildlife habitat shall be preserved to the greatest extent possible and in accordance with the requirements of Title 16 TMC and Chapter 18.47 TMC.

**Staff Response and Recommended Finding:** *A professional forester's report, tree inventory, and tree protection plan that complies with TMC Chapter 16.08 was submitted, reviewed, and approved for the project under Site Plan Review (TUM-15-0298). In accordance with TMC 17.12.210(E), except where removal is required to meet active recreational requirements, existing trees and significant vegetation shall be retained in the open space areas (Exhibits 25 and 27).*

*With these conditions, Staff finds that the plat is consistent with TMC 17.12.070.*

- 6) **TMC 17.12.080 – Clearing and Grading:** Proposed clearing and grading should be minimized by the use of shared access driveways and careful

location of streets and building sites.

***Staff Response and Recommended Finding:*** *The proposed alignment for the streets appear to follow contours in a manner that will minimize the amount of cutting and filling that will be required for site development. In addition, the plat design includes shared driveway accesses that may further minimize cuts and fills. Site development must follow the approved Site Development/Grading Permit (TUM-20-0350) plans.*

*Staff finds that the plat is consistent with TMC 17.12.080.*

- 7) **TMC 17.12.090 – Wetlands and Drainage:** Wetlands and natural drainage ways shall be subject to review under Chapters 16.28 (Wetlands) and 16.32 (Fish and Wildlife Conservation Areas), of this code.

***Staff Response and Recommended Finding:*** *There are no wetlands or natural drainage ways on the property regulated by TMC Chapter 16 (Environment) (Exhibits 11 and 28).*

*Staff finds that the plat is consistent with TMC 17.12.090.*

- 8) **TMC 17.12.100 – Hazards:** Where land division and development of land may pose a hazard to the land division and nearby properties because of steep slopes, unstable soils, excessive stormwater runoff or soil erosion, the land divider shall have the burden of presenting the evidence satisfactory to the City of hazard mitigation. In the absence of such evidence, division of such land shall be denied.

***Staff Response and Recommended Finding:*** *A geotechnical report addressing all the applicable requirements in TMC 16.20.050 was approved as part of the issued Site Development/Grading Permit (TUM-20-0350).*

*If areas of the site are considered geologically hazardous, these areas were taken out of the density calculation for the project as described in TMC 18.14.050(B). Recommendations within the geotechnical report may include building setbacks from the top and toe of slopes defined as geologically hazardous.*

*As part of the approved Site Development/Grading Permit (TUM-20-0350) plans, the project proponent prepared a grading plan, including a soils report, for review and approval by the City of Tumwater Building Official as well as a storm drainage and erosion control plan prepared pursuant to the City of Tumwater's 2018 Drainage Design and Erosion Control Manual for review and approval by the City Engineer. The plans demonstrate that the requirements of TMC 17.12.100 have been met as a condition of approval (Exhibits 11 and 28).*

*Staff finds that the plat is consistent with TMC 17.12.100.*

- 9) **TMC 17.12.110 – Streets:** The size of streets and their associated rights-of-way shall be as shown on the street standards chart for the class of street, which is appropriate to serve the land division, and anticipated community traffic, existing and potential. In areas where the division is adjacent to an existing street, right-of-way dedications shall be made to the existing street centerline.

**Staff Response and Recommended Finding:** *As part of the approved Site Development/Grading Permit (TUM-20-0350) plans, all private roads shall be constructed pursuant to the specifications outlined in the City of Tumwater Development Guide. Approval of the Preliminary Planned Unit Development application (TUM-21-0117) is required for the private internal roads.*

*With these conditions, Staff finds that the plat is consistent with TMC 17.12.110.*

- 10) **TMC 17.12.120 – Driving Surfaces and Rights-of-Ways:** All roads shall be designed and constructed in accordance with the adopted “Development Standards for the City of Tumwater” in effect at the date of acceptance of the preliminary land division.

**Staff Response and Recommended Finding:** *As part of the approved Site Development/Grading Permit (TUM-20-0350) plans, all private roads shall be constructed pursuant to the specifications outlined in the City of Tumwater Development Guide. Approval of the Preliminary Planned Unit Development application (TUM-21-0117) is required for the private internal roads.*

*With these conditions, Staff finds that the plat is consistent with TMC 17.12.120.*

- 11) **TMC 17.12.130 – Cul-de-sacs:** All cul-de-sacs shall be designed in accordance with the adopted “Development Standards for the City of Tumwater” in effect at the date of acceptance of the preliminary land division. Parking is prohibited in the cul-de-sac turnarounds and shall be posted. An improved pathway for pedestrian and bicycle use shall be dedicated to the public to connect cul-de-sac streets to nearby areas where such a pathway is necessary to provide convenient access to schools, parks, public transit stops, shopping centers, other cul-de-sacs or pathways, and other community services, or as otherwise necessary for public convenience and safety. Such pathways shall be designed to maintain the safety of pedestrians and bicyclists and owners of properties adjacent to the pathway.

**Staff Response and Recommended Finding:** *As part of the approved Site Development/Grading Permit (TUM-20-0350) plans, the cul-de-sacs shall be*

constructed pursuant to the specifications outlined in the City of Tumwater Development Guide. Approval of the Preliminary Planned Unit Development application (TUM-21-0117) is required for the private internal roads.

No parking will be allowed in the cul-de-sac turnaround and this shall be posted accordingly.

With these conditions, Staff finds that the plat is consistent with TMC 17.12.130.

- 12) TMC 17.12.140 – Street Signs: Street signs shall be installed by the subdivider as specified by the Community Development Department.

**Staff Response and Recommended Finding:** In order to meet the requirements of the Tumwater Development Guide, the project proponent was required to include a street signage plan with the approved Site Development/Grading Permit (TUM-20-0350) plans. Street identification signs shall be placed at all proposed intersection and shall be designed in accordance with the Tumwater Development Guide. Stop signs shall be required at the intersection of Starlight Lane SW and Ridgeview Loop SW and the intersection of Starlight Lane SW and Moonlight Lane SW. No Parking signs shall be installed in the cul-de-sac turnarounds and on one side of the two private streets as specified by the City Engineer and City of Tumwater Building Safety Official.

With these conditions, Staff finds that the plat is consistent with TMC 17.12.140.

- 13) TMC 17.12.150 – Topography: All streets should be designed to conform to the topography of the site, in order to reduce street grades and minimize the need for cuts and fills.

**Staff Response and Recommended Finding:** All proposed street grades shall be designed in accordance with the approved Site Development/Grading Permit (TUM-20-0350) plans and Section 4.3.B of the Tumwater Development Guide. Grades within the cul-de-sac and the City of Tumwater Fire Department turnaround associated with the private streets shall not exceed eight percent in order to facilitate emergency vehicle access. Approval of the Preliminary Planned Unit Development application (TUM-21-0117) is required for the private internal roads.

With these conditions, Staff finds that the plat is consistent with TMC 17.12.150.

- 14) TMC 17.12.160 – Maximum street grades: Maximum street grades shall be in accordance with the adopted “Development Standards for the City of Tumwater”.

**Staff Response and Recommended Finding:** All proposed street grades shall be designed in accordance with the approved Site Development/Grading Permit (TUM-

20-0350) plans and Section 4.3.B of the Tumwater Development Guide. Grades within the cul-de-sac and the City of Tumwater Fire Department turnaround associated with the private streets shall not exceed eight percent in order to facilitate emergency vehicle access. Approval of the Preliminary Planned Unit Development application (TUM-21-0117) is required for the private internal roads.

With these conditions, Staff finds that the plat is consistent with TMC 17.12.160.

- 15) TMC 17.12.170 – Street Names: All streets shall be named or numbered as specified by the City. The land divider is encouraged to submit requested street names to the City for its consideration.

***Staff Response and Recommended Finding:*** The street names and addresses for the subdivision have been assigned by the City of Tumwater Building Official. Staff finds that the plat is consistent with TMC 17.12.170.

- 16) TMC 17.12.180 – Lot Access: Each lot shall have a minimum of 10 feet of unobstructed access to a street, directly or by access easement.

***Staff Response and Recommended Finding:*** Staff finds that the plat is consistent with TMC 17.12.180.

- 17) TMC 17.12.190 – Private Streets: Private streets shall be constructed to meet or exceed the design standards established on the street standards chart for the City. Public access to developments or parts of developments containing private streets shall not be limited by the use of gates or other measures.

***Staff Response and Recommended Finding:*** The two proposed private streets shall be constructed in accordance with the approved Site Development/Grading Permit (TUM-20-0350) plans and the requirements outlined in the Tumwater Development Guide. The requirement is a 30-foot wide easement with 26 feet of pavement with a 4-foot wide integral walk on one side. The private streets shall terminate with an acceptable City of Tumwater Fire Department turnaround. Approval of the Preliminary Planned Unit Development application (TUM-21-0117) is required for the private internal roads.

With these conditions, Staff finds that the plat is consistent with TMC 17.12.190.

- 18) TMC 17.12.200 – Underground Utilities: Electrical power, telephone, cable television, fiber optics and other transmission lines shall be installed underground.

***Staff Response and Recommended Finding:*** In accordance with TMC 17.12.200

*and Section 3.14 of the Tumwater Development Guide, all utilities associated with this project shall be underground.*

*With these conditions, Staff finds that the plat is consistent with TMC 17.12.200.*

19) TMC 17.12.210 –Park and open space area standards for divisions of land.

[...]

B. For residential subdivisions in which the majority of the dwelling units will be fourplexes, multifamily dwellings, roominghouses, rowhouses, townhomes, or triplexes, a minimum of fifteen percent of the gross site area shall be set aside for park and open space area.

[...]

E. For the purpose of calculation of the park and open space area, the park and open space area shall be separate and distinct from required yards, setbacks, and landscaped areas.

[...]

G. For all residential subdivisions, at least fifty percent of the area set aside for park and open space area must be for active recreation, with the remainder set aside for passive recreation. For all nonresidential subdivisions, all the area set aside for park and open space area may be for passive recreation.

1. The following areas may be counted towards fulfilling the active recreation requirements:

- a. Children's play equipment, such as slides, swings, and play structures;
- b. A paved hard court for activities such as basketball, tennis, or pickleball;
- c. Athletic fields for activities such as soccer or baseball and similar team sports;
- d. Multiuse trails for pedestrians and bicycles meeting WSDOT multiuse trail design standards;
- e. A flat, open lawn area with a surface suitable for unstructured



active play;

f. Community gardens as defined in TMC 18.04.030, C definitions; and

g. Other similar active recreation facilities if approved by the community development director in consultation with the parks and recreation director.

2. That portion of stormwater ponds with active recreation facilities anticipated to be usable at least six months of the year may be counted towards fulfilling the active recreation requirement, provided these facilities are consistent with the drainage design and erosion control manual for Tumwater.

3. The following areas may be counted towards fulfilling the passive recreation requirements:

a. Facilities for walking, such as unpaved trails;

b. Landscaped areas with benches and other amenities;

c. Picnicking facilities, such as picnic tables and shelters;

d. Public plazas;

e. Vegetated decks and rooftops, provided the deck or rooftop is accessible to all residents and employees of the subdivision, short plat, or binding site plan;

f. Stormwater ponds with perimeter trails or year-round water features consistent with the drainage design and erosion control manual for Tumwater;

g. Tree protection areas preserved under TMC Chapter 16.08, provided access is provided within these areas via an unpaved trail consistent with the regulatory requirements for these areas;

h. Wetland buffers under TMC Chapter 16.28, wellhead protection areas under TMC Chapter 16.26, and special flood hazard areas under TMC Chapter 18.38, provided access is provided within these areas via an unpaved trail consistent with the regulatory requirements for these areas; and

- i. Other similar passive recreation facilities if approved by the community development director in consultation with the parks and recreation director.

H. The park and open space area shall have convenient access for residents or employees of the subdivision, short plat, or binding site plan and the park and open space area shall be consolidated to provide maximum access, visibility, usability, minimization of impacts to residential uses, and ease of maintenance. These requirements may be waived by the community development director upon a finding that the residents or employees of the subdivision, short plat, or binding site plan would receive a greater benefit if the required park and open space area were provided in another configuration due to the size of the division of land, unique topographic conditions, or other factors determined by the community development director.

I. The park and open space area shall be designed and placed in consideration of existing and potential park and open space areas on adjacent parcels to allow for consolidation or provision of future opportunities for consolidation of park and open space areas.

J. Except where removal is required to meet active recreation requirements in this chapter, existing trees and significant native vegetation shall be retained in park and open space areas unless an alternate landscaping plan for such areas is required or approved by the community development director.

K. Park and open space areas shall be held in single ownership where such ownership assumes full responsibility for maintenance and operation, or held in common ownership by all of the owners in the subdivision, short plat, or binding site plan through a property owners' association or similar organization. As a condition of approval, the city may require or choose to accept dedication, when the park and open space area set aside is one or more of the following:

1. Greater than two acres.
2. Adjacent to an established or future city park or school grounds.
3. Includes public access to a body of water, wetland, critical habitat, or other environmentally sensitive area.
4. If the city determines it is in the public interest to accept land for park and open space area.

L. Maintenance of park and open space areas shall be provided for as described in TMC Chapter 17.22.

***Staff Response and Recommended Finding:*** TMC 17.12.210 contains the general design standards for open spaces and parks in a Preliminary Plat. This section was updated on February 16, 2021 by Ordinance No. O2020-015, before permit applications TUM-21-0046 (Preliminary Plat) and TUM-21-0117 (Preliminary Planned Unit Development) were deemed complete by the City on May 13, 2021, but after the Formal Site Plan Approval (TUM-15-0298) was issued for the project on March 4, 2016.

*The requirement that a minimum of 15-percent of the gross site area be designated as open space that is required to include both passive and active recreation facilities for enjoyment of the residents is similar to the original open space requirement in the Formal Site Plan Approval (TUM-15-0298) issued for the project on March 4, 2016.*

*The open space in the proposed Preliminary Plat is approximately 2.96 acres or 38.3% of the entire site and meets the overall TMC 17.12.210 code requirement of a minimum 15% open space.*

*The project meets the minimum 15% open space requirement by providing community open space tracts (Tracts A – D) totaling 1.16 acres. This will also meet the Citywide Design Guideline requirement that all multifamily residential development must provide 150 square feet of on-site open space per dwelling unit (Citywide Design Guidelines, 2.B.8.1. – Amount of Required Residential Open Space).*

*Open space must be designated, protected from development, and preserved through a mechanism acceptable to the City. Such open space is reasonably necessary as a direct result of the development proposed in the application for the following reasons:*

- i. The development will convert 7.73 acres of forested hillside land into streets and sidewalks, cleared lots with triplexes, a triplex and a clubhouse, a fourplex, and stormwater facilities. The area of the development includes wildlife habitat and native vegetation.*
- ii. Preservation of open space will encourage the developer to designate sensitive lands as open space. This will preserve some wildlife habitat and native vegetation; allow some lots to be separated by natural areas; preserve and enhance views; and provide passive recreational areas for inhabitants of the development.*
- iii. The health and welfare of inhabitants of the development, and the health and welfare of the general public will be enhanced by preservation of the open space requested. This will come about by preserving the natural condition of*

*the open space areas, which will reduce the risk of erosion and slope failures, and by providing passive recreational opportunities, including wildlife viewing in preserved habitat areas for subdivision inhabitants.*

*The project proponent has applied for a variance for reduction of open space area dedicated to active and passive recreation. See the discussion in Section II.K.4 Tumwater Zoning Code – TMC Title 18, Variances – TMC 18.58 below.*

*The Formal Site Plan Approval (TUM-15-0298) issued for the project on March 4, 2016 was used for the construction plans for the project approved by the Site Development/Grading Permit (TUM-20-0350) issued on March 30, 2021. The site is currently under construction.*

*TMC 17.12.210 has been updated since the Formal Site Plan Approval (TUM-15-0298) was issued for the project on March 4, 2016. At the time of original site development permit approval, the open space requirements were met for active and passive recreation with one area of outdoor play equipment and one area as outdoor common space.*

*New code requirements require 50% of the open space to be used for active recreation and the remainder for passive recreation. These percentages are not currently met with the proposed site plan and they are the reason for the Variance application evaluated in Section II.K.4 Tumwater Zoning Code – TMC Title 18, Variances – TMC 18.58 below.*

*The Community Development Director has waived the requirement for a consolidated open space area in TMC 17.12.210(H) due to unique topographic circumstances affecting the property.*

*With the approval of the Variance, Staff finds that the plat is consistent with TMC 17.12.210.*

**J. Preliminary Land Division – TMC 17.14 and RCW 58.17:** TMC 17.14 and RCW 58.17 regulate the submission, review criteria, and consideration of proposed divisions of land.

**Staff Response and Recommended Finding:** *The project proponent completed the pre-submission process described in TMC 17.14.020.*

*The application submission requirements listed in TMC 17.14.030 have been met.*

*TMC 17.14.040 and RCW 58.17.110 require the Hearing Examiner to inquire into the public use and interest proposed to be served by the establishment of the proposed land division and any public dedications associated with a project.*

*Criteria to be considered include if appropriate provisions are made for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, other grounds, transit stops, potable water supplies, sanitary wastes, parks and recreation playgrounds, schools and school grounds, fire protection and other public facilities, and shall consider all other relevant facts, including the physical characteristics of the site, and determine whether the public interest will be served by the land division and dedication. Further, consideration shall be given for sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school.*

*Staff concludes that adequate provisions will be made for public health, safety, and general welfare as follows:*

- 1. The amount of open space proposed for the subdivision is above the minimum required by the Land Division Ordinance. The open space areas will contain both passive and active recreation elements as required by TMC 17.12.210 as modified by the Variance application.*
- 2. New private streets that comply with the City's current Development Guide and the requirements of TMC 18.36 Planned Unit Development are proposed to be constructed and dedicated to the City. In addition, public right-of-way street improvements, including sidewalks and street illumination will be completed on Ridgeview Loop SW along the entire abutting frontage of the property as part of the Site Development/Grading Permit (TUM-20-0350) issued on March 30, 2021.*
- 3. A storm drainage system complying with the City of Tumwater's 2018 Drainage Design and Erosion Control Manual will be constructed for the site. A preliminary storm drainage report, including a geotechnical investigation submitted to support the preliminary design was approved as part of the Site Development/Grading Permit (TUM-20-0350) issued on March 30, 2021 (Exhibits 11 and 28).*
- 4. Sanitary sewer and water will be extended into the property to serve the proposed dwellings as part of the Site Development/Grading Permit (TUM-20-0350) issued on August 24, 2021 (Exhibits 22 and 28). The City of Tumwater Water Resources and Sustainability Department has issued a water and sewer availability ruling indicating that the City has the ability to serve the subdivision with water and sewer connections (Exhibit 22).*
- 5. Intercity Transit currently has a route that serves the site.*
- 6. The site is not currently being considered by the Tumwater School District for their future needs.*

7. *Current City of Tumwater Fire Department facilities are adequate to service the proposed project.*
8. *The children residing within the proposed subdivision will attend Tumwater Hill Elementary School, which is approximately 0.15 miles south of the site. Tumwater Middle School is approximately 2.8 miles south of the site. Black Hills High School is approximately 4.8 miles south of the site.*

*The Tumwater School District has a policy for children walking to school. The District will offer bus services to children attending the schools from the proposed subdivision. The Preliminary Plat is showing a school bus stop on Ridgeview Loop SW for use by the District (Exhibit 10).*

**K. Tumwater Zoning Code – TMC Title 18:**

**1. MFM Multifamily Medium Density Residential Zone District  
TMC 18.14 – Permitted Uses and Development Standards**

**Staff Response and Recommended Finding:** *The project site is located in the Multifamily Medium Density Residential (MFM) zone district (Exhibit 14).*

*TMC 18.14.020(C) lists triplexes and fourplexes as permitted uses in the Multifamily Medium Density Residential (MFM) zone district. The clubhouse is allowed as an accessory use in the Multifamily Medium Density Residential (MFM) zone district according to TMC 18.14.030(D).*

*The maximum impervious surface in the Multifamily Medium Density Residential (MFM) zone district according to TMC 18.14.050(D) is 70% of the lot area.*

*The maximum building height in the Multifamily Medium Density Residential (MFM) zone district according to TMC 18.14.050(E) is 40 feet.*

*The minimum required setbacks for the Multifamily Medium Density Residential (MFM) zone district for the perimeter of the property and the proposed lots according to TMC 18.14.050(F) are provided below.*

*The minimum required setbacks for the Multifamily Medium Density Residential (MFM) zone district around the perimeter of the property are as follows:*

- a. *Ten feet minimum along all public street frontages.*
- b. *Twenty feet minimum along the entire south boundary because the property abuts a Single-Family Low-Density Residential (SFL) zone district. Where*

*any structures or portions of structures, except for single-family dwellings, are adjacent to any single-family residential zoning district, the minimum setback shall be twenty feet. Where structures are constructed over one story, except for single-family dwellings, the setback from the adjacent property line or lines shall be increased by ten feet for every story above the ground level story of the proposed new building, and shall be completely screened from view in accordance with TMC Chapter 18.47.*

- c. *Five feet minimum along the other boundaries.*

*The project proponent filed a Variance application (TUM-21-1231) from the Single-Family Low-Density Residential (SFL) zone district setback requirements that necessitate that the project provide a 20-foot minimum setback along the entire south boundary because the property abuts a Single-Family Low-Density Residential (SFL) zone district.*

*The project site is in the Multifamily Medium Density Residential (MFM) zone district with the adjacent Tumwater Hill Elementary School, a Tumwater School District property, in the Single-Family Low-Density Residential (SFL) zone district. The school property borders the subject property on the southern and eastern sides of the site. The current use of the school property land is an athletic field located at the Tumwater Hill Elementary School and it is not used for single-family residences.*

*The original development application was approved under Site Plan Review (TUM-15-0298) on March 4, 2016. A Site Development/Grading Permit (TUM-20-0350) was issued on March 30, 2021 and construction on the site started in the spring of 2021. The site plan approved for use in the construction documents included the layout with 20-foot rear-yard setbacks as approved under the Site Plan Review (TUM-15-0298) on March 4, 2016.*

*During review of the preliminary plat application in 2021, City staff noted that the project should provide a 20-foot minimum setback along the entire south boundary because the property abuts a Single-Family Low-Density Residential (SFL) zone district with an additional ten feet of setback for every building story over one story. As the proposed structures are three stories in height, the total rear-yard setback required is 40 feet where the site's Multifamily Medium Density Residential (MFM) zone district abuts the Single-Family Low-Density Residential (SFL) zone district. This affects proposed Lots 1-8 of the Preliminary Plat.*

*The code section has not changed from 2016 to now, however the Site Plan Review (TUM-15-0298) issued on March 4, 2016 and the Site Development/Grading Permit (TUM-20-0350) issued on March 30, 2021 used 20-foot rear yard setbacks.*

*The project proponent has applied for a variance to reduce the required setback*



*adjacent to the Single-Family Low-Density Residential (SFL) zone district. See the discussion in Section II.K.4 Tumwater Zoning Code – TMC Title 18, Variances – TMC 18.58 below.*

*With the approval of the Variance, Staff finds that the Preliminary Plat is consistent with the external property setback requirements of TMC 18.14.050(F).*

*The minimum required setbacks for the Multifamily Medium Density Residential (MFM) zone district within the property are as follows:*

- a. Front: ten feet minimum from frontage property line. Driveways in front yards of any dwelling units must be a minimum of eighteen feet in length as measured along the shortest edge of the driveway starting from the front property line.*
- b. Side: five feet from property line, minimum; provided, that side yards for townhomes and rowhouses may be reduced to zero where attached.*
- c. Rear: five feet from property line, minimum.*

*The required setback area shall be parallel to the structure requiring the setback. Setback width shall be measured from the outermost edge of the building to the closest point of the parallel (or nearly parallel) adjoining lot line. A required setback area shall be kept free of any building or structure higher than 42 inches, except that a building or projection shall be allowed as provided by TMC 18.42.040.*

*Staff finds that the Preliminary Plat is consistent with the internal property setback requirements of TMC 18.14.050(F).*

## **2. Aquifer Protection Overlay (AQP) zone district - TMC 18.39 – Restricted Land Uses**

**Staff Response and Recommended Finding:** *The intent of the aquifer protection (AQP) overlay zone district is to identify, classify, and protect vulnerable and/or critical aquifer recharge areas within the City and urban growth area. Protection is to be accomplished by controlling the use and handling of hazardous substances.*

*The proposed residential subdivision is not a restricted land use in the aquifer protection (AQP) overlay zone district.*

## **3. Planned Unit Development – TMC 18.36**

**Staff Response and Recommended Finding:** *A Preliminary Planned Unit Development application accompanied the Preliminary Plat application for this project*

on January 14, 2021 and the application was submitted to provide private internal roads (Exhibit 4). The application was deemed complete on May 13, 2021 (Exhibit 17 – 18).

Under TMC 2.58.090, review authority for Preliminary Planned Unit Development applications fall under the purview of the Hearing Examiner.

According to TMC 18.36.050, the Hearing Examiner's decision to approve or deny the development shall be based on at least, but not limited to, the following criteria:

- A. Substantial conformance to the Tumwater comprehensive plan;
- B. The proposal's harmony with the surrounding area or its potential future use; and
- C. The adequacy of the size of the proposed overlay to accommodate the contemplated developments.

As discussed above, Staff finds that:

- This proposal is in conformance with the Tumwater Comprehensive Plan.
- This proposal is consistent with the surrounding residential area that is developed as urban densities.
- This proposal complies with the densities allowed in the Multifamily Medium Density Residential (MFM) zone district.

In accordance with TMC 18.36, a planned unit development shall be exempt from the minimum zoning ordinance requirements, as listed at TMC 18.36.080, except as provided for below:

- A. *Minimum Project Size.* There is no minimum project size for a planned unit development.
- B. *Project Densities.* Densities established by the underlying zone district shall prevail.
- C. *Setbacks.* Project setbacks as required by the underlying zoning district shall prevail on all perimeter boundary lines.
- D. *Land Coverage.* Maximum land coverage as established by the underlying zone district may be exceeded by no more than twenty-five percent.

- E. Uses Allowed. The use of the development shall be limited to those allowed either as permitted, accessory, or conditional uses in the underlying zones.*
- F. Open Space/Park. The open space/park dedication requirements of the underlying zoning district shall prevail.*
- G. Design Review Guidelines. The design review guideline requirements shall prevail.*

*Staff finds that the Preliminary Planned Unit Development is consistent with TMC 18.36.*

#### **4. Variances – TMC 18.58:**

**Staff Response and Recommended Finding:** *An application for a Variance accompanied the Preliminary Plat application for this project and the application was submitted on July 29, 2021 (Exhibits 5 – 9). The application was deemed complete on July 30, 2021 (Exhibits 19 – 21). Under TMC 2.58.090, review authority for Variance applications fall under the purview of the Hearing Examiner.*

*The project proponent is requesting approval of a Variance (TUM-21-1231) from zoning setbacks (TMC 18.14.050(F)) and required open space area requirements (TMC 17.12.210).*

*In accordance with TMC 18.58.040, a variance may be granted, after investigation, provided all of the following findings of fact exist:*

- 1. That special conditions exist which are peculiar to the land, such as size, shape, topography, or location, not applicable to other lands in the same district, and that literal interpretation of the provisions of this title would deprive the property owners of rights commonly enjoyed by other properties similarly situated in the same district under the terms of this title;*
- 2. That the special conditions and circumstances are not the result of actions of the applicant;*
- 3. That the granting of the variance requested will not confer a special privilege to the property that is denied other lands in the same district;*
- 4. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements of the vicinity and zone in which the subject property is situated; and*

5. *That the reasons set forth in the application justify the granting of the variance, and that the variance, if granted, would be the minimum variance that will make possible the reasonable use of the land.*

*In no event may a variance be granted if it would permit a use that would not be permitted as a primary, accessory or conditional use in the district involved.*

*Staff finds that:*

1. *That special conditions exist which are peculiar to the land, such as size, shape, topography, or location, not applicable to other lands in the same district, and that literal interpretation of the provisions of this title would deprive the property owners of rights commonly enjoyed by other properties similarly situated in the same district under the terms of this title.*

*Setbacks:*

*The intent of the code regarding setbacks (TMC 18.14.050(F)) is to provide additional separation between single-family residences and multifamily buildings that are taller. In this case, proposed Lots 1 through 8 of the Preliminary Plat are adjacent to the Single Family Low Density Residential (SFL) zone district to the south. This property is owned by the Tumwater School District and it contains an athletic field for the Tumwater Hill Elementary School, but has no single-family residences.*

*In addition, because of the grade change on the site, the school district property is at a higher elevation than the proposed buildings on proposed Lots 1 through 8 (Exhibits 8 – 9). Two site sections are provided in the Variance application materials that show the largest grade change (Lot 7), and smallest grade change (Lot 5) comparing the school district property with the proposed buildings. These provide an illustration of the low impact the proposal has on the adjacent property. These site sections show there is roughly equivalent to one aboveground story adjacent to the Single Family Low Density Residential (SFL) zone district and the proposed buildings are not towering over the adjacent land. Therefore, the intent of the code is met by providing a 20-foot rear-yard setback.*

*Due to the special conditions of this project, allowing for this variance is justified.*

*Open Space:*

*The subject property has significant grade change across the site, with over 100 vertical feet in topographic relief from east to west. There is also existing bedrock below the surface and has required blasting during construction of site improvements. With the current site plan, large portions of the open spaces are also tree protection areas that are required to be undisturbed.*

*Activities listed in TMC 17.12.210 as allowable active recreation facilities include children's play equipment, paved hard courts, athletic fields, multi-use trails, flat open lawn areas, community gardens, and other similar recreation facilities. In order to provide additional active recreation areas, tree protection areas would be reduced to create more flat area while also requiring significant earthwork, walls, and potential blasting in bedrock to provide these areas for active recreation.*

*Due to the special conditions of this project based on site characteristics, allowing for this variance is justified.*

2. *That the special conditions and circumstances are not the result of actions of the applicant.*

*Setbacks:*

*The 20-foot rear yard setback shown in the approved Site Plan Review (TUM-15-0298) on March 4, 2016 has been maintained from the original approval through construction documents approved by Site Development/Grading Permit (TUM-20-0350) for site improvements. The need for additional rear-yard setback was not brought up during the site plan review process. At the time of site plan approval all parties involved were under the impression the 20-foot rear yard setback met code requirements and this was not a result of the action of the applicant.*

*Open Space:*

*As described previously, the overall open space quantity is met for the project, but the ability to provide the required active recreation open space is very limited due to site constraints including the steep topography, maintaining tree protection open space areas, and the presence of bedrock. These items are all site related and not a result of actions of the applicant.*

3. *That the granting of the variance requested will not confer a special privilege to the property that is denied other lands in the same district.*

*Setbacks:*

*Based on previous statements about the project, the intent of the code is met regarding setbacks complying with City standards, therefore not conferring any special privilege on this property.*

*Open Space:*

*This variance request cites the topography and other site constraints as preventing the project from meeting open space requirements; therefore, it is not a special privilege conferred on this property.*

4. *That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property of improvements of the vicinity and*

*zone in which the subject property is situated.*

**Setbacks:**

*The intent of the code is met with this proposal and granting this variance will not be materially detrimental to the public welfare or injurious to the surrounding properties.*

*As stated previously the setbacks are similar to other project uses, the Single Family Low Density Residential (SFL) zone district to the south of the Preliminary Plat is a school and not a single-family residence, and the proposed multi-story buildings are partially embedded in the side of the slope and the proposed buildings do not tower above the adjacent property.*

**Open Space:**

*The reduction of open space for active recreation will not be materially detrimental to the public welfare or injurious to the surrounding properties. By allowing this reduction of active recreation open space, the amount of tree protection area can remain, and the overall amount of open space is higher for the project than minimum code requirement.*

5. *That the reasons set forth in the application justify the granting of the variance, and that the variance, if granted, would be the minimum variance that will make possible the reasonable use of the land.*

*The issues as stated above relating to setbacks and open space are the two remaining items that need to be addressed for the Preliminary Plat and the Preliminary Planned Unit Development to make reasonable use of the land. If the variance is granted, the proposal can continue forward through the platting process.*

*Staff recommends approval of this Variance for the project. If approved, Staff finds that the Preliminary Plat and Preliminary Planned Unit development is consistent with the Tumwater Municipal Code.*

## 5. **Signs – TMC 18.44**

**Staff Response and Recommended Finding:** *The Multifamily Medium Density Residential (MFM) zone district allows one 32 square foot monument sign on the Ridgeview Loop SW frontage to identify the name of the subdivision. Permits are required and height restrictions apply depending on the location of the sign(s). A sign permit was issued for the project on April 12, 2021 (TUM-21-0592).*

## III. **PUBLIC COMMENT**

Three emails were received during the public noticing for the project application:

one email from the Washington State Department of Ecology and two emails from the Squaxin Island Tribe (Exhibits 34 – 36).

Exhibit 34. Squaxin Island Tribe Comments, dated May 26, 2021

Exhibit 35. Squaxin Island Tribe Comments, dated August 16, 2021

Exhibit 36. Washington State Department of Ecology Comments, dated August 26, 2021

#### IV. RECOMMENDATION

Pursuant to TMC 2.58.110, staff recommends approval of the Preliminary Plat, Preliminary Planned Unit Development, and Variance requests described herein with the following conditions:

1. Stormwater from impervious surfaces associated with the project shall be managed in accordance with the City of Tumwater's 2018 Drainage Design and Erosion Manual.
2. Erosion and sediment control measures that comply with the City of Tumwater's 2018 Drainage Design and Erosion Manual shall be implemented during construction of the project to prevent sediment-laden runoff from entering surface waters.
3. Construction shall follow the conditions of the Site Development/Grading Permit (TUM-20-0350) issued by the City for grading, street, sidewalk and utility construction, tree removal and construction of storm drainage facilities.

This project will be considered "engineered grading." Special hazards may include steep slopes, terracing with rockeries or multiple retaining walls. Inspection of the grading shall be performed by the civil engineer and geotechnical engineer approved by the City of Tumwater Building Official. In addition, special inspectors approved by the City of Tumwater Building Official shall perform inspections of fill placement, compaction testing, and blasting. All special inspections must be performed by Washington Association of Building Officials (WABO) registered labs and inspectors who have expertise in grading and earthwork.

When the grading work is complete and ready for final inspection, the civil engineer of record is responsible for providing a final inspection report which will include the geotechnical engineer's and special inspector's reports. In addition, as-built drawings for the site must be submitted in a PDF format. (IBC Appendix J)



4. Should contaminated soils be encountered during construction, all of the following shall apply:
  - A. Construction activity shall be immediately suspended;
  - B. The contractor shall immediately notify the Washington State Department of Ecology;
  - C. Contaminated materials shall be properly handled, characterized, and disposed of consistent with applicable regulations.
5. Should archeological artifacts be encountered during construction, all of the following shall apply:
  - A. Construction activity shall be immediately suspended;
  - B. The contractor shall immediately notify the City of Tumwater Community Development Department;
  - C. The contractor shall immediately notify the Washington State Department of Archeology and Historic Preservation; and
  - D. The contractor shall immediately notify potentially affected tribal nations including, but not limited, to the Squaxin Island Tribe, Chehalis Tribe, and Nisqually Tribe.
6. All grading and filling of land must utilize only clean fill. All other materials may be considered solid waste and permit approval may be required from the local jurisdictional health department prior to filling. All removed debris resulting from this project must be disposed of at an approved site. Contact the Thurston County Health Department for proper management of these materials.
7. If contamination is suspected, discovered, or occurs during construction of the proposed project, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by testing, Ecology must be notified. Contact the Environmental Report Tracking System Coordinator for the Southwest Regional Office (SWRO) for the Washington State Department of Ecology at (360) 407-6300. For assistance and information about subsequent cleanup and to identify the type of testing that will be required, contact Thomas Middleton with the SWRO, Toxics Cleanup Program at (360) 407-7263.

8. Disposal of construction debris and overburden associated with construction and grading activity that is not suitable for fill is required to be disposed of at an approved location.
9. The project proponent shall follow the procedures in the City of Tumwater Standard Inadvertent Archaeological and Historic Resources Discovery Plan.
10. If any archaeological or cultural resources are uncovered during construction, the project proponent shall stop work in the area of discovery; follow the procedures in TMC 18.40.065 *Inadvertent Discovery of Archaeological and Cultural Resources*; and contact the City of Tumwater, the Washington State Department of Archaeology and Historic Preservation, and the Squaxin Island Tribe's Archaeologist, Shaun Dinubilo via email at [sdinubilo@squaxin.us](mailto:sdinubilo@squaxin.us).
11. The project proponent shall follow the requirements of the National Pollutant Discharge Elimination System (NPDES) Construction Stormwater General Permit issued for the project by the Washington State Department of Ecology.
12. The proposed private streets within the subdivision shall comply with the Tumwater Development Guide design requirements in place at the time the preliminary plat application was vested.
13. Street frontage improvements including curb and gutter, sidewalk, landscape strip, bike lane, street illumination and storm drainage facilities complying with the design requirements of the Tumwater Development Guide shall be constructed along the property frontage on Ridgeview Loop SW per TMC 12.12.010.
14. The City's water and sewer utilities shall be extended to serve the needs of the subdivision. The utility extensions shall be in accordance with the Tumwater Development Guide requirements in place at the time the preliminary plat application was vested. All necessary right-of-way and/or easement will need to be dedicated to the City of Tumwater.
15. The project proponent shall be responsible for providing the City with all costs associated with the installation of water, sewer, street, and storm drainage systems that are dedicated to the City of Tumwater.
16. The engineering plans shall show all existing and proposed utilities and easements including streetlights, street trees, water, sewer, storm, gas, cable, power, telephone, signage, and striping. Provide street sections showing dimensions of existing and proposed improvements. Include the line sizes on the water and sewer mains and services. All rockeries proposed shall also be shown on the site plan.

17. All engineering designs and construction shall be in accordance with the City of Tumwater's Development Guide and WSDOT standards.
18. All street construction, utility installation and storm drainage work requires engineered plans certified by a professional engineer licensed to practice in the State of Washington. The plans shall be submitted for review and approval by the City.
19. The project proponent shall be responsible for all plan check, inspection, and connection fees.
20. Any public or private utility relocation necessary to construct the project shall be the sole responsibility of the project proponent.
21. The project proponent shall be responsible for the maintenance and timely repair of all public improvements for a period of 30 months following final certification by the City and shall submit a surety for maintenance equal in value to fifteen (15) percent of the total value of the required public improvements certified by the Transportation and Engineering Director. Please refer to Chapter 3 of the Development Guide for further clarification.
22. All legal descriptions on documents submitted to the City must be accompanied with an appropriate drawing that the City can use to verify the legal description. All engineering drawings must be on 24" x 36" paper sheets.
23. The owner or owner's representative is also responsible for furnishing the City with electronic files on CD ROM, compatible with Release 2014 or newer Auto-CAD format. Drawings shall be in TCHPN (Thurston County High Precision Network) horizontal datum and NGVD-29 vertical datum. Provide individual drawings independent of x-refs. Include all non-standard font files and plot files. Also, please furnish a CD with PDF files printed from the Auto-CAD files. A utility maintenance agreement, easements, and bills-of-sale will also be required.
24. A note shall be added on the site plan that the Professional Land Surveyor responsible for the surveying of the project must obtain a permit from the Washington State Department of Natural Resources before any existing survey monuments are disturbed.
25. The project proponent shall provide a cover page with all dedication and easement language.
26. Any water main extension will require a minimum of an eight-inch system. The

main size will depend on the fire flow requirements for this project. The system shall be designed for a maximum velocity of eight feet per second.

27. The eight-inch sanitary sewer main this project is tying into is a private main for the Tumwater Hill Elementary School. The existing line will be required to pass the appropriate tests to be taken over by the City of Tumwater. The Tumwater School District will need to provide a bill-of-sale.
28. All sanitary sewer mains must be TV'd. The project proponent shall provide a tape of the sanitary sewer line prior to recording the Final Plat.
29. A drainage design and erosion control plan will be required according to City of Tumwater's 2018 Drainage Design and Erosion Manual.
30. Maintenance of the on-site stormwater system will be the responsibility of the project proponent, their successors, or assigns. A stormwater maintenance agreement must be recorded against the property prior to recording the Final Plat.
31. This project will provide treatment of the stormwater on-site and release to Crosby Boulevard SW. The water is then routed to the Linwood Regional Stormwater Facility.
32. A separate permit and engineered design is required for any retaining walls on-site if the height of the wall is over four feet measured from the bottom of the footing or if the wall is supporting a surcharge.
33. Fire hydrants shall be provided at all intersections and at approximately 600-foot spacing along the internal streets.
34. All water wells on site shall be abandoned in accordance with the Washington State Department of Ecology requirements. A permit from the Washington State Department of Ecology shall be obtained for each well to be abandoned.
35. If applicable, on and off-site well locations within 200 feet of the proposed subdivision shall be shown on the Final Plat with the associated 100-foot protective radii.
36. All septic systems on the property shall be abandoned in accordance with the Thurston County Environmental Health requirements. A permit shall be obtained from Thurston County Environmental Health for each separate system to be abandoned.
37. The maximum lot-coverage for impervious surface shall be 70 percent of the total

area of the lot.

38. Off-street parking stalls shall be provide per TMC 18.50.

No parking will be allowed in the proposed cul-de-sac turnarounds and this shall be posted accordingly per TMC 17.12.130.

39. A minimum of one van accessible barrier free parking stall shall be provided for the office per IBC Section 1106.
40. The clubhouse building and site are required to be accessible. An accessible route of travel shall be provided to all portions of the building, to accessible building entrances, and connecting the building and the public way. The accessible route of travel shall be shown on the site plan.
41. Street trees are required along Ridgeview Loop SW and must be installed in accordance with the Tumwater Development Guide, the Comprehensive Street Tree Plan, and the Urban Forestry Management Plan.
42. Impact fees for traffic, community parks, and schools will be assessed to each dwelling unit in the subdivision as Building Permits are issued. The impact fees will be in accordance with the most current fee resolution adopted by the City at the time of vesting of the Building Permit applications.
43. Dumpsters are required to be gated and screened with masonry walls and/or sight-obscuring fence with landscaping.
44. Dumpsters and containers with an individual capacity of 1.5 cubic yards or more shall not be stored in buildings or placed within five feet of combustible walls, openings or combustible roof eaves lines unless the area is protected by an approved automatic sprinkler system per IFC Section 304.3.3.
45. The project proponent must maintain a current Plat Name Reservation Certificate approved by the Thurston County Auditor.
46. Property taxes must be paid in full for the current year, including any advance and delinquent taxes, before a Final Plat can be recorded.
47. A Forest Park Townhomes Homeowners Association is required to be formed for the project. Prior to recording the Final Plat, the project proponent shall supply the City with copies of the grantee organization's articles of incorporation and bylaws, and with evidence of a binding commitment to convey. The articles of incorporation shall provide that membership in the organization shall be appurtenant to ownership of land in the land division; that the corporation is

empowered to assess such land for costs of construction and maintenance of the improvements and property owned by the corporation, and that such assessments shall be a lien upon the land.

48. Consolidated postal drop off facilities shall be provided for the site. The location of the facilities must be coordinated and approved by the U.S. Postal Service.
49. A school bus pad may be required along one of the exterior streets and will be dictated by the Tumwater School District. The project proponent must contact the District to coordinate the bus pad location.
50. The building designs shall conform to the City of Tumwater's Citywide Design Guidelines. Architectural elevation drawings of each building-type shall be submitted for review and approval prior to issuance of Building Permits.
51. Exterior walls are required to be of one-hour fire-rated construction when less than ten feet to the property line. Protected openings are required when less than five feet to the property line. No openings are permitted less than three feet to the property line.
52. Water cross connection control shall be provided in accordance with the provision of the Plumbing Code. Cross connection control devices or assemblies must be models approved under WAC 246-290-490.
53. If water pressure at the meter exceeds 80 psi, a pressure-reducing valve will be required to be installed on the private side of the water line.
54. Backwater valves shall be installed for each structure when the sewer is lower than the street manhole.
55. Automatic sprinkler systems shall be provided throughout all buildings in this project.
56. Fire alarm systems shall be required to be installed in all buildings in this project.
57. The project proponent must coordinate with the City of Tumwater Building Safety Official on the location of the City of Tumwater Fire Department connection, post indicator valve, remote annunciator panel, and Knox box's. The locations of the fire suppression equipment must be approved by the City of Tumwater Building Safety Official.
58. Any dead-end fire access roads that are in excess of 150 feet in length shall be provided with an approved turnaround.

59. Fire lane signs and yellow striping shall be provided on-site to identify the City of Tumwater Fire Department access roads and prohibit the obstruction thereof.
60. When any portion of a building constructed on the site is in excess of 150 feet from a water supply on a public street, as measured by an approved route around the exterior of the building, there shall be provided on the site fire hydrants capable of supplying the required fire flow. Placement of the hydrants shall be coordinated with the City of Tumwater Building Safety Official.
61. The water main shall be looped around the entire site.
62. Building plans and specifications shall be prepared and stamped by an architect or an engineer licensed to practice in the State of Washington.
63. Building Permit applications (including shell permits) shall include architectural, structural, plumbing, mechanical, and energy plans, and specifications. Fire sprinkler and fire alarm permit applications and plans may be submitted separately from the main permit application.
64. All new building projects are required to provide for the storage of recycled materials and solid waste. The storage area shall be designed to meet the needs of the occupancy, efficiency of pick-up, and shall be available to occupants and haulers.

**Submitted on Behalf  
Of the City of  
Tumwater  
Community  
Development  
Department by/  
Staff Contact:**

Brad Medrud, Planning Manager



Phone: (360) 754-4180

E-mail: [bmedrud@ci.tumwater.wa.us](mailto:bmedrud@ci.tumwater.wa.us)

**Report Issue Date:** September 17, 2021

**List of Exhibits:**

1. Staff Report, dated 09-17-2021
2. Site Aerial Photo Map, dated 08-23-2021
3. Preliminary Plat Application, dated 12-30-2020
4. Preliminary Planned Unit Development Application, dated 01-14-2021



5. Variance Request Application, dated 07-23-2021
6. Variance Request Site Plan, dated 07-23-2021
7. Variance Request Letter, dated 07-23-2021
8. Variance Request Site Section – Building 5, dated 07-23-2021
9. Variance Request Site Section – Building 7, dated 07-23-2021
10. Preliminary Plat and Planned Unit Development Map, dated 08-02-2021
11. Wall & Storm Drainage Plan, dated 11-25-2020
12. Certification of Public Notice, dated 09-17-2021
13. Comprehensive Plan Tumwater Hill Neighborhood Map, dated 01-16-2019
14. Zoning Map, dated 08-23-2021
15. SEPA DNS (TUM-15-0726), dated 01-07-2016
16. Order of Dismissal of the Appeal (TUM-15-0298 & TUM-15-0726), dated 04-22-2016
17. Preliminary Plat and Preliminary Planned Unit Development Notice of Application with Plat Map, dated 05-19-2021
18. Preliminary Plat and Preliminary Planned Unit Development Notice of Application Public Notice Sign Affidavit, dated 05-20-2021
19. Preliminary Plat, Preliminary Planned Unit Development, and Variance Amended Notice of Application with DNS and Plat Map, dated 08-12-2021
20. Preliminary Plat, Preliminary Planned Unit Development, and Variance Affidavit of Posting Notice of Application, dated 08-12-2021
21. Preliminary Plat, Preliminary Planned Unit Development, and Variance Notice of Application Olympian Publication, dated 08-12-2021
22. Tumwater Water and Sewer Availability Certificate Updated, dated 08-24-2021
23. Formal Site Plan (TUM-15-0298) Notice of Application, dated 10-06-2015
24. Formal Site Plan (TUM-15-0298) Critical Area Map, dated 01-25-2016
25. Formal Site Plan (TUM-15-0298) Original Tree Protection Plan, dated 06-23-2015
26. Formal Site Plan Approval (TUM-15-0298), dated 03-04-2016
27. Site Development/Grading Permit (TUM-20-0350) Tree Protection Plan – Peer Review, dated 06-26-20
28. Site Development/Grading Permit (TUM-20-0350) Approved Civil Plans, dated 08-26-2020
29. Site Development/ Grading Permit (TUM-20-0350), dated 09-15-2020
30. Site Development/Grading Permit (TUM-20-0350) Approved Landscape Plans, dated 03-19-2021
31. Preliminary Plat Roadway Photometrics, dated 08-19-2021
32. Plat Name Reservation Certificate, dated 05-11-2021
33. Preliminary Plat Title Report, dated 12-03-2020
34. Preliminary Plat and Preliminary Planned Unit Development Notice of Application Squaxin Island Tribe Comments, dated 05-26-2021
35. Preliminary Plat, Preliminary Planned Unit Development, and Variance Amended Notice of Application Squaxin Island Tribe Comments, dated 08-

- 16-2021
36. Preliminary Plat, Preliminary Planned Unit Development, and Variance Amended Notice of Application Washington State Department of Ecology Comments 08-26-2021

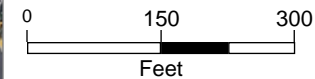


## Forest Park Townhomes; 2018 Aerial Map; TUM-21-0046

### Legend

- Parcel Boundaries
- Roads - Major
  - Major Roads
  - Ramp
  - I 5; US 101
  - Roads (Large Scale)
- Railroads
- County Border

Scale 1: 3,779



Map Created Using GeoData Public Website

Published: 8/23/2021

Note:



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612 Woodland Square Loop SE, Suite 100 Lacey, WA 98503 360.292.7230 kpff.com



July 23, 2021

City of Tumwater  
Brad Medrud, AICP  
555 Israel Road SW  
Tumwater, WA 98501-6515

**RE:** Forest Park Preliminary Plat - Variance Request Narrative

Dear Mr. Medrud:

Thank you for your time in consideration of this variance request. The goal of this request is aimed at two portions of the code as it relates to the Forest Park Preliminary Plat.

- Reduction of rear-yard setbacks for proposed lots abutting SFL zoning (TMC 18.14.050)
- Reduction of open space area dedicated to active recreation (TMC 17.12.210)

The following letter summarizes the project and provides background in support for approval of the variance request.

### **Project Background**

#### Setbacks:

The project site is zoned Multi-Family Medium Density Residential (MFM) with the adjacent School District Property zoned Single-Family Low-Density Residential (SFL). The school district property borders the subject property on the southern and eastern sides of the site. The current use of the adjacent land is an athletic field located at the Tumwater Hill Elementary School and is not currently used for single-family residences.

The original Site Plan Review (SPR) approval of 2016 has been the basis for the current site plan used in the site development plans which were approved in March of 2021. Shortly after this approval construction of the site improvements began on Forest Park. The site plan approved for use in the construction documents included the layout with 20 foot rear-yard setbacks as approved under the SPR in 2016.

During review of preliminary plat application in 2021 further information was provided by the City regarding setbacks indicating where MFM zoning abuts SFL zoning, a 20 foot rear-yard setback is required with an additional 10 feet of setback for every building story over one story. As the proposed structures are three stories in height, the total rear-yard setback required is 40 feet where MFM abuts SFL. This affects proposed lots 1-8 of the Forest Park project.

It is our understanding the code section has not changed from 2016 to now, however the additional setback required for this specific case of multi-story buildings was not applied to the project

Mr. Brad Medrud, AICP  
 July 23, 2021  
 Page 2

approvals from 2016 and the site plan has gone forward through construction using 20 foot rear-yard setbacks. To accommodate a modified site plan at this point during construction is not feasible for the project, and the reason for variance request.

Open Space:

As stated previously, the original site plan approval of 2016 was used for the site development plans and permit which is currently under construction.

The current proposal for open space is approximately 2.96 acres or 38.3% of the entire site and meets the overall code requirement of a minimum 15% open space.

The code has been updated since original site plan approval in 2016. At the time of original site development permit approval, the open space requirements were met for active and passive recreation with one area of outdoor play equipment and one area as outdoor common space.

New code requirements require that 50% of the open space to be used for active recreation and the remainder for passive recreation. These percentages are not currently met with the proposed site plan and reason for the variance request.

**Variance Request Review Criteria**

1. *That special conditions exist which are peculiar to the land, such as size, shape, topography, or location, not applicable to other lands in the same district, and that literal interpretation of the provisions of this title would deprive the property owners of rights commonly enjoyed by other properties similarly situated in the same district under the terms of this Code.*

Setbacks:

From our understanding, the intent of the code regarding setbacks in this case is to provide additional separation between single-family residences and multi-family buildings that are taller in height. In this case where the proposed lots abut SFL zoning, there is school district property containing an athletic field and currently no single-family residences. Also, due to the grade change on site, the school district property is at a higher elevation than the proposed buildings on lots 1 through 8. Two site sections are provided that show the largest grade change (lot 7), and smallest grade change (lot 5) comparing the school district property and proposed building which provide an illustration of the low impact the proposal has on the adjacent property. These site sections show there is roughly equivalent to one above ground story adjacent to the SFL zoned property and the proposed buildings are not towering over the adjacent land. Therefore, the intent of the code is met by providing a 20 foot rear-yard setback. Due to the circumstances of this project, allowing for this variance is individual to this land and would not deprive property owners of the rights commonly enjoyed by others in the vicinity.

Open Space:

The Forest Park property has significant grade change across the site, with over 100 vertical feet in topographic relief from east to west. There is also existing bedrock below the surface and has required blasting during construction of site improvements. With the current site plan,



Mr. Brad Medrud, AICP  
 July 23, 2021  
 Page 3

a large portion of the open spaces are also tree protection areas that are being undisturbed with the proposal.

Activities listed in the TMC as allowable active recreation facilities include children's play equipment, paved hard courts, athletic fields, multi-use trails, flat open lawn areas, community gardens, and other similar recreation facilities. In order to provide additional active recreation areas, tree protection areas would be reduced to create more flat area while also requiring significant earthwork, walls, and potential blasting in bedrock to provide these areas for active recreation. Due to the circumstances of this project based on site characteristics, allowing for this variance is individual to this land and would not deprive property owners of the rights commonly enjoyed by others in the vicinity.

2. *That the special conditions and circumstances are not the result of actions of the applicant.*

Setbacks:

The 20-foot rear yard setback shown in the site plan review that was approved in 2016 has been maintained from the original approval through construction documents for site improvements. The need for additional rear-yard setback was not brought up during the site plan review process. At the time of site plan approval all parties involved were under the impression the 20 foot rear yard setback met code requirements and this was not a result of the action of the applicant.

Open Space:

As described in the prior sections of this letter, the overall open space quantity is met for the project, but ability to create the required active recreation open space is very limited due to site constraints including the steep topography, maintaining tree protection open space areas, and the presence of bedrock. These items are all site related and not a result of actions of the applicant.

3. *That the granting of the variance requested will not confer a special privilege to the property that is denied other lands in the same district.*

Setbacks:

Based on statements above about the project, the intent of the code is met regarding setbacks therefore complying with city standards and not conferring any special privilege on this property.

Open Space:

This variance request cites the topography and other site constraints as preventing the project from meeting open space requirements; therefore it is not a special privilege to this property that would be denied to other lands in the same district with the same circumstances.

4. *That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property of improvements of the vicinity and zone in which the subject property is situated.*

Mr. Brad Medrud, AICP  
 July 23, 2021  
 Page 4

Setbacks:

The intent of the code is met with the proposal and granting this variance will not be materially detrimental to the public welfare or injurious to the surrounding properties.

As stated previously the setbacks are similar to other project uses, the SFL zoned land is a school and not a single-family residence, and the multi-story building is partially embedded in the side of the slope and does not tower above the adjacent property.

Open Space:

The reduction of open space for active recreation will not be materially detrimental to the public welfare or injurious to the surrounding properties. By allowing this reduction of active recreation open space, the amount of tree protection area can remain, and the overall amount of open space is higher for the project than minimum code requirement.

5. *That the reasons set forth in the application justify the granting of the variance, and that the variance, if granted, would be the minimum variance that will make possible the reasonable use of the land.*

The issues as stated above relating to setbacks and open space are the two remaining items that cannot be addressed for Preliminary Plat to make reasonable use of the land. If granted, the proposal can continue forward through building construction and plat as intended.

We appreciate your consideration of this variance request. If you have any questions or need further clarification, please feel free to call me at (360) 292-7230 or email Mark.Steepy@kpff.com.

Sincerely,



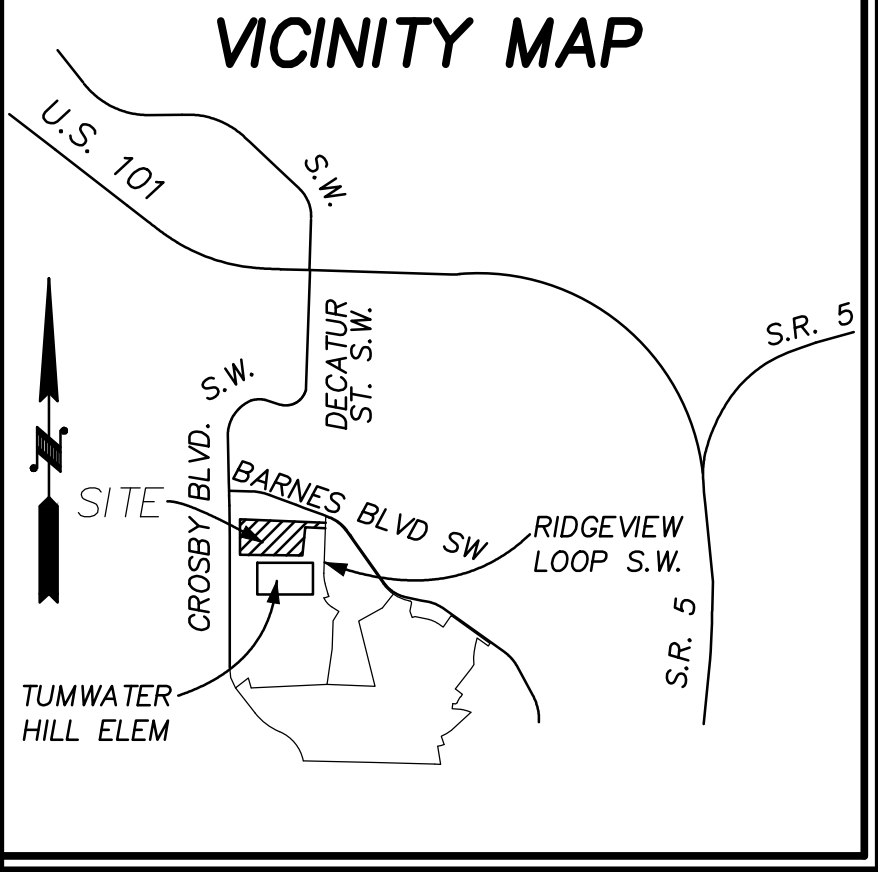
Mark Steepy, PE  
 Principal

MRS:

Enclosure

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
 City of Tumwater





CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	99.55	155.72	89°33'36"
C2	167.91	196.56	67°07'13"
C3	35.00	33.41	54°41'39"
C4	715.10	59.81	4°47'32"

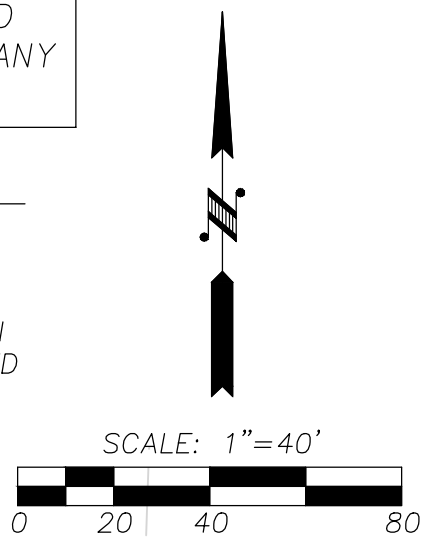
# FOREST PARK

A PORTION OF THE NW 1/4 OF THE SW 1/4 OF SEC. 27, T.18N., R.2W., W.M.  
CITY OF TUMWATER, THURSTON COUNTY, WASHINGTON

CONTRACTOR TO CALL UTILITY UNDERGROUND  
LOCATE AT 811 48 BEFORE PROCEEDING WITH ANY  
CONSTRUCTION. PROTECT EXISTING UTILITIES

- PLAT NOTES:
- UNIT 8 DECKS SHALL BE ALLOWED TO OVERHANG DRAINAGE EASEMENT PROVIDED THAT THE DECKS SHALL BE REMOVED AND REPLACED AT THE COST OF THE OWNER SHOULD WORK BE REQUIRED WITHIN DRAINAGE EASEMENT. THIS LANGUAGE TO BE ADDED TO FINAL PLAT DOCUMENTATION FOR DRAINAGE EASEMENT.

PARCEL#  
12827240300  
(MFM ZONED)



### SITE DATA

SITE AREA: 7.73 ACRES (336,708 SQUARE FEET)  
ZONING: MFM (MIN 9 UNITS/AC - MAX 15 UNITS/AC)  
DWELLING UNITS: 67 UNITS (22 BUILDINGS)  
CLUBHOUSE: 1 (WITHIN LOT 2)  
LOTS: 22 (MULTI-FAMILY)  
SMALLEST LOT SIZE: 0.13 AC (5,554 SF) - LOT 8  
OPEN SPACE TRACTS: 2.96 AC (128,920 SF) [38.3% OF SITE]  
REQUIRED OPEN SPACE: 1.16 AC (50,506 SF) [15% OF SITE]  
TREE RETENTION AREA: 1.25 AC (54,536 SF)  
ROAD TRACT: 1.34 AC (58,187 SF)  
CRITICAL AREAS: 1.50 AC (65,218 SF)  
NET DEVELOPABLE AREA: 4.89 AC (213,303 SF)  
NET DENSITY: 13.7 UNITS/AC

### SITE ADDRESS

XXX RIDGEVIEW LOOP S.W., TUMWATER

### PARCEL NUMBER

55201200000 (7.73 ACRES)

### ROADWAY LENGTHS

STARLIGHT LANE: 1,080'  
MOONLIGHT LANE: 550'

### UTILITIES:

#### WATER & SEWER

CITY OF TUMWATER  
MATT WEBB (360) 754-4140

#### POWER/GAS

PUGET SOUND ENERGY  
AMY TOUSLEY (888) 225-5773

#### CABLE/TELEPHONE

CENTURY LINK  
ALEX JUANZEWS (253) 851-1236

#### STORMWATER

PRIVATE

#### REFUSE/RECYCLE

LEMAY PACIFIC DISPOSAL  
(360) 923-0111

#### SCHOOL DISTRICT

TUMWATER SCHOOL DISTRICT  
(360) 709-7000

#### APPLICANT/CIVIL ENGINEER

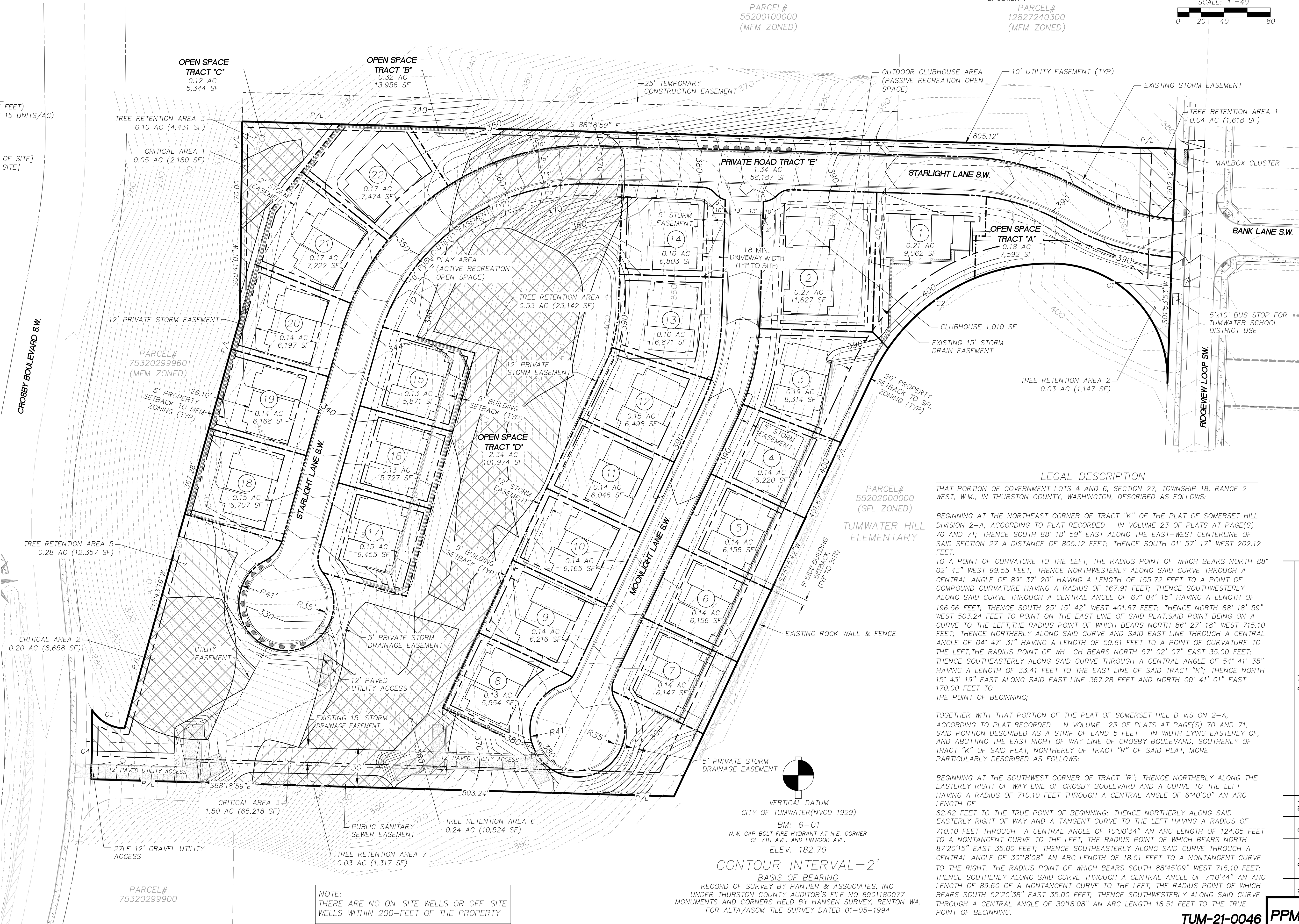
KPFF CONSULTING ENGINEERS  
612 WOODLAND SQUARE LOOP SE,  
SUITE 100  
LACEY, WA 98503  
TEL: (360) 292-7230  
FAX: (360) 292-7231  
CONTACT: MARK STEEPE, P.E.  
EMAIL: MARK.STEEPE@KPFF.COM

#### OWNER

MORNINGSIDE DEVELOPMENT GROUP, LLC  
P.O. BOX 218  
DUPONT, WA 98327  
TEL: (206) 283-9364  
CONTACT: TOM REYNOLDS  
EMAIL: TOMREYNOLDS@MSDEVELOPMENTGROUP.COM

### LEGEND

	PROPERTY LINE
	PROPERTY SETBACK LINE
	BUILDING SETBACK LINE
	TRACT LINE
	EASEMENT LINE
	LOT LINE
	RIGHT OF WAY LINE
	STEM WALL
	ROCK WALL
	BLOCK WALL
	DITCH
	CRITICAL AREA
	TREE PROTECTION AREA
	OVERLAPPING CRITICAL/TREE AREA



### LEGAL DESCRIPTION

THAT PORTION OF GOVERNMENT LOTS 4 AND 6, SECTION 27, TOWNSHIP 18, RANGE 2 WEST, W.M., IN THURSTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF TRACT "K" OF THE PLAT OF SOMERSET HILL DIVISION 2-A, ACCORDING TO PLAT RECORDED IN VOLUME 23 OF PLATS AT PAGE(S) 70 AND 71; THENCE SOUTH 88° 18' 59" EAST ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 27 A DISTANCE OF 805.12 FEET; THENCE SOUTH 01° 57' 17" WEST 202.12 FEET;

TO A POINT OF CURVATURE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS NORTH 88° 02' 43" WEST 99.55 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89° 37' 20" HAVING A LENGTH OF 155.72 FEET TO A POINT OF COMPOUND CURVATURE HAVING A RADIUS OF 167.91 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 67° 04' 15" HAVING A LENGTH OF 196.56 FEET; THENCE SOUTH 25° 15' 42" WEST 401.67 FEET; THENCE NORTH 88° 18' 59" WEST 503.24 FEET TO POINT ON THE EAST LINE OF SAID PLAT, SAID POINT BEING ON A CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS NORTH 86° 27' 18" WEST 715.10 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EAST LINE THROUGH A CENTRAL ANGLE OF 04° 47' 31" HAVING A LENGTH OF 59.81 FEET TO A POINT OF CURVATURE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS NORTH 57° 02' 07" EAST 35.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 54° 41' 35" HAVING A LENGTH OF 33.41 FEET TO THE EAST LINE OF SAID TRACT "K"; THENCE NORTH 15° 43' 19" EAST ALONG SAID EAST LINE 367.28 FEET AND NORTH 00° 41' 01" EAST 170.00 FEET TO THE POINT OF BEGINNING;

TOGETHER WITH THAT PORTION OF THE PLAT OF SOMERSET HILL D VIS ON 2-A, ACCORDING TO PLAT RECORDED IN VOLUME 23 OF PLATS AT PAGE(S) 70 AND 71, SAID PORTION DESCRIBED AS A STRIP OF LAND 5 FEET IN WIDTH LYING EASTERLY OF, AND ABUTTING THE EAST RIGHT OF WAY LINE OF CROSBY BOULEVARD, SOUTHERLY OF TRACT "K" OF SAID PLAT, NORTHERLY OF TRACT "R" OF SAID PLAT, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF TRACT "R"; THENCE NORTHERLY ALONG THE EASTERLY RIGHT OF WAY LINE OF CROSBY BOULEVARD AND A CURVE TO THE LEFT HAVING A RADIUS OF 710.10 FEET THROUGH A CENTRAL ANGLE OF 6°40'00" AN ARC LENGTH OF 82.62 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID EASTERLY RIGHT OF WAY AND A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 710.10 FEET THROUGH A CENTRAL ANGLE OF 10°00'34" AN ARC LENGTH OF 124.05 FEET TO A NONTANGENT CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS NORTH 87°20'15" EAST 35.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°18'08" AN ARC LENGTH OF 18.51 FEET TO A NONTANGENT CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS SOUTH 88°45'09" WEST 715.10 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 7°10'44" AN ARC LENGTH OF 89.60 OF A NONTANGENT CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS SOUTH 52°20'38" EAST 35.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°18'08" AN ARC LENGTH 18.51 FEET TO THE TRUE POINT OF BEGINNING.

CONTOUR INTERVAL=2'  
BASIS OF BEARING

RECORD OF SURVEY BY PANTIER & ASSOCIATES, INC.  
UNDER THURSTON COUNTY AUDITOR'S FILE NO 8901180077  
MONUMENTS AND CORNERS HELD BY HANSEN SURVEY, RENTON WA,  
FOR ALTA/ASCM TILE SURVEY DATED 01-05-1994

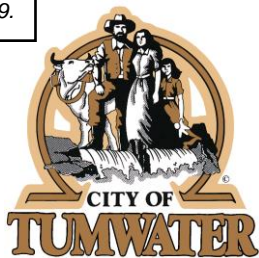
NOTE:  
THERE ARE NO ON-SITE WELLS OR OFF-SITE  
WELLS WITHIN 200-FEET OF THE PROPERTY

JOB NUMBER	10182000048	DATE	8/2/2021
SCALE	HORIZ.: 1" = 40'	VERT.: N/A	FIELD BOOK
DESIGNED: WED	DRAWN: NLA	CHECKED: TPA	APPROVED: MRS
APPLICANT:			
MORNINGSIDE DEVELOPMENT GROUP, LLC P.O. BOX 218 DUPONT, WA 98327 PHONE: (206) 283-9364			
Consulting Engineers kpff 612 Woodland Square Loop SE, Suite 100 Lacey, Washington 98503 (360) 292-7230 Fax (360) 292-7231			
Revision	By	Date	No.
PRELIMINARY PLAT MAP			
DRAWING NO.			
7380CS1			
1 OF 1			

TUM-21-0046

PPM





City Hall  
555 Israel Road SW  
Tumwater, WA 98501-6515  
Phone: 360-754-5855  
Fax: 360-754-4138

**Amended NOTICE OF APPLICATION**  
**Forest Park Townhomes**  
TUM-21-0046  
August 12, 2021

**Description of Proposal:** To subdivide a 7.73-acre parcel into 22 multi-family lots totaling 67 dwelling units, with four open space tracts and one private roadway tract. The applicant is requesting approvals of a Preliminary Plat, Preliminary Planned Unit Development (TUM-21-0117), and a Variance from the required zoning setbacks and required open space area.

This notice is re-issued (amended) as a result of the Variance application (TUM-21-1231).

**Applicant:** KPFF Consulting Engineers, Attn: Mark Steepy, 612 Woodland Square Loop SE, Lacey, WA 98503.

**Owner:** Morningside Development Group, Attn: Tom Reynolds, P.O. Box 218, DuPont, WA 98327.

**Location of Proposal:** 1653 Starlight Lane SW, Tumwater, WA 98512. The site is in a portion of the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , Section 27, Township 18 North, Range 2 West. Parcel #55201200000.

**Required Project Permit/Approvals:** The following permits and approvals may be required: Preliminary Plat, Preliminary Planned Unit Development, Variance, Final Plat, Final Planned Unit Development, Design Review, On-site Lighting, and Engineering and Building Permits.

**Project Permit/Approvals Issued:** The following permits and approvals have been issued for the project: State Environmental Policy Act (SEPA) threshold determination, Transportation Concurrence Ruling and Formal Site Plan Approval (TUM-15-0298), Landscape Plan Approval and Site Development/Grading Permit (TUM-20-0350), Sign Permit (TUM-21-0592), Blasting Permit (TUM-20-1394), Retaining Wall and Rockery Wall Permits (TUM-20-0905 and TUM-21-0598), and NPDES Permit.

**SEPA review:** A Determination of Non-Significance (TUM-15-0726) was issued on January 7, 2016.

**Date of Complete Application:** July 30, 2021.

Determination of Consistency: At this time, no determination of consistency with City plans or standards has been made.

At a minimum, this project will be subject to the following plans and regulations: Tumwater Comprehensive Plan, Tumwater Zoning Code, SEPA, Critical Areas Ordinance, Transportation Concurrency ordinance, Development Guide (street, utility and stormwater standards), International Building and Fire Codes, and NPDES standards.

Utility Providers: The City of Tumwater will provide water and sewer service. Puget Sound Energy will provide electricity and natural gas. Comcast will be the cable television provider. CenturyLink will provide telecommunication service. LeMay Pacific Disposal will provide refuse service.

Public Hearing: A public hearing is required for this project. Persons receiving this notice may receive the notice of hearing at least 10 days prior to the hearing.

Public Comment Period: The duration of comment period for this notice is 14 days. Written comments may be submitted to City of Tumwater, Community Development Department, Attn: Tami Merriman, 555 Israel Road SW, Tumwater, WA 98501, or email to [tmerriman@ci.tumwater.wa.us](mailto:tmerriman@ci.tumwater.wa.us), and must be received by 5:00 p.m. on August 26, 2021.

If you have any questions or would like additional information, please contact Tami Merriman, Permit Manager at 360-754-4180.

Published: August 12, 2021

Posted: August 12, 2021



City Hall  
555 Israel Road SW  
Tumwater, WA 98501-6515  
Phone: 360-754-5855  
Fax: 360-754-4138

## DETERMINATION OF NON-SIGNIFICANCE (DNS) TUM-15-0726

Description of proposal: Forest Park, a 67-unit triplex development with a small office (TUM-15-0298), on approximately 7.94 acres.

Proponent: Michael Lawrence, P.O. Box 3128, Bellevue, WA 98009.

Location of proposal: The property is located on Ridgeview Loop SW, Tumwater, WA 98512, within the NW quarter of the SW quarter of Section 27, Township 18 N., Range 2 W.W.M. Parcel #55201200000.

Lead agency: City of Tumwater, Community Development Department.  
The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-355, the optional DNS process. No comment period is provided with this DNS pursuant to WAC 197-11-355(4)(a).

Date: January 7, 2016

Responsible official:

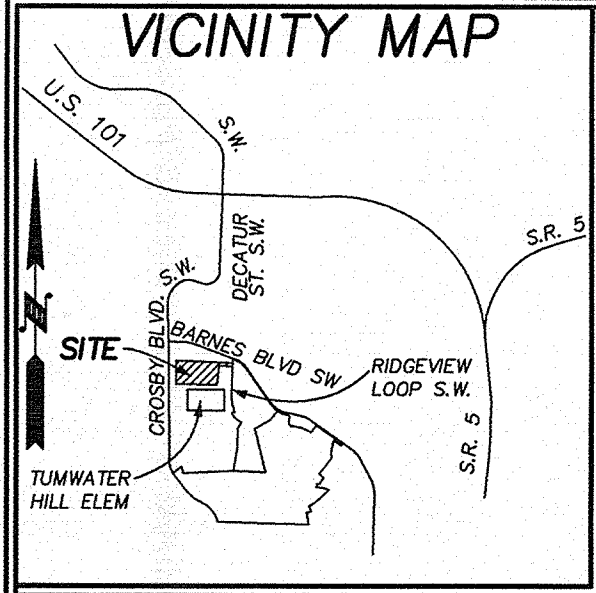
Michael Matlock, AICP  
Community Development Director

Contact person:

Suresh Bhagavan, (360) 754-4180  
555 Israel Road SW  
Tumwater, WA 98501

Appeals of this DNS must be made to the City Clerk, no later than January 13, 2016, by 5:00 p.m. All appeals shall be in writing, be signed by the appellant, be accompanied by a filing fee of \$175, and set forth the specific basis for such appeal, error alleged and relief requested.





# FOREST PARK

A PORTION OF THE SW 1/4 AND THE SE 1/4 OF SEC.27, TWN.18 N., RNG. 2 W., W.M.

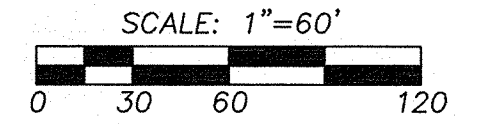
**SITE ADDRESS**  
RIDGEVIEW LOOP TUMWATER, WA.  
**PARCEL NUMBER**  
55201200000

INDEX TO DRAWINGS

CE1	1 OF 4	COVER SHEET & SITE PLAN
CE2	2 OF 4	COMPOSITE UTILITY PLAN & GRADING
CE3	3 OF 4	TREE RETENTION PLAN
CE4	4 OF 4	CRITICAL AREA MAP

APPROVED FOR CONSTRUCTION

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
CITY ENGINEER  
APPROVAL EXPIRES: \_\_\_\_\_



VERTICAL DATUM  
CITY OF TUMWATER(NVGD 1929)  
BM: 6-01  
N.E. CAP BOLT FIRE HYDRANT AT N.E. CORNER  
OF 7TH AVE. AND LINWOOD AVE.  
ELEV: 192.79

CONTOUR INTERVAL=2'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA
C1	98.55	155.72	89°37'20"
C2	167.91	196.56	67°04'15"
C3	35.00	33.41	54°41'39"
C4	715.10	59.81	4°47'32"
C5	200.00	265.16	75°57'42"
C6	200.00	82.30	23°34'41"
C7	200.00	97.77	28°00'32"
C8	200.00	96.82	27°44'16"

Line Table

Line #	Length	Direction
L1	3.96	S74° 16' 41.03"E
L2	35.45	N19° 03' 11.11"E
L3	35.45	N25° 42' 55.38"E
L4	35.45	N32° 22' 39.66"E
L5	35.45	N39° 02' 23.94"E
L6	43.45	N45° 42' 08.22"E
L7	16.51	S09° 17' 25.58"W
L8	14.58	S13° 45' 58.33"W

## SITE DATA

TOTAL ACREAGE:	7.94
SINGLE FAMILY UNITS:	67
OFFICES (1):	±300 S.F.
OPEN SPACE ESMTS. (4):	129,414.36 S.F.
PRIVATE ROADS:	58,852 S.F.
ZONING:	MFM
BUILDINGS:	49,300 S.F.
DRIVEWAYS:	15,900 S.F.
PERMITS:	12.7 units/AC
IMPERVIOUS COVERAGE	± 36%
WATER & SANITARY SEWER	CITY OF TUMWATER

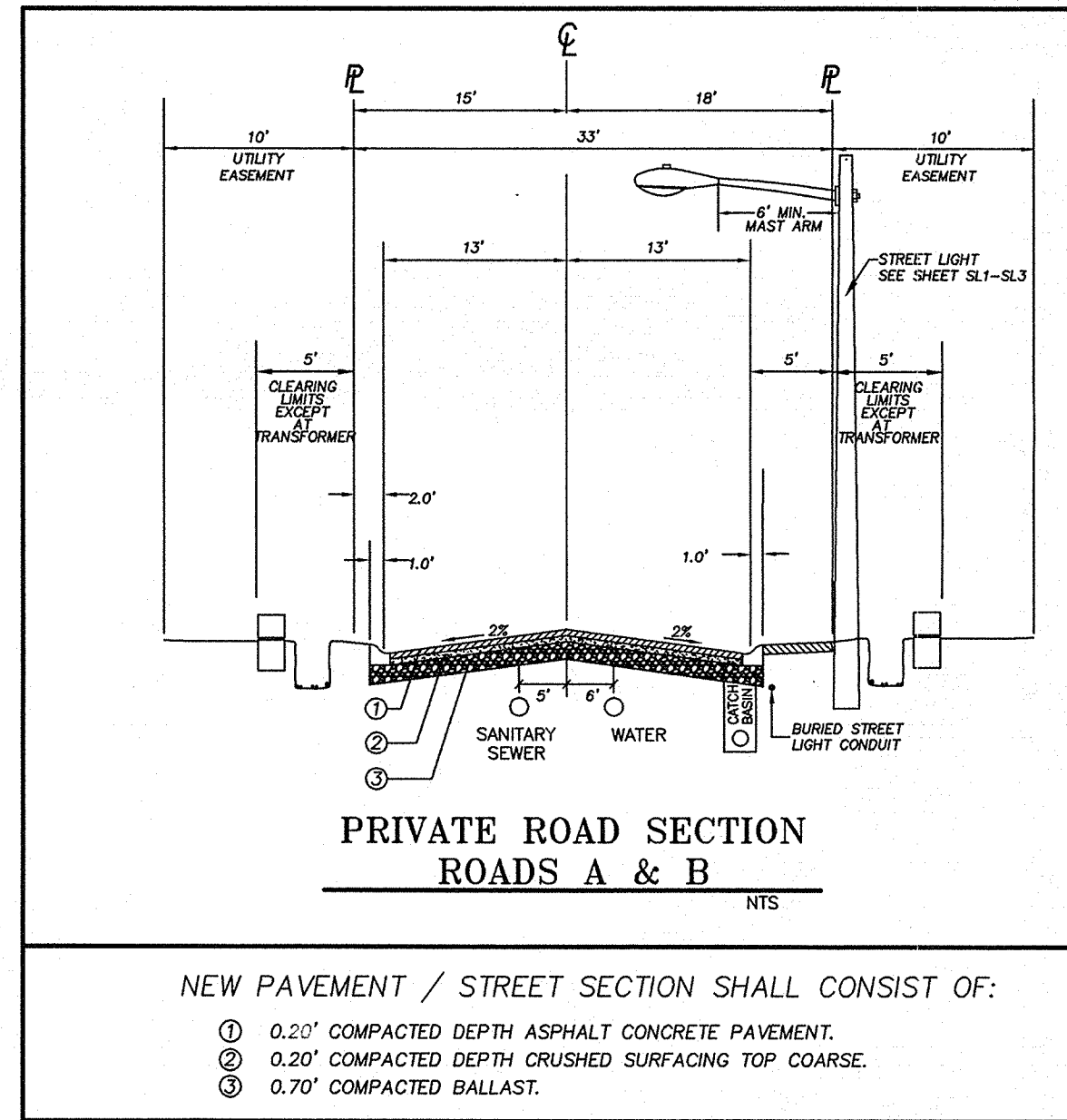
## PROPERTY DESCRIPTION

THAT PORTION OF GOVERNMENT LOT 2, 4 AND 6, SECTION 27, TOWNSHIP 18 NORTH, RANGE 2 WEST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST - WEST CENTERLINE OF SAID SECTION 27 WHICH BEARS SOUTH 88°18'59" EAST 784.89 FEET FROM THE WEST ONE-QUARTER CORNER OF SAID SECTION, SAID POINT BEING THE NORTHEAST CORNER OF TRACT "K", PLAT OF SOMERSET HILL DIVISION 2-A AS RECORDED IN VOLUME 23 OF PLATS, PAGES 70 & 71, RECORDS OF THURSTON COUNTY, WASHINGTON; THENCE ALONG THE EASTERLY BOUNDARY OF SAID PLAT THE FOLLOWING FOUR COURSES: SOUTH 00°41'01" WEST 170.00 FEET; THENCE SOUTH 15°43'19" WEST 367.28 FEET TO THE PC OF A CURVE TO THE RIGHT WHOSE RADIUS BEARS NORTH 02°20'32" EAST 35.00 FEET; THENCE WESTERLY ALONG SAID CURVE 33.41 FEET THROUGH A CENTRAL ANGLE OF 54°41'35" TO THE PC OF A CURVE TO THE RIGHT WHOSE RADIUS BEARS SOUTH 88°45'11" WEST 715.10 FEET; THENCE SOUTHERLY ALONG SAID CURVE 59.81 FEET THROUGH A CENTRAL ANGLE OF 04°47'31"; THENCE SOUTH 88°18'59" EAST 503.24 FEET; THENCE NORTH 25°15'42" EAST 401.67 FEET TO THE PC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 167.91 FEET; THENCE NORTHERLY ALONG SAID CURVE 196.56 FEET THROUGH A CENTRAL ANGLE OF 67°04'15" TO THE PCC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 99.55 FEET; THENCE SOUTHERLY ALONG SAID CURVE 155.72 FEET THROUGH A CENTRAL ANGLE OF 89°37'20"; THENCE NORTH 01°57'17" EAST 202.12 TO THE EAST - WEST CENTERLINE OF SAID SECTION 27; THENCE NORTH 88°18'59" WEST ALONG SAID EAST - WEST CENTERLINE 805.12 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO EASEMENTS OF RECORD.

SITUATE IN THE COUNTY OF THURSTON, STATE OF WASHINGTON.



REVISION BLOCK

NO.	DATE	DESCRIPTION	BY

James P. Schwabacher  
Professional Engineer  
No. 253-377-1054  
email: jschwabacher@larson.com

COVER SHEET & SITE PLAN

DATE: 08/10/15  
DRAWING NO.: 7380-6CE1  
SHEET 1 OF 2

PROPOSED: ROBERT HIGHLY PH. 425-242-0084  
5903 106TH AVE. NE  
KIRKLAND, WA. 98033  
email: lawrence@larson.com  
CONTACT: MICHAEL LAWRENCE PH: (425) 698-9722

NOTE: CALL 1-800-424-5555 A MINIMUM OF 48 HOURS BEFORE YOU DIG.



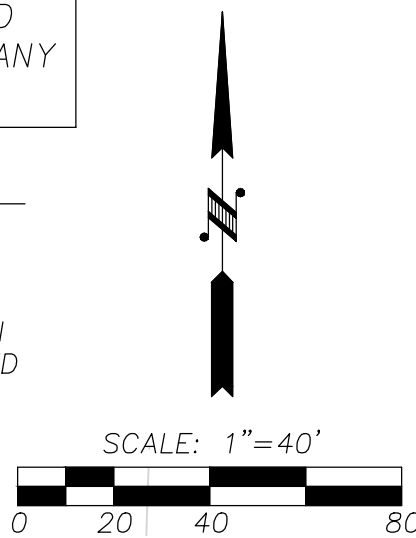
A map showing the location of the site relative to major roads. U.S. 101 runs diagonally from the top left. S.W. runs vertically. DECATUR ST. S.W. runs horizontally. S.R. 5 runs diagonally from the bottom right. RIDGEVIEW LOOP S.W. runs horizontally. GROSBY BLVD. runs vertically. BARNES BLVD SW runs horizontally. The site is marked with a square and labeled 'SITE'. TUMWATER HILL ELEM is located to the southwest of the site.

**FOREST PARK**  
A PORTION OF THE NW 1/4 OF THE SW 1/4 OF SEC. 27, T.18N., R.2W., W.M.  
CITY OF TUMWATER, THURSTON COUNTY, WASHINGTON

PLAT NOTES:

1. UNIT 8 DECKS SHALL BE ALLOWED TO OVERHANG DRAINAGE EASEMENT PROVIDED THAT THE DECKS SHALL BE REMOVED AND REPLACED AT THE COST OF THE OWNER SHOULD WORK BE REQUIRED WITHIN DRAINAGE EASEMENT. THIS LANGUAGE TO BE ADDED TO FINAL PLAT DOCUMENTATION FOR DRAINAGE EASEMENT.

PARCEL#  
12827240300  
(MFM ZONED)



## SITE DATA

SITE AREA:	7.73 ACRES (336,708 SQUARE FEET)
ZONING:	MFM (MIN 9 UNITS/AC - MAX 15 UNITS/AC)
DWELLING UNITS:	67 UNITS (22 BUILDINGS)
CLUBHOUSE	1 (WITHIN LOT 2)
LOTS:	22 (MULTI-FAMILY)
SMALLEST LOT SIZE:	0.13 AC (5,554 SF) - LOT 8
OPEN SPACE TRACTS:	2.96 AC (128,280 SF) [38.3% OF SITE]
REQUIRED OPEN SPACE:	1.09 AC (47,696 SF) [15% OF SITE]
TREE RETENTION AREA:	1.25 AC (54,536 SF)
ROAD TRACT:	1.34 AC (58,187 SF)
CRITICAL AREAS:	1.50 AC (65,218 SF)
NET DEVELOPABLE AREA:	4.89 AC (213,343 SF)
NET DENSITY:	13.7 UNITS/AC

## SITE ADDRESS

XXX RIDGEVIEW LOOP S.W., TUMWATER

PARCEL NUMBER

55201200000 (7.73 ACRES)

## ROADWAY LENGTHS

STARLIGHT LANE: 1,080'  
MOONLIGHT LANE: 550'

UTILITIES:

WATER & SEWER

CITY OF TUMWATER  
MATT WEBB (360) 754-4140

POWER/GAS

PUGET SOUND ENERGY  
AMY TOUSLEY (888) 225-5773

CABLE/TELEPHONE

CENTURY LINK  
ALEX JUANZEWS (253) 851-1236

STORMWATER

PRIVATE

REFUSE/RECYCLE

LEMAY PACIFIC DISPOSAL  
(360) 923-0111

SCHOOL DISTRICT

TUMWATER SCHOOL DISTRICT  
(360) 709-7000





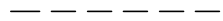


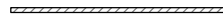






## APPLICANT/CIVIL ENGINEER

KPFF CONSULTING ENGINEERS  
612 WOODLAND SQUARE LOOP  
SUITE 100  
LACEY, WA 98503  
TEL: (360) 292-7230  
FAX: (360) 292-7231  
CONTACT: MARK STEEPY, P.E.  
EMAIL: MARK.STEEPY@KPFF.COM

OWNER

MORNINGSIDE DEVELOPMENT GROUP, LLC  
P.O. BOX 218  
DUPONT, WA 98327  
TEL: (206) 283-9364  
CONTACT: TOM REYNOLDS  
EMAIL: TOMREYNOLDS@MSDEVELOPMENTGROUP.COM

LEGEND

	PROPERTY LINE
	PROPERTY SETBACK LINE
	BUILDING SETBACK LINE
	TRACT LINE
	EASEMENT LINE
	LOT LINE
	RIGHT OF WAY LINE
	STEM WALL
	ROCK WALL
	BLOCK WALL
	DITCH
	CRITICAL AREA
	TREE PROTECTION AREA
	OVERLAPPING CRITICAL/TREE AREA

NOTE:  
THERE ARE NO ON-SITE WELLS OR OFF-SITE  
WELLS WITHIN 200-FEET OF THE PROPERTY

PARCEL#  
55200100000  
(MFM ZONED)

PRIVATE ROAD TRACT "E"  
1.34 AC  
58,187 SF

PARCEL#  
55202000000  
(SFL ZONED)

### LEGAL DESCRIPTION

THAT PORTION OF GOVERNMENT LOTS 4 AND 6, SECTION 27, TOWNSHIP 18, RANGE 2 WEST, W.M., IN THURSTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF TRACT "K" OF THE PLAT OF SOMERSET HILL DIVISION 2-A, ACCORDING TO PLAT RECORDED IN VOLUME 23 OF PLATS AT PAGE(S) 70 AND 71; THENCE SOUTH 88° 18' 59" EAST ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 27 A DISTANCE OF 805.12 FEET; THENCE SOUTH 01° 57' 17" WEST 202.12 FEET,

TO A POINT OF CURVATURE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS NORTH 88° 02' 43" WEST 99.55 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89° 37' 20" HAVING A LENGTH OF 155.72 FEET TO A POINT OF COMPOUND CURVATURE HAVING A RADIUS OF 167.91 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 67° 04' 15" HAVING A LENGTH OF 196.56 FEET; THENCE SOUTH 25° 15' 42" WEST 401.67 FEET; THENCE NORTH 88° 18' 59" WEST 503.24 FEET TO POINT ON THE EAST LINE OF SAID PLAT, SAID POINT BEING ON A CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS NORTH 86° 27' 18" WEST 715.10 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EAST LINE THROUGH A CENTRAL ANGLE OF 04° 47' 31" HAVING A LENGTH OF 59.81 FEET TO A POINT OF CURVATURE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS NORTH 57° 02' 07" EAST 35.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 54° 41' 35" HAVING A LENGTH OF 33.41 FEET TO THE EAST LINE OF SAID TRACT "K"; THENCE NORTH 15° 43' 19" EAST ALONG SAID EAST LINE 367.28 FEET AND NORTH 00° 41' 01" EAST 170.00 FEET TO THE POINT OF BEGINNING;

TOGETHER WITH THAT PORTION OF THE PLAT OF SOMERSET HILL D VISION 2-A,  
ACCORDING TO PLAT RECORDED IN VOLUME 23 OF PLATS AT PAGE(S) 70 AND 71,  
SAID PORTION DESCRIBED AS A STRIP OF LAND 5 FEET IN WIDTH LYING EASTERLY OF,  
AND ABUTTING THE EAST RIGHT OF WAY LINE OF CROSBY BOULEVARD, SOUTHERLY OF  
TRACT "K" OF SAID PLAT, NORTHERLY OF TRACT "R" OF SAID PLAT, MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF TRACT "R"; THENCE NORTHERLY ALONG THE  
EASTERLY RIGHT OF WAY LINE OF CROSBY BOULEVARD AND A CURVE TO THE LEFT  
HAVING A RADIUS OF 710.10 FEET THROUGH A CENTRAL ANGLE OF 6°40'00" AN ARC  
LENGTH OF  
82.62 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID  
EASTERLY RIGHT OF WAY AND A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF  
710.10 FEET THROUGH A CENTRAL ANGLE OF 10°00'34" AN ARC LENGTH OF 124.05 FEET  
TO A NONTANGENT CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS NORTH  
87°20'15" EAST 35.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A  
CENTRAL ANGLE OF 30°18'08" AN ARC LENGTH OF 18.51 FEET TO A NONTANGENT CURVE  
TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS SOUTH 88°45'09" WEST 715.10 FEET;  
THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 7°10'44" AN ARC  
LENGTH OF 89.60 OF A NONTANGENT CURVE TO THE LEFT, THE RADIUS POINT OF WHICH  
BEARS SOUTH 52°20'38" EAST 35.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE  
THROUGH A CENTRAL ANGLE OF 30°18'08" AN ARC LENGTH 18.51 FEET TO THE TRUE  
POINT OF BEGINNING.

**TUM-21-0046**

**PPM**

PRELIMINARY  
PLAT MAP

PRELIMINARY  
PLAT MAP

DRAWING NO.  
**7380CS1**

1 OF 1

**kpff**  
Consulting  
Engineers

612 Woodland Square Loop SE, Suite 100  
Lacey, Washington 98503  
(360) 292-7230 Fax (360) 292-7231

APPLICANT: MORNINGSIDE DEVELOPMENT GROUP, LLC  
P.O. BOX 218  
DUPONT, WA 98527

PHONE: (206) 283-9364

DESIGNED: WED	SCALE	
DRAWN: NLA	HORIZ.: 1" = 40'	JOB NUMBER 10182000048
CHECKED: TPA	VERT.: N/A	DATE
APPROVED: MRS	FIELD BOOK	8/2/2021

# SUF

## **SOUND URBAN FORESTRY**

### **Appraisals, Planning, Urban Landscape Design and Management**

#### **Forest Park Multi-Residential Project**

Tumwater, Washington

#### Tree Protection Plan

---

Prepared for: Michael Lawrence

Prepared by: Kevin M. McFarland, SUF  
Consulting Forester/ISA Certified Arborist & Tree Risk Assessment Qualified

Date: 6/23/15

The following report presents information gathered during my recent site visit at the proposed Forest Park project. The purpose of the evaluation was to conduct an inventory of the trees within the parcel in order to determine the number to be retained, assess the health of the trees within the site and establish the necessary protection measures for any trees to be retained or those within adjacent properties that could be impacted. This plan will satisfy the requirements as specified by the Tumwater Protection of Trees and Vegetation Ordinance (TMC 16.08) pursuant to the City of Tumwater Development Guidelines and Standards.



## Forest Park Tree Plan

**I. Site Description**

The 7.94-acre site is legally described as 1 parcel, #55201200000. It is located to the west of Ridge View Loop SW.

The property is completely forested with no prior development.

**II. Inventory of Trees**

Because the site is forested, a 100% inventory of the trees is not practical. Therefore, ten 50' x 50' sample plots were taken throughout the property. Please see Appendix 1 for the approximate locations of the plots.

The vegetation cover is continuous throughout the parcel. It is dominated by big leaf maples with diameters ranging from seedlings up to 60"+. Many of them are multi-stemmed and in good condition. Also found are scattered western red cedar, western hemlock, red alder and Douglas fir. The following table presents the information gathered in the sample plots.

**Table 1. Results of Sample Plots**

Plot #	Species/Trunk Diameter	Condition
1	Big Leaf Maple: 8", 8", 17", 26", 14", 15" Western Red Cedar: 28" Douglas Fir: 15"	Good Good Good
2	Big Leaf Maple: 28", 50" Western Hemlock: 12" Western Red Cedar: 18"	Fair to Poor Fair Good
3	Big Leaf Maple: 78", 40", 18", 18" Red Alder: 8", 10"	Fair to Good Good
4	Big Leaf Maple: 60+", 16", 8" Red Alder: 8" Douglas Fir: 16"	Fair to Good Good Fair
5	Big Leaf Maple: 10", 54", 6", 10", 44"	Good
6	Big Leaf Maple: 46", 24", 38", 49", 32", 38"	Fair to Good
7	Big Leaf Maple: 16", 20, 50+ " Western Red Cedar: 22"	Good Good
8	Big Leaf Maple: 6", 60", 70+ " Douglas Fir: 16", 22"	Good Good
9	Big Leaf Maple: 12", 14", 16", 50"	Good
10	Big Leaf Maple: 6", 14", 17", 18" Western Red Cedar: 18" Douglas Fir: 12", 16"	Good Fair Good

## Forest Park Tree Plan

Based on the information gathered from the sample plots, the average number of trees and basal area per acre and within the parcel has been determined.

**Table 2. Stand Stocking**

<b>SPECIES</b>	<b>DIAMETER CLASS (inches)</b>	<b>AVG. TREES/ACRE</b>	<b>BASAL AREA/ACRE</b>
Douglas fir	12-18	9	30
Douglas fir	18-24	2	13
Western Red Cedar	12-18	3	26
Western Red Cedar	18-24	2	13
Western Red Cedar	24-30	2	13
Big Leaf Maple	6-12	16	86
Big Leaf Maple	12-18	21	160
Big Leaf Maple	18-24	3	26
Big Leaf Maple	24-30	5	40
Big Leaf Maple	30-36	2	13
Big Leaf Maple	36-42	5	36
Big Leaf Maple	42-48	5	40
Big Leaf Maple	48-54	6	20
Big Leaf Maple	54-60	3	26
Big Leaf Maple	66-72	2	23
Big Leaf Maple	72-78	2	33
Western Hemlock	12-18	2	13

**Table 3. Total Trees within the Site**

<b>Species</b>	<b>Diameter Range</b>	<b>Total Number</b>
Big Leaf Maple	6-12	124
Big Leaf Maple	14-20	180
Big Leaf Maple	24-38	83
Big Leaf Maple	40-60	138
Big Leaf Maple	70-78	28
Western Red Cedar	18-28	55
Douglas Fir	12-22	83
Western Hemlock	12	14
		<b>Total = 705</b>

**Tree Retention**

Trees to be retained are located within 7 areas throughout the property for a total of 53,459.39 square feet. The 5% tree protection open space requirement by the City is met with Area 4, which is 23,035 square feet (7.9% of the buildable area).



## Forest Park Tree Plan

**Landmark Trees**

I found no trees within the site that would be considered specimen or 'Landmark' trees.

**Off-Site Trees**

The only area where adjacent trees could be impacted is along the western perimeter of the property, within parcel #75320299960. There is a section where grading will occur up to the property line and care should be taken to ensure that the critical root zones of the adjacent trees are treated properly. In addition to fencing along the property line, I recommend that a certified arborist be present when grading takes place in this area.

**III. Tree Retention Calculations**

The following is a summary of the tree retention calculations.

Gross Acreage	7.94 Acres
Buildable Area	6.71 Acres
Total Trees On Site	705 Trees
*20% Tree Retention	141 Trees
12 Trees/Acre	95 Trees
Planned Retention	109 Trees
Shortfall on Required Retention	32 Trees
Required Tree Replacement (3 x 32 )	96 Trees

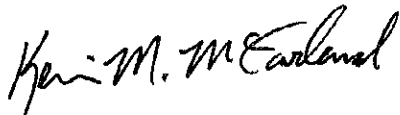
\*This is the greater amount and therefore required by the City

## Forest Park Tree Plan

**V. Tree Protection**

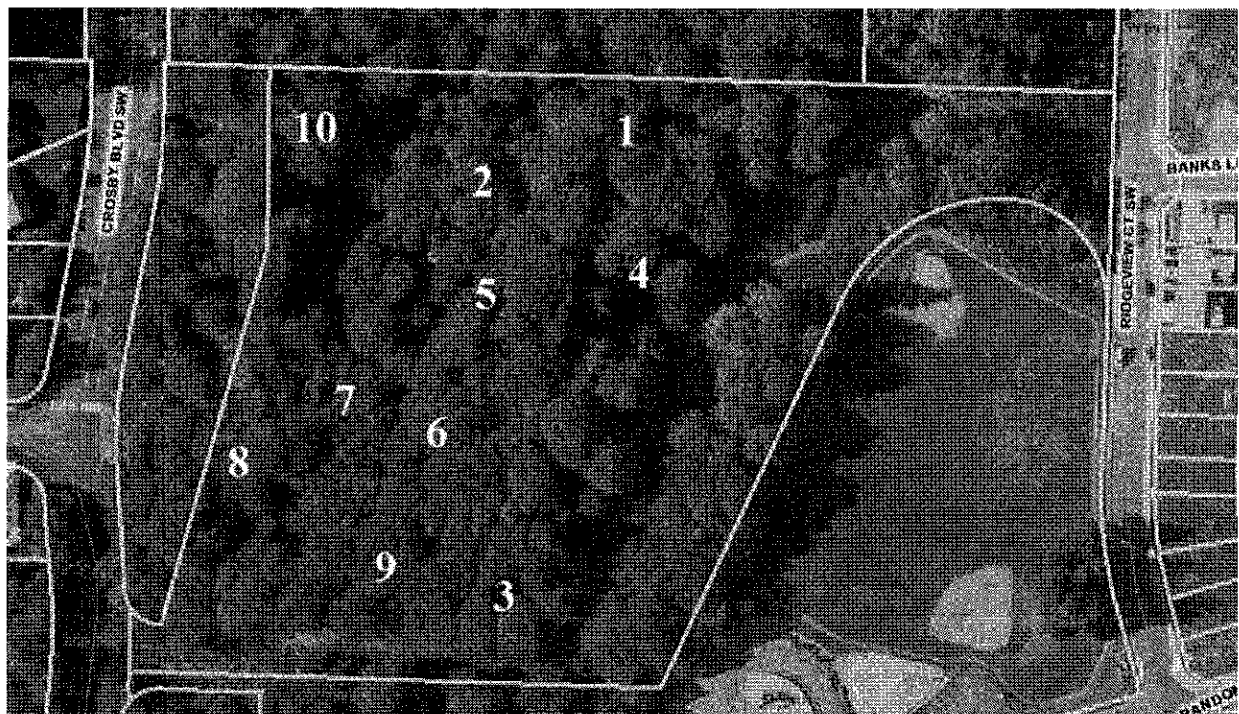
- It is recommended that all proposed removal trees be felled and extracted during the clearing and grading process. The edge trees of the areas to be preserved should be field marked prior to any tree removal.
- Directional felling shall be used to limit damage of retained trees.
- After tree removal and prior to clearing and grading the protection fence shall be installed.
- Tree protective fence shall be indicated on the site and grading and erosion control plans.
- A fence detail will be presented within construction notes, site plan and grading and erosion control plans.
- Protective fencing shall consist of a combination of chain-link panels secured by 'T' bar metal posts and/or blaze orange plastic attached by zip ties to 'T' bar posts placed every 6-8' apart.

Professionally submitted,



Kevin M. McFarland, Principal  
Consulting Forester  
ISA Certified Arborist PN-0373 & ISA Tree Risk Assessment Qualified

## Appendix 1. Approximate locations of sample plots within Forest Park





City Hall  
555 Israel Road SW  
Tumwater, WA 98501-6515  
Phone: 360-754-5855  
Fax: 360-754-4138

March 4, 2016

Michael Lawrence  
P.O. Box 3128  
Bellevue, WA 98009

RE: Formal Site Plan Approval; TUM-15-0298  
Forest Park  
Ridgeview Loop SW, Tumwater, WA 98512  
Parcel #55201200000. Area of property: 7.94 acres

Dear Mr. Lawrence:

On February 11, 2016, the Development Review Committee for the City of Tumwater reviewed your Formal Site Plan Review application for the above-referenced project. The following comments are organized by Divisions and are valid for a period of six months from the date of this letter. If the six-month period has lapsed, you must re-submit your project for another formal review to ensure that there are no changes in code requirements or City policies that may affect your proposal. Any changes to the site plan that were not reviewed previously may delay approval of your project.

The following comments, code citations, and conditions of approval pertain to the proposal.

### **GENERAL**

All requirements of the Tumwater Municipal Code (TMC) pertaining to zoning, building, fire code compliance, and engineering shall be met.

### **PLANNING**

1. Comprehensive Plan: The City of Tumwater Comprehensive Plan identifies this area as Multi-Family Medium Density Residential within the Tumwater Hill Neighborhood. The proposal is consistent with the intent of the Comprehensive Plan.

2. Use: The proposed project is to construct 67 units in three and four unit apartment buildings on 7.94 acres. The project is located in the Multi-Family Medium-Density zone district and Aquifer Protection Overlay zone district, and is a permitted use.

The management office is considered an accessory use.

3. Density: The minimum and maximum densities allowed in the MFM zone district are 9 and 15 dwelling units per acre respectively. The density calculation is based on net acreage of the site after subtracting critical areas and their buffers (i.e. geologically hazardous areas) and all private roads serving the project.
4. Building Coverage: The maximum lot-coverage for buildings in the MFM zone is 70 percent.
5. Building Height: The maximum building height in the MFM zone is 40 feet.
6. Yards/Setbacks: The minimum required setbacks for the MFM zone district around the perimeter of the property are as follows:

10 feet minimum along all public and private street frontages. The face of any garage fronting the private streets shall be 18 feet from the edge of the private street easement.

20 feet minimum along the entire south boundary because the property abuts a Single-Family Low-Density (SFL) zone district.

5 feet minimum along the entire north and west boundaries.

Utility vaults, HVAC systems, etc. are not allowed to be placed in the setback area. This area is reserved for open space and landscaping.

7. Postal Facilities: Consolidated postal drop-off facilities shall be provided for the site. The location of the facilities must be coordinated and approved by Public Works Engineering and the U.S. Postal Service.

The location of postal facilities shall be shown on the site plan and civil engineering plans.

8. Pedestrian Access: Pedestrian access elements will be required throughout the site and must be connected to the public sidewalk on Ridgeview Loop.
9. Design Review: The building designs shall conform to the City of Tumwater's design review ordinance outlined in TMC 18.43.070. Architectural elevation

drawings of each building-type shall be submitted for review and approval prior to issuance of Building Permits.

A design review package shall be accompanied with a design review fee of \$220 for each building-type associated with the project.

10. Parking: 1.5 off-street parking stalls are required for each dwelling unit containing one or two bedrooms. Two off-street parking stalls are required for each dwelling unit containing three or more bedrooms. In addition, one guest stall is required for each 10 units.

The parking areas must be hard-surfaced (asphalt, concrete or turfstone). The seven guest spaces shall be defined by white striping a minimum of four-inch-wide. A minimum four-foot-wide walkway is required between the building(s) and the parking stalls where applicable. Parking spaces must utilize approved wheel-stops to prevent vehicle overhang of a sidewalk or landscape area. The guest parking stalls shall be 9 feet in width by 18 feet in depth. The backup aisle for the guest spaces shall be 22 feet 6 inches in width.

The project is required to provide short-term and long-term bicycle parking facilities. The facilities shall comply with TMC 18.50.120. The location of these facilities shall be shown on the site and engineering plans.

11. Lighting: Site lighting shall comply with the City's exterior illumination regulations outlined in TMC 18.40.035. These regulations require all exterior light fixtures to be fully shielded and directed downward and inward to minimize impacts on off-site uses. Light poles along the private streets shall be limited to 24 feet in height.

A basic lighting plan addressing all proposed exterior lighting must be submitted for review and approval. The basic lighting plan shall be a plan view of the building showing the locations of proposed exterior lighting fixtures. The basic lighting plan shall include photos and details of all proposed exterior lighting fixtures.

12. Landscaping: A landscape and irrigation plan must be submitted for the perimeter boundaries and internal parking areas. The plan must show proposed plantings, tree types and heights, and other vegetation. Street trees are required along Ridgeview Loop and must be installed in accordance with the Tumwater Development Guide and Comprehensive Street Tree Plan.

The landscape and irrigation plan must be accompanied with a review fee of \$220. The landscape and irrigation plan shall be approved prior to issuance of Building Permits.

13. Signs: The MFM zone allows one 32 square-foot monument sign on the Ridgeview Loop frontage to identify the name of the development. Permits are required and height restrictions apply depending on the location of the sign(s). Within the front yard, the sign can be no more than 42 inches in height. If it is located beyond the 10-foot front yard area, the sign can be a maximum of six feet. TMC 18.44
14. Geologically Hazardous Areas: A geologically hazardous area review report has been submitted for the project. The project must meet the requirements of TMC 16.20.
15. Transportation Concurrency: A transportation concurrency determination was issued for the project.
16. Impact Fees: Impact fees will be applied to the Building Permit applications for traffic, parks and schools.

The amount of the fees will be based on the most current fee resolution in effect at the time of filing complete Building Permit applications for the proposed buildings.

17. SEPA: A Determination of Non-Significance (DNS) was issued for this project. The DNS has been appealed by the Overlook Home Owners Association (HOA). The Overlook HOA must appeal the City's decision to grant Site Plan Approval in order for the SEPA appeal to be valid. The HOA will have 14 days to file an appeal of this decision.
18. Open Space: A minimum of 15-percent of the gross site area shall be designated as open space. The open space area is required to include both passive and active recreation facilities for enjoyment of the residents.
19. Land Clearing: A land clearing permit is required to be issued with the site development/grading permit. A land clearing permit application fee of \$100 will be added to the fees associated with the site development/grading permit. A \$200 permit fee will be due when the land clearing permit is ready to be issued.

The project must meet the City's tree protection requirements. TMC 16.08

Not less than 20 percent of the trees, or not less than 12 trees per acre (whichever is greater), shall be retained. TMC 16.08.070.R

Not more than 30-percent of the trees on any parcel of land shall be removed within any 10-year period, unless the clearing is accomplished as part of an approved development plan. TMC 16.08.070.Q



20. Refuse Disposal: The dumpsters are required to be gated and screened with masonry walls and/or sight-obscuring fence with landscaping.

## BUILDING AND FIRE

**IMPORTANT NOTE:** At this point in the process, no comprehensive review of construction drawings for the proposed structure(s), if they exist, has been undertaken. When that review does occur, additional requirements are likely to be added to this list of conditions in order to ensure that the project conforms with all required building and fire codes.

1. A minimum of one van accessible barrier free parking space shall be provided for the office. IBC Section 1106
  - a. Accessible parking spaces shall be not less than 96 inches in width and shall have an adjacent access aisle not less than 60 inches in width. Van accessible parking spaces shall be not less than 96 inches in width and have an adjacent access aisle not less than 96 inches in width. Where two adjacent spaces are provided, the access aisle may be shared between the two spaces. Boundaries of access aisles shall be marked so that the aisles will not be used as parking space. ANSI A117.1 Chapter 502
  - b. Where accessible parking spaces are required for vans, the vertical clearance shall be not less than 98 inches at the parking space and along at least one vehicle access route to such spaces from site entrances and exits. ANSI A117.1 Chapter 503.5.
  - c. Barrier free parking spaces and access aisles shall slope not more than 1 in 48, and shall be firm, stable and slip resistant. ANSI A117.1 Chapter 503.4
  - d. All barrier free parking stalls shall be identified by a sign at the head of the parking space, 60 inches minimum above grade measured to the bottom of the sign. The sign shall be marked with the international symbol of access and shall bear the words: "State Disabled Parking Permit Required." Van stalls shall also state "VAN". ANSI A117.1 Chapter 502.6 and IBC Section 1101.2.4
2. The building and site are required to be accessible. An accessible route of travel shall be provided to all portions of the building, to accessible building entrances, and connecting the building and the public way. The accessible route of travel shall be shown on the site plan. WAC 51-30
3. Accessible Type A and Type B units shall be distributed throughout the

buildings in accordance with IBC 2012 Edition Chapter 11. Also, at least two percent of the parking stalls provided shall be accessible. IBC 1106 and 1107

4. A Site Development/grading permit will be required for this site. The permit application shall be accompanied by the application, checklist and three sets of plans and specifications, and supporting data consisting of a soils engineering report and engineering geology report prepared and signed by a licensed soils engineer. This project will be considered "engineered grading." Special hazards may include steep slopes, terracing with rockeries or multiple retaining walls. Inspection of the grading shall be provided by the civil engineer and Geotechnical engineer. In addition, special inspectors approved by the building official shall perform inspections of fill placement, compaction testing, and blasting. All special inspections must be performed by WABO registered labs and inspectors who have expertise in grading and earthwork.

When the grading work is complete and ready for final inspection, the civil engineer of record is responsible for providing a final inspection report which will include the geotechnical engineer's and special inspector's reports. In addition, as-built drawings for the site must be submitted in a PDF format. IBC Appendix J

5. Special inspectors may be required for the following types of work: concrete, bolts installed in concrete, special moment-resisting concrete, reinforcing steel and pre-stressing steel tendons, structural welding, high strength bolting, structural masonry, reinforced gypsum concrete, insulating concrete fill, spray-applied fireproofing, piling, drilled piers and caissons, shot-crete, special (engineered) grading, excavation and filling, soils compaction testing, retaining walls and smoke-control systems. All special inspections must be performed by WABO registered inspectors and at the expense of the owner. IBC Section 1704.1
6. Grading, blasting, retaining/rockery and tree cutting permits will not be issued until the civil plans (roads and utilities) have been approved. No Exceptions.
7. The proposed building occupancy is R2 occupancy of Type 5-B construction. IBC Section 3
8. Exterior walls are required to be of one-hour fire-rated construction when less than 10 feet to the property line. Protected openings are required when less than 5 feet to the property line. No openings are permitted less than 3 feet to the property line. IBC Section 704.8

9. Water cross connection control shall be provided in accordance with the provision of the Plumbing Code. Cross connection control devices or assemblies must be models approved under WAC 246-290-490.
10. If water pressure at the meter exceeds 80 psi, a pressure-reducing valve will be required to be installed on the private side of the water line.

#### FIRE

11. The proposed buildings are required by code to be provided with NFPA 13 fire sprinkler systems throughout. IBC 903.2.8
12. Fire alarm systems will be required to be installed in the buildings.
13. The applicant must coordinate with the Building Safety Official on the location of the Fire Department connection, post indicator valve, remote annunciator panel and key box. The Building Safety Official will approve the locations of the fire suppression equipment. This information shall be included on the site and landscape plans.
14. The required fire flow for this building is derived from Appendix III-A of the International Fire Code. Type 5B buildings of this size are required to have a fire flow of 3,000 gallons per minute at 20 psi. However, based on the approval of the Fire Chief, a 50-percent reduction for fully sprinkled buildings allowed in Section 5.2 will be allowed for this site. Therefore, the required fire flow will be 1,500 gallons per minute at 20 psi. IFC 903
15. Any buildings constructed on site that are more than 150 feet from an approved Fire Department vehicle access point shall be provided with asphalt, concrete or turf-stone paved access roads a minimum of 20 feet wide. The fire lane shall be constructed to meet minimum City street standards. The engineer shall submit drawings and details on how the fire lane is to be constructed. Any dead-end fire access roads that are in excess of 150 feet in length shall be provided with an approved turnaround. IFC 501, TMC 15.16.020 and policy 96-02
16. Gates blocking access to the site for fire department equipment shall be provided with an Opticom security control.
17. Fire lane signs and yellow striping shall be provided on-site to identify Fire Department access roads and prohibit the obstruction thereof. IFC 503.3 and Policy 96-02. Fire lanes shall be identified on the site plan.
18. When any portion of a building constructed on site is in excess of 150 feet from a water supply on a public street, as measured by an approved route around the exterior of the building, there shall be provided on site fire hydrants capable of supplying the required fire flow. Placement of the

hydrants shall be coordinated with the Building Safety Official. Fire hydrant locations shall be shown on the site plan and the landscape plans. IFC 501

19. The water main shall be looped around the entire site.
20. Fire hydrants and paved access roads shall be installed, tested for fire flow by the Fire Department and made serviceable by the Public Works Department prior to any vertical or combustible construction. No exceptions. IFC 503

#### MISCELLANEOUS

21. The addresses for this site will be assigned prior to civil plan approval.
22. Building plans and specifications shall be prepared and stamped by an architect and engineer licensed to practice in the State of Washington.
23. A building permit application (including shell permits) shall include architectural, structural, plumbing, mechanical and energy plans and specifications. No exceptions. Fire sprinkler and fire alarm permits and plans may be submitted separately from the main permit application.
24. Two sets of plans and specifications shall be submitted along with application and plan review fees. Maximum size plans accepted are 24 x 36 inches. Minimum scale accepted is 1/4 inch.
25. The following permits may be required for this project:
  - Grading
  - Blasting
  - Retaining / rockery
  - Building, including plumbing and mechanical
  - Fire sprinkler / fire suppression
  - Fire alarm
  - Sign
26. All new building projects are required to provide for the storage of recycled materials and solid waste. The storage area shall be designed to meet the needs of the occupancy, efficiency of pick-up, and shall be available to occupants and haulers. The location of this facility shall be shown on the site plan.
27. Dumpsters and containers with an individual capacity of 1.5 cubic yards or more shall not be stored in buildings or placed within five feet of combustible walls, openings or combustible roof eaves lines unless the area is protected by an approved automatic sprinkler system. IFC Section 304.3.3

#### ENGINEERING

## GENERAL

1. The applicant shall be responsible for providing the City with all costs associated with the installation of water, sewer, street and storm drainage systems that are dedicated to the City of Tumwater.
2. All designs/construction shall comply with the City of Tumwater's Development Guide and WSDOT standards.
3. The site plan shall show all existing and proposed utilities and easements including street lights, street trees, water, sewer, storm, gas, cable, power, telephone, signage and striping. Provide street sections showing dimensions of existing and proposed improvements. Include the line sizes on the water and sewer mains and services. All rockeries proposed shall also be shown on the site plan.
4. All street construction, main installation and storm drainage work requires engineered plans certified by a professional engineer.
5. The applicant is responsible for all plan check, inspection and connection fees.
6. Any private or public utility relocation is the responsibility of the applicant.
7. The applicant shall be responsible for the maintenance and timely repair of all public improvements for a period of 30 months following final certification by the City and shall submit a surety for maintenance equal in value to fifteen (15) percent of the total value of the required public improvements certified by the Public Works Director. Please refer to Chapter 3 of the Development Guide for further clarification.
8. Provide all easements and bills-of-sale documents with the engineered plans.
9. All legal descriptions must be accompanied with an appropriate drawing that the City surveyor can use to verify the legal description. All engineering drawings must be on 24" x 36" paper sheets.
10. The owner or owner's representative is also responsible for furnishing the City with electronic files on CD ROM, compatible with Release 2000 or newer Auto-CAD format. Drawings shall be in TCHPN (Thurston County High Precision Network) horizontal datum. Provide individual drawings independent of x-refs. Include all non-standard font files and plot files. Also, please furnish a CD with PDF files and AutoCAD. A storm water maintenance agreement, utility maintenance agreement, easements and bills-of-sale will also be required.
11. Site plan modifications may occur as a result of the engineering review process. For engineering issues, the approved engineering plans take

precedence over the approved site plan.

#### STREET

12. All access to the property must be consistent with City standards and policies.
13. Bulb outs are required on the private road and Ridgeview Loop at the intersection on the developing side only.

#### STORM

14. A drainage design and erosion control plan will be required according to the City's 2010 Drainage Design and Erosion Control Manual.
15. Maintenance of the on-site storm water system will be the responsibility of the property owner, and a maintenance agreement must be recorded against the property.
16. This project must provide treatment of the storm water on-site and release to Crosby Boulevard. The water is then routed to the Linwood Regional Storm Water Facility.
17. The Latecomer amount for the regional facility is \$67,894.80.

#### SANITARY SEWER

18. The 8-inch sanitary sewer main this project is tying into is a private main for the elementary school. The existing line must pass the appropriate tests and taken over by the City of Tumwater. The school district will need to provide a bill-of-sale.
19. If this project is a condominium project, then each unit must pay one Equivalent Residential Unit in connection fees.
20. All sanitary sewer mains must be TV'd. The applicant must provide a tape of the sanitary sewer line before occupancy of the project.

#### WATER

21. The project must meet minimum fire flow requirements.
22. Pressure reducing valves will be required for the domestic service if the pressure is over 80 psi. This project will be tying into the high pressure zone and therefore some of the buildings will need PRVs.
23. Back flow prevention is required on all fire services and irrigation services, and in accordance with the AWWA Cross Connection Control Manual. A reduced pressure backflow assembly is required on all commercial domestic services per WAC 246-290-490. Please contact Dennis Winchel at 360-754-4150 for more information.


24. Any water main extension will require a minimum of an 8-inch system. The main size will depend on the fire flow requirements for this project. The system shall be designed for a maximum velocity of 8 feet per second within the right-of-way.
25. Water meters must be placed in the public right-of-way or clustered on site within an easement. The professional engineer must provide calculations on the maximum instantaneous water demand and size of the meters for the project.

Please be advised that the site plan drawing is a "stand alone" document to be submitted in conformance with the criteria identified on the site plan application form. Any requirement for detailed utility plans, grading plans, storm drainage plans, or erosion control plans are separate drawings and are not to be incorporated on the site plan drawing. The project will be granted formal site plan approval prior to final approval of the aforementioned plans.

This review does not provide the benefit of vesting, which is currently not allowed until the time a completed Building Permit application is submitted. Therefore, if ordinance changes occur during the life of this approval, your project must conform to those new requirements prior to the issuance of Building Permits.

If you have any questions regarding the Planning issues, please contact me at 360-754-4180. For questions on Building/Fire, contact John Darnall at 360-754-4180. For Engineering questions, please contact Matt Webb at 360-754-4140.

Sincerely,



Suresh Bhagavan  
Associate Planner

- c: James Schweickert, 7411 Prine Drive SW, Olympia, WA 98512  
Scott LaVielle, Fire Chief  
John Darnall, Building and Fire Safety Official  
Matt Webb, Public Works Engineer





# Professional Forestry Services, Inc.

100 Ruby St. SE, Suite B  
Tumwater, WA 98501

Phone (360) 943-1470  
Fax (360) 943-1471

June 26, 2020

Michael Lawrence

Email: [lawrence@commercestreetra.com](mailto:lawrence@commercestreetra.com)

Re: Forest Park—Tree Protection Plan, Prepared by Sound Urban Forestry (SUF) in 2015


Dear Mr. Lawrence:

As you authorized, Professional Forestry Services, Inc. has peer reviewed the report prepared by SUF, dated June 23, 2015. The following information will show the report reviewed is still valid as of June 26, 2020.

1. The inventory method used by SUF was sufficient for determining the trees required by the City of Tumwater.
2. Our on-site inspection of June 24, 2020 did not detect any mortality since the 2015 report.
3. No additional trees would be anticipated if the plots taken in 2015 were remeasured.
4. The actual surveyed acreage within the property has been determined to equal 7.73 acres instead of the 7.94 acres (Thurston County records) used by SUF.
5. After using the 7.73 acres, the total figures did not change enough to warrant an additional report. In the final analysis, the figures for trees retained and trees required to be added would be the ones shown in the report of June 23, 2015.
6. In the report's narrative on part V. Tree Protection, it is **(very important for an Arborist or Professional Forester to inspect the site once the "limits of clearing" have been staked and before tree falling has begun).**

If additional information is required by the City of Tumwater, please contact us.

Sincerely,

  
Michael D. Jackson, CF, ACF  
Certified Forester No. 1244

MDJ: dkd



# Forest Park Townhomes Landscape & Irrigation

PERMIT SET  
March 19, 2021

**Applicant:**  
**Morningside Development Group**  
**PO Box 218 - DuPont, WA 98327**

**Robert W. Droll**  
Landscape Architect, P.S.



4405 7th Avenue SE, Ste. 203  
Lacey, WA 98503  
(360) 456-3813  
FAX (360) 493-2063  
E-MAIL bob@rwdroll.com

**Project Site**

PARCEL NO. 55201200000  
RIDGEVIEW LOOP SW  
TUMWATER, WA

**Sheet Index**

G1.0	Title Sheet	L3.0	Entry Statement Plan
L1.0	Irrigation Plan - East	L3.1	Entry Statement Profiles
L1.1	Irrigation Plan - West	L3.2	Entry Statement Sections
L1.2	Irrigation Details	L3.3	Fence Details
L2.0	Planting Plan - East	L4.0	Entry Statement Lighting Plan
L2.1	Planting Plan - West	L4.1	Entry Statement Lighting Details
L2.2	Planting Plan - South		
L2.3	Planting Details		

**Project Information**

TOTAL PARCEL AREA: 7.94 ACRES (346,000 SQ. FT.)

TOTAL LANDSCAPE AREA (EXCLUDES TOWNHOME YARDS): 2.86 ACRES (125,000 SQ. FT.)

IRRIGATED LANDSCAPE AREA: 0.34 ACRES (15,000 SQ. FT.)

PERCENT OF SITE COVERED WITH LANDSCAPING (DOES NOT INCLUDE TOWNHOME YARDS): 36%

VEGETATIVE SEPARATION PROVIDED ALONG PROPERTY LINE PER TMC TABLE 18.47 (PARCEL = MFM ZONE):

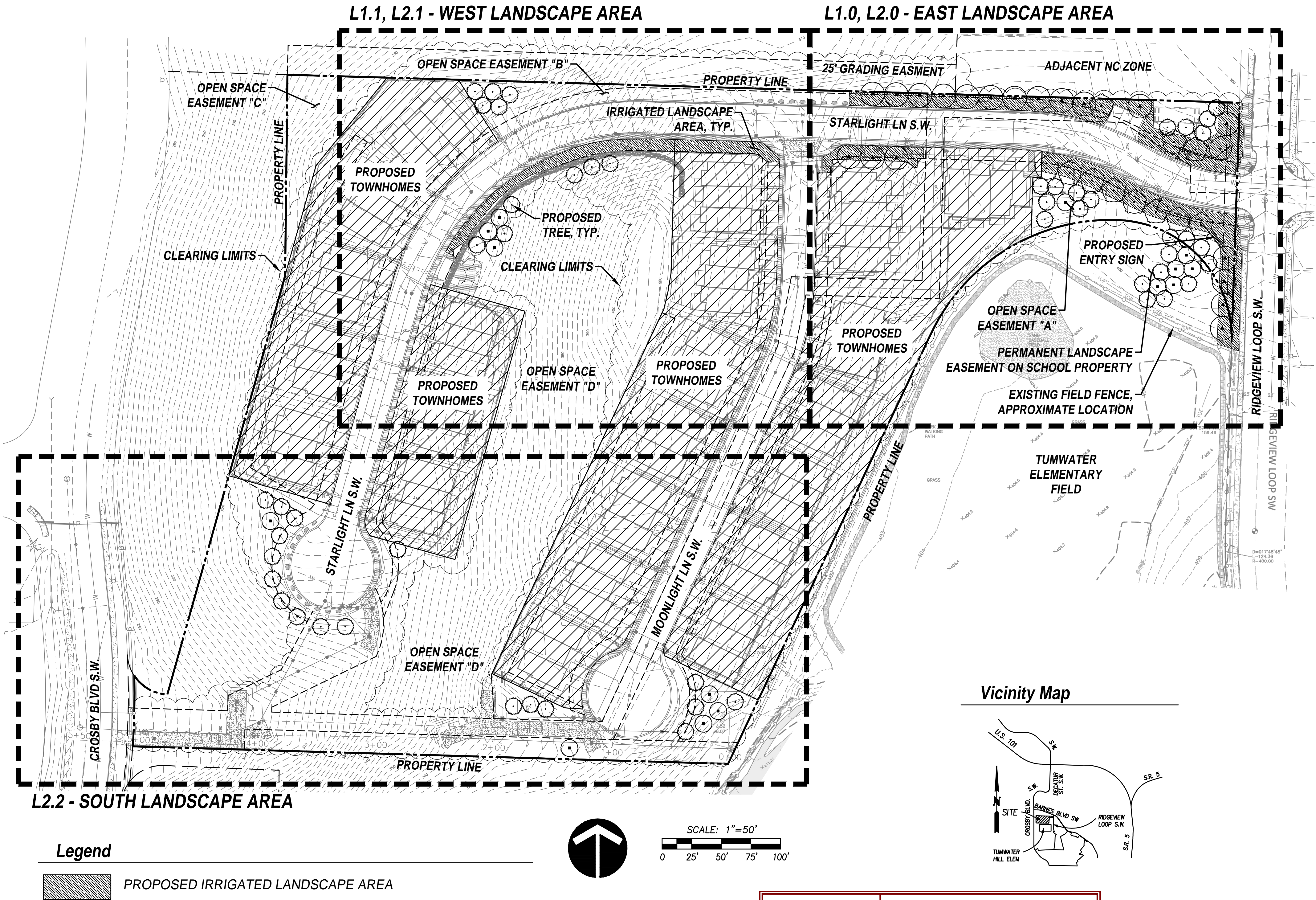
NORTH (WEST): NONE REQUIRED ABUTTING MFM ZONE  
NORTH (EAST): TYPE 2 REQUIRED ABUTTING NC ZONE  
EAST (NORTH): NONE REQUIRED ABUTTING RIDGE VIEW LOOP SW  
EAST (SOUTH): TOWNHOMES AREA, NOT INCLUDED  
SOUTH: TYPE 2 REQUIRED ABUTTING SFL ZONE, PROVIDED BY EXISTING VEGETATION & PROPOSED TREES  
WEST: NONE REQUIRED ABUTTING CROSBY BLVD SW

**TREES PLANTED BY SPECIES**

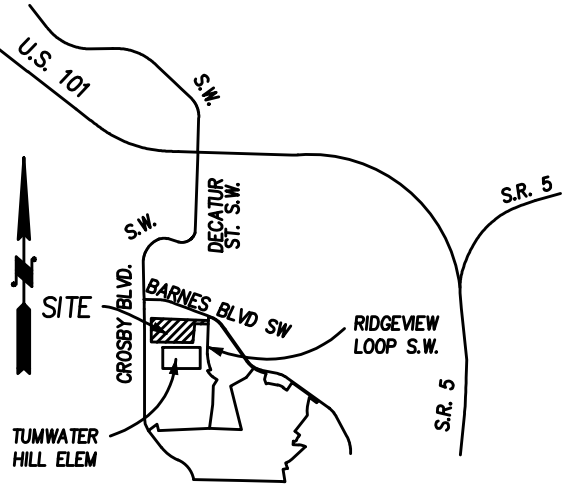
SPECIES	TYPE
19 ACER TRUNCATUM X PLATANOIDES	DEC., MED. STREET TREE
12 CORNUS KOUSA	DEC., SMALL STREET TREE
51 PINUS CONTORTA CONTORTA	EVGR., NATIVE
14 PSEUDOTSUGA MENZIESII	EVGR., NATIVE
96 TOTAL TREES PLANTED	

SEE PLANT SCHEDULE (L2.0) FOR ADDITIONAL TREE, SHRUB AND GROUND COVER INFORMATION AND QUANTITIES.

**Forest Park Site Overview**



**Vicinity Map**





**APPROVED**

PERMIT #: TUM-20-0350

03/19/2021 11:07:38 PM

*Chris Carlson*

Community Development Department  
Chris Carlson, AICP  
Permit Manager

G1.0

**Note: All disturbed landscape areas to be seeded with erosion control seed mix per civil plans, except where irrigated landscape is installed.**



Irrigation Improvements General Notes

1. CONTRACTOR IS REQUIRED TO VERIFY UTILITY LOCATIONS PRIOR TO CONSTRUCTION. CONTRACTOR SHALL CALL THE UTILITIES UNDERGROUND LOCATION CENTER (1-800-424-5555) AT LEAST TWO (2) WORKING DAYS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
2. CONTRACTOR SHALL COORDINATE ALL WORK WITH THE GENERAL CONTRACTOR. ALL CONSTRUCTION CONFLICTS SHALL BE BROUGHT TO THE ATTENTION OF THE GENERAL CONTRACTOR AND CONSTRUCTION OBSERVER IMMEDIATELY UPON RECOGNITION.
3. CONTRACTOR IS RESPONSIBLE FOR A THOROUGH CLEAN-UP FOR HIS/HER RESPECTIVE WORK, DAILY AND AT PROJECT CLOSE-OUT.
4. CONTRACTOR IS RESPONSIBLE FOR PROTECTING ALL EXISTING IMPROVEMENTS. DAMAGE TO EXISTING IMPROVEMENTS BY THE CONTRACTOR SHALL BE REPAIRED OR REPLACED BY THE CONTRACTOR AND/OR QUALIFIED INSTALLERS/TRADES ACCEPTABLE TO THE SOLE SATISFACTION OF THE CONSTRUCTION OBSERVER AND AT NO COST TO THE OWNER.
5. SPRINKLER HEAD SYMBOLS SCHEMATICALLY REPRESENT DESIRED SPRAY PATTERNS. FIELD ADJUSTMENTS AND VERIFICATION OF SPRAY PATTERNS WILL BE NECESSARY. ADJUST SPRAY PATTERNS TO WATER LANDSCAPE AREA ONLY AND PREVENT OVERSPRAY ONTO BUILDINGS AND/OR PAVEMENT (UNLESS SPECIAL CIRCUMSTANCES PREVAIL).
6. SPRINKLER HEADS FOR SHRUB AREAS ARE TO BE 12" POP-UP TYPE. SPRINKLER HEADS SHALL BE INSTALLED PER MANUFACTURER'S RECOMMENDATIONS.
7. EXCEPT WHERE SHOWN ON CIVIL AND LANDSCAPE PLANS, ALL PIPING UNDER HARD SURFACES (INCLUDES CONCRETE, ASPHALT, CRUSHED GRAVEL) SHALL BE SLEEVED WITH 4" DIAMETER PVC CONDUIT EXTENDING THREE (3) FEET BEYOND HARD SURFACE EDGE. MARK ENDS WITH A 1/2" DIAMETER REBAR, 18" IN LENGTH. TOP OF REBAR TO BE 3" UNDER FINISH GRADE SOIL SURFACE. ALL SLEEVES UNDER HARD SURFACE SHALL BE STRAIGHT TO ALLOW FOR IRRIGATION PIPE REPLACEMENT.
8. PIPE SIZE SHALL BE THE SAME ON BOTH SIDES OF VALVES.
9. LOCATE ALL VALVES WITHIN ONE (1) FOOT OF THE MAINLINE.
10. FIELD VERIFY ALL SPRINKLER HEAD LOCATIONS (FLAGGING) BEFORE TRENCHING.
11. WHERE TWO OR MORE PIPES SHARE THE SAME TRENCH, MAINTAIN A 4" SEPARATION BETWEEN PIPES. DO NOT CROSS PIPES OVER EACH OTHER UNLESS THEY ARE AT 90 DEGREES.
12. IRRIGATION SITE PLAN IS SCHEMATIC. VALVES AND PIPING MAY BE SHOWN IN PAVEMENT AREAS FOR CLARITY. LOCATE ALL VALVES IN LANDSCAPE AREAS AND ROUTE PIPING THROUGH LANDSCAPE AREAS OR UNDER PAVEMENT WHERE SLEEVING IS INDICATED. THE CONTRACTOR SHALL CONSIDER ALL SITE FEATURES IN THE INSTALLATION OF IRRIGATION IMPROVEMENTS AND DELIVER A FULLY OPERATIONAL SYSTEM.
13. ALL IRRIGATION STATIONS SHALL BE TIMED TO OPERATE BETWEEN THE HOURS OF 10:00 P.M. AND 6:00 A.M.

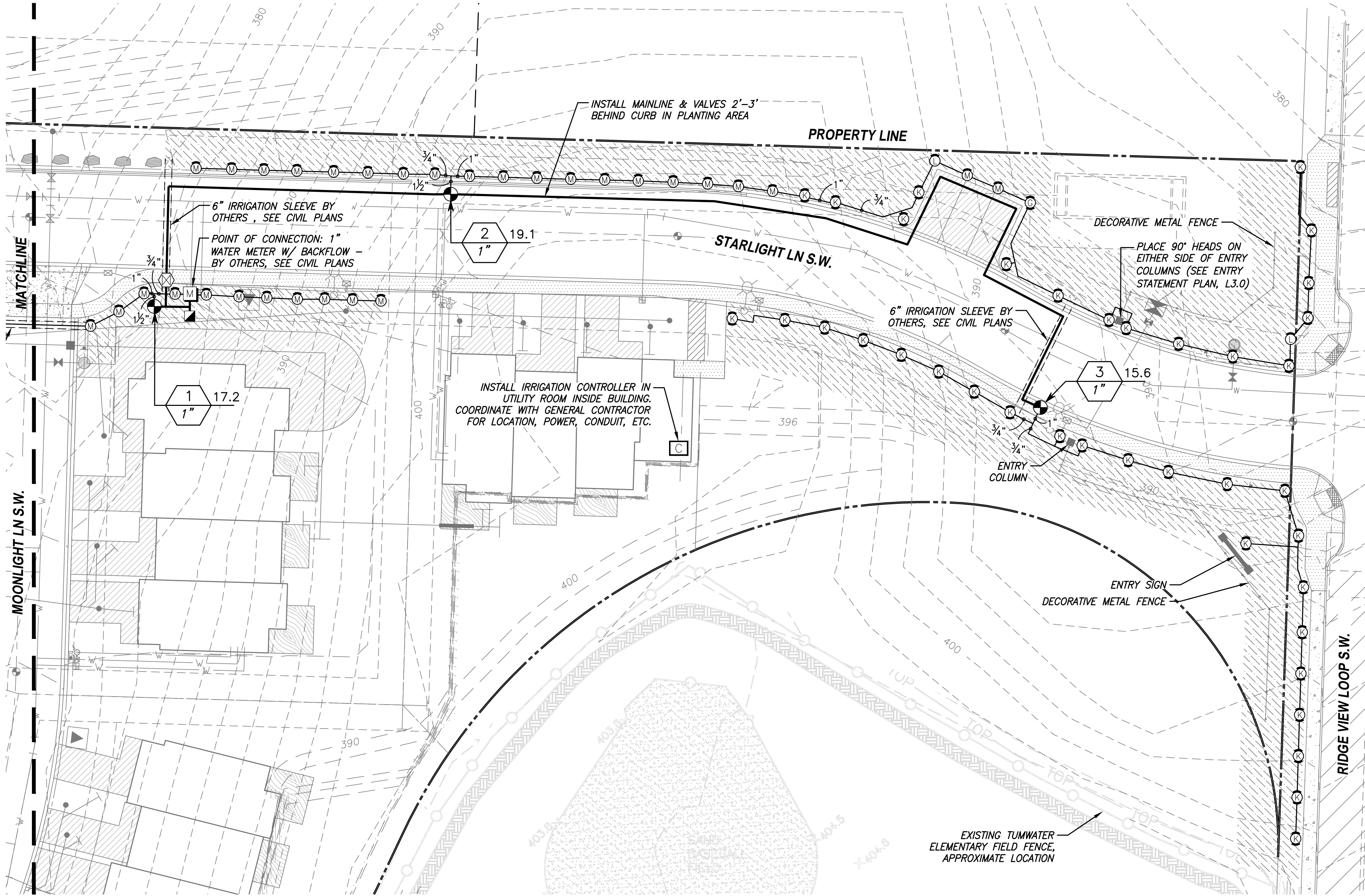
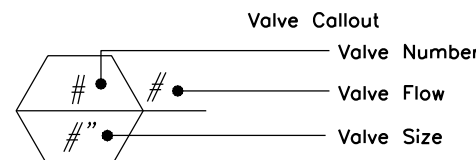
Valve Schedule

NUMBER	MODEL	SIZE	TYPE	GPM	DESIGN PSI
1	REMOTE CONTROL VALVE	1"	SHRUB ROTARY	17.18	40
2	REMOTE CONTROL VALVE	1"	SHRUB ROTARY	19.15	40
3	REMOTE CONTROL VALVE	1"	SHRUB ROTARY	15.58	40

Irrigation Schedule

SYMBOL	MANUFACTURER/MODEL	ARC	PSI
	HUNTER MP1000 PROS-12-PRS40-CV	210-270	40
	HUNTER MP1000 PROS-12-PRS40-CV	90-210	40
	HUNTER MP2000 PROS-12-PRS40-CV	210-270	40
	HUNTER MP2000 PROS-12-PRS40-CV	90-210	40

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION
	REMOTE CONTROL VALVE HUNTER PGV-101G - 1" PLASTIC ELECTRIC REMOTE CONTROL VALVE, FOR RESIDENTIAL/LIGHT COMMERCIAL USE. FEMALE NPT INLET/OUTLET. GLOBE CONFIGURATION, WITH FLOW CONTROL.
	MANUAL CONTROL VALVE NIBCO T-113-K - CLASS 125 BRONZE GATE MANUAL CONTROL VALVE WITH CROSS HANDLE, SAME SIZE AS MAINLINE PIPE DIAMETER AT VALVE LOCATION. SIZE RANGE - 1" - 3"
	QUICK COUPLER VALVE HUNTER HQ-33DLRC - QUICK COUPLER VALVE, YELLOW LOCKING RUBBER COVER, RED BRASS AND STAINLESS STEEL, WITH 3/4" NPT INLET, 2-PIECE BODY.
	DRAIN VALVE
	IRRIGATION CONTROLLER HUNTER XC-600 - 6 STATION CONTROLLER, RESIDENTIAL USE. PLASTIC CABINET, OUTDOOR, WITH 3 INDEPENDENT PROGRAMS. 120 VAC.
	IRRIGATION LATERAL LINE: PVC CLASS 200 SDR 21
	IRRIGATION MAINLINE: PVC SCHEDULE 40, 1-1/2" UNLESS NOTED
	PIPE SLEEVE: IRRIGATION SLEEVE PER CIVIL PLANS



Legend



CITY OF  
**TUMWATER**  
Washington's First Community

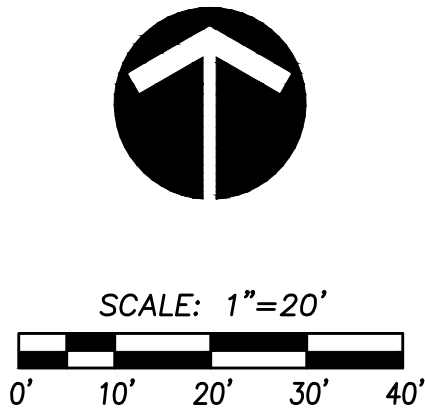
**APPROVED**

**PERMIT #: TUM-20-0350**

**03/19/2021:07:58 PM**

*Chris Carlson*

Community Development Department  
Chris Carlson, AICP  
Permit Manager



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Forest Park  
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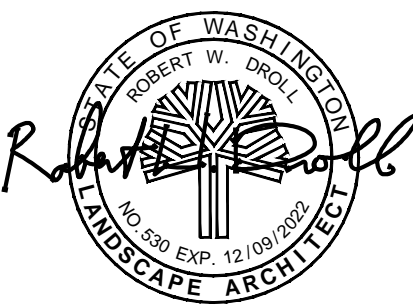
Parcel No. 55201200000  
Ridgeview Loop SW  
Tumwater, WA

Robert W. Droll  
Landscape Architect, P.S.



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Landscape Architecture  
Site Planning  
Environmental Design  
Urban Design  
Land Planning  
Project Management



PERMIT SET

PROJECT NO. 20251

DRAWING

DESIGNED BY RWD

DRAWN BY PV

CHECKED BY RWD

REVISION	
DATE	CHANGE









DATE: MARCH 19, 2021

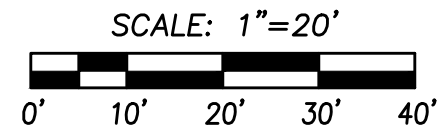
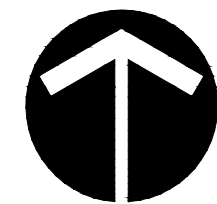
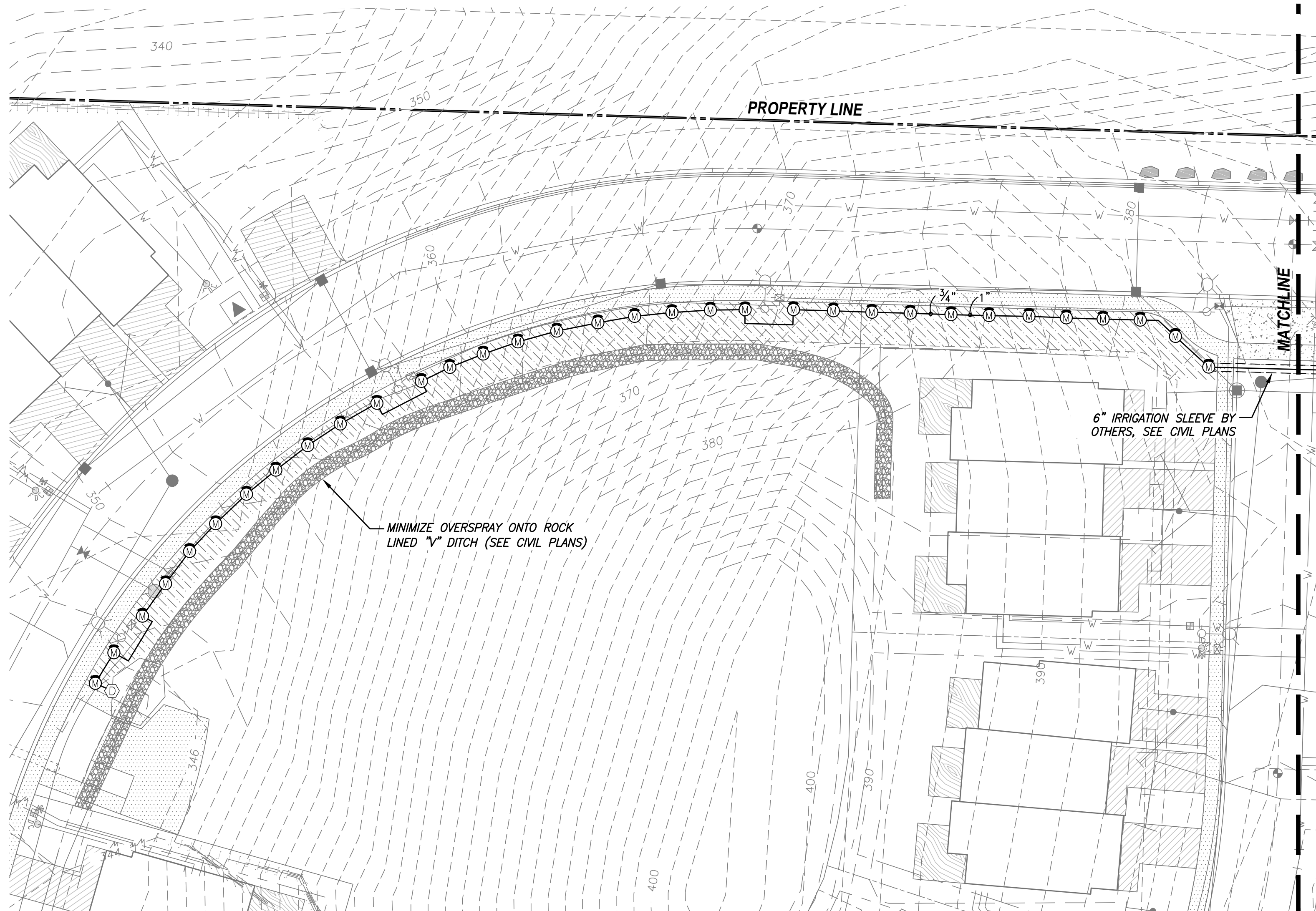
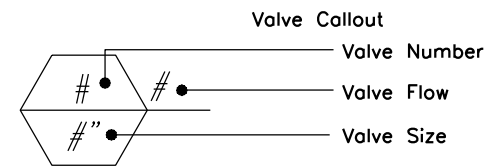
Irrigation  
Plan - East

L1.0



### Legend

<u>SYMBOL</u>	<u>MANUFACTURER/MODEL/DESCRIPTION</u>
	REMOTE CONTROL VALVE HUNTER PGV-101G - 1" PLASTIC ELECTRIC REMOTE CONTROL VALVE, FOR RESIDENTIAL/LIGHT COMMERCIAL USE. FEMALE NPT INLET/OUTLET. GLOBE CONFIGURATION, WITH FLOW CONTROL.
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	DRAIN VALVE
	IRRIGATION CONTROLLER HUNTER XC-600 - 6 STATION CONTROLLER, RESIDENTIAL USE. PLASTIC CABINET, OUTDOOR, WITH 3 INDEPENDENT PROGRAMS. 120 VAC.
	IRRIGATION LATERAL LINE: PVC CLASS 200 SDR 21
	IRRIGATION MAINLINE: PVC SCHEDULE 40, 1-1/2" UNLESS NOTED
	PIPE SLEEVE: IRRIGATION SLEEVE PER CIVIL PLANS



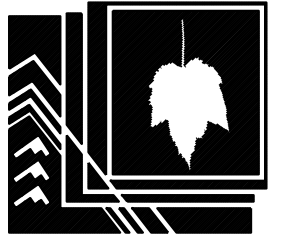
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# Forest Park Landscape & Irrigation

Parcel No. 55201200000  
Ridgeview Loop SW  
Tumwater, WA

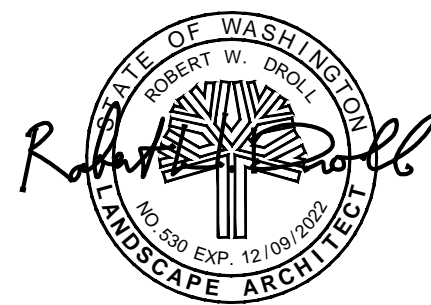
**Robert W. Droll**  
Landscape Architect, PS



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Landscape Architecture  
Site Planning  
Environmental Design

Urban Design  
Land Planning  
Project Management



PERMIT SET

PROJECT NO. 20251

**DRAWING** \_\_\_\_\_

DESIGNED BY \_\_\_\_\_ RWD

DRAWN BY \_\_\_\_\_ PV \_\_\_\_\_

CHECKED BY \_\_\_\_\_ RWD

REVISION

[illegible]

DATE: MARCH 19, 2021

## Irrigation Plan - West

## L1.1



**1** Irrigation Pipe Typ.  
**L1.2** NOT TO SCALE

**4** Rotary / Pop-up  
**L1.2** Sprinkler Head Installation Typ.

**2 Remote Control Valve Typ.**  
**L1.2** NOT TO SCALE

**5** **Drain Valve Typ.**  
**L1.2** NOT TO SCALE

**7** **Manual Control Valve**  
**L1.2** NOT TO SCALE

## 3 Quick Coupler Valve Installation Typ.

- NOTES:
- A. MOUNT CONTROLLER WITH LCD SCREEN AT EYE LEVEL.
  - B. PLUG-IN TRANSFORMER SHALL BE HARD-WIRED TO GROUNDED 110 OR 220 VAC OUTLET.

**6** **Irrigation Controller**  
**L1.2** NOT TO SCALE



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## Forest Park Landscape & Irrigation

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DESIGNED BY RWD

**DRAWN BY** \_\_\_\_\_ **PV**

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REVISION

DATE	CHANGE



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DATE: MARCH 19 2021

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## Irrigation Details

## L1.2

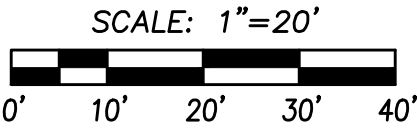
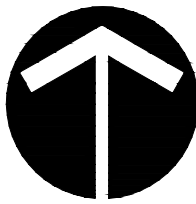
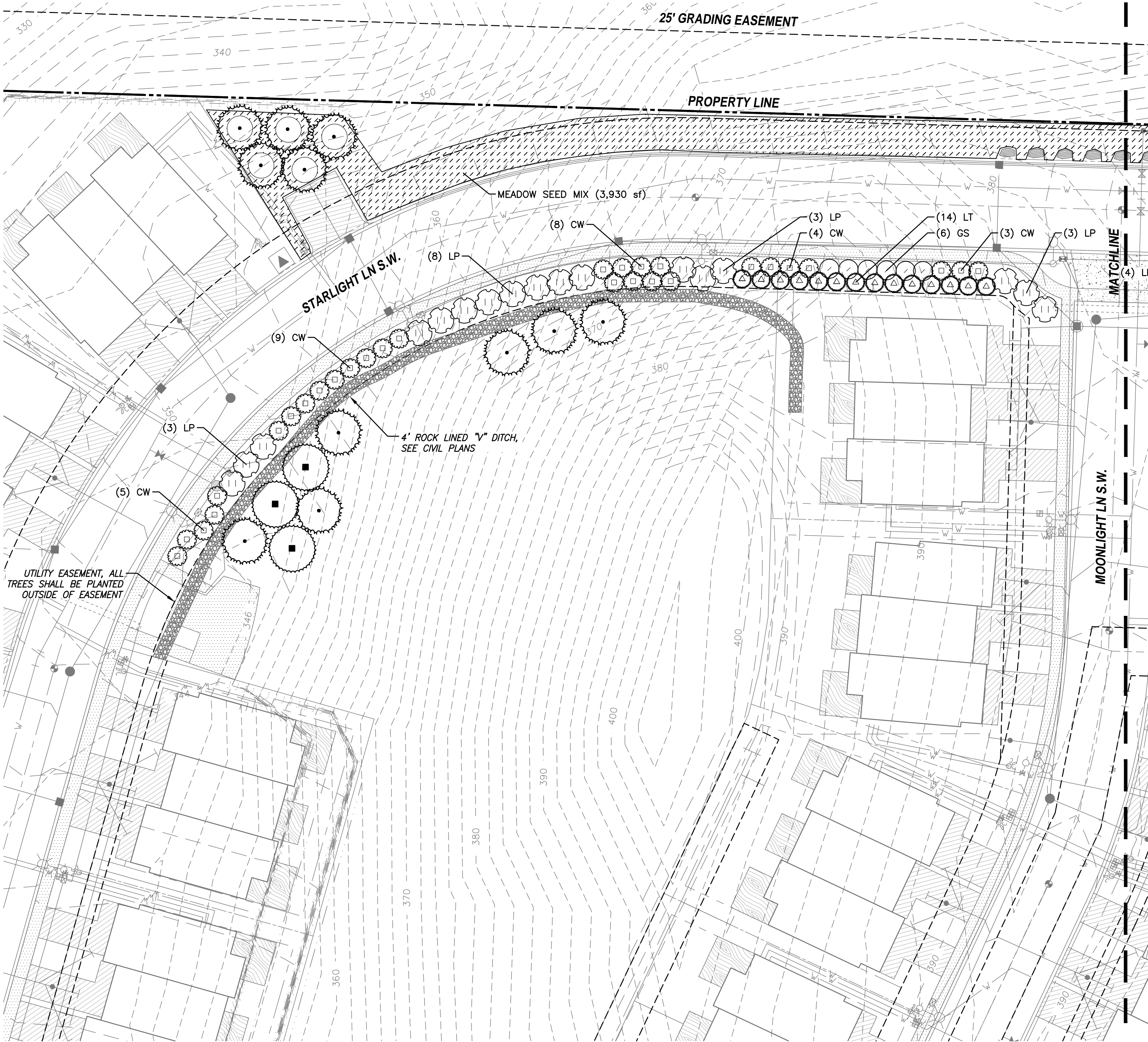






Plant Legend

TREES			
CODE	BOTANICAL NAME	COMMON NAME	
AW	ACER TRUNCATUM X PLATANOIDES 'KEITHSFORM' TM	NORWEGIAN SUNSET MAPLE	
CK	CORNUS KOUSA	KOUSA DOGWOOD	
PC	PINUS CONTORTA CONTORTA	SHORE PINE	
PD	PSEUDOTSUGA MENZIESII	DOUGLAS FIR	
SHRUBS			
CODE	BOTANICAL NAME	COMMON NAME	
CW	CISTUS X HYBRIDUS	WHITE ROCKROSE	
GS	GAULTHERIA SHALLON	SALAL	
HA	HYDRANGEA ARBORESCENS 'ANNABELLE'	ANNABELLE HYDRANGEA	
LT	LIGUSTRUM JAPONICUM 'TEXANUM'	WAX LEAF PRIVET	
LP	LONICERA PILEATA	PRIVET HONEYSUCKLE	
MH	MAHONIA NERVOSA	OREGON GRAPE	
GROUND COVERS			
CODE	BOTANICAL NAME	COMMON NAME	
	MEADOW SEED MIX		
LC	LIRIOPE SPICATA	CREEPING LILY TURF	



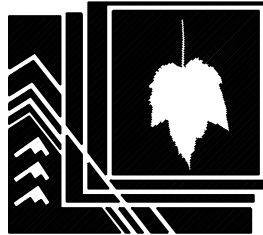
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Forest Park  
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Irrigation

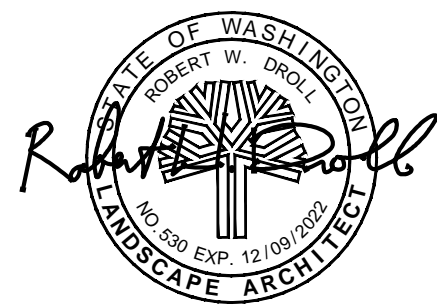
Parcel No. 55201200000  
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Land Planning  
Project Management



PERMIT SET

PROJECT NO. 20251

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DRAWN BY PV

CHECKED BY RWD

REVISION  
DATE CHANGE

5		

DATE: MARCH 19, 2021

Planting  
Plan - West

L2.1

**APPROVED**

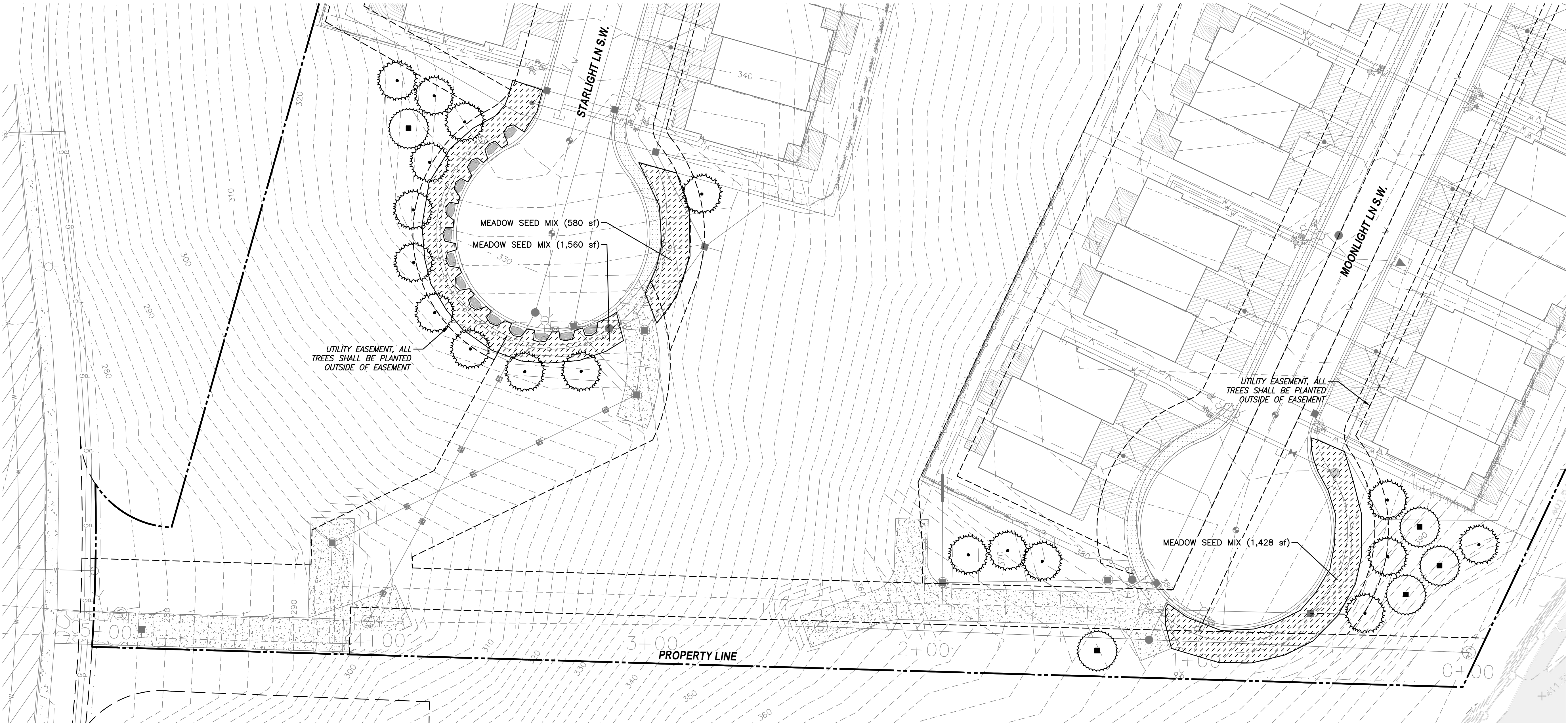
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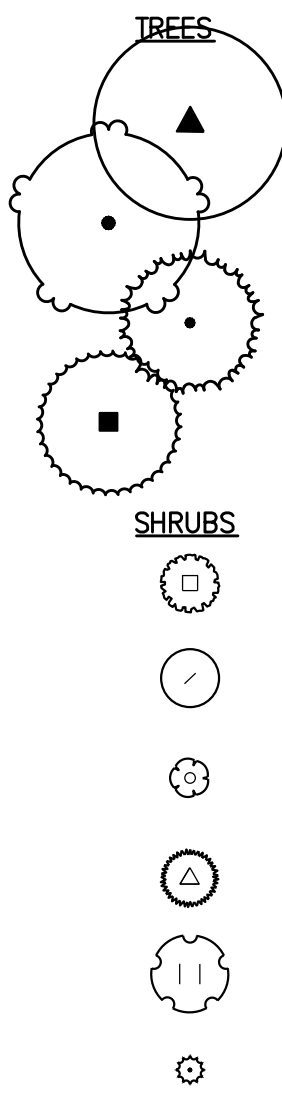
*Chris Carlson*

Community Development Department  
Chris Carlson, AICP  
Permit Manager



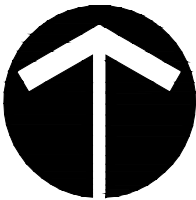


Plant Legend



CODE	BOTANICAL NAME	COMMON NAME
AW	ACER TRUNCATUM X PLATANOIDES 'KEITHSFORM' TM	NORWEGIAN SUNSET MAPLE
CK	CORNUS KOUSA	KOUSA DOGWOOD
PC	PINUS CONTORTA CONTORTA	SHORE PINE
PD	PSEUDOTSUGA MENZIESII	DOUGLAS FIR
CW	CISTUS X HYBRIDUS	WHITE ROCKROSE
GS	GAULTHERIA SHALLON	SALAL
HA	HYDRANGEA ARBORESCENS 'ANNABELLE'	ANNABELLE HYDRANGEA
LT	LIGUSTRUM JAPONICUM 'TEXANUM'	WAX LEAF PRIVET
LP	LONICERA PILEATA	PRIVET HONEYSUCKLE
MH	MAHONIA NERVOSA	OREGON GRAPE

GROUND COVERS	CODE	BOTANICAL NAME	COMMON NAME
		MEADOW SEED MIX	
	LC	LIRIOPE SPICATA	CREeping LILY TURF



SCALE: 1"=20'  
0' 10' 20' 30' 40'

**APPROVED**  
**PERMIT #: TUM-20-0350**  
**03/19/2021:09:43 PM**

*Chris Carlson*  
Community Development Department  
Chris Carlson, AICP  
Permit Manager

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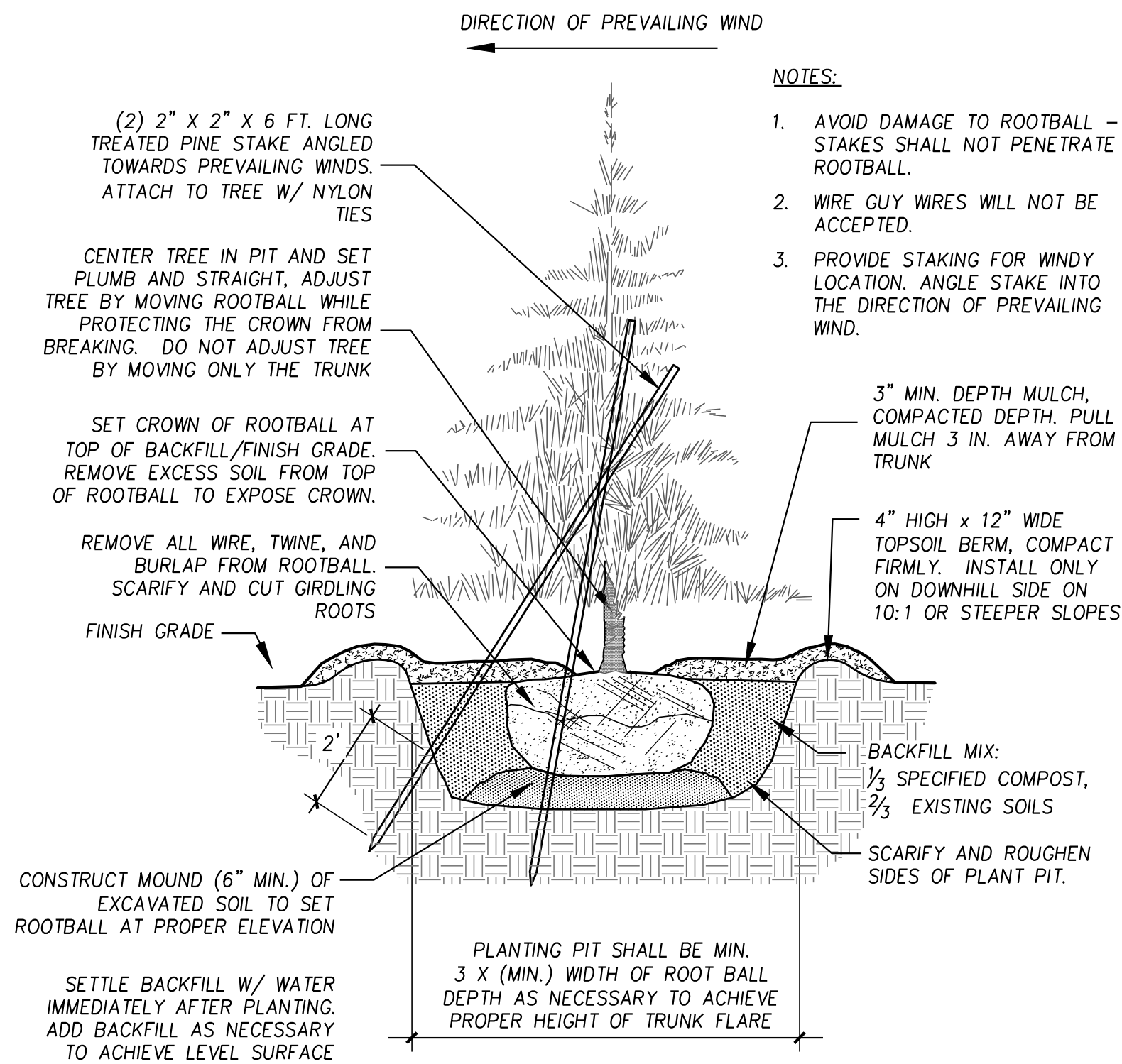
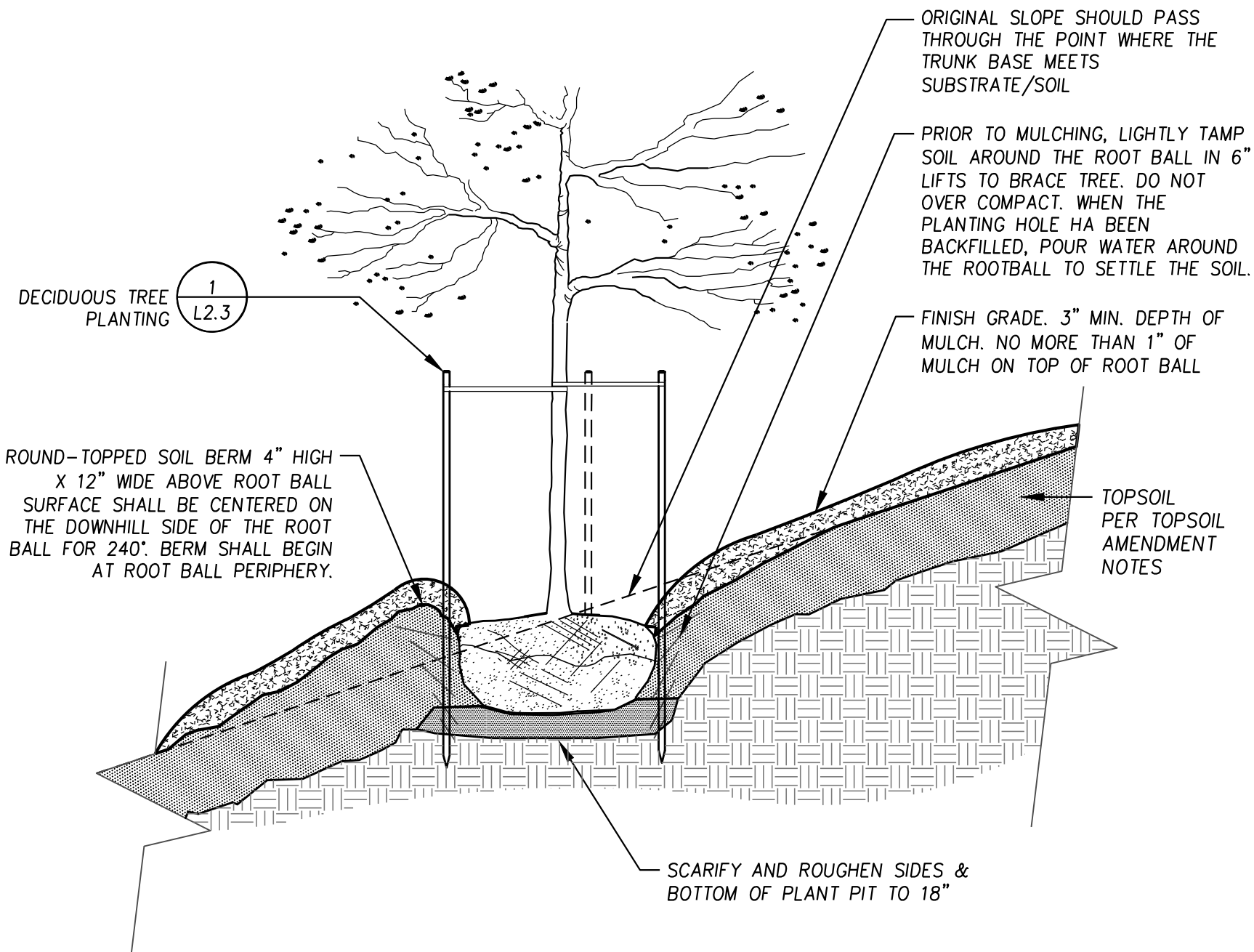
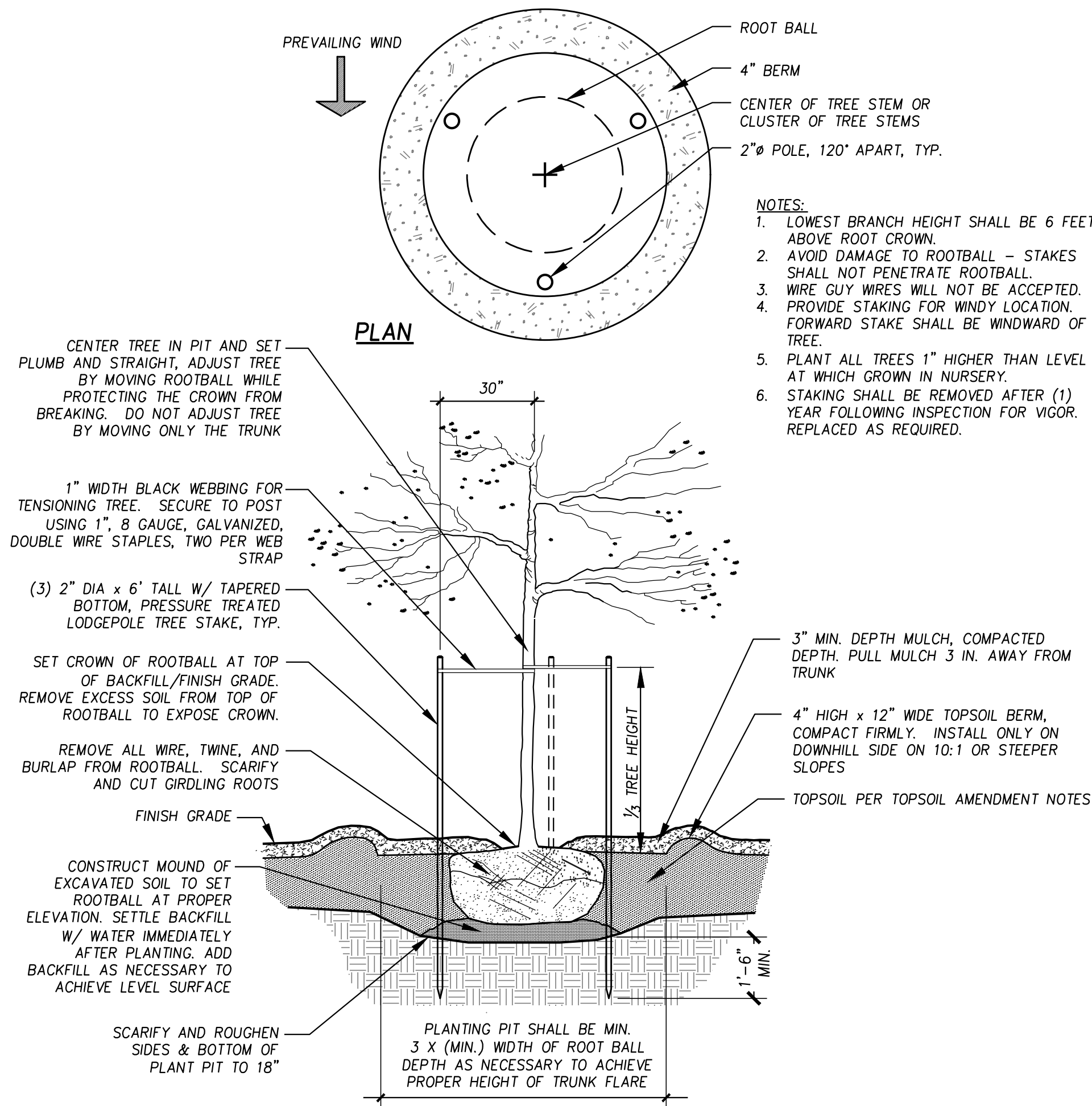
REVISION	
DATE	CHANGE

DATE: MARCH 19, 2021

Planting  
Plan - South

L2.2





**1**  
**L2.3**  
**Deciduous Tree Planting**

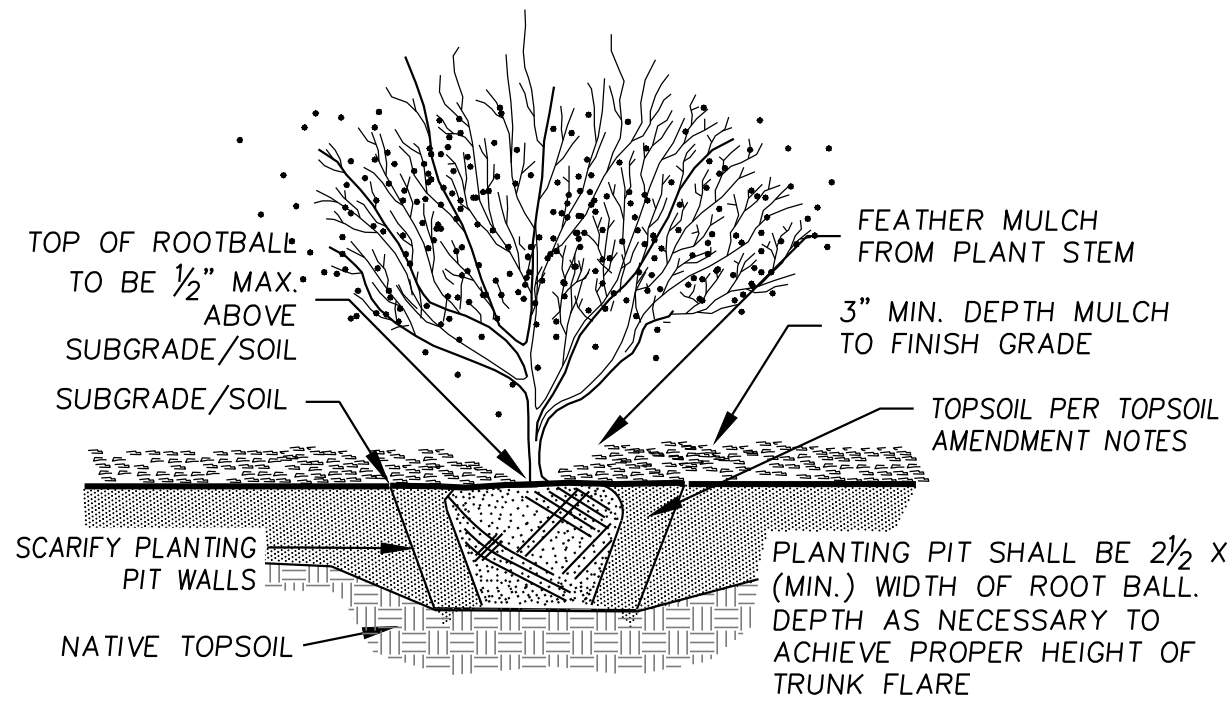
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**2**  
**L2.3**  
**Tree on Slope Planting**

SCALE: 1"=1'-0"

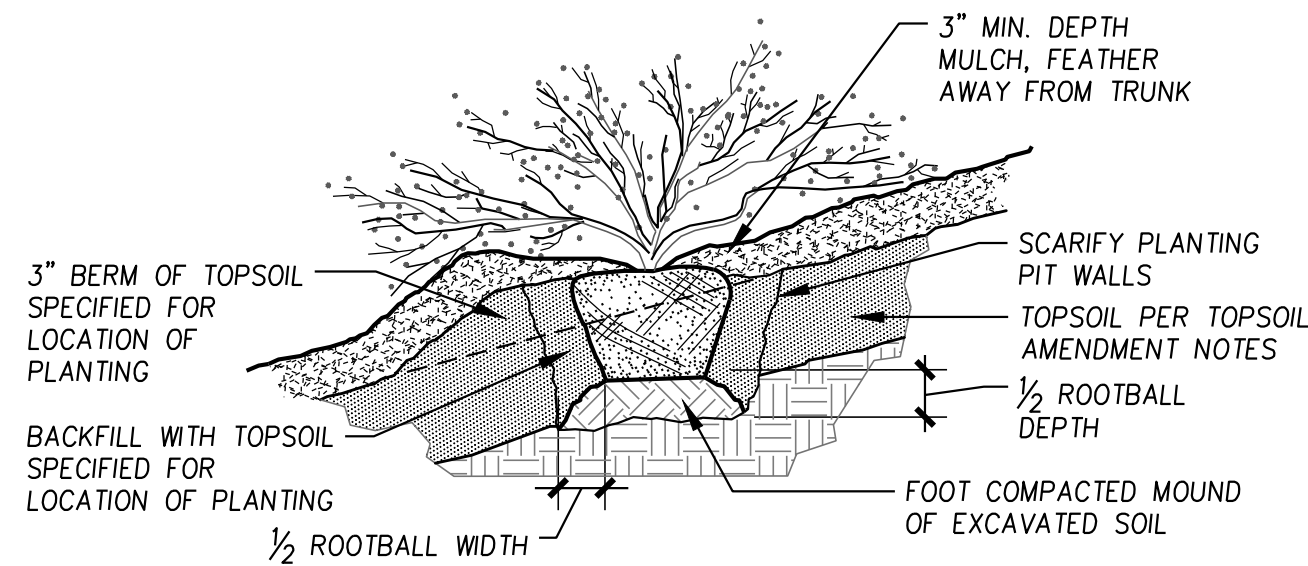
**3**  
**L2.3**  
**Conifer Tree Planting**

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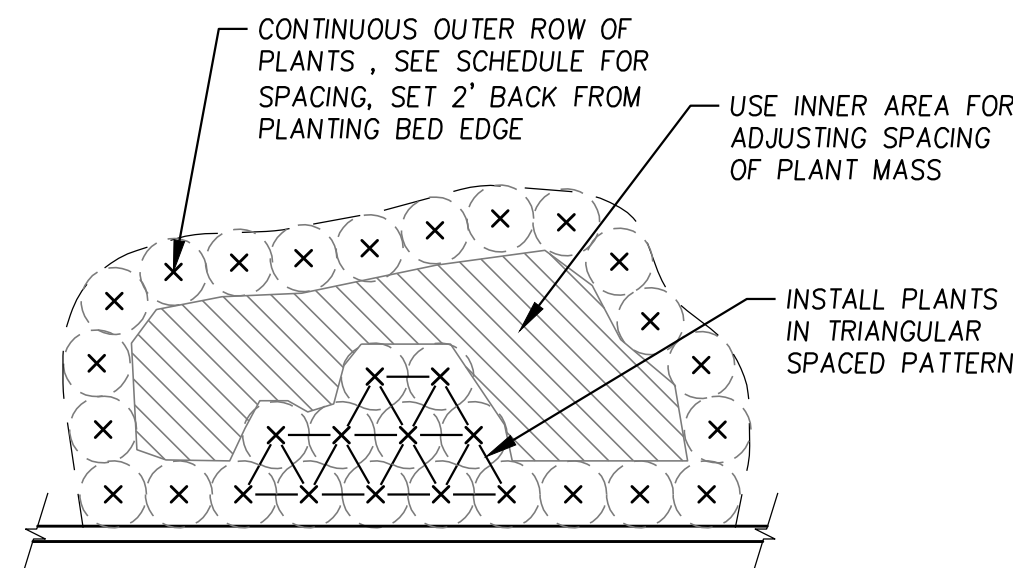
**4**  
**L2.3**  
**Shrub Planting**

SCALE: 1"=1'-0"



**5**  
**L2.3**  
**Shrub & Groundcover on Slope Planting**

SCALE: 1"=1'-0"



**6**  
**L2.3**  
**Plant Massing**

NOT TO SCALE

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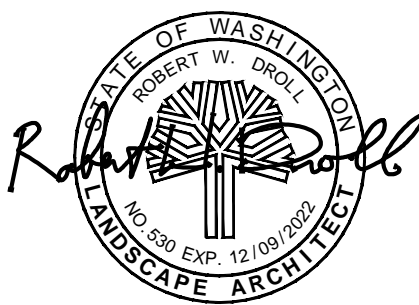
Parcel No. 55201200000  
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**Robert W. Droll**  
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DATE: MARCH 19, 2021

**Planting  
Details**

**L2.3**