



CITY OF
TUMWATER

**GENERAL GOVERNMENT COMMITTEE
MEETING AGENDA**

**Online via Zoom and In Person at
Tumwater City Hall, Council Conference
Room, 555 Israel Rd. SW, Tumwater, WA
98501**

**Wednesday, June 12, 2024
8:00 AM**

1. Call to Order
2. Roll Call
- [3.](#) Approval of Minutes: General Government Committee, May 8, 2024
- [4.](#) 2025 Comprehensive Plan Periodic Update – Land Use (Community Development Department)
- [5.](#) 2025 Comprehensive Plan Periodic Update – Conservation (Community Development Department)
- [6.](#) Contract Approval for an 8-Year Multifamily Tax Exemption for the Rookery Apartments (TUM-24-0714) (Community Development Department)
- [7.](#) Service Provider Agreement with Barker Rinker Seacat Architecture for Community Center Design (Parks & Recreation Department)
8. Additional Items
9. Adjourn

Meeting Information

All committee members will be attending remotely. The public are welcome to attend in person, by telephone or online via Zoom.

Watch Online

<https://us02web.zoom.us/j/88044151848?pwd=RWhEbkIxUmFEMy9mNWERC093NVhEQT09>

Listen by Telephone

Call (253) 215-8782, listen for the prompts and enter the Webinar ID 880 4415 1848 and Passcode 885578.

Public Comment

The public may submit comments by sending an email to council@ci.tumwater.wa.us, no later than 5:00 p.m. the day before the meeting. Comments are submitted directly to the Committee members and will not be read individually into the record of the meeting.

Post Meeting

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

**TUMWATER GENERAL GOVERNMENT COMMITTEE
MINUTES OF VIRTUAL MEETING
May 8, 2024 PAGE 1**

CONVENE: 8:00 a.m.

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

Staff: City Administrator Lisa Parks, City Attorney Karen Kirkpatrick, Community Development Director Michael Matlock, Finance Director Troy Niemeyer, Police Chief Jon Weiks, Planning Manager Brad Medrud, Building Official Al Christensen, and Land Use and Housing Planner Erika Smith-Erickson.

**APPROVAL OF MINUTES:
GENERAL GOVERNMENT
COMMITTEE, APRIL 10,
2024:**

MOTION: Councilmember Dahlhoff moved, seconded by Chair Althausser, to approve the minutes of April 10, 2024 as published. A voice vote approved the motion.

Councilmember Cathey joined the meeting.

ORDINANCE NO. O2024-001, UPDATES TO TITLE 15 (2021 BUILDING CODE UPDATE:

Building Official Christensen reported every three years, staff updates codes for consistency with the State Building Code Council. Other than changes to the energy code, other changes were minimal.

Some of the small changes include proposed adjustments to the Fire Code for fire requirements for fire flow. The state enacted changes to the energy code, which is also proposed for adoption by the City. Changes for electric vehicles and solar panels are included. During the last code update cycle, staff presented changes for tiny homes. Recent changes to the codes include some adjustments for tiny homes.

Building Official Christensen noted that for the most part, the City adopts the state codes as codified. The City has the option of enacting stronger codes but nothing less than the codes required by the State Building Code Council effective March 15, 2024.

MOTION: Councilmember Dahlhoff moved, seconded by Councilmember Cathey, to recommend placement of Ordinance No. O2024-001, Updates to Title 15 Building Codes on the City Council consent calendar at the May 21, 2024 Council meeting and recommend approval. A voice vote approved the motion unanimously.

**MEMORANDUM OF
UNDERSTANDING WITH**

Manager Medrud reported the proposal is for joint participation with the cities of Lacey, Olympia, and Yelm on a housing displacement

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**THE CITIES OF LACEY,
OLYMPIA, AND YELM
FOR A HOUSING
DISPLACEMENT AND
RACIALLY DISPARATE
IMPACTS ANALYSIS FOR
THE HOUSING ELEMENT
OF THE 2025
COMPREHENSIVE PLAN
PERIODIC UPDATE:**

and racially disparate impacts analysis. The analysis is a requirement of the Housing Element of the Comprehensive Plan as part of the 2025 Comprehensive Plan Periodic Update process. The Memorandum of Understanding (MOU) enables the City to compensate the City of Olympia for the contract the City of Olympia will be managing to complete the analysis. The contract is approximately for \$85,000 with the City's share of approximately 22 percent or less than \$19,000. The important work requires expertise beyond the capacity of staff. The analysis will benefit from experts to assist the cities in obtaining the information required as part of the periodic update.

Staff recommends the committee place the proposed action on the Council's consent calendar at the May 21, 2024 meeting with a recommendation for approval.

Additionally, staff has engaged in ongoing housing conversations with different groups in the community representing the building industry and various service providers. Housing displacement and racially disparate are issues of concern, as well as important to discuss with various community groups.

Councilmember Dahlhoff asked how the work correlates with the work of the Regional Housing Council (RHC). Manager Medrud replied that because the information is required by the periodic update, the effort will be independent of the Regional Housing Council except for updates to the RHC on the status of efforts on the Housing Element as part of the periodic update.

Councilmember Cathey noted the information related to the work speaks to affordable housing for all income levels. She asked whether that would change current conversations. Manager Medrud said it would entail an additional element of the conversation, as the racially disparate impacts analysis is separate from the income analysis. Although both are related, the requirements by the state are on two separate paths. The final product will be informed by both issues with the possibility of some overlap while distinctly separate.

MOTION:

Councilmember Cathey moved, seconded by Councilmember Dahlhoff, to place the Memorandum of Understanding on May 21, 2024, City Council consent calendar with a recommendation to approve and authorize the Mayor to sign. A voice vote approved the motion unanimously.

**INTERLOCAL DATA
SHARE AGREEMENT**

Director Niemeyer reported the next two proposed actions are related. The proposed agreements were initiated because of a data

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**WITH THE STATE
AUDITOR'S OFFICE:**

breach experienced by the State Auditor's Office. The Legislature adopted a law requiring data sharing agreements with all state and local governments subject to audit by the State Auditor's Office. The proposals are at no cost to the City and essentially address the protection of City data and to ensure the State Auditor's Office complies with state law.

The first proposal is to recommend placement of the Interlocal Data Share Agreement with the State Auditor's Office on the City Council consent calendar at the May 21, 2024 meeting for approval. The second proposal is a request to authorize the Finance Director to sign future agreements.

Councilmember Dahlhoff asked about the process of informing the Council of proposals signed by the Finance Director moving forward. Director Niemeyer responded that the proposals renew every two years. Notification to the Council could be through email. Additionally, the proposal covers audit engagement letters that contain information on the cost of the audit to the City, which is non-negotiable.

City Attorney Kirkpatrick advised that staff will be presenting a proposed code amendment for the delegation of authority later in the year. The audit letter will be a topic of discussion during that review, as well as the authority by the Finance Director to administer some of the routine audit contracts. For the purpose of the discussion, the proposed action is within the authority to authorize future data share agreements while the code update would be deferred to a future conversation.

MOTION:

Councilmember Dahlhoff moved, seconded by Councilmember Cathey, to place the proposed Interlocal Data Share Agreement with the State Auditor's Office on the consent calendar at the May 21, 2024 City Council meeting with a recommendation for approval, authorizing the Mayor to sign the Interlocal Data Share Agreement between the City and the State Auditor's Office. Additionally, authorize the Finance Director to sign future Data Share Agreements and other standard audit documents, such as audit engagement letters, with the State Auditor Office. A voice vote approved the motion unanimously.

**LAW ENFORCEMENT
RECORDS
MANAGEMENT SYSTEM
INTERLOCAL DATA
SHARE AGREEMENT
WITH THE STATE**

(See above discussion)

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AUDITOR'S OFFICE:

MOTION:

Councilmember Cathey moved, seconded by Councilmember Dahlhoff, to place the proposed Law Enforcement Records Management System Interlocal Data Share Agreement with the State Auditor's Office on the consent calendar at the May 21, 2024 City Council Meeting with a recommendation for approval, and authorize the Mayor to sign the Interlocal Data Share Agreement with the State Auditor's Office. Additionally, authorize the Finance Director to sign routine audit documents such as data share agreements and audit engagement letters. A voice vote approved the motion unanimously.

**ENTERPRISE RESOURCE
PLANNING SYSTEM
CONTRACT
AMENDMENT NO. 2:**

Director Niemeyer reported on the implementation of the new Enterprise Resource Planning (ERP) System in January 2022 with the first module launched in April 2023 both on time and under budget. However, the speed and the intensive efforts required to implement future modules contributed to staff turnover in the City. The phase 1 attempt to implement HR and Payroll modules continued. However, the HR Department experienced a full turnover in staff. Subsequently implementation activities were paused temporarily. With the HR Department fully staffed, the City is resuming implementation but has encountered some initial challenges requiring an extension of time to August before the new modules are launched. The proposal represents a contract increase of approximately \$35,000, which is included within the budget for the project but increases the overall contract amount.

The request is to place the proposal on the consent calendar at the May 21, 2024 City Council and approve the Finance Director to approve small contract amendments on the project up to 10% of the contract amount similar to the process used by public works.

Councilmember Dahlhoff asked about the current process for contract amendments. Director Niemeyer explained that the proposed action pertains only to the ERP contract representing an approximate \$89,000 authority to sign contract amendments or change orders. Councilmember Dahlhoff asked whether staff foresees more delay prior to August. Director Niemeyer said he is hopeful that there would be no further delays prior to August but during continued implementation of the entire system over the next several years for additional modules, it is likely more delays would be encountered.

MOTION:

Chair Althaus moved, seconded by Councilmember Dahlhoff, to place the Enterprise Resource Planning (ERP) System Contract Amendment on the consent calendar at the May 21,

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2024 City Council meeting, with a recommendation to approve. Additionally, authorize the Finance Director to approve minor contract amendments and change orders, up to ten percent (10%) of the total contract amount. A voice vote approved the motion unanimously.

ORDINANCE NO. O2024-003 ESTABLISHING A NEW FUND “PUBLIC SAFETY SALES TAX”:

Director Niemeyer said the proposal would create a new fund for the Thurston County public safety sales tax ballot measure approved by voters providing a 0.2 percent sales tax increase countywide. City with police forces are sharing in the tax revenue. The funds are restricted to public safety purposes. The sales tax increase is permanent... Staff anticipated receiving initial funds in June 2024; however, the City recently received \$1.85 to date, requiring designation of the new fund. A new fund enables easier tracking and documentation of appropriate expenditures of the funds as allowed.

Staff recommends the committee place the proposal on the Council’s May 21, 2024 meeting consent calendar with a recommendation for approval.

Director Niemeyer addressed questions about the establishment of the account explaining that the proposal is only to create the account and not for any particular expenditures.

MOTION:

Councilmember Dahlhoff moved, seconded by Councilmember Cathey, to place the proposal on the consent calendar at the May 21, 2024, City Council meeting with a recommendation of approval to adopt Ordinance No. O2024-003, establishing a new fund for the new Public Safety Sales Tax. A voice vote approved the motion unanimously.

ADJOURNMENT:

With there being no further business, Chair Althausser adjourned the meeting at 8:33 a.m.

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

TO: General Government Committee
FROM: Brad Medrud, Planning Manager
DATE: June 12, 2024
SUBJECT: 2025 Comprehensive Plan Periodic Update – Land Use

1) Recommended Action:

This is a discussion item about the Land Use Element for the 2025 Comprehensive Plan periodic update.

2) Background:

On a ten-year cycle, the City is required to conduct a Growth Management Act periodic update of its Comprehensive Plan and related development regulations. For the current cycle, the City is required to complete work on the periodic update by December 31, 2025. Work on the periodic update started last fall.

The updated Comprehensive Plan will address diversity, equity, and inclusion throughout the Plan. [2025 Comprehensive Plan Update | City of Tumwater, WA](#) contains links to guidance material and information about the update.

Building on the discussion of the current version of the Land Use Element and guidance for its update at the General Government Committee's September 13, 2023, meeting, the intent of this briefing is to start the discussion of amendments to the Land Use Element by reviewing amendments to its goals, policies, and implementation actions.

3) Policy Support:

Goal LPP-1: Provide sufficient and efficient services to Tumwater and the Urban Growth Area.

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.

4) Alternatives:

☐ None.

5) Fiscal Notes:

This is primarily an internally funded work program task.

6) Attachments:

A. Staff Report

B. Goals, Policies, and Actions

MEMORANDUM

Date: June 12, 2024
 To: General Government Committee
 From: Brad Medrud, Planning Manager



2025 Comprehensive Plan Update – Land Use Element

On a ten-year cycle, the City is required to conduct a Growth Management Act periodic update of its Comprehensive Plan and related development regulations. For the current cycle, the City is required to complete work on the periodic update by December 31, 2025. Work on the periodic update started last fall.

The updated Comprehensive Plan will address diversity, equity, and inclusion throughout the Plan and incorporate many State-required changes addressing housing, climate change, and other topics.

The intent of the General Government Committee meeting on Wednesday, June 12, 2024, is to start the discussion of amendments to the Land Use Element's goals, policies, and implementation actions.

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1 – Growth Management Act – Goals

The state Growth Management Act (Chapter 36.70A Revised Code of Washington (RCW)) requires that the City demonstrate that each Element in its Comprehensive Plan meets the relevant fifteen planning goals contained within the Act. The fifteen goals guide the development and adoption of the City’s Comprehensive Plan and development regulations. The following is a summary of how the updated Land Use Element will meet the goals related to land use.

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

The availability of services, including roads, water and sewer facilities, and other utilities will need to be considered when applying all land use designations in the Land Use Element. The density ranges for all residential land use designations will need to be consistent with available or planned public facilities and services.

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

The Land Use Element will contain goals, policies, and actions that encourage compact, efficient urban development and encourage urban growth to be phased outward from the urban core. The goals, policies, and actions of the current Land Use Element are found in Appendix B of this staff report. These policies will include minimum density requirements, clustering in sensitive areas, overall higher residential densities throughout the City, and mixed residential and commercial areas. Each residential designation in the Land Use Element will need to provide adequate density for feasible transportation, water, and sanitary sewer service, while protecting sensitive areas.

- 3. **Transportation.** *Encourage efficient multimodal transportation systems that will reduce greenhouse gas emissions and per capita vehicle miles traveled, and are based on regional priorities and coordinated with county and city comprehensive plans. [Updated in 2023]*

The Land Use Element will contain goals, policies, and actions that ensure coordination with regional and local transportation plans. The Transportation goal was updated in 2023 by the state legislature to add reducing greenhouse gas emissions and per capita vehicle miles traveled. Achieving this goal will be done through a combination of goals, policies, and actions in the Land Use Element and Transportation Plan. The Land Use

Element will also propose residential, mixed-use, and neighborhood commercial land use designations that will encourage multi-modal, transit oriented development.

4. **Housing.** *Plan for and accommodate housing affordable 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.* [Updated in 2022]

How affordable housing will be accommodated for all economic classes is a new state requirement from 2023 and will be more specifically set forth in the Housing Element of the Comprehensive Plan. The Land Use Element plays a role in allocating sufficient land to ensure an adequate supply of buildable land for housing serving every income. Each residential land use designation, including the Mixed Use land use designation, will provide a variety of housing types at varying densities. Each Neighborhood subarea of the Land Use Element will also need to contain sufficient variability in housing types to ensure that housing needs can be met for all segments of the City's population for the next 20 years. It is expected that the 2021 Tumwater Housing Action Plan will inform the update of the Land Use and Housing Elements.

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.* [Updated since 2016]

The Land Use Element will ensure the provision of adequate land for commerce and industry in the City. The Economic Development Plan, last updated in 2019, makes specific recommendations for economic development in the City and will be updated as part of 2025 Comprehensive Plan update.

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 Attorney General is directed under RCW 36.70A.370 to advise state agencies and local governments on an orderly, consistent process that better enables the government to evaluate proposed regulatory or administrative actions to assure that these actions do not result in unconstitutional takings of private property. Local governments that plan under the Growth Management Act must use this process. The City adheres to the Attorney General's *Advisory Memorandum and Recommended Process for Evaluating Proposed Regulatory or Administrative Actions to Avoid Unconstitutional Takings of Private Property*, which was developed to provide local governments with a tool to assist them in the process of evaluating land use actions.

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

The Land Use Element provides the policy basis for the City's development regulations to be developed in a systematic, fair manner. All jurisdictions fully planning under the Growth Management Act must use all the permit procedures found in Chapter 36.70B RCW *Local Project Review* to administer permit application processes. Project permit processing standards are provided in Tumwater Municipal Code (TMC) Title 14 *Development Code Administration*. These standards will be amended as part of the update to reflect changes in state law in 2023.

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.*

The Land Use Element will need to ensure the viability of natural resource industries in the City through the identification of such lands in the Land Use Element text and maps. Additionally, the Conservation Element has specific guidelines and policies that ensure the viability of natural resource industries and activities.

9. **Open space and recreation.** *Retain open space and green space, enhance recreational opportunities, enhance fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.* [Updated in 2023]

The state legislature updated this goal in 2023 to add the requirement to retain green space and enhance habitat. The Land Use Element, in conjunction with the Parks, Recreation, and Open Space Plan, will need to designate areas of the City that would be appropriate for future open space and recreation uses. The Land Use Element reinforces the recommendations of the Parks, Recreation, and Open Space Plan through land use designations and in the goals and policies.

10. **Environment.** *Protect and enhance the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.* [Updated in 2023]

The state legislature updated this goal in 2023 to add the requirement to enhance the environment. Each designation in the Land Use Element will need to be of an appropriate intensity for where it is applied. Areas of environmental sensitivity will need to be designated as open space or a lower intensity designation than other areas of the City. The Conservation Element will need to contain specific policies relating to air and water quality, water availability, and protection and preservation of critical areas. The Land Use Element also makes recommendations for clustering and other creative development techniques in sensitive areas of the City. It is expected that elements from the Urban Forestry Management Plan will be brought into this element.

11. **Citizen participation and coordination.** *Encourage the involvement of citizens in the planning process, including the participation of vulnerable populations and overburdened communities, and ensure coordination between communities and jurisdictions to reconcile conflicts.* [Updated in 2023]

The state legislature updated this goal in 2023 to add the requirement to include the participation of vulnerable populations and overburdened communities. For the Comprehensive Plan update, the City will be following the strategy outlined in the Final Community Engagement Plan (July 2023).

- 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.*

All non-open space designations in the Land Use Element will need to be applied to areas that either have adequate capacity for transportation, utilities, storm, and municipal services or they will be provided with these facilities in the future concurrent with development. The Land Use Element will ensure concurrency through coordination with the Capital Facilities Element, Transportation Plan, and other elements of the Comprehensive Plan.

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

The Land Use Element designates an area of the City as the New Market Historic District. The New Market Historic District Master Plan was adopted by the City Council in November of 1993. The Master Plan provides a framework for action, and it will ensure the preservation of historic and archeological resources in the Historic District.

- 14. Climate change and resiliency.** *Ensure that comprehensive plans, development regulations, and regional policies, plans, and strategies under RCW 36.70A.210 and chapter 47.80 RCW adapt to and mitigate the effects of a changing climate; support reductions in greenhouse gas emissions and per capita vehicle miles traveled; prepare for climate impact scenarios; foster resiliency to climate impacts and natural hazards; protect and enhance environmental, economic, and human health and safety; and advance environmental justice. [Added in 2023]*

The Land Use Element will need to address this is a new goal in coordination with the new Climate Element.

- 15. Shorelines of the state.** *For shorelines of the state, the goals and policies of the shoreline management act as set forth in RCW 90.58.020 shall be considered an element of the county's or city's comprehensive plan. [Updated in 2023]*

The Shoreline Master Program was adopted in 2012 and updated in 2018. The Shoreline Master Program addresses land uses on all lands under the jurisdiction of the Shoreline Management Act to protect and preserve fish and wildlife habitat and the shorelines of the state.

2 – General State Requirements for the Land Use Element

In addition to meeting the fifteen state Growth Management Act goals, the City's Land Use Element will need to address the following Growth Management Act requirements according to RCW 36.70A.070, as amended in 2023:

1. Designate the proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces and green spaces, urban and community forests within the urban growth area, general aviation airports, public utilities, public facilities, and other land uses.
2. Include population densities, building intensities, and estimates of future population growth.
3. Provide for protection of the quality and quantity of groundwater used for public water supplies.
4. Give special consideration to achieving environmental justice in its goals and policies, including efforts to avoid creating or worsening environmental health disparities.
5. Consider utilizing urban planning approaches that promote physical activity and reduce per capita vehicle miles traveled within the jurisdiction, but without increasing greenhouse gas emissions elsewhere in the state.
6. Review drainage, flooding, and stormwater runoff in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound.
7. Reduce and mitigate the risk to lives and property posed by wildfires by using land use planning tools, which may include, but are not limited to:
 - a. Adoption of portions or all the wildland urban interface code developed by the international code council or developing building and maintenance standards consistent with the Firewise USA program or similar program designed to reduce wildfire risk;
 - b. Reduce wildfire risks to residential development in high risk areas and the wildland urban interface area, separating human development from wildfire prone landscapes; and
 - c. Protect existing residential development and infrastructure through community wildfire preparedness and fire adaptation measures.

3 – Current Land Use Element

A – Background

The Land Use Element of the 2016 Comprehensive Plan was prepared in accordance with the requirements of the Growth Management Act, adopted Thurston County-Wide Planning

Policies, and Sustainable Thurston Policies and Actions. The Land Use Element of the Comprehensive Plan was fully updated in 2016 and amended in 2021.

The 2016 Land Use Element covered the 20-year planning period from 2015 to 2035, and designated the proposed general distribution, location, and extent of housing, commerce, industry, recreation, open spaces, the general aviation airport, public utilities, public facilities, agricultural land, mineral resource land, and transportation as it relates to land use. It also incorporated urban planning approaches that promote sustainable, compact community development that is livable, walkable, safe, sustainable, and economically vibrant. The Land Use Element included population densities, building intensities, and estimates of future population growth.

Along with the Conservation and Lands for Public Purposes Elements, the 2016 Land Use Element also provided for protection of the quality and quantity of groundwater used for public water supplies. Through adoption of the Hazard Mitigation Plan, the Land Use Element, along with the Conservation and Lands for Public Purposes Elements, reviewed drainage, flooding, and storm water run-off in the area and provided guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound.

Areas that are within City's Urban Growth Area are addressed through the Tumwater and Thurston County Joint Plan in accordance with adopted County-Wide Planning Policies. The Joint Plan was last updated by the City and County in 2021.

The Land Use Maps represent the general future land use patterns intended for the City within the 20-year planning period of the Comprehensive Plan. They are a graphic expression of the policies found in Chapter 3 *Land Use Goals, Policies, and Actions* and in each neighborhood chapter in the Neighborhood Appendix. The goals, policies, and actions of the current Land Use Element are found in Appendix B of this staff report.

The 2016 Land Use Element divided the City into eleven neighborhood areas recognizing different land use planning needs. The Neighborhood Appendix consisted of an outline, a map, and text referencing each area on the map. The text contained a description of current land use, trends for each neighborhood, and set forth policy recommendations for future land use. The Neighborhood Appendix provided a quick reference that includes policy recommendations for particular areas in each neighborhood.

Specific information on policy recommendations for each land use designation is found in Chapter 2 *Designations, and Definitions*. The neighborhood maps graphically represent policy recommendations for future land uses for each neighborhood in the City for the Comprehensive Plan's 20-year planning period.

The 2016 Land Use Element contained the following Vision and Mission statements, which provided overarching direction for the future of the City. These statements were developed through the City's Strategic Planning Process.

Vision Statement: *Tumwater of the future will be people-oriented and highly livable, with a strong economy, dynamic places, vibrant neighborhoods, a healthy natural environment, diverse and engaged residents, and a living connection to its history.*

Mission Statement: *In active partnership with its citizens, the City of Tumwater provides leadership and essential municipal services to cultivate a prosperous economy, a healthy natural environment, vibrant neighborhoods, and a supportive social fabric.*

B – Link to Current Land Use Element

<https://www.ci.tumwater.wa.us/departments/community-development-department/tumwater-comprehensive-plan>

4 – Specific Topics Addressed as Part of the Update

Incorporate consideration of Diversity, Equity, and Inclusion throughout the Plan.

1. Environmental Justice

- Special consideration for environmental justice in goals and policies (E2SHB 1181).

Comprehensive Plan Update

1. General

- Create a new format for the Comprehensive Plan that will be shorter, leaner, and more user friendly. The updated Comprehensive Plan will consist of shorter individual Elements and Plans with appendices that contain the required technical information.
- Use the new Community Outreach Plan for the periodic update process.
- Create a new Comprehensive Plan Goal and Policy Guide for use by staff and policymakers.
- Create a new User Guide to the Comprehensive Plan.
- Create a new Glossary for the Comprehensive Plan.
- The County-Wide Planning Policies (2015) will not be revised for the 2025 periodic update.
- Ensure that the updated Comprehensive Plan is internally consistent.
- Ensure that all the Elements and Plans are consistent with County-Wide Planning policies, the Growth Management Act, coordinated with the Plans of adjacent jurisdictions, individual Elements and Plans, and the future land use map.
- Update all maps that are a part of the Comprehensive Plan, including the City-Wide Land Use Map and all maps in the individual Elements and Plans.
- Update all the appendices in the Comprehensive Plan.

- Review entire Plan to address the use of terms such as “neighborhood character,” stability, and similar terms in support of the Tumwater Housing Action Plan as part of Planning Commission’s 2022 Comprehensive Plan amendment cycle recommendations.
- Provide for a mutually agreeable Memorandum of Agreement between the City and tribes about collaboration and participation in the planning process unless otherwise agreed at the end of a mediation period.
- Provide for consideration for preserving property rights. The City must evaluate proposed regulatory or administrative actions to assure that such actions do not result in an unconstitutional taking of private property.
- Update list of all adopted Plans.
- Update City strategic priorities.
- Revise planning period to 2025 – 2045.
- Update discussion of Growth Management Act goals.
- Add references to the updated Shoreline Master Program (2019) and Economic Development Plan (2019) and the new Tumwater Housing Action Plan (2021), Thurston Climate Mitigation Plan (2021), and Urban Forestry Management Plan (2021).
- Simplify, reduce, and update goals, policies, and actions.

2. Land Use Element

- Update the following:
 - Tumwater Community Profile from Thurston Regional Planning Council.
 - 20-year population projection for the City and its urban growth area throughout the Plan, which should be consistent with Thurston County’s sub-county allocation of that forecast and housing needs.
 - Estimates of population densities and building intensities based on future land uses and housing needs.
 - City land use patterns and distribution information.
 - City-Wide Future Land Use Map.
 - Buildable Lands:
 - Existing land use and existing residential density charts.
 - Commercial/industrial vacant land supply analysis.
 - Net buildable industrial land table.
 - Total dwelling units buildout table.
 - Address current and future Habitat Conservation Plan conservation areas.

- Strategic Priorities – City Council
- Update Land Use Maps
- Review and Update Subarea Plans
 - At the City Council’s direction on March 1, 2022, review of the Littlerock Subarea Plan area and revisions to mixed use land designation citywide.
 - Update Littlerock Road Subarea Plan to address land use changes since adoption.
 - Update Black Hills Subarea Transportation Plan to address land use changes since adoption.
 - Update Brewery District and Capitol Boulevard Corridor Plan as needed.
- Update Neighborhood Appendix to incorporate current information describing existing development patterns.
- Specific Topics
 - Airport
 - Update policies, land use designations, and zoning to discourage the siting of incompatible uses adjacent to the Olympia Regional Airport.
 - The Plan and associated regulations must be filed with the State Department of Transportation for review.
 - Clean Energy Transformation Act
 - Ensure there are no conflicts.
 - Definitions
 - New definitions (E2SHB 1181).
 - Essential Public Facilities (From 2022 Comprehensive Plan Amendments)
 - Shorten and remove regulations in Element.
 - Clean energy and treatment program facilities amendments to essential public facilities per E2SSB 5536.
 - Forest or Agricultural Lands of Long-Term Commercial Significance
 - If forest or agricultural lands of long-term commercial significance are designated inside City, update the program authorizing transfer or purchase of development rights in coordination with the County.
 - Green Spaces and Urban Forests
 - Designate greenspaces and urban forests (E2SHB 1181).
 - Growth Management Goals
 - Address new Growth Management Goals (E2SHB 1181).

- Habitat Conservation Plan
 - Remove existing conservation lands from land capacity.
 - Policy for removing new conservation lands from land capacity.
 - Change the land use designation and zone district of existing conservation lands to OS Open Space or GB Green Belt.
- Manufactured Home Parks
 - MHP Manufacture Home Park land use designation and zone district expansion.
- Missing Middle
 - Two housing units allowed on every lot, independent of allowed densities.
 - Need to determine how densities will work in this situation now.
 - Does this mean “lots per acre” is the measure?
 - See guidance for how this will work with accessory dwelling units requirements.
- Mixed Use/Neighborhood Commercial
 - Review the “neighborhood center” concept.
 - Look at 88th and Old Highway 99 as a mixed use center, as it has General Commercial and Mixed Use land use designations.
 - Look at 79th and Old Highway 99 as the area is currently designated Light Industrial but the informal Warehouse District functions as a General Commercial and Light Industrial land use designation hybrid.
- Natural Hazard Mitigation
 - Incorporate provisions of the updated 2023 Hazard Mitigation Plan as appropriate.
 - Adopt Natural Hazard Mitigation Plan that addresses entire subelement by reference (E2SHB 1181).
 - May be eligible to request a timeline extension of 48 months to update a FEMA Natural Hazard Mitigation Plan (E2SHB 1181).
- Permanently Affordable Housing
 - Address actions from the Housing Action Plan.
- Physical Activity
 - Consider utilizing urban planning approaches that promote physical activity.
- Residential Densities

- Update minimum and maximum residential densities.
- Review 2020 Comprehensive Plan Amendment residential up zone criteria and apply to 2025 Update.
- Schools
 - Review land use designations and zone districts for schools.
- Single Family and Multifamily Land Use Designations
 - Replace single family and multifamily land use designations with a range of residential intensities (R1, R2, R3, etc.) in text and maps.
- Transfer of Development Rights
 - Remove transfer of development rights requirement for maximum densities in residential land use designations.
 - Example SFL would become 4 minimum, 7 maximum with needing a TDR (Tumwater Housing Action Plan).
 - Coordinate with County.
- Tree Canopy
 - Canopy coverage evaluation (E2SHB 1181)
- Urban Growth Area
 - Coordinate with Thurston County on new 2021-2022 legislation regarding urban growth area size, patterns of development, suitability, and infrastructure.
- Vehicle Miles traveled.
 - Consider approaches to reduce per capita vehicle miles travel (E2SHB 1181).
- Wildfires
 - Reduce and mitigate the risk of wildfires (E2SHB 1181).

5 – Goals, Policies, and Implementation Actions Review

A – Introduction

Goals and policies describe how the City proposes to address identified needs. Goals are statements of desired outcomes or intended achievements. Policies are specific statements that guide actions and provide a framework for future decision-making. Actions are specific implementations of goals and policies.

Example from the current Land Use Element:

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.**

Policy **Action**

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.

How key terms are used in goals, policies, and actions:

- “Shall” means implementation of the policy is mandatory and imparts a higher degree of substantive direction than “should”.
- “Should” means implementation of the policy is expected but its completion is not mandatory.
- “May” means the actions described in the policy are either advisable or are allowed.
- “Ensure” means actions described in the policy are guaranteed.
- “Must” means implementation of the policy is an obligation.
- “Require” means implementation of the policy is compulsory.
- “Support” means to advocate for implementation of the policy.
- “Promote” means to help bring about implementation of the policy.
- “Encourage” means to foster or help implementation of the policy.
- “Consider” means to take into account.
- “Coordinate” means to bring into a common action, movement, or condition.
- “Implement” means to carry out or accomplish.
- “Integrate” means to form, coordinate, or blend into a functioning or unified whole.

- “Make” means to enact or establish.
- “Engage” means to do or take part in something.

B – Policy Strength Continuum

When developing goals and policies, it is important to understand the policy strength continuum. The Puget Sound Regional Council developed the following example.

<div> <div>Passive</div> <div>Policy Strength</div> <div>Active</div> </div>		
Statements of Inclination Conveys intent, but establishes no target or definition of success	Statements of Principle Describes clear targets or conditions of success	Statements of Impact Go further, describing specific situations where protecting critical areas is a priority
Example The City shall encourage the creation of a new City Center.	Example The City shall endeavor to designate 100-acres for a new City Center.	Example Work with the development community and local agencies to create a new City Center based on framework established by the City Center Plan.

For an example of how policies can be written to be more active and how implementation strategies can be established for policies, include identifying who will be responsible for implementing the policy and the timeframes to do so.

C – Initial Review

Attachment B is the initial staff and Planning Commission review of the Land Use Element goals, policies, and actions.

Additional work needs to be completed with City staff and Planning Commission on the scope and content of the proposed new goals, policies, and actions, but Attachment B is included to allow the General Government Committee to review and provide comment on the proposed format staff will be using to present all amendments to goals, policies, and actions in the updated Comprehensive Plan.

Appendix A – Guidance

The State Department of Commerce has provided guidance specific to the periodic update on their Periodic Update webpage.

<https://www.commerce.wa.gov/serving-communities/growth-management/periodic-update/>

www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics

In addition, the Puget Sound Regional Council is conducting a series of workshops on a variety of topics related to the periodic update.

www.psrc.org/our-work/passport-2044-comprehensive-plan-workshop-series)

The Municipal Research Services Center has a Comprehensive Planning webpage.

<https://mrsc.org/getdoc/d7964de5-4821-4c4d-8284-488ec30f8605/Comprehensive-Planning.aspx>

Appendix B – Current Land Use Element Structure

The current Land Use Element consists of the following parts:

1. Introduction
 - 1.1 Purpose and Scope, including Table of Foundational Plans and Documents
 - 1.2 Vision and Mission Statements
 - 1.3 Strategic Plan Goals
 - 1.4 Growth Management Act Goals Compliance
 - 1.5 County-Wide Planning Policy Compliance
 - 1.6 Sustainable Thurston Goals
 - 1.7 Ongoing Review Program
 - 1.8 Amendments, Public Participation, and Intergovernmental Coordination
 - 1.9 Overall Comprehensive Plan Connections
 - 1.10 Tumwater Community Profile
 - 1.11 Tumwater Land Use Patterns
 - 1.12 Existing Land Use Distribution
 - 1.13 Land Use Distribution
2. Designations and Definitions
 - 2.1 Introduction
 - 2.1.1 City-Wide Future Land Use Map
 - 2.2 Residential Uses
 - 2.2.1 Residential/Sensitive Resource (2-4 Dwelling Units/Acre)
 - 2.2.2 Single Family Low Density (4-7 Dwelling Units/Acre)
 - 2.2.3 Single Family Medium Density (6-9 Dwelling Units/Acre)
 - 2.2.4 Multi-Family Medium Density (9-15 Dwelling Units/Acre)
 - 2.2.5 Multi-Family High Density (14-29 Dwelling Units/Acre)
 - 2.2.6 Manufactured Home Park (6-9 Dwelling Units/Acre)
 - 2.3 Mixed Use (Residential Minimum 14 Dwelling Units/Acre)
 - 2.4 Neighborhood Commercial
 - 2.5 New Market Historic District
 - 2.6 General Commercial
 - 2.7 Capitol Boulevard Community

- 2.8 Brewery District
- 2.9 Light Industrial
- 2.10 Airport Related Industrial
- 2.11 Heavy Industrial
- 2.12 Utilities
- 2.13 Public and Institutional
- 2.14 Parks and Open Space
- 2.15 Tumwater Town Center
- 2.16 Design Review
- 2.17 Maximum and Minimum Densities
- 2.18 Clustering
- 2.19 Modular and Manufactured Housing
- 2.20 Innovative Housing and Urban Planning Approaches Promoting Physical Activity
- 3. Land Use Goals, Policies, and Actions
 - 3.1 Introduction
 - 3.2 Goals, Policies, and Actions
 - 3.3 Implementation Policies
- 4. Land Supply Analysis
 - 4.1 Introduction
 - 4.2 Partially Used and Under Utilized Land Supply Analysis
 - 4.3 Developable or Re-developable Land Supply Analysis
 - 4.4 Analysis of Population Accommodation
- Appendices
 - A. Neighborhoods
 - B. County-Wide Planning Policies
 - C. Sustainable Thurston Goals and Actions
 - D. Land Use and Housing Survey Results
 - E. List of Foundational Plans and Documents
 - F. Glossary
 - G. Ordinance No. O2016-012

H. 2016 Tumwater Soil Report

- Land Use Maps
 - A. City-Wide Future Land Use Map
 - B. Neighborhood Maps
- Subarea Plans
 - A. Brewery District Plan
 - B. Capitol Boulevard Corridor Plan
 - C. Littlerock Road Subarea Plan

Appendix C – Current Land Use Element Goals, Policies, and Actions

3.1 Introduction

This chapter of the Land Use Element specifies goals, policies, and actions meant to set forth a direction for the future growth of Tumwater based on its 20-year community vision. The goals, policies, and actions ensure coordination with the Comprehensive Plan Elements, Sustainable Thurston, and County-Wide Planning Policies. Finally, the action items implement certain recommendations within the Land Use Element. The goals, policies, and actions should be looked at in conjunction with Chapter 2, Designations, and Definitions. The two chapters are meant to work together as a whole.

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.

<u>Policy</u>	<u>Action</u>
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 Port of Olympia Master Plan (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.

Policy Action

- LU-2.1 Encourage the highest intensity growth to locate within the City's corporate limits.
- 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.

Policy Action

- LU-3.1 Coordinate development with the City's six-year Capital Facilities Plan.
 - 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.
- LU-3.2 Ensure development is in conformance with the Water System Plan and Sanitary Sewer Comprehensive Plan.
- 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.
- 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.
 - 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)
- 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.

- 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)
- 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.

Policy Action

- LU-4.1 Coordinate the Land Use Element with the Housing Element and fully implement the goals, policies, and actions of the Housing Element.
- LU-4.2 Encourage innovative techniques for providing affordable housing resulting in an attractive product that will be an asset to the Tumwater community.
 - 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)
- 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.
 - LU-4.3.1 Consider methods to provide sufficient land for manufactured housing in accordance with the Growth Management Act.
- 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 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.

Policy Action

- LU-5.1 Ensure coordination with the Transportation Element.
- LU-5.2 Ensure coordination with the Thurston Regional Transportation Plan.
- 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)
- LU-5.3 Ensure coordination with the Parks, Recreation, and Open Space Plan (Element).
- LU-5.4 Established pedestrian and bicycle trail links with various parts of Tumwater and within the business area.
- LU-5.4.1 Ensure coordination of the Land Use Element with the Parks, Recreation, and Open Space Plan (Element) and the Transportation Element.
- 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.

Policy	Action
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| 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.

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

Policy Action

- 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.

Policy Action

- 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.

Policy Action

LU-12.1 Ensure coordination of the Land Use Element with Tumwater and Thurston County historic preservation programs.

LU-12.2 Make land use decisions that protect designated state and national landmarks listed by the State Office of Archaeology and Historic Preservation.

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.

Policy Action

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.

LU-13.2 Coordinate protection of Olympia Regional Airport with Thurston County by developing consistent implementing regulations.

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.

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Growth Management Goals

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
LU-1			Coordinate the Land Use Element with other plans and regulations.						
	LU-1.1		Coordinate the Land Use Element with all adopted City plans and regulations.		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.	
			[See LU-1.1 above]			LU-1.6		Ensure consistency between the Land Use Element and Tumwater Historic District Master Plan.	
			[See LU-1.1 above]			LU-1.7		Coordinate the Land Use Element with the Shoreline Master Program.	
			[See LU-1.1 above]			LU-1.8		Coordinate the Land Use Element with the City's Economic Development Element.	
			[See LU-1.1 above]			LU-1.9		Ensure consistency between the Land Use Element and the Tumwater Zoning Code.	
			[See LU-1.1 above]			LU-1.10		Coordinate the Land Use Element with the City's Lands for Public Purposes Element and the Capital Facilities Plan.	
			[See LU-1.1 above]			LU-1.13		Coordinate the Land Use Element with the strategies in the City of Tumwater Housing Action Plan.	
			[See LU-1.1 above]			LU-1.14		Coordinate the Land Use Element with the strategies in the most recent version of the Thurston Climate Mitigation Plan.	
		LU-1.1.1	Implement the following City plans through the Land Use Element: 1. Tumwater Historic District Master Plan 2. Shoreline Master Program 3. Economic Development Plan 4. Zoning Code 5. Capital Facilities Plan and Transportation Improvement Plans 6. Housing Action Plan 7. Thurston Climate Mitigation Plan			LU-1.6		Ensure consistency between the Land Use Element and Tumwater Historic District Master Plan.	

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New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
			[See LU-1.1.1 above]				LU-1.7.1	Make sure the Land Use Element is consistent with the recommendations of the Shoreline Master Program.	
			[See LU-1.1.1 above]				LU-1.8.1	Implement goals and associated policies and actions of the Economic Development Element.	
			[See LU-1.1.1 above]				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.	
			[See LU-1.1.1 above]			LU-1.10		Coordinate the Land Use Element with the City's Lands for Public Purposes Element and the Capital Facilities Plan.	
			[See LU-1.1.1 above]			LU-1.13		Coordinate the Land Use Element with the strategies in the City of Tumwater Housing Action Plan.	
			[See LU-1.1.1 above]			LU-1.14		Coordinate the Land Use Element with the strategies in the most recent version of the Thurston Climate Mitigation Plan.	
	LU-1.2		Coordinate the Land Use Element with all adopted regional plans and the plans of neighboring jurisdictions and special districts.		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.	
			[See LU-1.2 above]			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.	
			[See LU-1.2 above]			LU-1.2		Ensure the Land Use Element is consistent with the goals of Sustainable Thurston.	
			[See LU-1.2 above]			LU-1.5		Coordinate the Land Use Element with the Port of Olympia Master Plan (2016).	

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New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
		LU-1.2.1	Implement the adopted goals and policies through the Land Use Element: 1. County-Wide Planning Policies 2. Sustainable Thurston				LU-1.1.1	Implement the eleven County-Wide Policy elements in the County-Wide Policy Plan (Reference Appendix B: County-Wide Planning Policies).	
			[See LU-1.2.1 above]				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.			LU-1.3		Engage in planning on a neighborhood level with residents of the City (Reference Appendix A: Neighborhood Appendix)	
	LU-1.4		Create a new city center.	This is a reference to the Town Center. Is this still a goal?		LU-1.4		Encourage the creation of a new city center that is compatible with the Land Use Element.	
	LU-1.5		Make capital budget and transportation improvement decisions consistent with the Comprehensive Plan.	See also LU-1.2		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-2			Ensure development takes place in an orderly and cost-efficient manner to best utilize available land and public services, conserve natural resources, protect critical areas, preserve open space, addresses equity and climate change, and reduce sprawl.		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.	
	LU-2.1		Use innovative land use management techniques to create and maintain vibrant centers, corridors, and neighborhoods while accommodating growth and protecting critical areas.	Revised		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.	

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New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
		LU-2.1.1	Ensure the City's Development Standards allow for innovative land use management techniques.				LU-2.3.1	Consider revision of the City's Development Standards to encourage innovative land use management techniques.	
		LU-2.1.2	Update the City's architectural and landscape design standards on a regular basis.			LU-2.5		Encourage development of architectural and landscape design standards.	
	LU-2.2		Create and maintain vibrant city centers and activity nodes along transit corridors that support housing, jobs, services, and active transportation.			LU-2.7		Create vibrant city centers and activity nodes along transit corridors that support active transportation and housing, jobs, and services.	
	LU-2.3		Create and maintain safe and vibrant neighborhoods with places that build community and support active transportation.			LU-2.8		Create safe and vibrant neighborhoods with places that build community and encourage active transportation.	
	LU-2.4		Ensure new annexations adhere to the goals and policies of the City's Annexation Policy.	Confirm version of City’s Annexation Policy.		LU-2.4		Ensure new annexations adhere to the goals and policies of the City's Annexation Policy.	
	LU-2.5		Ensure the City’s capital budget decisions are coordinated with the Land Use Element, Lands for Public Purpose Element, and Transportation Plan.			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-2.6		Protect designated mineral and forest resource lands from incompatible development.			LU-2.9		Protect designated mineral resource lands from incompatible development.	
LU-3			Ensure adequate public services, facilities, and publicly owned utilities are available to proposed and existing development.		LU-3			Ensure adequate public services, facilities, and publicly owned utilities are available to proposed and existing development.	
	LU-3.1		Coordinate development with the City's six-year Capital Facilities Plan.			LU-3.1		Coordinate development with the City's six-year Capital Facilities Plan.	

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New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
		LU-3.1.1	Ensure the Capital Facilities Plan can be implemented through the Land Use Element's projected densities.				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.	
	LU-3.2		Ensure development is in conformance with the Water System Plan and Sanitary Sewer Comprehensive Plan.			LU-3.2		Ensure development is in conformance with the Water System Plan and Sanitary Sewer Comprehensive Plan.	
	LU-3.3		Analyze all proposed development for anticipated impact on services as part of development and environmental review.			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.	
	LU-3.4		Work with property developers to determine where and when new public facilities are to be placed to permit proper development of projects.			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.	
	LU-3.5		Require 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		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-3.5.1	Work with LOTT to connect developments that are on septic systems to LOTT's sewerage treatment system to reduce impacts to groundwater and surface water quality.			LU-3.6.1		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.	

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New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
	LU-3.6		Require 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.			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.	

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Equitable Community Goals – Housing, Transportation, and Open Space

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
LU-4			Create land use patterns that increase the availability of affordable housing for all economic segments of the Tumwater population.		LU-4			Encourage land use patterns that increase the availability of affordable housing for all economic segments of the Tumwater population.	
	LU-4.1		Coordinate residential uses and densities in the Land Use Element with the Housing Element.			LU-4.1		Coordinate the Land Use Element with the Housing Element and fully implement the goals, policies, and actions of the Housing Element.	
	LU-4.2		Use innovative techniques for providing affordable housing.			LU-4.2		Encourage innovative techniques for providing affordable housing resulting in an attractive product that will be an asset to the Tumwater community.	
	LU-4.3		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 land use problems such as density, diversity, equitability, and affordability can be achieved.			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 land use problems such as density, diversity, equitability, and affordability can be achieved.	
	LU-4.4		Increase housing types and densities to meet the needs of a changing population.			LU-4.6		Increase housing types and densities in corridors and centers to meet the needs of a changing population.	
			[See LU-4.4]			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.	
LU-5			Ensure development patterns that provide efficient multimodal and active transportation systems coordinated with City and regional transportation plans.		LU-5			Ensure development patterns encourage efficient multi-modal transportation systems coordinated with regional, City, and county transportation plans.	
	LU-5.1		Coordinate with the Transportation Element, the Thurston Regional Transportation Plan, the Parks, Recreation, and Open Space Plan.			LU-5.1		Ensure coordination with the Transportation Element.	

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New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
			[See LU-5.1 above]			LU-5.2		Ensure coordination with the Thurston Regional Transportation Plan.	
			[See LU-5.1 above]			LU-5.3		Ensure coordination with the Parks, Recreation, and Open Space Plan (Element).	
	LU-5.2		Establish land use patterns that provide for multimodal links within the City.			LU-5.4		Established pedestrian and bicycle trail links with various parts of Tumwater and within the business area.	
	LU-5.3		Provide incentives for urban plazas and access to transit stops when new construction or major renovation is proposed.			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-5.4		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-5.6		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-5.5		Reinforce the link between land use and public transportation by encouraging development to occur at higher densities along designated transit corridors, nodes, and near commercial and employment centers.			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-5.6		Provide development incentives for proposed land developments located adjacent to transportation corridors when amenities for transit users, bicyclists, and pedestrians are included.			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-5.7		Require land development proposals to utilize the capacity of the existing transportation system, especially transit and non-motorized modes.			LU-5.10		Encourage land development proposals to utilize the capacity of the existing transportation system, especially transit and non-motorized modes.	

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New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
	LU-5.8		Require public and private development proposals to enhance the street side environment to maximize comfort for the transit user and the pedestrian.			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-5.10		Discourage transportation improvements, regardless of their financing mechanisms that would trigger premature development; that is, development inconsistent with applicable comprehensive plans and zoning.			LU-5.13		Discourage transportation improvements, regardless of their financing mechanisms that would trigger premature development; that is, development inconsistent with applicable comprehensive plans and zoning.	
	LU-5.11		Ensure alternative transportation modes are included in land developments.			LU-5.14		Ensure alternative transportation modes are included in comprehensive plans, subdivisions, and other land developments.	
LU-6			Ensure physical limitations of the land are observed during the development process.		LU-8			Ensure physical limitations of the land are observed during the development process.	
	LU-6.1		Ensure new development is in conformance with standards and requirements for critical areas.			LU-8.1		Ensure new development is in conformance with standards and requirements for critical areas within the Conservation Element.	
	LU-6.2		Reserve the right to prohibit or set conditions on development based on anticipated adverse environmental impact.			LU-8.2		Reserve the right to prohibit or set conditions on development based on anticipated adverse environmental impact.	
	LU-6.3		Integrate design features of existing natural systems into the layout and siting of new development. Preserve trees and significant ecological systems, whenever possible and practical.			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-6.4		Ensure new development is in conformance with the standards of the City's Protection of Trees and Vegetation Ordinance.			LU-8.4		Ensure new development is in conformance with the standards of the City's Protection of Trees and Vegetation Ordinance.	

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Residential Land Use Goals

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
LU-7			Support development of residential uses.		LU-9			Identify what conditions should be applied to development in residential areas.	
	LU-7.1		Ensure an adequate supply of residential land that would support the development of housing affordable to all income groups.			LU-9.1		Ensure an adequate supply of residential land that would support the development of housing affordable to all income groups.	
	LU-7.2		Protect residential development from excessive noise, odors, dirt, glare, pollution, and other nuisances emanating from commercial and industrial uses.			LU-9.2		Protect residential developments from excessive noise, odors, dirt, glare, and other nuisances emanating from commercial and industrial uses.	
	LU-7.3		Ensure multifamily residential development occurs in integrated centers to ensure multimodal access to services.			LU-9.3		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-7.4		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		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-7.4.1	Do not permit private residential gated communities.				LU-9.4.1	Do not permit private residential gated communities.	
		LU-7.4.2	Promote nearby access to healthy food for residential developments.				LU-9.4.2	Promote nearby access to healthy food for residential developments.	

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Commercial Land Use Goals

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
LU-8			Support development of commercial uses in appropriate areas.		LU-10			Identify the City's policies and regulations pertaining to commercial and industrial areas and uses.	
	LU-8.1		Ensure adequate supply of developable commercial land along primary transportation corridors.	Move “invest in commercial redevelopment” to the Economic Development Plan.		LU-10.3		Ensure adequate supply of developable land along primary transportation corridors and invest in commercial and industrial redevelopment.	
	LU-8.2		Concentrate high intensity commercial uses in integrated centers rather than dispersed throughout the City to ensure multimodal access and prevent strip development.			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-8.3		Develop high intensity commercial areas following an integrated planning scheme incorporating performance standards regarding green belts, and buffering, landscaping, parking facilities, and other items of site design as appropriate.			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-8.4		Locate high intensity commercial uses close to arterial routes and freeway access.			LU-10.9		Locate commercial and industrial land uses close to arterial routes and freeway access and rail facilities.	
	LU-8.5		Locate neighborhood commercial uses that supply nearby residents with everyday convenience shopping goods in the City to reduce traffic generation, where these uses are small, not generate excessive traffic, and compatible with nearby residences.			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-8.6		Support food trucks and food truck courts as commercial uses.			LU-10.11		Encourage businesses to allow food trucks at work sites to bring diverse meal options and fresh produce to workers.	

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Manufacturing, Industrial, and Warehouse Land Use Goals

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
LU-9			Support development of manufacturing, industrial, and warehouse uses in appropriate areas.		LU-10			Identify the City's policies and regulations pertaining to commercial and industrial areas and uses.	
	LU-9.1		Ensure adequate supply of developable industrial land along primary transportation corridors.	Move “invest in commercial redevelopment” to the Economic Development Plan.		LU-10.3		Ensure adequate supply of developable land along primary transportation corridors and invest in commercial and industrial redevelopment.	
	LU-9.2		Group manufacturing, industrial, and warehouse uses into centers rather than dispersed throughout the City. These centers shall have a landscaped, urban park quality.			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-9.3		Develop manufacturing, industrial, and warehouse areas following an integrated planning scheme incorporating performance standards regarding green belts, and buffering, landscaping, parking facilities, and other items of site design as appropriate.			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-9.4		Locate new manufacturing, industrial, and warehouse development in areas and patterns that minimize pollution and heavy trucking through residential and business areas.			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-9.5		Ensure manufacturing, industrial, and warehouse structures, where practical, are low profile and provide screening landscaping including trees and shrubs.			LU-10.8		Ensure commercial and industrial structures, where practical, are low profile and provide landscaping including lawns, trees, and shrubs.	
	LU-9.6		Locate manufacturing, industrial, and warehouse uses close to arterial routes and freeway access and rail facilities.			LU-10.9		Locate commercial and industrial land uses close to arterial routes and freeway access and rail facilities.	

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Parks and Open Space Land Use Goals

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
LU-10			Retain open space, parks, trails, and support development of recreational opportunities within Tumwater.		LU-7			Encourage retention of open space, parks, trails, and development of recreational opportunities within Tumwater.	
	LU-10.1		Ensure coordination of the Land Use Element with the Parks, Recreation, and Open Space Plan (Element).			LU-7.1		Ensure coordination of the Land Use Element with the Parks, Recreation, and Open Space Plan (Element).	
	LU-10.2		Ensure coordination of the Land Use Element with open space retention and natural area preservation standards of the Conservation 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-10.3		Preserve environmentally sensitive lands, farmlands, mineral resources, and prairies, by developing compact urban areas.			LU-7.3		Preserve environmentally sensitive lands, farmlands, mineral resources, and prairies, by developing compact urban areas.	
	LU-10.4		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		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-10.4.1	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.				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.	

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Essential Public Facilities Goals

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
LU-11			Provide for the location of essential public facilities as defined under State law.					[New goal]	
	LU-11.1		Ensure that the Comprehensive Plan and implementing regulations do not preclude the siting of essential public facilities and coordinated with and advance other planning goals.					[New policy]	
	LU-11.2		Ensure that where possible, essential public facility sites are used jointly for public benefit.					[New policy]	
	LU-11.3		Ensure that affected agencies and citizens, adjacent jurisdictions, and other interested parties are given adequate notice and opportunity for meaningful participation in decisions on siting essential public facilities.					[New policy]	
	LU-11.4		Utilize the following siting criteria for siting new or expansion of existing essential public facilities: 1. Proximity to major transportation routes and essential infrastructure; 2. Land use compatibility with surrounding areas; 3. Potential environmental impacts; 4. Effects on resource and critical areas; 5. Public costs and benefits including operation and maintenance; 6. Current capacity and location of equivalent facilities; 7. The existence, within the City, of reasonable alternatives to the proposed activity, and 8. Other criteria as determined relevant to the specific essential public facility.					[New policy]	

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New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
LU-12			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.		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.	
	LU-12.1		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.			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.	
	LU-12.2		Coordinate protection of Olympia Regional Airport with Thurston County by developing consistent implementing regulations.			LU-13.2		Coordinate protection of Olympia Regional Airport with Thurston County by developing consistent implementing regulations.	

Land Use Element – Goals, Policies, and Implementation Action Review

June 12, 2024

Historic Preservation Goals

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
LU-13			Promote preservation of sites of historical and cultural significance.		LU-12			Promote preservation of sites of historical and cultural significance.	
	LU-13.1		Ensure coordination of the Land Use Element with Tumwater and Thurston County historic preservation programs.			LU-12.1		Ensure coordination of the Land Use Element with Tumwater and Thurston County historic preservation programs.	
	LU-13.2		Make land use decisions that protect designated state and national landmarks listed by the State Office of Archaeology and Historic Preservation.			LU-12.2		Make land use decisions that protect designated state and national landmarks listed by the State Office of Archaeology and Historic Preservation.	

Land Use Element – Goals, Policies, and Implementation Action Review

June 12, 2024

Goals, Policies, and Actions Moved from Other Elements

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes

Land Use Element – Goals, Policies, and Implementation Action Review

June 12, 2024

Goals, Policies, and Actions Moved to Other Elements

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
				Moved to Conservation Element.	LU-6			Reduce impacts from flooding; encourage efficient stormwater management; and ensure the groundwater of Tumwater is protected and preserved.	
				Moved to Conservation Element.		LU-6.1		Ensure new development is in conformance with requirements and standards of the <i>Northern Thurston Groundwater Protection Plan</i> .	
				Moved to Conservation Element.		LU-6.2		Ensure new development is in conformance with requirements and standards of the <i>Drainage Design and Erosion Control Manual for Tumwater</i> , as amended.	
				<i>Moved to Conservation Element.</i>			LU 6.2.1	<i>Implement specific Sustainable Thurston goals identified in Land Use Element Section 1.6, Sustainable Thurston Goals (Reference Appendix C: Sustainable Thurston)</i>	
				Moved to Conservation Element.		LU-6.3		Ensure coordination with the <i>Percival Creek Comprehensive Drainage Basin Plan</i> .	
				Moved to Conservation Element.		LU-6.4		Ensure new development is in conformance with aquifer protection standards of the Conservation Element.	
				Moved to Conservation Element.		LU-6.5		Ensure implementation of the <i>Natural Hazards Mitigation Plan for the Thurston Region</i> to reduce or eliminate the human and economic costs of natural disasters for the overall good and welfare of the community.	

Land Use Element – Goals, Policies, and Implementation Action Review

June 12, 2024

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
				Moved to 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.	
				Moved to new Climate Element.		LU-2.10		Reduce the City’s carbon footprint where possible and move towards a carbon-neutral community.	
				Moved to new Climate Element.	LU-11			Ensure new and existing development is energy efficient.	
				Moved to new Climate Element.		LU-11.1		Recognize potential energy efficiencies associated with mixed-use developments and centers.	
				Moved to new Climate Element.		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.	
				Moved to new Climate Element.		LU-11.3		Aggressively pursue conservation or system improvements as a potential means to defer the siting and development of new facilities where appropriate.	
				Moved to new Climate Element.		LU-11.4		Recognize savings in energy usage for heating and cooling purposes associated with common wall construction.	
				Moved to new Climate Element.		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.	
				Moved to new Climate Element.		LU-11.6		Recognize potential energy savings through optimally using solar energy and orient development sites accordingly.	
				Moved to new Climate Element.		LU-11.7		Consider the impact of new development and landscaping on solar accessibility of adjoining lots and mitigate wherever feasible.	

Land Use Element – Goals, Policies, and Implementation Action Review

June 12, 2024

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
				Moved to new Climate Element.		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.	
				Moved to new Climate Element.		LU-11.9		Develop a program to encourage energy retrofits of existing buildings to improve their energy efficiency.	
				Moved to new Climate Element.		LU-11.10		Coordinate the City’s energy efficiency programs with the strategies in the most recent version of the Thurston Climate Mitigation Plan.	
				Moved to Economic Development Plan		LU-10.1		Implement the goals, policies, and actions of the Economic Development Element through the Land Use Element.	
				Moved to Economic Development Plan		LU-10.2		Encourage industry clusters to create jobs, and increase revenue circulation locally.	
				Moved to Economic Development Plan		LU-10.12		Emphasize sustainable practices while encouraging economic development.	
				Moved to Transportation Plan.		LU-5.15		Expand bicycle and pedestrian data collection efforts.	
				Moved to Transportation Plan.		LU-5.16		Establish a regional bicyclist and pedestrian advisory body.	
				Moved to Transportation Plan.		LU-5.17		Support efforts of the local traffic safety campaigns to educate bicyclists and pedestrians of the laws pertaining to walking and biking.	

Land Use Element – Goals, Policies, and Implementation Action Review

June 12, 2024

Goals, Policies, and Actions Deleted and Not Replaced

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
				<i>Recommend deletion. Part of State stormwater management requirements.</i>			<i>LU-1.10.1</i>	<i>Implement low impact development through land use and stormwater planning.</i>	
				Recommend deletion. Part of Growth Management Act locating growth in urban areas.		LU-2.1		Encourage the highest intensity growth to locate within the City's corporate limits.	
				<i>Recommend deletion.</i>			<i>LU-2.1.1</i>	<i>Implement goals and associated policies and actions of the Economic Development Element. (Reference Goal LU-1.8.1)</i>	
				Recommend deletion. Part of Growth Management Act locating growth in urban areas.		LU-2.2		Reduce inappropriate conversion of undeveloped land into sprawling low-density development.	
				<i>Recommend deletion.</i>			<i>LU-2.2.1</i>	<i>Ensure the eleven County-Wide Policy elements in the County-Wide Policy Plan are implemented. (Reference Goal LU-1.1.1)</i>	
				<i>Recommend deletion.</i>			<i>LU-2.5.1</i>	<i>Implement Goals 5 and 6 of the Economic Development Element.</i>	
				Recommend deletion. Part of Growth Management Act locating growth in urban areas.		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.	
				<i>Recommend deletion.</i>			<i>LU-3.4.1</i>	<i>Ensure the eleven County-Wide Policy elements in the County-Wide Policy Plan are implemented. (Reference Goal LU-1.1.1)</i>	
				<i>Recommend deletion.</i>			<i>LU-3.5.1</i>	<i>Ensure the eleven County-Wide Policy elements in the County-Wide Policy Plan are implemented. (Reference Goal LU-1.1.1)</i>	
				<i>Recommend deletion.</i>			<i>LU-4.2.1</i>	<i>Consider revision of the City's Development Standards to encourage innovative land use management techniques. (Reference Goal LU-2.3.1)</i>	

Land Use Element – Goals, Policies, and Implementation Action Review

June 12, 2024

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
				Recommend deletion. State law requires manufactured housing to be treated the same a site built housing.		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.	
				Recommend deletion.			LU-4.3.1	Consider methods to provide sufficient land for manufactured housing in accordance with the Growth Management Act.	
				Recommend deletion.			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)	
				Recommend deletion.		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.	
				Recommend deletion.			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)	
				Recommend deletion.			LU-5.4.1	Ensure coordination of the Land Use Element with the Parks, Recreation, and Open Space Plan (Element) and the Transportation Element.	
				Recommend deletion.			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)	
				Recommend deletion. Part of Growth Management Act locating growth in urban areas.		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	

Land Use Element – Goals, Policies, and Implementation Action Review

June 12, 2024

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
				Recommend deletion.		LU-5.12		Encourage subdivision and commercial and retail project design that facilitates cost-effective transit and emergency service delivery.	
				Recommend deletion. Addressed in the Shoreline Management Plan.		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.	
				<i>Recommend deletion.</i>			LU-9.2.1	<i>Consider revision of the City's Development Standards to encourage innovative land use management techniques. (Reference Goal LU-2.3.1)</i>	
				<i>Recommend deletion.</i>			LU-9.3.1	<i>Consider revision of the City's Development Standards to encourage innovative land use management techniques. (Reference Goal LU-2.3.1)</i>	
				Recommend deletion. May consider as an implementation measure.		LU-10.11		Encourage businesses to allow food trucks at work sites to bring diverse meal options and fresh produce to workers.	

Land Use Element – Goals, Policies, and Implementation Action Review

June 12, 2024

Old Implementation Policies

New Action	Initial Staff Proposed Language	Staff Notes	Old Action	Current Implementation Policy	Planning Commission Notes
			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.	
			4a	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.	
			4b	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.	

Land Use Element – Goals, Policies, and Implementation Action Review

June 12, 2024

New Action	Initial Staff Proposed Language	Staff Notes	Old Action	Current Implementation Policy	Planning Commission Notes
			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.	

TO: General Government Committee
 FROM: Alex Baruch, Senior Planner, and Brad Medrud, Planning Manager
 DATE: June 12, 2024
 SUBJECT: 2025 Comprehensive Plan Periodic Update – Conservation

1) Recommended Action:

This is a discussion item about the Conservation Element for the 2025 Comprehensive Plan periodic update.

2) Background:

On a ten-year cycle, the City is required to conduct a Growth Management Act periodic update of its Comprehensive Plan and related development regulations. For the current cycle, the City is required to complete work on the periodic update by December 31, 2025. Work on the periodic update started last fall.

The updated Comprehensive Plan will address diversity, equity, and inclusion throughout the Plan. [2025 Comprehensive Plan Update | City of Tumwater, WA](#) contains links to guidance material and information about the update.

Building on the discussion of the current version of the Conservation Element and guidance for its update at the General Government Committee's November 8, 2023, meeting, the intent of this briefing is to start the discussion of amendments to the amended Conservation Element by reviewing goals, policies, and implementation actions.

3) Policy Support:

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

4) Alternatives:

☐ None.

5) Fiscal Notes:

This is primarily an internally funded work program task.

6) Attachments:

- A. Staff Report
- B. Goals, Policies, and Actions
- C. City of SeaTac Environment Element 2019, in process of being updated

MEMORANDUM

Date: June 12, 2024
To: General Government Committee
From: Alex Baruch, Senior Planner, and Brad Medrud, Planning Manager



2025 Comprehensive Plan Update – Conservation Element

On a ten-year cycle, the City is required to conduct a Growth Management Act periodic update of its Comprehensive Plan and related development regulations. For the current cycle, the City is required to complete work on the periodic update by December 31, 2025. Work on the periodic update started last fall.

The updated Comprehensive Plan will address diversity, equity, and inclusion throughout the Plan and incorporate many State-required changes addressing housing, climate change, and other topics.

The intent of the General Government Committee meeting on Wednesday, June 12, 2024, is to introduce proposed staff amendments to the Conservation Element goals, policies, and implementation actions.

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1 – Growth Management Act – Conservation Goals

The state Growth Management Act (Chapter 36.70A Revised Code of Washington (RCW)) requires that the City demonstrate that each Element in its Comprehensive Plan meets the relevant fifteen planning goals contained within the Act. The fifteen goals guide the development and adoption of the City's Comprehensive Plan and development regulations.

The following is a summary of how the updated Conservation Element will need to meet the two goals related to conservation. The Environment goal (Goal #10) was updated by the state legislature in 2023.

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.*

The Conservation Element has specific guidelines and policies that ensure the viability of natural resource industries and activities. Additionally, the Conservation Element will need to ensure the viability of natural resource industries in the City through the identification of such lands in the Conservation Element text and maps.

While the City has limited natural resource lands as defined by the Growth Management Act, it does have mineral resources and forestry lands. In addition, the City does not have Growth Management Act designated agricultural lands, it does have urban agricultural lands that will be discussed in the Conservation Element with supporting goals, policies, and implementation actions.

10. ***Environment.*** *Protect and enhance the environment and enhance the state's high quality of life, including air and water quality, and the availability of water. [Updated in 2023]*

The state legislature updated this goal in 2023 to add the requirement to enhance the environment. The Conservation Element contains specific policies relating to air and water quality, water availability, and protection and preservation of critical areas and will now need to address how to enhance the environment. Additionally, each land use designation in the Conservation Element will need to be of an appropriate intensity for where it is applied. Areas of environmental sensitivity will need to be designated as open space or a lower intensity designation than other areas of the City.

2 – Current Conservation Element

A – Background

While not required by the Growth Management Act, the City's Comprehensive Plan includes a Conservation Element that addresses both natural resource lands, such as forestry and mineral resource lands, and critical areas, such as wetlands, critical aquifer recharge areas, frequently flooded areas, geologically hazardous areas, and fish and wildlife habitat conservation areas in the City. Under the Growth Management Act, natural resources lands, such as agricultural,

forestry and mineral resource lands, are typically designated outside of cities and urban growth areas as those types of uses are more rural in nature.

The 2016 Conservation Element of the Tumwater Comprehensive Plan) was prepared in accordance with the requirements of the Growth Management Act, adopted Thurston County-Wide Planning Policies, and Sustainable Thurston Policies and Actions and covered the 20-year planning period from 2015 to 2035. The Conservation Element of the Comprehensive Plan was last fully updated in 2016 and amended in 2021. Areas that are within Tumwater's Urban Growth Area are addressed through the Tumwater and Thurston County Joint Plan in accordance with adopted County-Wide Planning Policies.

The goals, policies, and actions of the current Conservation Element are found in Appendix B of the staff report.

The 2016 Conservation Element Maps show where resource lands are designated and the general extent of critical areas in the City. The actual boundaries of critical areas are determined on a project level using the methods found in TMC Title 16 *Environment*.

B – Structure

The current Conservation Element consists of the following chapters:

1. Introduction
2. Agricultural Lands
3. Forest Lands
4. Mineral Resource Lands
5. Wetland Areas
6. Critical Aquifer Recharge Areas
7. Frequently Flooded Areas
8. Geologically Hazardous Areas
9. Fish and Wildlife Habitat Conservation Areas
10. Conservation Goals, Policies, and Actions

Conservation Maps

- A. Critical Aquifer Recharge Areas Map
- B. Forestry Lands Designation Map
- C. Frequently Flooded Areas Map
- D. Geologically Hazardous Areas Map
- E. Mineral Resource Lands Map

F. Shorelines of the State Map

G. Wetlands Map

3 – Specific Topics Addressed as Part of the Element Update

- Incorporate consideration of Diversity, Equity, and Inclusion throughout.
 1. Environmental Justice
 - Special consideration for environmental justice in goals and policies (E2SHB 1181)
- Comprehensive Plan Update
 1. General
 - Create a new format for the Comprehensive Plan that will be shorter, leaner, and more user friendly. The updated Comprehensive Plan will consist of shorter individual Elements and Plans with appendices that contain the required technical information.
 - Create a new Comprehensive Plan Goal and Policy Guide for use by staff and policymakers.
 - Create a new User Guide to the Comprehensive Plan for the community.
 - Create a new Glossary for the Comprehensive Plan.
 - Revise planning period to 2025 – 2045.
 - Ensure that the updated Comprehensive Plan is internally consistent.
 - Ensure that all the Elements and Plans are consistent with County-Wide Planning policies, the Growth Management Act, coordinated with the Plans of adjacent jurisdictions, individual Elements and Plans, and the future land use map.
 - The County-Wide Planning Policies (2015) will not be revised for the 2025 periodic update.
 - Update City strategic priorities.
 - Update list of all adopted Plans.
 - Update all maps that are a part of the Comprehensive Plan.
 - Update discussion of Growth Management Act goals.
 - Add references to the updated Shoreline Master Program (2019), Thurston Climate Mitigation Plan (2021), and Urban Forestry Management Plan (2021).
 - Provide for a mutually agreeable Memorandum of Agreement between the City and tribes about collaboration and participation in the planning process unless otherwise agreed at the end of a mediation period.

- Provide for consideration for preserving property rights. The City must evaluate proposed regulatory or administrative actions to assure that such actions do not result in an unconstitutional taking of private property.
- Simplify, reduce, and update goals, policies, and actions.

2. Conservation Element

- Simplify the language of the goals and policies of the Conservation Element and focus on developing implementation actions that include identifying resources to implement the action and a timeline.
- Use the City of SeaTac Environmental Element as an example of how to format the Element (Attachment C).
- Discuss how habitat conservation plans are used for the effective management of affected listed species and prairie eco-systems across private and public lands in the City.
- Update policies to designate and protect critical areas including wetlands, fish and wildlife habitat protection areas, frequently flooded areas, critical aquifer recharge areas, and geologically hazardous areas. In developing these policies, include best available science to protect the functions and values of critical areas and give “special consideration” to conservation or protection measures necessary to preserve or enhance anadromous fisheries.
- Update policies on urban agriculture and mineral resource lands.
- If forest lands of long-term commercial significance are designated inside the City, update policies and implementation actions related to authorizing transfer or purchase of development rights in coordination with the County.
- Move the policies related to climate mitigation and greenhouse gas emission targets to the new Climate Element to address HB 2311 as part of Planning Commission’s 2022 Comprehensive Plan amendment cycle recommendations.
- Address the Urban Forestry Management Plan.
- Update Maps.

3. Critical Areas Regulations

- As part of the 2025 Development Code Update, TMC Title 16 *Environment* will be updated as required in the State Department of Ecology’s Critical Areas Checklist.

4 – Goals, Policies, and Implementation Actions Review

A – Introduction

Goals and policies describe how the City proposes to address identified needs. Goals are statements of desired outcomes or intended achievements. Policies are specific statements that guide actions and provide a framework for future decision-making. Actions are specific implementations of goals and policies.

Example from the current Conservation Element:

GOAL C-3: **In accordance with the Growth Management Act, designate and protect natural resource lands including agricultural, forest, and mineral lands that have long-term significance to conserve and protect these areas.**

<u>Policy</u>	<u>Action</u>
C-3.4	Work with community groups to support the continued viability of agriculture and encourage community support for it.
	C-3.4.1 Support the efforts of the Thurston Food System Council to develop a vibrant food system through access to healthy, local, affordable, culturally appropriate, sustainably produced food to assist the community in having reliable access to sufficient quantity of affordable nutritious food.

How key terms are used in goals, policies, and actions:

- “Shall” means implementation of the policy is mandatory and imparts a higher degree of substantive direction than “should”.
- “Should” means implementation of the policy is expected but its completion is not mandatory.
- “May” means the actions described in the policy are either advisable or are allowed.
- “Ensure” means actions described in the policy are guaranteed.
- “Must” means implementation of the policy is an obligation.
- “Require” means implementation of the policy is compulsory.
- “Support” means to advocate for implementation of the policy.
- “Promote” means to help bring about implementation of the policy.
- “Encourage” means to foster or help implementation of the policy.
- “Consider” means to take into account.
- “Coordinate” means to bring into a common action, movement, or condition.
- “Implement” means to carry out or accomplish.

- “Integrate” means to form, coordinate, or blend into a functioning or unified whole.
- “Make” means to enact or establish.
- “Engage” means to do or take part in something.

B – Policy Strength Continuum

When developing goals and policies, it is important to understand the policy strength continuum. The Puget Sound Regional Council developed the following example.

<div> <div>Passive</div> <div>Policy Strength</div> <div>Active</div> </div>		
Statements of Inclination Conveys intent, but establishes no target or definition of success	Statements of Principle Describes clear targets or conditions of success	Statements of Impact Go further, describing specific situations where protecting critical areas is a priority
Example The City shall encourage protection of prairie lands.	Example The City shall endeavor to support the maintenance of 100-acres of conservation land.	Example Work with nonprofits to support active maintenance of prairie conservation lands to protected habitat standards.

For an example of how policies can be written to be more active and how implementation strategies can be established for policies, include identifying who will be responsible for implementing the policy and the timeframes to do so, see Attachment C – City of SeaTac Environment Element.

C – Initial Review

Attachment B is the initial staff review of the Conservation Element goals, policies and actions.

Additional work needs to be completed with City staff and the Planning Commission on the scope and content of the proposed new goals, policies, and actions, but Attachment B is included to allow the General Government Committee to review and provide comment on the proposed format staff and the Planning Commission will be using to present all amendments to goals, policies, and actions in the updated Comprehensive Plan.

Appendix A – Guidance

The State Department of Commerce has provided guidance specific to the periodic update on their Periodic Update webpage.

<https://www.commerce.wa.gov/serving-communities/growth-management/periodic-update/>

www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics

In addition, the Puget Sound Regional Council is conducting a series of workshops on a variety of topics related to the periodic update.

www.psrc.org/our-work/passport-2044-comprehensive-plan-workshop-series)

The Municipal Research Services Center has a Comprehensive Planning webpage.

<https://mrsc.org/getdoc/d7964de5-4821-4c4d-8284-488ec30f8605/Comprehensive-Planning.aspx>

Appendix B – Current Conservation Element Goals, Policies, and Actions

10.1 Introduction

This Chapter of the Conservation Element specifies goals, policies, and actions meant to set forth a direction to identify, protect, and conserve critical environmental areas and valuable natural resources in Tumwater. The goals, policies, and actions also serve to ensure coordination with separate Comprehensive Plan Elements, regional plans, Sustainable Thurston Policies, and County-Wide Planning Policies. Additionally, they serve as an action plan for implementing certain recommendations within the Conservation Element.

10.2 Conservation Goals, Policies, and Actions

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

<u>Policy</u>	<u>Action</u>
C-1.1	Protect the ecological integrity of the natural environment while allowing for compatible growth and development.
C-1.2	Promote conservation of natural resources and the environment in cooperation with residents, business owners, schools, affected jurisdictions, and tribes.
C-1.3	Encourage and support active measures to protect and enhance Tumwater's natural environment.
C-1.4	Implement the mitigation goals, objectives, and initiatives contained in the most recent version of the adopted <i>Natural Hazards Mitigation Plan for Thurston County</i> .
C-1.5	Maximize retention of a healthy tree cover and native vegetation and encourage restoration, replacement, and enhancement of unhealthy trees and disturbed vegetation.
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.
C-1.7	Implement the strategies contained in the most recent version of the accepted <i>Thurston Climate Mitigation Plan</i> .

Goal C-2: Designate and protect critical areas including wetlands, critical aquifer recharge areas, frequently flooded areas, geologically hazardous areas, and fish and wildlife habitat conservation areas in accordance with the Growth Management Act to protect the functions and values of these areas as well as to protect against threats to health, safety, and property.

<u>Policy</u>	<u>Action</u>
C-2.1	Include best available science in developing policies and development regulations to protect the functions and values of critical areas and consider conservation or protection measures necessary to preserve or enhance anadromous fisheries, consistent with the Growth Management Act.
C-2.2	Use incentive programs, acquisition, appropriate regulations, and other techniques to preserve critical areas as permanent open space where development may pose hazards to health, property, or important ecological functions.
C-2.3	Require that prior to any development, critical areas are identified and protected.
C-2.4	Ensure the effectiveness of critical area mitigation by requiring adequate critical area studies and mitigation plans, the application of mitigation sequencing, financial assurances from developers to ensure mitigation success, and by improving City oversight of maintenance and monitoring of mitigation sites.
C-2.5	Require and enforce mitigation to ensure no net loss of critical area functions.
C-2.6	Support restoration of river and stream channels and associated wetland and riparian areas to enhance water quality, improve fish and wildlife habitat, and mitigate flooding and erosion.
C-2.7	Allow public access to wetlands, streams, and lakes for scientific, educational, and recreational use, provided the public access is carefully sited, sensitive habitats and species are protected, and hydrologic continuity is maintained.
C-2.8	Protect wetlands not as isolated units, but as ecosystems, and essential elements of watersheds.
C-2.9	Protect the quality and quantity of groundwater used for public water supplies.
C-2.10	Prevent land alterations that would increase potential flooding and minimize the alteration of natural surface water features that retain or carry floodwaters, such as wetlands, floodplains, rivers, streams, and lakes.
C-2.11	Require mitigation for adverse environmental impacts from engineered flood control measures.
C-2.12	Work cooperatively to meet regulatory standards for floodplain development as these standards are updated for consistency with relevant federal requirements including those related to the Endangered Species Act.
C-2.13	Regulate development intensity, site coverage, and vegetation removal in geologically hazardous areas in order to minimize drainage problems, soil erosion, siltation, and landslides.
C-2.14	Minimize soil disturbance and maximize retention and replacement of native vegetative cover for any land uses permitted in erosion and landslide hazard areas.

- C-2.15 Encourage special building design and construction measures in areas with severe seismic hazards to minimize the risk of structural damage, fire, and injury to occupants during a seismic event and to prevent post-seismic collapse.
- C-2.16 Protect and preserve habitats for species, which have been identified as endangered, threatened, or sensitive by the state or federal government, giving special consideration: to conservation or protection measures necessary to preserve or enhance anadromous fisheries.
- C-2.17 Maintain habitats that support the greatest diversity of fish and wildlife through conservation and enhancement of critical areas.
- C-2.18 Implement salmon habitat protection and restoration priorities in approved Water Resource Inventory Area 13 and 23 plans.
- C-2.19 Coordinate with adjacent jurisdictions and tribes to identify, protect, and develop enhancement plans and actions for habitat networks and wetlands that cross-jurisdictional lines.
- C-2.20 Promote the enhancement or restoration of streams, rivers, lakes, and wetlands as adjacent development activities occur.
- C-2.21 Protect wildlife corridors to minimize habitat fragmentation, especially along existing linkages and in patches of native habitat by enhancing vegetation composition and structure, and incorporating indigenous plant species compatible with the site.

Goal C-3: In accordance with the Growth Management Act, designate and protect natural resource lands including agricultural, forest, and mineral lands that have long-term significance to conserve and protect these areas.

Policy **Action**

- C-3.1 Recognize the importance of farmland conservation and local food production in maintaining the quality of life and long-term sustainability of Tumwater.
- C-3.2 Zone designated agricultural lands at very low densities to ensure the conservation of the resource for continued agricultural use.
- C-3.3 Limit non-agricultural development within designated agricultural areas to non-prime farmland soils where possible.
- C-3.4 Work with community groups to support the continued viability of agriculture and encourage community support for it.
 - C-3.4.1 Support the efforts of the Thurston Food System Council to develop a vibrant food system through access to healthy, local, affordable, culturally appropriate, sustainably produced food to assist the community in having reliable access to sufficient quantity of affordable nutritious food.

- C-3.5 Ensure that harvesting for conversion to other uses occurs in a manner compatible with land uses of the surrounding area and maintenance of water quality and environmentally critical areas.
- C-3.6 Allow mineral extraction industries to locate where prime natural resource deposits exist.
- C-3.7 Conserve designated mineral resource lands of long-term commercial significance for mineral extraction, and the use of adjacent lands should not interfere with the continued use of the designated mining sites that are being operated in accordance with applicable best management practices and other laws and regulations.
- C-3.8 Restore mineral extraction sites as the site is being mined. The site should be restored for appropriate future use and it should blend with the adjacent landscape and contours.

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Overarching Environment Goals

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
C-1			Use best available science when developing and implementing environmental management policies and regulations.	<p>New goal.</p> <p>Refer to the PSRC Policy Strength Continuum to include conditions for success and specific examples.</p> <p>Best available science is defined in the Comprehensive Plan glossary.</p> <p>Best Available Science (BAS) – Washington State Law requires that the best available science should be used to inform decision makers and staff. Best available is scientific information that is acquired through a rigorous and valid scientific process.</p>	C-1			Recognize the significant role played by natural features and systems in determining the overall environmental quality and livability of Tumwater.	
	C-1.1		Wetlands, streams, shorelines of the state, fish and wildlife habitats, aquifers and critical aquifer recharge areas including wellhead protection areas, frequently flooded areas, geologically hazardous areas, and fish and wildlife habitat conservation areas are designated as environmentally sensitive areas in accordance with the Growth Management Act to protect the functions and values of these critical areas as well as to protect against threats to health, safety, and property.	<p>Updated current policy.</p> <p>TMC 16.24.030 defines Critical aquifer recharge areas the same way the RCW defines it; could add this to the Comprehensive Plan glossary.</p> <p>RCW states “Areas with a critical recharging effect on aquifers used for potable water.”</p>	C-2			Designate and protect critical areas including wetlands, critical aquifer recharge areas, frequently flooded areas, geologically hazardous areas, and fish and wildlife habitat conservation areas in accordance with the Growth Management Act to protect the functions and values of these areas as well as to protect against threats to health, safety, and property.	Commissioner Kirkpatrick – No action for Policy C-1.1. Possible C-1.1.1. Maintain up-to-date listing of related best available science.
	C-1.2		Base regulations on the best available science to protect and enhance the functions and values of environmentally sensitive areas.	Split original Policy C-2.1 into C-1.2 and C-4.2		C-2.1		Include best available science in developing policies and development regulations to protect the functions and values of critical areas and consider conservation or protection measures necessary to preserve or enhance anadromous fisheries, consistent with the Growth Management Act.	
		C-1.2.1	Require and enforce mitigation to ensure no net loss of critical area functions.	<p>Converted policy to implementation action.</p> <p>Primary responsibility: Staff</p> <p>Timeline: Ongoing</p>		C-2.5		Require and enforce mitigation to ensure no net loss of critical area functions.	

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New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
		C-1.2.2	Use incentive programs, acquisition, appropriate regulations, and other techniques to preserve critical areas as permanent open space where development may pose hazards to health, property, or important ecological functions.	Converted policy to implementation action. Primary responsibility: Staff Timeline: Ongoing		C-2.2		Use incentive programs, acquisition, appropriate regulations, and other techniques to preserve critical areas as permanent open space where development may pose hazards to health, property, or important ecological functions.	
		C-1.2.3	In reviewing development proposals that may have an impact on any sensitive areas, consult with a qualified third party biologist and/or licensed engineer to assess potential impacts and recommend development alternatives or mitigation.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
	C-1.3		Protect the ecological integrity of the natural environment while allowing for compatible growth and development	Protecting "ecological integrity of the natural environment" could be done in part by regulation and using a future ecosystem services asset inventory to track. Consider it an implementation action by defining ecosystem integrity.		C-1.1		Protect the ecological integrity of the natural environment while allowing for compatible growth and development	
		C-1.3.1	When updating development regulations review in conjunction with critical areas regulations to ensure compatibility.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
	C-1.4		Make low impact development the preferred and commonly used approach to development.	New policy.					
		C-1.4.1	Adopt current low impact development manuals, policies, development standards, regulations, and techniques.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
	C-1.5		Use studies and plans such as the most recent version of the adopted <i>Natural Hazards Mitigation Plan for Thurston County</i> , the <i>Tumwater Urban Forestry Management Plan</i> , and <i>Thurston Climate Mitigation Plan</i> to inform policy and regulation development and implementation.	Updated and expanded current policy.		C-1.4		Implement the mitigation goals, objectives, and initiatives contained in the most recent version of the adopted <i>Natural Hazards Mitigation Plan for Thurston County</i> .	Commissioner Kirkpatrick – No Action for Policy C-1.5 Possible Action C-1.5.1. Update and expand related regulations as required.

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New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
C-2			Promote conservation of natural resources and the protection of the environment in cooperation with residents, business owners, schools, affected jurisdictions, and tribes.	New goal.		C-1.2		Promote conservation of natural resources and the environment in cooperation with residents, business owners, schools, affected jurisdictions, and tribes.	
	C-2.1		Support education programs in the community that outline the need for natural resource conservation and protection of critical areas and look to create opportunity for community action.	New policy to capture educational component of policies and regulations.		C-1.3		Encourage and support active measures to protect and enhance Tumwater’s natural environment.	
		C-2.1.1	Support the work of the Stream Team.	New implementation action Primary responsibility: Water Resources & Sustainability Department Timeline: Ongoing					
		C-2.1.2	Support the work for the City Tumwater Green Team.	New implementation action Primary responsibility: City Green Team Timeline: Ongoing					
		C-2.1.3	Support water conservation messaging and outreach.	New implementation action Primary responsibility: Water Resources & Sustainability Department Timeline: Ongoing					
		C-2.1.4	Support water quality messaging and outreach for wellhead and source protection.	New implementation action Primary responsibility: Water Resources & Sustainability Department Timeline: Ongoing					
C-3			Enhance water quality	New goal. Refer to WDFW Riparian Ecosystems, Volume 2: Management Recommendations (December 2020)					

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New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
	C-3.1		Protect and enhance water quality by preserving the amenity and ecological functions of water features through land use plans, innovative land development, public education, and stormwater regulations.	New policy. Refer to Puget Sound National Estuary Program, Sound Choices Implementation Checklist (June 2023)					
		C-3.1.1	Work with LOTT to enable sewer services for new development and to convert existing septic systems to sewer.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
		C-3.1.2	Require adequate stormwater treatment and flow control for new development, including low impact development techniques.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
		C-3.1.3	Update development codes to require and implement low impact development provisions.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
		C-3.1.4	Work with the Tumwater and Olympia School Districts, LOTT, community based organizations, and other local entities to educate the public in how to maintain water quality.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
	C-3.2		Support restoration of river and stream channels and associated wetland and riparian areas to enhance water quality, improve fish and wildlife habitat, and mitigate flooding and erosion.	Current policy. Refer to WDFW Riparian Management Zone Checklist for Critical Areas Ordinances: A Technical Assistance Tool (April 2023) Refer to WDFW Riparian Management Zone Checklist for Critical Areas Ordinances – Addendum (August 2023)		C-2.6		Support restoration of river and stream channels and associated wetland and riparian areas to enhance water quality, improve fish and wildlife habitat, and mitigate flooding and erosion.	Commissioner Kirkpatrick – No Action for Policy C-3.2. Possible C-3.2.1. Develop guidelines to implement Policy
	C-3.3		Allow public access to wetlands, streams, and lakes for scientific, educational, and recreational use, provided the public access is carefully sited, sensitive habitats and species are protected, and hydrologic continuity is maintained.	Current policy.		C-2.7		Allow public access to wetlands, streams, and lakes for scientific, educational, and recreational use, provided the public access is carefully sited, sensitive habitats and species are protected, and hydrologic continuity is maintained.	Commissioner Kirkpatrick – No Action for Policy C.3.3 Possible C-3.3.1. Inspect every 5 years. Identify water quality issues. Develop repair actions.

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New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
	C-3.4		Manage water resources to preserve ecosystem services, while addressing fish and wildlife habitat, flood protection, water supply, recreation, and open space.	New policy.					
		C-3.4.1	Enforce regulations that protect water resources while allowing recreational and cultural use of those resources.	New implementation action Primary responsibility: Staff Timeline: Ongoing Ensure TMC has best practices and regulations for recreation/building trails in critical areas.					Commissioner Kirkpatrick – Add: Review and improve existing regulations.
		C-3.4.2	Implement and update the Salmon Creek Basin Plan.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
		C-3.4.3	Monitor storm drain outfalls and pursue corrective actions, as necessary.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
	C-3.5		Work with the City of Olympia, Thurston County, and other affected entities to enhance and protect water quality in the region guided by the Deschutes River Study.	New policy. Confirm study name.					
		C-3.5.1	Coordinate implementation strategies and regulations with the City of Olympia and Thurston County.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
C-4			Enhance Natural Drainage Systems	New goal. Consider how to incorporate multiuse open space requirements into stormwater management using ecological and recreation methods.					
	C-4.1		Develop Watershed Management Plans in partnership with other jurisdictions who are also part of the same watershed.	New policy.					

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New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
		C-4.1.1	Work with the City of Olympia and Thurston County to ensure that regulations regarding surface water management provide for consistent surface water management.	New implementation action Primary responsibility: City Council and Staff Timeline: Ongoing					
		C-4.1.2	Continue involvement with watershed planning efforts through participation in the Salmon Creek Basin and WRIA 13 watershed planning efforts.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
	C-4.2		Develop conservation or protection measures necessary to preserve or enhance anadromous fish habitat, consistent with the Growth Management Act.	Split original Policy C-2.1 into C-1.2 and C-4.2. Do we also want an action/policy regarding the habitat needs of Oregon spotted frog which can conflict with the habitat needs of salmon?		C-2.1		Include best available science in developing policies and development regulations to protect the functions and values of critical areas and consider conservation or protection measures necessary to preserve or enhance anadromous fisheries, consistent with the Growth Management Act.	Commissioner Kirkpatrick – No Action for Policy C-4.2 Possible Action C-4.2.1. Implement measures.
	C-4.3		Protect and enhance natural drainage systems to maintain and improve water quality and reduce public costs.	New policy.					
	C-4.4		Prevent environmental degradation by using best management practices and current stormwater treatment and flow control standards on new and redevelopment projects.						
		C-4.4.1	Enforce regulations that prohibit or minimize the degradation of the natural drainage systems.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
	C-4.5		Use current State approved stormwater treatment and flow control standards on development and construction projects.	New policy.					

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New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
		C-4.5.1	Enforce regulations and methods that would protect quality and reduce stormwater runoff entering Tumwater’s stormwater system, streams, and wetlands.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
	C-4.6		Require resource industries to use management practices that prevent erosion and sedimentation and pollutants from entering ground or surface waters following State regulations.	New policy.					
		C-4.6.1	Enforce regulations and methods that minimize the amount of erosion, sedimentation, and water pollutants created by resource industries.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
C-5			Improve Air Quality	New goal. Should we investigate wildfire hazards and air quality hazards?					
	C-5.1		Continue to support and rely on the various State, federal, and local programs to protect and enhance air quality.	New policy.					
		C-5.1.1	Work with the Olympic Region Clean Air Agency and with Federal and State agencies to ensure that air quality is improved and protected within Tumwater.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
	C-5.2		Require tree and vegetation retention and landscaping to provide filtering of suspended particulates.	New policy. Also applies to stormwater.					
		C-5.2.1	Enforce tree and vegetation retention and landscape codes that allow the use of existing vegetated areas for biofiltration.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
	C-5.3		Support public transportation, non-motorized transportation, and transportation demand management programs to reduce vehicle miles traveled, greenhouse gas emissions, and other locally generated air pollutants.	New policy.					

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New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
		C-5.3.1	Work with local employers to adopt transportation demand management programs to encourage their employees to use alternative forms of transportation to reduce vehicle trips and emissions.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
		C-5.3.2	Enforce regulations that require new development to adopt transportation demand management programs.	New implementation action Primary responsibility: Staff Timeline: Ongoing					

Environmentally Sensitive Areas

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
C-6			Protect Streams and Lakes	New goal.					
	C-6.1		When impacts from new development cause the loss of natural functions or wildlife habitat, require that environmental protections be implemented and monitored for success.	New policy.					
		C-6.1.1	Enforce regulations that mandate a minimum buffer area around rivers, streams, lakes, and wetlands following state guidance.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
	C-6.2		Preserve, protect, enhance, and restore natural stream channels for their hydraulic, ecological, and aesthetic functions through development regulations, land dedications, easements, incentives, acquisition, restoration planning, and other means as adjacent development activities occur.	New policy to replace old. This is also an NPDES requirement through the new Stormwater Management for Existing Development (SMED) section. Option - Include this as a new action “meet the SMED goals as identified in the 2024-2029 NPDES Permit.		C-2.20		Promote the enhancement or restoration of streams, rivers, lakes, and wetlands as adjacent development activities occur.	
		C-6.2.1	Enforce regulations that protect natural stream channels.	New implementation action Primary responsibility: Staff Timeline: Ongoing					

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New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
	C-6.3		Use State standards and guidance for the selection of best management practices and techniques for in-channel and in-water construction to protect and restore fish passage and wildlife habitat in natural waterways.	New policy.					
		C-6.3.1	Update regulations to reference State standards and guidance for in-channel and/ or in-water construction.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
	C-6.4		Rehabilitate degraded stream channels and banks by using public programs and new development or redevelopment, where conditions permit. Require any necessary alteration of creeks to include mitigation and ongoing maintenance which at a minimum address water quality, floodplain protection, fish and wildlife habitat, channel stability, vegetative cover, maintenance of instream flows, and impacts to downstream property owners.	New policy.					
		C-6.4.1	Work with the school district, nonprofit organizations, and other public agencies to implement programs to rehabilitate streams and creeks. Such programs could be implemented separately or combined and may include: <ul style="list-style-type: none">Establishing a school curriculum from K-12 that would adopt and rehabilitate a creek.Working with public agencies or a nonprofit agency, such as the Adopt- A-Stream Foundation, in coordination with school programs.	New implementation action Primary responsibility: Staff Timeline: Ongoing					

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New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
	C-6.5		Require the use of stormwater infiltration techniques where feasible in private and public developments to maintain or restore natural flows in streams and protect aquatic habitat and recreation resources.	New policy.					
		C-6.5.1	Update development codes to prioritize use of low impact development techniques.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
		C-6.5.2	Retain existing wetlands, natural drainage systems, and their associated buffers on the site of new development and require the maintenance of natural features.	New implementation action Primary responsibility: Staff Timeline: Ongoing Maintenance would be through monitoring, bonds, and other mechanisms.					
C-7			Enhance Wetlands	New goal.					
	C-7.1		Protect wetlands not as isolated units, but as ecosystems that provide essential services, and their functionality within watersheds.	Current policy.		C-2.8		Protect wetlands not as isolated units, but as ecosystems, and essential elements of watersheds.	Commissioner Kirkpatrick – No Action for Policy C-7.1 Possible Action C-7.1.1. Develop and make available guidance to accomplish.
	C-7.2		Preserve and enhance unique, outstanding, peat, sphagnum, forested, or significant wetlands from adjacent new development by providing a buffer around the wetland adequate to protect its natural functions. Encroachments into wetlands would be allowed when no feasible alternative exists, and enhancements are provided to replace the lost wetland’s functions and values.	New policy. Process for determining “no feasible alternative” is in TMC 16.28.230.					
		C-7.2.1	Enforce development regulations for wetlands.	New implementation action Primary responsibility: Staff Timeline: Ongoing					

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New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
	C-7.3		Develop public access to wetlands for scientific and recreational use where sensitive habitats are protected.	New policy. 16.28.110(B) defines recreational use as “Outdoor recreational activities, including fishing, birdwatching, hiking, boating, horseback riding, swimming, canoeing, and bicycling;”					
		C-7.3.1	<i>Develop regulations allowing public access to sensitive areas habitat in line with State law; provided that such access does not impact the functions of the habitat areas.</i>	<i>New implementation action Primary responsibility: Staff Timeline: Ongoing</i>					
	C-7.4		Allow reasonable use of property containing existing wetlands to avoid a regulatory taking following State guidance.	New policy. TMC 16.28.190 describes the intended process.					
		C-7.4.1	<i>Enforce regulations that allow the reasonable use of property as defined by State law.</i>	<i>New implementation action Primary responsibility: Staff Timeline: Ongoing</i>					
	C-7.5		Stormwater treatment and flow control sites associated with wetlands, must be maintained in a manner that ensures the ecological functions of the wetland to minimize impacts to critical area habitat.	New policy.					
		C-7.5.1	<i>Enforce regulations that would ensure the water level fluctuations within wetland areas due to stormwater treatment and flow control objectives are maintained like natural conditions as part of new development.</i>	<i>New implementation action Primary responsibility: Staff Timeline: Ongoing</i>					
C-8			Protect Groundwater	New goal.					
	C-8.1		Protect aquifers, aquifer recharge areas, and wellhead protection areas from contamination.	Updated current policy.		C-2.9		Protect the quality and quantity of groundwater used for public water supplies.	

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New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
		C-8.1.1	Work with the State Department of Ecology and others to delineate aquifer recharge areas and determine if additional regulations to protect these areas are needed.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
		C-8.1.2	Update wellhead protection plan as new source locations are considered or implemented.	New implementation action Primary responsibility: Water Resources and Sustainability Department Timeline: Ongoing					
	C-8.2		Protect streams, wetlands, and lakes that serve to recharge aquifers from contamination.	New policy.					
		C-8.2.1	Enforce regulations to minimize impacts from new development.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
C-9			Protect Geological Hazardous Areas, such as Steep Slope, Landslide, Erosion, and Seismic Hazard Areas	New goal.					
	C-9.1		Regulate development intensity, site coverage, and vegetation removal in geologically hazardous areas to minimize drainage problems, soil erosion, siltation, and landslides.	Current policy. Refer to the Thurston Hazards Mitigation Plan.		C-2.13		Regulate development intensity, site coverage, and vegetation removal in geologically hazardous areas in order to minimize drainage problems, soil erosion, siltation, and landslides.	Commissioner Kirkpatrick – No Action for Policy C-9.1 Possible Action C-9.1.1. Maintain up-to-date regulations for these items.
	C-9.2		Minimize soil disturbance and maximize retention and replacement of native vegetative cover, such as trees, for any land uses permitted in erosion and landslide hazard areas.	Current policy.		C-2.14		Minimize soil disturbance and maximize retention and replacement of native vegetative cover for any land uses permitted in erosion and landslide hazard areas.	Commissioner Kirkpatrick – No Action for Policy C-.2
	C-9.3		Design land use development to prevent property damage and environmental degradation and enhance greenbelt and wildlife habitat values.	New policy.					
		C-9.3.1	Enforce regulations to minimize impacts from new development.	New implementation action Primary responsibility: Staff Timeline: Ongoing					

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New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
	C-9.4		Decrease development intensity as slopes increase to mitigate problems of drainage, erosion, siltation, and landslides. Retain slopes of 40 percent or more in a natural state, free of structures and roads. Ensure that developments that create slopes of 40 percent or more provide appropriate drainage, erosion, siltation, and landslide mitigation measures.	New policy.					
		C-9.4.1	Enforce regulations that would limit or prohibit development on geologically hazardous areas.	New implementation action Primary responsibility: Staff Timeline: Ongoing					Commissioner Kirkpatrick – Does “limit” accomplish Policy to “preserve?” Why not change Policy to “limit?”
	C-9.5		Require erosion and sedimentation prevention best management practices be used on construction projects.	New policy.					
		C-9.5.1	Enforce regulations that require construction practices to reduce or prevent erosion and sedimentation in erosion hazard areas.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
	C-9.6		Require appropriate engineering, building design, and construction measures to minimize the risk of structural damage and fire and injury to occupants, and to prevent post-seismic collapse in areas with severe seismic hazards.	New policy. This would include geotechnical engineering studies.					
		C-9.6.1	Enforce building and fire codes that require construction to standards that account for the severity and frequency of seismic activity in the south Puget Sound area.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
	C-9.7		Encourage special building design and construction measures in areas with severe seismic hazards to minimize the risk of structural damage, fire, and injury to occupants during a seismic event and to prevent post-seismic collapse.	Modify current version of policy.		C-2.15		Encourage special building design and construction measures in areas with severe seismic hazards to minimize the risk of structural damage, fire, and injury to occupants during a seismic event and to prevent post-seismic collapse.	

Conservation Element – Goals, Policies, and Implementation Action Review

June 12, 2024

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
		C-9.7.1	Enforce building and fire codes that require construction to standards that account for the severity and frequency of seismic activity in the south Puget Sound area.	New implementation action Primary responsibility: Staff Timeline: Ongoing					Commissioner Kirkpatrick – Same as Action C-9.7.1
C-10			Preserve Floodplains	New goal.					
	C-10.1		Prevent land alterations that would increase potential flooding and minimize the alteration of natural surface water features that retain or carry floodwaters, such as wetlands, floodplains, rivers, streams, and lakes.	Current policy.		C-2.10		Prevent land alterations that would increase potential flooding and minimize the alteration of natural surface water features that retain or carry floodwaters, such as wetlands, floodplains, rivers, streams, and lakes.	Commissioner Kirkpatrick – No Action for Policy C-10.1 How are we going to accomplish this?
	C-10.2		Require mitigation for adverse environmental impacts from engineered flood control measures.	Current policy.		C-2.11		Require mitigation for adverse environmental impacts from engineered flood control measures.	Commissioner Kirkpatrick – No Action for Policy C-10.2 Possible Action C-10.2.1. Develop mitigation opportunities
	C-10.3		Work cooperatively to meet regulatory standards for floodplain development as these standards are updated for consistency with relevant federal requirements including those related to the Endangered Species Act.	Current policy.		C-2.12		Work cooperatively to meet regulatory standards for floodplain development as these standards are updated for consistency with relevant federal requirements including those related to the Endangered Species Act.	Commissioner Kirkpatrick – No Action for Policy C10.3 Education Action?
	C-10.4		Emphasize non-structural methods in planning for flood prevention and damage reduction. Design new developments or land modifications in the 100-year floodplains to maintain natural flood storage functions and minimize hazards.	New policy.					Commissioner Kirkpatrick – No Action for Policy C-10.4 Possible Action 10.4.1. Develop and adopt regulations that guide design.
	C-10.5		Protect 100-year floodplains by limiting development and encouraging low-impact uses such as open space, trails, and parks, locating roads and structures above the 100-year flood level, and requiring new development to replace existing flood storage capacity lost due to filling.	New policy.					

Conservation Element – Goals, Policies, and Implementation Action Review

June 12, 2024

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
		C-10.5.1	<i>The Federal Emergency Management Agency designates floodplain areas. Enforce regulations that restrict development in such areas.</i>	<i>New implementation action</i> <i>Primary responsibility: Staff</i> <i>Timeline: Ongoing</i>					
	C-10.6		Allow no permanent structures within the floodway due to risks associated with deep and fast-flowing waters unless appropriate flood control measures have been taken. Allow no land uses in a floodway that would divert water from the floodway, change flood elevation or obstruct natural flow, unless appropriate flood control measures have been taken such that there are no additional offsite impacts and no degradation of water quality. Allow no development in the floodway fringe that would reduce the existing level of flood storage.	New policy.					
		C-10.6.1	<i>The Federal Emergency Management Agency designates floodplain areas. Enforce regulations that restrict development in such areas.</i>	<i>New implementation action</i> <i>Primary responsibility: Staff</i> <i>Timeline: Ongoing</i>					
C-11			Enhance Wildlife Habitat	New goal.					
	C-11.1		Identify, protect, and enhance fish and wildlife habitat corridors to minimize habitat fragmentation, especially along existing linkages and in patches of native habitat by enhancing vegetation composition and structure and incorporating indigenous plant species compatible with the site.	Modify current version of policy.		C-2.21		Protect wildlife corridors to minimize habitat fragmentation, especially along existing linkages and in patches of native habitat by enhancing vegetation composition and structure, and incorporating indigenous plant species compatible with the site.	
		C-11.1.1	<i>Continue to update and enforce regulations that protect wildlife habitat areas for endangered or threatened species.</i>	<i>New implementation action</i> <i>Primary responsibility: Staff</i> <i>Timeline: Ongoing</i>					
		C-11.1.2	<i>Continue to update and enforce regulations that would require buffer areas adjacent to wetlands, streams and creeks, and steep slope areas.</i>	<i>New implementation action</i> <i>Primary responsibility: Staff</i> <i>Timeline: Ongoing</i>					

Conservation Element – Goals, Policies, and Implementation Action Review

June 12, 2024

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
	C-11.2		Protect and preserve habitats for species, which have been identified as endangered, threatened, or sensitive by the state or federal government, giving special consideration to conservation or protection measures necessary to preserve or enhance suitable habitat.	Current policy		C-2.16		Protect and preserve habitats for species, which have been identified as endangered, threatened, or sensitive by the state or federal government, giving special consideration: to conservation or protection measures necessary to preserve or enhance anadromous fisheries.	
		C-11.2.1	Implement salmon habitat protection and restoration priorities in approved Water Resource Inventory Area 13 and 23 plans.	New implementation action Primary responsibility: Staff Timeline: Ongoing		C-2.18		Implement salmon habitat protection and restoration priorities in approved Water Resource Inventory Area 13 and 23 plans.	
		C-11.2.2	Implement suitable habitat protections and restoration priorities for threatened and endangered aquatic and terrestrial plant and animal species.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
		C-11.2.3	Complete the Bush Prairie Habitat Conservation Plan.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
	C-11.3		Maintain habitats that support the greatest diversity of fish and wildlife through conservation and enhancement of critical areas.	Current policy		C-2.17		Maintain habitats that support the greatest diversity of fish and wildlife through conservation and enhancement of critical areas.	
		C-11.3.1	Coordinate with adjacent jurisdictions and tribes to identify, protect, and develop enhancement plans and actions for habitat networks and wetlands that cross jurisdictional lines.	New implementation action Primary responsibility: Staff Timeline: Ongoing		C-2.19		Coordinate with adjacent jurisdictions and tribes to identify, protect, and develop enhancement plans and actions for habitat networks and wetlands that cross-jurisdictional lines.	
	C-11.4		When developing on forested property adjacent to steep slopes, wetlands, stream ravines, or stream corridors, encourage development to provide additional buffer areas to provide wildlife and fish habitat.	New policy.					
	C-11.5		Foster native vegetation and control invasive species to preserve and enhance fish and wildlife habitat.	New policy.					

Conservation Element – Goals, Policies, and Implementation Action Review

June 12, 2024

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
		C-11.5.1	Develop regulations requiring all new development to establish native vegetation as the dominant plant species in buffers around wetlands, streams, creeks, and steep slope areas.	New implementation action Primary responsibility: Staff Timeline: Ongoing					
		C-11.5.2	Develop regulations allowing buffer width reductions to include buffer averaging for a predetermined percent for redevelopment situations. Buffer averaging will require an approved vegetation management plan.	New implementation action Primary responsibility: Staff Timeline: Ongoing					

Conservation Element – Goals, Policies, and Implementation Action Review

June 12, 2024

Natural Resource Areas

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
C-12			Support Urban Agriculture	New goal.					
	C-12.1		Recognize the importance of farmland conservation and local food production in maintaining the quality of life and long-term sustainability of Tumwater.	No change from current version of policy.		C-3.1		Recognize the importance of farmland conservation and local food production in maintaining the quality of life and long-term sustainability of Tumwater.	Commissioner Kirkpatrick – No Action for Policy C-12.1 Education to improve recognition.
	C-12.2		Work with community groups to support the continued viability of agriculture and encourage community support for it.	No change from current version of policy.		C-3.4		Work with community groups to support the continued viability of agriculture and encourage community support for it.	
		C-12.2.1	Support the efforts of the Thurston Food System Council and similar organizations to develop a vibrant food system through access to healthy, local, affordable, culturally appropriate, sustainably produced food to assist the community in having reliable access to enough affordable nutritious food.	Existing implementation action Primary responsibility: Staff Timeline: Ongoing			C-3.4.1	Support the efforts of the Thurston Food System Council to develop a vibrant food system through access to healthy, local, affordable, culturally appropriate, sustainably produced food to assist the community in having reliable access to sufficient quantity of affordable nutritious food.	
C-13			Support Urban Forestry	New goal.					
	C-13.1		Maximize retention of a healthy tree cover and native vegetation and encourage restoration, replacement, and enhancement of unhealthy trees and disturbed vegetation as recommended in the adopted <i>Tumwater Urban Forestry Management Plan</i> consistent with the Growth Management Act and the requirements of protected habitat.	Modify current version of policy.		C-1.5		Maximize retention of a healthy tree cover and native vegetation and encourage restoration, replacement, and enhancement of unhealthy trees and disturbed vegetation.	
		C-13.1.1	Implement the actions in the <i>Tumwater Urban Forestry Management Plan</i> .	New implementation action Primary responsibility: Staff Timeline: Ongoing					
	C-13.2		Ensure that harvesting for conversion to other uses occurs in a manner compatible with land uses of the surrounding area and maintenance of water quality and environmentally critical areas.	Current policy.		C-3.5		Ensure that harvesting for conversion to other uses occurs in a manner compatible with land uses of the surrounding area and maintenance of water quality and environmentally critical areas.	Commissioner Kirkpatrick – No Action for Policy C-13.2 Possible Action C-13.2.1. Act within authority of RCW 76.09.060(3).
C-14			Protect Mineral Resource Lands	New goal.					

Conservation Element – Goals, Policies, and Implementation Action Review

June 12, 2024

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
	C-14.1		Allow mineral extraction industries to locate where prime natural resource deposits exist and where extraction will not cause the degradation of sensitive areas.	Modified policy.		C-3.6		Allow mineral extraction industries to locate where prime natural resource deposits exist.	Commissioner Kirkpatrick – No Action for Policy C-14.1 Possible Action C-14.1.1. Identify areas where natural resource deposits exist.
	C-14.2		Conserve designated mineral resource lands of long-term commercial significance for mineral extraction, and the use of adjacent lands should not interfere with the continued use of the designated mining sites that are being operated in accordance with applicable best management practices and other laws and regulations.	Current policy.		C-3.7		Conserve designated mineral resource lands of long-term commercial significance for mineral extraction, and the use of adjacent lands should not interfere with the continued use of the designated mining sites that are being operated in accordance with applicable best management practices and other laws and regulations.	Commissioner Kirkpatrick – No Action for Policy C-14.2 Possible Action C-14.2.1. Develop and adopt regulations to assure access.
	C-14.3		Restore mineral extraction sites as the site is being mined. The site should be restored for appropriate future use, and it should blend with the adjacent landscape and contours.	Current policy.		C-3.8		Restore mineral extraction sites as the site is being mined. The site should be restored for appropriate future use and it should blend with the adjacent landscape and contours.	Commissioner Kirkpatrick – No Action for Policy C-14.3 Possible Action C-14.3.1. Develop or reinforce existing regulations for restoration

Conservation Element – Goals, Policies, and Implementation Action Review

June 12, 2024

Goals, Policies, and Actions Moved to Other Elements or Deleted and Not Replaced

New Goal	New Policy	New Action	Initial Staff Proposed Language	Staff Notes	Old Goal	Old Policy	Old Action	Current Goal, Policy, or Action	Planning Commission Notes
			Moved to new Climate Element.	Moved to new Climate Element and update to reflect adoption of a net zero goal by 2050 per HB 1181.		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.	
			Moved to new Climate Element.	Moved to new Climate Element.		C-1.7		Implement the strategies contained in the most recent version of the accepted Thurston Climate Mitigation Plan.	
			Proposed for deletion	Tumwater does not formally designate agricultural lands within the City.		C-3.2		Zone designated agricultural lands at very low densities to ensure the conservation of the resource for continued agricultural use.	
			Proposed for deletion	Tumwater does not formally designate agricultural lands within the City.		C-3.3		Limit non-agricultural development within designated agricultural areas to non-prime farmland soils where possible.	

ENVIRONMENT ELEMENT

CHAPTER 9



SeaTac
2035

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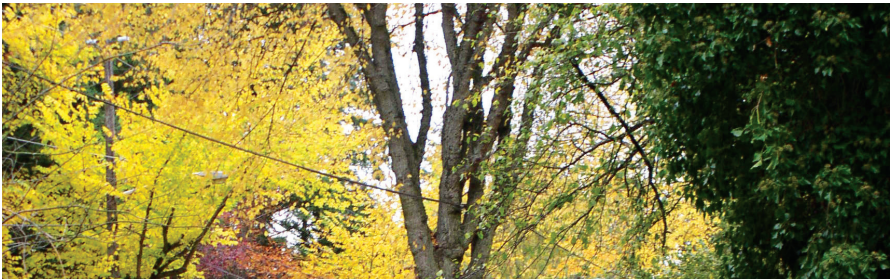
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INTRODUCTION

This Element addresses the stewardship of SeaTac’s environmental assets, and guides the development and implementation of environmental policies and regulations. It is coordinated with the Land Use, Transportation, Utilities, Economic Vitality and Parks, Recreation, and Open Space Elements.

MAJOR CONDITIONS



In 1996, after several years of meeting the standards for CO₂ levels, the Puget Sound region was designated by the EPA as a maintenance area.

Major environmental conditions in SeaTac include:

1. Curbing the growth of CO₂ and other greenhouse gases is a global challenge. Former Governor Christine Gregoire issued Executive Order 07-02 which established a series of greenhouse gas reduction and clean energy economy goals for the state. The state can only meet these goals if local actions are taken to reduce greenhouse gas emissions and move toward more efficient energy use.
2. Due to the urbanized nature of the city, few wetlands remain in SeaTac. The City needs to preserve these dwindling resources.
3. SeaTac's location in an air quality non-attainment area for carbon monoxide emissions has been upgraded to a "maintenance" area. The City still needs to work with its residents, businesses, and the Port of Seattle to maintain or improve this level of air quality.
4. The Department of Ecology estimates that millions of pounds of pollutants flow into the Puget Sound each year. Stormwater carries pollutants left in yards, parks, streets, and parking lots into SeaTac's stormwater drainage system which flows into local waterways and the Puget Sound. Pollutants carried by stormwater include soaps, fertilizers, pesticides, automotive oil, and other toxins.



GOALS AND POLICIES

This section contains SeaTac's environment goals and policies. Goals represent the City's general objectives, while policies provide more detail about the steps needed to achieve each goal's intent.

Overarching Environment Goals

GOAL 9.1

Ensure that environmental management policies and regulations are based on the most current scientific information.

The City of SeaTac manages its sensitive areas, including streams and wetlands, based on the most current, reliable, and accurate scientific information available. To keep pace with the best available science, the City periodically reviews its goals, policies and regulations and makes amendments as necessary.

Policy 9.1A

Wetlands, streams, shorelines of the state, fish and wildlife habitats, aquifers and aquifer recharge areas (including wellhead protection areas), landslide, erosion and seismic hazard areas, are all hereby designated as environmentally sensitive areas.

Policy 9.1B

Base regulations on the best available science to protect the functions and values of environmentally sensitive areas.

Best practices for designating and protecting environmentally sensitive areas can change over time based on field and academic research. During the last periodic Plan review and update in 2004, the literature on best practices for setting wetland and stream buffers, including guidance documents from the Washington Department of Commerce Growth Management Services (previously named Department of Community Trade and Economic Development), were focused on these features in a natural setting. Because SeaTac is an urbanized setting largely disturbed by development activity for many years, the "best available science" was not relevant to most of the wetlands and streams in SeaTac.

To supplement the BAS, staff reviewed existing and proposed sensitive area regulations in seven local cities and SeaTac's existing sensitive areas regulations, endeavoring to balance the natural functions and environmental considerations with existing conditions and community values.

LID techniques mimic natural stormwater drainage and infiltration to remove pollutants and reduce piped stormwater infrastructure.



See 9.2 for reasons to protect water quality and 9.3 for related LID policies.

Policy 9.1C

Make Low Impact Development the preferred and commonly used approach to development.

The Department of Ecology's 2013-2018 Western Washington Phase II Municipal Stormwater Permit requires jurisdictions to update their codes, policies and standards to make Low Impact Development (LID) the preferred and commonly used approach to development by January 1, 2017. LID is a stormwater management strategy that more closely mimics natural hydrologic patterns and emphasizes open space preservation and stormwater infiltration. However, the science is still developing for some aspects of LID and additional guidance for the use of these techniques is pending. The City plans to adapt to the changes in best available science for these techniques as new guidance becomes available.

GOAL 9.2

Preserve and enhance the quality of water resources.

Policy 9.2A

Protect and enhance water quality. Preserve the amenity and ecological functions of water features through land use plans, innovative land development, public education, and stormwater regulations.

Clean water in streams, lakes, and wetlands is an amenity within a city. It provides opportunities for water activities (e.g., swimming, fishing, kayaking, etc.) without fear of infections from waterborne bacteria or parasites. Clean water also enhances the image of a city for its livability and its concern for the natural environment. Techniques for protecting and improving water quality include:

1. Provision of sewers for new development and redevelopment.
2. Adequate stormwater flow control and treatment, including LID (low impact development) principles and LID BMPs (low impact development best management practices), for new development and redevelopment.
3. Public education about how to maintain and improve water quality within natural drainage basins.

Policy 9.2B

Manage water resources to preserve ecosystem services, including recreation, fish and wildlife habitat, flood protection, water supply, and open space.

Clean water in streams and lakes allows for preservation of urban wildlife and healthy ecosystems, which provide useful benefits to the City. This increases the overall livability of SeaTac.

Policy 9.2C

Work with adjacent jurisdictions and other affected entities to enhance and protect water quality in the region.

Enhancing and protecting clean water throughout a stream watershed often requires that many jurisdictions work together to preserve water quality. Miller and Des Moines Creeks both cross City limits. Many entities have interests in SeaTac's water quality issues, include fisheries industries for SeaTac's salmonid-bearing waterbodies, the Muckleshoot Indian Tribe, and Des Moines and Normandy Park as downstream cities. Affected jurisdictions and entities must coordinate to preserve water quality.

GOAL 9.3

Protect, preserve, and enhance natural drainage systems.

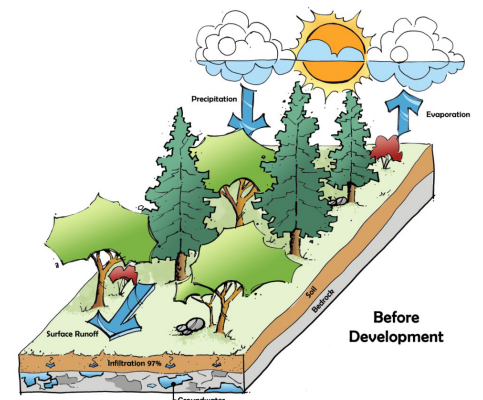
Under predevelopment conditions, rainwater infiltrates into the soil and then flows slowly into the stream or receiving water. Infiltration allows soil and plants to break down and remove many pollutants and regulates peak storm flows, summer low flows, and stream temperatures. When an area is developed, the amount of rainwater that can infiltrate into the soil is often significantly reduced (see Figure 9.1 below). The majority of the remaining stormwater flows over impervious surfaces (e.g., parking lots, sidewalks, street, and buildings). This causes problems such as:

1. High peak storm flows that can scour a stream bed or destabilize stream banks.
2. In some cases, the summer low flow can be depleted or the stream dries up so that the stream cannot support aquatic life (because there is not enough groundwater flow to maintain stream flow).
3. On hot summer days, parking lots and rooftops build up heat. Stormwater runoff from these surfaces is likewise heated up and subsequently raises stream temperatures. Stream temperatures greater than 68 degrees Fahrenheit can lower a salmonid's resistance to disease or kill fish resources.

The use of green roofs, pervious pavement, and other LID techniques can mitigate the temperature impacts of roofs and paved areas by allowing rainwater to infiltrate into the cool soils. Providing tree canopy to shade parking lots can lower temperatures and mitigate impacts to streams and lakes. Infiltration techniques can minimize impacts on aquatic resources while allowing development.

Why care about natural drainage?

Stormwater runoff impacts water quality. In developed areas, runoff can carry oil, fertilizers, or a number of other pollutants into the stream channel. Fertilizers provide nutrients for excessive algae growth that can sap the drainage system of oxygen and asphyxiate fisheries resources. Soaps, oils, and other hydrocarbons from streets, parking lots, and driveways are toxic to fish. Controlling the water quality within a drainage basin can preserve fisheries and other resources.



In predevelopment conditions 20-70% of rainwater infiltrates into groundwater.



In post-development conditions only 10-50% of rainwater infiltrates into groundwater.

Figure 9.1 Pre- and post-development hydrologic conditions.



See Policy 9.2C above regarding interjurisdictional water quality work.



See related Policies 9.1C on LID best practices and 9.6E on LID techniques.



See Goal 9.9 regarding areas sensitive to erosion and landslides.

Policy 9.3A

Consider entire watersheds in surface water management plans, with responsibility shared between SeaTac, other cities, and the County.

Watersheds often exceed jurisdictional boundaries. Surrounding jurisdictions should coordinate surface water management plans for consistency.

Policy 9.3B

Protect and enhance natural drainage systems to maintain and improve water quality, reduce public costs, and prevent environmental degradation by using best management construction practices and current stormwater treatment and flow control standards on new and redevelopment projects.

Unmitigated peak storm flows can scour streambeds, destabilize stream banks, impact spawning areas, and significantly degrade habitat. Quality site planning, construction practices, and stormwater management can minimize erosion, sedimentation, and landslides.

Policy 9.3C

Require resource industries to use management practices that prevent erosion and sedimentation and pollutants from entering ground or surface waters.

Resource industries, such as gravel mining operations, can heavily impact water resources. Proper erosion and sedimentation control practices and pollutant removal should be used to prevent impacts on water resources.

GOAL 9.4

Improve air quality.

Policy 9.4A

Continue to support and rely on the various State, federal, and local programs to protect and enhance air quality.

Regional air quality programs are already in place (Puget Sound Clean Air Agency). Local jurisdictions should continue to support these programs.

Policy 9.4B

Require vegetation retention and landscaping to provide filtering of suspended particulates.

Trees and other vegetation convert carbon dioxide into oxygen, filter out air pollutants, and trap other particulates such as dust.

Policy 9.4C

Support public transportation, non-motorized transportation, and Transportation Demand Management (TDM) programs to reduce Vehicle Miles Traveled (VMT), greenhouse gas emissions, and other locally generated air pollutants.

Reducing VMT and greenhouse gas emissions helps to meet State air quality goals.

GOAL 9.5

Reduce greenhouse gas emissions as a means of addressing the potential adverse impacts of climate change.

SeaTac's existing land use strategy to reduce automobile dependency and VMT by developing dense nodes of jobs and housing around light rail transit stations also supports greenhouse gas reduction efforts. The City Center Plan (1999), S. 154th Street Station Area (2006), and the Angle Lake Station District (2015) Plans, and the accompanying development regulations for each of these subarea plans, help to implement that strategy.

Policy 9.5A

Support efforts to achieve State of Washington and King County greenhouse gas emissions reduction targets.

Washington established a series of greenhouse gas reduction and clean energy economy goals for the state. The state greenhouse gas reduction goal is to reach 50% below 1990 levels by 2050.

The King County Growth Management Planning Council (GMPC) adopted the following greenhouse gas reduction targets in July, 2014:

- 25% below 2007 levels by 2020
- 50% below 2007 levels by 2030
- 80% below 2007 levels by 2050

Policy 9.5B

Reduce vehicle greenhouse gas emissions by increasing use of electric vehicles and developing more robust bicycle and pedestrian infrastructure.

Policy 9.5C

Reduce energy use in existing buildings, and limit emissions growth in new buildings.

Policy 9.5D

Foster community-wide renewable energy use.

Policy 9.5E

Increase natural carbon storage by increasing tree canopy on city streets and properties and protecting green belts.



See Goal 9.5's greenhouse gas emissions reduction implementation strategies.



See the Land Use Element's Healthy, Equitable, and Connected Communities section.



See Utilities Goal 6.6 for examples of the City leading the way in electrical vehicle usage.



See Transportation Element for pedestrian and bicycle strategies.



See Utilities Element for goals related to efficient resource use.

Policy 9.5F

Develop and implement actions to reduce greenhouse gas emissions in City operations.

Climate change has the potential to affect nearly all issues identified in this Plan. Though a global issue, local governments can play an important role in reducing its impacts. For every gallon of gasoline used, automobiles release roughly 20 pounds of carbon dioxide, a primary greenhouse gas contributing to climate change (Puget Sound Clean Air Agency). In the central Puget Sound region, cars and trucks contribute more greenhouse gas emissions than any other source. The other major source is from the heating and cooling of buildings, both residential and commercial. Choosing cleaner fuel alternatives and retrofitting older machinery and buildings to be less polluting are affordable ways to protect our air.

Policy 9.5G

Increase the recycling rate citywide.

Minimizing the waste of resources that have reuse, resale, and recycling value economically benefits the City and its residents, as well as reduces the City's carbon footprint by reducing the need to manufacture or produce the goods being reused or recycled.

Policy 9.5H

Develop plans to adapt to the potential effects of climate change.

Current scientific opinion is that the effects of human-induced global warming cannot be eliminated because of the volume of greenhouse gases already emitted into the atmosphere. Humans can reduce the worst future impacts and slow the pace of change. The Pacific Northwest will see:

1. Higher levels of population growth resulting from in-migration from parts of the country made inhospitable due to the effects of climate change (i.e., "climate refugees"),
2. Declining snowpack negatively affecting regional water supplies,
3. Higher temperatures increasing risks to forestry from wildfires and insect pests,
4. Negative impacts on coastal areas resulting from sea level rise, and
5. Decreasing habitat for cold water fish such as salmon.

Environmentally Sensitive Areas

GOAL 9.6

Protect the water quality, natural drainage, fish and wildlife habitat, aesthetic values, and recreational functions of streams and lakes.

Policy 9.6A

Preserve an undisturbed corridor wide enough to maintain natural functions and wildlife habitat between new development and streams and lakes. When impacts from new development are unavoidable, ensure that those impacts will not result in the loss of natural functions or wildlife habitat between the new development and streams and lakes.

To preserve the amenities and their water quality and wildlife functions, buffer corridors need to be provided. These corridors filter pollutants, serve as wildlife habitat buffered from adjacent development, and perform an aesthetic function. This policy requires that, as part of the mitigation for any proposed development, stream and creek corridors are buffered to provide long-term water quality, habitat, and recreational benefits.

Policy 9.6B

Preserve, protect, enhance, and restore natural stream channels for their hydraulic, ecological, and aesthetic functions through development regulations, land dedications, easements, incentives, acquisition, and other means.

The natural functions of stream channels can be preserved through several methods, including:

1. Acquisition of stream channels.
2. Buffering of streams.
3. Clustering of development away from stream channels.
4. Control of peak storm flows into streams.
5. Control of everyday runoff through permanent stormwater management plans and construction site mitigation strategies.
6. Public education and involvement.

Policy 9.6C

Use State standards and guidance for the selection of best management practices and techniques for in-channel and in-water construction to protect and restore fish passage and wildlife habitat in natural waterways.

Washington State Department of Fish and Wildlife is the state agency responsible for setting standards and guidelines in stream channels. Their standards and guidance for instream construction are designed to preserve wildlife habitat and protect and restore fish passage.

Environmental goals are integrally related. Natural drainage systems (described in Goal 9.3) are imperative for protecting water quality (discussed in Goal 9.2), which affects water bodies (addressed here), wildlife habitat (Goal 9.11), and entire ecosystem health.



See LID (i.e., natural drainage) policies above in Goal 9.3.



See Goal 9.11 for additional policies regarding wildlife habitat.






WETLANDS AND STREAMS

City of SeaTac




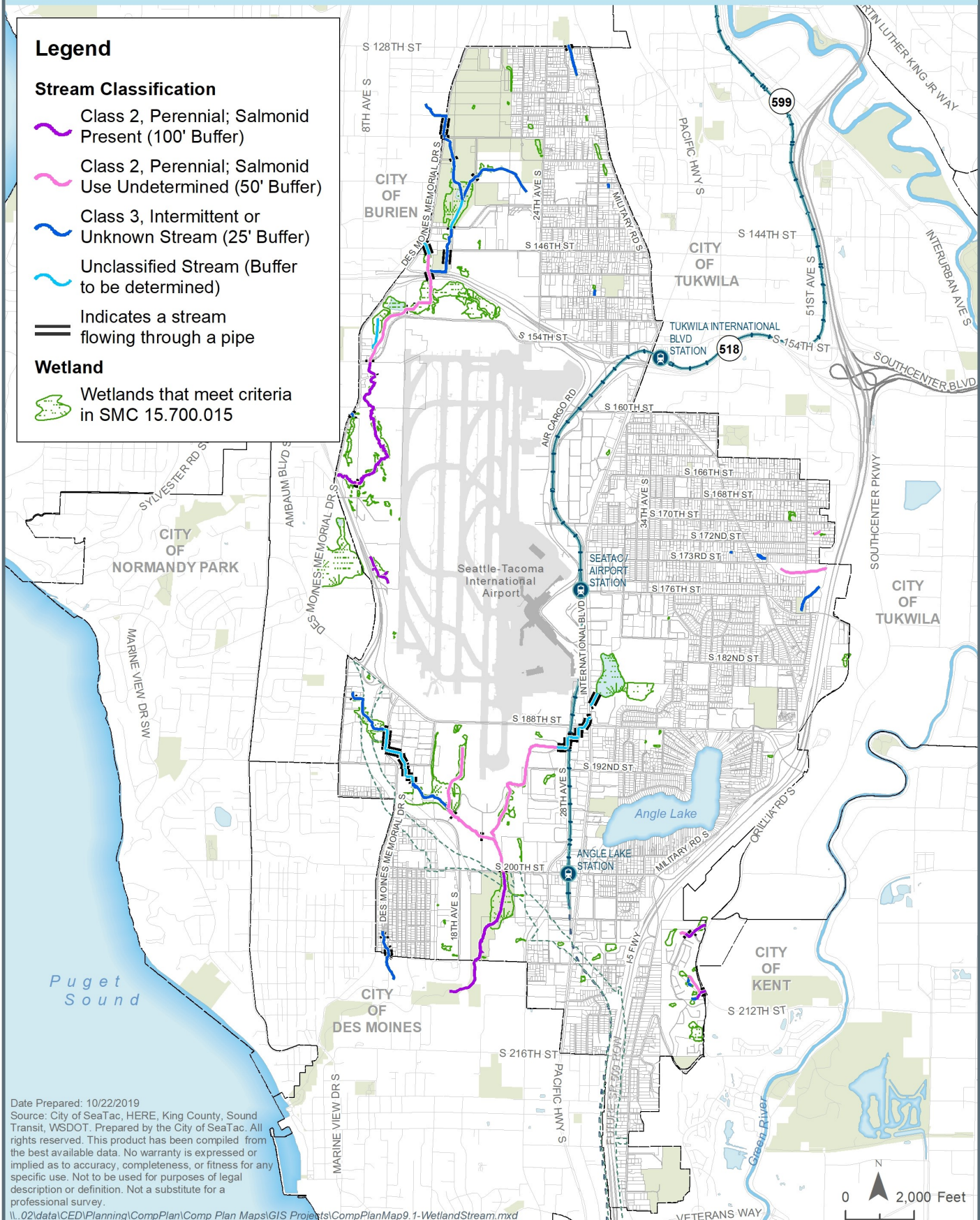
Legend

Stream Classification

-  Class 2, Perennial; Salmonid Present (100' Buffer)
-  Class 2, Perennial; Salmonid Use Undetermined (50' Buffer)
-  Class 3, Intermittent or Unknown Stream (25' Buffer)
-  Unclassified Stream (Buffer to be determined)
-  Indicates a stream flowing through a pipe

Wetland

-  Wetlands that meet criteria in SMC 15.700.015



Policy 9.6D

Rehabilitate degraded stream channels and banks by using public programs and new development or redevelopment, where conditions permit. Require any necessary alteration of creeks to include mitigation and ongoing maintenance which at a minimum address water quality, floodplain protection, fish and wildlife habitat, channel stability, vegetative cover, maintenance of instream flows, and impacts to downstream property owners.

Miller and Des Moines Creeks, plus the smaller unnamed creeks in SeaTac, have been degraded by past development and its resulting uneven urban stormwater flow. Rehabilitating stream channels increases their fisheries values while enhancing the amenity of the stream. Where riparian vegetation has been removed, new development or redevelopment can mitigate their impacts by planting new native vegetation to provide shading for the stream and enhancing the biologic integrity of streams.

Policy 9.6E

Require the use of stormwater infiltration techniques where feasible in private and public developments in order to maintain or restore natural flows in streams and protect fisheries and recreation resources.

GOAL 9.7

Preserve or enhance wetlands important for flood control, drainage, water quality, aquifer recharge, habitat functions, or visual or cultural values.

Policy 9.7A

Preserve and enhance unique, outstanding, peat, sphagnum, forested, or significant wetlands from adjacent new development by providing a buffer around the wetland adequate to protect its natural functions. Encroachments into significant wetlands may be allowed when no feasible alternative exists and enhancements are provided to replace the lost wetland's functions and values.

Wetlands provide valuable habitat functions. As encroachment on these areas increase, their value decreases. Species, such as blue herons, marsh hawks, and green herons are easily disturbed by human intrusion. Adequate buffers from development need to be provided to protect these species and many others.

Policy 9.7B

Develop public access to wetlands for scientific and recreational use when sensitive habitats are protected.

Access to wetlands increases their value as a community educational and recreational resource. Careful trail and viewing area planning allows public enjoyment of wetlands while assuring safety and preventing environmental problems.

In determining the boundary of a wetland, the City of SeaTac Zoning Code specifies use of the U.S. Army Corps of Engineers Wetlands Delineation Manual in conjunction with the Washington Regional Guidance on the 1987 Wetland Delineation Manual dated May 23, 1994.

SeaTac encourages school classrooms to visit wetlands to study wetland biology and ecology.

Wetlands are difficult building foundations

Avoiding building in wetlands is good not only for the environment but also typically for building structural stability. Soil in many wetlands is highly unstable or subject to liquefaction. Many wetlands have underlying layers of peat. During earthquakes, if proper construction practices (such as pilings to load bearing soils) are not used, buildings on top of the peat will be subject to greater ground movement causing extensive damage. Seattle Muck is another type of soil found in the wetlands of SeaTac. These soils are subject to liquefaction during earthquakes. Subsequently, buildings on these soils may suffer extensive damage.

Aquifers supply domestic water.

Policy 9.7C

Allow reasonable use of property containing existing wetlands to avoid a “regulatory taking” when the following criteria can be met:

- If existing sensitive area regulations prohibit any use on the property;
- Either due to a court decision or by provision of the codes, a reasonable use of the property is required;
- The development of the wetland and/or its buffer is limited to only that portion of the property to allow a reasonable use, and;
- A soil analysis shows that construction measures can successfully mitigate potential hazards of unstable soil and drainage problems.

In some cases, the application of “Sensitive Areas” regulations regarding wetlands would preclude the possibility to develop a property. Based on court cases, if a reasonable use of the property is not allowed, a “regulatory taking” occurs, and the local government must pay for the property. However, if a reasonable use is proposed (such as a single family residence), it would be allowed provided it minimizes and mitigates impacts to the wetland. Mitigation could entail special studies.

Policy 9.7D

Prohibit altering of wetlands for speculative purposes.

Where a wetland is altered or filled in relation to a development proposal, the development proposal can address mitigating measures to decrease impacts to the wetland. If wetlands are filled speculatively, the site’s value is entirely lost until development mitigates the fill.

Policy 9.7E

In wetlands used as stormwater detention sites, maintain water level fluctuations similar to natural conditions, unless plants and animals in the wetland can adapt to new levels as documented by a wetland biologist.

Wetland vegetation and species are adapted to the localized drainage conditions. Changing water levels upsets the balance between the different plants and animals within the wetland, degrading the wetland’s value.

GOAL 9.8

Protect the quality and quantity of groundwater used for public water supplies.

Policy 9.8A

Protect aquifers, aquifer recharge areas, and wellhead protection areas used for domestic water supply from contamination.

The City of Seattle and the Highline Water District draw water from aquifers within the City to supplement their domestic water supply. Aquifers also provide a valuable function in helping to maintain stream flows and water levels in lakes and wetlands in the summer months.

WELLHEAD PROTECTION AREAS

City of SeaTac



LEGEND

Well Sites

- Seattle Public Utilities
- Highline Water District

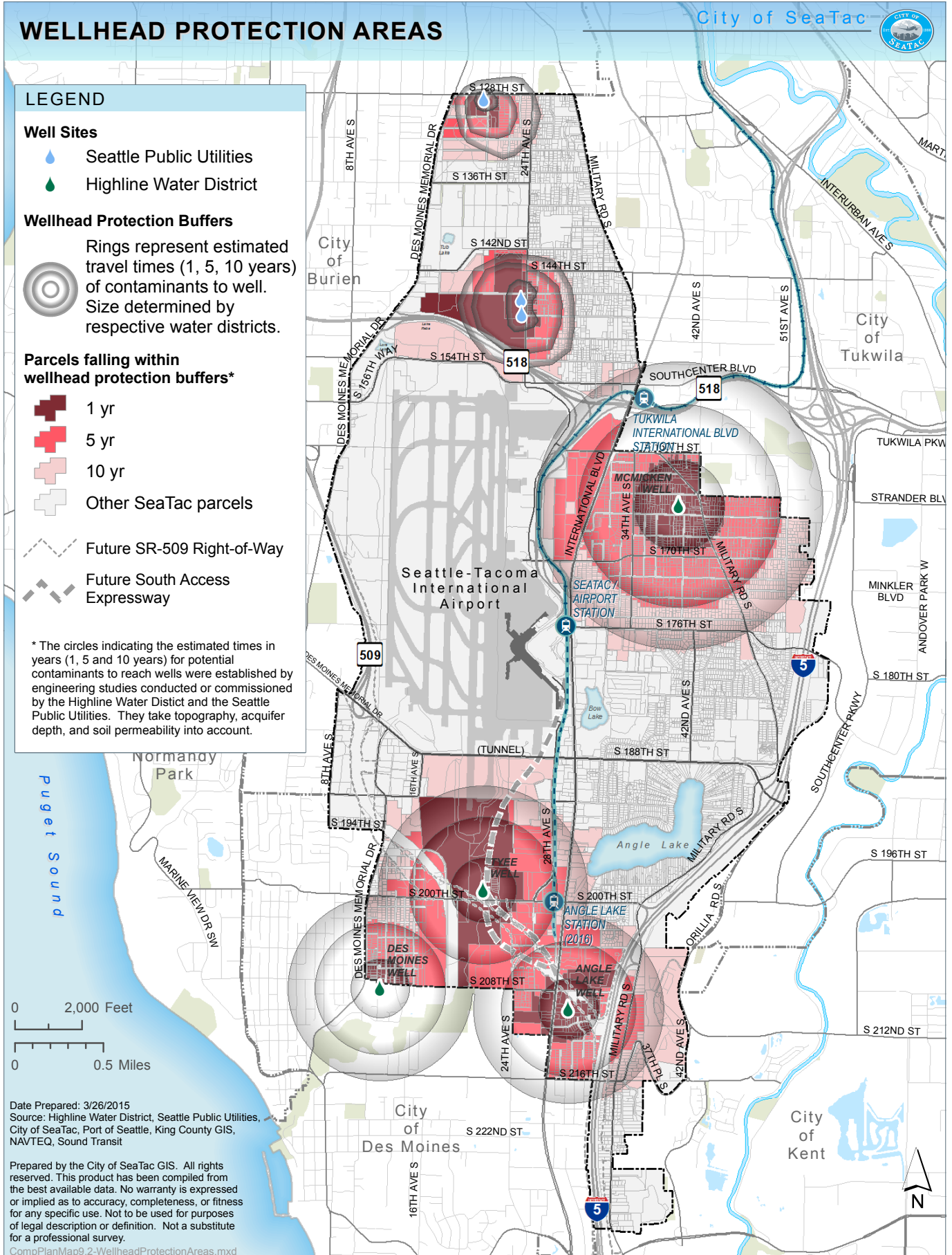
Wellhead Protection Buffers

- Rings represent estimated travel times (1, 5, 10 years) of contaminants to well. Size determined by respective water districts.

Parcels falling within wellhead protection buffers*

- 1 yr
- 5 yr
- 10 yr
- Other SeaTac parcels
- Future SR-509 Right-of-Way
- Future South Access Expressway

* The circles indicating the estimated times in years (1, 5 and 10 years) for potential contaminants to reach wells were established by engineering studies conducted or commissioned by the Highline Water District and the Seattle Public Utilities. They take topography, aquifer depth, and soil permeability into account.



Date Prepared: 3/26/2015
 Source: Highline Water District, Seattle Public Utilities,
 City of SeaTac, Port of Seattle, King County GIS,
 NAVTEQ, Sound Transit

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CompPlanMap9.2-WellheadProtectionAreas.mxd

Map 9.2. Wellhead Protection Areas

Policy 9.8B

Protect streams, wetlands, and lakes that serve to recharge aquifers from contamination.

Contamination of aquifers can have serious consequences for humans and wildlife. For example, high concentrations of nitrates in the water supply from fertilizers could cause health problems in infants and children. Toxic compounds in the water deny its ability to be used as domestic water. Contaminated groundwater from aquifers could reach wetlands, streams, and lakes, which could cause health problems for wildlife and the public. Identifying and protecting aquifers, aquifer recharge areas, and wellhead protection areas helps minimize contamination risks.

GOAL 9.9

Protect, preserve, and enhance steep slope, landslide, erosion, and seismic hazard areas due to their sensitivity to human activities, and provide adequate mitigation of adverse environmental impacts.

Policy 9.9A

Design land use development to prevent property damage and environmental degradation, and enhance greenbelt and wildlife habitat values.

Improperly designed land use development impacts steep slopes, landslide, erosion, and seismic hazard areas. Improper or inadequate stormwater runoff drainage systems can lead to large scale erosion or landslides in steep slope areas. Development that does not take topography and natural features into account may increase erosion or landslides and destroy valuable habitat. Sedimentation due to erosion can destroy fisheries habitat. Development that recognizes natural features can preserve valuable habitat (possibly through clustering) while minimizing impacts on sensitive areas.

Policy 9.9B

Decrease development intensity as slopes increase to mitigate problems of drainage, erosion, siltation, and landslides. Retain slopes of 40 percent or more in a natural state, free of structures and roads. Ensure that developments that create slopes of 40 percent or more provide appropriate drainage, erosion, siltation, and landslide mitigation measures.

As slopes increase, there is an increased likelihood of problems due to drainage, erosion, siltation, and landslides. On slopes of 40 percent or greater, these problems may happen even without development. Generally, the greater the intensity of development in a steep slope area, the greater the impacts.

Policy 9.9C


Preserve severe landslide hazard areas from development.

EROSION HAZARD AREAS

City of SeaTac

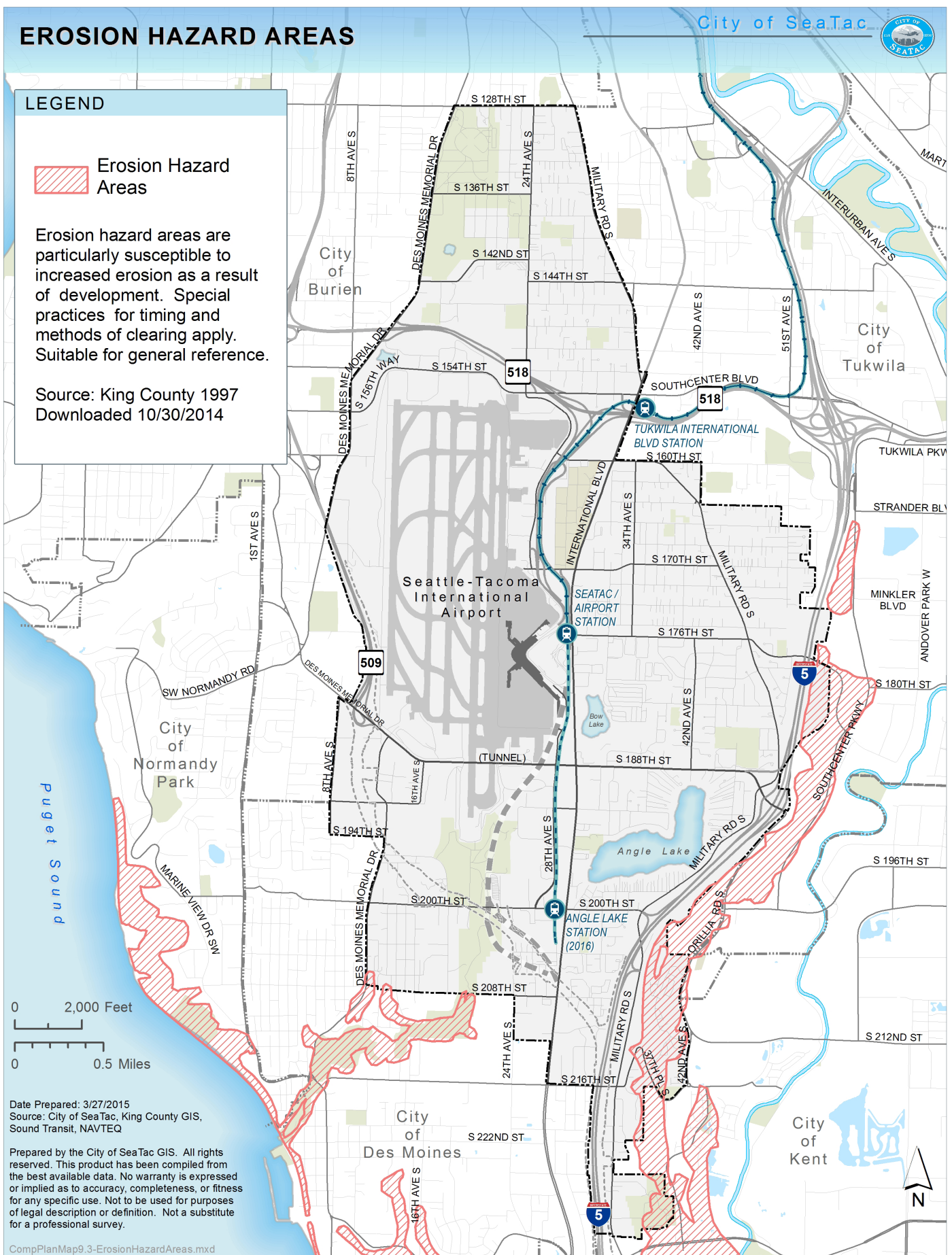


LEGEND

 Erosion Hazard Areas

Erosion hazard areas are particularly susceptible to increased erosion as a result of development. Special practices for timing and methods of clearing apply. Suitable for general reference.

Source: King County 1997
Downloaded 10/30/2014



Date Prepared: 3/27/2015
Source: City of SeaTac, King County GIS,
Sound Transit, NAVTEQ

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CompPlanMap9.3-ErosionHazardAreas.mxd


Map 9.3. Erosion Hazard Areas

LANDSLIDE HAZARD AREAS

City of SeaTac

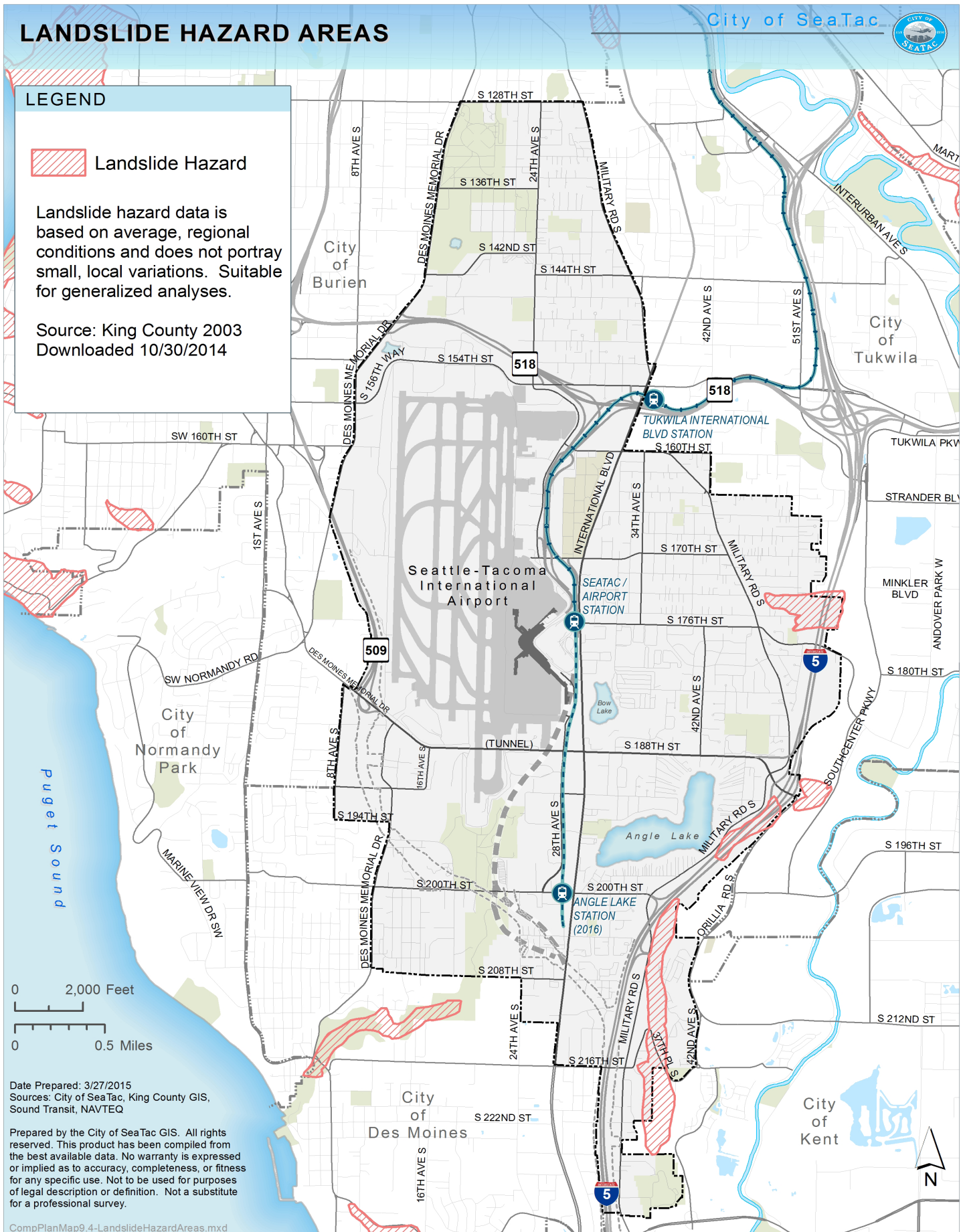


LEGEND

 Landslide Hazard

Landslide hazard data is based on average, regional conditions and does not portray small, local variations. Suitable for generalized analyses.

Source: King County 2003
Downloaded 10/30/2014



Date Prepared: 3/27/2015
Sources: City of SeaTac, King County GIS, Sound Transit, NAVTEQ

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CompPlanMap9.4-LandslideHazardAreas.mxd


Map 9.4. Landslide Hazard Areas

SEISMIC HAZARD AREAS

City of SeaTac

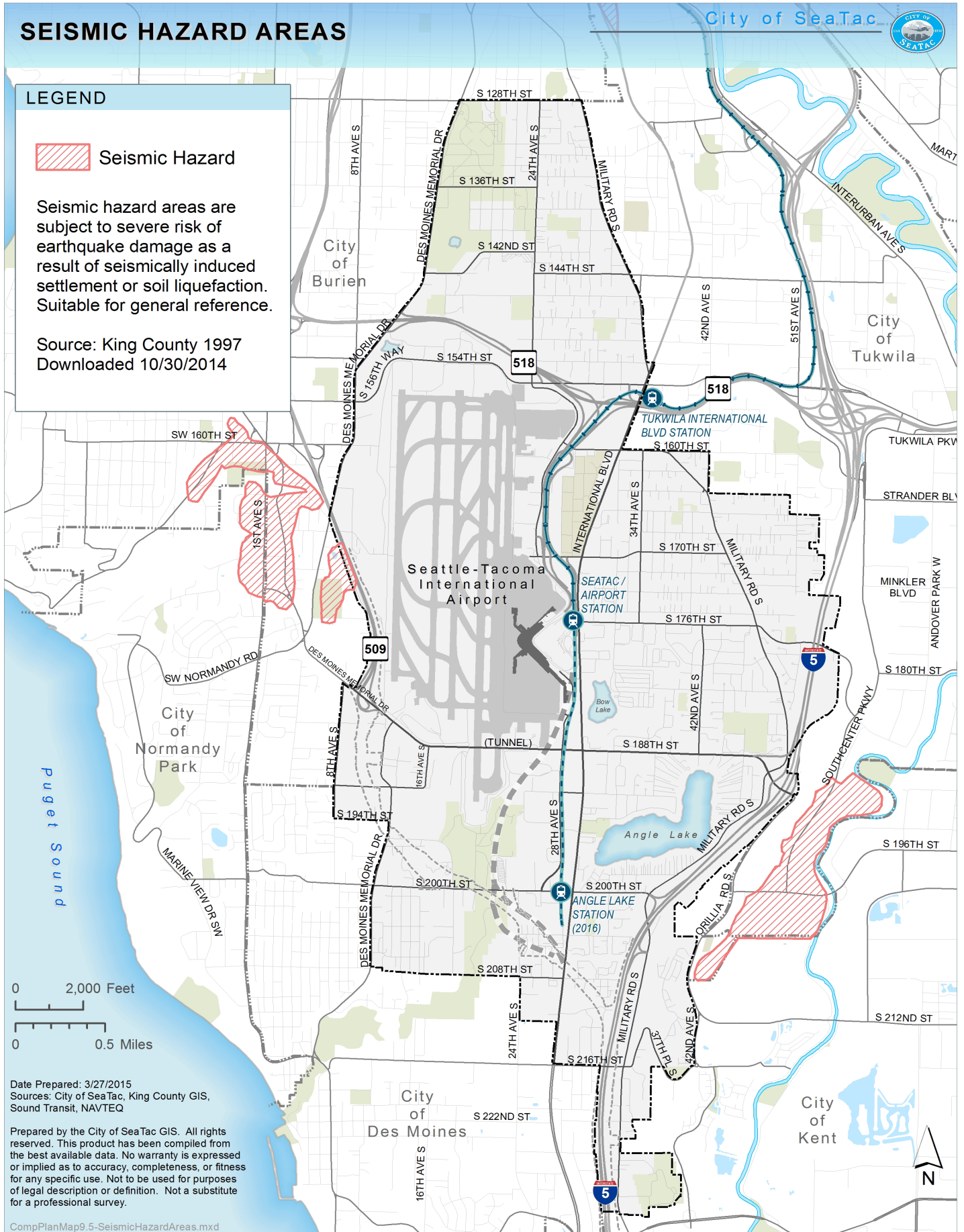


LEGEND

 Seismic Hazard

Seismic hazard areas are subject to severe risk of earthquake damage as a result of seismically induced settlement or soil liquefaction. Suitable for general reference.

Source: King County 1997
Downloaded 10/30/2014



Date Prepared: 3/27/2015
Sources: City of SeaTac, King County GIS,
Sound Transit, NAVTEQ

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CompPlanMap9.5-SeismicHazardAreas.mxd

Policy 9.9D

Require best erosion and sedimentation prevention practices be used on construction projects. These may include:

1. Retain or replace native ground cover immediately after the disturbance has ended in development areas subject to erosion hazards;
2. Reduce the site coverage of the development; and
3. Consider limiting construction work to dryer seasons to reduce erosion and sedimentation.

Where development occurs in steep slope, landslide, or erosion areas, revegetation of the site should take place immediately after site disturbance has ended. Bare slopes easily erode and are less stable without vegetation. Other mitigation methods include tight-lining storm drainage from the slopes and limiting construction in these areas to the dry period of the year.



Also see Goal 9.1 encouraging regulations to be based on best available science.

Policy 9.9E

Require appropriate engineering, building design, and construction measures to minimize the risk of structural damage and fire and injury to occupants, and to prevent post-seismic collapse in areas with severe seismic hazards.

Seismic hazard areas are found in areas where ground movement is great (such as steep slope areas or wetlands). When earthquake resilient building and construction measures are used, such as pilings to good load bearing soils, earthquake-related structural damage and injuries are minimized.

Policy 9.9F

Require special studies to evaluate seismic risks to reduce the risks to buildings prior to development in severe seismic hazard areas.

In seismic hazard areas, additional studies are necessary to ensure that soils can adequately support the proposed development's type of construction.

Policy 9.9G

Work with adjacent jurisdictions and other affected entities to protect steep slopes, landslide, erosion, and seismic hazard areas.

Most of the steep slopes, landslide, erosion and seismic hazard areas are located on the City's borders, adjoining other jurisdictions. Working together will likely provide more protection for these areas and result in fewer problems.

GOAL 9.10

Preserve and protect the natural flood storage function of floodplains.

Policy 9.10A

Emphasize non-structural methods in planning for flood prevention and damage reduction. Design new developments or land modifications in the 100-year floodplains to maintain natural flood storage functions and minimize hazards.

New development should be designed to maintain natural flood water storage functions. Failing to do so causes nearby properties to flood.

Policy 9.10B

Protect 100-year floodplains by limiting development and encouraging low-impact uses such as open space, trails, and parks, locating roads and structures above the 100-year flood level, and requiring new development to replace existing flood storage capacity lost due to filling.

Increasing the building density in a floodplain decreases the storage capacity of the floodplain.

Policy 9.10C

Allow no permanent structures within the floodway due to risks associated with deep and fast-flowing waters, unless appropriate flood control measures have been taken. Allow no land uses in a floodway that would divert water from the floodway, change flood elevation or obstruct natural flow, unless appropriate flood control measures have been taken such that there are no additional offsite impacts and no degradation of water quality. Allow no development in the floodway fringe that would reduce the existing level of flood storage.

No structures should be allowed in the stream channel (i.e., floodway).

Within the floodway fringe, any new development should be allowed only if the existing level of flood storage capacity is maintained.

Policy 9.10D

Permit no permanent structures, and allow no grading or filling along small streams for which the floodway has not been identified. In such a case, treat the entire floodplain as a floodway.

There are small streams in SeaTac for which no floodway has been defined. To minimize damage to property, no building should be constructed in the entire potential floodway until the floodway is identified.

Why care about structures in floodplains?

Any new structure that is constructed within the floodplain decreases the flood storage capacity within the floodplain. This is similar to placing a number of bricks into a bucket full of water. The volume of the bricks displaces a like volume of water thereby decreasing the carrying capacity of the water bucket.

The Puget Sound Chinook salmon is listed as a threatened species by the US Fish and Wildlife Service. This requires state and local governments to protect and enhance habitat for salmon, which also benefits other anadromous fish.

GOAL 9.11

Maintain wildlife through the preservation and enhancement of fish and wildlife habitat through acquisition, incentives, and other techniques with particular attention to habitat for species that have been identified as endangered or threatened.

Policy 9.11A

Protect and enhance fish and wildlife habitat corridors where steep slopes, wetlands, stream ravines, or stream corridors provide a continuous corridor that provides food, shelter, and water and where there are minimal impacts due to human intrusion.

Continuous undisturbed areas with a water source (wetland), food source (wetlands, forests), and areas of shelter (forested areas) that have minimal intrusion by people provide the best wildlife habitat functions. In SeaTac, these corridors are located along the steep slopes and stream canyons on Des Moines Creek and Miller Creek. Lower development densities are generally recommended in these areas.

Policy 9.11B

When developing on forested property adjacent to steep slopes, wetlands, stream ravines, or stream corridors, encourage development to provide additional buffer areas to provide wildlife and fisheries habitat. Incentives for additional buffers may include:

1. **Density Bonuses.**
2. **Lot Clustering.**

In areas adjacent to wetlands, stream ravines, or streams, clustering of development should be encouraged to allow greater buffers between the development and the sensitive area. This increases the functional and biological value of the sensitive area, provides a greater wildlife habitat area, and provides an amenity for the residents or users of the development.

Policy 9.11C

Foster native vegetation and control invasive species to preserve and enhance fish and wildlife habitat.

Very little habitat in SeaTac remains in an undisturbed, natural state. Exotic, invasive plant species have replaced native vegetation in most areas, providing poor habitat for fish and wildlife. Revegetating with native species improves the ecological value of habitat and provides a public benefit to SeaTac residents.

Shorelines

In 2010, the City's updated Shoreline Master Program (SMP) was approved by the State. Only one water body in the City is subject to the Shoreline Management Act: Angle Lake. The City's SMP is a stand-alone document with an adoption by reference to applicable portions of the City's Environmentally Sensitive Areas Ordinance. Pursuant to RCW 36.70A.480, the goals and policies of the City's Shoreline Master Program are considered an element of the City's Comprehensive Plan. The major goals and policies are contained in this sub-element for topic areas in the Shoreline Master Program that are overarching and comprehensive in nature. For specific policies refer to Chapters 4, 6, and 7 of the Master Program.

Only one water body in the City is subject to the Shoreline Management Act: Angle Lake.

As required by the Shoreline Management Act in RCW 90.58.100, the following elements have been considered in the preparation of the Master Program for the City of SeaTac: Economic Development, Public Access, Recreational, Circulation, Shoreline Use, Conservation, and Historic, Cultural, Scientific, and Educational. The goals and policies established for these elements are the basis for policies and regulations included under the general and specific use requirements of the Master Program.

GOAL 9.12

Ensure that any economic activity taking place along the shoreline operates without harming the site's environmental quality or adjacent shorelands and that new non-residential development provides public access to the shoreline for water-enjoyment activities.

Policy 9.12A

Require proposed economic use of the shoreline to be consistent with SeaTac's Comprehensive Plan. Require upland uses on adjacent lands outside of immediate SMA jurisdiction (in accordance with RCW 90.58.340) to be consistent with the purpose and intent of the Master Program as they affect the shoreline.

There are limited opportunities available for residential and commercial development on Angle Lake. Development should continue to be allowed within the shoreline environment consistent with the underlying zoning and the current nature of development around the lake. Preference should be given to water-dependent and water-related uses in the shoreline management area.

ANGLE LAKE SHORELINE MANAGEMENT AREA

City of SeaTac

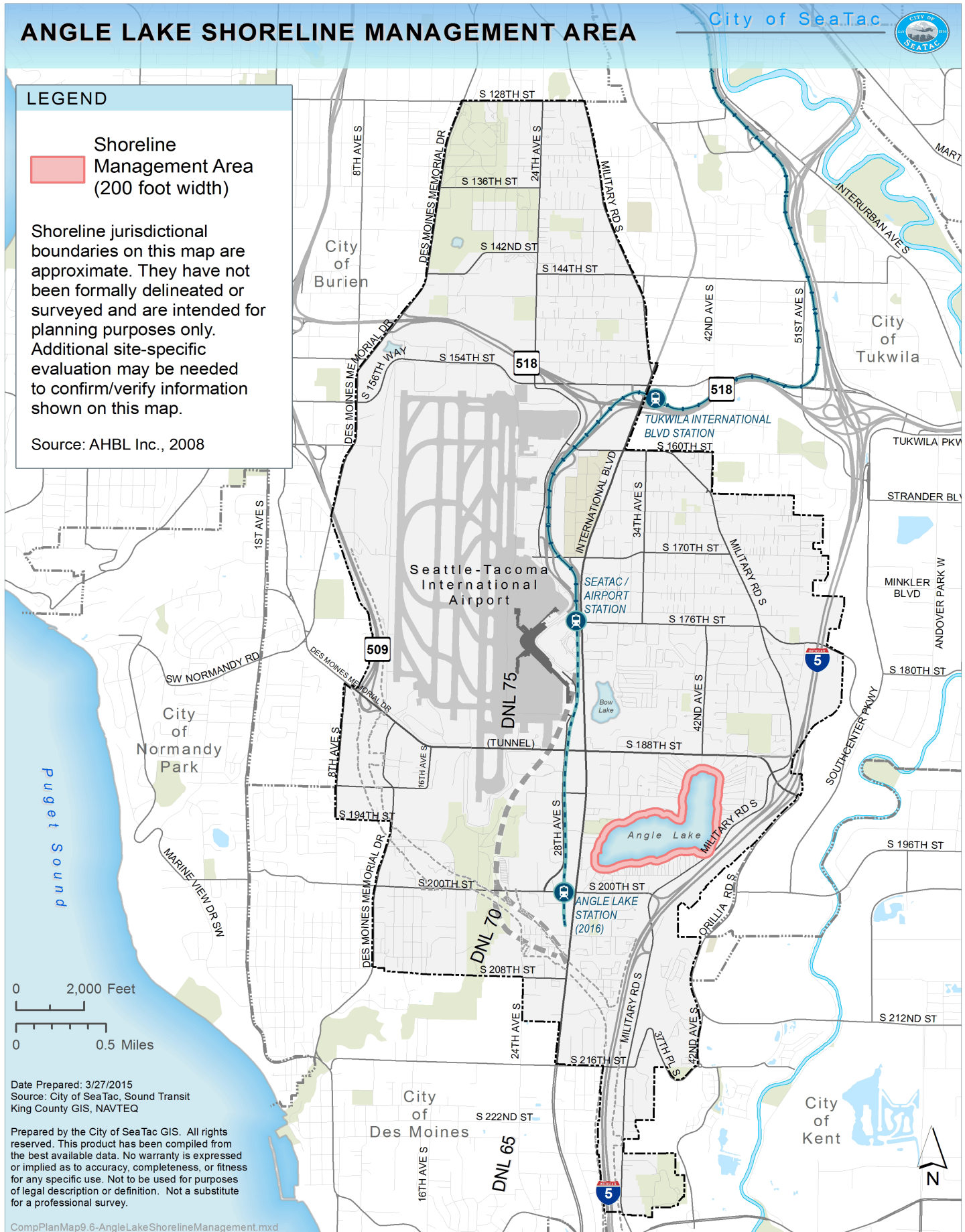


LEGEND

Shoreline Management Area (200 foot width)

Shoreline jurisdictional boundaries on this map are approximate. They have not been formally delineated or surveyed and are intended for planning purposes only. Additional site-specific evaluation may be needed to confirm/verify information shown on this map.

Source: AHBL Inc., 2008



Date Prepared: 3/27/2015
Source: City of SeaTac, Sound Transit
King County GIS, NAVTEQ

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CompPlanMap9.6-AngleLakeShorelineManagement.mxd

Map 9.6. Angle Lake Shoreline Management Area

GOAL 9.13

Increase the amount and diversity of public access to the shoreline, including trails, viewing platforms, and improved piers, and preserve and enhance views of the shoreline, consistent with the natural shoreline character, private rights, and public safety.

Policy 9.13A

Provide and enhance shoreline access to Angle Lake through purchase or retention of access easements, signage of public access points, and designation and design of specific shoreline access areas for wildlife viewing. Integrate public access to shorelines as a part of the City's public trail system; priorities for public access trails include connecting the Hughes Property with Angle Lake Park.

A component of the Shoreline Management Act is to encourage more public access to the water. The greatest opportunity for access to the water is Angle Lake Park, the only public park on Angle Lake. The City owns the Hughes Property; future development of that parcel should allow for passive or active recreational uses on the waterfront. Any new commercial or multifamily residential development along Angle Lake should, where feasible, allow for public access to the waterfront.

Policy 9.13B

Ensure new public access does not adversely affect the integrity and character of the shoreline, or threaten fragile shoreline ecosystems by locating new access points on the least sensitive portion of the site.

One of the principles of the SMA is protection of natural shoreline functions; therefore, it is important that thoughtful site planning and placement of public access points balances public/private enjoyment of the waterfront and environmental considerations.

Policy 9.13C

Ensure the development of upland areas such as parking facilities and play areas, as well as the development of in-water and near shore structures, such as docks and swimming areas, are located and designed in ways that result in no net loss of ecological function.

There are limited areas around Angle Lake left for either commercial or residential development. On the upland portions of sites adjacent to Angle Lake, outside the shoreline management areas should be designed using the most current stormwater manual such that impacts from upland development will not have an adverse affect on Angle Lake.

Policy 9.13D

Access should be provided for a range of users including pedestrians, bicyclists, boaters and people with disabilities to the greatest extent feasible.

Angle Lake Park accommodates a wide range of users and passive and active recreational opportunities. Future improvements to the park and

potential public access from the Hughes Property should be designed to continue to accommodate a wide range of users and activities.

Policy 9.13E

Development, uses, and activities on or near the shoreline should not impair or detract from the public's visual or physical access to the water.

The intent of this policy is to design future public access points to maximize waterfront enjoyment, while minimizing visual impacts to the waterfront.

GOAL 9.14

Encourage diverse, water-oriented recreational opportunities in those shoreline areas that can reasonably tolerate such uses without destroying the integrity and character of the shoreline.



See the Parks, Recreation, and Open Space Element for more about Angle Lake.

Policy 9.14A

Maintain and enhance existing shoreline recreation assets at Angle Lake Park, including the existing pier and boat launch.

This policy pertains to future improvements to Angle Lake Park, such as repair or replacement of the existing dock and boat launch, and the addition of a small covered stage for plays and performances in conjunction with ongoing Parks and Recreation programs. The purpose of these improvements is to enhance the enjoyment and use of the park for the citizens of SeaTac. This policy also addresses maintenance of existing facilities to ensure the continued enjoyment of the park by the public.

Policy 9.14B

Pursue additional public access to the shoreline for recreational uses, particularly for trails and passive recreation. Explore opportunities to develop trail links within and between public properties.

Shorelines are a valuable resource in the community. Accessing this resource is necessary for the public to enjoy the resources. During the development of the Shoreline Master Program there was much discussion on having the flexibility to somehow connect Angle Lake Park to the Hughes Property by way of easements for a trail on adjacent properties or combination of easements and floating trail. The intent was limited to that type of a connection and not a trail around the lake.

Policy 9.14C

Ensure existing and proposed recreational uses are of a safe and healthy nature and do not adversely affect the integrity and character of the shoreline or threaten fragile shoreline ecosystems.

Recreational areas on shorelines should provide the maximum benefit to the greatest number of users. Use of these areas should be accessible to all people and be compatible with each other and not conflict with other uses of the shoreline.

What is active and passive recreation?

As examples, active recreation might include swimming, boating, and fishing. Passive recreation might include bird watching or simply viewing the lake at sunset.

Angle Lake Park and potentially the waterfront portion of the Hughes property are a valuable resource both from a recreation standpoint and, in the case of the Hughes Property, also a habitat standpoint. Future improvements should focus on preserving these resources.

Policy 9.14D

Consider active and passive recreational needs in development of public shoreline access areas.

GOAL 9.15

Maintain safe, reasonable, and adequate vehicular, bicycle, and pedestrian circulation systems to shorelines and ensure that these routes have the least possible adverse effect on unique or fragile shoreline features and existing ecological systems, while contributing to the functional and visual enhancement of the shoreline.



See the Transportation Element for strategies to connect to Angle Lake.

Policy 9.15A

Locate land circulation systems as far from the land-water interface as feasible to reduce interference with either natural shoreline resources or other appropriate shoreline uses, except when necessary to provide for appropriate public access to the shoreline. Where possible avoid creating barriers between adjacent uplands and the shoreline.

Policy 9.15B

Improve access to Angle Lake through expanded non-motorized connections and transit service.

Transit service connections would be to Angle Lake Park or adjacent properties per se. Expanded non-motorized connections might include sidewalks and bike trails or lanes on local streets that connect to the park.

GOAL 9.16

Preserve, protect, and restore to the greatest extent feasible the natural resources of the shoreline, including but not limited to scenic vistas, aesthetics, and vital riparian areas for wildlife protection.

Policy 9.16A

Protect shoreline processes and ecological functions through regulatory and non-regulatory means that may include acquisition of key properties, conservation easements, regulation of development within the shoreline jurisdiction, and incentives to encourage ecologically sound design.

New development within the shoreline impacts the shoreline environment to varying degrees. By adhering to accepted design standards, such as storm drainage standards, and best management practices (BMPs), these impacts should be minimized.

Policy 9.16B

Reclaim and restore areas which are biologically and aesthetically degraded to the greatest extent feasible while maintaining appropriate use of the shoreline.

Few remaining shoreline areas on Angle Lake retain their natural native vegetation buffer areas. Such areas, where feasible, should be reclaimed and restored, as they provide natural habitat and shoreline protection.

Policy 9.16C

Preserve the scenic aesthetic quality of shoreline areas and vistas to the greatest extent feasible.

Scenic vantage points can be found around the lake, both from private property adjacent to the lake and from public property points such as Angle Lake Park and to a lesser extent the Hughes Property. As properties within all the shoreline designations change or redevelop over time careful consideration should be given to the scenic quality of the lake. In some cases, such as commercial development or multi-family residential development, view corridor implementation studies may be necessary.

Policy 9.16D

Preserve and restore native vegetation along the shoreline to the greatest extent feasible.

Little natural vegetation remains around Angle Lake since the lake is currently heavily urbanized. Where natural vegetation remains, it should be preserved as part of any new development of the adjacent upland properties. Residential properties should be encouraged to remove non-native species and replace them with native plant materials.

Policy 9.16E

Target Angle Lake Park for restoration of shoreline natural resources and functions while ensuring continued public access to the shoreline.

Where feasible, as Angle Lake Park is improved, opportunities to restore the natural shoreline should be considered as part of any redevelopment of the park. Such restoration work should not conflict with the public's ability to access the shoreline and enjoy the park.

GOAL 9.17

Ensure that the land use patterns within shoreline areas are compatible with shoreline environment designations and will be sensitive to and not degrade habitat and ecological systems and other shoreline resources.

Like or compatible shoreline uses should be clustered or distributed in a rational manner to promote the best possible pattern of land and water use consistent with the Shoreline Master Program.

Policy 9.17A

When determining allowable uses and resolving use conflicts within the City's shoreline jurisdiction, apply the following preferences and priorities in the order listed below:

1. Reserve appropriate areas for protecting and restoring ecological functions to control pollution and prevent damage to the natural environment and public health.
2. Reserve shoreline areas for water-dependent and associated water-related uses.
3. Reserve shoreline areas for other water-related and water-enjoyment uses that are compatible with ecological protection and restoration objectives.
4. Locate single family residential uses where they are appropriate and can be developed without significant impact to ecological functions or displacement of water-dependent uses.
5. Limit non-water-oriented uses to those locations where the above described uses are inappropriate or where non-water-oriented uses demonstrably contribute to the objectives of the Shoreline Management Act, including opportunities for ecological enhancements and public access improvements.

This policy addresses the distribution, location, and extent of uses within the shoreline management area. Angle Lake's shorelines are substantially developed. Development is mostly residential, with a few pockets of commercial and multifamily.



Also see Policy 9.1C regarding LID best practices, Policy 9.3E on stormwater infiltration techniques, and Goal 9.7 on enhancing natural drainage systems.

Policy 9.17B

New residential development should be designed to protect existing shoreline water views.

The original lots between Angle Lake and adjacent roads are long and narrow. Many original lots remain while several have been split into smaller lots. This has created a situation where the construction (or reconstruction) of a house on the frontage lot on Angle Lake could potentially block views of the houses further inland from the lake. In the construction of a residence on these lots, the impacts to views of the shoreline to upland properties should be taken into account.

Policy 9.17C

Only allow development and redevelopment activities within the City's shoreline jurisdiction that is designed to ensure public safety, enhance public access, protect existing shoreline and water views, and achieve no net loss of shoreline ecological functions.

Because Angle Lake is heavily developed, new development and redevelopment should strive to balance public safety, public access, and shoreline and water views with preserving ecological functions.

Policy 9.17D

Encourage and in some cases require the use of low impact development (LID) and green building practices, such as those promulgated under the Leadership in Energy and Environmental Design (LEED) and Green Built programs, for new development within the shoreline jurisdiction.

The shoreline area around the lake is unique. As part of any new development or redevelopment within the shoreline management area, development activities should take into account and consider design standards and building techniques, where feasible, that create low impact green buildings.

Policy 9.17E

Do not allow proposed shoreline uses to infringe upon the rights of others or upon the rights of private ownership.

Policy 9.17F

Encourage shoreline uses which enhance their specific areas or employ innovative features for purposes consistent with the Shoreline Master Program.

Development should continue around the lake consistent with the existing development pattern. Residential and commercial development could include green building techniques and materials during construction to produce structures that are more self-sufficient and reduce their impact on Angle Lake.

Policy 9.17G

Encourage restoration of shoreline areas that have been degraded or diminished in ecological value and function as a result of past activities or catastrophic events.

New development or redevelopment should consider restoration efforts that include the removal of non-native plant materials and replace them with native plant materials along the shoreline. Native plant materials are more drought-tolerant, requiring less water to thrive, and they can enhance the natural beauty of the beachfront. Restoration efforts may include the removal and replacement of traditional bulkheads with softer, more natural materials.

GOAL 9.18

Identify, protect, preserve and restore important archeological, historic, and cultural sites located in the shoreline jurisdiction of SeaTac for their educational and scientific value, as well as for the recreational enjoyment of the general public.

Policy 9.18A

Prevent the destruction of or damage to any site having historic, cultural, scientific, or educational value.

Although there are no known archeological or historical sites within the shoreline management area, should development activity unearth important material, it should be preserved and documented according to State law.

Policy 9.18B

Ensure that new development is compatible with existing historic structures and cultural areas.

No historic structures currently exist within the shoreline management area. If during construction of a site along Angle Lake within the shoreline management area a cultural site be discovered, it should be excavated and documented per State law.

RECOMMENDED IMPLEMENTATION STRATEGIES



This section identifies the specific steps, or **implementation strategies**, that achieve this Element's policies. It also identifies the group(s) with **primary responsibility** for carrying out each strategy and the expected **time frame** within which the strategy should be addressed. Policy summaries are included in the table for reference.

Not all policies require an implementation strategy. In those cases those policies are not reflected in the tables that follow.

As the Primary Responsibility column indicates, many of the implementation strategies will be initially undertaken by a specified board or commission. In most cases, the City Council will analyze the specific board/commission recommendation and make the final decision about how to proceed.

The time frame categories are defined as follows:

- Short-Term one to five years
- Medium-Term six to 10 years
- Long-Term 11 to 20 years
- Ongoing the strategy will be implemented on a continual basis

The time frames are target dates set annually when the City Council adopts amendments to the Comprehensive Plan. Strategies that have been implemented are noted in brackets, along with the relevant completion date.

The list of proposed implementation strategies is a minimum set of action steps and is not intended to limit the City from undertaking other strategies not included in this list.

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
9.1 BASE REGULATIONS ON CURRENT SCIENCE			
9.1B Base regulations on Best Available Science (BAS).	In reviewing development proposals that may have an impact on any sensitive areas, consult with third party biologist and/or engineer to assess potential impacts and recommend development alternatives or mitigation.	Staff	Ongoing
9.1C Make Low Impact Development (LID) techniques the preferred development approach.	Adopt current LID manuals, policies, development standards, regulations and techniques by January 1, 2017.	City Council	Short-Term
9.2 ENHANCE WATER QUALITY			
9.2A Preserve water feature functions through land use plans and development and stormwater regulations.	Work with providers to enable sewer services for new development.	Staff	Ongoing
	Provide adequate stormwater detention control for new development, including LID techniques.	Staff	Short-Term
	Update development codes to require and implement low impact development (LID) provisions.	Staff, City Council	Short Term
	Work with school districts to educate the public in how to maintain water quality within the natural drainage basins.	Staff	Ongoing

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
9.2B Manage water resources to preserve ecosystem services.	Enforce regulations that protect water resources while allowing recreational use of those resources.	Staff	Ongoing
	Revisit and update the June 2000 Bow Lake Joint-Use Facilities Study before proceeding with implementations actions: <ul style="list-style-type: none"> • Develop and carry out a public input process • Conduct an agency outreach process • Further characterize economic impacts and benefits • Identify a preferred alternative • Prioritize development of publicly owned properties • Environmental review 	Planning Commission, City Council	Long-Term
	Monitor storm drain outfalls and adjust water quality maintenance as necessary.	Staff	Ongoing
9.2C Work with adjacent entities to enhance water quality.	Coordinate implementation strategies (such as regulations) with adjacent jurisdictions. See 9.3A below.	Staff	Ongoing
9.3 ENHANCE NATURAL DRAINAGE SYSTEMS			
9.3A Consider entire watersheds and plan interjurisdictionally.	Work with Burien, Des Moines, Tukwila, and King County to ensure that regulations regarding surface water management are consistent between the cities and County for consistent surface water management.	City Council, Planning Commission	Ongoing

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
9.3A Continued	Continue involvement with watershed planning efforts through participation in the Des Moines Creek Basin Planning Committee, the Miller and Walker Creek Basin Planning Committee, and the Watershed Resource Inventory Area 9 (WRIA 9) Green/ Duwamish River Watershed planning and habitat recovery efforts.	City of SeaTac Planning Commission, Staff	Short-Term
9.3B Maintain and enhance natural drainage systems.	Enforce regulations that prohibit or minimize the degradation of the natural drainage systems.	City Council, Planning Commission	Ongoing
9.3C Use current stormwater treatment and flow control standards on new and redevelopment projects.	Enforce regulations and methods that would protect quality and quantity of stormwater runoff entering SeaTac's streams and wetlands.	City Council, Planning Commission	Ongoing,
9.3D Require resource industries management practices that protect drainage systems.	Enforce regulations and methods that minimize the amount of erosion, sedimentation, and water pollutants created by resource industries.	City Council, Planning Commission	Ongoing,
9.4 IMPROVE AIR QUALITY			
9.4A Continue to support and rely on State, federal, and local programs to protect air quality.	Work with the Puget Sound Air Quality Control Agency and with Federal and State agencies to ensure that air quality is protected within SeaTac.	Staff	Ongoing
9.4B Require vegetation and landscaping to filter particulates.	Enforce landscape codes that allow the use of existing vegetation to be used for biofiltration.	City Council, Planning Commission	Ongoing,

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
9.4C Support programs that reduce Vehicle Miles Traveled (VMT) and locally generated air emissions.	Work with local business to adopt “Transportation Demand Management Programs” (TDM) to encourage their employees to use alternative forms of transportation to reduce vehicle trips and emissions.	City Council, Planning Commission	Ongoing
	Enforce regulations that require new development to adopt TDM programs.	City Council, Planning Commission	Ongoing
9.5 REDUCE GREENHOUSE GAS EMISSIONS AND ADDRESS CLIMATE CHANGE			
9.5A Commit to meeting State and County greenhouse gas emissions reduction targets.	Advocate for a comprehensive approach that requires responsible, science-based limits on climate pollution and market-based prices for emissions.	City Council	Ongoing
9.5B Reduce vehicle greenhouse gas emissions.	Support statewide clean fuel standards and participate in regional efforts to expand the use of low emission and zero emission vehicles. Partner on catalytic pilot projects such as: <ul style="list-style-type: none"> • Expansion of electric vehicle charging stations available at public facilities, • Incentives that encourage building owners to have EV-ready building systems, and • Construction of bicycle infrastructure such as cycle tracks, dedicated lanes, and greenways. 	City Council	Ongoing

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
9.5C Limit energy use and emissions in buildings.	Work with energy utilities to develop a regional retrofit program to lower energy use in existing residential and commercial buildings and coordinate with existing programs.	City Council	Ongoing
	Support implementation of the Washington State Energy Code.	City Council	Ongoing
	Demonstrate innovation in local codes, ordinances, and partnerships to encourage green building, in particular through the Regional Code Collaboration.	City Council, City Staff	Ongoing
9.5D Foster community-wide renewable energy use.	Support implementation of Washington State Renewable Portfolio Standard and strong federal policy on reducing GHG emissions from power production.	City Council	Ongoing
	Work with local utilities to help transition to increasingly renewable and efficient energy resources for electricity and heating.	City Staff	Ongoing
	Remove regulatory barriers to small scale local energy projects.	City Council, Planning Commission, Staff	Ongoing
	Partner on catalytic pilot projects such as pilot incentives to encourage building owners to have solar-ready rooftops.	City Council, Planning Commission, Staff	Ongoing
9.5E Increase natural carbon storage by increasing tree canopy.	Develop a street and city lands tree program.	City Staff, City Council	Short Term
	Maintain healthy urban forests, such as those in the Des Moines Creek corridor and around Tub Lake.	City Council, Planning Commission, City Staff	Ongoing

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
9.5F Reduce GHG emissions in City operations.	Reduce fuel consumption through efficient fleet management practices.	Staff	Ongoing
	Support ways to create ongoing funding for government agency projects related to energy efficiency, renewable energy, and transportation emissions reduction.	City Council	Ongoing
9.5G Increase the recycling rate citywide.	Work with solid waste utilities on outreach to businesses and city residents and to develop and implement education programs	Staff	Ongoing
9.5H Develop plans to adapt to climate change.	Review Emergency Management plans and amend as necessary. Climate change-related amendments may include identifying vulnerable areas and developing adaptation measures.	City Council, Staff	Ongoing
9.6 PROTECT STREAMS AND LAKES			
9.6A Preserve stream corridor buffers.	Enforce regulations that mandate a minimum buffer area between streams, lakes, and wetlands.	City Council, Planning Commission	Ongoing
9.6B Preserve, protect, and restore natural stream channels.	Enforce regulations that protect natural stream channels.	City Council, Planning Commission	Ongoing

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
9.6C Use State standards and guidance for in-channel and in-water construction.	Update regulations to reference State standards and guidance for in-channel and/or in-water construction, or incorporate state regulations into SMC Chapter 15.30.	Staff	Short-Term
9.6D Rehabilitate degraded stream channels and banks.	<p>Work with the school district, nonprofit organizations, and other public agencies to implement programs to rehabilitate streams and creeks. Such programs could be implemented separately or combined and may include:</p> <ul style="list-style-type: none"> Establishing a school curriculum from K-12 that would adopt and rehabilitate a creek. Working with public agencies or a nonprofit agency, such as the Adopt-A-Stream Foundation, in coordination with school programs. 	Staff	Ongoing
9.6E Require stormwater infiltration techniques to maintain natural flows streams.	Update development codes to encourage use of LID techniques.	City Council, Staff	Short Term
	Retain existing wetlands and creeks on the site of new development and require the maintenance of natural features.	City Council, Planning Commission	Ongoing
9.7 ENHANCE WETLANDS			
9.7A Preserve and enhance wetlands with buffers from adjacent new development.	Enforce development regulations at significant wetlands.	City Council, Planning Commission	Ongoing

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
9.7B Develop public access to wetlands for scientific and recreational use.	Develop regulations that would allow public access to sensitive areas habitat; provided, that such access does not impact such habitat areas.	City Council, Planning Commission	Ongoing
9.7C Allow the reasonable use of property containing wetlands if the adopted criteria can be met.	Enforce regulations that allow the reasonable use of a piece of property that is totally impacted by a "Sensitive Area."	City Council, Planning Commission	Ongoing
9.7D Prohibit altering of wetlands for speculative purposes.	Enforce specific regulations to prohibit speculative landfills in wetland areas.	City Council, Planning Commission	Ongoing
9.7E Maintain water level fluctuations similar to natural conditions.	Enforce regulations that would ensure the water level fluctuations within wetland areas are maintained similar to natural conditions as part of new development.	City Council, Planning Commission	Ongoing
9.8 PROTECT GROUNDWATER AQUIFERS			
9.8A Protect aquifers from contamination.	Work with the Water Districts, Dept. of Ecology and others to delineate aquifer recharge areas and determine if additional regulations to protect these areas are needed.	Staff	Short-Term
	Update regulations as necessary.	Staff	Short-Term
9.8B Protect streams, wetlands, and lakes from contamination.	Enforce regulations to minimize impacts from new development.	Staff	Ongoing

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
9.9 PROTECT STEEP SLOPE, LANDSLIDE, EROSION, AND SEISMIC HAZARD AREAS			
9.9A Design land use development to prevent environmental degradation and enhance habitat.	Enforce regulations to minimize impacts from new development.	Staff	Ongoing
9.9B Decrease development density as slopes increase.	Enforce regulations that would limit or prohibit development on steep areas.	Staff	Ongoing
9.9C Preserve severe landslide hazard areas from development.	Limit development within severe landslide areas.	Staff	Ongoing
9.9D Require best erosion and sedimentation management practices on construction projects.	Enforce regulations that require special construction practices to reduce or prevent erosion and sedimentation in erosion hazard areas.	City Council, Planning Commission	Ongoing
9.9E Require appropriate engineering, building design and construction measures to minimize the risk of structural damage, fire and injury to occupants, and to prevent post-seismic collapse in areas with severe seismic hazards.	Enforce building and fire codes that require construction to standards that account for the severity and frequency of seismic activity in the Puget Sound area.	City Council	Ongoing

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
9.9F Require seismic studies to evaluate risks and use appropriate engineering and construction measures.	Enforce building and fire codes that require construction to standards that account for the severity and frequency of seismic activity in the Puget Sound area.	City Council	Ongoing
9.9G Work with other affected entities to protect steep slopes, landslide, erosion, and seismic hazard areas.	Provide notice of development proposals to adjacent jurisdictions when those proposals are within or near these types of sensitive areas on a shared boundary.	Staff	Ongoing
	When reviewing proposals from adjacent jurisdictions in areas where these types of sensitive areas are located, consider potential impacts to these sensitive areas.	Staff	Ongoing
9.10 PRESERVE FLOODPLAINS			
9.10A Maintain natural flood storage functions and minimize hazards.	Floodplain areas are designated by the Federal Emergency Management Agency. Enforce regulations that restrict development in such areas.	City Council, Planning Commission	Ongoing
9.10B Protect floodplains by limiting development, encouraging low-impact uses, and requiring new development to replace existing flood storage capacity.	Floodplain areas are designated by the Federal Emergency Management Agency. Enforce regulations that restrict development in such areas.	City Council, Planning Commission	Ongoing

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
9.10C Allow no permanent structures nor land uses in a floodway that would divert water from the floodway, change flood elevation obstruct natural flow, or reduce existing level of flood storage capacity.	Floodplain areas are designated by the Federal Emergency Management Agency (FEMA). Enforce regulations that restrict development in such areas.	City Council, Planning Commission	Ongoing
9.10D Do not permit permanent structures along small streams non-identified floodways.	Identify the floodplain on smaller stream corridors (other than Miller and Des Moines Creeks) and enforce regulations that would control development in the same manner as development within floodplain areas designated by FEMA.	City Council, Planning Commission	Ongoing
9.11 ENHANCE WILDLIFE HABITAT			
9.11A Protect and enhance fish and wildlife habitat corridors.	Adopt regulations that protect wildlife habitat areas for endangered or threatened species.	City Council, Planning Commission	Ongoing
	Continue working with King County and City of Des Moines to monitor the performance of the Des Moines Creek Basin Plan.	Staff	Ongoing
	Adopt regulations that would require buffer areas adjacent to wetlands, streams and creeks, and steep slope areas.	City Council, Planning Commission	Ongoing
9.11B Encourage development to provide wildlife buffer areas.	Enforce regulations that allow the clustering of residential units (in both single family and multi-family zones) to preserve as much open space area as possible.	City Council, Planning Commission	Ongoing

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
9.11C Preserve and enhance habitat by fostering native vegetation and controlling invasive species.	Develop regulations requiring all new development to establish native vegetation as the dominant plant species in buffers around wetlands, streams, creeks, and steep slope areas.	City Council, Planning Commission	Short-Term
	Develop regulations allowing buffer width reductions for redevelopment situations as part of an approved vegetation management plan.	City Council, Planning Commission	Short-Term
9.12-9.18 IMPLEMENTATION ACTIONS RELATED TO THE SHORELINES POLICIES CAN BE FOUND IN TITLE 18 OF THE SEATAC MUNICIPAL CODE AND THE SEATAC SHORELINE MASTER PROGRAM			

TO: General Government Committee
FROM: Brad Medrud, Planning Manager
DATE: June 12, 2024
SUBJECT: Contract Approval for an 8-Year Multifamily Tax Exemption for the Rookery Apartments (TUM-24-0714)

1) Recommended Action:

Place the contract for an 8-Year Multifamily Tax Exemption for the Rookery Apartments (TUM-24-0714) on the City Council July 2, 2024, consent calendar with a recommendation to approve and authorize the Mayor to sign.

2) Background:

In 2017, the City Council adopted the Multifamily Housing Tax Exemption program to stimulate desired housing development within key areas of the City, such as the Brewery District and Capitol Boulevard Corridor. In 2019, the City Council approved expanding the 12-Year Multifamily Housing Tax Exemption program to the Town Center and Littlerock Subarea to encourage the development of permanent affordable housing as part of its 2019 Housing Affordability Work Plans. The program includes both an 8-year exemption for providing multifamily housing in the designated areas and a 12-year exemption for development providing a minimum of 20% of units designated for low or moderate-income households.

The City has received an application for the 8-year exemption program for six apartment units as part of a mixed use development in the Capital Boulevard Corridor Subarea (TUM-24-0714).

3) Policy Support:

Comprehensive Plan Housing Element Action 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.

4) Alternatives:

☐ None.

5) Fiscal Notes:

The contract is for an 8-year Multifamily Housing Tax Exemption.

6) Attachments:

A. Staff Report

- B. The Rookery Apartments (TUM-24-0714) MFTE Tax Agreement
- C. The Rookery Apartments (TUM-24-0714) Exhibit A Application
- D. The Rookery Apartments (TUM-24-0714) Exhibit B Site Plans
- E. The Rookery Apartments (TUM-24-0714) Exhibit C Floor Plan
- F. The Rookery Apartments (TUM-24-0714) Exhibit D Parking Narrative

STAFF REPORT

Date: June 12, 2024

To: General Government Committee

From: Brad Medrud, Planning Manager



Contract Approval for an Eight-Year Multifamily Tax Exemption for The Rookery Apartments (TUM-24-0714)

In 2017, the City Council adopted the Multifamily Housing Tax Exemption program to stimulate desired housing development within key areas of the City, such as the Brewery District and Capitol Boulevard Corridor. The Multifamily Housing Tax Exemption program includes both an eight-year exemption for providing multifamily housing in the designated areas and a twelve-year exemption for development providing a minimum of 20% of units designated for low or moderate-income households.

In 2019, the City Council approved expanding the Multifamily Housing Tax Exemption program to the Town Center and Littlerock Subarea for just the twelve-year exemption to encourage the development of permanent affordable housing as part of its 2019 Housing Affordability Work Plan.

The City received an application for the eight-year exemption program for The Rookery Apartments which is six apartment units as part of a mixed use development in the Capital Boulevard Corridor Subarea (TUM-24-0714).

This memorandum discusses the background and status of the Multifamily Tax Exemption Program and the requirements for the contract for an 8-Year Multifamily Tax Exemption for the Rookery Apartments (TUM-24-0714).

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Appendix A: Multifamily Property Tax Exemption Target Area

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1. Summary of the Multifamily Property Tax Exemption Program

The state’s multifamily property tax exemption program (Chapter 84.14 RCW) provides opportunities for cities and counties to encourage the development of multifamily housing in designated areas. When originally codified by the state in 1995, the program focused on economic development and the creation of new multifamily housing. Over time, the program became an important tool to support the development of affordable housing and implementation of the goals of the Growth Management Act.

The program is intended to encourage the construction of new, rehabilitated, or converted multifamily housing within designated areas. It is limited to multifamily housing developments with four or more housing units.

The City’s multifamily property tax exemption program exempts taxes on improvements made for multifamily development to encourage the development of multifamily housing units within designated targeted areas of the City. The multifamily property tax exemption applies to the new housing improvement portion of the property taxes.

Under state law, property owners who make eligible housing improvements are exempt from any tax increases related to those improvements for a period of eight years. An exemption period of twelve years is possible if the property owner or developer commits to renting or selling at least 20 percent of the units to households with an income at or below 115 percent of the area median family income during the same period. Owners continue to pay the pre-improvement taxes on both the land and structure. Once the multifamily property tax exemption lapses, the property owner is free to rent or sell units at market rate.

An approved multifamily property tax exemption is a shift in revenue from property tax. When the City Council sets the City’s property tax levy, the City levies a total dollar amount that will be collected for City operations. When certain property owners get discounts, such as through the multifamily property tax exemption program, that cost is re-distributed to the other property owners in the City. No matter how many multifamily property tax exemption discounts the City provides, the City still collects the same amount of property tax dollars.

2. Purpose of the Multifamily Property Tax Exemption Program

Comprehensive Plan Housing Element Action H-3.3.3 states:

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.

The City's multifamily property tax exemption program serves multiple purposes. It is an economic development tool identified in the City's Brewery District Plan and Capitol Boulevard Corridor Plan to spur private investment for redevelopment of these areas. In addition, it is one of the many tools identified in Resolution No. R2018-016 and the Tumwater Housing Action Plan to support the development of more affordable housing in specific areas of the City served by transit.

The program does the following:

- Provides a catalyst to promote development within targeted areas.
- Encourages increased residential opportunities within targeted areas.
- Stimulates new construction or rehabilitation of existing vacant and underutilized buildings for multifamily housing.
- Assists in directing future population growth to designated residential targeted areas, thereby reducing development pressure on existing single-family residential neighborhoods.
- Provides the needed residential densities to support retail and other services within the target areas.
- Helps to achieve residential densities, which are more conducive to transit use in designated residential targeted areas.
- In the case of the twelve-year exemption, 20 percent of the new housing units are affordable to 80 to 115 percent of area median income for the twelve-year exemption.

3. Benefits of the Multifamily Property Tax Exemption Program

There are multiple benefits for the multifamily property tax exemption program. Most generally, the reduction in property taxes is shared among consumers and developers in the form of lower prices or rents and in the form of increased project income, respectively. This will encourage the development of more housing units and make housing more affordable overall.

The program also provides the following benefits:

- Increases housing choice for consumers due to the increase in supply.
- Increases densities in areas suited for higher density.
- Aids sustainability and walkability efforts by locating housing near services and transit.
- Reduces risk, which increases the ability of a developer to secure debt financing.

- Stimulates development by reducing costs, which increases the development return on a marginal project, which increases project feasibility.
- Benefits for the consumer in a competitive market, where savings are passed down.
- Ensures that the tax exemption remains with the property so that it will benefit the right owner in the targeted area regardless of turnover.

4. City's 2017 and 2019 Ordinances

The original purpose of the City Council's adoption of a multifamily property tax exemption program in 2017 (Ordinance No. O2017-004 and Resolution No. R2017-002) was to use residential development to spur the economic redevelopment of the Brewery District and Capitol Boulevard corridor. The City's subarea plans adopted in 2015 were based on studies that indicated that the City needed to consider a variety of financial incentives to see the redevelopment that those plans envisioned. Adding more people living in those areas through the multifamily property tax exemption program was expected in turn to encourage the development of retail, services, and employment. See Appendix 1 *Multifamily Property Tax Exemption Target Area* for a map of the Capitol Boulevard corridor target area.

The expansion of the program to the Littlerock Road Subarea and the Town Center in 2019 (Ordinance No. O2019-023) was done for different reasons. In 2018, the City Council started to focus on how the City should address homelessness and the lack of affordable housing. One of the action items in R2018-016 was to strengthen incentives for affordable housing within the Capitol Corridor and Brewery District and explore extending these incentives to the entire InterCity Transit #13 bus corridor.

Expanding the program to the Town Center and the Littlerock Road area was one of the many code changes and programs that the City started at that time to encourage more housing to be built overall in the City to meet demand and to provide some level of affordable housing. Because of that, in the Town Center and the Littlerock Road Subareas the City's multifamily property tax exemption program was limited to the twelve-year option that required 20 percent of those housing units to be affordable to 80 to 115 percent of area median income. The Planning Commission recommended that 30 percent of the housing units be affordable, but the City Council decided that it wanted to make sure that the program created affordable housing units first and kept the affordable housing unit requirement at 20 percent.

5. Use of the Multifamily Property Tax Exemption Program to Date

In the ten years prior to 2019, multifamily development only accounted for a small portion of the new housing units built in the City. During the COVID-19 related building boom in 2020, the City experienced an increase in new multifamily housing development. By 2022, there were more housing units in multifamily developments than single-family houses being permitted in the City.

Through April 2024, the City has had 441 total multifamily housing units approved at least through the conditional approval process, of which 66 are affordable multifamily housing units and the rest are market rate. The affordable multifamily housing units must comply with the

low- to moderate-income levels (80 to 115 percent of area median income) requirements in TMC 3.30.

Table 1. Units by Conditional and Final Approvals Through April 2024

Approvals	All Units	Market Rate Units	Affordable Units
Conditional	300	263	37
Final	141	112	29
Total	441	375	66

Table 2. Units Approved By Target Area Through April 2024

Target Areas	All Units	Market Rate Units	Affordable Units
<i>Eight- and Twelve-Year Options</i>			
Brewery District	119	119	0
Capitol Corridor	0	0	0
<i>Twelve-Year Option Only with 20% Affordable</i>			
Littlerock Subarea	322	256	66
Town Center	0	0	0
Total	441	375	66

- Rockwell Place received final approvals in November 2022 after a Certificate of Occupancy was issued. It is a twelve-year multifamily property tax exemption program project in the Littlerock Road subarea target area. It has three buildings with 141 total housing units of which 29 of which are affordable, and the rest are market rate.
- The 350 North Apartments and Craft District Apartments received conditional approvals in December 2022, and they are under construction. Construction will need to be completed in three years to receive final approvals. Both are eight-year multifamily property tax exemption program projects in Brewery District target area with no affordable housing units. The 350 North Apartments has 24 market rate housing units and Craft District Apartments has 95 market rate housing units.
- The Kingswood Apartments received conditional approval in February 2023, and it is under construction. Construction will need to be completed in three years to receive final approval. It is a twelve-year multifamily property tax exemption program project in Littlerock Road subarea target area. It has 181 total housing units of which 37 are affordable housing units and the rest are market rate.

6. Approval Process

TMC 3.30 *Multifamily Housing Tax Exemptions* establishes the review and approval process for multifamily property tax exemption applications:

1. An applicant files a complete Conditional Certificate Application with the City.
2. City staff reviews the application.
3. If the application is complete and meets the requirements of TMC 3.30, the Community Development Director approves the Conditional Certificate.
4. To complete the Conditional Certificate approval process, the applicant must enter into a contract with City that is approved by City Council, under which the applicant agrees to complete the development as outlined in the contract.
5. An approved Conditional Certificate and contract are valid for three years from the date of approval.
6. The City can issue an extension of an approved Conditional Certificate for up to 24 months subject to City approval.
7. Upon completion of the improvements agreed upon in the contract and issuance of a certificate of occupancy, the applicant then files a Final Certificate Application.
8. The complete Final Certificate Application is reviewed and approved by the Community Development Director.
9. The Community Development Director files a Final Certificate of Tax Exemption with the Thurston County Assessor.

7. The Rookery Apartments Application

A. Target Area and Length of Exemption

The Rookery Apartments are in the Capital Boulevard Corridor Subarea.

The project will follow the eight-year MFTE requirements below.

3.30.040 Tax exemptions for multifamily housing in residential target areas authorized.

A. Duration of Exemption. The value of improvements qualifying under Chapter 84.14 RCW and this chapter will be exempt from ad valorem property taxation, as follows:

- 1. For eight successive years beginning January 1 of the year immediately following the calendar year of issuance of the certificate. The eight-year duration of exemption applies only for projects in the Area 1 – Capitol Boulevard Corridor and Area 2 – Brewery District residential target areas; or***
- 2. For twelve successive years beginning January 1 of the year immediately following the calendar year of issuance of the certificate, if the property otherwise qualifies for the exemption under Chapter 84.14 RCW and meets the conditions in***

this subsection. For the property to qualify for the twelve-year exemption under this subsection, the applicant must commit to renting or selling at least twenty percent of the multifamily housing units as affordable housing units to low- and moderate-income households, and the property must satisfy that commitment and any additional affordability and income eligibility conditions adopted by the city. In the case of projects intended exclusively for owner occupancy, the minimum requirement of this subsection may be satisfied solely through housing affordable to moderate-income households.

B. Limits on Exemption. The exemption does not apply to the value of land or to the value of improvements not qualifying under this chapter, nor does the exemption apply to increases in assessed valuation of land and nonqualifying improvements. In the case of rehabilitation of existing buildings, the exemption does not include the value of improvements constructed prior to submission of the completed application required under this chapter. This chapter does not apply to increases in assessed valuation made by the assessor on nonqualifying portions of building and value of land nor to increases made by lawful order of a county board of equalization, the Department of Revenue, or a county, to a class of property throughout the county or specific area of the county to achieve the uniformity of assessment or appraisal required by law.

B. Project Eligibility

The project meets the following requirements:

1. **Location in the Capitol Boulevard Corridor Subarea** – Confirmed.
2. **Tenant Displacement Prohibited** – Confirmed.
3. **Size** –The project has six dwelling units.
4. **Proposed Completion Date** – The project will need to be completed within three years of application for the MFTE.
5. **Contract with City Approved by City Council** – The applicant must enter into a contract with city approved by City Council. See Attachment B and exhibits.

3.30.050 Project eligibility.

A proposed project must meet the following requirements for consideration for a property tax exemption:

A. Location. The project must be located within a residential target area as designated in TMC 3.30.030.

B. Tenant Displacement Prohibited. The project must not displace existing residential tenants of structures that are proposed for redevelopment. Existing dwelling units proposed for rehabilitation must have been unoccupied for a minimum of twelve months prior to submission of an application and must have one or more violations of the International Property Maintenance Code of the city of Tumwater. Applications for new construction cannot be submitted for vacant

property upon which an occupied residential rental structure previously stood, unless a minimum of twelve months has elapsed from the time of most recent occupancy.

C. Size. The project must include at least four units of multifamily housing within a residential structure or as part of an urban development. A minimum of four new units must be constructed or at least four additional multifamily units must be added to existing occupied multifamily housing. Existing multifamily housing that has been vacant for twelve months or more does not have to provide additional units so long as the project provides at least four units of new, converted, or rehabilitated multifamily housing.

D. Proposed Completion Date. New construction multifamily housing and rehabilitation improvements must be completed within three years from the date of approval of the application.

E. Compliance with Guidelines and Standards. The project must be designed to comply with the city's comprehensive plan, building, housing, and zoning codes, and any other applicable regulations in effect at the time the application is approved. The project must also comply with any other standards and guidelines adopted by the city council for the residential target area in which the project will be developed.

F. At least fifty percent of the space in a new, converted, or rehabilitated multiple unit must be for permanent residential housing. In the case of existing occupied multifamily development, the multifamily housing must also provide for a minimum of four additional multifamily units. Existing multifamily vacant housing that has been vacant for twelve months or more does not have to provide additional units.

G. The applicant must enter into a contract with city approved by city council under which the applicant agrees to the implementation of the development on terms and conditions satisfactory to the city council.

C. Application Procedure

Prior to April 1 of any year, the applicant must submit a complete application that includes the following:

1. **A completed city of application form** setting forth the grounds for the exemption. Applicant has provided a completed form. See Attachment C, Exhibit A, Attachment D, Exhibit B, Attachment E, Exhibit C, and Attachment F, Exhibit D.
2. **Preliminary floor and site plans of the proposed project.** Applicant has provided floor and site plans. See Attachment D, Exhibit B and Attachment E, Exhibit C.
3. **A statement acknowledging the potential tax liability when the project ceases to be eligible under this chapter.** Applicant has provided. See Attachment C, Exhibit A.

4. **Verification by oath or affirmation of the information submitted** – Applicant has provided this. See Attachment C, Exhibit A.

3.30.060 Application procedure.

A property owner who wishes to propose a project for a tax exemption shall complete the following procedures:

- A. Prior to April 1 of any year, file with the director the required application along with the required fees as established by resolution of the city council.*
- B. A complete application shall include:*
 - 1. A completed city of Tumwater application form setting forth the grounds for the exemption;*
 - 2. Preliminary floor and site plans of the proposed project;*
 - 3. A statement acknowledging the potential tax liability when the project ceases to be eligible under this chapter; and*
 - 4. Verification by oath or affirmation of the information submitted.*

[...]

D. Application Review

Within 90 days of submittal of a complete application on May 8, 2024, the Community Development Director determined the project meets the approval criteria.

3.30.070 Application review and issuance of conditional certificate.

A decision to approve or deny an application shall be made within ninety calendar days of receipt of a complete application.

- A. Approval. The director may approve the application if he/she finds that:*
 - 1. A minimum of four new units are being constructed or in the case of occupied rehabilitation or conversion a minimum of four additional multifamily units are being developed;*
 - 2. If applicable, the proposed multi-unit housing project meets the affordable housing requirements as described in RCW 84.14.020;*
 - 3. The proposed project is or will be, at the time of completion, in conformance with all local plans and regulations that apply at the time the application is approved;*
 - 4. The owner has complied with all standards and guidelines adopted by the city under this chapter; and*
 - 5. The site is located in a residential targeted area of an urban center that has been designated by the city council in accordance with procedures and guidelines of this chapter.*

B. Before application approval the applicant shall enter into a contract with the city, approved by the city council, regarding the terms and conditions of the project. After city council approval of the contract, and director approval of the application, the director shall issue a conditional certificate of acceptance of tax exemption. The conditional certificate expires three years from the date of approval unless an extension is granted as provided in this chapter.

C. Denial. The director shall state in writing the reasons for denial and shall send notice to the applicant at the applicant's last known address within ten calendar days of the denial. An applicant may appeal a denial to the city council within thirty days after receipt of the denial. The appeal before the governing authority must be based upon the record made before the administrative official with the burden of proof on the applicant to show that there was no substantial evidence to support the administrative official's decision. The decision of the governing body in denying or approving the application is final.

E. Application for Final Certificate

Once the conditions of the contract are met and at the time of temporary or permanent certificate of occupancy, the applicant will need to file an application for final certificate following the process below. The Community Development Director has thirty days to review the application.

3.30.090 Application for final certificate.

Upon completion of the improvements agreed upon in the contract between the applicant and the city and upon issuance of a temporary or permanent certificate of occupancy, the applicant must file with the director the following:

- A. A statement of expenditures made with respect to each multifamily housing unit and the total expenditures made with respect to the entire property;*
- B. A description of the completed work and a statement of qualification for the exemption;*
- C. If applicable, a statement that the project meets the affordable housing requirements as described in RCW 84.14.020; and*
- D. A statement that the work was completed within the required three-year period or any authorized extension.*

Within thirty calendar days of receipt of all materials required for a final certificate, the director shall determine whether the specific improvements, and the affordability of the units, satisfy the requirements of the contract, application, and this chapter.

F. Issuing Final Certificate

Once the Community Development Director has determined the project has met the conditions of the contract, the director will issue the final certificate.

3.30.100 Issuance of final certificate.

If the director determines that the project has been completed in accordance with this chapter and the contract between the applicant and the city has been completed within the authorized time period, the city shall, within ten calendar days of the expiration of the thirty-day review period provided in TMC 3.30.090, file a final certificate of tax exemption with the Thurston County assessor.

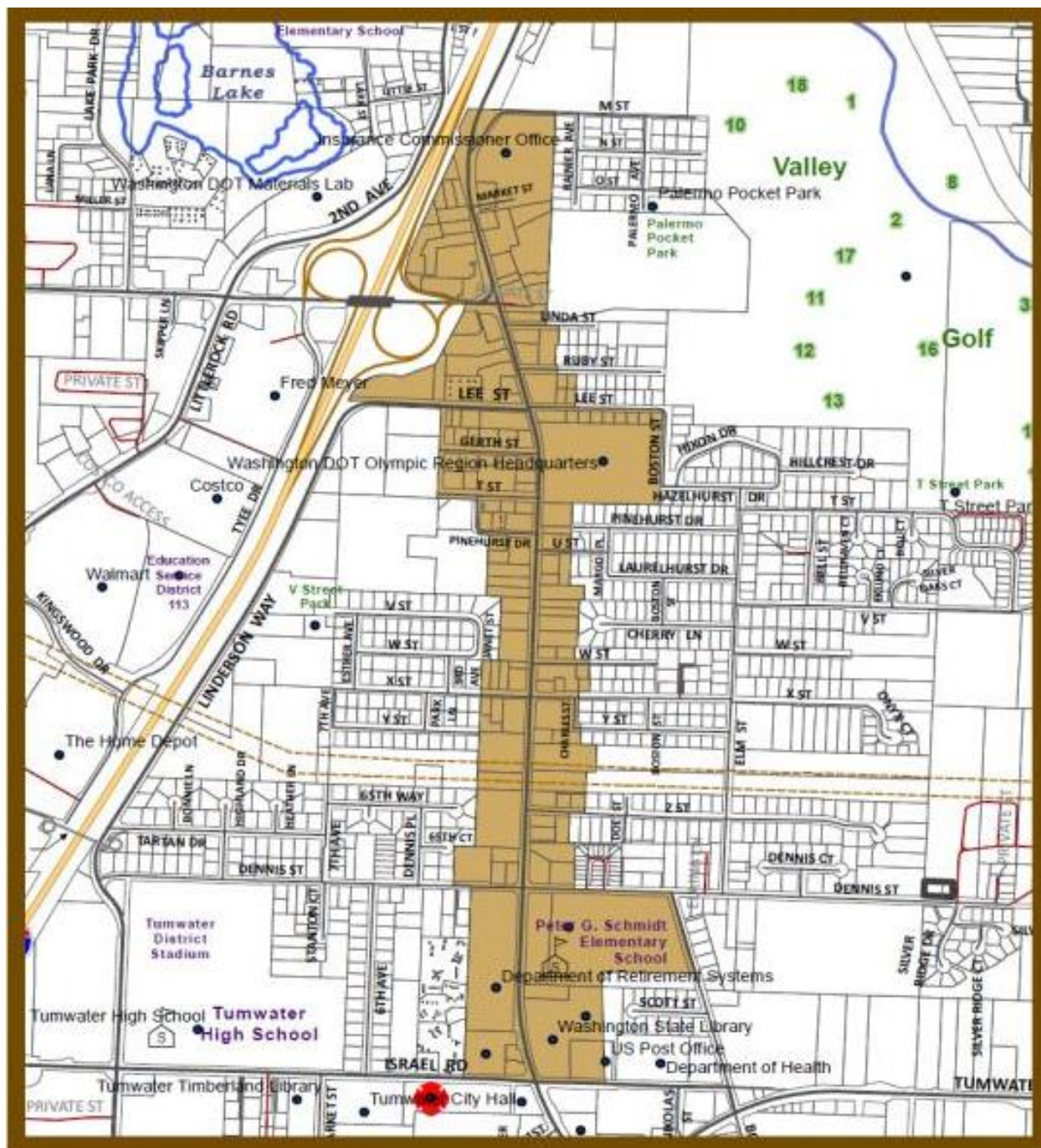
A. Denial and Appeal. The director shall notify the applicant in writing that a final certificate will not be filed if the director determines that:

- 1. The improvements were not completed within the authorized time period;*
- 2. The improvements were not completed in accordance with the application or contract between the applicant and the city; or*
- 3. The owner's property is otherwise not qualified under this chapter.*

Within fourteen calendar days of receipt of the director's denial of a final certificate, the applicant may file an appeal with the city's hearing examiner, as provided in TMC Chapter 2.58.

Appendix A: Multifamily Property Tax Exemption Target Area

Figure 1. Capitol Boulevard Corridor Target Area



**MULTIFAMILY HOUSING
LIMITED PROPERTY TAX EXEMPTION AGREEMENT**
8-YEAR (X)
12-YEAR ()

THIS AGREEMENT is entered into this _____ day of _____, 20____ by and between THE ROOKERY OLYMPIA, LLC, hereafter referred to as “Applicant” and the City of Tumwater, Washington, a municipal corporation hereinafter referred to as the “City”.

WITNESSETH:

WHEREAS, the City has an interest in encouraging new construction or rehabilitation of multifamily housing in Residential Target Areas in order to reduce development pressure on single-family residential neighborhoods, to increase and improve affordable housing opportunities, and to encourage development densities supportive of economic development and transit use; and

WHEREAS, the City has, pursuant to the authority granted to it by Chapter 84.14 RCW, designated various Residential Target Areas for the provision of a limited property tax exemption for new multifamily residential housing; and

WHEREAS, the City has, through Tumwater Municipal Code (TMC) 3.30, enacted a program whereby property owners may qualify for a final certificate of tax exemption which certifies to the Thurston County Assessor that the Applicant is eligible to receive a limited property tax exemption; and

WHEREAS, Applicant is interested in receiving a limited property tax exemption for constructing 6 units of new multifamily housing in the Capitol Boulevard Corridor Subarea; and

WHEREAS, the Applicant is requesting an X eight (8) or a ____ twelve (12) year limited property tax exemption. (For the property to qualify for the twelve-year exemption, the Applicant commits to renting or selling at least twenty percent (20%) of the multifamily housing units constructed on the Site as housing units affordable for low or moderate-income households as defined by Section 3.30.015 TMC, and the property must satisfy that commitment and any additional affordability and income eligibility conditions adopted by the City. In the case of projects intended exclusively for owner occupancy, the minimum requirement of this subsection may be satisfied solely through housing affordable to moderate-income households as defined by Section 3.30.015 TMC.); and

WHEREAS, Applicant has submitted to the City preliminary site plans and floor plans for new multifamily residential housing to be constructed on property situated approximately at 6504 Capitol Boulevard SE and described more specifically as follows:

THE ROOKERY OLYMPIA, LLC's The Rookery Apartments (TUM-24-0714)

County Assessor's Parcel Number: 12702230900

Legal Description: 2-17-2W N2-S2-S2-NW TRACT A BLA-7276 12/556 LESS R/W 2463/4 95

Street Address: 6504 Capitol Boulevard SE

Herein referred to as the "Site", and

WHEREAS, the following exhibits, plans and forms are attached to this Agreement and incorporated herein by this reference:

- A. THE ROOKERY OLYMPIA, LLC's The Rookery Apartments (TUM-24-0714) Application
- B. Site Plans, Floor Plans, and Parking Narrative

; and

WHEREAS, the City has determined that the improvements will, if completed and operated as proposed, satisfy the requirements for a final certificate of tax exemption; and

WHEREAS, the Tumwater Municipal Code requires an applicant for a limited property tax exemption to enter into an agreement, in which the applicant agrees to implement the proposed project on terms satisfactory to the Tumwater City Council so as to maintain the improvements' eligibility for the limited property tax exemption;

NOW, THEREFORE, in exchange for the City's consideration of Applicant's request for a final certificate of tax exemption, Applicant and the City mutually agree as follows:

1. Each of the recitals set forth above are by this reference fully incorporated into this Agreement.

2. The City agrees to issue Applicant a conditional certificate of acceptance of tax exemption.
3. Applicant shall construct on the Site multifamily residential housing substantially as described in the most recent site plans, floor plans, and elevations on file with the City as of the date of City approval of this Agreement. In no event shall such construction provide fewer than four new multifamily permanent residential units nor shall it provide fewer than half of its total residential units as permanent housing.
4. The Applicant further agrees that execution of this Agreement by the Mayor, or issuance of a conditional certificate by the City pursuant to TMC 3.30.070, in no way constitutes approval of proposed improvements on the Site or obligates the City to approve proposed improvements.
5. Applicant shall complete construction of the agreed upon improvements within three (3) years from the date the City issues the conditional certificate of acceptance of tax exemption or within any extension thereof granted by the City.
6. Applicant shall, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, file with the City the following:
 - A. A statement of expenditures made with respect to each multifamily housing unit and the total expenditures made with respect to the entire property;
 - B. A description of the completed work and a statement of qualifications for the exemption;
 - C. A statement that the work was completed within the required three-year period or any authorized extension; and
 - D. If applicable, a statement that the project meets the affordable housing requirements as described in TMC Chapter 3.30.
7. Upon Applicant's successful completion of the improvements in accordance with the terms of this Agreement, Applicant's filing of the materials described in Paragraph 6 above and payment of all fees, and upon the City's approval of a final certificate of tax exemption, the City shall file the final certificate with the Thurston County Assessor and provide a copy to the Applicant. The Applicant shall cause this Agreement to be recorded in the

real property records of Thurston County, Washington. The Applicant shall pay all fees and charges incurred in connection with such recording and shall provide the City with a copy of the recorded document.

8. Applicant shall, within thirty (30) days following the first anniversary of the City's filing of the final certificate of tax exemption and each year thereafter for a period of X eight (8) years or twelve (12) years, file a notarized declaration with the City indicating the following:
 - A. A statement of occupancy and vacancy of the multifamily units during the previous year;
 - B. A certification that the Site continues to be in compliance with this Agreement and TMC Chapter 3.30 and, if applicable, that the Site has been in compliance with the affordable housing requirements as described in RCW 84.14.020 since the date of the approved certificate;
 - C. A description of any subsequent improvements or changes to the Site;
 - D. The total monthly rent by unit;
 - E. The income of each renter household at the time of initial occupancy; and
 - F. Any additional information requested by the city in regards to the units receiving a tax exemption.
9. City staff may also conduct on-site verification of the declaration referenced in Section 8 above.
10. Failure to submit the annual declaration in Section 8 above shall result in a review of the exemption per TMC 3.30.120.
11. If, during the term of any final certificate of tax exemption, Applicant converts to another use any of the new multifamily residential housing units constructed under this Agreement, Applicant shall notify the Thurston County Assessor and the City within sixty (60) days of such change in use. The City may, in its sole discretion, revoke and cancel the final Certificate of tax exemption effective on the date of Applicant's conversion of any of the multifamily residential housing units to another use. The Applicant hereby covenants and agrees not to sell, transfer, or otherwise dispose of the project or any portion thereof without first providing a written statement executed by the purchaser that the purchaser understands the Applicant's duties and

obligations under this Agreement and will enter into an agreement with the City for the continuation of those obligations. Such notice must be received by the City at least ten (10) working days prior to the close of escrow.

12. Applicant shall notify the City promptly of any transfer of Applicant's ownership interest in the Site or in the improvements made to the Site under this Agreement.
13. In addition to any other powers reserved to the City by law, the City may, in its sole discretion, cancel the final certificate of tax exemption should Applicant, its successors and assigns, fail to comply with any of the terms and conditions of this Agreement or for any other reason no longer qualifies for an exemption.
14. Notice and Appeal. Upon determining that a tax exemption is to be canceled, the City will notify the Applicant by mail, return receipt requested, of the determination to cancel the exemption. Pursuant to TMC 3.30.120, the Applicant may appeal the determination to the City hearing examiner within thirty (30) days by filing a notice of appeal with the city clerk, which notice must specify the factual and legal basis on which the determination of cancellation is alleged to be erroneous. The hearing examiner will affirm, modify, or repeal the decision of cancellation of exemption based on the evidence received. An aggrieved party may appeal the decision of the hearing examiner to the Thurston County superior court.
15. If the exemption is canceled for non-compliance, the Applicant acknowledges that state law requires that an additional real property tax is to be imposed in the amount of: (1) the difference between the tax paid and the tax that would have been paid if it had included the value of the non-qualifying improvements, dated back to the date that the improvements became non-qualifying; (2) a penalty of twenty percent (20%) of the difference calculated under subsection (1) of this paragraph; and (3) interest at the statutory rate on delinquent property taxes and penalties, calculated from the date the tax would have been due without penalty if the improvements had been assessed without regard to the exemptions provided by Chapter 84.14 RCW and Chapter 3.30 TMC. The Applicant acknowledges that, pursuant to RCW 84.14.110, any additional tax owed, together with interest and penalty, become a lien on that portion of the property on which the improvements are constructed and attach at the time the portion of the Site is removed from multifamily use or the amenities no longer meet applicable requirements, and that the lien has priority to and must be fully paid and satisfied before a recognizance, mortgage, judgment, debt, obligation, or responsibility to or with which the Site may become charged or liable. The Applicant further

acknowledges that RCW 84.14.110 provides that any such lien may be foreclosed in the manner provided by law for foreclosure of liens for delinquent real property taxes. An additional tax unpaid on its due date is delinquent. From the date of delinquency until paid, interest must be charged at the same rate applied by law to delinquent ad valorem property taxes.

16. No modifications of the Agreement shall be made unless mutually agreed upon by the parties in writing.
17. The provisions, covenants, and conditions contained in this Agreement are binding upon the parties hereto and their legal heirs, representatives, successors, assigns, and subsidiaries.
18. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. Venue for any action arising out of this Agreement shall be in Thurston County superior court.
19. In the event that any term or clause of this Agreement conflicts with applicable law, such conflict shall not affect other terms of this Agreement that can be given effect without the conflicting terms or clause, and to this end, the terms of the Agreement are declared to be severable. However, if applicable and if the severable term prevents the City from receiving the benefits of having affordable housing as set forth in Chapter 84.14 RCW and Chapter 3.30 TMC, then this Agreement shall be deemed terminated, or may be terminated, as soon as possible in compliance with any applicable law.
20. The Applicant shall exercise reasonable diligence to comply with the requirements of this Agreement and shall correct any such noncompliance within sixty (60) calendar days after such noncompliance is first discovered by the Applicant or would have been discovered by the exercise of reasonable diligence, or within 60 calendar days after the Applicant receives notice of such noncompliance from the City, whichever is earliest; provided however, that such period for correction may be extended in writing by the City if the Applicant is exercising due diligence to correct the noncompliance. If such noncompliance remains uncured after such period, then the Applicant shall be in default and the City may deny or cancel the tax exemption pursuant to TMC 3.30 or take such other action at law or equity as may appear necessary or desirable to enforce the obligations, covenants, conditions and agreements of the Applicant under this Agreement.
21. A. The Applicant shall maintain complete and accurate records pertaining to the affordable housing units and shall, during regular business hours, permit any duly authorized representative of the City, to inspect the

books and records of the Applicant pertaining to the affordable housing units, including the annual declaration, and if applicable, income documentation of households residing in affordable housing at the Site. The Applicant's failure to maintain such records or failure to allow inspection by the City or any duly authorized representative shall constitute a material default hereunder. The Applicant shall retain all records pertaining to the affordable housing units for at least six (6) years.

B. The City and the Applicant hereby recognize and agree that the representations and covenants set forth herein may be relied upon by City and the Applicant. In performing its duties and obligations hereunder, the City may rely upon statements and declarations of the Applicant, and upon audits of the books and records of the Applicant pertaining to occupancy of the affordable housing units.

22. Notwithstanding anything in this Agreement to the contrary, the Applicant shall submit all documentation required by this Agreement on the forms designated by the City, which may be modified by the City from time to time. Applicant.
23. The Applicant shall not discriminate on the basis of race, creed, religion, color, sex, sexual orientation, age, national origin, marital status, or presence of any mental or physical handicap as set forth in RCW 49.60.030, as now existing and as may be amended, or on the basis of source of income as set forth in RCW 59.18.255, as now existing and as may be amended, in the lease, use, or occupancy of the affordable housing units or in connection with the employment or application for employment of persons for the operation and management of the Site.
24. A. The City and Applicant hereby declare their understanding and intent that the covenants, conditions and restrictions set forth herein directly benefit the land (i) by enhancing and increasing the enjoyment and use of the Site by certain eligible households, and (ii) by furthering the public purposes of providing housing for low-income and moderate-income households as defined in TMC 3.30.015.
- B. The City and the Applicant hereby declare that the covenants and conditions contained herein shall bind and the benefits shall inure to, respectively, the Applicant and all subsequent owners of the Site or any interest therein, and the City. Each and every contract, deed or other instrument hereafter executed conveying the Site or any portion thereof or interest therein shall contain an express provision making such conveyance subject to the covenants and conditions of this Agreement, provided however,

that any such contract, deed or other instrument shall conclusively be held to have been executed, delivered and accepted subject to such covenants and conditions, regardless of whether or not such covenants and conditions are set forth or incorporated by reference in such contract, deed or other instrument.

25. The Applicant shall defend, indemnify, and hold the City, its officers, officials, employees, volunteers and its designee and any other party authorized hereunder to enforce the terms of this Agreement, harmless from any and all claims, injuries, damages, losses, or suits, including attorney fees, arising out of or resulting from this Agreement. This provision shall survive termination or expiration of this Agreement.
26. The provisions of this Agreement and of the documents to be executed and delivered in connection herewith are and will be for the benefit of the Applicant and the City only and, are not for the benefit of any third party (including, without limitation, any tenants or tenant organizations), and accordingly, no third party shall have the right to enforce the provisions of this Agreement or of the documents to be executed and delivered in connection herewith.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

City:

City of Tumwater
555 Israel Road SW
Tumwater, WA 98501

Applicant:

THE ROOKERY OLYMPIA, LLC
6504 Capitol Boulevard SE
Tumwater, WA 98501

Debbie Sullivan, Mayor

Signature

Name Printed: Tyrell Bradley

Title: Principal

Approved as to form:

Karen Kirkpatrick, City Attorney

State of Washington

County of _____

This record was acknowledged before me on (date) by (name(s) of individuals) as (type of authority, such as officer or trustee) of (name of party on behalf of whom record was executed).

(Signature)

Notary Public in and for the State of Washington.

My appointment expires _____.

Date:_____

State of Washington

County of Thurston

I certify that I know or have satisfactory evidence that Debbie Sullivan is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Mayor of the City of Tumwater to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated:_____

(Signature)

Notary Public in and for the State of Washington.

My appointment expires _____.



CITY OF TUMWATER
 555 ISRAEL RD. SW, TUMWATER, WA 98501
 (360) 754-4180
 Email: cdd@ci.tumwater.wa.us
**TAX EXEMPTION ON MULTI-FAMILY UNITS
 WITHIN A DESIGNATED RESIDENTIAL
 TARGET AREA**
**APPLICATION FOR A CONDITIONAL
 CERTIFICATE**

TUM -24-
0714

Kerri
 RCVD BY

DATE STAMP

05-08-2024

LEGAL OWNER: Tyrell and Tessa Bradley Email: tbradley@ldccorp.com
 Mailing Address 2800 Forest Hill Dr SE Olympia WA 98501 Phone: (360) 878-0678
 APPLICANT: The Rookery Olympia, LLC Email: tbradley@ldccorp.com
 Mailing Address 6504 Capitol Blvd SE Tumwater WA 98501 Phone: (360) 878-0678
 AGENT: Tyrell Bradley Email: tbradley@ldccorp.com
 Mailing Address 6504 Capitol Blvd SE Tumwater WA 98501 Phone: (360) 878-0678

PROJECT INFORMATION

PROPERTY ADDRESS: 6504 Capitol Blvd SE Tumwater WA 98501
 PARCEL #: 12702230900 PROJECT NAME: The Rookery
 LEGAL DESCRIPTION: 2-17-2W N2-S2-S2-NW TRACT A BLA-7276 12/556 LESS R/W 2463/4 95

RESIDENTIAL TARGET AREA WHERE PROJECT WILL BE LOCATED:

8 OR 12 YEAR TAX CREDIT: ☒ CAPITOL BOULEVARD CORRIDOR
☐ BREWERY DISTRICT
 12 YEAR TAX CREDIT ONLY: ☐ TUMWATER TOWN CENTER
☐ LITTLEROCK ROAD SUBAREA

INTEREST IN PROPERTY: ☒ FEE SIMPLE ☐ CONTRACT PURCHASE ☐ OTHER

DESCRIPTION OF THE PROJECT, INCLUDING USES OF ALL PROPOSED BUILDING AND ON-SITE AMENITIES: The proposed project will construct a mixed use building with the ground floor being a commercial office and the two floors above providing six (6) market rate multifamily housing units. On-site amenities will consist of a shared courtyard and rooftop decks that can be accessed by all units.

TOTAL NUMBER OF DWELLING UNITS PROPOSED: 6

NUMBER OF UNITS: EXISTING EMPTY: 0 EXISTING OCCUPIED: 0

** IF EXISTING UNITS ARE VACANT, DATE LAST OCCUPIED: _____

*** AFFIDAVIT OF VACANCY MUST BE ATTACHED***

TERM OF TAX EXEMPTION REQUESTED: ☒ 8 YEAR TAX CREDIT OR ☐ 12 YEAR TAX CREDIT

NUMBER OF UNITS FOR WHICH A TAX EXEMPTION IS REQUESTED: 6

(Must be 4 or more)

EXPECTED START DATE: June 15, 2024EXPECTED COMPLETION DATE: June 15, 2025TYPE OF PROJECT: ☒ NEW CONSTRUCTION ☐ CONVERSION OF EXISTING STRUCTURE☐ REHABILITATION OF MULTIFAMILY STRUCTUREIF THE PROJECT IS TO REHABILITATE EXISTING UNITS, HOW LONG HAVE THE UNITS BEEN
VACANT: _____

COMPLETE THE FOLLOWING TABLE:

PROPOSED DWELLING UNITS	STUDIO	1-BR	2-BR	3-BR+	TOTAL UNITS
NUMBER OF INCOME-RESTRICTED UNITS	_____	_____	_____	_____	_____
NUMBER OF MARKET-RATE UNITS	_____	<u>6</u>	_____	_____	<u>6</u>
AVERAGE MONTHLY RENT (INCOME-RESTRICTED)	_____	_____	_____	_____	_____
AVERAGE MONTHLY RENT (MARKET-RATE)	_____	_____	_____	_____	_____
AVERAGE UNIT SIZE (SF)	_____	<u>817 SF</u>	_____	_____	_____
DEVELOPMENT COST PER UNIT	_____	_____	_____	_____	_____
NUMBER OF UNITS VACANT FOR 12 MONTHS OR MORE*	_____	_____	_____	_____	_____
NUMBER OF UNITS THAT ARE CURRENTLY OCCUPIED*	_____	_____	_____	_____	_____

* COMPLETE IF APPLICANT WILL REHABILITATE EXISTING UNITS

TOTAL SITE AREA: 0.30 PROPOSED DENSITY: 20 units/acrePERCENTAGE OF SPACE FOR PERMANENT RESIDENTIAL HOUSING: 61%NON-RESIDENTIAL FLOOR AREA: 3,123 SFDESCRIBE BUILDING USE AND SQUARE FEET INTENDED FOR EACH USE: 3,123 sf of the building will be used as commercial office space and 4,958 sf will be used as residential multifamily in perpetuity.PROJECTED COST OF CONSTRUCTION / REHABILITATION: \$2,774,597PROPERTY ACQUISITION COST \$299,000ESTIMATED TOTAL PROJECT COST: \$3,073,597SOURCE OF COST ESTIMATE: Bids from general contractor and sub contractorsEXPECTED DATE TO START PROJECT: June 15, 2024PROPOSED COMPLETION DATE: June 15, 2025

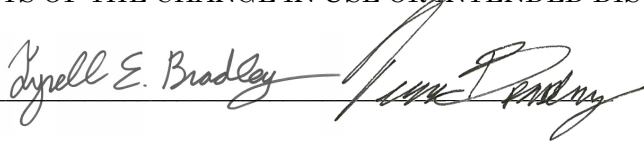
FOR PROJECTS SEEKING A 12-YEAR EXEMPTION OR ANY PROGRAM WITH AFFORDABILITY REQUIREMENTS, COMPLETE THE FOLLOWING TABLE:

PROPOSED DWELLING UNITS	STUDIO	1-BR	2-BR	3-BR+	TOTAL UNITS
NUMBER OF INCOME-RESTRICTED UNITS	_____	_____	_____	_____	_____
NUMBER OF UNITS AT OR BELOW 80% AMI (LOW-INCOME)	_____	_____	_____	_____	_____
AVERAGE RENT FOR LOW-INCOME UNITS	_____	_____	_____	_____	_____
NUMBER OF UNITS AT OR BELOW 115% AMI (MODERATE-INCOME)	_____	_____	_____	_____	_____
AVERAGE RENT FOR MODERATE-INCOME UNITS	_____	_____	_____	_____	_____

STATEMENT OF POTENTIAL TAX LIABILITY

AS OWNER OF THE LAND DESCRIBED IN THIS APPLICATION, I HEREBY INDICATE BY MY SIGNATURE THAT I AM AWARE OF THE ADDITIONAL TAX LIABILITY IF AND WHEN THE PROPERTY CEASES TO BE ELIGIBLE FOR EXEMPTION. I AM AWARE THAT THE TAX EXEMPTION MUST BE CANCELLED IF THE PROPERTY IS CONVERTED FROM MULTIFAMILY TO ANOTHER USE. I AM AWARE THAT IF I DECIDE TO CONVERT THE MULTIFAMILY HOUSING TO ANOTHER USE OR INTEND TO DISCONTINUE COMPLIANCE WITH THE AFFORDABLE HOUSING REQUIREMENTS, I MUST NOTIFY THE CITY COMMUNITY DEVELOPMENT DEPARTMENT AND THE COUNTY ASSESSOR WITHIN 60 DAYS OF THE CHANGE IN USE OR INTENDED DISCONTINUANCE.

OWNER SIGNATURE: _____



DATE: 5/1/2024

AFFIRMATION

AS TAXPAYER(S) OF THE LAND DESCRIBED IN THIS APPLICATION, I HEREBY INDICATE BY MY SIGNATURE THAT I AM AWARE THAT THE EXEMPTION DOES NOT BEGIN UNTIL AFTER THE PROJECT IS COMPLETE AND I HAVE APPLIED FOR A FINAL CERTIFICATE OF EXEMPTION. I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THIS APPLICATION AND ANY ACCOMPANYING DOCUMENTS HAVE BEEN EXAMINED BY ME AND THAT THEY ARE TRUE, CORRECT, AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

OWNER SIGNATURE: _____



DATE: 5/1/2024

IF APPLYING FOR A 12-YEAR CREDIT, PLEASE ATTACH A STATEMENT ADDRESSING THE FOLLOWING QUESTIONS:

1. Total number of units being proposed
2. Estimated rent per unit
3. Number of units rented to low or moderate income households (or other households)
4. Estimated income of those households
5. Method for insuring program compliance over the period of the exemption

A COMPLETE APPLICATION SHALL INCLUDE:

1. A completed City of Tumwater application setting forth the grounds for the exemption;
2. Preliminary floor and site plans of proposed project;

3. A statement acknowledging the potential tax liability when the project ceases to be eligible under this chapter;
4. Verification by oath or affirmation of the information submitted;
5. If the project is to rehabilitate existing units and if the units are occupied, provide a statement of how will the applicant provide existing tenants with relocation assistance;
6. If mixed use project, provide detail on residential and non-residential parking area.

For rehabilitation projects, the applicant shall also submit an affidavit that existing dwelling units have been unoccupied for a period of twelve months prior to filing the application and shall secure from the City verification of property noncompliance with the City's applicable building or housing codes.

Before application approval, the applicant shall enter into a contract with the City, approved by the City Council, regarding the terms and conditions of the project. After City Council approval of the contract, and Director of Community Development approval of the application, the Director shall issue a conditional Certificate of Acceptance of Tax Exemption. The Conditional Certificate expires three years from the date of approval unless an extension is granted as provided in this chapter."

SUMMARY OF PROCESS STEPS

1. **Pre-application meeting:** A meeting with staff to discuss the process and criteria is recommended prior to application.
2. **Application:** Complete the attached application and submit the applicable materials listed on the form along with the required filing fee. The application must be submitted prior to applying for a building permit.
3. **Review process:**
 - a. The Community Development Department reviews the application and within 90 days determines whether it is consistent with the program criteria.
 - b. If the proposal is found to be consistent, the Community Development Department Director may certify the project as eligible for the tax exemption. The applicant shall then enter into a contract with the City regarding the terms and conditions of the project.
 - c. Upon approval of the contract by Community Development Department Director, the Director issues a Conditional Certificate of Tax Exemption. The Conditional Certificate expires three years from the date of approval unless an extension is granted.
 - d. If the Community Development Department Director denies the eligibility for tax exemption, the applicant may file an appeal within 30 days of receipt of notice. The City Council decides the appeal.
4. **Application for final certificate:** Upon completion of the improvements agreed upon in the contract between the applicant and the City and upon issuance of a temporary or permanent certificate of occupancy, the applicant may request a Final Certificate of Tax Exemption. The applicant must file with the Community Development Department the following:
 - a. A statement of expenditures made with respect to each multifamily housing unit and the total expenditures made with respect to the entire property.
 - b. A description of the completed work with evidence of final City inspection of all work completed and a statement of qualification for the exemption.
 - c. A statement that the work was completed within the required three-year period or any authorized extension.
 - d. If applicable, a statement that the project meets the affordability requirements.
 - e. Other requirements, if applicable
 - f. Within 30 days of receipt of all materials required for the Final Certificate, the Community Development Department Director determines whether the project has been completed in accordance with the contract.
5. **Issuance of final certificate.**
 - a. If approved, the Community Development Department Director files a Final Certificate of Exemption with the county assessor.
 - b. If denied, within fourteen calendar days of receipt of the director's denial of a final certificate, the applicant may file an appeal with the City's hearing examiner, as provided in TMC Chapter 2.58.
6. **Annual compliance review.** Within thirty calendar days after the first anniversary of the date of filing the final certificate of tax exemption and each year thereafter for the tax exemption period, the

property owner shall file a notarized declaration with the director indicating the following:

- a. A statement of occupancy and vacancy of the multifamily units during the previous year;
- b. A certification that the property continues to be in compliance with the contract with the City and this chapter and, if applicable, that the property has been in compliance with the affordable housing requirements as described in RCW 84.14.020 since the date of the approved certificate;
- c. A description of any subsequent improvements or changes to the property; and
- d. Any additional information requested by the City in regards to the units receiving a tax exemption.
- e. City staff may also conduct on-site verification of the declaration.
- f. Failure to submit the annual declaration shall result in a review of the exemption per TMC 3.30.120.

PROJECT ELIGIBILITY CHECKLIST

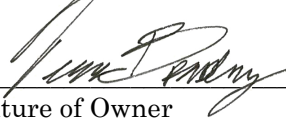
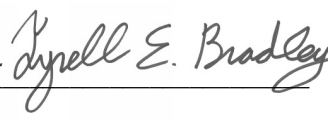
The proposed project:

- Is in a designated residential targeted area.
- Does not displace any existing residential tenants from the property proposed for development without providing residents with comparable housing and opportunities to relocate.
- Is a multi-family or mixed-use project, which is at minimum 50% housing and provides at minimum four (4) new dwelling units.
- Will be completed within three years from the effective date of the City Council approved Conditional Contract of Tax Exemption, with the possibility of an extension under the ordinance.

(FOR CITY USE)

- ☐ Building is in a Multi-Family Tax Exemption Target Areas
- ☐ Building is not in compliance with the City's Minimum Housing Code
- ☐ Required Preliminary Plans are attached: ☐ Plans ☐ Site Plan ☐ Floor Plan
- ☐ \$100 application fee received

I certify under penalty of perjury that the information furnished by me is true and correct to the best of my knowledge, and further, that I am the owner of this property or am authorized by the owner to perform the work for which this permit application is made. I further agree to hold harmless, the City of Tumwater as to any claim (including costs, expenses, and attorney fees incurred in investigation and defense of such claim), which may be made by any person, including the undersigned, and filed against the City of Tumwater, to the extent such claim arises out of the reliance of the City, including its officers and employees, upon the accuracy of the information supplied to the City as part of this application.

  05/01/2024
 Signature of Owner Date

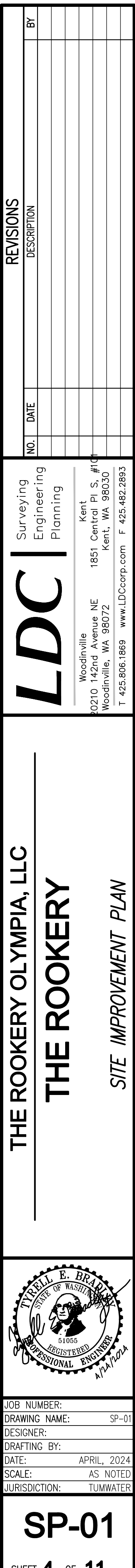
Tessa Bradley & Tyrell Bradley

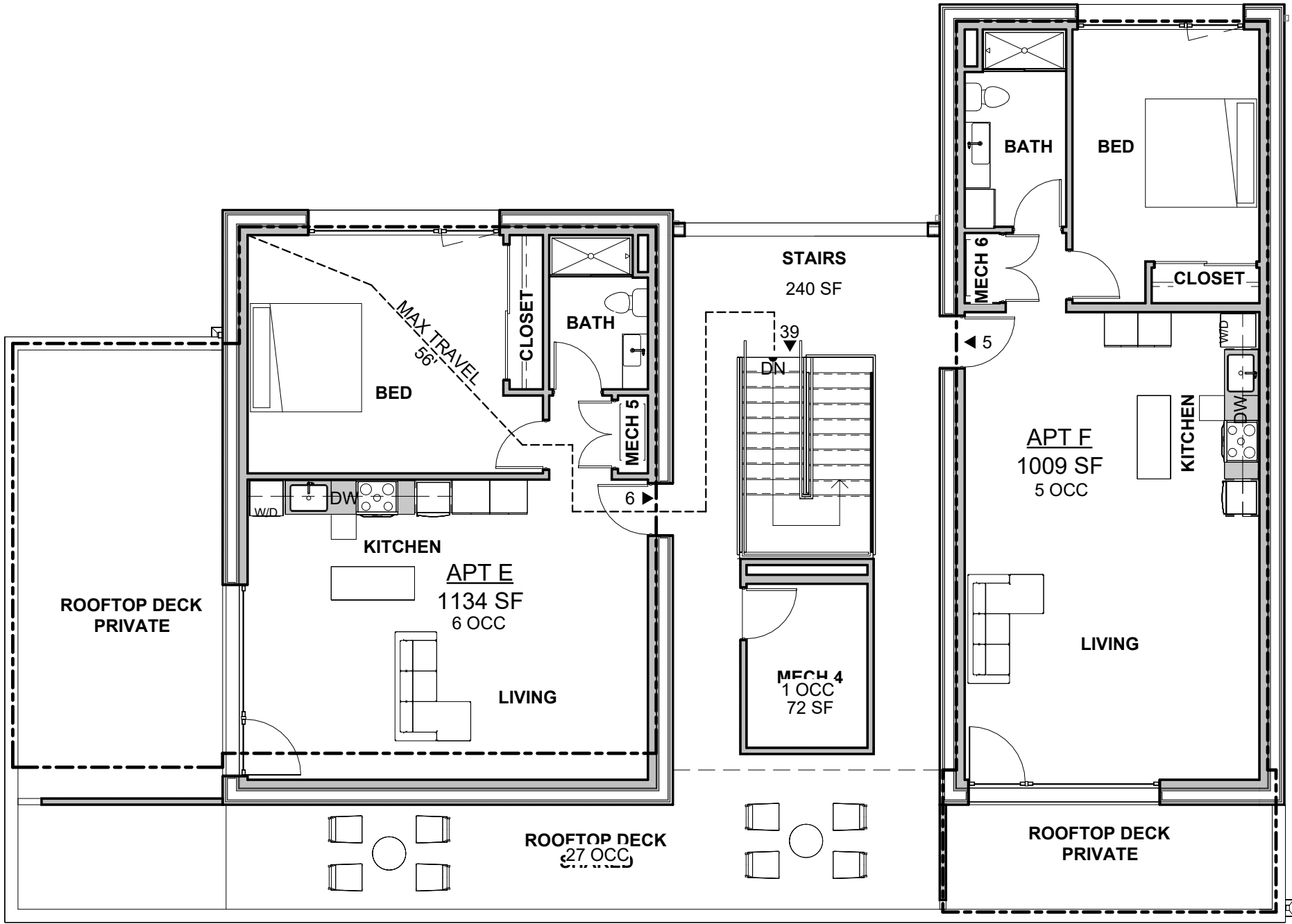
Print Name

 05/01/2024
 Signature of Applicant/Agent Date

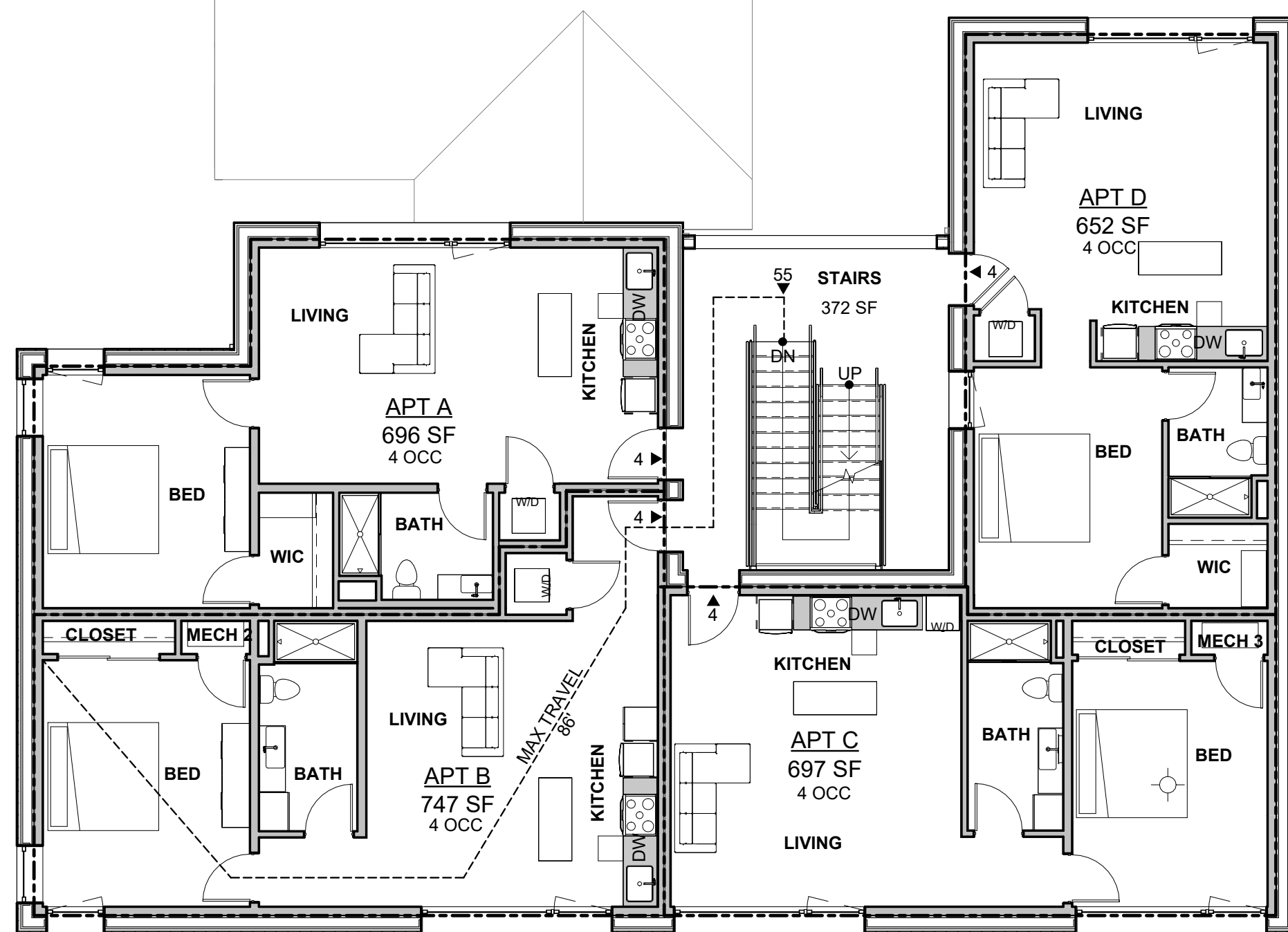
Tyrell Bradley

Print Name





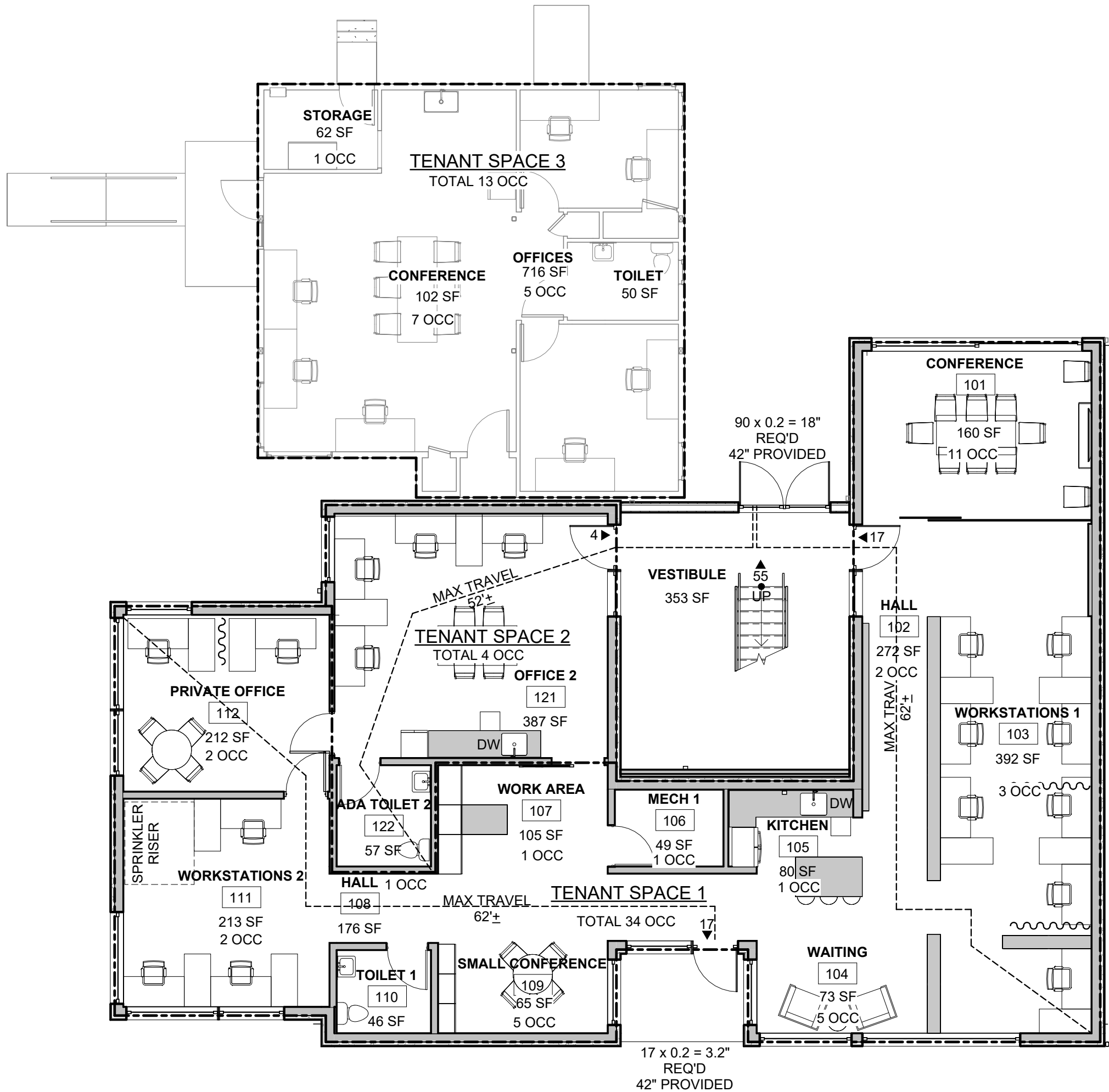
3
G004
1/8" = 1'-0"



2
G004
1/8" = 1'-0"

Attachment E

Exhibit "C"



1
G004
1/8" = 1'-0"

ARTISANS GROUP
ARCHITECTURE + PLANNING



6504 Capitol Blvd SE Tumwater, WA 98501 | 360.570.0626 (P) 360.570.0727 (F) | www.artisangroup.com
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SITE ADDRESS:
6504 Capitol Blvd SE,
Tumwater WA 98501

PROJECT NUMBER:
AGAP OFFICE

AGAP OFFICE

OWNER ADDRESS:
6504 Capitol Blvd SE,
Tumwater WA 98501

PARCEL NUMBER:
12702230900

Designed By: TB, RC
Drawn By: RC, NP, JS
Issue Date: Issue Date
Revisions:
Rev # Description Date

PRELIMINARY SET

Leasing Plan

May 7, 2024

City of Tumwater
Community Development
Attn: Brad Medrud, Long Range Planning Manager

Exhibit "D"

RE: TUM-24-0220 The Rookery MFTE Parking Narrative

Dear Mr. Medrud,

The purpose of this letter is to provide a narrative for the parking being provided as part of the mixed use building being constructed under City of Tumwater project number TUM-24-0220. Tumwater municipal code requires twenty (20) total parking spaces with an allowance to reduce this requirement by 15% administratively, bringing the total to seventeen (17) required parking spaces. This project will be providing the required seventeen (17) total parking spaces with eleven (11) parking spaces for the ground floor offices and six (6) parking spaces for the six (6) one-bedroom multifamily units. At this time, there is not a plan to assign parking spaces.

Sincerely,

LDC, Inc.

Tyrell Bradley
Principal Engineer
Olympia Office

TO: General Government Committee
FROM: Chuck Denney, Parks and Recreation Director
DATE: June 12, 2024
SUBJECT: Service Provider Agreement with Barker Rinker Seacat Architecture for Community Center Design

1) Recommended Action:

Place the Community Center Design Service Provider Agreement with Barker Rinker Seacat Architecture on the June 25, 2024, Council Worksession consent calendar with a recommendation to approve and authorize the Mayor to sign.

2) Background:

With the passage of the Tumwater Metropolitan Parks District (TMPD), voters supported the construction of a "Community Center with meeting and event space, senior services, indoor sports courts, and land for a future public swimming pool."

Through a public process, this design project will develop the plan for the Tumwater Community Center, the services provided at the facility, cost/revenue projections and siting.

3) Policy Support:

Strategic Priority: Provide high quality municipal facilities and parks by providing dedicated long-term funding.

4) Alternatives:

- ☐ Recommend changes to service provider agreement.
 - ☐ Do not recommend support for approval of service provider agreement.
-

5) Fiscal Notes:

TMPD - \$221,733.

6) Attachments:

- A. Community Center Design Service Provider Agreement with Barker Rinker Seacat Architecture

**CITY OF TUMWATER
SERVICE PROVIDER AGREEMENT**

TUMWATER COMMUNITY CENTER DESIGN

THIS AGREEMENT is made and entered into in duplicate this _____ day of _____, 20__, by and between the CITY OF TUMWATER, a Washington municipal corporation, hereinafter referred to as the “CITY”, and Barker Rinker Seacat Architecture, a Colorado corporation, hereinafter referred to as the “SERVICE PROVIDER”.

WITNESSETH:

WHEREAS, the CITY desires to have certain services and/or tasks performed as set forth below requiring specialized skills and other supportive capabilities; and

WHEREAS, sufficient CITY resources are not available to provide such services; and

WHEREAS, the SERVICE PROVIDER represents that the SERVICE PROVIDER is qualified and possesses sufficient skills and the necessary capabilities, including technical expertise, where required, to perform the services and/or tasks set forth in this Agreement.

NOW, THEREFORE, in consideration of the terms, conditions, covenants, and performance contained herein, the parties hereto agree as follows:

1. SCOPE OF SERVICES.

The SERVICE PROVIDER shall perform such services and accomplish such tasks, including the furnishing of all materials and equipment necessary for full performance thereof, as are identified and designated as SERVICE PROVIDER responsibilities throughout this Agreement and as detailed in Exhibit “A” Scope of Services attached hereto and incorporated herein (the “Project”).

2. TERM.

The Project shall begin no earlier than June 22, 2024, and shall be completed no later than December 31, 2024. This Agreement may be extended for additional periods of time upon mutual written agreement of the parties.

3. TERMINATION.

Prior to the expiration of the Term, this Agreement may be terminated immediately, with or without cause, by the CITY.

4. COMPENSATION AND METHOD OF PAYMENT.

A. Payments for services provided hereunder shall be made following the performance of such services, unless otherwise permitted by law and approved in writing by the CITY.

B. No payment shall be made for any service rendered by the SERVICE PROVIDER except for services identified and set forth in this Agreement.

C. The CITY shall pay the SERVICE PROVIDER for work performed under this Agreement a total sum not to exceed **Two Hundred Twenty-One Thousand Seven Hundred and Thirty-Three Dollars** (\$221,733.00) as reflected in Exhibit "A".

D. Upon execution of this Agreement, the SERVICE PROVIDER must submit IRS Form W-9 Request for Taxpayer Identification Number (TIN) and Certification unless a current Form W-9 is already on file with the CITY.

E. The SERVICE PROVIDER shall submit an invoice to the CITY for services rendered during the contract period. The CITY shall initiate authorization for payment after receipt of said invoice and shall make payment to the SERVICE PROVIDER within approximately thirty (30) days thereafter.

F. When subcontracting services or purchasing goods from third parties, as identified and approved in this Agreement, the SERVICE PROVIDER must submit written documentation establishing that the goods and/or services have been provided and the third party has been paid in order to receive payment for such goods and/or services.

G. Invoices may be submitted immediately following performance of services, but in no event shall an invoice be submitted more than twenty (20) business days following the end of the contract term or the end of the calendar year, whichever is earlier.

5. INDEPENDENT CONTRACTOR RELATIONSHIP.

A. The parties intend that an independent contractor relationship will be created by this Agreement. Subject to paragraphs herein, the implementation of services pursuant to this Agreement will lie solely within the

discretion of the SERVICE PROVIDER. No agent, employee, servant or representative of the SERVICE PROVIDER shall be deemed to be an employee, agent, servant or representative of the CITY for any purpose, and the employees of the SERVICE PROVIDER are not entitled to any of the benefits the CITY provides for its employees. The SERVICE PROVIDER will be solely and entirely responsible for its acts and for the acts of its agents, employees, servants, subcontractors or representatives during the performance of this Agreement.

B. In the performance of the services herein contemplated the SERVICE PROVIDER is an independent contractor with the authority to control and direct the performance of the details of the work; however, the results of the work contemplated herein must meet the approval of the CITY and shall be subject to the CITY'S general rights of inspection and review to secure the satisfactory completion thereof.

C. As an independent contractor, the SERVICE PROVIDER shall be responsible for the reporting and payment of all applicable local, state, and federal taxes.

D. It is recognized that the SERVICE PROVIDER may or will be performing services during the Term for other parties; provided, however, that such performance of other services shall not conflict with or interfere with the SERVICE PROVIDER'S ability to perform the services. The SERVICE PROVIDER agrees to resolve any such conflicts of interest in favor of the CITY.

6. SERVICE PROVIDER EMPLOYEES/AGENTS.

The CITY may at its sole discretion require the SERVICE PROVIDER to remove an employee, agent or servant from employment on this Project. The SERVICE PROVIDER may however employ that individual on other non-CITY related projects.

7. HOLD HARMLESS INDEMNIFICATION.

A. The SERVICE PROVIDER shall defend, indemnify and hold the CITY, its officers, elected officials, employees, agents, and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or in connection with the performance of this Agreement, except for injuries and damages caused by the sole negligence of the Public Entity.

However, should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Contractor and the Public Entity, its officers, officials, employees, and volunteers, the Contractor's liability hereunder shall be only to the

extent of the Contractor's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Contractor's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. The SERVICE PROVIDER'S indemnification shall not be limited in any way by any limitation on the amount of damages, compensation or benefits payable to or by any third party under workers' compensation acts, disability benefit acts or any other benefit acts or programs. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

8. INSURANCE.

A. The SERVICE PROVIDER shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the SERVICE PROVIDER, their agents, representatives, employees or subcontractors.

B. The SERVICE PROVIDER shall provide a Certificate of Insurance evidencing:

1. Automobile Liability insurance with limits no less than \$1,000,000 combined single limit per accident for bodily injury and property damage.

2. Commercial General Liability insurance written on an occurrence basis with limits no less than \$2,000,000 combined single limit per occurrence and \$2,000,000 aggregate for personal injury, bodily injury and property damage. Coverage shall include but not be limited to: blanket contractual; products/completed operations; broad form property damage; explosion, collapse and underground (XCU) if applicable; and employer's liability.

3. Professional Liability insurance written on a claim made basis with limits of no less than \$2,000,000 per claim, and \$2,000,000 policy aggregate limit.

C. The CITY shall be named as an additional insured on the GL and Auto Liability insurance policy, as respect to work performed by or on behalf of the SERVICE PROVIDER and a copy of the endorsement naming the CITY as additional insured shall be attached to the Certificate of Insurance. The CITY reserves the right to request certified copies of any required policies.

D. The SERVICE PROVIDER'S insurance shall contain a clause stating that coverage shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

E. Any payment of deductible or self-insured retention shall be the sole responsibility of the SERVICE PROVIDER.

F. The SERVICE PROVIDER'S insurance shall be primary insurance as respect to the CITY and the CITY shall be given written notice of any cancellation, suspension or material change in coverage within two (2) business days of SERVICE PROVIDER'S receipt of such notice.

9. TREATMENT OF ASSETS.

Title to all property furnished by the CITY shall remain in the name of the CITY and the CITY shall become the owner of the work product and other documents, if any, prepared by the SERVICE PROVIDER pursuant to this Agreement.

10. COMPLIANCE WITH LAWS.

A. The SERVICE PROVIDER, in the performance of this Agreement, shall comply with all applicable federal, state or local laws and ordinances, including being licensed to do business in the City of Tumwater by obtaining a Tumwater business license and any additional regulations for licensing, certification and operation of facilities, programs and accreditation, and licensing of individuals, and any other standards or criteria as described in this Agreement to assure quality of services.

B. The SERVICE PROVIDER specifically agrees to pay any applicable CITY business and occupation (B&O) taxes which may be due on account of this Agreement.

11. NONDISCRIMINATION.

A. The CITY is an equal opportunity employer.

B. Nondiscrimination in Employment. In the performance of this Agreement, the SERVICE PROVIDER will not discriminate against any employee or applicant for employment on the grounds of race, creed, religion, color, national origin, citizenship or immigration status, families with children status, sex, marital status, honorably discharged veteran or military status, the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability, sexual orientation, genetic information, age or other basis prohibited by state or federal law; provided that the prohibition against discrimination in employment because of disability shall not apply if the particular disability prevents the proper performance of the particular worker involved. Such

action shall include, but not be limited to: employment, upgrading, demotion or transfers, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and programs for training including apprenticeships.

C. Nondiscrimination in Services. The SERVICE PROVIDER will not discriminate against any recipient of any services or benefits provided for in this Agreement on the grounds of race, creed, religion, color, national origin, citizenship or immigration status, families with children status, sex, marital status, honorably discharged veteran or military status, the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a person with a disability, sexual orientation, genetic information, age or other basis prohibited by state or federal law. "Race" is inclusive of traits historically associated or perceived to be associated with race including, but not limited to, hair texture and protective hairstyles. For purposes of this subsection, "protective hairstyles" includes, but is not limited to, such hairstyles as afros, braids, locks, and twists. It is not an unfair practice when a distinction or differential treatment on the basis of citizenship or immigration status is authorized by federal or state law, regulation, rule or government contract.

D. If any assignment and/or subcontract have been authorized by the CITY, said assignment or subcontract shall include appropriate safeguards against discrimination. The SERVICE PROVIDER shall take such action as may be required to ensure full compliance with the provisions in the immediately preceding paragraphs herein.

E. Nondiscrimination in Benefits. **The provisions of this subsection are only applicable to contracts with an estimated value of \$50,000 or more.** Pursuant to Tumwater Municipal Code (TMC) Chapter 3.46, the SERVICE PROVIDER shall provide employee benefits or an equivalent sum to the domestic partners of their employees involved in the SERVICE PROVIDER'S operations applicable to this Agreement if such benefits are provided to employees' spouses as more particularly set forth in Chapter 3.46 of the TMC, a copy of which is attached hereto as Exhibit "B".

F. Nondiscrimination in Contractors / Subcontractors. The City of Tumwater, in accordance with RCW 49.60.530 requires all covered contractors or subcontractors to actively pursue a diverse and inclusive workforce. Contractors and subcontractors are prohibited from all forms of discrimination listed in RCW 49.60.530.

12. ASSIGNMENT/SUBCONTRACTING.

A. The SERVICE PROVIDER shall not assign its performance

under this Agreement or any portion of this Agreement without the written consent of the CITY, and it is further agreed that said consent must be sought in writing by the SERVICE PROVIDER not less than thirty (30) days prior to the date of any proposed assignment. The CITY reserves the right to reject without cause any such assignment.

B. Any work or services assigned hereunder shall be subject to each provision of this Agreement and proper bidding procedures where applicable as set forth in local, state and/or federal statutes, ordinances and guidelines.

C. Any technical service subcontract not listed in this Agreement, must have express advance approval by the CITY.

13. NON-APPROPRIATION OF FUNDS.

If sufficient funds are not appropriated or allocated for payment under this Agreement for any future fiscal period, the CITY will not be obligated to make payments for services or amounts incurred after the end of the current fiscal period, and this Agreement will terminate upon the completion of all remaining services for which funds are allocated. No penalty or expense shall accrue to the CITY in the event this provision applies.

14. CHANGES.

Either party may request changes to the Scope of Services and performance to be provided hereunder, however, no change or addition to this Agreement shall be valid or binding upon either party unless such change or addition be in writing and signed by both parties. Such amendments shall be attached to and made part of this Agreement.

15. MAINTENANCE AND INSPECTION OF RECORDS.

A. The SERVICE PROVIDER at such times and in such forms as the CITY may require, shall furnish to the CITY such statements, records, reports, data, and information as the CITY may request pertaining to matters covered by this Agreement.

B. The SERVICE PROVIDER shall maintain books, records and documents, which sufficiently and properly reflect all direct and indirect costs related to the performance of this Agreement and shall maintain such accounting procedures and practices as may be necessary to assure proper accounting of all funds paid pursuant to this Agreement. These records shall be subject at all reasonable times to inspection, review, or audit, by the CITY, its authorized representative, the State Auditor, or other governmental officials authorized by law

to monitor this Agreement.

C. To ensure the CITY'S compliance with the Public Records Act, RCW 42.56, the SERVICE PROVIDER shall retain all books, records, documents and other material relevant to this agreement, for six (6) years after its expiration. The SERVICE PROVIDER agrees that the CITY or its designee shall have full access and right to examine any of said materials at all reasonable times during said period.

16. POLITICAL ACTIVITY PROHIBITED.

None of the funds, materials, property or services provided directly or indirectly under the Agreement shall be used for any partisan political activity, or to further the election or defeat of any candidate for public office.

17. PROHIBITED INTEREST.

No member, officer, or employee of the CITY shall have any interest, direct or indirect, in this Agreement or the proceeds thereof.

18. NOTICE.

Notice provided for in this Agreement shall be sent by certified mail to the addresses designated for the parties on the signature page of this Agreement.

19. ATTORNEYS FEES AND COSTS.

If any legal proceeding is brought for the enforcement of this Agreement, or because of a dispute, breach, default, or misrepresentation in connection with any of the provisions of this Agreement, the prevailing party shall be entitled to recover from the other party, in addition to any other relief to which such party may be entitled, reasonable attorney's fees and other costs incurred in that action or proceeding.

20. JURISDICTION AND VENUE.

A. This Agreement has been and shall be construed as having been made and delivered within the State of Washington. It is agreed by each party hereto that this Agreement shall be governed by laws of the State of Washington, both as to interpretation and performance.

B. Any action of law, suit in equity, or judicial proceeding for the enforcement of this Agreement or any provisions thereof shall be instituted and maintained in the superior court of Thurston County, Washington.

21. SEVERABILITY.

A. If, for any reason, any part, term or provision of this Agreement is held by a court of the United States to be illegal, void or unenforceable, the validity of the remaining provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular provision held to be invalid.

B. If it should appear that any provision hereof is in conflict with any statutory provision of the State of Washington, said provision which may conflict therewith shall be deemed inoperative and null and void insofar as it may be in conflict therewith, and shall be deemed modified to conform to such statutory provisions.

22. ENTIRE AGREEMENT.

The parties agree that this Agreement is the complete expression of the terms hereto and any oral representations or understandings not incorporated herein are excluded. Further, any modification of this Agreement shall be in writing and signed by both parties. Failure to comply with any of the provisions stated herein shall constitute material breach of contract and cause for termination. Both parties recognize time is of the essence in the performance of the provisions of this Agreement. It is also agreed by the parties that the forgiveness of the nonperformance of any provision of this Agreement does not constitute a waiver of the provisions of this Agreement. This Agreement may be executed in any number of counterparts, which counterparts shall collectively constitute the entire Agreement.

This section intentionally left blank.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed the day and year first hereinabove written.

CITY:

CITY OF TUMWATER
555 Israel Rd SW
Tumwater, WA 98501

SERVICE PROVIDER:

Barker Rinker Seacat Architecture
990 South Broadway
Suite 222
Denver, CO 80209
UBI No. _____
(303) 455-1366

Debbie Sullivan, Mayor

Signature (Notarized – see below)

Printed Name: _____

Title: _____

ATTEST:

Melody Valiant, City Clerk

APPROVED AS TO FORM:

Karen Kirkpatrick, City Attorney

STATE OF COLORADO
COUNTY OF DENVER

I certify that I know or have satisfactory evidence that _____
_____(name) is the person who appeared before me, and said person
acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was
authorized to execute the instrument and acknowledged it as the _____
_____(title) of Barker Rinker Seacat Architecture to be the free and
voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated:_____

Notary Public in and for the State of Colorado

My appointment expires:_____

Exhibit B

Chapter 3.46

CITY CONTRACTS – NONDISCRIMINATION IN BENEFITS

Sections:

- 3.46.010 Definitions.
- 3.46.020 Nondiscrimination in benefits.
- 3.46.030 Limitations.
- 3.46.040 Powers and duties of the city administrator.
- 3.46.050 Appeals.
- 3.46.060 Effective date.

3.46.010 Definitions.

For the purpose of this chapter:

- A. “Contract” means a contract for public works, consulting, or supplies, material, equipment or services estimated to cost \$50,000 or more;
- B. “Contract awarding authority” means the city officer, department, commission, employee, or board authorized to enter into or to administer contracts on behalf of the city;
- C. “Domestic partner” means any person who is registered with his/her employer as a domestic partner or, in the absence of such employer-provided registry, is registered as a domestic partner with a governmental body pursuant to state or local law authorizing such registration. Any internal employer registry of domestic partnership must comply with criteria for domestic partnerships specified by rule by the city administrator;
- D. “Employee benefits” means the provision of bereavement leave; disability, life, and other types of insurance; family medical leave; health benefits; membership or membership discounts; moving expenses; pension and retirement benefits; vacation; travel benefits; and any other benefits given to employees; provided, that it does not include benefits to the extent that the application of the requirements of this chapter to such benefits may be preempted by federal or state law.

(Ord. O2000-028, Added, 02/06/2001)

3.46.020 Nondiscrimination in benefits.

A. No contractor on a city contract shall discriminate in the provision of employee benefits between an employee with a domestic partner and an employee with a spouse. The contractor shall not be deemed to discriminate in the provision of employee benefits if, despite taking reasonable measures to do so, the contractor is unable to extend a particular employee benefit to domestic partners, so long as the contractor provides the employee with a cash equivalent.

B. Other Options for Compliance Allowed. Provided that a contractor does not discriminate in the provision of benefits between employees with spouses and employees with domestic partners, a contractor may:

1. Elect to provide benefits to individuals in addition to employees' spouses and employees' domestic partners;

2. Allow each employee to designate a legally domiciled member of the employee's household as being eligible for spousal equivalent benefits; or

3. Provide benefits neither to employees' spouses nor to employees' domestic partners.

C. Requirements Inapplicable Under Certain Conditions. The city administrator may waive the requirements of this chapter where:

1. Award of a contract or amendment is necessary to respond to an emergency;

2. The contractor is a sole source;

3. No compliant contractors are capable of providing goods or services that respond to the city's requirements;

4. The contractor is a public entity;

5. The requirements are inconsistent with a grant, subvention or agreement with a public agency;

6. The city is purchasing through a cooperative or joint purchasing agreement.

D. Requests for waivers of the terms of this chapter are to be made to the city administrator by the contract awarding authority. Decisions by the city administrator to issue or deny waivers are final unless appealed pursuant to TMC 3.46.050.

E. The city administrator shall reject an entity's bid or proposal, or terminate a contract, if the city administrator determines that the entity was set up, or is being used, for the purpose of evading the intent of this chapter.

F. No contract awarding authority shall execute a contract with a contractor unless such contractor has agreed that the contractor will not discriminate in the provision of employee benefits as provided for in this chapter.

G. All contracts awarded by the city shall contain provisions prohibiting discrimination in the provision of employee benefits, including provisions containing appropriate remedies for the breach thereof as prescribed by this chapter, except as exempted by this chapter or rule.

(Ord. O2000-028, Added, 02/06/2001)

3.46.030 Limitations.

The requirements of this chapter only shall apply to those portions of a contractor's operations that occur:

- A. Within the city;

- B. On real property outside of the city if the property is owned by the city or if the city has a right to occupy the property, and if the contractor's presence at that location is connected to a contract with the city; and

- C. Elsewhere in the United States where work related to a city contract is being performed. The requirements of this chapter shall not apply to subcontracts or subcontractors of any contract or contractor.

(Ord. O2000-028, Added, 02/06/2001)

3.46.040 Powers and duties of the city administrator.

The city administrator shall have the power to:

- A. Adopt rules and regulations in accordance with this chapter establishing standards and procedures for effectively carrying out this chapter;
- B. Determine and impose appropriate sanctions and/or liquidated damages for violation of this chapter by contractors including, but not limited to:
 - 1. Disqualification of the contractor from bidding on or being awarded a city contract for a period of up to five years; and
 - 2. Contractual remedies, including, but not limited to, liquidated damages and termination of the contract;
- C. Examine contractor's benefit programs covered by this chapter;
- D. Impose other appropriate contractual and civil remedies and sanctions for violations of this chapter;
- E. Allow for remedial action after a finding of noncompliance, as specified by rule;
- F. Perform such other duties as may be required by ordinance or which are necessary to implement the purposes of this chapter.

(Ord. O2000-028, Added, 02/06/2001)

3.46.050 Appeals.

Any aggrieved party may appeal a decision of the city administrator to the mayor by the submittal of a written request to the city attorney within ten working days of the decision to be appealed. The mayor's decision will be in writing with findings identified upon which the decision was made. Subsequent appeal will be to the Thurston County superior court.

(Ord. O2000-028, Added, 02/06/2001)

3.46.060 Effective date.

The provisions of this chapter shall apply to any contract awarded on or after January 2, 2002.

(Ord. O2000-028, Added, 02/06/2001)

Exhibit A

Tumwater Community Center Design Scope of Work

The City of Tumwater created a Metropolitan Park District in 2018 to support new facilities and programs in the Parks and Recreation Department. Tumwater residents approved additional taxes to support new parks, programs, trails and the construction of a community center. Using broad terms, the community center was described as a facility with meeting and event space, senior services, indoor sports courts, and land for a future Public Swimming Pool. Working within those parameters, we are proceeding to the design process and a community conversation about what this facility will provide.

This scope of service lists the professional services provided and a description of each task that will be included in the project. Barker Rinker Seacat (BRS) will employ a proven process to guide the work to be accomplished. This overview will guide the City and BRS while developing the next step of proposal for professional services and building construction. The desired process/outcomes include:

- Conducting market analysis and surveying of public needs related to a community center.
- Site analysis of existing city-owned parcel and other potential sites.
- Develop several desirable and sustainable programming and build scenarios for the center.
- Analyze potential partnerships and cost/benefit scenarios.
- Project revenue generation, operating expenses, subsidy requirements, and construction cost estimates.
- Provide recommendations for optimal programming and facility build-out to achieve sustainable operations.
- Present findings and recommendations of how best to proceed with this project in written and presentation format.



CITY OF TUMWATER, WASHINGTON
COMMUNITY CENTER FEASIBILITY STUDY
MARCH 14, 2024

FEE PROPOSAL





Chuck Denney, parks and Recreation Director
City of Tumwater, Washington
cdenney@ci.tumwater.wa.us

March 14, 2024

RE: City of Tumwater, Washington - Community Center Feasibility Study Proposal

Dear Chuck,

We are excited about the opportunity to assist the City of Tumwater in creating a system-wide study for your indoor facilities. Since 1975, designing community aquatics and recreation centers has been the focus of our practice. Our knowledge and experience have given us a national reputation in the design, planning, and development of facilities that improve the quality of life for our communities.

Barker Rinker Seacat Architecture (BRS) is committed to innovating and evolving community recreation center planning and design. For the last 40 years, community recreation centers have been our passion and focus. We have assisted over 350 communities across the country in the planning and design of their centers. While many share the same activity spaces, each has a unique story and solution that speaks to their past, present, and future aspirations.

Our team is excited to partner with the City of Tumwater to engage area residents, staff, and Commission members to collaboratively prioritize facility amenities, optimize operations and create a strategic vision that reflects the City of Tumwater's unique people and place.

What follows is our understanding of the key elements of the project and the assumptions we used to put together a DRAFT work plan, schedule, and fee.

Hopefully, we have addressed all the Commission's needs we discussed, but please know we are flexible with our approach. We look forward to your feedback and tuning this proposal to suit your needs best.

Thank you again for considering BRS for this exciting opportunity.

Best Regards,

Keith Hayes, AIA
Principal-in-Charge
keithhayes@brsarch.com

Cory J. Wilkerson, AIA
Project Manager
corywilkerson@brsarch.com

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DALLAS
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UNIT 250
GRAPEVINE, TX 76051
817.527.6880

BRsARCH.COM

WORK PLAN



City of Tumwater - Community Center Feasibility Study FEASIBILITY STUDY - SCOPE OF SERVICES & WORK PLAN

Participant
Key:

TPRD | City of Tumwater Parks & Recreation Dept. BRS | Barker Rinker Seacat Architecture

14-Mar-24

BLU | Blundall & Associates

RWD | RWD Landscape Architects

BK | Ballard King & Associates

Activity/ Timeline		Scope Description (Tasks & Products)	Duration
WORK PHASE #1	PM	Project Management <ul style="list-style-type: none"> Invoicing and Project Budget Management, Meeting Coordination, Travel Coordination 	27 weeks
	0.1	Pre-Workshop #1 Meeting Preparation (~April 2024) <ul style="list-style-type: none"> Prepare Kick-off meeting presentation slide show 	1 week
	1.0 Video Conference Call	Project Team: Pre-Workshop #1 Meeting with Executive Team <ul style="list-style-type: none"> Team Introduction Confirm • Time frame for work plan Confirm • Dates for Workshops, Meetings and Presentations Consider • The District's mission, vision, goals and objectives for the project Consider • Public outreach process and meeting dates Consider • Identify stakeholders, steering committees, interest groups, etc. Consider • Review project baseline program elements Consider • Review market segment, demographic, and alternative provider analysis considerations Consider • Discuss Program Card Game Activity and participants Consider • Discuss Operational considerations & Cost Recovery Goals for the facility (BK) Consider • Discuss Total Project Budget (Building, Site, Etc.) Consider • Financing Details Consider • Establish goals for successful Bond campaign Consider • Preliminary Partnering Opportunities Consider • Discuss existing community facilities & programming Consider • Online feedback mechanisms (survey) (BK) 	1 day
	1.1	Work Period #A - Data Collection <ul style="list-style-type: none"> Create meeting minutes and distribute Develop & schedule focus group, individual engagement & partnership outreach Collect and review all existing data available to include: Past planning efforts, surveys / site plans for the 4 building sites being considered, current mission statements, P&R operational data, development requirements and codes, budget information and limitations. Plans and detail information for the Tumwater Old Town Center Building Begin analyzing the information and develop initial considerations regarding options Conduct an initial code review to understand constraints re: planning & building code Confirm • Committee and public input dates Confirm • Develop preliminary online survey questions (BK) 	2 weeks
	1.2 Video Conference Call	Check-in with Executive Team 1.2 Review Online Survey Questions Review survey format options, response protocols/requirements (email address, required information, completion incentives, ect.)	1 day

WORK PLAN

Activity/ Timeline		Scope Description (Tasks & Products)	Duration
WORK PHASE #1	1.3	Commit Work Period #B - Finalize Public Survey, Workshop, & Community Meeting Prep <ul style="list-style-type: none"> • Prepare workshop & community open house presentation(s) slide shows including National Slide tour of potential recreation/community center program components • Prepare Dot-o-Cracy and 5 question boards • Prepare BRS Card Game • Prepare Market & Demographic Research Findings (BK) • Review operational strategies and benchmarking data (BK) • Circulate final survey questions and format for review (BK) • Adjust survey questions and format, prepare for launch (BK) 	2 weeks
	1.4 - Trip 1 Day 1 Afternoon Day 1 Evening Day 2 Morning	Consider Consider Consider Consider Consider Committee Workshop #1 <ul style="list-style-type: none"> • Project mission, vision, goals and objectives • Review Market & Demographic Research Findings, National Benchmarks, Comparable Facilities Information (BK) • Play Programming Card Game; Identify program elements for consideration • Sustainability concepts and goals • Sustainability concepts and goals Facilitate Community Open House #1 (program options) <ul style="list-style-type: none"> • Present National Slide tour of recreation centers • Solicit feedback to explore the community's feelings about their people, pace, and place • Launch Public Online Survey Tour Potential Building Sites (existing community center?) <ul style="list-style-type: none"> • Tour and evaluate and document potential building sites • Tour and evaluate existing Tumwater old town center building (community center) 	2 days (1 week)
	1.5 Video Conference Call	Confirm Confirm Consider Consider Confirm Confirm Follow-Up with Executive Team #1.5 <ul style="list-style-type: none"> • Re-Cap of Committee, and Open House input • Discuss program / budget / schedule, as needed • Report out and discuss future site options Pros and Cons/ initial findings • Report out and discuss findings of Old Town Center Building (Community Center) • Re-Balance project status with operational goals, as needed (BK) • Develop prioritization of program & site amenities based on Workshop and Open House 	1 day
	2.0	Work Period #C - Program Development & Site Analysis <ul style="list-style-type: none"> • Create meeting minutes and distribute • Review work to date, surveys, program, plans, estimates and all previous data • Develop building programming models/phasing options (up to 4 options) • Perform analysis of potential future building sites using the BRS site evaluation criteria tool • Create preliminary project budget model spreadsheet and total project cost estimate for • Review Preliminary financing alternatives & potential partnership opportunities • Analyse community open house data and consolidate data & comments • Close online Survey (BK) • Analyse online survey results and summarize data (BK) 	3 weeks
WORK PHASE #2	2.1 Video Conference Call	Follow-Up with Executive Team 2.1 <ul style="list-style-type: none"> • Facilitate a Video Conference Call for preliminary review of above topics 	1 day
	2.2	Work Period #D - Program Refinement & Concept Diagram Development <ul style="list-style-type: none"> • Prepare workshop presentation slide show • Revise preferred program models & phasing options (up to 2 options) • Revise preliminary capital costs for each program • Refine the Mission Statement & Goals • Develop (up to 4) site program options based on Workshop #1 discussion and goals • Create options of proposed program spaces and area (SF) requirements • Review the established operational expenses and revenues models (BK) • Develop (up to 4) preliminary building & site test fit/relationship diagrams 	2 weeks

WORK PLAN

Activity/ Timeline		Scope Description (Tasks & Products)		Duration
WORK PHASE #2	2.3 Video Conference Call	Confirm Confirm Confirm Confirm Confirm Confirm Confirm Consider	Committee Workshop #2 <ul style="list-style-type: none">• Present Public Open House Data/Results• Present Online Survey Data/Results (BK)• Present preferred building programming models/phasing options (up to 2 options)• Discuss preliminary project budget and construction costs (target)• Discuss operational expense and revenue model for preferred program options (BK)• Bond campaign planning• Discuss capital and/or operational partnerships (BK)• Present detailed site evaluation/analysis findings• Present (up to 4) preliminary building & site test fit/relationship diagrams	1 day
	2.4 Video Conference Call		Follow-Up with Executive Team 2.4 <ul style="list-style-type: none">• Re-Cap of Committee a discuss possible realignments• Confirm 2 preferred site plans for future refinement• Confirm prioritization of program & site amenities based on Workshop and Public Input (BK)	1 day
WORK PHASE #3	3.0		Work Period #E - Refine Site Plan and Develop Floor Plan Relationship Diagrams <ul style="list-style-type: none">• Consultant Coordination• Create meeting minutes and distribute• Prepare workshop and community open house presentation slide show• Refine preferred site plan diagrams (up to 2) (RWD)• Develop floor plan adjacency (bubble) diagrams• Refinement of project model spreadsheet and total project cost estimate for construction• Review capital and/or operational partnerships (BK)• Refinement the established operational expenses and revenues models (BK)• Craft the preliminary Design Threads	2 weeks
	3.1 Video Conference Call		Follow-Up with Executive Team 3.1 <ul style="list-style-type: none">• Facilitate a Video Conference Call for review of above topics	1 day
	3.2 - Trip 2 Day 1 Afternoon Day 1 Evening Day 2 Evening	Commit Commit Confirm Confirm Confirm Confirm Consider	Committee Workshop #3 <ul style="list-style-type: none">• Project building program• Findings of Preliminary Project Budget (target)• Capital and/or operational partnerships (BK)• Site plan development priorities and preferences, select preferred site option (RWD)• Review floor plan adjacency (bubble) diagrams• Bond campaign planning• Review project against established operational goals (BK)• Review preliminary Design Threads Facilitate Community Open House #2 (BRS & RWD) <ul style="list-style-type: none">• Present Public Feedback/Data/Survey Results (BRS)• Present Public Feedback People, Place & Pace (word clouds)• Present Preliminary Building Program and Project Budget• Present preliminary preferred site option diagrams (up to 2) (RWD)• Collect comments, questions Facilitation of City Council Presentation #1 (BRS, BK) <ul style="list-style-type: none">• Presentation of: Project timeline/history, Trends Presentation, Public Input Results, Current Program, Site Plan, Preliminary Total Project budget• Collect comments, questions, and preferences	2 day (1 week)
	3.3 Video Conference Call		Follow-Up with Executive Team 3.3 <ul style="list-style-type: none">• Re-Cap of Committee and City Council Input and discuss possible realignments	1 day
	WP #4	4.0		Work Period #F - Develop Floor Plans, Finalize Design Threads, Refine Operations <ul style="list-style-type: none">• Consultant Coordination• Create meeting minutes and distribute• Refine preferred site plan diagrams (single site) (RWD)• Develop concept floor plan options (up to 2)• Refinement of project model spreadsheet and total project cost estimate for construction• Revise project against established operational goals (BK)• Refine Design Threads

WORK PLAN

Activity/ Timeline		Scope Description (Tasks & Products)	Duration
WORK PHASE #4	4.1 Video Conference Call	Follow-Up with Executive Team 4.1 • Facilitate a Video Conference Call for review of above topics	1 day
	4.2	Work Period #G - Final Concept Floor Plan, & Site Plan, Preliminary Building Massing, Cost Estimate • Consultant Coordination • Prepare workshop presentation slide show • Finalize preferred site plan (RWD) • Finalize concept floor plan • Produce Detailed Probable Cost Estimate for construction (Estimate #1) (BLU) • Revise operational expense and revenue model for final program/plan option (BK) • Prepare Concept Building Massing • Prepare Architectural Characteristics slide show (or blink exercise)	4 weeks
	4.3 Video Conference Call	Committee Workshop #4 • Final Concept Floor Plans • Final Site Plan (RWD) • Bond campaign planning • Findings of the Detailed Probable Cost Estimate (BRS) • Capital and/or operational partnerships (BK) • Operational expense and revenue model (BK) • Bond campaign planning • Concept Building Massing • Design Threads • Architectural Character Precedent	1 day
	4.4 Video Conference Call	Follow-Up with Executive Team 4.4 • Re-Cap of Committee and discuss possible realignments	1 day
WORK PHASE #5	5.0	Work Period #H - Develop Architectural Character • Consultant Coordination • Create meeting minutes and distribute • Refine Building Massing • Revise Floor Plans to suit building massing refinements • Revise Site Plans to suit building massing and floor plan refinements (RWD) • Finalize operational expense and revenue model (BK) • Develop Architectural Character • Finalize Design Threads	2 weeks
	5.1 Video Conference Call	Follow-Up with Executive Team 5.1 • Facilitate a Video Conference Call for review of above topics	1 day
	5.2	Work Period #I - Draft Report • Consultant Coordination • Finalize Building Massing • Refine Architectural Character and develop base report graphics • Finalize Site Plans (RWD) • Final Detailed Probable Cost Estimate (Estimate #2) (BLU) • Develop DRAFT Report (BRS, BK, RWD, BLU)	3 weeks
	5.3 - Trip 3 Day 1 Afternoon Day 1 Early Evening	Committee Workshop #5 • Review DRAFT Report • Concept Building Massing • Design Threads • Architectural Character & Base Report Graphics Facilitation of City Council Presentation #2 (BRS, RDW, BK) • Presentation of Draft Report • Collect comments, questions, and preferences	1 day (1 week)
	6.0	Work Period #J - Produce Final Feasibility & Conceptual Design Report and Graphics • Update all work products based on input received in Workshop 5 and Council Presentation	2 weeks
WP #6	6.1 Video Conference Call	Follow-Up with Executive Team 6.1 • Facilitate a Video Conference Call for review the FINAL report	1 day
	6.2	Deliver Final Report	~Sept. 2024

FEE SUMMARY

Tumwater Community Center Feasibility Study

3/14/2024

FEE AND COST SUMMARY

Professional Service Fees	
Task	Fee
General Project Management	\$8,389
Work Phase 0 - Preparation	\$1,030
Work Phase 1 - Needs Assessment	\$38,294
Work Phase 2 - Programming & Site Analysis	\$20,319
Work Phase 3 - Preliminary Concept Design & Operational Analysis	\$31,942
Work Phase 4 - Detailed Concept Design & Operations Plan	\$44,653
Work Phase 5 - Graphics & Report Development	\$40,559
Work Phase 6 - Report Final	\$7,797
	BRS Fee: \$111,220
	Blundall & Associates Fee: \$10,175
	Ballard King Fee: \$38,500
	RWD Landscape Fee: \$33,088
Total Professional Service Fees	\$192,983
Reimbursable Allowance	
Printing, travel, meals, etc.	\$14,250
Total Reimbursable Allowance	\$14,250
*Reimbursable expenses will be billed at 1.1 x actual cost	
Optional Services	
A.1 Exterior 3 D Renderings developed from the base model graphic views to suit the level of development shown in Exhibit A ; two (2) facades modeled (1 rendered view)	\$4,000
A.2 Exterior 3 D Renderings developed from the base model graphic views to suit the level of development shown in Exhibit A; all remaining facades modeled (2nd rendered view). Must be combined with item A.1	\$3,500
A.3 Additional Exterior 3 D Rendered views to suit the level of development shown in Exhibit A; must select items A.1 & A.2 for this option (per rendered view)	\$2,000
B.1 Interior 3 D Renderings developed from the base model graphic views to suit the level of development shown in Exhibit A (per space/view)	\$2,500
C.1 Exterior/Interior 3 D Fly-through video developed from the 3D Rendering graphic views described in items A.1, A.2 & B.1; must select items A.1, A.2 & B.1 for this option (Item B.1 multiplied by the number of interior spaces to be included in the fly-through video)	A1+ A.2 + (B.1 x # of Int. views) + \$2500 = TBD

Notes

- 1 All deliverables will be sent via email in PDF format unless otherwise requested
- 2 All Reimbursable Expenses will be billed at 1.1 x the cost
- 3 Client is to provide all base site plan information (maps, plans, images, GIS data, surveys) to use in the site analysis and development of the site plan options.
- 4 Proposal excludes photo-realistic renderings and/or animations, the level of graphic development for the final report will be consistent with Exhibit A - Base Graphics

Optional Services

Tours of existing local Recreation/community centers not noted in the workplan

Tours of existing Recreation centers in other locations TBD

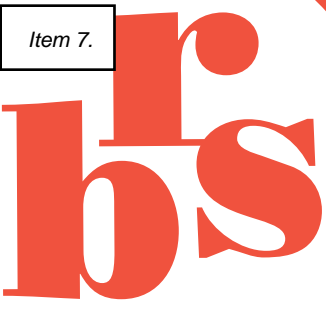
Renderings and/or fly-through animations for marketing purposes, in accordance with the above-noted Optional Service Fees and Exhibit A representation of deliverable Level of Development

BARKER RINKER SEACAT ARCHITECTURE, P.C.

BILLING RATE CATEGORIES AND REIMBURSABLE EXPENSES
(Effective 1 Jan 2024)

- A. Compensation shall be made to Barker Rinker Seacat Architecture, P.C. for the time of the Principals and Staff at the following Billing Rates subject to annual review for escalation:
- | | |
|----------------------|--------------|
| Designer I | \$ 115/ hour |
| Designer II | \$ 125/ hour |
| Designer III | \$ 140/ hour |
| Designer IV | \$ 145/ hour |
| Senior Designer | \$ 175/ hour |
| Administrative | \$ 140/ hour |
| Design Manager | \$ 155/ hour |
| Project Specialist | \$ 180/ hour |
| Project Manager | \$ 195/ hour |
| Principal I | \$ 190/ hour |
| Principal II | \$ 215/ hour |
| Senior Principal III | \$ 230/ hour |
| Partner | \$ 250/ hour |
- B. Services of Professional Consultants are billed at a multiple of one point one (1.1) times the amount billed to Barker Rinker Seacat Architecture, P.C.
- C. In addition to compensation for time and the services of professional consultants, compensation shall be made to Barker Rinker Seacat Architecture, P.C. for the following reimbursable expenses, which will be billed at a multiple of one point one (1.1) times the amount billed to Barker Rinker Seacat Architecture, P.C.:
- Expense of transportation and living when traveling outside the Metropolitan Denver area in connection with the project. Use of private automobile shall be billed at sixty-two-and-a-half cents (\$0.67) per mile.
 - Long distance phone calls, deliveries and shipping, extraordinary mailing expenses and fees paid for securing approval of authorities.
 - Printing, plotting and other document reproduction, brochures, contract documents and other special presentation expenses (e.g. renderings, finish models).
- D. Other expenses that are directly attributable to a project shall not be billed unless prior approval is obtained from the Owner.
- E. Payment due Barker Rinker Seacat Architecture, P.C. shall bear interest at the rate of one and one-half percent (1.5%) per month, commencing sixty days after the date of billing.

#



“What I appreciate most about the BRS design team is they really do care about the people for whom they are designing.”

— KAREN CHARLES
AQUATIC SUPERVISOR, CITY OF LONGMONT, CO

FOLLOW US FOR MORE FUN @BRSARCHITECTURE

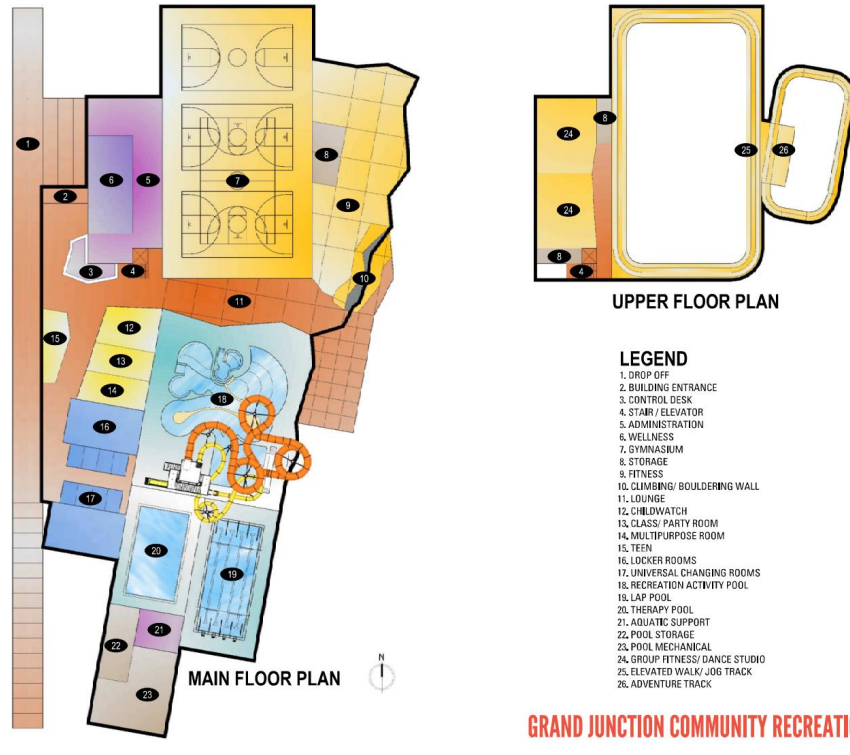
990 South Broadway, Suite 222 Denver, CO 80209

303.455.1366 brsarch.com

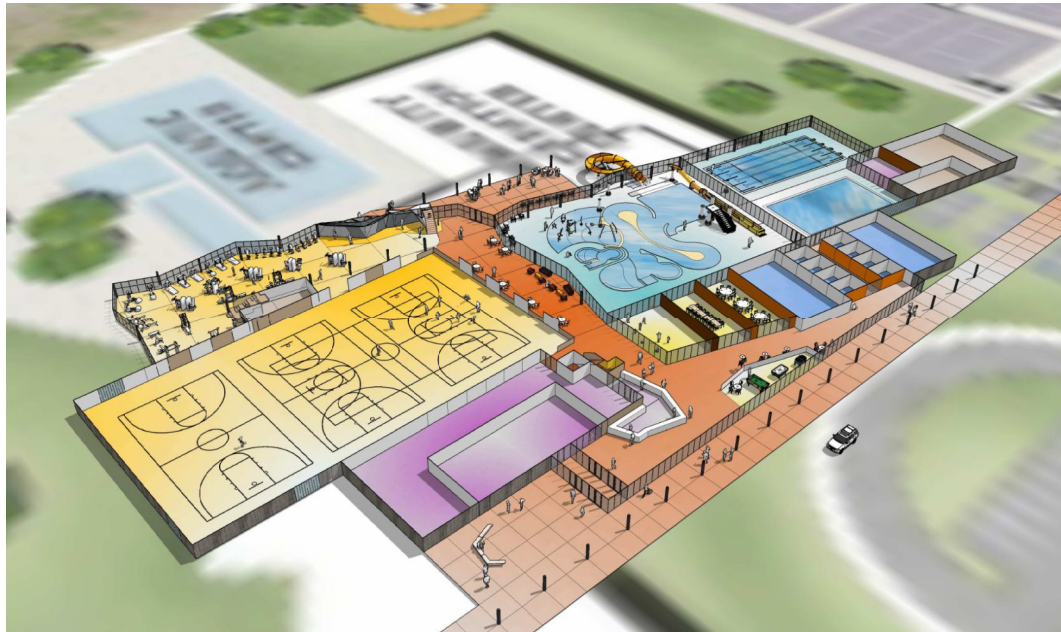


**BARKER
RINKER
SEACAT**
ARCHITECTURE

Exhibit A



Example of Base Graphics included.



Example of Base Graphics included.

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Exhibit A



Example of Conceptual Exterior Rendering (Style A)
Additional Service item A



Example of Conceptual Exterior Rendering (Style B)
Additional Service item A

Exhibit A



Example of Conceptual Interior Rendering (Style A)
Additional Service item B



Example of Conceptual Interior Rendering (Style B)
Additional Service item B

Exhibit A

Links to 3D Fly-through Videos

<https://www.youtube.com/watch?v=dJqZyMRE7Gk&t=3s>

<https://www.youtube.com/watch?v=Rm12371HRm4>

<https://www.youtube.com/watch?v=b4pVU3DUBDo>