



**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, July 15, 2026
11:00 AM**

1. Call to Order
2. Roll Call
- [3.](#) Ordinance No. O2026-008, Building Demolition (Community Development Department)
- [4.](#) Ordinance No. O2026-004, Home Energy Score Model (Water Resources and Sustainability Department)
- [5.](#) Ordinance No. O2026-016, Parking Lot Lighting (Community Development Department)
- [6.](#) Interlocal Agreement with the Port of Olympia for the Bush Prairie Habitat Conservation Plan Amendment 4 (Community Development Department)
7. Additional and Future Items
8. 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/88488363775?pwd=PRhBUqrKqA9iSTzdRsBvbWZw6RVl3x.1>

Listen by Telephone

Call (253) 215-8782, listen for the prompts and enter the Webinar ID 884 8836 3775 and Passcode 721800.

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

Video of this meeting will be recorded and posted on our City Meeting page: <https://tumwater-wa.municodemeetings.com>.

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's ADA Coordinator directly, call (360) 754-4129 or email ADACoordinator@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: General Government Committee
FROM: Brad Medrud, Community Development Director
DATE: July 15, 2026
SUBJECT: Ordinance No. O2026-008, Building Demolition

1) Recommended Action:

Conduct a briefing to discuss the Planning Commission's recommendation on Ordinance No. O2026-008, Building Demolition, and then place the ordinance on the July 21, 2026, City Council consideration calendar with a recommendation to adopt.

2) Background:

The intent of the ordinance is to amend TMC Chapter 15.50 of the Tumwater Municipal Code to address the building demolition requirements for removal of foundations.

The Planning Commission held a public hearing on June 23, 2026, and recommended approval of Ordinance No. O2026-008, Building Demolition.

3) Policy Support:

Goal LU-2: Ensure development occurs in an orderly, effective, and cost-efficient manner to best utilize available land and public services, conserve natural resources, protect and enhance critical areas and open space, address equity and climate change, and reduce sprawl.

4) Alternatives:

☐ None.

5) Fiscal Notes:

This is an internally funded work program task.

6) Attachments:

- A. Staff Report
- B. Ordinance No. O2026-008
- C. Presentation

STAFF REPORT

Date: July 15, 2026

To: General Government Committee

From: Brad Medrud, Community Development Director



Ordinance No. O2026-008 – 2026 Building Demolition

1. Recommended Action

Conduct a briefing to discuss the Planning Commission's recommendation on Ordinance No. O2026-008, Building Demolition, and then place the ordinance on the July 21, 2026, City Council consideration calendar with a recommendation to adopt.

2. Background

The intent of the ordinance is to amend Chapter TMC 15.50 of the Tumwater Municipal Code to address the building demolition requirements for removal of foundations.

3. Public Approval Process

An Environmental Checklist for a non-project action was prepared on May 12, 2026, under the State Environmental Policy Act (Chapter 43.21C RCW), pursuant to Chapter 197-11 WAC, and a Determination of Non-Significance was issued on May 22, 2026. The appeal period on the Determination of Non-Significance ended June 11, 2026.

The ordinance was sent to the Washington State Department of Commerce on May 12, 2026, for their required 60-day review before the proposed text amendments are adopted, in accordance with RCW 36.70A.106. The Notice of Intent comment period ended July 13, 2026.

The Planning Commission had a briefing on the ordinance on May 26, 2026, and held a work session on June 9, 2026.

A Notice of Public Hearing for the Planning Commission was issued on June 12, 2026, prior to a public hearing. The notice was posted, published as a press release, distributed to interested individuals and entities that have requested such notices, and published in The Olympian.

The Planning Commission held a public hearing on the proposed amendments on June 23, 2026. Following the public hearing and deliberations, the Planning Commission recommended that Council consider the proposed amendments.

The General Government Committee is scheduled to review the Planning Commission's recommendation on the proposed amendments on July 15, 2026. The City Council is scheduled to consider the proposed amendments on July 21, 2026.

4. Staff Conclusions

1. The proposed text amendments will need to be consistent with the goals of the Washington State Growth Management Act.

- a. The ordinance will need to be consistent with Goal 4 of the Growth Management Act which states:

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

The ordinance will address the following goal and policy of the Land Use Element:

Goal LU-2 Ensure development occurs in an orderly, effective, and cost-efficient manner to best utilize available land and public services, conserve natural resources, protect and enhance critical areas and open space, address equity and climate change, and reduce sprawl.

Policy LU-2.1 Review and update Tumwater's development review and permitting system on a regular basis for consistency with state law and adopted plans to ensure predictability and to process development permits in a timely and fair manner.

- - b. This ordinance will need to be consistent with Goal 11 of the Growth Management Act which states:

***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.*

Consideration of the ordinance will involve the community in the planning process through Planning Commission and City Council meetings to address the following goal of the Comprehensive Plan:

Goal PI-1 Continuously engage with the community and the region.

2. Based on the above review and analysis, staff will need to conclude that the proposed text amendments are consistent with the requirements of the Washington State Growth Management Act and the Tumwater Comprehensive Plan.

Staff conclude that the proposed text amendments are consistent with the requirements of the Washington State Growth Management Act and the Tumwater Comprehensive Plan

5. Effects of the Proposed Amendments

The proposed text amendments would necessitate changes to the Tumwater Municipal Code.

6. Staff Contacts

Brad Medrud, Community Development Director
City of Tumwater Community Development Department
360-754-4180
bmedrud@ci.tumwater.wa.us

ORDINANCE NO. O2026-008

AN ORDINANCE of the City Council of the City of Tumwater, Washington, amending Chapter 15.50 of the Tumwater Municipal Code to address building demolition requirements.

WHEREAS, TMC Chapter 15.50 *Building Demolition* needs to be amended to address the removal of building foundations as part of the building demolition process; and

WHEREAS, the City is required to plan under Chapter 36.70A RCW, the Growth Management Act; and

WHEREAS, this Ordinance meets the goals and requirements of the Growth Management Act; and

WHEREAS, this Ordinance is consistent with the City's Comprehensive Plan; and

WHEREAS, this Ordinance was sent to the Washington State Department of Commerce on May 12, 2026, at least sixty days before the proposed code amendments were adopted, in accordance with RCW 36.70A.106; and

WHEREAS, an Environmental Checklist for a non-project action was prepared under the State Environmental Policy Act (Chapter 43.21C RCW), pursuant to Chapter 197-11 WAC on May 12, 2026, and a Determination of Non-Significance (DNS) was issued on May 22, 2026; and

WHEREAS, the Attorney General *Advisory Memorandum and Recommended Process for Evaluating Proposed Regulatory or Administrative Actions to Avoid Unconstitutional Takings of Private Property* (October 2024) was reviewed and utilized by the City in objectively evaluating the proposed amendments; and

WHEREAS, the Planning Commission received a briefing on the proposed code amendments on May 26, 2026, conducted a work session on June 9, 2026, and held a public hearing on June 23, 2026; and

WHEREAS, following the public hearing and deliberations, the Planning Commission recommended approval of the proposed code amendments by the City Council; and

WHEREAS, the General Government Committee discussed the Planning Commission's recommendation on the proposed code amendments at a briefing on July 15, 2026; and

WHEREAS, the City Council considered the proposed code amendments on July 21, 2026; and

WHEREAS, the City Council finds that the provisions of this Ordinance are in the best interest of and protect the health, safety, and welfare of the citizens of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUMWATER, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. TMC 15.50.010, Building demolition, of the Tumwater Municipal Code is hereby amended to read as follows:

15.50.010 Building demolition.

The provisions of this chapter shall apply to all buildings and structures being demolished, razed, or otherwise destroyed and removed from the property on which they are constructed, with the exception of those structures exempt from permits in the current edition of the building code adopted by the city of Tumwater. Any item for which use or type of structure is unclear shall be reviewed by the building official and assigned a type or use for the purpose of this chapter. When determined by the building official, the requirements contained within the building code for protection of pedestrians shall also apply.

(Ord. O2010-017, Amended, 12/21/2010; Ord. O95-001, Added, 10/03/1995)

Section 2. TMC 15.50.020, Definitions, of the Tumwater Municipal Code is hereby amended to read as follows:

15.50.020 Definitions.

For the purpose of this chapter, the following definitions shall apply:

- A. "Demolition" means the tearing down, razing or removal of a building or structure or portion thereof, including foundations, for the purpose of complete or partial removal of buildings or structures, or to prepare for reconstruction or remodeling of a building or structure.
- B. "Building" is any structure used or intended for supporting or sheltering any use or occupancy.
- C. "Structure" is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

D. “Demolition permit” means any building permit issued by the city for the express purpose of allowing a demolition to take place.

E. “Bond” means a cash deposit or equivalent fiscal guarantee approved by the building official equal to one hundred percent of the valuation of the demolition work to be performed, as defined in subsection F of this section, but in no case less than \$250.00. The building official may reduce or waive the cash amount of the required bond.

F. “Valuation” for the purpose of providing a bond and calculating a permit fee for building demolition shall be the estimated cost to complete all scheduled demolition work; including, but not limited to: (1) removal of buildings, structures and foundations; (2) removal and termination of public and private site utilities; (3) abatement and/or removal of asbestos or other hazardous materials; (4) restoration of street frontage improvements; (5) protection of the property from erosion; and (6) restoration of the site to eliminate trash, debris, attractive nuisances, or hazards to life or property. When permit applications for replacement structures have been submitted to the city, valuation does not include the removal of foundations.

G. “Foundation,” as defined in the International Building Code, means the structural element that transfers the weight of a building to the underlying earth.

(Ord. O2010-017, Amended, 12/21/2010; Ord. O95-001, Added, 10/03/1995)

Section 3. A new Section TMC 15.50.033, Foundation removal, is hereby added to the Tumwater Municipal Code to read as follows:

15.50.033 Foundation removal.

A. When a structure is completely demolished all foundations and slabs must be removed unless otherwise approved by the building official.

B. If approved by the building official, foundations may remain when permit applications for replacement structures have been submitted to the city.

Section 4. TMC 15.50.035, Application requirements, of the Tumwater Municipal Code is hereby amended to read as follows:

15.50.035 Application requirements.

Application shall be made for demolition permits on forms provided by the city. An application shall also include:

A. Site plan of property where work is going to take place. This plan shall include structure(s) being demolished, including foundations, location of utilities, septic tanks, an itemized statement of valuation of demolition and restoration work to be performed, or other such items as may be required by the building official.

B. Copy of asbestos survey required by the Olympic Region Clean Air Agency.

C. Results of a pest inspection and, if necessary, a pest management plan.

D. Plans for restoring frontage improvements (curb closure, sidewalk replacement, street patch, or other items as required by the building official). These items will not be required if building permits for redevelopment have been applied for or if redevelopment is planned within six months. In such case, the cash bond will be held until building permits for redevelopment are issued or improvements are complete. Completion shall not be deferred more than six months. Temporary erosion control and public protection shall be maintained during this time.

E. A certificate of appropriateness waiver from the Tumwater historic preservation commission is required if buildings or structures are registered on the Tumwater register of historic places or districts.

F. A written work schedule for the demolition project. Included in this may be, but are not limited to, street closures, building moving dates, right-of-way work, how the site will be addressed after demolition, including, removing foundations, final grading, and erosion control, or other items as required by the building official.

G. Permit Fee. Permit fees are to be determined according to applicable fee schedules of the building code and adopted by local amendment by the city of Tumwater. The building official shall verify valuations submitted for permit purposes. The building official may require additional documentation from the applicant to verify valuations.

(Ord. O2018-007, Amended, 10/16/2018; Ord. O2010-017, Amended, 12/21/2010; Ord. O95-001, Added, 10/03/1995)

Section 5. TMC 15.50.060, Final inspection by the city, of the Tumwater Municipal Code is hereby amended to read as follows:

15.50.060 Final inspection by the city.

A final inspection shall be made when all demolition-related debris, contaminated soil, paving, concrete, foundations, and utilities have been removed from the property and disposed of properly.

(Ord. O2010-017, Amended, 12/21/2010; Ord. O95-001, Added, 10/03/1995)

Section 6. Corrections. The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 7. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 8. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application

thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 9. Effective Date. This ordinance shall become effective thirty (30) days after passage, approval and publication as provided by law.

ADOPTED this _____ day of _____, 20__.

CITY OF TUMWATER

Leatta Dahlhoff, Mayor

ATTEST:

Melody Valiant, City Clerk

APPROVED AS TO FORM:

Karen Kirkpatrick, City Attorney

Published:_____

Effective Date:_____

Building Demolition Ordinance No. O2026-008

General Government Committee, July 15, 2026



Background and Request

The intent of the ordinance is to amend Chapter 15.50 of the Tumwater Municipal Code to address the building demolition requirements for removal of foundations, which are not currently called out in the code

The General Government Committee will be briefed on the Planning Commission's recommendation on Ordinance No. 02026-008, Building Demolition, and then be asked to place the ordinance on the July 21, 2026, City Council consideration calendar with a recommendation to adopt



Amendments

1. Amended TMC 15.50.020 *Definitions*
 - a. Added “...including foundations...” to the definition of “demolition
 - b. Added definition of foundation:
“G. “Foundation,” as defined in the International Building Code, means the structural element that transfers the weight of a building to the underlying earth.”
 - c. Added the sentence “*When permit applications for replacement structures have been submitted to the city, valuation does not include the removal of foundations.*” to the definition of “valuation”



Additions

2. Added new section TMC 15.50.033 *Foundation removal*
 - A. *When a structure is completely demolished all foundations and slabs must be removed unless otherwise approved by the building official.*
 - B. *If approved by the building official, foundations may remain when permit applications for replacement structures have been submitted to the city.*



Amendments

2. Amended TMC 15.50.035 *Application requirements*
 - a. Added “...including foundations,...” to the items required on a site plan for a demolition
 - b. Added “... how the site will be addressed after demolition, including, removing foundations, final grading, and erosion control,...” to the items included in a written work schedule for a demolition



Next Steps

State Environmental Protection Act

- Checklist completed May 12, 2026
- Determination of Non-significance issued May 22, 2026
- Determination Appeal Period ended June 11, 2026

Notice of Intent

- Submitted May 12, 2026
- Comment Period ended July 11, 2026

City Council

- Consideration July 21, 2026



TO: General Government Committee
 FROM: Alyssa Jones Wood, Sustainability Manager
 DATE: July 15, 2026
 SUBJECT: Ordinance No. O2026-004, Home Energy Score Model

1) Recommended Action:

Place Ordinance No. O2026-004 adding a new chapter 15.22 entitled *Residential Energy Performance Rating and Disclosure* to Tumwater Municipal Code Title 15 *Buildings and Construction*, on the July 21, 2026 City Council considerations calendar with a recommendation to adopt.

2) Background:

In March 2024 the City Council authorized the Mayor to sign an Interlocal Agreement to support the implementation of the 2024 Thurston Climate Mitigation Collaborative (TCMC) Regional Initiatives, which included the development of a draft Home Energy Score model ordinance. The Home Energy Score ordinance's purpose is to establish a home energy performance disclosure requirement at the time of listing real estate. In 2026, Thurston County and the City of Olympia adopted the model Home Energy Score Ordinance. Tumwater City Council has discussed the Home Energy Score concept at two City Council work sessions in 2026.

3) Policy Support:

City Council Strategic Plan 2026 - 2032

- Be a leader in environmental health and sustainability
 - Implement the Climate Element of the Tumwater Comprehensive Plan, inclusive of the Thurston Climate Mitigation plan.

Thurston Climate Mitigation Plan (Resolution No. R2021-001)

- Action B1.1 Residential Energy Performance Ratings.
Climate Element of the Tumwater Comprehensive Plan (Ordinance No. 2025-010)
 - Action CL-4.2. Reduce energy use in existing residential buildings.
-

4) Alternatives:

- ☐ Request changes to the draft Ordinance.
 - ☐ Place the draft Ordinance on the July 21, 2026 City Council consent calendar.
-

5) Fiscal Notes:

In 2024 the city spent \$14,875 plus staff time to develop this draft model ordinance. Home Energy Score model ordinance supporting program funds not to exceed \$37,500 were included in the 2025/2026 budget related to the TCMC Interlocal Agreement. Additionally, the city included \$4,000 per year in the 2025/2026 budget for a low-income subsidy for Home Energy Score assessments should this Ordinance be adopted.

6) Attachments:

- A. Staff Report Memo
- B. Ordinance No. O2026-004

STAFF REPORT

Date: July 15, 2026

To: General Government Committee

From: Alyssa Jones Wood, Sustainability Manager



Home Energy Score Ordinance

1. Request

Staff requests that the General Government Committee place Ordinance No. 2026-004 adding a new chapter 15.22 entitled *Residential Energy Performance Rating and Disclosure* to Tumwater Municipal Code Title 15 *Buildings and Construction*, on the July 21, 2026 City Council considerations with a recommendation to approve and authorize the Mayor to sign.

2. Background

Home Energy Score

A Home Energy Score (HES) is a score and report generated from using a U.S. Department of Energy model and tool. The model/tool uses more than 50 inputs based on a home's assets such as heating, windows, insulation, etc. to generate an energy efficiency score (1 to 10), estimated costs to operate the home by energy type, and recommendations to increase energy efficiency of the home.

Community-Led Efforts

The Thurston Climate Action Team (TCAT) organized stakeholder meetings on the topic of HES prior to 2020 and sought consensus among various stakeholders on the topic. Staff have received verbal briefings from TCAT board members and former staff involved in this effort. Other meetings and discussions may have occurred independently of TCAT efforts on the topic, but staff have not been informed of this.

Thurston Climate Mitigation Plan and Thurston Climate Mitigation Collaborative

The TCAT efforts outlined above contributed to actions B1.1 and B1.2 being included in the Thurston Climate Mitigation Plan (TCMP) which was accepted by City Council in 2021.

- **B1.1 Residential Energy Performance Ratings.** Require energy performance ratings and disclosures at homes at time of sale, lease, or rent so that owners, tenants, and prospective buyers are informed before making purchasing or rental decisions.

- **B1.2 Residential Energy Audits.** Develop and adopt policies that require residential properties to undertake an energy audit at the time of sale or during a substantial remodel. Work with financial institutions to develop mortgage products that incorporate audited energy efficiency recommendations.



The Thurston Climate Mitigation Collaborative (TCMC), of which Tumwater is a partner jurisdiction, operates within four delegated roles, pictured to the left.

The Executive Committee (EC) includes a primary and alternate member from Tumwater City Council. The Sustainability Manager serves on the Staff Team. Multiple Tumwater residents and workers serve on the Community Advisory Workgroup (CAW).

During the 2023 TCMC Annual Retreat and subsequent EC meeting, the TCMC agreed to develop a model home energy score disclosure ordinance as one of its regional initiatives in 2024. Tumwater Staff, Alyssa Jones Wood and Lacey Staff, Linsey Fields were co-leads for developing the model ordinance.

Stakeholder Engagement

At the March 5, 2024, TCMC CAW meeting, the Staff Team presented the project plan for the HES model ordinance regional initiative. At the May 7, 2024, and June 4, 2024, CAW meetings the CAW reviewed the HES Policy Memo and followed a consensus process to recommend direction for the HES model ordinance.

After the June 2024 CAW meeting, the Staff Team carried out stakeholder engagement on the topic of the HES model ordinance. This engagement was done using two methods: focus groups and interviews.

Focus Groups

The Staff Team reached out to 40 individuals from targeted stakeholder groups (realtors, mortgage brokers, building and construction industry, home and energy inspectors, first-time homebuyers, Puget Sound Energy, and low-income housing and weatherization service providers). Ultimately, 18 of those individuals agreed to be part of four in-person focus groups which were held during the week of September 16-20, 2024. Time and consulting funding was set-aside for up to two more focus group discussions if focus group participants identified stakeholders that should be engaged but were not participating already. Focus group participants, when asked, did not identify any additional stakeholder that were missing from the conversation.

Table 1. HES Focus Group participants

Name	Affiliation (if any)
Anya Myer	Thurston County Realtors Association*
Ben Fransua	Habitat for Humanity
Dietrich Schmitz	WA First Time Homebuyer Program
Doug Mah	Thurston Chamber of Commerce
Dwayne Boggs	Boggs Inspection Services
Garen Thatcher	SwiftSure Energy Services
Jessie Simmons	Olympia Master Builders
Jordan Howden	Community Action Council
Kevin Zwink	City of Lacey Code Compliance
Kim Piper	Thurston County Realtors Association*
Kristine Rompa	Puget Sound Energy
Mackenzie Winchel	Earth Advantage
Mark Shepherd	Rob Rice Homes
Nate Kilby	Right Way Home Inspectors
Nate Krebs	Community Action Council
Patrick Long	City of Tumwater Code Compliance
Polly Barber	Thurston County Realtors Association*
Thea LaCross	Thurston Housing Land Trust

*While in 2024 the Staff Team was under the impression that these participants were selected/recruited by the then President of the Thurston County Realtors Association, the Thurston County Realtors Association have since informed staff that only the President themselves can serve as a spokesperson/representative of the Thurston County Realtors Association. For clarity, this table is of affiliations, not of official representation status.

Interviews

Additionally, the Staff Team conducted one-on-one interviews with the following individuals:

Table 2. Interview participants.

Name	Affiliation	Reason
Emily Alvarez	Bay Area Regional Energy Network	Regional Home Energy Score Program Manager
Jeannie Simpson	Northwest Multiple Listing Service (NWMLS)	Coordination with NWMLS for implementation
Ian Penn	City of Eugene, Oregon	Example voluntary program
Roger Kainu	Oregon Department of Energy	Statewide coordination of HES programs throughout Oregon
Patrick Casper, Amit Sing, & John Davey	Puget Sound Energy	PSE program managers for home efficiency

Following the stakeholder engagement process, the Staff Team drafted a HES model ordinance based on feedback provided and examples of HES ordinances from around the United States. The model ordinance draft was then provided to jurisdiction staff, including management teams, for review and comment, and those comments were subsequently incorporated.

On January 27, 2025, the TCMC Executive Committee voted unanimously to recommend approval of the HES model ordinance in order for it to move forward to the jurisdiction parties for consideration.

The full packets of the Executive Committee meetings can be found at: <https://thurstonclimatecollaborative.org/executive-committee-meetings/>

The full packets of the Community Advisory Workgroup meetings can be found at: <https://thurstonclimatecollaborative.org/community-advisory-workgroup-meetings/>

City of Tumwater Climate Element

The Climate Element of the Tumwater Comprehensive Plan (Climate Element) was adopted by City Council on December 16, 2025, via Ordinance No. O2025-010. The Climate Element includes the following draft implementation actions in Appendix A:

Table 3. Screenshot of the Tumwater Climate Element Home Energy Score actions.

Policies and Implementation Actions	Lead	Period	Prioritization
CL-4.2 Reduce energy use in existing residential buildings.	WRS CDD	Start: 2026 Term of the Plan	
CL-4.2.1 Explore the feasibility of incorporating Home Energy Score disclosures for all types of dwelling units at the time of listing for sale to allow prospective buyers to make informed decisions.	CDD WRS	Start: 2026 Term of the Plan	
CL-4.2.2 Explore the feasibility of incorporating Home Energy Score disclosures for all types of rental dwelling units at the time of application to allow prospective tenants to make informed decisions.	CDD WRS	Start: 2027 Complete: est. 1-5 years	

Throughout the development of the Climate Element and the Comprehensive Plan in general, there were multiple opportunities for stakeholders to provide comment and engage in the drafting process including public meetings, open houses, online open houses, general open inboxes for feedback, in-person opportunities at the Library and drive-through food bank locations, and the Climate Policy Advisory Team. In the register of comments compiled during the Climate Element drafting and adoption process, only one comment was provided about either action listed above, and it was a comment requesting clarification of the language to be more specific about Home Energy Score disclosure, provided by a Planning Commissioner.

The register of comments was provided to City Council on July 22, 2025, and can be found here: <https://mccmeetings.blob.core.usgovcloudapi.net/tumwater-pubu/MEET-Packet-cf91657f093d41b68d046db6d374cac5.pdf> .

Actions in all Elements of the Comprehensive Plan are considered draft until they were included in a City Council approved work plan. City Council approved the Sustainability Division 2026

Work Plan on January 6, 2026, which included the Home Energy Score Ordinance for consideration of adoption or alternatives for program delivery.

2026 Efforts

Staff presented on Home Energy Score concept the February 24, 2026, City Council Work Session. After that presentation staff conducted additional outreach, including:

- Reaching out to Home Insurance providers to inquire about potential impacts to insurability.
- Reaching out to Mortgage lenders to inquire about potential impacts to mortgage insurance insurability.
- Reaching out to a property appraiser to inquire about potential impacts.
- Reaching out to the County Assessor's office to inquire about potential impacts.
- Scheduled a meeting with Northwest Multiple Listing Service (NW MLS) to discuss logistics of disclosure within their listing system.
- Attending a work session with the Thurston County Realtors Association.

Staff then provided a presentation about the Home Energy Score Model Ordinance at the May 12, 2026, City Council Work Session, where council provided feedback to bring forth a Tumwater-specific Home Energy Score ordinance for consideration.

Rental, Manufactured Home, and Stacked Multifamily Exclusion

At this time, manufactured homes and stacked multifamily housing cannot be scored using the Home Energy Score model. U.S. Department of Energy representatives have shared with staff that they are working to adapt the model to include these housing types, but they are not ready yet. When they are ready and available, staff will request direction from City Council.

Requiring a HES or energy efficiency disclosure at time of rental or lease application requires further research and logistics. To staff's knowledge there are only two examples of this in the United States: Maine (whole state) and Minneapolis, Minnesota. Staff have not abandoned this effort but have decided to move HES actions forward to City Council in multiple phases, to not delay any potential reductions in greenhouse gas emissions.

3. Differences between Tumwater's draft Ordinance and Thurston County and Olympia's adopted Ordinances

Table 4. Comparison of HES ordinance language.

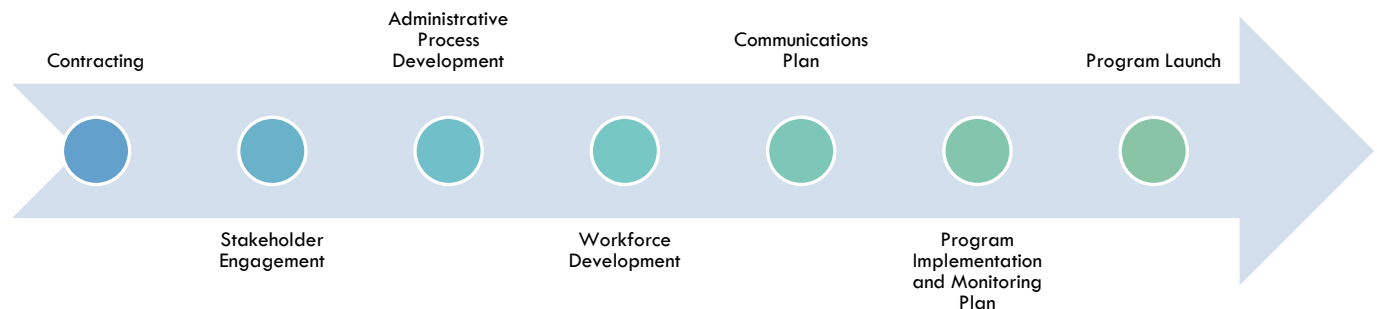
Topic/Section	Tumwater draft	Olympia Ordinance	Thurston County Ordinance	Explanation of Tumwater choice(s)
Section of Code	Chapter 15.22	Chapter 16.07	Chapter 14.36	Consistency with TMC Chapters.
Department Responsible	Water Resources & Sustainability (WRS)	Community Planning and Economic Development	Community Planning and Economic Development	The Sustainability Division is housed within the WRS Department.
Subject Buildings and Dwelling Unit	Applies to dwelling units of single-family detached dwellings, duplexes, tri-plexes, quadplexes, cottage housing, townhouses, and attached accessory dwelling units	Applies to subject buildings (single-family detached dwellings, duplexes, tri-plexes, quadplexes, cottage housing, townhouses, and attached accessory dwelling units) and the dwelling units within those.	Applies to subject buildings (single-family detached dwellings, duplexes, tri-plexes, quadplexes, cottage housing, townhouses, and attached accessory dwelling units) and the dwelling units within those.	Increase clarity.
Subsidy Qualifications	Provides subsidy criteria definition that extends the subsidy to households up to 150% Area Median Income and household receiving assistance from any federal, state, or local assistance programs.	Any household of the City of Olympia earning 80% or less than 80% of the Area Median Income as defined by the U.S. Department of Housing and Urban Development.	Any household of Thurston County earning 80% or less than 80% of the Area Median Income as defined by the U.S. Department of Housing and Urban Development, or any household that has been deemed eligible to	Council feedback to expand the subsidy program eligibility.

Topic/Section	Tumwater draft	Olympia Ordinance	Thurston County Ordinance	Explanation of Tumwater choice(s)
			participate in a low-income assistance program offered by the county or other governmental entity.	
Definition – Real estate listing	Any real estate listed publicly for sale in the city by a property owner, representative of a property owner, or a Washington state licensed real estate broker, agent, or firm. Real estate listings include any printed advertisement, internet posting, publicly displayed sign, , and other third-party listing services.	Any real estate listed publicly for sale in the city by a property owner, representative of a property owner, or a licensed real estate agent. Real estate listings include any printed advertisement, internet posting, or publicly displayed sign, including Regional Multiple Listing Service, Craigslist, Nextdoor and other social media platforms, Redfin, Zillow, Trulia, and other third-party listing services.	Any real estate listed publicly for sale in the county by a property owner, representative of a property owner, or a licensed real estate agent. Real estate listings include any printed advertisement, internet posting, or publicly displayed sign, including Regional Multiple Listing Service, Craigslist, Nextdoor and other social media platforms, Redfin, Zillow, Trulia, and other third-party listing services.	Still covers all platforms explicitly listed in Olympia and Thurston County ordinances but is more concise.
Requirements	No requirement for the seller to maintain a copy of the report and removed redundant mention of providing a copy to	Seller must maintain a copy of the report for five years and provide it to the director upon request. Included repeated requirement to provide a copy	Seller must maintain a copy of the report and provide it to the director upon request. Included repeated requirement to	Staff received confirmation that copies of the report are kept indefinitely by U.S. Department of Energy and can be provided to the

Topic/Section	Tumwater draft	Olympia Ordinance	Thurston County Ordinance	Explanation of Tumwater choice(s)
	prospective homebuyers, as the report is required to be publicly available.	of report to prospective homebuyers.	provide a copy of report to prospective homebuyers.	director at any time. The requirement for the inclusion of the score and report in all real estate listings is sufficient.
Violation	It is a violation for any person to fail to comply with the requirements of this chapter or to misrepresent any material fact in a document required to be prepared or disclosed by this chapter. Civil enforcement of the provisions of this chapter shall be governed by TMC Chapter 1.10 Civil Enforcement of Code.	Includes a section on penalties that repeats Olympia Code OMC 4.40 inclusive of fines and timelines, in addition to the violation language used by Thurston County.	It is a violation of this chapter for any person to fail to comply with the requirements of this chapter or to misrepresent any material fact in document required to be prepared or disclosed by this Chapter. Enforced through County Title 26.	Clarity and lacking redundancy for cleaner code.
Effective Date	May 1, 2027	May 1, 2027	March 17, 2027	Consistency with the latest date for ease of regional implementation.

4. Program Development Plan

The HES disclosure requirement will take effect in Thurston County and Olympia in Spring 2027, one year after their ordinance adoption. Key steps to prepare for HES Program implementation are listed below with approximate timelines for each.



1. Contracting (May–August 2026)

- Thurston County will hold the contract with the U.S. Department of Energy and Implementation Partner for the TCMC partners.
 - Thurston County issued a Request for Qualifications and Quotes (RFQQ) for an HES Program Implementation Partner to support program launch and first year of implementation.
 - The Scope of Work includes (but not limited to): onboard and manage a network of local HES Assessors, fulfill requirements of DOE Partnership Agreement, create customized HES report, launch IT systems needed for program implementation, provide quality assurance to ensure consistent scoring practices, analyze data and report on program activity.
 - Expected contract execution date: August 4, 2026

2. Stakeholder Engagement (September – October 2026; tentative)

- The TCMC will hold additional stakeholder engagement. That engagement will focus on the following program elements: education and outreach strategy, supplementary information included in the HES report, and program monitoring criteria and metrics.
- Key stakeholders include the Thurston County Realtors Association and local real estate brokerages, and general community members, especially current and future homeowners.

3. Administrative Process Development (May–October 2026)

- Centralized Processes (County-led with support from Implementation Partner)
 - HES Assessor verification and registration
 - NWMLS integration
- Jurisdiction Processes / Standard Operating Procedures
 - Exemption application and approval
 - Low-income subsidy application, rebates, contracting
 - Compliance review and notifications; enforcement

4. Workforce Development (August 2026 – March 2027)

- Work with Implementation Partner on workforce recruitment and training
- Partner with local/regional workforce development organizations
 - Goal: 10 – 15 registered local HES Assessors by program launch

5. Communication Plan (October 2026 – February 2027)

- Develop HES Communication Plan for program launch and implementation
- Develop communication assets (fact sheets, presentation templates, real estate agent training videos, etc.)
- Conduct open houses/outreach events for public and real estate agents

6. Program Implementation and Monitoring Plan (December 2026 – March 2027)

- Establish roles, responsibilities, Standard Operating Procedures for program implementation
- Identify criteria, frequency, and metrics for program monitoring
- Set timeline for launch, monitoring, and reporting

7. HES Program Launch (Spring 2027 – date TBD)

- Issue press release and conduct outreach
- Implement established administrative processes
- Conduct continual Quality Assurance/Quality Control, monitoring, and reporting

Sample Enforcement Steps

Table 5. Sample Enforcement Steps.

Enforcement Steps			
Enforcement Step	Details	Timeline	Person Responsible
Step 0 – Identify non-compliance	• Staff will monitor real estate listings to identify instances of non-compliance. • Community members can reach out to report non-compliance at any time.	Ongoing	Sustainability Manager, or their designee; Community members

Step 1 – Warning and Education Period* *This step may be repeated to gain voluntary compliance.	• Provide educational materials including but not limited to information about exemption process, subsidy offerings and requirements, etc. • Encourage voluntary compliance • Provide “Warning Letter” to the seller and their listing agent (if applicable) identifying the non-compliance, steps to correct the problem, and an expected compliance date (2 weeks). • Request evidence of compliance (if applicable) • Staff to verify compliance independently	Day 0 - 14	Sustainability Manager, or their designee
Step 2 – Follow-up Actions	• Send “Notice of Violation” letter to property owner/seller identifying unresolved issues from the Warning letter • Include warning of civil penalties if compliance is not achieved • Set second compliance date • Verify compliance/non-compliance	Day 15 - 20	Sustainability Manager, or their designee
Step 3 – Final Actions	• Send “Notice of Violation with Civil Penalties” letter indicating that unresolved issues are with Code Enforcement	Day 21 – until compliance is met	Sustainability Manager, or their designee, Code Enforcement Staff, and/or City Legal Team
Repeat Offenders	• Repeat offenders may be escalated to Step 2 (skipping the warning period) once non-compliance is identified.	Reduce compliance deadlines by 14 days.	Sustainability Manager, or their designee.

In Thurston County, as of April 30, 2026, the average days on market from actively listed to an accepted contract was 36 days. The timeline in Table 5 is intended to simultaneously reach compliance before an offer is made while also providing ample time for a seller to attain a HES audit and come into compliance.

5. Costs

Cost to city

The city, through their budget approval and Interlocal Agreement for the TCMC, has set aside the funding necessary to develop the supporting program for a mandatory, or voluntary, Home Energy Score disclosure program. Those are estimated as follows:

Table 6. Year 1 Costs.

Item	Full Cost (Region)	Tumwater Share of Cost
Launch IT Systems	\$25,000	\$6,250
Assessor Onboarding and Enrollment (10 – 15 Assessors)	\$30,000	\$7,500
HES Report Customization* and Program Marketing and Outreach *This allows for linking to local incentives to encourage energy efficiency improvements, among other things.	\$36,000	\$9,000
Ongoing Program Management Costs	\$20,000	\$5,000
TOTAL	\$111,000	\$27,750

This \$27,750 is incorporated, and within the approved funding for the TCMC Interlocal Agreement for 2026 which is \$110,000.

Table 7. Ongoing Costs (Year 2 and onward).

Item	Full Cost (Region)	Tumwater Share of Cost
Program Management	\$20,000	\$5,000

This \$5,000 will be requested to be incorporated into future budgets for the TCMC Interlocal Agreement.

In addition to these program costs, the city has budgeted \$4,000 each year for the subsidy program in the 25/26 budget and staff have requested the same amount for the 27/28 budget. This \$4,000 amount was estimated based on the subsidy being available to sellers at or below 80% Area Median Income. As proposed, the subsidy may need to be increased in the

forthcoming 27/28 budget or can be increased via a budget amendment in 27/28 should the amount needed exceed the budgeted amount.

Cost to Sellers

The range of costs currently charged for HES Assessments in the United States ranges from \$150 to \$350. The cost of an assessment can differ based on the size of the home, travel distance (mileage), and whether the assessment is needed as an urgent service or not. These costs are paid directly by the seller to the Home Energy Score Assessor, who is an independent business owner. These costs are generally self-regulated by competition among providers/business owners.

In limited regions there is an additional charge, which is also paid directly to the HES Assessor of \$35 - \$50, to cover the cost of quality assurance and quality control (QA/QC). This charge is then paid by the Home Energy Score Assessor to the Implementation Partner who carries out the QA/QC required by the U.S. Department of Energy. See Section 4 Item 1 for more information about the Implementation Partner. This Implementation Partner is also an independent business.

In some cases, the QA/QC is set up to be paid by the jurisdiction, instead of a cost being passed through the seller. If the city preferred to cover that cost, that anticipated cost could be \$13,850 estimating the highest cost and the number of listings in the past year.

In the case of a subsidized HES Assessment, the city would pay the full cost including both the assessment and the QA/QC costs, so there is no cost to the seller who meets the subsidy criteria.

The city does not receive any of the money spent by the seller to attain their Home Energy Score Assessment and Report.

ORDINANCE NO. O2026-004

AN ORDINANCE of the City Council of the City of Tumwater, Washington, adopting a Residential Energy Performance Rating and Disclosure Policy and adding a new chapter 15.22 entitled *Residential Energy Performance Rating and Disclosure* to Tumwater Municipal Code Title 15 *Buildings and Construction*, as more particularly described herein.

WHEREAS, climate change has become a crisis posing a serious threat to the survival of the earth and humanity; and

WHEREAS, in 2018 the City Council adopted Resolution No. R2018-015, agreeing to common targets to 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 degrees Celsius above pre-industrial levels; and

WHEREAS, in 2021 the City Council adopted Resolution No. 2021-001 accepting the *Thurston Climate Mitigation Plan (2020)* as a framework to guide future action addressing local sources of greenhouse gas emissions that contribute to global climate change; and

WHEREAS, in 2021 the City Council adopted Resolution No 2021-002 declaring a climate emergency and support for mobilization of community and region wide efforts to mitigate climate change in order to provide a safe environment for future generations; and

WHEREAS, at the 2023 Thurston Climate Mitigation Collaborative (TCMC) Annual Retreat and subsequent Executive Committee meeting on June 26, 2023, the TCMC agreed to advance two regional initiatives for focused regional coordination in 2024: (1) design a Residential Energy Efficiency and Electrification Campaign and (2) develop a Home Energy Score Model Ordinance; and

WHEREAS, in 2023 the City Council approved an Interlocal Agreement among Thurston County and the cities of Lacey, Olympia, and Tumwater to support the implementation of the 2024 TCMC Regional Initiatives; and

WHEREAS, the TCMC has engaged the TCMC Community Advisory Workgroup, members of the public, and held four focus group discussions with key stakeholders to develop this proposed Ordinance; and

WHEREAS, the TCMC finds that for a home energy disclosure policy to be effective at reducing emissions, incentivizing a more climate resilient housing stock, and informing prospective homebuyers, Tumwater's Code should be amended to include this requirement; and

WHEREAS, amending the code to include a home energy disclosure policy is in the best interests of city and its residents and supports the health, safety and welfare of the community.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUMWATER, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. A new chapter 15.22, *Residential Energy Performance Rating and Disclosure*, is hereby added to Title 15, *Buildings and Construction*, of the Tumwater Municipal Code to read as follows:

Chapter 15.22

RESIDENTIAL ENERGY PERFORMANCE RATING AND DISCLOSURE

15.22.010 Purpose.

The purpose of the Residential Energy Performance Rating and Disclosure is to require that homebuyers be provided with information about residential building energy performance prior to the time of property purchase to enable more informed decisions about the full costs of operating dwelling units and to encourage investments in improvements that lower utility bills, reduce carbon emissions, and increase the comfort, safety, and health of building occupants. This disclosure is in addition to the minimum disclosures described in RCW 64.06.

15.22.020 Definitions.

Certain terms, words, and phrases shall, whenever used in this chapter, have the meanings defined in this section.

- A. "Director" means the director of the Water Resources and Sustainability Department of the city or their designee.

- B. "Dwelling Unit" means a building or a portion thereof designed for occupancy by one family for residential purposes, having kitchen and bathroom facilities, and on a permanent foundation and for the purposes of this chapter may be contained in a single-family detached dwelling, duplex, triplex, quadplex, cottage housing, townhouse, and accessory dwelling unit.
- C. "Energy" means electricity, natural gas, propane, heating oil, wood, or other fuel used for purposes of providing heating, cooling, lighting, water heating, or powering other end-uses in the building and related facilities.
- D. "Home energy performance report" means the report prepared by a registered home energy score assessor utilizing the reporting template provided by the director. The report must include the following information:
1. The home energy performance score, using methods developed by the United States Department of Energy, and an explanation of the score;
 2. An estimate of the total annual energy used in the dwelling unit in retail units of energy by fuel type;
 3. An estimate of the total annual energy generated by onsite solar electric, wind electric, hydroelectric, and/or solar water heating systems in retail units of energy, by type of fuel displaced by the onsite generation;
 4. An estimate of the total monthly or annual cost of energy purchased for use in the dwelling unit in dollars by fuel type, based on the current average annual retail residential energy price of the utility serving the dwelling unit at the time of the report and the average annual energy prices of nonregulated fuels by fuel type;
 5. The current average annual utility retail residential energy price in dollars by fuel type and the average annual energy price by fuel type;
 6. At least one comparison home energy performance score that provides context for the range of potential scores. Examples of comparison dwelling units include, but are not limited to, a similar dwelling unit with Washington's average energy consumption, the same type of dwelling unit built to Washington energy code, or the same type of dwelling unit with certain energy efficiency upgrades;
 7. The identification of efficiency measures that may be installed directly by consumers;

8. The date when the building energy assessment was performed;
 9. The name, contact information, and business license number for the registered home energy score assessor who completed the scoring; and
 10. Such other information as specified by the director.
- E. "Home energy score" means the U.S. Department of Energy's Home Energy Score which is an asset rating based on physical inspection of the dwelling unit or review of the design documents used for the dwelling unit's construction.
- F. "Real estate listing" means any real estate listed publicly for sale in the city by a property owner, representative of a property owner, or a Washington state licensed real estate broker, agent, or firm. Real estate listings include any printed advertisement, internet posting, publicly displayed sign, and other third-party listing services.
- G. "Registered home energy score assessor" means a person who has a valid and up-to-date certification from the U.S. Department of Energy as a home energy score assessor and who is registered with the city to provide a home energy performance report. To be registered with the city, a person must meet all registration requirements established by the director.
- H. "Seller" means any individual or entity possessing title to real property that includes a dwelling unit, including an association of unit owners responsible for overall management in the case of a condominium, or other representative body of a jointly owned building with authority to make decisions about building assessments and alterations.
- I. "Subsidy criteria" means any resident of the City of Tumwater earning 150% or less than 150% of the Area Median Income as defined by the U.S. Department of Housing and Urban Development, or any household that has been deemed eligible to participate in any and all low-income federal, state, or local assistance programs.

15.22.030 Authority of the Director.

- A. The director shall administer and enforce this chapter's provisions.

Ordinance No. O2026-004 - Page 4 of 7

- B. The director shall adopt rules and regulations, procedures, and forms to implement this chapter's provisions.

15.22.040 Home Energy Score Rating and Disclosure for Dwelling Units.

Prior to publicly listing any dwelling unit(s) for sale, the seller of the dwelling unit, or the seller's designated representative, shall:

- A. Obtain a home energy performance report for the dwelling unit from a certified home energy score assessor;
- B. Include the home energy score and the home energy performance report in all real estate listings;
- C. Append the home energy performance report when attachments are accepted by the listing service; and
- D. Provide a copy of the home energy performance report to all licensed real estate brokers, agents, or firms working on the seller's behalf.

15.22.050 New Construction of Dwelling Units.

At the time of first sale, sellers of a newly constructed dwelling unit or the seller's designated representative, may:

- A. Provide a home energy score that was generated from either design specifications or an on-site inspection.
- B. Replicate home energy performance reports for dwelling unit(s) constructed within the same land division using identical design specifications with identical features including, but not limited to, floorplan, type and amount of insulation, windows, attic fans, heating and cooling systems, hot water heaters, and appliances.

15.22.060 Exemptions.

- A. Dwelling units on federal land or tribal land shall be exempt from the requirements outlined in TMC 15.22.
- B. Transfers of real property defined by RCW 64.06.010, as is in effect of the date of this ordinance and as amended, are exempt from the requirements of this chapter.

C. The director may exempt a seller from the requirements of this chapter after confirming that compliance would cause undue hardship for the seller under the following circumstances:

1. The dwelling unit qualifies for sale at public auction or acquisition by a public agency due to arrears for property taxes;
2. A court-appointed receiver is in control of the dwelling unit due to financial distress; or
3. The senior mortgage on the dwelling unit is subject to a notice of default.

15.22.070 Duration of Validity.

The home energy score is valid for ten years provided that no changes to mechanical systems, building envelope, or square footage in the home have occurred.

15.22.080 Violation.

It is a violation for any person to fail to comply with the requirements of this chapter or to misrepresent any material fact in a document required to be prepared or disclosed by this chapter. Civil enforcement of the provisions of this chapter shall be governed by TMC Chapter 1.10 Civil Enforcement of Code.

15.22.090 Subsidy.

The city shall fully subsidize home energy score assessments required by TMC 15.22.040 for sellers whose households meet the subsidy criteria as defined in TMC 15.22.020 or may exempt households that meet the subsidy criteria if no subsidy funding is available.

Section 2. Corrections. The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 4. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application

thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 5. Effective Date. This ordinance shall become effective on May 1, 2027, after passage, approval and publication as provided by law.

ADOPTED this _____ day of _____, 20__.

CITY OF TUMWATER

Leatta Dahlhoff, Mayor

ATTEST:

Melody Valiant, City Clerk

APPROVED AS TO FORM:

Karen Kirkpatrick, City Attorney

Published: _____

Effective Date: _____

TO: General Government Committee
FROM: Brad Medrud, Community Development Director
DATE: July 15, 2026
SUBJECT: Ordinance No. O2026-016, Parking Lot Lighting

1) Recommended Action:

Conduct a briefing to discuss the Planning Commission's recommendation on Ordinance No. O2026-016, Parking Lot Lighting, and then place the ordinance on the August 18, 2026, City Council consideration calendar with a recommendation to adopt.

2) Background:

The intent of the ordinance is to amend Chapter 18.50 of the Tumwater Municipal Code to address parking lot lighting requirements for large multiple building complexes or multiple tenant buildings adjacent to Interstate 5.

The Planning Commission held a public hearing on July 14, 2026, and recommended approval of Ordinance No. O2026-016, Parking Lot Lighting.

3) Policy Support:

Goal LU-2: Ensure development occurs in an orderly, effective, and cost-efficient manner to best utilize available land and public services, conserve natural resources, protect and enhance critical areas and open space, address equity and climate change, and reduce sprawl.

4) Alternatives:

☐ None.

5) Fiscal Notes:

This is an internally funded work program task.

6) Attachments:

- A. Staff Report
- B. Ordinance No. O2026-016
- C. Presentation

STAFF REPORT

Date: July 15, 2026

To: General Government Committee

From: Brad Medrud, Community Development Director



Ordinance No. O2026-016 – Parking Lot Lighting

1. Recommended Action

Conduct a briefing to discuss the Planning Commission’s recommendation on Ordinance No. O2026-016, Parking Lot Lighting, and then place the ordinance on the August 18, 2026, City Council consideration calendar with a recommendation to adopt.

2. Background

The intent of the ordinance is to amend TMC 18.50.060 *Off-street parking areas – Design requirements* of TMC 18.50 *Off-Street Parking* of the Tumwater Municipal Code to address the requirements for the height of parking lot lighting for large multiple building complexes or multiple tenant buildings adjacent to Interstate 5.

Parking lot lighting requirements are addressed in two chapters of TMC Title 18 *Zoning*: TMC 18.40 *Environmental Performance Standards* and TMC 18.50 *Off-Street Parking*.

Parking lot lighting requirements were a part of a complete rewrite of the City’s off-street parking standards that were adopted in 1998 by Ordinance No. O97-015 and included both height limits and other requirements such as light shielding and light plan review. The height limits requirements remained in TMC 18.50 *Off-Street Parking* after other lighting requirements such as offsite illumination standards and other limits on site lighting become part of TMC 18.40.035 *Exterior illumination* in TMC 18.40 *Environmental Performance Standards* as part the City’s “dark sky” ordinance, Ordinance No. O2009-001, which was adopted in 2009.

Chapter 2 *Commercial, Mixed Use, and Multifamily* of the Citywide Design Guidelines includes additional lighting requirements. Tumwater’s current lighting regulations and guidelines are found in the appendix of this staff report.

Ordinance No. O2026-016 is intended to modify the height requirements for parking lot lighting for large multiple building complexes or multiple tenant buildings adjacent to Interstate 5, raising the allowable height of parking lot lights from 24 feet to 37 feet. The ordinance does not make any changes to the offsite illumination standards and other limits on site lighting in 18.40.035 *Exterior illumination* or to the lighting guidelines in Chapter 2 *Commercial, Mixed Use, and Multifamily* of the Citywide Design Guidelines.

3. Public Approval Process

An Environmental Checklist for a non-project action was prepared on June 4, 2026, under the State Environmental Policy Act (Chapter 43.21C RCW), pursuant to Chapter 197-11 WAC, and a Determination of Non-Significance was issued June 12, 2026, with the comment period ending June 26, 2026, and the appeal period ending July 2, 2026.

The ordinance was sent to the Washington State Department of Commerce on June 4, 2026, for their required 60-day review before the proposed text amendments are adopted, in accordance with RCW 36.70A.106.

The Planning Commission received briefing on the proposed amendments on June 23, 2026.

A Notice of Public Hearing for the Planning Commission was issued on June 26, 2026, prior to a public hearing. The notice was posted, published as a press release, distributed to interested individuals and entities that have requested such notices, and published in The Olympian.

The Planning Commission held a public hearing on the proposed amendments on July 14, 2026. Following the public hearing and deliberations, the Planning Commission recommended that Council consider the proposed amendments.

The General Government Committee is scheduled to review the Planning Commission's recommendation on the proposed amendments on July 15, 2026. The City Council is scheduled to consider the proposed amendments on August 18, 2026.

4. Staff Conclusions

1. The proposed text amendments will need to be consistent with the goals of the Washington State Growth Management Act.

- a. The ordinance will need to be consistent with Goal 4 of the Growth Management Act which states:

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

The ordinance will address the following goal and policy of the Land Use Element:

Goal LU-2 Ensure development occurs in an orderly, effective, and cost-efficient manner to best utilize available land and public services, conserve natural resources, protect and enhance critical areas and open space, address equity and climate change, and reduce sprawl.

Policy LU-2.1 Review and update Tumwater's development review and permitting system on a regular basis for consistency with state law and adopted plans to ensure predictability and to process development permits in a timely and fair manner.

- b. This ordinance will need to be consistent with Goal 11 of the Growth Management Act which states:

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.*

Consideration of the ordinance will involve the community in the planning process through Planning Commission and City Council meetings to address the following goal of the Comprehensive Plan:

Goal PI-1 Continuously engage with the community and the region.

2. Based on the above review and analysis, staff will need to conclude that the proposed text amendments are consistent with the requirements of the Washington State Growth Management Act and the Tumwater Comprehensive Plan.

Staff conclude that the proposed text amendments are consistent with the requirements of the Washington State Growth Management Act and the Tumwater Comprehensive Plan

5. Effects of the Proposed Amendments

The proposed text amendments would necessitate changes to the Tumwater Municipal Code.

6. Staff Contacts

Brad Medrud, Community Development Director
City of Tumwater Community Development Department
360-754-4180
bmedrud@ci.tumwater.wa.us

Appendix A – Current Lighting Regulations

TMC 18.50 Off-Street Parking – TMC 18.50.060 Off-street parking areas – Design requirements.

[...]

K. Parking lot lighting not exceeding twenty-four feet in height is required to provide safe access for pedestrians unless otherwise specified. All outdoor artificial light sources shall comply with TMC 18.40.035, Exterior illumination.

[...]

TMC 18.40 Environmental Performance Standards – TMC 18.40.035 Exterior illumination.

These regulations apply to outdoor artificial light sources, including lights on the exterior of buildings or other structures, installed underneath canopies, pole-mounted, freestanding and ground lights, as well as nonresidential interior lights.

A. For the purposes of regulating lighting in this section and elsewhere in this title, the following terms shall be defined as stated:

- 1. “Business-zoned property” means any property in the NC neighborhood commercial, CS community services, MU mixed use, GC general commercial, TC town center (TC town center mixed use, professional office, and civic subdistricts), HC historic commercial, GB greenbelt, OS open space, LI light industrial, HI heavy industrial, CBC Capitol Boulevard corridor, BD brewery district, and ARI airport related industry zone districts.*
- 2. “Foot-candle” means a measure of illuminance (or light intensity) on a surface equal to one lumen per square foot.*
- 3. “Fully shielded fixture” means exterior lighting that is shielded or constructed so that all light emitted is projected below a horizontal plane running through the lowest part of the fixture as determined by a photometric test or certified by the manufacturer.*
- 4. “Glare” means an intensity of light that due to the brightness of the light source diminishes the observer’s ability to see, and in extreme cases may cause visual discomfort or momentary blindness.*
- 5. “Light trespass” means the light emanating from one property (measured at the property line) intruding onto an adjacent property or public right-of-way.*
- 6. “Lumen” means a unit of classification used to quantify the amount of light energy produced by a lamp. Lumen output of most lamps is listed on the packaging. For example, a sixty-watt incandescent lamp produces approximately eight hundred fifty lumens while a fifty-five-watt low-pressure sodium lamp produces approximately eight thousand lumens.*
- 7. “Opaque” means not allowing light to pass through; not transparent or translucent.*

8. *“Partially shielded” means the luminaire incorporates a translucent barrier, the “partial shield” around the lamp that allows some light to pass through the barrier while concealing the lamp from the viewer.*

9. *“Residential-zoned property” means any property in the RSR residential/sensitive resource, LDR low density residential, MDR medium density residential, HDR high density residential, and TC town center (TC town center residential subdistrict) zone districts.*

10. *“Translucent” means allowing light to pass, but diffusing it such that the light source cannot be distinguished.*

B. *Exterior Lighting Standards. Exterior artificial light sources shall conform to the following requirements:*

1. *Light fixtures shall be used in a manner such that light is directed downward, and not outward or upward.*

2. *Light fixtures shall be fully shielded.*

a. *Fixtures on business-zoned properties that are mounted to the underside of structures such as canopies, awnings, etc. (such as those found at gas stations, drive-through facilities, service stations, and parking structures) shall be flush mounted to the canopy so that the lens does not protrude below the surface to which it is mounted. In instances where the canopy is not thick enough to accommodate a flush-mount fixture, a fully shielded fixture may be utilized and mounted to the surface.*

3. *Exterior lighting shall not blink, flash, fluctuate, be intermittent, or change color or intensity.*

4. *Illuminated signs and advertising devices shall also comply with provisions of TMC 18.44.080 and 18.44.170. Where conflict occurs, the more stringent standards shall apply.*

5. *Parking lot lighting shall also comply with provisions in TMC 18.50.060. Where conflict occurs, the more stringent standards shall apply.*

6. *Exterior lighting on business-zoned properties shall be turned off at the close of business or 10:00 p.m., whichever is later. However, lighting which is necessary for after business hours work by employees and lighting that is necessary for security systems to function properly may be utilized at any time provided the lighting is the minimum necessary and is turned off when it is no longer needed or being used.*

7. *Light trespass shall comply with the provisions of subsection D of this section.*

8. *Illumination of government flags is allowed provided the light fixtures are equipped with shields and louvers to control the beam spread and to prevent light trespass and glare.*

9. *Low voltage landscape lighting (thirty volts or less) is allowed provided it is partially shielded (upward-oriented spot/flood lights are not allowed) and does not violate the light trespass standards of subsection D of this section. Rope-style lighting of any voltage is also allowed for residential properties provided it meets the light trespass standards of subsection D of this section.*

C. Application Required.

1. A basic lighting plan shall be submitted to the community development department along with building permit applications that involve the installation or replacement of exterior lighting. The basic lighting plan shall include, but not be limited to, descriptions, illustrations, or photos of the types of lighting fixtures to be installed, a statement or description of how the fixtures comply with the regulations, and descriptions or depictions of the locations of the proposed lighting fixtures. The basic lighting plan shall also include statements that the applicant will design their project to comply with the exterior lighting regulations, and the applicant will make any changes necessary to come into compliance with the regulations before their occupancy permit is issued. The basic lighting plan must be signed by the applicant(s) or their authorized agent(s).

2. For nonresidential development proposals that are four thousand square feet or larger, the community development director (or his/her designee) may require a photometric lighting plan instead of the basic lighting plan. The photometric plan, application, and a fee as specified by the most current fee resolution adopted by the Tumwater city council shall be submitted along with a building permit application. The photometric lighting plan must specify how the project lighting, including both freestanding and building-mounted lighting, complies with the applicable requirements of the Tumwater Municipal Code including this chapter. The photometric lighting plan shall also include the requirements listed for the basic lighting plan as shown in subsection (C)(1) of this section. Where requirements overlap or conflict, the more stringent shall apply.

D. **Light Trespass.** All light fixtures used on a premises shall be installed and maintained to prevent light trespass, measured at the property line of the originating property (light source), that exceeds one-tenth foot-candle illuminating adjacent to residential-zoned property or one-half foot-candle illuminating adjacent to business-zoned property or public rights-of-way.

E. **Exceptions.** The restrictions on exterior lighting in subsections B, C and D of this section shall not apply to:

1. Light fixtures on structures listed in the Tumwater, or Washington State, or National historic registers (as defined in TMC Chapter 2.62) that are important in defining the overall historic character of the structure or building.

2. Projection equipment for outdoor movie theaters and outdoor movie events.

3. Security floodlights with motion detectors and daytime cutoffs that comply with the light trespass standards of subsection D of this section; provided, that the duration of activation by the motion sensor does not exceed sixty seconds. Light trespass at the property line may be diminished to acceptable levels by using lower wattage bulbs, downward and inward orientation, opaque or translucent shielding, or combinations thereof.

4. Seasonal decorations illuminated no longer than sixty days.

5. Lights on moving vehicles.

6. Sports field lighting.

7. *Navigation lights (such as airports, heliports, or tower lighting required by the Federal Aviation Administration).*
8. *Temporary emergency lighting (such as fire, police, repair workers).*
9. *Traffic control signals and devices.*
10. *Exterior lighting approved by the community development director for temporary or periodic events (e.g., special events, nighttime construction, etc.). Searchlights, lighting displays lasting longer than seven days in any calendar year, and any lighting displays that cause any direct glare into or upon any building other than the building to which the display may be related are all prohibited.*
11. *Light sources lawfully installed prior to the effective date of these regulations.*
12. *Public streetlights are exempt only from the light trespass standards of subsection D of this section.*

Citywide Design Guidelines – Chapter 2: Commercial, Mixed Use, and Multifamily

[...]

2.F. Lighting

2.F.1 Site Lighting

INTENT:

- *To encourage the use of lighting as an integral design component to enhance buildings, landscaping, or other site features.*
- *To increase night sky visibility and to reduce the general illumination of the sky.*
- *To reduce horizontal light glare and vertical light trespass from a development onto adjacent parcels and natural features.*
- *To use lighting in conjunction with other security methods to increase site safety.*
- *To prevent the use of lighting for advertising purposes.*

STANDARDS/GUIDELINES:**2.F.1.1 Site Lighting Levels**

- a. *All publicly accessible areas shall be lighted with levels as follows:*
- (1) Low or non-pedestrian and vehicular traffic areas - minimum 0.2 foot-candles, maximum 4 foot-candles;*
 - (2) Moderate or high volume pedestrian areas and building entries - minimum 1 foot-candle, maximum 5 foot-candles, preferred average 2 foot-candles;*
 - (3) Public parking lots - minimum 1 foot-candle, maximum 4 foot-candles; and*
 - (4) Gas station pump area - maximum 5 foot-candles.*
- b. *Lighting shall be provided at consistent levels, with an average lighting level to minimum lighting level uniformity ratio no less than 3:1, to create gradual transitions between varying levels of lighting and between lit areas and unlit areas. Highly contrasting pools of light and dark areas shall be avoided.*
- c. *Pedestrian lighting shall have a maximum height of 15 feet.*
- Exception: For commercial and industrial uses where outdoor storage of goods and products is the primary method of displaying such goods and products, site lighting levels shall comply with TMC 18.40.035.*

2.F.1.2 Light Quality and Shielding

- a. *Parking area lighting fixtures shall be fully shielded; dark sky rated and mounted no more than 20 feet above the ground, with lower fixtures preferable so as to maintain a human scale.*
- b. *Exterior lighting must comply with TMC 18.40.35: Exterior Illumination*
- Exception: For commercial and industrial uses where outdoor storage of goods and products is the primary method of displaying such goods and products, site lighting height shall comply with TMC 18.50.*

2.F.1.3 Architectural Lighting

- a. *Steady, non-flashing lighting of building features, artwork, and special landscape elements may be allowed, subject to the findings of the Director that the light causes no significant adverse impact.*

ORDINANCE NO. O2026-016

AN ORDINANCE of the City Council of the City of Tumwater, Washington, amending Chapter 18.50, Off-Street Parking, of the Tumwater Municipal Code to address site lighting design requirements as more particularly described herein.

WHEREAS, TMC Chapter 18.50 *Off-street parking areas – Design requirements*, is to be amended to address the height of parking lot lighting for large developments adjacent to Interstate 5; and

WHEREAS, the City is required to plan under Chapter 36.70A RCW, the Growth Management Act; and

WHEREAS, this Ordinance meets the goals and requirements of the Growth Management Act; and

WHEREAS, this Ordinance is consistent with the City's Comprehensive Plan; and

WHEREAS, this Ordinance was sent to the Washington State Department of Commerce on June 4, 2026, at least sixty days before the proposed code amendments were adopted, in accordance with RCW 36.70A.106; and

WHEREAS, an Environmental Checklist for a non-project action was prepared under the State Environmental Policy Act (Chapter 43.21C RCW), pursuant to Chapter 197-11 WAC on June 4, 2026, and a Determination of Non-Significance (DNS) was issued on June 12, 2026; and

WHEREAS, the Attorney General *Advisory Memorandum and Recommended Process for Evaluating Proposed Regulatory or Administrative Actions to Avoid Unconstitutional Takings of Private Property* (October 2024) was reviewed and utilized by the City in objectively evaluating the proposed amendments; and

WHEREAS, the Planning Commission received a briefing on the proposed code amendments on June 23, 2026, and held a public hearing on July 14, 2026; and

WHEREAS, following the public hearing and deliberations, the Planning Commission recommended approval of the proposed code amendments by the City Council; and

WHEREAS, the General Government Committee discussed the Planning Commission's recommendation on the proposed code amendments at a briefing on July 15, 2026; and

WHEREAS, the City Council considered the proposed code amendments on August 18, 2026; and

WHEREAS, the City Council finds that the provisions of this Ordinance are in the best interest of and protect the health, safety, and welfare of the residents of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUMWATER, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. TMC 18.50.060, Off-street parking areas – Design requirements, of the Tumwater Municipal Code is hereby amended to read as follows:

18.50.060 Off-street parking areas – Design requirements.

The following requirements shall apply to off-street parking areas accommodating four or more vehicles excluding single-family residential and middle housing:

- A. Each parking area shall be designed to enable ingress and egress without requiring the vehicle to back over sidewalks, onto any roadway with a speed limit over twenty-five miles per hour, or onto a roadway that may pose inherent risks to traffic and safety to be determined by the public works director.
- B. Parking areas shall be designed to:
 - 1. Utilize ninety-degree parking if most efficient;
 - 2. Orient parking rows perpendicular to the building to enhance pedestrian safety when possible;
 - 3. Define stalls with white, or otherwise visible and uniform, striping a minimum of four inches wide to facilitate movement and maintain an orderly parking arrangement;
 - 4. Minimize unnecessary impervious surfaces; and
 - 5. Ensure access to public transportation through the design of internal roadways, parking areas, and pedestrian paths.
- C. Parking facilities should provide for pedestrian accessibility between uses for transportation efficiency.
- D. Sidewalks or walkways shall be designed to ensure pedestrian safety by separating any driveway or parking area from a building or roadway. Parking spaces must utilize approved wheel stops to prevent vehicle overhang of a sidewalk or walkway. (See interlock reduction in Figure 18.50.060(A).)

Ordinance No. O2026-016 - Page 2 of 6

E. The surface of all parking and vehicle maneuvering areas shall have an approved hard surface such as asphalt, concrete or turfstone unless a hard surface would interfere with proper operations (such as agricultural uses) or some industrial uses such as a heavy equipment rental facility, general contractor equipment yard, and product lay-down yards associated with uses such as manufacturing, building material sales, and plant nurseries. Parking or maneuvering areas that do not use an approved hard surface shall use an approved prepared surface, such as gravel. Prepared surfaces shall be designed to not track material into the public right-of-way to the satisfaction of the community development director and shall have a hard surface apron a minimum of twenty feet wide adjacent to hard-surfaced public roads.

F. Landscaped islands or dividers shall be required at the end of parking bays to clearly define traffic and turning patterns.

G. Parking facilities shall comply with the landscaping provisions set forth in TMC Chapter 18.47.

H. Parking facilities shall be designed and maintained in accordance with the parking standards in Figures 18.50.060(A) and 18.50.060(B).

Figure 18.50.060(A)

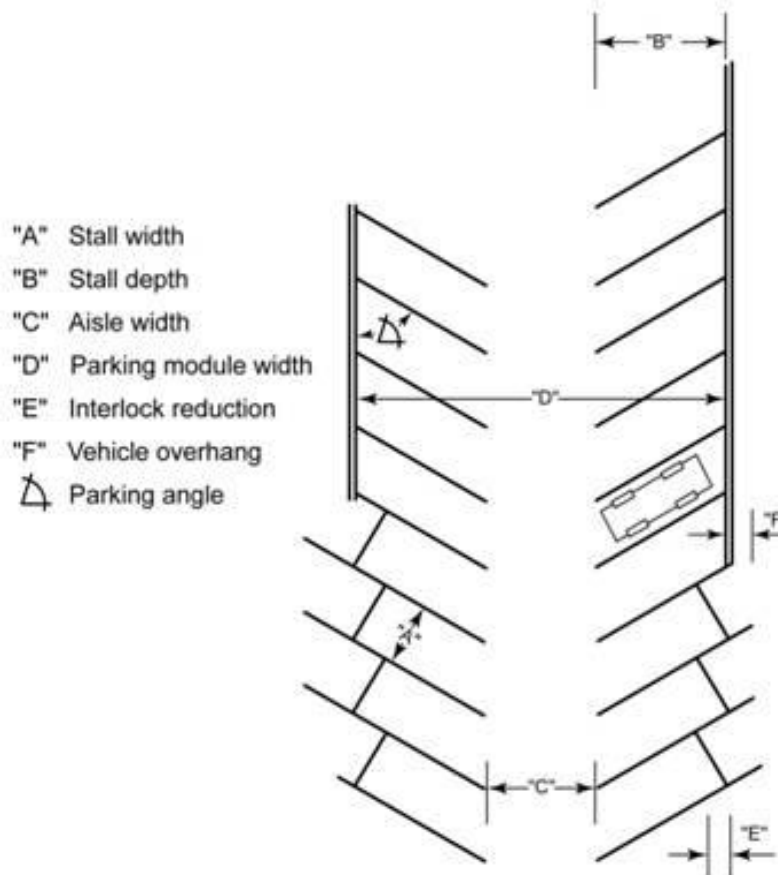
REQUIRED PARKING DESIGN STANDARDS¹					
Angle	Stall Width (A)	Stall Depth (B)²	Aisle Width (C)³	Parking Module Width (D)	Interlock Reduction (E)
45°	9' – 0"	17' – 4"	12' – 3"	46' – 11"	2' – 0"
50°	9' – 0"	18' – 4"	12' – 9"	49' – 5"	1' – 10"
55°	9' – 0"	18' – 6"	13' – 3"	50' – 3"	1' – 7"
60°	9' – 0"	18' – 10"	14' – 3"	51' – 11"	1' – 4"
65°	9' – 0"	19' – 0"	15' – 2"	53' – 2"	1' – 2"
70°	9' – 0"	19' – 2"	16' – 1"	54' – 5"	0' – 11"
75°	9' – 0"	19' – 0"	17' – 6"	55' – 6"	0' – 8"
90°	9' – 0"	18' – 0"	22' – 6"	58' – 6"	N/A

NOTES

() Definitions for letters in parentheses appear in Figure 18.50.060(B).

1. Parking spaces for residential uses may not be required to exceed eight feet by twenty feet, except for parking required for people with disabilities.
2. For accessible parking standards, refer to TMC Chapter 15.04.
3. If parking aisle also serves as a required fire lane, the minimum unobstructed width shall be twenty feet.

Figure 18.50.060(B)



I. Accessible parking shall be provided in accordance with the building code, TMC Chapter 15.04.

J. Required High Occupancy Vehicles. All employers required to operate high occupancy vehicles (HOV) shall mark the closest parking spaces to the building "Reserved for HOV." These spaces shall not displace required accessible parking.

K. Parking lot lighting. Parking lot lighting ~~not exceeding twenty-four feet in height~~ is required to provide safe access for pedestrians unless otherwise specified. All outdoor artificial light sources shall comply with TMC 18.40.035, Exterior illumination.

1. Except as provided in subsection 18.50.060(K)(2), parking lot lighting may not exceed twenty-four feet in height.

2. For multiple building complexes or multiple tenant buildings having more than one-hundred fifty thousand square feet in floor area with frontage on Interstate 5, parking lot lighting may not exceed thirty-seven feet in height.

L. Employers with one hundred or more employees which use an administrative modification specified by TMC 18.50.075(B) to increase parking must meet the following design elements:

1. Double the amount of interior landscaping required under TMC Chapter 18.47 within the parking lot. Fifty percent of this requirement, if proven to be maintained, may be Grasscrete, Turfblock or other drivable pervious surface within areas receiving sporadic use: usually the furthest from the building entrance.
2. Purchase and install a transit shelter to meet Intercity Transit operation needs unless already available within one-quarter mile and on the same side of the right-of-way as a primary entrance to the building. Intercity Transit may waive this requirement if it finds it impractical or may change the distance depending on density or demand.
3. Construct a transit pullout if subsection (L)(2) of this section is used, and if Intercity Transit finds it practical.
4. If transit requirements in subsections (L)(2) and (L)(3) of this section are deemed impractical or infeasible, credit may be given for other Intercity Transit or Thurston Regional Planning Council demand management strategies to the satisfaction of the community development director.
5. Construct a covered bicycle rack with secure bicycle lockers in accordance with TMC 18.50.120.
6. In those instances where site constraints impede these design elements, written findings of fact shall be made identifying site and project constraints, and shall be identified in the final project approval letter.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2017-022, Amended, 12/05/2017; Ord. O2014-008, Amended, 10/07/2014; Ord. O2010-017, Amended, 12/21/2010; Ord. O97-015, Added, 03/03/1998)

Section 2. Corrections. The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 4. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, Ordinance No. O2026-016 - Page 5 of 6

subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 5. Effective Date. This Ordinance shall become effective thirty days after passage, approval, and publication as provided by law.

ADOPTED this _____ day of _____, 2026.

CITY OF TUMWATER

Leatta Dahlhoff, Mayor

ATTEST:

Melody Valiant, City Clerk

APPROVED AS TO FORM:

Karen Kirkpatrick, City Attorney

Published:_____

Effective Date:_____

Parking Lot Lighting Ordinance No. O2026-016

General Government Committee Briefing, July 15, 2026



Background

The intent of the ordinance is to amend TMC 18.50.060 *Off-street parking areas – Design requirements* of TMC 18.50 *Off-Street Parking* of the Tumwater Municipal Code to address the requirements for the height of parking lot lighting for large multiple building complexes or multiple tenant buildings adjacent to Interstate 5

Background

- The Ordinance No. 02026-016 modifies the height requirements for parking lot lighting for large multiple building complexes or multiple tenant buildings adjacent to Interstate 5, raising the allowable height of parking lot lights from 24 feet to 37 feet
- The ordinance does not make any changes to the offsite illumination standards and other limits on site lighting in 18.40.035 *Exterior illumination* or to the lighting guidelines in Chapter 2 *Commercial, Mixed Use, and Multifamily* of the *Citywide Design Guidelines*



Amendments to TMC 18.50.060

TMC 18.50.060 *Off-street parking areas – Design requirements* is amended as follows:

K. Parking lot lighting. Parking lot lighting ~~not exceeding twenty-four feet in height~~ is required to provide safe access for pedestrians unless otherwise specified. All outdoor artificial light sources shall comply with TMC 18.40.035, Exterior illumination.

1. Except as provided in subsection 18.50.060(K)(2), parking lot lighting may not exceed twenty-four feet in height.

2. For multiple building complexes or multiple tenant buildings having more than one-hundred fifty thousand square feet in floor area with frontage on Interstate 5, parking lot lighting may not exceed thirty-seven feet in height.



Recommended Action

Conduct a briefing to discuss the Planning Commission's recommendation on Ordinance No. 02026-016, Parking Lot Lighting, and then place the ordinance on the August 18, 2026, City Council consideration calendar with a recommendation to adopt

Next Steps

State Environmental Protection Act

- SEPA Checklist was completed June 4, 2026
- Determination of Non-significance was issued June 12, 2026
- Determination Appeal Period ended July 2, 2026

Notice of Intent

- Notice of Intent was submitted to Commerce on June 4, 2026
- Comment Period will end on August 3, 2026

City Council

- Consideration August 18, 2026



TO: General Government Committee
 FROM: Brad Medrud, Community Development Director
 DATE: July 15, 2026
 SUBJECT: Interlocal Agreement with the Port of Olympia for the Bush Prairie Habitat Conservation Plan Amendment 4

1) Recommended Action:

Place Amendment 4 to the Interlocal Agreement with the Port of Olympia for the Bush Prairie Habitat Conservation Plan on the July 21, 2026, City Council consent calendar with a recommendation to approve and authorize the Mayor to sign.

2) Background:

Working together with the Port of Olympia and large group of stakeholders, the City is preparing the Bush Prairie Habitat Conservation Plan (HCP) with consultant assistance from ICF Environmental Inc. The HCP is required as part the City and Port's incidental take permit application with U.S. Fish and Wildlife for the Olympia subspecies of the Mazama pocket gopher, the streak-horned lark, the Oregon spotted frog, and the Oregon vesper sparrow.

The goal of the HCP is to allow responsible growth to occur in the City, while providing superior species protection over what an ad-hoc, case by case permitting approach is currently providing. It is the intent of the HCP to cover all actions by private and public landowners that require City development approvals.

The HCP will allow operations and maintenance, recurring activities, and development to occur in some areas frequented by endangered species, offsetting any habitat loss with other, contiguous mitigation sites.

If the Bush Prairie HCP were not completed, development in a large portion of the City from small additions to single-family houses to larger development, as well as the City and Port's ongoing operations and maintenance activities would require individual HCPs and incidental take permits U.S. Fish and Wildlife.

The fourth amendment to the Interlocal Agreement with the Port of Olympia for the Bush Prairie Habitat Conservation Plan Amendment describes how the costs for the HCP Phase 4 ICF Service Provider Agreement Amendment #1, which was approved for signature by the City Council in June 2026 will be shared by the City and Port in 2026 and 2027.

3) Policy Support:

Comprehensive Plan Conservation Element Goal C-1: Support active measures to protect and enhance Tumwater's natural environment.

Comprehensive Plan Conservation Element Policy C-15.2: Protect, preserve, and restore habitats for species identified as endangered, threatened, or sensitive by the State or federal government, giving special consideration to measures necessary to preserve or enhance suitable habitat.

4) Alternatives:

☐ None.

5) Fiscal Notes:

The attached amendment to the Interlocal Agreement with the Port of Olympia for the Bush Prairie Habitat Conservation Plan is funded in part by federal grants administered by WDFW and the City and Port funds.

6) Attachments:

- A. Interlocal Agreement with the Port of Olympia for the Bush Prairie Habitat Conservation Plan Amendment 4
- B. Presentation

**FOURTH AMENDMENT
TO
CITY OF TUMWATER/PORT OF OLYMPIA
INTERLOCAL AGREEMENT
FOR
HABITAT CONSERVATION PLAN
PREPARATION**

This Fourth Amendment ("Fourth Amendment") is dated effective this _____ day of _____, 2026, and is entered into by and between the CITY OF TUMWATER, a Washington municipal corporation ("CITY"), and the PORT OF OLYMPIA ("PORT"), a Washington public port district.

A. The CITY and the PORT entered into an Interlocal Agreement dated effective November 1, 2016, whereby the parties agreed to prepare a Habitat Conservation Plan jointly ("Agreement").

B. The CITY and the PORT entered into the First Amendment to City of Tumwater/Port of Olympia Interlocal Agreement for Habitat Conservation Plan Preparation dated May 11, 2020, that extended the Agreement until December 31, 2021 ("First Amendment").

C. The CITY and the PORT entered into the Second Amendment to City of Tumwater/Port of Olympia Interlocal Agreement for Habitat Conservation Plan Preparation dated November 1, 2021, that extended the Agreement until December 31, 2023 ("Second Amendment").

D. The CITY and the PORT entered into the Third Amendment to City of Tumwater/Port of Olympia Interlocal Agreement for Habitat Conservation Plan Preparation dated February 21, 2024, that added additional responsibilities for the parties and extended the Agreement until December 31, 2028 ("Third Amendment").

E. Section 8 of the Agreement provided that the Agreement may only be amended by written agreement signed by the parties.

F. The CITY and the PORT desire to amend the Agreement to continue the activities described in Section 1 of the Agreement and add additional activities to the Agreement.

NOW, THEREFORE, the parties agree to the following terms and conditions:

1. Agreement.

Section 1 of the Agreement shall be amended to add additional responsibilities of the parties, as follows:

- A. The City will maintain and fulfill the grant financial commitment for the HCP Phase 1 grant completion of \$58,000.00 in cash matching funds and \$30,000.00 of in-kind matching funds;
- B. The Port will be responsible for additional funding not to exceed \$58,000, resulting from Port participation in the HCP Phase 1 grant that result from an expanded scope and additional process associated with inclusion of Port properties;
- C. The City of Tumwater will seek reimbursement from the Washington Department of Fish and Wildlife (“WDFW”) for activities covered under this ILA. The City of Tumwater will then bill the Port of Olympia for the Port’s portion;
- D. The City is responsible for the HCP Phase 1 grant reporting and deliverables directly to WDFW and will therefore maintain primary responsibility for project completion for the HCP Phase 1 grant;
- E. The Parties agree to apply for HCP Phase 2 grant funds jointly, with the Port working with U.S. Fish & Wildlife as lead to prepare the application. The Port and the City will jointly ensure all reporting requirements are met and deliverables submitted on time for the HCP Phase 2 grant;
- F. The Parties agree to split grant funding match obligations for HCP Phase 2 grant funds evenly in an amount not to exceed \$150,000 per party;
- G. The Parties agree to apply for grant funds for additional HCP phases jointly, as required by necessity or practicality. The City will be responsible for grant applications, reporting, and deliverables with assistance provided by the Port as required. Prior to acceptance of future phase grants, the Parties agree that grant funding match obligations will be split evenly and with an identified not-to-exceed dollar amount per Party;

- H. The HCP Phase 3 grant obligates the Parties to funding match obligations not to exceed \$39,500 per party;
- I. The HCP Phase 4 grant obligates the Parties to funding match obligations not to exceed \$74,750 per party;
- J. Future phase grants meeting the criteria listed in Paragraph G need not be incorporated into subsequent formal amendments of this Agreement;
- K. The Parties agree to share the costs of the HCP Phase 4 ICF Service Provider Agreement Amendment #1, which shall not to exceed four hundred and forty-five thousand and one hundred and seven dollars and ninety-one cents (445,107.91) that are not covered by the HCP Phase 4 grant as follows:
 - 1) The total amount of compensation that can be paid in 2026 under the HCP Phase 4 ICF Service Provider Agreement Amendment #1 is limited to two hundred thousand dollars and no cents (\$200,000.00). The Parties agree to each pay one hundred thousand dollars and no cents (\$100,000.00) in 2026.
 - 2) The amount of compensation that can be paid in 2027 under the HCP Phase 4 ICF Service Provider Agreement Amendment #1 is limited to two hundred and forty-five thousand and one hundred and seven dollars and ninety-one cents (\$245,107.91). The City agrees to pay one hundred and twenty-two thousand, five hundred and fifty-three dollars, and ninety-six cents (\$122,553.96) in 2026. The Port agrees to pay one hundred and twenty-two thousand, five hundred and fifty-three dollars, and ninety-five cents (\$122,553.95) in 2027.
- L. The Parties agree to cooperate in jointly developing and implementing mitigation measures identified as part of the HCP process, with specific allocation of mitigation costs and obligations to be determined by later agreement of the Parties prior to approval of the final HCP; and
- M. It is expected upon approval of the HCP that incidental take permits under the ESA will be issued to both Parties.

2. FULL FORCE AND EFFECT.

All other terms and conditions of the Agreement not modified by this Amendment shall remain in full force and effect.

DATED the effective date set forth above.

CITY:

CITY OF TUMWATER
555 Israel Road SW
Tumwater, WA 98501
Leatta Dahlhoff, Mayor

PORT:

PORT OF OLYMPIA
606 Columbia Street NW
Olympia, WA 98501
Alex Smith, Executive Director

Date: _____

Date: _____

APPROVED AS TO FORM:

Karen Kirkpatrick
Tumwater City Attorney

Port General Legal Counsel

Interlocal Agreement with the Port of Olympia for the Bush Prairie Habitat Conservation Plan Amendment 4



General Government Committee, July 15, 2026

Summary

The fourth amendment to the Interlocal Agreement with the Port of Olympia for the Bush Prairie Habitat Conservation Plan Amendment describes how the costs for the HCP Phase 4 ICF Service Provider Agreement Amendment #1 will be shared by the City and Port in 2026 and 2027

Status of the Habitat Conservation Plan

- After a more than a year working closely with USFWS staff, the revised draft of the HCP was submitted to USFWS for their review on April 30, 2026
- USFWS' review is expected to take at least four months
- If the HCP is acceptable, then the NEPA/SEPA environmental review will be able to start, and the next phase of stakeholder and community involvement will begin



Interlocal Agreement

The Interlocal Agreement between the City and Port is being amended to share the costs as follows:

- For budgetary reasons, the total amount of compensation that can be spent under the service provider agreement in 2026 is limited to \$200,000 and the City and Port would each provide \$100,000
- For budgetary reasons, the total amount of compensation that can be spent under the service provider agreement in 2027 is limited to \$245,107.91 and the City would provide \$122,553.96 and the Port would provide \$122,553.95

