PLANNING COMMISSION
MEETING AGENDA

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

Tuesday, May 26, 2026
8:00 PM

1. Call to Order
2. Roll Call
3. Changes to Agenda
4. Approval of Minutes
   a. Meeting Minutes May 12, 2026
5. Commissioner's Reports
6. Deputy Director's Report
7. Public Comment
8. Ordinance No. O2026-008, 2026 Building Demolition
9. Battery Energy Storage Systems
10. Next Meeting Date - 06/09/2026
11. Adjourn

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

Watch Online
Go to http://www.zoom.us/join and enter the Webinar ID 884 5115 0178 and Passcode 211445.

Listen by Telephone
Call (253) 215-8782, listen for the prompts and enter the Webinar ID 884 5115 0178 and Passcode 211445.

Public Comment
The public is invited to attend the hearing and offer comment. The public may register in advance for this webinar to provide comment: https://us02web.zoom.us/webinar/register/WN_38nF-A_4SySYB_SzVkf2dA

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

The public may also submit comments prior to the meeting by sending an email to: cdd@ci.tumwater.wa.us. Please send the comments by 1:00 p.m. on the date of the meeting.

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

If you have any questions, please contact Deputy Community Development Director, Sharon Lumbantobing at (360) 754-4180 or slumbantobing@ci.tumwater.wa.us.

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.

What is the Planning Commission?

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

Decorum Statement

Welcome to the Planning Commission meeting. We thank you for attending.

The City Council encourages community engagement in local government and provides a variety of ways to participate.

The Chair of the Planning Commission will be responsible for conducting orderly and efficient meetings within the scheduled time. To accomplish that, the Chair will maintain order and decorum and can regulate inappropriate debate, repetitious discussion, and disruptive behavior when needed.

The Chair will recognize those that wish to speak and may limit the time allowed for individual comments. City staff will record questions and comments during the meeting. If an issue or question cannot be addressed during the meeting, City staff will address the issue or respond to the question by following up with the individual.

We respectfully request that attendees refrain from disruptions during the meeting and comply with decorum rules.

Thank you for participating.

MEETING MINUTES

TUMWATER PLANNING COMMISSION
May 12, 2026

CONVENE:	7:00 p.m.
PRESENT:	Chair Elizabeth Robbins, Vice Chair Brandon Staff, and Commissioners Sandra Nelson, Gina Kotek, Terry Kirkpatrick, and Matthew Rounsley. Excused: Commissioner Grace Edwards Staff: Associate Planner Dana Bowers, Deputy Community Development Director Sharon Lumbantobing, Assistant City Administrator Kelly Adams, and Economic Development Coordinator Gene Angel.
CHANGES TO THE AGENDA:	No changes.
APPROVAL OF THE MINUTES:	**Vice Chair Staff moved, seconded by Commissioner Kirkpatrick, to approve the minutes of April 14, 2026, as published. Motion carried unanimously.**
COMMISSIONERS' REPORT:	No reports.
DEPUTY DIRECTOR'S REPORT:	No report.
PUBLIC COMMENT:	No public comment was given.
COMPREHENSIVE PLAN AMENDMENT - ECONOMIC DEVELOPMENT PLAN:	Coordinator Angel presented updated goals which consolidate and highlight critical parts of Tumwater's Economic Development Strategy. Throughout the discussion Commissioners made comments on the following themes:

- Support plain language and clear messaging
- Alignment of resources and priorities
- Data informed approach and monitoring
- Relationship building
- Considerations for legacy businesses
- Land use priorities
- Utilities and infrastructure needs
- Quality of life improvements balanced with community costs and resource use
- Communication, public education, and outreach
- Affordability strategy

NEXT MEETING DATE: The next meeting is scheduled for Tuesday, May 26, 2026.

ADJOURNMENT: **With no further business, Chair Robbins adjourned the meeting at 9:17 p.m.**

Prepared by Dana Bowers, Associate Planner

TO: Planning Commission

FROM: Brad Medrud, Planning Manager

DATE: May 26, 2026

SUBJECT: Ordinance No. O2026-008, 2026 Building Demolition

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1) Recommended Action:

This is a briefing on Ordinance No. O2026-008.

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2) Background:

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.

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3) Alternatives:

- ❑ None.

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4) Attachments:

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

Building Demolition Ordinance No. O2026-008

Planning Commission Briefing, May 26, 2026

Background

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

Amendments

1. Amended TMC 15.50.020 *Definitions*
   a. Added *"…including foundations,…"* to the definition of "demolition"
   b. 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 to be completed May 2026
- Determination of Non-significance to be issued May 2026
- Determination Appeal Period is expected to end in June 2026

Notice of Intent

- Expected to be submitted May 2026
- Comment Period expected to end May 2026

Planning Commission

- Work Session June 9, 2026
- Hearing June 23, 2026

City Council

- General Government Committee July 15, 2026
- Consideration July 21, 2026

Attachment A

STAFF REPORT

Date: May 26, 2026
To: Planning Commission
From: Brad Medrud, Community Development Director

Ordinance No. O2026-008 – 2026 Building Demolition

1. Recommended Action

This is a briefing on Ordinance No. O2026-008.

2. Background

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.

3. Public Approval Process

An Environmental Checklist for a non-project action will be prepared in May of 2026, under the State Environmental Policy Act (Chapter 43.21C RCW), pursuant to Chapter 197-11 WAC, and a Determination of Non-Significance will be issued in May of 2026.

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

The Planning Commission will receive a briefing on the proposed code amendments on May 26, 2026, and hold a work session on the proposed code amendments on June 9, 2026.

A Notice of Public Hearing for the Planning Commission will be issued on June 12, 2026, prior to a public hearing. The notice will be 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 is expected to hold a public hearing on the proposed amendments on June 23, 2026. Following the public hearing and deliberations, the Planning Commission is expected to recommend 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

Attachment B

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 _____, 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 ____, 2026, and a Determination of Non-Significance (DNS) was issued on May _____, 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.

(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:_____

TO: Planning Commission

FROM: Dana Bowers, Associate Planner and Alyssa Jones Wood, Sustainability Manager

DATE: May 26, 2026

SUBJECT: Battery Energy Storage Systems

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1) Recommended Action:

Provide input on issues related to battery energy storage systems to help inform potential amendments to Tumwater Municipal Code (TMC) Title 8 Health and Safety, TMC Title 15 Buildings and Construction, and TMC Title 18 Zoning.

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2) Background:

Battery energy storage systems store electricity for later use, helping manage peak electricity demand, support electrical grid reliability, and maintain power during outages. These systems vary in scale from small residential installations to larger utility-scale facilities that support regional electrical infrastructure.

The battery energy storage industry is experiencing rapid growth due to increasing electricity demand and decreasing battery costs. As a result, utilities and jurisdictions throughout Washington State are evaluating how and where these systems may be appropriate. Tumwater Municipal Code (TMC) Title 18 Zoning does not currently allow battery energy storage systems.

Like other forms of energy storage already present in the community, such as gas stations and propane storage, battery energy storage systems have both benefits and potential risks that require careful consideration related to land use compatibility, public health, and safety. Tumwater is also exploring the potential use of battery backup systems to support continuity of operations and emergency response at critical public facilities during power disruptions.

Topics of Planning Commission consideration and discussion include:

- Energy Storage Capacity and Use
- Physical Scale of the Facility
- Zone Districts
- Screening and Setbacks
- Fire/Thermal Runway
- Noise
- Decommissioning

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3) Alternatives:

- ❑ Draft code amendments for TMC Title 8 Health and Safety, TMC Title 15 Buildings and Construction, and TMC Title 18 Zoning to allow battery energy storage systems.
- ❑ Not allow battery energy storage systems.

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4) Attachments:

A. Staff Report
B. Presentation

STAFF REPORT

Date: May 26, 2026
To: Planning Commission
From: Dana Bowers, Associate Planner, and Alyssa Jones Wood, Sustainability Manager

Battery Energy Storage Systems

1. Request

Staff requests that the Planning Commission review and provide feedback on considerations for battery energy storage systems to inform potential amendments to Tumwater Municipal Code (TMC) Title 8 *Health and Safety*, TMC Title 15 *Buildings and Construction*, and TMC Title 18 *Zoning*.

2. Background

Battery energy storage systems store electricity for later use, helping manage peak demand and maintain power during outages. These systems are increasingly used by utilities to stabilize and support the reliability of the electrical grid. They vary widely in scale, from small residential systems to larger facilities that support regional grid infrastructure.

The battery energy storage system industry is experiencing rapid growth due to decreasing battery costs and increasing electricity demand. As a result, regional utilities have asked local jurisdictions, including Tumwater, to amend their development regulations to allow these systems where appropriate. TMC Title 18 *Zoning* does not allow battery energy storage systems.

The intent of this scoping effort is to establish clear parameters for developing regulations that could allow systems of varying sizes in appropriate zone districts, while ensuring compatibility with surrounding uses and protecting public health and safety.

In addition to potential private utility projects, Tumwater is also exploring the use of battery energy storage systems to support critical public facilities. The Tumwater Police Station, Tumwater Fire Hall and Tumwater Library have been identified as facilities where maintaining power during emergencies would be essential for providing safe shelter and ensuring continuity of operations during power disruptions.

3. Federal, State and Local Guidance

Development and regulation of battery energy storage systems are addressed through a combination of international standards, federal regulations, state codes, and local land use regulations. Projects in Washington state must comply with requirements across all applicable levels.

Federal Regulations and Standards

Federal standards govern the safety, installation, and operation of battery energy storage systems:

- National Fire Protection Association Guidance 855 establishes safety standards and is recognized as an approved standard in Washington state. The current edition is from 2023 with an update expected in 2026.
- Environmental Protection Agency regulations address hazardous materials management, spill prevention and cleanups, and environmental protection, especially for lithium-ion batteries. The Environmental Protection Agency provides guidance on installation and incident response (Sustainable Management of Electronics and Batteries), along with additional resources on its website.
- The National Electrical Code regulates wiring, grounding, and safe connections to the electrical grid.
- Occupational Safety and Health Administration regulations address worker safety during installation, operation, and maintenance.
- American National Standards Institute Z535 establishes standards for safety signage and labeling, supporting Occupational Safety and Health Administration and fire code requirements.

Washington State Regulations

Washington State regulations apply additional safety and operational standards to battery energy storage systems:

- The Washington State Fire Code, which adopts the International Fire Code, includes provisions for lithium-ion battery storage.
- The Washington State Building Code contains additional provisions governing lithium-ion battery storage.

- The Washington State Energy Code is currently under review by the State Building Code Council to include updated standards for solar and battery energy storage systems.
- The Washington State Department of Ecology establishes maximum environmental noise levels through WAC 173-60-040. These standards apply to all uses and are codified in TMC 8.08 *Noise Control*.
- The Washington State Labor & Industries regulates worker safety and electrical work associated with high-hazard energy systems.

Other Jurisdictions

Thurston County has been working with building and fire officials' jurisdictions in the county to develop a model ordinance addressing battery energy storage systems. That model ordinance is still under development with some considerations, such as sizing tiers, yet to be determined. Further regional discussions are not currently planned, as jurisdictions may adapt the model code to fit their local context. This approach provides a regional framework while allowing discretion for local land use considerations, such as setbacks, siting, noise, and compatibility with surrounding uses.

The current status of code updates in other jurisdictions in Washington is as follows:

- Olympia is planning to update its regulations, although the timeline is unclear.
- Lacey has not included this work in its current work plan but may revisit this issue in 2027.
- Thuston County may defer additional code development until late 2026 or 2027 as it currently has a permitting pathway in place.
- Sumner and Arlington, which are similar sized cities in Washington State, have adopted battery energy storage system standards that were reviewed to inform potential alternatives.

City of Tumwater Policies and Regulations

Comprehensive Plan

Several goals and policies in Tumwater's Comprehensive Plan provide the framework for developing regulations addressing battery energy storage systems:

- Land Use Element, which directs compatible land uses.
  - 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-6.1:

  Ensure development conforms with environmental standards and requirements.

- Policy LU-7.2:

  Explore and implement methods to protect residential uses from excessive noise, odors, dirt, glare, traffic, pollution, and other nuisances emanating from regional transportation facilities and commercial and industrial uses.

- Climate Element, which promotes energy resilience and expansion of renewable energy systems.
  - Goal CL-5:

    Expand the use of on-site renewable energy technology (e.g., solar photovoltaics, battery storage, etc.) across all building types through providing funds, code changes, and educational programs.

  - Policy CL-5.1:

    Increase the production and storage of local renewable energy.

  - Policy CL-9.2:

    Plan energy infrastructure to be able to integrate with an increase in renewable energy sources, including increasing energy storage capacity to improve energy grid resilience.

- Utilities Element, which encourages coordination with private utilities and supports adoption of clean energy technology.
  - Goal U-1:

    Promote efficiency when planning for and siting private utilities.

  - Policy U-1.1:

    Coordinate with private utility providers to allow utilities to meet anticipated demand.

  - Policy U-1.3:

    Locate private utility facilities near compatible adjacent land uses.

  - Goal U-2:

    Support enhancement of electricity generation, distribution, monitoring, and storage infrastructure serving Tumwater that uses clean technologies and practices.

- Policy U-2.1:

  Monitor system or grid-scale energy storage innovations and use the experiences of communities that begin to deploy them to inform updates to Tumwater codes and permitting.

TMC Title 8 *Health and Safety*

TMC Chapter 8.08 *Noise Control* establishes maximum environmental noise levels within designated areas of the City to minimize exposure to the harmful physiological and psychological effects of excessive noise. TMC 8.08.040 sets limits on public disturbance noise consistent with the maximum environmental noise levels established in WAC 173-60-040, as noted above.

TMC Title 15 *Buildings and Construction*

TMC Chapter 15.04 *International Building Code* and TMC Chapter 15.16 *International Fire Code* adopt these codes as amended by the State with limited local amendments.

TMC Title 18 *Zoning*

TMC Title 18 *Zoning* defines "energy systems" and "solar energy system" as follows:

TMC 18.04.050 E Definitions

"Energy systems" means those systems which serve to produce energy from nondepletable energy sources.

A. These sources of energy (excluding minerals) are derived from:

1. Incoming solar radiation, including, but not limited to, natural daylighting and photosynthetic and photovoltaic processes;

2. Energy sources resulting from wind, waves and tides, lake or pond thermal differences; and

3. Energy derived from the internal heat of the earth, including nocturnal thermal exchanges.

B. Neither natural gas, oil, coal, liquefied petroleum gas, nor any utility-supplied electricity shall be considered a nondepletable energy source. (See "solar energy system," TMC 18.04.180.)

TMC 18.04.180 *S Definitions*:

Solar Energy System.

A. "Solar energy system" means any device or combination of devices or elements which rely upon direct sunlight as an energy source, including, but not limited to, any substance or device which collects sunlight for use in:

1. *The heating or cooling of a structure or building;*
2. *The heating or pumping of water;*
3. *Industrial, commercial, or agricultural processes; or*
4. *The generation of electricity.*

B. A solar energy system may be used for purposes in addition to the collection of solar energy. These uses include, but are not limited to, serving as a structural member or part of a roof of a building or structure and serving as a window or wall. (See TMC 18.04.050.)

Currently, battery energy storage systems are not allowed in TMC Title 18 *Zoning*. "Energy systems" that produce energy from nondepletable sources are permitted outright and as an accessory use in the ARI Airport Related Industry zone district and as an accessory use in the ARI Airport Related Industry, BD Brewery District, CS Community Services, GC General Commercial, LI Light Industrial, and RSR Residential/Sensitive Resource zone districts.

Height limitations in TMC Title 18 *Zoning*, except those related to imaginary airspaces, do not apply to energy systems.

TMC Title 18 *Zoning* incentivizes the use of energy systems in planned unit developments (TMC 18.36.010(B)(5)).

4. Analysis

As noted above, TMC Title 18 *Zoning* does not currently allow battery energy storage systems. With the adoption of the 2025 Comprehensive Plan, Tumwater has several goals and policies which support and encourage battery storage facilities to expand opportunities for energy storage at all scales and improve the resilience of the electrical network.

To align development regulations with Comprehensive Plan goals, staff recommend reviewing the considerations below.

Considerations

Regulate battery energy storage systems based on the following:

- Energy storage capacity and use;
- Physical scale of the facility; and

- Whether is an accessory use to a primary use or is the primary use on a property.

Energy Storage Capacity and Use

At the national, state, and local levels, battery energy storage systems are regulated based on their energy storage capacity, measured in kilowatt hours (kWh) or megawatt hours (MWh). These systems consist of smaller components that can be combined to achieve a wide range of capacities. The most common systems currently use lithium-ion technology. Code recommendations for Tumwater should be based on standards applicable to lithium-ion batteries, while recognizing that updates may be needed as technologies evolve.

Accessory systems serving homes are limited in capacity. Federal and state fire codes limit individual units to 20 kWh, with spacing requirements and specific standards for placement within a residence. These codes also limit installations to 40 kWh inside a home and 80 kWh when installed in a garage, detached structure, or mounted on an external wall. These systems are commonly used for demand response backup power during outages, and electric vehicle charging. They are inspected by Washington State Labor & Industries for compliance with state fire, building, and electrical codes.

Battery energy storage systems serving businesses or community facilities, such as libraries or community centers, have different capacity needs. For non-residential buildings, federal and state fire codes allow systems up to 600 kWh per site without additional fire testing or hazard and decommissioning plans. These systems can support community functions, including emergency shelter, heating and cooling centers, and emergency response services. While larger in scale, allowing them as accessory to non-residential development can align with the scale and character of other permitted uses.

Primary-use, utility scale systems typically exceed 600 kWh. These systems support the electrical grid and provide demand management. As electricity demand increases, battery energy storage systems at this scale are expected to play a role in reducing greenhouse gas emissions.

Physical Scale of the Facility

Small Residential Scale Systems (0 – 80 kWh)

Battery energy storage systems associated with residential use (0 – 80 kWh) can range from the size of a gym bag to a refrigerator. At this scale, they typically do not change the look or feel of a site, are often located within a structure, and may be mounted on an external wall similar to an electrical panel. These systems are reviewed under existing electrical, building, and fire codes.

Medium Scale Systems (80 – 600 kWh)

For systems associated with non-residential uses (80 – 600 kWh), larger systems are expected, ranging from the size of a refrigerator to the size of a shipping container approximately eight to twelve feet tall. These systems are typically enclosed in metal housing to protect them from weather and to allow for proper ventilation and may resemble utility transformers. Large metal enclosures may not be compatible with community goals for urban design in some areas and may require screening.

Utility Scale Systems (over 600 kWh)

Primary use battery energy storage systems (over 600 kWh) have a larger footprint and may characteristics that affect nearby land uses. These facilities are often located near substations or transmission lines and require additional site analysis, fire suppression equipment, and testing in accordance with National Fire Protection Association 855. They also require buffering from adjacent uses, screening, emergency response fire safety planning, and decommissioning plans, and a greater consideration of visual and noise impacts.

Zone Districts

Energy storage capacity and physical scale determine the appropriateness of battery energy storage systems within zone districts. Small residential and medium scale battery energy storage systems can be installed as accessory uses in most zone districts with minimal impacts to neighboring properties.

Utility scale systems require additional electrical infrastructure, such as substations and major transmission lines. At this scale, systems are more likely to impact neighboring properties and are subject to more stringent safety requirements under federal and state fire codes.

Identifying appropriate zone districts for utility scale systems requires balancing the need for essential infrastructure with the need to preserve land planned for residential, commercial, or sensitive resource uses. Environmental justice is also important to avoid siting facilities with potential hazards near areas designated for low income or affordable housing. This approach helps manage impacts while maintaining appropriate uses within each zone district.

Staff recommends conditionally allowing primary-use battery energy storage systems in zone districts where they:

- Align with the intent of the zone district in TMC;
- Are located near existing utility infrastructure;

- Do not constrain land planned for housing or employment uses; and
- Can be separated from high density, affordable housing types like apartment complexes and manufactured home parks and environmentally constrained areas.

Screening and Setbacks

Battery energy storage systems vary widely in size from a gym bag to multiple shipping containers. Smaller systems approved as accessory uses in residential areas are consistent with neighborhood scale and typically require minimal screening or setbacks. These systems are often installed within a home, garage, or accessory structure. When mounted on an exterior wall or placed on the ground, they are similar in appearance to other utility equipment and are subject to Citywide Design Guidelines in the Service Areas and Mechanical Equipment sections of each chapter.

Medium scale systems have larger energy capacities and greater potential impacts on neighboring properties. Setbacks for these systems would follow International Fire Code Sections 1207.5.7 and 12.07.8.3. Flammable vegetation must be cleared within ten feet and units must be set back at least ten feet from property lines, buildings, stored combustibles, and other hazards. Screening provisions in the Citywide Design Guidelines (Service Areas, Utilities, and Mechanical Equipment) should be used to mitigate visual impacts and may include shelters or additional screening.

Utility-scale systems may consist of one or more containerized units resembling 8 to 12 foot tall shipping containers on concrete pads. National Fire Prevention Association Guidance 855 requires systems over 600 kWh to be enclosed with a minimum seven–foot tall, self-locking security fence to prevent unauthorized access. Setbacks beyond those required by the International Fire Code are determined by the jurisdiction and range from ten to 1,000 feet. One approach is to apply setbacks like those for compatible uses, such as substations, with increased setbacks, potentially double, along property lines adjacent to incompatible uses, such as residences.

For all energy storage systems, fire risk is a key consideration. Fire-wise landscaping and screening materials should be used to reduce risk and improve compatibility with surrounding uses.

Fire/Thermal Runaway

Thermal runaway is a condition in which increasing temperature within a battery cell triggers a chain reaction, releasing more energy and causing further temperature spikes that can lead to fires or explosions. While these incidents receive significant public attention, they are rare relative to the number of installations.

The National Fire Prevention Association establishes safety standards for battery energy storage systems. For systems exceeding 600 kWh, the standard requires:

- Hazard mitigation analysis;
- Fire suppression systems;
- Fire and explosion testing;
- Emergency response planning; and
- Annual training for maintenance staff.

Small residential scale battery energy storage systems are limited to 20 kWh per installation location under the International Fire Code. A single residence can have up to four installation locations, not to exceed 80 kWh per home.

The Tumwater Fire Chief has expressed concerns regarding the safety and emergency response preparedness for all battery energy storage systems. For systems under 80 kWh, a notification system is recommended, as lithium-ion battery fires are not typically extinguishable with water. To ensure the Fire Department is aware of system locations, staff have requested historic and ongoing data sharing between the Washington Department of Labor & Industries and the City.

For systems over 600 kWh, the Fire Department would be involved in project review and would evaluate whether appropriate training, equipment, and pre-incident planning are in place. If training gaps exist, project approvals could require third party review until staff are trained.

For utility-scale primary use systems, dedicated-use buildings may be part of the site plan. To support on-site personnel and to ensure safety during emergencies, standards could allow up to ten percent of a dedicated-use building for accessory functions, provided egress is available without passing through hazard areas near storage units.

Another safety consideration relates to fire fighter access. Locating battery energy storage systems in basements increases risk to emergency responders. Removing this risk still allows applicants to place units in their home, but limits placement to include the potential for structural failure during a fire. Limiting placement to more accessible areas would reduce this risk while still allowing installation within residential structures.

Noise

Medium and utility scale battery energy storage systems may generate noise from inverters, transformers, and heating, ventilation, and air conditioning systems. Studies of existing primary-use systems indicate noise levels ranging from 38 to 59.8 dB(A) at the property line. For comparison, sustained exposure above 80-100 dB(A) may cause hearing damage according to the Yale Environmental Health & Safety and the U.S. Center for Disease Control.

Based on available information, noise levels from battery energy storage systems are generally below levels associated with hearing risk and within the limits set by TMC Chapter 8.08. Staff do not recommend additional noise regulations. However, staff recommend buffering and vegetative screening as described below to reduce sound transmission between medium and utility use battery energy storage systems and adjacent residential uses.

Decommissioning

The Washington State Fire Code (WAC 51-54A-1207.2.1(12)) requires a decommissioning plan for medium and utility scale battery energy storage systems. The decommissioning plan must describe procedures for safely shutting down and removing equipment, with notification provided to code officials prior to decommissioning. Additional options could include requiring recycling of electronic materials. Requiring a bond would retain funds to carry out the decommissioning plan, regardless of the financial condition of the operator.

Ownership may change during the life of the system. Staff recommend requiring new owners to assume obligations established in the approved plans. Compliance can be verified through existing annual fire inspections.

5. Options

To allow battery energy storage systems in Tumwater, there are two broad policy choices for the Planning Commission to consider:

A. **Amend TMC Title 15 *Building and Construction* and Title 18 *Zoning* to allow battery energy storage systems** subject to safeguards addressing identified safety, siting, and compatibility considerations, or

B. **Not allow battery energy storage systems** and maintain the current code.

If the Planning Commission considers policy choice A, the following tables provide an outline of baseline requirements and staff recommended options to review and provide input for each consideration described in the previous section.

Table 1. Option 1 Policy Recommendations.

Name	Residential Scale BESS	Medium Scale BESS	Utility Scale BESS
Capacity	**0 - 80 kWh**	**0 - 600 kWh**	**>600 kWh**
Allowed Uses	Accessory to residence	Accessory to non-residence	Accessory to non-residence or primary use

Name	Residential Scale BESS	Medium Scale BESS	Utility Scale BESS
Land Use Approval	NFPA 70 and L&I inspections. No land use approval required – exempt from site plan review. No units allowed in basements.	NFPA 70 and L&I inspections. Required land use approval for site plan review. No units allowed in basements.	NFPA 70 and L&I inspections. Conditional Use Permit. No units allowed in basements.
Zoning	Allowed in all zone districts only as an accessory to residential uses.	Allow in all zone districts only as an accessory to non-residential uses.	Not allowed in MHP Manufactured Home Park, HDR High Density Residential, GB Green Belt, OS Open Space, GC General Commercial, and RSR Residential/Sensitive Resource zone districts.
Setbacks	Detached or external facilities will meet current setbacks and NFPA 70 installation requirements.	International Fire Code-1207.5.7 vegetation removal within 10 feet. International Fire Code 1207.8.3 10-foot setbacks from property line.	Modify current utility substations code TMC 18.42.060 to address battery storage facilities: 30 feet front, 20 feet side, 20 feet back. Require double the setback on property lines with adjacent residential.
Screening	Follow Citywide Design Guidelines and TMC Title 18 *Zoning*. No vegetation buffer required.	Follow Citywide Design Guidelines and TMC Title 18 *Zoning*. Fire-wise vegetated buffer. Visual screening complies with pedestrian scale design in subarea plans or Citywide Design Guidelines.	Follow Citywide Design Guidelines and TMC Title 18 *Zoning*. Firewise vegetated buffer. Visual screening complies with zone district requirements for impervious surfaces and open space.
Fencing	No fence required.	No fence required.	National Fire Protection Association Standards.
Decommissioning	No requirements.	Electronics waste recycling required.	Require decommissioning plan, bonding, and electronics waste recycling.
Fire Safety	National Fire Protection Association requirements, Labor & Industries permits and inspects.	National Fire Protection Association requirements. Labor & Industries permits and inspects. Fire Marshal or designee to review and approve.	National Fire Protection Association requirements. Labor & Industries permits and inspects. Fire Marshal or designee to review and approve. Develop emergency management plan with the Fire Department.

Name	Residential Scale BESS	Medium Scale BESS	Utility Scale BESS
Noise	May not exceed limitations in TMC **8.08.040.**	May not exceed limitations in TMC **8.08.040.**	May not exceed limitations in TMC **8.08.040.**
Lighting	As in Citywide Design Guidelines.	As in Citywide Design Guidelines.	As in Citywide Design Guidelines.
Building Use	Not applicable.	Not applicable.	Allow 10% of buildings for administrative and Operations & Maintenance, provided egress is available without traversing battery energy storage system units.
Ownership Changes	Not applicable.	Not applicable.	Ownership changes require written agreement to assume obligations. Reported with annual fire inspections.

Battery Energy Storage Systems

Planning Commission Work Session May 26, 2026

Alyssa Jones Wood, Water Resources and Sustainability, Dana Bowers, Community Development

What are Battery Energy Storage Systems (BESS)

Definition and Function

BESS store electrical energy from the grid or renewable energy source for later use, providing flexible power management.

Range of Applications

BESS range from small residential systems to large utility-scale facilities that support broader electricity needs.

Role in Energy Flexibility

BESS improves grid flexibility by storing electricity when demand is low and supplying it when demand is higher, without generating electricity themselves.

Federal Guidelines

National Fire Protection Association Guidance

Environmental Protection Agency

National Electrical Code

Occupational Safety and Health Administration

American National Standards institute

Underwriters Laboratories

Washington

Washington State Fire Code

Washington State Building Code

Washington State Energy Code

Department of Ecology

Department Labor and Industries

Neighboring Jurisdictions

Thurston County model code

- Adopts fire standards from Washington State Code
- Developed with Thurston County Fire Chiefs Association
- Other stakeholders needed for other considerations
- Before adopting, other standards need to be considered:
  - Tiering thresholds
  - Permit Pathways
  - Allowed Zoning Districts
  - Setbacks and other adjacent use issues

A Balanced View for Tumwater – Comprehensive Plan

- The Climate Element promotes energy resilience and expansion of renewable energy systems.
- The Utility Element encourages coordination with private utilities and supports the adoption of clean energy technology.
- The Land Use Element directs development to ensure compatible adjacent land uses.

Why BESS Matters Today

Increasing Electricity Demand

Electricity demand is rising overall and during peak hours, especially in mornings, evenings, and hot summers.

Shift from Fossil Fuels

Policies are driving a transition away from fossil-fuel peaker plants toward cleaner energy solutions like battery storage.

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Why BESS Matters Today

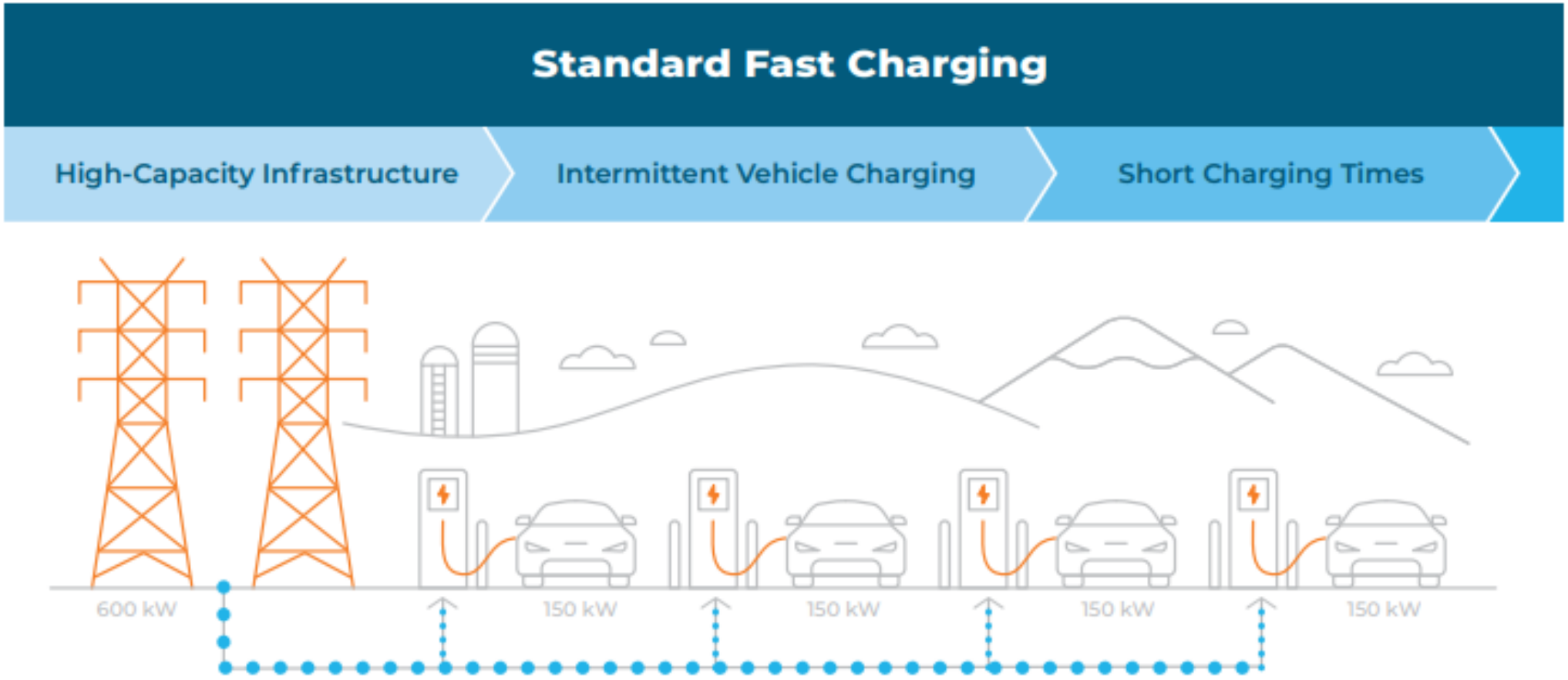
Benefits of Battery Storage

Battery storage reduces grid strain, lowers emissions, improves reliability, and supports resilience during outages.

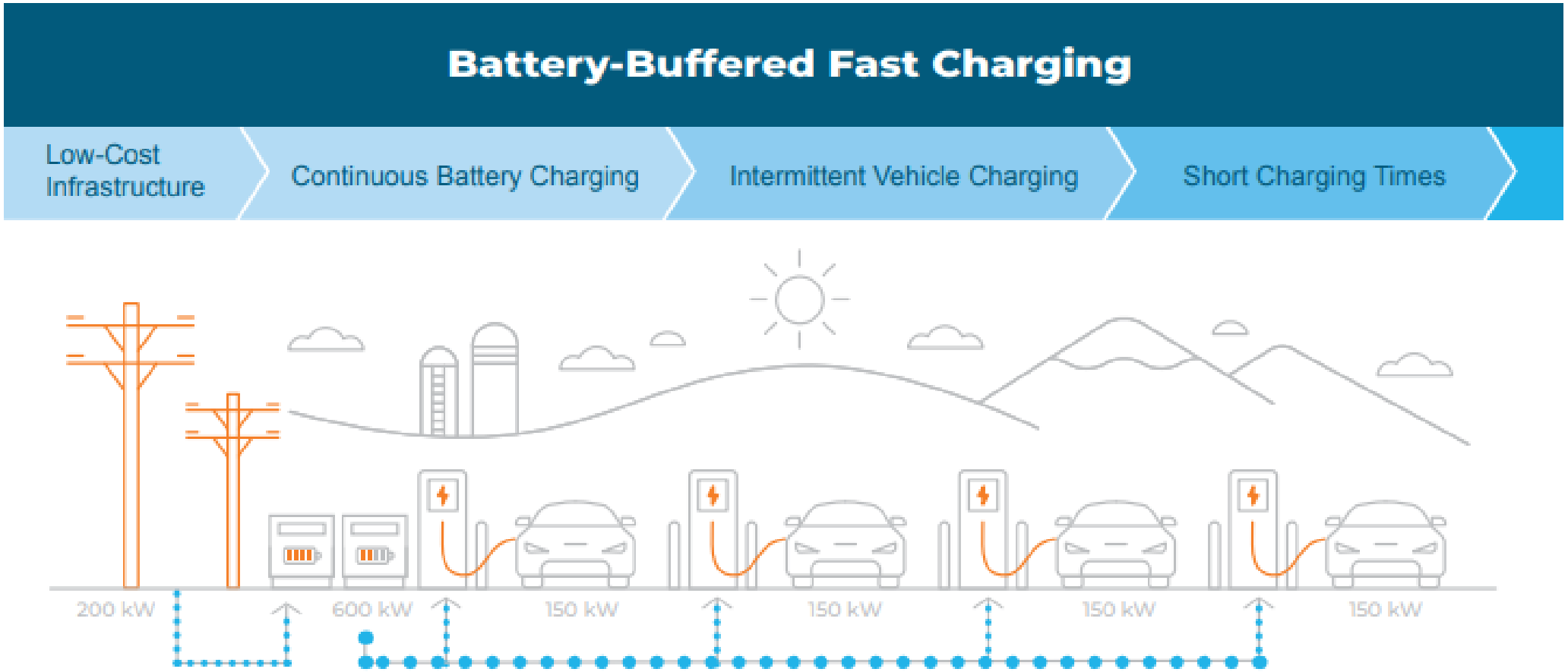
Immediate System Impact

Battery storage delivers immediate benefits without requiring changes in consumer behavior once installed.

Benefits of BESS



Benefits of BESS



What This Could Look Like in Tumwater

Considerations:

- Energy storage capacity and use
- Physical scale
- Accessory vs. Primary Use

Other Factors:

- Adjacent supportive facilities
- Incompatible land uses nearby
- Parcel sizes

Tier 1 – Residential Scale Systems

- Storage Capacity: 0-80 kWh
- Scale: gym bag to small refrigerator
- Limited to 20 kWh per installation by NFPA
- WA State Fire Code restricts residential use

Tier 2 – Medium Scale Systems

- Storage Capacity: 80-600 kWh
- Scale: Refrigerator to several shipping containers
- Capable of serving business or community centers or hubs
- Allowed under WA State Fire Code for non-residential uses

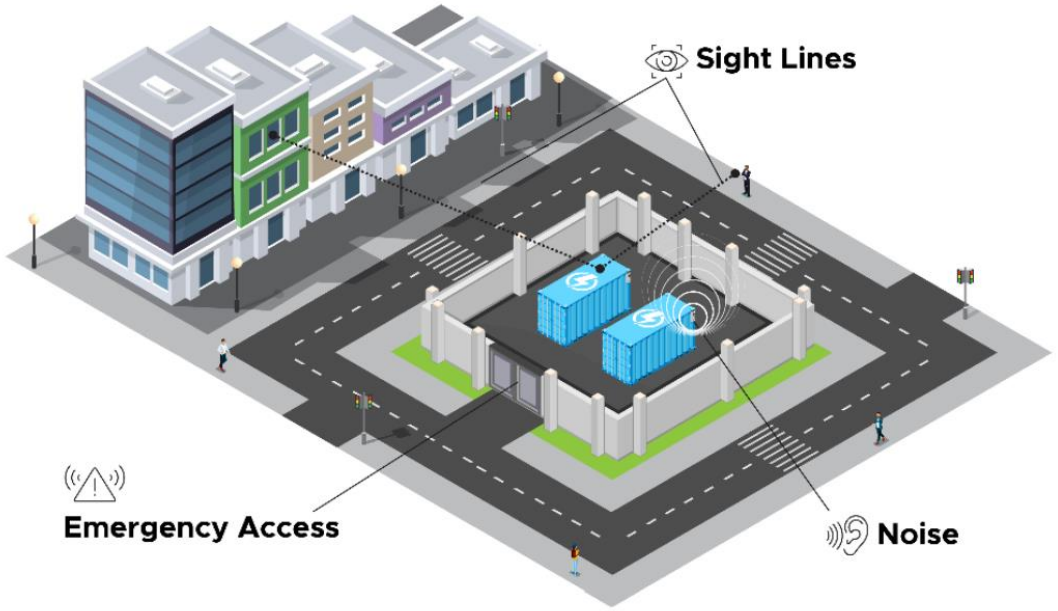
Tier 3 – Utility Scale Systems

- **Storage Capacity: greater than 600 kWh**
- **Scale: varies**
- **Capable of supporting a substation**
- **Additional requirements under WA Fire Code**

Zone Districts

- Scale varies depending on capacity and use
- Residential scale: allow in all districts only as accessory to residences
- Medium scale systems: allow in all districts only as an accessory to non-residential uses
- Utility scale systems:
  - Support utilities near substations
  - Separated from high density affordable housing and environmentally constrained areas.

Proposed Setbacks



- Provides separation from incompatible uses
- Residential scale: separated by 3 feet (NFPA 70), no vegetation buffer
- Medium scale: vegetation clearing is required, to foot setbacks from property line
- Large scale:
  - match substation setbacks 30 feet front, 20 sides and back
  - double the setback where residences are adjacent.

Proposed Fire Safety Regulations

- No battery energy storage systems installed in basements
- Residential scale: Labor and Industries permits and inspects.
- Medium systems: Fire Marshal or designee review and approval.
- Utility scale:
  - Develop emergency management plan with fire department.
  - Fire Marshal or designee review and approval.

Proposed Screening and Fencing

- Residential scale: no screening needed
- Medium scale:
  - clear vegetation within 10 feet
  - Match screening for mechanical equipment in Citywide Design Guidelines for commercial developments
- Utility scale:
  - Vegetation cleared
  - Maintain firewise landscaping and screening materials

- Residential and Medium scale: no fences required
- Utility scale:
  - 7 feet tall, fences comply with National Fire Protection Association standards.
  - Dedicated use buildings can allow 10% for other uses provided egress is available without passing through hazard areas

Proposed Noise and Lighting

- All scales not to exceed existing standards in TMC 8.08.040.
- All scales follow standards in Citywide Design Guidelines for the appropriate use.
  - Reduce glare and trespass
  - Increase night sky visibility

Proposed Decommissioning and Ownership Changes

- Residential scale: no decommissioning standards.
- Medium scale: require recycling electronic equipment.
- Utility scale: require decommissioning plan, bonding and electronics recycling.

Ownership changes of utility scale systems requires written agreement to assume obligations of existing plans.

Reported with annual fire inspections

Thank you!

Comments and questions:

Community Development Department
555 Israel Road SW
Tumwater, WA 98501
Phone: 360-754-4180
Email: cdd@ci.tumwater.wa.us