

**TUMWATER PLANNING COMMISSION
MINUTES OF MEETING
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CONVENE: 7:00 p.m.

PRESENT: Chair Dennis Morr, Jr., and Commissioners Joel Hansen, Jessica Hausman, Terry Kirkpatrick, Nam Duc Nguyen, Nancy Stevenson, Meghan Sullivan Goldenberger, and Patrick Zitny.

Staff: Planning Manager Brad Medrud, Senior Planner David Ginther, and Recording Secretary Wendy Gow.

**APPROVAL OF
MINUTES – APRIL
10, 2018:**

MOTION: **Commissioner Goldenberger moved, seconded by Commissioner Stevenson, to approve the minutes of April 10, 2018. Motion carried.**

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

**NEXT PLANNING
COMMISSION
MEETING DATE:** The next meeting is scheduled on May 8, 2018.
Commissioner Nguyen arrived at the meeting.

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

**MANAGER'S
REPORT:** There was no report.

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

WORKSESSION:

**SHORELINE
MASTER
PROGRAM
AMENDMENTS,
ORDINANCE NO.
O2018-001:** Planner Ginther recommended deferring discussion on the proposed amendments to afford more time for the Commission to review the proposed changes. The proposed changes are not due this year; however, the Council added the amendments to this year's work program. The Department of Ecology prefers earlier submission of the amendments to avoid last minute submissions from other jurisdictions.

Chair Morr encouraged the Commission to review the proposed changes in preparation for the discussion at the next meeting.

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The Commission tabled the worksession on the proposed amendments until May 8, 2018.

WORKSESSION:

**SIGN CODE
REVIEW,
ORDINANCE NO.
O2017-007:**

Planner Ginther distributed information on the results of the residential and business roundtable meetings.

Commissioner Stevenson commended staff for facilitating the discussion with the business community.

Planner Ginther reported the meeting notes were combined after both meetings. The first meeting was for residents with the second meeting involving the business community. Several Planning Commissioners attended both meetings. None of the feedback included any “silver bullets” for some of the problems encountered by the City. The Thurston County Chamber of Commerce and the Tumwater Chamber of Commerce offered to survey members on temporary signs.

The main issues surrounding temporary signs focused on A-board signs and feather flags. Generally, responses from the roundtables acknowledged the City’s allowance of A-board signs and that they are important to businesses. Most of the respondents encouraged the City to continue allowing the signs. Staff has offered no recommendations on ways to allow A-board signs other than signs blocking intersections would be problematic. Many of the attendees recommended better code enforcement.

Planner Ginther addressed questions on the City’s recent changes to code enforcement. The City added one full-time position and transferred code enforcement to the Police Department. The two officers are not commissioned and they are assigned to assist in code enforcement in addition to other duties, such as jail transport.

Planner Ginther reported the attendees agreed A-boards are important for businesses, especially in those situations where there are multiple businesses located on the same parcel. Any regulations should be fair for all businesses. One option is imposing a minimum distance between signs. Staff measured the retail area located across from the Costco and identified a distance of 25 feet between signs to reduce visual clutter. Signs located near driveways are regulated by the City’s development regulations with many variables involved. Some options the Commission might consider include establishing a minimum distance between signs, allowing one sign per business, or reducing the size of the sign. The typical size of an A-board sign is 16 square feet. Smaller A-boards are difficult to read from any distance. Smaller A-board signs are typically located along a walkway, such as the Southgate Mall.

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Commissioner Zitny asked whether staff has addressed those situations where a person is holding a sign advertising some type of business. They are typically standing at an intersection, often flip the sign, and sometimes visually block traffic. Planner Ginther said the sign code only regulates stationary signs. Commissioner Kirkpatrick noted that the issue was previously discussed. At that time, it was acknowledged that people holding signs constitute a free speech issue.

Planner Ginther addressed feather flags. Both meeting groups acknowledged how the flags have proliferated the landscape. Several attendees acknowledged the presence of feather flags along Capitol Boulevard and Littlerock Road. Most of the attendees supporting allowing them but on a limited basis. The Tumwater Chamber of Commerce purchased many feather flags to advertise small businesses during the Small Business Saturday event. Some of the concerns surrounded the lack of proper anchoring of the flags that often fall over and cause obstruction problems. During his research of other jurisdictions, one jurisdiction required a setback from the right-of-way of the same distance as the height of the feather flag to avoid feather flags falling into the right-of-way, which would also address visibility issues at driveways and intersections. Many of the participants said the number of feather flags in close proximity is often very distracting. One option is requiring a minimum distance between signs or restricting the use to a number of days in a calendar year. The current code includes provisions limiting special event signs to 14 calendar days in a year.

Commissioner Kirkpatrick commented on the difficult aspect of enforcement for limiting the number of days feather flags are allowed. That provision would likely not be enforceable. He noted that many feather flags at car dealerships are used as decoration rather than conveying a message. The City of Olympia is considering the allowance of feather flags at the auto mall as it represents a different use of the flags rather than for specific advertising.

Commissioner Stevenson noted that at the Olympia auto mall, there are many other types of signs that are anchored enabling a motorist to read the flag. Some of the residents at the roundtable meeting commented on the inability to read feather flags because of the movement of the flags, which adds to the distraction.

Chair Morr inquired about the date of the Small Business Saturday event. Several Commissioners said the event is on the Saturday following Thanksgiving.

Chair Morr supported allowing feather flags to specific days of the year rather than allowing them randomly over the year.

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Commissioner Hansen remarked that feather flags are designed to attract the attention of the motorists rather than for pedestrians or bicyclists. The comprehensive plan encourages more pedestrian and multimodal forms of transportation. Feather flags do not support those goals. He would support banning feather flags because of the desire to create a landscape along the City's corridors that are much more scaled and encourages pedestrian activity.

Commissioner Kirkpatrick commented that the issue harkens to the prior discussion of whether to allow drive through businesses along Capitol Boulevard. If the goal is to encourage pedestrian activity, businesses along Capitol Boulevard should not have a drive through window.

Commissioner Zitny said he could support banning feather flags but would also support restricting them to specific dates, such as 14 days a year.

Commissioner Hausman asked about the possibility of allowing feather flags only for special events, which would limit the use while offering a visual opportunity for special events.

Commissioner Stevenson said she understands the logic and reasons for banning feather flags but also understands the reason why businesses use them. She supports the use for special events with setback restrictions.

Commissioner Nguyen pointed out that feather flags are considered temporary signs. He said he personally has not noticed feather flags and supports banning them when they become problematic and when the corridor begins to transform.

Commissioner Hansen said he envisions Capitol Boulevard redeveloping sooner rather than later.

Commissioner Stevenson reiterated her support for allowing their use during special events only.

Commissioner Kirkpatrick asked about the possibility of allowing feather flags for 14 days a year with the dates selected by the Tumwater Chamber of Commerce beginning each year. That would provide a voice for businesses. Commissioner Zitny supported the proposal. Planner Ginther advised that staff would need to review the suggestion with the City Attorney.

Commissioner Goldenberger suggested including a provision in the code recognizing Small Business Saturday events to avoid designating the authority to the chamber. She supported limiting the use to 14 days, requiring setbacks for safety, and obtaining input from the chamber without designating the authority.

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Commissioner Kirkpatrick commented on enforcement action and supported prohibiting the placement of A-board signs on sidewalks. The primary enforcement by the City would be encouraging businesses not to place A-board signs on the sidewalks.

Planner Ginther said the chamber acknowledged the importance of educating local businesses. Larger national businesses typically have the resources to review sign code provisions while small locally owned businesses often do not have the resources or time.

Commissioner Zitny recommended the City include a copy of the sign code when a business applies for a business license or send a copy of the code to all businesses advising them of the proposed changes.

Manager Medrud advised of the proposed date of the public hearing for the proposed changes to the sign code.

Commissioner Hansen supported allowing one A-board sign per business with distance restrictions.

Commissioners and staff discussed limiting the size of A-board signs. Currently, the sign code limits the size of an A-board sign to 16 square feet. Commissioner Kirkpatrick said one of the attendees expressed a desire for all local jurisdictions to have similar sign codes. The City of Lacey limits the size of A-board signs to 12 square feet. The proposal could include limiting the size when the location includes multiple businesses.

Chair Morr affirmed the Commission would receive feedback from the polling of each chamber and discuss the possibility of working with the Commission on dates for feather flags. Planner Ginther affirmed he would follow up with City Attorney Kirkpatrick regarding the chamber's role.

Discussion ensued on the City's enforcement steps. Planner Ginther noted the emphasis is working with the offender to bring actions into compliance rather than pursuing code enforcement actions.

WORKSESSION:

**WAREHOUSE
DISTRIBUTION
STANDARDS,
ORDINANCE O2017-
023:**

Manager Medrud reported one outstanding question was designated truck routes in the City. Staff addressed the question by eliminating references to truck routes in the ordinance as the process for designating truck routes is much more complex, lengthy, and not timely at this time.

Commissioner Kirkpatrick noted that based on his email communication exchange with staff, any street in the City that does not prohibit trucks via a

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posted no truck sign is considered a route that could be used by trucks.

Manager Medrud shared the City received some requests for information from developers and attorneys representing developers. No comments have been received to date.

Commissioner Kirkpatrick supported scheduling a public hearing but asked whether some of the terminology is unique to the City of Tumwater or recognized by other jurisdictions. Planner Ginther said some of the terms are tailored for the City; however, based on research throughout Puget Sound, some of the terminology is used by other jurisdictions. For instance, “motor freight terminal” or “cross dock facility” are used by other jurisdictions fairly often.

Manager Medrud explained that the definition for “warehouse distribution center” is the same one used by the industry, which was tailored to fit the City’s use of warehouse distribution centers.

MOTION: **Chair Morr moved, seconded by Commissioner Goldenberger, to schedule a public hearing on May 8, 2018 to consider public testimony on proposed changes to Warehouse Distribution Standards. Motion carried unanimously.**

ADJOURNMENT: **Commissioner Goldenberger moved, seconded by Commissioner Hansen, to adjourn the meeting at 7:56 p.m. Motion carried unanimously.**

Prepared by Puget Sound Meeting Services, psmsoly@earthlink.net