



ORDINANCE NO. 28962

1 AN ORDINANCE relating to land use regulation; enacting a temporary moratorium
2 on the nomination and designation of new Historic Special Review and
Conservation Districts, for a period of one year.

3 WHEREAS Tacoma Municipal Code (“TMC”) 13.07.060 outlines regulations
4 for the local Tacoma Register of Historic Places and the nomination and
5 designation process for Historic Special Review and Conservation Districts
6 (“Districts”), and

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8 WHEREAS the Landmarks Preservation Commission (“LPC”) and Planning
9 Commission (“PC”) both have roles in reviewing nominations and making
10 recommendations, and,
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12 WHEREAS in reviewing applications for Districts over the last year, both
13 commissions noted concerns about the existing historic district designation process
14 and recommended that a review and potential update to the process should be
15 conducted in the earliest possible plan and code amendment cycle, and

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17 WHEREAS the PC adopted its Work Program for 2023-2025 in November
18 2023, and the City Council's Infrastructure, Planning, and Sustainability Committee
19 concurred with the work program in December 2023, and the work program
20 includes the 2024 Comprehensive Plan Periodic Update, which is anticipated to be
21 completed in mid-2025, and

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23 WHEREAS a Historic Preservation Plan Update including a policy/code
24 review of local historic districts is included in the current scope for the 2024
25 Comprehensive Plan Periodic Update (“Comprehensive Plan”), and

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1 WHEREAS the requested review is planned to be included in the upcoming
2 2024 Comprehensive Plan update process, however, in the interim, applications
3 for Districts may continue to be submitted, and
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5 WHEREAS by Resolution No. 41226, the City Council directed the PC, in
6 coordination with the LPC, to conduct a public process to develop findings of fact
7 and recommendations as to whether a moratorium on nomination and designation
8 of local historic districts is warranted, and the PC adopted a review schedule and
9 set a public hearing on September 20, 2023, and
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11 WHEREAS following the public hearing, the PC also sought feedback and
12 input from the LPC, and

13 WHEREAS the LPC did not feel that a moratorium was a necessary step to
14 address existing policy issues within the normal scope of its work, but the PC found
15 there are significant unresolved policy and code questions relating to historic district
16 creation, and the PC workplan would benefit from a temporary pause on historic
17 district review afforded by a moratorium, and
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19 WHEREAS the PC expressed that before the establishment of any new
20 Districts additional study was needed regarding the interplay between the current
21 code and the City's efforts to increase all income housing availability, and increase
22 housing density within the City, and
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24 WHEREAS the PC further noted that before the establishment of any new
25 Districts study of the current code was needed to focus on addressing the impacts
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1 of systemic racism on home ownership and wealth-building opportunities for people
2 of color in the City, and

3 WHEREAS, in its recommendation to the City Council regarding the
4 proposed moratorium, the Commission noted that Council Ordinance 28793, which
5 adopted Home In Tacoma Phase 1, in part “strengthened Tacoma’s commitment to
6 ‘addressing the lingering impacts of systemic racism and facilitating home
7 ownership and wealth-building opportunities for people of color.”, and

9 WHEREAS, the Planning Commission also advised that the Landmarks
10 Commission may need time to review its current program components for potential
11 unintentional contributions to the legacy effects of discriminatory housing policies
12 and, therefore, the primary policy questions regarding local historic districts are
13 centered on Tacoma’s residential areas to support that focus the moratorium should
14 be limited to residential areas, and

16 WHEREAS on November 15, 2023, the PC voted to recommend that the
17 City Council establish a moratorium on the consideration and adoption of new
18 Districts for a period of one year while the PC’s established workplan on the subject
19 is implemented, and

21 WHEREAS on March 5, 2024, the City Council held a public hearing to seek
22 comment on the PC recommendation; Now, Therefore,

23 BE IT ORDAINED BY THE CITY OF TACOMA:

24 Section 1. That the City Council hereby adopts the Recitals of this
25 Ordinance as its formal legislative findings.
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Section 2. That a temporary moratorium on the nomination and designation of new Historic Special Review and Conservation Districts, is hereby enacted, for a period of one year or until the work is complete whichever is less.

Section 3. This moratorium shall be applicable only to those areas of Tacoma that have the following residential land use designations: Low-Scale Residential; Mid-Scale Residential; High-Density Multifamily; Airport Compatibility Residential.

Section 4. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance or its application to any other person or situation.

Section 5. Effective Date. This Ordinance shall be effective ten days after its publication.



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Section 6. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney