



**MINUTES** (Approved on 3-16-16)

**TIME:** Wednesday, March 2, 2016, 4:00 p.m.  
**PLACE:** Council Chambers, Tacoma Municipal Building, 1<sup>st</sup> Floor  
747 Market Street, Tacoma, WA 98402  
**PRESENT:** Chris Beale (Chair), Stephen Wamback (Vice-Chair), Donald Erickson, Jeff McInnis,  
Meredith Neal, Anna Petersen, Brett Santhuff, Dorian Waller  
**ABSENT:** Scott Winship

**A. CALL TO ORDER AND QUORUM CALL**

Chair Beale called the meeting to order at 4:04 p.m. A quorum was declared.

**B. APPROVAL OF AGENDA AND MINUTES OF February 17, 2016**

The agenda was approved.

The minutes of the regular meeting on February 17, 2016 were reviewed and approved as submitted.

**C. PUBLIC COMMENTS**

No members of the public came forward to provide comments.

**D. DISCUSSION ITEMS**

**1. Multifamily District Design Standards**

Stephen Atkinson, Planning Services Division, reviewed key issues and the proposed approach to code amendments concerning the design and development standards for multifamily residential zoning districts. Mr. Atkinson reviewed that the market for new development remains lower density, not supporting structured parking in most areas. He reported that they were seeking to maintain distinctions between centers and non-centers; focus standards on designated corridors that are a focal point for design and transit improvements; and balance desire for density with quality of life. He reviewed that design standards were currently bifurcated with some standards specific to a building types like townhouses and other standards specific to an area like mixed-use centers. He noted that to address the gaps between different standards they would need to consider whether it is more appropriate to create standards by zone or building type.

Designated Corridors were discussed. Mr. Atkinson reviewed that Designated Corridors were streets designated as main streets and avenues in the Comprehensive Plan with associated goals and policies. He noted that they tied together and connected the City's mixed-use centers and typically had more capacity for multifamily and commercial development. Commissioner McInnis asked if there was consideration for adding light rail to the Designated Corridors map. Mr. Atkinson responded that there were some streets planned for higher frequency transit that were not on the map, but all of the streets on the map were in the Transportation Master Plan as having higher frequency transit.

Maximum setbacks were discussed. Mr. Atkinson noted that currently the code only has minimum setbacks to provide space for yards or parking lots. He commented that maximum setbacks would create an environment that is inviting to pedestrians and creates a legible defined public realm. Mr. Atkinson recommended a balanced approach with 50% of the frontage no more than 20 feet from the street on designated corridors. Chair Beale questioned how being close to the street would affect the privacy of units that have a minimal landscape buffer and how a maximum setback would affect requirements for

landscaping. Mr. Atkinson responded that transition was an important factor and they would need to look at ensuring a transition space.

Maximum building length was discussed. Mr. Atkinson commented that it addressed an issue with larger developments where long buildings oriented away from the street can create a continuous wall. The standards would ensure that long building walls would be broken up into separate buildings, providing a feeling of transition. Vice-Chair Wambach suggested that fence and retaining wall lengths should also be considered. Commissioner Erickson commented that another tool was to break a building into different façade treatments. Chair Beale commented that he would like to consider standards on building materials and modulation rather than simply having a cutoff for the maximum length.

Parking standards were discussed. Mr. Atkinson commented that the intent was that there should be some break up of parking lots along all street frontages in order to enhance the appearance of neighborhoods and to break up monotonous street frontages. A balance would be struck by limiting street frontage parking to no more than 50% of any frontage, no more than 150 feet continuous, allowing 60 feet between structures that meet setback requirements, and requiring driveways to be separated by 150 feet. Mr. Atkinson suggested that alternatively, they could simply limit parking to 50% of any frontage and not limit the continuous length. Commissioner Erickson commented that separating driveway access by 150 feet was counterintuitive to what they were trying to do for defining the street. Commissioner Petersen expressed support for applying parking standards to all streets, as they might all become pedestrian streets in the future. Vice-Chair Wambach expressed concern that if they put a developer in a situation where they will choose not to build parking, there will be more cars parking on the street.

Pedestrian orientation standards were discussed. Roofline standards would involve changing the applicability of existing roofline standards to ensure that the roofline is addressed as an integral part of building design to avoid flat, unadorned rooflines. General pedestrian standards would include requiring main entrances from the street, standards for porch dimensions, and weather protection along the street frontage. Window and opening standards would increase public visibility for safety, provide visual interest for pedestrians, and help encourage pedestrian mobility. Fencing and utility screening standards would address specific features which detract from the appearance of residential areas. Pedestrian connectivity standards would improve the directness of routes between building entrances and nearby streets as well as between adjacent sites. Commissioner Erickson commented that it would be best to encourage people to use the public right of way for the vitality of the uses present. Mr. Atkinson responded that the size of the site and distance to the sidewalk would be considered.

Standards for natural qualities and open space were discussed. Mr. Atkinson commented that usable yard space standards would provide opportunities for outdoor relaxation and recreation. Mr. Atkinson explained that current requirements for residential districts mandate 10% of the lot size be usable open space, whereas the Commission could consider balancing general open space with private open space for residents. A tree canopy requirement would enhance the overall appearance of residential developments by providing privacy and shading and would be inclusive of tree canopy provided through other landscaping requirements. Chair Beale recommended including a standard for tree canopies shading facades that receive direct sunlight.

Chair Beale recessed the meeting at 5:00 p.m. for the public hearing concerning Marijuana Code Amendments. The discussion of Multifamily District Design Standards resumed at 5:40 p.m., after the conclusion of the public hearing.

Standards for compatibility, scale, and transition were discussed. Building coverage would limit the overall bulk of structures, ensuring that larger buildings would not have a footprint that overwhelms adjacent development. Allowed height would promote a reasonable building scale and would promote options for privacy for neighboring residences. Mr. Atkinson recommended that they could consider whether the R-5 zoning, which is currently unused, should reduce the height limit to 85 feet or whether the zoning should be eliminated. He also suggested that they could consider increasing the height limit for R-4L to 45 feet to provide a greater sense of urban scale on key corridors. Chair Beale noted that the number of feet in height doesn't directly translate to the number of stories, particularly in how mixed-use buildings are constructed. Mass reduction design choices would reduce the apparent mass of structures by providing physical breaks in building volume and reducing large flat planes on any given building elevation. Minimum

density would ensure that service capacity is used efficiently and the City's housing goals are met. Mr. Atkinson commented that it would set a threshold for minimum density that goes beyond the standard lot size so that some diverse housing lot size options would be necessary.

Vice-Chair Wamback commented that focusing on corridors leaves northeast Tacoma out of the discussion where there are multi-family pockets that flow into suburban areas. Mr. Atkinson responded that a lot of the standards like mass reduction and lot coverage would be broadly applicable and the standards for corridors would focus more on setbacks and parking. Vice-Chair Wamback suggested that it would be helpful to have some detailed maps of the corridors for future discussions. Mr. Atkinson commented that they would have a map tool available as they moved into discussion of zoning.

## **2. Future Land Use Implementation**

Mr. Atkinson facilitated a discussion to review key issues and the proposed approach to area-wide rezones in identified study areas in order to address inconsistencies between the Comprehensive Plan and the Zoning Map. He reviewed that they had begun to look at areas that would be considered code cleanup items and that 1300 notices had been sent out to residents in the locations. Mr. Atkinson demonstrated an online map tool that would provide access to all of the Comprehensive Plan map layers.

The Knob Hill area was discussed. Mr. Atkinson reviewed that it was currently zoned R-4 and was a mix of single family, multifamily, and commercial. He noted that the area was part of the Downtown Subarea Plan, but had not been rezoned to one of the Downtown zoning districts. He commented that it would not be a large change to move from the current R-4 zoning to any of the Downtown zoning districts, which would most likely be Downtown Residential for the majority of the Knob Hill area and some potential Warehouse Residential zoning along Pacific.

The campus area around Cheney Stadium and Foss High School was discussed. Mr. Atkinson reviewed that the area was zoned R-2, even though there were no single family uses in the area. As a result of the zoning, Cheney Stadium and Foss High School were able to expand only through Conditional Use Permits. Cheney Stadium had expressed interest in adding some commercial uses to the area, but would be unable to do so under the current zoning. Mr. Atkinson explained that staff had received public comments on this area and heard concerns that a rezone would mean that large commercial uses would be constructed in the City's open space areas in this location. Chair Beale questioned whether the Institutional Campus designation would be appropriate if the parts of the area were rezoned to C-2 or if an institutional zone would be more appropriate. Vice-Chair Wamback commented that they needed to be cautious about retaining a low density residential zone in an area that could potentially become a light rail corridor.

The area around the Franke Tobey Jones retirement community was discussed. Mr. Atkinson noted that they had made a zoning change request and were interested in an R-4 PRD expansion, but the new Land Use Designations would require a Comprehensive Plan amendment to get the rezone accepted. Mr. Atkinson noted the area was a Planned Residential Development (PRD) and that the designation was low density multifamily. He commented that the expansion request would require a rezone of the R-3 PRD zoned area to an R-4 PRD. Discussion ensued. Commissioner Santhuff asked if the open space requirements had been part of the PRD. Mr. Atkinson responded that it was likely that they did. Chair Beale asked if there would be an opportunity for neighbors to comment on the proposed zoning change. Mr. Atkinson responded that there would be a public process after the zoning change request was submitted. Commissioner Erickson requested that they review the file to see what conditions had been placed on the R-4 PRD.

An area along 6<sup>th</sup> Avenue near the James and Narrows mixed-use centers was discussed. Mr. Atkinson noted that it was a site where current planning would demand site specific rezones and CUPs, suggesting that there was an issue with the zoning. He reviewed that the area was designated as high density multifamily due to the proximity to two mixed-use centers and the potential for transit access. He noted an issue with a street that did not connect all the way through. Mr. Atkinson noted opportunities for transition zoning of R-3 and R-4L and challenges associated with commercial properties did not have a consistent parcel depth. Chair Beale asked if residential and commercial split zones would allow commercial on the entire parcel. Mr. Atkinson responded that the use would be restricted. Chair Beale noted the proximity to

a transit center and two mixed-use centers and asked why they were not considering an R-5 zoning. Mr. Atkinson responded that at the current 150' height limit the R-5 did not seem appropriate. Chair Beale suggested that the R-5 zoning with an 85 foot height limit may be appropriate.

Wapato Lake Park was discussed. Mr. Atkinson noted that there had been a lot of improvements done on the access to the park including new sidewalks and improved crosswalks. He reported on a possible new access point at the midpoint of the park and commented that if they were going to make a change it could be limited to that specific area. Commissioner Erickson questioned why the homes adjacent to the park were R-2 and not R-3. Mr. Atkinson responded that it could be an interesting area for a market study. Commissioner Petersen asked how they would make sure that development is oriented towards the park and not the highway, becoming an extension of the existing shopping center. Chair Beale expressed concern that they had not spent much time on the land use designation that changed the corridor to neighborhood commercial and were now looking at bifurcating the zoning implementation. Vice-Chair Wambach commented the area around the park was too sensitive to not do right the first time. Chair Beale commented that he had concerns about the views around the park and that they should slow down and pull it from consideration for the time being. Mr. Atkinson commented that they could make a recommendation to not proceed with a zoning change until the Commission is more comfortable that the commercial zoning adequately supports the policies in the Comprehensive Plan.

### **3. Public Hearing – Marijuana Code Amendments**

At 5:00 p.m., Chair Beale called the public hearing to order and reviewed the procedures, noting that the record would be open through March 7, 2016 to accept written comments.

Molly Harris, Planning Services Division, provided background information and reviewed the proposed amendments to the Tacoma Municipal Code concerning marijuana uses. Ms. Harris reviewed that State Law had been amended in 2015 to align the medical marijuana system with the existing recreational system and that the City Council had enacted a moratorium on January 12<sup>th</sup> to provide time for the City to update the regulations. Potential land use code amendments included maintaining existing zoning for marijuana businesses; maintaining regulations for production and processing; allowing cooperatives with buffers for sensitive uses; and no cap on the total number of marijuana businesses. Potential Land Use code amendments for retail stores included reducing buffers to 100 feet for child care centers, game arcades, libraries public parks, public transit centers, and recreation centers; reducing buffers to 300 feet for correctional facilities, court houses, drug rehabilitation centers, and detox centers; maintaining the 1000 foot buffer for elementary schools, secondary schools, and playgrounds; requiring a state medical endorsement; and a dispersion of 300 feet inside the Downtown area and 500 feet citywide. Ms. Harris noted that a preliminary Determination of Nonsignificance had been issued Feb 19, 2016.

Chair Beale called for testimony. The following citizens testified:

1) **Brian Caldwell, Triple C:**

Mr. Caldwell commented that he operates the Triple C Collective medical store on 6<sup>th</sup> Avenue. He thanked the Commission for their progressive views and for requiring that all new retail stores be medically endorsed.

2) **Philip Dawdy, SPM:**

Mr. Dawdy commented that he was present on behalf of SPM, a store that was on the verge of being licensed at 24<sup>th</sup> and Pacific. He commented that in the downtown zones, reducing sensitive use buffers to 100 or 300 feet made all the difference in providing locations for new stores. He requested that the Commission consider having no dispersion requirement. Mr. Dawdy commented that he appreciated requiring that all new stores have medical endorsements.

3) **Justin Ice, The 420 Club:**

Mr. Ice commented that it was unfair that existing collective gardens hadn't been given priority consideration for the 16 available 502 stores within Tacoma. He commented that the City's remaining Collective Gardens are good individuals and that they have many established patients. He asked that they consider endorsing some of the collective gardens so they can maintain medicinal availability.

4) **Robin Austin:**

Ms. Austin requested that medical cannabis be given the respect it deserves. She commented that getting medicine at a recreational store is like going to party central. She commented that it's important that patients have dignity and respect and do not have to go to a party place to get their medicine. She recommended that medical cannabis should be allowed to have its own facility as well as being offered in recreation stores. She commented that there should not be a large sensitive use buffer between transportation centers and stores, because a transportation center should be close to a medical facility.

5) **Kristina Perez:**

Ms. Perez commented that she was a collective garden owner and that collective garden owners have jumped through hoops to be as legal as possible in hopes of becoming legal and getting their licenses. She reported that she was not one of the lucky ones to get a license because they were too close to a church. She commented that the 3,000 patients of her collective garden valued their privacy and did not want to go to a recreational store as they would not provide the advice or the medical strains that patients need. She commented that it was a shame to bend over backwards, jump through hoops, pay taxes, and end up nowhere. She reported that they had been operating by the book since 2011 with no incidents. She noted that she had sent a letter to the City of Tacoma and the Washington State Liquor and Cannabis Board regarding her collective garden's location and there had been no response to the letter.

6) **Mark Walker:**

Mr. Walker commented that he had multiple sclerosis and had been using cannabis since 2001. He commented that he had been to multiple doctors and that they did not offer anything else for his disease. He asked the Commission to make it easy for the sick and disabled as it was already hard enough.

7) **Heather Costigan:**

Ms. Costigan commented that she had been working with collectives since 2008 and that they are working to get one of their stores into the right zone as it is currently close to a park. She noted issues with buying cannabis from recreational stores including lack of information about products and inability to examine them. She reported that they would now have to partner with others to make their company move forward, which was tough after having paid taxes and the business license cost. She commented she undergone back surgery last year and had been using medical cannabis for pain relief and had not had to use any of the other pain medications. She commented that she had been a nurse for 5 years and had seen what opiates had done to people and that it was not a way to kill pain. She noted side effects from opiates that marijuana does not have. She suggested making the sensitive use buffers smaller and allowing more shops which would be helpful for the City and the people who have jobs with the dispensaries.

Seeing no one else coming forward, Chair Beale closed the public hearing at 5:31 p.m. and recessed the meeting. The meeting was resumed at 5:40 p.m., and the Commissioners continued the discussion of Multifamily District Design Standards.

## **E. COMMUNICATION ITEMS & OTHER BUSINESS**

Vice-Chair Wamback recommended noting on the March 16<sup>th</sup> meeting agenda that comments on the Marijuana Code Amendments would not be accepted as the comment period for that item was closed.

## **F. ADJOURNMENT**

At 6:48 p.m., the meeting of the Planning Commission was concluded.