



TO: T.C. Broadnax, City Manager
FROM: Peter Huffman, Director, Planning and Development Services
Brian Boudet, Planning Manager, Planning and Development Services
COPY: City Council and City Clerk
SUBJECT: Ordinance – Adopting Revisions to the Tacoma Municipal Code as part of the 2015 Annual Amendment – November 24, 2015
DATE: November 17, 2015

SUMMARY:

Designating through an area-wide rezone a 129-acre portion of the “West Slope Neighborhood,” including portions of Narrowmoor Additions numbers one through four, as a Conservation Special Review District Overlay Zone; amending Titles 1 and 13 of the Tacoma Municipal Code (TMC) concerning affordable housing and infill development; and amending various sections in Title 13 of the TMC, as part of the proposed amendments to the Comprehensive Plan and Land Use Regulatory Code for 2015 (2015 Annual Amendment) as recommended by the Planning Commission on October 7, 2015.

STRATEGIC POLICY PRIORITY:

The 2015 Annual Amendment supports all of the City’s strategic policy priorities to:

- Strengthen and support a safe city with healthy residents;
- Ensure all Tacoma residents are valued and have access to resources to meet their needs;
- Foster a vibrant and diverse economy with good jobs for all Tacoma residents;
- Encourage thriving residents with abundant opportunities for life-long learning;
- Cultivate a vibrant cultural sector that fosters a creative, cohesive community;
- Assure outstanding stewardship of the natural and built environment; and
- Encourage and promote an efficient and effective government, which is fiscally sustainable and guided by engaged residents.

BACKGROUND:

Amendments to the Comprehensive Plan and development regulations are considered on an annual basis, as required by the Growth Management Act (RCW 36.70A). Specifically for the year 2015, the City is required to conduct a “Periodic Update” of the Comprehensive Plan, including reviewing and evaluating the critical areas ordinance based on best available science.

The 2015 Annual Amendment is presented in two ordinances pertaining to (1) Comprehensive Plan Update, Critical Areas Preservation Ordinance, and Mixed-Use Centers Review; and (2) Narrowmoor Addition Conservation District, affordable and infill housing regulations, and clean-up revisions to the Land Use Regulatory Code. This is the second ordinance, pertaining to the Narrowmoor Addition Conservation District, affordable and infill housing regulations, and clean-up revisions to the Land Use Regulatory Code.

The Planning Commission has completed its review of the 2015 Annual Amendment through a public review process including a public hearing on August 19, 2015, and made a recommendation to the City Council on October 7, 2015, as documented in the Planning Commission’s *Findings of Fact and Recommendations Report*. The City Council conducted a public hearing on October 27, 2015, in accordance with TMC 13.02, to receive public comments on the Planning Commission’s recommendation.



The development of the 2015 Annual Amendment has drawn on extensive public outreach and citizen involvement, based in large part on the successful visioning process resulting in the City of Tacoma's Ten-Year Citywide Strategic Plan and Vision, *Tacoma 2025*, approved by the City Council on January 27, 2015, by Resolution No. 39016.

Provided below are additional pieces of background information pertaining to the Narrowmoor Addition Conservation District, affordable and infill housing regulations, and clean-up revisions to the Land Use Regulatory Code:

Narrowmoor Addition Conservation District

The proposed designation of the Narrowmoor Addition Conservation District was an application submitted by the West Slope Neighborhood Coalition (WSNC) at the end of 2013. The application stated that the neighborhood sought to protect its historic character, and to avoid inappropriate and out of scale development in the neighborhood.

The application was an outcome of a study commissioned by the City in 2009 at the request of the WSNC, to study the feasibility of a potential historic district in the area. In 2010, the report was issued, which contained a recommendation to consider amending the City regulatory code to allow for the neighborhood to be designated as a conservation district. These policy and regulatory changes were adopted in 2011 by the City Council as part of the Comprehensive Plan Annual Amendment and Regulatory Code update.

The Landmarks Preservation Commission (LPC) reviewed the application extensively during 2014 and the first half of 2015. During the course of their review, the Commission worked with the WSNC to make extensive amendments to the original application to bring it into conformance with conservation district requirements as described in the Comprehensive Plan and TMC. These amendments form the bulk of the proposal as it exists today, and include:

- Establishment of a public design review process for new construction, additions to existing buildings and demolition, and the adoption of design guidelines to guide this process;
- Allowing for the subdivision of lots provided that the child lots retain a street to street configuration where the parent lot exhibits this pattern; and
- Removal of review requirements inconsistent with the objectives or scope of conservation districts, including regulation of trees and vegetation on private lots.

On May 27, 2015, the LPC issued its Findings and Recommendation Report, recommending creation of the Narrowmoor Addition Conservation District, to the Planning Commission. The LPC found that the Narrowmoor Additions, based on physical characteristics, meet the criteria outlined in TMC 13.07.060 and that the proposal, as amended, is consistent with the policy language for conservation districts contained within the Historic Preservation Element of the Comprehensive Plan.

The Planning Commission, following its review, concluded that the proposed Narrowmoor Addition Conservation District is consistent with the policies and objectives of the Historic Preservation Element of the Comprehensive Plan, specifically recommended Actions HP-7C and HP-8A, as well as other applicable land use policies and regulations. The Commission acknowledged and accepted the findings and recommendations from the LPC, particularly regarding the LPC's lengthy review of the conservation district proposal under the criteria in TMC 13.07.060. The Planning Commission further concluded that the proposal, as amended, balances the desires of the West Slope



Neighborhood to protect historic character with the need to accommodate future growth and development in Tacoma's residential neighborhoods.

If adopted as recommended, the conservation district will require that the following types of projects within the district boundaries be reviewed and approved by the LPC, prior to the issuance of development permits:

1. Construction of a new building;
2. Adding additional square footage to an existing building; and
3. Demolition of an existing home within the district under the existing demolition review requirements in TMC 13.07.

Work that does not require a permit and demolition that is below 50 percent of the roof area or exterior walls, and that does not affect the primary façade, is categorically exempt from review (provided that the alterations remain within the existing footprint). In addition, when lots that extend street to street are subdivided, the child lots shall also extend street to street. Lot coverage shall not exceed 25 percent.

The Planning Commission recommends that the City Council create the Narrowmoor Addition Conservation District by amending the TMC, Chapters 13.06 and 13.07, as set forth in Exhibit B.

Once adopted, the LPC will also be required to adopt Design Guidelines to evaluate projects within the conservation district, per TMC 13.07.120. A draft of these guidelines has been reviewed and approved by the Commission, and has accompanied the proposal through the review process as an informational document. The design guidelines contain language regarding height, massing, materials, site design, form, and other salient design elements.

Affordable and Infill Housing Regulations

The affordable and infill housing regulations were developed with extensive input from the Council-appointed Affordable Housing Policy Advisory Group (AHPAG). The proposed code amendments pertaining to the affordable and infill housing regulations are intended to promote housing affordability and choice throughout the neighborhoods of the City through a range of affordable housing incentives and residential infill proposals. This package of policy initiatives is the third and final phase of planning-related recommendations made by the AHPAG. The Planning Commission recommends that the City Council amend TMC, Title 1 – Administration and Personnel, and Title 13 – Land Use Regulatory Code, as set forth in Exhibits C and D.

Clean-up Revisions to the Land Use Regulatory Code

As part of the 2015 Annual Amendment, clean-up revisions are proposed to various sections in the TMC, Title 13 – Land Use Regulatory Code, to update information, address inconsistencies, correct minor errors, provide additional clarity, and improve administrative efficiency. The Planning Commission recommends that the City Council amend the TMC, Chapters 13.02, 13.04, 13.05, 13.06, 13.06A, 13.09, 13.11, 13.12, and 13.16, as set forth in Exhibit E.

The Infrastructure, Planning and Sustainability Committee has reviewed the components of the 2015 Annual Amendment during various stages of their development between September 2014 and October 2015, and is scheduled to forward a final recommendation to the City Council on November 18, 2015. The Neighborhoods and Housing Committee has also reviewed certain parts of the



2015 Annual Amendment on an as-needed basis during 2015, including the Narrowmoor Addition Conservation District.

The effective date of the adopted code provisions shall be December 31, 2015.

ISSUE:

Concerning the proposed Narrowmoor Addition Conservation District, public comments received during the Planning Commission's and the City Council's public hearings were generally supportive. The policy question is whether the conservation district tool should be used to preserve certain character defining aspects of the Narrowmoor Additions, and whether the proposed regulations are appropriate.

Concerning the affordable and infill housing development regulations, the City Council has established clear policy direction in support of ensuring a range of housing affordability and choice throughout the City. Public comments on the proposals expressed a range of views, including concerns about neighborhood and historic compatibility, and about the burden of mandatory affordability with upzone requests. In response, the Planning Commission made changes intended primarily to better ensure that infill fits with historic and neighborhood character, and to reduce the affordability requirement for private-initiated upzones.

Concerning the clean-up revisions to the Land Use Regulatory Code, public comments were limited but generally supportive. The Master Builders Association suggested some considerations for the 6-year Transportation Improvement Plan and a fee in lieu program. The Puget Creek Restoration Society recommended financial incentives get incorporated for Low Impact Development scenarios. In both cases, the Planning Commission agreed these ideas needed to be further analyzed, followed by additional discussion of the potential merits of the ideas with other City organizations.

ALTERNATIVES:

There are no specific alternatives being considered at this time.

RECOMMENDATION:

Conduct the first reading of the ordinance on November 24, 2015, followed by the final reading on December 1, 2015, to designate the Narrowmoor Addition Conservation District through an area-wide rezone, adopt the proposed affordable housing and infill development regulations, and adopt clean-up code revisions, as recommended by the Planning Commission on October 7, 2015; and set the effective date of the legislation as December 31, 2015.

FISCAL IMPACT:

There is no fiscal impact.