



## ORDINANCE NO. 28222

1 AN ORDINANCE relating to the City’s Comprehensive Plan; amending Tacoma  
2 Municipal Code (“TMC”) Chapter 13.06, Zoning, at Section 13.06.300;  
3 repealing TMC Section 13.06A.112, Known Archaeological, Cultural, and  
4 Historic Resources within the South Downtown Subarea; and  
5 Section 13.06A.113, Traffic Impact Assessment, in their entirety;  
6 amending Chapter 13.12 by the addition of two new sections, to be known  
7 as Section 13.12.570, Archaeological, Cultural, and Historic Resources,  
8 and Section 13.12.580, Traffic Impact Assessment; and amending  
9 Chapter 13.17, Mixed-Use Center Development, at Section 13.17.020, to  
10 refine zoning and development regulations for the Hilltop Subarea Plan,  
11 adopted as an element of the City’s Comprehensive Plan.

8 WHEREAS the purpose of the Hilltop Subarea Plan (“Plan”) is to  
9 anticipate, support, and guide long-term community development in the Hilltop,  
10 including the Hilltop’s business district core, hospitals, and residential  
11 neighborhoods, and  
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13 WHEREAS the Plan provides innovative planning and policy interventions  
14 to help the Hilltop neighborhood achieve its potential for community  
15 development, an outcome that will deliver a broad range of equitable social and  
16 environmental benefits at both the local and regional levels, and  
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18 WHEREAS the Plan will serve as a statement of the City’s commitment  
19 and direction for the Hilltop and as a resource for potential investors, property  
20 owners, the community, and other public agencies, and  
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22 WHEREAS, associated with the Plan, a non-project Final Environmental  
23 Impact Statement (“FEIS”) was issued on December 31, 2013, and is a “Planned  
24 Action FEIS,” with the objective of eliminating the need for subsequent  
25 environmental review associated with site-specific development or  
26 redevelopment, and



1           WHEREAS the Plan and FEIS will capitalize on the potential of the Hilltop  
2 Mixed-Use Center, proactively making the area well poised to accommodate  
3 future growth and development; specifically, the Plan will supplement current  
4 policies and regulations governing transportation, land use, affordable housing,  
5 open space, capital facilities, and utilities, and will fulfill Growth Management Act  
6 and Vision 2040 goals and requirements, and  
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8           WHEREAS the Plan and FEIS are the result of an extensive planning  
9 process conducted over a two-year period in coordination with the Hilltop  
10 Community Working Group, involving intense analyses, thorough research,  
11 rigorous deliberations, and extensive outreach efforts, and  
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13           WHEREAS the Planning Commission, after completing its review process,  
14 including a hearing to receive public testimony held on January 22, 2014,  
15 forwarded its recommendation to the City Council on March 19, 2014, and  
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17           WHEREAS a hearing was held before the City Council on April 29, 2014,  
18 to receive public testimony on the Plan, which has received a great amount of  
19 support from stakeholders and citizens throughout its development process, and  
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21           WHEREAS the proposed TMC amendments will refine zoning and  
22 development regulations for the Hilltop, including certain property rezones and an  
23 expansion of the Hilltop Mixed-Use Center, and will serve as part of the  
24 implementing strategies for the Plan, and  
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1           WHEREAS the additions to TMC 13.12 will take the place of repealed  
2 Sections 13.06A.112 and 13.06A.113 and are necessary to achieve uniform  
3 application in implementing code-wide programmatic EIS requirements  
4 applicable to the Hilltop Subarea, as well as any location in the City of Tacoma  
5 where such an EIS is being conducted, and  
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7           WHEREAS, concurrently, a companion ordinance will propose the  
8 adoption of the Plan as an element of the City's Comprehensive Plan; Now,  
9 Therefore,  
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11           BE IT ORDAINED BY THE CITY OF TACOMA:

12           1. That Chapter 13.06 of the Tacoma Municipal Code is hereby amended  
13 to modify zoning district boundaries, as set forth in the Hilltop Subarea Plan and  
14 reflected in the attached Exhibit "E."

15           2. That Section 13.06.300 of the Tacoma Municipal Code is hereby  
16 amended as set forth in the attached Exhibit "A."

17           3. That Sections 13.06A.112 and 13.06A.113 of the Tacoma Municipal  
18 Code are hereby repealed in their entirety as set forth in the attached Exhibit "B."

19           4. That Chapter 13.12 of the Tacoma Municipal Code is hereby amended  
20 by the addition of two new sections, to be known and designated as  
21 Section 13.12.570, Archaeological, Cultural, and Historic Resources; and  
22 Section 13.12.580, Traffic Impact Assessment, as set forth in the attached  
23 Exhibit "C."  
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5. That Section 13.17.020 of the Tacoma Municipal Code is hereby amended as set forth in the attached Exhibit "D."

6. That Section 13.17.020 of the Tacoma Municipal Code is hereby further amended to modify the boundaries of the Hilltop Mixed-Use Center, as set forth in the Hilltop Subarea Plan and reflected in the attached Exhibit "E."

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
\_\_\_\_\_  
City Clerk

Approved as to form:  
  
\_\_\_\_\_  
Deputy City Attorney



## EXHIBIT "A"

1 **13.06.300 Mixed-Use Center Districts.**

2 \* \* \*

3 C. Applicability and pedestrian streets designated.

4 Applicability. The following tables compose the land use regulations for all Mixed-Use Center Districts.  
 5 All portions of Section 13.06.300 and applicable portions of Section 13.06.500, apply to all new  
 6 development of any land use variety, including additions and remodels, in all Mixed-Use Center Districts,  
 7 unless explicit exceptions or modifications are noted. The requirements of Sections 13.06.300.A through  
 8 13.06.300.D are not eligible for variance. When portions of this section are in conflict with other portions  
 9 of Chapter 13.06, the more restrictive shall apply.

7 **TABLE C.1: MIXED-USE CENTER PEDESTRIAN STREETS ESTABLISHED**

8 The following pedestrian streets are considered key streets in the development and utilization of Tacoma's mixed-use  
 9 centers, due to pedestrian use, traffic volumes, transit connections, and/or visibility. They are designated for use with  
 10 certain provisions in the mixed-use zoning regulations, including use restrictions and design requirements, such as  
 11 increased transparency, weather protection and street furniture standards. In some centers, these "pedestrian streets"  
 12 and/or portions thereof are further designated as "core pedestrian streets" for use with certain additional provisions.  
 13 The "core pedestrian streets" are a subset of the "pedestrian streets," and thus, those provisions that apply to  
 14 designated "pedestrian streets" also apply to designated "core pedestrian streets."

Mixed-Use Center	Designated Pedestrian Streets (All portions of the streets within Mixed-Use Centers, unless otherwise noted.)	Designated Core Pedestrian Streets (All portions of the streets within Mixed-Use Centers, unless otherwise noted)
6th Avenue and Pine Street	6th Avenue	6 <sup>th</sup> Avenue
Narrows (6 <sup>th</sup> Avenue and Jackson)	6 <sup>th</sup> Avenue	6 <sup>th</sup> Avenue
Downtown Tacoma (Tacoma Dome Area)	Puyallup Avenue; East 25th Street*; East 26th Street; East D Street	N/A
McKinley (East 34 <sup>th</sup> and McKinley)	McKinley Avenue from Wright Avenue to East 39 <sup>th</sup> Street*	McKinley Avenue from Wright Avenue to East 36 <sup>th</sup> Street
Lower Portland Avenue	Portland Avenue*, East 32 <sup>nd</sup> Street, East 29 <sup>th</sup> Street	Portland Avenue
Proctor (North 26th Street and Proctor Street)	North 26th Street; North Proctor Street*	North 26 <sup>th</sup> Street; North Proctor Street
Stadium (North 1st Street and Tacoma Avenue)	Division Avenue from North 2nd Street to Tacoma Avenue; Tacoma Avenue*; North 1st Street; North I Street	Division Avenue from North 2nd Street to Tacoma Avenue; Tacoma Avenue; North 1st Street
<del>Hilltop (Martin Luther King Jr. (South 11th Street and Martin Luther King Jr. Way))</del>	Martin Luther King Jr. Way*; South 11th Street; Earnest S. Brazill Street; 6th Avenue, <u>South 19th Street</u>	Martin Luther King Jr. Way from S. 9th to S. 15th, South 11th Street; Earnest S. Brazill Street
Lincoln (South 38th Street and G Street)	South 38th Street*; Yakima Avenue from South 37th Street to South 39th Street; and South G Street south of 36th Street	South 38th Street
South 34th and Pacific	Pacific Avenue	Pacific Avenue
South 56th Street and South Tacoma Way	South Tacoma Way*; South 56th Street	South Tacoma Way
East 72nd Street and Portland Avenue	East 72nd Street*; Portland Avenue	East 72nd Street, Portland Avenue



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South 72nd Street and Pacific Avenue	South 72nd Street; Pacific Avenue*	Pacific Avenue
Tacoma Central/Allenmore	Union Avenue*; South 19th Street between South Lawrence Street and South Union Avenue	Union Avenue south of South 18th Street; South 19th Street between South Lawrence Street and South Union Avenue
Tacoma Mall Area	South 47th/48th Transition Street; Steele Street*	N/A
TCC/James Center	Mildred Street*; South 19th Street	Mildred Street south of South 12th Street; South 19th Street
Westgate	Pearl Street*; North 26th Street	Pearl Street
<p><i>* Indicates primary designated pedestrian streets. In centers where multiple streets are designated, one street is designated the Primary Pedestrian Street. This is used when applying certain provisions, such as the maximum setback requirements for projects that abut more than one pedestrian street.</i></p>		

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## EXHIBIT "B"

### Downtown Tacoma Chapter 13.06A

Sections:

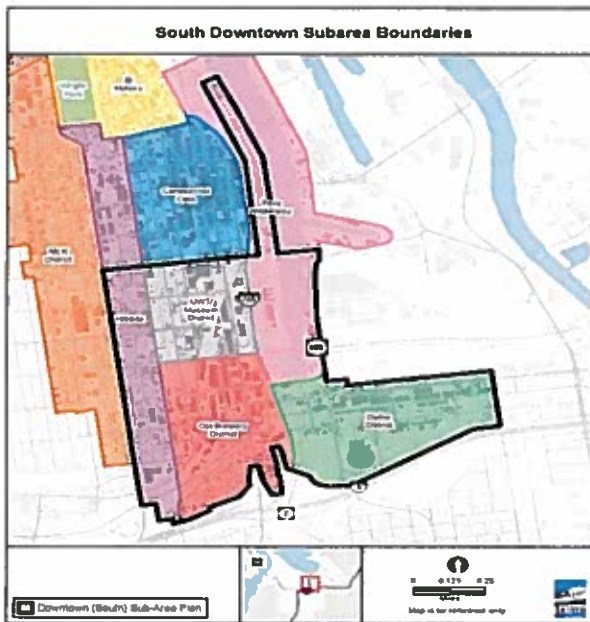
- 13.06A.010 Purpose.
- 13.06A.020 Applicability.
- 13.06A.030 Definitions.
- 13.06A.040 Downtown Districts and uses.
- 13.06A.050 Additional use regulations.
- 13.06A.052 Primary Pedestrian Streets.
- 13.06A.055 Nonconforming Development.
- 13.06A.060 Development Standards.
- 13.06A.065 Parking Standards.
- 13.06A.070 Basic design standards.
- 13.06A.080 Design standards for increasing allowable FAR.
- 13.06A.090 Transfer of Development Rights for Increasing Allowable Floor Area Ratio.
- 13.06A.100 Downtown Master Planned Development (DMPD).
- 13.06A.110 Variances.
- 13.06A.111 Downtown District Fencing Standards.
- ~~13.06A.112 Known Archaeological, Cultural, and Historic Resources within the South Downtown Subarea.~~
- ~~13.06A.113 Traffic Impacts Assessment.~~
- 13.06A.120 Repealed.
- 13.06A.130 Severability.

\* \* \*

### ~~13.06A.112 Known Archaeological, Cultural, and Historic Resources within the South Downtown Subarea.~~

~~See Figure 3 below for the South Downtown Subarea Boundaries.~~

~~Figure 3: South Downtown Subarea Boundaries~~





**A. Known Archaeological, Cultural and Historic Resources:**

1 1. Applications for a permit shall identify whether the property is within 500 feet of a site known to contain  
2 an historic, cultural, or archaeological resource(s). Records of known sites are restricted. Consultation with  
3 Washington Department of Archaeology and Historic Preservation or a certified archaeologist will be  
4 required. If the property is determined to be within 500 feet of a site known to contain historic, cultural, or  
5 archaeological resources, the City shall require a cultural resource site assessment; provided that, the  
6 provisions of this section may be waived if the Director determines that the proposed development  
7 activities do not include any ground disturbing activities and will not impact a known historic, cultural, or  
8 archaeological site. The site assessment shall be conducted in accordance with Washington State  
9 Department of Archaeology and Historic Preservation guidelines for survey and site reporting to determine  
10 the presence of significant historic or archaeological resources. The fee for the services of the professional  
11 archaeologist or historic preservation professional shall be paid by the landowner or responsible party.

12 2. If the cultural resource site assessment identifies the presence of significant historic or archaeological  
13 resources, a Cultural Resource Management Plan ("CRMP") shall be prepared by a professional  
14 archaeologist or historic preservation professional paid by the landowner or responsible party. In the  
15 preparation of such plans, the professional archaeologist or historic preservation professional shall solicit  
16 comments from the Washington State Department of Archaeology and Historic Preservation, and the  
17 Puyallup Tribe. Comments received shall be incorporated into the conclusions and recommended  
18 conditions of the CRMP to the maximum extent practicable.

19 3. A CRMP shall contain the following minimum elements:

20 a. The CRMP shall be prepared by a qualified cultural resources consultant, as defined by the Washington  
21 State Department of Archaeology and Historic Preservation.

22 b. The CRMP shall include the following information:

23 i. Description of the Area of Potential Effect ("APE") for the project, including a general description of the  
24 scope of work for the project and the extent and locations of ground disturbing activities. Ground disturbing  
25 activities include excavations for footings, pilings, utilities, environmental testing or sampling, areas to be  
26 cleared and/or graded, demolition, removal or relocation of any existing structures, and any other ground  
disturbances that may occur as a result of construction activities.

ii. Photographs of the APE, including existing structures and areas of construction activities;

iii. An examination of project on-site design alternatives;

iv. An explanation of why the proposed activity requires a location on, or access across and/or through, a  
significant historic or archaeological resource; and

v. Citations with dates, of any previous written documentation on listed or known culturally significant  
sites. In compiling this information, consultations with the following agencies shall be necessary. A list of  
the agency officials that were consulted with shall be included and contain the following:

27 a. State Department of Archaeology and Historic Preservation to identify buildings, sites or objects within  
28 the APE that are listed on the National Register of Historic Places or the Washington State Heritage  
Register.

29 a. City of Tacoma Historic Preservation Office to identify any buildings, sites, or objects within the APE  
30 listed on the Tacoma Register of Historic Places.

31 a. The Puyallup Tribe of Indians Historic Preservation Section to identify any buildings, sites, or objects  
32 within the APE that are within the 1873 Land Claims Settlement Survey Area.

33 vi. An assessment of probable adverse impacts to culturally significant buildings, sites or objects, resulting  
34 from:

35 a. Demolition of any buildings or structures over 50 years of age, or





1 ~~^The potential for the site to contain historic or prehistoric archaeological materials, based on the topography of the property, historical literature, geological data, geographical context, or proximity to areas of known cultural significance.~~

2 ~~vii. A description of how potential adverse effects to cultural resources as a result of construction activities will be mitigated or minimized. Mitigation may include, but is not limited to:~~

3 ~~^Additional consultation with federal, state, local and Tribal officials or Tacoma Landmarks Commission and/or;~~

4 ~~^Additional studies such as pedestrian surveys, subsurface testing, remote sensing, phased or periodic testing as a part of any geotechnical assessment or soil testing required for the project, or monitoring during construction and/or;~~

5 ~~^Subject to review and approval of the City's Historic Preservation Officer, other potential mitigation measures may include:~~

6 ~~^Avoidance of historic/cultural resources;~~

7 ~~^Retention of all or some of historic structure into a new development;~~

8 ~~^Interpretive/educational measures;~~

9 ~~^Off-site/on-site preservation of another historic resource;~~

10 ~~^Recording the site with the State Department of Archaeology and Historic Preservation, or listing the site in the National Register of Historic Places, Washington Heritage Register, as applicable, or any locally developed historic registry formally adopted by the City of Tacoma;~~

11 ~~^Preservation in place;~~

12 ~~^Reinterment in the case of grave sites;~~

13 ~~^Covering an archaeological site with a nonstructural surface to discourage pilferage (e.g., maintained grass or pavement);~~

14 ~~^Excavation and recovery of archaeological resources;~~

15 ~~^Inventorying prior to covering of archaeological resources with structures or development; and~~

16 ~~^Monitoring of construction excavation.~~

17 ~~4. Upon receipt of a complete permit application in an area of known historic/archaeological resources, the City shall notify and request a recommendation from appropriate agencies such as the Washington State Department of Archaeology and Historic Preservation, and the Puyallup Tribe. Recommendations of such agencies and other affected persons shall be duly considered and adhered to whenever possible and reasonable.~~

18 ~~5. The recommendations and conclusions of the CRMP shall be used to assist the Administrator in making final administrative decisions concerning the presence and extent of historic/archaeological resources and appropriate mitigating measures. The Administrator shall consult with the Washington State Department of Archaeology and Historic Preservation, and the Puyallup Tribe prior to approval of the CRMP.~~

19 ~~6. The Administrator may reject or request revision of the conclusions reached in a CRMP when the Administrator can demonstrate that the assessment is inaccurate or does not fully address the historic/archaeological resource management concerns involved.~~

20 ~~B. Unanticipated Discovery of Archaeological, Cultural and Historic Resources.~~

21 ~~All permit applications shall prepare a plan for the possible unanticipated discovery of historic, cultural or archaeological resource(s), including a point of contact, procedure for stop-work notification, and for notification of appropriate agencies.~~

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### **13.06A.113—Traffic Impacts Assessment.**

1 A. This section sets forth provisions for Traffic Impact Assessments located in the South Downtown  
2 Subarea; see Figure 3 above for subarea boundaries. Transportation impacts generally relate to the size of  
3 the development, the number of trips generated, and their combined effect on local and state streets and  
4 transportation facilities, transit operations, freight, and pedestrian and bicycling facilities and operations.  
5 The provisions of this chapter shall apply to all residential, commercial, and mixed-use development within  
6 the Downtown Tacoma Regional Growth Center boundaries, see Figure X: Downtown Tacoma Regional  
7 Growth Center.

8 The Department of Public Works will use the Traffic Impacts Assessment to evaluate impacts and assist in  
9 identifying and establishing mitigation measures that will address safety, circulation, and capacity issues;  
10 capacity will be addressed in terms of Level of Service established in the City Comprehensive Plan and  
11 applicable subarea plans. In those cases where DPW identifies potential impacts to State Highways, DPW  
12 will consult with the Washington State Department of Transportation (WSDOT) and collaborate with  
13 WSDOT in identifying mitigation measures.

14 B. Exemptions. The Director of Public Works may be able to provide an exemption from this impact  
15 analysis if a proposal has no meaningful potential for substantial transportation or traffic impacts. This may  
16 occur if the proposal has characteristics that may limit its net new vehicle traffic generation, or if only non-  
17 congested roadways and intersections are nearby, or if the net increase in traffic would not be significant  
18 compared to traffic from existing development.

19 C. Traffic Impact Assessments Use Category. The transportation information is required to be prepared and  
20 submitted to the Public Works Department at the time of permit intake. If such information is not present,  
21 the Public Works Department may delay completing the application process until such time as the  
22 information is available. After the application is accepted, the permit review by Public Works Department  
23 staff may generate a request for additional information, which will be detailed in a correction notice.

24 1. Level 1: The following information must be provided by a qualified expert in the form of a transportation  
25 impacts study:

26 a. Number of additional daily vehicle trips generated by the development as calculated using the ITE Trip  
27 Generation Manual, 8th Edition or successor edition.

28 b. Number of additional "peak hour" vehicle trips generated by the development in the afternoon peak  
29 hours as calculated using the ITE Trip Generation Manual, 8th Edition or successor edition.

30 c. The proposed access/egress routes, such as alleys and streets on which vehicles will enter and leave the  
31 site's parking garage or lot and including whether or not new curb cuts will be proposed.

32 d. An estimate of what proportion of the development's traffic is likely to use which streets.

33 e. Identify whether the nearest intersections are controlled by stop signs, traffic lights, or other form of  
34 traffic control.

35 f. Describe existing pedestrian and bicycle facilities in the immediate site vicinity, using the City's Mobility  
36 Master Plan.

37 g. Describe any proposed pedestrian or bicycle facility improvements.

38 h. Describe any impacts to State Highways.

39 2. Level 2: The following information must be provided by a qualified expert in the form of a transportation  
40 impacts study:

41 a. Identification of existing conditions, future baseline conditions, and number of additional daily vehicle  
42 trips generated by the development, specifically:

43 i. Information to describe the local streets, existing traffic volumes and turning movements, and traffic  
44 control devices on affected streets and intersections;



ii. Level of service information or alternate equivalent measures of traffic operation, delay, volume-to-capacity (v/c) ratio for affected intersections and/or streets;

iii. Traffic safety information—accident/collision history, for the latest three years;

iv. Trip Generation: use the ITE Trip Generation Manual, 8th Edition or successor, or alternate method to provide the following:

\* A calculation of reductions from basic trip generation, for internal trips, pass-by trips, and mode choices (e.g., proportion likely to use modes other than single-occupant vehicle travel), at the applicant's discretion;

\* A calculation of any other reductions justifiable due to the nature of the development or site;

\* A summary of the resulting trip calculations for residential and commercial uses.

b. Number of additional "peak hour" vehicle trips generated by the development in the afternoon peak hours:

i. Using comparable methods described under subsection C.1 immediately above, calculate peak hour vehicle trip generation;

ii. The proposed access/egress routes, such as alleys and streets on which automobiles will enter and leave the site's parking garage or lot and whether or not new curbeuts will be proposed;

iii. The applicant's estimate of "trip distribution" and assignment—what proportion of the development's traffic is likely to use which streets;

iv. Identify the probable extent of traffic impacts on affected streets and intersections as follows:

\* Afternoon peak hour turning movement impacts on identified intersections, and interpretation of the potential magnitude of impact, including roadway level of service, intersection level of service, and/or other methods of evaluating impacts on street and intersection operations, and

\* Site access operations, including information such as peak hour volumes, delay and/or level of service, and relationship to freight operations if relevant.

c. Summarize relationships and potential for impacts to transit service, non-motorized facilities in the site vicinity, and traffic safety, to the extent affected by the proposed development:

i. Description of proposed bicycle, pedestrian, transit, and freight facilities and operations as provided for in existing multimodal plans. This should include whether there are gaps in pedestrian connections from the site to the nearest transit stop or gaps in continuity of bicycle facilities in the site vicinity, and;

ii. Describe whether the development would adversely affect sidewalks, bicycle lanes, transit facilities, and whether it would contribute traffic to a high-accident location, and;

iii. Describe any planned improvements or reconstruction of sidewalks or streets adjacent to the development site.

d. Describe any impacts to State Highways.

USE	"Level 1" Analysis	"Level 2" Analysis
Residential	100 to 199 dwelling units	Over 199 dwelling units
Commercial	30,000-59,999 sq. feet	Over 59,999 sq. feet
If the residential unit count in a mixed-use development is less than the listed size ranges but the non-residential use exceeds 20,000 square feet:	20,000—59,999 sq. feet	Over 59,999 sq. feet

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## EXHIBIT "C"

### Chapter 13.12 Environmental Code

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3 Sections:

4 13.12.004 *Repealed.*  
5 13.12.010 *Repealed.*  
6 13.12.020 *Repealed.*  
7 13.12.025 *Repealed.*  
8 13.12.045 *Repealed.*  
9 13.12.055 *Repealed.*

10 **Part One – Purpose and Authority**

11 13.12.100 Purpose of this part and adoption by reference.  
12 13.12.120 Authority.  
13 13.12.130 Purpose, applicability, and intent.  
14 13.12.140 Environmental policy.  
15 13.12.150 Severability.

16 **Part Two – General Requirements**

17 13.12.200 Purpose of this part and adoption by reference.  
18 13.12.210 Lead agency – Responsibilities.  
19 13.12.220 Designation of responsible official.  
20 13.12.230 Designation and responsibility of the City's SEPA public information center (SEPA PIC).  
21 13.12.240 Timing of the SEPA process.

22 **Part Three – Categorical Exemptions**

23 13.12.300 Purpose of this part and adoption by reference.  
24 13.12.305 *Repealed.*  
25 13.12.310 Flexible thresholds for categorical exemptions.  
26 13.12.315 *Repealed.*  
27 13.12.320 Emergencies.  
28 13.12.340 *Repealed.*  
29 13.12.350 *Repealed.*  
30 13.12.355 *Repealed.*

31 **Part Four – Categorical Exemptions And Threshold Determination**

32 13.12.400 Purpose of this part and adoption by reference.  
33 13.12.408 *Repealed.*  
34 13.12.410 Categorical exemptions.  
35 13.12.420 Environmental checklist.  
36 13.12.430 Determination of non-significance (DNS).  
37 13.12.440 Mitigated DNS.  
38 13.12.450 Optional DNS process.  
39 13.12.460 *Repealed.*

40 **Part Five – Environmental Impact Statement (EIS)**

41 13.12.500 Purpose of this part and adoption by reference.  
42 13.12.510 Scoping.  
43 13.12.520 Expanded scoping (optional).  
44 13.12.530 EIS preparation.  
45 13.12.540 Issuance of final environmental impact statement (FEIS).



- 13.12.550 SEPA Planned Action EIS.
- 13.12.560 Optional Plan Elements and Development Regulations.
- 1 13.12.570 Archaeological, Cultural, and Historic Resources.
- 2 13.12.580 Traffic Impact Assessment.

3 **Part Six – Commenting**

- 3 13.12.600 Purpose of this part and adoption by reference.
- 4 13.12.610 Public notice.
- 4 13.12.620 Responding to SEPA Requests for Comment from Other Lead Agencies.
- 5 13.12.660 *Repealed.*
- 5 13.12.680 *Repealed.*
- 6 13.12.685 *Repealed.*

7 **Part Seven – Using Existing Environmental Documents**

- 7 13.12.700 Purpose of this part and adoption by reference.

8 **Part Eight – SEPA and Agency Decisions**

- 8 13.12.800 Purpose of this part and adoption by reference.
- 9 13.12.801 *Repealed.*
- 10 13.12.810 Substantive authority and mitigation.
- 10 13.12.820 Appeals of SEPA threshold determination and adequacy of final environmental impact statement.
- 11 13.12.880 *Repealed.*

12 **Part Nine – Definitions**

- 12 13.12.900 Purpose of this part and adoption by reference.
- 13 13.12.905 *Repealed.*
- 13 13.12.908 *Repealed.*
- 14 13.12.910 Additional definitions.
- 15 13.12.911 *Repealed.*
- 15 13.12.914 *Repealed.*

16 **Part Ten – Agency Compliance**

- 16 13.12.920 Purpose of this part and adoption by reference.
- 17 13.12.923 *Repealed.*
- 18 13.12.930 Critical areas.

19 **Part Eleven – Forms**

- 19 13.12.940 Purpose of this part and adoption by reference.
- 20 13.12.950 *Repealed.*

21 \* \* \*

21 13.12.570 Archaeological, Cultural, and Historic Resources.

22 A. This section sets forth provisions for addressing archaeological, cultural, and historic resources for  
 23 projects located within the Downtown Tacoma Regional Growth Center in areas where a Subarea Plan and  
 24 a companion area-wide, non-project Environmental Impact Statement (EIS) have been completed. The  
 25 Planning and Development Services Department will use this process and any required assessments to  
 26 evaluate potential impacts and assist in identifying and establishing appropriate mitigation measures.

27 B. Known Archaeological, Cultural and Historic Resources.

28 1. Applications for a permit shall identify whether the property is within 500 feet of a site known to contain  
 29 an historic, cultural or archaeological resource(s). Records of known sites are restricted. Consultation with  
 30 the Washington Department of Archaeology and Historic Preservation or a certified archaeologist will be  
 31 required. If the property is determined to be within 500 feet of a site known to contain historic, cultural, or



1 archaeological resources, the City shall require a cultural resource site assessment; provided that, the  
2 provisions of this section may be waived if the Director determines that the proposed development  
3 activities do not include any ground disturbing activities and will not impact a known historic, cultural or  
4 archaeological site. The site assessment shall be conducted in accordance with Washington State  
5 Department of Archaeology and Historic Preservation guidelines for survey and site reporting to determine  
6 the presence of significant historic or archaeological resources. The fee for the services of the professional  
7 archaeologist or historic preservation professional shall be paid by the landowner or responsible party.

8 2. If the cultural resource site assessment identifies the presence of significant historic or archaeological  
9 resources, a Cultural Resource Management Plan ("CRMP") shall be prepared by a professional  
10 archaeologist or historic preservation professional paid by the landowner or responsible party. In the  
11 preparation of such plans, the professional archaeologist or historic preservation professional shall solicit  
12 comments from the Washington State Department of Archaeology and Historic Preservation and the  
13 Puyallup Tribe. Comments received shall be incorporated into the conclusions and recommended  
14 conditions of the CRMP to the maximum extent practicable.

15 3. A CRMP shall contain the following minimum elements and information:

16 a. The CRMP shall be prepared by a qualified cultural resources consultant, as defined by the Washington  
17 State Department of Archaeology and Historic Preservation;

18 b. A Description of the Area of Potential Effect ("APE") for the project, including a general description of  
19 the scope of work for the project and the extent and locations of ground disturbing activities (ground  
20 disturbing activities include excavations for footings, pilings, utilities, environmental testing or sampling,  
21 areas to be cleared and/or graded, demolition, removal or relocation of any existing structures, and any  
22 other ground disturbances that may occur as a result of construction activities;

23 c. Photographs of the APE, including existing structures and areas of construction activities;

24 d. An examination of project on-site design alternatives;

25 e. An explanation of why the proposed activity requires a location on, or access across and/or through, a  
26 significant historic or archaeological resource; and

f. Citations, with dates, of any previous written documentation on listed or known culturally significant  
sites. In compiling this information consultations with the following agencies shall be necessary, and a list  
of the agency officials that were consulted with shall be included:

(1) State Department of Archaeology and Historic Preservation to identify buildings, sites, or objects within  
the APE that are listed on the National Register of Historic Places or the Washington State Heritage  
Register.

(2) City of Tacoma Historic Preservation Office to identify any buildings, sites, or objects within the APE  
listed on the Tacoma Register of Historic Places.

(3) The Puyallup Tribe of Indians Historic Preservation Section to identify any buildings, sites, or objects  
within the APE within the 1873 Land Claims Settlement Survey Area.

g. An assessment of probable adverse impacts to culturally significant buildings, sites, or objects, resulting  
from:

(1) Demolition of any buildings or structures over 50 years of age.

(2) The potential for the site to contain historic or prehistoric archaeological materials, based on the  
topography of the property, historical literature, geological data, geographical context, or proximity to areas  
of known cultural significance.

h. A description of how potential adverse effects to cultural resources as a result of construction activities will  
be mitigated or minimized. Subject to review and approval of the City's Historic Preservation Officer,  
appropriate mitigation may include, but is not limited to:

(1) Additional consultation with federal, state, local and tribal officials or the Tacoma Landmarks  
Commission.

(2) Additional studies such as pedestrian surveys, subsurface testing, remote sensing, phased or periodic  
testing as a part of any geotechnical assessment or soil testing required for the project, or monitoring during  
construction.



(3) Avoidance of historic/cultural resources;

(4) Retention of all or some of a historic structure into a new development;

(5) Interpretive/educational measures;

(6) Off-site/on site preservation of another historic resource;

(7) Recording the site with the Washington State Department of Archaeology and Historic Preservation, or listing the site in the National Register of Historic Places, Washington Heritage Register, as applicable, or any locally developed historic registry formally adopted by the City of Tacoma;

(8) Preservation in place;

(9) Reinterment in the case of grave sites;

(10) Covering an archaeological site with a nonstructural surface to discourage pilferage (e.g., maintained grass or pavement);

(11) Excavation and recovery of archaeological resources;

(12) Inventorying prior to covering of archaeological resources with structures or development; and

(13) Monitoring of construction excavation.

4. Upon receipt of a complete permit application in an area of known historic/archaeological resources, the City shall notify and request a recommendation from appropriate agencies such as the Washington State Department of Archaeology and Historic Preservation and the Puyallup Tribe. Recommendations of such agencies and other affected persons shall be duly considered and adhered to whenever possible and reasonable.

5. The recommendations and conclusions of the CRMP shall be used to assist the Director in making final administrative decisions concerning the presence and extent of historic/archaeological resources and appropriate mitigating measures. The Director shall consult with the Washington State Department of Archaeology and Historic Preservation and the Puyallup Tribe prior to approval of the CRMP.

6. The Director may reject or request revision of the conclusions reached in a CRMP when the Director can demonstrate that the assessment is inaccurate or does not fully address the historic/archaeological resource management concerns involved.

#### C. Unanticipated Discovery of Archaeological, Cultural and Historic Resources.

All permit applications shall prepare a plan for the possible unanticipated discovery of historic, cultural or archaeological resources, including a point of contact, procedure for stop-work notification, and for notification of appropriate agencies.

#### 13.12.580 Traffic Impact Assessment.

##### A. Purpose and Applicability.

1. This section sets forth provisions for Traffic Impact Assessments for projects located within the Downtown Tacoma Regional Growth Center in areas where a Subarea Plan and a companion area-wide, non-project Environmental Impact Statement ("EIS") have been completed. Transportation impacts generally relate to the size of the development, the number of trips generated, and their effect on local and state streets and transportation facilities, transit operations, freight, and pedestrian and bicycling facilities and operations.

The Department of Public Works will use the Traffic Impact Assessment to evaluate impacts and assist in identifying and establishing mitigation measures that will address safety, circulation, and capacity issues; capacity will be addressed in terms of Level of Service established in the City Comprehensive Plan and applicable sub-area plans. In those cases where the Department of Public Works identifies potential impacts to State Highways, they will consult with the Washington State Department of Transportation ("WSDOT") in identifying mitigation measures.

2. Exemptions. The Director of Public Works may be able to provide an exemption from this impact analysis if a proposal has no meaningful potential for significant and adverse transportation or traffic impacts. This may occur if the proposal has characteristics that may limit its net new vehicle traffic



generation, or if only non-congested roadways and intersections are nearby, or if the net increase in traffic would not be significant compared to traffic from existing development.

1 B. Definitions. For definitions, see Section 13.06.700.

2 C. Traffic Impact Assessments. Transportation information is required to be prepared and submitted to the  
3 Public Works Department at the time of permit intake. If such information is not submitted, the Public  
4 Works Department may delay completing the application process until such time as the information is  
5 made available. After the application is accepted, permit review by Public Works Department staff may  
6 result in a request for additional information, which will be detailed in a correction notice. The type and  
7 extent of analysis required, which is outlined below, is based on the project size, as follows:

<u>USE</u>	<u>"Level 1" Analysis</u>	<u>"Level 2" Analysis</u>
<u>Residential</u>	<u>100 to 199 dwelling units</u>	<u>Over 199 dwelling units</u>
<u>Commercial</u>	<u>30,000-59,999 sq. feet</u>	<u>Over 59,999 sq. feet</u>
<u>If the residential unit count in a mixed-use development is less than the listed size ranges, but the non-residential use exceeds 20,000 square feet:</u>	<u>20,000 – 59,999 sq. feet</u>	<u>Over 59,999 sq. feet</u>

11 1. Level 1: The following information must be provided by a qualified expert in the form of a transportation  
12 impacts study:

13 a. Number of additional daily vehicle trips generated by the development as calculated using the ITE Trip  
14 Generation Manual, 8th Edition or successor edition.

15 b. Number of additional "peak hour" vehicle trips generated by the development in the afternoon peak  
16 hours as calculated using the ITE Trip Generation Manual, 8th Edition or successor edition

17 c. The proposed ingress/egress routes, such as alleys and streets, on which vehicles will enter and leave the  
18 site's parking garage or lot, and whether or not new curb-cuts will be proposed.

19 d. An estimate of what proportion of the development's traffic is likely to use which streets.

20 e. Identify whether the nearest intersections are controlled by stop signs, traffic lights, or other form of  
21 traffic control.

22 f. Describe existing pedestrian and bicycle facilities in the immediate site vicinity, using the City's Mobility  
23 Master Plan.

24 g. Describe any pedestrian or bicycle facility improvements proposed.

25 h. Describe any impacts to state highways.

26 i. Summarize relationships and potential for impacts to transit service, passenger rail, and non-motorized  
27 facilities in the site vicinity, and traffic safety, to the extent affected by the proposed development.

28 2. Level 2: The following information must be provided by a qualified expert in the form of a transportation  
29 impacts study:

30 a. Identification of existing conditions, future baseline conditions, and number of additional daily vehicle  
31 trips generated by the development, specifically:

32 (1) Information to describe the local streets and state highways, existing traffic volumes and turning  
33 movements, and traffic control devices on affected streets, state highways, and intersections;

34 (2) Level of service information or alternate equivalent measures of traffic operation, delay, volume-to-  
35 capacity ("v/c") ratio for affected intersections and/or streets/highway;

36 (3) Traffic safety information – accident/collision history, latest 3 years;





1 (4) Trip Generation: use the ITE Trip Generation Manual, 8th Edition (or successor), or alternate method to  
2 provide the following:

3 (a) Calculate reductions from basic trip generation, for internal trips, pass-by trips, and mode choices (e.g.,  
4 proportion likely to use modes other than single-occupant vehicle travel), at the applicant's discretion.

5 (b) Calculate any other reductions justifiable due to the nature of the development or site.

6 (c) Summarize the resulting trip calculations for residential and commercial uses.

7 b. Number of additional "peak hour" vehicle trips generated by the development in the afternoon peak  
8 hours, specifically:

9 (1) Using comparable methods described under Subsection C.1. above, calculate peak hour vehicle trip  
10 generation; and

11 (2) Providing the proposed ingress/egress routes, such as alleys and streets, on which automobiles will enter  
12 and leave the site's parking garage or lot, and whether or not new curb-cuts will be proposed.

13 c. The applicant's estimate of "trip distribution" and assignment – what proportion of the development's  
14 traffic is likely to use which streets.

15 d. Identify the probable extent of traffic impacts on affected streets, highways, and intersections as follows:

16 (1) Afternoon peak hour turning movement impacts on identified intersections, and interpretation of the  
17 potential magnitude of impact, including roadway level of service, intersection level of service, and/or  
18 other methods of evaluating impacts on street and intersection operations.

19 (2) Site access operations, including information such as peak hour volumes, delay and/or level of service,  
20 and relationship to freight operations if relevant.

21 e. Summarize relationships and potential for impacts to transit service, passenger rail, and non-motorized  
22 facilities in the site vicinity, and traffic safety, to the extent affected by the proposed development,  
23 including:

24 (1) Description of proposed bicycle, pedestrian, transit, and freight facilities and operations as provided for  
25 in existing multimodal plans. This should include whether there are gaps in pedestrian connections from the  
26 site to the nearest transit stop or gaps in continuity of bicycle facilities in the site vicinity.

(2) Describe whether the development would adversely affect sidewalks, bicycle lanes, transit facilities,  
and whether it would contribute traffic to a high accident location.

(3) Describe any planned improvements or reconstruction of sidewalks or streets adjacent to the  
development site.

f. Describe any impacts to state highways.

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## EXHIBIT "D"

### 13.17.020 Residential target area designation and standards.

\* \* \*

C. Designated Target Areas. The proposed boundaries of the "residential target areas" are the boundaries of the 17 mixed-use centers listed below and as indicated on the Generalized Land Use Plan and in the Comprehensive Plan legal descriptions which are incorporated herein by reference and on file in the City Clerk's Office.

The designated target areas do not include those areas within the boundary of the University of Washington Tacoma campus facilities master plan (per RCW 84.14.060).

MIXED-USE CENTER	CENTER TYPE	ORIGINALLY ADOPTED
South 56th and South Tacoma Way	Neighborhood	November 21, 1995
Downtown Tacoma	Downtown	November 21, 1995
Proctor (North 26th and Proctor)	Neighborhood	November 21, 1995
Tacoma Mall Area	Urban	November 21, 1995
<u>Hilltop</u> Martin Luther King Jr. (South 11th and MLK Jr. Way)	Neighborhood	November 21, 1995
Westgate	Community	November 21, 1995
Lincoln (South 38th and "G" Street)	Neighborhood	November 21, 1995
6th Avenue and Pine Street	Neighborhood	November 21, 1995
Tacoma Central Plaza/Allenmore	Community	November 21, 1995
South 72nd and Pacific Avenue	Community	November 21, 1995
East 72nd and Portland Avenue	Community	November 21, 1995
Stadium (North 1st and Tacoma)	Neighborhood	November 21, 1995
James Center/TCC	Community	November 21, 1995
Lower Portland Avenue	Community	January 16, 1996
South 34th and Pacific Avenue	Community	December 11, 2007
McKinley (E. 34th and McKinley)	Neighborhood	December 11, 2007
Narrows (6th Avenue and Jackson)	Neighborhood	December 11, 2007



# EXHIBIT "E"

FIG. 6-4 EXISTING ZONING

