



**MINUTES** (Approved on 11-1-17)

**TIME:** Wednesday, October 18, 2017, 4:00 p.m.  
**PLACE:** Room 16, Tacoma Municipal Building North  
733 Market Street, Tacoma, WA 98402  
**PRESENT:** Stephen Wamback (Chair), Anna Petersen (Vice-Chair), Jeff McInnis, Brett Santhuff,  
Jeremy Woolley, Andrew Strobel, Carolyn Edmonds  
**ABSENT:** Dorian Waller

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

Chair Wamback called the meeting to order at 4:06 p.m. A quorum was declared.

**B. APPROVAL OF AGENDA AND MINUTES OF SEPTEMBER 20, 2017 AND OCTOBER 4, 2017**

The agenda was approved. The minutes of the meetings on September 20, 2017 and October 4, 2017 were reviewed and approved as submitted.

**C. PUBLIC COMMENTS**

Chair Wamback invited citizens to provide comments on items related to the agenda. The following citizens provided comments:

- 1) Doug Schafer, Tacoma Central Neighborhood Council:  
Mr. Schafer urged newer Commissioners to look thoroughly at the history of the issue related to billboards. He noted that the Planning Commission had come out strongly against the last recommendation for billboards. It had been an issue in Tacoma since 1997 and there had been prohibitions since the 1820s. Mr. Schafer recommended that there should not be any decisions made until what was being proposed had been clearly disclosed. He noted the differences in billboard sizes, commenting that removing the smaller billboards would not have much of a visual impact.

**D. DISCUSSION ITEMS**

**1. Billboard Regulations**

Chris Bacha, Chief Deputy City Attorney, discussed the main elements of the proposed settlement agreement with Lamar, which would amend sign code regulations related to billboards. He reviewed that Lamar's proposal would remove 111 out of a total 294 existing billboard faces over a 5 year period if the proposed ordinance was adopted. The proposed ordinance would require that, if the code was amended in the future to require the removal of signs, the City would pay fair market for those signs. The ordinance would be implemented through the settlement agreement, but the conditions of the agreement would not be implemented until the associated ordinance was adopted.

Commissioner Edmonds asked if the 111 faces that would be removed would have a specific size. Mr. Bacha responded that there would be an exhibit attached detailing which signs would be removed.

Commissioner Edmonds asked if the square footage for the 111 signs removed would be banked for use in the future. Mr. Bacha responded that it would, but there would be a cap limiting the total number of faces to 225.

Mr. Bacha reviewed the five year schedule for removal of billboards which would remove 64 faces in the first year and around 12 faces each subsequent year. Lamar could replace the billboards that had been removed but would not be able to install new billboards until they had removed 61 faces.

Chair Wamback asked if they would be able to locate billboards in new locations. Mr. Bacha confirmed that they could if they met the code requirements.

Commissioner Edmonds asked if the code changes would affect any other owners of billboards in Tacoma. Mr. Bacha responded that the code changes would affect any operator, but the settlement agreement would only affect Lamar.

Mr. Bacha reviewed that Lamar had promised in the settlement agreement that they would not challenge the ordinance if it was adopted. The City would be required to defend any legal challenge from other parties to the settlement agreement.

Commissioner Strobel asked if the City would be able to settle with a 3<sup>rd</sup> party if they challenged the ordinance or if it would have to go to litigation. Mr. Bacha responded that it would have to go to litigation.

Mr. Bacha reported that per the ordinance, the amortization provisions would be removed but other nonconforming sign code requirements would remain. He reported that the ordinance would authorize permits to be issued for over-height billboards establishing the existing heights as lawful.

The proposed code amendments were discussed. Shirley Schultz, Development Services Division, reviewed that as part of the settlement agreement Lamar would remove billboards from residential zones, shoreline zones, conservation districts, C-1 zones, and all rooftops. There would be a cap and replace requirement for other zones including NCX, DR, WR, and T. In addition, the new receiving areas would be established to allow bulletin sized billboards in CCX and C2 districts. Ms. Schultz reviewed a chart of the 2015 proposed code amendments as compared to the newly proposed code amendments from Lamar. Other changes would include no size limitation for wall billboards in DCC zones; some buffer and dispersal standards being reduced; poster sized billboards would be allowed in all billboard zones; design restrictions would be reduced; side by side posters would be incentivized to convert to a bulletin sign; and permits would become available for over height billboards.

Commissioner Santhuff asked if the cap and replace requirement would apply to the current square footage of billboards. Ms. Schultz responded that the square footage should stay the same or go down.

Chair Wamback noted that some of receiving areas might be viewable from the interstate, which was prohibited. Ms. Schultz responded that billboards in areas viewable from the interstate would have to go through a special permitting process.

Commissioner Santhuff noted that the concept to allow wall signs had been proposed as a mechanism for exchange without allowing new freestanding signs. He commented that allowing new freestanding signs was counter to what they had proposed.

Commissioner Strobel asked if rezoning or reclassifying zoning districts might affect the cap and replace zones. Mr. Bacha responded that the settlement agreement did not address zone changes, but did require compensation for any amendments that would cause billboards to be removed.

Chair Wamback commented that the City should own the billboards if they were guaranteeing the investment. Mr. Bacha responded that the agreement was as proposed by Lamar and it was a fair concern to raise.

Chair Wamback commented that the proposal appeared to be in violation of TMC 13.02.040, where ordinances regarding the development regulations of the City were the Planning Commission's primary function. He commented that it was not a continuation of the previous ordinance and they should be starting fresh with a public hearing and opportunities to make amendments before it goes to the City Council. Chair Wamback asked if the ordinance was subject to the initiative and referendum function of the City Charter. Mr. Bacha responded that he would have to get back to him with the answer.

Commissioner Santhuff asked for clarification on how many of Lamar's billboards were nonconforming and should have been removed. Ms. Schultz responded that the number would be the same as it was in 2015 minus the 32 billboards that had been removed since.

Commissioner Santhuff noted that the code for general sign requirements talked about the wall signs not obscuring or causing removal of significant architectural features except as permitted by applicable law. He asked if the language was meeting the intent of the Planning Commission concerning wall signs and not wanting significant alterations to a building just to accommodate a wall sign.

## **2. Capital Facilities Program (CFP) Amendment**

Christina Curran, Office of Management and Budget, reported that they had a new project, the Neighborhood & Community Services Readiness Site, that needed to be added to the Community Development section of the 2017-2022 Capital Facilities Program (CFP) to enable it to become eligible for certain funding sources. The project was for a new readiness site related to the emergency ordinance for the health and safety of homeless encampments. The amendment to the CFP would be considered by the City Council concurrently with the adoption of the City's 2017-2018 mid-biennium budget modification.

Commissioner McInnis asked for additional details on what would be built. Tanisha Jumper, City Manager's Office, responded that they were looking for a site to take in people who were working or looking for work. Jennifer Hines, Public Works, added that they were looking at a potential site that could house up to 44 persons. Ms. Hines reported that the \$2.9 million estimated cost for the project included purchase of the building, testing, rehab to make the building livable, and the services that would be provided. Commissioner McInnis commented that the number seemed low for what was being proposed. Ms. Curran responded that the number was an estimate and as they moved forward, they would update the funding costs, which would be included as part of the CFP proposed amendment.

Vice-Chair Petersen motioned that the Planning Commission hold a public hearing on November 1, 2017 on the proposed amendment to the 2017-2022 Capital Facilities Program before making a recommendation to the City Council. Commissioner McInnis seconded. Chair Wamback requested that staff provide additional detail in the preliminary comments before their public hearing on the capital costs vs operating expenses, how many people would be helped, how many units were involved, and transition time. The motion was approved unanimously.

## **3. Tacoma Mall Neighborhood Subarea Plan**

Elliott Barnett, Planning Services Division, reviewed that the meeting objective was to make the final decisions for ten topics; to confirm the findings report and letter of recommendation; and to forward the package to the City Council. He went through each of the items one at a time to allow the Commission to take straw polls.

The Madison District zoning was discussed. Mr. Barnett reviewed the concept to lower heights in the residential core to create a residential enclave with a distinct character and to take advantage of green streets opportunities. Mr. Barnett reviewed that there had been an alternative option sent out for review that allowed for more height along South Warner Street, but environmental services staff had expressed concern about having a full green street on South Warner with the higher building height.

Commissioner Strobel asked for more detail about the concerns of Environmental Services with regard to a green street not being feasible on South Warner with a taller allowed building height. Mr. Barnett responded that the increase in trips and potential pollution that would be affecting that street enough that they would not be comfortable having a green street there.

Commissioner Santhuff noted that the Madison School space had been identified both as open space and as a catalyst site. He commented that allowing something more intense would be counter to the open space policy that they had in the document.

Chair Wamback reviewed that he had advocated for a higher level of development along Warner because it was a major arterial, but questioned if the lot sizes would allow the maximum potential building size. He concurred with Commissioner Santhuff that allowing a higher development potential at the Madison could

be a good thing, but would change the underlying value, potentially forcing the school district to sell and making it less likely to become a park.

Chair Wamback called for a straw poll for those in favor of the staff proposed zoning for the Madison District. All Commissioners voted in favor.

The development regulation agreement (DRA) proposal was discussed. Mr. Barnett reviewed that DRA's were a review process to provide more flexibility with the code for large projects that provided public benefits while meeting policy intent. The criteria had been tailored to the goals of achieving vitality in the neighborhood.

Chair Wamback called for a straw poll of those in favor. All Commissioners voted in support.

Housing Affordability was discussed. Mr. Barnett reviewed that it was a neighborhood where housing costs were low, but there were many people struggling with housing costs. They had heard several comments expressing concern that the percentage of affordable housing could drop substantially. In response they were proposing a revision to the benchmarks for affordability to have at least half of the neighborhood remain affordable for moderate to low incomes.

Commissioner Strobel asked if it would be possible to condition non-affordable units so that they reflect affordable characteristics like transit oriented development. Mr. Barnett responded that they were seeking to make the whole neighborhood transit ready.

Chair Wamback reviewed concerns that current rents were starting at \$1,250 for one bedroom units. He commented that based on the rent for available units, he had a difficult time believing that 90% of existing housing units were affordable. Mr. Barnett responded that \$1,250 was at 80% AMI for the County.

Chair Wamback called for a straw poll of those in favor of the proposed recommendation. All Commissioners voted in support going forward with the staff recommendation.

The proposed bike and pedestrian network was discussed. Mr. Barnett noted receiving comments from Pierce County stating that Wright Avenue was not an appropriate bike boulevard. Upon review, staff was recommending removing the Wright Avenue bike boulevard; connecting the loop road; and extending 40<sup>th</sup> as a bike route all of the way to Union Avenue.

Vice-Chair Petersen commented that Wright Avenue was currently used by bike commuters and they should not throw out the bike boulevard concept, as biking up Pine Street was dangerous.

Commissioner Strobel noted that the Wright Avenue bike boulevard had been recommended by BPTAG and the Transportation Commission. He commented that he would want to see it remain.

Chair Wamback called for a straw poll of those in favor removing the Wright Avenue bike boulevard. Commissioners voted against removing it with Chair Wamback abstaining.

Chair Wamback called for a straw poll of those in favor of connecting to the loop road. All Commissioners voted in support.

Chair Wamback called for a straw poll of those in favor of extending the bike route on 40th. All Commissioners voted in support.

The Capital Projects list was discussed. Mr. Barnett noted that for the neighborhood wide proposal to address sidewalk gaps they were recommending moving the project up to the near term project list. They were proposing moving South 35<sup>th</sup> Street from the long term list up to the mid-term list. They also proposed adding the Cedar Street connection and changing the capital project list to reflect the bike network change.

Commissioner Strobel asked how they were moving South 35<sup>th</sup> Street to the mid-term list. Mr. Barnett noted that the subarea plan had its own project list, which would go to the Transportation Commission as a mid-term action. It was yet to be determined how it should integrate with Citywide projects.

Chair Wamback called for a straw poll of those in favor of the staff recommendations. All Commissioners voted in support.

Chair Wamback recessed the meeting at 5:57 p.m. The meeting resumed at 6:08 p.m.

Connectivity was discussed. Mr. Barnett reviewed that they had seriously considered questions as to whether the connectivity proposal would be a taking, whether they had considered nexus and proportionality, and whether the process would be easy to understand. He reviewed that the objectives for connectivity were to establish a vision for a 600 by 600 foot block. Staff was proposing a revised site approval process that used the existing code for notice and appeals that would increase thresholds to the existing SEPA thresholds, that would not require a specific alignment for needed connections, and that would not require a binding site plan. He reviewed a new map of the proposed connections which included the Tier 1 connections, but no longer mapped Tier 2 connections. Instead they indicated which points they wanted to connect without specific alignments proposed. The new connectivity goals would also extend South 37<sup>th</sup> Street to Steele to create a viable alternative to 38<sup>th</sup> Street. They were also proposing retaining the current SEPA thresholds for the purpose of transportation impact analysis within the subarea.

Commissioner Edmonds expressed support for the new connection points for Tier 2 streets, which provided flexibility.

Commissioner Strobel asked if the site approval process would result in private drives being constructed. Mr. Barnett responded it was for a potential connectivity plan and they would not encumber the property at the time unless they were constructing something so big that it warranted the action.

Commissioner Strobel asked why they couldn't use point connections for the bike connectivity as well.

Vice-Chair Petersen commented that she like the idea of the site approval process, but was concerned about it being non-binding. Mr. Barnett responded that based on discussion with the attorney's office, the most defensible way to proceed was to only encumber properties based on actual impacts of what was being proposed.

Commissioner McInnis suggested that the threshold should be higher than 10,000 square feet and that the northwest quadrant could be improved significantly without chopping it up. He commented that with the connectivity requirement they were losing the ability to have something really innovative there or to have incremental improvements. Mr. Barnett responded that site approval was a call to give consideration to future transportation need.

Chair Wamback commented that most of the streets proposed were streets that the City had previously vacated. He commented that they had now changed their mind and instead of the City proposing to partner with private land owners they were trying to impose it through the community plan. He commented that he didn't see a way to get a connected street through the incremental approach and that they would need to bring money to the table and work with the developers and develop the streets if they wanted it to happen. He reported that he would be voting no on the entire subarea plan because he didn't think they could ask private property owners to bail them out of a previous generation's bad decisions. Mr. Barnett responded that the neighborhood had a different vision and zoning since the vacation of the right of way in the 1960s. He commented that it was critical to call out the goal to create a 600 by 600 foot block scale and future roadway.

Vice-Chair Petersen commented that the huge mega blocks were not walkable and they needed to make the point that something needed to be done. She commented that the 37<sup>th</sup> Street Connection would make it easier for people to patronize those businesses without having to use 38<sup>th</sup> Street.

Commissioner Edmonds commented that she liked the plan and the site approval process. She commented that they were getting wrapped up in a debate on whether the vision or public dollars should come first and that she felt that the vision should come first.

Commissioner Santhuff commented that he supported the plan and felt that the changes had made it better. He commented that they needed the roadmap to make the new connections happen and the City would need to take a leadership role, which the document currently reflected.

Commissioner McInnis commented that the statement that it was a 20 year plan didn't fit the site approval process which held them to 10,000 square feet. He commented that he could support it if they were redeveloping an entire site.

Chair Wamback called for a straw poll of those in favor of the staff recommendation with the modifications to the map and the adjustment to increase the thresholds for traffic impact analysis and the site approval process to follow existing SEPA requirements. Commissioners voted 4-2 in favor with Chair Wamback and Commissioner McInnis voting against. Commissioner Woolley abstained from voting.

Bike and pedestrian standards were discussed. Mr. Barnett reviewed that the proposed modifications included lowering the alteration threshold, requiring fewer connections for non-pedestrian oriented land uses, and adding the concept of a through connection for larger proposals. Mr. Barnett reviewed hypothetical development scenarios where internal pedestrian access paths would be required and where a through connection would be required for larger site.

Commissioner Edmonds asked how they would make sure that the pedestrian paths were safe. Mr. Barnett responded that they would be reviewed to meet pedestrian safety standards.

Commissioner Strobel asked if the 14 foot standard for a pedestrian pathway was the standard for commercial areas. Mr. Barnett responded that 14 feet was a minimal standard for multi-use trails.

Chair Wamback called for a straw poll of those in favor or the staff recommendation. All Commissioners voted in support.

Catalyst sites were discussed. Mr. Barnett reviewed the proposed modification to add a potential catalyst site in the northwest quadrant that incorporated an assemblage of smaller, under-utilized sites.

Chair Wamback commented that the proposal made it appear that the Commission was dismissive of what was on the ground currently and wanted to replace it with something new.

Vice-Chair Petersen asked if the public comment requesting a catalyst site was about that area in particular and how many comments they had received. Mr. Barnett responded that there had been one comment which had focused on the northwest quadrant.

Commissioner Santhuff commented that additional catalyst sites diluted the importance of sites they had mapped, but he supported the addition to create another front door to the neighborhood.

Chair Wamback called for a straw poll of those in favor of the addition of the catalyst site. Commissioners voted 4-2 in favor with Chair Wamback and Commissioner Strobel voting against. Vice-Chair Petersen abstained from voting.

Community Attributes Inc. (CAI) case study findings were discussed. Mr. Barnett reviewed the key findings including that transportation investments were critical, connectivity requirements were important, and City catalytic action would be very helpful. The proposed changes were to add an action for the City to spearhead catalytic projects and to strengthen the call for a funding mechanism.

Chair Wamback asked if the proposed changes were only to the text or if they would be impacting goals. Mr. Barnett responded that they would add a new action and a summary with the key findings in the Shared Prosperity chapter.

Chair Wamback called for a straw poll of those in favor of the staff recommendation. All Commissioners voted in support.

Tracking progress was discussed. Mr. Barnett commented that they were proposing to create a simple mechanism to track growth over time and tie it to the completion of capital projects that they were listing. It would provide accountability that infrastructure would take place with growth.

Chair Wamback called for a straw poll of those in favor of the staff recommendation. All Commissioners voted in support.

Mr. Barnett reviewed the draft Findings of Fact and Recommendations report and reviewed that they would later add the conclusions that had come from that evening's discussion. He reviewed the draft

letter of recommendation to the City Council, noting that the final language would be decided by the Chair. Mr. Barnett requested that the Commission consider making a motion.

Chair Wamback commented that for the letter he would be making only minor changes unless any Commissioners wished to suggest substantial changes. Commissioner Strobel asked if the Chair would wish to include the minority concern, as he had stated that he would be voting against the overall package. Chair Wamback responded that the letter would reflect the will of the whole Commission and that he would not use it to communicate alternate points of view.

Commissioner Santhuff provided minor corrections for the Findings of Fact.

Brian Boudet, Planning Services Division Manager reviewed the straw votes of the Commission across the ten items.

Commissioner Strobel motioned to recommend to the City Council approval of the Subarea Plan with the previously discuss modifications and the individual modifications made by the Commission at that meeting. Vice-Chair Petersen seconded. The motion was approved 6-1 with Chair Wamback opposed.

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

Mr. Boudet provided the following updates:

- The City Council had adopted the modified emergency interim regulations for homeless shelters and incorporated two amendments.
- The City Council public hearing for the Tidelands Interim Regulations had received testimony from around 75 people with comments similar to what had been heard by the Commission, including requests to shorten the timeline for completion of the subarea plan. The City Council Study Session on November 7 would review the comments and discuss potential amendments. A joint study session was being scheduled to discuss the status of discussions regarding the interlocal agreement for the Tidelands Subarea Plan.
- The Planning Commission work program had been reviewed at a recent Infrastructure, Planning, and Sustainability Committee meeting, Mr. Boudet having reported that because of the significant initiatives they were being forced to defer some items from the Annual Amendment.
- There would be an opening for the Prairie Line Trail Heritage Grant art installations with a walking tour and art symposium on October 19.
- The second in the series of Conversations Regarding Tacoma would be on October 19.

#### **F. ADJOURNMENT**

At 8:07 p.m., the meeting of the Planning Commission was concluded.