



TO: Elizabeth Pauli, City Manager
FROM: Chris Seaman, Commercial Building Review Supervisor, Planning and Development Services
Peter Huffman, Planning and Development Services
COPY: City Council and City Clerk
SUBJECT: Ordinance – Amendments to Development Codes – September 17, 2024
DATE: August 28, 2024

SUMMARY AND PURPOSE:

An ordinance amending Chapters 2.02 Building Code, 2.06 Plumbing Code, 2.07 Mechanical Code, 2.09 Fee Code, 2.19 Site Development Code, and 2.22 Right-of-Way Development Code of the Tacoma Municipal Code and creating Chapter 2.23 Tower Crane Code to comply with changes to the Revised Code of Washington, effective January 1, 2025.

BACKGROUND:

This Department’s Recommendation is Based On: Washington State House Bill (HB) 2022 concerning construction crane safety and Washington State Senate Bill (SB) 5290 concerning consolidating local permit review process have both been signed into law. Changes to Tacoma Municipal Code (TMC) Title 2 are required to comply with and clarify the applicability of changes to Revised Code of Washington (RCW).

HB 2022 creates RCW 36.70B.270 which requires local governments develop permitting procedures for the assembly, disassembly, and reconfiguration of tower cranes that includes street closures and notice to impacted residents and occupants. Chapter 2.23 Tower Crane Code has been written to comply with this new State requirement.

SB 5290 creates permitting deadlines for project permits, which include things such as subdivisions, conditional use permits, and other permits regulated by TMC Title 13 Land Use Regulatory Code. Staff believes the changes to RCW 36.70B may create confusion on the applicability of the deadlines to development permits regulated by TMC Title 2 Building and Development Code. Amendments are proposed to Chapters 2.02 Building Code, 2.06 Plumbing Code, 2.07 Mechanical Code, 2.09 Fee Code, 2.19 Site Development Code, and 2.22 Right-of-Way Development Code to clarify that RCW 36.70B.060 through RCW 36.70B.090 and 36.70B.110 through 36.70B.130 are not applicable to those permits.

COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

The proposed changes to TMC Title 2 are in response to changes in RCW. Community engagement was included as part of the state legislative process. The new requirement for local governments to issue permits for tower cranes is applicable statewide. Staff will work with developers to ensure that the permitting process is clear. All other changes do not directly impact our customers. Permitting timeframes will continue to be driven by the PDS Strategic Plan.

2025 STRATEGIC PRIORITIES:

Equity and Accessibility: People living and occupying buildings adjacent to development will be given additional notice when tower cranes are being assembled, disassembled, and reconfigured. This additional notice will give people the opportunity to make informed choices about whether they should choose to relocate when the tower crane work is occurring. Rights of way impacted by tower crane assembly, disassembly, and reconfiguration will now be entirely closed. This will increase public safety for all users of the right-of-way.



Livability: *Equity Index Score:* Low Opportunity

Increase positive public perception of safety and overall quality of life.

Explain how your legislation will affect the selected indicator(s).

The proposed changes increase public safety by providing notice to impacted properties and closing of rights of way during tower crane assembly, disassembly, and reconfiguration.

ALTERNATIVES:

Alternative(s)	Positive Impact(s)	Negative Impact(s)
1. No action		Noncompliance with RCW
2. Accept Tower Crane Changes only	Shorter overall TMC Title 2	Confusion for customers

EVALUATION AND FOLLOW UP:

Over the next several months staff will engage with the Information Technology department to create the infrastructure to accept tower crane permits. Staff will also communicate with developments currently under construction and those that have not yet begun construction to ensure their projects are not unnecessarily delayed by the new permit requirement.

STAFF/SPONSOR RECOMMENDATION:

Staff recommends adopting the proposed amendments to Chapters 2.02 Building Code, 2.06 Plumbing Code, 2.07 Mechanical Code, 2.09 Fee Code, 2.19 Site Development Code, and 2.22 Right-of-Way Development Code and creation of Chapter 2.23 Tower Crane Code, to coincide with the effective date of modifications to the RCW, effective January 1, 2025.

FISCAL IMPACT:

Implementation of the proposed Tower Crane code will have no measurable financial impact. Fees will be recovered by billing for plan review and inspections services hourly. The low number of tower crane permits that will be processed and the amount of staff time to engage with tower crane permits is not expected to have a measurable impact to staff workload.

ATTACHMENT:

- Proposed TMC Title 2