



TO: Elizabeth Pauli, City Manager
FROM: Brian Boudet, Planning Manager, Planning and Development Services
Peter Huffman, Director, Planning and Development Services *PH*
COPY: City Council and City Clerk
SUBJECT: Ordinance – Adopting Proposed Historic Preservation Regulatory Amendments to the Comprehensive Plan and Land Use Regulatory Code for 2019 – September 17, 2019
DATE: August 23, 2019

SUMMARY:

An ordinance amending various chapters of Title 1 and 13 of the Municipal Code, relating to historic preservation regulatory amendments to the Comprehensive Plan and Land Use Regulatory Code for 2019, as recommended by the Planning Commission on June 19, 2019.

STRATEGIC POLICY PRIORITY:

Adopting the proposed historic preservation regulatory amendments will directly improve the operations and effectiveness of the Historic Preservation Program toward its objectives of encouraging investment in historically significant buildings in Tacoma and the preservation of architecturally and culturally significant sites. These objectives primarily fall under the following strategic policy priority:

- Assure outstanding stewardship of the natural and built environment.

BACKGROUND:

Prepared pursuant to the Washington State Growth Management Act, the proposed amendments to the Comprehensive Plan and Land Use Regulatory Code for 2019 (2019 Amendment) include the following six applications: (1) Future Land Use Map Implementation, (2) Shoreline Master Program Periodic Review, (3) Affordable Housing Action Strategy, (4) Historic Preservation Code Amendments, (5) Manitou Potential Annexation Area, and (6) Minor Plan and Code Amendments.

The Planning Commission completed its review of the 2019 Amendment through an extensive and inclusive public engagement process, including two public hearings conducted on May 1 and May 15, 2019. The public hearing on May 15, 2019, also included a joint public hearing with the State Department of Ecology concerning the application of Shoreline Master Program Periodic Review. The Commission recommended on June 19, 2019, that the 2019 Amendment be adopted by the City Council. The Commission submitted, and filed with the City Clerk's Office, the Planning Commission's Findings of Fact and Recommendations Report for the 2019 Amendment, June 19, 2019. The report documents the public review and community engagement process and the Commission's deliberations and decision-making concerning the six applications.

Pursuant to Tacoma Municipal Code (TMC) 13.02.045, the City Council shall hold a public hearing before enacting any proposed amendments to the Comprehensive Plan and the TMC. The City Council has fulfilled said requirement by conducting a public hearing on August 20, 2019, concerning all six applications for the 2019 Amendment.

ISSUE:

This ordinance pertains to the application of Historic Preservation code amendments, which includes nine proposed amendments to Chapters 1.42, 13.06, 13.07, and 13.12 of the TMC. These amendments will address language consistency, modify the composition of the Landmarks Preservation Commission,



streamline and clarify the nomination process for City landmarks, improve the flexibility of the Historic Conditional Use Permit, clarify and streamline the existing Cultural Resource Review process for subareas, and establish a citywide demolition review process.

The proposed historic preservation amendments were reviewed by the Landmarks Preservation Commission during 2018-19 and recommended to the Planning Commission on December 12, 2018.

Key elements of the proposed amendments include:

- Establishment of a citywide demolition review process that would include review of demolition permits for adverse effects to historically significant properties over 4,000 square feet, within Mixed Use Centers, and within National Register Historic Districts or affecting National Register listed buildings, as well as clarifying existing demolition review language in code.
- Amendments to clarify the nomination and designation process, including improvements to language regarding elements that can be included in historic designations, as well as improvements to the language regarding City Council review of nominations (TMC 13.07.050 and others).
- Changes to nomination requirements to ease nominations locally for individual properties already on the National Register of Historic Places.
- Increase effectiveness of Historic Conditional Use Permit by clarifying elements of listed properties eligible for Conditional Use, as well as potential expansion of use palette.

ALTERNATIVES:

No alternatives are under consideration at this time.

If the proposed amendments are not adopted, the demolition review processes currently in place, including the Historic and Cultural Resources code section (TMC 13.12.570), would remain in effect. However, review in Mixed Use Centers and in National Register Districts, as well as citywide, would not occur.

RECOMMENDATION:

Staff recommends the City Council adopt the proposed Historic Preservation code improvements, as recommended by the Planning Commission and as depicted in Exhibits A-D. Staff also recommends setting the effective date of the legislation as October 31, 2019.

FISCAL IMPACT:

There is no fiscal impact.