



ORDINANCE NO. 28724

1 AN ORDINANCE relating to zoning; amending Chapter 13.06 of the Tacoma
2 Municipal Code, by amending Section 13.06.070, entitled “Overlay
3 Districts,” to establish a View Sensitive Overlay District - 20, with a 20-foot
4 building height limit, and an area-wide rezone for specified areas within the
5 View Sensitive Overlay District, as part of the 2020 Amendment to the
6 Comprehensive Plan and the Land Use Regulatory Code, to become
7 effective January 1, 2021.

8 WHEREAS the state’s Growth Management Act (“GMA”), RCW 36.70A,
9 requires that any amendments to the City’s Comprehensive Plan and/or
10 development regulations conform to the requirements of the GMA, and that all
11 proposed amendments, with certain limited exceptions, be considered concurrently
12 so the cumulative effect of the various changes can be ascertained, and

13 WHEREAS proposed amendments must also be consistent with state,
14 regional, and local planning mandates, and

15 WHEREAS the 2020 Amendment includes the following three applications:
16 (1) a land use designation change to the Heidelberg-Davis site, (2) a height limit
17 change to the View Sensitive Overlay District, and (3) minor plan and code
18 amendments, and

19 WHEREAS this ordinance pertains to the height limit change for the View
20 Sensitive Overlay District (“VSD”), and

21 WHEREAS this application seeks to reduce the allowable building height
22 from 25 feet to 20 feet within the West End VSD, and the area under consideration
23 was expanded by the Planning Commission (“Commission”) during the scoping
24 phase to include five areas within the existing VSD, referred to as Nodes 1 through
25 5, that exhibit similar development patterns, and
26



1 WHEREAS because the application is private, in the staff report to the
2 Planning Commission no recommendation was provided but staff did note that the
3 purpose of the View-Sensitive Overlay District is to maintain height compatibility
4 between new development and existing development in areas with long standing
5 residential development with views of the Puget Sound and the Narrows Bridge,
6 and that the View Sensitive Overlay District balanced the interests of new
7 development or remodel to existing development with the interests of the public
8 and surrounding property owners in preserving the character of the neighborhood
9 including public and private views, and
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11 WHEREAS staff further noted that a View Sensitive Overlay District has
12 been previously established in areas with steep topography and patterns of larger
13 lots, and is consistent with the City's Comprehensive Plan and Ordinances, and
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15 WHEREAS the Commission completed its review of the 2020 Amendment
16 through an extensive and inclusive public engagement process, including a public
17 hearing conducted on October 7, 2020, and
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19 WHEREAS in response to public testimony, the Commission considered
20 two potential modifications to the proposal: (1) removing the entire Node 4 from
21 consideration for the proposed height reduction, and (2) adjusting the boundaries
22 of Node 2 by removing five lots along the uphill edge of the area from the
23 consideration for the proposed height reduction, and
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25 WHEREAS the Planning Commission acknowledged the broad public
26 support the proposal received, and recognized that water views, topography, and



1 building height are character-giving attributes of many of our neighborhoods, and
2 expressed its support for the community's sentiment that Tacoma can both grow
3 and change, yet still maintain unique neighborhoods, and
4

5 WHEREAS the Commission did not incorporate either modification into the
6 proposal, and did not recommend approval of the application, and

7 WHEREAS the Commission put forth the Planning Commission's Findings
8 of Fact and Recommendations Report for the 2020 Amendment and its Letter of
9 Recommendation, both dated November 4, 2020, which document the public
10 review and community engagement process, as well as the Commission's
11 deliberations and recommendations concerning the three applications, and
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13 WHEREAS the Planning Commission is a recommending body but final
14 legislative policy and decision-making authority on applications is vested solely in
15 the City Council, which on November 24, 2020, in accordance with Tacoma
16 Municipal Code 13.02, conducted a public hearing to receive public comments on
17 the proposed recommendations, and
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19 WHEREAS the City Council has considered the public comments, staff
20 report and Planning Commission findings and recommendations and now desires
21 to directly consider the application for approval as consistent with the City's
22 Comprehensive Plan and Ordinances; Now, Therefore,
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BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the recitals set forth above are hereby adopted as the Findings of the City Council and are by this reference incorporated herein as if set forth in their entirety.

Section 2. That the City Council hereby adopts the proposed updates to the Comprehensive Plan and the Land Use Regulatory Plan, as set forth in the attached Exhibits "A" and "B," to become effective January 1, 2021.

Section 3. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



Note: These amendments show all of the changes to existing Land Use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that has been deleted is shown as ~~strikethrough~~.

**CHAPTER 13.06
ZONING**

* * *

13.06.070 Overlay Districts.

A. View-Sensitive Overlay District.

1. Applicability.

a. The View Sensitive Overlay Districts (VS-20) and (VS-25) shall apply to all buildings, structures, or portions thereof, hereafter erected within the designated Overlay District.

The View Sensitive 20-Foot Overlay District – In areas with a predominant 20-foot development pattern which orient towards views of the Puget Sound and/or the Narrows Bridge. (VS-20)

The View Sensitive 25-Foot Overlay District - In areas with a predominant 25-foot development pattern which orient towards views of the Puget Sound and/or the Narrows Bridge. (VS-25)

~~a~~b. This section shall not apply to any building, structure, or portion thereof within any development or subdivision which is greater than 30 acres in size and which has an approved site plan or residential plat; provided, such site plans must have established the height or elevation of buildings, and such residential plats must have active architectural control committees, of which a resident or property owner of the plat shall be a member, and recorded covenants which give consideration to protection of views, and the architectural control committee must have reviewed and approved the plans of the building or structures before submittal to the City.

~~b~~c. Map.

<Approved Map to be inserted>

2. Purpose.

The purpose of the View-Sensitive Overlay District is to maintain height compatibility between new development and existing development in areas with long standing residential development with views of the Puget Sound and the Narrows Bridge. The View Sensitive Overlay District was established to balance the interests of new development or remodel to existing development with the interests of the surrounding property owners who wish to preserve the character of the neighborhood including public and private views. The View Sensitive Overlay District has been established in areas with steep topography and an established pattern of larger lots.

3. District development standards.

a. A building, structure, or portion thereof, hereafter erected, shall not exceed a height of ~~25 feet~~20 feet, or 25 feet per applicable Overlay District designation, except as provided in Sections 13.06.010.F, 13.05.010.A and 13.06.010.B.

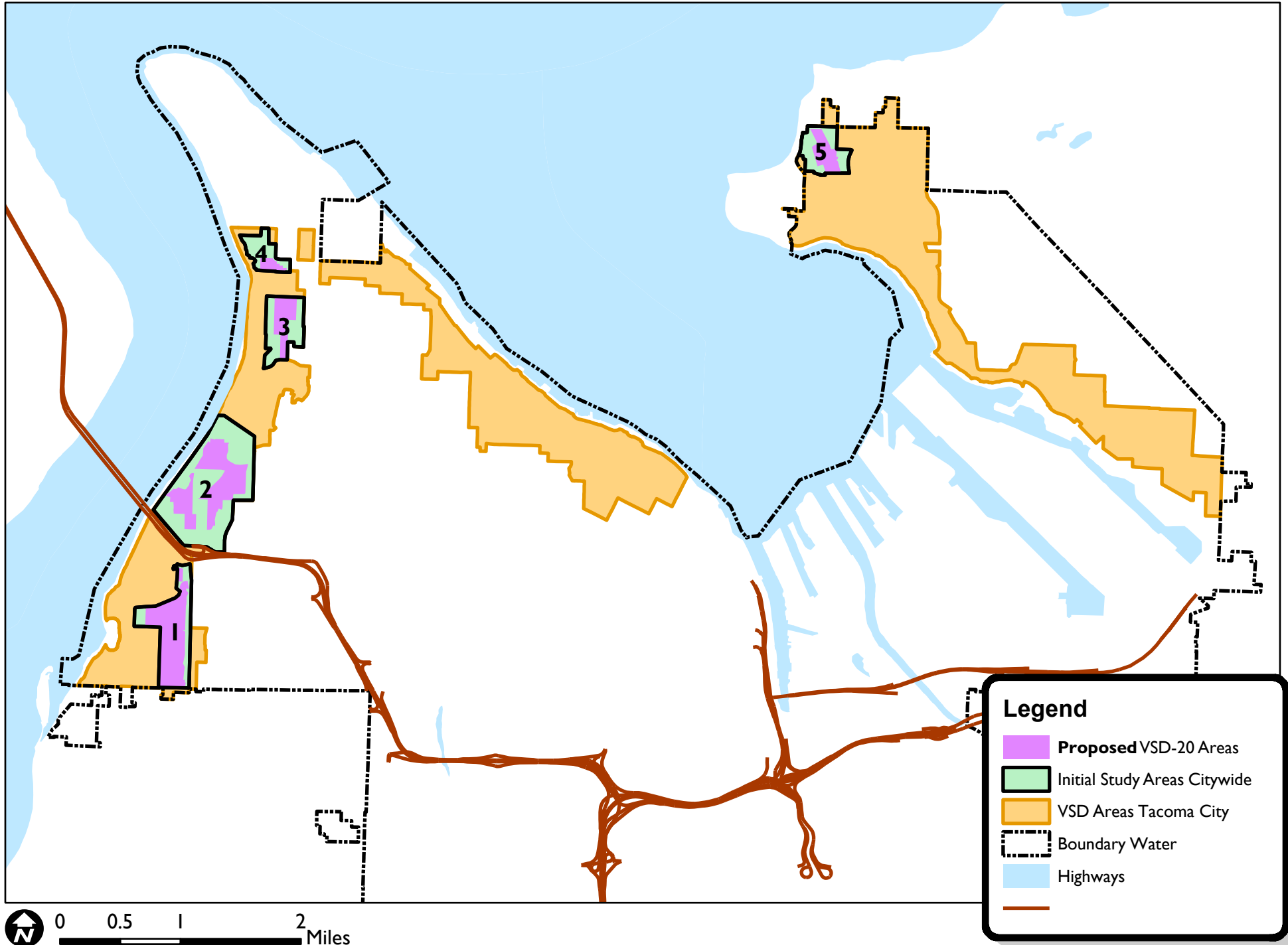
b. Parking lot lighting shall not exceed 20 feet in height.

c. Parking quantity reductions. See 13.06.090.C.

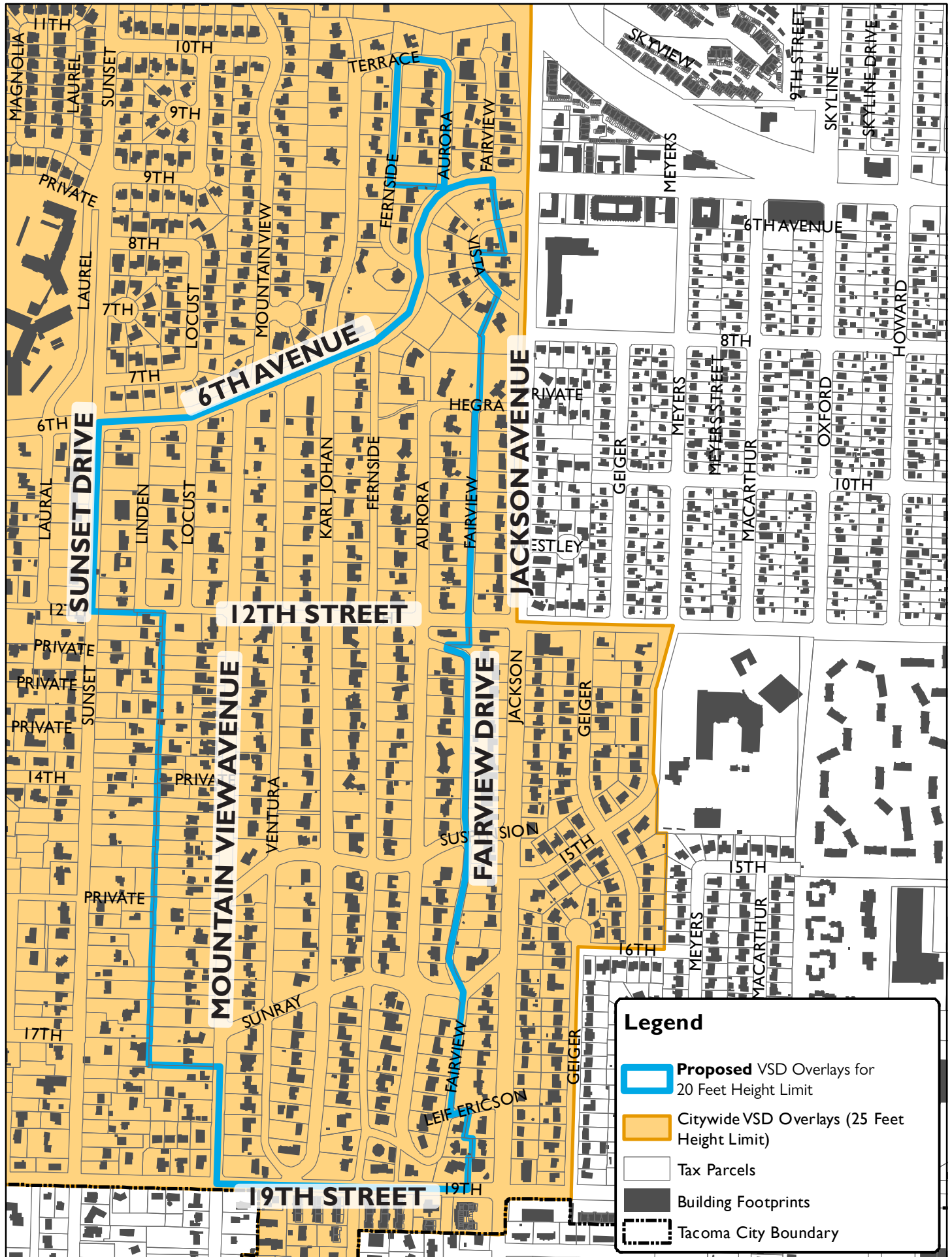
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View Sensitive District 20-Foot Overlay (VSD-20) Study Areas

NOTE: The recommended areas are preliminary and are subject to change.

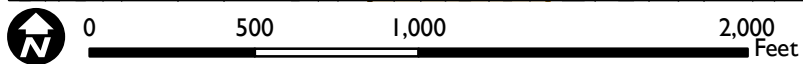


Tacoma View Sensitive District Overlay - Node I



Legend








- Proposed VSD Overlays for 20 Feet Height Limit
- Citywide VSD Overlays (25 Feet Height Limit)
- Tax Parcels
- Building Footprints
- Tacoma City Boundary

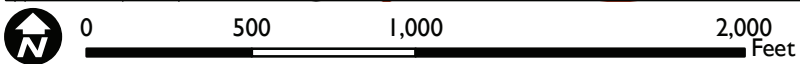


Tacoma View Sensitive District Overlay - Node 2

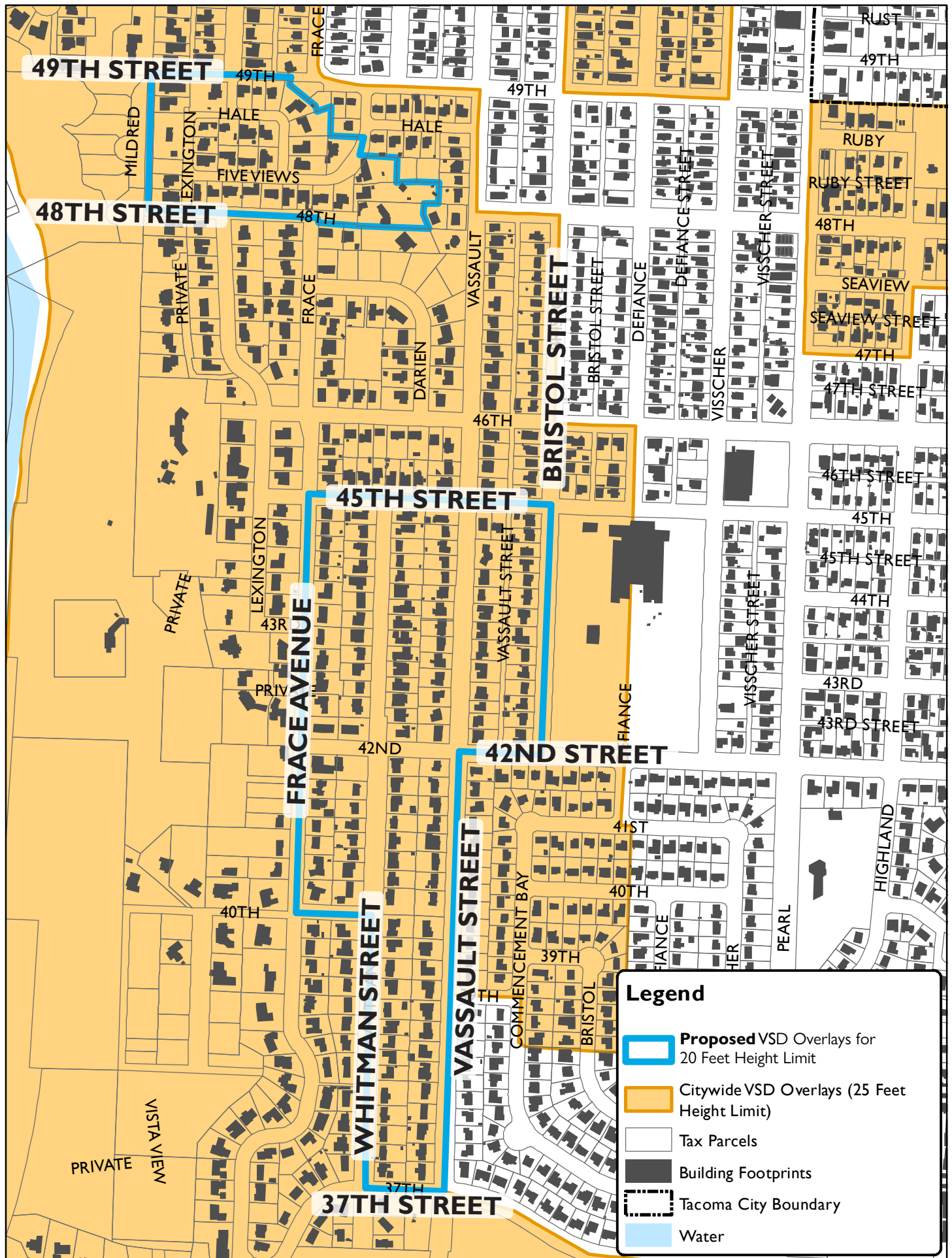


Legend







-  Proposed VSD Overlays for 20 Feet Height Limit
-  Citywide VSD Overlays (25 Feet Height Limit)
-  Tax Parcels
-  Building Footprints
-  Tacoma City Boundary
-  Highways
-  Water

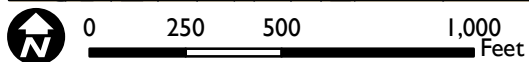


Tacoma View Sensitive District Overlay - Node 3 & 4

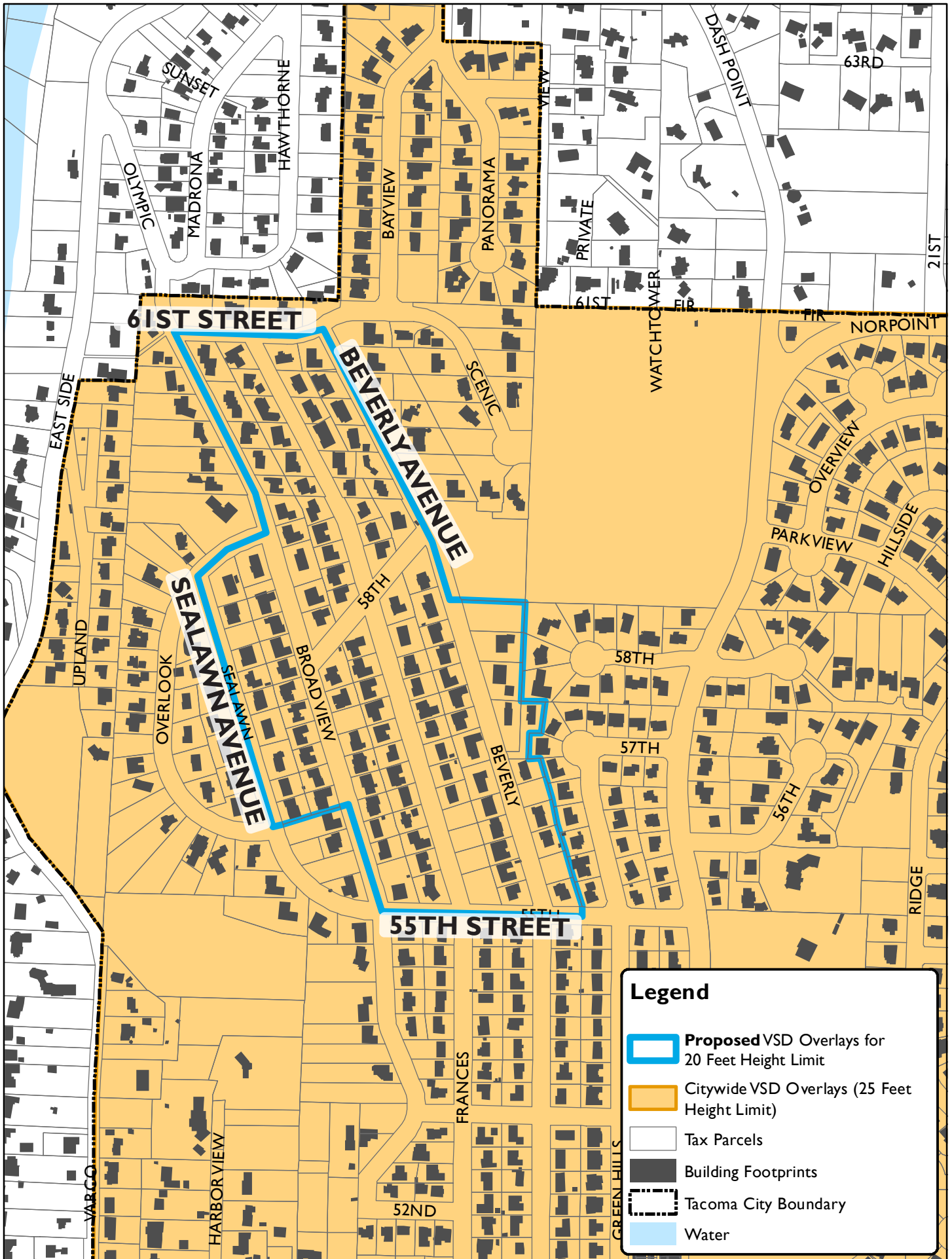


Legend







-  Proposed VSD Overlays for 20 Feet Height Limit
-  Citywide VSD Overlays (25 Feet Height Limit)
-  Tax Parcels
-  Building Footprints
-  Tacoma City Boundary
-  Water



Tacoma View Sensitive District Overlay - Node 5



Legend

-  Proposed VSD Overlays for 20 Feet Height Limit
-  Citywide VSD Overlays (25 Feet Height Limit)
-  Tax Parcels
-  Building Footprints
-  Tacoma City Boundary
-  Water