

One Tacoma Comprehensive Plan

and Land Use Regulatory Code

Proposed Amendments for 2022

Planning Commission Recommendations Packet

May 4, 2022



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Table of Contents

	Page
I. Planning Commission’s Letter of Recommendations	5 – 7
II. Planning Commission’s Findings of Fact and Recommendations Report	8 – 18
<ul style="list-style-type: none"> • Attachment 1 – NewCold Land Use Designation Change 	19 – 20
<ul style="list-style-type: none"> • Attachment 2 – South Sound Christian Schools Land Use Designation Changes 	21 – 22
<ul style="list-style-type: none"> • Attachment 3 – Work Plan for South Tacoma Groundwater Protection District Code Amendments 	23 – 28
<ul style="list-style-type: none"> • Attachment 4 – Minor Plan and Code Amendments 	29 – 43



City of Tacoma
Planning Commission

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May 4, 2022

The Honorable Mayor and City Council
City of Tacoma
747 Market Street, Suite 1200
Tacoma, WA 98402

RE: 2022 Annual Amendment to the Comprehensive Plan and Land Use Regulatory Code

Honorable Mayor Woodards and Members of the City Council,

On behalf of the Tacoma Planning Commission, I am forwarding our recommendations on the 2022 Annual Amendment to the *One Tacoma* Comprehensive Plan and the Land Use Regulatory Code ("2022 Amendment"), which includes the following four applications (or subjects):

- (1) NewCold Land Use Designation Change
- (2) South Sound Christian Schools Land Use Designation Changes
- (3) Work Plan for South Tacoma Groundwater Protection District Code Amendments
- (4) Minor Plan and Code Amendments

Enclosed please find the "*Planning Commission's Findings of Fact and Recommendations Report for the 2022 Amendment, May 4, 2022*" that summarizes the proposed amendments, the public review and community engagement process, and the Planning Commission's deliberations and decision-making.

The amendment application process remains a critical path for community members, organizations, or other public agencies to propose a change to the City's policies and regulations, and to ensure fair consideration of diverse community interests. We are proud to report that despite the COVID-19 pandemic and its impacts on the daily life of all Tacomans, we have successfully completed the review of two significant private applications and a City-initiated application and reached an important milestone for a neighborhood council's application. We want to share our thanks to the many Tacoma residents and stakeholders who have been actively engaged in the review process and provided invaluable feedback and advice.

The 2022 Amendment package may be relatively limited in scope, but some of the issues contained therein are nevertheless challenging and impactful. We did not formulate our recommendations without going through arduous debates and deliberations among the Commissioners. The public input also highlighted emerging issues which go beyond our current scope of work.

- **NewCold Land Use Designation Change**

We recommend that the City Council approve the NewCold Land Use Designation Change as proposed. While the proposal would amend the land use designation for a 3-acre site from Light Industrial to Heavy Industrial, the Commission acknowledges that the proposed use is generally consistent with light industry, and the amendment has been requested to support a height allowance consistent with the existing facility and to ensure consistent development standards for the full site. This would allow an expansion of the existing cold storage facility with a similar overall height. Further, the site, as located, is between the existing cold storage facility and the transfer station/former landfill. As a result, the location is buffered by an existing use and light industrial zoning along S. Orchard to the west and the landfill to the east, limiting the overall impact of a new facility.

While the Commission considered the potential impacts of the project, we note that if this proposal progresses, more project specific environmental review will be conducted associated with any site rezone or permits and there will be further opportunities for public involvement in those decisions. Of particular community concerns are the potential traffic impacts and air quality impacts not only associated with this proposal, but with the cumulative impact of ongoing industrial activity in this part of Tacoma.

These concerns highlight the ongoing need for broader industrial area planning in South Tacoma. As the South Tacoma Economic Green Zone progresses, we believe it should consider the following: (1) Expand the application to consider all industrial lands in South Tacoma; (2) The City should consider the feasibility of a South Mullen Street extension across the landfill to provide a more direct freight route to Highway 16 as well as broader transportation needs to service this area and the South Tacoma Manufacturing and Industrial Center; and (3) We recommend that the City evaluate methods to mitigate the impacts of increased freight activity on air and water quality, community health, and fish and wildlife, through commute trip reduction, modal shifts, as well as decarbonization and electrification to reduce the overall impact of continued industrial development.

- **South Sound Christian Schools Land Use Designation Changes**

We recommend that the City Council approve the South Sound Christian Schools Land Use Designation amendments, as proposed by the applicants and with modifications made by the Commission. The applicants are requesting for the Mid-Scale Residential designation for the western portion of the subject site and the General Commercial designation for the eastern portion. First, the Commission concurs with the Mid-Scale Residential designation for 3 of the 4 western parcels (so to encourage future multi-family development) but recommends keeping the Low-Scale Residential designation for the 4th parcel on the southwest corner that is more compatible with the surrounding single-family neighborhood. Secondly, for the eastern portion of the subject site, it has been identified that this area contains Garry Oak, a protected species, as well as steep slopes. The Commission recommends a combination of Parks and Open Space and General Commercial designations for this area that will set appropriate development expectations and balance the economic use of the property with additional environmental protections. If this eastern portion of the subject site is to proceed into rezoning and site development, we strongly encourage the City to ensure the preservation of the Garry Oaks on site, as demanded by the City's Critical Areas Code and Washington Department of Fish and Wildlife (WDFW) priority species management recommendations.

- **Work Plan for South Tacoma Groundwater Protection District Code Amendments**

We recommend that the City Council approve the Work Plan, acknowledging that it represents the City's "Phase 1A Response" to the "South Tacoma Economic Green Zone (EGZ)" application submitted by the South Tacoma Neighborhood Council, that its implementation to be carried out in the 2023 Amendment cycle represents the "Phase 1B Response", and that the review process for the potential EGZ designation expected to be carried out during the general timeline of 2022-2024 represents the "Phase 2 Response."

Note that the scope of work for the potential EGZ designation is anticipated to be comprehensive and comparable to the scale of a subarea plan, requiring the consideration for multifaceted aspects, such as land use designation changes, area-wide rezones, transportation and capital facilities improvements, environmental reviews, sustainability strategies, "green economy" strategies and incentives, groundwater and aquifer monitoring programs, and extensive community engagement. The Planning Commission acknowledges that additional staffing and budgetary resources may be needed to accomplish the work in a timely and effective manner.

We also wanted to bring to the Council's attention that many commenters are requesting that the City enact a moratorium on new development within the South Tacoma Groundwater Protection District. While the Commission shares these concerns that significant new development during the planning process could pre-empt the outcomes of that work, there remain considerable questions about the appropriate scope and applicability of a moratorium. While the Commission did not develop specific findings that a moratorium is warranted, we share the community's concerns and, therefore, suggest that the City Council further consider the merits of a moratorium.

- **Minor Plan and Code Amendments**

We recommend that the City Council adopt the proposed amendments associated with the 17 issues compiled in this application. Of note is that the issue of “Limitation on Residential Occupancy” (formerly identified as “Definition of Family”) has caused some concerns about the use of the term “family” in the land use code and whether that use could have broader repercussions. We acknowledge these concerns and agree that the City should broadly shift away from using the term “family” to define land use types or to determine unit occupancy. As part of this amendment cycle, we have taken a more limited approach, suggesting amendments to achieve basic consistency with recent changes in the state law pertaining to the prohibition of applying zoning limitations on the number of unrelated individuals that can live in a dwelling unit. Also note that this proposed change is only an interim step that will set the stage for a more holistic review of the use of the term “family” and other associated standards during the Home In Tacoma Phase 2 study effort. We urge that this holistic review be accomplished as soon and effectively as practical.

In conclusion, the proposed 2022 Amendment package is a carefully-crafted and well-balanced product that reflects the community’s desires and concerns garnered through an extensive and rigorous engagement process. The Planning Commission believes that the recommended 2022 Amendment package, along with the additional suggestions as mentioned above, will help achieve the City’s strategic goals for a safe, clean and attractive city; a well maintained natural and built environment; a diverse, productive and sustainable economy; and an equitable and accessible community for all.

We respectfully request that the City Council accept our recommendations and adopt the 2022 Amendment package as presented.

Sincerely,



ANNA PETERSEN, Chair
Tacoma Planning Commission

Enclosure



**TACOMA PLANNING COMMISSION
FINDINGS OF FACT AND RECOMMENDATIONS REPORT**

MAY 4, 2022

A. SUBJECT:

2022 Annual Amendment to the *One Tacoma* Comprehensive Plan and the Land Use Regulatory Code (“2022 Amendment”).

B. SUMMARY OF PROPOSED AMENDMENTS:

The 2022 Amendment consists of the following four applications:

APPLICATION	AMENDMENT TYPE	COMMISSION’S RECOMMENDATION
1. NEWCOLD LAND USE DESIGNATION CHANGE		
<p>The proposal is to change the Land Use Designation for a 3-acre parcel located at 4601 S. Orchard Street owned by NewCold, LLC, from “Light Industrial” to “Heavy Industrial.” This would allow NewCold to request a future site rezone and apply for permits to expand its existing 140-foot tall cold storage facility.</p>	Plan	<p>Recommended for Adoption (Passed with a vote of 6 ayes, 2 nays, and 1 absence)</p>
2. SOUTH SOUND CHRISTIAN SCHOOLS LAND USE DESIGNATION CHANGES		
<p>The current Land Use Designation for the site is “Low-Scale Residential” for the 8 parcels, a total of 16 acres, near Tacoma Mall Boulevard and S. 64th Street owned by the South Sound Christian Schools and the CenterPoint Christian Fellowship. The proposal is to change the designation to: (1) “Mid-Scale Residential” for the western 4 parcels, and (2) “General Commercial” for the eastern 4 parcels. This would allow applicants to apply for a site rezone and permits to potentially develop multifamily residential and commercial uses at this location.</p> <p>The Planning Commission recommends the following modified designations: (1) “Mid-Scale Residential” for 3 of the 4 western parcels, and “Low-Scale Residential” for the 4th parcel on the southwest corner; and (2) a combination of “General Commercial” and “Parks and Open Space” designations for the eastern 4 parcels.</p>	Plan	<p>Recommended for Adoption, with Modifications as Noted (Passed with a vote of 8 ayes, 0 nay, and 1 absence)</p>

3. WORK PLAN FOR SOUTH TACOMA GROUNDWATER PROTECTION DISTRICT CODE AMENDMENTS		
<p>The proposal is a Work Plan for code amendments that outlines the approach for improving STGPD related regulations to be more effective in addressing environmental and health risks. The Work Plan and its implementation represent the first-phase response to the “South Tacoma Economic Green Zone” application submitted by the South Tacoma Neighborhood Council. The second-phase response, to be undertaken later on, would be the potential transformation of the South Tacoma Manufacturing/Industrial Center into an Economic Green Zone that fosters environmentally sustainable industry.</p>	N/A	<p>Recommended for Adoption</p> <p>(Passed with a vote of 8 ayes, 0 nay, and 1 absence)</p>
4. MINOR PLAN AND CODE AMENDMENTS		
<p>Compiled by the City’s planning staff, this proposal includes 17 technical, non-policy amendments to the <i>One Tacoma</i> Comprehensive Plan and the Land Use Regulatory Code, intended to keep information current, correct errors, address inconsistencies, improve clarity, and enhance applicability of the Plan and the Code.</p> <p>The Planning Commission recommends approval of the 17 proposed amendments with the following “separation of questions”:</p> <ul style="list-style-type: none"> (1) Issue #1 – Limitation on Residential Occupancy (formerly identified as “Definition of Family”); (2) Issue #15 – Manitou Annexation Area Land Use; and (3) The Remaining 15 Issues. 	Plan and Code	<p>Recommended for Adoption</p> <p>(Passed with the following votes of separated questions:</p> <ul style="list-style-type: none"> (1) Issue #1: 6 ayes, 0 nay, 2 abstentions, and 1 absence; (2) Issue #15: 7 ayes, 1 nay, and 1 absence; and (3) The Remaining 15 Issues: 8 ayes, 0 nay, and 1 absence)

C. FINDINGS OF FACT: BACKGROUND AND PLANNING MANDATES

1. Comprehensive Plan and Land Use Regulatory Code

The *One Tacoma* Comprehensive Plan, updated in 2015 by Ordinance No. 28335, is Tacoma's comprehensive plan as required by the State Growth Management Act (GMA) and consists of several plan and program elements. As the City's official statement concerning future growth and development, the Comprehensive Plan sets forth goals, policies and strategies for the health, welfare and quality of life of Tacoma’s residents. The Land Use Regulatory Code, Title 13 of the Tacoma Municipal Code (TMC), is the key regulatory mechanism that supports the Comprehensive Plan.

2. Amendment Process

Pursuant to TMC 13.02.070 – Adoption and Amendment Procedures, applications are submitted to the Planning and Development Services Department, and subsequently forwarded to the Planning Commission for their assessment. The Planning Commission decides which applications should move forward as part of that Amendment package. Those applications then receive detailed review and analysis by staff and the Planning Commission and input is solicited from stakeholders and the community.

3. Planning Mandates

GMA requires that any amendments to the Comprehensive Plan and/or development regulations conform to the requirements of the Act, and that all proposed amendments, with certain limited exceptions, shall be considered concurrently so that the cumulative effect of the various changes can be ascertained. Proposed amendments to the Comprehensive Plan and/or development regulations must also be consistent with the following State, regional and local planning mandates and guidelines:

- The State Growth Management Act (GMA);
- The State Environment Policy Act (SEPA);
- The State Shoreline Management Act (SMA);
- The Puget Sound Regional Council's *VISION 2050* Multicounty Planning Policies;
- The Puget Sound Regional Council's *Transportation 2040*;
- The Puget Sound Regional Council's Subarea Planning requirements;
- The Countywide Planning Policies for Pierce County; and
- TMC 13.02.070 – Adoption and Amendment Procedures.

D. FINDINGS OF FACT: POLICY REVIEW

1. NewCold Land Use Designation Change:

The proposal seeks to bring the underlying land use designation more in line with what the future use of the overall site is intended to be, as well with adjacent existing Heavy Industrial site. As documented in the initial Assessment Report reviewed by the Planning Commission on May 5, 2021, the application is supported by several policy elements from the *One Tacoma* Comprehensive Plan, as briefly listed below:

- **Urban Form:** Goal UF-1, Policies UF-1.1, UF-1.4, UF-1.6, and UF-1.11;
- **Design + Development:** Goals DD-4, DD-7, DD-9, and DD-10, and Policy DD-9.2a; and
- **Economic Development:** Goals EC-1 and EC-2, and Policy EC-1.12.

2. South Sound Christian Schools Land Use Designation Changes:

The proposal seeks to change the land use designation for the western 4 parcels on the subject site from “Low-Scale Residential” to “Mid-Scale Residential”, and for eastern 4 parcels from “Low-Scale Residential” to “General Commercial.” As documented in the initial Assessment Report reviewed by the Planning Commission on May 5, 2021, the application is supported by several policy elements from the *One Tacoma* Comprehensive Plan, as briefly listed below:

- **Housing:** GOAL H-3, and Policy H-1.3 and H-1.9;
- **Urban Form:** Policy UF-1.3;
- **Design + Development:** Goals DD-9 and DD-12, and Policy DD-4.3.

3. Work Plan for South Tacoma Groundwater Protection District Code Amendments:

The Work Plan is an outline of the approach for improving STGPD regulations. It is the initial phase of action in response to the “South Tacoma Economic Green Zone (EGZ)” application submitted by the South Tacoma Neighborhood Council.

Policy review of the EGZ application was documented in the “Assessment Report for the South Tacoma Groundwater Protection District – Economic Green Zone – Subarea Plan” reviewed by the Planning Commission on May 19, 2021. The Assessment Report provides that the *One Tacoma* Comprehensive Plan contains extensive support for protection and enhancement of the South Tacoma Groundwater Protection district, as briefly listed below:

- **Urban Form:** Goal UF-1, Policies UF-1.1, UF-1.4, UF-1.6, and UF-1.11;
- **Design + Development:** Goals DD-4, DD-7, and DD-9;
- **Economic Development:** Goal EC-1, Policy EC-1.12, and Goal EC-2; and
- **Environmental + Watershed Health:** Policies EN-1.1, EN-1.2, EN-1.3, EN-1.5, EN-1.8, EN-1.11, EN-1.12, EN-1.13, EN-1.17, EN-1.18, EN-1.19, and EN-1.25.

4. Minor Plan and Code Amendments:

All proposals compiled in the Minor Plan and Code Amendments are non-policy, technical amendments.

E. FINDINGS OF FACT: PLANNING COMMISSION REVIEW

The Planning Commission conducted reviews of the 2022 Amendment Package at the following meetings, listed in reverse chronological order, with key decision points and milestones boldfaced:

- **05/04/22 – Made recommendations to the City Council**
- 04/20/22 – Debriefing of Public Hearing
- 04/08/22 – Public Hearing Record closed; deadline for submittal of written comments
- **04/06/22 – Public Hearing on 2022 Amendment Package**
- 03/02/22 – Review status of “NewCold” and “South Sound Christian Schools” and release of 2022 Amendment Package for public review
- 02/16/22 – Review status of “Work Plan for STGPD Code Amendments” and “Minor Plan and Code Amendments”
- 02/02/22 – Review status of “NewCold” and “South Sound Christian Schools”
- 01/19/22 – Review status of “Minor Plan and Code Amendments”
- 12/15/21 – Review of status of “NewCold”, “South Sound Christian Schools” and “South Tacoma Economic Green Zone”
- 10/06/21 – Review status of all applications
- **07/21/21 – Determination on Applications (proceeding with technical analysis)**
- **06/16/21 – Public Scoping Hearing on the Applications**
- 05/19/21 – Assessment of “South Tacoma Economic Green Zone” and “Minor Plan and Code Amendments”
- 05/05/21 – Assessment of “NewCold” and “South Sound Christian Schools”
- 03/31/21 – Application period ended; four applications were received, identified as “NewCold Land Use Designation Change”, “South Sound Christian Schools Land Use Designation Changes”, “South Tacoma Economic Green Zone”, and “Minor Plan and Code Amendments”
- 01/01/21 – Application period opened

F. FINDINGS OF FACT: ENVIRONMENTAL REVIEW

Pursuant to Washington Administrative Code (WAC) 197-11 and Tacoma's SEPA procedures, a Preliminary Determination of Environmental Nonsignificance (DNS) on the 2022 Amendment was issued on March 15, 2022 (SEPA File Number LU22-0041), based upon a review of an environmental checklist. The DNS and the environmental checklist were: (1) included in Section III of the Public Review Document, available for public review and comment during the Planning Commission's public hearing process; (2) distributed to agencies and individuals identified on the City's list of SEPA Review Stakeholders; (3) reviewed by the State Department of Ecology (SEPA Record #202201306) and published on March 24, 2022 for public review; and (4) referenced in a legal notice published on the Tacoma Daily Index on March 25, 2022. No comments were received by the deadline of April 8, 2022. The preliminary determination became final on April 15, 2022.

G. FINDINGS OF FACT: CONSULTATION WITH THE PUYALLUP TRIBE OF INDIANS

There are no known proposals included in the 2022 Amendment Package that would impact the Puyallup Land Claims Settlement of 1990. A letter of consultation was sent to Chairman Bill Sterud of the Puyallup Tribe of Indians, and directors of planning and natural resources, on March 23, 2022, seeking their feedback on the 2022 Amendment Package. No comments were received.

H. FINDINGS OF FACT: PUBLIC NOTIFICATION AND INVOLVEMENT

1. Planning Commission Public Scoping Hearing:

The Planning Commission conducted a public scoping hearing on June 16, 2021 to receive oral testimony, and left the hearing record open through June 18, 2021 to accept additional written comments, concerning the four applications received for the 2022 Amendment process.

The Public Scoping Hearing was a voluntary step the Commission added to the “Assessment of Applications” process. The purpose was to solicit public comments on whether these applications should be accepted and moved forward for technical analysis, whether the scopes of work should be modified, and what additional issues should be studied.

The notice for the scoping hearing was mailed to more than 22,800 properties located 1,000 feet within the subject sites of these applications, e-mailed to approximately 860 individuals interested in Planning Commission businesses, and posted (along with a summary of the applications) on the project’s website at www.cityoftacoma.org/2022Amendment.

2. Planning Commission Public Hearing:

The Planning Commission conducted a public hearing on April 6, 2022 to receive oral testimony, and left the hearing record open through April 8, 2022 to accept additional written comments, concerning the 2022 Amendment Package.

The complete text of the proposed amendments and the associated staff analysis and environmental review were compiled in a Public Review Document, which also included a Planning Manager’s letter to the community and the public hearing notice. The document was posted on the project’s website at www.cityoftacoma.org/2022Amendment.

Notification for the public hearing was conducted to reach a broad-based audience, through the following efforts:

- (a) **Public Notices** – The notice for the public hearing was mailed during the week of March 21, 2022, to approximately 36,000 individuals and entities within 2,500 feet of the sites associated with the three private applications. The notice was also e-mailed to more than 860 individuals on the Planning Commission’s interested parties list that includes the City Council, Neighborhood Councils, area business district associations, the Puyallup Tribal Nation, adjacent jurisdictions, City and State departments, and others. The notice was also distributed to residents and businesses in the Manitou Potential Annexation Area, seeking their feedback on the proposed land used designation for the Manitou Area (which is Issue #15 in the Minor Plan and Code Amendments).
- (b) **News/Social Media** – The City of Tacoma issued a News Release on March 25, 2022. An online advertisement was placed on The News Tribune on March 25, 2022. A legal notice concerning the DNS, the public hearing and the informational meeting was placed on the Tacoma Daily Index on March 25, 2022. An event page for each of the public hearing and the informational meeting was posted on the City’s Facebook, starting the week of March 21.
- (c) **60-Day Notices** – A “Notice of Intent to Adopt Amendment 60 Days Prior to Adoption” was filed with the State Department of Commerce (per RCW 36.70A.106) on March 22, 2022. A similar notice was sent to the Joint Base Lewis-McChord (per RCW 36.70A.530(4)) on March 23, 2022, asking for comments within 60 days of receipt of the notice. The JBLM responded on April 6, 2022, expressing their appreciation for the opportunity to collaborate with neighboring municipalities and no comments on the 2022 Amendment Package.
- (d) **Tribal Consultation** – A letter was sent to the chairman of the Puyallup Tribe of Indians on March 23, 2022 to formally invite the Tribe’s consultation on the 2022 Amendment. No comments were received.

3. Other Community Engagement:

- 01/26/21 – Pre-Application meeting with applicants of the South Sound Christina Schools Land Use Designation Changes

- 06/14/21 – Meeting with applicants of the South Sound Christina Schools Land Use Designation Changes
- 06/16/21 – Community Informational Meeting to provide interested parties an opportunity to learn more about the scope of work for the 2022 Amendment and be better prepared for the Planning Commission’s Public Scoping Hearing on the same day.
- 12/02/21 – Community Meeting on South Sound Christina Schools Land Use Designation Change
- 12/06/21 – Community Meeting on the NewCold Land Use Designation Change.
- 12/09/21 – Community Meeting on Work Plan for STGPD Code Amendments
- 01/11/22 – Meeting with applicant of NewCold Land Use Designation Change
- 03/30/22 – Community Informational Meeting to provide interested parties an opportunity to learn more about the proposals included in the 2022 Amendment Package and be better prepared for the Planning Commission’s Public Hearing on April 6, 2022.
- 04/13/22 – Meeting with Communities for a Healthy Bay on South Tacoma Economic Green Zone and Work Plan for STGPD Code Amendments

I. FINDINGS OF FACT: COMMENTS AND RESPONSES

Shown in the table below are the numbers of comments the Planning Commission received on various applications during the public hearing process:

Application	Comments Received	
	Oral	Written
General Comment (on the package)		1
NewCold Land Use Designation Change	5	19
South Sound Christian Schools Land Use Designation Changes	1	4
Work Plan for South Tacoma Groundwater Protection District Code Amendments	6	30
Minor Plan and Code Amendments	3	1
TOTAL	15	55

Provided below is a summary, for each application, of the themes of comments received, staff’s responses to the comments and suggestions for modifications to the application, if any, and the Commission’s decisions and additional considerations. More detailed information is documented in the “Public Comments and Staff Responses and Suggestions” report reviewed by the Commission on April 20, 2022.

1. NewCold Land Use Designation Change:

- (a) **Theme of Comments:** Concerned about traffic impact and possible alternatives.
 - **Staff Response:** The applicant is willing to work with the city on all required measures necessary to mitigate added traffic impact, such as a possible connection across the City of Tacoma landfill site as well as other required traffic control measures. A traffic study will be required, at a greater detail at future phases, rezoning, and permitting.
 - **Commission Decision:** Concurred with staff’s response and recommends future consideration of a South Mullen Street extension.
- (b) **Theme of Comments:** Relationship with the South Tacoma Groundwater Protection District regulations.
 - **Staff Response:** The site currently meets the STGPD regulations and based on discussions of code update so far, it would also meet the future code. Future development of this site would require additional soils and drainage evaluation and any and all mitigation and protection necessary would be completed at that time.
 - **Commission Decision:** No amendments proposed in response.

- (c) **Theme of Comments:** There is a fire/hazard danger inherent to the use.
 - **Staff Response:** The existing facility has met all federal, state and city building and fire codes. Any future development of the subject site would be required to meet all fire and building code, which would include fire suppression systems, insurance of hydrant locations, pressure, and adequate access to the site for emergency vehicles. The existing and proposed use is considered a light industrial activity. The heavy industrial classification is being requested to provide for additional building height, consistent with the existing facility. The City's Comprehensive Plan does assume some degree of heightened noise, light, or odor associated with industrial activity but building codes, fire codes, and environmental review are utilized to mitigate health and safety risks associated with these uses.
 - **Commission Decision:** No proposed amendments in response.
- (d) **Theme of Comments:** There needs to be more high paying "green" jobs in Tacoma.
 - **Staff Response:** The proposed location is considered a planned employment area and the City's Comprehensive Plan currently calls for significant employment growth to provide access to employment for Tacoma residents. While the City's Comprehensive Plan does not define "green" jobs, the proposed use is consistent with City economic development policies, including policies of the Container Port Element based on the relationship of this use to the Port of Tacoma.
 - **Commission Decision:** No proposed amendments in response.

2. South Sound Christian Schools Land Use Designation Changes:

- (a) **Theme of Comments:** Concerns about growth in Tacoma.
 - **Staff Response:** The City of Tacoma is a designated regional growth center. Reasonable growth in Tacoma aligns with the One Tacoma Comprehensive Plan, the Growth Management Act, and the Puget Sound Regional Council's Vision 2050. This growth is encouraged and supported by policy action and statements of the Planning Commission and City Council. Future development of the subject parcels would have to meet all City of Tacoma regulation, requirements and code conditions which are designed to help mitigate impact of new development on existing communities.
 - **Commission Decision:** No amendments proposed in response.
- (b) **Theme of Comments:** Concerns about STGPD and development of these sites.
 - **Staff Response:** Residential development of properties is generally not deemed as deeply impactful to the South Tacoma Groundwater Protection District. Also staff will note that the recharge of the aquifer is not within this area. Any development of the subject sites is subject to all the regulation of the South Tacoma Groundwater Protection District.
 - **Commission Decision:** No amendments proposed in response.
- (c) **Theme of Comments:** Concerns about critical areas and loss of vegetation/trees.
 - **Staff Response:** A preliminary critical area evaluation of the site identified Oregon White Oak or more commonly known as Garry Oaks. These trees are protected by City of Tacoma Title 13.11.510.B and preservation of the trees is required. Any future development of those parcels (APN 0320301194, 0320301158, 0320301193, 0320301075) will require further critical area evaluation. Development of the site will be required to meet all critical areas standards if applicable, tree canopy requirements, and landscaping requirements.
 - **Commission Decision:** The Commission recommended addition of a Parks and Open Space designation for portions of the site comprised of concentrations of existing trees and vegetation as well as steep slopes.

3. Work Plan for South Tacoma Groundwater Protection District Code Amendments:

- (a) **Theme of Comments:** Move forward with the Work Plan and speed up the review process for the Economic Green Zone (EGZ). Coordinate with relevant City adopted plans and

actions, such as the Climate Action Plan. Engage stakeholders, including the business community.

- **Staff Response:** Comments noted. No change to the Work Plan. Staff will take into account those additional supporting arguments during the STGPD code amendment process and the EGZ review process. Phased approach to EGZ allows the City to coordinate with broader “green economy” strategy, and is also due to limited resources.
- **Commission Decision:** Concurred with staff’s response.

(b) **Theme of Comments:** The City should enact a moratorium on the Bridge Industrial’s proposed warehouse project.

- **Staff Response:** Bridge Industrial project is vested, and will not be affected by a moratorium. The project is currently under administrative, permitting and environmental reviews, and the Planning Commission does not have any review or decision authority over it.
- **Commission Decision:** The Commission recommends that enacting a moratorium on future development projects similar to the Bridge Industrial warehouse project might be considered an option to complement the effective implementation of the Work Plan.

4. Minor Plan and Code Amendments:

(a) **Theme of Comments:** Attempts to alter the definition of “family” in the Land Use Code could be dangerous – destroying the foundation of all institutions, many standing to lose, and City unable to handle litigation.

- **Staff Response:** “Family” is essentially “Household” in the Land Use Code. The proposal is to remove the limitation on the number of unrelated persons who may occupy a dwelling unit (or a household), and to comply with the State law. The terminology and associated concerns will continue to be addressed through a more holistic review in the Home in Tacoma Phase 2 effort. This is Issue #1 of the Minor Plan and Code Amendments application. The issue ID can be changed from “Definition of Family” to “Limitation on Residential Occupancy” to help provide clarification.
- **Commission Decision:** The Commission concurred with staff’s response, but urged that the holistic review of the issue be accomplished as soon and effectively as practical.

(b) **Theme of Comments:** Add “faith-based organizations”, or equivalent, to the proposed amendments to TMC 13.01.060.C concerning Cultural Institutions and to TMC 13.01.060.P concerning Public Benefit Use.

- **Staff Response:** Staff recommend text amendments to address this comment. This is Issue #6 of the application.
- **Commission Decision:** Concurred with staff’s recommendation.

(c) **Theme of Comments:** Concerned about the Mid-Scale Residential designation for the Manitou Potential Annexation Area. Keep it R-2.

- **Staff Response:** This is Issue #15 of the application. The proposal would establish the Mid-Scale Residential designation for multi-family parcels in the Manitou Area, with R-4L zoning, and Low-Scale Residential for single-family area, with R-3 zoning. The proposal sustains the City Council’s land use plan for Manitou (first established in 2019), aligns with the residential designations established in Home in Tacoma Phase 1, respects the existing neighborhood characters, and is more conservative than Pierce County’s current “Mixed-Use District” zoning for the area.
- **Commission Decision:** The Commission concurred with staff’s response, but cautioned that the R-3 zoning may not be fully consistent with the intent of the Low-Scale Residential designation and the issue should be further reviewed and properly addressed as part of Home in Tacoma Phase 2.

- (d) **Theme of Comments:** With the dissolution of the Foss Waterway Development Authority in December 2020, the code should be updated to remove all relevant references to the FWDA.
 - **Staff Responses:** FWDA is currently referenced in, and should be removed from, Title 11 Traffic (TMC 11.15.060.D) and Title 19 Shoreline Master Program (TMC 19.05.050.B.4.c(2), 19.06.070.D.4.b, and 19.09.100.E.1.a(2)). This will become Issue #16 of the application.
 - **Commission Decision:** Concurred with staff's recommendation.
- (e) **Theme of Comments:** Amend the Park and Recreation Map in the Comprehensive Plan, by changing "School (Public)" to "School" in the map's legend and adding Eastside Community Center to the map.
 - **Staff Responses:** The first change is requested by the University of Puget Sound which is not a public school. The second change is to keep the mapping information current. This will become Issue #17 of the application.
 - **Commission Decision:** Concurred with staff's recommendation.

J. CONCLUSIONS:

In drawing its conclusions on the 2022 Amendment Package, the Planning Commission considered the following criteria, the first two as set forth in TMC 13.02.070.H.1 and the third based on the Tacoma 2025 Strategic Plan:

- (a) Whether the proposed amendment will benefit the City as a whole, will not adversely affect the City's public facilities and services, and bears a reasonable relationship to the public health, safety, and welfare;
- (b) Whether the proposed amendment conforms to applicable provisions of State statutes, case law, regional policies, and the Comprehensive Plan; and
- (c) 2025 Strategic Priorities: Whether the proposal will reduce racial and other inequities, disparities, or discrimination to under-represented communities, or result in positive impacts on equity, equality, diversity or inclusion.

1. NewCold Land Use Designation Change:

The Planning Commission concludes that the proposed land use designation change for the NewCold parcel is consistent with criteria (a) and (b) above, and will provide new economic activity and employment opportunities for Tacoma residents. The potential impacts of the proposal, including traffic and air quality should be mitigated through a broader industrial planning effort, to ensure that industrial lands can remain productive and provide employment access to Tacomans while ensuring equitable health and safety outcomes for Tacomans.

2. South Sound Christian Schools Land Use Designation Changes:

The Planning Commission concludes that, generally, the proposed land use designation changes for the 8 parcels owned by the South Sound Christian Schools and the CenterPoint Christian Fellowship are consistent with criteria (a) and (b) above, and will likewise set the stage for an increase in both housing production, housing diversity, as well as employment growth while preserving critical species on site and incorporating transitions and open space retention to minimize impacts on adjacent residential communities.

The Commission believes, however, among the 4 western parcels on the subject site where the Mid-Scale Residential designation is proposed (so to encourage future multi-family development), the parcel on the southwest corner should remain with the Low-Scale Residential designation because of its compatibility with the surround neighborhood.....

With respect to the 4 eastern parcels on the subject site where the General Commercial designation is proposed, the Commission acknowledges the existence of Garry Oaks (a protected species) and steep slopes, The Commission believes the Parks and Open Space designation is also needed to set appropriate development expectations and balance the economic use of the property with additional environmental protections.

3. Work Plan for South Tacoma Groundwater Protection District Code Amendments:

The Planning Commission concludes that the proposed Work Plan for South Tacoma Groundwater Protection District Code Amendments provides a succinct and practical scope of work for amending the STGPD related regulations. The Work Plan itself does not generate concerns relating to public health, safety and welfare, or equity and racism; the challenges are in the implementation of it, as reflected in the comments provided by the code amendment stakeholder agencies, including the Environmental Services Department, Tacoma Water, and the Tacoma-Pierce County Health Department.

The Commission also acknowledges that the Work Plan represents the City's "Phase 1A Response" to the "South Tacoma Economic Green Zone (EGZ)" application submitted by the South Tacoma Neighborhood Council, that the implementation of the Work Plan represents the "Phase 1B Response" and is to be carried out in the 2023 Amendment cycle, and that the review process for the potential EGZ designation represents the "Phase 2 Response" and is expected to be carried out during the general timeline of 2022-2024, potentially starting with a scoping process in late 2022 to define and refine the scope of work.

The scope of work for the potential EGZ designation is anticipated to be comprehensive and comparable to the scale of a subarea plan, requiring the consideration for multifaceted aspects, such as land use designation changes, area-wide rezones, transportation and capital facilities improvements, environmental reviews, sustainability strategies, "green economy" strategies and incentives, groundwater and aquifer monitoring programs, and extensive community engagement. The Planning acknowledges that additional staffing and budgetary resources may be needed to accomplish the work in a timely and effective manner.

4. Minor Plan and Code Amendments:

The Planning Commission concludes that the Minor Plan and Code Amendments application, with proposed non-policy amendments to various elements of the One Tacoma Comprehensive Plan and various sections of the Tacoma Municipal Code, fulfills the intent to keep information current, address inconsistencies, correct minor errors, clarify and improve provisions of the Plan and the Code, and conform to applicable provisions of State statutes and case law.

The Commission suggests that additional attention is needed for at least two of the 17 issues compiled in this application. With respect to Issue #1 – "Limitation on Residential Occupancy" (formerly identified as "Definition of Family"), the Commission believes that the City should broadly shift away from using the term "family" to define land use types or to determine unit occupancy and a more holistic review of the issue should be accomplished as soon and effectively as practical. With respect to Issue #15 – Manitou Annexation Area Land Use, the Commission suggests that the R-3 zoning for the single-family parcels may not be fully consistent with the intent of the Low-Scale Residential designation and that this issue should be properly addressed through the Home In Tacoma Phase 2 as soon as practical.

K. RECOMMENDATIONS:

1. NewCold Land Use Designation Change:

The Planning Commission recommends that the proposed NewCold Land Use Designation Change, as summarized in Attachment 1, be adopted by the City Council. The Commission further recommends that, as the proposal moves into the site rezoning and permit process, the City work with the applicant to consider the viability of a S. Mullen Street extension through the former landfill site, to route freight access in a manner that provides access to Highway 16 and minimize impacts to adjacent neighborhoods.

In addition, the Commission acknowledges concerns about the air quality impacts associated with the cumulative increase in daily vehicle trips, including freight, resulting from the potential development of this site and adjacent industrial and commercial lands. The Commission supports City efforts to incentivize and encourage the transition to electric vehicles and non-carbon based fuels to mitigate these potential impacts and consider these efforts to be critical to mitigate the long term air quality impacts of growth and economic activity within the City.

2. South Sound Christian Schools Land Use Designation Changes:

The Planning Commission recommends that the proposed South Sound Christian Schools Land Use Designation Changes, as requested by the applicants and with modifications proposed by the Commission, as summarized in Attachment 2, be adopted by the City Council. The recommended land use designations include Mid-Scale Residential, General Commercial, and Parks and Open Space for various portions of the subject site, and the retention of Low-Scale Residential for a parcel. The Commission further recommends that, if this application proceeds into the permit process, the City ensure the preservation of the Garry Oaks on site, as demanded by the Critical Areas Code and WDFW priority species management recommendations.

3. Work Plan for South Tacoma Groundwater Protection District Code Amendments:

The Planning Commission recommends that the proposed Work Plan for South Tacoma Groundwater Protection District Code Amendments, as summarized in Attachment 3, be approved by the City Council. The Commission further acknowledges community requests to expedite the overall work program as well as concerns that significant permit activity and development during the phased process could pre-empt the broader planning process. As a result of these concerns, the Commission recommends the City Council consider the merits of a moratorium on future development projects.

4. Minor Plan and Code Amendments:

The Planning Commission recommends that the proposed Minor Plan and Code Amendments, including 17 issues as summarized in Attachment 4, be adopted by the City Council. In addition, pertaining to Issue #1 – “Limitation on Residential Occupancy” (formerly identified as “Definition of Family”), the Commission also recommends that a more holistic review of the use of the term “family” to define land use types or to determine unit occupancy be accomplished as soon and effectively as practical. Pertaining to Issue #15 – Manitou Annexation Area Land Use, the Commission also suggests that the R-3 zoning for the single-family parcels may not be fully consistent with the intent of the Low-Scale Residential designation and that this issue should be properly addressed through the Home In Tacoma Phase 2 as soon as practical.

L. RECORD OF DECISIONS:

The voting records of the Planning Commission associated with the above-mentioned recommendations are displayed below:

Commissioners		Commissioners									Vote Counts
		Morgan Domer	Ryan Givens	Christopher Kames	Robb Krehbiel	Anna Petersen	Brett Santhuff	Anthony Steele	Andrew Strobel	Alyssa Torrez	
1. NewCold		Yes	Yes	Absent	No	Yes	Yes	No	Yes	Yes	6-2
2. Christian Schools		Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes	8-0
3. Work Plan STGPD		Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes	8-0
4. Minor	Issue #1	Yes	Abstained	Absent	Yes	Yes	Yes	Abstained	Yes	Yes	6-0-2
	Issue #15	Yes	No	Absent	Yes	Yes	Yes	Yes	Yes	Yes	7-1
	All Other 15 Issues	Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes	8-0
2022 Amendment Package as a Whole		Yes	Yes	Absent	Yes	Yes	Yes	No	Yes	Yes	7-1

M. ATTACHMENTS:

Each of the following attachments includes a description of the respective application, a summary of the Planning Commission’s recommendations, and an exhibit displaying the proposed amendments:

- Attachment 1: NewCold Land Use Designation Change
- Attachment 2: South Sound Christian Schools Land Use Designation Changes
- Attachment 3: Work Plan for South Tacoma Groundwater Protection District Code Amendments
- Attachment 4: Minor Plan and Code Amendments

###



PLANNING COMMISSION RECOMMENDATION SUMMARY
May 4, 2022

Application:	NewCold Land Use Designation Change
Applicants:	NewCold Seattle, LLC
Summary of Proposal:	The proposal is to change the Land Use Designation for a 3-acre parcel located at 4601 S. Orchard Street owned by NewCold, LLC, from “Light Industrial” to “Heavy Industrial.” This would allow NewCold to request a future site rezone and apply for permits to expand its existing 140-foot tall cold storage facility.
Location and Size of Area:	4601 S Orchard St Tacoma, WA 98466 (APN: 0220133049) Site is approximately 3 acres/130,500SF
Current Land Use and Zoning:	Designated: Light Industrial Zoning District: M1- STGPD (Light Industrial District with South Tacoma Groundwater Protection District Overlay)
Neighborhood Council Area:	South Tacoma
Staff Contact:	Larry Harala, (253) 318-5626, lharala@cityoftacoma.org

Planning Commission Recommendations:

The Planning Commission conducted a public hearing on April 6, 2022, concerning the 2022 Annual Amendment Package that includes this application and three others, and accepted written comments through April 8, 2022.

Approximately 24 public comments were received on this application and a key concern was regarding potential traffic impacts to area streets. Also, many of those commenting on the South Tacoma Groundwater Protection District item, made comments on this item as well as it involves an application to redesignate the subject site to Heavy Industrial. Those comments were general and ranged from general environmental concerns to general concerns about heavy industry and potential impact to the STGPD. Concerns about hazardous specific to the light industrial use of cold storage were also expressed.

The Planning Commission determines that the proposed change to the land use designation for the current site is consistent with the Comprehensive Plan, and fulfills the goals of supporting the container port and providing equitable jobs within the regional growth center. While members of the public have expressed concerns, and the Planning Commission shares those concerns, there will be continued review and analysis during any subsequent site-specific rezoning request and then any following development permits.

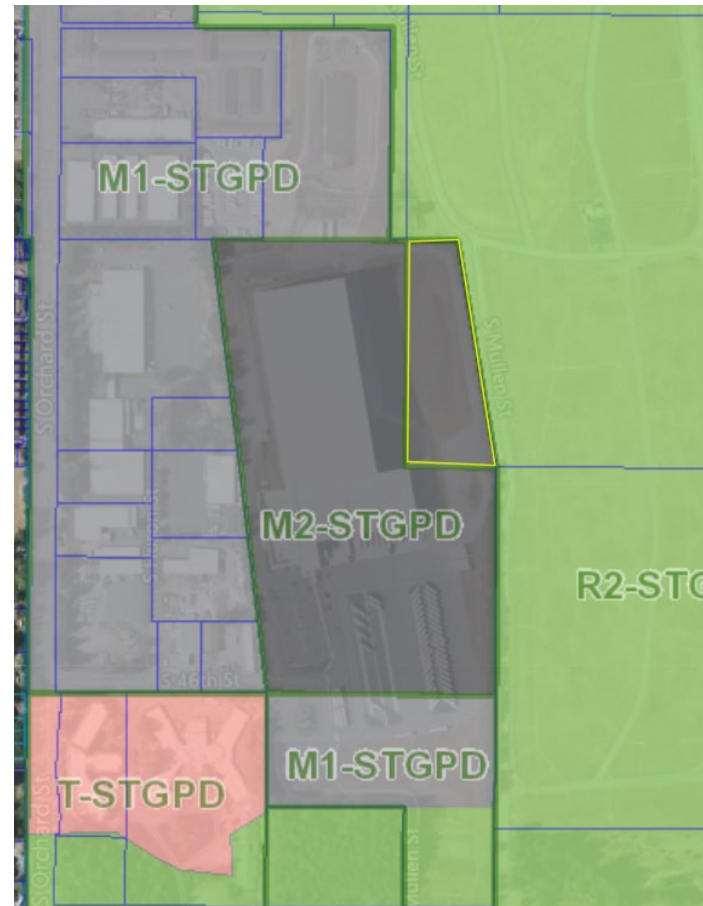
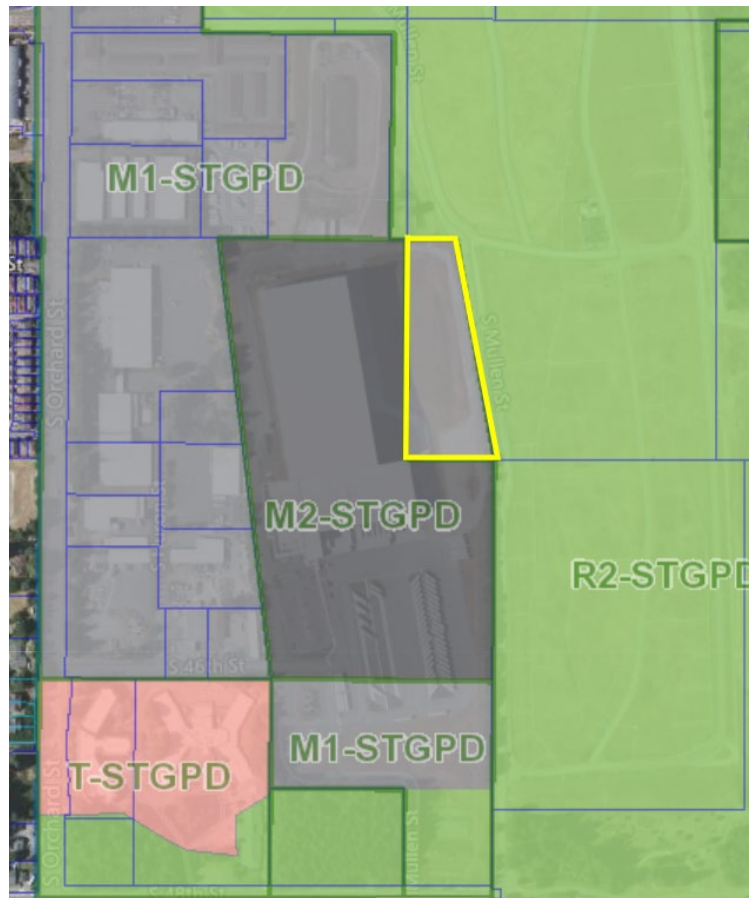
The Planning Commission recommends that the City Council approve the proposed land use designation change to the subject site from “Light Industrial” to “Heavy Industrial”, as set forth in Exhibit A. The Commission further recommends that, as the proposal moves into the site rezoning and permit process, the City work with the applicant to consider the viability of a S. Mullen Street extension through the former landfill site, to route freight access in a manner that provides access to Highway 16 and minimize impacts to adjacent neighborhoods. The Commission also supports City efforts to incentivize and encourage the transition to electric vehicles and non-carbon based fuels to mitigate these potential impacts and consider these efforts to be critical to mitigate the long term air quality impacts of growth and economic activity within the City.

2022 Comprehensive Plan and Land Use Code Amendments

**CURRENT LAND USE DESIGNATION:
LIGHT INDUSTRIAL**

**PROPOSED LAND USE DESIGNATION:
HEAVY INDUSTRIAL**

EXHIBIT A: NewCold



APPLICANT: NewCold Seattle, LLC

SITE LOCATION: 4601 S Orchard Street, Tacoma WA

AMENDMENT TYPE: Comprehensive Plan Future Land Use Map Amendment

WHY IS THIS CHANGE PROPOSED?

NewCold is applying for a Comprehensive Plan Land Use Designation amendment to update a parcel of the Tacoma site to allow for future expansion of an existing facility. The parcel in question is currently designated as “Light Industrial” and NewCold is requesting that the parcel be re-designated to Heavy Industrial. The existing cold storage complex sits on approximately 34 acres, and the subject parcel is an adjacent 3-acre property, directly to the east of the existing approximately 140-foot tall cold storage building.

The NewCold heavy industrial cold storage facility was completed in 2018, the facility has a storage capacity of over 25 million cubic feet in a vertical cold storage layout, with an approximate 100,000 pallet capacity. The facility is utilized by large food companies such as Trident Seafoods as a cold storage link in their supply chains.

If granted, the land use designation change to Heavy Industrial would enable NewCold to apply for a rezone to an M-2 Heavy Industrial Zoning District.

Light Industrial Designation Description:

This designation allows for a variety of industrial uses that are moderate in scale and impact, with lower noise, odors and traffic generation than heavy industrial uses. This designation may include various types of light manufacturing and warehousing and newer, clean and high-tech industries, along with commercial and some limited residential uses. These areas are often utilized as a buffer or transition between heavy industrial areas and less intensive commercial and/or residential areas.

Heavy Industrial Designation Description:

This designation is characterized by higher levels of noise and odors, large-scale production, large buildings and sites, extended operating hours, and heavy truck traffic. This designation requires access to major transportation corridors, often including heavy haul truck routes and rail facilities. Commercial and institutional uses are limited and residential uses are generally prohibited.

To learn more: visit www.cityoftacoma.org/2022amendment or email at planning@cityoftacoma.org.



PLANNING COMMISSION RECOMMENDATION SUMMARY
May 4, 2022

Application:	South Sound Christian Schools Land Use Designation Changes
Applicants:	South Sound Christian Schools and CenterPoint Christian Fellowship
Summary of Proposal:	The current Land Use Designation for the site is “Low-Scale Residential” for the 8 parcels, a total of 16 acres, near Tacoma Mall Boulevard and S. 64 th Street owned by the applicants. The applicants’ request is to change the designation to: (1) “Mid-Scale Residential” for the western 4 parcels, and (2) “General Commercial” for the eastern 4 parcels. This would allow applicants to apply for a site rezone and permits to potentially develop multifamily residential and commercial uses at this location.
Location and Size of Area:	8-Parcels generally adjacent to 2052 South 64 th Street 15.96 acres / 694,260 SF
Current Land Use and Zoning:	Land Use Designation: Low Scale Residential Zoning: R-2-STGPD Single Family Dwelling District with South Tacoma Groundwater Protection District Overlay
Neighborhood Council Area:	South Tacoma
Staff Contact:	Larry Harala, (253) 318-5626, lharala@cityoftacoma.org

Planning Commission Recommendations:

The Planning Commission conducted a public hearing on April 6, 2022, concerning the 2022 Annual Amendment Package that includes this application and three others, and accepted written comments through April 8, 2022.

Approximately five comments were received on this application both in support and opposition. Comments in support cited a need for more housing, more entry level housing, and also noted that the sites have at times been subject to accumulation of trash and debris, illegal dumping, and possibly homeless encampments. Those comments in opposition opposed general growth in the City of Tacoma, and expressed concerns about potential loss of tree canopy and impact to critical areas. Also a concern about impact to the South Tacoma Groundwater Protection district.

Preliminary critical area analysis has already begun and additional critical area analysis and permitting will be required as part of any subsequent rezoning action. Any identified critical areas would have to be protected in full accordance with City of Tacoma critical area code as well as meet all state and federal regulation. Any future development of these sites will need to comply with all landscaping and tree canopy standards at the time of development. In terms of impact to the STGPD there is no anticipated impact to the STGPD from residential development of these sites.

Based on public comments received and further deliberations, the Planning Commission recommends that the City Council approve the land use designation changes as proposed by the applicants and with modifications proposed by the Commission, as set forth in Exhibit A. The Commission further recommends that, if this application proceeds into the permit process, the City ensure the preservation of the Garry Oaks on site, as demanded by the Critical Areas Code and Washington Department of Fish and Wildlife priority species management recommendations.

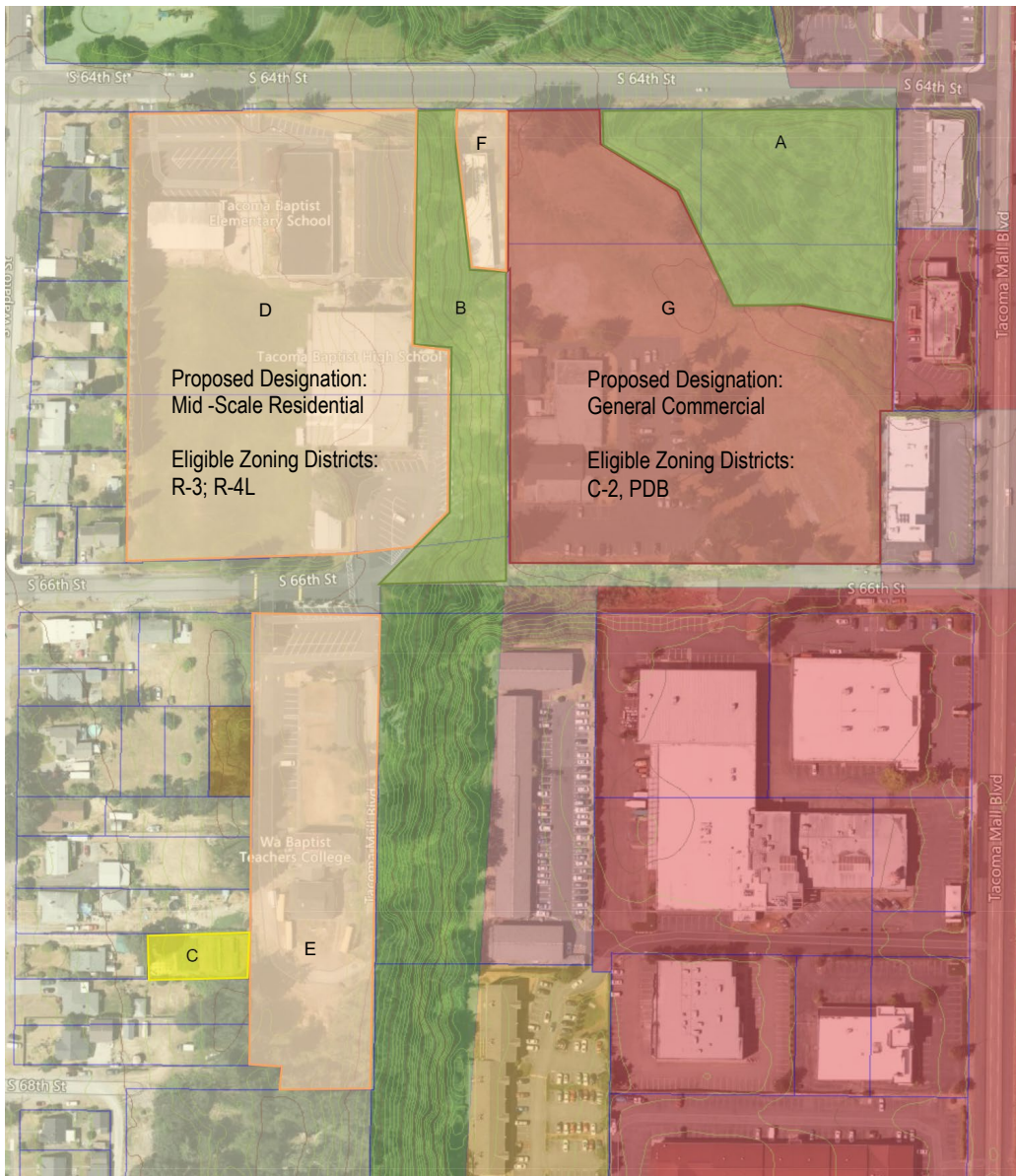


South Sound Christian Schools Land Use Designation Changes

Planning Commission Recommendations:

1. For Areas A and B on the map below, change the land use designation from “Low-Scale Residential” to “Parks and Open Space”;
2. For Area C, maintain the land use designation as “Low-Scale Residential”;
3. For Areas D, E and F, change the land use designation from “Low-Scale Residential” to “Mid-Scale Residential”; and
4. For Area G, change the land use designation from “Low-Scale Residential” to “General Commercial.”

Note that the delineations for Areas A through G on the map are for illustration purposes. Accurate delineations and legal descriptions for these areas shall be attained prior to the site rezone and site development processes based on the City’s GIS database and on-site land survey as appropriate.





PLANNING COMMISSION RECOMMENDATION SUMMARY
May 4, 2022

Application:	Work Plan for South Tacoma Groundwater Protection District Code Amendments
Applicant:	<ul style="list-style-type: none"> • South Tacoma Neighborhood Council (applicant of the EGZ application) • Planning and Development Services Department (proposing the Work Plan)
Summary of Proposal:	The Work Plan outlines the approach for improving STGPD related regulations to be more effective in addressing environmental and health risks. The Work Plan and its implementation represent the first-phase response to the “South Tacoma Economic Green Zone (EGZ)” application submitted by the South Tacoma Neighborhood Council. The second-phase response, to be undertaken later on, would be the potential transformation of the South Tacoma Manufacturing/Industrial Center into an EGZ that fosters environmentally sustainable industry.
Location and Size of Area:	South Tacoma Groundwater Protection District Overlay (STGPD); 5000+ acres
Current Land Use and Zoning:	<ul style="list-style-type: none"> • Land Use Designations and Zoning Districts: Various • Overlays: <ul style="list-style-type: none"> ○ STGPD: South Tacoma Groundwater Protection District ○ ST-M/IC: South Tacoma Manufacturing/Industrial Center ○ ACD: Airport Compatibility District ○ PRD: Planned Residential Development
Neighborhood Council Area:	South Tacoma (entirety), South End (partial) and Central (partial)
Staff Contact:	Lihuang Wung, (253) 591-5682, lwung@cityoftacoma.org

Planning Commission Recommendations:

The Planning Commission conducted a public hearing on April 6, 2022, concerning the 2022 Annual Amendment Package that includes this application and three others, and accepted written comments through April 8, 2022.

A number of comments were received on this application, urging the City to move forward with the Work Plan, to speed up the review process for the Economic Green Zone (EGZ), and to consider enacting a moratorium on the Bridge Industrial’s proposed warehouse project that is currently under administrative, permitting and environmental reviews (for which the Planning Commission does not have any review or decision authority).

The Planning Commission concludes that the proposed Work Plan for South Tacoma Groundwater Protection District Code Amendments provides a succinct and practical scope of work for amending the STGPD related regulations.

The Planning Commission recommends that the City Council:

1. Approve the Work Plan for South Tacoma Groundwater Protection District Code Amendments, as shown in Exhibit A;
2. Acknowledge that the Work Plan represents the City’s “Phase 1A Response” to the “South Tacoma Economic Green Zone (EGZ)” application submitted by the South Tacoma Neighborhood Council, that the implementation of the Work Plan represents the “Phase 1B Response” and is to be carried out in the 2023 Amendment cycle;

3. Acknowledge the perspectives, expectations and comments concerning the implementation of the Work Plan as provided by the partnering agencies for code amendments, including the Environmental Services Department, Tacoma Water, and the Tacoma-Pierce County Health Department, as provided in Exhibit B;
4. Acknowledge that the review process for the potential EGZ designation represents the “Phase 2 Response” to the EGZ application; that the scope of work is anticipated to be comprehensive and comparable to the scale of a subarea plan, requiring the consideration for multifaceted aspects, such as land use designation changes, area-wide rezones, transportation and capital facilities improvements, environmental reviews, sustainability strategies, “green economy” strategies and incentives, groundwater and aquifer monitoring programs, and extensive community engagement; that the work is expected to be carried out during the general timeline of 2022-2024, potentially starting with a scoping process in late 2022 to define and refine the scope of work; and that additional staffing and budgetary resources may be needed to accomplish the work in a timely and effective manner; and
5. Consider the merits of a moratorium on future development projects, given that significant permit activity and development during the phased process could pre-empt the broader planning efforts.

Exhibits:

- A. Work Plan for STGPD Code Amendments
- B. Perspectives and Expectations concerning the Implementation of the Work Plan



Exhibit A
to Planning Commission
Recommendation Summary

Work Plan for South Tacoma Groundwater Protection District Code Amendments

(Planning Commission Recommended, May 4, 2022)

The following Work Plan for the South Tacoma Groundwater Protection District Code Amendments represents the initial step of the first component of the two-pronged approach to addressing the original application of “South Tacoma Economic Green Zone.” It has been developed based on the thoughts and suggestions from the applicant (South Tacoma Neighborhood Council) and staff from the City of Tacoma’s Planning and Development Services Department (PDS) and Environmental Services Department (ES), the Tacoma Public Utilities – Tacoma Water, and the Tacoma-Pierce County Health Department (TPCHD).

1. Major Issues:

- (a) General program awareness.
- (b) Enforcement and monitoring.
- (c) Define “periodic update”.
- (d) Review proposal for prohibited uses from application.
- (e) Code implementation and code location (including potential relocation).
- (f) Infiltration Policy.
- (g) Program Funding.

2. Examine code amendments needed.

3. Community Engagement and Outreach Strategy:

- Stakeholders:
 - Staff Team (representing TPCHD, Tacoma Water, ES and PDS)
 - Permitted and Non-permitted Businesses
 - Homeowners and Taxpayers
 - Neighborhood Councils (South Tacoma, Central, and South End)
 - Planning Commission and City Council
 - Additional local, regional, state and federal agencies and organizations, as may be identified
- Community Meetings; Surveys; Targeted Ads.
- Dissemination of information, data, maps and publicity materials that are user-friendly.
- Focus on Equity.

4. Evaluate need and funding for consultant services.

5. Implementation:

- The Work Plan is to be carried out during the 2023 Amendment cycle, i.e. from early 2022 to June 2023.
- To allow the flexibility to address additional issues that may arise during its implementation, the Work Plan is subject to change, depending on the directives and suggestions from the City Council, the Planning Commission, the applicant, and stakeholders.

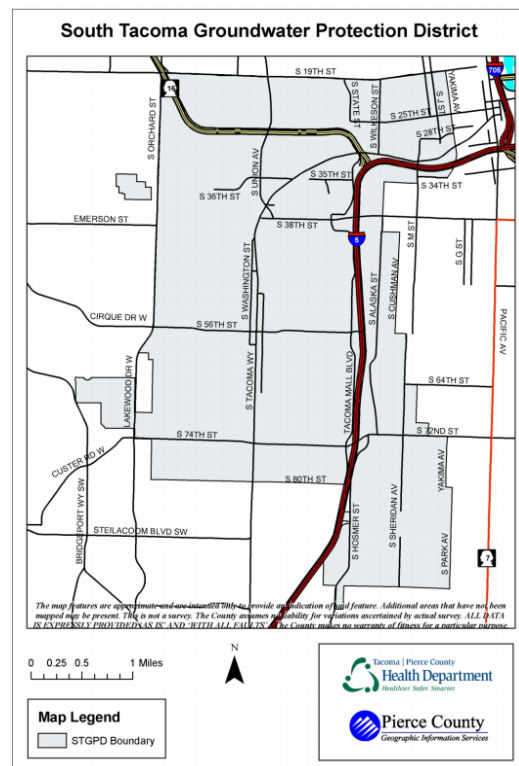


Exhibit B
Perspectives and Expectations
concerning the Implementation of the Work Plan
(from Environmental Services, Tacoma Water,
and Tacoma-Pierce County Health Department)

From: Esther Beaumier <EBeaumier@tpchd.org>

Sent: Tuesday, April 26, 2022 4:34 PM

To: Hallenberg, Scott <shallenb@cityoftacoma.org>; Trohimovich, Merita <MPollard@cityoftacoma.org>; Wung, Lihuang <lwung@cityoftacoma.org>; Kelsie Lane <KLane@tpchd.org>; Harala, Larry <LHarala@cityoftacoma.org>

Cc: Atkinson, Stephen <satkinson@cityoftacoma.org>; Nolan, Adam <ANolan@cityoftacoma.org>

Subject: RE: Additional Feedback Needed for STGPD Code Amendments Scope

I'll third the sentiments from ES and Tacoma Water. The Health Department values these long-standing partnerships that have helped us implement the STGPD and protect the aquifer. We're excited to work with them on the STGPD regulation update work plan and exploration of the South Tacoma Economic Green Zone (EGZ).

As ES notes, the proposal put forward by the South Tacoma Neighborhood Council (STNC) was extensive and planning commission broke this proposal into separate phases. We agree, the work plan is the first step in improving the STGPD regulation with a coordinated approach from all agencies using best available science. Our current work plan is very high level and there are many unknowns. We need to have a clearer picture of the scope, resources and funding to make this effort successful. We've heard community concerns around the slowness of this effort. However, an effort like this takes time, especially with high community expectations and our own high standards. This process will likely will identify additional code or policy changes that will take time and resources.

Seconding Tacoma Water, while we're undergoing the STGPD reg revision, the Health Department will continue to implement the current STGPD code requirements for inspections and permitting. We too will continue to improve our public education and outreach efforts to businesses within the district.

Looking forward to spending more time with you folks!

Thanks,
Esther

From: Hallenberg, Scott <shallenb@cityoftacoma.org>

Sent: Tuesday, April 26, 2022 3:38 PM

To: Trohimovich, Merita <MPollard@cityoftacoma.org>; Wung, Lihuang <lwung@cityoftacoma.org>; Esther Beaumier <EBeaumier@tpchd.org>; Kelsie Lane <KLane@tpchd.org>; Harala, Larry <LHarala@cityoftacoma.org>

Cc: Atkinson, Stephen <satkinson@cityoftacoma.org>; Nolan, Adam <ANolan@cityoftacoma.org>

Subject: RE: Additional Feedback Needed for STGPD Code Amendments Scope

Hello Lihuang,

I started typing a separate response but was basically repeating most of what Merita stated below. We agree that the work plan is just the first step and will help us to identify needed changes, resources, funding and timing based on best available science. While this work plan is being implemented we will continue to coordinate with ES, Planning and TPCHD to ensure that the South Tacoma Aquifer remains protected. This includes routine inspections, plan reviews, and water sampling activities. We will also continue to work on improving public education/outreach efforts through the STGWPD and Tacoma Water service area.

Thanks,

Scott

From: Trohimovich, Merita <MPollard@cityoftacoma.org>
Sent: Tuesday, April 26, 2022 8:25 AM
To: Wung, Lihuang <lwung@cityoftacoma.org>; EBeaumier@tpchd.org; Kelsie Lane <KLane@tpchd.org>; Hallenberg, Scott <shallenb@cityoftacoma.org>; Harala, Larry <LHarala@cityoftacoma.org>
Cc: Atkinson, Stephen <satkinson@cityoftacoma.org>; Nolan, Adam <ANolan@cityoftacoma.org>
Subject: RE: Additional Feedback Needed for STGPD Code Amendments Scope

Hi Lihuang –

Environmental Services (ES) is pleased to be part of the team for this project. ES's role is managing the Stormwater and Wastewater Utilities. In the STGPD, as well as Tacoma in general, ES has a long history of coordination with TPCHD and Tacoma Water to ensure that requirements achieve goals for public health and safety and are consistent with our existing stormwater and wastewater regulations and requirements.

The STGPD Code Amendment project is beginning and there continues to be work on scoping. Through the review of the existing code and policies, as well as additional information from Tacoma Water and TPCHD and other partners and stakeholders, the group will refine the work plan to continue protection of the aquifer. Any code or policy changes should be based on best available science. It is possible that additional information needs may be identified as the project progresses and there is a concern that this could affect the current work plan and timeline.

This work plan is Phase 1A of the response to the South Tacoma Neighborhood Council's (STNC) request for the designation of "South Tacoma Economic Green Zone (EGZ)". It is important to remember that Phase 1A will not address the entire proposal put forward by the STNC. The next phases of the South Tacoma Neighborhood Council's (STNC) request for the designation of "South Tacoma Economic Green Zone (EGZ)" may identify additional code or policy changes to be implemented in the future.

ES looks forward to participating in this collaborative process.

Merita Trohimovich
City of Tacoma
253-857-5621 cell number

From: Wung, Lihuang <lwung@cityoftacoma.org>
Sent: Thursday, April 21, 2022 4:53 PM
To: Trohimovich, Merita <MPollard@cityoftacoma.org>; EBeaumier@tpchd.org; Kelsie Lane <KLane@tpchd.org>; Hallenberg, Scott <shallenb@cityoftacoma.org>; Harala, Larry <LHarala@cityoftacoma.org>
Cc: Atkinson, Stephen <satkinson@cityoftacoma.org>; Nolan, Adam <ANolan@cityoftacoma.org>
Subject: Additional Feedback Needed for STGPD Code Amendments Scope

Hi, All,

As the Planning Commission is getting ready to make its recommendations to the City Council concerning the 2022 Amendment Package, I would like to gather any additional thoughts you may have with regards to one of the applications included in the package, i.e., the “Work Plan for South Tacoma Groundwater Protection District Code Amendments.”

Thanks to your feedback and collaboration, the Work Plan we developed as the Phase 1A response to the South Tacoma Neighborhood Council’s (STNC) request for the designation of “South Tacoma Economic Green Zone (EGZ)” has received overwhelming support from the community during the Commission’s public hearing process. In fact, as we’ve all witnessed, people’s support has been more than the Work Plan itself – more on the effective implementation of it (i.e., Phase 1B response to STNC’s request) and, moreover, on the expedited review of the EGZ concept (i.e., Phase 2 response).

In response to the community’s desire, the Commission should not only recommend the approval of the Work Plan, but also indicate the thought process for the implementation of the Work Plan and for the review of the EGZ concept. To assist the Commission in incorporating appropriate information in its Findings of Fact and Recommendations Report, I need your feedback.

As we (the cross-jurisdictional staff team for the STGPD code amendments) are ready to move forward, the first step is to refine the scope of work currently outlined in the Work Plan. Please provide me, from your agency’s perspectives, your expectations, constraints, concerns, and suggestions about the code amendment effort. In order for a timely incorporation of appropriate information into the Commission’s report, I need and will appreciate your feedback by Wednesday, April 27, 2022.

If you have any questions about this request, please let me know. Thank you in advance.

LIHUANG WUNG

Senior Planner
City of Tacoma – Planning & Development Services (PDS)
(253) 591-5682

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PLANNING COMMISSION RECOMMENDATION SUMMARY
May 4, 2022

Application:	Minor Plan and Code Amendments
Applicant:	Planning and Development Services Department
Summary of Proposal:	The application compiles 17 non-policy, technical proposed amendments to the <i>One Tacoma</i> Comprehensive Plan and the Tacoma Municipal Code that are intended to correct minor errors, address inconsistencies, keep information current, and clarify and improve provisions that, through implementation of the Plan and the Code, are found to be unclear or not fully meeting their intent. See Exhibit A for the list of the 17 proposed amendments and the associated staff’s analysis and Planning Commission’s deliberations.
Location and Size of Area:	Citywide
Current Land Use and Zoning:	Various
Neighborhood Council Area:	Citywide
Staff Contact:	Lihuang Wung, (253) 591-5682, lwung@cityoftacoma.org

Planning Commission Recommendations:

The Planning Commission conducted a public hearing on April 6, 2022, concerning the 2022 Annual Amendment Package that includes this application and three others, and accepted written comments through April 8, 2022.

A few comments were received on this application (which included 15 issues at the time of the public hearing), however, upon staff analysis and Planning Commission review, no modifications to the proposed amendments were made. In addition, staff proposed a minor modification to one of the 15 issues and the addition of two issues, with which the Planning Commission concurred. Such discussion was documented in the “Comments Received and Staff Responses and Suggestions” report reviewed by the Planning Commission on April 20, 2022.

The Planning Commission determines that these 17 proposed amendments are consistent with the Comprehensive Plan, and fulfill the intent to keep information current, address inconsistencies, correct minor errors, and improve the clarify of the Comprehensive Plan and the Tacoma Municipal Code.

The Planning Commission recommends that the City Council adopt the proposed amendments, as set forth in Exhibit A.

The Commission also recommends that, pertaining to Issue #1 – “Limitation on Residential Occupancy” (formerly identified as “Definition of Family”), a more holistic review of the use of the term “family” to define land use types or to determine unit occupancy be accomplished as soon and effectively as practical. The Commission further recommends that, pertaining to Issue #15 – Manitou Annexation Area Land Use, the concern about the R-3 zoning for the single-family parcels not being fully consistent with the intent of the Low-Scale Residential designation be properly addressed through the Home In Tacoma Phase 2 as soon as practical.



**2022 ANNUAL AMENDMENT
TO THE COMPREHENSIVE PLAN AND LAND USE REGULATORY CODE**

**Exhibit A
to Planning Commission
Recommendation Summary
May 4, 2022**

Minor Plan and Code Amendments – Issues and Proposed Amendments

May 4, 2022

No.	Issues and Assessments	Proposed Amendments
1.	<p><u>Limitation on Residential Occupancy</u></p> <ul style="list-style-type: none"> TMC 13.01.060.F Zoning Definitions <p>Senate Bill 5235 (SB 5235), signed into law by the Governor, effective July 25, 2021, includes a key restriction on how local governments define and regulate residential unit occupancies. For the City of Tacoma, currently, “Family” is defined in TMC 13.01.060.F as follows:</p> <p><i>“Family.” One or more persons related either by blood, marriage, adoption, or guardianship, and including foster children and exchange students, or a group of not more than six unrelated persons, living together as a single nonprofit housekeeping unit; provided, however, any limitation on the number of residents resulting from this definition shall not be applied if it prohibits the City from making reasonable accommodations to disabled persons in order to afford such persons equal opportunity to use and enjoy a dwelling as required by the Fair Housing Amendments Act of 1988, 42 U.S.C. 3604(f)(3)(b).</i></p> <p>Per the new State law, these types of broad zoning limitations on the number of unrelated individuals that can live in a dwelling unit are no longer allowed. Per the PDS Director’s Rule 03-2021, effective July 25, 2021, the City will no longer use this definition to limit residential occupancy. This issue and potential permanent corrective code amendments should be included in the scope of work for the 2022 Amendment.</p>	<ul style="list-style-type: none"> Replace the current definition of “Family” in the Land Use Code TMC 13.01.060.F with the following: <p>“Family.” One or more persons, related or unrelated, living together as a single household where all members have common access to and use of living, kitchen and other shared spaces.</p> <p>(Note: This definition change achieves basic consistency with the new state law. However, the state law, as well as policy adopted through Home In Tacoma Phase 1 call for a more holistic review of the use of the term “family” and of other standards that limit the number of people who can live in a dwelling unit.</p> <p>Also note that based on the Planning Commission’s comments and suggestions on 01/19/22, including using the term “household” instead of “family”, staff provided the following: Staff concurs that the proposed “family” definition is essentially the same as “household”. However, while changing the “family” definition achieves consistency with the state law, it is an interim step. Because the term “family” is currently used widely in the TMC, staff recommends taking more time as part of the Home In Tacoma Phase 2 analysis before potentially replacing it.</p> <p>It is also noted that the Commission received concerns during the public hearing that attempts to alter the definition of “family” in the Land Use Code could be dangerous – destroying the foundation of all institutions, many standing to lose, and City unable to handle litigation. In response, at the meeting on 04/20/22, staff reiterated the above mentioned notes, and suggested that the issue ID can be changed from “Definition of Family” to “Limitation on Residential Occupancy” to help provide clarification. The Commission concurred.)</p>

No.	Issues and Assessments	Proposed Amendments
2.	<p><u>Preliminary and Final Plats</u></p> <ul style="list-style-type: none"> TMC 13.04 Platting and Subdivisions <p>Based on the decision for the Morcos Preliminary Plat, our attorney has recommended that we take out language that states that an approved preliminary short or long plat is an assurance that the Final Plat will be approved. This language is not provided for in the RCW 58.17.100; rather it was added in by a previous PW's Director many years ago. Proposed amendments are needed to improve consistency with State law.</p>	<ul style="list-style-type: none"> Amend TMC 13.04.090.F. as follows: “After approval of a preliminary short plat application by the Director, the short plat shall be filed with the Pierce County Auditor <u>for recording</u>, and only after such filing shall the short plat be deemed approved and accepted by the City of Tacoma. The approved short subdivision decision, however, shall be assurance to the subdivider that the short plat will be recorded provided that:.....” Amend TMC 13.04.100.D. as follows: “Approval of the preliminary plat is a tentative approval and does not constitute final acceptance of the plat. Approval of the preliminary plat, however, shall be assurance to the subdivider that the final plat will be approved; provided, that:.....”
3.	<p><u>Residential Landscaping Requirements</u></p> <ul style="list-style-type: none"> TMC 13.06.09.J.5. Landscaping Buffers <p>In the code prior to the reorganization, landscaping was exempt for single, two, and 3 family homes. In the old code, landscaping buffers were also in this section and therefore exempt. The re-organized code moved buffers into a new section that does not have the same exemption listed in the applicability.</p> <p>1. Exemptions:</p> <p>a. Single, two and three-family and townhouse developments are exempt from all landscaping requirements, with the exceptions that street trees are required in X Districts, and in all districts.</p>	<ul style="list-style-type: none"> Amend TMC 13.06.09.J.5. by adding an additional exemption that has the same effect that the antiquated code had, as follows: 13.06.09.J.5. Landscaping Buffers c. Exceptions <u>(7) Single-, two-, three-family and townhouse developments are exempt from all landscaping buffer requirements.</u>

No.	Issues and Assessments	Proposed Amendments
4.	<p><u>Homeowners' Association Owned Open Space & Other Tracts</u></p> <ul style="list-style-type: none"> TMC 13.04.090.H.20 & 100.F.20 Short Plat/Short Subdivision Procedures <p>The code allows open space & other tracts to be owned by a homeowner's association, the property owners within the subdivision or dedicated to the public.</p> <p>The homeowner's association should be removed as an option. These often go defunct/bankrupt, taxes aren't paid & the tract reverts to Pierce County which auctions it off. This causes problems because the new owner usually wants to develop the open space or other tract. Our code should ensure that property taxes are paid on these tracts by requiring they are included as a proportional interest for each property owner in the plat. That way Pierce County assesses each property owner in the plat a portion of the tax for the tract along with the taxes for their individual homes.</p> <p>RCW 58 has no provisions that require local jurisdictions to include ownership by a Homeowners' association as an option. Pierce County's code (Chapter 8.F30.030) also has no allowance for Homeowners' Association.</p>	<ul style="list-style-type: none"> Amend TMC 13.04.090.H.20 as follows: 20. Common facilities and open spaces shall be located on separate, individual tracts, unless otherwise approved by the Director, and shall be dedicated, reserved or otherwise held in common by a homeowners' association or by a proportional ownership interest shared among all of the property owners within the short subdivision, or alternatively, and only if acceptable to the receiving public agency, dedicated to the public Amend TMC 13.04.100.F.20 as follows: 20. Common facilities and open spaces shall be located in separate, individual tracts unless otherwise approved by the Hearing Examiner, and shall be dedicated, reserved or otherwise held in common by a homeowners' association or by a proportional ownership interest shared among all of the property owners within the subdivision, or alternatively, and only if acceptable to the receiving public agency, dedicated to the public.
5.	<p><u>Reference to Definition Section</u></p> <ul style="list-style-type: none"> TMC 13.06.080.A.5.c Special Use Standards <p>Suggest adding "(See definition "Building, height of.")" to the reference to TMC 13.01.060, so that code readers know where to look in the definitions section that is cited.</p>	<ul style="list-style-type: none"> Amend TMC 13.06.080.A.5.c as follows: (2) Height shall be limited to the most restrictive of the following: <ul style="list-style-type: none"> The maximum height for detached ADUs shall be 18 feet, measured per the Building Code, or up to 20 feet with incorporation of either parking below or above the DADU structure (not next to), or with certification of the DADU under Built Green criteria with 4 stars, or equivalent environmental certification. The conversion of an existing accessory structure taller than 18 feet may be authorized through issuance of a Conditional Use Permit. In View Sensitive Districts, the maximum height shall be 15 feet, measured per TMC 13.01.060. (Refer to the definition for "Building, height of"), and allowance of additional height is subject to TMC 13.05.010.B Variances.

No.	Issues and Assessments	Proposed Amendments
6.	<p><u>Cultural Institutions and Public Benefit Use</u></p> <ul style="list-style-type: none"> TMC 13.01.060.C and .P Zoning Definitions <p>Suggest clarifying the definition of “Cultural Institutions” to indicate that such uses are not limited to museums, as the current language might suggest. Also, this definition is listed twice in the section, where the 2nd occurrence should be deleted.</p> <p>The “art gallery or museum” currently included in the definition of “Public Benefit Use” should be replaced with “cultural institutions.”</p> <p>It is also suggested that the “community meeting rooms” option be deleted from the definition of “Public Benefit Use.” We have found applicants are inclined to use this as a sort of “loophole”, to basically circumvent having to do any actual commercial space option on the ground floor where required. With this change, they will be designing to commercial standards regardless in the downtown areas.</p> <p>Also, “Public benefit use” should be added as a use category to these use charts of TMC 13.06.030, TMC 13.06.040, and TMC 13.06.060. Indicate which districts allow, prohibit, and required conditional use permits for this use in these districts.</p>	<ul style="list-style-type: none"> Amend TMC 13.01.060.C as follows: “Cultural institutions.” Institutions displaying or preserving objects of interest in one or more of the arts or sciences. This classification includes museums, such as a museum, or cultural center, operated by a non-profit organization or faith-based organization, and offering services to the community. <u>“Cultural institutions.” Institutions displaying or preserving objects of interest in one or more of the arts or sciences. This classification includes museums.</u> Amend TMC 13.01.060.P as follows: “Public benefit use.” As used in Section 13.06.050—Downtown, public <u>Public</u> benefit uses shall include any of the following uses, <u>whether operated by a for-profit, non-profit, or faith-based organization:</u> <ol style="list-style-type: none"> Day care available to the general public Human services, such as employment counseling and walk-in clinics Recreation, such as health clubs Community meeting rooms Art gallery or museum <u>Cultural institutions</u> Drop-in centers for youth or seniors Amend use charts of TMC 13.06.030, 13.06.040, and 13.06.060 as follows: Add “Public benefit use” as a use category to these use charts and indicate which districts allow, prohibit, and required conditional use permits for this use in these districts. <p>(Note: Based on the Planning Commission’s suggestion on 01/19/22, the “community meeting rooms” would not be deleted, and on 03/02/22, “faith-based organizations” is added.)</p>
7.	<p><u>Efficiency Unit Parking Exemption</u></p> <ul style="list-style-type: none"> TMC 13.06.090.C.3.i. Required off-street parking for Downtown Districts <p>Suggest cleaning up and clarifying the language in the off-street parking exemption for group housing, student housing and efficiency units in Downtown Districts. The current provision pertaining to bicycle parking spaces can be removed, because all units are already required to provide more bike parking spaces than what is called out here regardless. The “(whichever is greater)” is vague language and should be clarified.</p>	<ul style="list-style-type: none"> Amend 13.06.090.C.3.i. as follows: (f) Group housing; student housing; and, efficiency multi-family dwellings (250-450 sf in size) are exempt from vehicular parking requirements (with the exception of required accessible parking), provided the following: <ul style="list-style-type: none"> A minimum of 0.75 bicycle spaces per dwelling or unit are provided in an indoor, locked location. Within a single building, no more than 20 dwelling units, or 50% of the total dwelling units (whichever is greater), <u>For buildings that are greater than 40 dwelling units, 50% of the total dwelling units may utilize this bonus.</u>

No.	Issues and Assessments	Proposed Amendments
8.	<p><u>Single-family detached dwellings – Small Lots (Level 2)</u></p> <ul style="list-style-type: none"> • TMC 13.06.020.F.1.k Residential District Development Standards (row “k” of the table) <p>Several clarification type of amendments to row “k” of the table of Residential District Development Standards are suggested, as follows:</p> <ol style="list-style-type: none"> 1. The placement of the “Additional exceptions to Minimum Lot Requirements” under the title line of the row “Single-family detached dwellings – Small Lots (Level 2)” causes confusion with customers. The additional exceptions are only applicable to single-family detached dwelling lots, not to all uses in the R district. Since the lead paragraph (the first paragraph in the right section) already explains that these exceptions can be applied for the Level 2 small lot minimum size, removing this placement under the title line should help eliminate the confusion. 2. The wording of the lead paragraph, however, often leads customers to think all they need is a variance to get a smaller Level 2 lot. The latest example is a 7,440 sf lot that wanted to subdivide into a 3,000 sf and 4,440 sf lot through a variance. 3. The Planned Residential District phrase isn’t necessary because it’s set out separately later in the section (020.F.1.m). 4. The language about design standards is extraneous because these are by definition Level 2 lots and subject to all standards. 5. The pipestem exception is listed above in 020.F.1.j and also in the section about small lots (13.06.020.J) and not needed here. 	<ul style="list-style-type: none"> • Amend TMC 13.06.020.F.1.k as follows: <ol style="list-style-type: none"> k. Single-family detached dwellings – Small Lots (Level 2): / Additional exceptions to Minimum Lot Area Requirements <p>One of the following exceptions may be applied per parcel to allow for reductions in minimum lot area below the Single-family Level 1 <u>achieve Level 2</u> Small Lot minimum size without a variance, to the following minimum lot sizes <u>Except in the case of a Planned Residential District without grant of a variance</u>: R-1: 4,500 sq. ft.; R-2, R-2SRD, HMR-SRD: 3,000 sq. ft.; R-3 and above: 2,500 sq. ft.</p> <p>Lot Size Averaging – Infill: To provide for consistency with pre-existing development patterns, the average size of lots along the street frontage and block (excluding the site) may be substituted for the zoning district minimum lot size.</p> <p>Lot Size Averaging – Subdivisions: Within proposed Short and Full Plats, lots are permitted to a minimum size of 4,500 square feet in the R-1 District and 3,000 square feet in the R-2, R2-SRD and HMR-SRD Districts, provided that the overall average lot size within the Short or Full Plat meets the Small Lots minimum lot size of the zoning district. Critical areas and buffers may not be counted toward lot size averaging.</p> <p>Alley lot area credit: In R-1, R-2, and R2-SRD and HMR-SRD Districts, half of the width of abutting alleys which are utilized for vehicular access to the lot may be counted toward the required minimum lot area, up to an additional reduction equivalent to 10 percent of the Standard Minimum Lot Size.</p> <p>Level 2 Small Lots must meet the Level 2 Small Lot Design Standards of Section 13.06.100.F.</p> <p>Small lot exceptions are not applicable to pipestem lots.</p>

No.	Issues and Assessments	Proposed Amendments						
9.	<p><u>Public Facility/Site and Public Safety/Services Facilities</u></p> <ul style="list-style-type: none"> TMC 13.01.060.P Zoning Definitions <p>Currently, there are definitions for “Public facility”, “Public facility site”, “Public safety facilities”, and “Public service facilities” included in this section. These definitions are somewhat repetitive, overlapping, and confusing. It is suggested that these be consolidated into two categories: “Public Facility Site” and “Public Service Facilities”, in order to improve the clarity and implementation effectiveness of the code.</p> <p>“Public safety” and “public service facilities” are currently already bundled together in all use tables. This change will not affect allowed uses.</p> <p>Along with the suggested consolidation of definitions, the land use charts of TMC 13.06.020.D.4, 13.06.030.D.4, 13.06.040.E.3, and 13.06.060.E.4 should be updated to remove “public safety” as separate use.</p> <p>(Note that the Planning Commission requested staff on 01/19/22 to ensure the revised definitions are functional and no information is lost inadvertently as a result of the consolidation of definitions. Upon further review, staff suggested that the proposed language is appropriate.)</p>	<ul style="list-style-type: none"> Amend TMC 13.01.060.P as follows: <p>“Public facility.” Any facility funded in whole or part with public funds, which provides service to the general public, including, but not limited to, public schools, public libraries, community centers, public parks, government facilities, or similar uses.</p> <p>“Public facility site.” An existing public or quasi-public site developed with an existing public or quasi-public facility, including, but not limited to, substations, water reservoirs, or standpipes; police or fire stations; sewer or refuse utility facilities; other governmental facilities, parks, or open space areas; hospitals; public or private schools; and churches.</p> <p><u>“Public facility site.” A public or quasi-public site developed with a facility that provides service to the general public, and is funded in whole or part with public funds. This definition may include, but is not limited to schools, public libraries, community centers, public parks, government facilities, substations, water reservoirs, or standpipes; police or fire stations; sewer or refuse utility. This general classification does not include other government facility sites that are more specifically defined and regulated, such as correctional and detention facilities, parks, schools, and utilities.</u></p> <p>“Public safety facilities.” Facilities for public safety and emergency services, including facilities that provide police and fire protection and ambulance services.</p> <p>“Public service facilities.” Facilities owned, operated, or occupied by a government agency that provide a governmental service to the public, such as public libraries, courthouses, post offices, community centers, and government offices, <u>police and fire protection, and ambulance services</u>. This general classification does not include other government facilities that are more specifically defined and regulated, such as correctional and detention facilities, parks, schools, public safety facilities, and utilities.</p> Amend land use charts of TMC 13.06.020.D.4, 13.06.030.D.4, 13.06.040.E.3, and 13.06.060.E.4 as follows: <p>Remove “public safety” as separate use. Example:</p> <table border="1" data-bbox="898 1141 1780 1198"> <tr> <td>Public safety and public service facilities</td> <td>P</td> <td>P</td> <td>P</td> <td>P</td> <td></td> </tr> </table> 	Public safety and public service facilities	P	P	P	P	
Public safety and public service facilities	P	P	P	P				

No.	Issues and Assessments	Proposed Amendments
10.	<p><u>Street Level Uses and Design</u></p> <ul style="list-style-type: none"> TMC 13.06.100.D.3.b Downtown District Minimum Building Design Standards – Street Level Uses and Design – Primary Pedestrian Streets <p>In implementing the downtown design standards, currently we offer the option of having a store and not meeting the standards, which results in situations that are hard to monitor or enforce. If the idea is conversion/ability to use for commercial purposes, then we should have everything built that way.</p> <p>The proposal is to take use requirements out of the development standards – which is especially important with new tenants because nearly all of the time we don't know who tenants will be. Also, the current sentences pertaining to nonconforming are extremely confusing and should be removed.</p> <p>(In response to the Planning Commission's suggestion on 01/19/22 to ensure the intent of the code is maintained through the proposed amendments, staff provided the following:</p> <p>The proposed amendment would streamline the code by deferring to the more flexible of the two existing options, i.e., the build-to commercial standards option, allowing developers to just meet the design standards so that future commercial uses can be accommodated. The proposed lead-in statement would clarify the intent of the requirement, which is to support pedestrian-oriented/street-activating commercial uses.)</p>	<ul style="list-style-type: none"> Amend TMC 13.06.100.D.3.b as follows: <ul style="list-style-type: none"> Primary Pedestrian Streets. <p><u>To support pedestrian-oriented/street-activating commercial uses such as retail, restaurants, cultural or entertainment uses, hotel lobbies, personal service uses, parcel and mail services, the customer service portion of banks, credit unions, savings and loan associations, or Public Benefit Uses, any</u>Any new building, the addition to any building, or any substantially altered building fronting on a Primary Pedestrian Street shall comply with either subparagraphs a. or b. the design requirements below:</p> <p>(1) At The floor area abutting at least 25 percent of the linear sidewalk level frontage shall incorporate these elements, along with any other required basic or additional design standards, consist of any of the following uses: retail; restaurants; cultural or entertainment uses, hotel lobbies; travel agencies; personal service uses; parcel and mail services; copy centers; check-cashing facilities; the customer service portion of banks, credit unions, and savings and loan associations; or Public Benefit Uses. Uses at the sidewalk level frontage lawfully in existence on January 10, 2000, the time of reclassification to the above districts, shall be considered legal nonconforming uses and may continue, although such uses do not conform to this standard.</p> <p>(2) The floor area abutting at least 25 percent of the linear sidewalk level frontage shall be designed and constructed to accommodate future conversion to the uses listed in subparagraph a. above, and may be occupied by any use allowed in the zoning district. The area designed and constructed to accommodate future conversion shall meet the following standards, in addition to any other required basic or additional design standards.</p> <ul style="list-style-type: none"> (a) The distance from the finished floor to the finished ceiling above shall be at least 12 feet. (b) The area must have a minimum average depth of 25 feet measured from the sidewalk level façade. (c) The sidewalk level façade must include a pedestrian entrance or entrances to accommodate a single or multiple tenants or be structurally designed so entrances can be added when converted to the building uses listed in subparagraph a. above. (d) At least 25 percent of the sidewalk level façade of the portion of the building designed and constructed to accommodate future conversion to listed uses shall provide transparency through the use of windows and doors for the area located between 2 feet above grade and 12 feet above grade.

No.	Issues and Assessments	Proposed Amendments
11.	<p><u>Infill Pilot Program Handbook</u></p> <ul style="list-style-type: none"> TMC 13.05.060 Residential Infill Pilot Program <p>Add a reference in the code to the Infill Pilot Program Handbook and clarify how the handbook is to be used to guide implementation of the program.</p>	<ul style="list-style-type: none"> Amend TMC 13.05.060.F by adding a subsection “g”, as follows: F. Review process. The Director will convene a special advisory review body which shall function in an advisory capacity to provide input prior to the Director or Hearing Examiner’s decision and conditions of approval. *** 3. The special advisory review body will assess the consistency of the proposal with the following criteria. All proposals submitted under the provisions of this section must demonstrate the following: *** <u>g. Consistency with Residential Infill Pilot Program Handbook. The proposed development must demonstrate consistency with the housing type-specific standards and Design Elements contained within the latest version of the Residential Infill Pilot Program Handbook.</u> Amend TMC 13.05.060 by adding a subsection “G”, as follows: <u>G. Residential Infill Pilot Program Handbook. The Director shall prepare, and update as appropriate, an Infill Pilot Program Handbook to illustrate the design intent, clarify and explain the standards for each housing type, clarify the permit process, and provide additional information of use to program applicants and the special advisory review body.</u>


No.	Issues and Assessments	Proposed Amendments
12.	<p><u>Special Use Standards</u></p> <ul style="list-style-type: none"> TMC 13.06.080 Special Use Standards <p>To facilitate an effective implementation of the Infill Pilot Program, this section of Special Use Standards should be modified to add zoning district exception for accuracy per TMC 13.05.010.A.7.c (pertaining to conditional use permits for infill pilot program), fix grammatical error, and revise minimum lot size for consistency with 13.05.010.A.7.c(1).</p>	<ul style="list-style-type: none"> Amend TMC 13.06.080 as follows: <ul style="list-style-type: none"> 13.06.080 Special Use Standards C. Cottage Housing <ol style="list-style-type: none"> 1. Applicability. <p>Cottage housing developments may be proposed in all residential districts <u>except HMR-SRD</u>.</p> 3. Procedures. <ol style="list-style-type: none"> b. Application. <p>Proponents shall submit all required complete applications, including applicable fees. However, project proponents may choose to stage their applications by initially applying for the Conditional Use Permit and for approval under the Residential Infill Pilot Program.</p> 4. Use standards. <ol style="list-style-type: none"> b. Minimum site size. <p>Cottage housing developments require a minimum net site size of <u>7,000</u> 10,000 square feet.</p>
13.	<p><u>Two-family and Townhouse Dwelling</u></p> <ul style="list-style-type: none"> TMC 13.05.010.A.7 Infill Pilot Program Conditional Use Permit TMC 13.05.060.C.1 Infill Pilot Program Applicability <p>Current text is a little vague in describing townhouses and the required site size. Clarifications are needed to improve the clarity and implementation effectiveness of the code.</p>	<ul style="list-style-type: none"> Amend TMC 13.05.010.A.7 as follows: <ol style="list-style-type: none"> a. Two-family housing development may be allowed by conditional use permit in R-2 Districts. In addition to the General Criteria, a conditional use permit for a two-family <u>dwelling</u> or <u>two</u> townhouse dwelling units in R-2 Districts shall only be approved upon a finding that such use is consistent with all of the following criteria: <ol style="list-style-type: none"> (1) The proposed lot <u>development site</u> is a minimum lot size of 6,000 square feet in size. Amend TMC 13.05.060.C.1 as follows: <ul style="list-style-type: none"> C. Applicability <p>The provisions of this section apply to the following categories of residential infill:</p> <ol style="list-style-type: none"> 1. Two-family <u>dwelling</u> or <u>two</u> townhouse <u>dwelling units development</u> within the R-2 District;

<p>14. <u>Sign Code Update</u></p> <ul style="list-style-type: none"> • TMC 13.01.060.S Zoning Definitions • TMC 13.06.090.I.3.b Sign Standards – General Sign Regulations – Exempt Signs • TMC 13.06.090.I.3.k Sign Standards – General Sign Regulations – Temporary Signs <p>Signs regulated based on content have been found to be illegal and unenforceable. We have two types of signs that are clearly regulated based on content – political signs and real estate signs. These proposed changes “fix” the temporary sign sections in such a way to bring into compliance with current laws. In making changes, staff have researched legal cases and benchmarked jurisdictions that have undergone similar exercises.</p> <p>For the last 18 months, the City has informally been administering the sign code as proposed here-in. Without this change, staff are barred from enforcing clutter created by temporary signs.</p> <p>This effort includes a code change to TMC Title 2 related to Political Signs.</p> <p>It is noted that based on the Planning Commission’s suggestions on 01/19/22, the proposed amendments would remove the reference to “candidates” (to stay content neutral), allow up to two signs per issue or event, and require permission from the property owner for signs placed on the property or the adjacent right-of-way (see amendments to TMC 13.06.090.I.3.k.(1)).</p>	<ul style="list-style-type: none"> • Amend 13.01.060.S as follows: “Sign, off-premises open house or directional sign.” A sign advertising a transaction involving: <ol style="list-style-type: none"> 1. A product sold in a residential zone; 2. A product that cannot be moved without a permit; and/or 3. A product with a size of at least 3,200 cubic feet. “Sign, real estate.” Any sign which is only used for advertising the sale or lease of ground upon which it is located or of a building located on the same parcel of ground. “Sign, temporary.” An on-premises sign, banner, balloon, feather sign, pennant, valance, A-board, or advertising display constructed of cloth, canvas, fabric, paper, cardboard, plywood, wood, wallboard, plastic, sheet metal, or other similar light material, with or without a frame, which is not permanently affixed to any sign structure and which is intended to be displayed for a limited time only. • Amend TMC 13.06.090.I.3.b as follows: (13) Political signs, as set forth in Title 2. (14) Real estate signs, 12 square feet or less, located on the site. Condominiums or apartment complexes shall be permitted one real estate sign with up to 12 square feet per street frontage. Such sign(s) may be used as a directory sign that advertises more than one unit in the complex. (15) Off-premises open house or directional signs <u>Temporary on-premise or off-premise signs</u>, subject to the following regulations in <u>TMC 13.06.090.I.3.k</u> <ol style="list-style-type: none"> The signs may be placed on private property or on the right-of-way adjacent to said private property, with the permission of the abutting property owner. The signs shall be displayed in such a manner as to not constitute a traffic hazard or impair or impede pedestrians, bicycles, or disabled persons. If either condition is not met, the abutting property owner or the City may remove the sign. Signs shall not be fastened to any utility pole, street light, traffic control device, public structure, fence, tree, shrub, or regulatory municipal sign. A maximum of three off-premises open house or directional signs will be permitted per single-family home. One additional open house or directional sign identifying the open house shall be permitted at the house being sold. Signage shall not exceed four square feet in area per side (eight square feet total) and three feet in height. Off-premises open house or directional signs shall not be decorated with balloons, ribbons, or other decorative devices. Signage shall only be in place between the hours of 11:00 a.m. and 6:00 p.m., when the seller of the product, or the seller’s agent, is physically present at the location of the product.
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No.	Issues and Assessments	Proposed Amendments
		<ul style="list-style-type: none"> • Amend TMC 13.060.090.I.3.k as follows: Special regulations governing temporary signs are as follows: <ul style="list-style-type: none"> <u>(1) Unless otherwise regulated in TMC 13.06.090.4, a property owner, or another party with approval of the property owner, may place the one up to two signs per issue or event may be placed on private property or on the right-of-way adjacent to said private property, with the permission of the abutting property owner. The signs shall be displayed in such a manner as to not constitute a traffic hazard or impair or impede pedestrians, bicycles, or disabled persons. If either condition is not met, the abutting property owner or the City may remove the sign. During an election, the limit of one sign is suspended.</u> <u>(2) Signs shall not be fastened to any utility pole, street light, traffic control device, public structure, fence, tree, shrub, or regulatory municipal sign.</u> <u>(3) All temporary signs must be authorized by the public or private property owner.</u> <u>(43) All temporary signs shall be securely fastened and positioned in place so as not to constitute a hazard to pedestrians or motorists.</u> <u>(64) All temporary signs shall meet vehicular sight distance requirements established by the Traffic Engineer.</u> <u>(5) No temporary sign shall project over or into a public right-of-way or property except properly authorized banners over streets (see Title 9).</u> <u>(6) Temporary signs are prohibited in a medium, traffic circle, or the roadway itself.</u> <u>(27) No flashing temporary signs of any type shall be permitted.</u> <u>(8) Unless otherwise regulated in TMC 13.06.090.4, signage shall not exceed 4 square feet in area per side (eight square feet total) and three feet in height.</u> <u>(49) The duration of display of a temporary sign shall not exceed six months in any 12-month period, unless otherwise noted OR the temporary sign must be removed within 14 days of the event for which it is intended, whichever is less.</u> <u>(7) The regulations governing the size, number, and type of temporary signs are located in Section 13.06.090.I.4.</u> <u>(10) See TMC 13.06.090.I.3.c for additional prohibitions related to temporary signs.</u>

No.	Issues and Assessments	Proposed Amendments
15.	<p><u>Manitou Annexation Area Land Use</u></p> <ul style="list-style-type: none"> Future Land Use Map and other relevant maps and text in the Comprehensive Plan <p>The City Council adopted Ordinance No. 28609 on September 24, 2019, setting forth the Proposed Land Use Designations and Zoning Districts for the Manitou Potential Annexation Area (“Proposed Manitou Land Use”) to be effective upon the area’s annexation to the City.</p> <p>The land use designations for residential areas in the City have recently been replaced with the “Low-Scale Residential” and “Mid-Scale Residential” Future Land Use Map (FLUM) designations through the Home In Tacoma Project – Phase 1 that was adopted by the City Council on December 7, 2021, per Ordinance No. 28793.</p> <p>There is a need to update the residential land use designation portion of the Proposed Manitou Land Use in accordance with the new FLUM designations.</p> <p>The proposed update (shown in the next column) would integrate the new FLUM designations, and continue to adhere to the intent of Ordinance No. 28609 by respecting the existing land uses in the Manitou area. It is appropriate for such update to be considered a minor amendment to the Comprehensive Plan, based on the legal advice from the City Attorney’s Office.</p> <p>Background information about the Manitou Annexation and the Home In Tacoma projects can be viewed at, respectively, www.cityoftacoma.org/Manitou and www.cityoftacoma.org/homeintacoma.</p>	<ul style="list-style-type: none"> Replace the “Multifamily (Low Density)” Future Land Use Map (FLUM) designation included in Ordinance 28609 with the “Mid-Scale Residential” designation for those areas with a predominance of existing multi-family and mobile home uses (which are also intended for R4L zoning), and with the “Low-Scale Residential” designation for areas with a predominance of existing single-family uses (intended for R-3 zoning). This distinction reflects the Council’s intent in designating different zoning districts along with the FLUM designations. No change is recommended to the “Neighborhood Commercial” designation, which would apply to the areas with existing commercial parcels, or to the South Tacoma Groundwater Protection Overlay District. To reflect the changes, Map 1 (which was adopted in Ordinance No. 28609) would be replaced with Map 2, as follows: <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div data-bbox="919 618 1367 1224" style="text-align: center;"> <p>Map 1.</p> </div> <div data-bbox="1440 557 1923 1235" style="text-align: center;"> <p>Map 2.</p> </div> </div>

No.	Issues and Assessments	Proposed Amendments
16.	<p><u>Removal of References to FWDA</u></p> <p>The City Council adopted Resolution No. 40853 on October 19, 2021, confirming the dissolution of the Foss Waterway Development Authority (FWDA) on December 31, 2020, and providing documentation for those outside entities and organizations requiring such confirmation for ongoing City of Tacoma activities and actions necessary to the Foss Waterway management. With the dissolution of the FWDA, the code should be updated to remove all relevant references to the FWDA.</p> <p>The FWDA is currently referenced in the Tacoma Municipal Code’s Title 11 Traffic (in the subsection pertaining to special event permit) and Title 19 Shoreline Master Program (in the subsections pertaining to reuse of over-water structure, S-8 Thea Foss Waterway, and public review/access corridors).</p> <p>(Note that at the Planning Commission’s meeting on 04/20/22, staff indicated that this had been brought to staff’s attention by the City’s real estate staff before the April 6th public hearing but after the Commission had released the package for public review. In response, staff proposed clean-up type of amendments to four sections in the TMC, as shown here. The Commission concurred.)</p>	<p>TMC 11.15.060.D D. Application for a special event to be held on the Thea Foss Waterway Esplanade shall be submitted to the Executive Director of the Foss Waterway Development Authority (“FWDA”) who, for a special event at that venue, shall have all authority granted to the Permitting Authority herein and shall process the application in accordance with this chapter. Appeals from a denial of a special event permit for the Thea Foss Waterway Esplanade shall be heard by the FWDA Board.</p> <p>TMC 19.05.050.B.4.c(2) (2) Develop, in coordination with the Foss Waterway Development Authority, a moorage float and dock facility for passenger-only ferries and other seasonal commercial tour vessels at the Municipal Dock site on the Thea Foss Waterway.</p> <p>TMC 19.06.070.D.4.b b. For all new development that exceeds 35 feet in height, the project proponents shall conduct a view impact analysis. The purposes of the view analysis are to assist in addressing the requirements of the Act, including RCW 90.58.320, and to protect a locally significant public view. The analysis shall be submitted to the City as a part of the shoreline permit application. In addition, for projects utilizing the FWDA design review process, the analysis shall be submitted to and reviewed as part of their design review process.</p> <p>TMC 19.09.100.E.1.a(2) (2) The Foss Waterway Development Authority (FWDA) City shall administer development of publicly-owned properties and shall conduct design review of projects on public property on the west side of the Waterway. Developers of private property are encouraged, but not required, to participate in the design review process conducted by the FWDA. If the FWDA design review process is not utilized for development on private property, For private properties, City staff shall conduct the design review as part of the shoreline permit process and shall solicit comments from the FWDA. The required design review shall utilize the guidelines and other requirements found in the current adopted design guidelines and shall include consideration of view impacts, as further described in TSMP Section 19.06.070. The findings and/or comments of the FWDA’s design review shall be referenced in shoreline permit decisions and given substantial weight in determining whether a proposed project is consistent with this Program and its design requirements.</p>

No.	Issues and Assessments	Proposed Amendments
17.	<p><u>Park and Recreation Map Update</u></p> <p>The current Park and Recreation Map identifies different types of facilities that, together, serve the park and recreation needs of our community. These categories include areas designated as Parks and Open Space, Schools, Active Use Facilities, Community Gardens, Community Centers, and Public Marina and Boat Launches.</p> <p>The proposed amendment is responsive to a request from the University of Puget Sound, which is identified among the schools that support broader park and recreation opportunities. However, unlike the other schools noted on the map, the University of Puget Sound is not a public school. This map change would remove the designation of UPS as a public school. UPS staff did not object to being identified on the map, but only requested this text amendment.</p> <p>Further, the map does not include the Eastside Community Center and staff suggests adding that representative feature to the map.</p> <p>(Note that this was presented to the Planning Commission on 04/20/22, after the public hearing. Staff suggested that this is clarification and update of map information and is appropriate to be added to the list of Minor Plan and Code Amendments. The Commission concurred.)</p>	<p>Amend the Park and Recreation Map (Figure 36. Park + Recreation Facilities, Parks + Recreation Element, One Tacoma Comprehensive Plan, p. 8-12), as follows:</p> <ul style="list-style-type: none"> • Change “School (Public)” to “School” in the map’s legend • Add Eastside Community Center to the map 

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PLANNING COMMISSION RECOMMENDATION SUMMARY
May 4, 2022

Application:	Minor Plan and Code Amendments
Applicant:	Planning and Development Services Department
Summary of Proposal:	The application compiles 17 non-policy, technical proposed amendments to the <i>One Tacoma</i> Comprehensive Plan and the Tacoma Municipal Code that are intended to correct minor errors, address inconsistencies, keep information current, and clarify and improve provisions that, through implementation of the Plan and the Code, are found to be unclear or not fully meeting their intent. See Exhibit A for the list of the 17 proposed amendments and the associated staff’s analysis and Planning Commission’s deliberations.
Location and Size of Area:	Citywide
Current Land Use and Zoning:	Various
Neighborhood Council Area:	Citywide
Staff Contact:	Lihuang Wung, (253) 591-5682, lwung@cityoftacoma.org

Planning Commission Recommendations:

The Planning Commission conducted a public hearing on April 6, 2022, concerning the 2022 Annual Amendment Package that includes this application and three others, and accepted written comments through April 8, 2022.

A few comments were received on this application (which included 15 issues at the time of the public hearing), however, upon staff analysis and Planning Commission review, no modifications to the proposed amendments were made. In addition, staff proposed a minor modification to one of the 15 issues and the addition of two issues, with which the Planning Commission concurred. Such discussion was documented in the “Comments Received and Staff Responses and Suggestions” report reviewed by the Planning Commission on April 20, 2022.

The Planning Commission determines that these 17 proposed amendments are consistent with the Comprehensive Plan, and fulfill the intent to keep information current, address inconsistencies, correct minor errors, and improve the clarify of the Comprehensive Plan and the Tacoma Municipal Code.

The Planning Commission recommends that the City Council adopt the proposed amendments, as set forth in Exhibit A.

The Commission also recommends that, pertaining to Issue #1 – “Limitation on Residential Occupancy” (formerly identified as “Definition of Family”), a more holistic review of the use of the term “family” to define land use types or to determine unit occupancy be accomplished as soon and effectively as practical. The Commission further recommends that, pertaining to Issue #15 – Manitou Annexation Area Land Use, the concern about the R-3 zoning for the single-family parcels not being fully consistent with the intent of the Low-Scale Residential designation be properly addressed through the Home In Tacoma Phase 2 as soon as practical.



**2022 ANNUAL AMENDMENT
TO THE COMPREHENSIVE PLAN AND LAND USE REGULATORY CODE**

**Exhibit A
to Planning Commission
Recommendation Summary
May 4, 2022**

Minor Plan and Code Amendments – Issues and Proposed Amendments

May 4, 2022

No.	Issues and Assessments	Proposed Amendments
1.	<p><u>Limitation on Residential Occupancy</u></p> <ul style="list-style-type: none"> TMC 13.01.060.F Zoning Definitions <p>Senate Bill 5235 (SB 5235), signed into law by the Governor, effective July 25, 2021, includes a key restriction on how local governments define and regulate residential unit occupancies. For the City of Tacoma, currently, “Family” is defined in TMC 13.01.060.F as follows:</p> <p><i>“Family.” One or more persons related either by blood, marriage, adoption, or guardianship, and including foster children and exchange students, or a group of not more than six unrelated persons, living together as a single nonprofit housekeeping unit; provided, however, any limitation on the number of residents resulting from this definition shall not be applied if it prohibits the City from making reasonable accommodations to disabled persons in order to afford such persons equal opportunity to use and enjoy a dwelling as required by the Fair Housing Amendments Act of 1988, 42 U.S.C. 3604(f)(3)(b).</i></p> <p>Per the new State law, these types of broad zoning limitations on the number of unrelated individuals that can live in a dwelling unit are no longer allowed. Per the PDS Director’s Rule 03-2021, effective July 25, 2021, the City will no longer use this definition to limit residential occupancy. This issue and potential permanent corrective code amendments should be included in the scope of work for the 2022 Amendment.</p>	<ul style="list-style-type: none"> Replace the current definition of “Family” in the Land Use Code TMC 13.01.060.F with the following: <p>“Family.” One or more persons, related or unrelated, living together as a single household where all members have common access to and use of living, kitchen and other shared spaces.</p> <p>(Note: This definition change achieves basic consistency with the new state law. However, the state law, as well as policy adopted through Home In Tacoma Phase 1 call for a more holistic review of the use of the term “family” and of other standards that limit the number of people who can live in a dwelling unit.</p> <p>Also note that based on the Planning Commission’s comments and suggestions on 01/19/22, including using the term “household” instead of “family”, staff provided the following: Staff concurs that the proposed “family” definition is essentially the same as “household”. However, while changing the “family” definition achieves consistency with the state law, it is an interim step. Because the term “family” is currently used widely in the TMC, staff recommends taking more time as part of the Home In Tacoma Phase 2 analysis before potentially replacing it.</p> <p>It is also noted that the Commission received concerns during the public hearing that attempts to alter the definition of “family” in the Land Use Code could be dangerous – destroying the foundation of all institutions, many standing to lose, and City unable to handle litigation. In response, at the meeting on 04/20/22, staff reiterated the above mentioned notes, and suggested that the issue ID can be changed from “Definition of Family” to “Limitation on Residential Occupancy” to help provide clarification. The Commission concurred.)</p>

No.	Issues and Assessments	Proposed Amendments
2.	<p><u>Preliminary and Final Plats</u></p> <ul style="list-style-type: none"> TMC 13.04 Platting and Subdivisions <p>Based on the decision for the Morcos Preliminary Plat, our attorney has recommended that we take out language that states that an approved preliminary short or long plat is an assurance that the Final Plat will be approved. This language is not provided for in the RCW 58.17.100; rather it was added in by a previous PW's Director many years ago. Proposed amendments are needed to improve consistency with State law.</p>	<ul style="list-style-type: none"> Amend TMC 13.04.090.F. as follows: “After approval of a preliminary short plat application by the Director, the short plat shall be filed with the Pierce County Auditor <u>for recording</u>, and only after such filing shall the short plat be deemed approved and accepted by the City of Tacoma. The approved short subdivision decision, however, shall be assurance to the subdivider that the short plat will be recorded provided that:.....” Amend TMC 13.04.100.D. as follows: “Approval of the preliminary plat is a tentative approval and does not constitute final acceptance of the plat. Approval of the preliminary plat, however, shall be assurance to the subdivider that the final plat will be approved; provided, that:.....”
3.	<p><u>Residential Landscaping Requirements</u></p> <ul style="list-style-type: none"> TMC 13.06.09.J.5. Landscaping Buffers <p>In the code prior to the reorganization, landscaping was exempt for single, two, and 3 family homes. In the old code, landscaping buffers were also in this section and therefore exempt. The re-organized code moved buffers into a new section that does not have the same exemption listed in the applicability.</p> <p>1. Exemptions:</p> <p>a. Single, two and three-family and townhouse developments are exempt from all landscaping requirements, with the exceptions that street trees are required in X Districts, and in all districts.</p>	<ul style="list-style-type: none"> Amend TMC 13.06.09.J.5. by adding an additional exemption that has the same effect that the antiquated code had, as follows: 13.06.09.J.5. Landscaping Buffers c. Exceptions <u>(7) Single-, two-, three-family and townhouse developments are exempt from all landscaping buffer requirements.</u>

No.	Issues and Assessments	Proposed Amendments
4.	<p><u>Homeowners' Association Owned Open Space & Other Tracts</u></p> <ul style="list-style-type: none"> TMC 13.04.090.H.20 & 100.F.20 Short Plat/Short Subdivision Procedures <p>The code allows open space & other tracts to be owned by a homeowner's association, the property owners within the subdivision or dedicated to the public.</p> <p>The homeowner's association should be removed as an option. These often go defunct/bankrupt, taxes aren't paid & the tract reverts to Pierce County which auctions it off. This causes problems because the new owner usually wants to develop the open space or other tract. Our code should ensure that property taxes are paid on these tracts by requiring they are included as a proportional interest for each property owner in the plat. That way Pierce County assesses each property owner in the plat a portion of the tax for the tract along with the taxes for their individual homes.</p> <p>RCW 58 has no provisions that require local jurisdictions to include ownership by a Homeowners' association as an option. Pierce County's code (Chapter 8.F30.030) also has no allowance for Homeowners' Association.</p>	<ul style="list-style-type: none"> Amend TMC 13.04.090.H.20 as follows: 20. Common facilities and open spaces shall be located on separate, individual tracts, unless otherwise approved by the Director, and shall be dedicated, reserved or otherwise held in common by a homeowners' association or by a proportional ownership interest shared among all of the property owners within the short subdivision, or alternatively, and only if acceptable to the receiving public agency, dedicated to the public Amend TMC 13.04.100.F.20 as follows: 20. Common facilities and open spaces shall be located in separate, individual tracts unless otherwise approved by the Hearing Examiner, and shall be dedicated, reserved or otherwise held in common by a homeowners' association or by a proportional ownership interest shared among all of the property owners within the subdivision, or alternatively, and only if acceptable to the receiving public agency, dedicated to the public.
5.	<p><u>Reference to Definition Section</u></p> <ul style="list-style-type: none"> TMC 13.06.080.A.5.c Special Use Standards <p>Suggest adding "(See definition "Building, height of.")" to the reference to TMC 13.01.060, so that code readers know where to look in the definitions section that is cited.</p>	<ul style="list-style-type: none"> Amend TMC 13.06.080.A.5.c as follows: (2) Height shall be limited to the most restrictive of the following: <ul style="list-style-type: none"> The maximum height for detached ADUs shall be 18 feet, measured per the Building Code, or up to 20 feet with incorporation of either parking below or above the DADU structure (not next to), or with certification of the DADU under Built Green criteria with 4 stars, or equivalent environmental certification. The conversion of an existing accessory structure taller than 18 feet may be authorized through issuance of a Conditional Use Permit. In View Sensitive Districts, the maximum height shall be 15 feet, measured per TMC 13.01.060. (Refer to the definition for "Building, height of"), and allowance of additional height is subject to TMC 13.05.010.B Variances.

No.	Issues and Assessments	Proposed Amendments
6.	<p><u>Cultural Institutions and Public Benefit Use</u></p> <ul style="list-style-type: none"> TMC 13.01.060.C and .P Zoning Definitions <p>Suggest clarifying the definition of “Cultural Institutions” to indicate that such uses are not limited to museums, as the current language might suggest. Also, this definition is listed twice in the section, where the 2nd occurrence should be deleted.</p> <p>The “art gallery or museum” currently included in the definition of “Public Benefit Use” should be replaced with “cultural institutions.”</p> <p>It is also suggested that the “community meeting rooms” option be deleted from the definition of “Public Benefit Use.” We have found applicants are inclined to use this as a sort of “loophole”, to basically circumvent having to do any actual commercial space option on the ground floor where required. With this change, they will be designing to commercial standards regardless in the downtown areas.</p> <p>Also, “Public benefit use” should be added as a use category to these use charts of TMC 13.06.030, TMC 13.06.040, and TMC 13.06.060. Indicate which districts allow, prohibit, and required conditional use permits for this use in these districts.</p>	<ul style="list-style-type: none"> Amend TMC 13.01.060.C as follows: “Cultural institutions.” Institutions displaying or preserving objects of interest in one or more of the arts or sciences. This classification includes museums, such as a museum, or cultural center, operated by a non-profit organization or faith-based organization, and offering services to the community. <u>“Cultural institutions.” Institutions displaying or preserving objects of interest in one or more of the arts or sciences. This classification includes museums.</u> Amend TMC 13.01.060.P as follows: “Public benefit use.” As used in Section 13.06.050—Downtown, public <u>Public</u> benefit uses shall include any of the following uses, <u>whether operated by a for-profit, non-profit, or faith-based organization:</u> <ol style="list-style-type: none"> Day care available to the general public Human services, such as employment counseling and walk-in clinics Recreation, such as health clubs Community meeting rooms Art gallery or museum <u>Cultural institutions</u> Drop-in centers for youth or seniors Amend use charts of TMC 13.06.030, 13.06.040, and 13.06.060 as follows: Add “Public benefit use” as a use category to these use charts and indicate which districts allow, prohibit, and required conditional use permits for this use in these districts. <p>(Note: Based on the Planning Commission’s suggestion on 01/19/22, the “community meeting rooms” would not be deleted, and on 03/02/22, “faith-based organizations” is added.)</p>
7.	<p><u>Efficiency Unit Parking Exemption</u></p> <ul style="list-style-type: none"> TMC 13.06.090.C.3.i. Required off-street parking for Downtown Districts <p>Suggest cleaning up and clarifying the language in the off-street parking exemption for group housing, student housing and efficiency units in Downtown Districts. The current provision pertaining to bicycle parking spaces can be removed, because all units are already required to provide more bike parking spaces than what is called out here regardless. The “(whichever is greater)” is vague language and should be clarified.</p>	<ul style="list-style-type: none"> Amend 13.06.090.C.3.i. as follows: (f) Group housing; student housing; and, efficiency multi-family dwellings (250-450 sf in size) are exempt from vehicular parking requirements (with the exception of required accessible parking), provided the following: <ul style="list-style-type: none"> A minimum of 0.75 bicycle spaces per dwelling or unit are provided in an indoor, locked location. Within a single building, no more than 20 dwelling units, or 50% of the total dwelling units (whichever is greater), <u>For buildings that are greater than 40 dwelling units, 50% of the total dwelling units may utilize this bonus.</u>

No.	Issues and Assessments	Proposed Amendments
8.	<p><u>Single-family detached dwellings – Small Lots (Level 2)</u></p> <ul style="list-style-type: none"> • TMC 13.06.020.F.1.k Residential District Development Standards (row “k” of the table) <p>Several clarification type of amendments to row “k” of the table of Residential District Development Standards are suggested, as follows:</p> <ol style="list-style-type: none"> 1. The placement of the “Additional exceptions to Minimum Lot Requirements” under the title line of the row “Single-family detached dwellings – Small Lots (Level 2)” causes confusion with customers. The additional exceptions are only applicable to single-family detached dwelling lots, not to all uses in the R district. Since the lead paragraph (the first paragraph in the right section) already explains that these exceptions can be applied for the Level 2 small lot minimum size, removing this placement under the title line should help eliminate the confusion. 2. The wording of the lead paragraph, however, often leads customers to think all they need is a variance to get a smaller Level 2 lot. The latest example is a 7,440 sf lot that wanted to subdivide into a 3,000 sf and 4,440 sf lot through a variance. 3. The Planned Residential District phrase isn’t necessary because it’s set out separately later in the section (020.F.1.m). 4. The language about design standards is extraneous because these are by definition Level 2 lots and subject to all standards. 5. The pipestem exception is listed above in 020.F.1.j and also in the section about small lots (13.06.020.J) and not needed here. 	<ul style="list-style-type: none"> • Amend TMC 13.06.020.F.1.k as follows: <ol style="list-style-type: none"> k. Single-family detached dwellings – Small Lots (Level 2): / Additional exceptions to Minimum Lot Area Requirements <p>One of the following exceptions may be applied per parcel to allow for reductions in minimum lot area below the Single-family Level 1 achieve Level 2 Small Lot minimum size without a variance, to the following minimum lot sizes Except in the case of a Planned Residential District without grant of a variance: R-1: 4,500 sq. ft.; R-2, R-2SRD, HMR-SRD: 3,000 sq. ft.; R-3 and above: 2,500 sq. ft.</p> <p>Lot Size Averaging – Infill: To provide for consistency with pre-existing development patterns, the average size of lots along the street frontage and block (excluding the site) may be substituted for the zoning district minimum lot size.</p> <p>Lot Size Averaging – Subdivisions: Within proposed Short and Full Plats, lots are permitted to a minimum size of 4,500 square feet in the R-1 District and 3,000 square feet in the R-2, R2-SRD and HMR-SRD Districts, provided that the overall average lot size within the Short or Full Plat meets the Small Lots minimum lot size of the zoning district. Critical areas and buffers may not be counted toward lot size averaging.</p> <p>Alley lot area credit: In R-1, R-2, and R2-SRD and HMR-SRD Districts, half of the width of abutting alleys which are utilized for vehicular access to the lot may be counted toward the required minimum lot area, up to an additional reduction equivalent to 10 percent of the Standard Minimum Lot Size.</p> <p>Level 2 Small Lots must meet the Level 2 Small Lot Design Standards of Section 13.06.100.F.</p> <p>Small lot exceptions are not applicable to pipestem lots.</p>

No.	Issues and Assessments	Proposed Amendments						
9.	<p><u>Public Facility/Site and Public Safety/Services Facilities</u></p> <ul style="list-style-type: none"> TMC 13.01.060.P Zoning Definitions <p>Currently, there are definitions for “Public facility”, “Public facility site”, “Public safety facilities”, and “Public service facilities” included in this section. These definitions are somewhat repetitive, overlapping, and confusing. It is suggested that these be consolidated into two categories: “Public Facility Site” and “Public Service Facilities”, in order to improve the clarity and implementation effectiveness of the code.</p> <p>“Public safety” and “public service facilities” are currently already bundled together in all use tables. This change will not affect allowed uses.</p> <p>Along with the suggested consolidation of definitions, the land use charts of TMC 13.06.020.D.4, 13.06.030.D.4, 13.06.040.E.3, and 13.06.060.E.4 should be updated to remove “public safety” as separate use.</p> <p>(Note that the Planning Commission requested staff on 01/19/22 to ensure the revised definitions are functional and no information is lost inadvertently as a result of the consolidation of definitions. Upon further review, staff suggested that the proposed language is appropriate.)</p>	<ul style="list-style-type: none"> Amend TMC 13.01.060.P as follows: <p>“Public facility.” Any facility funded in whole or part with public funds, which provides service to the general public, including, but not limited to, public schools, public libraries, community centers, public parks, government facilities, or similar uses.</p> <p>“Public facility site.” An existing public or quasi-public site developed with an existing public or quasi-public facility, including, but not limited to, substations, water reservoirs, or standpipes; police or fire stations; sewer or refuse utility facilities; other governmental facilities, parks, or open space areas; hospitals; public or private schools; and churches.</p> <p><u>“Public facility site.” A public or quasi-public site developed with a facility that provides service to the general public, and is funded in whole or part with public funds. This definition may include, but is not limited to schools, public libraries, community centers, public parks, government facilities, substations, water reservoirs, or standpipes; police or fire stations; sewer or refuse utility. This general classification does not include other government facility sites that are more specifically defined and regulated, such as correctional and detention facilities, parks, schools, and utilities.</u></p> <p>“Public safety facilities.” Facilities for public safety and emergency services, including facilities that provide police and fire protection and ambulance services.</p> <p>“Public service facilities.” Facilities owned, operated, or occupied by a government agency that provide a governmental service to the public, such as public libraries, courthouses, post offices, community centers, and government offices, <u>police and fire protection, and ambulance services</u>. This general classification does not include other government facilities that are more specifically defined and regulated, such as correctional and detention facilities, parks, schools, public safety facilities, and utilities.</p> Amend land use charts of TMC 13.06.020.D.4, 13.06.030.D.4, 13.06.040.E.3, and 13.06.060.E.4 as follows: <p>Remove “public safety” as separate use. Example:</p> <table border="1" data-bbox="898 1141 1780 1198"> <tr> <td>Public safety and public service facilities</td> <td>P</td> <td>P</td> <td>P</td> <td>P</td> <td></td> </tr> </table> 	Public safety and public service facilities	P	P	P	P	
Public safety and public service facilities	P	P	P	P				

No.	Issues and Assessments	Proposed Amendments
10.	<p><u>Street Level Uses and Design</u></p> <ul style="list-style-type: none"> TMC 13.06.100.D.3.b Downtown District Minimum Building Design Standards – Street Level Uses and Design – Primary Pedestrian Streets <p>In implementing the downtown design standards, currently we offer the option of having a store and not meeting the standards, which results in situations that are hard to monitor or enforce. If the idea is conversion/ability to use for commercial purposes, then we should have everything built that way.</p> <p>The proposal is to take use requirements out of the development standards – which is especially important with new tenants because nearly all of the time we don't know who tenants will be. Also, the current sentences pertaining to nonconforming are extremely confusing and should be removed.</p> <p>(In response to the Planning Commission's suggestion on 01/19/22 to ensure the intent of the code is maintained through the proposed amendments, staff provided the following:</p> <p>The proposed amendment would streamline the code by deferring to the more flexible of the two existing options, i.e., the build-to commercial standards option, allowing developers to just meet the design standards so that future commercial uses can be accommodated. The proposed lead-in statement would clarify the intent of the requirement, which is to support pedestrian-oriented/street-activating commercial uses.)</p>	<ul style="list-style-type: none"> Amend TMC 13.06.100.D.3.b as follows: <ul style="list-style-type: none"> Primary Pedestrian Streets. <p><u>To support pedestrian-oriented/street-activating commercial uses such as retail, restaurants, cultural or entertainment uses, hotel lobbies, personal service uses, parcel and mail services, the customer service portion of banks, credit unions, savings and loan associations, or Public Benefit Uses, any</u>Any new building, the addition to any building, or any substantially altered building fronting on a Primary Pedestrian Street shall comply with either subparagraphs a. or b. the design requirements below:</p> <p>(1) At The floor area abutting at least 25 percent of the linear sidewalk level frontage shall incorporate these elements, along with any other required basic or additional design standards, consist of any of the following uses: retail; restaurants; cultural or entertainment uses, hotel lobbies; travel agencies; personal service uses; parcel and mail services; copy centers; check-cashing facilities; the customer service portion of banks, credit unions, and savings and loan associations; or Public Benefit Uses. Uses at the sidewalk level frontage lawfully in existence on January 10, 2000, the time of reclassification to the above districts, shall be considered legal nonconforming uses and may continue, although such uses do not conform to this standard.</p> <p>(2) The floor area abutting at least 25 percent of the linear sidewalk level frontage shall be designed and constructed to accommodate future conversion to the uses listed in subparagraph a. above, and may be occupied by any use allowed in the zoning district. The area designed and constructed to accommodate future conversion shall meet the following standards, in addition to any other required basic or additional design standards.</p> <ul style="list-style-type: none"> (a) The distance from the finished floor to the finished ceiling above shall be at least 12 feet. (b) The area must have a minimum average depth of 25 feet measured from the sidewalk level façade. (c) The sidewalk level façade must include a pedestrian entrance or entrances to accommodate a single or multiple tenants or be structurally designed so entrances can be added when converted to the building uses listed in subparagraph a. above. (d) At least 25 percent of the sidewalk level façade of the portion of the building designed and constructed to accommodate future conversion to listed uses shall provide transparency through the use of windows and doors for the area located between 2 feet above grade and 12 feet above grade.

No.	Issues and Assessments	Proposed Amendments
11.	<p><u>Infill Pilot Program Handbook</u></p> <ul style="list-style-type: none"> TMC 13.05.060 Residential Infill Pilot Program <p>Add a reference in the code to the Infill Pilot Program Handbook and clarify how the handbook is to be used to guide implementation of the program.</p>	<ul style="list-style-type: none"> Amend TMC 13.05.060.F by adding a subsection “g”, as follows: F. Review process. The Director will convene a special advisory review body which shall function in an advisory capacity to provide input prior to the Director or Hearing Examiner’s decision and conditions of approval. *** 3. The special advisory review body will assess the consistency of the proposal with the following criteria. All proposals submitted under the provisions of this section must demonstrate the following: *** <u>g. Consistency with Residential Infill Pilot Program Handbook. The proposed development must demonstrate consistency with the housing type-specific standards and Design Elements contained within the latest version of the Residential Infill Pilot Program Handbook.</u> Amend TMC 13.05.060 by adding a subsection “G”, as follows: <u>G. Residential Infill Pilot Program Handbook. The Director shall prepare, and update as appropriate, an Infill Pilot Program Handbook to illustrate the design intent, clarify and explain the standards for each housing type, clarify the permit process, and provide additional information of use to program applicants and the special advisory review body.</u>


No.	Issues and Assessments	Proposed Amendments
12.	<p><u>Special Use Standards</u></p> <ul style="list-style-type: none"> TMC 13.06.080 Special Use Standards <p>To facilitate an effective implementation of the Infill Pilot Program, this section of Special Use Standards should be modified to add zoning district exception for accuracy per TMC 13.05.010.A.7.c (pertaining to conditional use permits for infill pilot program), fix grammatical error, and revise minimum lot size for consistency with 13.05.010.A.7.c(1).</p>	<ul style="list-style-type: none"> Amend TMC 13.06.080 as follows: <ul style="list-style-type: none"> 13.06.080 Special Use Standards C. Cottage Housing <ol style="list-style-type: none"> 1. Applicability. <p>Cottage housing developments may be proposed in all residential districts <u>except HMR-SRD</u>.</p> 3. Procedures. <ol style="list-style-type: none"> b. Application. <p>Proponents shall submit all required complete applications, including applicable fees. However, project proponents may choose to stage their applications by initially applying for the Conditional Use Permit and for approval under the Residential Infill Pilot Program.</p> 4. Use standards. <ol style="list-style-type: none"> b. Minimum site size. <p>Cottage housing developments require a minimum net site size of <u>7,000</u> 10,000 square feet.</p>
13.	<p><u>Two-family and Townhouse Dwelling</u></p> <ul style="list-style-type: none"> TMC 13.05.010.A.7 Infill Pilot Program Conditional Use Permit TMC 13.05.060.C.1 Infill Pilot Program Applicability <p>Current text is a little vague in describing townhouses and the required site size. Clarifications are needed to improve the clarity and implementation effectiveness of the code.</p>	<ul style="list-style-type: none"> Amend TMC 13.05.010.A.7 as follows: <ol style="list-style-type: none"> a. Two-family housing development may be allowed by conditional use permit in R-2 Districts. In addition to the General Criteria, a conditional use permit for a two-family <u>dwelling</u> or <u>two</u> townhouse dwelling units in R-2 Districts shall only be approved upon a finding that such use is consistent with all of the following criteria: <ol style="list-style-type: none"> (1) The proposed lot <u>development site</u> is a minimum lot size of 6,000 square feet in size. Amend TMC 13.05.060.C.1 as follows: <ul style="list-style-type: none"> C. Applicability <p>The provisions of this section apply to the following categories of residential infill:</p> <ol style="list-style-type: none"> 1. Two-family <u>dwelling</u> or <u>two</u> townhouse <u>dwelling units development</u> within the R-2 District;

<p>14. <u>Sign Code Update</u></p> <ul style="list-style-type: none"> • TMC 13.01.060.S Zoning Definitions • TMC 13.06.090.I.3.b Sign Standards – General Sign Regulations – Exempt Signs • TMC 13.06.090.I.3.k Sign Standards – General Sign Regulations – Temporary Signs <p>Signs regulated based on content have been found to be illegal and unenforceable. We have two types of signs that are clearly regulated based on content – political signs and real estate signs. These proposed changes “fix” the temporary sign sections in such a way to bring into compliance with current laws. In making changes, staff have researched legal cases and benchmarked jurisdictions that have undergone similar exercises.</p> <p>For the last 18 months, the City has informally been administering the sign code as proposed here-in. Without this change, staff are barred from enforcing clutter created by temporary signs.</p> <p>This effort includes a code change to TMC Title 2 related to Political Signs.</p> <p>It is noted that based on the Planning Commission’s suggestions on 01/19/22, the proposed amendments would remove the reference to “candidates” (to stay content neutral), allow up to two signs per issue or event, and require permission from the property owner for signs placed on the property or the adjacent right-of-way (see amendments to TMC 13.06.090.I.3.k.(1)).</p>	<ul style="list-style-type: none"> • Amend 13.01.060.S as follows: <p>“Sign, off-premises open house or directional sign.” A sign advertising a transaction involving:</p> <ol style="list-style-type: none"> 1. A product sold in a residential zone; 2. A product that cannot be moved without a permit; and/or 3. A product with a size of at least 3,200 cubic feet. <p>“Sign, real estate.” Any sign which is only used for advertising the sale or lease of ground upon which it is located or of a building located on the same parcel of ground.</p> <p>“Sign, temporary.” An on-premises sign, banner, balloon, feather sign, pennant, valance, A-board, or advertising display constructed of cloth, canvas, fabric, paper, cardboard, plywood, wood, wallboard, plastic, sheet metal, or other similar light material, with or without a frame, which is not permanently affixed to any sign structure and which is intended to be displayed for a limited time only.</p> • Amend TMC 13.06.090.I.3.b as follows: <p>(13) Political signs, as set forth in Title 2.</p> <p>(14) Real estate signs, 12 square feet or less, located on the site. Condominiums or apartment complexes shall be permitted one real estate sign with up to 12 square feet per street frontage. Such sign(s) may be used as a directory sign that advertises more than one unit in the complex.</p> <p>(15) Off-premises open house or directional signs <u>Temporary on-premise or off-premise signs</u>, subject to the following regulations in <u>TMC 13.06.090.I.3.k</u></p> <ol style="list-style-type: none"> The signs may be placed on private property or on the right-of-way adjacent to said private property, with the permission of the abutting property owner. The signs shall be displayed in such a manner as to not constitute a traffic hazard or impair or impede pedestrians, bicycles, or disabled persons. If either condition is not met, the abutting property owner or the City may remove the sign. Signs shall not be fastened to any utility pole, street light, traffic control device, public structure, fence, tree, shrub, or regulatory municipal sign. A maximum of three off-premises open house or directional signs will be permitted per single-family home. One additional open house or directional sign identifying the open house shall be permitted at the house being sold. Signage shall not exceed four square feet in area per side (eight square feet total) and three feet in height. Off-premises open house or directional signs shall not be decorated with balloons, ribbons, or other decorative devices. Signage shall only be in place between the hours of 11:00 a.m. and 6:00 p.m., when the seller of the product, or the seller’s agent, is physically present at the location of the product.
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No.	Issues and Assessments	Proposed Amendments
		<ul style="list-style-type: none"> • Amend TMC 13.060.090.I.3.k as follows: Special regulations governing temporary signs are as follows: <ul style="list-style-type: none"> <u>(1) Unless otherwise regulated in TMC 13.06.090.4, a property owner, or another party with approval of the property owner, may place the one up to two signs per issue or event may be placed on private property or on the right-of-way adjacent to said private property, with the permission of the abutting property owner. The signs shall be displayed in such a manner as to not constitute a traffic hazard or impair or impede pedestrians, bicycles, or disabled persons. If either condition is not met, the abutting property owner or the City may remove the sign. During an election, the limit of one sign is suspended.</u> <u>(2) Signs shall not be fastened to any utility pole, street light, traffic control device, public structure, fence, tree, shrub, or regulatory municipal sign.</u> (3) All temporary signs must be authorized by the public or private property owner. <u>(4) All temporary signs shall be securely fastened and positioned in place so as not to constitute a hazard to pedestrians or motorists.</u> (6) All temporary signs shall meet vehicular sight distance requirements established by the Traffic Engineer. <u>(5) No temporary sign shall project over or into a public right-of-way or property except properly authorized banners over streets (see Title 9).</u> <u>(6) Temporary signs are prohibited in a medium, traffic circle, or the roadway itself.</u> (7) No flashing temporary signs of any type shall be permitted. <u>(8) Unless otherwise regulated in TMC 13.06.090.4, signage shall not exceed 4 square feet in area per side (eight square feet total) and three feet in height.</u> (9) The duration of display of a temporary sign shall not exceed six months in any 12-month period, unless otherwise noted OR the temporary sign must be removed within 14 days of the event for which it is intended, whichever is less. (7) The regulations governing the size, number, and type of temporary signs are located in Section 13.06.090.I.4. <u>(10) See TMC 13.06.090.I.3.c for additional prohibitions related to temporary signs.</u>

No.	Issues and Assessments	Proposed Amendments
15.	<p><u>Manitou Annexation Area Land Use</u></p> <ul style="list-style-type: none"> • Future Land Use Map and other relevant maps and text in the Comprehensive Plan <p>The City Council adopted Ordinance No. 28609 on September 24, 2019, setting forth the Proposed Land Use Designations and Zoning Districts for the Manitou Potential Annexation Area (“Proposed Manitou Land Use”) to be effective upon the area’s annexation to the City.</p> <p>The land use designations for residential areas in the City have recently been replaced with the “Low-Scale Residential” and “Mid-Scale Residential” Future Land Use Map (FLUM) designations through the Home In Tacoma Project – Phase 1 that was adopted by the City Council on December 7, 2021, per Ordinance No. 28793.</p> <p>There is a need to update the residential land use designation portion of the Proposed Manitou Land Use in accordance with the new FLUM designations.</p> <p>The proposed update (shown in the next column) would integrate the new FLUM designations, and continue to adhere to the intent of Ordinance No. 28609 by respecting the existing land uses in the Manitou area. It is appropriate for such update to be considered a minor amendment to the Comprehensive Plan, based on the legal advice from the City Attorney’s Office.</p> <p>Background information about the Manitou Annexation and the Home In Tacoma projects can be viewed at, respectively, www.cityoftacoma.org/Manitou and www.cityoftacoma.org/homeintacoma.</p>	<ul style="list-style-type: none"> • Replace the “Multifamily (Low Density)” Future Land Use Map (FLUM) designation included in Ordinance 28609 with the “Mid-Scale Residential” designation for those areas with a predominance of existing multi-family and mobile home uses (which are also intended for R4L zoning), and with the “Low-Scale Residential” designation for areas with a predominance of existing single-family uses (intended for R-3 zoning). This distinction reflects the Council’s intent in designating different zoning districts along with the FLUM designations. • No change is recommended to the “Neighborhood Commercial” designation, which would apply to the areas with existing commercial parcels, or to the South Tacoma Groundwater Protection Overlay District. • To reflect the changes, Map 1 (which was adopted in Ordinance No. 28609) would be replaced with Map 2, as follows: <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div data-bbox="919 618 1367 1224" style="text-align: center;"> <p>Map 1.</p> </div> <div data-bbox="1440 557 1923 1235" style="text-align: center;"> <p>Map 2.</p> </div> </div>

No.	Issues and Assessments	Proposed Amendments
16.	<p><u>Removal of References to FWDA</u></p> <p>The City Council adopted Resolution No. 40853 on October 19, 2021, confirming the dissolution of the Foss Waterway Development Authority (FWDA) on December 31, 2020, and providing documentation for those outside entities and organizations requiring such confirmation for ongoing City of Tacoma activities and actions necessary to the Foss Waterway management. With the dissolution of the FWDA, the code should be updated to remove all relevant references to the FWDA.</p> <p>The FWDA is currently referenced in the Tacoma Municipal Code’s Title 11 Traffic (in the subsection pertaining to special event permit) and Title 19 Shoreline Master Program (in the subsections pertaining to reuse of over-water structure, S-8 Thea Foss Waterway, and public review/access corridors).</p> <p>(Note that at the Planning Commission’s meeting on 04/20/22, staff indicated that this had been brought to staff’s attention by the City’s real estate staff before the April 6th public hearing but after the Commission had released the package for public review. In response, staff proposed clean-up type of amendments to four sections in the TMC, as shown here. The Commission concurred.)</p>	<p>TMC 11.15.060.D D. Application for a special event to be held on the Thea Foss Waterway Esplanade shall be submitted to the Executive Director of the Foss Waterway Development Authority (“FWDA”) who, for a special event at that venue, shall have all authority granted to the Permitting Authority herein and shall process the application in accordance with this chapter. Appeals from a denial of a special event permit for the Thea Foss Waterway Esplanade shall be heard by the FWDA Board.</p> <p>TMC 19.05.050.B.4.c(2) (2) Develop, in coordination with the Foss Waterway Development Authority, a moorage float and dock facility for passenger-only ferries and other seasonal commercial tour vessels at the Municipal Dock site on the Thea Foss Waterway.</p> <p>TMC 19.06.070.D.4.b b. For all new development that exceeds 35 feet in height, the project proponents shall conduct a view impact analysis. The purposes of the view analysis are to assist in addressing the requirements of the Act, including RCW 90.58.320, and to protect a locally significant public view. The analysis shall be submitted to the City as a part of the shoreline permit application. In addition, for projects utilizing the FWDA design review process, the analysis shall be submitted to and reviewed as part of their design review process.</p> <p>TMC 19.09.100.E.1.a(2) (2) The Foss Waterway Development Authority (FWDA) City shall administer development of publicly-owned properties and shall conduct design review of projects on public property on the west side of the Waterway. Developers of private property are encouraged, but not required, to participate in the design review process conducted by the FWDA. If the FWDA design review process is not utilized for development on private property, For private properties, City staff shall conduct the design review as part of the shoreline permit process and shall solicit comments from the FWDA. The required design review shall utilize the guidelines and other requirements found in the current adopted design guidelines and shall include consideration of view impacts, as further described in TSMP Section 19.06.070. The findings and/or comments of the FWDA’s design review shall be referenced in shoreline permit decisions and given substantial weight in determining whether a proposed project is consistent with this Program and its design requirements.</p>

No.	Issues and Assessments	Proposed Amendments
17.	<p><u>Park and Recreation Map Update</u></p> <p>The current Park and Recreation Map identifies different types of facilities that, together, serve the park and recreation needs of our community. These categories include areas designated as Parks and Open Space, Schools, Active Use Facilities, Community Gardens, Community Centers, and Public Marina and Boat Launches.</p> <p>The proposed amendment is responsive to a request from the University of Puget Sound, which is identified among the schools that support broader park and recreation opportunities. However, unlike the other schools noted on the map, the University of Puget Sound is not a public school. This map change would remove the designation of UPS as a public school. UPS staff did not object to being identified on the map, but only requested this text amendment.</p> <p>Further, the map does not include the Eastside Community Center and staff suggests adding that representative feature to the map.</p> <p>(Note that this was presented to the Planning Commission on 04/20/22, after the public hearing. Staff suggested that this is clarification and update of map information and is appropriate to be added to the list of Minor Plan and Code Amendments. The Commission concurred.)</p>	<p>Amend the Park and Recreation Map (Figure 36. Park + Recreation Facilities, Parks + Recreation Element, One Tacoma Comprehensive Plan, p. 8-12), as follows:</p> <ul style="list-style-type: none"> • Change “School (Public)” to “School” in the map’s legend • Add Eastside Community Center to the map 

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