



City of Tacoma

City Council Action Memorandum

TO: Elizabeth Pauli, City Manager
FROM: Council Member Catherine Ushka
COPY: City Council and City Clerk
SUBJECT: **Substitute Ordinance - Relating to Public Ways; amending, retitling and renumbering Chapter 9.16 to add three new sections to prevent obstruction and damage to sidewalks from the loading, unloading and transport of goods, establishing a sidewalk right-of-use permit process, and amending the penalty provision to align with Tacoma's Uniform Enforcement Code – February 7, 2023**
DATE: 1/18/2023

SUMMARY & PURPOSE:

An ordinance relating to Public Ways; amending, retitling and renumbering Chapter 9.16 to add three new sections to prevent obstruction and damage to sidewalks from the loading, unloading and transport of goods, establishing a sidewalk right-of-use permit, and amending the penalty provision to align with Tacoma's Uniform Enforcement Code.

[Council Member Catherine Ushka]

COUNCIL SPONSORS:

Deputy Mayor Walker and Council Members Hines and Ushka

BACKGROUND:

This Council Member's Recommendation is Based On:

The Tacoma Municipal Code does not have protections for City sidewalks from obstruction and damage caused by loading, unloading and transportation of goods using machinery. The City's sidewalks are part of its transportation system and therefore it is important they are maintained in a safe usable condition. Sidewalks represent a major investment by the citizens of Tacoma. Inaccessible and damaged sidewalks can pose a hazard to pedestrians so maintaining conditions of sidewalks help reduce the likelihood of someone getting injured.

This policy proposal is intended to preserve critical infrastructure for the following reasons:

- The City holds developers accountable to building sidewalk infrastructure, which is expensive to initially build and to replace. Putting preservation standards in place will respect and make the most of this investment of private funds.
- The City also makes substantial investment in sidewalk infrastructure with public funds. We owe it to tax payers to preserve these investments for the public good.
- Recent large investments by the City are intended to be economic development enhancements in lower opportunity neighborhoods, such as the Lincoln District Revitalization project and Links to Opportunity in the hilltop. Preserving these investments is an economic driver and will ensure investments in low opportunity communities have long-term positive impacts.
- Access to sidewalks is an equity issue. Lower opportunity neighborhoods already have fewer sidewalks than higher opportunity neighborhoods. We must preserve what is currently available.

COMMUNITY ENGAGEMENT/ (CUSTOMER RESEARCH):

The Tacoma Transportation Commission and City of Tacoma staff developed the City's first Transportation Master Plan (TMP) that was adopted in 2015. The Plan was developed with extensive community outreach that highlighted how residents value certain characteristics of the community, including safe streets and sidewalks.



Constituents contacted Council Members to raise concerns about sidewalks being damaged and blocked from public use, launching research of City policies to preserve sidewalk infrastructure.

Business community leaders, including neighborhood business districts, neighborhood councils, and the Downtown Tacoma Partnership, were asked to review and offer feedback on the policy. A community foodbank operator requested more time to discuss the proposed ordinance language. Sponsors paused consideration of this ordinance to meet and discuss untended impacts before bringing forward a substitute ordinance that offers more ways for the City to work with local businesses and nonprofits that need to load and unload goods into their storefronts.

2025 STRATEGIC PRIORITIES:

Equity and Accessibility:

Access to sidewalk infrastructure is an equity issue in Tacoma. The historic disparities caused by redlining and inequitable public investment are still present in our communities today, leaving lower-opportunity communities with fewer sidewalks. The City has recognized this disparity and made historic investments in lower-opportunity neighborhoods. Access for people with disabilities is also an important aspect of the pedestrian system. As such, the City has placed substantial recent investments in the completion of a Mobility Master Plan (MoMaP), planning, design, and construction of walking and bicycling facilities. This proposed policy change will provide legal authority to preserve the investments being made so they can have long-term positive impacts where most needed.

Economy/Workforce: Equity Index Score: Moderate Opportunity

Increase the number of infrastructure projects and improvements that support existing and new business developments.

Increase positive public perception related to the Tacoma economy.

Livability: Equity Index Score: Moderate Opportunity

Increase the number of Complete Compact Communities/ 20-Minute Neighborhoods throughout the city.

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

How does your policy, program, or service help or harm the health of the natural environment?² (e.g. reduction in carbon emissions, open space conditions, sustainability, clean air, water and soil, and noise and light pollution).

Sidewalk infrastructure improves our economic vitality, especially in mixed use centers and business districts that benefit from pedestrian access and curbside appeal. Adding protections for businesses from their sidewalks being damaged will also improve economic security for local businesses. These protections also benefit the livability of Tacoma, by preserving accessible infrastructure needed for compact communities and to provide alternative transportation options that will reduce emissions and preserve the natural environment.

ALTERNATIVES:

Alternative	Positive Impacts	Negative Impacts
1. Take no action.	Maximum flexibility for sidewalk use.	Lack of policy to preserve sidewalks.
2. Review policy proposal options in Council Committee.	More time for Council Members to review policy and consider options.	Slower response to constituent request for policy to preserve sidewalk infrastructure.



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EVALUATIONS AND FOLLOW UP:

City Manager should direct staff to report back to Council on implementation of policy changes at the Community, Vitality and Safety Committee.

SPONSOR RECOMMENDATION:

The recommendation is to adopt the proposed ordinance in order to prevent obstruction and damage to sidewalks from the loading, unloading and transport of goods, establishing a sidewalk right-of-use permitting process, and amending the penalty provision to align with Tacoma's Uniform Enforcement Code.

FISCAL IMPACT:

No fiscal impact to adopting the code/language change.