




**TO:** Elizabeth A. Pauli, City Manager  
**FROM:** Peter Huffman, Planning and Development Services Director   
**COPY:** Infrastructure, Planning and Sustainability Committee; Michael P. Slevin III, P.E.;  
Lynda Foster  
**PRESENTER:** Corey Newton, P.E., Planning and Development Services Division Manager  
**SUBJECT:** Building/Development Code and Community Engagement Enhancement Update  
**DATE:** September 8, 2020

**PRESENTATION TYPE:**

Request for Ordinance

**SUMMARY:**

On September 23, 2020, Planning and Development Services (PDS) staff will provide an update regarding the Pre-Construction, Engagement, and Protection Standards project, and present an ordinance proposal for updates to Title 2 of the Tacoma Municipal Code (TMC).

**BACKGROUND:**

This project was established by Resolution No. 40443 due to the City experiencing rapid growth and development. Neighborhoods also expressed related concerns regarding health and safety and requested more engagement from the City before and during construction projects.

In addition, PDS has the continued goal of streamlining development regulation to make them easier to use, amend, and interpret. Development codes regulate where, what type of, and how development may occur. This proposal contains a step to advance the creation of a future unified development code.

This proposal also includes various technical and administrative changes to Title 2 recommended by PDS, including changes to the development codes, and fee code sections to enhance PDS' ability to fulfil administrative responsibilities.

**ISSUE:**

As communities grow and change, there are impacts on local neighborhoods during construction Projects. Neighbors have expressed concerns regarding health and safety, and have requested the City do more to engage with them before and during construction projects.

In addition, current City of Tacoma development codes are divided in various different titles and chapters. Stakeholders have expressed a desire for a single source document to make codes more accessible, effective, and predictable for customers, staff, and the community.

This briefing will provide information on areas of immediate action, and other options that will be evaluated/proposed in the future.

**ALTERNATIVES:**

The City Council could choose not to modify Title 2; however, this limits the City's ability to address and engage with the community's concerns related to construction impacts. This would also prevent the various other strategic proposals from advancing.



**FISCAL IMPACT:**

There is no fiscal impact at this time.

**RECOMMENDATION:**

PDS recommends modifying the TMC with the proposed adjustments to enable PDS to meet its mission of partnering with the community to build a livable, sustainable, and safe City by providing strategic, timely, predictable, cost-effective planning and development services with a culture focused on community engagement, customer service, creativity, accountability, and continuous improvement.

**ATTACHMENT:**

City Council Resolution No. 40443 – Public Engagement during Construction Projects



## RESOLUTION NO. 40443

1 BY REQUEST OF MAYOR WOODARDS AND COUNCIL MEMBERS BEALE,  
2 HUNTER, AND USHKA

3 A RESOLUTION directing the City Manager to review the City's current process for  
4 public engagement during construction projects in the City, and to provide  
5 an update and proposed recommendations relating to improving  
6 neighborhood engagement and protection standards for construction  
7 projects to the Infrastructure, Planning, and Sustainability Committee.

8 WHEREAS the City is experiencing rapid growth and development, which is  
9 critical to increasing housing options and spurring economic development, and

10 WHEREAS, as communities grow and change, there are impacts on local  
11 neighborhoods, and

12 WHEREAS some neighbors have expressed that their concerns about  
13 health and safety are not being heard, and that the City needs to do more to  
14 engage with them before and during construction projects, and

15 WHEREAS, to address these concerns, the City Council is directing the City  
16 Manager to work with staff to review how the City and developers engage the  
17 public during construction projects, and to provide an update and proposed  
18 recommendations relating to improving neighborhood engagement and protection  
19 standards for construction projects to the Infrastructure, Planning, and  
20 Sustainability Committee, and

21 WHEREAS five areas of concern have been identified for review, as follows:

22 (1) *Notification to all residents* – Review potential amendments of noticing  
23 procedures to all residents near development, including provisions to notify renters,  
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1 as well as property owners, of pending development applications and construction  
2 projects;

3           (2) *Neighborhood pre-construction notification and meeting requirements* –  
4 Review methods for staff and developers to provide public noticing and  
5 engagement right before construction of new projects, depending on the size of the  
6 project and the projected impacts on the surrounding neighborhood;

7           (3) *Incorporate feedback from community in environmental and site*  
8 *development review* – Review how neighborhoods are engaged in the State  
9 Environmental Policy Act (SEPA) and site development permitting process. This  
10 review should consider neighborhood meeting requirements. Additionally, there  
11 should be consideration of how the City structures SEPA appeal procedures,  
12 including consideration of a lower bar than filing in superior court for SEPA  
13 appeals, such as use of the Hearing Examiner;

14           (4) *Enforcement mechanisms* – Review enforcement mechanisms, current  
15 fines structure, and stop work procedures for construction sites that violate permit  
16 conditions and environmental rules. This should include a review of how neighbors  
17 can report concerns, and how those concerns will be reviewed by the City and  
18 responded to by developers; and

19           (5) *Air quality standards* – Review of current codes around ambient air  
20 quality standards, including dust control and suppression, and asbestos  
21 management/abatement. This review should include consideration of performance  
22 standards for air quality, not just adherence to Best Management Practices, and  
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1 how asbestos and other toxic and harmful demolition byproducts will be managed,  
2 their safe removal ensured, and disposal appropriately handled. This should  
3 include a review of how neighbors can report concerns, and how those concerns  
4 will be reviewed by the City, and  
5

6 WHEREAS Council Member Beale shared a Council Consideration Request  
7 for a proposed resolution for full City Council Consideration at the September 24,  
8 2019 Study Session; Now, Therefore,  
9

10 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

11 That the City Manager is hereby directed to work with staff to review the  
12 City's current process for public engagement during construction projects in the  
13 City as detailed in the recitals above, and to provide an update and proposed  
14 recommendations relating to improving neighborhood engagement and protection  
15 standards for construction projects to the Infrastructure, Planning, and  
16 Sustainability Committee.  
17

18 Adopted \_\_\_\_\_

19 \_\_\_\_\_  
20 Mayor

21 Attest:  
22 \_\_\_\_\_  
23 City Clerk

24 Approved as to form:  
25 \_\_\_\_\_  
26 City Attorney