



## ORDINANCE NO. 29022

1 AN ORDINANCE relating to land use regulation; extending an existing temporary  
2 moratorium on the nomination and designation of new Historic Special  
3 Review and Conservation Districts for a period of six months, to end  
4 November 5, 2025; and approving a detailed Planning Commission  
5 workplan describing the work to be completed by the Planning  
6 Commission in each month of the extension.

7 WHEREAS Tacoma Municipal Code ("TMC") Section 13.07.060 outlines  
8 regulations for the local Tacoma Register of Historic Places and the nomination and  
9 designation process for Historic Special Review and Conservation Districts, and

10 WHEREAS the Landmarks Preservation Commission and Planning  
11 Commission ("Commissions") both have roles in reviewing nominations and  
12 making recommendations, and,

13 WHEREAS in reviewing applications for Historic Special Review and  
14 Conservation Districts over the last year, both Commissions noted concerns  
15 about the existing historic district designation process and recommended that a  
16 review and potential update to the process should be conducted in the earliest  
17 possible plan and code amendment cycle, and

18 WHEREAS the Planning Commission adopted its Work Program for  
19 2023-2025 in November of last year, and the City Council's Infrastructure, Planning,  
20 and Sustainability Committee concurred with the work program in December of last  
21 year, and the work program includes the 2024 Comprehensive Plan Periodic  
22 Update, which is anticipated to be completed in mid-2025, and  
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1           WHEREAS a Historic Preservation Plan Update including a policy and code  
2 review of local historic districts is included in the current scope for the 2024  
3 Comprehensive Plan Periodic Update, and  
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5           WHEREAS the requested review is planned to be included in the upcoming  
6 2024 Comprehensive Plan periodic update process, however in the interim,  
7 applications for Historic Special Review and Conservation Districts may continue  
8 to be submitted, and if denied resubmitted, and  
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10           WHEREAS by Resolution No. 41226, the City Council directed the  
11 Planning Commission, in coordination with the Landmarks Preservation  
12 Commission, to conduct a public process to develop findings of fact and  
13 recommendations as to whether a moratorium on nomination and designation of  
14 local historic districts is warranted, the Planning Commission adopted a review  
15 schedule and set a public hearing on September 20, 2023, and  
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17           WHEREAS following the public hearing, the Planning Commission also  
18 sought feedback and input from the Landmarks Preservation Commission, and  
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20           WHEREAS the Planning Commission found there are significant unresolved  
21 policy and code questions relating to historic district creation, and the Planning  
22 Commission workplan would benefit from a temporary pause on historic district  
23 review afforded by a moratorium, and  
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25           WHEREAS the Planning Commission expressed that before the  
26 establishment of any new Historic Special Review and Conservation Districts  
additional study was needed regarding the interplay between the current code



1 and the City's efforts to increase all income housing availability and increase  
2 housing density within the City, and

3 WHEREAS the Planning Commission further noted that before the  
4 establishment of any new Historic Special Review and Conservation Districts study  
5 of the current code was needed to focus on addressing the impacts of systemic  
6 racism on home ownership and wealth-building opportunities for people of color in  
7 the City, and

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9 WHEREAS on November 15, 2023, the Planning Commission voted to  
10 recommend that the City Council establish a moratorium on the consideration and  
11 adoption of new local historic special review districts for a period of one year, and  
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13 WHEREAS on April 23, 2024, the City Council adopted Amended  
14 Ordinance No. 28962, which established the moratorium on the consideration and  
15 adoption of new local historic special review districts for a period of one year from  
16 May 5, 2024, until May 5, 2025, and  
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18 WHEREAS the moratorium was appealed to the Washington State Growth  
19 Management Hearings Board ("GMHB") and on December 20, 2024, the GMHB  
20 issued a ruling that the Planning Commission's adopted workplan did not contain  
21 sufficient detail to meet the requirements of Revised Code of Washington  
22 36.70A.390 to support a one-year moratorium, and provide a compliance deadline  
23 of March 12, 2025, and  
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25 WHEREAS in performing a detailed review of the work to be completed  
26 and developing a detailed workplan, the Planning Commission determined that



1 additional time was necessary because the policy and code work regarding  
2 historic districts that is currently underway but will not be concluded before the  
3 temporary moratorium termination date of May 5, 2025, and  
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5 WHEREAS there are three principal components of this work:

6 (1) Historic preservation policy review and update, currently underway  
7 as a part of the comprehensive plan amendment process, which is scheduled  
8 to be considered by City Council in June 2025;

9 (2) Historic preservation incentives study, intended to identify potential  
10 improvements to incentive programs that encourage historic preservation, which is  
11 also currently underway and scheduled to conclude in March 2025; and  
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13 (3) Historic preservation code amendments, which will include proposed  
14 amendments to the TMC in response to the updated Comprehensive Plan (focusing  
15 on the process for creation of new local historic district overlay zones), scheduled to  
16 conclude in October 2025, and  
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18 WHEREAS on January 15, 2025, the Planning Commission adopted a  
19 detailed workplan, attached as an exhibit to this Ordinance, and recommended  
20 extending the temporary moratorium for an additional six months to allow for  
21 completion, and  
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23 WHEREAS on February 11, 2025, the City Council held a public hearing  
24 to allow public comment on the Planning Commission recommendation; Now,

25 Therefore,  
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BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council hereby adopts the foregoing recitals, and adopts additional legislative findings as follows:

A. That both recent State legislation and the Growth Management Act ("GMA") through Puget Sound Regional Council's Vision 2050 growth targets require the City to implement changes to zoning and regulations to allow for multiple housing types and greater density in areas previously restricted to single family detached housing.

B. That the GMA requires the City to identify and implement policies and regulations to address and begin to undo racially disparate impacts, displacement, and exclusion in housing caused by local policies, plans, and actions.

C. That establishment of new local historic special review districts has a benefit in historic preservation, but also bears a risk of inhibiting the development of denser middle housing, inhibiting population growth planning, and unintentionally exacerbate racially disparate housing impacts from historic practices that resulted in zoning with a discriminatory effect.

D. That the GMA requires that the City in its zoning and regulations balance and give effect to all potentially competing GMA goals including historic preservation, the need for denser housing, accommodating planned population growth, and remediating the effects of past discrimination.

E. That the temporary moratorium and its extension is consistent with all the GMA goals listed above as it allows the City the necessary time to carefully



1 balance, harmonize and give effect to all the implicated goals and policies of  
2 the GMA.

3           Section 2. That the temporary moratorium on the nomination and  
4 designation of new Historic Special Review and Conservation Districts, is  
5 hereby extended for a period of six-months or until the work is complete,  
6 whichever is less.

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8           Section 3. That the Planning Commission's detailed workplan for the  
9 remainder of the moratorium and the six-month extension is hereby approved,  
10 as more fully set out in the attached Exhibit "A."  
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12           Section 4. Severability. If any section, subsection, paragraph, sentence,  
13 clause, or phrase of this Ordinance or its application to any person or situation  
14 should be held to be invalid or unconstitutional for any reason by a court of  
15 competent jurisdiction, such invalidity or unconstitutionality shall not affect the  
16 validity or constitutionality of the remaining portions of this Ordinance or its  
17 application to any other person or situation.  
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19           Section 5. Effective Date. This Ordinance shall be effective ten days after  
20 its publication.  
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Section 6. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Chief Deputy City Attorney

## Exhibit "A"

### Historic Moratorium – Workplan Background and Scope

In 2020 and 2022, the City of Tacoma Planning Commission considered and rejected a proposal to establish a new primarily residential local historic district overlay zone in the North End of Tacoma. In both cases, the Landmarks Preservation Commission and the Planning Commission differed in their findings regarding the appropriateness of establishing a local historic district. However, both Commissions recommended that the relevant policies and codes be reviewed at the next available cycle to address consistency and alignment between historic preservation regulations and other City priority policies and initiatives, including:

- A. The Historic Comprehensive Plan Element and associated regulatory codes should be reviewed during the next code and policy amendment process to assess and evaluate compatibility with the broad City policy of objectives concerning diversity, equity and inclusion, to identify barriers, gaps in preservation policy, and criteria used by the Commission, and to identify additional tools and incentives for owners and residents of historic properties.
- B. Specifically, Comprehensive Plan policies and regulatory code relating to historic districts should be reviewed and amended at the earliest appropriate amendment cycle, to include review of consistencies between historic preservation policies and policies elsewhere in the Comprehensive Plan relating to housing, equity, and sustainability.
- C. A review of the historic district designation process to be conducted to clarify the roles and scope of the review by the Landmarks Commission and Planning Commission, and to improve coordination between the two processes.
- D. The City should identify additional resources to support researching and proactive creation of historic districts and designation of historic buildings, especially in areas that are underserved by historic preservation, in order to improve familiarity with and access to historic preservation land use tools, promote investment in older neighborhoods, and celebrate neighborhood identity and enhance quality of life.
- E. The design review fee schedule for properties on the Tacoma Register of Historic Places, including those within locally designated historic districts and individual City Landmarks, should be reviewed, particularly to determine whether the value to the City is appropriately balanced with the impact to community members.
- F. For future local historic district proposals, the Planning Commission concurred with the Landmarks Preservation Commission's recommendation to reduce the burden on property owners and residents within local historic districts by relaxing or reducing design review requirements.

The City Council, per Ordinance No. 28962, enacted a temporary, limited moratorium on the nomination and designation of new Historic Special Review and Conservation Districts to allow for the requested policy and code update to be completed before any new applications were considered.

To address this direction, the City's workplan includes three primary components:

1. Historic Preservation policy review and update (coordinated with the state-mandated periodic Comprehensive Plan update)
2. Historic Preservation Incentives Study (to inform both the policy and code updates)
3. Historic Preservation code amendment (including updates to the designation process and procedures)



## Historic Moratorium – Workplan Schedule

### **Comprehensive Plan Amendment (2024-2025)**

Purpose: Address inconsistencies between historic preservation policies and other policy areas within the Comprehensive Plan (Recommendations A, B, C)

#### **Schedule:**

<b>Date</b>	<b>Action</b>	<b>Status</b>
<b>Mar - Jun 2024</b>	Community Launch/Citywide Engagement	<i>Complete</i>
<b>July - Dec 2024</b>	Policy Development and Plan Drafting	<i>Complete</i>
<b>October 2024</b>	Planning Commission Briefing on Historic Preservation Element Update to the Comprehensive Plan	<i>Complete</i>
<b>December 2025</b>	Internal Stakeholder review of Draft Plan	<i>Underway</i>
<b>January 2025</b>	Planning Commission review of Draft Plan and release for public comment	
<b>February 2025</b>	Landmarks Commission review of Draft Plan	
<b>March 2025</b>	Planning Commission Public Hearing on Draft Plan	
<b>April 2025</b>	Planning Commission Recommendation	
<b>May 2025</b>	City Council Public Hearing on Recommended Plan	
<b>Jun 2025</b>	Council Adoption	

### **Historic Preservation Financial Incentives Study**

Purpose: Identify tools and incentives for owners and residents of historic properties, to encourage preservation compatible development, and to reduce barriers to access. (Recommendations A, E, F)

#### **Schedule:**

<b>Nov - Dec 2023</b>	Request for Proposals Review and Award	<i>Complete</i>
<b>Jan - Feb 2024</b>	Contracting	<i>Complete</i>
<b>Spr - Sum 2024</b>	Stakeholder research and interviews	<i>Complete</i>
<b>Dec 2024 - Jan 2025</b>	Review of Draft Report and Recommendations	<i>Underway</i>
<b>Jan - Mar 2025</b>	Incorporate relevant reviews into Comprehensive Plan Draft and/or Code Draft	

### **Historic Preservation Code Amendment**

Purpose: Amend relevant regulatory codes including TMC Chapters 13.05, 13.07 and 13.12 to address policy amendments to the Comprehensive Plan and district nomination and designation process

#### **Schedule**

<b>April - July 2025</b>	Code development and Landmarks/Planning Commission briefings
<b>July 2025</b>	Planning Commission review of Draft Code and release for public comment
<b>August 2025</b>	Landmarks Commission recommendation
<b>August 2025</b>	Planning Commission Public Hearing
<b>September 2025</b>	Planning Commission recommendation
<b>October 2025</b>	City Council Public Hearing
<b>October 2025</b>	Council Adoption