



To: Planning Commission
From: Lihuang Wung, Planning Services Division
Subject: 2013 Annual Amendment
Date of Meeting: April 17, 2013
Date of Memo: April 12, 2013

The Planning Commission conducted a public hearing on March 20, 2013 concerning the Proposed Amendments to the Comprehensive Plan and Land Use Regulatory Code for 2013 (“2013 Annual Amendment”), and kept the hearing record open through March 29, 2013 to receive written comments.

At the next meeting on April 17, 2013, the Commission will review public comments received, staff’s responses to the comments, and potential modifications as suggested by staff to the Proposed Amendments in response to certain comments. To facilitate the Commission’s review, staff has compiled a *Public Comments and Staff Responses and Suggestions Report*, as attached. The report includes a summary of the oral testimony received on March 20th and copies of letters and e-mails received through March 29th. Staff will seek the Commission’s concurrence with staff’s responses and suggestions.

Upon satisfactory completion of the review of the above report, staff will suggest the Commission consider making a recommendation to the City Council. Staff has prepared a draft *Findings and Recommendations Report* that documents the Planning Commission’s review and decision-making processes for the 2013 Annual Amendment and a draft *Letter of Recommendation* that will transmit the report to the City Council. Staff will seek the Commission’s approval of the two documents.

If you have any questions, please contact me at 591-5682 or lwung@cityoftacoma.org.

Attachments (3)

c: Peter Huffman, Interim Director



2013 ANNUAL AMENDMENT TO THE COMPREHENSIVE PLAN AND LAND USE REGULATORY CODE

Public Comments and Staff Responses and Suggestions Report

April 12, 2013

Comments	Commenters (Appendix A)	Staff Responses and Suggestions
Drive-through Regulations (Application #2013-01)		
Supports drive-through regulations. Notes that the proposed amendment is needed to further achieve the goals of the Comprehensive Plan. Regarding the 150 ft distance to bus stops, Ms. Adkins noted such provision is already in the code.	Adkins	Ms. Adkins was the person that submitted the drive through code amendment application. Staff agrees that there are some Comprehensive Plan goals that can be tied directly to amendments to the drive-through and drive way standards. Regarding the 150 requirement, as noted previously, such requirement is currently in a separate chapter of the TMC. The proposed amendment would place said standard in the land use code. No modifications proposed.
<ul style="list-style-type: none"> • Had concerns that the 150 minimum separation requirement from Pierce Transit Stops would reduce ability to construct drive through on his property in future. • Had concerns that the proposed drive through code amendments would significantly reduce property value and ability to develop drive throughs in the future. • The City's Mixed-Use Centers are unique and as such, there should not be a one-size-fits-all approach for dealing with drive throughs in them. As such, Mr. Peterson is opposed to city-wide standards. 	Petersen	<ul style="list-style-type: none"> • The 150 foot requirement provides further clarification on a standard that the City upholds on a case by case basis. Incorporating this standard into the drive through/driveway section of the land use code will create better constancy and will notify developers/citizens of such requirement earlier in development process. Additionally, this requirement will utilize Traffic's waiver process where in unique circumstances the requirement can be reduced or removed depending on site characteristics and location of public transit stops. As such, no modifications are proposed. • The proposed drive through and drive way codes will have the greatest impact on properties located in the downtown zoning districts and the commercial districts. Mixed-Use zoning districts already contain numerous requirements for addressing drive throughs and drive ways. The additional requirements added to the mixed-use districts from this amendment are only minimal, including the addition of screening of stacking lanes, incorporating trash receptacles, and requiring bicyclists to be served. As such, no modifications are proposed. • Staff recognizes that the Mixed-Use Centers are each unique. Further, the Mixed-Use zones within these districts are each unique. The drive through standards for the UCX-TD will differ substantially from the rest of the Mixed-Use zoning districts. Further, the CCX zone will offer exemptions for certain type of drive through uses, such as small coffee shacks. As such, no modifications are proposed.

Comments	Commenters (Appendix A)	Staff Responses and Suggestions
<ul style="list-style-type: none"> • Suggested that all new drive through and driveway standards should be flexible for staff to administer. Noted that maintaining broad goals about safety and use should be used. A variance process could be included at the director level. • While drive throughs may devote a lot of area to parking and queuing space, many businesses need them in order to remain financially viable. 	Grossman	<ul style="list-style-type: none"> • Under the current approach, drive throughs in many districts were handled on a case by case basis. Providing standards on drive through and driveways will allow for more predictability for developers and for staff to apply consistently. The proposed drive through and driveway code will still have a variance process should there be unique characteristics on the site. Further, traffic engineering will have ability to administer the stacking lane capacity on a case by case basis in recognition that different types of uses will call for greater or less stacking capacity. Finally, an exemption for smaller coffee shack type drive throughs will allow for greater flexibility, as these are temporary in nature and are usually located in a large parking lot of an existing shopping center. As such, no changes are proposed.
<ul style="list-style-type: none"> • Regarding one provision in the updated driveway section, Pierce Transit suggested we refine code language from “Pierce Transit bus operations” to “public transit bus operations”. • Regarding standards for driveways located near a Pierce Transit stop, Pierce Transit supports the incorporation of such language into the code. 	Adams	<ul style="list-style-type: none"> • Staff acknowledges Ms. Adams concerns and will modify the proposed code language to state “public transit bus operations”. • Staff notes Ms. Adams support of modified driveway section. As such, no changes are proposed.
<ul style="list-style-type: none"> • Expressed concerns that increased regulations could impact economic development. • The proposed code language appears to be vague or complex and may detract investment. • The proposed code language should be written in a manner that would attract business to Tacoma. 	Ebenhoh	<ul style="list-style-type: none"> • Staff acknowledges that it is always possible that increased regulations could increase the difficulty in developing a site. However, the proposed amendment is consistent with the City’s comprehensive plan policies and was enacted by the community. Further, aside from the downtown zoning districts and UCX-TD district, many of the proposed drive through/driveway code changes are refinements of existing standards that are fragmented throughout the code. • There are some instances in the proposed code changes that will afford staff the flexibility to interpret/modify standards depending on the site characteristics. Further, the variance process for Land Use and Waiver process for Public Works will still be in place to allow applicants to deviate from such standards if the project is consistent with applicable criteria. • Staff has worked with various stakeholder groups to ensure that the proposed code changes will not negatively impede development. Such groups include the Economic Development Committee, the Downtown Merchants Group, and local Real Estate Brokers.

Comments	Commenters (Appendix A)	Staff Responses and Suggestions
Shoreline Related Elements (Application #2013-05)		
Sperry Ocean Dock is a bookend of Ruston Way, along the deepest natural water in all of the Commencement Bay, providing support to the JBLM and emergency preparedness operations in the Northwest. The Draft Tacoma Waterfront Design Guidelines should stand as is, supporting the business operation of the Dock that brings in jobs, security and comfort to the community.	Coy	Support noted.
The TWDG are inclusive and representative of the design criteria for the Foss Waterway. Support for incorporating the Design Guidelines into the Comprehensive Plan. Strongly supports approval.	Dowie	Comments and support are noted.
<ul style="list-style-type: none"> • The TWDG is contrary to Council direction as it pertains to the treatment and description of the S-6/7 District. • The description on page 3 of an “active industrial area” is not consistent with Council intent or adequate for describing the context of the area. • Should revise the map and text for the “Schuster Corridor” to better reflect the community vision and City Council intent as adopted in the SMP. • This area should not be defined as active industrial 	Rietmann; Rose; Teitge; P. Clair; Coleman; Schain	<p>Staff recommends separating the S-6/7 and S-7 districts into two individual maps and to revise the intent statement for the S-6/7 to better reflect the policy direction as adopted in the Shoreline Master Program.</p> <p>Mr. Rietmann also submitted at the March 20th public hearing a copy of the letter he had previously submitted to the Mayor and City Council on November 27, 2011. This letter was reviewed and considered as part of the testimony provided to the City Council during the update of the Shoreline Master Program. The letter cites the Planning Commission’s Findings and Recommendations as forwarded to the City Council which recommended rezoning the Sperry Ocean Dock property to the S-6 Ruston Way Shoreline District. As part of the City Council’s decision, this recommendation was amended to create the S-6/7 Schuster Parkway Transition District which continues to allow certain industrial uses.</p>
Bayside Trail is not suitable as a shoreline or multi-use trail.	Rose; Teitge	Staff concurs that the Bayside Trail option should not be considered as the primary public access route connecting the Thea Foss Waterway and Ruston Way.
Visionary planning would develop four or five perpendicular connections bringing people from Pacific Ave down to Thea Foss and connecting Thea Foss with Ruston Way along the water.	P. Clair;	Staff concurs. Perpendicular access points are essential to creating a usable, attractive public access system. Multiple potential trail routes have been identified in the Public Access Alternatives Plan, including the Prairie Line, a Fireman’s Park funicular, and the gulch trails, which can help facilitate direct access from adjacent neighborhoods to the shoreline.

Comments	Commenters (Appendix A)	Staff Responses and Suggestions
<ul style="list-style-type: none"> The Tacoma Waterfront Design Guidelines for the most part is a strong document. 	Rietmann	Comment noted.
<ul style="list-style-type: none"> Some areas of the TWDG fall short of community vision. Concern that the term “integrate adjacent hillside neighborhoods with the shoreline” means that the City is focused exclusively on reopening Bayside Trail as the primary shoreline route. Priority should be given to developing a waterfront trail to/along water’s edge. Should revise the map and text for the “Schuster Corridor” to better reflect the community vision and City Council intent as adopted in the SMP. 	Rose; Teitge; Herrmann; Coleman; Rietmann; Schain; Teitge	<p>The TWDG does not require that the City reopen Bayside Trail nor does it give preference to the Bayside Trail over other shoreline trail alignments. The role of the TWDG is to provide design guidelines to ensure that public access facilities, when constructed, are designed to be compatible with surrounding land uses, to ensure that they are usable, attractive, and designed appropriately for the intended use and users. The Public Access Alternatives Plan contains options for potential public access trail systems. The Bayside Trail has been incorporated as one such option, alongside a Schuster Parkway multi-use trail and waterside esplanade, in accordance with the comments received during the Shoreline Master Program update.</p> <p>In addition, the City is currently developing a conceptual design for a multi-use trail along the Schuster Parkway corridor. At this time, the Bayside Trail is not considered a feasible option to provide the connectivity and multi-modal use that is desired for this corridor. We encourage all interested parties to contact staff regarding this project.</p>
The TWDG and PAAL should not be adopted until final approval of the SMP by the Department of Ecology.	Hansen	Comment noted. These documents are proposed to implement policies contained in both the Comprehensive Plan and the Shoreline Master Program and need not depend solely upon the approval of the Shoreline Master Program update.
Revise the S-6/7 and S-7 District definitions to incorporate the intent statements from the SMP and NOAA definitions	P. Clair; Coleman; Read	The Shoreline Master Program and TMC 13.10 contains the policies and development regulations that assure that all new development will achieve no-net-loss of ecological functions. The TWDG and PAAL are non-regulatory documents and do not control nor alter the environmental standards or vision of the adopted SMP.
The proposal does away with the funding to better connect the Foss Waterway and Ruston Way.	Coleman	In 2008 the City Council allocated \$60,000 to study the feasibility of multiple potential trail routes between the Foss Waterway and Schuster Parkway. This study is being conducted concurrent with the update of the PAAL and is intended to result in a conceptual design for a public access system through this shoreline area. The TWDG and PAAL do not impact that funding.
The three Comprehensive Plan elements should be retained.	Coleman; Teitge	Comment noted.

Comments	Commenters (Appendix A)	Staff Responses and Suggestions
A fully connected waterfront will be a benefit for residents, business, and students. Do not abandon the vision of a complete waterfront esplanade.	Herrmann; Lake, Schain; Stone; Teitge	Staff concurs. The PAAL and TWDG have incorporated a public esplanade as part of the vision for this shoreline. The proposed amendments do not abandon the concept of an esplanade. However, the requirements for public access are not contained in these documents, but rather in the Shoreline Master Program. The proposed amendments do not impact nor alter those requirements but rather, seek to provide guidance on how to implement those requirements.
This area should not be zoned for active industrial uses.	Read	The proposed amendments are non-regulatory and do not impact the zoning for this area. The Shoreline Master Program controls the zoning for the S-6/7 and S-7 Shoreline Districts and defines the allowable uses.
The TWDG breaks up the waterfront in specific segments, which undermines a unified vision for the waterfront.	Rose	The proposed amendments are intended to build a unified public access system and waterfront identity, while still recognizing distinct subareas that have a unique character. Each of these shoreline areas has unique land use patterns, densities, and planned uses.
The proposal should also include a citizen advisory committee that reviews public access requirements and implementation as part of the permit process.	Rose	Suggestion noted.
Reject the TWDG	Stone	Comment noted.
Land Use Designations (Application #2013-06)		
Will the proposed changes affect a property of interest currently located in Downtown Tacoma in any way pertaining to the height of the building or such?	Jones	The proposed changes in the Comprehensive Plan land use designations for all mixed-use centers and shoreline districts, as part of the 2013 Annual Amendment, would remove the “intensity” designation currently applicable to these areas, but would not change the zoning classifications there within. In other words, no change to what the property owner currently can or can’t do with the property.
Are the proposed Amendments to “intensity designations” fundamental to a broader initiative, including future Amendments, that would allow the permitted intensity or density within Mixed Use Centers or Shoreline Districts to be increased or decreased through code authority, including staff discretion?	Thiem	The proposed amendments this year would primarily remove the “intensity” designations within all mixed-use centers and shoreline districts and create a new designation of Shoreline. The proposal will also set the stage for a broader scope of changes scheduled to take place in 2014 (or into 2015 if needed), which would include removing the “intensity” designations citywide and, as necessary and appropriate, making additional changes within mixed-use centers and shoreline districts. However, details for the scope or timeline have not been developed; therefore it is premature to contemplate whether the density (and staff discretion under code authority, for that matter) within mixed-use centers or shoreline districts would be increased or decreased.

Comments	Commenters (Appendix A)	Staff Responses and Suggestions
<p>While the reclassifications proposed in this year's amendment (phase 1) are not contentious, phase 2 will result in substantial public concerns. The possibility of inadvertently "downzoning" properties by placing more narrow designations upon them could substantially effect what type of development would occur on properties that were purchased with the current wide range of allowable uses in mind. As phase 2 progresses, MBA Pierce requests to be considered a stakeholder and will provide comments as appropriate.</p>	<p>Hoey</p>	<p>Comments noted. MBA Pierce will continue to be a key stakeholder in phase 2.</p>
<p>An appropriate period of time for landowners to have a Conservation Easement in place in order for them to get the parcel off the tax roll before reviewing and re-instatement should last 20 years. The future addition of private owner parcels into Open Space land use designation could provide incentive for owners if it had a component for them to keep parcels off tax role if it was a longer period of time for them not to have to go through the process to reclassify as open space.</p>	<p>Hansen</p>	<p>This comment addresses two issues, the proposed Comprehensive Plan Designation for "Parks and Open Space" and the Open Space Current Use Assessment program.</p> <p>The Open Space Current Use Assessment Program offers an incentive for private property owners to receive a reduction on their property taxes by maintaining a property that serves the public benefit. This program is regulated under Washington State Law and specifies that properties receiving such designation are required to remain as such for a minimum of 10 years. The City does not have the ability to extend it to a twenty year minimum. Further, by increasing the minimum time necessary for such properties to receive tax benefits, it is possible that could be a disincentive for property owners to enter into such a program.</p> <p>Under this first phase of the Comprehensive Plan Designation project, the proposed framework includes the creation of a new "Parks and Open Space" designation. In the next project phase there will be further discussion about the types of properties that are appropriate for inclusion in this designation and, if private properties are potentially included, further discussion about the types of incentives that could be provided to private property owners under that designation.</p>

Comments	Commenters (Appendix A)	Staff Responses and Suggestions
Platting and Subdivision Regulations (Application #2013-08)		
<ul style="list-style-type: none"> • TMC 13.04.165: What standards is “pedestrian-scale lighting” subject to and how is it deemed appropriate? • TMC 13.04.090.D: Tacoma would be the only jurisdiction within Pierce County that requires public notice for a short plat of any size. RCW 58.17 has no reference to the need for such public notice, which should be removed. • TMC 13.04.095: The appeals process which allows for an aggrieved party to file an appeal would also be uncommon in comparison to the practices of other jurisdictions within the county. RCW 58.17 has no reference to the need for this type of appeal, which should be removed. • Page 314 of the staff report: There is a statement that applicants are required to demonstrate why public or private access cannot be aligned with the surrounding street system for pedestrian, bicycle and vehicular connectivity. This reference applies to a previous draft of the ordinance and is not applicable to the current draft. 	Hoey	<ul style="list-style-type: none"> • TMC 13.04.165: Street lighting for all subdivisions is subject to the Illuminating Engineering Society (IES) Standards as reviewed by the City Engineer. This provision extends the requirement to short subdivisions and applicant-proposed pedestrian-scale lighting as deemed appropriate by the City Engineer. • TMC 13.04.090.D: After review of comparable jurisdictions and benchmarking, Staff believes requirement to provide public notice for a short subdivisions is appropriate and commensurate with other jurisdictions in Washington. Examples of jurisdictions that require public notice for short subdivisions include: Bellevue (14 day notice), Olympia (10 day notice), Seattle (14 day notice), and Pierce County (14 day notice). • TMC 13.04.095: The City of Tacoma has historically allowed appeals to the Hearing Examiner for boundary line adjustments, binding site plan approvals, and short subdivisions. The proposed changes to the code language in section 13.06.095 are administrative in nature and do not add to or change existing appeal provisions. • Page 314 of the staff report: The statement reads “The applicant will also be required to demonstrate why public or private access ways cannot be aligned with the surrounding street system for pedestrian bicycle and vehicular connectivity.” The code section this statement refers to is section 13.04.190. Through the proposed changes to this code section, the applicant will be required to demonstrate why a public or private street or permanent access easement cannot be aligned with the surrounding street system for pedestrian bicycle and vehicular connectivity. This provision is aligned with the goals and policies of the Comprehensive Plan. However, several references to Complete Streets have been removed from the proposed code language that were present in earlier versions. One reference to Complete Streets remains in the Policy statement found in section 13.04.030.
Platting and Subdivision Regulations should be left as is. Short Plats need review on environmental concerns.	Hansen	City Staff believe that there is a greater need for streamlining the City permitting process at this time. The changes to the Platting Code (<i>TMC 13.04</i>) are aligned with State requirements and are intended to reduce review time, increase regulatory efficiency, and to allow developers and applicants more predictability when developing within the city. Short Plats/Subdivisions are currently subject to Environmental Review consistent with <i>TMC 13.12</i> . No changes to environmental review procedures or requirements are proposed through the update to <i>TMC 13.04</i> .

Comments	Commenters (Appendix A)	Staff Responses and Suggestions
Sign Regulations (Application #2013-09)		
<ul style="list-style-type: none"> Supported that not all public facilities are exempt from digital changing message center signs. Even the regional facilities should not be exempt from the message timing requirement. An eight second interval between display changes is typically used on freeway digital billboards. An eight second interval was also proposed by Clear Channel for the digital billboards in Tacoma. Digital billboards were made illegal in Tacoma in 2011; one of the reasons was due to the distraction with the eight second display interval. A longer interval, such as one minute, should be considered. The code does not restrict the number of digital signs a business are allowed. If a business is allowed three signs per the code, then all the signs could be digital. A business should be restricted to one digital sign or one per a given interval of space (i.e., 500 feet). Agreed with the proposal to ban digital onsite signage on designated pedestrian-oriented streets and neighborhood mixed use centers. Concerned about allowing digital onsite signage in C2 zones that are near residences or downtown. For example, South 12th Street is a C2 zone on one side of the street and residences on the other side. Another example is mixed use buildings with dwellings above businesses. This can be mitigated by restricting hours of operation of the digital signs to an hour before sunrise to an hour after sunset. 	DeOme	<ul style="list-style-type: none"> Regarding message timing for regional facilities, the proposed code amendment will not exempt such facilities from the timing requirement. As such, no modifications are proposed. Through staff research, it was determined that the eight second per minimum message requirement is based off of a recommendation by the Federal Highway Administration and is the minimum necessary for vehicles traveling at 60 mph. Staff acknowledges Ms. DeOme's concerns that the eight second minimum should be increased in areas where there are slower speeds. The overall goal of increasing the transition time would be to minimize any distraction to the motorist. Generally, City of Tacoma roads range in speed limits from 20 to 35 miles per hour. Per research, it is recommended that the distance that digital signs are visible from should be divided by the speed limit of the road in which they are located. In this instance, staff used the maximum sign area for a digital changing message center sign of 30 square feet, located on a 30 MPH road, with a visibility of up to 300 feet. The result would be to increase the transition time to 10 seconds. Since there are some roads at higher speeds, staff recommends a 12 second minimum between messages. As such, the code will be revised. Regarding limiting the number of digital changing message center signs, staff would note that there is already a limit of 30 square feet proposed for such signs. A very large site with multiple frontages could choose to have two separate digital changing message center signs, but such signs would only be 15 square feet each. As such, no modifications are proposed. With the new requirements placed on digital changing message center signs, such as brightness, size, and message delay, impacts from such signs will be significantly reduced. Staff acknowledges the hours of operation concerns. The proposed code will be modified to prohibit all digital changing message center signs within the City to operate between 10 PM and 6 AM, unless said business is opened past such time. In no instance shall such signs in a residential district operate between 10 PM and 6 AM. Regional entertainment and recreation facilities shall be exempt from this requirement.

Comments	Commenters (Appendix A)	Staff Responses and Suggestions
Adoption and Amendment Procedures (Application #2013-07)		
<ul style="list-style-type: none"> TMC 13.02.045 currently requires that applications for amending the Comprehensive Plan shall be submitted by the final business day in June of any given year to be considered in the following annual amendment cycle. This does not allow the flexibility of adding late proposals in justifiable need for due consideration. The public information signs that were erected in the mixed-use centers and the shoreline districts concerning the proposed amendment to land use designations (Application #2013-06) are not serving their purpose effectively. Each sign covers a relatively large geographic area, which compromises its effectiveness. The message on the sign is generic and not seemingly relevant to the site where each sign is posted, which is confusing to the viewers. 	<p>(Comments generated by staff)</p>	<ul style="list-style-type: none"> Usually, the annual amendment process begins to gear up in September-October. Moving up the application deadline to a later date or making it flexible would allow more time for prospective applicants to prepare for their applications, would not adversely impact the amendment schedule if attentively managed, and could help streamline the year-long amendment process. Staff suggests that TMC 13.02.045 be revised by replacing the fixed deadline with a flexible one to be established by the Department for any given year when the annual amendment process is in effect. Per TMC 13.02.057, for proposed changes to the land use designations or area-wide zoning classifications, public information signs shall be erected on the affected sites to indicate at a minimum the name of the applicant, a description and location of the proposed amendment, and where additional information may be obtained. For Application #2013-06, staff posted 21 public information signs in the 17 mixed-use centers (one in each center) and 4 selected shoreline districts. It would be cost prohibitive to fabricate and post more signs. Also, the message on the sign is not site-specific because the proposed amendment to the land use designations is applicable citywide. Learning from the experience, staff concludes that some improvement to the code requirement is needed to ensure that the public information signs effectively achieve what they are designed and intended for. Staff suggests that TMC 13.02.057 be revised to require public information signs only for those proposed amendments to land use designations or area-wide rezones that are within a focused geographic area.

Appendices:

A. List of Commenters

Citizens Who Testified at the Public Hearing on March 20, 2013 (listed in order of testifying)	Subjects of Comments
1. David Rietmann	Shoreline
2. Tricia DeOme, Central Neighborhood Council	Sign Code
3. Bruce Petersen	Drive-throughs
4. Rick Rose, Walk the Waterfront	Shoreline
5. Gary Coy, Sperry Ocean Dock	Shoreline
6. Carl Teitge	Shoreline
7. Jori Adkins, Dome District Development Group	Drive-throughs
Citizens Who Submitted Written Comments by March 29, 2013 (listed by last names in alphabetic order)	Subjects of Comments
1. Monica Adams, Pierce Transit, March 26, 2013	Drive-throughs
2. Pierson Clair, Brown & Haley, March 25, 2013	Shoreline
3. Sara Clair, Brown & Haley, March 28, 2013	Shoreline
4. Ronald Coleman, March 29, 2013	Shoreline
5. Tricia DeOme, Central Neighborhood Council, March 29, 2013	Sign Code
6. Su Dowie, Foss waterway, Development Authority, March 25, 2013	Shoreline
7. Tom Ebenhoh, March 29, 2013	Drive-throughs
8. Kevin Grossman, March 6, 2013	Drive-throughs
9. Scott Hansen, Puget Creek Restoration Society, March 20, 2013	Easement, Shoreline, Platting, and Land Use Designations
10. Lara Herrmann, Walk the Waterfront, March 28, 2013	Shoreline
11. Shawn Hoey, Master Builders Association of Pierce County, March 20, 2013	Platting, and Land Use Designations
12. Zenta Jones, Real Estate Investment Services, March 12, 2013	Land Use Designations
13. James Lake, March 29, 2013	Shoreline
14. Shirley and John Read, March 29, 2013	Shoreline
15. David Rietmann, March 20, 2013 (resubmitting letter of November 27, 2011)	Shoreline
16. Rick Rose, Walk the Waterfront, March 29, 2013	Shoreline
17. Steve Schain, March 29, 2013	Shoreline
18. Keith Stone, Dome District Development Group, March 29, 2013	Shoreline
19. Carl Teitge, March 27, 2013	Shoreline
20. Kenneth Thiem, March 13, 2013	Land Use Designations

B. Summary of Oral Testimony Received at the Public Hearing on March 20, 2013

C. Letters and E-mails Received during the Comment Period through March 29, 2013



2013 ANNUAL AMENDMENT TO THE COMPREHENSIVE PLAN AND LAND USE REGULATORY CODE

Summary of Oral Testimony

Planning Commission Public Hearing, March 20, 2013

1. David Rietmann:

In forwarding the Shoreline Master Program Update to the City Council [in 2011], the Planning Commission recommended that the Sperry Ocean Dock area be zoned S-6, while the City Council created and adopted an S-6/7 shoreline district, making the Dock grandfathered in but a nonconforming use. The Draft Tacoma Waterfront Design Guidelines (page 9) indicates that it should be S-7, while from the Planning Commission's perspective it should be S-6. The large neighborhood directly above the bluff is significantly impacted. This important issue is not properly handled in the document. (Mr. Rietmann also submitted a copy of the letter dated November 27, 2011 that he had submitted to the Mayor).

2. Tricia DeOme, Central Neighborhood Council:

It is appropriate that not all public facilities are exempt from digital changing message center signs. Even the regional facilities should not be exempt from the message timing requirement. The message timing of 8 seconds is too short and should be increased. It is appropriate that on-site digital changing message center signage will not be allowed on pedestrian oriented streets. Digital changing message center signs located in C-2 zoning districts should be prohibited. Digital changing message center signs within the C-2 next to residences/downtown are a concern; there should be time/hours restriction. There should be a limit on the amount of digital changing message center signs a business can have.

3. Bruce Petersen:

The proposed drive through code amendments, e.g., the requirement of 150 ft minimum separation from Pierce Transit stops, would significantly reduce property value and ability to develop drive throughs in the future. Mixed-use centers are unique; city-wide, one-size-fits-all approach and standards should not be used for dealing with drive throughs in individual mixed-use centers.

4. Rick Rose, Walk the Waterfront:

Some areas of the Draft Tacoma Waterfront Design Guidelines fall short of the City's vision, such as the intent to integrate waterfront trails into the adjacent neighborhood. Reopening Bayside Trail, which has numerous issues including standing water, narrow pathways, wetlands, crime, homeless encampments and lack of policing, is not meeting the goals of the document. The integration component should be removed. The "active and industrial" should also be removed from the S-6/S-7 description.

5. Gary Coy, Sperry Ocean Dock:

Sperry Ocean Dock is a bookend of Ruston Way, along the deepest natural water in all of the Commencement Bay, providing support to the JBLM and emergency preparedness operations in the Northwest. The Draft Tacoma Waterfront Design Guidelines should stand as is, supporting the business operation of the Dock that brings in jobs, security and comfort to the community.

6. Carl Teitge:

The TEMCO-Sperry area is where the focus needs to be in terms of public access and waterfront destination for all Pierce County areas. Bayside Trail, with such issues as water running through the path, does not work. Sperry Ocean Dock does not have enough upland to be an effective business. We need to bring in employment and density. Safety concerns along the waterfront, including potential derailment, railroad crossing, and speeding traffic, also needs to be properly addressed.

7. Jori Adkins, Dome District Development Group:

The proposed amendment to the drive-through regulations is needed to further achieve the goals of the Comprehensive Plan. The provision regarding the 150 ft distance to bus stops is already in the code.

March 26, 2013

Dustin Lawrence, Comprehensive Planning Division
City of Tacoma
747 Market Street
Tacoma, WA 98520

RE: COMPREHENSIVE PLAN PROPOSED AMENDMENTS 2013-1

Dear Mr. Lawrence:

Thank you for the opportunity to comment on the City of Tacoma's 2013 Comprehensive Plan Proposed Amendments. We appreciate the thoughtful work City Staff has put into the proposals. We offer the following comments on the driveway and drive-through sections:

Chapter 10.14 – Driveways

10.14.050 Rules and regulations for driveways.

Every driveway hereafter constructed or altered in street right-of-way shall conform to the following regulations. **In cases when driveway provisions exist both in this section and in TMC 13.06, 13.06A or other sections of the TMC, the more stringent provisions shall apply.**

A. Location.

1. No driveway shall be so located as to create a hazard to pedestrians, **Pierce Transit bus operations**, light rail operations, or motorists, or invite or compel illegal or unsafe traffic movements.

We support this section but suggest that "Pierce Transit bus operations" be changed to a more generic "public transit bus operations". This terminology is consistent with other section of the code and we want to be inclusive of service provided in the City of Tacoma by partner agencies such as Sound Transit and Inter City Transit.

13.06.513 Drive-throughs

C. Standards. A drive-through facility is composed of two parts—the stacking lanes and the service area. The stacking lanes are the space occupied by vehicles queueing for the service to be provided. The service area is where the service occurs. In uses with service windows, the service area starts at the service window. In uses where the service occurs indoors, the service area is the area within the building where the service occurs.

1. The following standards apply in all zones where drive-throughs are permitted.

a. Pedestrian streets (includes all TMC pedestrian street designations), and transit stops:

(1) Driveways that directly connect to any drive-through shall not be allowed along a pedestrian street, light rail or streetcar street.

(2) Driveways that directly connect to any drive-through must be located at least 150 feet from any transit stop, as measured along the curb line between the driveway and the stop. Exceptions to this requirement shall be processed in accordance with TMC 10.14.030.B.7.

We support this new section and the existing complimentary TMC 10.14.030.B.7 whereby Pierce Transit is given the opportunity to review and comment on drive-throughs potentially impacting bus stops.

Again, thank you for the opportunity to review the proposed amendments. If you have any questions please contact me at (253) 581-8130 or madams@piercetransit.org.

Sincerely,

A handwritten signature in black ink that reads "Monica Adams". The signature is written in a cursive, flowing style.

Monica Adams, Planner II
Bus Stops, a division of Scheduling & Planning

c: #13-004

March 25, 2013

To: Donald Erickson - Chairman, Planning Commission of the City of Tacoma
From: Pierson Clair - President and CEO, Brown & Haley

RE: Memo regarding the draft Tacoma Waterfront Design Guidelines (TWDG)
D1 Packet 2013-05 Waterfront Design with public hearing March 20th

We have reviewed the draft Tacoma Waterfront Design Guidelines (TWDG) and request that you include this memo in the public comment record.

Providing flat waterfront connectivity between Thea Foss and Ruston Way shorelines for pedestrians, cyclists, people confined in wheelchairs and families pushing strollers while protecting the critical habitat and environment of our Commencement Bay shoreline should be the highest priority for Tacoma's waterfront visioning and planning documents, Comprehensive Plan and City decision making.

Yet, the new draft waterfront plan TWDG destined to be incorporated into Tacoma's Comprehensive Plan **contradicts** Tacoma City Council's adopted Shoreline Master Program and National Oceanographic and Atmospheric Administration definition of this uniquely valuable stretch of the State of Washington's shoreline.

S-6/S-7 Schuster Parkway Transition Zone as defined in the TSMP respected the beach, neighborhood, and community and allowed for transition of future shoreline uses toward community, recreational and environmental purposes.

This draft TWDG incorrectly recombines S-6/S-7 Transition with S-7 into a renamed Schuster Parkway Corridor and solely defines the area as active industrial. See the draft's page 3. (attached on pdf p12) This TWDG not only **reverses** consensus achieved in the TSMP, but also removes the guarantees for quality of life and environmental protections.

TWDG ignores the goals of NOAA whose extensive work to remediate the adverse effects of industrial contamination in this area includes Tahoma Salt Marsh, adjacent to the natural beach and shelf in the S-6/S-7 Transition zone.

The nearshore area and waterways of Commencement Bay are used extensively as rearing and feeding habitat by numerous marine species, and the bay serves as a migratory pathway for salmonids. Three hatcheries annually stock approximately 4 million chinook, coho, and chum salmon and steelhead trout juveniles into the Puyallup River watershed. Many fish species feed on small epibenthic and benthic organisms before migrating offshore. NOAA's concerns about the Commencement Bay area involve the adverse effects to its trust resources caused by the release of hazardous substances in the bay and its waterways, and subsequent contamination of sediments on the bottom of the bay.

The U.S. Environmental Protection Agency's (EPA) record of decision for the Nearshore/Tideflats Superfund site treats each of the contaminated waterways as a distinct unit. EPA is addressing remedial action on a waterway-by-waterway basis, while the trustees are addressing damage assessment and restoration on a baywide basis. EPA has identified more than 150 potentially responsible parties (PRPs) for the Nearshore/Tideflats Superfund site.

<http://www.darrrp.noaa.gov/northwest/cbay/index.html>

March 25, 2013

To: Donald Erickson - Chairman, Planning Commission of the City of Tacoma
From: Pierson Clair - President and CEO, Brown & Haley

RE: Memo regarding the draft Tacoma Waterfront Design Guidelines (TWDG)
D1 Packet 2013-05 Waterfront Design with public hearing March 20th

TWDG should match - not contradict - Tacoma's SMP and NOAA.

The new draft waterfront plan from City of Tacoma Comprehensive Planning Division does not reflect the Tacoma Planning Commission's draft TSMP which extended Ruston Way's S-6 zone, or the 6 years of citizen public testimony and letters, 40 years of planning vision by the officials who created Ruston Way and Thea Foss esplanade or the intent of Jake Fey's \$60,000 funding secured to find an appropriate way to connect Ruston Way parks and walkways with Thea Foss waterfront walkways and Tacoma's Museum District.

Write a separate S-6/S-7 Transition shoreline zone definition

We encourage you to match the naming convention of the TSMP in the TWDG and include the two paragraphs of NOAA definition as you write S-6/S-7 Transition definitions into the TWDG. Specifically include critical habitat, beach, sensitive nearshore with goals for remediation and removal of all creosote-soaked pilings, cracked concrete and former warehouse. This zone is adjacent to historic neighborhood, century-old schools and community parks. It is vital for Tacoma's Comprehensive Plan to guarantee quality of life for the families, students and teachers, both days and nights in the Stadium District. S-6/S-7 is located midpoint on the waterfront between Tacoma's Museum and University district with Point Defiance Park and Zoo. Exclude the term 'active industrial' from S-6/S-7 Transition definition.

Rewrite the draft S-7 shoreline zone definition

We encourage you to match the naming convention of the TSMP in the TWDG and include the two paragraphs of NOAA definition as you rewrite S-7 definition into the TWDG. Include critical habitat, sensitive nearshore with goals for remediation and removal of an extensive offshore field of creosote-soaked pilings, adjacent to historic neighborhood with century-old schools and community parks. S-7 is located midpoint on the waterfront between Tacoma's museum university district and Point Defiance Park and Zoo. Identify there is one industrial facility, a grain terminal, which exists at the southern edge of S-7 zone. It is vital for Tacoma's Comprehensive plan to guarantee quality of life for the residents, families, students, and teachers both days and nights in the Stadium District.

Connecting hillside neighborhoods and the Stadium High School campus to Schuster parkway should be **avoided** in, not be the goal of, a visioning or planning document covering our waterfront. Exclude the phrase 'connecting hillside neighborhoods' in S-6/S-7 or S-7 definition.

Tacoma Planning should design **toward building an attractive, successful, workable city**. Linking pedestrian activity along busy Pacific Ave along retaining walls by busy Schuster Parkway to Ruston Way would not achieve this. **Visionary planning would develop four or five perpendicular connections bringing people from Pacific Ave down to Thea Foss and connecting Thea Foss with Ruston Way along the water.**

From: s2clair2@gmail.com

Sent: Mar 28, 2013 8:21 AM

To: Don Erickson <knute000@sprynet.com>, Sean Gaffney <smgaffney@earthlink.net>, Scott Winship <swinship@vjglaw.com>

Cc: Ron Coleman <rcoleman@dpearson.com>, David Rietmann <DER@usor.com>, Rose Lincoln Hamilton <rlincoln@gtcf.org>, Amy DeDominicis <adedo@amydedo.com>, Carl Teitge <teitge@comcast.net>, Robert Thoms <robert.thoms@cityoftacoma.org>, Keith Stone <lkeithstone@comcast.net>, Marilyn Strickland <Marilyn.Strickland@cityoftacoma.org>, Ricardo Noguera <RNoguera@cityoftacoma.org>, TC Broadnax <TC.Broadnax@cityoftacoma.org>, Victoria Woodards <victoria.woodards@cityoftacoma.org>, Ryan Mello <Ryan.Mello@cityoftacoma.org>, David Boe <David.Boe@cityoftacoma.org>

Subject: Carl Teitge's letter to the Planning Commission regarding waterfront Comp Plan amendment 2013 and PAAL

Good morning Don, Scott and Sean-

Carl Teitge asked that we forward his letter to you for inclusion in the public record for the 3/20/2013 hearing regarding draft TWDG amendments to Tacoma's Comprehensive Plan.

The attached letter, written by this former Tacoma Planning Commissioner, shows keen understanding of Tacoma waterfront history, the planning process and the community-wide benefits for defending decisions in the best interest of Tacoma.

The letter is attached in .docx and pdf

The first paragraph of Carl Teitge's letter:

RE: Amendments to the Comprehensive Plan, PAAL and the Tacoma Waterfront Design written comments after the March 2013 public hearing

"My observation is that these documents are killing the connection not making the connection from Downtown and the Thea Foss to Pt. Defiance."

Thank you for your dedication to a better Tacoma,

Sara

RONALD L. COLEMAN
602 North Stadium Way
Tacoma, WA 98403
(rcoleman@dpearson.com)

March 29, 2013

Mr. Donald Erickson
Chairman
Planning Commission of the City of Tacoma
747 Market Street, #345
Tacoma, WA 98402

Re: Memo Dated January 10, 2013 Regarding "Tacoma Waterfront Design
Guidelines Related to Amendments to the Comprehensive Plan

Dear Chairman Erickson:

I was unable to attend the public hearing on Wednesday, March 20, 2013. My written comments are as follows in this letter.

By way of introduction, I find it very interesting, yet unfortunately, very accurate, that the mailed notice of public hearing makes very clear the attitude and goal of the Planning and Development Services Department with regard to matters at issue, including the Tacoma waterfront. The memo states: "Should I Be Concerned? No." Of course, there is a brief mention of the fact the public hearing is among other things about "shoreline related elements of the Comprehensive Plan." The Planning and Development Services Department clearly does not understand or appreciate the importance of our Tacoma waterfront from Thea Foss to Point Defiance and public access to it and by way of the pedestrian waterfront link from downtown to Point Defiance. Instead, the staff appears to continue to drink the "Kool-Aid" provided by the Port of Tacoma, the Chamber of Commerce, and the Longshore Union, all in their efforts to represent and support BNSF, Sperry Ocean Dock and Tempco. I would advocate that leadership, beginning with the Planning Commission, should take away whatever it is the staff is drinking and focus on what is very important to the future of Tacoma, while not in any way taking away the ability of the Port of Tacoma, the Chamber of Commerce and the Longshore Union to do what they are supposed to do with regard to industry for the City, which is well provided for in a terrific Port of Tacoma. There is no need to continue to make every effort to block, or for that matter, kill, an important addition very much needed for the City of Tacoma: a pedestrian waterfront link from downtown to Point Defiance. This pedestrian waterfront link should be a flat waterfront walkway connecting Thea Foss and Ruston Way shorelines and not a Bayside

Trail, which if the truth were known will never be a viable option and does not come close to providing a flat pedestrian waterfront link at the waterfront, not a path high on the hillside where it will never survive for many different reasons, already proven in the past 30 years.

While I want to address several other practical aspects of the waterfront access, I first want to specifically address several provisions of the Tacoma Waterfront Design Guidelines (“TWDG”). Unless I am not correctly reading the draft Waterfront Plan, a plan the staff proposes be incorporated into Tacoma’s Comprehensive Plan, the draft plan itself contradicts the Shoreline Master Program adopted by the City Council and contradicts the definition of this part of the shoreline adopted by the National Oceanographic and Atmospheric Administration. The S-6/S-7 Schuster Parkway transition zone, which was defined in the Tacoma Shoreline Master Plan acknowledged the benefit of the beach and community and allowed for the transition of future shoreline uses toward community and environmental purposes. The current draft TWDG erroneously brings back and combines S-6/S-7 transition with S-7 into what is to now be called the Schuster Parkway Corridor and most critically defines the area solely as active industrial. This is a giant step backward and, as indicated above, is inconsistent with and contradicts the Shoreline Master Program. It makes absolutely no sense for the TWDG to not only seek to reverse the consensus achieved in the Tacoma Shoreline Master Plan, but also to go even further and remove the guarantees for quality of life and environmental protections and ignore the goals and work of the National Oceanographic and Atmospheric Administration to remediate the terrible effects of the industrial contamination along this part of the shoreline. It is difficult to understand how and why the Planning and Development Services Department can and would so summarily ignore and dismiss the efforts of so many over so many years. The planning by their predecessors led the way for the parks and pedestrian access we currently have along Ruston Way. In addition, staff wants to do away with the funding, which was secured to find an appropriate way to connect the Ruston Way parks and walkway with Thea Foss and the museum district – an agenda which could have been easily written by the Port of Tacoma, the Chamber of Commerce and the Longshore Union for the immediate short-term benefit of BNSF, Sperry Ocean Dock and Tempco. Unfortunately, all of this ignores what should and can be done for the City of Tacoma and all citizens, all the while allowing the Port of Tacoma, the Chamber of Commerce and the Longshore Union to pursue their interests in the appropriate place: the Port of Tacoma. Finally, the proposal provides that when there are no alternatives for public access, a hearings examiner has the power to eliminate public access for safety issues. This is an unnecessary, unjustified and extremely over broad granting of power without discretion and limitation. Such power should not be summarily taken from the citizens of Tacoma. I urge you to reject the proposed amendment outright.

The TWDG purports to integrate the design elements of the Ruston Way Plan, Shoreline Trails Plan and Foss Waterway Design Guidelines. The efforts at integration do not build on or implement public access or promote a public pedestrian waterfront link from Thea Foss to Point Defiance. The three shoreline related elements of the Comprehensive Plan should be retained, not replaced by the proposed amendment as presently drafted.

I personally had the good fortune to have served on the City of Tacoma Planning Commission when the staff of what was then known as the Planning Department had the vision

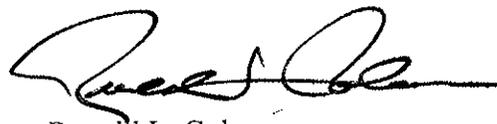
and full support of our city leaders to work to create the start of what was then hoped to be a waterfront with parks and a pedestrian walkway. We are very fortunate that they were not drinking the same “Kool-Aid” as is apparently being served. Without the leadership at that time, Tacoma would be without what is clearly a major asset and attraction. Keep in mind that this was all accomplished without taking anything away from what is needed by the Port of Tacoma to meet the needs of industry.

What is most disturbing is that the present direction as provided in the TWDG not only attempts to reverse what was thought to be a step in the right direction, but goes even further in an effort to provide short-term goals, totally disregarding long-term goals and the future of the City of Tacoma. The leadership for the City in the early 1980’s recognized that things do change. Keep in mind that back then the Tacoma Smelter was still operating, Dickman Mill was still operating and what was formerly the Top of the Ocean consisted of burnt pilings. Tacoma took a giant step forward back then making today possible. Tacoma should continue to step forward and do everything it can to promote and enable, not create obstructions to, a pedestrian waterfront link from downtown to Point Defiance. Do not let current conditions get in the way of planning for the future. The Planning and Development Services Department should be all about looking to the future and what is good for the City, not just protecting the current status of today. If the Planning Department, the Planning Commission and the City Council had just preserved the status quo in the early 1980’s, all we would have today are a lot more pilings sticking out of the water. Nothing more. We are fortunate that we have private industry willing to help – consider Point Ruston and connect it with Thea Foss.

In conclusion, there is no need for, and there should not be, competition between (a) the goals of the citizens who want a pedestrian walkway and parks along the Ruston Way waterfront connecting the City with Point Defiance; and (b) the goals of the Port of Tacoma supported so eagerly by BNSF, the Chamber of Commerce and the Longshore Union. There is plenty of room for both in our City and both should continue to be promoted, each in its respective area.

I urge you to do everything you can to stop being so preoccupied with present conditions and instead put your energy into planning for the future to provide for an open waterfront access from the Tacoma Dome to Point Defiance at the shoreline.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald L. Coleman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ronald L. Coleman



CENTRAL NEIGHBORHOOD COUNCIL

PO BOX 5201, TACOMA, WASHINGTON 98415-0201

chair@cnc-tacoma.com

Meetings are the first Thursday of each month at the Tacoma Nature Center, 1919 S. Tyler St,
from 6:00 pm 'til about 8:30 pm

City of Tacoma Planning Commission
Tacoma, Washington

Dear Commissioners,

This letter presents the comments of the Central Neighborhood Council (CNC) for the proposed 2013 Sign Code Amendments. The CNC is one of eight nonprofit citizen-participation organizations created in 1992 by the City to "...directly advise City government on matters concerning the general health, safety and welfare of their neighborhoods. Their actions should reflect the needs and wants of the neighborhood."

First we would like to thank the Planning Commission for bring this issue forward. The CNC was very active in the digital billboard code amendments in 2011 and digital onsite signs have the potential to be an even greater problem. The following are our comments related to proposed amendments:

1. We support the regulation that requires public facilities to maintain the same restrictions as private facilities. We accept that regional facilities are allowed a variance for size but believe that they should not be exempt from timing standards.
2. An eight second interval between display changes was chosen by the City because it is typically used on freeway digital billboards. An eight second interval was also proposed by Clear Channel for the digital billboards in Tacoma. Digital billboards were made illegal in Tacoma in 2011. One of the reasons digital billboards were deemed illegal was due to the distraction with the eight second display interval. We recommend a longer interval and propose an interval of approximately one minute.
3. There is nothing in the code that restricts the number of digital signs a business are allowed. If a business is allowed three signs per the code, then all the signs could be digital. We recommend a business be restricted to one digital sign or one per a given interval of space (ie 500 feet).
4. We agree with the proposal to ban digital onsite signage on designated pedestrian-oriented streets and neighborhood mixed use centers. We are concerned about allowing digital onsite signage in C2 zones that are near residences or downtown. For example, South 12th Street is a C2 zone on one side of the street and residences on the other side. Another example is mixed use buildings with dwellings above businesses. We believe this can be mitigated by restricting hours of operation of the digital signs to an hour before sunrise to an hour after sunset.

Thank you for considering our opinions.

Justin D. Leighton
Vice Chair
Central Neighborhood Council

Tricia S. DeOme
Vice Chair
Central Neighborhood Council



FOSS WATERWAY DEVELOPMENT AUTHORITY

535 Dock Street, Suite 204 - Tacoma, WA 98402-4630

Phone: (253) 597-8122 Fax: (253) 597-8129

www.theafoss.com

Annual Amendment
2013-05
Received 3-26-13
LW

March 25, 2013

Mr. Donald Erickson
Chairman of Planning Commission
% Lihuang Wung
747 Market Street
Tacoma, WA 98402

Re: Comprehensive Plan Amendments

Dear Mr. Erickson,

The Foss Waterway Development Authority and its Design Review Committee provided significant input during the public process that resulted in creation of the Tacoma Waterfront Design Guidelines. The Guidelines are inclusive and representative of the design criteria for the Foss and easy to understand and access.

Bringing the Designs Guidelines into the Comp Plan will afford the community the opportunity to make changes over time without having to seek approval at the State level for what should be a locally driven decision. City staff has done an outstanding job in making the Design Guidelines more accessible and understandable for both the citizens and the business community.

The FWDA strongly supports approval of the Design Guidelines as written.

Sincerely,

Su Dowie
Interim Executive Director

cc: FWDA Board

From: Tom Ebenhoh [mailto:tomeben@yahoo.com]
Sent: Friday, March 29, 2013 12:00 PM
To: Planning
Cc: elliot.barnett@cityoftacoma.org; lwung@cityoftacoma.org
Subject: 2013 Annual Amendments Input

Planning Commission:

Appreciate all the Planning Commission's effort in working through the proposed Amendments to Comprehensive Plan and Land Use Regulatory Code.

My input is specific to the proposed Amendment on Drive-through regulations; however, also applies to the other proposed Amendments.

I echo the comments and concerns of potential slow development with increased regulation that would impact economic growth. Reading through the proposed Amendments, the language appears vague or complex that might detract from investment. For example, reducing impacts to pedestrians and streetcar/light rail streets or reducing noise impacts. I concur, if done to allow more flexibility to potential investors and not be too specific that would hinder economic development. If not, than I do recommend looking at the language and ease it as written that would attract business to Tacoma.

I am a Board Member of NTNC and proud resident of downtown Tacoma that enjoys the pedestrian friendly and walkable lifestyle. There are key actions happening now such as the link expansion, possibly to connect the downtown core to the hilltop, investment along the waterfront and Dock Street, and the Pacific Ave. Streetscape Project. There should continue to be a thoughtful balance in the regulatory process that does not impede on economic growth and attracting businesses to Tacoma.

Respectfully request acknowledgement of my e-mail.

Thank you.

Thomas Ebenhoh
1515 Dock St. #421

From: Kevin Grossman [<mailto:kevin@kevingrossman.com>]
Sent: Wednesday, March 06, 2013 10:25 PM
To: brian.boudet@cityoftacoma.org
Cc: Carol Wolfe (cwolfe@cityoftacoma.org)
Subject: drive through ordinance changes

Hi Brian,

My suggestion on the drive through regulation changes would be to give staff latitude to work out what's reasonable, around some guidelines about safety and use, on a case by case basis. Greater latitude should be given to businesses that are additive and complimentary to community needs for "place" and gathering. The tough thing is of course that this leaves a lot of subjectivity in the mix, which can cause both staff and developers heartburn down the road... I do feel that in the current environment leaving some discretion to work something out at the staff or director level approval for variations should be allowed.

For example, a "typical" drive through serves a single story retail business – low density, not pedestrian friendly, not urban/mixed-use oriented in nature – may not be consistent with the higher density redevelopment goals for MLK or the Dome district. It seems that to be consistent with the medium and longer range goals, drive through facilities would be allowed only with requirements around visual buffers (screening, landscaping or location on the "back side" of the buildings, noise mitigation from the order-taking-station, queuing appropriate to the use and history of the operator if they have other locations, etc.

Having said that, I have seen some drive through facilities in dense areas that work – For example, the Umpqua Bank drive through in South Lake Union uses a mid-block drive through that doesn't impact the pedestrian traffic or street traffic. It's not attractive – purely functional – but because of its location it doesn't detract from the neighborhood yet provides a service to those customers who want to use the drive through.

Less dense but illustrative of a potentially acceptable approach:

The Starbucks on 145th and 15th NE in Seattle is tucked behind a small strip retail that backs up to a multi-story commercial building so the queue is along the property line – no buffering, no aesthetic attempts, but it's tucked away so it doesn't detract from the pedestrian access or the aesthetic of the front of the retail that the neighborhood sees.

Drive through capacity takes up a lot of footprint area – but many food and beverage companies derive a substantial portion of their revenue from these drive through facilities. While it bugs me people don't get out of their cars, the financial reality is that some of these companies would choose not to open in the locations absent the drive through. When a neighborhood is vital and in demand, precluding them doesn't equate to precluding revitalization. For a neighborhood on life support, there are some businesses that may be a benefit to it and a fit for the overall re-energizing of the area without (substantially) negatively impacting other future development of the area.

I have forwarded the message from Lihuang re: comp plan amendments and the attachments to Mario to pass along to the HBA list too.

Best regards,

Kevin



GROSSMAN SERVICES inc

Kevin Grossman, President

Grossman Services, Inc.

Direct: 206.730.5567

<http://www.kevingrossman.com/> - <http://businessspacedecisions.blogspot.com/>

<http://www.linkedin.com/pub/kevin-grossman/a/16/281> - <https://twitter.com/ibsdnw>

PO Box 65197

Shoreline, WA 98155-9197

kevin@kevingrossman.com

"Opportunity is missed by most people because it is dressed in overalls and looks like work."

--- Thomas A. Edison



Please consider the environmental impact of needlessly printing this e-mail.

702 Broadway Suite 101,
Tacoma, Washington 98402
Phone: (253) 779-8890
Fax: (253) 593-8890
Email:
PCRS@pugetcreek.org
WebPage:
www.pugetcreek.org



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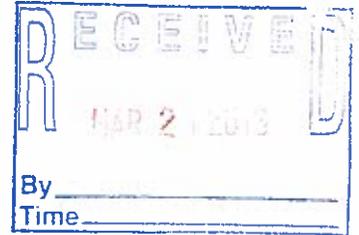
Edward S. Winskill
Michael A. Corsini
Dr. Sherry Graham
Susan Penhale

A tax-exempt
nonprofit organization with
501(c)(3) status



March 20, 2013

City of Tacoma
Planning Commission
747 Market Street, Room 345
Tacoma, WA. 98402



Hello Commissioners:

The Puget Creek Restoration Society (PCRS) protects, enhances and restores the Puget Creek Watershed and similar streams, wetlands and green spaces. We serve the South Puget Sound communities and invite their participation through hands-on restoration, research, education, advocacy, and by promoting a sense of stewardship.

Our organization represents over 3,000 members and volunteers located in the City of Tacoma/Pierce County and who are deeply concerned with wetland, stream, green space and nearshore issues in the City.

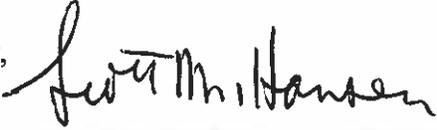
Thank you for allowing us to provide input into this Annual Amendment update. We request the following comments be incorporated into the update and response to our questions be developed:

- We feel that an appropriate period of time for landowners to have a Conservation Easement in place in order for them to get the parcel off the tax roll before reviewing and re-instatement should last 20 years.
- With the Shoreline Related Elements PCRS feels that we shouldn't do anything with the documents until a final ok by DOE on the draft Shoreline Management Program submitted by the City is done.
- Regarding Land Use Designations we are in strong support of setting up a separate classification for Open Space and Habitat areas as these should not have a classification that allows development.
- Finally, PCRS feels in the Platting and Subdivision regulations that we would like it left as is. This allows for better review and we feel that short plats need that review on environmental concerns.

Without further clarification of the impact that the project has on the natural systems, the Puget Creek Restoration Society cannot support this update, however, if the plan were to incorporate our comments, questions and concerns on this site we would reconsider our position.

I write as a member of the Board of Directors of Puget Creek Restoration Society, which has evaluated the proposed project. We will appreciate your office's

full consideration of our position, and we look forward to working with you in making Tacoma a better place for everyone. You can reach us at (253) 779-8890 if you have any questions.

Sincerely, 

Scott M. Hansen-B.S., M.A., M. S., (Ph.D.-student)
Ecologist/Member Board of Directors

March 28, 2013

Don Erickson, Chairman
Tacoma Planning Commission
747 Market Street
Tacoma, WA 98402

RE: Annual Amendment to the Comprehensive Plan

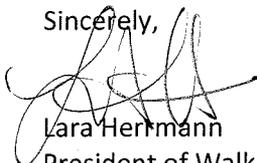
Dear Mr. Erickson & Commission Members:

I understand that an amendment to the Tacoma Comprehensive Plan is before the planning commission, and that it includes language that is designed to interrupt the vision for a seven-mile waterfront esplanade from the Tacoma Dome to Pt. Defiance at the Schuster midpoint.

While you are considering this amendment, I urge you to consider the benefit that a fully connected urban waterfront would bring to our residents, business and students by improving quality of life and perpetuating our economy. It is imperative that the language in the plan clearly states that the esplanade is a priority, and that it must not deviate around the Sperry Dock area by going up Garfield gulch. While this may not be available today it will be in the future, and our plans need to be made with care and foresight.

The Tacoma waterfront should be an engaging place for people to visit and participate in recreation, dining, shopping and relaxation while protecting and enhancing the health of the environment. Tacoma's zoning and planning must protect this asset and use it to for the greatest benefit so Tacoma can thrive.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lara Herrmann', written over the word 'Sincerely,'.

Lara Herrmann
President of Walk the Waterfront

March 20, 2013

Chairman Donald Erickson
City of Tacoma
747 Market Street
Tacoma, WA 98402-3766

Dear Chairman Erickson and Members of the Planning Commission:

This letter includes comments from the Master Builders Association of Pierce County (MBA Pierce) regarding the 2013 Annual Amendments to the Comprehensive Plan. On behalf of MBA Pierce, thank you for your consideration of these comments.

After review of the City of Tacoma's 2013 Annual Amendment Package, MBA Pierce is generally in support of the proposed package. Particularly, we are in support of the shift to a nine lot short plat under the Platting and Subdivision Regulations amendment. This shift allows for a more streamlined process, and reflects an increase to what is allowable by state law. However, our members provide herein some specific insight regarding the sections relating to the Platting and Subdivision Regulations as well as the Development Intensity Designations.

Platting and Subdivision Regulations:

MBA Pierce requests that **§13.04.165** be more clearly defined. The proposed additions to **§13.04.165** state, "Pedestrian-scale lighting shall be required when deemed appropriate for residential subdivision/short subdivisions." This language leaves an opening for interpretation as to what/who gets to deem what pedestrian-scale lighting is appropriate. Code language relating to street lighting, currently in place under this section, makes reference to being installed in accordance with the Illuminating Engineering Society Standards. By directly referencing this standard it defines what is appropriate and MBA Pierce would suggest that a similar reference to standards be in place for pedestrian-scale lighting.

In **§13.04.090 D**, it is proposed that public notice be required for five to nine lot short subdivisions. MBA Pierce realizes this is current practice for formal subdivisions. However, as Tacoma amends its short plat lot numbers to allow up to 9 lots, this amendment the City of Tacoma would, to MBA's knowledge, be the only jurisdiction within Pierce County that requires public notice for a short plat of any size.

The proposed changes of the appeals process described in **§13.04.095**, which allow for an aggrieved party to file an appeal, would also be uncommon in comparison to the practices of other jurisdictions within the county.

Under **RCW Chapter 58.17 (Plats-Subdivisions-Dedications)** there is no reference to the need for public notice, or this type of appeal, for a short plat. MBA Pierce requests that both be removed from Tacoma's proposed amendments.

www.mbapierce.com

On page 314 of the staff report, there is the statement that applicants are required to demonstrate why public or private access cannot be aligned with the surrounding street system for pedestrian, bicycle and vehicular connectivity. This reference applies to a previous draft of the ordinance and is not applicable to the current draft.

Land Use Designations:

Shifting from the current land use intensities to specific designations is a substantial undertaking. While the reclassifications proposed in this year's amendment (phase 1) are not contentious, phase 2 will result in substantial public concerns. Phase 2 will take a very intricate, and visible, process to reclassify the designations due to the expansiveness of uses allowed under the current land use intensities. The possibility of inadvertently "downzoning" properties (i.e., reducing/narrowing the highest and best allowed uses on a piece) by placing more narrow designations upon them could substantially effect what type of development would occur on properties that were purchased with the current wide range of allowable uses in mind. As phase 2 progresses, MBA Pierce requests to be considered a stakeholder and will provide comments as appropriate.

Thank you once again for your consideration of these comments. If you have any questions feel free to contact me at 253-272-2112 ext. 101.

Sincerely,



Shawn Hoey
Government Affairs Manager

Cc: Tina Lee, Vice Chair
Erle Thompson, Commissioner
Theresa Dusek, Commissioner
Benjamin Fields, Commissioner
Lihuang Wung, Planning and Development Services
Brian Boudet, Planning and Development Services
Cheri Gibbons, Planning and Development Services

Scott Winship, Commissioner
Mark Lawlis, Commissioner
Sean Gaffney, Commissioner
Matthew Nutsch, Commissioner

From: Zenta [<mailto:zenta@reinvest.com>]
Sent: Tuesday, March 12, 2013 3:27 PM
To: imunce@cityoftacoma.org
Subject: Public Hearing of 3/20/13

Hello Mr. Munce;

Anderson Highrise LLC currently owns a building on 710 S Fawcett and we received a notice of public hearing. We are wondering if this will affect their property in any way pertaining to the height of the building or such?

Thank you for your time.

*Zenta Jones
Assistant to
Debbi Anderson
Real Estate Investment Services
4427 6th Ave
#102
Tacoma, WA 98406
253-752-9742*

From: Jim Lake
Sent: Mar 29, 2013 10:56 AM
To: Don Erickson , Sean Gaffney , Scott Winship
Cc: rcoleman@dpearson.com, David Rietmann , Rose Lincoln Hamilton , Amy DeDominicis , Carl Teitge , Robert Thoms , Keith Stone , Marilyn Strickland , Ricardo Noguera , TC Broadnax , Victoria Woodards , Ryan Mello , David Boe
Subject: Tacoma Waterfront Design Guidelines

Don Erickson
Chairman
Tacoma Planning Commission
747 Market Street
Tacoma, WA 98402

RE: Annual Amendment to the Comprehensive Plan

Dear Mr. Erickson & Commission Members:

Our city desperately needs to pay more attention to the way it looks. To grow in the future, we need to be attractive.

Our waterfront is our showpiece. Every effort must be made to enhance it and to emphasize pedestrian access to it. This starts with the planning process.

Please use your best efforts to insure that Tacoma's long term future includes a pedestrian friendly waterfront from Dome to Defiance.

--

James E. Lake
916 Stadium Way, Tacoma, WA 98403

From: Shirley Read
Sent: Mar 29, 2013 11:14 AM
To: Don Erickson , Sean Gaffney , Scott Winship
Cc: Ron Coleman , David Rietmann , Rose Lincoln Hamilton , Amy DeDominicis , Carl Teitge , Robert Thoms , Keith Stone , Marilyn Strickland , Ricardo Noguera , TC Broadnax , Victoria Woodards , Ryan Mello , David Boe
Subject: Waterfront Zone Plan

We are writing in reference to the draft Tacoma Waterfront Design Guidelines and request that you include our comments in the public comment record.

We live in the historic Stadium Neighborhood and our home is listed in the city of Tacoma Historic Homes Register. (the Samuel Lavroff Home.). We have invested time and thoughtful consideration into our environment and now we request that you do the same for our beautiful waterfront.

DO NO HARM: Do not negate the Tacoma city council's adopted Shoreline Master Plan and National Oceanographic and Atmospheric Administration definition of our waterfront area in the S-6/S-7 Shuster Parkway Transition Zone. It should NOT be zoned for active Industrial use. It should keep alive the vision of a Dome to Defiance WATERFRONT Walkway, respecting the very special wildlife and natural resources which make our city of Tacoma so unique.

Please listen. Please decide to be good stewards of our waterfront. Please, do no harm.

Sincerely,
Shirley and John Read

From: David E. Rietmann

Sent: Thursday, March 28, 2013 10:43 AM

To: Don Erickson; Sean Gaffney; swinship@harbournet.com; tlee@piercetransit.org; theresahenson@hotmail.com; bfields@blrb.com; mnutsch@hotmail.com; mclawlis@msn.com; Ricardo Noguera; TC Broadnax; David Boe; Ryan Mello; Victoria Woodards; Marilyn Strickland; Robert Thoms; Ian Munce J.D. AICP

Subject: RE: Public comment - Tacoma Waterfront Design Guidelines draft in the Comprehensive Plan amendment needs accurate definitions that support public access

I appreciate the opportunity to speak at the recent public hearing. As I stated, the map on page iv and the second bullet on page 9 of the subject Draft Guidelines states, "Schuster Parkway shoreline: Comprised of the S-7 and S-6/7 Shoreline Districts" both do not correctly describe the Commission and the City Councils intentions.

These two pages tell me that the staff ignores the Planning Commission clear recommendation to the City Council which was that Sperry Dock should be part of the S-6. The Council decided to create the S-6/7. However, **the Council in no way suggested that the S-6/7 is at all associated with the S-7. In fact, the Council clearly stated that Layberthing is now a nonconforming use.**

The S-6/7 must stand on its own and the Guidelines that apply to the S-6 must apply to the S-6/7.

In my opinion, this is the only outcome that is congruent with the Planning Commissions original and well reasoned recommendation and the City Council's action.

For the record, I include my letter to the Mayor and City Council which I presented to the Commission at the recent meeting. As background for the commission, I have also included my letter to the Commission prior to its final report.

Respectfully Submitted

David Rietmann

David E. Rietmann
725 N Stadium Way
Tacoma, Washington 98403
Tel: 253-680-3298

November 27, 2011

Office of the Mayor & the City Council
City of Tacoma
745 Market Street
Tacoma, Washington 98402

Honorable Mayor and Members of the City Council:

The City of Tacoma Planning Commission ("Commission"), with a unanimous vote, sent their proposed amendments to the Tacoma Shoreline Master Program to the City Council ("Council") with the recommendation that the Sperry Dock and its related property ("Sperry") be zoned S-6. This recommendation was made with full and complete knowledge of all issues that the Council has heard at recent public hearings. I would like to address two of the issues that seem to be the most talked about at these hearings.

Deep Water: The fact that deep water is present at Sperry is a coincidence of nature, not a requirement of the facility. A century ago, when Sperry was built, ships at the time were small. At that time, even a fully loaded ship did not need much more water depth than the empty ships that currently sit idle there today--the Marad ships are currently drawing about 22 feet at the bow. In fact, Sperry has probably never utilized its deep water.

To my knowledge (and I have a clear view of the ships) during the past two decades there has never been a loaded ship at Sperry. In fact, ships are generally put into long term lay-up both empty and with limited amounts of fuel because fuel is very expensive and, like cargo, fuel can deteriorate over time.

When fully loaded ships arrive at the Port of Tacoma ("Port"), they lay at anchor in Commencement Bay to await their unloading berth. These loaded ships are fully crewed and have short waits so there is no motivation to pay fees for a shore side berth. The ships that do lay at anchor for extended periods of time are empty bulkers waiting their turn to load at Temco. Laying at anchor for such ships is a common industry practice.

Will there ever be ships loading or discharging cargo at Sperry? I submit to you that the answer to this question is no. Cargo operations require substantial shore side infrastructure. In fact, Sperry says that it doesn't have enough land for a 15-foot esplanade. This all leads to the simple conclusion

that while Sperry Dock has deep water, it has never needed deep water and the lay berthing business for which it is permitted does not require deepwater because ships are not put into long-term layup status loaded with cargo.

Jobs: The most vocal spokespersons for jobs have been longshoremen. *Webster's II New College Dictionary* defines a longshoreman as, "A dock worker who loads and unloads ships." The jobs related to loading and unloading ships are a function of the location of the cargo, which is almost always a full facility dock in the Port (or some other port in the world where the intended cargo is located). Cargo is not loaded or unloaded at Sperry Dock because Sperry has no shore side infrastructure as discussed above.

So, with longshoremen jobs being a function of cargo location, not a function of Sperry specifically, why are there so many longshoremen at Council meetings talking about jobs? Was any impartial professional study work on the issue of ILWU jobs entered into the Commission record? I have seen none. My conclusion is that when you don't have any real meaningful facts, your best option is to turn up the volume and repeat your position loudly and often. If friends of Sperry do this enough they hope that the fainthearted will succumb.

The Commission concluded, "That there was available capacity in the S-10 Shoreline District for future water-oriented port, terminal and industrial uses requiring deep water access" This S-10 deep water in turn can attract cargo that creates the jobs that ILWU members perform. To re-populate downtown, Tacoma needs to clean itself up and Sperry is part of the required clean up because, as the Commission correctly concluded Sperry is the "...book end to the Ruston Way Shoreline District..." In short, Sperry is not the beginning of the Port. Temco, located three-quarters of a mile from Sperry on land owned by the Port, is the natural beginning of the Port.

The Commission has fully vetted the Sperry issue (see Attachment 1). For this Council to second-guess the Commissions findings of fact and recommendations because of intimidating body count and loud volume of voice will be governance at its worst. I urge each of you to accept the unanimous recommendation of the Commission and zone the entire Sperry property S-6. I also endorse Amendment No. 4 that recognizes Temco's important role as an industrial site and active export terminal.

Sincerely,



Cc: City Manager

Attachment 1

area-wide zoning reclassifications in association with, or independent of, proposed amendments to the Comprehensive Plan.

94. Area-wide zoning reclassifications are subject to review based on the amendment procedures and the review criteria contained in TMC 13.02.053.3. Proposed reclassifications are required to meet at least one of the six review criteria to be considered by the Planning Commission.
95. In conjunction with the proposed environment designations, the Planning Commission recommends that the boundaries of shoreline zoning districts be aligned with the proposed designation boundaries to achieve consistency of intent, use allowances, marine buffer standards, and implementation of the designation policies.
96. Having reviewed the public comment on the proposed draft, the Planning Commission recommended several modifications to their initial proposal. In their review of the public comments, the Commission considered changes to both the environment designations and shoreline districts simultaneously in order to ensure consistency between the purposes and policies of the designations and the implementing intent and use and development standards of the shoreline districts. The Commission's modifications included:
- **S-3 Western Slope North**: The Commission found that the S-3 Western Slope North Shoreline District would be appropriately designated as 'natural' rather than the proposed 'urban-conservancy.' In support of this finding, the Commission reviewed information from the Inventory and Characterization Report that identified this shoreline area as having active feeder bluffs, geologically hazardous areas, vegetated steep slopes, and marine riparian vegetation along the ordinary high water mark, as well as public comments.
 - **S-7 Schuster Parkway**: Based on the review of public comment and with consideration given to the characteristics of the Schuster Parkway shoreline, including existing uses, water depths, topography, proximity to residential neighborhoods, and upland land supply, the Commission directed staff to expand the 'urban-conservancy' designation to the southern boundary of the Sperry Ocean Dock property. At their meeting on July 20, 2011 the Commission made the following findings in support of this recommendation:
 - That the area had deep water access and was suitable for uses requiring access to deep water; and
 - That deep water is available throughout the Ruston Way shoreline and Commencement Bay and not exclusively in the S-7 Shoreline District; and
 - That giving priority to water-dependent uses and, in particular, uses that require deep water, does not inherently require that the City give preference to Port, Terminal and Industrial related uses; and
 - That water-oriented commercial uses are similarly permitted in the S-6 Ruston Way Shoreline District and the S-7 Schuster Parkway Shoreline District; and
 - That special consideration could be given to water oriented commercial uses requiring deep water in that portion of the S-6; and
 - That there was available capacity in the S-10 Shoreline District for future water-oriented port, terminal and industrial uses requiring deep water access; and

- That existing uses as well as uses that could be allowed under the High Intensity S-7 Schuster Parkway District, with a permitted height allowance of up to 100', did have and would continue to have impacts on public views from nearby public parks and open spaces; and a substantial number of residences; and
- That height allowances in the S-6 Ruston Way Shoreline District of 35 feet would serve to minimize future view impacts; and
- That the Sperry Ocean Dock site was a logical 'book end' to the Ruston Way Shoreline District as it is separated from the activity at TEMCO by the BNSF railroad which is located immediately adjacent to the ordinary high water mark between Sperry Ocean Dock and TEMCO; and
- That TEMCO was a high intensity port-related use and was appropriately designated High Intensity and retained in an S-7 Schuster Parkway Shoreline District; and
- That consideration should be given to the long-term goals and aspirations of the community as expressed in the public comment; and
- That re-designating a portion of the S-7 district from High Intensity to Urban Conservancy was consistent with the designation criteria under WAC and that the overall approach to balancing different shoreline designations adequately and reasonably provided for the protection of natural areas, the reservation of a sufficient land supply necessary to accommodate future water-dependent and related uses, and the reservation of shoreline areas for water-enjoyment activities.

- **S-8 Thea Foss Waterway:** The Planning Commission reviewed the public comments on the proposed Downtown Waterfront Designation and the implementing S-8 Thea Foss Waterway Shoreline District and found that a boundary change was appropriate. The Commission determined that the E 3rd Street right-of-way is an appropriate boundary for the northeast corner of the S-8 Foss Waterway Shoreline District.

97. The Commission finds that the area-wide rezones and concomitant changes to the shoreline environment designation boundaries are necessary to implement the Comprehensive Plan. The proposed amendment includes a new environment designation system, developed in accordance with WAC 173-26-211(5). The WAC requires specific use and development standards per designation. The City of Tacoma uses specific shoreline zoning districts to implement the use and development policies associated with the designations. Therefore, in updating the designation system, the shoreline zoning districts must also be updated to be consistent with the permitted uses and associated development standards.

98. The following table summarizes the shoreline areas proposed for re-designation and the related area-wide rezones:

Rick Rose
915 N Stadium Way
Tacoma, WA
253-227-9307

March 29, 2013

Don Erickson
Chairman
Tacoma Planning Commission
747 Market Place
Tacoma, WA 98402

Re: Annual Amendment to the Comprehensive Plan (Shoreline Design Element)

Dear Chairman Erickson:

The Shoreline Design Element speaks of the decades old idea of a continuous pedestrian walkway from the Tacoma Dome to Pt. Defiance, also known as Dome to Defiance, which is absolutely grand the City is incorporating this vision for the citizens of Tacoma. The Shoreline Design Element document is a culmination of a great deal of work and time from City staff.

However, I feel the Shoreline Design Element (SDE) falls short in a 1.5 mile segment of this seven mile long journey.

How? There are a couple of ways SDE erodes the vision. First, the document speaks of integrating Schuster Parkway corridor into the adjacent hillside neighborhood. If you read between the lines, it is indicating the re-opening of the Bayside Trail as a waterfront trail. The Bayside trail is nothing more than an urban hiking trail with steep pitches, wetland problems, obstructed view, homeless encampments, drug dealing, prostitutions, high school drinking parties, etc. Even during good economic time, the City let the Trail fall into severe disrepair that even the most courageous were frightened away. Eventually, the Tacoma Police had the Trail closed due to a preponderance of illegal activities and Public Works put up chain link fencing to keep citizens out.

If this trail was such a great idea people would have flocked to it in droves when it opened and with their regular presence would have kept the illegal activities away.

The inclusion of integrating the hillside neighborhood is nothing more than making policy courtesy of a couple of property owners lobbying the City to not provide public access to the waterfront. One of the owners agreed in the late 1980's to provide public access on site when pressured by the City.

I have had discussions with a couple of City staff members about the Bayside Trail and I was given the impression the re-opening of the Bayside trail was being pushed and with no real public input.

State and City documents clearly talk about waterfront public access as being "to and along the water's edge". The Bayside Trail does not meet these criteria nor could it meet ADA requirement, have sufficient room for multi-types of human powered activities, and the ability to meet anti-crime guidelines with good site lines.

To give one a sense of the public's desire for a walkway to and along the water's edge, one should travel to the Chinese Reconciliation Park. Two years ago when I was monitoring the Tahoma Salt Marsh there were no trails from the Chinese Reconciliation Park to the Salt Marsh. Today, there are well worn paths on both side of the Salt Marsh because of people's desire to experience more of the Commencement Bay waterfront.

Secondly, the SDE segments up the waterfront in the traditional Ruston Way, Schuster Parkway, Thea Foss, etc, which makes the document fall short of the vision of looking at the Commencement Bay waterfront as one single pedestrian waterfront. Everything on the south side of Commencement Bay should be examined through a single lens of pedestrian activities and not what is in businesses are in place today. If the Planning Commission had done the same with Ruston Way's deep water back in the 1980's, Ruston Way as we know it today would never have been built. The City must think forward a generation with a vision of what if access to the waterfront was available.

The SDE contains a comment of the S-6/S-7 transitional zone as having active industry within it, which is not true. The single property is Sperry Ocean Dock and the site does not currently manufacture a single product. It has not done so since the 1970's. The inclusion of such a description codifies the 1940's shoreline use. The industrial comment should be removed from the document.

I think there should also be the inclusion of a citizen panel recommendation that would review building permits and opportunities within the Commencement Bay shoreline area to make sure the City staff is reviewing applications correctly. Toronto has such a citizen's advisory board in place and doing great work.

A true waterfront esplanade is one where all ages, healthy or not, using different modes of human powered transportation that is "to and along the water's edge" should be a guiding vision for the full seven mile experience from the Dome to Defiance. It is a place where everyone feels safe to stroll, bike, rollerblade, etc at all hours of the day. It will be the jewel of the City.

Thank you for your consideration.

Sincerely,

Rick Rose
Vice-President
Walk the Waterfront

From: Steve Schain <steveschain@harbornet.com>
Sent: Mar 29, 2013 8:08 PM
To: knute000@sprynet.com, smgaffney@earthlink.net,
swinship@harbornet.com, tle@piercetransit.org,
theresahenson@hotmail.com, bfields@blrb.com, mnutsch@hotmail.com,
mclawlis@msn.com, RNoguera@cityoftacoma.org,
TC.Broadnax@cityoftacoma.org, David.Boe@cityoftacoma.org,
Ryan.Mello@cityoftacoma.org, victoria.woodards@cityoftacoma.org,
Marilyn.Strickland@cityoftacoma.org, robert.thoms@cityoftacoma.org,
imunce@cityoftacoma.org
Cc: Steve Schain-Harbornet <steveschain@harbornet.com>
Subject: 2013 Annual Comprehensive Plan Amendments

I just want to endorse the comments in the letter by Rick Rose addressed to Don Erickson dated March 29th, 2013. Tacoma is extremely fortunate to have one of the most potentially fabulous waterfronts of any city in the country. The vision of a continuous waterfront walkway from the Dome to Point Defiance needs to be pursued, knowing now that funds are not available to do everything that we could envision. The recommendation from a group of students who spent a day studying the waterfront was to develop an elevated walkway over the railroad tracks. Councilman David Boe had an option of an elevated walkway along Shuster Parkway. The Coy plan, incorporated into the proposed amendments takes us away from the waterfront an onto an unsuccessful Bayside Trail that will not be accessible, or safe, or a true waterfront experience. I have walked the High Line in New York City. It has transformed that area of Manhattan. We can transform Tacoma by addressing the 1.5 mile bottleneck the stands in the way of the continuous waterfront trail that citizens of this city have talked about and dreamed about for several decades. Finally, we need to understand that thinking about the S6/S7 as an industrial area represents an outdated understanding and appreciation of the need to protect residential neighborhoods, specifically the Stadium district. At one time ships in the current location of Sperry Ocean dock did not present a serious problem in that they were much smaller and frequently put out to sea. We need to recognize that our times have changed. Our vision needs to change to reflect a newer understanding and appreciation of what a pedestrian friendly continuous waterfront walkway could do to make this a more attractive and liveable city.

--

Steve Schain, Ph.D, CPG
420 N Stadium Way
Tacoma, WA 98403
(253) 961-7593
steveschain@harbornet.com

From: lkeithstone@comcast.net

Sent: Mar 29, 2013 12:51 PM

To: Don Erickson

Cc: Strickland Marilyn , TC Broadnax , rRooguera@cityoftacoma.org, Sara clair

Subject: Tacoma Waterfront Design Guidelines

Don Erickson
Chairman
Tacoma Planning Commission
747 Market Street
Tacoma WA. 98402

RE: TWDG Amendment to the Comprehensive Plan

Dear Mr. Erickson and Commission Members:

I am writing to you today for all the members that own property and businesses in the Dome District of Tacoma. We are asking you to REJECT the TWDG Amendment to the Comprehensive Plan because it does not support the TSMP adopted zoning, or public access to Washington"s waters, or sound economic development, or planning for an attractive city.

The Dome to Defiance WATERFRONT Walkway has been in written plans since the 80s.

I myself called on ASARCO and Dickman Mill for sales of products. Look at that area now. The taxes and jobs plus the wonderful place Ruston Way is today for city citizens and a large surrounding population is outstanding. It is truly an economic engine for Tacoma and a great heart felt place to be. Thanks to earlier city planners for site.

The jobs, purchasing and leases from the moored ships and Sperry Mill can never begin to bring to Tacoma what a Waterfront Walkway to Point Defiance can bring if you think of all the businesses that can be along that stretch from the Dome to Defiance.

Building this development along the water gives back to the many not the few.

Thank you for reading this from our members and once again please vote NO on this backward moving Amendment.

Respectfully, L. Keith Stone
President, Dome District

Carl D. Teitge
815 N. Stadium Way
Tacoma, Washington 98403
253-377-0492
Teitge@comcast.net

City of Tacoma

RE: Amendments to the Comprehensive Plan, PAAL and the Tacoma Waterfront Design written comments after the March 2013 public hearing

My observation is that these documents are killing the connection not making the connection from Downtown and the Thea Foss to Pt. Defiance.

There is no bold demand in these new documents that the Tacoma Dome to Pt. Defiance universally accessible pedestrian link from the Tacoma Dome to Pt. Defiance be completed. What happened? Where is the passion? This should be the number one priority of the City of Tacoma when it comes to Shoreline access. Where is it? It should be front and center in these documents. We are giving up access all over the Port of Tacoma why give it up here?

Where are the priorities set? Be bold! These pretty new words, phrases and pictures fail to convey any sense of urgency, importance or bombast to Tacoma of completing the waterfront access that can accommodate all people from the Thea Foss Waterway and Downtown Tacoma to the Ruston Way and Pt. Defiance walkways. Many of the plans like the Dome to Defiance that have been created over many decades of citizen and public officials input appear to get lost in these new proposals. I see no point to eliminating these prior plans without a driving force of commitment to replace them.

Tacoma's waterfront is the most important destination and source of pride for the citizens of Tacoma. The last link would allow all of our trails and paths to lead from our highest density downtown areas to the recreational areas and the neighborhoods. Can you imagine the possibilities? Where are the dreams for Tacoma? Where is the unrelenting focus to send all of the available funding to this waterfront link?

While I almost never agree with the phrase that "Build It They Will Come" it has been true for the Tacoma waterfront. The more access we have built since the early 1980's the more recreation has occurred and the more demand it has created. This was not true for building escalators, parking garages with street level parking not shops, new street scapes or the un-build of urban renewal. None of these created a good punch to the Tacoma ego or business climate.

Where do these plans/documents state there is no alternative to this pedestrian waterfront link from Downtown to Defiance?

There are blockers to this link in these documents. I see them in the Planning Staff work. Why does the planning staff seem to adopt these non-alternatives and scare tactics? Why are the blockers given prominence in these documents without serious question? The blockers are constantly presented by BNSF, Sperry Ocean Dock and Tempco and their main allies the Port of Tacoma, the Chamber of Commerce and the Longshore Union.

The first blocker presented by the “blockers” in the unchallenged, unproven and unlikely statements is that there are alternatives. The impossible alternatives are the Bayside Trail and the Garfield Gulch. The Bayside Trail is not an option. It is not even open at this time. In my opinion it will never be opened but if it is it will not be improved due to environmental limitations. There a seasonal stream that runs down the middle of the path that is asphalted in the decline to Stadium High School. There are path improvements that would be needed that are in wetlands and buffers. Ask the environmental and public works staff. The Bayside Trail will never be a practical pedestrian descent into Garfield Gulch and to the waterfront. It is a Billy Goat trail with water, fallen trees, seasonal streams, wetlands and buffers. These accesses will never go from the waterfront near the downtown and back to the water for any extensive or ADA compliant use.

Just get out as a group or separately and try to walk it especially in the winter or spring. Try to get your grandmother down to the water from Garfield Gulch or the Bayside Trail walking or in a wheel chair. This is not a waterfront alternative. It is a waste of money. The staff does not want to address the reasons why the Bayside Trail failed. Please do not repeat them.

None of the public officials should shirk the responsibility of trying to walk the Bayside Trail and the trails in Garfield Gulch before they vote on these proposals. This is just too important to Tacoma. The same is true of the sidewalk on Shuster Parkway. Walk from Old Town to the City. The sidewalk is narrow and against a bank in its most dangerous parts. The cars come at you back at 40 to 60 or more miles per hours. I prefer the railroad to cars at 60 miles per hour. At the least the trains are supposed to run on tracks.

When there are no alternatives for public access, the power given to the Hearing Examiner in these documents to eliminate public access for safety issues is too broad. This power allowed in these in these documents without more direction and limitation is not justified.

What is the safety issue? In the S-6/7 and S-7 the “blockers” demand removal of access for safety issues. The railroad is the most stated safety issue. Why? In this area the use of the railroad tracks along the water are for storage not the main line high speed movement. Safety along the water is nothing like the danger of standing to cross the tracks at N. Mc Carver and Ruston Way when a train is passing. If there is a high speed railroad derailment there, or coming out of the Ruston elevated track at the tunnel, the Ruston Way walk or the sidewalks in the Thea Foss the railroad cars will not stop until they reach well beyond the pedestrian areas. This is more dangerous than the siding track.

The same is true of “blockers” comments that the railroad cars do not allow police visibility of the crime that could be committed behind these cars. Well try visibility or access for police on the Bayside Trail or the Garfield Gulch. This has been a problem since the Bayside Trail was opened in 1973. This is why the trail is closed. Ask the police.

The next issue is that the “blockers” want this area designated industrial. Well things change. Please plan for Tacoma's future not just today.

The Sperry Ocean Dock has gone from a vibrant functioning flour mill with the factory along the tracks and over the vehicle roadway, with railroad cars going up the Bayside Trail, with frequent shipping to using a very small portion of the old dock where any industrial activity occurs only on the ships. There is no land available. What is next for Sperry? There is no land all the way to Tempco. At one of the hearings one official from Tempco stated that a small increase in price of doing business in Tacoma could end its business or move it to another area. Believe him. You will not see as many railroad cars sitting with the recent Great Plains drought.

The next objection from the “blockers” is loss of jobs. One company filling the Russell Building would create more jobs for Tacoma than anything along the Schuster Parkway. If the waterfront walks extension helped create those jobs in the Russell Building it would be a victory for Tacoma. If history is our lesson the jobs at Sperry if lay berthing changes or methods of shipping grain change again as they did in Tacoma’s waterfront warehouses may disappear or relocate.

The jobs loss claim is of very limited scope. More jobs could be created along the S-6/7 to S-7 if the present occupants left just as when Ruston Way industry left. If the jobs claim fails the resistance to the waterfront trail fails badly. Preservation of the deep water is not as important as it was even 25 years ago. We as taxpayers in Tacoma have created a very large Port of over 2000 acres. This created a huge boost in Longshore and other jobs. We created railroads and highways in the Port. We dredged waterways. The cranes are almost to Fife. We took the bridge out over the Blair waterway. We built SR 509. We are giving the Port the east side of the Thea Foss and very limited shoreline access in almost all of the former Puyallup River floodplain. The functions of industry in the S-6 to S-7 could be accommodated in the Port. Why does Tacoma allow the Port, the Longshore Union, and the Chamber of Commerce without challenge make its unreasonable claim to everything they want. This group seems to shill for the out of town owners who do not care about Tacoma. These are the Sperry Ocean Dock, the BNSF and Cargill/Tempco. The S-6/7 and S-7 are a miniscule area downtown Tacoma needs compared to the main Port operation we have granted them. The current occupants can’t be forced to leave but none of them is remotely accommodating to the benefit of waterfront access.

The S-6/7 and S-7 will follow industrial history of the S-6 Ruston Way.

The changes in the last 40 years particularly the last 25 years have been dramatic. Pioneers came to the waterfront. Coming from the ASARCO smelter Price architects built over the water office space. The Boge Building was built over water. It was recently remodeled into Class A office space. The Lobster Shop is on the Bayshore Boat Locker site. The tackle shop is the adjacent office building. Cadigan’s Mill became boat storage and is now a park. Les Davis Pier

was built. Clinkerdagers (now Dukes) was built .The Fireboat Station is now vacant but will be reused. Katy Downs was built. Cl Shenanigans and the Ram Pub are built where Cummings Boat Building was located. Harbors Light was an early and very popular pioneer. The Dickman Mill with it three story conical wood incinerator that lit the night sky burned and exists only as pilings and a park. The Silver Cloud was built on the site of a 1970's restaurant that was built too low and the high tides damaged it. The Top of the Ocean exists as piling after the Carbone Gang burned it in 1976. Ocean Fish is really old and when we had lots of salmon they were delivered there. The Old Town Dock is restored. Jack Hyde Park was a vacant industrial site. Chinese reconciliation Park and the Salt Marsh were Tacoma Boatbuilding's gunboat facility after it was a mill. How did this happen in my lifetime?

The stunner is the ASARCO (an employer of my grandfather, father, uncle and mother) is now the Pt. Ruston mixed use site with gorgeous waterfront access to Pt. Defiance from the Salt Marsh. How did we get this opportunity? Hurray! Thanks McBride and Cohen (MC Construction).

All of the businesses that I have mentioned from the Smelter to Sperry Ocean Dock or into the Thea Foss where we now have public access have failed because the business climate changed for them. No one in the City of Tacoma forced these closings. Beyond Sperry to the Thea Foss the same is true for the coal loading docks, the warehouses on the Thea Foss, the coal gasification plant, the concrete plant and Albers Mill.

No one forced the discontinuation of the use of the deep water use of the shoreline from the smelter to the end of the Thea Foss. The business community and Port of Tacoma was not up in arms about these closures and removal of shipping opportunities on what was then the deep water. We did lose jobs and we gained jobs.

I have watched downtown and the waterfront for over 60 years. I was the first Baby Boomer born in Tacoma January 1, 1946. I love the parks. I love to walk. I love the waterfront. I fished almost every day in the summer and fall from Pt. Defiance, to Old Town and the Puyallup River. I love the changes and what they have brought. I would love to see downtown Tacoma come alive again like it was until 1964. It is depressing to walk downtown now and see all of the business that I can remember gone. I want new ones back.

I think the only way we are going to see a vibrancy again is to invest in a better place for citizens to live and to fosters the new businesses not just the ones from the past. We need to stop the gimmicks of the past (escalators, parking garages and urban renewal) and focus on creating a residential vibrancy and friendliness to business.

Please plan to and do open the waterfront access from the Dome to Pt. Defiance. This can create pride and emotional energy for the residents of Tacoma and potential business investors. I can't imagine what a major business looking at the Russell Building would think when they ask why the waterfront has not been opened to Ruston Way and the City Council told them the Port of Tacoma, the Longshoreman's Union and the Chamber of Commerce lobbied to block that 2 mile access for the workers and residents of downtown at the request of out of town owners.

The thought would probably be like are you nuts! Why would I want to come here? These are the jobs you want to inspire not defeat.

My passion is to walk from Owen Beach to the Tacoma Dome on the waterfront walk at least once in a lifetime in Tacoma. If I have wait much longer the second best passion would be to have my grandchildren push me in a cart on the ADA compliant waterfront walk.

Very Truly Yours,

Carl D. Teitge

March 13, 2013

Lihuang Wung,
Planning and Development Services Department
Planning Services Division
747 Market Street - Room 345
Tacoma, WA 98402

Re: 2013 Annual Amendment

Dear Mr. Wung:

Sent by email: lwung@cityoftacoma.org

Are the proposed Amendments to “intensity designations” fundamental to a broader initiative, including future Amendments, that would allow the permitted intensity or density within Mixed Use Centers or Shoreline Districts to be increased or decreased through code authority, including staff discretion?

If so, I would appreciate getting more information about the larger picture, including the timeline.

Thank you.

Sincerely,

Kenneth A. Thiem
kthiem27@gmail.com
6277 119th PI SE
Bellevue, WA 98006



2013 ANNUAL AMENDMENT TO THE COMPREHENSIVE PLAN AND LAND USE REGULATORY CODE

Summary of Oral Testimony

Planning Commission Public Hearing, March 20, 2013

1. David Rietmann:

In forwarding the Shoreline Master Program Update to the City Council [in 2011], the Planning Commission recommended that the Sperry Ocean Dock area be zoned S-6, while the City Council created and adopted an S-6/7 shoreline district, making the Dock grandfathered in but a nonconforming use. The Draft Tacoma Waterfront Design Guidelines (page 9) indicates that it should be S-7, while from the Planning Commission's perspective it should be S-6. The large neighborhood directly above the bluff is significantly impacted. This important issue is not properly handled in the document. (Mr. Rietmann also submitted a copy of the letter dated November 27, 2011 that he had submitted to the Mayor).

2. Tricia DeOme, Central Neighborhood Council:

It is appropriate that not all public facilities are exempt from digital changing message center signs. Even the regional facilities should not be exempt from the message timing requirement. The message timing of 8 seconds is too short and should be increased. It is appropriate that on-site digital changing message center signage will not be allowed on pedestrian oriented streets. Digital changing message center signs located in C-2 zoning districts should be prohibited. Digital changing message center signs within the C-2 next to residences/downtown are a concern; there should be time/hours restriction. There should be a limit on the amount of digital changing message center signs a business can have.

3. Bruce Petersen:

The proposed drive through code amendments, e.g., the requirement of 150 ft minimum separation from Pierce Transit stops, would significantly reduce property value and ability to develop drive throughs in the future. Mixed-use centers are unique; city-wide, one-size-fits-all approach and standards should not be used for dealing with drive throughs in individual mixed-use centers.

4. Rick Rose, Walk the Waterfront:

Some areas of the Draft Tacoma Waterfront Design Guidelines fall short of the City's vision, such as the intent to integrate waterfront trails into the adjacent neighborhood. Reopening Bayside Trail, which has numerous issues including standing water, narrow pathways, wetlands, crime, homeless encampments and lack of policing, is not meeting the goals of the document. The integration component should be removed. The "active and industrial" should also be removed from the S-6/S-7 description.

5. Gary Coy, Sperry Ocean Dock:

Sperry Ocean Dock is a bookend of Ruston Way, along the deepest natural water in all of the Commencement Bay, providing support to the JBLM and emergency preparedness operations in the Northwest. The Draft Tacoma Waterfront Design Guidelines should stand as is, supporting the business operation of the Dock that brings in jobs, security and comfort to the community.

6. Carl Teitge:

The TEMCO-Sperry area is where the focus needs to be in terms of public access and waterfront destination for all Pierce County areas. Bayside Trail, with such issues as water running through the path, does not work. Sperry Ocean Dock does not have enough upland to be an effective business. We need to bring in employment and density. Safety concerns along the waterfront, including potential derailment, railroad crossing, and speeding traffic, also needs to be properly addressed.

7. Jori Adkins, Dome District Development Group:

The proposed amendment to the drive-through regulations is needed to further achieve the goals of the Comprehensive Plan. The provision regarding the 150 ft distance to bus stops is already in the code.

March 26, 2013

Dustin Lawrence, Comprehensive Planning Division
City of Tacoma
747 Market Street
Tacoma, WA 98520

RE: COMPREHENSIVE PLAN PROPOSED AMENDMENTS 2013-1

Dear Mr. Lawrence:

Thank you for the opportunity to comment on the City of Tacoma's 2013 Comprehensive Plan Proposed Amendments. We appreciate the thoughtful work City Staff has put into the proposals. We offer the following comments on the driveway and drive-through sections:

Chapter 10.14 – Driveways

10.14.050 Rules and regulations for driveways.

Every driveway hereafter constructed or altered in street right-of-way shall conform to the following regulations. **In cases when driveway provisions exist both in this section and in TMC 13.06, 13.06A or other sections of the TMC, the more stringent provisions shall apply.**

A. Location.

1. No driveway shall be so located as to create a hazard to pedestrians, **Pierce Transit bus operations**, light rail operations, or motorists, or invite or compel illegal or unsafe traffic movements.

We support this section but suggest that "Pierce Transit bus operations" be changed to a more generic "public transit bus operations". This terminology is consistent with other section of the code and we want to be inclusive of service provided in the City of Tacoma by partner agencies such as Sound Transit and Inter City Transit.

13.06.513 Drive-throughs

C. Standards. A drive-through facility is composed of two parts—the stacking lanes and the service area. The stacking lanes are the space occupied by vehicles queueing for the service to be provided. The service area is where the service occurs. In uses with service windows, the service area starts at the service window. In uses where the service occurs indoors, the service area is the area within the building where the service occurs.

1. The following standards apply in all zones where drive-throughs are permitted.

a. Pedestrian streets (includes all TMC pedestrian street designations), and transit stops:

(1) Driveways that directly connect to any drive-through shall not be allowed along a pedestrian street, light rail or streetcar street.

(2) Driveways that directly connect to any drive-through must be located at least 150 feet from any transit stop, as measured along the curb line between the driveway and the stop. Exceptions to this requirement shall be processed in accordance with TMC 10.14.030.B.7.

We support this new section and the existing complimentary TMC 10.14.030.B.7 whereby Pierce Transit is given the opportunity to review and comment on drive-throughs potentially impacting bus stops.

Again, thank you for the opportunity to review the proposed amendments. If you have any questions please contact me at (253) 581-8130 or madams@piercetransit.org.

Sincerely,

A handwritten signature in black ink that reads "Monica Adams". The signature is written in a cursive, flowing style.

Monica Adams, Planner II
Bus Stops, a division of Scheduling & Planning

c: #13-004

March 25, 2013

To: Donald Erickson - Chairman, Planning Commission of the City of Tacoma
From: Pierson Clair - President and CEO, Brown & Haley

RE: Memo regarding the draft Tacoma Waterfront Design Guidelines (TWDG)
D1 Packet 2013-05 Waterfront Design with public hearing March 20th

We have reviewed the draft Tacoma Waterfront Design Guidelines (TWDG) and request that you include this memo in the public comment record.

Providing flat waterfront connectivity between Thea Foss and Ruston Way shorelines for pedestrians, cyclists, people confined in wheelchairs and families pushing strollers while protecting the critical habitat and environment of our Commencement Bay shoreline should be the highest priority for Tacoma's waterfront visioning and planning documents, Comprehensive Plan and City decision making.

Yet, the new draft waterfront plan TWDG destined to be incorporated into Tacoma's Comprehensive Plan **contradicts** Tacoma City Council's adopted Shoreline Master Program and National Oceanographic and Atmospheric Administration definition of this uniquely valuable stretch of the State of Washington's shoreline.

S-6/S-7 Schuster Parkway Transition Zone as defined in the TSMP respected the beach, neighborhood, and community and allowed for transition of future shoreline uses toward community, recreational and environmental purposes.

This draft TWDG incorrectly recombines S-6/S-7 Transition with S-7 into a renamed Schuster Parkway Corridor and solely defines the area as active industrial. See the draft's page 3. (attached on pdf p12) This TWDG not only **reverses** consensus achieved in the TSMP, but also removes the guarantees for quality of life and environmental protections.

TWDG ignores the goals of NOAA whose extensive work to remediate the adverse effects of industrial contamination in this area includes Tahoma Salt Marsh, adjacent to the natural beach and shelf in the S-6/S-7 Transition zone.

The nearshore area and waterways of Commencement Bay are used extensively as rearing and feeding habitat by numerous marine species, and the bay serves as a migratory pathway for salmonids. Three hatcheries annually stock approximately 4 million chinook, coho, and chum salmon and steelhead trout juveniles into the Puyallup River watershed. Many fish species feed on small epibenthic and benthic organisms before migrating offshore. NOAA's concerns about the Commencement Bay area involve the adverse effects to its trust resources caused by the release of hazardous substances in the bay and its waterways, and subsequent contamination of sediments on the bottom of the bay.

The U.S. Environmental Protection Agency's (EPA) record of decision for the Nearshore/Tideflats Superfund site treats each of the contaminated waterways as a distinct unit. EPA is addressing remedial action on a waterway-by-waterway basis, while the trustees are addressing damage assessment and restoration on a baywide basis. EPA has identified more than 150 potentially responsible parties (PRPs) for the Nearshore/Tideflats Superfund site.

<http://www.darrp.noaa.gov/northwest/cbay/index.html>

March 25, 2013

To: Donald Erickson - Chairman, Planning Commission of the City of Tacoma
From: Pierson Clair - President and CEO, Brown & Haley

RE: Memo regarding the draft Tacoma Waterfront Design Guidelines (TWDG)
D1 Packet 2013-05 Waterfront Design with public hearing March 20th

TWDG should match - not contradict - Tacoma's SMP and NOAA.

The new draft waterfront plan from City of Tacoma Comprehensive Planning Division does not reflect the Tacoma Planning Commission's draft TSMP which extended Ruston Way's S-6 zone, or the 6 years of citizen public testimony and letters, 40 years of planning vision by the officials who created Ruston Way and Thea Foss esplanade or the intent of Jake Fey's \$60,000 funding secured to find an appropriate way to connect Ruston Way parks and walkways with Thea Foss waterfront walkways and Tacoma's Museum District.

Write a separate S-6/S-7 Transition shoreline zone definition

We encourage you to match the naming convention of the TSMP in the TWDG and include the two paragraphs of NOAA definition as you write S-6/S-7 Transition definitions into the TWDG. Specifically include critical habitat, beach, sensitive nearshore with goals for remediation and removal of all creosote-soaked pilings, cracked concrete and former warehouse. This zone is adjacent to historic neighborhood, century-old schools and community parks. It is vital for Tacoma's Comprehensive Plan to guarantee quality of life for the families, students and teachers, both days and nights in the Stadium District. S-6/S-7 is located midpoint on the waterfront between Tacoma's Museum and University district with Point Defiance Park and Zoo. Exclude the term 'active industrial' from S-6/S-7 Transition definition.

Rewrite the draft S-7 shoreline zone definition

We encourage you to match the naming convention of the TSMP in the TWDG and include the two paragraphs of NOAA definition as you rewrite S-7 definition into the TWDG. Include critical habitat, sensitive nearshore with goals for remediation and removal of an extensive offshore field of creosote-soaked pilings, adjacent to historic neighborhood with century-old schools and community parks. S-7 is located midpoint on the waterfront between Tacoma's museum university district and Point Defiance Park and Zoo. Identify there is one industrial facility, a grain terminal, which exists at the southern edge of S-7 zone. It is vital for Tacoma's Comprehensive plan to guarantee quality of life for the residents, families, students, and teachers both days and nights in the Stadium District.

Connecting hillside neighborhoods and the Stadium High School campus to Schuster parkway should be **avoided** in, not be the goal of, a visioning or planning document covering our waterfront. Exclude the phrase 'connecting hillside neighborhoods' in S-6/S-7 or S-7 definition.

Tacoma Planning should design **toward building an attractive, successful, workable city**. Linking pedestrian activity along busy Pacific Ave along retaining walls by busy Schuster Parkway to Ruston Way would not achieve this. **Visionary planning would develop four or five perpendicular connections bringing people from Pacific Ave down to Thea Foss and connecting Thea Foss with Ruston Way along the water.**

From: s2clair2@gmail.com

Sent: Mar 28, 2013 8:21 AM

To: Don Erickson <knute000@sprynet.com>, Sean Gaffney <smgaffney@earthlink.net>, Scott Winship <swinship@vjglaw.com>

Cc: Ron Coleman <rcoleman@dpearson.com>, David Rietmann <DER@usor.com>, Rose Lincoln Hamilton <rlincoln@gtcf.org>, Amy DeDominicis <adedo@amydedo.com>, Carl Teitge <teitge@comcast.net>, Robert Thoms <robert.thoms@cityoftacoma.org>, Keith Stone <lkeithstone@comcast.net>, Marilyn Strickland <Marilyn.Strickland@cityoftacoma.org>, Ricardo Noguera <RNoguera@cityoftacoma.org>, TC Broadnax <TC.Broadnax@cityoftacoma.org>, Victoria Woodards <victoria.woodards@cityoftacoma.org>, Ryan Mello <Ryan.Mello@cityoftacoma.org>, David Boe <David.Boe@cityoftacoma.org>

Subject: Carl Teitge's letter to the Planning Commission regarding waterfront Comp Plan amendment 2013 and PAAL

Good morning Don, Scott and Sean-

Carl Teitge asked that we forward his letter to you for inclusion in the public record for the 3/20/2013 hearing regarding draft TWDG amendments to Tacoma's Comprehensive Plan.

The attached letter, written by this former Tacoma Planning Commissioner, shows keen understanding of Tacoma waterfront history, the planning process and the community-wide benefits for defending decisions in the best interest of Tacoma.

The letter is attached in .docx and pdf

The first paragraph of Carl Teitge's letter:

RE: Amendments to the Comprehensive Plan, PAAL and the Tacoma Waterfront Design written comments after the March 2013 public hearing

"My observation is that these documents are killing the connection not making the connection from Downtown and the Thea Foss to Pt. Defiance."

Thank you for your dedication to a better Tacoma,

Sara

RONALD L. COLEMAN
602 North Stadium Way
Tacoma, WA 98403
(rcoleman@dpearson.com)

March 29, 2013

Mr. Donald Erickson
Chairman
Planning Commission of the City of Tacoma
747 Market Street, #345
Tacoma, WA 98402

Re: Memo Dated January 10, 2013 Regarding "Tacoma Waterfront Design
Guidelines Related to Amendments to the Comprehensive Plan

Dear Chairman Erickson:

I was unable to attend the public hearing on Wednesday, March 20, 2013. My written comments are as follows in this letter.

By way of introduction, I find it very interesting, yet unfortunately, very accurate, that the mailed notice of public hearing makes very clear the attitude and goal of the Planning and Development Services Department with regard to matters at issue, including the Tacoma waterfront. The memo states: "Should I Be Concerned? No." Of course, there is a brief mention of the fact the public hearing is among other things about "shoreline related elements of the Comprehensive Plan." The Planning and Development Services Department clearly does not understand or appreciate the importance of our Tacoma waterfront from Thea Foss to Point Defiance and public access to it and by way of the pedestrian waterfront link from downtown to Point Defiance. Instead, the staff appears to continue to drink the "Kool-Aid" provided by the Port of Tacoma, the Chamber of Commerce, and the Longshore Union, all in their efforts to represent and support BNSF, Sperry Ocean Dock and Tempco. I would advocate that leadership, beginning with the Planning Commission, should take away whatever it is the staff is drinking and focus on what is very important to the future of Tacoma, while not in any way taking away the ability of the Port of Tacoma, the Chamber of Commerce and the Longshore Union to do what they are supposed to do with regard to industry for the City, which is well provided for in a terrific Port of Tacoma. There is no need to continue to make every effort to block, or for that matter, kill, an important addition very much needed for the City of Tacoma: a pedestrian waterfront link from downtown to Point Defiance. This pedestrian waterfront link should be a flat waterfront walkway connecting Thea Foss and Ruston Way shorelines and not a Bayside

Trail, which if the truth were known will never be a viable option and does not come close to providing a flat pedestrian waterfront link at the waterfront, not a path high on the hillside where it will never survive for many different reasons, already proven in the past 30 years.

While I want to address several other practical aspects of the waterfront access, I first want to specifically address several provisions of the Tacoma Waterfront Design Guidelines (“TWDG”). Unless I am not correctly reading the draft Waterfront Plan, a plan the staff proposes be incorporated into Tacoma’s Comprehensive Plan, the draft plan itself contradicts the Shoreline Master Program adopted by the City Council and contradicts the definition of this part of the shoreline adopted by the National Oceanographic and Atmospheric Administration. The S-6/S-7 Schuster Parkway transition zone, which was defined in the Tacoma Shoreline Master Plan acknowledged the benefit of the beach and community and allowed for the transition of future shoreline uses toward community and environmental purposes. The current draft TWDG erroneously brings back and combines S-6/S-7 transition with S-7 into what is to now be called the Schuster Parkway Corridor and most critically defines the area solely as active industrial. This is a giant step backward and, as indicated above, is inconsistent with and contradicts the Shoreline Master Program. It makes absolutely no sense for the TWDG to not only seek to reverse the consensus achieved in the Tacoma Shoreline Master Plan, but also to go even further and remove the guarantees for quality of life and environmental protections and ignore the goals and work of the National Oceanographic and Atmospheric Administration to remediate the terrible effects of the industrial contamination along this part of the shoreline. It is difficult to understand how and why the Planning and Development Services Department can and would so summarily ignore and dismiss the efforts of so many over so many years. The planning by their predecessors led the way for the parks and pedestrian access we currently have along Ruston Way. In addition, staff wants to do away with the funding, which was secured to find an appropriate way to connect the Ruston Way parks and walkway with Thea Foss and the museum district – an agenda which could have been easily written by the Port of Tacoma, the Chamber of Commerce and the Longshore Union for the immediate short-term benefit of BNSF, Sperry Ocean Dock and Tempco. Unfortunately, all of this ignores what should and can be done for the City of Tacoma and all citizens, all the while allowing the Port of Tacoma, the Chamber of Commerce and the Longshore Union to pursue their interests in the appropriate place: the Port of Tacoma. Finally, the proposal provides that when there are no alternatives for public access, a hearings examiner has the power to eliminate public access for safety issues. This is an unnecessary, unjustified and extremely over broad granting of power without discretion and limitation. Such power should not be summarily taken from the citizens of Tacoma. I urge you to reject the proposed amendment outright.

The TWDG purports to integrate the design elements of the Ruston Way Plan, Shoreline Trails Plan and Foss Waterway Design Guidelines. The efforts at integration do not build on or implement public access or promote a public pedestrian waterfront link from Thea Foss to Point Defiance. The three shoreline related elements of the Comprehensive Plan should be retained, not replaced by the proposed amendment as presently drafted.

I personally had the good fortune to have served on the City of Tacoma Planning Commission when the staff of what was then known as the Planning Department had the vision

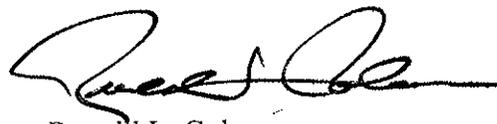
and full support of our city leaders to work to create the start of what was then hoped to be a waterfront with parks and a pedestrian walkway. We are very fortunate that they were not drinking the same “Kool-Aid” as is apparently being served. Without the leadership at that time, Tacoma would be without what is clearly a major asset and attraction. Keep in mind that this was all accomplished without taking anything away from what is needed by the Port of Tacoma to meet the needs of industry.

What is most disturbing is that the present direction as provided in the TWDG not only attempts to reverse what was thought to be a step in the right direction, but goes even further in an effort to provide short-term goals, totally disregarding long-term goals and the future of the City of Tacoma. The leadership for the City in the early 1980’s recognized that things do change. Keep in mind that back then the Tacoma Smelter was still operating, Dickman Mill was still operating and what was formerly the Top of the Ocean consisted of burnt pilings. Tacoma took a giant step forward back then making today possible. Tacoma should continue to step forward and do everything it can to promote and enable, not create obstructions to, a pedestrian waterfront link from downtown to Point Defiance. Do not let current conditions get in the way of planning for the future. The Planning and Development Services Department should be all about looking to the future and what is good for the City, not just protecting the current status of today. If the Planning Department, the Planning Commission and the City Council had just preserved the status quo in the early 1980’s, all we would have today are a lot more pilings sticking out of the water. Nothing more. We are fortunate that we have private industry willing to help – consider Point Ruston and connect it with Thea Foss.

In conclusion, there is no need for, and there should not be, competition between (a) the goals of the citizens who want a pedestrian walkway and parks along the Ruston Way waterfront connecting the City with Point Defiance; and (b) the goals of the Port of Tacoma supported so eagerly by BNSF, the Chamber of Commerce and the Longshore Union. There is plenty of room for both in our City and both should continue to be promoted, each in its respective area.

I urge you to do everything you can to stop being so preoccupied with present conditions and instead put your energy into planning for the future to provide for an open waterfront access from the Tacoma Dome to Point Defiance at the shoreline.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald L. Coleman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ronald L. Coleman



CENTRAL NEIGHBORHOOD COUNCIL

PO BOX 5201, TACOMA, WASHINGTON 98415-0201

chair@cnc-tacoma.com

Meetings are the first Thursday of each month at the Tacoma Nature Center, 1919 S. Tyler St,
from 6:00 pm 'til about 8:30 pm

City of Tacoma Planning Commission
Tacoma, Washington

Dear Commissioners,

This letter presents the comments of the Central Neighborhood Council (CNC) for the proposed 2013 Sign Code Amendments. The CNC is one of eight nonprofit citizen-participation organizations created in 1992 by the City to "...directly advise City government on matters concerning the general health, safety and welfare of their neighborhoods. Their actions should reflect the needs and wants of the neighborhood."

First we would like to thank the Planning Commission for bring this issue forward. The CNC was very active in the digital billboard code amendments in 2011 and digital onsite signs have the potential to be an even greater problem. The following are our comments related to proposed amendments:

1. We support the regulation that requires public facilities to maintain the same restrictions as private facilities. We accept that regional facilities are allowed a variance for size but believe that they should not be exempt from timing standards.
2. An eight second interval between display changes was chosen by the City because it is typically used on freeway digital billboards. An eight second interval was also proposed by Clear Channel for the digital billboards in Tacoma. Digital billboards were made illegal in Tacoma in 2011. One of the reasons digital billboards were deemed illegal was due to the distraction with the eight second display interval. We recommend a longer interval and propose an interval of approximately one minute.
3. There is nothing in the code that restricts the number of digital signs a business are allowed. If a business is allowed three signs per the code, then all the signs could be digital. We recommend a business be restricted to one digital sign or one per a given interval of space (ie 500 feet).
4. We agree with the proposal to ban digital onsite signage on designated pedestrian-oriented streets and neighborhood mixed use centers. We are concerned about allowing digital onsite signage in C2 zones that are near residences or downtown. For example, South 12th Street is a C2 zone on one side of the street and residences on the other side. Another example is mixed use buildings with dwellings above businesses. We believe this can be mitigated by restricting hours of operation of the digital signs to an hour before sunrise to an hour after sunset.

Thank you for considering our opinions.

Justin D. Leighton
Vice Chair
Central Neighborhood Council

Tricia S. DeOme
Vice Chair
Central Neighborhood Council



FOSS WATERWAY DEVELOPMENT AUTHORITY

535 Dock Street, Suite 204 - Tacoma, WA 98402-4630

Phone: (253) 597-8122 Fax: (253) 597-8129

www.theafoss.com

Annual Amendment
2013-05
Received 3-26-13
LW

March 25, 2013

Mr. Donald Erickson
Chairman of Planning Commission
% Lihuang Wung
747 Market Street
Tacoma, WA 98402

Re: Comprehensive Plan Amendments

Dear Mr. Erickson,

The Foss Waterway Development Authority and its Design Review Committee provided significant input during the public process that resulted in creation of the Tacoma Waterfront Design Guidelines. The Guidelines are inclusive and representative of the design criteria for the Foss and easy to understand and access.

Bringing the Designs Guidelines into the Comp Plan will afford the community the opportunity to make changes over time without having to seek approval at the State level for what should be a locally driven decision. City staff has done an outstanding job in making the Design Guidelines more accessible and understandable for both the citizens and the business community.

The FWDA strongly supports approval of the Design Guidelines as written.

Sincerely,

Su Dowie
Interim Executive Director

cc: FWDA Board

From: Tom Ebenhoh [mailto:tomeben@yahoo.com]
Sent: Friday, March 29, 2013 12:00 PM
To: Planning
Cc: elliot.barnett@cityoftacoma.org; lwung@cityoftacoma.org
Subject: 2013 Annual Amendments Input

Planning Commission:

Appreciate all the Planning Commission's effort in working through the proposed Amendments to Comprehensive Plan and Land Use Regulatory Code.

My input is specific to the proposed Amendment on Drive-through regulations; however, also applies to the other proposed Amendments.

I echo the comments and concerns of potential slow development with increased regulation that would impact economic growth. Reading through the proposed Amendments, the language appears vague or complex that might detract from investment. For example, reducing impacts to pedestrians and streetcar/light rail streets or reducing noise impacts. I concur, if done to allow more flexibility to potential investors and not be too specific that would hinder economic development. If not, than I do recommend looking at the language and ease it as written that would attract business to Tacoma.

I am a Board Member of NTNC and proud resident of downtown Tacoma that enjoys the pedestrian friendly and walkable lifestyle. There are key actions happening now such as the link expansion, possibly to connect the downtown core to the hilltop, investment along the waterfront and Dock Street, and the Pacific Ave. Streetscape Project. There should continue to be a thoughtful balance in the regulatory process that does not impede on economic growth and attracting businesses to Tacoma.

Respectfully request acknowledgement of my e-mail.

Thank you.

Thomas Ebenhoh
1515 Dock St. #421

From: Kevin Grossman [<mailto:kevin@kevingrossman.com>]
Sent: Wednesday, March 06, 2013 10:25 PM
To: brian.boudet@cityoftacoma.org
Cc: Carol Wolfe (cwolfe@cityoftacoma.org)
Subject: drive through ordinance changes

Hi Brian,

My suggestion on the drive through regulation changes would be to give staff latitude to work out what's reasonable, around some guidelines about safety and use, on a case by case basis. Greater latitude should be given to businesses that are additive and complimentary to community needs for "place" and gathering. The tough thing is of course that this leaves a lot of subjectivity in the mix, which can cause both staff and developers heartburn down the road... I do feel that in the current environment leaving some discretion to work something out at the staff or director level approval for variations should be allowed.

For example, a "typical" drive through serves a single story retail business – low density, not pedestrian friendly, not urban/mixed-use oriented in nature – may not be consistent with the higher density redevelopment goals for MLK or the Dome district. It seems that to be consistent with the medium and longer range goals, drive through facilities would be allowed only with requirements around visual buffers (screening, landscaping or location on the "back side" of the buildings, noise mitigation from the order-taking-station, queuing appropriate to the use and history of the operator if they have other locations, etc.

Having said that, I have seen some drive through facilities in dense areas that work – For example, the Umpqua Bank drive through in South Lake Union uses a mid-block drive through that doesn't impact the pedestrian traffic or street traffic. It's not attractive – purely functional – but because of its location it doesn't detract from the neighborhood yet provides a service to those customers who want to use the drive through.

Less dense but illustrative of a potentially acceptable approach:

The Starbucks on 145th and 15th NE in Seattle is tucked behind a small strip retail that backs up to a multi-story commercial building so the queue is along the property line – no buffering, no aesthetic attempts, but it's tucked away so it doesn't detract from the pedestrian access or the aesthetic of the front of the retail that the neighborhood sees.

Drive through capacity takes up a lot of footprint area – but many food and beverage companies derive a substantial portion of their revenue from these drive through facilities. While it bugs me people don't get out of their cars, the financial reality is that some of these companies would choose not to open in the locations absent the drive through. When a neighborhood is vital and in demand, precluding them doesn't equate to precluding revitalization. For a neighborhood on life support, there are some businesses that may be a benefit to it and a fit for the overall re-energizing of the area without (substantially) negatively impacting other future development of the area.

I have forwarded the message from Lihuang re: comp plan amendments and the attachments to Mario to pass along to the HBA list too.

Best regards,

Kevin



GROSSMAN SERVICES inc

Kevin Grossman, President

Grossman Services, Inc.

Direct: 206.730.5567

<http://www.kevingrossman.com/> - <http://businessspacedecisions.blogspot.com/>

<http://www.linkedin.com/pub/kevin-grossman/a/16/281> - <https://twitter.com/ibsdnw>

PO Box 65197

Shoreline, WA 98155-9197

kevin@kevingrossman.com

"Opportunity is missed by most people because it is dressed in overalls and looks like work."

--- Thomas A. Edison



Please consider the environmental impact of needlessly printing this e-mail.

702 Broadway Suite 101,
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Email:
PCRS@pugetcreek.org
WebPage:
www.pugetcreek.org



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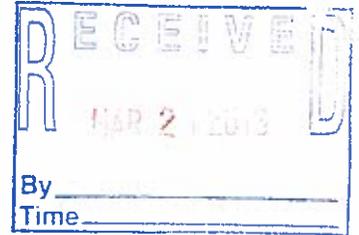
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March 20, 2013

City of Tacoma
Planning Commission
747 Market Street, Room 345
Tacoma, WA. 98402



Hello Commissioners:

The Puget Creek Restoration Society (PCRS) protects, enhances and restores the Puget Creek Watershed and similar streams, wetlands and green spaces. We serve the South Puget Sound communities and invite their participation through hands-on restoration, research, education, advocacy, and by promoting a sense of stewardship.

Our organization represents over 3,000 members and volunteers located in the City of Tacoma/Pierce County and who are deeply concerned with wetland, stream, green space and nearshore issues in the City.

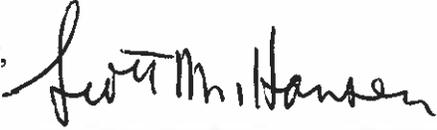
Thank you for allowing us to provide input into this Annual Amendment update. We request the following comments be incorporated into the update and response to our questions be developed:

- We feel that an appropriate period of time for landowners to have a Conservation Easement in place in order for them to get the parcel off the tax roll before reviewing and re-instatement should last 20 years.
- With the Shoreline Related Elements PCRS feels that we shouldn't do anything with the documents until a final ok by DOE on the draft Shoreline Management Program submitted by the City is done.
- Regarding Land Use Designations we are in strong support of setting up a separate classification for Open Space and Habitat areas as these should not have a classification that allows development.
- Finally, PCRS feels in the Platting and Subdivision regulations that we would like it left as is. This allows for better review and we feel that short plats need that review on environmental concerns.

Without further clarification of the impact that the project has on the natural systems, the Puget Creek Restoration Society cannot support this update, however, if the plan were to incorporate our comments, questions and concerns on this site we would reconsider our position.

I write as a member of the Board of Directors of Puget Creek Restoration Society, which has evaluated the proposed project. We will appreciate your office's

full consideration of our position, and we look forward to working with you in making Tacoma a better place for everyone. You can reach us at (253) 779-8890 if you have any questions.

Sincerely, 

Scott M. Hansen-B.S., M.A., M. S., (Ph.D.-student)
Ecologist/Member Board of Directors

March 28, 2013

Don Erickson, Chairman
Tacoma Planning Commission
747 Market Street
Tacoma, WA 98402

RE: Annual Amendment to the Comprehensive Plan

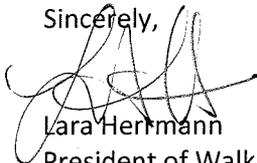
Dear Mr. Erickson & Commission Members:

I understand that an amendment to the Tacoma Comprehensive Plan is before the planning commission, and that it includes language that is designed to interrupt the vision for a seven-mile waterfront esplanade from the Tacoma Dome to Pt. Defiance at the Schuster midpoint.

While you are considering this amendment, I urge you to consider the benefit that a fully connected urban waterfront would bring to our residents, business and students by improving quality of life and perpetuating our economy. It is imperative that the language in the plan clearly states that the esplanade is a priority, and that it must not deviate around the Sperry Dock area by going up Garfield gulch. While this may not be available today it will be in the future, and our plans need to be made with care and foresight.

The Tacoma waterfront should be an engaging place for people to visit and participate in recreation, dining, shopping and relaxation while protecting and enhancing the health of the environment. Tacoma's zoning and planning must protect this asset and use it to for the greatest benefit so Tacoma can thrive.

Sincerely,



Lara Herrmann

President of Walk the Waterfront

March 20, 2013

Chairman Donald Erickson
City of Tacoma
747 Market Street
Tacoma, WA 98402-3766

Dear Chairman Erickson and Members of the Planning Commission:

This letter includes comments from the Master Builders Association of Pierce County (MBA Pierce) regarding the 2013 Annual Amendments to the Comprehensive Plan. On behalf of MBA Pierce, thank you for your consideration of these comments.

After review of the City of Tacoma's 2013 Annual Amendment Package, MBA Pierce is generally in support of the proposed package. Particularly, we are in support of the shift to a nine lot short plat under the Platting and Subdivision Regulations amendment. This shift allows for a more streamlined process, and reflects an increase to what is allowable by state law. However, our members provide herein some specific insight regarding the sections relating to the Platting and Subdivision Regulations as well as the Development Intensity Designations.

Platting and Subdivision Regulations:

MBA Pierce requests that **§13.04.165** be more clearly defined. The proposed additions to **§13.04.165** state, "Pedestrian-scale lighting shall be required when deemed appropriate for residential subdivision/short subdivisions." This language leaves an opening for interpretation as to what/who gets to deem what pedestrian-scale lighting is appropriate. Code language relating to street lighting, currently in place under this section, makes reference to being installed in accordance with the Illuminating Engineering Society Standards. By directly referencing this standard it defines what is appropriate and MBA Pierce would suggest that a similar reference to standards be in place for pedestrian-scale lighting.

In **§13.04.090 D**, it is proposed that public notice be required for five to nine lot short subdivisions. MBA Pierce realizes this is current practice for formal subdivisions. However, as Tacoma amends its short plat lot numbers to allow up to 9 lots, this amendment the City of Tacoma would, to MBA's knowledge, be the only jurisdiction within Pierce County that requires public notice for a short plat of any size.

The proposed changes of the appeals process described in **§13.04.095**, which allow for an aggrieved party to file an appeal, would also be uncommon in comparison to the practices of other jurisdictions within the county.

Under **RCW Chapter 58.17 (Plats-Subdivisions-Dedications)** there is no reference to the need for public notice, or this type of appeal, for a short plat. MBA Pierce requests that both be removed from Tacoma's proposed amendments.

www.mbapierce.com

On page 314 of the staff report, there is the statement that applicants are required to demonstrate why public or private access cannot be aligned with the surrounding street system for pedestrian, bicycle and vehicular connectivity. This reference applies to a previous draft of the ordinance and is not applicable to the current draft.

Land Use Designations:

Shifting from the current land use intensities to specific designations is a substantial undertaking. While the reclassifications proposed in this year's amendment (phase 1) are not contentious, phase 2 will result in substantial public concerns. Phase 2 will take a very intricate, and visible, process to reclassify the designations due to the expansiveness of uses allowed under the current land use intensities. The possibility of inadvertently "downzoning" properties (i.e., reducing/narrowing the highest and best allowed uses on a piece) by placing more narrow designations upon them could substantially effect what type of development would occur on properties that were purchased with the current wide range of allowable uses in mind. As phase 2 progresses, MBA Pierce requests to be considered a stakeholder and will provide comments as appropriate.

Thank you once again for your consideration of these comments. If you have any questions feel free to contact me at 253-272-2112 ext. 101.

Sincerely,



Shawn Hoey
Government Affairs Manager

Cc: Tina Lee, Vice Chair
Erle Thompson, Commissioner
Theresa Dusek, Commissioner
Benjamin Fields, Commissioner
Lihuang Wung, Planning and Development Services
Brian Boudet, Planning and Development Services
Cheri Gibbons, Planning and Development Services

Scott Winship, Commissioner
Mark Lawlis, Commissioner
Sean Gaffney, Commissioner
Matthew Nutsch, Commissioner

From: Zenta [<mailto:zenta@reinvest.com>]
Sent: Tuesday, March 12, 2013 3:27 PM
To: imunce@cityoftacoma.org
Subject: Public Hearing of 3/20/13

Hello Mr. Munce;

Anderson Highrise LLC currently owns a building on 710 S Fawcett and we received a notice of public hearing. We are wondering if this will affect their property in any way pertaining to the height of the building or such?

Thank you for your time.

*Zenta Jones
Assistant to
Debbi Anderson
Real Estate Investment Services
4427 6th Ave
#102
Tacoma, WA 98406
253-752-9742*

From: Jim Lake
Sent: Mar 29, 2013 10:56 AM
To: Don Erickson , Sean Gaffney , Scott Winship
Cc: rcoleman@dpearson.com, David Rietmann , Rose Lincoln Hamilton , Amy DeDominicis , Carl Teitge , Robert Thoms , Keith Stone , Marilyn Strickland , Ricardo Noguera , TC Broadnax , Victoria Woodards , Ryan Mello , David Boe
Subject: Tacoma Waterfront Design Guidelines

Don Erickson
Chairman
Tacoma Planning Commission
747 Market Street
Tacoma, WA 98402

RE: Annual Amendment to the Comprehensive Plan

Dear Mr. Erickson & Commission Members:

Our city desperately needs to pay more attention to the way it looks. To grow in the future, we need to be attractive.

Our waterfront is our showpiece. Every effort must be made to enhance it and to emphasize pedestrian access to it. This starts with the planning process.

Please use your best efforts to insure that Tacoma's long term future includes a pedestrian friendly waterfront from Dome to Defiance.

--

James E. Lake
916 Stadium Way, Tacoma, WA 98403

From: Shirley Read
Sent: Mar 29, 2013 11:14 AM
To: Don Erickson , Sean Gaffney , Scott Winship
Cc: Ron Coleman , David Rietmann , Rose Lincoln Hamilton , Amy DeDominicis , Carl Teitge , Robert Thoms , Keith Stone , Marilyn Strickland , Ricardo Noguera , TC Broadnax , Victoria Woodards , Ryan Mello , David Boe
Subject: Waterfront Zone Plan

We are writing in reference to the draft Tacoma Waterfront Design Guidelines and request that you include our comments in the public comment record.

We live in the historic Stadium Neighborhood and our home is listed in the city of Tacoma Historic Homes Register. (the Samuel Lavroff Home.). We have invested time and thoughtful consideration into our environment and now we request that you do the same for our beautiful waterfront.

DO NO HARM: Do not negate the Tacoma city council's adopted Shoreline Master Plan and National Oceanographic and Atmospheric Administration definition of our waterfront area in the S-6/S-7 Shuster Parkway Transition Zone. It should NOT be zoned for active Industrial use. It should keep alive the vision of a Dome to Defiance WATERFRONT Walkway, respecting the very special wildlife and natural resources which make our city of Tacoma so unique.

Please listen. Please decide to be good stewards of our waterfront. Please, do no harm.

Sincerely,
Shirley and John Read

From: David E. Rietmann

Sent: Thursday, March 28, 2013 10:43 AM

To: Don Erickson; Sean Gaffney; swinship@harbournet.com; tlee@piercetransit.org; theresahenson@hotmail.com; bfields@blrb.com; mnutsch@hotmail.com; mclawlis@msn.com; Ricardo Noguera; TC Broadnax; David Boe; Ryan Mello; Victoria Woodards; Marilyn Strickland; Robert Thoms; Ian Munce J.D. AICP

Subject: RE: Public comment - Tacoma Waterfront Design Guidelines draft in the Comprehensive Plan amendment needs accurate definitions that support public access

I appreciate the opportunity to speak at the recent public hearing. As I stated, the map on page iv and the second bullet on page 9 of the subject Draft Guidelines states, "Schuster Parkway shoreline: Comprised of the S-7 and S-6/7 Shoreline Districts" both do not correctly describe the Commission and the City Councils intentions.

These two pages tell me that the staff ignores the Planning Commission clear recommendation to the City Council which was that Sperry Dock should be part of the S-6. The Council decided to create the S-6/7. However, **the Council in no way suggested that the S-6/7 is at all associated with the S-7. In fact, the Council clearly stated that Layberthing is now a nonconforming use.**

The S-6/7 must stand on its own and the Guidelines that apply to the S-6 must apply to the S-6/7.

In my opinion, this is the only outcome that is congruent with the Planning Commissions original and well reasoned recommendation and the City Council's action.

For the record, I include my letter to the Mayor and City Council which I presented to the Commission at the recent meeting. As background for the commission, I have also included my letter to the Commission prior to its final report.

Respectfully Submitted

David Rietmann

David E. Rietmann
725 N Stadium Way
Tacoma, Washington 98403
Tel: 253-680-3298

November 27, 2011

Office of the Mayor & the City Council
City of Tacoma
745 Market Street
Tacoma, Washington 98402

Honorable Mayor and Members of the City Council:

The City of Tacoma Planning Commission ("Commission"), with a unanimous vote, sent their proposed amendments to the Tacoma Shoreline Master Program to the City Council ("Council") with the recommendation that the Sperry Dock and its related property ("Sperry") be zoned S-6. This recommendation was made with full and complete knowledge of all issues that the Council has heard at recent public hearings. I would like to address two of the issues that seem to be the most talked about at these hearings.

Deep Water: The fact that deep water is present at Sperry is a coincidence of nature, not a requirement of the facility. A century ago, when Sperry was built, ships at the time were small. At that time, even a fully loaded ship did not need much more water depth than the empty ships that currently sit idle there today--the Marad ships are currently drawing about 22 feet at the bow. In fact, Sperry has probably never utilized its deep water.

To my knowledge (and I have a clear view of the ships) during the past two decades there has never been a loaded ship at Sperry. In fact, ships are generally put into long term lay-up both empty and with limited amounts of fuel because fuel is very expensive and, like cargo, fuel can deteriorate over time.

When fully loaded ships arrive at the Port of Tacoma ("Port"), they lay at anchor in Commencement Bay to await their unloading berth. These loaded ships are fully crewed and have short waits so there is no motivation to pay fees for a shore side berth. The ships that do lay at anchor for extended periods of time are empty bulkers waiting their turn to load at Temco. Laying at anchor for such ships is a common industry practice.

Will there ever be ships loading or discharging cargo at Sperry? I submit to you that the answer to this question is no. Cargo operations require substantial shore side infrastructure. In fact, Sperry says that it doesn't have enough land for a 15-foot esplanade. This all leads to the simple conclusion

that while Sperry Dock has deep water, it has never needed deep water and the lay berthing business for which it is permitted does not require deepwater because ships are not put into long-term layup status loaded with cargo.

Jobs: The most vocal spokespersons for jobs have been longshoremen. *Webster's II New College Dictionary* defines a longshoreman as, "A dock worker who loads and unloads ships." The jobs related to loading and unloading ships are a function of the location of the cargo, which is almost always a full facility dock in the Port (or some other port in the world where the intended cargo is located). Cargo is not loaded or unloaded at Sperry Dock because Sperry has no shore side infrastructure as discussed above.

So, with longshoremen jobs being a function of cargo location, not a function of Sperry specifically, why are there so many longshoremen at Council meetings talking about jobs? Was any impartial professional study work on the issue of ILWU jobs entered into the Commission record? I have seen none. My conclusion is that when you don't have any real meaningful facts, your best option is to turn up the volume and repeat your position loudly and often. If friends of Sperry do this enough they hope that the fainthearted will succumb.

The Commission concluded, "That there was available capacity in the S-10 Shoreline District for future water-oriented port, terminal and industrial uses requiring deep water access" This S-10 deep water in turn can attract cargo that creates the jobs that ILWU members perform. To re-populate downtown, Tacoma needs to clean itself up and Sperry is part of the required clean up because, as the Commission correctly concluded Sperry is the "...book end to the Ruston Way Shoreline District..." In short, Sperry is not the beginning of the Port. Temco, located three-quarters of a mile from Sperry on land owned by the Port, is the natural beginning of the Port.

The Commission has fully vetted the Sperry issue (see Attachment 1). For this Council to second-guess the Commissions findings of fact and recommendations because of intimidating body count and loud volume of voice will be governance at its worst. I urge each of you to accept the unanimous recommendation of the Commission and zone the entire Sperry property S-6. I also endorse Amendment No. 4 that recognizes Temco's important role as an industrial site and active export terminal.

Sincerely,



Cc: City Manager

Attachment 1

area-wide zoning reclassifications in association with, or independent of, proposed amendments to the Comprehensive Plan.

94. Area-wide zoning reclassifications are subject to review based on the amendment procedures and the review criteria contained in TMC 13.02.053.3. Proposed reclassifications are required to meet at least one of the six review criteria to be considered by the Planning Commission.
95. In conjunction with the proposed environment designations, the Planning Commission recommends that the boundaries of shoreline zoning districts be aligned with the proposed designation boundaries to achieve consistency of intent, use allowances, marine buffer standards, and implementation of the designation policies.
96. Having reviewed the public comment on the proposed draft, the Planning Commission recommended several modifications to their initial proposal. In their review of the public comments, the Commission considered changes to both the environment designations and shoreline districts simultaneously in order to ensure consistency between the purposes and policies of the designations and the implementing intent and use and development standards of the shoreline districts. The Commission's modifications included:
- **S-3 Western Slope North**: The Commission found that the S-3 Western Slope North Shoreline District would be appropriately designated as 'natural' rather than the proposed 'urban-conservancy.' In support of this finding, the Commission reviewed information from the Inventory and Characterization Report that identified this shoreline area as having active feeder bluffs, geologically hazardous areas, vegetated steep slopes, and marine riparian vegetation along the ordinary high water mark, as well as public comments.
 - **S-7 Schuster Parkway**: Based on the review of public comment and with consideration given to the characteristics of the Schuster Parkway shoreline, including existing uses, water depths, topography, proximity to residential neighborhoods, and upland land supply, the Commission directed staff to expand the 'urban-conservancy' designation to the southern boundary of the Sperry Ocean Dock property. At their meeting on July 20, 2011 the Commission made the following findings in support of this recommendation:
 - That the area had deep water access and was suitable for uses requiring access to deep water; and
 - That deep water is available throughout the Ruston Way shoreline and Commencement Bay and not exclusively in the S-7 Shoreline District; and
 - That giving priority to water-dependent uses and, in particular, uses that require deep water, does not inherently require that the City give preference to Port, Terminal and Industrial related uses; and
 - That water-oriented commercial uses are similarly permitted in the S-6 Ruston Way Shoreline District and the S-7 Schuster Parkway Shoreline District; and
 - That special consideration could be given to water oriented commercial uses requiring deep water in that portion of the S-6; and
 - That there was available capacity in the S-10 Shoreline District for future water-oriented port, terminal and industrial uses requiring deep water access; and

- That existing uses as well as uses that could be allowed under the High Intensity S-7 Schuster Parkway District, with a permitted height allowance of up to 100', did have and would continue to have impacts on public views from nearby public parks and open spaces; and a substantial number of residences; and
- That height allowances in the S-6 Ruston Way Shoreline District of 35 feet would serve to minimize future view impacts; and
- That the Sperry Ocean Dock site was a logical 'book end' to the Ruston Way Shoreline District as it is separated from the activity at TEMCO by the BNSF railroad which is located immediately adjacent to the ordinary high water mark between Sperry Ocean Dock and TEMCO; and
- That TEMCO was a high intensity port-related use and was appropriately designated High Intensity and retained in an S-7 Schuster Parkway Shoreline District; and
- That consideration should be given to the long-term goals and aspirations of the community as expressed in the public comment; and
- That re-designating a portion of the S-7 district from High Intensity to Urban Conservancy was consistent with the designation criteria under WAC and that the overall approach to balancing different shoreline designations adequately and reasonably provided for the protection of natural areas, the reservation of a sufficient land supply necessary to accommodate future water-dependent and related uses, and the reservation of shoreline areas for water-enjoyment activities.

- **S-8 Thea Foss Waterway:** The Planning Commission reviewed the public comments on the proposed Downtown Waterfront Designation and the implementing S-8 Thea Foss Waterway Shoreline District and found that a boundary change was appropriate. The Commission determined that the E 3rd Street right-of-way is an appropriate boundary for the northeast corner of the S-8 Foss Waterway Shoreline District.

97. The Commission finds that the area-wide rezones and concomitant changes to the shoreline environment designation boundaries are necessary to implement the Comprehensive Plan. The proposed amendment includes a new environment designation system, developed in accordance with WAC 173-26-211(5). The WAC requires specific use and development standards per designation. The City of Tacoma uses specific shoreline zoning districts to implement the use and development policies associated with the designations. Therefore, in updating the designation system, the shoreline zoning districts must also be updated to be consistent with the permitted uses and associated development standards.

98. The following table summarizes the shoreline areas proposed for re-designation and the related area-wide rezones:

Rick Rose
915 N Stadium Way
Tacoma, WA
253-227-9307

March 29, 2013

Don Erickson
Chairman
Tacoma Planning Commission
747 Market Place
Tacoma, WA 98402

Re: Annual Amendment to the Comprehensive Plan (Shoreline Design Element)

Dear Chairman Erickson:

The Shoreline Design Element speaks of the decades old idea of a continuous pedestrian walkway from the Tacoma Dome to Pt. Defiance, also known as Dome to Defiance, which is absolutely grand the City is incorporating this vision for the citizens of Tacoma. The Shoreline Design Element document is a culmination of a great deal of work and time from City staff.

However, I feel the Shoreline Design Element (SDE) falls short in a 1.5 mile segment of this seven mile long journey.

How? There are a couple of ways SDE erodes the vision. First, the document speaks of integrating Schuster Parkway corridor into the adjacent hillside neighborhood. If you read between the lines, it is indicating the re-opening of the Bayside Trail as a waterfront trail. The Bayside trail is nothing more than an urban hiking trail with steep pitches, wetland problems, obstructed view, homeless encampments, drug dealing, prostitutions, high school drinking parties, etc. Even during good economic time, the City let the Trail fall into severe disrepair that even the most courageous were frightened away. Eventually, the Tacoma Police had the Trail closed due to a preponderance of illegal activities and Public Works put up chain link fencing to keep citizens out.

If this trail was such a great idea people would have flocked to it in droves when it opened and with their regular presence would have kept the illegal activities away.

The inclusion of integrating the hillside neighborhood is nothing more than making policy courtesy of a couple of property owners lobbying the City to not provide public access to the waterfront. One of the owners agreed in the late 1980's to provide public access on site when pressured by the City.

I have had discussions with a couple of City staff members about the Bayside Trail and I was given the impression the re-opening of the Bayside trail was being pushed and with no real public input.

State and City documents clearly talk about waterfront public access as being "to and along the water's edge". The Bayside Trail does not meet these criteria nor could it meet ADA requirement, have sufficient room for multi-types of human powered activities, and the ability to meet anti-crime guidelines with good site lines.

To give one a sense of the public's desire for a walkway to and along the water's edge, one should travel to the Chinese Reconciliation Park. Two years ago when I was monitoring the Tahoma Salt Marsh there were no trails from the Chinese Reconciliation Park to the Salt Marsh. Today, there are well worn paths on both side of the Salt Marsh because of people's desire to experience more of the Commencement Bay waterfront.

Secondly, the SDE segments up the waterfront in the traditional Ruston Way, Schuster Parkway, Thea Foss, etc, which makes the document fall short of the vision of looking at the Commencement Bay waterfront as one single pedestrian waterfront. Everything on the south side of Commencement Bay should be examined through a single lens of pedestrian activities and not what is in businesses are in place today. If the Planning Commission had done the same with Ruston Way's deep water back in the 1980's, Ruston Way as we know it today would never have been built. The City must think forward a generation with a vision of what if access to the waterfront was available.

The SDE contains a comment of the S-6/S-7 transitional zone as having active industry within it, which is not true. The single property is Sperry Ocean Dock and the site does not currently manufacture a single product. It has not done so since the 1970's. The inclusion of such a description codifies the 1940's shoreline use. The industrial comment should be removed from the document.

I think there should also be the inclusion of a citizen panel recommendation that would review building permits and opportunities within the Commencement Bay shoreline area to make sure the City staff is reviewing applications correctly. Toronto has such a citizen's advisory board in place and doing great work.

A true waterfront esplanade is one where all ages, healthy or not, using different modes of human powered transportation that is "to and along the water's edge" should be a guiding vision for the full seven mile experience from the Dome to Defiance. It is a place where everyone feels safe to stroll, bike, rollerblade, etc at all hours of the day. It will be the jewel of the City.

Thank you for your consideration.

Sincerely,

Rick Rose
Vice-President
Walk the Waterfront

From: Steve Schain <steveschain@harbornet.com>
Sent: Mar 29, 2013 8:08 PM
To: knute000@sprynet.com, smgaffney@earthlink.net,
swinship@harbornet.com, tle@piercetransit.org,
theresahenson@hotmail.com, bfields@blrb.com, mnutsch@hotmail.com,
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Marilyn.Strickland@cityoftacoma.org, robert.thoms@cityoftacoma.org,
imunce@cityoftacoma.org
Cc: Steve Schain-Harbornet <steveschain@harbornet.com>
Subject: 2013 Annual Comprehensive Plan Amendments

I just want to endorse the comments in the letter by Rick Rose addressed to Don Erickson dated March 29th, 2013. Tacoma is extremely fortunate to have one of the most potentially fabulous waterfronts of any city in the country. The vision of a continuous waterfront walkway from the Dome to Point Defiance needs to be pursued, knowing now that funds are not available to do everything that we could envision. The recommendation from a group of students who spent a day studying the waterfront was to develop an elevated walkway over the railroad tracks. Councilman David Boe had an option of an elevated walkway along Shuster Parkway. The Coy plan, incorporated into the proposed amendments takes us away from the waterfront an onto an unsuccessful Bayside Trail that will not be accessible, or safe, or a true waterfront experience. I have walked the High Line in New York City. It has transformed that area of Manhattan. We can transform Tacoma by addressing the 1.5 mile bottleneck the stands in the way of the continuous waterfront trail that citizens of this city have talked about and dreamed about for several decades. Finally, we need to understand that thinking about the S6/S7 as an industrial area represents an outdated understanding and appreciation of the need to protect residential neighborhoods, specifically the Stadium district. At one time ships in the current location of Sperry Ocean dock did not present a serious problem in that they were much smaller and frequently put out to sea. We need to recognize that our times have changed. Our vision needs to change to reflect a newer understanding and appreciation of what a pedestrian friendly continuous waterfront walkway could do to make this a more attractive and liveable city.

--

Steve Schain, Ph.D, CPG
420 N Stadium Way
Tacoma, WA 98403
(253) 961-7593
steveschain@harbornet.com

From: lkeithstone@comcast.net

Sent: Mar 29, 2013 12:51 PM

To: Don Erickson

Cc: Strickland Marilyn , TC Broadnax , rRooguera@cityoftacoma.org, Sara clair

Subject: Tacoma Waterfront Design Guidelines

Don Erickson
Chairman
Tacoma Planning Commission
747 Market Street
Tacoma WA. 98402

RE: TWDG Amendment to the Comprehensive Plan

Dear Mr. Erickson and Commission Members:

I am writing to you today for all the members that own property and businesses in the Dome District of Tacoma. We are asking you to REJECT the TWDG Amendment to the Comprehensive Plan because it does not support the TSMP adopted zoning, or public access to Washington's waters, or sound economic development, or planning for an attractive city.

The Dome to Defiance WATERFRONT Walkway has been in written plans since the 80s.

I myself called on ASARCO and Dickman Mill for sales of products. Look at that area now. The taxes and jobs plus the wonderful place Ruston Way is today for city citizens and a large surrounding population is outstanding. It is truly an economic engine for Tacoma and a great heart felt place to be. Thanks to earlier city planners for site.

The jobs, purchasing and leases from the moored ships and Sperry Mill can never begin to bring to Tacoma what a Waterfront Walkway to Point Defiance can bring if you think of all the businesses that can be along that stretch from the Dome to Defiance.

Building this development along the water gives back to the many not the few.

Thank you for reading this from our members and once again please vote NO on this backward moving Amendment.

Respectfully, L. Keith Stone
President, Dome District

Carl D. Teitge
815 N. Stadium Way
Tacoma, Washington 98403
253-377-0492
Teitge@comcast.net

City of Tacoma

RE: Amendments to the Comprehensive Plan, PAAL and the Tacoma Waterfront Design written comments after the March 2013 public hearing

My observation is that these documents are killing the connection not making the connection from Downtown and the Thea Foss to Pt. Defiance.

There is no bold demand in these new documents that the Tacoma Dome to Pt. Defiance universally accessible pedestrian link from the Tacoma Dome to Pt. Defiance be completed. What happened? Where is the passion? This should be the number one priority of the City of Tacoma when it comes to Shoreline access. Where is it? It should be front and center in these documents. We are giving up access all over the Port of Tacoma why give it up here?

Where are the priorities set? Be bold! These pretty new words, phrases and pictures fail to convey any sense of urgency, importance or bombast to Tacoma of completing the waterfront access that can accommodate all people from the Thea Foss Waterway and Downtown Tacoma to the Ruston Way and Pt. Defiance walkways. Many of the plans like the Dome to Defiance that have been created over many decades of citizen and public officials input appear to get lost in these new proposals. I see no point to eliminating these prior plans without a driving force of commitment to replace them.

Tacoma's waterfront is the most important destination and source of pride for the citizens of Tacoma. The last link would allow all of our trails and paths to lead from our highest density downtown areas to the recreational areas and the neighborhoods. Can you imagine the possibilities? Where are the dreams for Tacoma? Where is the unrelenting focus to send all of the available funding to this waterfront link?

While I almost never agree with the phrase that "Build It They Will Come" it has been true for the Tacoma waterfront. The more access we have built since the early 1980's the more recreation has occurred and the more demand it has created. This was not true for building escalators, parking garages with street level parking not shops, new street scapes or the un-build of urban renewal. None of these created a good punch to the Tacoma ego or business climate.

Where do these plans/documents state there is no alternative to this pedestrian waterfront link from Downtown to Defiance?

There are blockers to this link in these documents. I see them in the Planning Staff work. Why does the planning staff seem to adopt these non-alternatives and scare tactics? Why are the blockers given prominence in these documents without serious question? The blockers are constantly presented by BNSF, Sperry Ocean Dock and Tempco and their main allies the Port of Tacoma, the Chamber of Commerce and the Longshore Union.

The first blocker presented by the “blockers” in the unchallenged, unproven and unlikely statements is that there are alternatives. The impossible alternatives are the Bayside Trail and the Garfield Gulch. The Bayside Trail is not an option. It is not even open at this time. In my opinion it will never be opened but if it is it will not be improved due to environmental limitations. There a seasonal stream that runs down the middle of the path that is asphalted in the decline to Stadium High School. There are path improvements that would be needed that are in wetlands and buffers. Ask the environmental and public works staff. The Bayside Trail will never be a practical pedestrian descent into Garfield Gulch and to the waterfront. It is a Billy Goat trail with water, fallen trees, seasonal streams, wetlands and buffers. These accesses will never go from the waterfront near the downtown and back to the water for any extensive or ADA compliant use.

Just get out as a group or separately and try to walk it especially in the winter or spring. Try to get your grandmother down to the water from Garfield Gulch or the Bayside Trail walking or in a wheel chair. This is not a waterfront alternative. It is a waste of money. The staff does not want to address the reasons why the Bayside Trail failed. Please do not repeat them.

None of the public officials should shirk the responsibility of trying to walk the Bayside Trail and the trails in Garfield Gulch before they vote on these proposals. This is just too important to Tacoma. The same is true of the sidewalk on Shuster Parkway. Walk from Old Town to the City. The sidewalk is narrow and against a bank in its most dangerous parts. The cars come at you back at 40 to 60 or more miles per hours. I prefer the railroad to cars at 60 miles per hour. At the least the trains are supposed to run on tracks.

When there are no alternatives for public access, the power given to the Hearing Examiner in these documents to eliminate public access for safety issues is too broad. This power allowed in these in these documents without more direction and limitation is not justified.

What is the safety issue? In the S-6/7 and S-7 the “blockers” demand removal of access for safety issues. The railroad is the most stated safety issue. Why? In this area the use of the railroad tracks along the water are for storage not the main line high speed movement. Safety along the water is nothing like the danger of standing to cross the tracks at N. Mc Carver and Ruston Way when a train is passing. If there is a high speed railroad derailment there, or coming out of the Ruston elevated track at the tunnel, the Ruston Way walk or the sidewalks in the Thea Foss the railroad cars will not stop until they reach well beyond the pedestrian areas. This is more dangerous than the siding track.

The same is true of “blockers” comments that the railroad cars do not allow police visibility of the crime that could be committed behind these cars. Well try visibility or access for police on the Bayside Trail or the Garfield Gulch. This has been a problem since the Bayside Trail was opened in 1973. This is why the trail is closed. Ask the police.

The next issue is that the “blockers” want this area designated industrial. Well things change. Please plan for Tacoma's future not just today.

The Sperry Ocean Dock has gone from a vibrant functioning flour mill with the factory along the tracks and over the vehicle roadway, with railroad cars going up the Bayside Trail, with frequent shipping to using a very small portion of the old dock where any industrial activity occurs only on the ships. There is no land available. What is next for Sperry? There is no land all the way to Tempco. At one of the hearings one official from Tempco stated that a small increase in price of doing business in Tacoma could end its business or move it to another area. Believe him. You will not see as many railroad cars sitting with the recent Great Plains drought.

The next objection from the “blockers” is loss of jobs. One company filling the Russell Building would create more jobs for Tacoma than anything along the Schuster Parkway. If the waterfront walks extension helped create those jobs in the Russell Building it would be a victory for Tacoma. If history is our lesson the jobs at Sperry if lay berthing changes or methods of shipping grain change again as they did in Tacoma’s waterfront warehouses may disappear or relocate.

The jobs loss claim is of very limited scope. More jobs could be created along the S-6/7 to S-7 if the present occupants left just as when Ruston Way industry left. If the jobs claim fails the resistance to the waterfront trail fails badly. Preservation of the deep water is not as important as it was even 25 years ago. We as taxpayers in Tacoma have created a very large Port of over 2000 acres. This created a huge boost in Longshore and other jobs. We created railroads and highways in the Port. We dredged waterways. The cranes are almost to Fife. We took the bridge out over the Blair waterway. We built SR 509. We are giving the Port the east side of the Thea Foss and very limited shoreline access in almost all of the former Puyallup River floodplain. The functions of industry in the S-6 to S-7 could be accommodated in the Port. Why does Tacoma allow the Port, the Longshore Union, and the Chamber of Commerce without challenge make its unreasonable claim to everything they want. This group seems to shill for the out of town owners who do not care about Tacoma. These are the Sperry Ocean Dock, the BNSF and Cargill/Tempco. The S-6/7 and S-7 are a miniscule area downtown Tacoma needs compared to the main Port operation we have granted them. The current occupants can’t be forced to leave but none of them is remotely accommodating to the benefit of waterfront access.

The S-6/7 and S-7 will follow industrial history of the S-6 Ruston Way.

The changes in the last 40 years particularly the last 25 years have been dramatic. Pioneers came to the waterfront. Coming from the ASARCO smelter Price architects built over the water office space. The Boge Building was built over water. It was recently remodeled into Class A office space. The Lobster Shop is on the Bayshore Boat Locker site. The tackle shop is the adjacent office building. Cadigan’s Mill became boat storage and is now a park. Les Davis Pier

was built. Clinkerdagers (now Dukes) was built .The Fireboat Station is now vacant but will be reused. Katy Downs was built. Cl Shenanigans and the Ram Pub are built where Cummings Boat Building was located. Harbors Light was an early and very popular pioneer. The Dickman Mill with it three story conical wood incinerator that lit the night sky burned and exists only as pilings and a park. The Silver Cloud was built on the site of a 1970's restaurant that was built too low and the high tides damaged it. The Top of the Ocean exists as piling after the Carbone Gang burned it in 1976. Ocean Fish is really old and when we had lots of salmon they were delivered there. The Old Town Dock is restored. Jack Hyde Park was a vacant industrial site. Chinese reconciliation Park and the Salt Marsh were Tacoma Boatbuilding's gunboat facility after it was a mill. How did this happen in my lifetime?

The stunner is the ASARCO (an employer of my grandfather, father, uncle and mother) is now the Pt. Ruston mixed use site with gorgeous waterfront access to Pt. Defiance from the Salt Marsh. How did we get this opportunity? Hurray! Thanks McBride and Cohen (MC Construction).

All of the businesses that I have mentioned from the Smelter to Sperry Ocean Dock or into the Thea Foss where we now have public access have failed because the business climate changed for them. No one in the City of Tacoma forced these closings. Beyond Sperry to the Thea Foss the same is true for the coal loading docks, the warehouses on the Thea Foss, the coal gasification plant, the concrete plant and Albers Mill.

No one forced the discontinuation of the use of the deep water use of the shoreline from the smelter to the end of the Thea Foss. The business community and Port of Tacoma was not up in arms about these closures and removal of shipping opportunities on what was then the deep water. We did lose jobs and we gained jobs.

I have watched downtown and the waterfront for over 60 years. I was the first Baby Boomer born in Tacoma January 1, 1946. I love the parks. I love to walk. I love the waterfront. I fished almost every day in the summer and fall from Pt. Defiance, to Old Town and the Puyallup River. I love the changes and what they have brought. I would love to see downtown Tacoma come alive again like it was until 1964. It is depressing to walk downtown now and see all of the business that I can remember gone. I want new ones back.

I think the only way we are going to see a vibrancy again is to invest in a better place for citizens to live and to fosters the new businesses not just the ones from the past. We need to stop the gimmicks of the past (escalators, parking garages and urban renewal) and focus on creating a residential vibrancy and friendliness to business.

Please plan to and do open the waterfront access from the Dome to Pt. Defiance. This can create pride and emotional energy for the residents of Tacoma and potential business investors. I can't imagine what a major business looking at the Russell Building would think when they ask why the waterfront has not been opened to Ruston Way and the City Council told them the Port of Tacoma, the Longshoreman's Union and the Chamber of Commerce lobbied to block that 2 mile access for the workers and residents of downtown at the request of out of town owners.

The thought would probably be like are you nuts! Why would I want to come here? These are the jobs you want to inspire not defeat.

My passion is to walk from Owen Beach to the Tacoma Dome on the waterfront walk at least once in a lifetime in Tacoma. If I have wait much longer the second best passion would be to have my grandchildren push me in a cart on the ADA compliant waterfront walk.

Very Truly Yours,

Carl D. Teitge

March 13, 2013

Lihuang Wung,
Planning and Development Services Department
Planning Services Division
747 Market Street - Room 345
Tacoma, WA 98402

Re: 2013 Annual Amendment

Dear Mr. Wung:

Sent by email: lwung@cityoftacoma.org

Are the proposed Amendments to “intensity designations” fundamental to a broader initiative, including future Amendments, that would allow the permitted intensity or density within Mixed Use Centers or Shoreline Districts to be increased or decreased through code authority, including staff discretion?

If so, I would appreciate getting more information about the larger picture, including the timeline.

Thank you.

Sincerely,

Kenneth A. Thiem
kthiem27@gmail.com
6277 119th PI SE
Bellevue, WA 98006



City of Tacoma
Planning Commission

Donald Erickson, Chair
Tina Lee, Vice-Chair
Theresa Dusek
Benjamin Fields
Sean Gaffney
Mark Lawlis
Matthew Nutsch
Erle Thompson
Scott Winship

April 17, 2013

Honorable Mayor and Members of the City Council,

On behalf of the Planning Commission, I am forwarding our recommendations on the proposed amendments to the Comprehensive Plan and Land Use Regulatory Code for 2013 (the "2013 Annual Amendment"), which encompass the following significant actions and intents:

1. Strengthen the regulatory standards for drive-through facilities and reduce their impacts;
2. Better define digital signs (electronic changing message center) and establish standards pertaining to hours of operation, height, size limitation, and brightness;
3. Increase the maximum short subdivision size from four to nine lots and improve associated standards to facilitate an expedited permitting process and increase development opportunities;
4. Develop the Tacoma Waterfront Design Guidelines and the Public Access Alternatives Plan as primary implementing strategies for the Shoreline Master Program;
5. Simplify the Comprehensive Plan land use designation system to better align the designations for Mixed-Use Centers, shorelines and other uses of land with their corresponding zoning classifications;
6. Streamline the legislative processes for the adoption and amendment of the Comprehensive Plan, area-wide rezones, moratoria, and interim zoning;
7. Review the Comprehensive Plan to ensure its consistency with the Countywide Planning Policies;
8. Update the unfunded transportation projects to maintain their funding eligibility and incorporate "environmental justice" in transportation policy provisions to be consistent with VISION 2040; and
9. Clean up the Land Use Regulatory Code to address inconsistencies, correct minor errors, and improve administrative efficiency.

These proposed amendments are the result of intensive analyses, thorough research, and rigorous deliberations performed by the Planning Commission and City staff over the past eight months. Extensive outreach efforts have been conducted to engage stakeholders, interested parties and concerned citizens, and to ensure early and continuous public participation in the review process. The Planning Commission also held a public hearing on March 20, 2013 to solicit public comments on the proposed amendments.

Enclosed is the "*Planning Commission's Findings and Recommendations Report, April 17, 2013*" that summarizes the proposed amendments, the public review process, and the Planning Commission's deliberations. The Planning Commission believes the 2013 Annual Amendment will help achieve the City's strategic goals for a safe, clean and attractive community and a diverse, productive and sustainable economy. We respectfully request the City Council adopt the 2013 Annual Amendment as recommended by the Planning Commission.

Sincerely,

Donald K. Erickson, AICP, Chair
Tacoma Planning Commission

Enclosure



**2013 ANNUAL AMENDMENT
TO THE COMPREHENSIVE PLAN AND LAND USE REGULATORY CODE**

DRAFT

TACOMA PLANNING COMMISSION
FINDINGS AND RECOMMENDATIONS
FOR PLANNING COMMISSION’S REVIEW ON APRIL 17, 2013

A. SUBJECT:

Proposed amendments to the Comprehensive Plan and Land Use Regulatory Code for 2013 (the “2013 Annual Amendment”).

B. SUMMARY OF PROPOSED AMENDMENTS:

The 2013 Annual Amendment Package includes the following nine applications:

Application *	Description
1. Drive-Through Regulations (Application #2013-01)	Creating additional development standards for drive-throughs in the city, with a particular focus on Downtown and Mixed-Use Centers (A private application by Jori Adkins, Dome District Development Group).
2. Countywide Planning Policies (Application #2013-02)	Review of the 2012 Updates to the Pierce County Countywide Planning Policies for consistency with the City’s Comprehensive Plan.
3. Transportation Element (Application #2013-04)	Updating and reprioritizing unfunded projects and incorporating “Environmental Justice” into relevant policies (per VISION 2040).
4. Shoreline Related Elements (Application #2013-05)	Rescinding the Thea Foss Waterway Design and Development Plan, the Ruston Way Plan, and the Shoreline Trails Plan, but carrying forward the vision and implementation strategies within the proposed Tacoma Waterfront Design Guidelines and an update of the Public Access Alternatives Plan.
5. Land Use Designations (Application #2013-06)	Revising the Comprehensive Plan’s land use designation approach from the current Land Use Intensities to a more simplified and easily understood classification system.
6. Adoption and Amendment Procedures (Application #2013-07)	Amending TMC 13.02 to streamline the Planning Commission’s processes for Comprehensive Plan amendments, area-wide rezones, moratoria, and interim zoning.
7. Platting and Subdivision Regulations (Application #2013-08)	Amending TMC 13.04 to increase the maximum short plat size from four to nine lots (per RCW) and address associated regulatory requirements.
8. Sign Regulations (Application #2013-09)	Amending the Sign Code to address on-site digital signage and various sign related issues (per request of the Planning Commission).
9. Regulatory Code Cleanup (Application #2013-12)	Amending various sections of the Land Use Regulatory Code to correct minor errors, provide additional clarity, and improve administrative efficiency.

* There are three applications that have been removed from the package and are being conducted according to their own respective schedules; they are #2013-03 Container Port Element, #2013-10 Affordable Housing, and #2013-11 Trail-Oriented Design Standards.

C. FINDINGS OF FACT:

1. Comprehensive Plan and Development Regulations – The Comprehensive Plan, adopted in 1993 by Ordinance No. 25360 and amended by ordinance once every year thereafter, 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. Planning Mandates and Guidelines** – 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);
 - VISION 2040, the Growth Management, Environmental, Economic, and Transportation Strategy for the Central Puget Sound Region (adopted on April 24, 2008 and amended on May 28, 2009);
 - Transportation 2040, the action plan for transportation in the Central Puget Sound Region (adopted on May 20, 2010);
 - The Countywide Planning Policies for Pierce County;
 - The City Council's guiding principles for planning the future growth: (1) to protect neighborhoods, (2) to protect critical areas, (3) to protect port, industrial and manufacturing uses, and (4) to increase densities in the downtown and neighborhood business districts (Resolution No. 37070, December 19, 2006); and
 - TMC 13.02 concerning the procedures and criteria for amending the Comprehensive Plan and development regulations and for area-wide zoning reclassifications.

- 3. Receipt and Review of Applications** – Twelve applications were submitted to the Planning Commission by the deadline of June 29, 2012 for consideration. The Commission conducted an assessment of the applications in July 2012 and approved the Assessment Report on August 1, 2012. As noted above (in the section of Summary of Proposed Amendments), three applications were removed in December 2012 from the annual amendment package. The Commission reviewed technical analyses of the remaining nine applications at its meetings on September 19, October 3, November 7, and December 5 & 19 of 2012, and January 16, and February 6 & 20 of 2013. A staff analysis report was prepared for each application, documenting how the respective proposed amendment was analyzed against the ten criteria as set forth in TMC 13.02.045. An economic impact assessment of each amendment was also provided. On February 20, 2013, the Commission authorized the distribution of the 2013 Annual Amendment Package for public review and set March 20, 2013 as the date for a public hearing.

- 4. Public Outreach Efforts** – Staff has conducted extensive outreach efforts to ensure early and continuous public participation in the amendment process. The outreach efforts ranged from providing overviews of the proposed amendments and the process and timeline to neighborhood councils and interested entities, to meeting with stakeholders and applicants to address particular issues and suggestions. The entities that staff has approached and worked with include, but are not limited to: Dome District Development Group, Port of Tacoma, Blue Ribbon Panel, MetroParks Tacoma, Chamber of Commerce, Sustainable Tacoma Commission, Foss Waterway Development Authority, Bicycle and Pedestrian Action Committee, Neighborhood Business District Associations, Master Builders Associations of Pierce County, Neighborhood Councils and Community Council, as well as the City's Public Works, Police, Legal departments and Tacoma Public Utilities.

- 5. Public Hearing Notification Process:**
 - (a) The public hearing was set for March 20, 2013, and the record was kept open through March 29, 2013 to receive written comments. Staff also scheduled an Informational Session on March 13, 2013 for citizens to learn more about the proposed amendments and ask questions.
 - (b) The notice of the Public Hearing and the Informational Session was disseminated widely as described below:

- **Public Hearing Notice** – A notice announcing the public hearing on March 20th and the informational session on March 13th was distributed to the City Council, Neighborhood Councils, business district associations, civic organizations, environmental groups, the development community, the Puyallup Tribal Nation, adjacent jurisdictions, major employers and institutions, City and State departments, the Tacoma Public Library, and other known stakeholders and interested entities. The distribution reached over 200 individuals via US mail and over 350 individuals via e-mail.
 - **Special Notice** – The 2013 Annual Amendment includes proposed changes in the Comprehensive Plan land use designations for all Mixed-Use Centers and Shoreline Districts (Application #2013-06). TMC 13.02.057 requires that, for such changes, a special notice of public hearing should be mailed to all property taxpayers within, and within 400 feet of, the subject areas. A special notice postcard was mailed to nearly 14,000 property taxpayers identified from the records of the Pierce County Assessor-Treasurer. The special notice was also sent to the above-mentioned e-mail recipients for their information.
 - **Public Notice Signs** – Also pursuant to TMC 13.02.057, public notice signs were installed in the Mixed-Use Centers and Shoreline Districts, one in each center and four in the shoreline areas, with a total of 21 signs.
 - **Library** – The public hearing notice and the summary of the 2013 Annual Amendment were also made available for patrons’ review at all eight branches of the Tacoma Public Library.
 - **News Media** – An advertisement was placed in The News Tribune on March 8, 2013; a legal notice regarding the environmental determination was placed in the Tacoma Dailey Index on March 6, 2013; and an e-mail news release, “Tacoma News”, was issued through the City’s Media and Communications Office on March 6, 2013.
 - **60-Day Notices** – A “Notice of Intent to Adopt Amendment 60 Days Prior to Adoption” was sent to the State Department of Commerce on March 5, 2013 (per RCW 36.70A.106), to the Puget Sound Regional Council on March 11, 2013 (per the Plan Review Requirements and Process in VISION 2040), and to Joint Base Lewis-McChord on March 5, 2013 (per RCW 36.70A.530(4)). A similar notice was also sent to the City of Tacoma Attorney’s Office on March 11, 2013, requesting legal review to ensure that none of the proposed amendments would result in an unconstitutional taking of private property (per RCW 36.70A.370).
 - **Website** – The public hearing notice and all information associated with the 2013 Annual Amendment are posted on the Planning Services Division’s website at www.cityoftacoma.org/planning (under the link to “2013 Annual Amendment”).
- (c) **Environmental Review** – Pursuant to WAC 197-11 and Tacoma’s SEPA procedures, a Preliminary Determination of Environmental Nonsignificance (DNS) was issued on February 22, 2013 (SEPA File Number SEP2013-40000195799), based upon a review of an environmental checklist. The DNS and the environmental checklist were provided or made available to appropriate entities that had received the public hearing notice. No comments were received through the comment period ending on March 29, 2013, and the DNS became final on April 5, 2013.
- (d) **Public Review Document** – The complete text of the proposed amendments, the associated staff analyses, the DNS and the environmental checklist, and relevant background information were compiled into a Public Review Document. The document was made available for public review at the office of the Planning and Development Services Department. Its availability was also announced to appropriate entities that had received the public hearing notice.

6. Public Hearing Comments and Responses:

- (a) In response to the request for review of the proposed amendments for potential takings, the City’s Attorney’s Office indicated that the proposed amendments should not cause a substantial concern over potential takings.
- (b) As of the day of this report, no comment has been received from the State, PSRC, or JBLM.

- (c) The Informational Session on March 13, 2013 was attended by 10 citizens.
- (d) At the public hearing on March 20, 2013, 7 people testified. By the close of the comment period on March 29, 2013, 20 letters and e-mails were received. The public comments were concerning the following issues: Drive-Through Regulations (Application #2013-01), Shoreline Related Elements (#2013-05), Land Use Designations (#2013-06), Platting and Subdivision Regulations (#2013-08), and Sign Regulations (#2013-09). In addition, some modifications were initiated by staff concerning the Adoption and Amendment Procedures (#2013-07). An overview of the key issues reflected in public comments was provided to the Commission on April 3, 2013.
- (e) Staff prepared a Public Comments and Staff Responses and Suggestions Report, which summarized public comments and staff's responses, and where appropriate, staff's suggested revisions to the 2013 Annual Amendment Package. The Commission reviewed the report on April 17, 2013, concurred with most of staff's suggested revisions, and provided additional modifications. In summary, the Commission determined that additional modifications be made to the 2013 Annual Amendment Package, as described below:
- Amend TMC 13.06.510 and 13.06A, concerning drive-through standards, to better clarify, reword, and reorganize proposed code language as well as incorporate illustrations into the draft code.
 - Amend TMC 13.06.510 and 10.14, concerning drive-throughs and driveways, to remove redundancies within each code section.
 - Amend the Tacoma Waterfront Design Guidelines to improve consistency with the intent for the adopted S-6/7 Schuster Parkway Transition Shoreline District as described in the Shoreline Master Program.
 - Amend the Public Access Alternatives Plan to improve consistency with the intent for the adopted S-6/7 Schuster Parkway Transition Shoreline District as described in the Shoreline Master Program.
 - Amend TMC 13.06.521 to increase the transition time between messages on digital changing message center signs and make refinements to the sign variance section.
 - Amend TMC 13.02.045, concerning the deadline for submitting annual amendment applications, to replace the fixed deadline with a flexible one to be established by the Department for any given year when the annual amendment process is in effect.
 - Amend TMC 13.02.057, concerning the public information signs for proposed amendments to land use designations or area-wide rezones, to require such signs only for those proposed amendments that are within a focused geographic area.

D. CONCLUSIONS:

1. Concerning Application #2013-01 Drive-through Regulations, the Planning Commission concludes that the proposed amendments to TMC 13.06.510, 13.06A, 13.06.510 and 10.14 to update drive-through and driveway standards will significantly strengthen the code restrictions on drive-through facilities in order to prevent or reduce their potential impacts; will provide better consistency with the City's vision for pedestrian-friendly, walkable communities; and will allow predictability and flexibility in the development process for such uses. The Commission also believes the proposed amendments have adequately addressed the concerns of the applicant.
2. Concerning Application #2013-02 Countywide Planning Policies (CPPs), the Planning Commission concludes that the Comprehensive Plan is consistent with the CPPs; that there are opportunities to strengthen the Comprehensive Plan's language pertaining to such policy issues as affordable housing, urban design, health, and sustainability; and that these issues should be incorporated in the scope of work for the "2015 Comprehensive Plan Update".
3. Concerning Application #2013-04 Transportation Element, the Planning Commission concludes that the proposed update of the unfunded project lists and the incorporation of "environmental justice" in

the policy provisions have properly reflected the community's desire, will position the City well for potential funding opportunities, and are aligned with the regional vision as set forth in VISION 2040.

4. Concerning Application #2013-05 Shoreline Related Elements, the Planning Commission concludes that the proposal to rescind three outdated shoreline related elements of the Comprehensive Plan and adopt the Tacoma Waterfront Design Guidelines (TWDG) and the Public Access Alternatives Plan (PAAL) as implementing strategies for the Shoreline Master Program (SMP) will improve the attractiveness, use and overall quality of development within the shoreline, and result in an enhanced, interconnected public access system that provides an attractive amenity for the recruitment of business and residents to the City of Tacoma. The Commission acknowledges that TWDG and PAAL should be adopted concurrently with the adoption of the SMP, which is pending the conclusion of review and decision from the Department of Ecology.
5. Concerning Application #2013-06 Land Use Designations, the Planning Commission concludes that the proposed removal of the "intensity" designation from all Mixed-Use Centers and Shoreline Districts and the proposed new framework of land use designations will better align the land use designations for Mixed-Use Centers, Shorelines and other uses of land with their corresponding zoning classifications and will achieve a more simplified and easily understood land use designation and classification system.
6. Concerning Application #2013-07 Adoption and Amendment Procedures, the Planning Commission concludes that the proposed amendments to TMC 13.02 will enhance the working relationship between the City Council and the Planning Commission and streamline the adoption and amendment processes for the Comprehensive Plan and its elements, area-wide rezones, moratoria, and interim zoning. The Commission also acknowledges that its duties and responsibilities as set forth in TMC 13.02.040 are under the purview of the City Council, therefore the review of those provisions has been conducted strictly within the context of streamlining the process and the proposed amendments thereto are not intended to effectuate any change in substance.
7. Concerning Application #2013-08 Platting and Subdivision Regulations, the Planning Commission concludes that the proposed amendments to TMC 13.04 and 13.05 to increase the maximum short subdivision size from four to nine lots and address associated regulatory requirements will increase development opportunities, improve predictability by requiring infrastructure investments up-front, and facilitate an expedited permitting process and potentially lower development costs.
8. Concerning Application #2013-09 Sign Regulations, the Planning Commission concludes that the proposed amendments to the sign regulations (TMC 13.06.521) will better define digital signs (electronic changing message center) and adequately address associated standards, including those pertaining to hours of operation, height, size limitation, and brightness.
9. Concerning Application #2013-12 Regulatory Code Cleanup, the Planning Commission concludes that the proposed clarifications and refinements to the Land Use Regulatory Code will adequately address inconsistencies, correct minor errors, and improve provisions that, through administration and application of the Code, are found to be unclear or not fully meeting their intent.
10. The Planning Commission further concludes that the proposed amendments to the Comprehensive Plan and Land Use Regulatory Code, as described above, are consistent with the Growth Management Act, will benefit the City as a whole, will not adversely affect the City's public facilities and services, and are in the best interests of the public health, safety and welfare of the citizens of Tacoma.

E. RECOMMENDATIONS:

The Planning Commission recommends that the City Council adopt the proposed amendments as described above and as set forth in the following document, as attached:

- *Comprehensive Plan and Land Use Regulatory Code – Proposed Amendments for 2013, Planning Commission Recommendations, April 17, 2013*

(Staff Note: The above document will be compiled upon the Planning Commission's approval of this Draft Findings and Recommendations Report. To facilitate the Commission's review of this draft report, the following exhibits are attached. These exhibits illustrate the additional changes proposed to the 2013 Annual Amendment Package after the public hearing process in March 2013.)

F. EXHIBITS:

- Exhibit A. Additional Code Changes (TMC 13.06 and 13.06A – Drive-throughs)
- Exhibit B. Additional Code Changes (TMC 10.14 – Driveways)
- Exhibit C. Additional Code Changes (TMC 13.06 – Sign Regulations)
- Exhibit D. Additional Code Changes (TMC 13.02 – Adoption and Amendment Procedures)
- Exhibit E. Additional Plan Changes (Tacoma Waterfront Design Guidelines)
- Exhibit F. Additional Plan Changes (Public Access Alternatives Plan)



2013 Annual Amendment Application No. 2013-01
Drive Throughs

Exhibit A

DRAFT LAND USE REGULATORY CODE CHANGES
April 17, 2013

*Note – These amendments show all of the changes to the *existing* land use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that is deleted is shown in ~~strikethrough~~. Changes made since the Public Hearing have been **highlighted**.

13.06 – Zoning

13.06.200 Commercial Districts.

Uses	T	C-1	C-2 ¹	HM	PDB	Additional Regulations ^{2,3} (also see footnotes at bottom of table)
Drive-through with any use	N	N	P	N	N	Prohibited in any commercial district combined with a VSD View-Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area). <u>Subject to the requirements of TMC 13.06.513.</u>

13.06.300 Mixed-Use Center Districts.

Uses	NCX	CCX	UCX	UCX-TD	RCX ¹	CIX	HMX	URX	NRX	Additional Regulations ^{3,4,5} (also see footnotes at bottom of table)
Drive-through with any use	P	P	P	P	N	P	P*	N	N	See Section 13.06.510 Table 2 for additional driveway and drive-through standards and restrictions. Within the “UCX – TD” District, drive-throughs are required to be located entirely within a building. * In the HMX District, drive-throughs are only allowed for hospitals and associated medical uses. <u>All drive-throughs are subject to the requirements of TMC 13.06.513.</u>

13.06.400 Industrial Districts.

Uses	M-1	M-2	PMI	Additional Regulations ¹
Drive-through with any permitted use	P	P	P	<u>Subject to the requirements of TMC 13.06.513.</u>

13.06.510 Off-street parking and storage areas.

TABLE 2 – Parking in Mixed-Use Center Districts	
Development Standards – Driveways. Driveways shall be located and developed in a manner that recognizes the overall goals for promoting pedestrian activity over vehicle orientation. They shall be limited in size and number and located in the preference order described below:	
Driveway location	<ol style="list-style-type: none"> 1. Driveways shall be located from an alley when suitable access is available, such as an abutting right of way that is or can practicably be developed. 2. When suitable alley access is not available, driveways shall be limited to the lowest classified roadway adjacent to the site (non-designated street, designated pedestrian street, designated core pedestrian street) 3. Projects that utilize an alley for vehicle access and cannot practicably limit vehicular access only to the alley, shall also be allowed to have additional vehicular access from abutting non-designated pedestrian streets. 2. Driveways shall be located as close as practical to the property line most distant from any street intersections. Location shall be subject to the approval of the City Traffic Engineer. <p style="background-color: yellow;">Driveways shall meet the location requirements of TMC 10.14.050.</p>

Development Standards— Drive-throughs in Mixed-Use Centers. The following standards apply to drive-throughs located in Mixed-use Centers. See Section 13.06.300.D for permitted zones.	
<ol style="list-style-type: none"> 1. Driveways that directly connect to any drive through shall not be allowed along a designated pedestrian street or designated core pedestrian street 2. Drive through driveways and stacking lanes must be located at least 150 feet from any bus stop or transit center, as measured along the curb line between the driveway and the bus stop or transit center 3. All vehicle use areas associated with a drive through shall be located at the side or rear of the building 4. Drive through windows shall not face a designated pedestrian street and stacking areas shall not lie between a building and a designated pedestrian street 5. Drive through stacking lane(s) and service window(s) shall be designed and screened from the view of adjacent properties with landscaping and/or structures 6. Pedestrian paths that cross a drive through aisle shall use a raised platform and be marked with symbols, signage and/or special painting. 7. Within Mixed-Use Centers, drive throughs shall be limited to 1 stacking lane maximum unless the portion with multiple lanes is fully screened from public view. 8. Drive through uses that are not located within a building are prohibited from locating within 100 feet of a light rail station or streetcar station 9. Driveways are also subject to the standards contained in Section 13.06.510 	

13.06.513 Drive-throughs

A. Purpose. The regulations of this section are intended to allow for drive-through facilities while mitigating potential negative impacts they may create. Of special concern are noise from idling cars and voice amplification equipment, aesthetics, and queued traffic interfering with on-site and offsite traffic and pedestrian flow. The specific purposes of this section are to:

- Reduce noise and visual impacts on abutting uses, particularly residential uses;
- Promote safer and more efficient on-site vehicular and pedestrian circulation;
- Promote a pedestrian-oriented environment;
- Reduce conflicts between queued vehicles and traffic on adjacent streets.

B. Applicability. The regulations of this section apply only to the portions of the site development that comprise the drive-through facility. The regulations apply to new developments, the addition of drive-through facilities to existing developments, and the relocation of an existing drive-through facility. Drive-throughs are not permitted in some zoning districts—see the permitted uses tables for the applicable zone. Where they are permitted, drive-through facilities are still not **always feasible**; the size or dimensions of the site, or the size and location of existing structures may make it impossible to meet the regulations of this section.

C. Standards. A drive-through facility is composed of two parts—the stacking lanes and the service area. The stacking lanes are the space occupied by vehicles queueing for the service to be provided. The service area is where the service occurs. In uses with service windows, the service area starts at the service window. In uses where the service occurs indoors, the service area is the area within the building where the service occurs.

1. The following standards apply in all zones where drive-throughs are permitted.

a. Pedestrian streets (includes all TMC pedestrian street designations), and transit stops:

- (1) Driveways that directly connect to any drive-through shall not be allowed along a pedestrian street, light rail or streetcar street.
- (2) Driveways that directly connect to any drive-through must be located at least 150 feet from any transit stop, as measured along the curb line between the driveway and the stop. Exceptions to this requirement shall be processed in accordance with TMC 10.14.030.B.7.
- (3) Exterior drive-through windows shall not face a designated pedestrian, light rail or streetcar street, and stacking areas shall not lie between a building and such a street.

b. Setbacks and Landscaping.

- (1) Exterior service areas and stacking lanes, except for vehicle access crossings, must be set back a minimum of 5 feet from street frontages. In some cases, a greater setback may be necessary to meet other standards such as Landscaping.
- (2) Exterior stacking lanes and service areas shall provide a minimum 3 foot landscaped buffer along sides which do not abut the building. The buffer must be landscaped with **at least** Type D Landscaping. Alternatively, on sides that do not front on streets, the buffer width may be reduced to 1 foot and improved with a vegetated wall at least 6 feet in height. **The required** buffer may be interrupted by structures or for vehicle or pedestrian access crossings.
- (3) Where perimeter strips or buffers are otherwise required, they may also satisfy these requirements. The greater of the buffer, setback or perimeter areas shall apply.

(4) All required landscaping must be maintained consistent with the provision of TMC 13.06.502.

c. Vehicular and pedestrian circulation.

- (1) Adequate stacking lane capacity must be provided to serve the proposed development on-site. Stacking spaces shall be a minimum ten (10) feet in width and eighteen (18) feet in length. The City Engineer, or designee, shall make a determination regarding the number of stacking spaces required. In

pedestrian oriented areas including Downtown and X Districts, this determination shall reflect the overall goals of promoting pedestrian activity over vehicle orientation.

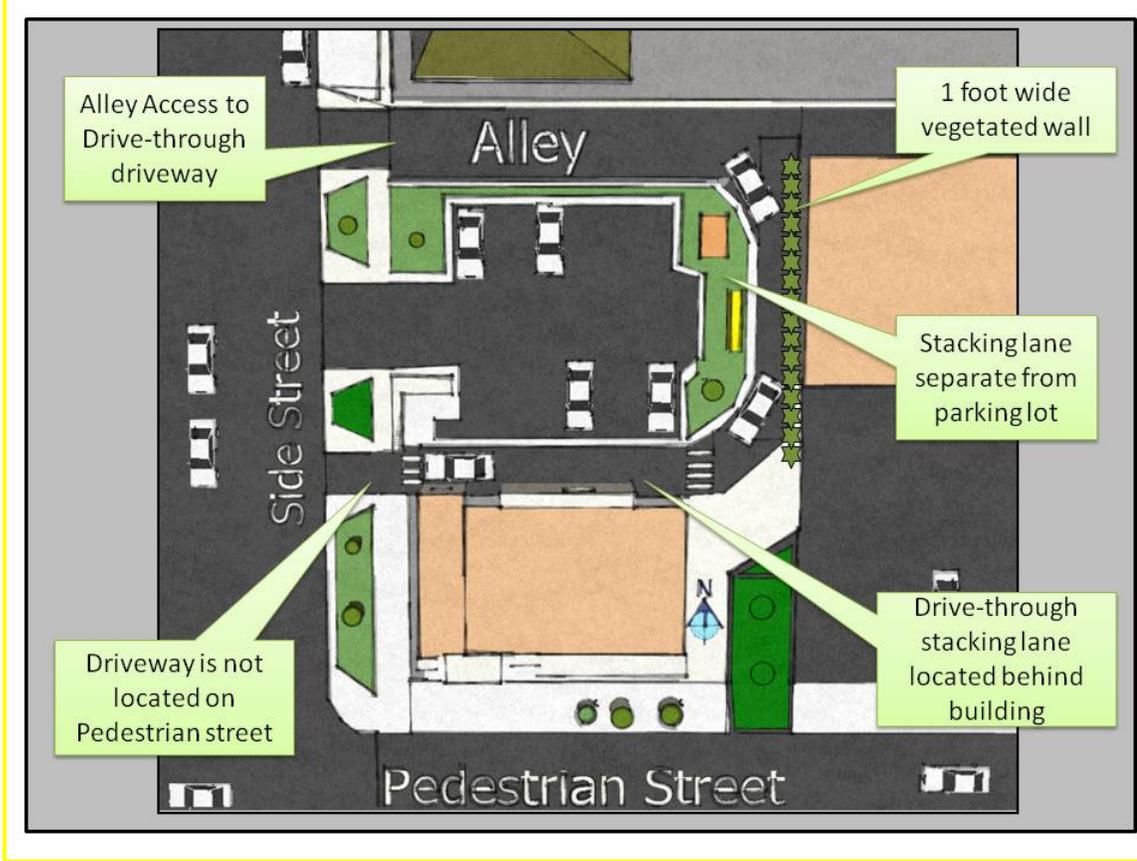
- (2) Stacking lanes must be designed so that they do not interfere with parking and vehicle circulation. Stacking lanes must be separated from traffic aisles, other stacking lanes, and parking areas.
 - (3) Pedestrian paths that cross a drive-through aisle shall use a raised platform and be marked with symbols, signage, **separate material**, and/or special painting.
 - (4) The drive-through shall not impede pedestrian or vehicular movement within the right-of-way. Drive-through driveways shall be designed to ensure adequate pedestrian visibility as vehicles cross sidewalks.
 - (5) Driveways are also subject to applicable standards of TMC 10.14, TMC 13.06.510 and TMC 13.06A.070.
- d. Noise and trash receptacles.
- (1) Noise from amplified speakers shall be minimized through means such as orientation, volume control, and sound buffers or barriers. In addition, amplified speakers shall not be audible from abutting residential uses.
 - (2) A trash receptacle shall be provided adjacent to the drive-through aisle in order to reduce the potential for littering.
2. The following additional standard applies in Downtown Districts and within the UCX-TD District.
- a. Drive-throughs and associated stacking lanes shall be located entirely within buildings.



Example of a drive-through within a structure

3. The following additional standards apply in X Districts where drive-throughs are permitted:
 - a. All exterior vehicle use areas associated with a drive-through shall be located at the side or rear of the building.
 - b. Drive-through stacking lanes and service windows shall be **fully** screened from the view of adjacent properties and the public right-of-way with landscaping and/or structures.
 - c. Within NCX Districts, exterior drive-through stacking lanes may be no closer than 25 feet to the property frontage of a designated pedestrian, light rail or streetcar street.
 4. Drive-throughs accessory to existing use. Drive-through eating and drinking establishments (such as coffee stands) located in the C-2, CCX, M-1, M-2, and PMI Districts and that are accessory to an existing use, utilize existing driveways, and do not include a permanent foundation or similar

permanent improvements, are not required to provide landscaping or separation along the stacking lane(s) as would be required by subsections 1.b.(2) and 1.c.(2.), above.



Example drive-through layout

13.06.700 Definitions

Drive-through. A business or a portion of a business where a customer is permitted or encouraged, either by the design of physical facilities or by service and/or packaging procedures, to receive services or partake in business while seated in a motor vehicle in the off-street parking or paved area accessory to the business, while seated in a motor vehicle. This definition does not include uses where the service is not provided while the customer is in the vehicle, such as fueling stations, passenger drop-off/pick-up zones for schools, hospitals, hotels or similar uses.

13.06A.040 Downtown Districts and uses.

C. Downtown Commercial Core District (DCC).

This district is intended to focus high rise office buildings and hotels, street level shops, theaters, and various public services into a compact, walkable area, with a high level of transit service.

1. Preferred – retail, office, hotel, cultural, governmental.
2. Allowable – residential, industrial located entirely within a building.
3. Prohibited – industrial uses not located entirely within a building, ~~drive-throughs~~, and automobile service stations/gasoline dispensing facilities in addition to those noted in TMC 13.06A.050.

D. Downtown Mixed-Use District (DMU).

This district is intended to contain a high concentration of educational, cultural, and governmental services, together with commercial services and uses.

1. Preferred – governmental, educational, office, cultural.
2. Allowable – retail, residential, industrial located entirely within a building.
3. Prohibited – industrial uses not located entirely within a building, movie theaters greater than six screens, and automobile service stations/gasoline dispensing facilities, ~~but are located within 100 feet of a light rail or streetcar street~~, in addition to those noted in TMC 13.06A.050.

E. Downtown Residential District (DR).

This district contains a predominance of mid-rise, higher density, urban residential development, together with places of employment and retail services.

1. Preferred – residential.
2. Allowable – retail, office, educational.
3. Prohibited-industrial, movie theaters greater than six screens, in addition to those noted in TMC 13.06A.050.

F. Warehouse/Residential District (WR).

This district is intended to consist principally of a mixture of industrial activities and residential buildings in which occupants maintain a business involving industrial activities.

1. Preferred – industrial located entirely in a building, residential.
2. Allowable – retail, office, governmental.
3. Prohibited:
 - a. Movie theaters greater than six screens, in addition to those noted in TMC 13.06A.050.

13.06A.050 Additional use regulations.

A. Use Categories.

1. Preferred. Preferred uses are expected to be the predominant use in each district.
2. Allowable. Named uses and any other uses, except those expressly prohibited, are allowed.
3. Prohibited. Prohibited uses are disallowed uses (no administrative variances).

B. The following uses are prohibited in all of the above districts, unless otherwise specifically allowed:

1. Adult retail and entertainment.
2. Heliports.
3. Work release facilities.
4. Jails and correctional facilities.
5. Billboards

6. Drive-throughs not located entirely within a building.

13.06A.070 Basic design standards.

7. New driveways shall meet the driveway location requirements of TMC 10.14.050 and the following additional standards. ~~be located from an alley, court, or street which does not have light rail or streetcar lines or is not designated as a Primary Pedestrian Street. Existing driveways may remain and be maintained. Abandoned driveways shall be removed when required by the Traffic Engineer.~~

~~a. If a driveway is not feasible from a non-designated alley, court, or street, a driveway may be located from a street having light rail or streetcar lines or a designation of Primary Pedestrian Street.~~

~~a. b.~~ Maximum driveway width on a street having light rail or streetcar lines or on a defined Primary Pedestrian Street is 25 feet.

~~b. e.~~ All driveways on a street having light rail or streetcar lines or on a defined Primary Pedestrian Street shall be no closer than 150 feet as measured to their respective centerlines, provided that there will be allowed at least one driveway from each development to each abutting street.

~~c. d.~~ All driveways on a street having light rail or streetcar lines shall be equipped with a sign to warn exiting vehicles about approaching trains.

~~d. e.~~ All driveways located on a Primary Pedestrian Street shall be equipped with audible warning signals to announce exiting vehicles.

~~e. f.~~ No variances shall be granted to this driveway standard.

11. See section 13.06.513 for standards pertaining to drive-throughs.



2013 Annual Amendment Application No. 2013-01
Drive Throughs

Exhibit B

DRAFT DRIVEWAY CODE CHANGES
April 17, 2013

These proposed amendments include modifications to Sections of TMC Title 10, the Public Works Code.

*Note – These amendments show all of the changes to the *existing* land use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that is deleted is shown in ~~strikethrough~~. Changes made since the Public Hearing have been highlighted.

Chapter 10.14 – Driveways

10.14.050 Rules and regulations for driveways.

Every driveway hereafter constructed or altered in street right-of-way shall conform to the following regulations. In cases where driveway provisions exist both in this section and in TMC 13.06, 13.06A or other sections of the TMC, all standards shall apply. If the application of the standards conflict, the more stringent provisions shall apply.

A. Location.

1. No driveway shall be so located as to create a hazard to pedestrians, ~~Pierce Transit~~ public transit bus operations, light rail operations, or motorists, or invite or compel illegal or unsafe traffic movements.
2. Every driveway must provide access to an off-street parking or other vehicular area located on public or private property. Every vehicle entering the driveway must be able to park, stand, or load entirely off the street right-of-way.
3. No driveway shall be allowed to a public or private parking area in conjunction with industrial, commercial, multiple family dwelling, church, or any like use that requires a vehicle to back out on to any street.
4. Unless otherwise approved by the Director of Public Works, all driveways, including the returns, shall be confined within lines perpendicular to the curb line and passing through the property corners.
5. No driveway shall be constructed in such a manner as to be a hazard to any existing street-lighting standard, utility pole, traffic-regulating device, fire hydrant, or other public facility. The cost of relocating any such public facility, when necessary to do so, shall be borne by the applicant. Said relocation of any public facility shall be performed only through the agency holding authority for the particular structure involved.
6. No construction, alteration or repair shall be permitted for any driveway which can be used only as a parking space on street right-of-way or which provides access only to the areas between the street roadway and private property.

7. New driveways shall be located as close as practical to the property line most distant from any street intersections. Location shall be subject to the approval of the City Engineer.

8. New driveways shall be located from an alley or court when suitable access is available, such as an abutting right-of-way that is or can practicably be developed. In the event of site redevelopment, existing driveways would need to be reconstructed to meet current standards. Abandoned driveways shall be removed when required by the City Engineer.

9. When suitable alley or court access is not available, driveways shall be limited to the lowest pedestrian-classified roadway adjacent to the site, as designated in TMC 13.06 (non-designated street, designated pedestrian street, designated core pedestrian street, or Primary Pedestrian Street).

10. Projects that utilize an alley or court for vehicle access and cannot practicably limit vehicular access only to the alley or court, shall also be allowed to have additional vehicular access from abutting non-designated pedestrian streets.

11. Driveways shall be located to reduce the possibility of weaving, lane shifts, or other conflicts in the traffic stream. Existing driveways on both sides of the roadway shall be analyzed to determine proper location for a new driveway. New and reconstructed driveways shall be placed outside the functional area of nearby intersections and driveways. The following shall be used for minimum spacing between driveways and intersections, unless special authorization is given by the City Engineer.

<u>Speed Limit</u>	<u>Functional Classification</u>	<u>Access Spacing (to centerline)*</u>
<u>35-40 miles per hour</u>	<u>All</u>	<u>600 feet</u>
<u><=30 miles per hour</u>	<u>Principal or Collector Arterial</u>	<u>300 feet</u>
	<u>Minor or Unclassified Arterial</u>	<u>150 feet</u>
	<u>Local Street</u>	<u>50 feet</u>

*The spacing standards are for full access. Restricted access (right-in, right-out), shall be half the amount shown in the table above provided that a physical median restricts left turns. No reduction shall be made on local streets, and no reduction shall be made when measuring from highway ramps or existing or planned traffic signals or roundabouts.



2013 Annual Amendment Application No. 2013-09
Sign Code Revisions

Exhibit C

DRAFT LAND USE REGULATORY CODE CHANGES
April 17, 2013

These proposed amendments include modifications to the following Sections of TMC Title 13, the Land Use Regulatory Code

*Note – These amendments show all of the changes to the *existing* land use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that is deleted is shown in ~~striketrough~~. Changes made since the Public Hearing have been highlighted.

Chapter 13.06 - Zoning

* * *

13.06.521 General sign regulations.

* * *

D. Special regulations by type of sign. In addition to the general requirements for all signs contained in this section, and the specific requirements for signs in each zone, there are special requirements for the following types of signs: Wall signs; Projecting signs; Freestanding signs; Electronic changing message center signs; Under-Canopy and Blade Signs; Canopy and awning signs; Temporary signs; Off-premises direction signs; and Billboards.

1. Wall signs:

2. Projecting signs:

3. Freestanding signs:

4. Marquee signs:

5. Under marquee signs:

6. Canopy and awning signs:

7. Temporary signs:

8. Off premises directional signs:

9. Billboards:

The special requirements for these signs are contained in subsections E through M of this section.

* * *

F. Projecting signs. Special regulations governing projecting signs are as follows Note, for purposes of this section, Blade Signs and Under Canopy Signs are not considered projecting signs and thus, are regulated under 13.06.521.I):

* * *

H. ~~(Reserved)~~ Electronic changing message center signs. Electronic changing message center signs may either be attached to buildings or freestanding signs, and in addition to all other applicable sign regulations the following are special regulations governing electronic changing message center signs. When a conflict exists between these regulations and other regulations outlined throughout the sign code, the more restrictive shall apply:

1. Freestanding electronic changing message center signs cannot exceed 15 feet in height. Such signs located on sites defined as a Regional Public Convention & Entertainment Facility and super regional mall sites are exempt from this limitation.

2. One Digital Changing Message Center sign is allowed per site. The maximum allowed sign area for any electronic changing message center sign shall be limited to 75% of the area that would be allowed outright in the zoning district it is located in, or 30 square feet, whichever is less. Such signs located on sites defined as a regional public convention & entertainment facility and super regional mall sites are exempt from this limitation.

3. Electronic changing message center signs shall never flash, flicker, scroll, animate, depict movement or provide video. The frequency of picture/message change for an electronic changing message center sign shall not be less than 12 seconds per message.

4. The brightness of an electronic changing message center sign shall not exceed .3 foot candles over ambient light levels at any given time. Such signs shall be equipped with a sensor and automatic dimmer/light adjuster to ensure compliance with this requirement. When brightness is deemed a traffic safety hazard or is deemed a nuisance, the brightness of such sign shall be reduced to a level determined by the Director.

5. Electronic Changing Message Center signs shall not operate between 10 PM and 6 AM. Businesses located outside of a residential district that are open beyond these hours may have such signs on between 10 PM and 6 AM, but in no instance may such sign be on when the business is closed. Such signs shall be equipped with an automatic timer or sensor that turns the sign off and on to ensure compliance with this requirement. Such signs located on sites defined as a regional public convention & entertainment facility and super regional mall sites are exempt from this limitation.

6. Electronic changing message center signs shall only provide advertising for goods and services that are available on-site. Advertising for other businesses and services that are off-site shall be prohibited.

* * *

I. Under-Canopy and Blade Signs. :

1. Under-canopy signs shall be considered “blade signs” for the purposes of sign area calculation.

2. Each business is allowed one individual blade sign or under canopy sign as-of-right, up to eight square feet in area. Such sign shall not be counted against the business’ allowed sign area.

~~2.3.~~ An under-canopy sign may project the full width of such feature. Such a sign shall not exceed eight square feet in area unless otherwise allowed in the district.

~~3. 4.~~ A blade sign may project a maximum of 3 ½ feet from the building face.

~~4. 5.~~ Both blade and under-canopy signs are limited to a maximum sign thickness of 12 inches.

~~5. 6.~~ Both blade and under-canopy signs must meet all minimum clearance requirements for projecting signs.

~~6. 7.~~ Such signs shall be illuminated only by indirect lighting.

* * *

N. Nonconforming signs. It is the intent of this subsection to allow the continued existence of legal nonconforming signs, subject, however, to the following restrictions:

1. No sign that had previously been erected in violation of any City Code shall, by virtue of the adoption of this section, become a legal nonconforming sign.
2. No nonconforming sign shall be changed, expanded, or altered in any manner which would increase the degree of its nonconformity, or be structurally altered to prolong its useful life, or be moved, in whole or in part, to any other location where it would ~~remain~~ increase its nonconformity. However, a legal nonconforming on-premises sign may be altered if the degree of nonconformity for height and sign area is decreased by 25 percent or greater. Further, a legal nonconforming on-premises sign may be relocated to a different portion of the site so long as it doesn't become further non-conforming to any separation, setback, or location standard. For purposes of this subsection, normal maintenance and repair, including painting, cleaning, or replacing damaged parts of a sign, shall not be considered a structural alteration.
3. Any sign which is discontinued for a period of 90 consecutive days, regardless of any intent to resume or not to abandon such use, shall be presumed to be abandoned and shall not, thereafter, be reestablished, except in full compliance with this chapter. Any period of such discontinuance caused by government actions, strikes, material shortages, acts of God, and without any contributing fault by the sign user, shall not be considered in calculating the length of discontinuance for purposes of this section.
4. Any nonconforming sign damaged or destroyed, by any means, to the extent of one-half of its replacement cost new shall be terminated and shall not be restored.
5. All existing billboards within the City which are not in compliance with the requirements of this section on September 1, 2011, are considered to be nonconforming billboards. In addition to the provisions of TMC 13.06.521 N.6, nonconforming billboards shall be made to conform with the requirements of this section under the following circumstances:
 - a. When any substantial alteration is proposed on a premises upon which is located a nonconforming billboard, the billboard shall be removed or brought into conformance with this section. For purposes of this provision, "substantial alteration" means all alterations within a two-year period whose cumulative value exceeds 200% of the value of the existing development or structure, as determined by the applicable Building Code, excluding purchase costs of the property and/or structure.
 - b. Whenever a building, or portion thereof, to which a nonconforming billboard is attached (such as upon the roof or attached to a wall), is proposed to be expanded and/or remodeled, all nonconforming billboards shall be removed or brought into compliance with this section if the value of the alterations within any two-year period is greater than or equal to 50 percent of the value of the existing building, as determined by the Building Code, excluding purchase costs of the property and/or structure.
6. Amortization. All legal nonconforming billboard signs shall be discontinued and removed or made conforming on or before March 1, 2012, and all billboards, which are made nonconforming by a subsequent amendment to this section, shall be discontinued and removed or made conforming within ten years after the date of such amendment (collectively the "amortization period"). Upon the expiration of the amortization period, the billboard shall be brought into conformance with this section, with a permit obtained, or be removed. Failure to remove a nonconforming billboard by the above date will result in enforcement action being taken pursuant to TMC 13.05.100.

Section 13.06.522.J	DCC, DMU	WR	DR
Signage Allocation			
Total sign area allocation for signs attached to buildings and freestanding signs	Each business, 1-1/2 square feet per 1 foot building or street frontage on which the sign(s) will be located (area is calculated from frontage occupied by the business it identifies).	Same as DCC.	1 square foot per 1 foot of building frontage occupied by the business.
Signs Attached to Buildings			
Maximum number	Each business allowed 2 signs per frontage, but no more than 3 signs total for the business, no maximum number for public facility over 5 acres.	Same as DCC.	Same as DCC.
Maximum area per sign	Non-residential, 150 square feet per sign. Public facility over 5 acres, 300 square feet. Residential, 20 square feet.	Non-residential, 200 square feet per sign. Residential, 20 square feet.	Non-residential, 100 square feet per sign. Residential, 20 square feet.
Minimum sign area	First floor, 30 square feet. Second floor, 25 square feet.	Same as DCC.	Same as DCC.
Wall	Provisions of Section 13.06.521.E shall apply. Shall not exceed 35 feet above grade level, except for 1 corporate logo sign of 150 square feet allowed per building above 35 feet. Public facility over 5 acres not limited to 35 feet above grade.	Same as DCC.	Same as WR, except no corporate logo allowed.
Awning, canopy, marquee, under marquee	Provisions of Sections 13.06.521.H, I, and J shall apply.	Same as DCC.	Same as DCC.
Projecting	Provisions of Section 13.06.521.F shall apply with one per building allowed if no freestanding sign exists on the same frontage, shall not extend above 35 feet. Public facility over 5 acres not limited to 35 feet above grade.	Same as DCC.	Same as DCC.
Blade, under-canopy	Provisions of Section 13.521.I shall apply. 1 per business, shall not exceed 8 square feet per side, shall be illuminated only by indirect lighting, maximum projection of 3-1/2 feet, maximum wide thickness of 12 inches, and shall maintain a minimum clearance of 8 feet above the sidewalk. Area increase of 25% when using symbolic shape, rather than rectangle or square.	Same as DCC.	Same as DCC.
Rooftop signs	Prohibited.	Prohibited.	Prohibited.
Billboards	Prohibited.	Prohibited.	Prohibited.
Freestanding Signs			
Maximum number	1 per street frontage, per site (<u>not use</u>) and no more than 2 per site. 1 per street frontage(s) for public facility over 5 acres.	Same as DCC.	Same as DCC.

Section 13.06.522.J	DCC, DMU	WR	DR
Maximum area per sign	30 square feet. 300 square feet for public facility over 5 acres.	100 square feet.	30 square feet.
When not allowed	When building signage exceeds the sign area limit, not allowed on the same frontage as a projecting sign.	Same as DCC.	Same as DCC.
Maximum height	6 feet. 30 feet for public facility over 5 acres.	20 feet.	6 feet.
Directionals	Shall be limited to 4 feet in height.	Same as DCC.	Same as DCC.
Setback	None, but signs shall be on private property.	Same as DCC.	Same as DCC.
Billboards	Prohibited.	Prohibited.	Prohibited.
Sign Features			
Lighting	Indirect, internal illumination, neon, and bare bulb allowed.	Same as DCC.	Bare bulb illumination prohibited.
Rotating, mechanized	Allowed.	Same as DCC.	Prohibited.
Flashing, animated	Prohibited.	Prohibited.	Prohibited.
Electronic changing message center	Allowed.	Same as DCC.	Same as DCC.
Temporary Signs			
A-boards	± 2 permitted each business, shall not exceed 12 square feet in area nor 4 feet in height and shall not be placed on sidewalks less than 12 feet in width.	Same as DCC.	Same as DCC.
Banners	1 banner per business with a 60 square feet maximum displayed no longer than 6 months per year. Banners for cultural purposes shall not exceed 400 square feet and are not limited in number or duration.	1 banner per business with a 60 square feet maximum displayed no longer than 6 months per year.	Not allowed.
Feather Signs	Prohibited, unless associated with use not located on private property such as food carts or car sharing services. In such instances, only one allowed per business, 12 square feet in area and ten feet in height.	Same as DCC	Same as DCC
Flags	Shall be on private property, no advertising allowed except logos.	Same as DCC.	Same as DCC.
Window signs	Exempt, but shall not exceed 25 percent of the window area.	Same as DCC.	Same as DCC.
Searchlights, beacons	1 allowed per site, displayed no longer than 7 days per year. No restrictions during an event for public facility over 5 acres.	Same as DCC.	Prohibited.
Temporary off-premises advertising signs	Section 13.06.521.C shall apply, except public facility sites in DCC shall be allowed temporary advertising signs of 32 square feet, including banners not to exceed 160 square feet, attached to temporary fencing during the time of construction.	Prohibited.	Prohibited.

Section 13.06.522.K	C-2, CIX, CCX, UCX, UCX-TD, M-1, M-2, PMI	C-1
Signage Allocation		
Maximum total sign area	Wall signage, 1 square foot per 1 linear foot of the building frontage with the public entrance. Freestanding signage, 1 square foot per 1 linear foot of street frontage(s).	Same as C-2.
Signs Attached to Buildings		
Maximum number	3 per business, 25 percent allocation allowed on building wall(s) without a public entrance. (Note: 50 percent is allowed provided only 2 signs are installed at the business.) No maximum number for public facility over 5 acres.	Same as C-2.
Maximum area per sign	200 square feet. 400 square feet for public facility over 5 acres.	100 square feet.
Minimum sign area	Each business allowed 30 square feet regardless of frontage.	Same as C-2.
Wall	Provisions of Section 13.06.521.E shall apply.	Same as C-2.
Awning, canopy, marquee, under-marquee	Provisions of Section 13.06.521.H, I, and J shall apply.	Same as C-2.
Projecting	Provisions of Section 13.06.521.F shall apply, maximum projection 6-1/2 feet. Single business, in lieu of freestanding sign. Multi-business, not allowed.	Same as C-2.
Blade, under-canopy	Provisions of Section 13.521.I shall apply. 1 per business, shall not exceed 8 square feet per side, shall be illuminated only by indirect lighting, maximum projection of 3-1/2 feet, maximum wide thickness of 12 inches, and shall maintain a minimum clearance of 8 feet above the sidewalk. Area increase of 25% when using symbolic shape, rather than rectangle or square.	Same as C-2.
Roof signs	Prohibited.	Prohibited.
Billboards	Allowed only in C-2, M-1, M-2, and PMI. Provisions of Section 13.06.521.M shall apply.	Prohibited.
Freestanding Signs		
Maximum number	1 per street frontage, each 300 feet considered separate street frontage, corner sites require a minimum 300 feet on both frontages for an additional sign.	Same as C-2.
Maximum area per sign	200 square feet (additional 100 square feet allowed for name of shopping center), sites with freeway frontage shall not exceed 75 percent of the maximum allowed. 400 square feet for public facility over 5 acres.	100 square feet.
When not allowed	No freestanding sign shall be on same frontage as a projecting sign.	Same as C-2.
Maximum height	35 feet maximum; signs located 300 feet or less from residential district shall not exceed height of building it identifies. Sign height for site with freeway frontage is prohibited to exceed height of building it identifies. 45 feet for public facility over 5	6 feet for sites with less than 100 feet of frontage, 15 feet for sites with frontage between 100 feet and 300 feet, no sign shall

Section 13.06.522.K	C-2, CIX, CCX, UCX, UCX-TD, M-1, M-2, PMI	C-1
	acres.	exceed the height of the building it identifies.
Directionals	Shall be limited to 4 feet in height, except 15 feet shall be allowed in PMI.	Same as C-2.
Off-premises directionals	Provisions of Section 13.06.521.L shall apply, except 25 square feet shall be allowed in PMI with a maximum height of 15 feet and a maximum number of four per business.	Same as C-2.
Setback	Provisions of Section 13.06.521.G shall apply, minimum 200 feet separation from other freestanding signs, sites with freeway frontage shall locate signs on the abutting parallel frontage, no signs shall be allowed adjacent to the freeway.	Same as C-2.
Billboards	Allowed only in C-2, M-1, M-2, and PMI. Provisions of Section 13.06.521.M shall apply.	Prohibited.
Sign Features		
Lighting	Indirect, internal illumination, neon and bare bulb allowed.	Bare bulb illumination prohibited.
Rotating, mechanized	Allowed.	Prohibited.
Flashing, animated	Prohibited.	Prohibited.
Electronic cChanging message center	Allowed, <u>but prohibited on Pedestrian Streets and Core Pedestrian Streets, as defined in 13.06.300.C and 13.06.200.D.</u>	Same as C-2.
Temporary Signs		
A-boards	1 per business, on private property, 12 square feet per side, 4 feet height.	Same as C-2.
Banners	1 per business, 60 square feet maximum, 6 months per year. Banners for cultural purposes shall not exceed 400 square feet and are not limited in number or duration.	Prohibited.
<u>Feather Signs</u>	<u>1 per 50 feet of street frontage, per site, with maximum of 2 signs per street frontage. Each sign allowed up to 12 square feet in area and ten feet in height. Shall be located on private property.</u>	<u>Same as C-2.</u>
Flags, pennants	Shall be on private property, no advertising allowed, except logos.	Same as C-2.
Window signs	Exempt, but shall not exceed 25 percent of the window area.	Same as C-2.
Searchlights, beacons	One allowed per site, displayed no longer than 7 days per year. No restrictions during an event for public facility over 5 acres.	Prohibited.
Temporary off-premises advertising signs	Provisions of Section 13.06.521.C shall apply, except public facility sites in UCX-TD shall be allowed temporary advertising signs of 32 square feet each, including banners not to exceed 160 square feet, attached to temporary fencing during the time of construction.	Prohibited.

13.06.522.L	T, NCX, URX, Non-Residential Districts with VSD	HM, HMX
Signage Allocation		
Maximum total sign area	1-1/2 square feet per 1 linear feet of building frontage abutting a street frontage, applies to the first 50 feet, with ½ square foot per 1 linear foot of building frontage over 50 feet.	HM and HMX sign regulations for use by hospitals only, all other uses in HM and HMX to follow T sign regulations.
Signs Attached to Buildings		
Maximum number	2 per primary frontage (1 may be ground sign), 1 per perpendicular frontage(s), 1 per alley frontage with a public entrance.	One per elevation.
Maximum area per sign	Shall not exceed size allocation on primary frontage, 50 square feet on perpendicular frontage(s), 25 square feet on alley frontage, 10 square feet on upper story or basement uses.	Identification signs at 75 square feet. Directional signs at 25 square feet.
Minimum sign area	30 square feet, except for upper story or basement uses.	
Wall	Provisions of Section 13.06.521.E shall apply.	Same as T.
Awning, canopy	Provisions of Section 13.06.521.J shall apply.	Same as T.
Blade, under-canopy	Provisions of Section 13.06.521.-I shall apply. Indirect illumination only.	Same as T.
Projecting	40 square feet with frontage of at least 25 feet and not allowed on alleys, provisions of Section 13.06.521.F shall apply.	Provisions of Section 13.06.521.G shall apply.
Roof signs	Prohibited.	Same as T.
Billboards	Prohibited.	Same as T.
Freestanding Signs		
Maximum number	1 per site, sign area shared with building sign allocation (not allowed on an alley).	1 per right-of-way frontage or 1 per access, regardless the number of major accesses on one right-of-way frontage.
Maximum area per sign	30 square feet.	Identification or directory signs at 50 square feet. Directional signs at 25 square feet.
When not allowed	When the building signage has utilized the allowed sign area for wall signage or when a projection sign exists on the site.	N/A.
Maximum height	6 feet.	Identification or directory signs at 15 feet.
Directionals	Shall be limited to 4 feet in height.	Shall be limited to 6 feet in height.
Setback	None, but signs shall be on private property.	Same as T.
Billboards	Prohibited.	Same as T.

13.06.522.L	T, NCX, URX, Non-Residential Districts with VSD	HM, HMX
Sign Features		
Lighting	Indirect, or internal illumination allowed. No bare bulb illumination allowed. All external lighting to be directed away from adjacent properties to minimize effects of light and glare upon adjacent uses.	Same as T.
Rotating, mechanized	Prohibited.	Same as T.
Flashing, animated	Prohibited.	Same as T.
Electronic c Changing message center	Allowed. Prohibited.	Same as T. Allowed, but prohibited on pedestrian streets and core pedestrian streets as defined in 13.06.300.C.
Temporary Signs		
A-boards	1 per business, on private property, 12 square feet per side, 4 feet height.	Prohibited.
Banners, pennants	Prohibited.	Banners allowed at 30 square feet.
Feather Signs	Prohibited, unless associated with use not located on private property such as food carts or caring sharing service. In such instances, only one allowed per business, 12 square feet in area and ten feet in height.	Prohibited.
Flags	Prohibited, except for the national flag, state flag, flags of other political subdivisions.	Same as T.
Window signs	Exempt, but shall not exceed 25 percent of the window area.	Same as T.
Incidental public service signs	Less than 4 square feet, contains no advertising, intended to provide messages such as "no parking," "exit," "entrance," etc.	Same as T.
Searchlights, beacons	Prohibited.	Same as T.

Section 13.06.522.M	PDB	RCX
Signage Allocation		
Maximum total sign area	Single business (wall signs), ½ square foot per 1 linear foot of building frontage.	1 square foot per 1 linear foot of building frontage abutting a street frontage, applies to the first 50 feet, with 1/2 square foot per 1 linear foot of building frontage over 50 ft.
Signs Attached to Buildings		
Maximum number	Single business, 1 per elevation, 2 total. Multi-business, 1 per business.	2 per primary frontage (1 may be a ground sign), 1 per perpendicular frontage(s), 1 per alley frontage with a public entrance.

Section 13.06.522.M	PDB	RCX
Maximum area per sign	Single business, 75 square feet per elevation, total 150 square feet for all signs. Multi-business, 20 square feet.	30 square feet maximum on perpendicular frontage(s), but not to exceed size area allocation, 10 square feet on alley frontage, upper story and basement uses.
Minimum sign area	Single business, 30 square feet each business regardless of frontage. Multi-business, 20 square feet each business regardless of frontage.	20 square feet each business regardless of frontage.
Wall	Provisions of Section 13.06.521.E shall apply.	Same as PDB.
Awning, canopy, under-canopy	Provisions of Section 13.06.521. I and J shall apply.	Same as PDB.
Roof signs	Prohibited.	Prohibited.
Billboards	Prohibited.	Prohibited.
Freestanding Signs		
Maximum number	1 per site (single or multi-business) located in landscaped area.	1 per site (not allowed on an alley).
Maximum area per sign	30 square feet.	25 square feet.
Maximum height	6 feet.	4 feet.
Directionals	Shall be limited to 4 feet in height.	Same as PDB.
Setback	Minimum 5 feet from property lines.	None, but signs shall be on private property.
Billboards	Prohibited.	Prohibited.
Sign Features		
Lighting	Indirect or internal illumination allowed. No bare bulb or neon illumination allowed. All external lighting shall be directed away from adjacent properties to minimize effects of light and glare upon adjacent uses.	Same as PDB.
Rotating, mechanized	Prohibited.	Same as PDB.
Flashing	Prohibited.	Same as PDB.
<u>Electronic c</u> hanging message center	Allowed.	Prohibited.
Temporary Signs		
A-boards	Prohibited.	1 per business, on private property, 12 square feet per side, 4 feet in height.
Banners, pennants	Prohibited.	Prohibited.
Window signs	Exempt, but shall not exceed 25 percent of the window area.	Same as PDB.
<u>Feather signs</u>	<u>Prohibited.</u>	<u>Prohibited.</u>
Flags	Prohibited, except the national flag, state flag, flags of other political subdivisions.	Same as PDB.

Section 13.06.522.M	PDB	RCX
Incidental public service signs	Less than 4 square feet, contains no advertising, intended to provide messages such as “no parking,” “exit,” “entrance,” etc.	Same as PDB.
Searchlights, beacons	Prohibited.	Prohibited.

* * *

13.06.645 Variances

5. Variance to sign regulations.

~~a. Applicability. These variance criteria in subsection b apply to any variance for regulations found in Section 13.06.520, 13.06.521, and 13.06.522, governing signs; except that:~~

~~(1) Sign setback. Variance to sign setback shall be subject to the criteria found in Section 13.06.645.B.1.~~

~~(2) Sign height. Variances to sign height shall, in no instance, allow the height of a sign to exceed 35 feet or allow the height of a sign on a site with freeway frontage to exceed the height of the building on the same site, whichever is lower. A variance to sign height also requires a finding by the Director that special circumstances exist relating to one or more of the following: property location; topography; parcel shape and size; site distance; or limited view to property and sign in question.~~

~~(3) General restriction. The Director may not grant a variance in any instance to allow a sign to exceed an additional 25 percent of the permitted sign size or height. This limitation applies when more restrictive than subsection 5.a.2 above. Standardized corporate design and/or increased development costs are not cause for variance.~~

~~a. Applicability. Variances to sign regulations found in Section 13.06.520, 13.06.521, and 13.06.522 shall be categorized as one of the following:~~

~~(1) Level 1 Sign Variances: Any sign variance request for up to a 25 percent increase in the permitted sign area or height or to allow an increase in the permitted number of signs. Such variance requests shall be reviewed against the criteria outlined in Section 13.06.645.B.5.b. In no instance, shall a Minor Sign Variance allow the height of a sign to exceed 35 feet or exceed the height of the building it identifies if located on a site with freeway frontage, whichever is lower.~~

~~(2) Level 2 Sign Variances: Any sign variance request beyond 25 percent of the permitted sign size or height and any request for relief from sign setback, separation, location, or other sign standard not identified above. Such requests shall be reviewed against the criteria outlined in Sections 13.06.645.B.1.b and 13.06.645.B.3.b.~~

b. Criteria. The Director may approve a sign variance for one or more of the following reasons:

(1) The proposed signage indicates an exceptional effort to create visual harmony between the signs, structures, and other features of the property through the use of a consistent design theme, including, but not limited to, size, materials, color, lettering, and location.

(2) The proposed signage will preserve a desirable existing design or siting pattern for signs in an area, including, but not limited to, size, materials, color, lettering, and location.

(3) The proposed signage will minimize view obstruction or preserve views of historically or architecturally significant structures.

(4) In a shopping center or mixed-use center, the proposed sign plan provides an integrated sign program consistent with the overall plan for the center.

(5) In a shopping center or mixed-use center, the variance is warranted because of the physical characteristics of the center, such as size, shape, or topography, or because of the location of signs in existence on the date of passage of this section

13.06.700 Definitions and illustrations.

* * *

Regional Public Convention & Entertainment Facility. Any facility, funded in whole or part with public funds, which provides convention and/or entertainment services for the greater region. These facilities are typically located on 10 acre or larger sites and are comprised of convention centers, stadiums, or similar facilities.

* * *

Sign, blade. A double-faced sign intended for pedestrian viewing installed no higher than the top of the first floor of a building and generally perpendicular to the building facade for which it identifies.



Sign, feather. A portable freestanding type sign, affixed to a light weight pole, intended to advertise temporary promotions, services, and events.



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



Additional Changes to Tacoma Municipal Code Chapter 13.02

Recommended for Planning Commission’s Consideration on April 17, 2013

Proposed deletions are shown in ~~red strikethroughs~~.
Proposed additions are shown in red underlines.
Additional changes (~~strikethroughs~~ or underlines) are highlighted in yellow.

**Chapter 13.02
PLANNING COMMISSION**

Sections:

- 13.02.010 Creation – Appointment.
- 13.02.015 Establishment of advisory committees.
- 13.02.016 *Repealed.*
- 13.02.020 Meetings – Officers – Records.
- 13.02.030 Expenditures – Budget.
- 13.02.040 Duties and responsibilities.
- 13.02.041 Quorum.
- 13.02.043 Definitions.
- 13.02.044 Comprehensive Plan.
- 13.02.045 Plan adoption~~Adoption-~~ and amendment, ~~and implementation~~ procedures.
- 13.02.050 *Repealed.*
- 13.02.053 Wide area~~Area-wide~~ zoning reclassifications.
- 13.02.055 Moratoria and interim zoning.
- 13.02.057 Notice for public hearings.
- 13.02.060 *Repealed.*

* * *

13.02.045 Adoption and amendment procedures.

A. Adoption and amendment. The Comprehensive Plan, ~~including any of and~~ its elements, and as well as development regulations and regulatory procedures that implement the Comprehensive Plan shall be adopted and amended by ordinance of the City Council. ~~The, following the~~ procedures identified in this section ~~shall be followed to adopt and amend the City’s Comprehensive Plan, including all elements, and to adopt and amend development regulations and regulatory procedures that implement the Comprehensive Plan. Adoption and amendment of the Comprehensive Plan and development regulations must be consistent with the procedural requirements of RCW 36.70A and in compliance with applicable case law.~~

B. ~~When Timing for proposed Amendments amendments Will Be Adopted.~~ All a amendments to the Comprehensive Plan shall be considered ~~concurrently and~~ no more frequently than once each year except that amendments may be considered more frequently under the following circumstances:

1. An emergency exists;
2. The initial adoption of a sub-area plan;
3. The adoption or amendment of a shoreline master program under the procedures set forth in RCW 90.58;
4. The amendment of the capital facilities element of the Comprehensive Plan that occurs concurrently with the adoption or amendment of the City’s biennial budget; or
5. To resolve an appeal of ~~a the~~ Comprehensive Plan ~~filed with~~ decided by the ~~Central Puget Sound~~ Growth Management Hearings Board or a decision of the state or federal courts.

~~The All~~ proposed plan amendments shall be considered concurrently and, as appropriate, along with proposed amendments to development regulations, by the Planning Commission and City Council so that the cumulative

effect of the various proposals can be ascertained. Proposed amendments may be considered annually, for which the annual amendment process shall begin in July of any given year and be completed, with appropriate actions taken by the City Council in accordance with Sections 13.02.045.G and H, by the end of June of the following year.

Amendments proposed to comply with the update requirements of RCW 36.70.A.130 will occur according to the time frames established therein.

C. Applicants of ~~Who may~~ proposed ~~an~~ amendments. A proposed amendment to the Comprehensive Plan or development regulations may be submitted by any private individual, organization, corporation, partnership, or entity of any kind, including any member(s) of the ~~Tacoma~~ City Council or the ~~Tacoma~~ Planning Commission or other governmental Commission or Committee, the City Manager, any neighborhood or community council or other neighborhood or special purpose group, a department or office, agency, or official of the City of Tacoma, or of any other general or special purpose government.

D. Application for proposed ~~Amendment~~ amendments application. Items initiated by the City Council, the Planning Commission, or in the Department's ~~Work Program~~ do not require an application. For all other items, the Department shall prescribe the form and content for applications for amendments to the Comprehensive Plan and development regulations. Application fees shall be as established by City Council action. The Department shall establish an application deadline for submitting a complete application to the Planning Commission, and paying any applicable fee, for amendment to the Comprehensive Plan is 5:00 p.m. on the final business day in June of any given year to be considered in the following when the annual amendment cycle process is in effect. ; however, applications Applications will be accepted at any time—, but ~~Those those~~ applications to amend the Comprehensive Plan received after the ~~above~~ established deadline are less likely to be considered ~~by the Commission for possible consideration~~ in the current annual amendment cycle and are more likely to be considered in a subsequent amendment cycle, unless determined otherwise by the Planning Commission. Applications for ~~a change changing to~~ development regulations or ~~a proposal for an~~ area-wide zoning ~~reclassification classifications~~ which are consistent with the Comprehensive Plan and do not require an amendment to the Comprehensive Plan can be submitted at any time. The application shall include, but not be limited to, the following:

* * *

13.02.057 Notice for public hearings.

A. The Department shall give public/legal notice of the subject, time and place of the Planning Commission, or its advisory committee, public hearings in a newspaper of general circulation in the City of Tacoma prior to the hearing date. The Department shall provide notice of Commission public hearings on proposed amendments to the Comprehensive Plan and development regulations to adjacent jurisdictions, other local and state government agencies, Puyallup Tribal Nation, the applicable current neighborhood council board members pursuant to City Ordinance No. 25966, and other individuals or organizations identified by the Department as either affected or likely to be interested.

B. For Comprehensive Plan land use ~~intensity designation~~ changes, area-wide zoning reclassifications, and interim zoning of an area-wide nature, the Department shall ensure that a **special notice** of public hearing is mailed to all property taxpayers, as indicated in the records of the Pierce County Assessor, within, and within 400 feet of, the subject area.

BC. The Department shall require that for a ~~For a~~ proposed amendment to the Comprehensive Plan land use ~~intensity designations change~~ or ~~an~~ area-wide zoning classifications ~~change~~ within a focused geographical area, the Department shall require a public information sign(s), provided by the Department, is posted on the affected site or sites at least 14 calendar days prior to the Planning Commission public hearing.

C. The sign shall be erected at a location or locations as determined by the Department, and shall remain on site until final decision is made by the City Council on the ~~proposed amendment, land use intensity change or area wide zoning classification.~~ The applicants shall check the sign(s) periodically in order to make sure that the sign(s) remains up and in a readable condition.

D. The sign shall contain, at a minimum, the name of the applicant, a description and location of the proposed amendment, and where additional information may be obtained.

ED. The City Clerk shall give public notice of the subject, time and place of public hearings for actions by the City Council in a newspaper of general circulation in the City of Tacoma prior to the hearing date.

APPLICABILITY

The design guidelines are organized around three primary elements: Public Realm, Site Details and Building Sites. These guidelines apply in distinct ways.

1. Design guidelines associated with the Public Realm and Site Details apply to new public access facilities when required by the Shoreline Master Program and Tacoma Municipal Code 13.10, and for projects identified and implemented under the Public Access Alternatives Plan. In some cases, public access projects may be implemented that are outside the jurisdiction of the Shoreline Master Program, but which further the connectivity of the access system or enhance public views of the water. Where identified in the PAAL, these projects will be subject to design review.

2. The design guidelines associated with Building Sites shall only apply to that area defined as the “Dome to Defiance” Waterfront, from Point Defiance in the north, to the 4th Street Ramp off Schuster Parkway, and continuing onto the east and west sides of the Thea Foss Waterway in the south. The Building Site Element establishes design guidelines to mediate the interaction and relationship between public and private development sites and the integrated public access facilities.

For the purposes of these guidelines, the Dome to Defiance subject area is divided into five distinct subareas:

- o Thea Foss Waterway (which is split into West Foss and East Foss): Comprised of the S-8 Shoreline District
- o Schuster Parkway shoreline: Comprised of the S-7 Shoreline District
- o Schuster Parkway transition: Comprised of the S-6/7 Shoreline District
- o Ruston Way shoreline: Comprised of the S-6 Shoreline District
- o Point Ruston/Slag Peninsula shoreline: Comprised of the S-15 Shoreline District
- o Point Defiance: Comprised of the S-5 Shoreline District

The S-7 and S-6/7 Districts have been separated in these bullet points.

The S-6/7 and S-7 Districts maps have been separated.

S-6/7 Schuster Parkway Transition



Schuster Parkway Transition

The Schuster Parkway Transition Zone (S-6/7) is a newly created zone that takes into account historical uses and provides a buffer between S-6 Ruston Way and S-7 Shuster Parkway zones. The vision for the Transition Zone is to establish a multi-use trail that connects the Ruston Way shoreline and the Thea Foss Waterway; enhance visual and physical access from adjacent hillside neighborhoods to the shoreline; accommodate multiple modes of transportation including bicycle and pedestrian options; incorporate stormwater concerns as a design feature; and include design treatments that promote public safety and legible public spaces. The design of public access facilities should give special consideration to the connectivity and quality of life of the historic neighborhoods, parks, and schools that are in close proximity to the water.



Schuster Parkway

Schuster Parkway has an active industrial area with an existing grain terminal fronting on deep water, with railroad, road and sidewalk. The district is bounded by dense residential neighborhoods, business districts and historic schools. The design vision for the S-7 Schuster Parkway Shoreline District is to establish a multi-use trail that connects the Ruston Way shoreline and the Thea Foss Waterway; enhance visual and physical access from adjacent hillside neighborhoods to the shoreline; accommodate multiple modes of transportation including bicycle and pedestrian options; incorporate stormwater concerns as a design feature; and include design treatments that promote public safety.

SECTION 4

SCHUSTER CORRIDOR

Introduction

The Schuster Corridor is comprised of two shoreline districts, the S-7 Schuster Parkway Shoreline District and the S-6/7 Schuster Parkway Transition Shoreline District. This shoreline ~~district currently contains active industrial uses, including a lay-berth operation and grain terminal, and is an active industrial area fronting on deep water and is~~ bisected by the mainline BNSF railroad. ~~This shoreline is bounded by dense urban neighborhoods and business districts, and boasts outstanding views, schools, and parks in close proximity to the waterfront. The in-water portion of this shoreline is a migratory route for juvenile salmon, a priority species. Current uses include a grain terminal and docking for two military ships.~~

Schuster Corridor The 1.5 mile long district sits between two shoreline districts to the north and south, the Thea Foss Waterway and Ruston Way, that have undergone a transformation from their past industrial character into attractive urban waterfronts lined with parks, and interspersed with restaurants and other uses. It has been a long-term vision to connect these two urban waterfronts with a pedestrian walkway.

The Schuster Corridor presents a major impediment to that vision. The existing industrial uses and railroad prevent/inhibit safe access on the water's edge. The configuration of Schuster Parkway, a multilane arterial providing primary access from the interstate to north end residential areas has no existing sidewalk on the water's side. ~~The Parkway is a highly traveled roadway with a 40 mph speed limit that is not conducive to pedestrian and bicycle use as currently constituted.~~ A sidewalk extends the length of the parkway on the landward side, ~~connecting Pacific Avenue, 4th Street Bridge and North 30th Street. This sidewalk connects Bayside Trails with the Foss Waterway esplanade via the 4th Street Bridge and through downtown using City sidewalks, Fireman's Park and the East 11th Street Bridge, but is not adequate as a multi-use trail facility.~~

Forn

Bayside Trails once offered some excellent views of Commencement Bay, Mount Rainier, and the Cascades. This formal trail system was built in 1975. Construction and design were funded by an Interagency Committee for Outdoor Recreation Grant (IAC). Bayside Trails are located within the slopes abutting Schuster Parkway and extend from the trailhead at South 5th Street and Stadium Way to Garfield Gulch. The trail system is approximately one and one-half miles long and is currently closed.

Public access design solutions for this corridor should seek to establish a primary waterfront walkway along the existing sidewalk, built to multi-use trail standards,

that enhances mobility between the Thea Foss Waterway and Ruston Way. As the route is improved connections could be made to Downtown Tacoma, Stadium Way, Garfield Gulch, Old Town, and the waterfront to facilitate increased bicycle and pedestrian traffic throughout the Dome to Defiance shoreline area. Establishing a public access system through this shoreline area may require easements, property acquisition, and long term capital expenditures to upgrade infrastructure, including slope stability measures and pedestrian fly-overs to traverse the railroad.

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DESCRIPTION OF IMPROVEMENTS AND PROJECT DETAILS

4.1 Schuster Parkway Multi-Use Trail

Reconstruct or realign Schuster Parkway to accommodate a 14' shared-use path, replacing the existing sidewalk. ~~The trail could run on either the landward or waterward edge of Schuster Parkway.~~

4.2 Bayside Trail

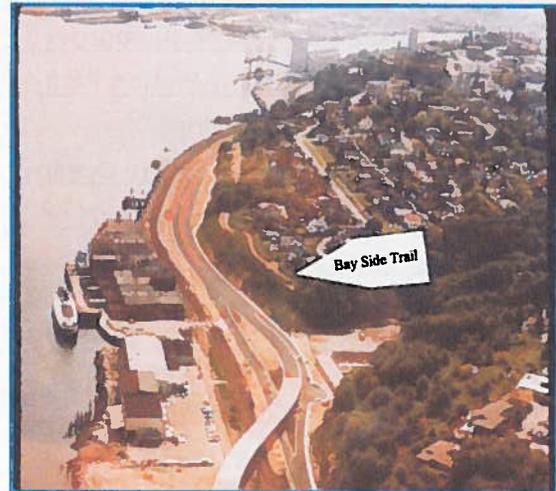
Improve the Bayside Trails to provide a natural trail parallel to the shoreline with connecting access from upland residential areas to shoreline paths. Priority connections should be ~~constructed~~ made between Stadium Way and Schuster Parkway to facilitate neighborhood access to the waterfront. The Bayside Trail also includes natural trails within Garfield Gulch which could be enhanced as a more park-like setting.

4.3 Esplanade/Overwater Boardwalk

When and where feasible, construct a 15' esplanade along the water's edge or overwater where necessary. Implementation of this project will necessitate acquisition of properties or easements and access from existing or other proposed pedestrian walkways.

4.4 Garfield Gulch Viewpoint

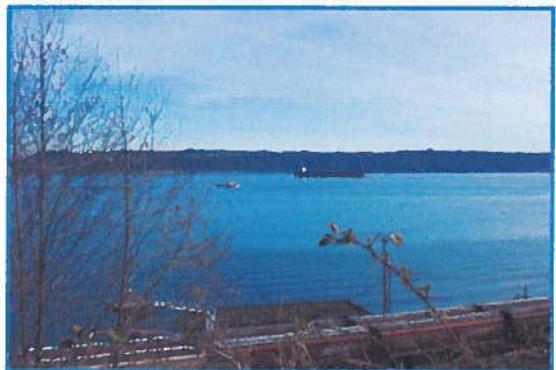
Improve and maintain a viewing area at the site of the historic lookout at the top of Garfield Gulch at the intersection of Garfield Gulch and the Schuster Slope.



4.2 Bayside Trail, above: An aerial view of the historic Bayside Trail.



Above: Illegal dumping and surface water problems will need to be addressed for Bayside Trail to reopen. Below: an example of the views from Bayside Trail.



4.4 Garfield Gulch Viewpoint: An example of the types of views available from the top of Garfield Gulch – overlooking Commencement Bay.

4.5 North Schuster Flyover

A flyover across Schuster Parkway and the railroad could provide a direct access point from the existing sidewalk or an improved trail into the Chinese Reconciliation Park. The project would require close cooperation with BNSF and Sperry Ocean Dock as well as easement agreements or direct property acquisition.

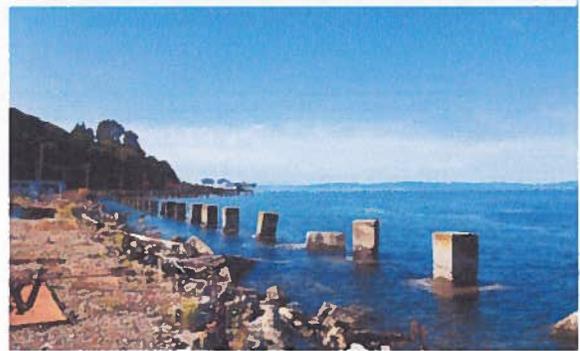


Above: Segments of the existing sidewalk could be widened to multi-use trail standards. Portions of the sidewalk are setback from the roadway and provide a comfortable walking experience.

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4.6 Beach Access Flyover and Pier

A flyover from Schuster Parkway across to this beach could provide a significant new public destination, especially if coupled with a new public pier aligned with the existing in-water pilings. The project would require easement agreements with BNSF for use of the property as well as significant safety improvements to prevent visitors from walking along or crossing the railroad tracks.



Above: Views along the shoreline looking north towards Sperry Ocean Dock.

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