



To: Planning Commission
From: Adam Nolan, Planning Services Division
Subject: **2023 Amendment – Overview of “Minor Plan and Code Amendments”**
Memo Date: December 28, 2022
Meeting Date: January 4, 2023

Action Requested:
Comment and Direction.

Discussion:

At the next meeting on January 4, 2023, staff will provide a briefing on the status and analysis of the “Minor Plan and Code Amendments”, one of the applications for the 2023 Annual Amendment to the [One Tacoma Comprehensive Plan](#) and [Land Use Regulatory Code](#) (“[2023 Amendment](#)”). The purpose of the briefing is to seek feedback and direction from the Commission, in anticipation of returning to the Commission on February 15, 2023 (tentative) to release final draft of staff analysis report for Public Review, in accordance with the requirements of the [Tacoma Municipal Code](#) (TMC), Section 13.02.070.

This application compiles a number of non-policy, technical amendments to the Comprehensive Plan and the Land Use Regulatory Code, intended to keep information current, address inconsistencies, correct minor errors, increase clarity, and improve provisions that, through implementation of the Plan and administration of the Code, are found to be unclear or not fully meeting their intent. Attached are documents titled 1) Minor Plan and Code Amendments - Issues and Analysis, 2) Overlay Zoning Maps, and 3) Platting and Subdivision Vesting.

Project Summary:

The Comprehensive Plan and its elements, as well as development regulations and regulatory procedures that implement the Comprehensive Plan, shall be adopted and amended by ordinance of the City Council following the procedures identified in TMC 13.02.070. Proposed amendments may be considered annually, for which the amendment process shall begin in July of any given year and be completed, with appropriate actions taken by the City Council by the end of June of the following year. The process for the [2023 Amendment](#) began with accepting applications during January-March 2022 and is slated for completion in June 2023.

Prior Actions:

- August 17, 2022: Assessment and Determination

Staff Contact:

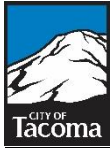
- Adam Nolan, anolan@cityoftacoma.org

Attachment:

1. Attachment A: Minor Plan and Code Amendments - Issues and Analysis
2. Attachment B: Overlay Zoning Maps
3. Attachment C: Platting and Subdivision Vesting



c. Peter Huffman, Director



2023 ANNUAL AMENDMENT TO THE COMPREHENSIVE PLAN AND LAND USE REGULATORY CODE

Attachment A: Minor Plan and Code Amendments - Issues and Analysis (Draft)

No.	Title of Issue and Code Section	Description of Issue	Proposed Amendments
1.	<u>Standards for Ground-level Utilities</u> <ul style="list-style-type: none">• TMC 13.06.100.D & E, and 13.06.090.L.	There are no standards for ground-level utilities (screening, location, etc.) for mixed-use developments and 4-plexes and above within the Downtown Districts. The only standards are for rooftop equipment.	TMC 13.06.090.L.4. Standards in Mixed-Use <u>and Downtown Districts</u> . TMC 13.06.090.L.6. Standards for Residential Buildings and Developments. <ul style="list-style-type: none">a. Standards for all single, two, and three-family, <u>and multi-family</u> dwellings in X-Districts, and to all two, and three-family, <u>and multi-family</u> dwellings in all districts.

No.	Title of Issue and Code Section	Description of Issue	Proposed Amendments
2.	<p><u>Landmarks Preservation Commission Membership</u></p> <ul style="list-style-type: none"> • TMC 1.42 	<p>The provisions for Landmarks Preservation Commission (LPC) membership in TMC 1.42 are inconsistent with the requirements of the Tacoma City Charter Section 3.13, adopted on November 4, 2014. Specifically, TMC 1.42 allows the City Council to waive the residency requirement for LPC in “Professional Positions” as defined by the ordinance. However, because the Charter Section 3.13 requires LPC members to be residents of the City of Tacoma and provides no exceptions, TMC 1.42 requires an amendment to conform to the City Charter. This inconsistency between the City Charter and TMC 1.42 has been addressed in the interim by Planning and Development Services Director’s Rule 03-2022.</p>	<p>1.42.040 Composition of the Landmarks Preservation Commission. All members of the Commission shall have a demonstrated interest and familiarity with basic historic preservation issues, either through professional practice or volunteer work, and shall be residents within the boundaries of the City, except as provided elsewhere in this chapter. The Landmarks Preservation Commission shall consist of 11 members as follows: A. Architect Positions: The Commission shall include a minimum of three members who are currently or have been in the past professionally certified architects. These positions shall be named Architect Positions 1 through 3. D. Temporary vacancies of one or all of the professional positions shall not render actions by the Commission invalid, unless the Commission action is related to meeting Certified Local Government (“CLG”) responsibilities cited in the Certification Agreement between the Mayor and the State Historic Preservation Officer on behalf of the state. E. Exception to the residency requirement may be granted by City Council in order to fill vacancies for professional positions. FE. The Appointments Committee may, at its discretion, solicit nominations from neighborhood community associations, business districts, and professional organizations to ensure geographic and professional diversity within the Commission. GE. The provisions of this chapter shall be enforced as vacancies occur following the adoption of this legislation.</p>

No.	Title of Issue and Code Section	Description of Issue	Proposed Amendments
3.	<p><u>Critical Areas Preservation Ordinance Clarifications</u></p> <ul style="list-style-type: none"> • TMC 13.11 	<p>The Flood Hazard section (TMC 13.11.600) of the Critical Areas Preservation Ordinance references the Building Code, but the Building Code sections have changed. The current language of “all development proposals shall comply with Sections 2.12.040 through 2.12.050, Flood Hazard and Coastal High Hazard Areas” should be modified as “all development proposals shall comply with Title 2 Building and Development Code regarding Flood Hazard and Coastal High Hazard Areas.” There may also be additional minor reference updates and wording clarification in TMC 13.11 that need to be addressed.</p> <p>The Fish and Wildlife Habitat Conservation Area (FWHCA) Modification section (TMC 13.11.550) indicates that “innovative mitigation” can be considered for impacts per the standards in 13.11.270.L. However, the innovative mitigation standards are actually in 13.11.270.M. This reference should be fixed.</p>	<p>13.11.620 Standards.</p> <p>All development proposals shall comply with Sections 2.12.040 through 2.12.050, Title 2 Building and Development Code regarding Flood Hazard and Coastal High Hazard Areas, and Chapter 12.08 Surface Water Management Manual of the TMC <u>Title 12</u> for general and specific flood hazard protection.</p> <p>F. Innovative mitigation per TMC 13.11.270.LM.</p> <p>When the project cannot meet the minimum standards of this section or the project proponent can demonstrate that a different method will achieve equivalent or better protections for the critical area, it will be reviewed per the standards in 13.11.270.LM.</p>

No.	Title of Issue and Code Section	Description of Issue	Proposed Amendments
4.	<u>Home Address Signage</u> <ul style="list-style-type: none"> TMC 13.06.090.I.3.b 	<p>Suggest necessary clarification on home address signage, with current ADU rules, Infill Pilot Program approvals, a minor adjustment to current code should be considered further clarifying residential address signage.</p>	<p>TMC 13.06.090.I.3 – Sign Standards – General Sign Regulations</p> <p>b. Exempt signs. The following signs shall be exempt from all requirements of this section and shall not require permits; however, this subsection is not to be construed as relieving the user of such signage from responsibility for its erection and maintenance, pursuant to Title 2 or any other law or ordinance relating to the same.</p> <p>(1) Changing of the advertising copy or message on a sign specifically designed for the use of replaceable copy.</p> <p>.....</p> <p>.....</p> <p>(16) Temporary public event signs not exceeding 12 square feet, and temporary event banners, placed on publicly owned land or adjacent public right-of-way. Signs or banners shall be securely attached to the ground or a structure and must be removed after the event.</p> <p><u>(17) Home address signage, including name of resident or owner, one per street face, per unit, including ADUs, must be located entirely on private property, may not be larger than 10 inches by 24 inches in size, and may not be an advertisement or wording other than name of resident/owner.</u></p>
5.	<u>Overlay Zoning Maps</u>	<p>Tacoma Municipal Code 13.06.070 establishes overlay zoning districts. These districts modify the uses and development standards of the base zoning for specific areas of the City. However, the current code does not consistently include a map of the geographic extent of the overlay districts. This amendment would simply incorporate a map into the code so there is a clearer connection between the standards and the area affected.</p>	<p>Adding overlay district maps to the following sections:</p> <p>13.06.070 Overlay Districts</p> <p>B. South Tacoma Manufacturing/Industrial Center C. Planned Residential Development District D. South Tacoma Groundwater Protection District F. Joint Base Lewis McChord Airport Compatibility District</p> <p>See Attachment B</p>

No.	Title of Issue and Code Section	Description of Issue	Proposed Amendments
6.	<u>Platting and Subdivision Vesting</u>	To incorporate stormwater vesting language into the appropriate code sections. The vesting language would be consistent with the City of Tacoma National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit issued by the Washington State Department of Ecology, based on the City's NPDES Phase I Municipal Stormwater Permit that requires stormwater mitigation for projects be identified at the time of application for a subdivision, plat, short plat, building permit, or other construction permit.	See Attachment C
7.	<u>Conditional Use Permit Criteria</u>	This review is not intended to substantively amend the criteria used for conditional use permits, but rather to reduce duplication between general criteria and specific criteria and to improve the format and legibility of this code section.	Amendments are proposed to TMC 13.05.010.A Conditional Use Permits. Track change amendments are in progress. These amendments will be too extensive for inclusion in the table and will be provided as an attachment.
8.	<u>Land Use Table Re-organization</u>	As part of the Tideflats Non-Interim Regulations, the district use table was updated to shift away from an alphabetical listing of uses to a grouping of uses by similar classification. The intent of this code update is to apply the same structure to the district uses tables for residential, commercial, and mixed use districts. These amendments will not be substantive, but rather organizational changes.	TMC 13.06.060 Industrial Districts, subsection E, provides an example of the updated table and the organizational structure that will be applied to the rest of the code for internal consistency.

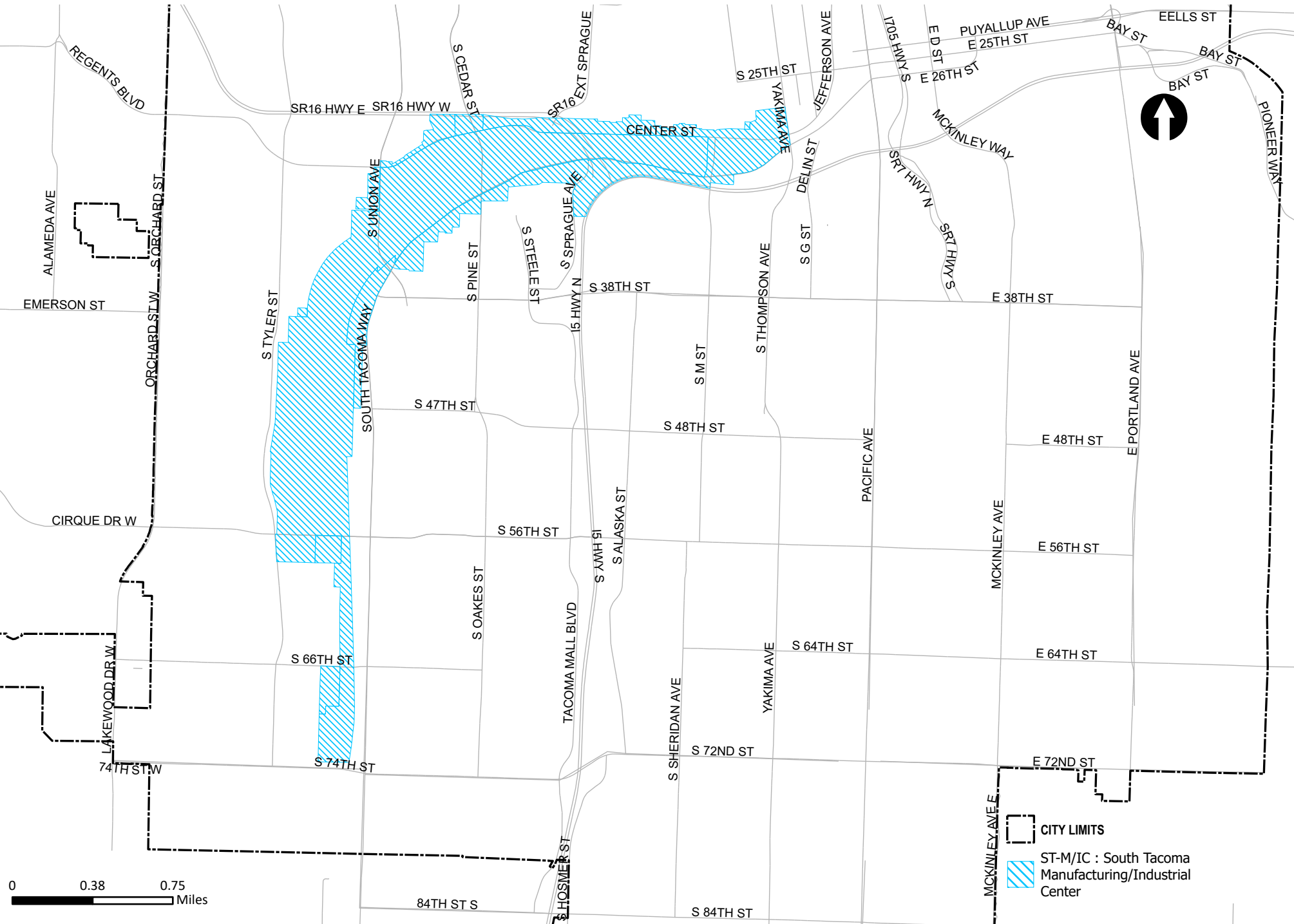
Attachment B: Overlay Zoning Maps (Draft)

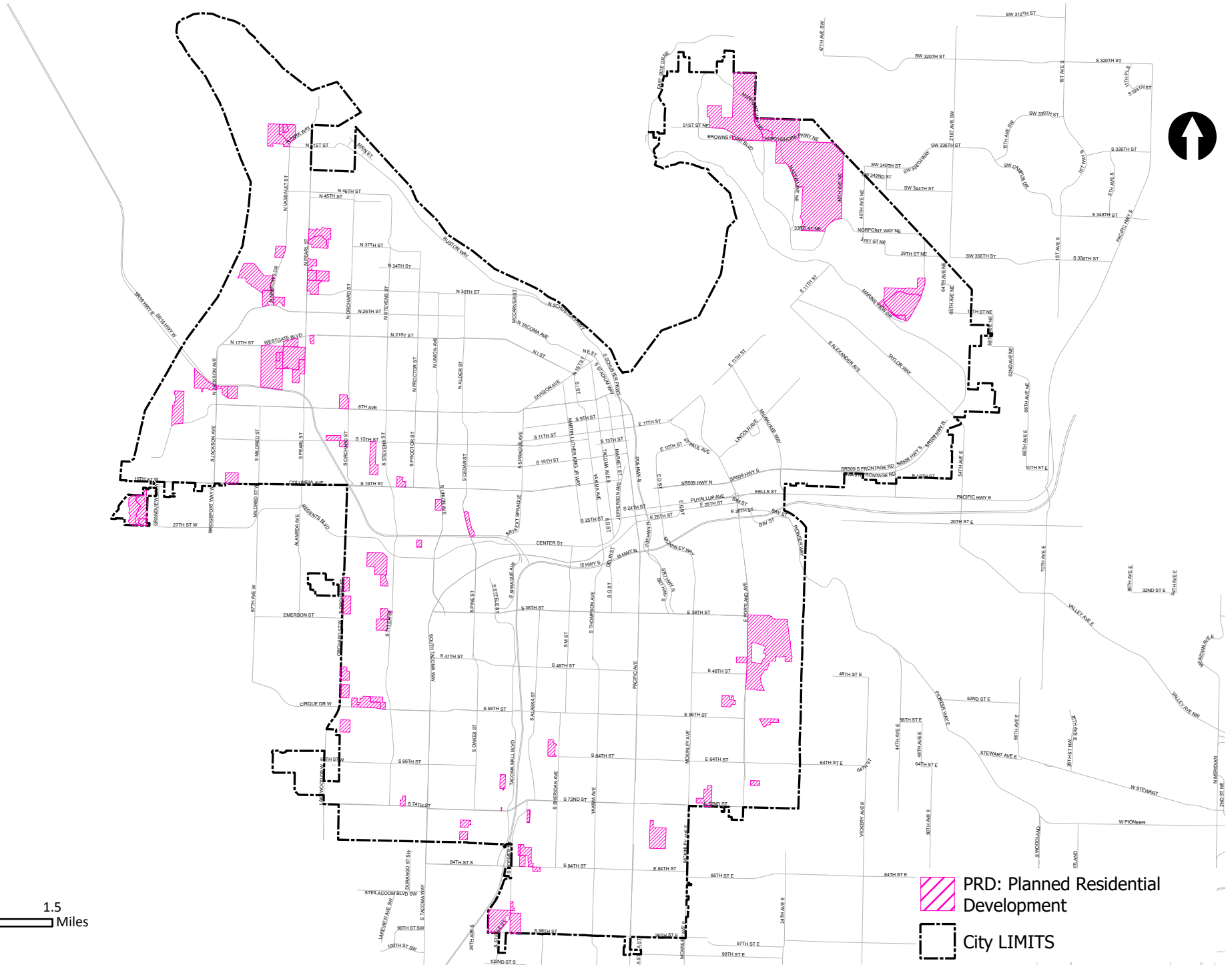
Maps Included:

13.06.070 Overlay Districts

- B. South Tacoma Manufacturing/Industrial Overlay District
- C. PRD Planned Residential Development District
- D. South Tacoma Groundwater Protection District (STGPD)
- F. Joint Base Lewis McChord Airport Compatibility Overlay District (ACD)

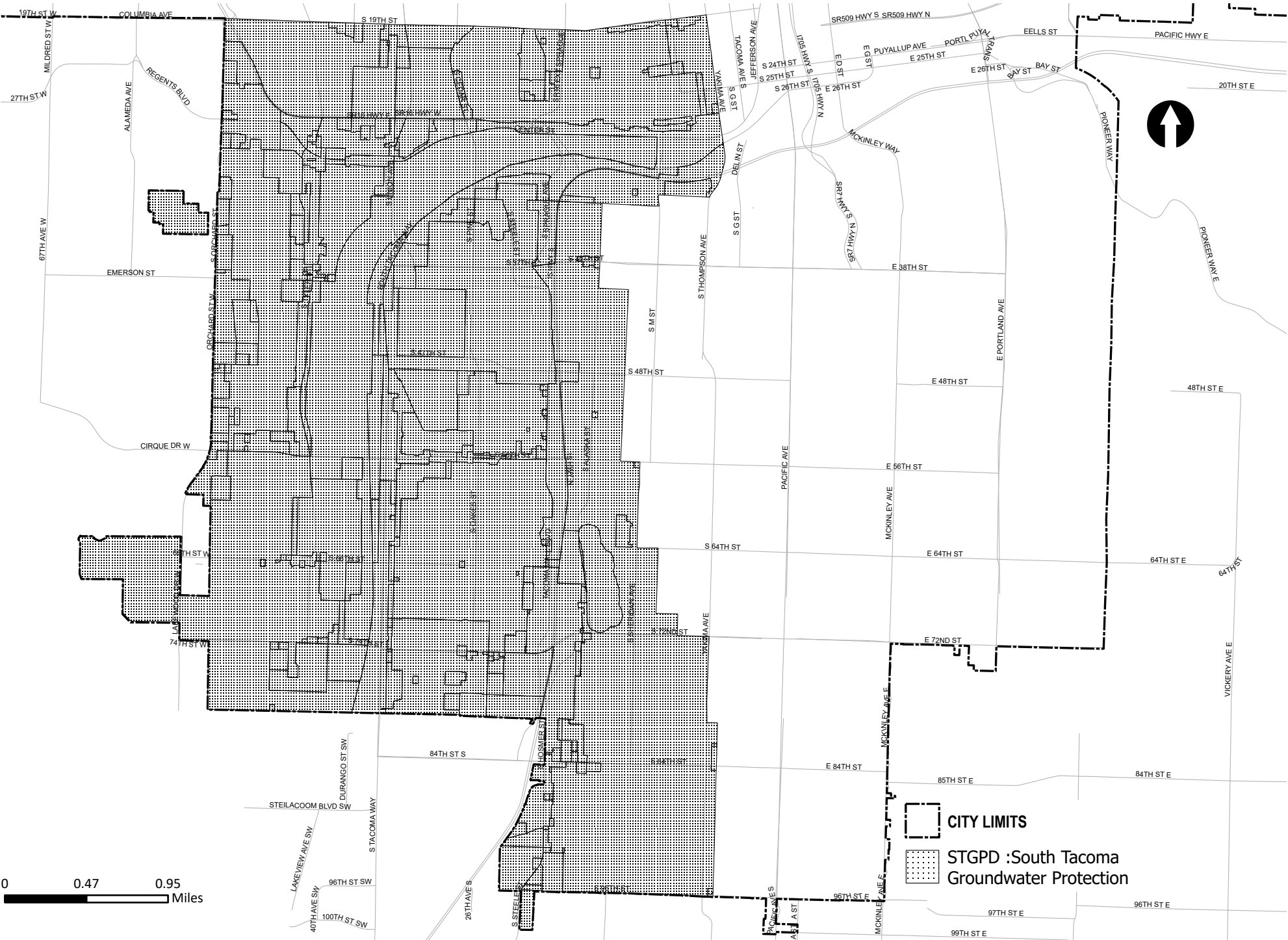
South Tacoma Manufacturing/Industrial Overlay District





City of Tacoma | Planning and Development Services

South Tacoma Groundwater Protection District (STGPD)





Attachment C: Platting and Subdivision Vesting – Minor Plan and Code Amendments

13.04.090 Short plat/short subdivision procedures.

A. Administration.

The Director or designee is vested with the duty of administering the provisions of this section and with the authority to summarily approve or disapprove proposed preliminary and final short plats. The Director or designee may prepare and require the use of such forms and develop policies deemed essential to the effective administration of this code.

B. Application.

Applications for approval of preliminary short subdivisions shall be submitted to Planning and Development Services and shall be accompanied by a proposed short plat which includes pertinent survey data compiled as a result of a survey of the property made by or under the supervision of a Washington State Licensed registered land~~Land~~ Surveyor. In addition, an application will include a title report and free consent statement signed by all owners of land within the proposed short plat. All surveys shall be accomplished as required by the Survey Recording Act (RCW 58 and WAC 332), and shall be monumented in accordance with the Survey Recording Act and Public Works specifications. In addition to the survey data, the short plat application shall be considered complete when the following information is received by the Planning and Development Services Department:

1. A completed application form including the following information: name(s), mailing address(es), and phone number(s) of applicant(s) and property owner(s); legal description of property; County Assessor's parcel number; general location of property; current use of property; proposed improvements; signature of applicant(s); and date signed.
2. A free-consent statement signed by all owners of the property.
3. A current (within 90 days) title report or plat certificate.
4. A filing fee as set forth in Chapter 2.09 of the Tacoma Municipal Code.
5. A transit access checklist, including a table showing the location and walking distance in feet to the nearest bus stop(s), the routes served by that stop, and the potential transit patronage calculated according to a formula and generation rates shown on the checklist, as required by the appropriate transit authority.
6. A City-approved preliminary short plat layout drawing containing the following information:
 - a. The name and address of the owner or owners of said tract;
 - b. The legal description of the existing lot, tract, or parcel;
 - c. The short plat shall show the bearings and distances on the exterior boundary with ties to at least two known monuments on the City of Tacoma horizontal grid system. The plan shall be to scale, have a north arrow, and display the date of preparation;
 - d. The short plat shall show existing and proposed contours at intervals of five feet or less, sufficient to show drainage patterns;

- e. The names of all adjacent subdivisions and owners of adjoining parcels;
- f. All zoning districts as set forth in the Tacoma zoning ordinances;
- g. The boundary lines of the tract to be subdivided and their dimensions;
- h. The layout, names, and width of proposed public or private streets, alleys and easements;
- i. The location of all existing and platted streets, on-site private roadways, pedestrian ways, bike routes, rights-of-way, and section lines within and adjacent to the short subdivision. Show proposed pedestrian, bicycle, and vehicular connections within the short plat and connections to the existing routes outside of the proposed short subdivision;
- j. All public and private open space to be preserved or created within the short subdivision;
- k. Dedication of all streets, alleys, ways, and easements for public use;
- l. The Locations of existing storm and sanitary sewer, water mains, electric conduits, or overhead power.
- m. The preliminary locations of proposed stormwater facilities and BMPs private and municipal stormwater systems required to serve each lot as well as any shared privateprivate and municipal stormwater BMPsystems that shall serve the developmentshort plat/short subdivision;
- ~~m-n.~~ The accurate location, material and size of all monuments. Monuments shall meet the specifications of the Survey Recording Act and Public Works Department;
- o. Certification by a registered land surveyor to the effect that the short plat is a true and correct representation of the lands actually surveyed and that all the monuments shown thereon actually exist, or that, in lieu of their placement, a bond has been provided in conformance with Section 13.04.100.H of this chapter, and that the location, size and material of the monuments are correctly shown.

7. A Stormwater Site Plan Report prepared in accordance with the City of Tacoma Stormwater Management Manual.

8. Any other associated report such as Soils Report, Geotechnical Report, or Wetlands Report as necessary to verify viability of the proposed construction.

9. Wastewater capacity analysis, if required by Environmental Services.

C. Stormwater Vesting

1. Projects are considered to be vested to the current Stormwater Management Manual when:

a. All relevant plans, specifications, and supporting documents necessary to meet the design requirements of the SWMM for the proposed project have been received by the City for review. This may include, but is not limited to, Civil Plans and Stormwater Site Plan including all necessary appendices.

b. The City of Tacoma has deemed the permit application complete.

2. Vesting for compliance with the Stormwater Management Manual is limited to timeframes specified in the most recent City of Tacoma Phase I Municipal Stormwater Permit.

C. Process.

Upon Submittal of a complete preliminary short plat/short subdivision application, at least one copy of the preliminary short plat shall be transmitted for review and comment to departments and agencies as determined by the Planning and Development Services Department. Short subdivision applications that are adjacent to a transit street or within 1,000 feet of a bus stop shall be forwarded to Pierce Transit for review and comment.

The Planning and Development Services Department shall assemble the agency comments and prepare a written preliminary report to the Director. The report shall contain an analysis of the applicable criteria for the approval of preliminary short subdivisions, public notice comments for five- to nine-lot short subdivisions, agency comments received, and requested conditions of approval.

At the time of submission of application for final short plat the applicant shall request creation of any required new address(es).

D. Notification.

Public notice required by this chapter shall be given in accordance with the provisions of Chapter 13.05 for five- to nine-lot short subdivisions. In the event that a proposed short subdivision within the City of Tacoma has a border coterminous with Tacoma's city limits, a notice of filing shall be given to the appropriate county or city officials and in the event that the short subdivision within the City of Tacoma is adjacent to the right-of-way of a state highway, a notice of filing shall be given to the Washington State Department of Transportation.

Mailed notices required by these regulations shall provide a legal description of the property to be subdivided and a location description in non-legal vernacular.

E. Approval.

The Director or designee shall review the proposed preliminary short subdivision application. The preliminary short plat shall not be approved unless it is found that:

1. Appropriate provisions are made for the public health, safety, and general welfare; and for open spaces; stormwater management, streets or roads; alleys; bike routes; other public ways; transit stops; potable water supplies; sanitary wastes; parks and recreation; playgrounds; schools and school grounds; and all other relevant facilities, including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school and for transit patrons who walk to bus stops or commuter rail stations.
2. The public use and interest will be served by the platting and dedication of such subdivision and dedication as set forth by the Comprehensive Plan and other adopted City ordinances, manuals, design specifications, plans, goals, policies, and guidelines.

Upon completion of the review, the Director shall consider the proposed short subdivision application and approve, disapprove, or return to the applicant for modification within 30 days from the date of filing thereof, unless the applicant consents to an extension of such time period. An appeal taken within 14 days of the Director's decision will be processed in accordance with provisions of Chapter 1.23 of the Tacoma Municipal Code. If an environmental impact statement is required as provided in RCW 43.21C.030, the 30-day period shall not include the time during which the environmental impact statement was prepared and circulated.

F. After approval of a preliminary short plat application by the Director, the short plat shall be filed with the Pierce County Auditor, and only after such filing shall the short plat be deemed approved and accepted by the City of Tacoma. The approved short subdivision decision, however, shall be assurance to the subdivider that the short plat will be recorded, provided that:

1. The final short plat drawing submitted for recording substantially conforms to the approved preliminary short plat and the approved preliminary short subdivision decision and is submitted within the time limits set forth in Chapter 13.05 of the Tacoma Municipal Code.
2. All requirements specified in the preliminary short subdivision decision are fully complied with and all required public dedications and improvements, including, but not limited to, rights-of-way, easements, streets, alleys, pedestrian ways, bike routes, sidewalks, ~~storm-drainage~~stormwater facilitiesmunicipal and private stormwater systems, sewer systems, and water and electrical distribution systems, shall be provided in accordance with the requirements of this chapter, and any other applicable codes and ordinances of the City of Tacoma.

G. Final Short Plat.

The final short plat shall be submitted to the Planning and Development Services Department and shall be an accurate short plat for official record, surveyed and prepared by, or under the supervision of, a Washington State Licensed~~registered~~ Land ~~Surveyor~~ who shall certify on the plat that it is a true and correct representation of the lands actually surveyed. The final short plat shall be prepared in accordance with the regulations set forth in subsequent sections of this chapter and the City's Comprehensive Plan and applicable ordinances, manuals, design specifications, plans and guidelines in Section 13.04.120. When the final short plat is submitted to the Planning and Development Services Department for processing, it shall be accompanied by two copies of a title report confirming that the title of lands, as described and shown on the short plat, is in the name of the owner(s) signing the certificate of the short plat. The final short plat will be reviewed by the City Engineer and representatives of the Water and Light Divisions of the Department of Public Utilities, and the Tacoma-Pierce County Health Department.

H. Contents of Final Short Plat.

The final short plat shall be drawn to a scale of 100 feet or less, but, preferable, 100 feet to the inch, and shall show:

1. Name of short subdivision.
2. Name and address of the subdivider.
3. North point, scale bar, and date.
4. The boundary lines with accurate distances and bearings, and the exact location and width of all existing and recorded streets and ways and intersecting the boundary of the tract.
5. True bearings and distances to the established street lines or official monuments, which shall be accurately described on the short plat; municipal, township, county, or sections lines accurately tied to the lines of the short subdivisions by distances and bearings.

6. Streets, alleys and ways, together with their names, and any dedicated pedestrian ways, bike routes, and land for transit facilities within the short subdivision.
7. The length of the arcs, radii, internal angles, points of curvature, length, and bearing of the tangents.
8. All easements for rights-of-way provided for public services or utilities and any limitations of the easement.
9. All block indications, lot numbers, and lot lines with accurate dimensions in feet and hundredths and with bearings and angles to street and alley lines.
10. The accurate location, material, and size of all monuments. Monuments shall meet the specifications of the Survey Recording Act and Public Works Department.
11. The accurate outline of all property which is offered for dedication for public uses with the purpose indicated thereon, and all property that may be reserved by deed covenant for the common use of the property owners in the short subdivision.
12. Zoning districts as set forth in the Tacoma zoning ordinances.
13. Private restrictions and their boundaries, as applicable.
14. Certification by a ~~registered~~ Washington State Licensed L and Surveyor to the effect that the final short plat is a true and correct representation of the lands actually surveyed and that all monuments shown thereon actually exist, or, in lieu of their placement, that a bond has been provided in conformance with Section 13.04.090.I. of this chapter, and that their location, size, and material are correctly shown.
15. Certification of approval by the City Engineer of all locations, grades, and dimensions of the short plat and the construction specifications.
16. Dedication of all streets, alleys, ways, easements, parks, and lands for public use as shown on the short plat and as required by the City of Tacoma.
17. All private easements (new or existing).
18. All critical areas requiring delineation in accordance with Chapter 13.11.
19. All building setback lines.
20. Common facilities and open spaces shall be located on separate, individual tracts, unless otherwise approved by the Director and shall be dedicated, reserved or otherwise held in common by a homeowners' association or by a proportional ownership interest shared among all of the property owners within the short subdivision, or alternatively, and only if acceptable to the receiving public agency, dedicated to the public.

21. Conditions of Approval

I. Monuments to be Placed Prior to Submission of Final Short Plat.

Prior to the time the final short plat is submitted to the Director, monuments shall be placed at angle points along the perimeter of the short subdivision at intervals designated by the City Engineer; and

monuments shall also be placed at all intersections of centerlines of streets and at all locations where the centerlines of streets cross section lines or quarter section lines. Delayed monumentation of the interior of the short subdivision may be desirable pending completion of street and utility improvements. In that case, satisfactory completion of monumentation shall be secured in the form of a cash deposit or by inclusion in the performance bond. This provision shall not be construed to apply to boundary monumentation and survey.

J. All final short plats hereafter shall contain the following dedicatory language:

KNOW ALL PEOPLE BY THESE PRESENTS: We (name of owners), the owners of the land herein described, embraced in and covered by said short plat, do hereby donate and dedicate to the public forever the streets, alleys, and public places shown hereon, together with a perpetual easement on and over the private property abutting upon said streets, alleys, and public places to construct and maintain all slopes, cuts, and fill occasioned by the original grading by the City of Tacoma and necessary to accomplish and maintain such original grade of said streets, alleys, and public places. Said owners, for themselves and their respective successors and assigns, waive all claims for damages to the property included in this short plat by reason of any cuts or fills made in streets, alleys, or public places shown hereon in the original grading thereof by the City of Tacoma, and further certify and swear that said land is free from all taxes and assessments which have heretofore been levied and become chargeable against said property, and further certify and swear that there are no encumbrances existing upon any of the land upon which streets, alleys, and public places have been herein donated and dedicated to the public, except for the encumbrances that are the property of the following named person(s):

(Name of person(s))

If any of these persons named as having encumbrances are lienholders, then the dedication language must also include the following:

KNOW ALL PEOPLE BY THESE PRESENTS: We (name of lienholders), who have liens upon the land herein described, embraced in, and covered by said short plat, do hereby, as to any of said property hereafter acquired, donate and dedicate to the public forever the streets, alleys, and public places shown hereon, together with a perpetual easement on and over said private property abutting upon said streets, alleys, and public places, to construct and maintain all slopes, cuts, and fills occasioned by the original grading by the City of Tacoma and necessary to accomplish and maintain such original grade of said streets and alleys. Said lienholders, for themselves and their respective successors and assigns, as to any of the property hereafter acquired, waive all claims for damages to the said property included in this short plat by reason of any cuts or fills made in streets, alleys, or public places shown hereon in the original grading thereof by the City of Tacoma.

K. Conditions of Approval of the Final Short Plat.

Before approval of the final short plat, the Director will require:

1. That all street grading and grading along street lines, including sidewalk areas and bus stop areas, be approved by the City Engineer to ensure proper transition from street grade to adjacent property.
2. Surfacing of all roadways, bike routes, and pedestrian ways with an all-weather surface approved by the City Engineer; this shall include the construction of curbs and gutters of Portland cement concrete or

an equivalent as approved by the City Engineer in accordance with the specifications of the City of Tacoma.

3. Installation of necessary facilities for the proper handling of ~~storm drainage~~ stormwater ~~including identification and design of all stormwater BMPs~~ private stormwater systems that are required for each individual lot as well as any shared public municipal or private stormwater BMP systems that shall serve the platted development or ROW improvements related to the short plat, as approved by the City Engineer.

4. Installation of necessary facilities for the disposal of sanitary wastes as approved by the City Engineer.

5. Installation of necessary water supply systems, including fire hydrants, as approved by the Department of Public Utilities.

6. Installation of the necessary electrical power facilities as approved by the Department of Public Utilities.

a. As a condition of the final short plat, the Director shall require the petitioner or developer to install underground all public utility services such as electric, telephone, and CATV facilities, whether in streets, alleys, on public easements, or on private properties.

b. The Director may, however, if the facts and circumstances in respect to some particular development in a proposed short plat so warrant, authorize a waiver or modification from the general requirement hereinabove set forth, but, in such cases, shall give the reasons and conditions therefore.

7. The Director may also require the petitioner or developer, as a condition of approval of the final short subdivision, to install or construct certain improvements on existing rights-of-way abutting the short subdivision which are deemed necessary to control and expedite the movement of bicycles, automobiles, buses, and other vehicular and/or pedestrian traffic which would be generated by the development of the short subdivision.

8. In lieu of the construction of the required public and private improvements before approval of the final short plat by the Director, the property owner shall post a performance bond, or cash deposit in lieu thereof, with the Planning and Development Services Department in an amount not less than the City Engineer's estimate of the cost of the required improvements, and provide security satisfactory to the Planning and Development Services Department, guaranteeing that the required improvements shall be completed in accordance with the requirements of the City of Tacoma and within the specified period of time. The cash deposit, bond, or other security, as hereinabove required, may also secure the successful operation of required improvements for a two-year period after final approval.

All required improvements shall be completed by the property owner or his/her designee within one year from the date of the approval of the final short plat by the Director unless waived by the department, or departments, requiring such improvements. If said required improvements are not completed in the specified time, or the required improvements do not operate successfully for two years after completion, the City may use the applicable bonds or other security, or any portion thereof, to complete the same, correct any deficiencies in, or make any repairs to, constructed improvements which fail to successfully operate for two years after completion and final approval. After approval of the final short plat by the Director and recording by the County Auditor of Pierce County, the property

owner may petition for, and have established by the City Council, a local improvement district in accordance with the state statutes and ordinances of the City of Tacoma to cover the cost of all required improvements not previously constructed. The Planning and Development Services Department and/or the Public Utilities Department may authorize cancellation of the previously posted performance bond or security, or a portion thereof, for installation of the required improvements after final establishment of a local improvement district by the City Council and the execution of a contract therefore.

9. A house numbering system.

10. Sidewalks shall be required along all lot frontages within a short subdivision as a condition of the building permit for the development of each lot within a short subdivision. The required sidewalk(s) along lot frontage(s) shall be constructed prior to the final inspection for any structure constructed upon such lot as provided for in Ordinance No. 19486 of the City of Tacoma or, in lieu of actual construction of required sidewalks, a performance bond or cash deposit shall be posted with the Planning and Development Services Department ensuring that sidewalks will be constructed within a period of one year.

If required as a condition of the preliminary short subdivision, sidewalks abutting private, common, or public open spaces within a short subdivision shall be constructed in conjunction with the construction of the streets within the subdivision and, in lieu of actual construction, surety guaranteeing their installation shall be provided in accordance with the provisions contained in paragraph 8 of this subsection.

L. Approval of Final Short Plat.

Approval of the short plat drawing shall be indicated by the signatures of the City Engineer and the Director of the Planning and Development Services Department on the original reproducible final short plat.

The approval of the final short plat by the Director shall be deemed to constitute acceptance by the public of the dedication of any street or other proposed public way or space, but only after such short plat has been recorded by the Pierce County Auditor.

Approval of the final short plat by the Director shall be null and void if the short plat is not recorded within 90 days after the date of approval, unless, during said 90-day period, written application to the Director for an extension of time is made and granted.

M. Issuance of Building Permits.

The issuance of a building permit or other development permit for the development of a short subdivision may be delayed or issued contingent upon the subdivider's providing for adequate access, ~~storm drainage~~~~stormwater~~ ~~facilities~~~~systems~~, sewer systems and water supply systems, and electrical power supply systems. If required improvements are not properly installed prior to the issuance of a building permit or other development permit, surety may be required in accordance with Section 13.04.100.J.8 of this chapter.

N. The development of any improvements associated with a short plat will not be permitted until after a short subdivision approval decision is final, the applicant has submitted the final short plat and the necessary construction and site development documents in compliance with the short subdivision

decision. It is anticipated that partial permits to allow grading, clearing, etc., may be issued prior to the issuance of the final short plat for streets and utilities. Development pursuant to Sections 13.04.300 (Model homes) and 13.04.305 (Temporary rental or sales offices, contractors' offices and signs) are exempt from this provision.

O. Resubdivision.

Land within a short subdivision shall not be further divided in any manner for a period of five years from the date of filing of the short plat of said short subdivision with the Pierce County Auditor without the approval of a preliminary and final plat, except that when the short plat contains fewer than four parcels, the owner who filed the short plat may submit a revision within the five-year period to create up to a total of four lots within the original short plat boundary.

13.04.100 Plat/subdivision procedures.

A. Application.

Applications for preliminary plat approval shall be submitted to Planning and Development Services on forms provided by the City. The application shall be considered complete when the following information is received by Planning and Development Services:

1. A completed application form including the following information: name(s), mailing address(es), and phone number(s) of applicant(s) and owner(s); legal description of property; assessor's parcel number; general location of property; current use of property; proposed improvement; signature of applicant(s); and date signed.
2. An environmental checklist or draft environmental impact statement.
3. A free-consent statement signed by all owners of the property.
4. A current (within 90 days) title report or plat certificate.
5. A filing fee as set forth in Chapter 2.09.
6. A City-approved plat layout drawing containing the following information:
 - a. The bearings and distances on the exterior boundary with ties to at least two known monuments on the City of Tacoma horizontal grid system. The plan shall be to scale, have a north arrow, and display the date of preparation.
 - b. The legal description of the existing lot, tract, or parcel and the legal description of all proposed lots, tracts or parcels.
 - c. The plat shall show existing and proposed contours at intervals of five feet or less, sufficient to show drainage patterns.
 - d. The names of all adjacent subdivisions and owners of adjoining parcels.
 - e. All the zoning districts as set forth in the Tacoma zoning ordinances.
 - f. The location of all existing and platted streets, pedestrian ways, bike routes, recorded easements, rights-of-way, and section lines within and adjacent to the subdivision.
 - g. All public and private open space to be preserved within the subdivision.
 - h. A table showing the plat area, number of lots and minimum and average lot size shall be shown. The lot layout, numbers and lot dimensions shall also be shown on the final layout drawing.
 - i. The layout, dimensions, and area of all existing and proposed parcels and tracts.
 - j. The lot layout, lot numbers, and lot dimensions, and average lot width.
 - k. The locations of existing storm~~water systems~~ and sanitary sewers, water mains and electric conduits or overhead power lines to be used to serve the property shall be shown at points of proposed connection.
 - l. The preliminary locations of proposed ~~stormwater facilities and BMPs~~municipal and private stormwater systems required to serve each lot as well as any shared private stormwater ~~BMPs~~systems that shall serve the developmentplat/subdivision;
 - m. All existing buildings and required setbacks for each lot shall be shown.
 - n. ~~The~~ mylar shall be stamped by a Professional Land Surveyor or Professional Civil Engineer licensed in the State of Washington.
7. A transit access checklist, including a table showing the location and walking distance in feet to the nearest bus stop(s), the routes served by that stop, and the potential transit patronage calculated according to a formula and generation rates shown on the checklist, unless this information has already been provided in the checklist submitted pursuant to the State Environmental Policy Act (SEPA).
8. A Stormwater Site Plan Report prepared in accordance with the City of Tacoma Stormwater Management Manual.

9. Any other associated report such as Soils Report, Geotechnical Report, or Wetlands Report as necessary to verify viability of the proposed construction.

910. Wastewater capacity analysis, if required by Environmental Services.

B. Process.

Upon submittal of a complete preliminary plat application, Planning and Development Services shall transmit at least one copy of the plat for review and comment to departments and agencies as determined by Planning and Development Services.

Preliminary plat applications for plats that are adjacent to a transit street or within 1,000 feet of a bus stop shall be forwarded to Pierce Transit for review and comment.

Planning and Development Services shall assemble the agency comments and prepare a written preliminary report to the Hearing Examiner. The report shall be transmitted to the Examiner and applicants a minimum of seven days prior to the date of the public hearing on the application. The report shall contain an analysis of the applicable criteria for the approval of preliminary plats, agency comments, an environmental determination and requested conditions of approval.

At the time of submission of application for final plat the applicant shall request creation of any required new address(es).

C. Stormwater Vesting

1. Projects are considered to be vested to the current Stormwater Management Manual when:

- a. All relevant plans, specifications, and supporting documents necessary to meet the design requirements of the SWMM for the proposed project have been received by the City for review. This may include, but is not limited to, Civil Plans and Stormwater Site Plan including all necessary appendices.
- b. The City of Tacoma has deemed the permit application complete.

2. Vesting for compliance with the Stormwater Management Manual is limited to timeframes specified in the most recent City of Tacoma Phase I Municipal Stormwater Permit.

D. Notification.

Notices for any public hearing required by this chapter shall be given in accordance with provisions of Chapter 13.05. In the event that a preliminary plat of proposed subdivision with the City of Tacoma joins the municipal boundaries thereof, a notice of filing shall be given to the appropriate county or city officials and, in the event that a preliminary plat of a proposed subdivision within the City of Tacoma is adjacent to the right-of-way of a state highway, a notice of filing shall be given to the Washington State Department of Transportation.

Mailed notices required by these regulations shall give the time, date, and place of the hearing; a legal description of the property to be platted; and a location description in non-legal language.

D. Hearing Examiner or Director Review of Preliminary Plat.

The Hearing Examiner or Director shall review the proposed preliminary plat. The preliminary plat shall not be approved unless it is found that:

- 1. Appropriate provisions are made for the public health, safety, and general welfare, and for open spaces; stormwater management; streets or roads; alleys; other public ways; bicycle circulation; transit stops; potable water supplies; sanitary wastes; parks and recreation; playgrounds; schools and school grounds; and all other

relevant facilities, including sidewalks and other planning features which assure safe walking conditions for students who walk to and from school and for transit patrons who walk to bus stops or commuter rail stations.

2. The public use and interest will be served by the platting and dedication of such subdivision and dedication as set forth by the Comprehensive Plan and other Adopted City Ordinances, manuals, design specifications, plans, goals, policies, and guidelines.

The Hearing Examiner or Director shall consider the proposed preliminary plat and shall issue a decision. An appeal taken within 14 days of the Director's decision will be processed in accordance with provisions of Chapter 1.23 of the Tacoma Municipal Code.

Approval of the preliminary plat is a tentative approval and does not constitute final acceptance of the plat. Approval of the preliminary plat, however, shall be assurance to the subdivider that the final plat will be approved; provided, that:

- a. The final plat substantially conforms to the approved preliminary plat.
- b. All requirements specified for the final plat are fully complied with.

A decision on the preliminary plat shall be made by the Hearing Examiner or Director within 90 days from the date of filing with the City Clerk, unless the applicant consents to the extension of such time period; provided, that if an environmental impact statement is required as provided in RCW 43.21C.030, the 90-day period shall not include the time spent preparing and circulating the environmental impact statement.

A final plat meeting all requirements of this section shall be submitted to the Director within the following timelines: If the preliminary plat was approved on or before December 7, 2007, the final plat must be submitted within nine years of the preliminary plat approval. If the preliminary plat was approved after December 7, 2007 but on or before December 31, 2014, the final plat must be submitted within seven years of the preliminary plat approval. A preliminary plat approved after January 1, 2015 must be submitted for final plat within five years of the preliminary plat approval.

E. Final Plat Approval.

The final plat for the subdivision shall be submitted to Planning and Development Services and shall be an accurate plat for official record, surveyed and prepared by, or under the supervision of, a registered Washington State Licensed Land Surveyor who shall certify on the plat that it is a true and correct representation of the lands actually surveyed. The final plat shall be prepared in accordance with the regulations set forth in subsequent sections of this chapter and the City's Comprehensive Plan and applicable ordinances, manuals, design specifications, plans, and guidelines, in section 13.04.120. When the final plat is submitted to Planning and Development Services for processing, it shall be accompanied by two copies of a title report confirming that the title of lands, as described and shown on the plat, is in the name of the owner(s) signing the certificate of the plat. The final plat will be reviewed by the City Engineer and by representatives of the Water and Light Divisions of the Department of Public Utilities, and the Tacoma-Pierce County Health Department.

Planning and Development Services shall prepare a report summarizing the findings and recommendations of the reviewing departments and agencies and shall file said report and request with the Director. The Director or designee shall review the final plat. The Director's review shall be limited to ensuring that the final plat conforms to all requirements of this chapter and that all required improvements have been constructed or bonded. The Director shall issue a report approving or denying the final plat and shall transmit a copy of the report to the applicant and parties of record. The Director's decision shall be forwarded, by resolution, to the City Council for approval, unless the decision is appealed to the Hearing Examiner within 14 days of the date of the Director's decision.

An applicant may develop a plat in two or more phases. If phasing is to be used in the development, it is recommended that an applicant identify the proposed phasing plan at the time of preliminary plat approval so that appropriate conditions for each phase can be developed. When an applicant requests final plat approval for a specific phase of a plat subsequent to approval of the preliminary plat, the Director shall determine, after consultations with affected departments and agencies, the conditions of approval necessary to support that phase of the development. Each phase of a plat must receive final plat approval within the time period identified in Section 13.04.100.E.

F. Contents of Final Plat.

The final plat shall be drawn to a scale of 100 feet or less, but, preferably, 100 feet to the inch, and shall show:

1. Name of subdivision.
2. Name and address of the subdivider.
3. North point, scale, and date.
4. The boundary lines with accurate distances and bearings, and the exact location and width of all existing or recorded streets and ways intersecting the boundary of the tract.
5. True bearings and distances to the established street lines or official monuments, which shall be accurately described on the plat; municipal, township, county, or section lines accurately tied to the lines of the subdivision by distances and bearings.
6. Streets, alleys, and ways, together with their names, and any dedicated pedestrian ways, bike routes, and land for transit facilities within the subdivision.
7. The length of the arcs, radii, internal angles, points of curvature, length, and bearing of the tangents.
8. All easements for rights-of-way provided for public services or utilities and any limitations of the easement.
9. All block indications, lot numbers, and lot lines with accurate dimensions in feet and hundredths and with bearings and angles to street and alley lines.
10. The accurate location, material, and size of all monuments. Monuments shall meet the specifications of the Survey Recording Act and Public Works Department.
11. The accurate outline of all property which is offered for dedication for public use with the purpose indicated thereon, and all property that may be reserved by deed covenant for the common use of the property owners in the subdivision.
12. Zoning districts as set forth in the Tacoma zoning ordinances.
13. Private restrictions and their boundaries, as applicable.
14. Certification by a registered Washington State Licensed Land Surveyor to the effect that the plat is a true and correct representation of the lands actually surveyed and that all monuments shown thereon actually exist, or, in lieu of their placement, that a bond has been provided in conformance with Section 13.04.100.G. of this chapter, and that their location, size, and material are correctly shown.
15. Certification of approval by the City Engineer of all locations, grades, and dimensions of the plat and the construction specifications.
16. Dedication of all streets, alleys, ways, easements, parks, and lands for public use as shown on the plat and as required by the City of Tacoma.
17. All private easements (new or existing).
18. All critical areas requiring delineation in accordance with Chapter 13.11.
19. All building setback lines.
20. Common facilities and open spaces shall be located in separate, individual tracts unless otherwise approved by the Hearing Examiner, and shall be dedicated, reserved or otherwise held in common by a homeowners' association or by a proportional ownership interest shared among all of the property owners within the subdivision, or alternatively, and only if acceptable to the receiving public agency, dedicated to the public.
21. Conditions of Approval

G. Monuments to be Placed Prior to Submission of Final Plat.

Prior to the time the final plat shall be submitted to the Director, monuments shall be placed at angle points along the perimeter of the subdivision at intervals designated by the City Engineer; and monuments shall also be placed at all intersections of centerlines of streets and at all locations where the centerlines of streets cross section lines or quarter section lines. Delayed monumentation of the interior of the plat may be desirable pending completion of street and utility improvements. In that case, satisfactory completion of monumentation shall be secured in the form of a cash deposit or by inclusion in the performance bond. This provision shall not be construed to apply to boundary monumentation and survey.

H. All final plats hereafter shall contain the following dedicatory language:

KNOW ALL PEOPLE BY THESE PRESENTS: We (name of owners), the owners of the land herein described, embraced in and covered by said plat, do hereby donate and dedicate to the public forever the streets, alleys, and public places shown hereon, together with a perpetual easement on and over the private property abutting upon said streets, alleys, and public places to construct and maintain all slopes, cuts, and fill occasioned by the original grading by the City of Tacoma and necessary to accomplish and maintain such original grade of said streets, alleys, and public places. Said owners, for themselves and their respective successors and assigns, waive all claims for damages to the property included in this plat by reason of any cuts or fills made in streets, alleys, or public places shown hereon in the original grading thereof by the City of Tacoma, and further certify and swear that said land is free from all taxes and assessments which have heretofore been levied and become chargeable against said property, and further certify and swear that there are no encumbrances existing upon any of the land upon which streets, alleys, and public places have been herein donated and dedicated to the public, except for the encumbrances that are the property of the following named person(s):

(Name of person(s))

If any of these persons named as having encumbrances are lienholders, then the dedication language must also include the following:

KNOW ALL PEOPLE BY THESE PRESENTS: We (name of lienholders), who have liens upon the land herein described, embraced in, and covered by said plat, do hereby, as to any of said property hereafter acquired, donate and dedicate to the public forever the streets, alleys, and public places shown hereon, together with a perpetual easement on and over said private property abutting upon said streets, alleys, and public places, to construct and maintain all slopes, cuts, and fills occasioned by the original grading by the City of Tacoma and necessary to accomplish and maintain such original grade of said streets and alleys. Said lienholders, for themselves and their respective successors and assigns, as to any of the property hereafter acquired, waive all claims for damages to the said property included in this plat by reason of any cuts or fills made in streets, alleys, or public places shown hereon in the original grading thereof by the City of Tacoma.

I. Conditions of Approval of the Final Plat.

Before approval of the final plat of a subdivision, the Director will require:

1. That all street grading and grading along street lines, including sidewalk areas and bus stop areas, be approved by the City Engineer to ensure proper transition from street grade to adjacent property.
2. Surfacing of all roadways, bike routes, and pedestrian ways with an all-weather surface approved by the City Engineer; this shall include the construction of curbs and gutters of Portland cement concrete in accordance with the specifications of the City of Tacoma.
3. Installation of necessary facilities for the proper handling of ~~storm drainage~~ stormwater including identification and design of all- private stormwater BMPs systems that are required for each individual lot as well as any shared public municipal or private stormwater BMPs systems that shall serve the platted development or ROW improvements related to the plat, as approved by the City Engineer.
4. Installation of necessary facilities for the disposal of sanitary wastes as approved by the City Engineer.
5. Installation of necessary water supply systems, including fire hydrants, as approved by the Department of Public Utilities.
6. Installation of the necessary electrical power facilities as approved by the Department of Public Utilities.
 - a. As a condition of the final plat, the Director shall require the petitioner or developer to install underground all public utility services such as electric, telephone, and CATV facilities, whether in streets, alleys, on public easements, or on private properties.
 - b. The Director may, however, if the facts and circumstances in respect to some particular development in a proposed plat so warrant, authorize a waiver or modification from the general requirement hereinabove set forth, but, in such cases, shall give the reasons and conditions therefore.
7. The Director may also require the petitioner or developer, as a condition of approval of the final plat, to install or construct certain improvements on existing rights-of-way abutting the plat which are deemed necessary to control and expedite the movement of bicycles, automobiles, buses, and other vehicular and/or pedestrian traffic which would be generated by the development of the subdivision.

8. In lieu of the construction of the required public and private improvements before approval of the final plat of a subdivision by the Director, the subdivider/property owner shall post a performance bond, or cash deposit in lieu thereof, with Planning and Development Services in an amount not less than the City Engineer's estimate of the cost of the required improvements, and provide security satisfactory to Planning and Development Services, guaranteeing that the required improvements shall be completed in accordance with the requirements of the City of Tacoma and within the specified period of time. The cash deposit, bond, or other security, as hereinabove required, may also secure the successful operation of required improvements for a two-year period after final approval.

All required improvements shall be completed by the subdivider/property owner or his/her designee within one year from the date of the approval of the final plat by the Director unless waived by the department, or departments, requiring such improvements. If said required improvements are not completed in the specified time, or the required improvements do not operate successfully for two years after completion, the City may use the applicable bonds or other security, or any portion thereof, to complete the same, correct any deficiencies in, or make any repairs to, constructed improvements which fail to successfully operate for two years after completion and final approval. After approval of the final plat by the Director and recording by the County Auditor of Pierce County, the subdivider may petition for, and have established by the City Council, a local improvement district in accordance with the state statutes and ordinances of the City of Tacoma to cover the cost of all required improvements not previously constructed. Planning and Development Services and/or the Public Utilities Department may authorize cancellation of the previously posted performance bond or security, or a portion thereof, for installation of the required improvements after final establishment of a local improvement district by the City Council and the execution of a contract therefore.

9. A house numbering system.

10. Sidewalks shall be required along all lot frontages within a subdivision as a condition of the building permit for the development of each lot within a subdivision. The required sidewalk(s) along a lot frontage(s) shall be constructed prior to the final inspection for any structure constructed upon such lot as provided for in Ordinance No. 19486 of the City of Tacoma or, in lieu of actual construction of required sidewalks, a performance bond or cash deposit shall be posted with Planning and Development Services ensuring that said sidewalks shall be constructed within a period of one year.

If required as a condition of the preliminary plat, sidewalks abutting private, common, or public open spaces within a subdivision shall be constructed in conjunction with the construction of the streets within the subdivision and, in lieu of actual construction, surety guaranteeing their installation shall be provided in accordance with the provisions contained in paragraph 8 of this subsection.

J. Approval of Final Plat.

Approval of the final plat shall be indicated by the signatures of the City Engineer, the Director, the City Treasurer, the City Attorney, the Mayor, and the City Clerk on the original reproducible final plat.

The approval of the final plat by the Director shall be deemed to constitute acceptance by the public of the dedication of any street or other proposed public way or space, but only after such final plat has been recorded by the Pierce County Auditor.

Approval of the final plat by the Director shall be null and void if the plat is not recorded within 90 days after the date of approval, unless, during said 90-day period, written application to the Director for an extension of time is made and granted.

K. The development of any improvements associated with a plat will not be permitted until after the approval of a subdivision decision is final, the applicant has submitted the final plat for recording and the necessary construction and site development documents in compliance with the subdivision decision. It is anticipated that partial permits to allow grading, clearing, etc., may be issued prior to the issuance of the final plat for streets and utilities. Development pursuant to Sections 13.04.300 (Model homes) and 13.04.305 (Temporary rental or sales offices, contractors' offices and signs) are exempt from this provision.