



## AGENDA

**MEETING:** Regular Meeting

**TIME:** Wednesday, October 18, 2017, 4:00 p.m.

**LOCATION:** Room 16, Tacoma Municipal Building North, 1<sup>st</sup> Floor  
733 Market Street, Tacoma, WA 98402

### **A. Call to Order and Quorum Call**

### **B. Approval of Agenda and Minutes of September 20, 2017 and October 4, 2017**

**C. Public Comments** (Comments are accepted on all discussion items except the Tacoma Mall Neighborhood Subarea Plan, which is the subject of a recent public hearing. Comments are limited to 3 minutes per person.)

### **D. Discussion Items**

#### **1. Billboard Regulations**

Review the ordinance proposed as part of the settlement agreement with Lamar, which would amend sign code regulations related to billboards.

(See "Agenda Item D-1"; Chris Bacha, Chief Deputy City Attorney, 253-591-5626, [cbacha@cityoftacoma.org](mailto:cbacha@cityoftacoma.org); and Shirley Schultz, Principal Planner, 253-591-5121, [shirley.schultz@cityoftacoma.org](mailto:shirley.schultz@cityoftacoma.org))

#### **2. Capital Facilities Program (CFP) Amendment**

Review proposed amendments to the 2017-2022 CFP, release the proposal for public review, and set November 1<sup>st</sup> as the date for a public hearing.

(See "Agenda Item D-2"; Christina Curran, Office of Management and Budget, 253-591-5861, [christina.curran@cityoftacoma.org](mailto:christina.curran@cityoftacoma.org))

#### **3. Tacoma Mall Neighborhood Subarea Plan**

Complete the review of public comments received at the public hearing on September 6 and through the comment period ending on September 15<sup>th</sup> and consider make a recommendation to the City Council.

(See "Agenda Item D-3"; Elliott Barnett, 253-591-5389, [elliott.barnett@cityoftacoma.org](mailto:elliott.barnett@cityoftacoma.org))

### **E. Communication Items & Other Business**

(1) **Tideflats Interim Regulations** – The City Council will conduct a public hearing on Tuesday, October 17, 2017, at 5:15 p.m., at the Pantages Theatre (901 Broadway), concerning the proposed Tideflats Interim Regulations, as recommended by the Planning Commission. For more information, please visit: [www.cityoftacoma.org/TideflatsInterim](http://www.cityoftacoma.org/TideflatsInterim).

(2) **Marijuana Code Amendment** – The City Council will conduct a public hearing on Tuesday, October 24, 2017, at 5:15 p.m., in the Council Chambers, concerning the proposed Marijuana Use Buffers Code Amendment, as recommended by the Planning Commission. For more information, please visit: [www.cityoftacoma.org/Planning](http://www.cityoftacoma.org/Planning) > "Recent and Completed Projects" > "Marijuana Regulations."

(Continued on the back)



- (3) **Planning Commission Vacancy** – The City Clerk’s Office is accepting applications through October 16, 2017 for filling the vacant position representing District No. 5 for an unexpired term through June 30, 2018. For more information, please visit:  
[http://www.cityoftacoma.org/government/committees\\_boards\\_commissions/](http://www.cityoftacoma.org/government/committees_boards_commissions/)
- (4) The next Planning Commission meeting is scheduled for Wednesday, November 1, 2017, at 4:00 p.m., in Room 16; tentative agenda (subject to change) includes: Emergency Temporary Shelters Interim Regulations; Correctional Facilities Regulations; Transportation Master Plan Amendment; and Public Hearing on Capital Facilities Program Amendment.
- (5) The next Infrastructure, Planning and Sustainability Committee meeting is scheduled for Wednesday, October 25, 2017, at 4:30 p.m., in Room 16; tentative agenda (subject to change) includes: Unified Development Code Update; Puyallup Avenue Corridor Conceptual Design; Ruston Way Visioning; and Regional Climate Change Pledge.

## **F. Adjournment**



## **MINUTES** (Draft)

**TIME:** Wednesday, September 20, 2017, 5:00 p.m.  
**PLACE:** Council Chambers, Tacoma Municipal Building, 1<sup>st</sup> Floor  
747 Market Street, Tacoma, WA 98402  
**PRESENT:** Stephen Wamback (Chair), Carolyn Edmonds, Brett Santhuff, Andrew Strobel,  
Dorian Waller, Jeremy Woolley,  
**ABSENT:** Anna Petersen (Vice-Chair), Jeff McInnis

### **A. CALL TO ORDER AND QUORUM CALL**

Chair Wamback called the meeting to order at 5:05 p.m. A quorum was declared.

### **B. APPROVAL OF AGENDA**

The agenda was approved.

### **C. PUBLIC COMMENTS**

The public comment portion of the agenda was skipped as all agenda items had recently held public hearings.

### **D. DISCUSSION ITEMS**

#### **1. Tacoma Mall Neighborhood Subarea Plan and EIS**

Elliott Barnett, Planning Services Division, introduced Mark Goodman, Community Attributes Inc. (CAI), who presented the draft Economic Comparative Analysis report that had been prepared to provide context for the City's evaluation of the draft Subarea Plan Actions. Mr. Goodman reviewed the approach and methodology used by CAI to analyze case studies relevant to several of the top priority proposed actions. He noted that key steps included revisiting the existing conditions in the Tacoma Mall Neighborhood; evaluation of proposed actions; workshoping with City staff and commercial stakeholders; selecting case study examples in the region; and compiling data and findings on each case study and action studies. He noted that they had evaluated four actions from the draft plan: transportation projects, new funding sources, connectivity requirements, and permit streamlining. Mr. Goodman reviewed that they had evaluated case studies from Kent, Bothell, and Bellevue. Mr. Goodman reviewed findings from each of case studies and some of the broader lessons for the Tacoma Mall Neighborhood Subarea Plan.

Commissioners provided the following questions regarding the Economic Comparative Analysis:

- Commissioner Edmonds asked when the planning began for each of the case studies and when they were included in long range transit planning. Mr. Goodman responded planning occurred prior to 2006 for Bothell and before the recession for Kent Station. He would need to do further research on when transit planning occurred.
- Commissioner Woolley asked if there had been similar timelines for other subarea plans in the other jurisdictions and how long implementation can take. Mr. Goodman responded that in the case studies there had been fairly quick implementation in terms of private investment and infrastructure investment, but full implementation could take more than 20 years.
- Commissioner Strobel asked if the BelRed and Bothell plans had identified key public infrastructure catalyst projects. Mr. Goodman responded that BelRed had implemented a lot of new streets and Bothell had redeveloped a main arterial to be more pedestrian oriented.

Mr. Barnett discussed public comments received at the public hearing on September 6 and through the comment period ending on September 15. General comments had included support for goals of the plan, that a plan was needed, and a desire to see everyone benefit from the plan with no winners or losers.

For the Urban Form chapter, public comments included support for the vision, excitement for the transition to urban development patterns, and questions as to whether the northwest district was appropriate for a smaller block size. The staff recommendation was that they should reaffirm the 600x600 foot block scale vision while also allowing flexibility for larger development with pedestrian connectivity.

For the Land Use chapter, comments included support for extending the boundary to South Tacoma Way, interest in strengthening design standards, that more parking was needed, that front doors should not be facing alleys, and comments regarding building heights. The staff recommendation was that they should finalize the zoning proposal for the Madison District, clarify the approach for front doors facing alleys, call for enhancements to design review, and update the Comprehensive Plan for consistency.

For the Housing chapter, comments mainly focused on concerns about involuntary displacement and gentrification. The staff recommendation was to consider modified affordability targets and what actions the City can take to promote affordability.

For the Transportation chapter, comments included support for improving the transportation network; support for the loop road, transit station location, I-5 off ramp, and pedestrian improvements; comments regarding project priorities; and comments from Pierce Transit and Sound Transit that the plan didn't reflect their funding plans. The staff recommendation was for minor revisions to project prioritization, adding a near term parking strategy, and coordination with transit agencies.

For the comments regarding the connectivity plans, there had been broad recognition that more connectivity was desirable, some support for the balanced proposal, and concerns that it still needed work. Mr. Barnett noted that he had also heard concerns about whether the market was ready, whether it would be an excessive burden, and whether the thresholds triggering the requirements were too low. He reported that staff was working on a modified connectivity process to increase thresholds, improve predictability, and provide discretionary City review.

For comments regarding Pedestrian Access Standards, Mr. Barnett noted general support, concerns about how many connections would be required, concerns about thresholds, concerns about topography challenges, and questions about sites with restricted access. He reported that staff would propose refinements to illustrate how they would handle different sizes of sites, some reductions to thresholds, and reduced requirements for the size of through connections.

For the Environment chapter, Mr. Barnett reported that comments included that they should be prioritizing evergreen trees, that they should be protecting the aquifer, and that there should be more emphasis on green building standards.

For the Community Vitality chapter, comments included that more businesses should be local serving, concerns regarding crime, and broad support for parks.

For the Shared Prosperity chapter, Mr. Barnett noted that there was broad support for the plan, the upfront EIS and City investment; concerns about the fragility of the economy in the area; and comments that the City should not stifle development. The staff recommendation was to carefully review connectivity and pedestrian access standards; review proposed Development Regulation Agreement criteria; revise the Catalyst Site Map; and integrate the CAI report into the findings.

For the Utilities and Services, the comments included that they should add recycling to discussions of solid waste.

For the Implementation chapter, Mr. Barnett reported that they would be adding an implementation tracking system in the EIS and highlighting the importance of funding actions.

Commissioners provided the following comments and questions:

- Commissioner Woolley suggested that as staff reconsidered the thresholds for the connectivity requirement they make sure that there is a clear reasoning for the threshold number.

- Commissioner Edmonds recommended that they be specific about which agencies they referred to when they identified strategies to coordinate with the different agencies.
- Commissioner Edmonds commented that she would like to see something included regarding the feasibility study for the relocation of the transit center.
- Commissioner Edmonds suggested including Economic Development Board and Chamber of Commerce as partners in identifying businesses to recruit in the Shared Prosperity chapter.
- Commissioner Edmonds asked if the plan took into consideration the possibility for unexpected funding sources. Mr. Barnett responded that the plan did set them up to receive money for the projects that were identified.
- Commissioner Santhuff commented that there were trees of significant size and character on private property that deserved some level of protection. He recommended that they highlight Pierce County regulations protecting Garryana oak trees in their policies.
- Commissioner Santhuff suggested that they include a recommendation to look at car dealerships on the periphery of the regional growth center for future expansion of the boundary so that it would have a more logical relationship to the streets.
- Commissioner Santhuff asked if warehousing would be allowed as conditional use. Mr. Barnett responded that they were making warehousing more of an option in the current zoning by taking it from prohibited to conditionally allowed.
- Commissioner Santhuff expressed support for a recommendation from Jori Adkins to include the Downtown boundary in Figure I-1 and that they discuss the relationship between the two growth centers, the development capacities, and why the heights were appropriate for the Mall.
- Commissioner Santhuff suggested that they have a goal to have the original street connections at South Alder and South Cedar reestablished.
- Commissioner Santhuff suggested that if the section of the Water Flume Trail near the car dealership along South Tacoma Way were routed onto Union Street, it might be a better connection to the rest of the trail and avoid some of the vehicular conflicts.
- Commissioner Santhuff asked which aspects of the loop road would be prioritized as demonstration projects. Mr. Barnett responded that they would need future analysis to select those, but higher level principles to guide that choice were welcome.
- Commissioner Strobel requested that they note if any of the listed priority transportation projects were the catch-up investments noted in Action T-18.
- Commissioner Strobel suggested that the metrics for the performance measures from Action T-29 could be borrowed from the Transportation Master Plan.
- Chair Wamback asked if they had considered incorporating the full costs that would be borne by the property owners for the Tier 2 street connections such as the potential loss of parking area. He commented that he was looking for an alternative approach to connectivity where they privatize the responsibility and provide incentives to achieve the same vision.
- Commissioner Waller suggested that staff take a longer look at the proposed 37<sup>th</sup> Street connection, as there was nothing west of Pine Street that would justify the new connection.
- Commissioner Santhuff requested that staff walk through process of how development regulation agreements would take place and what the outcomes might be at a future meeting.

Chair Wamback recessed the meeting at 6:19 p.m. The meeting resumed at 6:27 p.m.

## **2. Tideflats Interim Regulations**

Stephen Atkinson, Planning Services Division, reviewed that the City Council had initiated the Tideflats subarea planning process and asked the Planning Commission to consider the need for interim regulations to pause certain kinds of development. He reviewed the discussions from four previous meetings at which interim regulations had been considered. Mr. Atkinson reported that 14,000 notices had been mailed out regarding the Commission's public hearing on September 13<sup>th</sup> and they had received over 200 written comments and testimony from 81 people. He reviewed that there were four main proposals in the interim regulations: expanded notification for heavy industrial uses; prohibition of certain non-industrial uses; prohibition of new residential development along Marine View Drive; and prohibition on establishing certain new heavy industrial uses.

Mr. Atkinson reviewed that the expanded notification proposal would apply to heavy industrial uses citywide in cases where there is a discretionary permit application or a SEPA determination is required. The proposal would expand the notification radius to 2500 feet from the boundary of the manufacturing/industrial center (M/IC). Mr. Atkinson noted that they could consider modifications to the notification distance or thresholds, though the recommendation was to maintain the current proposal.

Commissioners provided the following comments and questions:

- Commissioner Edmonds asked why expanded notification was being proposed as an interim regulation and not a permanent regulation. Mr. Atkinson responded that there might be further discussion of the notification distances or methodologies during the subarea planning process.
- Commissioner Strobel asked if there was a way permits could be geographically organized so staff could provide a general link to the public. Mr. Atkinson responded that information was available online through the [Tacomapermits.org](http://Tacomapermits.org) website and they were looking into adding more information to their maps.
- Chair Wamback asked if they were setting a stage where they would eventually have to provide expanded notification for every type of land use.
- Chair Wamback asked if the public notices for development projects were being paid for by the developers as part of their permit fees or from the general tax revenue. Mr. Atkinson responded that the City was paying for the costs of notification.

Mr. Atkinson reviewed that the second proposal would prohibit new non-industrial uses, including all residential uses, in the Port of Tacoma Manufacturing/Industrial Center (M/IC). He noted the presence of a small area of M-1 light industrial in the Dome District and commented that a number of uses proposed for prohibition were currently only allowed in M-1. The staff recommendation was to allow those specific uses in M-1 as permitted, while maintaining prohibitions on some of the other items. Mr. Atkinson reviewed options for consideration including whether to allow limited expansion per non-conforming use provisions, narrow the list of prohibited uses in the M-1 area, or exclude all of the M-1 area from the list of prohibited uses. Staff recommended allowing limited expansion per non-conforming use provisions and narrowing the list of prohibited uses in the M-1 area.

Commissioners provided the following comments and questions:

- Commissioner Edmonds asked why they were not solely focused on fossil fuels which had been the concern of the vast number of people who spoke at the public hearing.
- Commissioner Woolley asked how they had arrived at allowing limited expansion with non-conforming use provisions. Mr. Atkinson responded that they had originally proposed the expansion allowance for heavy industry and then extended it to the non-industrial uses which were also being prohibited to allow expansion of existing uses.
- Commissioner Waller asked why cultural institutions were limited from expanding. Mr. Atkinson responded that it was strictly because they were non-industrial.
- Chair Wamback suggested that the wording for the interim regulations use the term “temporary interim prohibition” instead of “prohibition”, which sounded final.
- Chair Wamback commented that he viewed the area between south Downtown and the Dome District as a transition area and would support removing the M-1 area from the prohibition proposals since the area did not have the same long term direction on industrial use.
- Commissioner Strobel commented that he would support removing M-1 from consideration due to its location and the proximity of the Sound Transit Station.

Mr. Atkinson discussed correctional facilities, which were included in the scope of the topic of non-industrial uses. He reviewed that the initial staff proposal was to leave correctional facilities as currently permitted, recognizing that the issue was on the work program for permanent regulations later that Fall.

The third proposal was for prohibition of all new platting and residential development along Marine View Drive. Mr. Atkinson reviewed the public comments that had been received including concern that it was not reflective of the interests heard from the application from northeast Tacoma. He reviewed options for the Commission to consider including eliminating restrictions, modifying the boundary, or continuing to prohibit new platting while allowing building of legal lots. The staff recommendation was to allow reasonable use and focus on the platting of new lots which had been the primary area of concern.

Commissioners provided the following comments and questions:

- Commissioner Santhuff asked what the consequences would be for commercial properties that would be prohibited from multifamily construction. Mr. Atkinson responded that the commercial zoning provided a lot of flexibility for other development that could be done in the area.
- Chair Wamback asked if the proposal would prevent residential zonings from being rezoned in the future. Mr. Atkinson clarified that it would not.
- Commissioner Edmonds reviewed that testimony at the public hearing had been clear about existing residences having great concerns about noise and pollution from industrial uses. She expressed preference for having a pause on the construction of new residential uses while they evaluated the issue.
- Commissioner Waller asked for staff to explain how they define a reasonable use. Steve Victor, Deputy City Attorney, responded that it depended on the property, where a single residential lot didn't have a lot of other uses while a commercial property had far more viable uses.
- Commissioner Edmonds asked how allowing development above Point Woodworth wouldn't result in the same kinds of concerns and issues. Mr. Atkinson responded that a lot of the remaining properties on the slope were very large lots and the prohibition on platting would prevent those properties from having more than one home.
- Chair Wamback asked if, instead of a pause on residential development, the City could record an informational statement for developers and potential property owners to notify them that there was an industrial area close by. Mr. Atkinson responded that it was something that they had done in other cases.
- Commissioner Strobel commented that he would prefer a pause on residential development so that the subarea planning process could move forward.
- Commissioner Santhuff asked what kind of mitigation they could put forward if they were allowing one unit per parcel. He suggested that if they couldn't put forward the limitation, he hoped that they would do something so that multifamily construction didn't happen along Marine View Drive.

Mr. Atkinson discussed the fourth proposal which would place restrictions on five types of heavy industrial uses, prohibiting new uses while allowing existing uses to expand without limitations. He noted that the applicability for the proposal was citywide wherever heavy industrial uses were allowed. Mr. Atkinson reviewed the public comments that had been received, highlighting concerns about economic impacts, relationships between businesses, modifying the list of uses, and the amount of expansion allowed. He reviewed options for the Commission to consider including narrowing the focus to fossil fuel industries, expanding the list of uses, or changing how the expansion of existing uses was allowed. The staff recommendation was for an expanded list of prohibited new uses and a conditional use permit (CUP) process for existing uses to provide more discretion to review impacts and evaluate need.

Commissioners provided the following comments and questions:

- Commissioner Santhuff commented that he wanted to have a hard limit on the amount of expansion allowed.
- Commissioner Strobel asked to clarify if the RCW considered moratoria a temporary stop gap measure to develop permanent regulations and not permanent regulations themselves. Mr. Victor confirmed that moratoria provided an opportunity to pause intervening development that could negate the outcome of a subarea plan.
- Commissioner Strobel reviewed that almost one third of the public comments had mentioned existing uses and it would be prudent to address existing uses in a manner that limits them in some form. Mr. Atkinson responded that one option would be to reinstate a hard cap on expansion, consistent with how they handled non-industrial uses.
- Commissioner Edmonds noted that existing businesses were already subjected to many regulations and if they were mandated to make changes by other agencies, she did not want them to have to go through a CUP process in order to comply.
- Commissioner Edmonds asked if concerns about Joint Base Lewis-McChord's dependence on the Port were justified. Mr. Atkinson responded that they wouldn't want to be in the position where it would negatively impact JBLM's ability to function.

- Commissioner Santhuff noted comments about restricting rail terminals related to fossil fuels, asking if there were legal reasons to exclude rail terminals. Mr. Atkinson responded that there were jurisdictional concerns over their ability to regulate rail facilities.
- Chair Wamback asked if there had been any comments about limiting the heavy industrial restrictions to the Port and not the entire City. Mr. Atkinson responded that he couldn't recall any. Chair Wamback asked when they would have the work program to discuss the interim regulations for South Tacoma. Mr. Atkinson responded that they would have an economic analysis as part of the Port subarea plan, which would identify concerns with specific types of uses and potential mitigation that might be appropriate outside of the Port. They would need to have that discussion within those studies or through a separate process for the South Tacoma M/IC.
- Chair Wamback commented that he would like to restrict the discussion to coal terminals and oil, noting there had been a lot of community interest about negative impact of the fossil fuel industry. He asked why they couldn't pause and focus on the thing that they were paused for. Mr. Atkinson responded that they would have to develop findings that support narrowing the list further.
- Commissioner Strobel recommended against expanding the list of restricted uses as the Commission had already gone through a process to determine the level of risk for those uses.
- Commissioner Santhuff commented that he was not in favor of reducing the list to coal and oil. He requested that staff return with the expanded list and include details on what the associated risks are that would justify putting those uses back on the list.

Mr. Atkinson commented that the Commission would need to consider what modifications they would need to make to the findings and recommendations to demonstrate the need for the proposals that they were forwarding to the City Council.

### **3. Marijuana Use Buffers Code Amendment**

Lihuang Wung, Planning Services Division, reviewed that the item was in response to City Council Resolution No. 39742 that had requested the Planning Commission to consider amending the code regarding marijuana use buffers. The Commission had studied the issue and conducted a public hearing on September 6, which had received no opposing comments. Mr. Wung noted that the Commission had raised questions about the definition of arcade and whether Tribal facilities were considered part of federal facilities. Staff's response was that the questions required additional analysis. Mr. Wung requested that the Commission consider approving the draft Letter of Recommendation and the draft Findings of Fact and Recommendations Report as presented in their packet.

Commissioner Edmonds motioned to approve the draft Letter of Recommendation and the draft Findings of Fact and Recommendations Report as presented in their packet. Commissioner Strobel seconded. The motion was approved unanimously.

## **E. COMMUNICATION ITEMS & OTHER BUSINESS**

Mr. Wung reported that they would be in the Council Chambers for the next meeting to accommodate the number of citizens that would likely be attending.

## **F. ADJOURNMENT**

At 8:56 p.m., the meeting of the Planning Commission was concluded.



## **MINUTES** (Draft)

**TIME:** Wednesday, October 4, 2017, 5:00 p.m.  
**PLACE:** Council Chambers, Tacoma Municipal Building, 1<sup>st</sup> Floor  
747 Market Street, Tacoma, WA 98402  
**PRESENT:** Stephen Wamback (Chair), Carolyn Edmonds, Brett Santhuff, Andrew Strobel, Dorian Waller, Jeremy Woolley  
**ABSENT:** Anna Petersen (Vice-Chair), Jeff McInnis

### **A. CALL TO ORDER AND QUORUM CALL**

Chair Wamback called the meeting to order at 5:02 p.m. A quorum was declared.

### **B. APPROVAL OF AGENDA AND MINUTES OF SEPTEMBER 6, 2017 AND SEPTEMBER 13, 2017**

The agenda was approved. The minutes of the meetings on September 6, 2017 and September 13, 2017 were reviewed and approved as submitted.

### **C. PUBLIC COMMENTS**

No members of the public came forward to provide comments.

### **D. DISCUSSION ITEMS**

#### **1. Hilltop Link Expansion – FTA/SGA Technical Assistance Grant**

Lauren Flemister, Planning Services Division, reviewed that the City of Tacoma had received a grant from the Federal Transit Administration (FTA) for Transit Oriented Development assistance, as a complementary effort to the Links to Opportunity Project. The goal of the technical assistance was to support the City in better understanding the existing and future housing market conditions and needs of the Hilltop community in anticipation for the Link light rail expansion into the neighborhood.

Chris Zimmerman, Smart Growth America, reported that they were the entity through which the FTA offered technical assistance to work on issues of transit oriented development, to ensure that they got the development outcome they wanted, and to help ensure that those outcomes were equitable. In Tacoma they were working with staff to address equity issues, housing affordability, and the potential role of a new transit line. Mr. Zimmerman discussed their process from understanding the conditions to identifying potential policy tools to address issues that might be more acute with the opening of a new transit line.

Laura Searfoss, Enterprise Community Partners, reported that they were in the second half of Phase 2 and had done a lot to build an understanding of the housing market conditions within Hilltop, what tools the City was already using, and other external factors that could affect affordability. Things that they could build on included the Links to Opportunity Project, the digital inclusion study, the anchor engagement work, and the planning that had already been done. Ms. Searfoss reported that one of the biggest challenges in tackling affordability was limited resources, so they were also considering how to bring more resources to bear. As they considered what affordability means they would be focusing on the housing side, but would also consider complementary work through Links to Opportunity and other avenues to increase people's incomes. Ms. Searfoss reported that the proposed strategy framework included four strategies intended to increase affordability in Hilltop, promote better policy alignment, promote equity, and support longtime residents. They hoped that the goals could be met through the

cultivation of new resources, streamlining the existing policy framework, strengthening the programs that already serve many of the needs today, and through policies that support existing residents.

Commissioners provided the following questions and comments.

- Commissioner Edmonds asked how they defined affordable housing. Ms. Searfoss responded that they were looking at residents who were paying more than 30% of their income towards housing costs.
- Commissioner Edmonds asked if the project would also address access to jobs that pay a higher income. Ms. Flemister responded that the Anchor Initiative would do a lot of work to address jobs and income.
- Commissioner Strobel asked who the other stakeholders involved in the project were. Ms. Flemister responded that principle partners included Tacoma Housing Authority, the Community and Economic Development Department's Housing Group, the Hilltop Engagement Committee, the Hilltop Action Coalition, and others.

## **2. Tideflats Interim Regulations**

Chair Wamback reviewed that the Commission bylaws included a provision about disclosing contacts or meetings with interested parties to preserve the integrity of the Commission's process. He asked fellow Commissioners who had been contacted since the close of the hearing to disclose those contacts. Chair Wamback reported that he had received written comments from the Longshoreman's Union and phone contacts from Schnitzer Steel, the Port of Tacoma, and Citizens for a Healthy Bay. Commissioner Edmonds reported having received written comments from Citizens for a Healthy Bay and several phone calls that were not returned. Commissioner Woolley reported receiving a phone call from Citizens for a Healthy Bay. Commissioner Santhuff reported having several interested parties attempt to contact him but not engaging them. Commissioner Waller reported having received a few emails from Citizens for a Healthy Bay. Commissioner Strobel reported having contact with the Port of Tacoma, City of Tacoma, Citizens for a Healthy Bay, Longshoreman's Union, and individual community members.

Stephen Atkinson, Planning Services Division, reviewed that staff was seeking for the Commission to make a recommendation to the City Council on the need for, and the recommendations pertaining to, the Tideflats Interim Regulations. They would proceed through an informal poll of Commissioners for the individual components and then ask for a motion from the Commission on the entire package. Mr. Atkinson noted that the inclusion of an alternative draft of the amendment in the agenda packet was intended to show how different options considered by the Commission would look if codified, not to circumvent the process.

The Findings of Fact were discussed. Mr. Atkinson reviewed that some of the key pieces provided by staff included findings related to state policy on liquid fossil fuels, the lifting of the ban on crude oil exports, documentation of the public notification process, documentation of Commission deliberations, documentation of public comments, and tentative recommendations from the Commission. Findings that would be documented following the meeting included the final summary of recommendations to the City Council and the changes made between the public review document and the final recommendation.

Mr. Atkinson discussed the expanded notification proposal. He reviewed that at the previous meeting the Commission had discussed whether the proposal should be permanent and the degree to which it was precedent setting. The staff recommendation was to keep the proposal in the interim regulations.

Chair Wamback called for a straw poll of Commissioners as to whether they supported the element as presented by staff. Commissioners indicated unanimous support.

Mr. Atkinson reviewed proposed regulations for non-industrial uses in the Port Manufacturing/Industrial Center (M/IC). The proposal would limit certain non-industrial uses in the Port to address concerns about conversion of industrial lands into non-industrial uses and to ensure that they would not see new large non-industrial uses during the subarea planning process. The proposed modifications were to allow expansion through nonconforming use provisions, to remove correctional facilities from the list of prohibited uses, and to not prohibit uses allowed only in the M-1 zoning.

Commissioner Strobel asked for an explanation of the provisions behind the non-conforming use expansion allowance. Mr. Atkinson reviewed that existing non-conforming use code allowed up to a 10% increase in trip generation or 10% parking quantity. The second provision recognized some uses that provided a positive benefit to the location but would not be appropriate for upzoning.

Chair Wamback noted that a credit union had expressed concern about whether they would be able to expand into their extended footprint. He asked if an expansion would automatically be approved if their customer base had already grown and filling the rest of their footprint would not generate new trips. Mr. Atkinson responded that it was the kind of circumstance where they would recommend having some mechanism through the conditional use process to allow some flexibility.

Commissioner Edmonds asked if it was appropriate for them to include non-industrial uses, commenting that they had not had time to consider the potential impacts of the regulations on those uses.

Chair Wamback called for straw polls for the individual aspects included in the category of non-industrial uses. He asked if there was support for any sort of prohibition of non-industrial uses in the Port M/IC. Five of six Commissioners expressed support with Commissioner Edmonds opposed.

Chair Wamback asked if there was support for a non-conforming use provision as recommended by staff. Five of six Commissioners expressed support with Commissioner Edmonds opposed.

Chair Wamback asked if there was support for applying the regulations on non-industrial uses to the entirety of the Port M/IC. All Commissioners expressed opposition.

Chair Wamback asked if there was support for removing the M1 zone and focusing the regulations on the PMI, Shoreline, and M2 zoning. Five of six Commissioners expressed support with Commissioner Edmonds opposed.

Chair Wamback asked if there was support for not including correctional facilities on the list of prohibited uses. All Commissioners concurred with striking correctional facilities from the list.

Mr. Atkinson reviewed proposed regulations for residential development along Marine View Drive. The proposal was to pause all new platting, subdivision, and new residential construction. Mr. Atkinson reviewed that there had been a question as to whether denying building permits for an approved plat could be considered a taking. As a result of that discussion, the staff recommendation was to keep the pause on all new plats and subdivision and allow reasonable use of existing lots in the interim.

Commissioner Edmonds asked if Noble Manor v. Pierce County, the case cited in the legal memo, had involved interim regulations. Steve Victor, Deputy City Attorney, responded that it did not involve interim regulations, but there was still potential for conflict with a vested right to develop platted property.

Commissioner Edmonds commented that it made no sense to allow even one house to be built when the neighbors of northeast Tacoma were experiencing huge impacts from the development in the Port.

Chair Wamback asked if the item could be recommended as the first work item of the subarea plan. He noted that they had received letters from property owners that had already platted land and had expectations of developing it. Brian Boudet, Planning Services Division Manager, responded that the subarea plan would be a comprehensive process that looks at all of the issues concurrently rather than addressing individual issues in certain sequential manner.

Commissioner Santhuff commented that he shared the concerns about residences being built up there, but he also felt that the interim regulations shouldn't prohibit development from moving forward. He commented that if they included a pause on new residential construction, they would likely see some legal challenge. He commented that stopping new platting and subdivisions would be the critical part.

Commissioner Edmonds asked if they could require that anyone purchasing a home in that area be informed of the activities of the port. Mr. Boudet responded that it could be done as a notice on title or with less formal notifications that could meet the same intent.

Chair Wamback called for a straw poll on whether there was support for pausing residential construction in already platted subdivisions zoned residential, i.e., taking the "most restrictive" approach. Half of the

Commissioners expressed support with Commissioner Santhuff, Chair Wamback, and Commissioner Woolley expressing opposition. The straw vote failed due to a tie vote.

Chair Wamback asked if there was support for the modified approach that included the staff recommendation and the Commission's suggestion for providing additional notice to let people know about concerns during the process. Commissioners expressed unanimous support.

Mr. Atkinson discussed proposed restrictions for heavy industrial uses. The proposal would apply citywide wherever heavy industry was allowed and would prohibit establishment of certain new uses. Based on feedback from the last discussion, staff had added a limitation on expansion for up to a 10% increase in storage, production, or distribution capacity subject to a conditional use permit (CUP).

Commissioner Edmonds commented that coal and fossil fuel uses should be the focus of the restrictions.

Commissioner Strobel expressed support for including a limit to expansion, which had been a significant concern in many public comments. He asked if improvements like seismic upgrades would be subject to the proposed limitations on expansion. Mr. Atkinson responded that they did not intend to place limitations on those kinds of improvements, because they would not affect the capacity of a facility.

Commissioner Strobel asked if a biofuels project would trigger the restrictions or would be able to go through the Planning Director's Rule. Mr. Atkinson responded that a biofuels project would go through the director's interpretation to determine if it fits within the parameters.

Commissioner Strobel commented that he was comfortable with the list of uses, adding that he had been supporting the inclusion of mining and quarrying based on concerns for the steep slopes.

Commissioner Santhuff reviewed that he would be in favor of expanding the list, but trusted that the process of the subarea plan would look at all of the uses.

Chair Wamback reviewed that the interim regulations would be affecting heavy industrial uses in both the Port and South Tacoma, asking if the subarea plan would affect the South Tacoma as well. Mr. Atkinson responded that there would be economic research and environmental review done during the subarea plan that would be transferrable to other areas and would help inform a separate decision.

Chair Wamback called for straw polls for whether individual heavy industrial uses listed would be subject to restrictions. For coal, oil, or gaseous fossil fuel uses, all Commissioners indicated support for inclusion on the list. For chemical production, processing, and bulk storage, four of six Commissioners supported inclusion on the list, while Chair Wamback and Commissioner Edmonds were opposed. For smelting, with three of six Commissioners supporting inclusion on the list and Chair Wamback and Commissioners Edmonds and Waller opposing, the straw vote failed due to a tie vote. For mining and quarrying, four of six Commissioners supported inclusion on the list, while Chair Wamback and Commissioner Edmonds were opposed. Due to the lack of support from the majority Commissioner for including smelting on the list of uses being restricted, Chair Wamback recommended removing it from the list.

Chair Wamback asked if there was support for limiting the expansion of uses as presented by staff. Following discussion, three Commissioners indicated support for the limitation on expansion as proposed by staff with Chair Wamback, Commissioner Waller, and Commissioner Edmonds opposed. Chair Wamback commented that his objection was to creating a parallel CUP process and they had not been provided facts to support that approach. Commissioner Edmonds commented that there were so many potential unintended consequences, that she would prefer there be no limitation on expansion. Commissioner Waller commented that he would prefer expansion be subject to a CUP without a specific limit on the percentage of expansion allowed.

Commissioner Santhuff noted that there had been a lot of public comment expressing concern about the potential expansion of existing uses. He commended that the staff proposal addressed those concerns as well as concerns about not wanting to count upgrades to facilities against the 10%. He commented that it was important that they make sure that the business did not invest too much in a property that would have negative consequences for the subarea planning process.

Commissioner Strobel commented that they should take existing uses into consideration because the subarea plan process would include an environmental study to establish a baseline understanding what

was happening to the environment in the Tideflats. Without a pause, they could have elements changing as they were developing the subarea plan document such as the surface mine which could radically effect the steep slopes. If they had an expansion limitation in place, they would be able to better control the process and understand the environmental baseline that they were trying to get out of the subarea process. He added that they would be able to review the restrictions every six months (as the interim regulations are due for renewal) during the subarea planning process and would have opportunities to reevaluate the restrictions.

Chair Wamback asked for a second straw vote regarding limiting the expansion of uses as presented by staff. Four of six Commissioners indicated support with Commissioner Edmonds and Chair Wamback expressing opposition.

Mr. Atkinson noted that there were several other recommendations to be included as part of the interim regulations. For the duration of interim regulations, the Commission had an option to recommend whether the interim regulations be enacted initially for six months or one year. The Commission could also make a recommendation pertaining to the work plan associated with a one-year duration of the interim regulations. The Commission had brought up the need for tracking and reporting what kind of permit applications they were seeing and other associated issues. There had also been comments from Commissioners regarding the importance of the Tideflats planning effort, so staff had included a statement recognizing the need to prioritize resources to expedite the process. Mr. Atkinson asked if there were any other recommendations or statements that the Commission wanted to include. He also asked if there were any modifications to the findings needed.

Commissioner Strobel recommended referencing the Magnuson Amendment in relation to fossil fuel oriented development in the findings.

Commissioner Edmonds questioned the initial 12 month duration for the interim regulations, suggesting that 6 months would be more consistent with the 6-month reauthorization period during the subarea plan. Following discussion, a majority of Commissioners concurred with enacting the interim regulations initially for six months and subsequently renewed every six months for the duration of the subarea plan.

Chair Wamback recommended that the subarea planning process invite participation from all jurisdictions within Pierce County and the Puyallup Tribal government. He requested that they also include a process through which the neighborhood councils and citizens could be involved.

Mr. Boudet reviewed the straw votes made by the Commission on the individual elements of the interim regulations package and recapped the modifications made by the Commission to certain elements. Commissioner Woolley motioned to recommend to City Council the interim regulations package as summarized by Mr. Boudet. Commissioner Strobel seconded. Chair Wamback requested an amendment to the motion to allow him to make some editorial changes to the draft Letter of Recommendation as presented in the agenda packet. Commissioner Woolley and Commissioner Strobel approved including the amendment. Commissioner Edmonds suggested that the letter also identify issues that had divided the Commission during the straw poll process. Mr. Boudet suggested that it be addressed in the Findings of Fact and Recommendations Report. The Commission concurred. The motion with Chair Wamback's amendment was approved, four-to-two, with Chair Wamback and Commissioner Edmonds voting against.

## **E. COMMUNICATION ITEMS & OTHER BUSINESS**

Mr. Boudet provided the following updates:

- Staff had provided a memo regarding the key issues identified during the last discussion of the Tacoma Mall Neighborhood Subarea Plan.
- The City Council was considering an extension of the effective date of the State of Public Health Emergency declared in May 2017 and concurrently considering modifications to and extension of the Emergency Temporary Shelters Interim Regulations.
- The City Clerk's Office would be accepting applications through October 16, 2017 for filling the vacant Planning Commission position representing District No. 5.
- The next meeting of the Planning Commission would likely include the Tacoma Mall Neighborhood Subarea Plan and Billboards on the agenda.

**F. ADJOURNMENT**

At 7:43 p.m., the meeting of the Planning Commission was concluded.



City of Tacoma  
Planning and Development Services

**Agenda Item  
D-1**

**To:** Planning Commission  
**From:** Lihuang Wung, Planning Services Division  
**Subject:** **Billboard Regulations**  
**Meeting Date:** October 18, 2017  
**Memo Date:** October 11, 2017

At the next meeting on October 18, 2017, staff from the City Attorney's Office and the Planning and Development Services Department will provide the Planning Commission an update on the Sign Code amendments proposed by Lamar Advertising concerning billboards in Tacoma.

This is an informational briefing on the matter that is currently under consideration by the City Council, and the Commission is not requested to take any decision-making action. To facilitate the Commission's review, attached are the proposed code amendment and the PowerPoint slides that were presented to the City Council at the study session on October 10, 2017.

The Council is moving forward with consideration of the proposed settlement agreement and code amendments, based in part on the Commission's recommendation that was made in October 2015. The document "Planning Commission Recommendation Packet, October 21, 2015" provides a comprehensive summary of the historic background about billboards in Tacoma, the Commission's deliberations of the proposed code amendment at the time, and the public/stakeholders involvement process. To review the document online, please visit [www.cityoftacoma.org/Planning](http://www.cityoftacoma.org/Planning), click on "Recent and Completed Projects", followed by "Billboard Regulations", and find the document posted in the 3<sup>rd</sup> section of the webpage titled "Planning Commission Recommendation."

If you have any questions, please let me know, or contact the following subject matter experts:

- Chris Bacha, Chief Deputy City Attorney, 253-591-5626, [cbacha@cityoftacoma.org](mailto:cbacha@cityoftacoma.org)
- Shirley Schultz, Principal Planner, 253-591-5121, [shirley.schultz@cityoftacoma.org](mailto:shirley.schultz@cityoftacoma.org)

#### Attachments

c. Peter Huffman, Director





Req. #

## ORDINANCE NO.

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AN ORDINANCE relating to the regulation of signs; amending Chapter 13.06 of the Tacoma Municipal Code relating to billboards, creating a billboard exchange program, allowing installation of new billboard faces in exchange for removing billboard faces, and modifying development standards concerning design, location, landscaping, dispersal, lighting, buffering, height, and alterations of billboards; adopting permit requirements to establish maximum permissible billboard heights; and, providing for severability.

WHEREAS \_\_\_\_\_; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. The Section 13.06.521 of the Tacoma Municipal Code is hereby amended to read as set forth in the attached Exhibit "A".

Section 2. That Section 13.06.522 of the Tacoma Municipal Code is hereby amended to read as set forth in the attached Exhibit "B".

Section 3. That Sections 13.06.700.B and 13.06.700.S of the Tacoma Municipal Code are hereby amended to read as set forth in the attached Exhibit "C".

Section 4. That the following permit requirements related to the establishment of the maximum permissible height of freestanding billboards are hereby adopted:

Freestanding Billboard Heights Established.

A. Purpose and Intent. Certain freestanding billboard signs erected prior to January 1, 2000 may have been in excess of the applicable height



1 limits in the City Code applicable at the time of erection. The intent of this  
2 section is to authorize issuance of a permit for such signs setting the currently  
3 existing height as the maximum permissible height at the time of erection.  
4 Except as to height, such permit shall not otherwise make such sign a legal  
5 conforming or nonconforming structure.

6 B. Application. An owner, or an authorized representative of an owner,  
7 of a freestanding billboard sign erected prior to January 1, 2000, may apply for  
8 a permit to establish the lawful permitted height of the freestanding billboard  
9 sign. The permit application shall include the following information:  
10

11 1. Name and Address. The name of the owner, and owner  
12 representative if different than the owner, and mailing address at which the  
13 owner and owner's representative may receive any notices from the City.

14 2. Billboard Sign Location. The location of the billboard sign, including  
15 assessor's tax parcel number, together with a plan view exhibit depicting the  
16 location and orientation of the billboard sign on the property upon which the  
17 sign is located and adjacent rights of way, together with an unadulterated  
18 image(s) of the existing billboard structure and faces.  
19

20 3. Certified Statement. A statement from the owner, or owner's  
21 representative, certifying under oath that the freestanding billboard sign was  
22 constructed or erected at the identified location prior to January 1, 2000.  
23

24 4. Survey. A signed and dated written statement or spreadsheet  
25 prepared in accordance with professional survey standards by, and under the  
26 seal of, an independent surveyor licensed by the State of Washington,



1 representing the height of the freestanding billboard sign. The height of the  
2 freestanding billboard sign shall be stated based upon the vertical distance  
3 measured from the adjacent grade at the base of the sign to the highest point  
4 of the sign structure; provided, however, the grade of the ground may not be  
5 built up in order to allow the sign to be higher.

6 C. Time Period for Application. All such applications must be complete  
7 and submitted to the Director, or designee, of the Planning and Development  
8 Services Department during regular business hours before June 30, 2019.

9 The City will not consider any applications filed after this date.  
10

11 D. Issuance of Permit. The City shall have 90 days following submittal  
12 of the completed application to issue or deny the permit. The permit shall be  
13 issued unless the application is (i) incomplete, or (ii) the City determines that  
14 the billboard sign was not erected prior to January 1, 2000, or (iii) the height  
15 represented in the application is inaccurate, or (iv) the application included  
16 false or fraudulent information.  
17

18 E. Effect of Permit. The permit shall, upon approval and issuance, have  
19 the effect of establishing the height represented in the certified statement as  
20 the lawful permitted height applicable to the freestanding billboard sign at the  
21 time of its erection.  
22

23 Section 5. Severability. Should any section, paragraph, sentence,  
24 clause or phrase of this Ordinance, or its application to any person or  
25 circumstance, be declared unconstitutional or otherwise invalid for any reason,  
26 or should any portion of this Ordinance be pre-empted by state or federal law or



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regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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

**13.06.521 General sign regulations.**

**A. Administration.**

1. Director. The Director shall interpret, administer, and enforce the sign code in accordance with Chapter 13.05.
2. Building Official. The Building Official shall issue all permits for the construction, alteration, and erection of signs in accordance with the provisions of this section and related chapters and titles of the Tacoma Municipal Code (see Chapter 2.05). In addition, all signs, where appropriate, shall conform to the current Washington State Energy Code (see Chapter 2.10), National Electrical Code, and the National Electrical Safety Code. Exceptions to these regulations may be contained in the Tacoma Landmarks Special Review District regulations, Chapters 1.42 and 13.07.
3. Applicability. All new permanent signs, painted wall signs, and temporary off-premises advertising signs require permits. Permits require full conformance with all City codes, particularly Titles 2 and 13. Signs not visible from a public right-of-way or adjacent property are not regulated herein, but may require permits pursuant to the provision of Title 2.
4. In addition to and notwithstanding the provisions of this section, all signs shall comply with all other applicable regulations and authorities, including, but not limited to, Chapter 47.42 RCW – Highway Advertising Control Act – Scenic Vistas Act and Chapter 468-66 WAC – Highway Advertising Control Act.
5. Substitution Clause. Any sign allowed under this Code may contain, in lieu of any other message or copy, any lawful noncommercial message or copy.

**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.

1. Changing of the advertising copy or message on a sign specifically designed for the use of replaceable copy.
2. Repainting, maintenance, and repair of existing signs or sign structures; provided, work is done on-site and no structural change is made.
3. Signs not visible from the public right-of-way and beyond the boundaries of the lot or parcel.
4. Incidental and warning signs.
5. Sculptures, fountains, mosaics, murals, and other works of art that do not incorporate business identification or commercial messages.
6. Signs installed and maintained on bus benches and/or shelters within City right-of-way, pursuant to a franchise authorized by the City Council.
7. Seasonal decorations for display on private property.
8. Memorial signs or tablets, names of buildings and date of erection, when cut into any masonry surface or when constructed of bronze or other incombustible material.
9. Signs of public service companies indicating danger and aid to service or safety.
10. Non-electric bulletin boards not exceeding 12 square feet in area for each public, charitable, or religious institution, when the same are located on the premises of said institutions.
11. Construction signs denoting a building which is under construction, structural alterations, or repair, which announce the character of the building enterprise or the purpose for which the building is intended,

including names of architects, engineers, contractors, developers, financiers, and others; provided, the area of such sign shall not exceed 32 square feet.

12. Window sign.

13. Political signs, as set forth in Title 2.

14. Real estate signs, 12 square feet or less, located on the site. Condominiums or apartment complexes shall be permitted one real estate sign with up to 12 square feet per street frontage. Such sign(s) may be used as a directory sign that advertises more than one unit in the complex.

15. Off-premises open house or directional signs, subject to the following regulations:

- a. The signs may be placed on private property or on the right-of-way adjacent to said private property, with the permission of the abutting property owner. The signs shall be displayed in such a manner as to not constitute a traffic hazard or impair or impede pedestrians, bicycles, or disabled persons. If either condition is not met, the abutting property owner or the City may remove the sign.
- b. Signs shall not be fastened to any utility pole, street light, traffic control device, public structure, fence, tree, shrub, or regulatory municipal sign.
- c. A maximum of three off-premises open house or directional signs will be permitted per single-family home. One additional open house or directional sign identifying the open house shall be permitted at the house being sold.
- d. Signage shall not exceed four square feet in area per side (eight square feet total) and three feet in height. Off-premises open house or directional signs shall not be decorated with balloons, ribbons, or other decorative devices.
- e. Signage shall only be in place between the hours of 11:00 a.m. and 6:00 p.m., when the seller of the product, or the seller's agent, is physically present at the location of the product.
- f. Each off-premises open house or directional sign that is placed or posted shall bear the name and address of the person placing or posting the sign in print not smaller than 12 point font. The information identifying the name and address of the person placing or posting the sign is not required to be included within the content of the speakers' message, but may be placed on the underside of the sign or in any other such location.
- g. New plats may have up to a maximum of eight plat directional signs for all new homes within the subdivision. New plat directional signs shall identify the plat and may provide directional information but shall not identify individual real estate brokers or agents. New plat directional signs shall be limited in size and manner of display to that allowed for off-premises open house or directional signs. Off-premises open house or directional signs shall not be permitted for new homes within new plats.
- h. A maximum of three off-premises open house or directional signs shall be allowed per condominium or apartment complex.

16. Professional name plates two square feet or less.

17. Changing plex-style faces in existing cabinets; provided, work is done on-site without removing sign.

18. 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.

C. Prohibited signs. The following commercial signs are prohibited, except as may be otherwise provided by this chapter:

1. Signs or sign structures which, by coloring, wording, lighting, location, or design, resemble or conflict with a traffic control sign or device, or which make use of words, phrases, symbols, or characters in such

a manner as to interfere with, mislead, or confuse persons traveling on the right-of-way or which, in any way, create a traffic hazard as determined by the City Engineer or his or her designee.

2. Signs which create a safety hazard by obstructing the clear view of pedestrians or vehicular traffic, or which obstruct a clear view of official signs or signals as determined by the City Engineer or his or her designee.
3. Signs, temporary or otherwise, which are affixed to a tree, rock, fence, lamppost, or bench; however, construction, directional, and incidental signs may be affixed to a fence or lamppost.
4. Any sign attached to a utility pole, excluding official signs as determined by Tacoma Public Utilities.
5. Signs on public property, except when authorized by the appropriate public agency.
6. Signs attached to or placed on any stationary vehicle or trailer so as to be visible from a public right-of-way for the purpose of providing advertisement of services or products or for the purpose of directing people to a business. This provision shall not apply to the identification of a firm or its principal products on operable vehicles operating in the normal course of business. Public transit buses and licensed taxis are exempt from this restriction.
7. Roof signs, except where incorporated into a building to provide an overall finished appearance.
8. All portable signs not securely attached to the ground or a building, including readerboards and A-frames on trailers, except those allowed by the regulations of the appropriate zoning district.
9. Abandoned or dilapidated signs.
10. Portable readerboard signs.
11. Inflatable signs and blimps.
12. Digital Billboards.
13. Off-premises signs, except pursuant to Section 13.06.521.L.

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.

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

E. Wall Signs.<sup>1</sup> Special regulations governing wall signs are as follows:

1. A wall-mounted sign shall not extend above the wall to which attached or above the roofline.
2. A wall sign shall not extend more than 18 inches from the wall to which it is attached.
3. ~~No wall sign shall~~ Wall signs may not cover ~~wholly, obscure~~ or ~~partially cause removal of~~ any ~~wall opening nor project beyond~~ significant architectural features on the ~~corner of the wall to which it is attached~~ building, except as permitted by applicable law.

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<sup>1</sup> Wall billboards are a category of wall signs and thus are subject to special regulations applicable to wall signs.

4. Where a wall sign extends over a public or private walkway, a vertical clearance of eight feet shall be maintained above such walkway.

5. For the purposes of this subsection, any building with an actual or false mansard roof may use such walls or roof for wall sign installation.

6. An architectural blade designed primarily for the placement of signs may be erected on top of a wall, parapet, roof, or building face and shall comply with all applicable height limitations. All supporting structure for such signs shall be completely enclosed.

~~7. Painted signs, on the building, shall be calculated with the allowed sign area for a business.~~

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

1. No projecting sign shall extend nearer than two feet to the face of the nearest curb line, measured horizontally.

2. The maximum projection permitted for any one sign shall be six and one-half feet or two-thirds of the width of the sidewalk below the location of the projecting sign, whichever is less.

3. A projecting sign shall not rise above the roofline or the wall to which it is attached.

4. Minimum clearance. All projecting signs over the public right-of-way shall have a minimum clearance to the ground as follows:

a. Over alleys and driveways, 14-1/2 feet; provided, said projection is no more than 12 inches;

b. Over automobile parking lots and other similar areas where vehicles are moved or stored, 14-1/2 feet;

c. Over footpaths, sidewalks, and other spaces accessible to pedestrians, eight feet;

d. All parts of electric reflector lamps or other illuminating devices extending over the sidewalk space shall be at least ten feet above the sidewalk, and the projection horizontally over the sidewalk space may not be more than six and one-half feet, but no closer than two feet from the curb line.

5. No projecting sign shall be erected in such a position as to completely block visibility of another projecting sign already in place on either side.

6. All projecting signs shall be installed in such a manner that the support structure above a roof, building face, or wall shall be minimally visible.

7. Supporting framework for a projecting sign may rise 12 inches above a parapet; however, where there is a space between the edge of the sign and the building face, such framework must be enclosed.

G. Freestanding signs.<sup>2</sup> Special regulations governing freestanding signs are as follows:

1. No freestanding sign shall be located within 15 feet of a residentially-zoned district, and where the side of a commercially zoned property abuts the side of a residentially-zoned property the first 100 feet of the commercial frontage shall have a sign setback requirement of 15 feet.

2. Minimum clearance. All freestanding signs shall have a minimum clearance to the ground as follows:

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<sup>2</sup> Freestanding billboards are not subject to the special regulations of this Subsection "G" and are instead subject to the special regulations of Subsection "M".

- a. Over parking lots and other similar areas where vehicles are moved or stored, 14-1/2 feet;
  - b. Over footpaths, sidewalks, and other spaces accessible to pedestrians, eight feet.
3. Signs shall be located upon the frontage for which the sign area is calculated.
  4. No freestanding sign shall project over a public right-of-way, unless an adjacent structure or sign is built out to or over the property line that blocks visibility to a freestanding sign on the adjoining property; then, such freestanding sign may be located so that the sign structure is on private property and the sign cabinet may project over the right-of-way, subject to all the provisions regulating projecting signs which project over rights-of-way.
  5. Signs placed on public property and/or right-of-way, abutting the business for which they identify, will require a Street Occupancy Permit. Sign regulations shall be determined by the zoning district of the abutting property.

H. 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 signs shall not be counted against the business' allowed sign area.

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.

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

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

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

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

J. Canopy and awning signs. Special regulations governing canopy and awning signs are as follows:

1. Signs are permitted along the faces and edges of canopies and awnings; provided, they are printed, marked, stamped, or otherwise impressed upon the awning in a professional manner.

2. Signs designed as an integral part of a canopy or awning and located along the face or edge may be illuminated. Sign area calculation shall include all illuminated areas, except that area providing illumination to the sidewalk below.

3. Signs located on canopies and awnings shall designate only the name of the business and/or the place and kind of business. A decorative design and/or the emblem or initials of the business occupying the premises may be placed flat on the main portions of the canopy or awning.

4. Awnings and canopies may extend over public property, but no portion of any awning or canopy shall extend nearer than two feet to the face of the nearest curb line, measured horizontally. Awnings shall project a minimum of three feet and not more than seven feet, when over public property, from the face of the supporting building. Canopies shall not extend more than 11 feet, when over public property, from the face of the supporting building.

5. Awnings and canopies shall maintain a minimum clearance of eight feet and shall not extend above 15 feet in overall height from grade to top of awning or canopy. Awnings and canopies shall not rise above the wall, roofline, or parapet to which it is attached.

6. Awnings and canopies which have support systems attached to public property, right-of-way or sidewalk will require a Street Occupancy Permit.

K. Temporary signs. Special regulations governing temporary signs are as follows:

1. The duration of display of a temporary sign shall not exceed six months in any 12-month period, unless otherwise noted.

2. No flashing temporary signs of any type shall be permitted.

3. All temporary signs must be authorized by the public or private property owner.

4. All temporary signs shall be securely fastened and positioned in place so as not to constitute a hazard to pedestrians or motorists.

5. No temporary sign shall project over or into a public right-of-way or property except properly authorized banners over streets (see Title 9).

6. All temporary signs shall meet vehicular sight distance requirements established by the Traffic Engineer.

7. The regulations governing the size, number, and type of temporary signs are located in Section 13.06.522.

L. Off-premises directional signs. Special regulations governing off-premises directional signs are as follows:

1. Off-premises directional signs shall be limited to a maximum of 15 square feet in area and 6 feet in height.
2. Off-premises directional signs shall contain only the name of the principal use and directions to the use in permanent lettering.
3. Off-premises directional signs shall be placed on or over private property, except that business district identification signs may be located and comply with the applicable requirements of Title 9.
4. Off-premises directional signs are permitted when on-premises signs are inadequate to identify the location of a business. If applicable, only one such sign shall be allowed.

M. Billboards. Special regulations governing billboards are as follows:

1. a. New billboard faces. Any new billboard face must be located or installed upon, or mounted to, a sign structure in compliance with this chapter and shall require a permit. For purposes of this chapter, "new billboard face" shall mean and refer to a billboard face that is located or installed upon or attached to a sign structure on a date on or after the \_\_\_\_\_ day of \_\_\_\_\_, 2017. "New billboard face" does not mean or include, (i) replacement of an existing billboard face located or installed upon, or mounted to, a sign structure; provided that, the sign structure remains in the same location and there is no increase in square footage or height of the billboard face(s) being replaced, or (ii) where two posters are located side-by-side on the same sign structure, the replacement of the two posters with one bulletin billboard; provided that, the sign structure remains at the same location and there is no increase in height of the billboard face. ~~Any new billboard must be installed in compliance with this chapter. In no case shall the number of billboard faces, associated structures, and total square footage of billboards as defined by this code exceed that in existence on August 1, 2011. This number shall include billboard faces for which relocation permits are held. Further, this number shall be reduced on March 1, 2012, by the number and square footage of nonconforming billboard faces in existence upon passage of this code.~~

b. Demolition Permit Required. Any sign permit application, and multiple sign permit applications concurrently filed with the City, to install one or more new billboard face(s) must be accompanied by an application(s) for a demolition permit for demolition of a billboard(s) and total billboard face square footage that is equal to or greater than the total new billboard face square footage requested in the permit or concurrently filed permits. Except as provided in Subsection M.1.c below, billboards and billboard faces removed pursuant to a demolition permit issued prior to the date set forth in Subsection M.1.a above shall not be included in the calculation of the allowable number of billboards or billboard face square footage allowed pursuant to this Subsection M.1.b. ~~Expiration of relocation permits. Relocation permits issued pursuant to TMC 13.06.521.M prior to its amendment on September 1, 2011, related to the removal of nonconforming billboards, shall expire on September 1, 2012 or within 6 months of issuance, whichever is later.~~

c. Banked Demolition Permits. An applicant for a permit(s) to install a billboard(s) may include with the application(s) those billboard demolition permits issued by the City to the applicant, or applicant's predecessor in interest, for billboards that were removed between August 9, 2011 and the date set forth in Subsection M.1.a above. The total billboard face square footage of the billboard faces removed under such demolition permits may be included in the aggregate total of billboard face square footage for purposes of calculation of the number of new billboard face square footage allowed pursuant to Subsection M.1.b above.

d. Replacement Only Restrictions. Where the District Sign Table (TMC 13.06.522.J – N) notes "replacement only", this means that a billboard demolition permit for the same zoning district must be submitted to the City per Subsection M.1.b above.

e. Demolition. ~~Removal~~Permanent removal of all billboard faces from a billboard sign structure shall ~~also~~ require the issuance of a demolition permit for the sign structure itself ~~and removal~~, except for wall mounted billboards.

f. Scheduling of Removal. Removal of billboard faces (and their associated sign structures, if necessary) shall be completed prior to the ~~construction~~installation or mounting of new or relocated billboard faces. ~~Structures~~Freestanding Sign structures removed shall be removed to grade and the grade restored at the site. Building-mounted sign structures shall be removed and the building wall restored.

2. Maintenance. All billboards, including paint and structural members, shall be maintained in good repair and in compliance with all applicable building code requirements. Billboards shall be kept clean and free of debris. The exposed area of backs of billboards must be covered to present an attractive and finished appearance. Failure to maintain the billboard or its structure, including exterior painting, shall constitute a violation of this section and be subject to strict enforcement under the Land Use Code Enforcement procedures and penalties (Section 13.05.100), which may include removal by the City at the expense of the property owner, sign owner, or permittee.

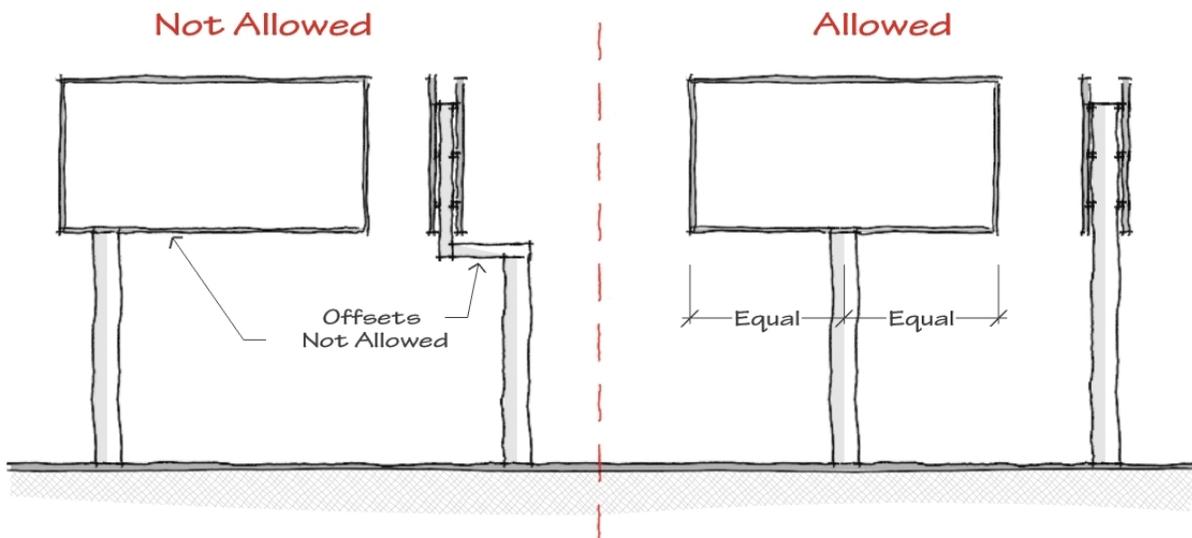
3. Design standards. The following design standards apply to all billboards.

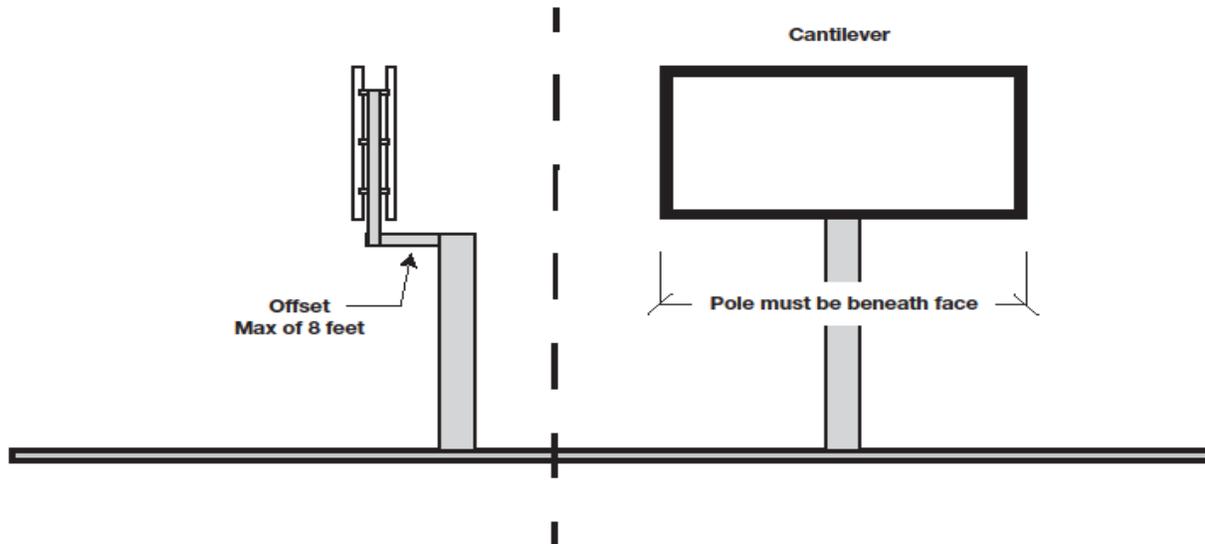
a. Each sign structure must, at all times, include a facing of proper dimensions to conceal back bracing and framework of structural members and/or any electrical equipment. During periods of repair, alteration, or copy change, such facing may be removed for a maximum period of 48 consecutive hours.

b. No more than two billboard faces shall be located on a single structure.

c. Billboard faces shall not be off-set forward or backward more than 8 feet in direction from center. Freestanding signs are prohibited from being cantilevered where the vertical support column extends beyond the width boundaries of the billboard face. ~~Billboard faces located on the same structure shall be positioned back to back (i.e., their backs shall be parallel to each other) and within five (5) degrees of perpendicular to the roadway from which they are to be viewed.~~

~~d. Billboard faces must be in line with the support structure and no cantilevered design will be approved (see diagram below).~~





~~e.~~ The billboard face or structure must be located within ten (10) feet of the property line which fronts the roadway from which the billboard is to be viewed.

~~f.~~ No billboard can be located in such a way so that locates any portion of the sign face or structure ~~is above~~ above a building.

~~g.~~ ~~No e.~~ A freestanding billboard may be constructed on a site where there is a freestanding sign: provided the minimum separation distance for freestanding signs can be met, or provided the signs share the same structure.

f. Building-mounted billboards may not cover more than 50% of the building wall area to which they are mounted.

4. Landscaping. The following standards apply to all billboards installed after August 1, 2011.

a. No code-required landscaping may be diminished for the installation of a billboard, but may be replaced or relocated to allow for installation of a billboard.

b. Installation of a billboard shall not be considered an alteration for the purposes of the landscaping code (TMC 13.06.502). ~~When the base of the billboard support is visible from the adjacent sidewalk and/or street the support shall be surrounded with a 5-foot-wide landscaping buffer composed of shrubs and groundcover not to exceed 36 inches in mature height.~~

c. Any alteration to any street tree (removal or pruning) is subject to City review and approval.

5. Dispersal. ~~Billboard faces not located on the same structure shall be a minimum of 500 feet apart, including billboards which may be located outside the City limits~~ The distance between billboards shall be measured in linear feet from the middle of the billboard face.

a. Bulletin Billboards not located on the same structure shall be a minimum of 500 feet apart on the same street, including any bulletin billboards which may be located outside the City limits.

b. Poster Billboards shall be a minimum 300 apart on the same street.

c. Bulletin billboards and poster billboards shall be a minimum of 500 feet apart on the same street.

d. Building-mounted billboards not on the same structure must be a minimum of 200 feet apart when located on the same street, unless both are not visible from the same view corridor, i.e. signs on opposite sides of adjoining buildings that cannot be seen directly and read from one view point location.

e. There shall be a minimum distance of one hundred and fifty radial feet (150') between freestanding billboards and between billboard faces not located on the same sign structure, unless both are not visible from the same view corridor, i.e. signs on opposite sides of adjoining buildings that cannot be seen directly and read from one view point location.

~~6. Size. The maximum area of any one sign shall be 300 square feet, with a maximum vertical sign face dimension of 12 feet and maximum length of 25 feet, inclusive of any border and trim, but excluding the base or apron, supports, and other structural members; provided, cut outs and extensions may add up to 20 percent of additional sign area.~~

~~76.~~ Lighting.

a. No internally illuminated billboards are allowed.

b. All lighting must be shielded to maintain light on the subject property.

c. Lighting shall be directed toward the billboard and utilize cutoff shields or other means to prevent glare and spillover onto adjacent properties or skyward.

d. No flashing billboards shall be permitted.

e. Signs shall not imitate or resemble traffic control devices.

f. All lighting for billboards must be turned off between the hours of midnight and 5:00 a.m.

~~87.~~ Buffering – Sensitive uses/areas. Except as provided in section (9) below, billboards shall maintain the following minimum buffers from sensitive uses and no billboard zones as measured by the distance to the middle of the billboard face.

a. The buffer from residential districts (including URX and NRX):

i. if the billboard is located within an industrial zone (M1, M2, PMI), 100 feet; and

ii. if the billboard is located in commercial, mixed-use and downtown zones (CIX, UCX, CCX, PDB, NCX, DR, WR, T, DCC and DMU ), 250 feet, reduced to 100 feet for billboards that are no more than 32 feet in height or are wall-mounted billboards.

b. The buffer from any other “no-billboard” zone” shall be 150 feet for all billboards, reduced to 100 feet if billboard structure is not more than 32 feet in height or are wall-mounted billboards.

c. The buffer from historic, conservation, or VSD shall be 250 feet for all billboards.

d. The buffers from special uses (public schools, private primary or secondary schools with over 50 students enrolled, public open space greater than 1 acre in size, public playgrounds, public parks greater than 1 acres in size and historic properties (registered federally, state or locally) shall be 100 feet;

e. Buffer areas shall not include rights-of-way for state highways, interstate freeways, or streets with three or more travel lanes, excluding 2-way center turn lanes and pocket turn lanes, or that are at least 60' wide as measured on the pavement.

f. Buffering exemptions may be allowed via a sign code variance where it can be demonstrated that topography or intervening development prevents a billboard from being seen from the buffered area.

~~No billboard shall be located on, in, or within 500 feet of the following, whether within or outside the Tacoma City Limits:~~

~~a. A residential district;~~

~~b. A mixed-use district (X-district);~~

~~c. Any publicly owned open space, playground, park, or recreational property, as recognized in the adopted Open Space Habitat and Recreation Element, as amended;~~

~~d. Any religious institution or primary or secondary school; or~~

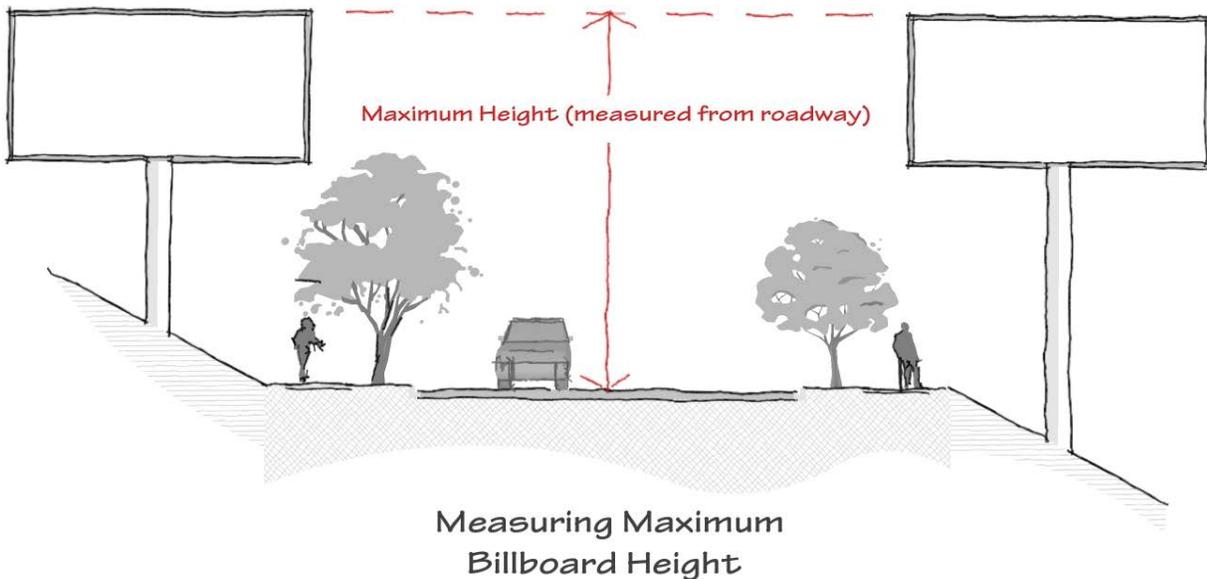
~~e. Any designated historic or conservation district, whether on the federal, state, or local register of historic properties.~~

~~f. Any shoreline district.~~

9. 8. Height. ~~The maximum height of all billboard signs shall be 30 feet, except in the PMI District, where the maximum height shall be 45 feet.~~ For the purpose of this section, height shall be the distance to the top of the normal display face from the main traveled way of the road from which the sign is to be viewed (see diagram below).

a. The maximum height of all freestanding billboard signs shall be 32 feet, except in the PMI District, where the maximum height shall be 45 feet; provided that, where a billboard is located more than 500 feet from a buffered district or use, including no billboard zones, and sensitive areas consisting of historic, conservation and view sensitive overlay districts, the height of a billboard may be a maximum of 40 feet.

b. A building-mounted billboard shall not exceed the height of the building wall to which it is mounted, or 200 feet, whichever is less.



109. Location. ~~Billboards shall only be allowed in the C-2, M-1, M-2, and PMI zoning districts. Billboards shall only be allowed as set forth in the sign regulations for each district, and additionally as follows:~~

a. All billboards are allowed in the M1, M2 and PMI zoning districts.

b. All billboards are allowed, subject to all dispersal requirements, with a 100-foot buffer distance along the following arterials:

i. South 38<sup>th</sup> Street, Steele Street, and Tacoma Mall Boulevard within the Tacoma Mall Urban Center;

ii. 6<sup>th</sup> Avenue between Mildred and Orchard;

iii. Mildred and South 19<sup>th</sup> Streets in the James Center Mixed-Use District;

iv. Union Avenue in the Tacoma Central Mixed-Use District;

v. The C-2 portions of South 72<sup>nd</sup> Street and South Hosmer adjacent to Interstate 5;

vi. Pearl Street, Westgate Boulevard, North 21<sup>st</sup> Street and North 26<sup>th</sup> Street within the Westgate Mixed-Use District; and

vii. Center Street between Tyler Street and Orchard Street.

10. Allowed changes/alterations to nonconforming billboards. It is the intent of this subsection to allow a change or alteration to a legal conforming or nonconforming billboard sign as provided below.

a. Where the back of a billboard sign is not fully covered, a billboard face of up to the same size and height of the existing billboard sign face may be located on the reverse side of the sign structure. Such change or alteration that increases nonconformity with buffering and dispersal requirements, size limitations and height requirements shall not be subject to the limitations under subsection N.2.

b. Where two posters are located side-by-side on the same billboard sign structure, the two posters may be replaced with one bulletin billboard up to the same height of the existing posters and up to a maximum size of fourteen feet by forty eight feet (672 sf). Such change or alteration that increases nonconformity with buffering and dispersal requirements, size limitations and height limitations shall not be subject to the prohibitions under subsection N.2.

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 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 anywhatever 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, noneonforming~~ 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~~ where a nonconforming billboard is located, 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.~~

O. Sign variances. Refer to Section 13.06.645.B.5.

P. Section 2. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Chapter or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Chapter or its application to any other person or situation.



**Exhibit "B"**  
**Proposed Amendments to TMC 13.06.522**

**13.06.522 District sign regulations.**

A. R-1 Sign regulations. One non-illuminated temporary sign, not exceeding 12 square feet in area shall be allowed pertaining to the lease, rental, or sale of a building or premises on which it is located. One non-illuminated nameplate, not exceeding one and one-half square feet in area, placed flat against the building, shall be allowed for each adult family home, staffed residential home, group home, residential care facility, and family day care home. One ground sign shall be allowed, with a maximum area of 30 square feet identifying a subdivision. A subdivision identification sign shall be approved by the Director. A 32-square-foot temporary sign advertising a subdivision during construction shall be allowed adjacent to each street abutting the site, in conformance with Chapter 13.04.

Parks, recreation and open space uses on sites that are under one acre in size or which have less than 100 feet of street frontage are allowed the following non-illuminated signs:

- One ground sign with a maximum area of 30 feet;
- Interpretive or directional signs not more than 7 feet in height and 20 feet in sign area.

Parks, recreation and open space uses on sites over one acre in area that have a minimum of 100 feet of street frontage shall be allowed the following:

- One freestanding sign, not exceeding 40 square feet in area per face and not greater than 8 feet in height (or, up to 15 feet in height in association with conditional parks and recreation uses);
- One building face sign, of the same maximum dimension. Building face signs shall not extend above or beyond the edge of any wall or other surface to which they are attached, nor shall they extend more than 12 inches beyond the surface to which they are attached.
- One additional ground sign with a maximum area of 30 square feet shall be allowed on each additional street frontage.
- Interpretive or directional signs, not to exceed 7 feet in height and 30 square feet in sign area.
- All signs shall meet the lighting, materials and location requirements applicable to signs for conditional uses in residential districts, as contained in this section.

B. R-2 Sign Regulations. Sign regulations shall be the same as stated for the R-1 Single-Family Dwelling District, except that one non-illuminated nameplate not exceeding one and one-half square feet in area, placed flat against the building, shall be allowed for each boarding home. Residential developments of four or more dwelling units are permitted one ground sign not exceeding six square feet in area for each face and not greater than five feet in height. Maximum sign area for each sign shall be one additional square foot for each dwelling unit, not to exceed 25 square feet in area. Indirect floodlighting shall be the only allowable means of illumination of ground signs. The base and/or support structures shall incorporate stone, brick, or masonry or shall relate to the architecture of the development that it is associated with.

C. R-2SRD, NRX and HMR-SRD Sign Regulations. Sign regulations shall be the same as stated for the R-2 Single-Family Dwelling District, except that boarding and lodging houses shall be allowed one non-illuminated nameplate not exceeding one and one-half square feet in area, placed flat against the building.

D. R-3 Sign regulations. Sign regulations shall be the same as stated for the R-2 Single-Family Dwelling District, except that boarding and lodging houses shall be allowed one non-illuminated nameplate not exceeding one and one-half square feet in area placed flat against the building.

E. R-4 Sign Regulations.

1. One freestanding sign not exceeding 30 square feet in area for all faces and not greater than six feet in height, or one building face sign of the same maximum dimensions, shall be allowed for each development site.
2. Indirect illumination, floodlighting, or internal illumination shall be the only allowable means of illumination of signs. All external lighting shall be directed away from adjacent properties to minimize the effects of light and glare upon adjacent uses. No bare bulb or neon illumination of signs shall be allowed. No flashing or animated signs shall be allowed. No electrical wire or cable serving an electric or illuminated sign shall be laid on the surface of the ground.

3. Signs shall only identify the name of the development or business and may contain secondary information related to rental or sale of units. Public identification signs may be placed upon public service structures such as telephone booths and bus shelters.

4. All signs shall be of permanent materials (no cardboard, cloth, paper, etc.). No flags, banners, or other devices shall be displayed for the purpose of attracting attention to a development or site. No temporary or portable signs shall be allowed. The display of the national flag, state flag, and flags of other political subdivisions shall not be restricted.

5. No sign shall be placed in a location which obstructs sight distance for an adjacent driveway or street right-of-way. No signs for a development shall be placed in any public right-of-way. No sign shall be erected which imitates or resembles any official traffic sign, signal, or device. Incidental public service signs less than four square feet in area, which contain no advertising but are intended for the convenience of the public and provide such messages as "entrance," "exit," "emergency entrance," "no parking," or other incidental service messages, shall be allowed.

6. All signs shall be submitted for review by Planning and Development Services, as required by the Building Code and the Electrical Sign Code. Additionally, the proposed design of all signs shall be submitted to Planning and Development Services prior to construction for review to ensure conformance with the standards listed hereinabove.

F. R-4-L sign regulations. Sign regulations shall be the same as stated for the R-4 Multiple-Family Dwelling District.

G. R-5 sign regulations. Sign regulations shall be the same as stated for the R-4 Multiple-Family Dwelling District.

H. PRD sign regulations. Sign regulations shall be the same as specified herein for the R-4 Multiple-Family Dwelling District. Design of signs shall be submitted with development plans at the time of site approval for review and approval of the Hearing Examiner. A single identification sign for the overall development shall be allowed at each major access to the PRD District; provided, only one overall development sign shall be allowed adjacent to each -frontage of the PRD District, irrespective of the fact that more than one major access may enter said right-of-way.

I. Sign regulations for conditional uses in residential districts and specified uses in all districts.

1. Application. The following regulations apply to conditional uses as designated. These regulations also apply to the uses noted as permitted uses in any district when the provisions below provide the greater sign allowance, in whole or in part.

2. For conditional uses in residential districts limited to public park facilities, public and private schools, and religious assembly facilities, which are on sites that are over one acre in area and have a minimum of 100 feet of street frontage: one freestanding sign, not exceeding 40 square feet in area per face and not greater than 15 feet in height, and one building face sign, of the same maximum dimension, shall be allowed for each conditional use. One additional ground sign with a maximum area of 30 square feet shall be allowed on each additional street frontage. Building face signs shall not extend above or beyond the edge of any wall or other surface to which they are attached, nor shall they extend more than 12 inches beyond the surface to which they are attached.

3. For public and private schools, public park facilities, and churches which are on sites less than one acre or sites with less than 100 feet of frontage, as well as for all other conditional uses in residential districts: one freestanding sign, not exceeding 30 square feet in area for all faces and not greater than six feet in height, and one building face sign, of the same maximum dimensions for each conditional use; provided, the total area for the freestanding and building face signs may not exceed 30 square feet. Building face signs shall not extend above or beyond the edge of any wall or other surface to which they are attached, nor shall they extend more than 12 inches beyond the surface to which they are attached.

4. Lighting. Indirect illumination, floodlighting, or internal illumination shall be the only allowable means of illumination of signs. All external lighting shall be directed away from adjacent properties to minimize the effects of light and glare upon adjacent uses. No bare bulb or neon illumination of signs shall be allowed. No flashing or animated signs shall be allowed. No electric wire or cable serving an electric or illuminated sign shall be laid on the surface of the ground.

5. All signs shall be of permanent materials (no cardboard, cloth, paper, etc.). No flags, banners, or other devices shall be displayed for the purpose of attracting attention to a development or site. No temporary or portable signs shall be allowed. The display of the national flag, state flag, and flags of other political subdivisions shall not be restricted.

6. No sign shall be placed in a location which obstructs sight distance for an adjacent driveway or street right-of-way. No signs for a development shall be placed in any public right-of-way. No sign shall be erected which imitates or resembles any official traffic sign, signal, or device. Incidental public service signs less than four square feet in area which contain no advertising, but are intended for the convenience of the public and provide such messages as "entrance," "exit," "emergency entrance," "no parking," or other incidental service messages, shall be allowed.

7. For conditional uses in residential districts, freestanding signs larger than 30 square feet for all faces or taller than six feet shall be located a minimum of 50 feet from a lot occupied by a single-family residence. Freestanding signs for conditional uses may be constructed to the front property line.

8. In addition to the signage otherwise permitted, one sponsor identification logo sign may be included on a freestanding or wall sign for a conditional use. The sponsor identification logo shall not be internally illuminated and shall be limited to a maximum of one square foot per sign face.

[See next page for table.]

Section 13.06.522.J	DCC, DMU	WR	DR
<b>Signage Allocation</b>			
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.
<b>Signs Attached to Buildings</b>			
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	<del>Prohibited.</del> <a href="#">Subject to additional regulations in TMC 13.06.521.M</a>	<del>Prohibited.</del> <a href="#">Replacement only</a>	<del>Prohibited.</del> <a href="#">Replacement only</a>
<b>Freestanding Signs</b>			
Maximum number	1 per street frontage, per site not use and no more than 2 per site. 1 per street frontage(s) for public facility over 5 acres.	Same as DCC.	Same as DCC.
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	Same as DCC.	Same as DCC.

Section 13.06.522.J	DCC, DMU	WR	DR
	as a projecting sign.		
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	<u>Replacement only</u> <del>Prohibited.</del>	<u>Replacement only</u> <del>Prohibited.</del>	<u>Replacement only</u> <del>Prohibited.</del>
<b>Sign Features</b>			
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. Refer to TMC 13.06.524.H for additional regulations.	Same as DCC.	Same as DCC.
<b>Temporary Signs</b>			
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. Feather Signs are prohibited in all Downtown zones except for the following: a) Feather Signs identifying an accessory retail outlet co-located with a manufacturing facility. In this instance two feather signs are authorized per business. b) One special event per business once every two years. In this instance two feather signs are authorized for no more than 15 consecutive days. c) When associated with a use not located in private property such as food carts or car sharing services. Feather Signs must be located on private property unless a City street occupancy permit is secured.	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	Section 13.06.521.C shall apply, except public facility sites in the DCC and DMU Districts shall be allowed temporary advertising signs of 32 square feet, including	Prohibited.	Prohibited.

Section 13.06.522.J	DCC, DMU	WR	DR
advertising signs	banners not to exceed 160 square feet, attached to temporary fencing during the time of construction.		

Section 13.06.522.K	C-2, CIX, CCX, UCX, M-1, M-2, PMI	C-1
<b>Signage Allocation</b>		
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.
<b>Signs Attached to Buildings</b>		
Maximum number	3 per business, 25 percent of maximum total area 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	<a href="#">Poster billboards allowed in all districts. Bulletin billboards allowed in PMI, M-1, M-2 and as set forth in section 13.06.521.M.9.b. Development standards of section 13.06.521.M apply. Allowed only in C-2, M-1, M-2, and PMI. Provisions of Section 13.06.521.M shall apply.</a>	Prohibited.
<b>Freestanding Signs</b>		
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 acres.	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 exceed the height of the building it identifies.

<b>Section 13.06.522.J</b>	<b>DCC, DMU</b>	<b>WR</b>	<b>DR</b>
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	<a href="#">Poster billboards allowed in all districts. Bulletin billboards allowed in PMI, M-1, M-2 and as set forth in section 13.06.521.m.9.b. Development standards of section 13.06.521.M apply. Allowed only in C-2, M-1, M-2, and PMI. Provisions of Section 13.06.521.M shall apply.</a>	Prohibited.	
<b>Sign Features</b>			
Lighting	Indirect, internal illumination, neon and bare bulb allowed.	Bare bulb illumination prohibited.	
Rotating, mechanized	Allowed.	Prohibited.	
Flashing, animated	Prohibited.	Prohibited.	
Electronic changing message center	Allowed, but prohibited on Pedestrian Streets and Core Pedestrian Streets, as defined in 13.06.300.C, 13.06.200., and 13.06.521.H.	Same as C-2.	
<b>Temporary Signs</b>			
A-boards	In the CIX District, 2 per business, 12 square feet per side, 4 feet in height. Such signs may be located off-site, but must remain within the same Mixed-Use Center in which the business is located. For all other districts, 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.	
Feather Signs	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.	Same as C-2.	
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.	Prohibited.	

13.06.522.L	T, NCX, URX, Non-Residential Districts with VSD	HM, HMX
<b>Signage Allocation</b>		
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 1/2 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.
<b>Signs Attached to Buildings</b>		
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	<u>Replacement only – except URX, where prohibited.</u> <del>Prohibited.</del>	<u>Prohibited.</u> <del>Same as T.</del>
<b>Freestanding Signs</b>		
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	<u>Replacement only – except URX, where prohibited.</u> <del>Prohibited.</del>	<u>Prohibited.</u> <del>Same as T.</del>

13.06.522.L	T, NCX, URX, Non-Residential Districts with VSD	HM, HMX
<b>Sign Features</b>		
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 changing message center	Prohibited.	Allowed, but prohibited on pedestrian streets and core pedestrian streets as defined in 13.06.300.C.
<b>Temporary Signs</b>		
A-boards	In the NCX and URX districts, 2 per business, 12 square feet per side, 4 feet in height. Such signs may be located off-site, but must remain within the same Mixed-Use Center in which the business is located. For all other districts, 1 per business, on private property, 12 square feet per side, 4 feet heights.	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.

<b>Section 13.06.522.M</b>	<b>PDB</b>	<b>RCX</b>
<b>Signage Allocation</b>		
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.
<b>Signs Attached to Buildings</b>		
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.
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.
<b>Freestanding Signs</b>		
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.
<b>Sign Features</b>		
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.
Electronic changing message center	Allowed. Refer to 13.06.521.H for additional requirements.	Prohibited.

<b>Section 13.06.522.M</b>	<b>PDB</b>	<b>RCX</b>
<b>Temporary Signs</b>		
A-boards	Prohibited.	2 per business, 12 square feet per side, 4 feet in height. Such signs may be located off-site, but must remain within the same Mixed-Use Center in which the business is located.
Banners, pennants	Prohibited.	Prohibited.
Window signs	Exempt, but shall not exceed 25 percent of the window area.	Same as PDB.
Feather signs	Prohibited.	Prohibited.
Flags	Prohibited, except the national flag, state flag, flags of other political subdivisions.	Same as PDB.
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.

<b>Section 13.06.522.N</b>	
<b>1. Multiple-Family Residential</b>	<b>All Shoreline Districts</b>
<b>Signage Allocation</b>	
Total sign allocation	1 building or 1 freestanding sign per development site
<b>Signs Attached to Buildings</b>	
Maximum number	1
Maximum sign area	20 square feet
<b>Freestanding Signs</b>	
Subject to provisions of 13.06.521.G	
Maximum number	1
Maximum sign area	15 square feet per face
Maximum height	6 feet
Location	A freestanding sign may not be placed anywhere on a site where it significantly degrades a vista, viewpoint, or view shed presently available to the public, or impairs the visual access to the water from such view areas.
<b>Lighting</b>	
Lighting and illumination restrictions for signs attached to buildings and freestanding signs	<p>Indirect illumination and floodlighting shall be the only allowable means of illumination of signs. All external lighting shall be directed away from the water and adjacent properties to minimize the effects of light and glare upon adjacent uses.</p> <p>No external bare bulb illumination of signs shall be allowed, except that neon signs shall be allowed in the “S-8” Shoreline District. No flashing, revolving, fluttering, undulating, animated, or otherwise moving signs shall be allowed.</p>

<b>2. Commercial</b>	<b>S-7, S-9, and S-10 Districts</b>	<b>S-8 District</b>	<b>S-1a, S-1b, S-5, S-6, S-6/7, S-11, and S-15 Districts</b>
<b>Signage Allocation</b>			
Total sign allocation	1 building or 1 freestanding per development site  Signs having both land and water access may have one sign facing landward and one facing waterward.	2 building signs on separate building elevations or 1 building and 1 freestanding sign  Signs having both land and water access may have one sign facing landward and one facing waterward. Freestanding signs must be oriented landward.	1 building or 1 freestanding per development site  Signs having both land and water access may have one sign facing landward and one facing waterward.
Maximum total sign area		Buildings containing one business are allowed .75 square-foot of sign area per lineal foot of building frontage.  Buildings on development sites containing multiple buildings may calculate their sign area based on .75 square feet of sign area per lineal street frontage.	
<b>Signs Attached to Buildings</b>			
Maximum number	1 per development site	2 signs, on separate building faces  Buildings containing multiple businesses are allowed one additional non-freestanding sign for a total of 3 signs.	1 per development site
Maximum sign area	60 square feet	The maximum area for any sign is 75 square feet.	60 square feet
Minimum sign area	One additional sign per tenant up to 6 square feet in area. This sign area is not included in the maximum sign area.	One additional sign per tenant up to 10 square feet in area. This sign area is not included in the maximum sign area.	One additional sign per tenant up to 6 square feet in area. This sign area is not included in the maximum sign area.
<b>Freestanding Signs</b>			
Maximum number	1 per development site	1 per development site, oriented landward	1 per development site
Maximum sign area	45 square feet per face.	The maximum area for any sign is 75 square feet.	30 square feet per face
Maximum height	15 feet	20 feet	8 feet

2. Commercial	S-7, S-9, and S-10 Districts	S-8 District	S-1a, S-1b, S-5, S-6, S-6/7, S-11, and S-15 Districts
Location	A freestanding sign may not be placed anywhere on a site where it significantly degrades a vista, viewpoint, or view shed presently available to the public, or impairs the visual access to the water from such view areas.		
A-board		One non-illuminated A-board sign up to 10 square feet in total area is allowed for each use; provided, that the sign does not obstruct designated public or vehicular access routes. This sign area is not included in the maximum sign area.	
<b>Lighting</b>			
Lighting and illumination restrictions for signs attached to buildings and freestanding signs	Indirect illumination and floodlighting shall be the only allowable means of illumination of signs. All external lighting shall be directed away from the water and adjacent properties to minimize the effects of light and glare upon adjacent uses. No external bare bulb illumination of signs shall be allowed. No flashing, revolving, fluttering, undulating, animated, or otherwise moving signs shall be allowed.	Neon signs are allowed. No other external bare bulb illumination of signs shall be allowed.  Indirect illumination and floodlighting shall be the only allowable means of illumination of signs. All external lighting shall be directed away from the water and adjacent properties to minimize the effects of light and glare upon adjacent uses. No flashing, revolving, fluttering, undulating, animated, or otherwise moving signs shall be allowed.	Indirect illumination and floodlighting shall be the only allowable means of illumination of signs. All external lighting shall be directed away from the water and adjacent properties to minimize the effects of light and glare upon adjacent uses. No external bare bulb illumination of signs shall be allowed. No flashing, revolving, fluttering, undulating, animated, or otherwise moving signs shall be allowed.

3. Industrial	S-1a, S-6/7, S-7, S-8, S-9, and S-10 Districts
<b>Signage Allocation</b>	
Total sign allocation	1 building or 1 freestanding sign per development site. Sites having both land and water access may have one sign facing landward and one facing waterward.
<b>Signs Attached to Buildings</b>	
Maximum number	1 per development site
Maximum sign area	100 square feet
Minimum sign area	One additional sign per tenant up to 12 square feet in area. This sign area is not included in the maximum sign area.
<b>Freestanding Signs</b>	
Maximum number	1 per development site
Maximum area per sign	75 square ft per face

<b>3. Industrial</b>	<b>S-1a, S-6/7, S-7, S-8, S-9, and S-10 Districts</b>
Maximum height	20 feet
Location	A freestanding sign may not be placed anywhere on a site where it significantly degrades a vista, viewpoint, or view shed presently available to the public, or impairs the visual access to the water from such view areas.
<b>Lighting</b>	
Lighting and illumination restrictions for signs attached to buildings and freestanding signs	<p>Indirect illumination and floodlighting shall be the only allowable means of illumination of signs. All external lighting shall be directed away from the water and adjacent properties to minimize the effects of light and glare upon adjacent uses.</p> <p>No external bare bulb illumination of signs shall be allowed. No flashing, revolving, fluttering, undulating, animated, or otherwise moving signs shall be allowed.</p>

<b>4. Park/Recreational</b>	
<b>Signage Allocation</b>	
Total sign allocation	1 freestanding sign per development site
<b>Freestanding Signs</b>	
Maximum number	1 per development site
Maximum sign area	30 square feet per face
Maximum height	8 feet
Location	A freestanding sign may not be placed anywhere on a site where it significantly degrades a vista, viewpoint, or view shed presently available to the public, or impairs the visual access to the water from such view areas.
<b>Lighting</b>	
Lighting and illumination restrictions for signs attached to buildings and freestanding signs	<p>Indirect illumination and floodlighting shall be the only allowable means of illumination of signs. All external lighting shall be directed away from the water and adjacent properties to minimize the effects of light and glare upon adjacent uses.</p> <p>No external bare bulb illumination of signs shall be allowed. No flashing, revolving, fluttering, undulating, animated, or otherwise moving signs shall be allowed.</p>

(Ord. 28336 Ex. C; passed Dec. 1, 2015: Ord. 28230 Ex. D; passed Jul. 22, 2014: Ord. 28194 Ex. A; passed Dec. 17, 2013: Ord. 28180 Ex. D; passed Oct. 15, 2013: Ord. 28157 Ex. F; passed Jun. 25, 2013: Ord. 28109 Ex. O; passed Dec. 4, 2012: Ord. 28077 Ex. C; passed Jun. 12, 2012: Ord. 27995 Ex. D; passed Jun. 14, 2011: Ord. 27893 Ex. A; passed Jun. 15, 2010: Ord. 27818 Ex. A; passed Jul. 28, 2009: Ord. 27432 § 10; passed Nov. 15, 2005: Ord. 27296 § 23; passed Nov. 16, 2004: Ord. 27245 § 16; passed Jun. 22, 2004: Ord. 27079 § 40; passed Apr. 29, 2003: Ord. 26966 § 15; passed Jul. 16, 2002: Ord. 26933 § 1; passed Mar. 5, 2002)



**Exhibit "C"**  
**Proposed Amendments to TMC 13.06.700.B and 13.06.700.S**

13.06.700. B

Basement. A story partly underground. A basement shall be counted as a story in building height measurement where more than one-half of its height is above the average level of the adjoining ground.

Bicycle parking. Stationary rack that accommodates a lock securing the frame and wheels, or a lockable enclosure with the quantity accommodated determined by manufacturer's specifications.

Bicycle parking, short-term: parking meant to accommodate visitors, customers, messengers and others expected to depart within two hours; requires approved rack and appropriate location and placement.

Bicycle parking, long-term: parking meant to accommodate employees, students, residents, commuters, and others expected to park more than two hours. This parking is to be provided in a secure, weather-protected manner and location.

Billboard, bulletin. A billboard with a sign area or billboard face approximately 14'x48' (672 sq. ft.) (may be as small as 301 sq. ft. and as large as 672 sq. ft.)

~~Billboard, standard. An off-premises sign greater than 72 square feet in size. This type of sign is generally composed of materials (panels or modules) mounted on a building wall or freestanding structure, or painted directly on the wall or freestanding structure.~~

Billboard, digital. An off-premises sign greater than 72 square feet in size, utilizing digital message technology capable of changing the message or copy on the sign electronically. Digital billboards are not considered under the definitions of animated sign, changing message centers, electrical signs, illuminated signs, or flashing signs.

Billboard, face. A billboard face is the area of a billboard that is contiguous and used or intended to be used for display purposes, excluding the minimum frame and supports. The calculation of the area of the billboard face excludes the sign structure.

Billboard, poster. A billboard with a sign area or billboard face approximately 12'x24' (288 sq. ft.) (may be as small as 240 sq. ft. and as large as 300 sq. ft.)

Billboard, Jr. Poster. A billboard with a sign area or billboard face approximately 6'x12' (72 sq. ft.) (typically any sign smaller than 240' sq. ft.)

Billboard, standard. An off-premises sign generally composed of materials (panels or modules) mounted on a building wall ("wall-mounted billboard" or "building-mounted billboard") or freestanding structure ("freestanding billboard"), or painted directly on the wall or freestanding structure.

Billboard, wall. A billboard that is mounted to a wall either by direct application or installed on a device that is mounted to a wall designed to support the billboard advertising copy. A wall billboard may also be referred to as a "wall-mounted billboard" or a "building-mounted billboard".

Brewpub. An eating and drinking establishment having a small brewery on the premises which produces beer, ale, or other malt beverage, or wine, and where the majority of the beer/wine

produced is consumed on the premises. This classification allows a brewpub to sell beer/wine at retail and/or act as wholesaler for beer of its own production for off-site consumption, with appropriate state licenses.

**Building.** Any structure having a roof supported by columns or walls for the housing, shelter, or enclosure of persons, animals, or chattels; when separated by dividing walls without openings, each portion of such building so separated shall be deemed a separate building. For the purpose of this section, the term “building” shall not include “vehicle” as hereinafter defined.

**Building, face or wall.** All window and wall area of a building in one plane or elevation.

**Building footprint.** The outline of the total area that is surrounded by the exterior walls of a building or portion of a building, exclusive of courtyards. In the absence of surrounding exterior walls, the building footprint shall be the area under the horizontal projection of the roof, excluding any roof overhangs.

**Building, height of.** In all districts except those containing a View-Sensitive Overlay District, per Section 13.06.555, building height shall be measured consistent with the applicable Building Code, Height of Building. For buildings located within a View-Sensitive Overlay District, the method provided below shall be used:

1. The height limit shall be the vertical distance between existing grade and a plane essentially parallel to the existing grade. The corners of such plane shall be located above the base points.
2. The base points shall be located at the four corners of the foundation or, if the foundation of the structure does not form a rectangle, at the four corners of the smallest rectangle which surrounds the foundation.
3. The base points shall be located on existing grade, unless determined otherwise by the Director in accordance with the provisions of Section 13.06.645.B.3.a.
4. Additional height at the rate of one foot for each 6 percent of the slope shall be allowed. This additional height shall not be allowed on the uphill portion of the structure. For the purpose of this provision, the slope shall be the difference between the elevation of the highest base point and the elevation of the lowest base point divided by the distance between those two base points.
5. No portion of a structure, including the highest gable, unless specifically excepted, shall extend above the height limit; provided, however, that a legal structure that existed before June 18, 1989, that was destroyed by fire, natural disaster, explosion, or other calamity or act of God or the public enemy may be rebuilt to its previous height within the building’s prior actual dimensions, including, but not limited to, height, roof pitch, depth, and width. Such a structure cannot be enlarged, expanded, or otherwise increased in size without the enlargement or expansion meeting the zoning regulations in effect at the time of the expansion.

The height of a stepped or terraced building is the maximum height of any segment of the building.

**Building materials and services.** Retailing, wholesaling, or rental of building supplies or equipment. This classification includes indoor lumber sales with limited outdoor storage, tool and equipment sales or rental establishments, and building contractors’ yards, but excludes lumber yards, establishments devoted exclusively to retail sales of paint and hardware, and activities classified under vehicle rental and sales.

Building orientation. The location or position of a building on a site, particularly the relationship of the principal entry to the adjacent street. A building oriented to the street has an entry facing the street.

Building, temporary. A building without a permanent foundation or footing and without permanent utilities which is removed when the designated time period, activity, or use for which the temporary building was erected, has ceased.

Building, unit group. Two or more buildings of one ownership grouped on a lot, including institutions, hospitals, colleges, and industries.

Business support services. A provision of recurrently needed services of a business nature, including parcel and package delivery services for individual and/or commercial customers; preparation of parcels for delivery, shipping, or mailing; printing; copying; and computer support services.

\* \* \*

### 13.06.700. S

School, public or private. Public facilities for primary, secondary or post-secondary education, including elementary, grade, middle, junior, and high schools and community, professional, business, technical, and trade colleges and universities, and private institutions having a curriculum comparable to that required in the public schools of the State of Washington.

Screening. A continuous fence, wall, or evergreen hedge supplemented with landscape planting of grass, shrubs, or evergreen ground cover, or a combination thereof, that effectively screens visually the property which it encloses, and which is at least four feet high and is broken only for accessways.

Searchlight. An apparatus for projecting a beam or beams of light.

Seasonal sales. Temporary sales, usually outdoors and independent of another use, of merchandise for the celebration of certain seasons. These include items such as Christmas trees and pumpkins.

Security barrier (wireless communication facility). A wall, fence, or berm that has the purpose of sealing a wireless communication facility from unauthorized entry or trespass.

Self-storage. Any real property designated and used for the purpose of renting or leasing separate storage spaces to individuals or businesses.

Setback line. A line within a lot parallel to a corresponding lot property line, which is established to govern the location of buildings, structures, or uses. Where no minimum front, side, corner side, or rear yard setbacks are specified, the setback line shall be coterminous with the corresponding lot line.

Shopping center. A unified grouping of two or more commercial establishments, such as retail, eating and drinking, office, and personal service uses, which are located on a single site with common/shared parking facilities. Shopping centers may occupy a single structure or separate structures that are physically or functionally related, but establishments with accessory uses, such as a grocery store with an accessory coffee shop, are not, by themselves, considered a shopping center. A shopping center may include pads for future buildings.

Shrub. Any woody perennial plant that is generally less than fifteen feet in height at maturity.

Sign. Any materials placed or constructed, or light projected, that (a) convey a message or image, and (b) are used to inform or attract the attention of the public, but not including any lawful display of merchandise. Some examples of "signs" include placards, A-boards, posters, murals, diagrams, banners, flags, billboards, or projected slides, images or holograms. The applicability of the term "sign" does not depend on the content of the message or image conveyed.

Sign, abandoned. A sign that no longer correctly directs any person or advertises a bona fide business, lessor, owner, product, or activity conducted or available on the premises where such sign is located.

Sign, A-Board. A sign which consists of two panels hinged or attached at the top or side, designed to be movable and stand on the ground. Also commonly known as sandwich board signs.

Sign, animated. A sign that uses movement by electronic means to depict action or create a special effect or scene, as with video or a series of moving lights.

Sign, architectural blade. A sign structure which is designed to look as though it could have been part of the building structure, rather than something suspended from or standing on the building.

Sign area. The total area of a sign, as measured by the perimeter of the smallest rectangle enclosing the extreme limits of the letter, module, or advertising message visible from any one viewpoint or direction, excluding the sign support structure, architectural embellishments, decorative features, or framework which contains no written or advertising copy. (Includes only one side of a double-faced sign, unless noted otherwise.)

1. Individual letter signs, using a wall as the background without added decoration or change in wall color, shall be calculated by measuring the smallest rectangle enclosing each letter. The combined total area of each individual letter shall be considered the total area of the sign.

2. For a multiple face sign, the sign area shall be computed for the largest face only. If the sign consists of more than one section or module, all areas will be totaled.

3. Neutral surfaces (i.e., graphic design, wall murals and colored bands), shall not be included in the calculation. (See definition of "Neutral Surface.")

4. The area of all regulated signs on a business premises shall be counted in determining the permitted sign area.

Sign, banner. A sign intended to be hung either with or without a frame, possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind.

1. Commercial banner. A banner used for commercial purposes, which includes "For Lease," "Grand Opening," "Sale," etc.

2. Cultural, civil, and educational banner. A banner used for cultural, civic, or educational events, displays, or exhibits.

Sign, billboard. See 13.06.700.B, above.

1. Poster panels or bulletins normally mounted on a building wall ([“wall-mounted billboard”](#) or [“building-mounted billboard”](#)) or freestanding structure ([“freestanding billboard”](#)) with advertising copy ~~in the form of posted paper~~.

2. Painted bulletins, where the message of the advertiser is painted directly on the background of a wall-mounted or freestanding display area.

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 façade for which it identifies.



Sign, canopy (or awning). A sign affixed to the surface of a canopy, awning, marquee, or similar feature and which does not extend vertically or horizontally beyond the limits of such feature, but does not include a projecting roof.

Sign, center identification. Any sign which identifies a shopping center, industrial center, or office center by name, address, or symbol. Center identification signs may also identify individual businesses and activities located within the center.

Sign, changing message center. An electronically controlled sign, message center, or readerboard where copy changes are shown on the same lamp bank or screen.

Sign, changeable copy (manual). Any sign that is designed so that characters, letters, or illustrations can be changed or rearranged by hand, without altering the face or the surface of the sign (i.e., readerboards with changeable pictorial panels).

Sign, construction. A temporary sign giving the name or names of principal contractors, architects, lending institutions, or other persons or firms responsible for construction on the site where the sign is located, together with other information included thereon.

Sign, corporate logo. A logo sign consists of a symbol or identifying mark(s) used as part of a corporation identification scheme that is meant to identify a corporation, company, or individual business or organization. Internally illuminated cabinet signs shall not be allowed for use as a logo sign above 35 feet in any of the downtown districts.

Sign, directional. Any sign which serves solely to designate the location of any place, area, or business within the City limits of Tacoma, whether on-premises or off-premises.

Sign, directory. A sign on which the names and locations of occupants or the use of a building is given.

Sign, electrical. A sign or sign structure in which electrical wiring, connections, and/or fixtures are used as any part of the sign.

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



Sign, flashing. An electrical sign or portion which changes light intensity in sudden transitory bursts, but not including signs which appear to chase or flicker and not including signs where the change in light intensity occurs at intervals of more than one second.

Sign, freestanding. A permanently installed, self-supporting sign resting on or supported by means of poles, standards, or any other type of base on the ground.

Sign graphics. An aggregate of designs, shapes, forms, colors, and/or materials located on an exterior wall and relating to or representing a symbol, word, meaning, or message.

Sign, ground. A sign that is six feet or less in height above ground level and is supported by one or more poles, columns, or supports anchored in the ground.

Sign height. The vertical distance measured from the adjacent grade at the base of the sign to the highest point of the sign structure; provided, however, the grade of the ground may not be built up in order to allow the sign to be higher.

Sign, identification or directory. A combination sign used to identify numerous buildings, persons, or activities which relate to one another, which is used as an external way-finding for both vehicular and pedestrians traffic.

Sign, illuminated. A sign designed to give forth any artificial or reflected light, either directly from a source of light incorporated into or connected with such sign or indirectly from a source intentionally directed upon it, so shielded that no direct illumination from it is visible elsewhere than on the sign and in the immediate proximity thereof.

Sign, incidental. A small sign intended primarily for the convenience and direction of the public on the premises, which does not advertise but is informational only, and includes information which denotes the hours of operation, telephone number, credit cards accepted, sales information, entrances and exits, and information required by law. Incidental information may appear on a sign having other copy as well, such as an advertising sign.

Sign, interpretive. A sign designed to impart educational, instructive, or historic information, or to identify parks or other public recreational facilities.

Sign landscaping. Any material used as a decorative feature, such as planter boxes, pole covers, decorative framing, and shrubbery or planting materials, used in conjunction with a sign, which expresses the theme of the sign but does not contain advertising copy.

Sign, mechanized. A sign which uses natural or mechanical means to physically move all or part of the sign structure.

Sign, nonconforming. A nonconforming sign shall mean any sign which does not conform to the requirements of this Chapter.

Sign, off-premises open house or directional sign. A sign advertising a transaction involving:

1. A product sold in a residential zone;
2. A product that cannot be moved without a permit; and/or
3. A product with a size of at least 3,200 cubic feet.

Sign, off-premises. A permanent sign not located on the premises of the use or activity to which the sign pertains.

Sign, on-premises. A permanent sign located on the premises of the use or activity to which the sign pertains.

Sign, political. A temporary sign which supports the candidacy of any candidate for public office or urges action on any other matter on the ballot in a primary, general, or special election.

Sign, portable. Any sign not permanently attached to the ground or a building. (Includes A-frame, sandwich boards, and portable readerboards.)

Sign, projecting. A sign, other than a wall sign, which is attached to and projects from a structure or building face.

Sign, public information. A sign erected and maintained by any governmental entity for traffic direction or for designation of, or direction to, any school, hospital, historical site, or public service, property, or facility. Public signs include those of such public agencies as the Port of Tacoma, Pierce Transit, the Tacoma School District, and the MetroParks Tacoma.

Sign, real estate. Any sign which is only used for advertising the sale or lease of ground upon which it is located or of a building located on the same parcel of ground.

Sign repair. To paint, clean, or replace damaged parts of a sign, or to improve its structural strength, but not in a manner that would change the size, shape, location, or character.

Sign, roof sign. Any sign erected upon, against, or directly above a roof or parapet of a building or structure.

Sign, rotating. Any sign or portion thereof which physically revolves about an axis.

Sign structure. Any structure which supports, has supported, is designed to support, or is capable of supporting a sign, including a decorative cover.

Sign, swinging. A sign installed on an arm or spar that is fastened to an adjacent wall or upright pole, which sign is allowed to move or swing to a perceptible degree.

Sign, temporary off-premises. An off-premises advertising sign attached to temporary fencing during the time of construction.

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.

Sign, under-canopy. Signs or other information-conveying devices that are affixed to the underside of a canopy, awning, marquee, or similar feature and project down from the bottom of the feature.

Sign, unlawful. Any sign which was erected in violation of any applicable ordinance or code governing such erection or construction at the time of its erection, which sign has never been in conformance with all applicable ordinances or codes.

Sign, wall. A sign painted on or attached to or erected against the wall of a building with the face in a parallel plane of the building wall. Also known as a fascia sign.

Sign, warning. Any sign which is intended to warn persons of prohibited activities such as “no hunting” and “no dumping.”

Sign, window. A sign painted on, affixed to, or installed inside a window for purposes of viewing from outside the premises.

Special needs housing. A broad term that includes adult family homes, confidential shelters, emergency and transitional housing, extended care facilities, continuing care retirement communities, intermediate care facilities, residential chemical dependency treatment facilities, residential care facilities for youth, retirement homes, and staff residential homes.

Stable, private. A detached accessory building for the keeping of horses owned by the occupants of the premises and which are not kept for remuneration, hire, or sale.

Stacking lane. A driving lane, associated with a drive-thru, in which cars line up while waiting for service.

Staffed residential home. A home, licensed by the state, providing 24-hour care for six or fewer children or expectant mothers, 17 years or younger, with or without functional disabilities. The home employs staff to care for children and may or may not be a family residence. New housing solely or partially for juveniles who are committed to the physical custody of the Department of Social and Health Services under the Juvenile Justice Act of 1977 must be sited under Section 13.06.530, Juvenile Community Facilities.

Storage, general. Any real property designed and used for the purpose of renting or leasing storage space to individuals or businesses, for the purpose of indoor dead storage of personal items or business inventory and supplies. This may include self-storage or businesses where storage is provided as a service.

Street. A thoroughfare which provides the principal means of access to abutting property.

Story. That portion of a building included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling next above it.

Story, half. A story which, by reason of a sloping roof, has not more than one-half of the habitable space of the floor next below it.

Structure. That which is built or constructed and located on the ground.

Structural alterations. Any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.

Student housing. A residential facility occupied by and maintained exclusively for students that is affiliated with a professional college or university, or other recognized academic institution. These facilities are generally owned and operated by the associated institution and located on the institution's campus. This classification includes uses such as dormitories, fraternity houses, and sorority houses.

Substance abuse facility. (See "Drug rehabilitation facility").

Substantial connection. A substantial connection is a common covered structure whose roof extends between two structures, the width of which is at a minimum 50% of the width of one of the structures, and which utilizes a roof style, structure, and finishing materials that tie into the existing roof of at least one of the two structures.

Super regional mall. Combination of stores in single ownership or under unified control through a reciprocal easement agreement with at least four anchor tenants and a total of not less than 750,000 square feet of leasable building area.

Surface mining. Any premises from which the removal of any rocks, sand, gravel, stone, earth, topsoil, peat, minerals, or other natural resources results in the following:

1. More than three acres of disturbed area;
2. Surface mined slopes greater than 30 feet high and steeper than 1.0 foot horizontal to 1.0 foot vertical; or
3. More than one acre of disturbed area within an eight acre area, when the disturbed area results from mineral prospecting or exploration activities.

Surface mining shall exclude excavations or grading necessary for the construction of a structure for which a building permit has been duly issued.



# BILLBOARDS

## SETTLEMENT AGREEMENT AND SIGN CODE AMENDMENTS PROPOSED BY LAMAR ADVERTISING

Planning and Development Services  
Office of the City Attorney

Tacoma City Council Study Session  
October 10, 2017

1

# BACKGROUND

- **1997 - Amortization provisions enacted:** The City Council enacted an ordinance imposing a ten-year amortization period for removing non-conforming billboards.
- **July 2007 - Lawsuit:** Clear Channel sued the City alleging the City's Sign Code unconstitutionally regulated speech (e.g. regulations were impermissibly content based and impermissibly favored one form of speech over another).
- **2010 - Settlement:** The City and Clear Channel settled and dismissed the lawsuit through a settlement agreement, allowing Clear Channel to re-file its lawsuit if the City Council did not adopt an ordinance allowing digital billboards.

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## BACKGROUND (cont'd)

- **Spring 2011 – Rejection of digital billboards:** The Planning Commission and City Council rejected a proposed ordinance allowing digital billboards.
- **August 2011 – City's Lawsuit:** The City filed a complaint for Declaratory Judgment to invalidate the settlement agreement, and adopted Ordinance No. 28009, implementing additional billboard regulations and prohibiting digital billboards.
- **December 2011 – Court's Order:** The Court grants in part, and denies in part, Clear Channel's Motion to Dismiss the City's lawsuit, leaving in place some of the City's claims for declaratory relief.

3

## BACKGROUND (cont'd)

- **August 2012 - Agreement:** The City and Clear Channel enter into a Standstill Agreement,
  1. Dismissing the City's complaint without prejudice;
  2. Tolling the statute of limitations for the claims raised by the City and Clear Channel;
  3. Staying for two years enforcement of the 2011 ordinance updating billboard regulations and prohibiting digital billboards;

4

## BACKGROUND (cont'd)

4. Agreeing to continue discussions toward a possible resolution;
5. Clear Channel relinquishes its rights in banked signed permits; and
6. Clear Channel removes 31 sign panels (faces) and undertakes maintenance of 18 billboards.

5

## BACKGROUND (cont'd)

- **September 2014:** Tacoma Billboards Community Working Group (CWG) convened to explore alternative options for billboard regulation.
- **March 2015:** The City Council receives recommendations from CWG and directs the City Manager (Resolution No. 39145) to work with billboard owners, community stakeholders and the Planning Commission to develop recommendations for removing and consolidating billboards.

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## BACKGROUND (cont'd)

- **March 2015 - December 2016:** City staff and the Planning Commission continue to review proposed amendments to the Sign Code and continue discussions with Clear Channel.
- **December 2016:** The City considers enforcement options for non-conforming billboards.
- **January 2016:** Lamar acquires all Clear Channel billboards in the Tacoma-Seattle region.

7

## BACKGROUND (cont'd)

- **Summer 2016:** City staff begin discussions with Lamar of a proposed resolution.
- **September 2017:** Discussions concluded with Lamar's proposal.

8

# LAMAR'S PROPOSAL

## SUMMARY

- **Removal of Billboard Face:** Lamar would remove 111 out of a total of 294 existing billboard faces over a five-year period upon passage of Lamar's proposed ordinance amending the billboard sign code regulations.
- **Future Amendments to Code:** If the proposed ordinance is adopted and the City Council subsequently amends the sign code in a way that requires removal of a Lamar sign, the City would be obligated to pay Lamar fair market value for the removed sign.

9

# LAMAR'S PROPOSAL (cont'd)

- **How would the proposal be implemented?** The obligations of the City and Lamar will be set forth in a settlement agreement that includes, as an exhibit, a proposed ordinance amending the Sign Code.
- **When would the obligations be effective?** The City's and Lamar's obligations under the settlement agreement will not be effective unless and until the proposed ordinance is adopted.

10

## LAMAR'S PROPOSAL (cont'd)

- Is the City obligated to enact the ordinance?  
No.

- What are Lamar's Obligations?

If the ordinance is adopted, Lamar will be obligated to remove 111 billboard faces over a five-year period.

- How many billboard faces does Lamar own?  
Lamar currently has 294 billboard faces located on billboards in the City.

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## LAMAR'S PROPOSAL (cont'd)

- What is the schedule for removal of the 111 billboard faces?

Year 1: 64 Billboard faces.

Year 2: 12 Billboard faces.

Year 3: 12 Billboard faces.

Year 4: 12 Billboard faces.

Year 5: 11 Billboard faces.

- Total: 111 Billboard faces removed.

12

## LAMAR'S PROPOSAL (cont'd)

- Can Lamar replace any of the 111 billboard faces that have been removed?

Yes. However, Lamar would be limited to installing billboards in zones (locations) allowed under the Code.

- Will there be a limit on how many new billboards can be installed?

Lamar would be limited to a total of 225 billboard faces throughout the City.

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## LAMAR'S PROPOSAL (cont'd)

- What is the net reduction of billboard faces if Lamar reaches the cap of 225 billboard faces?

If Lamar installed new billboard faces up to the cap of 225, the net number of billboard faces removed would be 69 ( $294 - 225 = 69$ ).

- When can Lamar begin installing new billboards?

If the proposed ordinance is adopted, Lamar could not install a new billboard until 61 billboard faces are first removed.

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## LAMAR'S PROPOSAL (cont'd)

- Can Lamar challenge the ordinance after it is enacted?

Lamar would agree that if the ordinance is adopted, neither Lamar nor its subsidiaries or affiliates will bring an action challenging the validity of the ordinance.

- What if someone else challenges the ordinance?

The City must defend any legal challenges to the ordinance.

15

## LAMAR'S PROPOSAL (cont'd)

- Will the Sign Code continue to require removal of legal nonconforming billboard signs?

The amortization provisions requiring removal of nonconforming billboard signs would be removed from the Code. Other nonconforming sign code requirements would remain (e.g., limitations upon substantial alterations to billboards).

- What will happen with over-height billboards?

The proposed ordinance will authorize permits to be issued establishing the existing height as the lawful height of those billboards.

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# LAMAR'S PROPOSAL (cont'd)

- What happens if the City Council amends the sign code after the proposed ordinance is adopted?

The City Council retains its authority to amend the sign code; however, in the event that a future amendment would require Lamar to remove a sign face or billboard sign, then the City must compensate Lamar at fair market value for each sign face and billboard sign removed.

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# PROPOSED CODE AMENDMENTS

- Exchange Program:

The proposed ordinance would establish an Exchange Program. This program would prohibit installation of a new billboard or sign face without a corresponding reduction in billboard face square footage.

- Would the exchange program include the 111 billboard faces to be removed by Lamar?

Yes.

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# PROPOSED CODE AMENDMENTS

- **Would Lamar be allowed to use billboard faces removed before the ordinance is adopted?**

Yes. Lamar would be allowed to use the square footage of the 32 billboard faces removed under the standstill agreement

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# PROPOSED CODE AMENDMENTS

- **Billboard Free Zones:** All billboards would be removed from the R, S, Cons., and C-1 zones, and rooftops in all zones
- **Cap and Replace Zones:** Billboards in the NCX, DR, WR and T would be removed as follows:
  - NCX 17 of 33 (52%)
  - DR 6 of 10 (60%)
  - WR 4 of 10 (40%)
  - T 6 of 10 (60%)

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# PROPOSED CODE AMENDMENTS

- **Cap and Replace Zones:** Once those numbers are removed, only replacements would be allowed, by zoning district.
- **New Receiving Areas:** Seven (7) new receiving areas to be established in the Sign Code for bulletin size (672 sq. ft.) billboards.
  - Arterial streets in high-intensity mixed-use and commercial districts;
  - Subject to dispersal and buffering standards.

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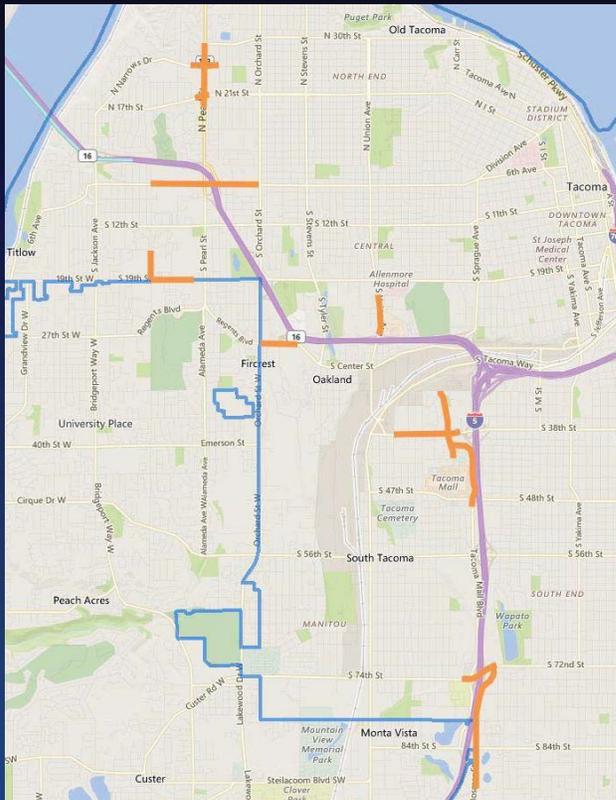
# PROPOSED CODE AMENDMENTS

- **New Receiving Areas – Bulletins**
  - 38th, Steele, and Tacoma Mall Boulevard
  - 6th Avenue, Mildred to Orchard
  - Mildred and 19th in James Center
  - Union Avenue near Tacoma Central
  - 72nd and Hosmer
  - Pearl, 21st, 26th, and Westgate
  - Center Street between Tyler & Orchard

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# Bulletin Billboards New Receiving Areas

(shown as orange lines)



## PROPOSED CODE AMENDMENTS

Comparison of allowed zones					
	Existing Code (Aug. 2011)	Community Working Group (Feb. 2015)	Planning Commission (Oct. 2015)	Previous Alternative (Nov. 2015)	Lamar Proposal (Dec. 2016)
<b>Allowed Zones</b>	C-2, M-1, M-2, PMI	C-2, M-1, M-2, PMI	C-2, M-1, M-2, PMI	C-2, M-1, M-2, PMI	C-2, M-1, M-2, PMI
		<u>Added:</u> <u>Commercial:</u> PDB	<u>Added:</u> <u>Commercial:</u> PDB*	<u>Added:</u> <u>Commercial:</u> PDB	<u>Added:</u> <u>Commercial:</u> PDB, T^
		<u>Mixed-Use:</u> UCX, CCX, CIX	<u>Mixed-Use:</u> UCX*, CCX*, CIX*, NCX*	<u>Mixed-Use:</u> UCX, CCX, CIX, NCX^	<u>Mixed-Use:</u> UCX, CCX, CIX, NCX^
		<u>Downtown:</u> DCC, DMU, WR	<u>Downtown:</u> DCC*, DMU*, WR*	<u>Downtown:</u> DCC*, DMU*, WR^, DR^	<u>Downtown:</u> DCC*, DMU*, WR^, DR^
<b>Symbols:</b> * Wall Billboards Only; Freestanding are replacement only ^ Cap & Replace Only					

# PROPOSED CODE AMENDMENTS

- **Other Changes**
  - No size limitation for wall billboards in DCC {?}
  - Some buffer and dispersal standards have been reduced
  - Poster-sized billboards allowed in all billboard zones, subject to dispersal and buffering
  - Design restrictions reduced (e.g., cantilevering)
  - Side-by-side posters incentivized to convert to a bulletin
  - Permits available for over-height billboards

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# NEXT STEPS

- **October 18** – Presentation of proposed amendments to Planning Commission.
- **November 14** – Public hearing to take testimony regarding proposed amendments to sign code.
- **December 5** – First Reading of Ordinance.
- **December 12** –
  - a. Consideration of resolution approving Settlement Agreement.
  - b. Second reading of Ordinance.

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City of Tacoma  
Planning and Development Services

**Agenda Item  
D-2**

**To:** Planning Commission  
**From:** Lihuang Wung, Planning Services Division  
**Subject:** **Capital Facilities Program Amendment**  
**Meeting Date:** October 18, 2017  
**Memo Date:** October 11, 2017

There is a need to update the 2017-2022 Capital Facilities Program (CFP) to add a new project, for funding eligibility purposes, that would establish a readiness site to provide interim workforce housing to individuals experiencing homelessness.

This project is related to Ordinance No. 28430, adopted by the City Council on May 9, 2017, which declared a state of emergency to address the health and safety conditions of homeless encampments and authorizing such actions as reasonable and necessary in light of such emergency to mitigate the conditions giving rise to such public emergency. The project is a recommended next step as part of Tacoma's Emergency Aid and Shelter Plan to address the state of emergency.

Adding the project to the CFP would constitute an amendment to the Comprehensive Plan, which would require the Planning Commission's review prior to the City Council's consideration for adoption. Due to the emergency nature, it is desired and necessary that the review/adoption process be carried out and completed as swiftly as possible.

At the next meeting on October 18, 2017, staff from the Office of Management and Budget will provide an overview of the proposed amendment, and ask the Commission to set November 1, 2017 as the date for a public hearing and consider forwarding a recommendation to the City Council immediately following the public hearing, i.e., on November 1 or 15, 2017.

Attached is the Proposed Amendment Overview packet. If you have any questions, please contact Christina Curran, Office of Management and Budget, at 253-591-5861 or [christina.curran@cityoftacoma.org](mailto:christina.curran@cityoftacoma.org).

Attachment

c. Peter Huffman, Director





## Proposed Amendment Overview

October 11, 2017

### SUMMARY:

The purpose of the proposed amendment is to update the 2017-2022 Capital Facilities Program (CFP) to add a new project, Neighborhood & Community Services (NCS) Readiness Site, to the Program's Community Development section. This project is related to the City of Tacoma's Ordinance No. 28430 (adopted May 9, 2017), which declared a state of emergency to address the health and safety conditions of homeless encampments and authorizing such actions as reasonable and necessary in light of such emergency to mitigate the conditions giving rise to such public emergency. The project is a recommended next step as part of Tacoma's Emergency Aid and Shelter Plan to address the state of emergency.

### BACKGROUND:

The Capital Facilities Program is an element of the Comprehensive Plan. The CFP for 2017-2022 is being amended pursuant to the State Growth Management Act's requirements (RCW 36.70.130) and will be considered and adopted by the City Council in December 2017 concurrently with the 2017-2018 Mid-Biennium Budget Modification. Projects included in the Capital Facilities Program are eligible for additional funding sources such as grants and Real Estate Excise tax (RCW 82.46.010(b) & RCW 82.46.035)(3)).

### PROPOSED AMENDMENT:

The proposed amendment will add a NCS Readiness Site project to the Community Development section of the 2017-2022 Capital Facilities Program. The project supports Phase Three of Tacoma's Emergency Aid and Shelter Plan to develop Short-Term Transitional Housing Options.

The purpose of the NCS Readiness Site is to create additional opportunities and incentivize work and training for individuals experiencing homelessness by providing interim housing. The site would potentially serve up to 30 individuals a year, with the goal of successfully securing livable wage jobs and training, establishing a good rental history, and securing housing. The site would be targeted toward those individuals with low barriers to employment, working or work-able residents of the Emergency Aid and Shelter Plan Phase 2 Stability Site, and working or work-ready residents of unauthorized homeless encampments.

Incorporating the NCS Readiness Site project will require the following changes to the 2017-2022 Capital Facilities Program:

- Add a new project sheet in the Community Development section of Project Information for the NCS Readiness Site (Exhibit A). The page will be added before the NCS Teen Home project (page 58).
- Add the NCS Readiness Site project to the following tables and update the funding totals
  - Six-Year Spending Plan (page 37)
  - 2017-2018 Community Development Projects (page 48)
  - Community Development Funding Availability graph (page 49)
  - Community Development Project Index (page 50)
  - 2017-2022 Capital Facilities Program Funding Summary Report (page 281)
  - 2017-2022 Capital Facilities Program Funding Detail Report (page 282)

The Adopted 2017-2022 Capital Facilities Program can be found at:  
<http://cms.cityoftacoma.org/finance/budget/2017-2018/2017CFPAdopted.pdf>



2017-2022 Capital Facilities Program  
Proposed Amendment  
Fall 2017

No other projects will be impacted by the addition of the NCS Readiness Site. Funding information will only be updated to include the NCS Readiness Site Project Funding Plan within CFP funding reports and tables. If funding is approved for the project, the project budget would be adopted as part of the City of Tacoma 2017-2018 Mid-Biennium Modification Process occurring in late 2017.

**STRATEGIC POLICY PRIORITY:**

This amendment supports the following City Council policy priorities:

- Strengthen and support a safe city with healthy residents
- Ensure all Tacoma residents are valued and have access to resources to meet their needs

The amendment also supports specific goals and measures in Tacoma’s Strategic Plan, Tacoma 2025, related to the Human and Social Needs focus area such as:

- Increase housing security
- Improve services to youth and vulnerable populations
- Decrease the percent of individuals and families who experience homelessness
- Decrease the unmet need for mental health services

In addition, the proposed amendment is consistent with and helps implement Tacoma’s Comprehensive Plan, One Tacoma:

- Goal PFS-4: Provide public facilities that address past deficiencies, particularly those in underserved areas, meet the needs of growth, and enhance the quality of life through acceptable levels of service and priorities
- Policy PFS-4.10(a): Consistent with the other policies within this section and the Comprehensive Plan, prioritize capital improvements that meet one or more of the following criteria:
  - a. Addresses a public health or safety concern

**PROJECT SCHEDULE:**

The following is a general schedule and timeline for the Capital Facilities Program amendment:

Date	Actions
October 18, 2017	Planning Commission review of 2017-2022 CFP amendment; Planning Commission sets Public Hearing date
November 1, 2017	Planning Commission Public Hearing
November 15, 2017	Final Planning Commission Findings and Recommendations
November 28, 2017	City Council Public Hearing on 2017-2022 CFP Amendment
December 2017	City Council Adoption of 2017-2022 CFP Amendment

**RECOMMENDATION:**

Staff recommend that the Planning Commission approve an amendment to the 2017-2022 Capital Facilities Program to add a new project, NCS Readiness Site, to the Community Develop section and that the Planning Commission forwards to the City Council a recommendation to adopt the proposed amendment.

## Community Development

### NCS Readiness Site

<b>Project Number:</b>	\$GGV-NEW17	<b>Department:</b>	Neighborhood & Community Services
<b>Project Phase:</b>	New	<b>Project Manager:</b>	Tanisha Jumper
<b>Year of Completion:</b>	2018	<b>Total Project Cost:</b>	\$2,900,000
		<b>Funded Status:</b>	Unfunded

**Location:** TBD (potential 8821 Pacific Ave)

**Description:** This project will establish a Readiness Site to provide interim workforce housing to individuals experiencing homelessness. The facility will create additional opportunities and incentivize work and training, with the goal of successfully securing livable wage jobs, establishing a good rental history, and securing housing.

**Rationale:** This project is related to Ordinance No. 28430, which declared a state of emergency to address the health and safety conditions of homeless encampments. The project supports Phase Three of Tacoma’s Emergency Aid and Shelter Plan to develop Short-Term Transitional Housing Options.

Project Funding Plan				
Funding Source	Previously Appropriated	New	Unconfirmed	Total
City-REET			1,000,000	1,000,000
City-Unidentified City Contribution			1,900,000	1,900,000
Grand Total			2,900,000	2,900,000

Six-Year Spending Plan					
Funding Type	Prior Spending	2017	2018	2019-2022	Total
Previously Appropriated					-
New					-
Unconfirmed			2,900,000		2,900,000
Grand Total			2,900,000		2,900,000





City of Tacoma  
Planning and Development Services

**Agenda Item  
D-3**

**To:** Planning Commission  
**From:** Elliott Barnett, Planning Services Division  
**Subject:** **Tacoma Mall Neighborhood Subarea Plan and EIS**  
**Meeting Date:** October 18, 2017  
**Memo Date:** October 11, 2017

On October 18, 2017 the Commission will review staff recommendations for final changes to the Tacoma Mall Neighborhood Subarea Plan package, and consider making a recommendation to the City Council on the proposals.

On September 20<sup>th</sup>, the Commission discussed the public input received during the comment period and identified the substantive decisions that are still pending in order to finalize the draft Subarea Plan package. The Recommended Changes Summary provided as an informational item in the October 4<sup>th</sup> Commission packet provides a complete and detailed summary of all recommendations as well as highlighting those remaining decision points. To support those remaining decisions, staff are providing a more detailed discussion outline (Attachment 1) which will be the structure of the October 18<sup>th</sup> presentation.

It is staff's understanding that once these topics are addressed, the Commission will be in a position to make final recommendations on this project to the City Council. Staff have prepared a draft letter of recommendation (Attachment 2) and a draft Findings and Recommendations Report (Attachment 3) and request Commission direction to finalize these documents as well.

Information about the project is available at [www.tacomamallneighborhood.com](http://www.tacomamallneighborhood.com). Please contact Elliott Barnett at (253) 591-5389, or email [tacmallneighborhood@cityoftacoma.org](mailto:tacmallneighborhood@cityoftacoma.org) with any questions.

Attachments:

1. Discussion outline
2. Draft recommendation letter
3. Draft Findings and Recommendations Report

c. Peter Huffman, Director





## Tacoma Mall Neighborhood Subarea Plan and EIS

### DISCUSSION OUTLINE

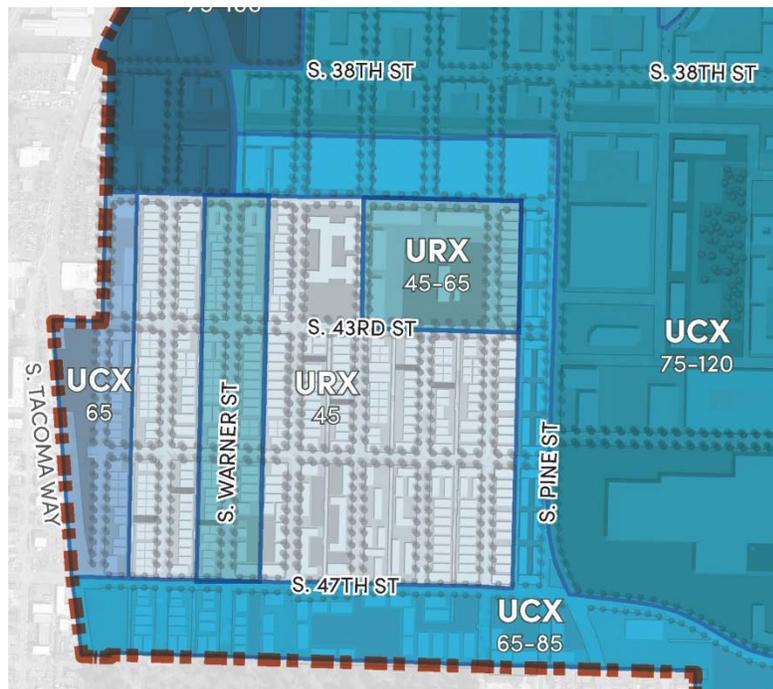
Planning Commission – October 18, 2017

Staff have identified the following items for additional discussion and final decision by the Planning Commission. This summary further elaborates on the Recommended Changes Summary provided on October 4, 2017, which is a complete list of staff recommended changes to the public review draft. At the October 18, 2017 Commission meeting, staff will provide a presentation focusing on these topics.

### LAND USE:

#### Madison District zoning approach

Staff recommend the following zoning proposal, including optional height increases from 45 to 65 feet along Warner St and the Madison School site. At least one Low Impact Development bonus option would be required (two are included as MUC Height Bonus options). This approach balances green stormwater infrastructure, residential character and density goals.



## Development Regulation Agreements

*The Commission requested a discussion of this topic. No changes to the public review draft are recommended by staff at this time.*

### Overview:

The Subarea Plan emphasizes the importance of ensuring that the neighborhood benefits from large-scale development. As such, the code includes design, access, height and other requirements intended to ensure positive development outcomes. At the same time, large sites often have unique characteristics and opportunities, particularly when internal street connections are absent. There may be design and development opportunities, such as larger campus-style government or master planned retail developments, that can meet Subarea Plan goals in a manner not specifically foreseen. Large-scale development can also catalyze growth and change in the neighborhood.

Tacoma's Development Regulation Agreement's (DRA), currently available primarily within the Downtown Regional Growth Center, provides an optional regulatory process crafted to allow design and site flexibility while achieving significant public benefits.

### Recommendation:

Allow DRAs in the Tacoma Mall Neighborhood RGC to provide an optional review process for larger site development incorporating alternative approaches that meet and exceed the Subarea Plan and code intent regarding connectivity, land use and design. Modify the existing DRA criteria to address the Tacoma Mall Neighborhood Subarea Plan vision and goals.

Specifically, the changes would modify TMC 13.05.095 Development Regulation Agreements as follows:

- Allow DRAs within the Tacoma Mall Neighborhood Subarea for sites at least two acres in size with an overall project Floor Area Ratio of at least 1.00. These thresholds are intended to ensure that density consistent with the RGC intent will be achieved.
- Tailor the DRA review criteria to fit the circumstances within the Mall Neighborhood.
  - The existing criteria award points for public benefits including:
    - Balanced economy
    - Achieving vitality downtown
    - Sustainability
    - Quality urban design
  - The proposal would add a fifth category titled, "Achieving vitality in the Tacoma Mall Neighborhood" allotting points for a list of public benefits tailored to address the needs of the Tacoma Mall Neighborhood Subarea, including:
    - Enhanced site connectivity above and beyond requirements
    - Landscaping, pedestrian paving, site features and amenities that demonstrably exceed requirements
    - Provision of public gathering spaces (e.g., for markets, events, festivals)
    - Provision of publicly accessible recreational amenities

- Provision of neighborhood-serving amenities or services (such as a grocery store, medical clinic, or community center)
- Distinctive modern, contemporary signage that contributes to the identity of the Subarea
- Street edge activation and building ground orientation that demonstrably exceeds requirements
- Green stormwater infrastructure and tree canopy coverage that demonstrably exceeds requirements

## **HOUSING:**

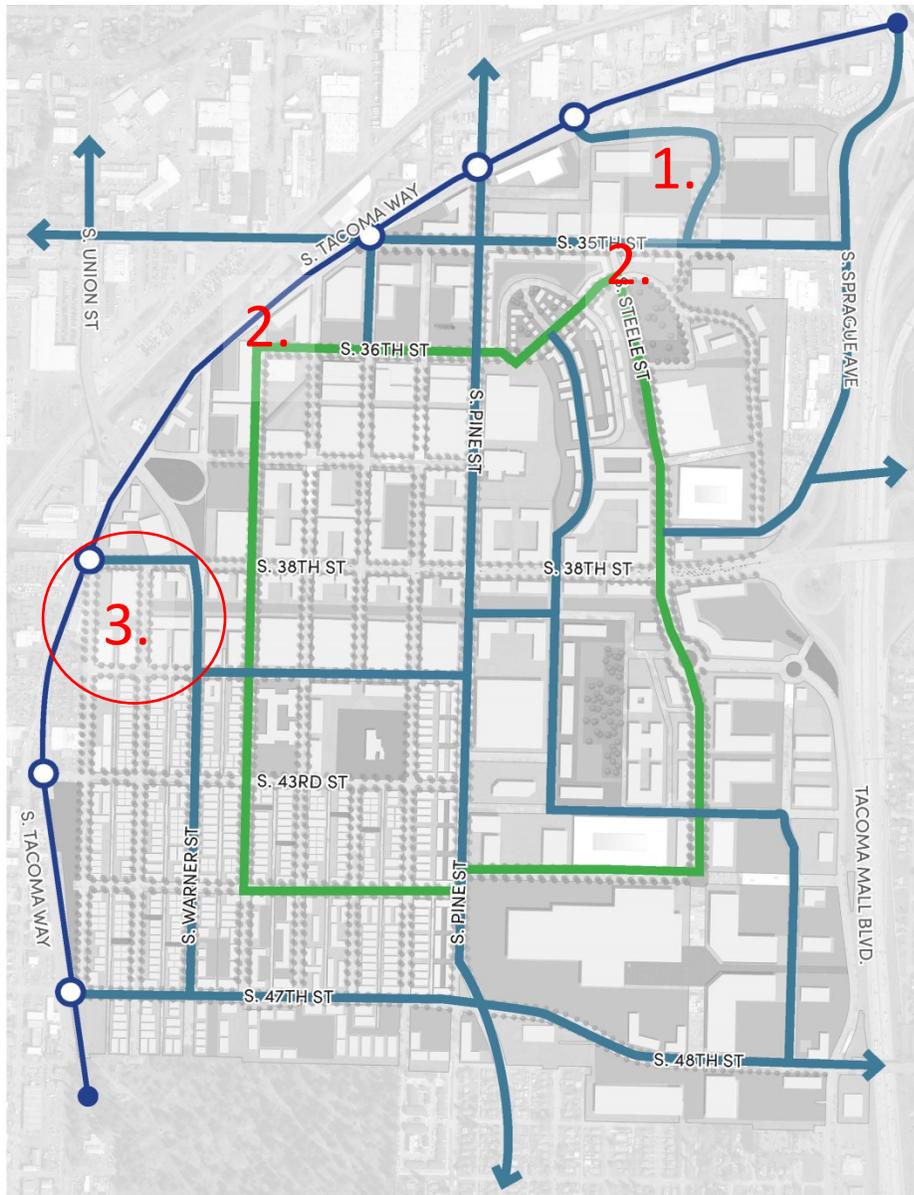
### **Affordable housing recommendations**

- About 90% of rental units are currently affordable at 80% of Area Median Income (AMI)/50% are affordable at 50% AMI
- Increase the proposed Subarea Plan Housing Performance Measure to 50% affordable at 80%/25% affordable at 50% AMI
- Call for a focused study in the near-term to identify actions to prevent involuntary displacement and maintain housing affordability and choice
- Strengthen call for citywide housing actions

# TRANSPORTATION:

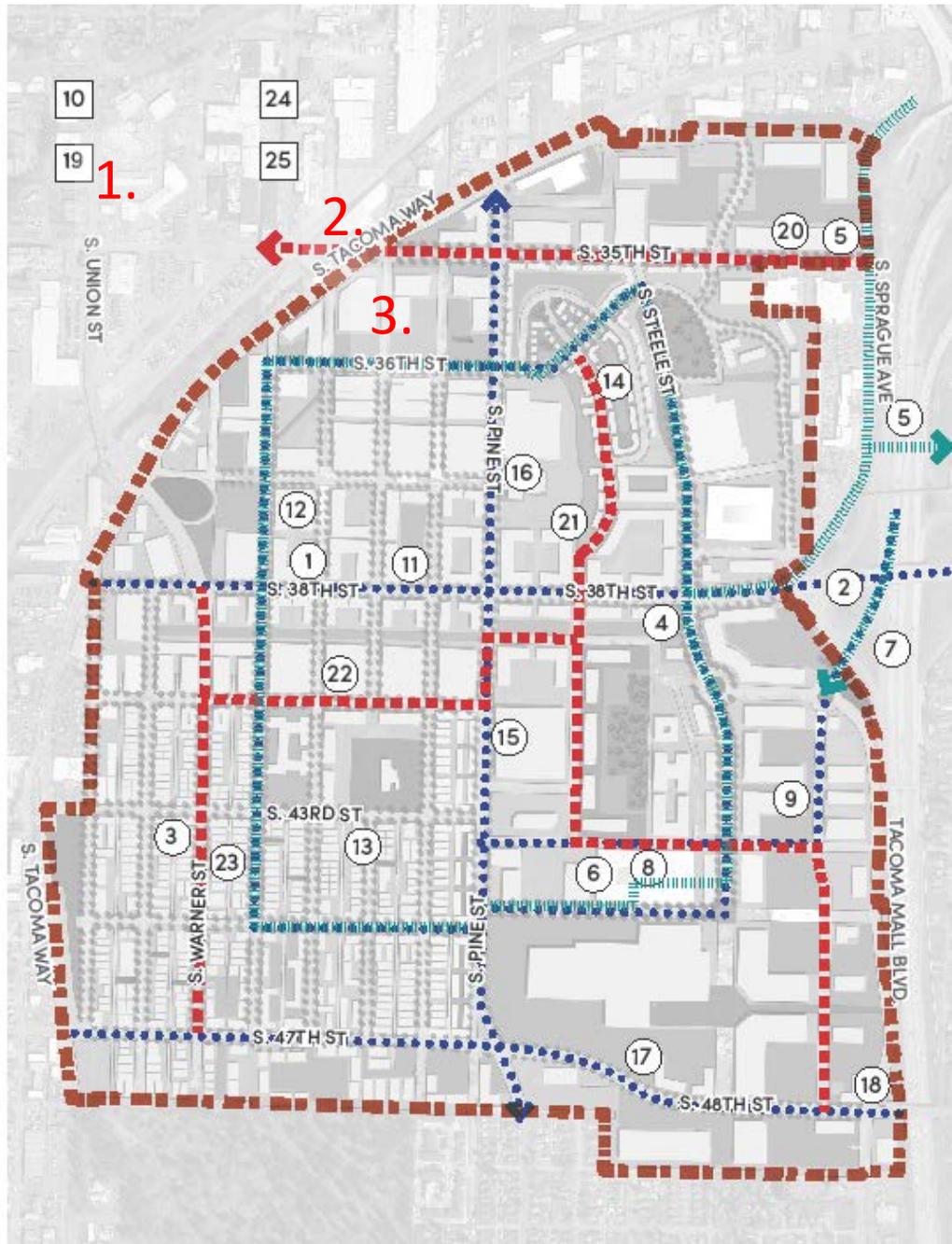
**Recommended revisions to the proposed Bike and Pedestrian network map, including:**

1. Remove Wright Ave as a Bike Blvd
2. Connect the Loop Road to 35<sup>th</sup> and South Tacoma Way
3. Extend 40<sup>th</sup> St bike route to Union Ave and thence to South Tacoma Way, remove alignment on Warner and S. 38<sup>th</sup> St



**Recommended revisions to projects prioritization list, including:**

1. Sidewalk Gaps – move from Mid-term to Near-term Project List
2. S. 35<sup>th</sup> St extension project – Move from Long-term to the Mid-term Projects List
3. Add Cedar St from 35<sup>th</sup> to 36<sup>th</sup> St to the S. 35<sup>th</sup> St extension project



## CONNECTIVITY PLANS:

**Staff recommend significant changes to the connectivity plan proposal to accomplish the following:**

1. Modify Connectivity Plan process
  - ✓ Change “Connectivity Plan” to “Site Plan Approval” process
  - ✓ Integrate with existing TMC processes and appeal options
  - ✓ Increase thresholds to 10,000 sf new building footprint or building addition
  - ✓ Provide for discretionary City review of project impacts
2. Modify Figure T-9: Priority New Connections Tiers Map including:
  - ✓ Show Tier 2 connection points
  - ✓ Replace Tier 2 lines with a less specific arrow/dashed line
  - ✓ Extend proposed S 37<sup>th</sup> St to Steele Street
3. Update Transportation Choices Chapter and Land Use Appendix to reflect the revised approach

## PROPOSED NEW CODE SECTION:

**The following proposed code would replace the Large Parcel Connectivity Plans draft code language contained in the public review draft (Appendix LU-2 pg 49 to 50).**

### **13.06.660 Site Approval**

#### **A. Purpose.**

Within the Tacoma Mall Neighborhood Subarea Plan area, as well as other adopted Subarea Plans that call for actions to enable the transportation system to accommodate planned growth and achieve multimodal transportation options, the proposed construction of or addition to large buildings warrants transportation connectivity review on a case-by-case basis to identify conditions of approval necessary to mitigate potential adverse transportation impacts and ensure compatibility with the Subarea Plan.

#### **B. Process.**

1. Such a Site Approval for transportation connectivity will be conducted by the Director or designee in accordance with the criteria identified in this Chapter, and the procedures established in TMC 13.05 for Type II permits.
2. Prior to submitting an application to the City for Site Approval, it is recommended that the applicant hold a public informational meeting with interested community members and owners of adjacent properties. The purpose of the meeting is to provide

an early, open dialogue regarding the connectivity and transportation aspects of the proposed development. The meeting should acquaint the community with the applicant and/or developers and provide for an exchange of information about considerations pertinent to creating attractive, safe, comfortable, and multi-modal transportation choices. If the applicant elects to hold a public meeting, written notification of the meeting should be provided, at least 30 calendar days prior to the meeting date, to the appropriate neighborhood council pursuant to TMC 1.45 and neighborhood business district pursuant to TMC 1.47, qualified neighborhood and community organizations, and to the owners of property located within 1,000 feet of the project site.

3. Upon issuance, the Director's decision may be appealed subject to procedures contained in TMC 13.05.

### **C. Applicability.**

1. Site Characteristics. A Site Approval requirement applies under the following circumstances:

a. The proposed development is located in an area subject to an adopted Subarea Plan, including the Tacoma Mall Neighborhood Subarea Plan, with a transportation element that identifies the need for additional street and pedestrian connectivity in order to accommodate planned growth.

b. The development site, defined as land sharing common access, circulation and improvements as specified in TMC 13.06.700.D, is at least one acre in size.

c. The development site is located within a block that is 8 acres or larger in size. Blocks for this purpose are defined as assemblages of land circumnavigated by the shortest possible complete loop via the public street network.

2. Development Thresholds. Site Approval is required when proposed development includes buildings with at-grade footprints large enough to potentially pose a barrier to circulation and pedestrian connectivity. Construction of and additions to buildings with smaller footprints, interior improvements typically do not create such barriers, assuming pertinent pedestrian access standards are met, and are therefore not subject to this requirement. A Site Approval for transportation connectivity is required per the following thresholds:

a. Construction of new buildings with over 10,000 square feet of building footprint.

b. Building additions of 10,000 square feet or more, cumulatively within a 10 year period.

### **D. Criteria.**

A Site Approval for transportation connectivity shall address the following criteria:

1. The Site Approval shall demonstrate consistency with the transportation connectivity goals and policies of the Comprehensive Plan, the adopted Subarea Plan, all applicable ordinances of the City of Tacoma, and will respond to the vision, issues, and concerns of the specific area.

2. The Site Approval shall incorporate design strategies which meet or exceed City design and development standards in terms of promoting transportation connectivity, providing multi-modal transportation options, mitigating traffic volumes and impacts to transportation networks, and addressing other transportation impacts that are typically associated with large building footprints.

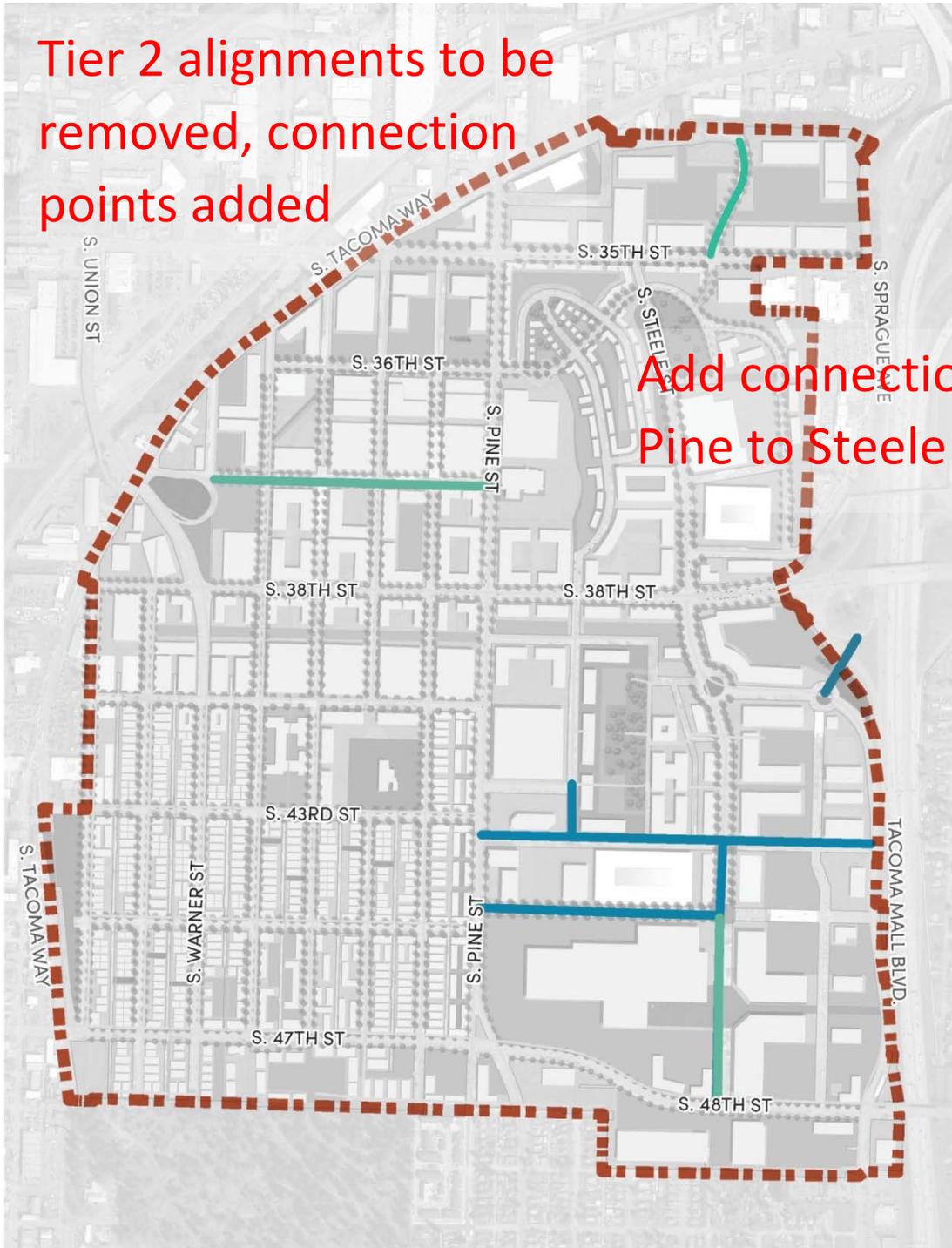
3. The Site Approval shall include a transportation impact analysis to determine whether the proposed development would generate impacts to the transportation system. If so, the Site Approval shall include mitigating actions determined by the City Engineer or designee. Such mitigation actions may include requirements on the applicant to provide frontage and onsite improvements and if warranted, to establish or participate in the establishment of new public rights-of-way, easements or private transportation connections.

4. The Site Approval shall designate internal circulation alignments, off-street parking, and building pedestrian orientation and access, which meet or exceed City standards in a manner that ensures safe, comfortable, attractive, multi-modal access and circulation through, within, and in proximity to the development site. The internal circulation system shall provide safe, comfortable and attractive connections between buildings, through parking areas, to the street and transit linkages, and to surrounding properties and neighborhoods. When desired, one or more alternatives may be provided that meet the intent while providing greater flexibility to accommodate a range of potential future development proposals.

5. The Site Approval shall demonstrate consistency with other applicable provisions of the TMC as appropriate.

**In addition, TMC 13.05.020 Notice process would be modified to reference the proposed new Site Approval permit. The Site Approval process would be a Process II land use permit with similar notification, process and appeal processes to a Conditional Use Permit.**

Tier 2 alignments to be removed, connection points added



Add connection from Pine to Steele Sts.

- Tier One
- Tier Two

## PEDESTRIAN ACCESS STANDARDS:

**Staff recommend changes to the public review draft proposal to accomplish the following:**

1. Clarify how proposal would apply to sites of varying size
2. Provide exemptions and exceptions for certain land uses
3. Reduce the requirements that would apply to alterations valued between 15 to 50%
4. Reduce the required width of proposed through-connections
5. Reorganize the code section for clarity

**The following revised code language would replace the draft Bicycle and Pedestrian Access Standards section draft provided in the public review draft (Appendix LU-2 pg 34 to 37). The existing TMC 13.06.512 code section would be repealed and replaced with the following language.**

### REVISED CODE SECTION:

#### **13.06.512 Pedestrian and bicycle support standards.**

**A. Applicability.** The design standards of this section are required to implement the transportation, urban design, livability and public health goals of the Comprehensive Plan of the City of Tacoma.

**1. General Applicability.**

- a. The pedestrian and bicycle support standards fully apply to all new development and alterations that, within a two-year period, exceed 50 percent of the value of existing development or structures, as determined by the Building Code, unless specifically exempted herein.
- b. Alterations that, within a two year period, exceed 15 percent of the value of existing development or structures, as determined by the Building Code, shall comply with the following requirements of this section:
  - 13.06.512.B.2 Connection between streets and entrances
  - 13.06.512.B.3 Minimum Connection Frequency
  - 13.06.512.B.4 Route Directness
  - 13.06.512.B.6 Facility Design, as applicable.
- c. The standards do not apply to remodels that do not change the exterior form of the building or involve construction of paved areas. However, if a project involves both exterior and interior improvements, then the project valuation shall include both exterior and interior improvements.
- d. No alteration shall increase the level of nonconformity or create new nonconformities to these standards.
- e. Fractions. Any requirement resulting in a fraction when applied shall be rounded up or down to the nearest whole number.
- f. Topography. In areas with steep topography or other barriers are present, the Director or designee may consider alternate approaches that meet the intent of this section.
- g. Standards. Each item of this section shall be addressed individually. Exceptions and exemptions noted for specific development situations apply only to the item noted.

2. Exceptions.
  - a. Super regional malls. Additions to super regional malls which add less than 10,000 square feet of floor area shall be exempt from these standards. Larger additions and construction of more than 10,000 square feet are subject to the requirements of TMC 13.06.660 Site Approval.
  - b. Temporary. Temporary structures are exempt from the standards of this section.
  - c. Residential or Mixed-Use. Residential structures of 4 dwelling units or fewer only need to comply with the standards of subsection B, below. Mixed-use structures shall comply with all of the standards.
  - d. Industrial and controlled access uses. Land uses which are typically not pedestrian-oriented and/or require controlled access for security or operational reasons, are subject to lesser or different pedestrian access standards, as described in section B, below. Specifically, airports; cemetery/internment services; correctional facilities; golf courses; heliports; hospitals; heavy and light industry; marijuana processor, producer and researcher; passenger terminals; port, terminal, and industrial; public safety and public service facilities; research and development industry; schools; and, utilities are included in this category.
  - e. Historic. In any conflict between these standards and those applied by the Tacoma Landmarks Preservation Commission, the standards of the commission shall prevail.

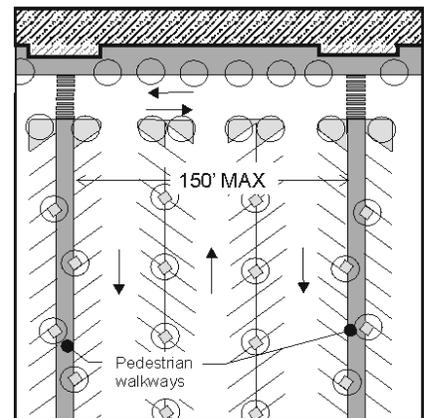
**B. Bicycle and Pedestrian Connections.**

Purpose: Pedestrian and bicycle standards encourage a safe, direct, attractive, and usable multimodal circulation system in all developments as well as connections between abutting streets and buildings on the development site, and between buildings and other activities within the site.

1. Interior Access Roads. Interior access roads in multi-building developments shall be designed to look and function like public streets. This includes planting strips and street trees, sidewalks on one or both sides, and perpendicular or parallel parking on one or both sides.
2. Connection between streets and entrances. There must be a connection between one main entrance of each building on the site and the adjacent street. The route may not be more than 20 feet longer or 120 percent of the straight line distance, whichever is less. Where there is more than one street frontage, an additional connection, which does not have to be a straight line connection, is required between each of the other streets and a pedestrian entrance of each building.

3. Minimum connection frequency.

- a. Commercial, Office, Mixed-Use and Multifamily uses. Additional walkways are required when needed to provide at least one connection to the public sidewalk for each 150 feet of street frontage or every three parking aisles, whichever is less.
- b. Industrial and controlled access uses (listed above). Additional walkways are required when needed to provide at least one connection to the public sidewalk for each 300 feet of street frontage or every six parking aisles, whichever is less.
- c. Parks and recreation uses (excluding passive open space), or portions thereof, which are undeveloped with buildings, shall provide a minimum of one walkway, and an additional walkway for each additional improved street frontage greater than 500 feet in length (unless topography, critical areas or public safety issues preclude reasonable provision of such additional access points).



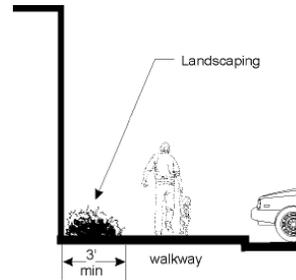
4. Route directness. Connections to streets shall be designed and located to facilitate direct travel to all abutting public sidewalks, bus stops, transit stations/centers, schools, public bicycle facilities, trails, or shared-use paths in proximity of the development site. Walkways shall be located to provide the shortest practical route from the public sidewalk or walkway network to customer and/or public building entrances.

5. Internal pedestrian system.

- a. On sites larger than 10,000 square feet, and with multiple buildings or uses, an internal pedestrian connection system must be provided. The system must connect all main entrances on the site that are more than 20 feet from the street, and provide connections to other areas of the site, such as parking areas, bicycle parking, recreational areas, common outdoor areas, and any pedestrian amenities.
- b. On sites with two or more street frontages 300 feet or more in length, and with multiple buildings or uses, a through-connection is required providing a continuous pedestrian pathway between the abutting street frontages.
- c. On sites requiring three or more pedestrian connections per section B.2, above, and with multiple buildings or uses, the most centrally located connection shall be an enhanced through-connection that provides a continuous pedestrian pathway between the abutting street frontages.

6. Facility Design.

- a. Lighting and landscaping. For walkways that are longer than 25 feet, trees shall be provided adjacent to the walkways at a rate equivalent to the linear requirements for street trees in 13.06.502.C, and pedestrian-scaled lighting shall be provided at a ratio of 2 per 100 feet. Trees shall be planted a minimum of 10 feet from pedestrian light standards or parking lot light standards.
- b. Size and materials.
  - (1) Required walkways must be hard-surfaced and at least 5 feet wide, excluding vehicular overhang, except for walkways accessing less than 4 residential dwelling units, where the minimum width shall be 4 feet. When more than one walkway is required, at least one walkway must be 10 feet wide. Permeable pavement surfaces are encouraged where feasible.
  - (2) Where the system crosses driveways, parking areas, and loading areas, the system must be clearly identifiable, through the use of elevation changes, speed bumps, a different paving material, or other similar method. Striping does not meet this requirement. Elevation changes and speed bumps must be at least 4 inches high.
  - (3) Where the system is parallel and adjacent to an auto travel lane, the system must be a raised path or be separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised path is used it must be at least 4 inches high and the ends of the raised portions must be equipped with curb ramps. Bollard spacing must be no further apart than 5 feet on center.
  - (4) Internal pathways in multi-building residential developments shall be separated from structures at least 3 feet by landscaping, except where adjacent to usable yard spaces or other design treatments are included on or adjacent to the wall that add visual interest at the pedestrian scale. Examples include the use of a trellis with vine plants, sculptural, mosaic, bas-relief artwork, or other decorative wall treatments.



*Above left and center: Parking lot pathway examples. Above right: Separate walkway from structures with at least 3' of landscaping.*

- c. Bicycle facilities. At least one driveway and travel lane on site shall be designed to accommodate bicycles in accordance with the Public Works Design Manual. Where a 10 foot walkway is provided, it may be used as a shared-use path for both pedestrians and bicyclists. The route shall include signage to direct bicyclists to on-site bicycle parking facilities.
- d. Through-connections.
  - (1) Through-connections shall be a minimum of 10 feet in width.
  - (2) Enhanced through-connections, required for larger sites as described above, shall meet one of the following design options:
    - (a) Minimum 7 foot wide sidewalks on both sides of a private roadway designed per City standards to look and function like a public street. This includes planting strips, street trees, sidewalks and perpendicular or parallel parking on one or both sides.
    - (b) A multi-use pathway a minimum of 14 feet in width.
  - (3) Through-connection design. Through-connections shall meet the lighting and landscaping, size and materials standards above, and provide street furniture, per the design specifications below, at a frequency of one seating area every 250 feet. Enhanced through-connections shall provide street furniture at a frequency of one seating area every 150 feet.
  - (4) Controlled access. For land uses that require secured site access to ensure public safety or for unique business operational needs, through-connections may be access controlled by gates or similar features.

**C. Street Furniture.**

Purpose: To support transportation choices, including walking, the following standards shall be met to assist pedestrian safety, comfort, and mobility, including resting places at reasonable intervals.

1. **Minimum.** A minimum of one fixed bench or equivalent seating area for every 250 feet of street frontage. This requirement determines quantity and not distribution, not required if site has less than 250 feet of street frontage. Projects in the PMI District are exempt from this requirement. Parks, recreation and open space uses are only required to provide street furniture adjacent to buildings fronting on a street.
2. **Minimum on designated pedestrian streets in Mixed-Use Center Districts.** A minimum of one fixed bench or equivalent seating area for every 150 feet of street frontage. This requirement determines quantity and not distribution, not required if site has less than 150 feet of street frontage. Parks, recreation and open space uses are only required to provide street furniture adjacent to buildings fronting on a street.
3. **Design.** Furniture shall be consistent with any applicable adopted business area improvement plans and shall utilize designs that discourage long-term loitering or sleeping, such as dividers or individual seating furniture. See examples below.



4. **Credit.** Any adjacent public street furniture can be counted toward this requirement.

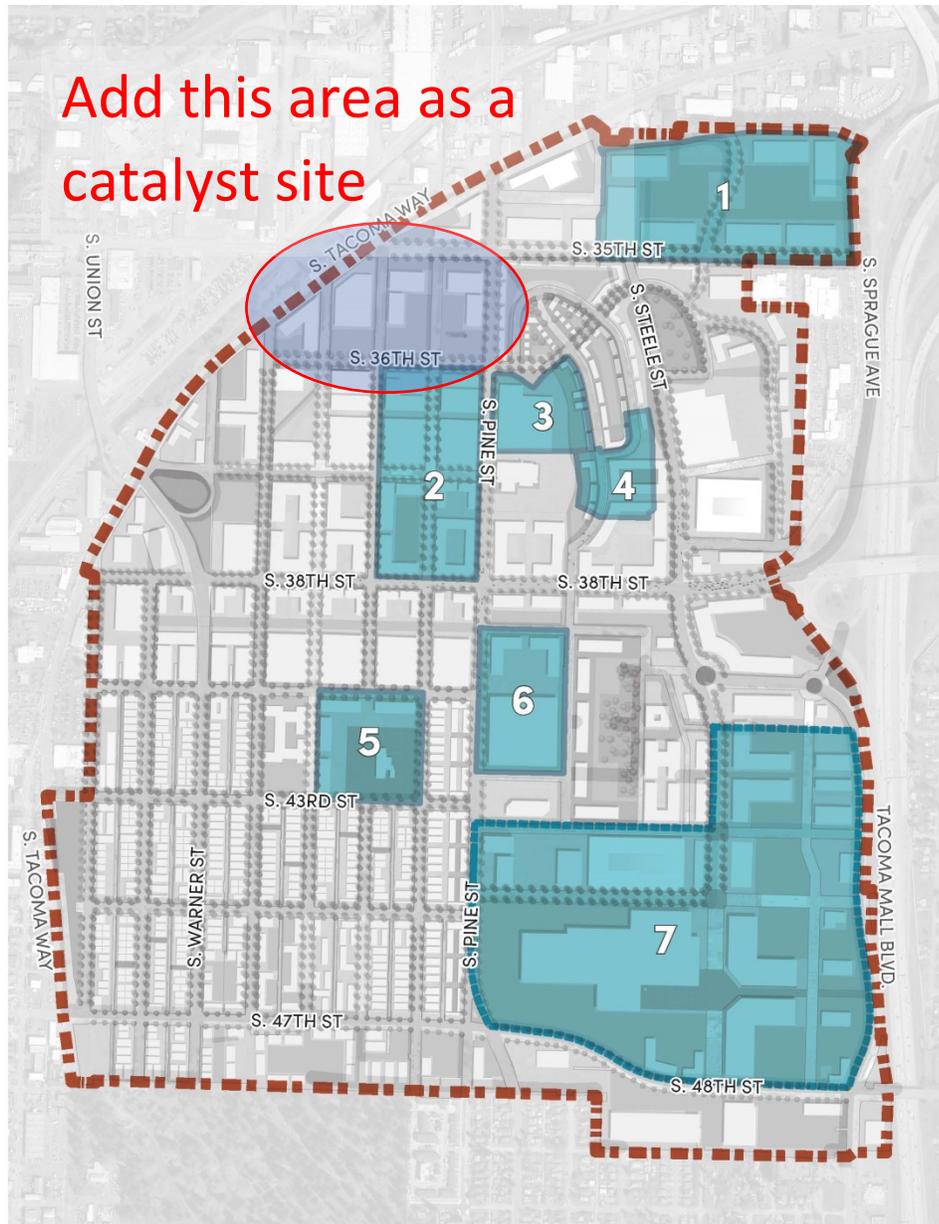
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**In addition, example site plans illustrating the pedestrian and bicycle standards would be added to TMC 13.06.512.B.**

## SHARED PROSPERITY:

### Staff recommend revising the Catalyst sites criteria and map

The catalyst site discussion in the public review draft focuses primarily on large parcels in prominent locations. The plan language would be modified to reflect that in some cases, underutilized sites could also represent catalyst opportunities.



## **IMPLEMENTATION:**

### **Staff recommend an additional implementation tracking mechanism**

The public review draft Subarea Plan already includes several mechanisms to monitor and evaluate implementation progress, including the following:

- Biennial council and community implementation updates
- Performance measures in each chapter
- Priority Early Implementation Actions
- Capital Projects prioritization list
- Regular reevaluation of transportation impacts

Staff recommend one additional progress measure:

- Complete implementation actions, transportation projects and identification of appropriate funding approaches concurrent with the pace of growth

END



DRAFT

October 18, 2017

The Honorable Mayor and City Council  
City of Tacoma  
747 Market Street, Suite 1200  
Tacoma, WA 98402

RE: Tacoma Mall Neighborhood Subarea Plan and EIS

Honorable Mayor and Members of the City Council,

On behalf of the Tacoma Planning Commission, I am forwarding our recommendations on the proposed Tacoma Mall Neighborhood Subarea Plan, code changes, and up front EIS (Tacoma Mall Neighborhood Subarea Plan). Enclosed is the "*Planning Commission's Findings and Recommendations Report, October 18, 2017*" that summarizes the proposal, the public review process, and the Planning Commission's deliberations.

Specifically, we recommend that the City Council:

- Adopt the Tacoma Mall Neighborhood Subarea Plan including a vision, goals and actions for growth and positive change through the year 2040;
- Update the City Comprehensive Plan Future Land Use Map to expand the Tacoma Mall Neighborhood Regional Growth Center by 116 acres; and,
- Adopt a set of code changes including an area-wide rezone that includes new zoning boundaries and height limits, transportation and pedestrian access provisions, and design standard changes laid out in Land Use Appendices 1 and 2.

Concurrent with the Subarea Plan, the City has prepared a Draft Environmental Impact Statement which will be finalized prior to City Council action. The adoption of the Final EIS will streamline SEPA procedures for future project-level review that is consistent with the Subarea Plan. Through this approach, the City can catalyze development and investment in the neighborhood, and at the same time achieve more coordinated and effective mitigation actions than would be possible with project-level SEPA review.

This multi-year planning effort has been a forum for the community to develop a shared vision, goals and actions for this important neighborhood. This effort brought to bear an exceptional level of analysis and engagement to address the unique needs and opportunities of this area. The City is planning for a major concentration of jobs and housing growth here. To accommodate that growth consistent with the community's vision, the neighborhood must function well on many levels. Proactive and coordinated transportation, infrastructure, housing, environmental, neighborhood, community, economic development and other actions are essential.

We believe that the Subarea Plan will be a milestone in the transition of this place into a more complete, compact and connected neighborhood with a strong and positive identity and an empowered community. The proposals are very much consistent with the Vision 2040 and Transportation 2040 Plans, the One Tacoma Plan and the City's strategic goals for a safe, clean and attractive community and a diverse, productive and sustainable economy. Adopting this Subarea Plan builds on the successful Downtown Tacoma Subarea Plans and fulfills the City's commitment to plan proactively for growth in our designated

Regional Growth Centers. The proposed actions will catalyze positive change that makes this neighborhood a distinctive and desirable place to live, work, shop and invest.

The Subarea Plan calls for a significant amount of change over time, and change can raise concerns. In particular, there has been much attention paid to the proposal for the creation new streets when major redevelopment occurs. The final street connectivity proposals represent countless hours of collaborative discussion. We believe the recommended approach is clear, equitable and supportive to existing businesses and property owners, while providing new tools to work toward the mutual benefits to be realized from creating a more connected street network in the future.

Furthermore, we respectfully request the City Council take steps to follow through on this vision. In particular, the plan calls for a major increase in capital investment in the neighborhood, supported by the consideration of new funding mechanisms. In addition, key actions including a freeway off ramp, relocation of the transit station, park and open space investments, and others require collaboration with local and regional partners. City leadership and engagement with partners will be essential to success.

The Commission wishes to recognize and thank those community members who dedicated their time and insights to helping to shape the future of the Tacoma Mall Neighborhood.

Sincerely,

Stephen Wamback, Chair  
Tacoma Planning Commission

Enclosure



## TACOMA MALL NEIGHBORHOOD SUBAREA PLAN AND ENVIRONMENTAL IMPACT STATEMENT (EIS)

TACOMA PLANNING COMMISSION  
DRAFT FINDINGS OF FACT AND RECOMMENDATIONS  
October 18, 2017

### A. SUBJECT:

Approval of the Tacoma Mall Neighborhood Subarea Plan and Environmental Impact Statement (EIS). The proposed Plan would become an element of the Comprehensive Plan and includes Land Use Regulatory Code changes.

### B. SUMMARY AND BACKGROUND:

#### Subarea Plan

The purpose of the Tacoma Mall Neighborhood Subarea Plan is to anticipate, support, and guide the long-term community development in the Tacoma Mall Neighborhood Subarea – an approximately 603-acre area including the current Tacoma Mall Regional Growth Center and an approximately 116-acre expansion area, and to complete a pre-development environmental review that will identify how to address environmental and community issues while reducing development uncertainty and risk. The Subarea Plan provides innovative planning and policy interventions to help the Tacoma Mall Neighborhood Subarea achieve its potential for community development, an outcome that will deliver a broad range of equitable social and environmental benefits at both the local and regional scales. The Plan will serve as a statement of the City's commitment to and direction for future development in the Tacoma Mall Neighborhood Subarea in addition to serving as a resource for potential investors, property owners, the community and other public agencies.

The Subarea Plan supplements current Tacoma policies governing the environment, land use, economics, transportation, parks and recreation, public services, and utilities. The Plan supports the City's Comprehensive Plan, while focusing on issues and opportunities at a scale that is responsive to the Subarea's specific needs. The Project plans for significant growth in the Subarea based on allocations established by the PSRC and Pierce County to conform to the State Growth Management Act (GMA), which requires regions, counties, cities and towns to plan for forecasted growth. The two regional plans put forth by PSRC are VISION 2040 and Transportation 2040; planning frameworks intended to support the accommodation of forecasted growth in a manner that best meets the needs of the central Puget Sound region as a whole. Both plans have been analyzed and approved through an exhaustive EIS process.

The Tacoma Mall Neighborhood's designation as a Regional Growth Center by the City of Tacoma and the Puget Sound Regional Council indicates that the neighborhood is planned to be one of the Puget Sound region's most vibrant, dense urban centers, accommodating a significant portion of the City of Tacoma's future housing and employment growth. This planning effort supports neighborhood growth that would approximately triple the 601-acre neighborhood's resident population and double its total jobs by 2040 (adding roughly 8,800 new residents and 8,400 new jobs).

The Subarea Plan is a road map for businesses, residents and public agencies to partner to achieve the following vision:

*By 2040 the Tacoma Mall Neighborhood will be a thriving center of regional significance and a distinctive, connected, livable and healthy place offering a wide range of opportunities for all people to live, work, invest and fulfill their potential.*

The Subarea Plan is intended to guide growth to support the community's vision for a pedestrian-friendly urban mixed-use neighborhood with a high level of access to services and transportation options. The neighborhood in 2040 will thrive due to its central location and transportation choices, diverse range of jobs and shopping, unique local character and culture, attractive urban form, green features and sustainable infrastructure, and comprehensive neighborhood amenities. It will be home to a diverse

community of residents, businesses, and institutions empowered to help shape growth and change in the neighborhood. The recommended actions also address long-standing neighborhood aspirations for street improvements, more control over growth and change, neighborhood amenities and services, and public and private investment in the area.

Proposed implementation actions in the Subarea Plan will apply urban form, land use, housing, transportation, environmental, parks and open space, community empowerment, economic development, utilities and services, funding and implementation goals and actions. Among the most significant actions are the expansion of the Regional Growth Center to include an additional 116-acres, proposed zoning changes to support urban form and other goals, an innovative area-wide green stormwater strategy and tree canopy target, and a robust area-wide transportation strategy including a well-supported capital projects list and new connectivity requirements with major development. The Tacoma Mall Neighborhood Subarea Plan, along with the three Downtown Tacoma Subarea Plans, helps to set the stage for the needed Federal, State, and regional funding and other actions to promote growth within Tacoma's two designated Regional Growth Centers.

### **Environmental Impact Statement**

The City of Tacoma has prepared a non-project EIS for the Tacoma Mall Neighborhood Subarea Plan and issued a Draft EIS on August 11, 2017 along with the public review draft of the Subarea Plan and proposed code changes. The City will issue the Final EIS on or about November 6, 2017. A non-project EIS involves a cumulative environmental impact and mitigation analysis for the entire Subarea, rather than piecemeal analysis on a project-by-project basis. This will streamline City review of development consistent with the Plan, as well as produce better outcomes overall.

This EIS analysis supports the planning process with an assessment of the likely impacts of two growth alternatives. Under the No Action Alternative it is assumed that development will occur within the current Regional Growth Center boundaries based on existing zoning and development regulations. Any such development or redevelopment that is proposed within the Tacoma Mall Neighborhood Subarea in conjunction with the No Action Alternative would undergo environmental review on a project-by-project basis. Such projects would be subject to site-specific State Environmental Policy Act mitigation and appeal potential. The Action Alternative considers growth that occurs within the study area under different development patterns based on the vision, goals and actions recommended in the Tacoma Mall Neighborhood Subarea Plan. The recommended Subarea Plan incorporates an additional 116 acres into the Regional Growth Center and includes a package of development regulation changes and other actions as developed through the subarea planning process.

The EIS identifies three types of mitigation measures to address the anticipated impacts: 1) incorporated plan features, 2) regulations and commitments, and 3) other mitigation measures. Incorporated plan features are mitigation measures contained in plans and policies that are adopted or planned for adoption as part of the proposed action. Regulations and commitments are mitigation measures contained in regulations or other requirements that are adopted or planned for adoption as part of the proposed action. Other mitigation measures include any mitigation measures not included in the other two categories. The EIS demonstrates that no significant unavoidable adverse impacts are anticipated as a result of the Subarea Plan and implementing actions, and further provides ample evidence that the Subarea Plan will more effectively guide growth to support the community's vision and goals for the neighborhood.

The Subarea Plan incorporates an area-wide transportation strategy that calls for robust public investment in streets and rights-of-way as well as for the creation of new connections across large blocks when major redevelopment occurs. The proposal creates a new permit process, TMC 13.06.660 Site Approval, calling for a discretionary review process when buildings with a footprint greater than 10,000 square feet are proposed. Per the transportation analysis and the conclusions of the EIS, providing for through connections across existing large blocks is a vital strategy to accommodating growth, and to meeting the transportation and urban form goals of the Subarea Plan. Throughout the planning process, the proposal to create new streets has also a sensitive topic for property owners. The final proposal reflects a substantial amount of analysis, dialogue and compromise intended to allow and support existing

businesses and property owners to continue, maintain and reasonably expand their businesses, and to require a transportation connectivity planning process when large-scale development is proposed.

The non-project EIS provides developer certainty and predictability, thereby streamlining the environmental review process and furthering the goals of the State Environmental Policy Act (SEPA) and the GMA. The non-project EIS is subject to RCW 43.21C.420, known as "Transit Infill Review." Recognizing that RCW 43.21C.420 (5) (a) and (b) include a sunset provision, the lead agency has also proceeded under RCW 43.21C.031 (planned action) and RCW 43.21C.229 (infill exemption), to provide additional SEPA tools if provisions in RCW 43.21C.420 (5) (a) and (b) expire.

For a non-project EIS completed under RCW 43.21C.420, the SEPA-based appeal opportunity will occur in conjunction with issuance of the non-project Final EIS, on or about November 6, 2017. Consistent with RCW 43.21C.420, a proposed development will not be subject to project-specific SEPA-based administrative or judicial appeals if the proposed development is (1) proposed within 10-years of the issuance of the subarea Final EIS, (2) situated within the subarea, and (3) appropriately addresses the adopted subarea plan and development regulations. Similarly, there are no SEPA noticing requirements for subsequent, site-specific development or redevelopment within the subarea that appropriately addresses the subarea plan and development regulations.

### **C. LOCATION:**

The geographic area of the Tacoma Mall Neighborhood Subarea Plan and EIS project encompasses an area of approximately 601 acres. The subarea is located approximately 2.5 miles southwest of Downtown Tacoma and is generally bounded by South Tacoma Way on the west and north, Interstate-5 on the east, and a block south of South 47th and 48th streets on the south. The Subarea incorporates the previously designated Tacoma Mall Regional Growth Center which is approximately 485 acres in size, and an approximately 116-acre expansion area generally located to the west and northwest of the previous RGC boundaries. The approximately 601 acres is being designated as the Tacoma Mall Neighborhood Regional Growth Center.

### **D. FINDINGS OF FACT:**

- 1. Comprehensive Plan and Development Regulations** – The *Comprehensive Plan*, adopted in 1993 by Ordinance No. 25360 and amended by ordinance on an annual or biennial basis 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. 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; and,
  - TMC 13.02 concerning the procedures and criteria for amending the Comprehensive Plan and development regulations and for area-wide zoning reclassifications.

### **3. Public Outreach Efforts:**

Staff has conducted extensive outreach efforts to ensure early and continuous public participation in the subarea planning process. The outreach efforts included providing project updates and overviews of the Subarea Plan and EIS to the South Tacoma Neighborhood Council, interested parties, regular meetings with a community stakeholder group, periodic community meetings, open houses, and business group outreach. Throughout the process participants were encouraged to voice concerns, provide suggestions, and to discuss particular issues. The entities that staff has approached and worked with include, but are not limited to:

American Institute of Architects, Asia Pacific Cultural Center, Citizens for a Healthy Bay, Community Health Care, Costco, Cross District Association, Courage 360, Impact Capital, Intercity Transit, Jennie Reed Elementary School, Master Builders Association, McCament and Rogers, Metro Parks Tacoma, Pierce County Affordable Housing Consortium, Pierce County AIDS Foundation, Pierce Conservation District, Pierce County government, Pierce Transit, Puget Sound Energy, Puget Sound Regional Council, Puyallup Watershed Initiative – Active Transportation COI, Safe Streets Tacoma, Simon Corporation, Sound Transit, Tacoma Farmers Markets, Tacoma Friends Meeting, Tacoma-Pierce County Chamber of Commerce, Tacoma Pierce County Economic Development Board, Tacoma Housing Authority, Tacoma Pierce County Health Department, Tacoma School District, University of Washington Tacoma, Washington State Department of Archaeology and Historic Preservation, Washington State Department of Commerce, Washington State Department of Ecology, the Washington State Department of Transportation, Washington State Health Care Authority, as well as area residents and property owners and businesses.

In addition, staff engaged with the Planning Commission, Transportation Commission, Bicycle Pedestrian Technical Advisory Group, Joint Municipal Action Committee, Sustainability Commission, South Tacoma Neighborhood Council, City Council Infrastructure, Planning and Sustainability Committee, City Council Vitality and Safety Committee, as well as the City Attorney's Office, Community and Economic Development Department, Environmental Services Department, Fire Department, Neighborhood and Community Services Department, Planning and Development Services, Police Department, Public Works, and Tacoma Public Utilities.

#### **4. Public Notification Process:**

Public notification for the Subarea Plan and Environmental Impact Statement was provided throughout the project.

- (a) An initial Community Meeting was held on August 26, 2015, at the Madison Elementary School Complex. Notice of the Community Meeting included general illustrations and descriptions of buildings that are generally representative of the maximum building envelope that could be allowed under the Subarea Plan and notice was posted on major travel routes within the Subarea. In addition, notice was mailed to all:
- Property owners, renters of record and licensed businesses within the Subarea and within or within 400 feet of the boundaries of the Subarea;
  - Agencies with jurisdiction over future development within the Subarea;
  - All preservation and development authorities established under chapter 43.167 RCW, TMC 13.12.560(d) (2).
  - The Tacoma Public Library
  - The Department of Ecology
  - Neighborhood Councils, qualified neighborhood community organizations, and business districts
  - The Puyallup Tribe
  - Email notice was sent to the Planning Commission notification list, community groups, stakeholders, and other interested parties.

- A notice was published in the Daily Index and The News Tribune
- (b) Two Scoping Meetings were held, the first on September 17, 2015, at the Asia Pacific Cultural Center and the second on October 22, 2015 at the Tacoma Municipal Building. Notice of the Scoping Meetings was mailed to:
- Property owners, renters of record and licensed businesses within the Subarea and within or within 400 feet of the boundaries of the Subarea;
  - Agencies with jurisdiction over future development within the Subarea;
  - All preservation and development authorities established under chapter 43.167 RCW, TMC 13.12.560(d) (2).
  - The Tacoma Public Library
  - The Department of Ecology
  - Neighborhood Councils, qualified neighborhood community organizations, and business districts
  - The Puyallup Tribe
  - Email notice was sent to the Planning Commission notification list, community groups, stakeholders, and other interested parties.
  - A notice was published in the Daily Index and The News Tribune
- (c) A Notice of Availability of the issuance of the Draft Subarea Plan, Draft EIS and subsequent Public Hearing, was mailed on August 11, 2017, to:
- Property owners, renters of record and licensed businesses within the Subarea and within or within 1,000 feet of the boundaries of the Subarea;
  - Agencies with jurisdiction over future development within the Subarea;
  - All preservation and development authorities established under chapter 43.167 RCW, TMC 13.12.560(d) (2).
  - The Tacoma Public Library
  - The Department of Ecology
  - Neighborhood Councils, qualified neighborhood community organizations, and business districts
  - The Puyallup Tribe
  - Email notice was sent to the Planning Commission notification list, community groups, stakeholders, and other interested parties.
  - A notice was published in the Daily Index and The News Tribune
- (d) A Notice of availability will be mailed upon issuance of the Final EIS and will include notice of the Final Draft Subarea Plan City Council Public Hearing tentatively scheduled for November 21, 2017, to:
- Property owners, renters of record and licensed businesses within the Subarea and within or within 1,000 feet of the boundaries of the Subarea;
  - Agencies with jurisdiction over future development within the Subarea;
  - All preservation and development authorities established under chapter 43.167 RCW, TMC 13.12.560(d) (2).

- The Tacoma Public Library
- The Department of Ecology
- Neighborhood Councils, qualified neighborhood community organizations, and business districts
- The Puyallup Tribe
- Email notice was sent to the Planning Commission notification list, community groups, stakeholders, and other interested parties.
- A notice will be published in the Daily Index and The News Tribune
- **Public Notice Signs** – Public notice signs were installed throughout the Subarea prior to the initial Community and Scoping Meetings in 2015 and again prior to the September 6, 2017 Planning Commission Public Hearing.
- **60-Day Notices** – A “Notice of Intent to Adopt Amendment 60 Days Prior to Adoption” was sent to the State Department of Commerce on August 11, 2017 (per RCW 36.70A.106) and to the Puget Sound Regional Council (per the Plan Review Requirements and Process in VISION 2040).
- **Website** – The public hearing notice and all information associated with the Tacoma Mall Neighborhood Subarea Plan and EIS were posted on a project website at [www.tacomamallneighborhood.com](http://www.tacomamallneighborhood.com) and summary information was also posted on the Planning and Development Services’ website at [www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning) “click on Tacoma Mall Neighborhood Subarea Plan and EIS”.
- **Environmental Review** – The Final Environmental Impact Statement (Final EIS) for the Tacoma Mall Neighborhood Subarea Plan was prepared in compliance with: the State Environmental Policy Act (SEPA) of 1971 (Chapter 43.21C, Revised Code of Washington); the SEPA Rules, effective April 4, 1984, as amended (Chapter 197-11, Washington Administrative Code); and rules adopted by the City of Tacoma implementing SEPA (Tacoma Municipal Code, Chapter 13.12 Environmental Code). The City has determined that this EIS has been prepared in a responsible manner using appropriate methodology. As SEPA Lead Agency, the City has directed the areas of research and analysis that were undertaken in preparation of this EIS. The Final EIS accompanies the proposed Tacoma Mall Neighborhood Subarea Plan and should be considered in making final decisions concerning the Subarea Plan, as well as new policies and regulations, and site-specific projects proposed within the Tacoma Mall Neighborhood Subarea. The FEIS will be issued on or around November 6, 2017.

## 5. Public Hearing Comments:

The Planning Commission conducted a public hearing on September 6, 2017, regarding the Draft Tacoma Mall Neighborhood Subarea Plan and kept the record open through September 15, 2017 to receive additional written comments. Fourteen people provided oral testimony at the public hearing and 37 written comments were received during the comment period. It is also noted that staff organized an informational meeting on August 30, 2017, at the Asia Pacific Cultural Center during the public comment period. Staff also prepared a Public Comments and Staff Responses Summary which summarized public comments and staff’s responses, and where appropriate, staff’s suggested revisions to the Plan. The Public Comments and Responses Summary was provided to the Commission at the September 20, 2017 meeting. Full-text copies of the comments received from the Planning Commission and staff-led comment periods are compiled in Exhibit E.

**The following themes emerged from the public comments received on the draft proposals during the public comment period:**

#### GENERAL COMMENTS:

1. Support for City focus, investment and high level goals of the plan
2. Avoid making anyone feel that they are losing through City actions
3. A plan for thoughtful growth is needed, it must be appropriate to market realities
4. Clarify that this is a long range plan and an ideal vision
5. Be clear regarding requirements vs. options, what is occurring with Plan adoption
6. Edits and clarifications

#### URBAN FORM:

1. Support for creating a more positive image and identity, aesthetic improvements, walkable urbanism actions and transit-oriented development
2. Developments should include yard space (rather than front stoops)
3. Different views of the vision for the Northwest District
4. Large blocks can be a benefit to business recruitment efforts

#### LAND USE:

1. General support for proposed zoning and Regional Growth Center expansion
2. Clarify relationship between the Subarea, Downtown, and the South Tacoma Manufacturing/Industrial Center
3. Strengthen design, landscaping and onsite open space development standards
4. Questions regarding Subarea Plan boundaries (car dealerships not included)
5. More parking is needed in the neighborhood
6. Front doors should not face alleys
7. Permitted building heights are too high
8. Make warehousing a permitted use at the Puget Sound Energy site
9. Limit the number of townhouses and/or make them more attractive/accessible
10. Question on the link between building height and green streets

#### HOUSING:

1. Concerns about involuntary displacement
2. Proposed affordable housing targets are too low
3. Add more information on current housing costs
4. Target the creation of housing affordable to lower incomes
5. Require and incentivize some units to be affordable
6. Provide senior/inter-generational housing projects in the area

#### TRANSPORTATION:

1. Support for overall transportation approach
2. Transit station relocation, high capacity transit, Loop Road, I-5 offramp, and pedestrian improvements are high priorities
3. Proposed revisions to Near and Midterm project priorities
4. Question regarding benefits and alignment of the Loop Road
5. Differing perspectives on where the transit station should be located
6. Add an I-5 off ramp at 47th/48th Street
7. Proposed S. Wright should not be a bike boulevard
8. Better bike/ped link to South Tacoma Way/Water Flume Trail
9. Add a bike route on S. Puget Sound Ave.
10. Add a direct transit route to the Tacoma Dome Station
11. Various comments regarding street design
12. WSDOT clarifications regarding I-5 off ramp
13. Consider making some residential streets one-way
14. Pierce and Sound Transit plans and funding do not currently reflect the proposals
15. Identify a funding source for transportation projects

#### CONNECTIVITY PLANS:

1. Increasing connectivity is an important goal for this neighborhood

2. The proposal balances goals of preserving large parcels and increasing connectivity
3. The proposal would be an excessive burden, stifle development, take private property rights, and is too ambitious given current market realities
4. Proposed process is onerous and complex
5. Thresholds proposed are too low
6. Opposition to proposed S. 37th Street and S. Wright Avenue
7. Clarify City funding role
8. City should pay for S. 37th Street if it is needed, and extend it eastward to Fife St.
9. Larger blocks should not be required to subdivide beyond 600 x 600 feet
10. Connectivity should be planned at the time of major redevelopment, not before
11. Replace the proposed connectivity plan requirement with internal bike/ped network based on the Tier 3 bicycle/ped connections
12. Sites with restricted access should be exempt

#### PEDESTRIAN ACCESS STANDARDS:

1. Support for proposed pedestrian access standards
2. Concern that pedestrian connections would reduce safety
3. Frequency and size of connections too high and would divide up properties
4. Threshold should remain 50% not 15%, tenant improvements should be exempt
5. Clarify how standards work with topography, rounding
6. Sites with restricted access should be exempt

#### ENVIRONMENT:

1. Support for stormwater strategy, green streets, and tree canopy actions
2. Prioritize planting evergreen trees
3. Put stronger emphasis on protecting the aquifer
4. City implementation of the stormwater strategy should address maintenance, equity of costs
5. Provide for maintenance of landscaping
6. More emphasis on green building standards

#### COMMUNITY VITALITY:

1. Support for local serving services and amenities
2. Crime is a big issue in the neighborhood
3. Choosing a new name needs to reflect authentic community engagement
4. Support for parks, open space actions, Madison School as a community hub
5. Metro Parks Tacoma and Tacoma School District should implement the parks vision
6. Clarify what it means to show a proposed park on a map
7. Current proposal does not include enough/the right parks
8. A large park is not needed, do smaller green areas
9. Remove the park in the Mall District which is privately owned land
10. Specific comments regarding various proposed parks (e.g., dog park, skate park)
11. MPT agency comments – cannot commit to plan without separate action

#### SHARED PROSPERITY:

1. Support for City investment up front EIS and other catalytic actions
2. The economy of the area is fragile, changes in retail industry could be a concern
3. City should prioritize supporting business expansion, retention and recruitment
4. Prioritize recruiting businesses with a track record of good ethics and good wages
5. Diversify the types of businesses in the Mall
6. Consider actions to prioritize locally owned businesses versus national chains
7. Look for strategic and catalytic city actions to create business opportunities
8. Avoid an over-concentration of improvements in the Lincoln Heights (NE) and Mall (SE) Districts
9. Consider designating vacant/underutilized parcels in the NW District as catalyst sites
10. The Mall should have a movie theater, continuing walkability, events, art displays to turn it into a community resource

11. US Post Office is a major asset and should not be displaced

**UTILITIES AND SERVICES:**

1. Support for a coordinated planning approach to support future growth
2. Add recycling to discussions of solid waste
3. Undergrounding of utilities is a priority

**IMPLEMENTATION:**

1. Make sure that infrastructure is keeping pace with development
2. Development should pay for the cost of addressing impacts
3. Local Improvement Districts would be challenging for low income households
4. The City must follow through with implementation of non-contentious catalyst projects

**6. Additional Information:**

During the planning process and public outreach for the project, concerns were expressed regarding several key issues within the Tacoma Mall Neighborhood Subarea. After consideration of the public comments and staff's suggested modifications, the Commission determined that modifications be made to the Draft Plan on these key issues, as summarized below.

**FINAL CHANGES TO THE PLAN WILL BE DETERMINED AT THE 10-18-17 PLANNING COMMISSION MEETING, AND WILL THEN BE ADDED TO THIS REPORT.**

**E. CONCLUSIONS:**

1. The Planning Commission concludes that the proposed Tacoma Mall Neighborhood Subarea Plan and EIS are consistent with the Comprehensive Plan.
2. The Planning Commission concludes that the proposed Plan and EIS properly reflects the community's desire and will position the City well for potential funding opportunities, and are aligned with the regional vision as set forth in VISION 2040.
3. The Planning Commission concludes that the Subarea Plan accurately reflects the intent of and is consistent with the Countywide Planning Policies.
4. The Planning Commission concludes that effective implementation of the policies within the Subarea Plan should improve the attractiveness, use, and overall quality of development within the Subarea, and result in an enhanced, interconnected public access system that provides an attractive amenity for the recruitment and retention of businesses and residents to the City of Tacoma.
5. The Planning Commission concludes that the Tacoma Mall Neighborhood Subarea Plan will facilitate transit-oriented development through its policies that support transit and transit agencies, transportation mode-shifting, and complete streets.
6. The Planning Commission concludes that the Subarea Plan is the policy document that enables the actions needed to achieve the Vision of the Tacoma Mall Neighborhood Subarea as it provides a long-term, coordinated framework to promote ongoing growth and positive change for the area.
7. Concerning the proposed code changes associated with the Tacoma Mall Neighborhood Subarea Plan, the Planning Commission concludes that the proposed amendments to the Land Use Regulatory Code will adequately address the goals and desires of the citizens of Tacoma and will improve the cohesiveness of the Code.

8. The Planning Commission further concludes that the proposed Tacoma Mall Neighborhood Subarea Plan, as described above, is 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 appears to be in the best interests of the public health, safety and welfare of the citizens of Tacoma.

**F. RECOMMENDATIONS:**

The Planning Commission recommends that the City Council adopt the Tacoma Mall Neighborhood Subarea Plan, as set forth in Exhibit A, as a new element of the Comprehensive Plan and adopt the proposed amendments to the Tacoma Municipal Code, Title 13 Land Use Regulatory Code, as set forth in Exhibit B. The Planning Commission also provides the *Draft Environmental Impact Statement for the Tacoma Mall Neighborhood Subarea Plan, Issued August 11, 2017*, as set forth in Exhibit C, for the City Council's reference.

**G. EXHIBITS:** *(compiled separately from this report)*

- Exhibit A. Draft Tacoma Mall Neighborhood Subarea Plan
- Exhibit B. Proposed Amendments to the Tacoma Municipal Code Title 13 Land Use Regulatory Code
- Exhibit C. Draft Environmental Impact Statement for the Tacoma Mall Neighborhood Subarea Plan, Issued August 11, 2017
- Exhibit D. Public Comments received on the Draft Subarea Plan