



## AGENDA

- MEETING:** Regular Meeting and Public Hearing
- TIME:** Wednesday, January 3, 2018, 5:00 p.m.  
(Public Hearing begins at approximately 5:30 p.m.)
- LOCATION:** Council Chambers, Tacoma Municipal Building, 1<sup>st</sup> Floor  
747 Market Street, Tacoma, WA 98402

← *New meeting  
starting time  
(effective Jan. 2018)*

← *Changed location  
(for public hearing)*

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

### **B. Approval of Agenda and Minutes**

- Minutes – December 6, 2017

### **C. Public Comments**

- Comments are accepted on all discussion items except the subject of the public hearing
- Comments are limited to 3 minutes per person

### **D. Discussion Items**

#### **1. Emergency Temporary Shelters Interim/Permanent Regulations**

- Description: Staff presentation of proposed permanent regulations.
- Action: Authorization for Public Review and Set Public Hearing Date
- Staff Contact: Lauren Flemister, 253-591-5660, [lflemister@cityoftacoma.org](mailto:lflemister@cityoftacoma.org)

#### **2. 2018 Amendment Application #2018-06 VSD Height Measurement**

- Description: Staff presentation of refined scope of work for the proposed code amendment to modify how building heights are measured in the View Sensitive Overlay District (VSD).
- Action: Concurrence and Guidance
- Staff Contact: Lauren Flemister, 253-591-5660, [lflemister@cityoftacoma.org](mailto:lflemister@cityoftacoma.org)

#### **3. Public Hearing – Proposed Correctional Facilities Permanent Regulations**

- Description: Conduct the Public Hearing on the proposed permanent regulations, and leave the record open through January 5, 2018 to accept written comments.
- Action: Accept Testimony
- Staff Contact: Ian Munce, 253-573-2478, [imunce@cityoftacoma.org](mailto:imunce@cityoftacoma.org)

### **E. Communication Items**

- (1) “City of Tacoma Historic Resources” – Assembled as part of a national conference application, the graphics showcases the breadth of Tacoma’s historic resources. (See “Agenda Item E-1”)
- (2) Open House on 2018 Amendment to the Comprehensive Plan and Land Use Regulatory Code, Wednesday, January 10, 2018, 6:00 p.m., Council Chambers (See “Agenda Item E-2”)

*(Continued on the Back)*



- (3) The next Planning Commission meeting is scheduled for Wednesday, January 17, 2018, at 5:00 p.m., in Room 16; tentative agenda (subject to change) includes: Correctional Facilities Interim/Permanent Regulations; and Review of Applications for 2018 Amendment concerning Outdoor Tire Storage, Car Wash Rezone, S. 80<sup>th</sup> St. Rezone, VSD Height Measurement, Open Space Corridors, and Code Cleanups.
- (4) The Infrastructure, Planning and Sustainability Committee's meeting scheduled for January 10, 2018 has been canceled.

**F. Adjournment**



## **MINUTES** (Draft)

**TIME:** Wednesday, December 6, 2017, 4:00 p.m.  
**PLACE:** Room 16, Tacoma Municipal Building North  
733 Market Street, Tacoma, WA 98402  
**PRESENT:** Stephen Wamback (Chair), Anna Petersen (Vice-Chair), Carolyn Edmonds, Jeff McInnis, Brett Santhuff, Andrew Strobel, Dorian Waller, Jeremy Woolley

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

Chair Wamback called the meeting to order at 4:07 p.m. A quorum was declared.

### **B. APPROVAL OF AGENDA AND MINUTES OF NOVEMBER 1, 2017**

The order of discussion items was changed to move item D4 ahead of item D3 on the agenda. The agenda was approved as modified. The minutes of the regular meeting on November 1, 2017 were reviewed and approved as submitted.

### **C. PUBLIC COMMENTS**

Chair Wamback invited citizens to provide comments on items related to the agenda. The following citizens provided comments:

- 1) Joan Mell:  
Ms. Mell commented that she was there on behalf of the GEO Group, who were opposed to proposed Correctional Facilities regulations. She discussed materials provided in opposition to the ordinance, highlighting a statistic that showed the rate of granting relief to individuals detained was 35%, which was the highest in the nation due in large part to the location of the facility which provided access to advocates. She commented that not having the facility in the area would make access to those advocates more difficult. Ms. Mell commented that any policy that would consider an increase to inmate capacity as a major modification would invite legal challenges as it steps into federal immigration policy.
- 2) Alexa Brockamp:  
Ms. Brockamp expressed support for recommending adoption of the Correctional Facilities Interim/Permanent Regulations to the City Council, adding that additional beds would be a major modification and should be treated as such.

### **D. DISCUSSION ITEMS**

#### **1. Correctional Facilities Interim/Permanent Regulations**

Brian Boudet, Planning Services Division Manager, facilitated a discussion to review draft permanent regulations concerning Correctional Facilities. He discussed the phased action strategy that would develop permanent regulations in the short term and evaluate the Tideflats land use issues and compatibility with the Subarea Plan for the long term. He reviewed the changes proposed to the interim regulations including prohibiting correctional facilities in multi-family and light industrial zoning districts; requiring a Conditional Use Permit (CUP) in zones where they are allowed; expanding public notification; and revising the definition of "correctional facility".

Commissioners provided the following questions and comments:

- Commissioner McInnis asked if prohibition in the PMI zone would be reexamined when they worked on the subarea plan. Mr. Boudet confirmed that it would be reexamined.
- Vice-Chair Petersen commented that as the item went forward she would like staff to explain the concept of essential public facilities as it relates to detention facilities in general and why they would not be appropriate in the other zoning districts outside the Tideflats. She also requested that staff address the Comprehensive Plan, several policies of which were violated by having detention facilities in the Tideflats, and provide clarification on how the facility there qualifies as a correctional facility with their definition.
- Chair Wamback asked what it would mean if a CUP were to expire. Mr. Boudet responded that with most CUPs they would have 5 years to complete construction or they would have to reapply.
- Chair Wamback asked if they had considered requiring citywide notification. Mr. Boudet responded that the concept of citywide notice had come up in discussion of other issues.
- Chair Wamback asked if modifications that increased the footprint but did not increase the inmate capacity would be considered major modifications. Mr. Boudet responded that there were already criteria in the code for determining the major/minor modification threshold including changes to square footage and trips generated.
- Commissioner Edmonds noted that long term incarceration would require more beds, asking if they would consider the length of incarceration in the policy discussion. Mr. Boudet responded that the length of stay did not have a distinction in the code.

Upon completing the discussion, the Commission was asked to consider releasing the proposed regulations for public review and setting the date for a public hearing. Commissioner McInnis motioned to release the proposal for public review and set the public hearing date for January 3, 2018. Commissioner Woolley seconded the motion. Commissioner Santhuff suggested including Vice-Chair Petersen's recommendations in the staff report. The motion was approved unanimously.

## **2. Emergency Temporary Shelters Interim/Permanent Regulations**

Lauren Flemister, Planning Services Division, reviewed the historical and regulatory context for the regulations, noting that they originated from a state ordinance allowing religious organizations to host temporary encampments. She discussed the interim regulations which allowed for non-profit organizations to host encampments, increased the number of encampments, and increased the duration. Ms. Flemister discussed focus areas for discussion taken from comments received from the community. The focus areas included consideration for continuation beyond the outlined timelines; a provision to allow safe parking; review of facility and service provisions to reduce barriers; review of the level of provision based on sheltering scheme; expansion of the notification radius; and standardizing definitions through the code. Ms. Flemister commented that they could consider several options including maintaining the interim regulations, modifying regulations to include all issues raised in focus areas, or modifying regulations to include only some of the issues.

Commissioners provided the following questions and comments:

- Vice-Chair Petersen asked if the number of people allowed by site area and the number of residents allowed per camp were the same thing. Ms. Flemister responded that the number of residents was capped at 100 per camp and the area required per person was intended to prevent crowding.
- Vice-Chair Petersen asked for clarification on the total number of encampments. Ms. Flemister responded that there could be up to six camps citywide if one was located in each of the four police sectors first.
- Vice-Chair Petersen asked if they would provide information on facilities for homeless youth, since the minimum age for the encampments was set at 18.
- Commissioner Edmonds requested a map of the police sectors for future discussion. Chair Wamback recommended that Council Districts and Community Council Districts also be shown.
- Chair Wamback commented that access to services and transit would be an important issue for the encampments.

- Vice-Chair Petersen asked if there was any data demonstrating that two off street parking spaces per 25 residents was an ideal requirement. Ms. Flemister responded that they would investigate the parking requirement.

#### **4. 2018 Amendment Application #2018-03: S. 80<sup>th</sup> Street Rezone (PDB)**

Ms. Flemister discussed proposed rezone and land use designation changes for the property near S. 80<sup>th</sup> and Pine Streets. She reviewed that the request was for a rezone from PDB Planned Development Business District to M-1 Light Industrial District and a Comprehensive Plan amendment to change the land use designation from General Commercial to Light Industrial. Staff had modified the scope of the application to rezone three properties with a fourth property being considered. She reviewed the policy framework, which had been based on the Comprehensive Plan Urban Form Chapter and the Joint Base Lewis-McChord Joint Land Use Study. Staff analysis had concluded that the PDB zoning was underutilized and ineffective; that the parcels fall within the Accident Potential Zone (APZ) II; and that the M1 Zoning would significantly change permitted uses which could be mitigated with the creation of the proposed APZ II overlay. Ms. Flemister reviewed potential options for consideration including applying a commercial designation instead of industrial, retaining the commercial uses, and other requirements in the APZ II overlay that might mitigate high intensity uses.

Commissioners provided the following questions and comments:

- Commissioner Edmonds asked what the response to outreach had been so far. Ms. Flemister reported that the response to the proposal had been positive.
- Commissioner Santhuff noted industrial parcels to the east, asking if they had been considered for inclusion in the rezone. Ms. Flemister responded that she would check with the parcel owners to see if they were interested.
- Commissioner Santhuff asked if there would be required buffers for the transition area between M-1 and residential and if that would affect the PDB zoning. Ms. Flemister responded that she would return with information to outline the changes.
- Commissioner Santhuff asked what the timeline was for implementing the APZ II overlay. Ms. Flemister responded that it would be part of the work program in 2018.
- Commissioner Strobel asked if they needed to take a closer look at the PDB zoning and its effectiveness. Mr. Boudet responded it would be discussed as part of the commercial zoning update that staff was considering getting rid of the zoning.

#### **3. 2018 Amendment Application #2018-01: Car Wash Rezone**

Lihuang Wung, Planning Services Division, reviewed the revised scope of work for a private application seeking to rezone properties near 6<sup>th</sup> Avenue and South Howard Street. Mr. Wung reviewed that the application had been submitted by Brown Bear Car Wash, proposing to rezone three parcels on 6<sup>th</sup> Avenue from Neighborhood Commercial Mixed-use (NCX) to Urban Center Mixed-use (UCX) in order to allow car washing facilities. He reviewed a map of the subject site encompassing three parcels with two addresses and noted the surrounding R2 Single-Family Dwelling District zoning. Mr. Wung reviewed that the Commission had already determined, during the assessment stage, that the application was a complete, legislative, a stand-alone project, and that only moderate analysis was needed. The Commission had concurred with staff that the scope of work should be modified and that alternative approaches should be considered. Mr. Wung reviewed eight possible options for the Commission to consider: allowing the use specifically in the Narrows Neighborhood Center with a footnote in the use table; allowing the use in NCX zones with a CUP; allowing the use in NCX zones, but not along the frontage of a designated pedestrian street; de-designating the Narrows Mixed-use Center; creating a new use category for car washing facilities; reviewing the requirements for Core Pedestrian Streets; reviewing the permit process; or continuing to prohibit the use in NCX.

Commissioners provided the following questions and comments:

- Commissioner Edmonds asked why they would want to take car washes out of the definition of service and repair. Mr. Wung responded that one reason would be to recognize that they were different uses and make different allowances for them.

- Commissioner Edmonds commented that they were going above and beyond to accommodate the applicant rather than considering if it was a land use they wanted in the neighborhood.
- Commissioner Santhuff reviewed that the NCX areas were intended to be small and focused to capitalize on the potential of certain neighborhoods. He commented that a car wash was probably not appropriate in the area. He commented that allowing the use with a CUP or a standard limiting development on the core pedestrian street would be appropriate as a path forward to accommodate the applicant's request.
- Vice-Chair Petersen concurred that allowing the use in NCX with a CUP, allowing the use in NCX but not along Pedestrian Streets, or the status quo were the most appropriate options.
- Commissioner Strobel asked if other jurisdictions had separate definitions for car wash and vehicle service and repair. Stephen Atkinson, Planning Services Division, responded that it was common for the two to be grouped together.
- Commissioner Strobel commented that he would be interested in allowing the use in NCX with a CUP, allowing the use in the zone but not along Pedestrian Streets, or reviewing the definition.
- Commissioner Edmonds expressed support for maintaining the status quo.
- Commissioner McInnis commented that he would not want to allow the use in a NCX zone, even with a CUP, and that if they were going to accommodate it he would prefer allowing the use specifically in the Narrows Neighborhood Center or maintaining the status quo.
- Commissioner Strobel commented that if they allowed the use in NCX with a CUP, the facility could then be conditioned to mitigate pedestrian safety concerns.
- Commissioner Edmonds asked how the Narrows Neighborhood Center was different from the other NCX zones. Mr. Boudet responded that the majority of NCX zones were historic business centers.
- Commissioner Santhuff commented that allowing auto oriented uses in NCX would create design problems with the vision for the neighborhood as a walkable mixed-use center. He supported options for allowing the use with NCX with a CUP or allowing in NCX but not along the designated pedestrian street. He commented that finding a solution that would apply to all NCX zones would also be appropriate.
- Chair Wamback commented that allowing the use in NCX with a CUP or allowing the use in NCX but not along Pedestrian Streets were the only options appropriate for going forward with the application. He reviewed that when the item had been presented to them before, he had not felt that the package was complete, that it was not consistent with the One Tacoma Comprehensive Plan, and that the City's Economic Development Department should have helped the applicant find another parcel. Chair Wamback commented that he would be supporting the status quo when it came to a vote.

Mr. Wung discussed outreach to the West End Neighborhood Council (WENC). He reported that many WENC representatives had voiced concerns about the potential impacts of a new car wash and questioned whether it was the best use for the location, while some others had expressed interest in seeing the City's analysis. Staff would likely have to go to other NCX areas for additional feedback.

Chair Wamback recessed the meeting at 6:15 p.m. The meeting resumed at 6:22 p.m.

## **5. 2018 Amendment Application #2018-10: Open Space Corridors**

Elliott Barnett, Planning Services Division, provided a review of staff analysis of a public application seeking to protect the City's open space corridors. He reviewed that open space corridors were important for a broad range of reasons including recreation, tree canopy coverage, public health, urban form, wildlife, and stormwater management. He reported that the City's open space corridors encompassed 5,350 acres total that included passive natural lands and active parks with the majority zoned residential. Mr. Barnett commented that they would be focusing on the passive natural open space components of the category, which were less than half of the total acreage. He reported that they had identified updates for critical areas including known wetlands, biodiversity corridors, and steep slopes. Mr. Barnett reviewed that the City was already protecting and enhancing open space with proactive restoration efforts and incentives such as the transfer of development rights program and property tax reductions.

Mr. Barnett reported that they were recommending moving forward with updates to the Critical Areas Protection Ordinance (CAPO) to address regulatory gaps for biodiversity corridors and steep slopes. Mr. Barnett reviewed the multiple types of critical areas, noting that they had strong protections for streams and wetlands but lacked guidance and standards for biodiversity corridors and steep slopes.

Shannon Brenner, Planning Services Division, reviewed that the biodiversity corridors were designated by the Washington Department of Fish and Wildlife (WDFW) to help keep common wildlife common in highly developed areas. She noted that a large portion of their open space was within biodiversity corridors and they lacked clear standards for how to design for projects where the site was encumbered by a wetland. She noted that WDFW management recommendations for biodiversity corridors were written to advise local planning departments on what could be included in development regulations, which included several different options but not clear standards. Many of the recommendations were focused on retaining vegetation and connectivity across those areas to allow wildlife to move. Steep slopes were regulated with the focus on engineering to mitigate risk, which often did not preserve habitat. They wanted to clarify that the first step was to avoid the steep slopes, rather than jumping straight into mitigating it through engineering. The staff recommendations were to clarify that they should avoid, minimize, and mitigate in that sequence of priorities; that standards for biodiversity corridors should include maintaining minimum connections, protecting significant trees, limiting site clearance, clustering development, providing density bonuses, and allowing for vegetation enhancement and management; and clarification that for steep slopes the best approach was recognize vegetation retention as the best approach. Ms. Brenner reviewed how development had retained open vegetated areas in an example from another jurisdiction.

Commissioners provided the following questions and comments:

- Commissioner Santhuff commented that for future phases they might need specific development regulations for sites and a survey of conditions for the existing sites. He suggested that they identify other possible biodiversity corridors.
- Commissioner Edmonds asked if they had regulations that would prohibit removal of trees on private property. Ms. Brenner responded that unless a critical area was present, they did not.
- Commissioner Strobel asked if the scope would also include coastal zones and shorelines. Mr. Barnett responded that it would not be part of the study, but the Shoreline Master Program would be updated in the future.
- Commissioner McInnis commented that maintenance and management of properties would need to be considered, noting that garbage is often dumped at passive open space areas.

## **6. Planning Commission Year-End Retreat**

Mr. Wung facilitated a discussion to review the Planning Work Program, consider amendments to the Commission's Rules and Regulations (i.e., bylaws), and discuss issues of interest to the Commission's operations. He reviewed accomplishments of the Planning Commission over 2017 and discussed the number and length of meetings, which had increased between 2015 and 2017.

Mr. Boudet discussed the work program, noting that many items had been deferred or reduced in scope. He reported that as part of the mid-biennium budget modification, they had received additional staff resources and would be able to get an additional staff person. He suggested that following the release of the Annual Amendment package would be a good opportunity to reassess the work program.

Commissioners provided the following questions and comments:

- Commissioner Edmonds asked if they had increased staff between 2012 and 2017, considering that the total hours for meetings had increased. Mr. Boudet responded that they had not.
- Chair Wamback commented that he felt that no one was speaking purely to use up time, but he could do more to expedite discussions if other Commissioners felt it were needed.
- Commissioner Strobel commented that having a suggested time for discussion of a topic could be helpful.
- Chair Wamback suggested that having the presentations and full packet available online the Friday prior to the meeting would help speed things along and help Commissioners determine their questions.

- Vice-Chair Petersen commented that she wanted to retain the ability to refocus discussion on things that are not in the presentation as needed.
- Chair Wamback suggested that he would like to see a clear explanation of what the expectation of the Planning Commission is for each discussion item in the packet.
- Commissioner Santhuff commented that for each discussion item in the packet, they should include previous actions or presentations had been before the Planning Commission.
- Commissioner Strobel suggested that they could delineate between informational items and items with actions to be deliberated.
- Commissioner Edmonds commented that she did not like the idea of including times on the agenda as it would be more appropriate for the Chair to judge what amount of time was appropriate for discussion.
- Commissioner Santhuff suggested that when releasing a proposal for a public hearing he would like to provide multiple options for the public to comment on if the Commission was considering more than one option. Discussion ensued on including multiple options for public hearings.
- Commissioner McInnis commented that he would like to hear more from the Neighborhood Councils concerning the proposed rezone for the car wash in the Narrows mixed-use center.
- Chair Wamback suggested postponing discussion of whether or not to change the public comment portion of the agenda until they can spend more time on that topic specifically.

Chair Wamback proposed moving the time when they start Planning Commission meetings to 5:00 p.m. as it was challenging for many Commissioners to begin their meetings at 4:00 p.m. He commented that it could mean meetings going later. Commissioner Waller commented that they could be more efficient with the meetings while also starting later. Commissioner Strobel suggested that they have an expectation for how much time they allow for deliberation of a discussion item, especially considering how many items require multiple meetings to discuss. Following discussion, Commissioner Strobel motioned to amend the bylaws to move the regular meeting time to 5:00 p.m. Commissioner Waller seconded. The motion was approved unanimously.

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

Commissioner Woolley motioned to cancel the December 20 meeting. Commissioner Edmonds seconded. The motion was approved unanimously.

Commissioner Woolley announced that, as he had notified staff, he would be resigning from his position of "Architecture, Historic Preservation and/or Urban Design" on the Planning Commission.

Mr. Boudet provided the following updates:

- Staff would work with the City Clerk's Office to advertise the Commission's vacancies for District No. 5 and "Architecture, Historic Preservation and/or Urban Design."
- The Billboards ordinance was moving through the City Council process with the final reading scheduled for the following week.
- There was a Council resolution being put forward to ask the Planning Commission to consider expanding the scope of the first phase of the Residential Infill Pilot Program.

#### **F. ADJOURNMENT**

At 7:57 p.m., the meeting of the Planning Commission was concluded.



**To:** Planning Commission  
**From:** Lauren Flemister, Senior Planner  
**Subject:** **Temporary Shelters Permanent Regulations**  
**Meeting Date:** January 3, 2018  
**Memo Date:** December 28, 2017

**Action Requested:**

Authorization for public review of the proposal and setting February 7, 2018 as the date for a public hearing.

**Discussion:**

At the next meeting on January 3, 2018, staff will provide the Planning Commission with recommended modifications for Temporary Shelters Permanent Regulations. The Temporary Shelters Interim regulations expire on April 18, 2018. The changes address the focus areas covered during the December 6<sup>th</sup> meeting and include input from City staff in other departments. A timeline outlining next steps is below:

January 3	Review and Release of Draft Permanent Regulation Code Changes
February 7	Public Hearing
February 21	Recommendation to City Council

The Commission will review the proposed changes and will be asked to release the draft for public comment in advance of the public hearing. Staff will also discuss coordination with Neighborhood & Community Services and the continued outreach strategy to faith-based organizations, nonprofits, and the community at large.

**Project Summary:**

Create temporary shelter permanent regulations that are responsive to the needs of various homeless populations and concerns of providers, prior to the expiration of interim regulations on April 16, 2018.

**Prior Actions:**

Discussion of adopted Interim Regulations and potential framework for Permanent Regulations: December 6, 2017. Staff provided:

- a. Interim Regulation code changes
- b. Discussion Outline summarizing changes

**Staff Contact:**

Lauren Flemister, Senior Planner, 253-591-5660, [lflemister@cityoftacoma.org](mailto:lflemister@cityoftacoma.org)

**Attachments:**

1. Updated Discussion Outline
2. Proposed Modified Code

c: Peter Huffman, Director



# Temporary Shelters Permanent Regulations

## Discussion Outline

*January 3, 2018*

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### Objectives

- Create temporary shelter permanent regulations prior to the expiration of interim regulations on April 16, 2018.
- Create permanent regulations for temporary shelters that are responsive to the needs of various homeless populations and concerns of faith-based and non-profit providers, resulting in enhanced safe, healthy shelter space.

### Summary

Staff recommends retaining many of the interim regulation changes. Additional areas of study that impact the scope of review are based on information from faith-based organizations, concerned citizens, planning commission, councilmembers, and are outlined below:

- Potentially allowing temporary shelters that are compliant, successful, and integrated into community to continue beyond the timelines currently outlined in the municipal code
- Potentially clarifying the regulations to allow for the accommodation of various types of sheltering and provide flexibility to providers
- Potentially reviewing facility and service provision to reduce barriers and clarify level of provision based on sheltering scheme
- Potentially expanding the notification radius
- Potentially creating and standardizing associated definitions throughout code (including police sector and temporary shelters)

### Area of Applicability

City-wide. Under the interim regulations, up to six shelters may be located throughout the city. The first four must be distributed in one of each of the four police sector areas; an additional two are eligible to be placed, in different sectors, once four have been placed (one in each sector).

### Background

On May 2, 2017, the City Council adopted Resolution No. 39716, directing the City Manager to prepare an Emergency Temporary Aid and Shelter Program and an ordinance declaring a state of emergency, in response to the current homelessness crisis.

On May 9, 2017, the City Council adopted Ordinance No. 28430, declaring a State of Public Health Emergency, effective through October 9, 2017. On that same date, the City Manager presented the 3-

phase Emergency Aid and Sheltering Program and immediately began the implementation of the program.

On June 6, 2017, the City Council adopted Ordinance No. 28432, enacting interim zoning and land use controls as an emergency measure, effective through November 14, 2017, to permit the City to site temporary emergency shelters in response to the declared public emergency. The modified regulations, adopted by Council on October 17, 2017, enable the continued operation of the current stability site, as well as to allow faith-based organizations and non-profits to host temporary homeless camps, as substantially outlined in the Tacoma Municipal Code, Section 13.06.635.B.4. The interim regulations are effective through April 16, 2018.

The primary modifications to the temporary shelters regulations are summarized below:

**A. Number of Residents**

Preexisting Code: Maximum of 100 residents per camp.

Interim Regulations Modifications: Maintains the number of residents per camp at the 100 person limit during the period of the interim regulations. Number of residents per camp shall be proposed by organization running the camp and population being served. Planning and Development Services staff shall work alongside Neighborhood and Community Services staff to recommend appropriate numeric thresholds for camps based on targeted population, capacity of provider, site conditions, and access to facilities and services as part of the permit process.

Draft Permanent Regulations Modifications: Interim regulations maintained.

**B. Types of Sheltering**

Preexisting Code: While the original ordinance was focused on outdoor/tent sheltering models it did not preclude other types, such as indoor sheltering.

Interim Regulations Modifications: In response to the desire for increased flexibility in how individuals are sheltered as expressed by Neighborhood and Community Services staff and faith-based organizations, the interim regulations more clearly allow for indoor sheltering at the request of an applicant and ensures that the building meets all other required life safety regulations.

Draft Permanent Regulations Modifications: Recognizing that there are a wide variety of sheltering models, some of which may be appropriate or not appropriate in different circumstances, and that sheltering models are continuously evolving the regulations are designed to ensure sufficient flexibility for different or innovative models to be requested, reviewed, and considered.

**C. Site Area and Number of People per Area**

Preexisting Code: Specific minimum site area required based on the number of people to be housed in the facility.

Interim Regulations Modifications: During the period of the interim regulations, a review of site requirements to ensure total site area and number of people per defined square footage matches

the site provision of various entities interested and capable of hosting a camp, and consider appropriate changes during the development of the permanent regulations.

Draft Permanent Regulations Modifications: Site area and number of people per area maintained.

#### **D. Maximum Duration of Camp**

Preexisting Code: 93 consecutive days with 40-day extension.

Interim Regulations Modifications: Based on best practices and needs of potential providers, extend the duration to 185 consecutive days with an inclement weather season provision to allow camp extensions during harsh winter weather.

Draft Permanent Regulations Modifications: A provision that would allow, in special cases, for maximum duration to extend past 185 days and a typical 40-day extension.

#### **E. Recurrence of Camp at a Specific Site**

Preexisting Code: Prevents a provider from hosting a camp within two (2) years of the start date of the previous camp hosted on the same site.

Interim Regulations Modifications: Recurrence period shortened to six (6) months between end and start date of a camp hosting period.

Draft Permanent Regulations Modifications: Interim regulations maintained.

#### **F. Number of Camps Allowed in the City of Tacoma**

Preexisting Code: Two (2) camps to be concurrently hosted within the City.

Interim Regulations Modifications: Increases the total number to six (6) camps. Additionally, a maximum of two (2) camps shall be allowed in any single Police Sector at any given time and a minimum of one-mile must separate each temporary shelter site. Prior to approving a request for a second temporary shelter location within a sector, all other sectors should have a temporary shelter location. As part of process for approving a second location within a sector, the City shall determine whether there are adequate City services to support the second location in a sector.

Draft Permanent Regulations Modifications: Exempts City-run or funded sites from the total of six (6) camps.

#### **G. Site Requirements**

Preexisting Code: Outlines size, area per resident, security, and screening requirements.

Period of Interim Regulations Review: During the period of the interim regulations, the site requirements should be reviewed and appropriate measures should be established during the development of the permanent regulations with the intent to remove unnecessary barriers for potential providers.

Draft Permanent Regulations Modifications: Additional flexibility, particularly in regards to screening and types of structures, has been achieved by limiting prescriptive regulations in favor of working with providers on a case-by-case basis to ensure that security, health, and life safety issues are addressed.

## **H. Age of Camp Inhabitants**

Preexisting Code: Minimum 18 years of age

Period of Interim Regulations Review and Interim Regulations Modifications: In order to properly consider the needs of families in need of assistance, the minimum age requirement should be reviewed and appropriate adjustments made. During the period of interim regulations, unaccompanied minors will not be accepted, but those aged under 18 accompanied by a guardian may be allowed access to faith-based organization and non-profit run temporary homeless camps. This would be something reviewed and considered as part of the discretionary temporary use permit process.

Draft Permanent Regulations Modifications: Interim regulations maintained.

## **I. Facility and Service Provision**

Preexisting Code: Outlines hygiene and sanitation facility location and numbers.

Period of Interim Regulations Review: The number of hygiene and sanitation facilities provided shall remain the same during the period of the interim regulations, with the exception of more clearly allowing indoor facilities to be used. Indoor facility numbers will be in keeping with fixture counts compliant with building regulations. Staff shall review facility and service provision provided on site, and the review should include: number of washing stations and possibility of facility in lieu, number of portable toilets and possibility of facility in lieu, number of showering facilities and possibility of facility in lieu, number of food preparation area/tent and possibility of facility in lieu, and type of sleeping shelter.

Draft Permanent Regulations Modifications: Interim regulations maintained, although some of the very detailed standards, such as mandating the specific location of certain types of facilities, has been removed in favor of a more flexible process of evaluation through the site-specific temporary use permit process.

## **J. Application Requirements**

Preexisting Code: Outlines requirements prior to or at the time of application submission including scope of shelter, site plan, service provision, and proof of liability insurance.

Period of Interim Regulations Review: Requirements largely maintained with added flexibility for the use of indoor service provision

Draft Permanent Regulations Modifications: Requires the filing of a signed trespass order with the Tacoma Police Department, which would allow police and emergency services to access private property in case of disruption or emergency.

## **Outreach Summary**

### To-Date

June 15 - Presented at the Associated Ministries quarterly meeting to provide updates on the state of emergency and facilitate a focus group with FBOs receive feedback and provide support on how they can engage with supporting individuals and families experiences homelessness. A summary and follow-up was provided the following day (NCS: Tiegan Bradbury)

August 10 - Met with Associated Ministries to discuss the survey created for FBO leaders to received feedback on the Temporary Shelter ordinance modifications. Incorporated Associated Ministries feedback into survey. Asked to use the City's standing time during the quarterly meeting to facilitate a focus group on ordinance changes (NCS: Tiegan Bradbury)

August 21 - Began RFP design for the Temporary Overflow Family Shelter (TOFS) at Bethlehem Baptist (NCS: Tiegan Bradbury)

August 31 - Met with Associated Ministries to finalize the survey, the agenda for the quarterly meeting, and the "Call to Action" designed with MCO (NCS: Tiegan Bradbury)

Sept. 21<sup>st</sup> – Associated Ministries Meeting – presentation and focus group (NCS: Kristin Ely, Erica Azcueta, PDS: Lauren Flemister)

October 26<sup>th</sup> – Presentation and Q&A at Community Council (PDS: Lauren Flemister)

October 27<sup>th</sup> – Presentation and Q&A at Phase 2 Meeting at Salvation Army Citadel (NCS: Erica Azcueta, Colin DeForrest, PDS: Lauren Flemister), *staffed weekly* by NCS

November 6, NCS (Tiegan) submitted the permit request for Bethlehem Baptist Church's TOFS program.

December 5<sup>th</sup> – Associated Ministries Quarterly Meeting – will be staffed by PDS and NCS

### Upcoming

January 10<sup>th</sup> – Staff from PDS and NCS will be available to discuss draft code changes at Open House.





## Temporary Shelters Draft Permanent Regulations

### PROPOSED LAND USE REGULATORY CODE CHANGES

Note: These amendments show all of the changes to existing Land Use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that has been deleted is shown as ~~struckthrough~~.

Red and Blue – Interim Regulations

Burnt orange – Draft Permanent Regulations

### Chapter 13.06 – Zoning

#### 13.06.635 Temporary use.

A. Purpose. The purpose of this section is to allow listed temporary uses which:

1. Are not contrary to the various purposes of this chapter;
2. Will not impede the orderly development of the immediate surrounding area, as provided for in the Comprehensive Plan and the zoning district in which the area is located; and
3. Will not endanger the health, safety, or general welfare of adjacent residences or the general public.

B. Temporary uses.

1. General. A temporary use shall be subject to the standards of development specified in this section.
2. Duration and/or frequency. Where permitted as a temporary use, the following uses may be authorized for the time specified in Table 1, and subject to Section 13.06.635.B.

**Table #1: TEMPORARY USES ALLOWED – NUMBER OF DAYS ALLOWED**

Temporary Use Type	Days Allowed Per Year
Seasonal sales	45
Carnival	14
Temporary housing	See Section 13.06.635.B.3.a
Temporary office space	See Section 13.06.635.B.3.b
Temporary storage	See Section 13.06.635.B.3.d
Temporary <del>shelters/homeless camps</del>	See Section 13.06.635.B.4

a. The duration of the temporary use shall include the days the use is being set up and established, when the event actually takes place, and when the use is being removed.

b. A parcel may be used for no more than three temporary uses within a calendar year; provided, the time periods specified in Table 1 are not exceeded. Multiple temporary uses may occur on a parcel concurrently; provided, the time periods in Table 1 are not exceeded.

3. Temporary structure standards.

a. Temporary housing.

(1) Such use shall be placed on a lot, tract, or parcel of land upon which a main building is being in fact constructed. The applicant shall have a valid building permit approved by Planning and Development Services;

(2) Such uses are of a temporary nature not involving permanent installations, including structures and utilities;

(3) That such a house trailer or mobile home shall be located at least 25 feet away from any existing residences;

(4) That conformance with all applicable health, sanitary, and fire regulations occasioned by the parking and occupancy of said house trailer or mobile home shall be observed.

(5) The temporary housing shall be removed within 30 days after final inspection of the project, or within one year from the date the unit is first moved to the site, whichever may occur sooner.

b. Temporary office space.

(1) Such use shall be in accordance with the use regulations of the zoning district within which the temporary office is located.

(2) Such use is appropriate due to the construction or reconstruction of a main building or the temporary nature of the use.

(3) Such use is of a temporary nature not involving permanent installations, including structures, utilities, and other improvements, unless such improvements are to be used in conjunction with a permanent structure, plans for which have been approved by Planning and Development Services. This provision shall not be construed to prohibit the installation of utilities necessary to serve the temporary use or the requiring of improvements necessary to eliminate or mitigate nuisances or adverse environmental impacts resulting from the temporary use.

(4) Such a temporary building shall be located at least 25 feet away from any existing structure or structures under construction unless it can be demonstrated that a lesser distance will be adequate to safeguard adjacent properties and provide a safe distance from any construction occurring on the site.

(5) Such temporary building shall not be required to comply with the design standards found in Section 13.06.501.

(6) That conformance with all applicable health, sanitary, and fire regulations occasioned by the parking and occupancy of said temporary building shall be observed.

(7) The temporary office shall be removed within 30 days after final inspection of the project, or within one year from the date the unit is first moved to the site, whichever may occur sooner.

c. Carnival.

(1) Such uses are of a temporary nature not involving permanent installations, including both structures and utility services, except those already existing on the premises.

(2) Proper regard shall be given to the controlling of traffic generated by the use with respect to ingress and egress to the given site and the off-street parking of automobiles attracted by the use.

(3) That any structures, buildings, tents, or incidental equipment shall be located at least 200 feet from existing residences;

(4) That off-street parking for the primary use on the site shall not be reduced below the required parking for that use.

d. Temporary storage. Temporary storage units are transportable units designed and used primarily for temporary storage of building materials, household goods, personal items and other materials for use on a limited basis, Temporary storage units, where allowed, shall be subject to the following standards:

(1) Temporary storage units shall be allowed as part of an active construction project or active moving process.

(2) In residential zoning districts, the maximum duration of temporary storage shall be 180-days in any two-year period, with up to one 60-day extension allowed at the discretion of Planning and Development Services.

(3) In commercial, mixed-use or industrial zoning districts, temporary storage units shall be removed within 30 days after final inspection of the project.

(4) Temporary storage units shall be placed in the least conspicuous location available to minimize disturbance to any adjoining properties and shall be located in accordance with all applicable building, health and fire safety ordinances and regulations. Units shall provide a minimum 5-foot setback from all exterior property lines and shall not be located within required buffer areas. Units shall not block, impair, or otherwise unduly inconvenience pedestrian or vehicular traffic patterns, emergency access, access points to the site, parking lots, or adjacent uses.

(5) Such use is of a temporary nature not involving permanent installations, including structures, utilities, and other improvements, unless such improvements are to be used in conjunction with a permanent structure, plans for which have been approved by Planning and Development Services. This provision shall not be construed to prohibit the

installation of utilities necessary to serve the temporary use or the requiring of improvements necessary to eliminate or mitigate nuisances or adverse environmental impacts resulting from the temporary use.

(6) Such temporary building shall not be required to comply with the standard locational, bulk and area requirements or the design, landscaping, parking and other standards found in Sections 13.06.500-.522.

(7) Planning and Development Services shall have full discretion to stipulate additional limitations or conditions on such temporary use to ensure that it does not unduly affect the health, safety, or general welfare of adjacent properties or residences or the general public.

#### 4. Temporary ~~Shelters~~Homeless Camps.

a. Purpose. In recognition of the need for temporary housing for homeless persons, it is the purpose of this section to allow sponsoring religious and non-profit organizations to use property owned or controlled by them for temporary homeless ~~shelter~~~~seamps~~, while preventing harmful effects associated with such uses, including the use of open flames, the possibility of impediments to emergency services, the possibility of environmental degradation, the use of improper sanitary facilities, and the possibility of any other factors that would be considered a nuisance under applicable laws.

b. Application. In order to allow sponsoring religious and non-profit organizations to establish a temporary ~~shelters~~~~homeless camp~~ on qualifying property, a permit must be obtained from Planning and Development Services in accordance with TMC 13.05, Land Use Permit Procedures, and the following:

(1) The Director of Planning and Development Services is authorized to issue permits for temporary ~~homeless camps~~~~shelters~~ only upon demonstration that all public health and safety considerations have been adequately addressed, and may administratively adjust standards upon providing findings and conclusions that justify the requirements. A permit allowing a temporary shelter site may be terminated if the City determines the site is unfit for human habitation based on sanitary conditions or health related concerns.

(2) An application for a temporary ~~homeless camp~~~~shelter~~ shall include the following:

(a) The dates of the start and termination of the temporary ~~homeless camp~~~~shelter~~;

(b) The maximum number of residents proposed;

(c) The location, including parcel number(s) and address(es);

(d) The names of the managing agency or manager and sponsor;

(e) A site plan showing the following shall be prepared and reviewed by staff, which will make recommendations for best practices, including Crime Prevention through Environmental Design (“CPTED”) principles:

(i) Property lines;

(ii) Property dimensions;

(iii) Location and type of fencing/screening (must be a minimum of ten feet from property lines);

(iv) Location of all support ~~tents~~/structures (administrative, security, kitchen, and dining areas) or planned space to be used inside an on-site structure;

(v) Method of providing and location of potable water;

(vi) Method of providing and location of waste receptacles;

(vii) Location of required sanitary stations (latrines, showers, hygiene, hand washing stations);

(viii) Location of vehicular access and parking;

(ix) Location of ~~tents and/or~~ dwellings for each person (must meet Tacoma-Pierce County Health Department requirements);

(x) Entry/exit control points;

(xi) Internal pathways, and access routes for emergency services.

(f) A statement from the sponsoring religious or non-profit organization regarding its commitment to maintain liability insurance in types and amounts sufficient to cover the liability exposures inherent in the permitted activity during the existence of any sponsored temporary ~~homeless camp~~shelter;

(g) a signed trespass order filed with the Tacoma Police Department

(h) a mandatory preapplication meeting to be attended by city representatives, such as agents from Planning and Development Services and Neighborhood and Community Services, as deemed appropriate.

c. Safety and health requirements. A temporary ~~homeless camp~~shelter shall be established in accordance with the following standards:

(1) No more than 100 residents shall be allowed per ~~camp~~shelter location. The City may further limit the number of residents as site conditions dictate.

(2) A minimum of 7,500 square feet of site area shall be required for ~~camp~~shelters serving~~ed~~ up to 50 people. The minimum site area may be proportionally reduced if adjacent existing buildings are used for sleeping or support facilities such as kitchen, dining hall, showers, and latrines.

(3) For a ~~camp shelter serving of~~ more than 50 residents, the minimum 7,500 square-foot ~~camp site~~ area shall be increased by 150 square feet for each additional resident, up to a total of 100 residents.

(4) The maximum duration of a ~~homeless camp~~temporary shelter shall be 93 185 consecutive days. ~~Gravel or paved camp sites and sites not zoned for residential use may extend the maximum duration of the camp to 123 consecutive days.~~

(a) A one-time extension of up to 40 days, or longer in the case of:

i. inclement weather – may be granted by the Director if unforeseen problems arise regarding ~~camp shelter~~ relocation. An extension must be requested before the last 30 days of the temporary permit and will not be granted if any violation of the ~~camp temporary shelter~~ permit has occurred.

ii. demonstrated exemplary compliance, neighborhood support, and resident need may be granted by the Director. An extension must be requested before the last 30 days of the temporary permit and will not be granted if any violation of the temporary shelter permit has occurred.

(5) A ~~camp temporary shelter~~ may only return to the same ~~church owned~~ site after two years six months has lapsed since the ~~start end~~ date of the previous ~~camp temporary shelter~~. ~~Gravel or paved camp sites and sites not zoned for residential use may decrease the relocation time to 18 months from the start date of the previous camp.~~

(6) In no event shall more than two six ~~homeless camp~~temporary shelter sites be permitted within the City at any given time. City funded and/or programmed sites are exempt. Additionally, a maximum of two (2) camps should be allowed in any single Police Sector at any given time and a minimum of one-mile must separate each temporary shelter site. Prior to approving a request for a second temporary shelter location within a sector, all other sectors should have a temporary shelter location. As part of process for approving a second location within a sector, the City shall determine whether there are adequate City services to support the second location in a sector.

(7) ~~Outdoor shelters~~The ~~encampment~~ shall be enclosed on all sides with a minimum six-foot tall, ~~sight~~te-obscuring fence. ~~No fence will be permitted~~required if the site is out of view of adjacent properties.-

(8) Permanent structures are prohibited from being constructed within the ~~camp temporary shelter site~~. Existing permanent structures may be used for sheltering, or service provision.

(9) Temporary ~~homeless camp~~shelters are prohibited in Shoreline Districts, critical areas, and their buffers.

(10) The sponsoring religious or non-profit organization shall work with Neighborhood and Community Services and other agencies to find more permanent housing solutions for the inhabitants of the ~~camp shelter~~ during its operation.

(11) One security/office/operations ~~tent or~~ structure shall be provided for the ~~camp site~~ manager. The manager must be on site at all times. Persons who are acting as the on-site manager must be awake while on shift to monitor the

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security of the ~~camp shelter~~ and be ready and able to alert police and/or other emergency responders if the need arises.

(12) The minimum age for ~~unaccompanied camp shelter residents inhabitants~~ is 18 years of age. Individuals under the age of 18 will only be allowed if accompanied by a guardian.

(13) Each resident shall be pre-screened for warrants and a background check shall be completed by the sponsor religious or non-profit organization. No sex offenders will be permitted as ~~camp shelter~~ residents.

(14) The temporary ~~homeless camp shelter~~ must be located within one-quarter half mile of a bus route that is in service seven days per week.

(15) The following facilities and provisions must be made available on-site and approved for adequacy and location by the Tacoma-Pierce County Health Department prior to occupancy:

(a) Potable water as approved or provided by local utilities. Estimated usage is four to five gallons per day, per resident.

(b) Provide sanitary ~~portable~~ toilets as provided in the following table:

Number of <del>camp</del> residents	1-20	21-40	41-60	61-80	81-100
Number of toilets required	1	2	3	4	5

~~(c) Provide hand washing stations with warm water, soap, paper towels and covered garbage cans and recycling containers at the following locations:~~

(i) Hand washing stations next to ~~portable~~ toilets provided in the following manner:

Number of <del>camp</del> residents	1-15	16-30	31-45	46-60	61-75	76-90	91-100
Number of stations required	1	2	3	4	5	6	7

~~(ii) One at the entrance to the dining area; and~~

~~(iii) One at the food preparation area.~~

(d) Showering facilities are required as provided in the following table:

Number of <del>camp</del> residents	1-33	34-66	67-100
Number of showers required	1	2	3

(e) At least one food preparation area ~~tent~~ with refrigeration, sinks, and cooking equipment. If food is prepared on-site, adequate dishwashing facilities must be available.

(f) Food preparation, storage, and serving. No children under the age of ten shall be allowed in food preparation or storage areas.

(g) An adequate water source must be made available to the ~~campsite~~.

(h) ~~Indoor sleeping shelters facilities~~ must meet the following standards:

(i) Must comply with all life safety and building code requirements.

(i) Outdoor sleeping facilities must meet the following standards:

(i) Minimum two foot separation is required on sides and rear of tents from other tents, and a clear area of four feet is required at the entrance to all tents. All tents will be flame retardant. Appropriate spacing is required between all temporary, semi-permanent, and permanent sleeping structures of all types, materials, and sizes. Appropriate spacing will be specified during application intake and review.

~~(ii) Minimum of 30 square feet per resident in group tents.~~

~~(iii) Minimum 40-50 cubic feet of air space per resident in group tents.~~

~~(iv) Beds arranged at least three feet apart in group tents.~~

~~(j) Waste water disposal, including mop sink, which drains to sanitary sewer.~~

**Temporary Shelter Interim Regulations**

- (k) Solid waste: Garbage and recycling removal by local utilities. Adequate scheduled dumping to prevent overflow. ~~Estimate 30-gallon capacity per 10 residents.~~ Infectious waste/sharps disposal shall be made available.
- (l) Premises must be maintained to control insects, rodents, and other pests.
- (16) Premises must be maintained as approved by the Tacoma Fire Department (“TFD”), including:
- (a) Approval letter from the TFD, should the ~~camp shelter site~~ contain structures in excess of 200 square feet or canopies in excess of 400 square feet.
- (b) Provide ~~fire extinguishers in quantity and locations as specified by TFD, at least one fire extinguisher, as specified by TFD, within 75 feet from every tent, and at least one fire extinguisher in the kitchen facility and security office/tent.~~
- (c) Adequate access for fire and emergency services, with a minimum of two access points, shall be maintained.
- (d) No smoking or open flames shall be allowed in ~~tents sleeping or food prep structures.~~ Smoking within the ~~camp shelter site~~ will be within designated smoking areas only.
- (e) Electrical inspections, in coordination with a Planning and Development Services electrical inspector, shall occur to ensure safe installation of power, if provided, ~~including~~ to support ~~tents and~~ facilities (administration, security, kitchen, dining, shower, hygiene, and latrine facilities) and ~~any individual living tents sleeping structures.~~
- (f) Security Plan. The security plan shall:
- (i) List the contact name and phone number of the on-site manager;
- (ii) Contain an evacuation plan for the ~~camp temporary shelter~~;
- (iii) Contain a controlled access plan for residents; and
- (iv) Contain a fire suppression and emergency access plan.
- (17) Parking standards.
- (a) Parking spaces, layouts, and configuration shall be designed in accordance with TMC 13.06.510.
- (b) A minimum of two off-street parking spaces per 25 residents are required for all temporary ~~homeless camp shelters.~~
- (c) Any required parking for the principal/existing use on-site shall not be displaced as a result of the temporary ~~homeless camp shelter.~~
- (18) Refuse and recycling containers shall be provided on-site, with service provided by Solid Waste Management and paid for by the applicant.

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**13.06.700 Definitions and illustrations.**

13.06.700.P

**Police Sector** – areas created by the Tacoma Police Department to support its Community Policing Division, which focuses on proactive policing in partnership with the community.

\*\*\*

13.06.700.T

**Temporary Shelters** – A temporary type of accommodation for persons without permanent housing or a fixed address that provides shelter by means of a structure or dwelling unit.

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**Chapter 13.05 – LAND USE PERMIT PROCEDURES**

**13.05.020 Notice process.**

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H. Notice and Comment Period for Specified Permit Applications. Table H specifies how to notify, the distance required, the comment period allowed, expiration of permits, and who has authority for the decision to be made on the application.

**Table H – Notice, Comment and Expiration for Land Use Permits**

Permit Type	Preapplication Meeting	Notice: Distance	Notice: Newspaper	Notice: Post Site	Comment Period	Decision	Hearing Required	City Council	Expiration of Permit
Interpretation of code	Recommended	100 feet for site specific	For general application	Yes	14 days	Director	No	No	None
Uses not specifically classified	Recommended	400 feet	Yes	Yes	30 days	Director	No	No	None
Boundary line adjustment	Required	No	No	No	No	Director	No	No	5 years <sup>3</sup>
Binding site plan	Required	No	No	No	No	Director	No	No	5 years <sup>3</sup>
Environmental SEPA DNS	Optional	Same as case type	Yes if no hearing required	No	Same as case type	Director	No	No	None
Environmental Impact Statement (EIS)	Required for scoping, DEIS and FEIS	1000 feet	Yes	Yes	Minimum 30 days	Director	No, unless part of associated action. Public scoping meeting(s) required	No	None
Variance, height of main structure	Required	400 feet	No	Yes	30 days	Director	No <sup>1</sup>	No	5 years
Open space classification	Required	400 feet	No	Yes	2	Hearing Examiner	Yes	Yes	None
Plats 10+ lots	Required	1000 feet	Yes	Yes	21 days SEPA <sup>2</sup>	Hearing Examiner	Yes	Final Plat	5 years <sup>6</sup>

Permit Type	Preapplication Meeting	Notice: Distance	Notice: Newspaper	Notice: Post Site	Comment Period	Decision	Hearing Required	City Council	Expiration of Permit
Rezoning	Required	400 feet; 1000 feet for public facility site	No; Yes for public facility site	Yes	21 days SEPA <sup>2</sup>	Hearing Examiner	Yes	Yes	None
Shoreline/CUP/ variance	Required	400 feet	No	Yes	30 days <sup>5</sup>	Director	No <sup>1</sup>	No	2 years/ maximum <sup>6</sup>
Short plat (2-4 lots)	Required	No	No	No	No	Director	No	No	5 years <sup>3</sup>
Short plat (5-9 lots)	Required	400 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years <sup>6</sup>
Site approval	Optional	400 feet	No	Yes	30 days <sup>5</sup>	Director	No	No	5 years
Conditional use	Required	400 feet; 1000 feet for development sites over 1 acre in size	No	Yes	30 days <sup>5</sup>	Director	No	No	5 years <sup>4</sup>
Conditional use, correctional facility (new or major modification)	Required	1,000 feet	Yes	Yes	30 days <sup>2</sup>	Hearing Examiner	Yes	No	5 years
Conditional use, large-scale retail	Required	1,000 feet	Yes	Yes	30 days <sup>2</sup>	Hearing Examiner	Yes	No	5 years
Conditional use, master plan	Required	1000 feet	Yes	Yes	30 days <sup>2</sup>	Director	Yes	No	10 years
Conditional Use, Minor Modification	Optional	No	No	No	No	Director	No	No	5 years
Conditional Use, Major Modification	Required	400 feet; 1000 feet for public facility sites and master plans	No	Yes	14 days <sup>5</sup>	Director	No	No	5 years
Temporary Homeless Camp Shelters Permit	Required	400 feet	Yes	Yes	14 days	Director	No	No	1 year
Minor Variance	Optional	100 feet <sup>7</sup>	No	No	14 days	Director	No <sup>1</sup>	No	5 years
Variance	Optional	100 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years
Wetland/Stream/ FWHCA development permits	Required	400 feet	No	Yes	30 days	Director	No <sup>1</sup>	No	5 years*
Wetland/Stream/ FWHCA Minor Development Permits	Required	100 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years*

Permit Type	Preapplication Meeting	Notice: Distance	Notice: Newspaper	Notice: Post Site	Comment Period	Decision	Hearing Required	City Council	Expiration of Permit
Wetland/Stream/ FWHCA verification	Required	100 feet	No	Yes	14 days	Director	No <sup>1</sup>	No	5 years

INFORMATION IN THIS TABLE IS FOR REFERENCE PURPOSE ONLY.

\* Programmatic Restoration Projects can request 5 year renewals to a maximum of 20 years total.

When an open record hearing is required, all other land use permit applications for a specific site or project shall be considered concurrently by the Hearing Examiner (refer to Section 13.05.040.E).

<sup>1</sup> Conditional use permits for wireless communication facilities, including towers, shall expire two years from the effective date of the Director's decision and are not eligible for a one-year extension.

<sup>2</sup> Comment on land use permit proposal allowed from date of notice to hearing.

<sup>3</sup> Must be recorded with the Pierce County Auditor within five years.

<sup>4</sup> Special use permits for wireless communication facilities, including towers, are limited to two years from the effective date of the Director's decision.

<sup>5</sup> If a public meeting is held, the public comment period shall be extended 7 days beyond and including the date of the public meeting.

<sup>6</sup> Refer to Section 13.05.070 for preliminary plat expiration dates.

<sup>7</sup> Public Notification of Minor Variances may be sent at the discretion of the Director. There is no notice of application for Minor Variances.





**To:** Planning Commission  
**From:** Lauren Flemister, Senior Planner  
**Subject:** **Commercial VSD Height Measurement**  
**Meeting Date:** January 3, 2018  
**Memo Date:** December 28, 2017

**Action Requested:**

Review Scope of Work and provide concurrence and guidance.

**Discussion:**

At the next meeting on January 3, 2018, staff will present findings from the staff analysis report to the Planning Commission. Staff will outline the two building height methodologies that currently exist in code, explain the implications of the application of these methodologies in sloped C-2 VSD conditions, review the applicant's suggested changes, and give an overview of the potential options. A timeline outlining next steps is below:

January 3	Review Scope of Work
January 17	Review Options and Analysis with Consultant
February 7	Review Recommendations with Consultant

**Project Summary:**

This is a private application for the 2018 Annual Amendment to the Comprehensive Plan and Land Use Regulatory Code. The request is to review and amend regulatory code for height measurement methodology to be applied in the C-2 (Commercial) zoning district in the VSD (view sensitive district) overlay.

**Prior Actions:**

The Planning Commission reviewed the application at its meeting on May 3, 2017 and approved the Assessment Report prepared by staff. The Commission concurred with staff's recommendation to accept the application and move it forward for technical analysis during the 2018 Amendment cycle. On June 7<sup>th</sup>, the Commission agreed to modify the scope to apply to all C-2 areas within the VSD overlay district.

**Staff Contact:**

Lauren Flemister, Senior Planner, 253-591-5660, [lflemister@cityoftacoma.org](mailto:lflemister@cityoftacoma.org)

**Attachments:**

1. Staff Analysis Report
2. Application

c: Peter Huffman, Director



# Commercial View Sensitive District (VSD) Height Measurement Staff Analysis Report

## View Sensitive Overlay District.

This overlay district is intended to protect views. Buildings in this district may not exceed a height of 25 feet. The View Sensitive Overlay District is a common overlay in the R-1 District, but may also be found with the R-2 District and a few C-2 District areas located closer to the marine shoreline.

The project is for a regulatory code text change to amend language describing and determining how building height is measured in all C-2 (Commercial) zoning districts in the VSD (view sensitive district) overlay district. Currently, the VSD height measurement methodology in the land use code is used to determine building height.

The applicant and owner of a property on N. 30th Street points out that Old Town's topography consistently slopes up from the south side of N. 30th Street and down from the north side and the disparity gives development/design advantages to property owners on the south side. The applicant suggests using the site's average grade along the primary street frontage, as opposed to existing grade at the proposed building corners.

### Primary Areas of Analysis

- Differences between land use VSD building height measurement and the building code building height measurement and its application on a sloped site
- Differences in application of height measurement on up and down slope
- Differences in hybrid methodologies and use of bonuses

### Project Process and Timeline (a succinct scope)

1. <b>Assessment and Analysis</b> (date to conduct work and complete)	<ul style="list-style-type: none"> <li>• Area of Applicability</li> <li>• Background</li> <li>• Policy Framework</li> <li>• Objectives</li> </ul>
2. <b>Options Analysis</b>	<ul style="list-style-type: none"> <li>• Public Outreach</li> <li>• Develop alternatives</li> <li>• Recommendation</li> <li>• Impacts Assessment</li> <li>• Supplemental Information</li> </ul>
3. <b>Draft Amendments</b> September to December 2017 <ul style="list-style-type: none"> <li>• Discussion Draft, Jan. 2018</li> </ul>	<ul style="list-style-type: none"> <li>• Revise Tacoma Municipal Code consistent with the proposed amendment concept.</li> </ul>
4. <b>Public Hearings/Adoption</b> <ul style="list-style-type: none"> <li>• PC Hearing, March 2018</li> <li>• Council Hearing, June 2018</li> </ul>	<ul style="list-style-type: none"> <li>• The public may testify in person on the proposed amendments.</li> </ul>
5.	<ul style="list-style-type: none"> <li>•</li> </ul>

## Planning and Development Services

City of Tacoma, Washington  
Peter Huffman, Director

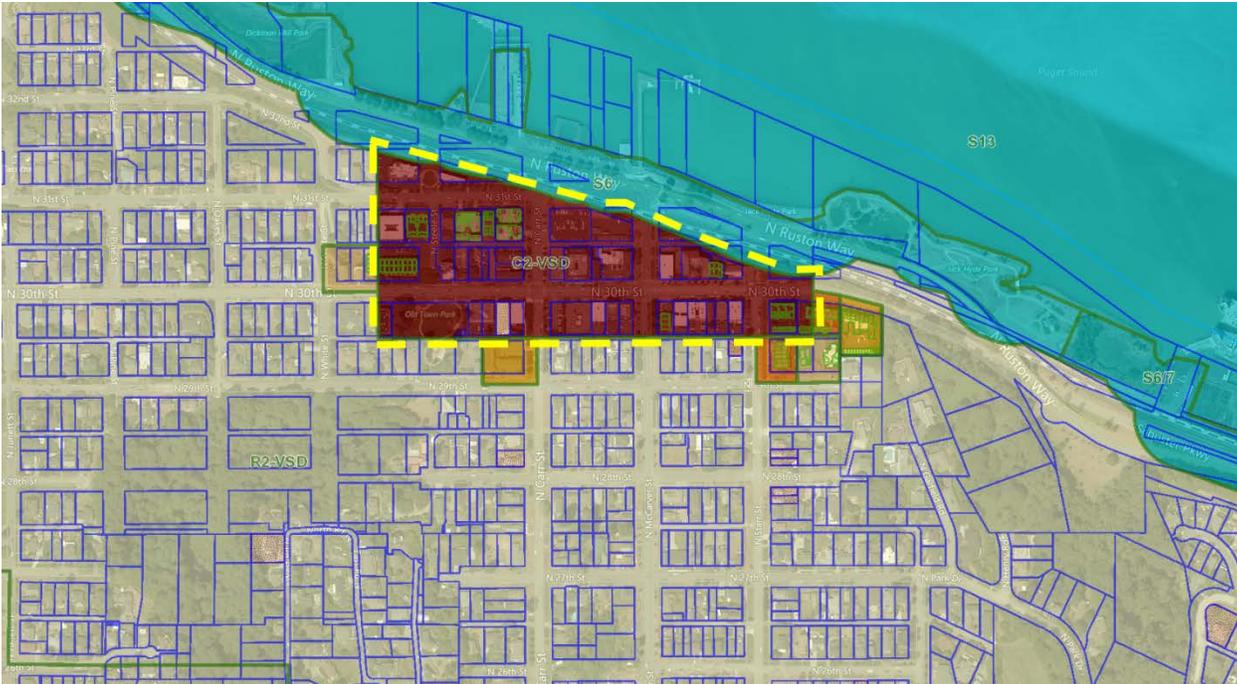


Lauren Flemister

lflemister@cityoftacoma.org

<http://www.cityoftacoma.org/planning>

## Areas of Applicability



Old Town Commercial District (N. 30<sup>th</sup> between N. White and just past N. Starr)



West Side of N. Proctor and N. 34<sup>th</sup> Street Commercial Area



Titlow Park Commercial Area

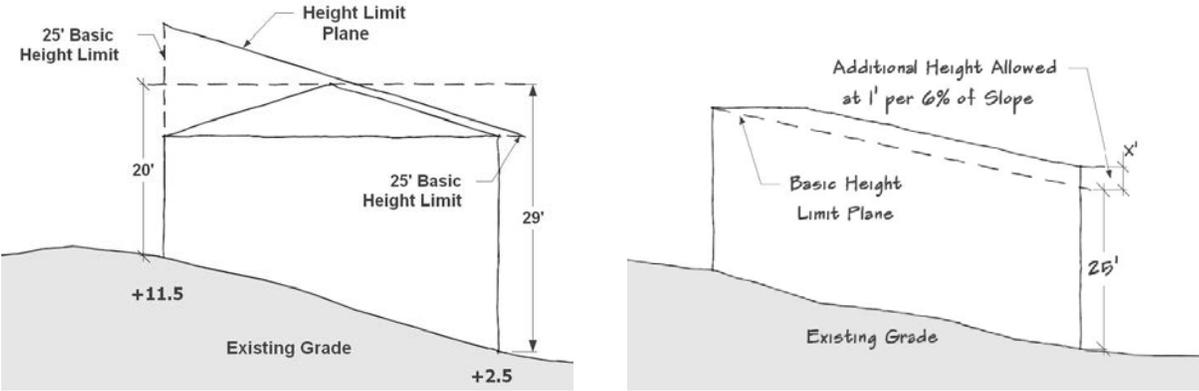
**Background**

Differences between VSD Building Height and Building Code Building Height Measurement

C-2 VSD parcels currently use the VSD building height measurement to determine the height limit plane for building on a site. The rules associated with determining building height using the VSD building height standards are more stringent than those used with the building code method. In part, this is because the VSD building height method’s primary purpose is to protect views. The application of view protection standards is most directly applicable in areas where slopes exist; in this specific case, the area of applicability most affected is in Old Town.

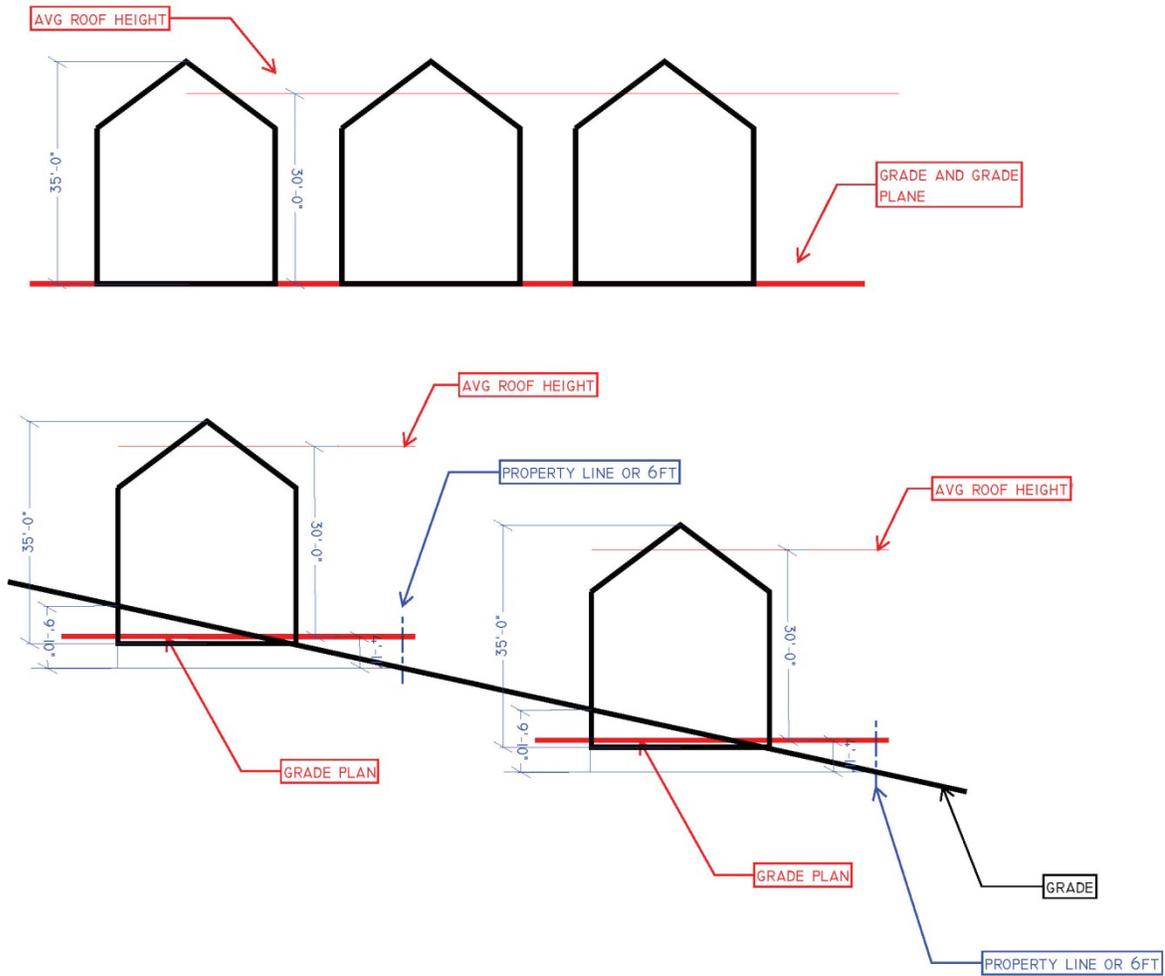
The key elements of the VSD building height standards are:

- a. Use of existing grade for spot elevations determining the grade plane
- b. Use of overall maximum height limit/envelope/plane that building cannot exceed (25 feet)
- c. Bonus height for steeply sloped sites (additional 1’ of height per 6% of slope on the downhill side)



The key elements of building code building height measurement are:

- Use of proposed finish grade for spot elevations determining height
- Height limit is measured to the average roof height (from the highest eave to the highest point on a roof, which can be flat, pitched, or other shapes); maximum height varies based on roof pitch and zoning designation
- No bonus height

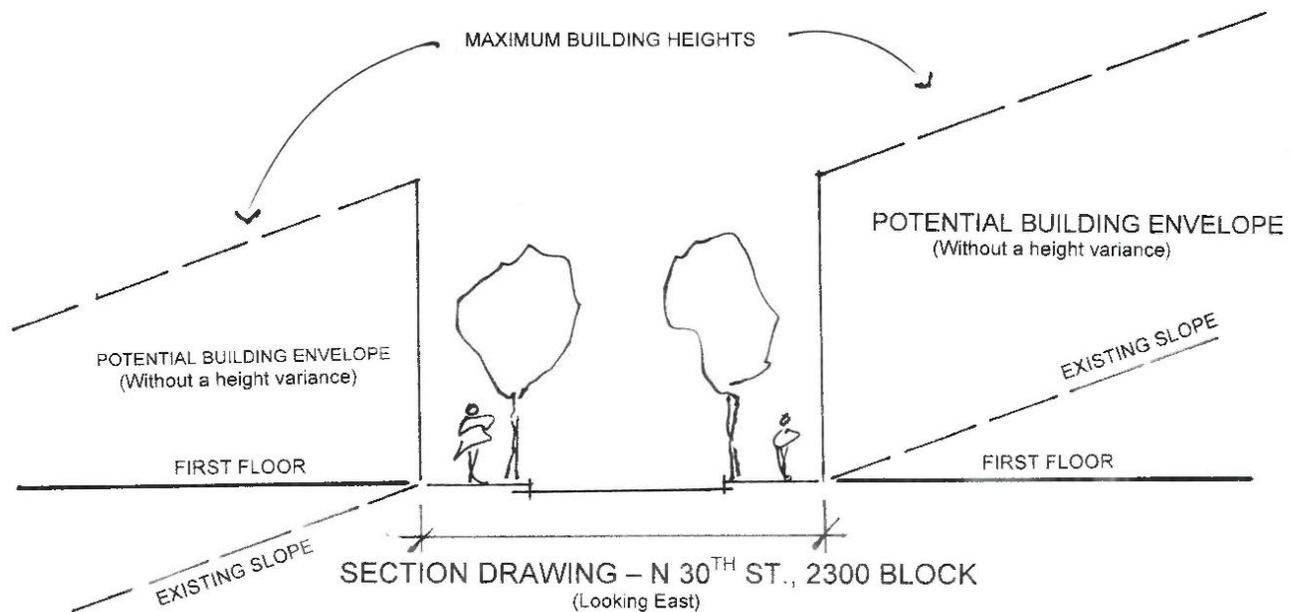


	a. Measuring Elevation at Grade	b. Height Limit	c. Bonus for Slope
<b>C-2 VSD</b>	Existing grade	Maximum overall height of 25 feet (measured to top of peak/roof)	1 foot for every 6% of slope
<b>Building Code</b>	Finish grade	Based on zoning designation and to average roof height, which is 25 feet in C-2 VSD (measured to average roof height)	No bonus

## Application of VSD Building Height Measurement in C-2 VSD

Using the VSD building height measurement, which calls for measuring from existing grade at four corners of the site and an overall maximum height, limits the potential building envelope; however, this is done with the intention of protecting views. On a site with a moderately steep slope to an extremely steep slope, it creates a condition where an access at back of the building (off the primary entrance and in the case of N. 30<sup>th</sup>, off the primary commercial corridor) or a large basement must be part of the building design to achieve a similar achieved square footage as the building up-slope. Following current methodology, it is difficult to achieve more than one-story on the downslope, while it is fairly straightforward to achieve two stories on the up-slope with some site excavation. However, a parcel on the downslope can be excavated to build an underground level or two stories can be achieved from the back- or alley-side.

The orientation of both buildings onto the main commercial corridor creates a potentially significant up-slope and down-slope disparity. The VSD height measurement does not treat parcels similarly unless it is a down-slope to down-slope or up-slope to up-slope condition. Opposing orientations (as opposed to front doors always at the same orientation direction) creates the significant difference in potential building envelopes, as shown in the image below.



## Application of Applicant Proposed Height Measurement in C-2 VSD

The applicant proposes measuring from only the primary frontage instead of using four or more points to create the grade plane. However, as mentioned, the intent of the VSD height measurement is to protect views. The application of both the VSD and building code height measurements provide for buildings to be the same absolute height in similar conditions in most cases, but maintaining a relative difference between up- and down-slope sites, so as to keep views unblocked. If the same relative height was achievable from a height measurement methodology, views would be blocked from many important vantage points; in some cases, it would give the appearance of looking at a solid wall.

## **Policy Framework**

One Tacoma Comprehensive Plan – Urban Form Chapter

One Tacoma Comprehensive Plan – Policies DD-7.6, H-5.10, H1.7, H5.10

## Objectives

- Create more parity amongst parcels in C-2 VSD
- Create consistency in code on building height measurement

## Options Analysis

1. Maintain VSD height measurement
2. Modify VSD that adjusts the angle of the height limit plane based on angle of slope to create more generous height while protecting views
3. Adopt building code height measurement in all C-2 VSD districts
4. Modify building code height measurement to allow for stepped/tiered height building envelope that protects views
5. Create hybrid between VSD building height and building code building height measurement (finish grade for spot elevations, overall maximum building height, bonus for sloped sites)

## Impacts Assessment

There is a possibility that creating more parity in potential building envelopes may impact views.

## Outreach Summary

Week of December 24<sup>th</sup> – Reach out to affected business district associations and Neighborhood Councils

January 8<sup>th</sup> – Presentation at North Tacoma Neighborhood Council

January 10<sup>th</sup> – Annual Amendment Open House

## Supplemental Information

Please refer to the Application to Amend Land Use Regulatory Code requesting a change in building height measurement in C-2 VSD zoning district.



# Application

## To Amend

### The Comprehensive Plan or Land Use Regulatory Code

Application No.:

**#2017-18 -**

Date Received:

Year of Amendment	2017-2018	
Application Deadline	Friday, March 31, 2017, 5:00 p.m.	
Application Fee	\$1,400	
Type of Amendment (Check all that apply)	<input type="checkbox"/> Comprehensive Plan Text Change <input checked="" type="checkbox"/> Regulatory Code Text Change <input type="checkbox"/> Land Use Designation Change <input type="checkbox"/> Area-wide Rezone <input type="checkbox"/> Interim Zoning or Moratorium	
Summary of Proposed Amendment (Limit to 100 words)	<p>Amend how building height is measured in the Old Town commercial district (C-2; VS Overlay). In stead of measuring building height <u>from existing grade at the proposed building corners</u>, amend the language to measure building height <u>from a site's average existing grade along it's N 30<sup>th</sup> Street frontage</u>.</p> <p>Old Town's topography consistently slopes <u>up</u> from the <u>south</u> side of N 30<sup>th</sup> Street and <u>down</u> from the <u>north</u> side. This disparity gives development/design advantages to property owners on the south side, including larger building envelopes, higher ceiling heights and first and second floor footprints that match.</p> <p>(The additional 1-foot of height granted for the rear of the building (for sites sloping down from N 30<sup>th</sup> Street) is insignificant. A site with a slope of just 8% is 1-foot lower than the frontage sidewalk just 12.5-feet from it.)</p>	
Applicant	Name	Kenneth A. Thiem
	Affiliation / Title	
	Address City, State & Zip Code	6277 119 <sup>th</sup> PI SE Bellevue, WA 98006
	E-mail	Kthiem27@gmail.com
	Phone / Fax	Phone 425-442-1741                      Fax
Contact	Name	

Staff Note: The first 6 pages are part of the application form and contain no information provided by the applicant, and are not included here. (March 31, 2017)

(if not Applicant)	Affiliation / Title	
	Address City, State & Zip Code	
	E-mail	
	Phone / Fax	Phone <span style="float: right;">Fax</span>
	Relationship to Applicant	

I hereby state that I am the applicant listed above and the foregoing statements and answers made, and all the information and evidence submitted are, in all respects and to the best of my knowledge and belief, true and complete. I understand that submitting this application does not result in automatic acceptance of this application or guarantee its final approval.

Signature: *Kenneth A. Hjime* Date: *March 21, 2017*

## REQUIRED QUESTIONNAIRE

1. Describe the proposed amendment. If submitting text changes to the *One Tacoma* Comprehensive Plan or Regulatory Code, provide the existing and the proposed language. If submitting changes to the Comprehensive Plan land use designation(s) or the zoning classification(s), provide the current and the proposed land use designations and/or zoning classifications for the affected/proposed area.
2. Why is the amendment needed and being proposed?
3. Please demonstrate how the proposal is consistent with the applicable policies of the *One Tacoma* Comprehensive Plan, and consistent with the criteria for amending the Comprehensive Plan or development regulations.
4. If the proposed amendment is associated with a geographic area, please provide a more detailed description, along with maps, if applicable, of the affected area and the surrounding areas, showing all parcels (with parcel numbers), ownership of each parcel, current land uses, site characteristics, and natural features.
5. If the proposed amendment is associated with a geographic area, please describe how it is compatible with the existing and planned land uses and development patterns of the adjacent neighborhood and explain how it may further enhance the adjacent neighborhood.
6. If the proposed amendment is associated with a geographic area, please describe the applicant's interest in the affected property. Describe any plans for future activity related to or connected with this site. If you are not the owners, submit proof that the property owners have been notified and are aware of the application.
7. Describe any community outreach you have conducted (i.e., when and how you contacted affected and abutting property owners and neighbors), and any community response received to the proposed amendment. Attach any letter(s) of support or written community response, if applicable.
8. Please provide any supplemental information, which may include, but is not limited to, completion of an environmental checklist, wetland delineation study, visual analysis, or other studies.

## Required Questionnaire Responses (City of Tacoma Code Amendment)

1. The proposed amendment and described on page 7 of the application, including proposed code language;
2. The amendment is needed because the existing method for measuring building height in the Old Town Commercial District unfairly produces a smaller building envelope for properties on located on the north side of N 30<sup>th</sup> Street, and dictates the need for a Height Variance for any viable two-story commercial building. The attached Section Drawing through N 30<sup>th</sup> Street illustrates what is driving the disparity in the allowable building envelopes from one side of the street to the other;
3. The amendment proposal is consistent with the following policies of the *One Tacoma Comprehensive plan*:

**Policy DD-7.6** Encourage new development to optimize the range of benefits from solar and renewable resources, tree canopy, green roofs, and building design;

**Policy H-3.3** Promote transit supportive densities along designated corridors that connect centers, including duplex, triplex, cottage housing, and townhouses;

**Policy H-5.10** Promote innovative development techniques to better utilize land, promote design flexibility, preserve open space and natural features and conserve energy resources;

**GOAL UF-9** Promote future residential and employment growth in coordination with transit infrastructure and service investments;

**Policy H-1.7** Consider land use incentives (e.g. density or development bonuses, lot size reductions, transfer of development rights, height or bulk bonuses, fee waivers, accelerated permitting, parking requirement reductions, and tax incentives) in appropriate locations to facilitate the development of new housing units;

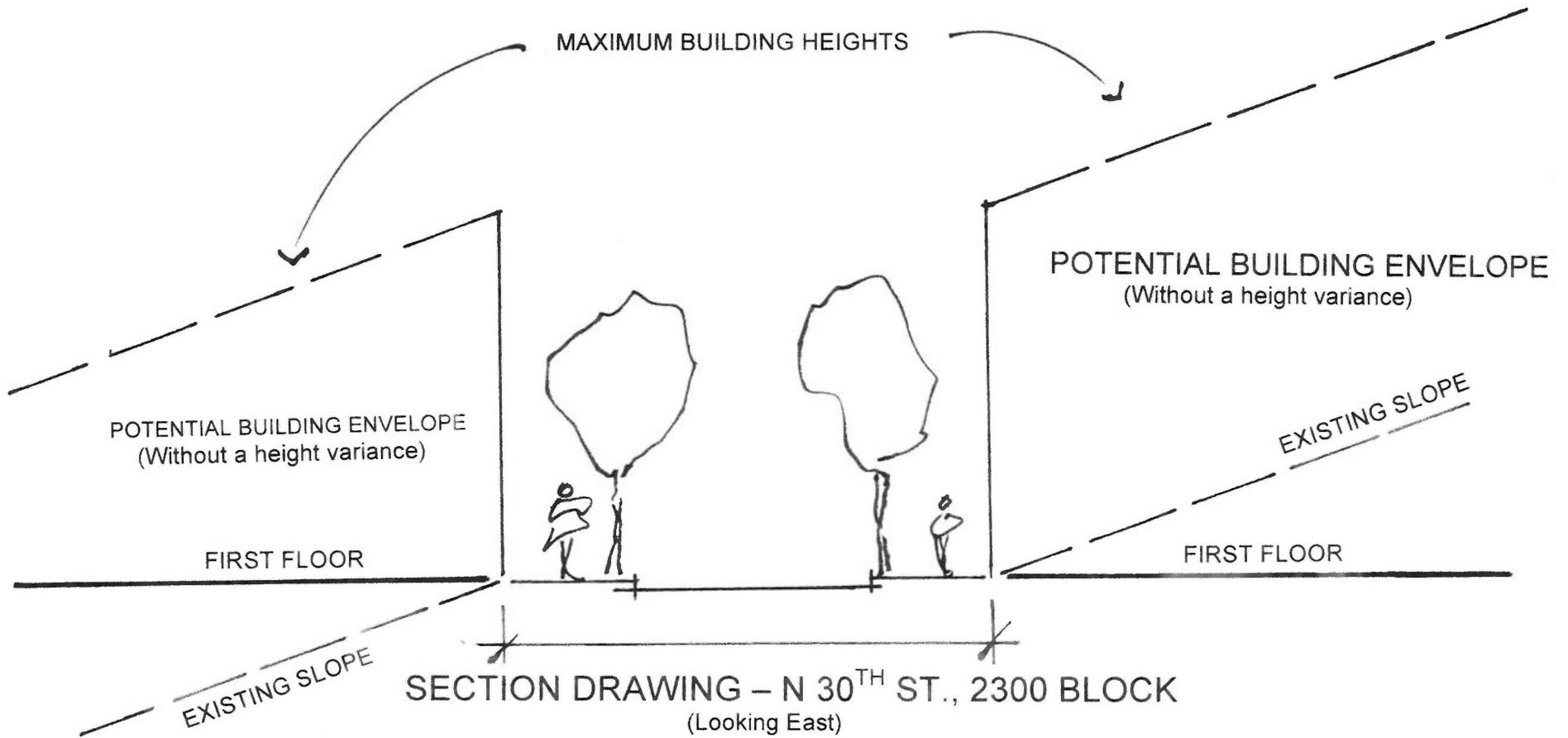
**Policy H-5.10** Promote innovative development techniques to better utilize land, promote design flexibility, preserve open space and natural features and conserve energy resources;

**General Commercial (includes C-2 zone)** This designation encompasses areas for medium to high intensity commercial uses which serve a large community base with a broad range of larger scale uses. These areas also allow for a wide variety of residential development, community facilities, institutional uses, and some limited production and storage uses. These areas are generally located along major transportation corridors, open with reasonably direct access to a highway. This designation is characterized by larger-scale buildings, longer operating hours, and moderate to high traffic generation.

*Target Development Density: 45–75 dwelling units/net acre.*

- Concentrate new housing in and around centers and corridors near transit and services to reduce the housing/transportation cost burden.

4. The proposal would affect the commercial building on the north and south sides of N 30<sup>th</sup> Street. This commercial area has a mix of uses including restaurant retail, service, business and professional office uses. Access to the "Front Door" (or main entrance) for all these is from N 30<sup>th</sup> Street.
5. The proposal is compatible with existing and planned uses. Old Town was approximately 90% developed when the View Sensitive Overlay was passed. Most of the buildings are two stories in height, and several are 45-feet in height, (measured from the public sidewalk on N 30<sup>th</sup> Street). Floor-to-ceiling heights in these existing buildings are gracious, what you would expect to see in small-footprint commercial uses. The C-2 zoning designation and supporting policies clearly support two story, viable multi-use structures, which may be done successfully without a height variance on the south side of N 30<sup>th</sup> Street. But may not be done on the north side of the street, even with a "minor" variance. This regulated imbalance in development potential from one side of the street to the other is a result of commercial building.
6. I've owned a small commercial lot on the north side of N 30<sup>th</sup> Street for years. The site slopes down from the public sidewalk at 8-percent. For every 12.5-feet of distance from the sidewalk existing grade drops a foot. You get the picture. In the early 90s I applied for a pseudo variance. Denied. Attached to this application are preliminary drawings for a mixed-use project that includes a small food-related use next to the street, a professional office behind it and a single residence above. The proposed height is 25-feet at the public sidewalk. The elevation and perspective drawings include a yellow line delineating the maximum allowable height. Even with a site that slopes at the same gradient as the frontage sidewalk, I can't get a second level without a variance. If the same site were located on the other side of the street I would be treated differently under the City's code. If it made sense to locate this project's front door off of N 31<sup>st</sup> Street, it would not be an issue. However, it should be clear to everyone that the front door for all commercial uses should face N 30<sup>th</sup> Street, regardless of which side of the street the building is locate
7. Community outreach has been limited to brief conversations. I have no letters of support or oppose the requested code change.
8. The supplemental information is included in this packet. The underlying question: Was it the City's intent to permit outright, in the Old Town commercial district, two-story buildings on the south side of N 30<sup>th</sup> Street and one-story buildings on the north side of N 30<sup>th</sup> street?



This drawing illustrates how the existing requirement for measuring building height in the Old Town commercial district unfairly reduces the allowable building envelope on the north side of the street, and mandates the need for a height variance for any two-story on that side. This wouldn't be an issue if N 31<sup>st</sup> street could function as the Front Door. It cannot, as the properties across the alley are residential. The front door for all commercial uses in this district is N 30<sup>th</sup> Street.

It should also be noted that using the same height calculation for measuring commercial and residential building heights does not take into consideration the inherent dimensional differences between these uses. Commercial uses tend to need more ceiling height to accommodate mechanical equipment and to make the building occupants/customers feel comfortable. This fact has been noted in height variance approvals for development on the south side of this street.

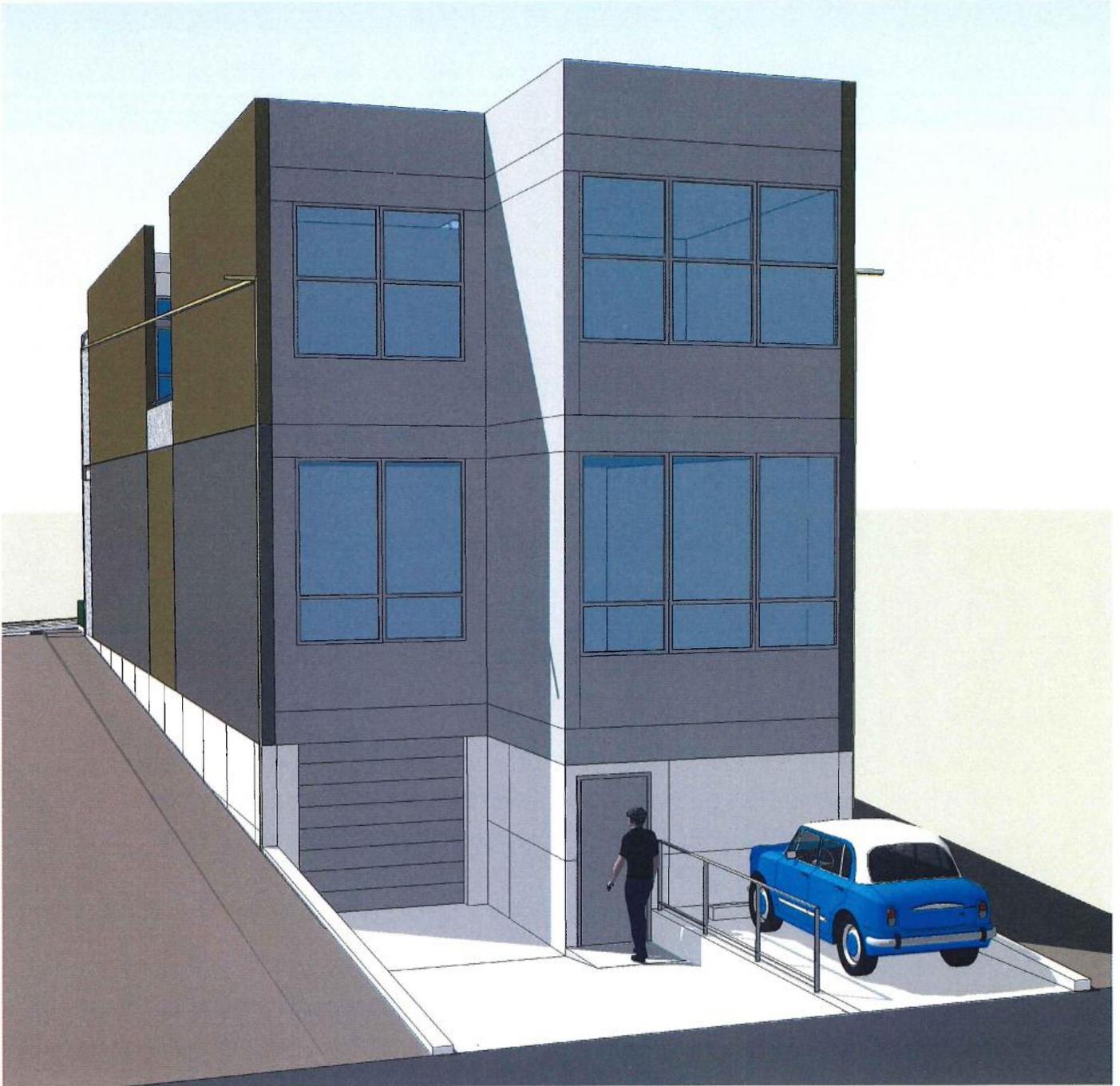


## OLD TOWN DELI - PRELIMINARY FRONT PERSPECTIVE

Address: 2309 N 30<sup>th</sup> Street, Tacoma, WA  
Parcel: 8910000470  
Owner: Ken Thiem 425.442.1741  
Date: May 9, 2014

**CLINKSTON**  
ARCHITECTS

104 West Kinneer Place  
Seattle, WA 98119  
206.286.2000

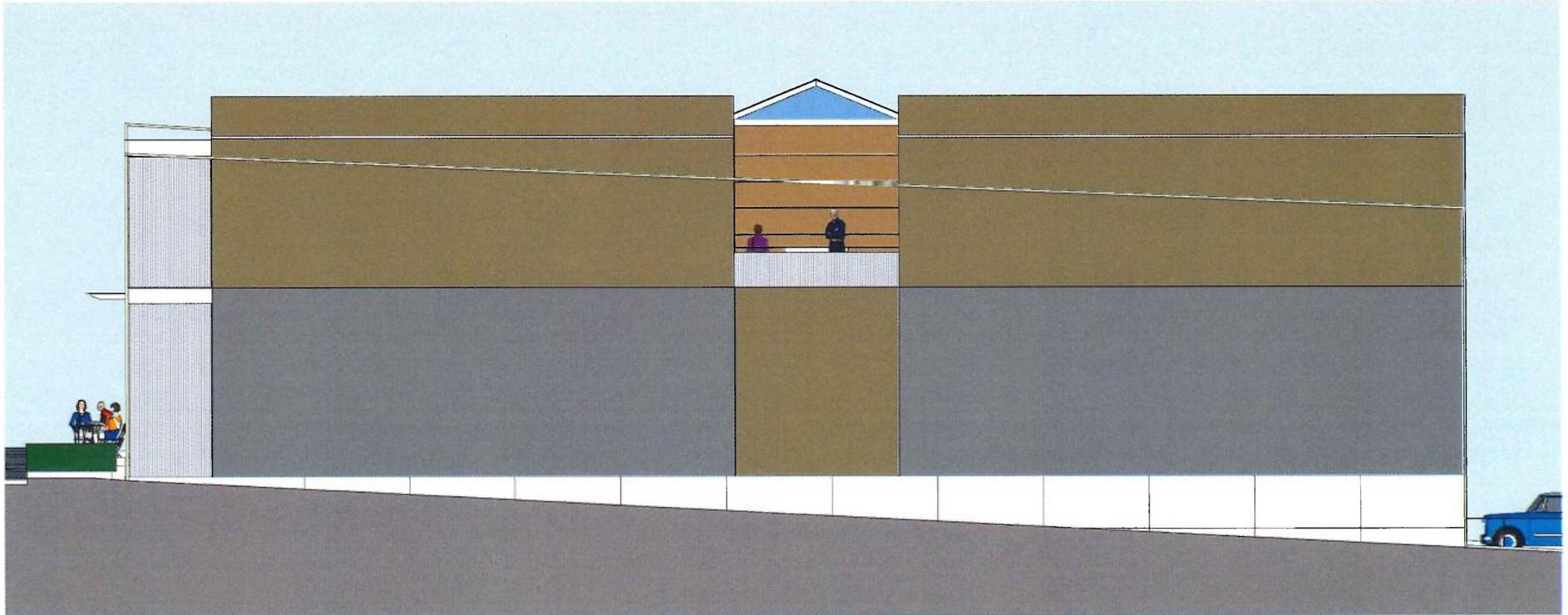


## OLD TOWN DELI - PRELIMINARY REAR PERSPECTIVE

Address: 2309 N 30<sup>th</sup> Street, Tacoma, WA  
Parcel: 8910000470  
Owner: Ken Thiem 425.442.1741  
Date: May 9, 2014

**CLINKSTON**  
ARCHITECTS

104 West Kinnear Place  
Seattle, WA 98119  
206.286.2000

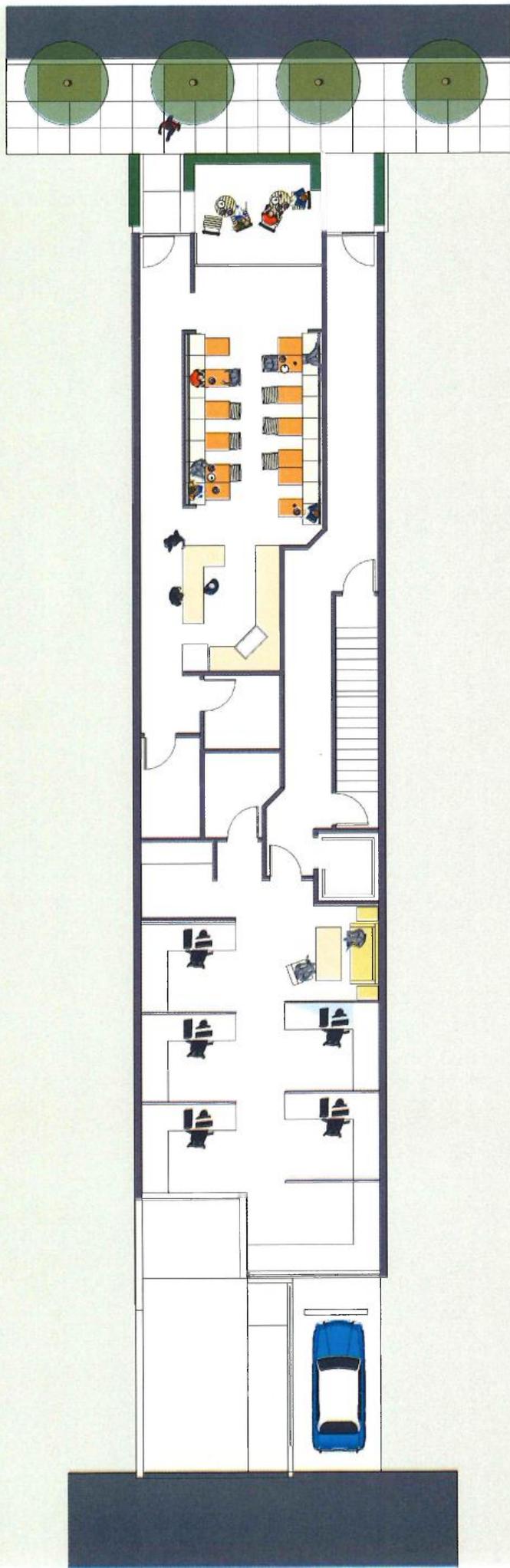


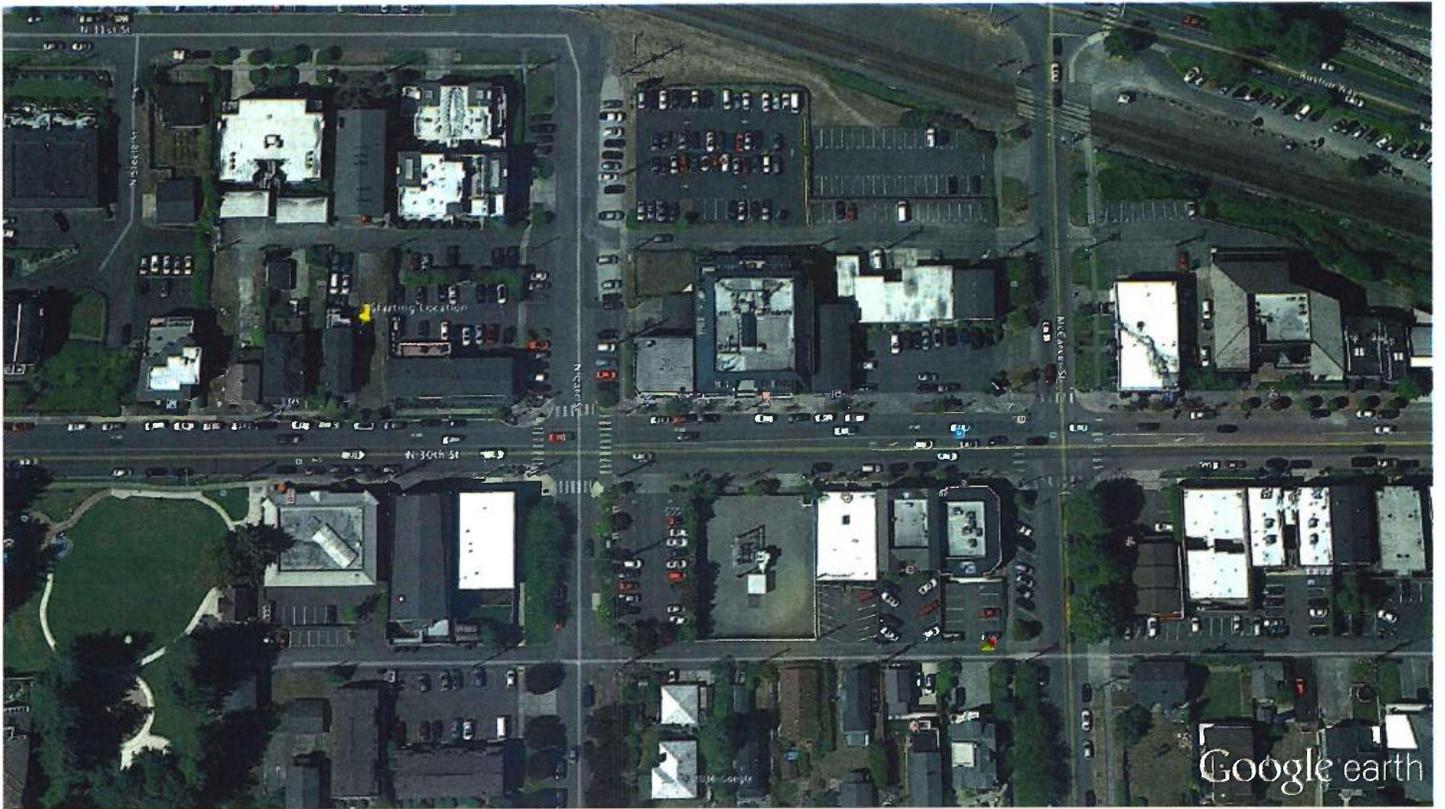
### OLD TOWN DELI – PRELIMINARY EAST ELEVATION

Address: 2309 N 30<sup>th</sup> Street, Tacoma, WA  
Parcel: 8910000470  
Owner: Ken Thiem 425.442.1741  
Date: May 9, 2014

CLINKSTON  
ARCHITECTS

104 West Kinnear Place  
Seattle, WA 98119  
206.286.2000





Google earth

feet  
meters







**To:** Planning Commission  
**From:** Ian Munce, AICP, Special Assistant to the Director,  
**Subject:** **Proposed Correctional Facilities Permanent Regulations**  
**Meeting Date:** January 3, 2018  
**Memo Date:** December 28, 2017

**Action Requested:**

Conduct public hearing to receive testimony on the proposed regulations and leave the record open through January 5, 2018 to accept additional written comments.

**Project Summary:**

The Proposed Correctional Facilities Permanent Regulations would amend several sections of the Tacoma Municipal Code that would:

- Prohibit correctional facilities in multi-family and light industrial zoning districts (where they are currently allowed by zoning);
- Require a Conditional Use Permit for new correctional facilities (in zones where they are allowed) or significant modifications to existing ones;
- As part of the Conditional Use Permit process, require expanded public notice (to properties within 1,000-feet) and a pre-application community meeting; and
- Modify the definition of “correctional facility.”

Currently, there are interim regulations in effect concerning correctional facilities that were originally enacted by the City Council on March 7, 2017, per Ordinance No. 28417, and subsequently modified on May 9, 2017, per Ordinance No. 28429. The proposed permanent regulations, which are the subject of this public hearing, are generally the same as the interim regulations adopted by Council and currently in effect.

Attached in preparation for the public hearing are (1) a Public Review Packet that includes the public hearing notice and the full text of the propose code amendment, and (2) a Staff Analysis Report that provides additional background information about the proposal, staff’s analysis of the proposal against relevant policies of the Comprehensive Plan, and notification efforts associated with the public hearing. More information about the project can be viewed at [www.cityoftacoma.org/Planning](http://www.cityoftacoma.org/Planning) (and click on “Recent and Completed Projects” then “Correctional Facilities Interim Regulations”).

**Prior Actions:**

The Planning Commission began the process of developing permanent regulations in November 2017 for the City Council’s consideration for adoption before the interim regulations expire on March 6, 2018. At the December 6, 2017 meeting, the Commission authorized the distribution of the proposal for public review and set January 3, 2018 as the date for a public hearing.

**Planning Commission**

Proposed Correctional Facilities Permanent Regulations

December 28, 2017

Page 2 of 2

**Staff Contact:**

Ian Munce, AICP, Special Assistant to the Director, (253) 573-2478, [imunce@cityoftacoma.org](mailto:imunce@cityoftacoma.org).

**Attachments:**

1. Public Review Packet – Proposed Correctional Facilities Permanent Regulations (prepared for Public Hearing, January 3, 2018)
2. Staff Analysis Report (December 28, 2017)

c: Peter Huffman, Director



# NOTICE OF PUBLIC HEARING

## PLANNING COMMISSION PUBLIC HEARING CORRECTIONAL FACILITIES – PERMANENT REGULATIONS

**Wednesday, January 3, 2018, 5:30 p.m.**

City Council Chambers  
Tacoma Municipal Building  
747 Market Street  
Tacoma, WA 98402

### How to provide comments?

1. Testify at the hearing on **January 3**; and/or
2. Provide written comments by 5:00 p.m., **Friday, January 5, 2018**, via:
  - E-mail: [planning@cityoftacoma.org](mailto:planning@cityoftacoma.org); or
  - Letter: Planning Commission  
747 Market Street, Room 345  
Tacoma, WA 98402

### Subject of the Public Hearing

Proposed amendments to the Tacoma Municipal Code that would:

- Prohibit correctional facilities in multi-family and light industrial zoning districts (where they are currently allowed by zoning)
- Require a Conditional Use Permit for new correctional facilities (in zones where they are allowed) or significant modifications to existing ones
- As part of the Conditional Use Permit process, require expanded public notice (to properties within 1,000-feet) and a pre-application community meeting
- Modify the definition of “correctional facility”

### Background

Currently, there are interim regulations in effect concerning correctional facilities that were originally enacted by the City Council on March 7, 2017, per Ordinance No. 28417, and subsequently modified on May 9, 2017, per Ordinance No. 28429. The proposed permanent regulations, which are the subject of this public hearing, are generally the same as the interim regulations adopted by Council and currently in effect.



The City of Tacoma does not discriminate on the basis of disability in any of its programs, activities, or services. To request this information in an alternative format or to request a reasonable accommodation, please contact the Planning and Development Services Department at (253) 591-5056 (voice) or (253) 591-5820 (TTY).

747 Market Street, Room 345 ■ Tacoma, WA 98402 ■ (253) 591-5682 ■ FAX (253) 591-5433 ■ <http://www.cityoftacoma.org/planning>

## **Next Steps**

These draft permanent regulations are currently being considered by the Planning Commission. Following the public hearing, the Planning Commission will review all public input received and consider any potential modifications before making a recommendation to the City Council. The City Council is expected to consider this issue in February and make its final decision on the permanent regulations before the interim regulations expire on March 6, 2018.

## **Environmental Review**

A Preliminary Determination of Nonsignificance (DNS) for the proposed permanent regulations has been issued based on the completion of an environmental checklist. Comments on the DNS must be submitted by 5:00 p.m., Friday, January 5, 2018. Unless modified by the City, the DNS will become final on January 12, 2018. The DNS and the environmental checklist are available at the website below.

## **Where to Get More Information**

For more information about the proposal, please visit:

[www.cityoftacoma.org/Planning](http://www.cityoftacoma.org/Planning)

*(click on "Recent and Completed Projects" then "Correctional Facilities Interim Regulations")*

## **Staff Contact**

Ian Munce  
Special Assistant to the Director  
(253) 573-2478  
[imunce@cityoftacoma.org](mailto:imunce@cityoftacoma.org)



# Correctional Facilities Permanent Regulations

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## DRAFT CODE AMENDMENTS

*For Planning Commission's Public Hearing, January 3, 2018*

Note: These amendments show all of the proposed changes to pre-existing Land Use regulations (as they existed prior to the interim regulations). The sections included are only those portions of the code that are associated with these amendments. New text is blue underlined and text that has been deleted is shown as ~~red strikethrough~~.

These draft code amendments include modifications to the following sections of the Tacoma Municipal Code (TMC), Title 13 – Land Use Regulatory Code:

### **Chapter 13.05 – Land Use Procedures**

13.05.020 – Notice Process

### **Chapter 13.06 – Zoning**

13.06.100 – Residential Districts

13.06.400 – Industrial Districts

13.06.640 – Conditional Use Permit

13.06.700 – Definitions and Illustrations

**Chapter 13.05 – LAND USE PERMIT PROCEDURES**

**13.05.020 Notice process.**

\* \* \*

H. Notice and Comment Period for Specified Permit Applications. Table H specifies how to notify, the distance required, the comment period allowed, expiration of permits, and who has authority for the decision to be made on the application.

**Table H – Notice, Comment and Expiration for Land Use Permits**

Permit Type	Pre-application Meeting	Notice: Distance	Notice: Newspaper	Notice: Post Site	Comment Period	Decision	Hearing Required	City Council	Expiration of Permit
* * *									
Conditional use	Required	400 feet; 1000 feet for development sites over 1 acre in size	No	Yes	30 days <sup>5</sup>	Director	No	No	5 years <sup>4</sup>
<a href="#">Conditional use, correctional facility (new or major modification)</a>	<a href="#">Required</a>	<a href="#">1,000 feet</a>	<a href="#">Yes</a>	<a href="#">Yes</a>	<a href="#">30 days<sup>2</sup></a>	<a href="#">Hearing Examiner</a>	<a href="#">Yes</a>	<a href="#">No</a>	<a href="#">5 years</a>
Conditional use, large-scale retail	Required	1,000 feet	Yes	Yes	30 days <sup>2</sup>	Hearing Examiner	Yes	No	5 years
Conditional use, master plan	Required	1000 feet	Yes	Yes	30 days <sup>2</sup>	Director	Yes	No	10 years
Conditional Use, Minor Modification	Optional	No	No	No	No	Director	No	No	5 years
Conditional Use, Major Modification	Required	400 feet; 1000 feet for public facility sites and master plans	No	Yes	14 days <sup>5</sup>	Director	No	No	5 years
* * *									

INFORMATION IN THIS TABLE IS FOR REFERENCE PURPOSE ONLY.

\* Programmatic Restoration Projects can request 5 year renewals to a maximum of 20 years total.

When an open record hearing is required, all other land use permit applications for a specific site or project shall be considered concurrently by the Hearing Examiner (refer to Section 13.05.040.E).

- <sup>1</sup> Conditional use permits for wireless communication facilities, including towers, shall expire two years from the effective date of the Director’s decision and are not eligible for a one-year extension.
- <sup>2</sup> Comment on land use permit proposal allowed from date of notice to hearing.
- <sup>3</sup> Must be recorded with the Pierce County Auditor within five years.
- <sup>4</sup> Special use permits for wireless communication facilities, including towers, are limited to two years from the effective date of the Director’s decision.
- <sup>5</sup> If a public meeting is held, the public comment period shall be extended 7 days beyond and including the date of the public meeting.
- <sup>6</sup> Refer to Section 13.05.070 for preliminary plat expiration dates.
- <sup>7</sup> Public Notification of Minor Variances may be sent at the discretion of the Director. There is no notice of application for Minor Variances.

\* \* \*

**Chapter 13.06 – ZONING**

**13.06.100 Residential Districts.**

\* \* \*

5. District use table.

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations <sup>1</sup>
* * *									
Communication facility	CU	CU	CU	CU	CU	CU	CU	CU	Antennas for such facilities are subject to the additional requirements contained in Section 13.06.545.
Confidential Shelter	P	P	P	P	P	P	P	P	Subject to additional requirements contained in Section 13.06.535.
Continuing care retirement community	N	N	N	N	P	P	P	P	Subject to additional requirements contained in Section 13.06.535.
Correctional facility	N	N	N	N	N	<del>CUN</del>	<del>CUN</del>	<del>CUN</del>	<del>Side yards shall be provided as specified in Section 13.06.602.</del>
* * *									

**13.06.200 Commercial Districts.**

\* \* \*

5. District use table.

Uses	T	C-1	C-2 <sup>1</sup>	HM	PDB	Additional Regulations <sup>2,3</sup> (also see footnotes at bottom of table)
* * *						
Communication facility	N	N	P	N	P	
Confidential shelter	P	P	P	P	P	See Section 13.06.535. Limit: 15 residents in T District.
Continuing care retirement community	P	P	P	P	P	See Section 13.06.535.
Correctional facility	N	N	N	N	N	
* * *						

**13.06.300 Mixed-Use Center Districts.**

\*\*\*

3. District use table.

Uses	NCX	CCX	UCX	RCX <sup>1</sup>	CIX	HMX	URX	NRX	Additional Regulations <sup>3,4,5</sup> (also see footnotes at bottom of table)
***									
Communication facility	CU	CU	P	N	P	N	N	N	Prohibited at street level along frontage of designated pedestrian streets in NCX and CCX Districts. <sup>2</sup>
Confidential shelter	P	P	P	P	P	P	P	P	See Section 13.06.535. Prohibited at street level along frontage of designated core pedestrian streets in NCX. <sup>2</sup> Not subject to minimum densities founding Section 13.06.300.E.
Continuing care retirement community	P	P	P	P	P	P	P	P	See Section 13.06.535. Prohibited at street level along frontage of designated core pedestrian streets in NCX. <sup>2</sup>
Correctional facility	N	N	N	N	N	N	N	N	
***									

**13.06.400 Industrial Districts.**

\* \* \*

5. District use table.

Uses	M-1	M-2	PMI	Additional Regulations <sup>1</sup>
* * *				
Communication facility	P	P	P	
Confidential shelter	P/N*	N	N	See Section 13.06.535. *Not permitted within the South Tacoma M/IC Overlay District.
Continuing care retirement community	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
Correctional facility	<del>P</del> N	<del>P</del> CU	<del>P</del> CU	<a href="#">Modifications or expansions to existing facilities that increase the inmate capacity shall be processed as a major modification (see Section 13.05.080).</a> <a href="#">A pre-application community meeting is also required (see Section 13.06.640.Q).</a>
* * *				

### 13.06.640 Conditional use permit.

A. Purpose. In many zones there are uses that may be compatible but because of their size, operating characteristics, potential off-site impacts and/or other similar reasons warrant special review on a case-by-case basis. The purpose of the conditional use permit review process is to determine if such a use is appropriate at the proposed location and, if appropriate, to identify any additional conditions of approval necessary to mitigate potential adverse impacts and ensure compatibility between the conditional use and other existing and allowed uses in the same zoning district and in the vicinity of the subject property. The zoning district use tables identify which uses require a conditional use permit (see Sections 13.06.100, -.200, -.300, and -.400). These uses may be authorized by the Director or Hearing Examiner in accordance with the procedures established in TMC 13.05 and the applicable criteria outlined below.

\* \* \*

D. Criteria. A conditional use permit shall be subject to the following criteria:

1. There shall be a demonstrated need for the use within the community at large which shall not be contrary to the public interest.
2. The use shall be consistent with the goals and policies of the Comprehensive Plan, any adopted neighborhood or community plan, and applicable ordinances of the City of Tacoma.
3. For proposals that affect properties that are listed individually on the Tacoma Register of Historic Places, or are within historic special review or conservation districts, the use shall be compatible and consistent with applicable historic preservation standards, and goals, objectives and guidelines of the historic or conservation districts. Proposed actions or alterations inconsistent with historic standards or guidelines as determined by the Landmarks Commission are a basis for denial.
4. The use shall be located, planned, and developed in such a manner that it is not inconsistent with the health, safety, convenience, or general welfare of persons residing or working in the community. The following shall be considered in making a decision on a conditional property use:
  - a. The generation of noise, noxious or offensive emissions, light, glare, traffic, or other nuisances which may be injurious or to the detriment of a significant portion of the community.
  - b. Availability of public services which may be necessary or desirable for the support of the use. These may include, but shall not be limited to, availability of utilities, transportation systems (including vehicular, pedestrian, and public transportation systems), education, police and fire facilities, and social and health services.
  - c. The adequacy of landscaping, screening, yard setbacks, open spaces, or other development characteristics necessary to mitigate the impact of the use upon neighboring properties.
5. An application for a conditional use permit shall be processed in accordance with the provisions of Chapter 13.05.

\* \* \*

[Q. An application for a conditional use permit for correctional facilities shall be processed in accordance with the provisions of Chapter 13.05, except with the following additional requirement:](#)

[Pre-application community meeting. Prior to submitting an application to the City for a conditional use permit for a correctional facility, it is required that the applicant hold a public informational meeting with community members. The purpose of the meeting is to provide an early, open dialogue between the applicant and the neighborhood surrounding the proposed development. The meeting should acquaint the neighbors of the proposed development with the applicant and/or developers and provide for an exchange of information about the proposal and the community, including the characteristics of the proposed development and of the surrounding area and any particular issues or concerns of which the applicant should be made aware. The applicant shall provide written notification of the meeting, 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.](#)

\* \* \*

**13.06.700 Definitions and illustrations.**

For the purposes of this chapter, certain words and terms are defined as follows: words used in the present tense include the future, words in the singular number include the plural, and words in the plural number include the singular; the word “building” includes the word “structure”; the word “shall” is mandatory and not directory. For words that are not defined in this chapter, or that do not incorporate a definition by reference, refer to a Webster’s Dictionary published within the last ten years.

\* \* \*

13.06.700.C

\* \* \*

Container, shipping/storage. A large, prefabricated box or container made of metal, wood, or similar material utilized for the shipping/storage and distribution of various products or commodities.

Continuing care retirement community. An age-restricted development that provides a continuum of accommodations and care, from independent living to long-term bed care. Due to the wide range of services provided, such facilities generally operate under multiple state-licensing programs.

Convalescent home. See “extended care facility.”

Cornice. Projection at the top of a wall; a term applied to construction where the roof and side walls meet.

Correctional facility. A publicly owned and operated facility or a privately owned facility operated under contract with a government agency for the incarceration or detention of persons under federal, state or local warrant, awaiting trial on federal, state or local felony or misdemeanor charges, convicted of federal, state or local charges, but not yet sentenced, or serving a federal, state or local sentence upon conviction. This definition includes prerelease facilities, but does not include work release centers or juvenile community facilities.

\* \* \*



# Project: “Proposed Correctional Facilities Permanent Regulations”

## Staff Analysis Report

December 28, 2017

### Introduction

This report is prepared for the Planning Commission’s public hearing on January 3, 2018. The subject of the public hearing is summarized below:

Project Summary	
<b>Project Title:</b>	<b>Proposed Correctional Facilities Permanent Regulations*</b>
<b>Applicant:</b>	City of Tacoma
<b>Location and Size of Area:</b>	Citywide
<b>Current Land Use and Zoning:</b>	All zones are involved
<b>Neighborhood Council Area:</b>	All neighborhood council areas are affected
<b>Staff Contact:</b>	Ian Munce, AICP, <a href="mailto:imunce@cityoftacoma.org">imunce@cityoftacoma.org</a>
<b>Staff Recommendation:</b>	Not prior to the public hearing
<b>Project Proposal:</b>	Amend several sections of the Tacoma Municipal Code that would: <ul style="list-style-type: none"><li>• Prohibit correctional facilities in multi-family and light industrial zoning districts (where they are currently allowed by zoning);</li><li>• Require a Conditional Use Permit for new correctional facilities (in zones where they are allowed) or significant modifications to existing ones;</li><li>• As part of the Conditional Use Permit process, require expanded public notice (to properties within 1,000-feet) and a pre-application community meeting; and</li><li>• Modify the definition of “correctional facility.”</li></ul>
<b>*Additional Notes:</b>	Currently, there are interim regulations in effect concerning correctional facilities that were originally enacted by the City Council on March 7, 2017, per Ordinance No. 28417, and subsequently modified on May 9, 2017, per Ordinance No. 28429. The proposed permanent regulations, which are the subject of this public hearing, are generally the same as the interim regulations adopted by Council and currently in effect.

**Planning and Development Services**  
City of Tacoma, Washington  
Peter Huffman, Director



Ian Munce, AICP  
[imunce@cityoftacoma.org](mailto:imunce@cityoftacoma.org)  
<http://www.cityoftacoma.org/planning>

## Procedural History

### 1. Imposition of Interim Regulations:

The City Council adopted Ordinance No. 28417 on March 7, 2017, enacting emergency interim zoning regulations pertaining to correctional facilities and setting April 25, 2017 as the date for a public hearing on the matter. The interim regulations were effective for six months (through September 6, 2017) or until the City's zoning regulations for correctional facilities are permanently updated. The interim regulations amended the Tacoma Municipal Code, Sections 13.06.100, 13.06.200, 13.06.300, 13.06.400, and 13.06.700, as follows:

- Modified the use definition of "correctional facility" to clearly differentiate between public and private correctional facilities;
- Prohibited the siting of private correctional facilities in all zoning districts;
- Removed public correctional facilities as a permitted use in multi-family and light-industrial zoning districts (i.e., R-4L, R-4, R-5, and M-1); and
- Modified how public correctional facilities are permitted by requiring approval of a Conditional Use Permit in all districts in which they are allowed (currently, M-2 Heavy Industrial and PMI Port Maritime & Industrial).

The adoption of emergency Ordinance No. 28417 was intended to prohibit or require conditional use permits for new or expanded correctional facilities in the interim and to allow time for the City Council and the Planning Commission to conduct appropriate research, analyze potential impacts and applicable local, state and regional policies, and determine the appropriate permanent regulatory framework for public and private correctional facilities in Tacoma.

### 2. Planning Commission's Review:

Per the City Council's request, the Planning Commission reviewed the initial interim regulations and was scheduled to formulate its findings of fact and recommendations to the City Council on April 19, but was not successful in reaching a consensus on a final version of their recommendations. Nonetheless, the Commission decided to forward the draft recommendations as the work-to-date to keep the Council abreast of their observations, concerns and deliberations.

### 3. Modifications to the Interim Regulations:

The City Council adopted Ordinance No. 28429 on May 9, 2017, modifying the Correctional Facilities Interim Regulations (Ordinance No. 28417), as follows:

- Revising the regulations so they regulate public and private correctional facilities in the same manner;
- Revising the permit modification standards to indicate that any modifications that would increase the inmate capacity of an existing facility shall be processed as a conditional use modification;
- Modifying the Conditional Use Permit process standards to ensure significant community engagement as part of any permit for significant modification of an existing correctional facility; and
- Extending the duration of the Interim Regulations from six months to one year (i.e., expiring on March 6, 2018).

## Policy Framework

Summarized below is staff's analysis of the proposed correctional facilities permanent regulations against relevant policies of the *One Tacoma* Comprehensive Plan:

A. The proposed amendment seeks to implement the following Comprehensive Plan policies regarding public participation in development review:

- *Policy PFS-1.3: Coordinate and cooperate with federal, state, regional, and local jurisdictions, private industry, businesses, and citizens in the planning, siting, design, and development of facilities serving and affecting the community.*
- *Policy PFS-3.6: Active public involvement at the earliest point in the siting process shall be encouraged through timely notification, public meetings and hearings.*

These policies are advanced by requiring a Conditional use permit together with a pre-application community meeting.

B. It is less clear as to how simply adding additional public participation requirements advances the following Comprehensive Plan public facility siting policies:

- *Policy PFS-3.7: Notify and coordinate with adjacent jurisdictions that are affected by the siting of an essential public facility. Equitable distribution of facilities for the populations they serve will be cooperatively established through inter-local agreements in order to ensure that all jurisdictions share the burden of providing essential public facilities.*
- *Policy PFS-3.5: If Tacoma is selected as a site for a regional or statewide essential public facility, or is otherwise impacted by a regional or statewide facility's development, expansion or operation, ensure that impacts on Tacoma are mitigated.*

However, the siting mandates of RCW 36.70A.200 and WAC365-196-550 provide an overarching structure (Exhibit A) and the controlling Comprehensive Plan goal is to "Collaborate with regional partners to site essential public facilities in an equitable and practical manner" (Goal PFS-3). Further, adding a conditional use permit review will advance the first part of Policy PFS-3.7 (i.e., "Notify and coordinate with adjacent jurisdictions that are affected by the siting of an essential public facility"). Finally, the City Comprehensive Plan highlights that "Regional public facilities are designated by GMA as essential public facilities. The City realizes that these facilities are often difficult to site, but they provide needed public services. Tacoma will coordinate with other jurisdictions in the region to site public facilities and will not exclude such facilities from its jurisdiction" (CP 9-6).

C. It is also less clear as to how simply adding additional public participation requirements advances the following Comprehensive Plan Container Port Element policies:

- *Core Area Vision and Principles: Uses should be prioritized as follows: (1) cargo facilities and activities, (2) water dependent port uses, (3) water related port uses, and (4) other uses permitted in Port Maritime Industrial zoning.*
- *CP-2: Port and Port-Related Cargo and Industrial Land – Preservation of available industrial waterfront land for port and port-related container and industrial activity is vital to the City's economy. Prohibit uses that would negatively affect the availability of land for the primary port*

*and port-related cargo and industrial function of the Core Area. Encourage aggregation of industrial land for future development as cargo port terminals and supporting uses.*

- *CP-3: Incompatible Core Area Uses – Clearly identify and prohibit uses that are entirely incompatible with the Core Area uses. Examples may include those that attract people to the area for non-industrial purposes or that would be incompatible with typical industrial area impacts (noise, truck movement, etc.). These may include residential, general retail, temporary lodging or other similar uses.*

It should be noted that these land-use issues are to be addressed in the forthcoming subarea planning process for the Tideflats. Also note that, in reference to “Core Area Vision and Principles” above, the Core Area is coterminous with Port Maritime Industrial Zoning (PMI).

- D. It is clear that the public transit requirement set forth in the Comprehensive plan is not met by the existing correctional facility located in the Tacoma Tideflats—there is no transit service nearby and there is substantial demand:
- *Policy PFS–3.4: Major essential public facilities that generate substantial travel-demand should be sited along or near major transportation and public transit corridors.*

Adding transit service might be an appropriate requirement for any new conditional use permit.

## Objectives

The proposed amendment seeks to achieve the following objectives:

- Respond to changing circumstances, such as growth and development patterns, needs and desires of the community, and the City’s capacity to provide adequate services. Specifically, after extensive public participation the City has adopted new Comprehensive plan policies since the three correctional facilities (County Jail, Redman Hall, and Detention Facility) were opened.
- Maintain or enhance compatibility with existing or planned land uses and the surrounding development pattern. Adding a conditional use requirement will allow these new policies to be properly considered in any new siting decisions, whether for existing or new locations.

## Options Analysis

In Washington State a major focus is placed on the “essential public facility” category under RCW36.70A.200. There is a broad spectrum of opinion as to how this category can and should be applied to specific essential facility requests. City staff considers that the correctional facility definition appropriately captures detention as well as correctional facilities. Additionally, for clarification purposes it is important to highlight that the 5-year permit expiration referenced in the City Conditional Use code sections refers to the time to act/initiate/construct/open an approved use/facility, not the full duration of the approval such that an applicant would have to vacate or get another approval after 5-years.

As to the Detention Facility, research reveals that ICE Detention facilities across the country are handled differently depending on the unique state/local regulatory framework.

## Impacts Assessment

The proposed amendment will avoid correctional facilities being located in residential areas, focus on heavy industrial areas (pending subarea plan review), and increase the public participation for new or expanded correctional facilities.

## Outreach Summary

The public record on this proposal is extensive. Materials received since the January 3, 2018 public hearing notice was issued are attached (Exhibit B).

## Public Hearing Notifications

Documented below are the notification efforts for the public hearing as well as the environmental evaluation and takings review of the proposal:

### 1. Notification:

Notification for the public hearing has been conducted to reach a broad-based audience, through the following efforts that occurred in December 2017:

- (a) **Public Hearing Notice** – The public hearing notice was distributed on December 15, 2017, to approximately 1,000 individuals on the Planning Commission’s e-mail and U.S. mail distribution lists. The mailing lists include such entities as the City Council, Neighborhood Councils, business district associations, civic organizations, environmental groups, the development community, the Puyallup Tribal Nation, adjacent jurisdictions, major employers and institutions, City and State departments, and other interested parties.
- (b) **Library** – A request was made to the Tacoma Public Library on December 18, 2017 to make the public review packet, including the public hearing notice, available for patrons’ review at all branches.
- (c) **News Media** – An advertisement was placed on The News Tribune on December 19, 2017; and a legal notice was published on the Tacoma Daily Index on December 19, 2017. A City of Tacoma News Release was distributed on December 20, 2017. A recurring public hearing notice has been run on TV Tacoma through January 3, 2018.
- (d) **60-Day Notices** – A “Notice of Intent to Adopt Amendment 60 Days Prior to Adoption” was sent to the State Department of Commerce (per RCW 36.70A.106) on December 15, 2017. A similar notice was sent to Joint Base Lewis-McChord (per RCW 36.70A.530(4)) on December 18, 2017, asking for comments within 60 days of receipt of the notice.
- (e) **Tribal Consultation** – A letter was sent to the chairman of the Puyallup Tribe of Indians on December 18, 2017, to formally invite the Tribe’s consultation on the proposed amendment.
- (f) **Website** – The public hearing notice, the public review packet, and the DNS and Environmental Checklist have been posted on the project’s website, which can be accessed by visiting [www.cityoftacoma.org/Planning](http://www.cityoftacoma.org/Planning) and clicking on “Recent and Completed Projects” then “Correctional Facilities Interim Regulations”.

### 2. Environmental Evaluation:

A Preliminary Determination of Nonsignificance (DNS) for the proposed permanent regulations was issued on December 14, 2017, based on the completion of an environmental checklist. Comments on the DNS must be

submitted by 5:00 p.m., Friday, January 5, 2018. Unless modified by the City, the DNS will become final on January 12, 2018. The DNS and the environmental checklist are available for review at the project's website.

3. Takings:

A copy of the public review packet was forwarded to the City Attorney's Office for their review, pursuant to RCW 36.70A.370 and following the State Attorney General's recommended checklist, to determine if the City Council's adoption of the proposal might result in an unconstitutional taking of private property. Legal counsel has responded with an indication that based on the information provided the proposed amendment does not appear to do so.

## Exhibits

- A. RCW 36.70A.200 and WAC365-196-550
- B. Public Comments Received To Date (December 28, 2017)

**EXHIBIT A**  
**RCW 36.70A.200 AND WAC 365-196-550**

(Proposed Correctional Facilities Permanent Regulations, Staff Analysis Report, December 28, 2017)

**RCW 36.70A.200**

**Siting of essential public facilities—Limitation on liability.**

(1) The comprehensive plan of each county and city that is planning under RCW [36.70A.040](#) shall include a process for identifying and siting essential public facilities. Essential public facilities include those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW [47.06.140](#), regional transit authority facilities as defined in RCW [81.112.020](#), state and local correctional facilities, solid waste handling facilities, and inpatient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW [71.09.020](#).

(2) Each county and city planning under RCW [36.70A.040](#) shall, not later than September 1, 2002, establish a process, or amend its existing process, for identifying and siting essential public facilities and adopt or amend its development regulations as necessary to provide for the siting of secure community transition facilities consistent with statutory requirements applicable to these facilities.

(3) Any city or county not planning under RCW [36.70A.040](#) shall, not later than September 1, 2002, establish a process for siting secure community transition facilities and adopt or amend its development regulations as necessary to provide for the siting of such facilities consistent with statutory requirements applicable to these facilities.

(4) The office of financial management shall maintain a list of those essential state public facilities that are required or likely to be built within the next six years. The office of financial management may at any time add facilities to the list.

(5) No local comprehensive plan or development regulation may preclude the siting of essential public facilities.

(6) No person may bring a cause of action for civil damages based on the good faith actions of any county or city to provide for the siting of secure community transition facilities in accordance with this section and with the requirements of chapter 12, Laws of 2001 2nd sp. sess. For purposes of this subsection, "person" includes, but is not limited to, any individual, agency as defined in RCW [42.17A.005](#), corporation, partnership, association, and limited liability entity.

(7) Counties or cities siting facilities pursuant to subsection (2) or (3) of this section shall comply with RCW [71.09.341](#).

(8) The failure of a county or city to act by the deadlines established in subsections (2) and (3) of this section is not:

(a) A condition that would disqualify the county or city for grants, loans, or pledges under RCW [43.155.070](#) or [70.146.070](#);

(b) A consideration for grants or loans provided under RCW [43.17.250](#)(3); or

(c) A basis for any petition under RCW [36.70A.280](#) or for any private cause of action.

## WAC 365-196-550

### Essential public facilities.

(1) Determining what facilities are essential public facilities.

(a) The term "essential public facilities" refers to public facilities that are typically difficult to site. Consistent with county-wide planning policies, counties and cities should create their own lists of "essential public facilities," to include at a minimum those set forth in RCW [36.70A.200](#).

(b) For the purposes of identifying facilities subject to the "essential public facilities" siting process, it is not necessary that the facilities be publicly owned.

(c) Essential public facilities include both new and existing facilities. It may include the expansion of existing essential public facilities or support activities and facilities necessary for an essential public facility.

(d) The following facilities and types of facilities are identified in RCW [36.70A.200](#) as essential public facilities:

(i) Airports;

(ii) State education facilities;

(iii) State or regional transportation facilities;

(iv) Transportation facilities of statewide significance as defined in RCW [47.06.140](#). These include:

(A) The interstate highway system;

(B) Interregional state principal arterials including ferry connections that serve statewide travel;

(C) Intercity passenger rail services;

(D) Intercity high-speed ground transportation;

(E) Major passenger intermodal terminals excluding all airport facilities and services;

(F) The freight railroad system;

(G) The Columbia/Snake navigable river system;

(H) Marine port facilities and services that are related solely to marine activities affecting international and interstate trade;

(I) High capacity transportation systems.

(v) Regional transit authority facilities as defined under RCW [81.112.020](#);

(vi) State and local correctional facilities;

(vii) Solid waste handling facilities;

(viii) In-patient facilities, including substance abuse facilities;

(ix) Mental health facilities;

(x) Group homes;

(xi) Secure community transition facilities;

(xii) Any facility on the state ten-year capital plan maintained by the office of financial management.

(e) Essential public facility criteria apply to the facilities and not the operator. Cities and counties may not require applicants who operate essential public facilities to use an essential public facility siting process for projects that would otherwise be allowed by the development regulations. Applicants who operate essential public facilities may not use an essential public facility siting process to obtain approval for projects that are not essential public facilities.

(f) Regardless of whether it is a new, existing or an expansion or modification of an existing public facility, the major component in the identification of an essential public facility is whether it provides or is necessary to provide a public service and whether it is difficult to site.

(2) Criteria to determine if the facility is difficult to site. Any one or more of the following conditions is sufficient to make a facility difficult to site.

(a) The public facility needs a specific type of site of such as size, location, available public services, which there are few choices.

(b) The public facility needs to be located near another public facility or is an expansion of an essential public facility at an existing location.

(c) The public facility has, or is generally perceived by the public to have, significant adverse impacts that make it difficult to site.

(d) Use of the normal development review process would effectively preclude the siting of an essential public facility.

(e) Development regulations require the proposed facility to use an essential public facility siting process.

(3) Preclusion of essential public facilities.

(a) Cities and counties may not use their comprehensive plan or development regulations to preclude the siting of essential public facilities. Comprehensive plan provisions or development regulations preclude the siting of an essential public facility if their combined effects would make the siting of an essential public facility impossible or impracticable.

(i) Siting of an essential public facility is "impracticable" if it is incapable of being performed or accomplished by the means employed or at command.

(ii) Impracticability may also include restrictive zoning; comprehensive plan policies directing opposition to a regional decision; or the imposition of unreasonable conditions or requirements.

(iii) Limitations on essential public facilities such as capacity limits; internal staffing requirements; resident eligibility restrictions; internal security plan requirements; and provisions to demonstrate need may be considered preclusive in some circumstances.

(b) A local jurisdiction may not include criteria in its land use approval process which would allow the essential public facility to be denied, but may impose reasonable permitting requirements and require mitigation of the essential public facility's adverse effects.

(c) An essential public facility is not precluded simply because the comprehensive plan provisions would be too costly or time consuming to comply with.

(d) If the essential public facility and its location have been evaluated through a state or regional siting process, the county or city may not require the facility to go through the local siting process.

(e) Essential public facilities that are sited through a regional or state agency are distinct from those that are "sited by" a city or county or a private organization or individual. When a city or county is siting its own essential public facility, public or private, it is free to establish a nonpreclusive siting process with reasonable criteria.

(4) Comprehensive plan.

(a) Requirements:

(i) Each comprehensive plan shall include a process for identifying and siting essential public facilities. This process must be consistent with and implement applicable county-wide planning policies.

(ii) No local comprehensive plan may preclude the siting of essential public facilities.

(b) Recommendations for meeting requirements:

(i) Identification of essential public facilities. When identifying essential public facilities, counties and cities should take a broad view of what constitutes a public facility, involving the full range of services to the public provided by the government, substantially funded by the

government, contracted for by the government, or provided by private entities subject to public service obligations.

(ii) Agreements among jurisdictions should be sought to mitigate any disproportionate financial burden which may fall on the county or city which becomes the site of a facility of a statewide, regional, or county-wide nature.

(iii) Where essential public facilities may be provided by special districts, the plans under which those districts operate must be consistent with the comprehensive plan of the city or county. Counties and cities should adopt provisions for consultation to ensure that such districts exercise their powers in a way that does not conflict with the relevant comprehensive plan.

(c) The siting process should take into consideration the need for county-wide, regional, or statewide uniformity in connection with the kind of facility under review.

(5) Development regulations governing essential public facilities.

(a) Development regulations governing the siting of essential public facilities must be consistent with and implement the process set forth in the comprehensive plan.

(b) Except where county-wide planning policies have otherwise dictated siting choices, provision should be made for the possibility of siting each of the listed essential public facilities somewhere within each county's or city's planning area.

(c) Counties and cities should consider the criteria established in their comprehensive plan, in consultation with this section to determine if a project is an essential public facility. Counties and cities may also adopt criteria for identifying an essential public facility.

(d) If an essential public facility does not present siting difficulties and can be permitted through the normal development review process, project review should be through the normal development review process otherwise applicable to facilities of its type.

(e) If an essential public facility presents siting difficulties, the application should be reviewed using the essential public facility siting process.

(6) The essential public facility siting process.

(a) The siting process may not be used to deny the approval of the essential public facility. The purpose of the essential public facility siting process is to allow a county or city to impose reasonable conditions on an essential public facility necessary to mitigate the impacts of the project while ensuring that its development regulations do not preclude the siting of an essential public facility.

(b) The review process for siting essential public facilities should include a requirement for notice and an opportunity to comment to other interested counties and cities and the public.

(c) The permit process may include reasonable requirements such as a conditional use permit, but the process used must ensure a decision on the essential public facility is completed without unreasonable delay.

(d) The essential public facility siting process should identify what conditions are necessary to mitigate the impacts associated with the essential public facility. The combination of any existing development regulations and any new conditions may not render impossible or impracticable, the siting, development or operation of the essential public facility.

(e) Counties and cities should consider the extent to which design conditions can be used to make a facility compatible with its surroundings. Counties and cities may also consider provisions for amenities or incentives for neighborhoods in which facilities are sited. Any conditions imposed must be necessary to mitigate an identified impact of the essential public facility.

**EXHIBIT B**  
**Public Comments Received To Date**  
**December 28, 2017**

Proposed Correctional Facilities Permanent Regulations  
Planning Commission Public Hearing  
January 3, 2018

## Wung, Lihuang

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**From:** Nancy Lee Farrell <nfarrellwa@gmail.com>  
**Sent:** Thursday, December 28, 2017 8:50 AM  
**To:** Planning  
**Subject:** Fwd: The Northwest Detention Center

----- Forwarded message -----

From: **Nancy Lee Farrell** <[nfarrellwa@gmail.com](mailto:nfarrellwa@gmail.com)>  
Date: Thu, Dec 28, 2017 at 8:47 AM  
Subject: The Northwest Detention Center  
To: [imunce@cityoftacoma.org](mailto:imunce@cityoftacoma.org), [planning@cityoftacoma.org](mailto:planning@cityoftacoma.org), Nancy Lee Farrell <[nfarrellwa@gmail.com](mailto:nfarrellwa@gmail.com)>

For about nine years, there have been groups of us who vigil at the Northwest Detention Center for the visitors who come to see the detainees at the Northwest Detention Center. We hear their stories.

All is not well. We have heard stories of inadequate food, sparse medical, dental, and psychological help, inflated commissary prices, \$1.00 a day for work done by detainees, expensive telephone and skype, hunger strikers put in solitary confinement, inadequate judicial proceedings, bail that is exorbitant for families of detainees.

The most serious is incarceration of people who have done nothing wrong, and instant threat of break-up of families by imprisonment and deportation..

We urge the commission to be aware of the reality of the Northwest Detention Center.

Nancy Farrell, 4005 N. 24th St., Tacoma, WA 98406  
Phone: [253-952-0571](tel:253-952-0571)

## **Wung, Lihuang**

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**From:** Mike Honey <mhoney@uw.edu>  
**Sent:** Saturday, December 16, 2017 9:19 AM  
**To:** Planning  
**Subject:** Detention center

Like many others, I am deeply disturbed by the detention center. Our Attorney General is suing them for coerced Labor at one dollar a day. This profiteering enterprise is a disgrace. Michael Honey

Sent from my iPhone

## Wung, Lihuang

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**From:** Alex Macdonald <AlexofSkye@comcast.net>  
**Sent:** Friday, December 22, 2017 9:38 PM  
**To:** Planning  
**Subject:** Correctional Facilities

Dear members of the planning commission, Thank you for inviting comments. I would agree that having this forum is appropriate if not outright vital.

I'll be brief.

1) Allowing a private prison — or whatever euphemism one prefers — to exist is contrary to the spirit of this great nation. Every one of you should know that. We don't support, let alone institutionalize, profiting from the mistakes and difficulties of others. It's immoral.

2) As it is necessary that I stated item one, and seeing that you and others seem blind to it, I'll add that if you continue to allow this then AT LEAST:

\* Require standards within this prison matching the Warsaw Treaty's regarding prisoners. That may require some homework on your part, or you may assign it to assistants, but it must never be said that the city of Tacoma was aware that people were being mistreated and then allowed it to continue.

\* See that the prisoners — or, again, whatever euphemism you prefer to use — are paid the legal minimum wage for whatever work they are given. If you choose to allow this Geo group to make their profit, then have the taxpaying citizens of Tacoma give it to them, not the prisoners. Again, this is a clear issue of morality.

I am hoping that you will “do the right thing” regarding the NW Detention Center.

Alex Macdonald, University Place

Sent from my iPhone

# **CITY OF TACOMA: HISTORIC RESOURCES**

# TACOMA'S HISTORIC DISTRICTS & LANDMARKS

The City of Tacoma boasts four historic districts and over 170 individual landmarks on our local register, as well as an additional four districts on the Washington and National Registers. These landmarks reflect the city's unique history, and run the gamut from cottages to mansions; warehouses to skyscrapers; massive power stations and railroad headquarters to neighborhood firehouses, churches, and schools.



## LOCAL HISTORIC DISTRICTS

### OLD CITY HALL DISTRICT

Designated in 1978, the Old City Hall Historic District is an outstanding example of the late 19th century commercial style, covering over 30 properties. (TR, WR, NR)

### UNION DEPOT/WAREHOUSE DISTRICT

Added to the local register in 1983, the Union Depot/Warehouse District is characterized by rugged brick warehouses and factories. It has won two National Preservation Honor Awards for adaptive reuse (TR, WR, NR)

### NORTH SLOPE & WEDGE DISTRICTS

The North Slope Historic District is one of the largest districts in the country, comprising over 950 properties. It is a largely residential district comprised of Victorian, Craftsman, and Foursquare houses. The adjacent Wedge District represents Tacoma's middle-class, pre-WWI residential architecture. (TR, WR, NR)



## NATIONAL & WA DISTRICTS

### STADIUM/SEMINARY DISTRICT

Stadium is one of Tacoma's earliest residential neighborhoods, offering examples of high-style homes and showcasing the distinctive architecture of Stadium High School. (NR)

### SALMON BEACH DISTRICT

Salmon Beach includes 100 waterfront cabins along the steep bluff of the Tacoma Narrows waterway, representing the unique character of this historic community. (WR)

### BUCKLEY'S ADDITION DISTRICT

Buckley's Addition typifies the streetcar suburbs of Tacoma, and showcases Queen Anne, Colonial and Tudor Revivals, Foursquare, and Craftsman architecture. (WR, NR)

### COLLEGE PARK DISTRICT

The College Park District showcases a broad range of architectural types, with a period of significance from 1890-1960. The district includes 509 contributing properties. (WR, NR)

## TACOMA LANDMARKS

Tacoma has over 170 individual landmarks on the local register, including a diverse variety of buildings and sites:

- Pagoda and Lodge at Point Defiance Park
- Winthrop Hotel
- Nisqually Power Substation
- Slavonian Hall (Social Hall)
- Rialto Theatre
- Tacoma Buddhist Church
- Seymour Conservatory, Wright Park
- 5 Bridges
- 11 Historic Schools
- 13 Historic Firehouses



# LOCAL WORKSHOPS & TOURS

Tacoma's diversity of historic landmarks, districts, and cultural sites offer an ideal location for guided tours and workshops. The city also provides easy access to a variety of historic sites around the Puget Sound region, ranging from dense urban neighborhoods, rural historic sites, and National Parks.

## TACOMA TOURS



### UNIVERSITY OF WASHINGTON TACOMA & THE PRAIRIE LINE TRAIL

The University of Washington Tacoma is an award-winning example of adaptive reuse located on the former terminus of the Northern Pacific Railroad. The Prairie Line Trail interpretive corridor runs through campus, with a variety of interpretive artworks and accompanying website, [www.PrairieLineTrail.org](http://www.PrairieLineTrail.org).



### FOSS WATERWAY & WATERFRONT

Tacoma's history is inextricably linked with the city's deep-water port, and one of the best ways to see the City is from the water. The Foss Waterway's environmental history also offers an important story of waterfront cleanup and revitalization.



### HISTORIC NEIGHBORHOODS

In addition to the multiple neighborhoods already designated as historic districts, Tacoma has a variety of in-tact, historic neighborhoods with rich histories.

## OTHER TOUR LOCATIONS

- Old City Hall Historic District, including the Elks Lodge
- Fort Nisqually and Point Defiance Park
- Old Town and Job Carr Cabin Museum
- Wright Park and Stadium District
- Museum District: Washington State History Museum, TAM, & Museum of Glass
- University of Puget Sound

## MOBILE WORKSHOPS



### SEATTLE'S PIONEER SQUARE & HISTORIC DISTRICTS

Designated as a historic district in 1970, Seattle's Pioneer Square District dates to 1852 as the first permanent white settlement in the City of Seattle. The district boasts one of the nation's best surviving collections of Romanesque Revival urban architecture.



### MOUNT RAINIER NATIONAL PARK

The cultural landscapes of Mount Rainier National Park are easily within reach of Tacoma. The park showcases intact examples of "National Park Service Rustic" style architecture.



### PIERCE COUNTY HISTORIC SITES

Pierce County offers a variety of landmark sites that address different aspects of the history of western development, such as the Western State Hospital and Ezra Meeker Mansion. In addition, the Puyallup Tribe of Indians have multiple cultural resources located in Tacoma and in other parts of Pierce County.

## OTHER SITE VISITS

- Vashon and Maury Islands
- Historic sites in Olympia, Washington State Capitol
- Gig Harbor Maritime Museum & District
- Joint Base Lewis McChord and the Lewis Army Museum
- Klondike Gold Rush National Park
- Seattle's King Street Station

# CONFERENCE FACILITIES & HISTORIC VENUES

## CONFERENCE FACILITIES

Tacoma's Convention Center and Hotel Murano are located in the heart of downtown Tacoma, just on the perimeter of the Union Depot/Warehouse Historic District.

The Convention Center facilities include a grand ballroom of over 13,000 square feet, exhibit hall, and over 12 additional meeting/breakout rooms. For more detail about the conference facilities, see Appendix E.



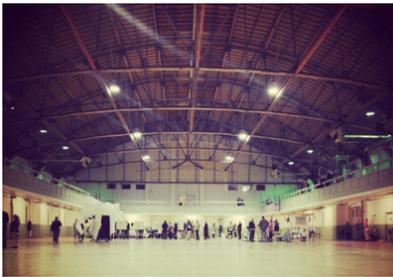
## HISTORIC VENUES

Tacoma has a wide range of historic venues representing a variety of architectural styles and eras. Most of these venues are located in or near downtown Tacoma and the Convention Center.



### UNION STATION

The historic Union Station building now serves as a courthouse, but the building is often rented for weddings and other events. The interior of the dome is still open, with a picturesque Chihuly glass art installation in the windows of the former train station's waiting room.



### HISTORIC THEATERS & ARMORY

The Pantages and Rialto Theatres represent an era of booming theatre in Tacoma, and the Tacoma Armory is a historic drill hall. All three are operated by the Broadway Center for the Performing Arts, and can be rented for events.



### WASHINGTON STATE HISTORY MUSEUM

Washington's state-wide history museum is located in downtown Tacoma. The building, built in the early 1990s, references nearby historic architecture, including Union Station. The museum's theatre space and great hall can be rented for events.



### FOSS WATERWAY SEAPORT MUSEUM

The Foss Waterway Seaport Museum is housed inside a historic wheat warehouse located on a pier overlooking the Foss Waterway. The space is available for rent for large events, and offers beautiful views of Puget Sound.

## OTHER HISTORIC VENUES

- **Titlow Beach Lodge**, Craftsman meeting space in a historic park
- **Prairie Line Trail**, linear park, and other spaces on the **University of Washington Tacoma Campus**
- **Winthrop Hotel**, a refurbished historic hotel with Crystal Ballroom
- **Lodge and Pagoda** at Point Defiance Park
- **Urban Grace Church**
- **Court House Square**, a historic federal building with large ballroom
- **Union Club**, a historic club and co-working space
- **Stadium High School**, a landmark school site
- **Pythian Temple**, a historic brick social hall that offers tours and rentals



# 2018 AMENDMENT TO THE COMPREHENSIVE PLAN AND LAND USE REGULATORY CODE

## Open House and Q&A with City Staff

Wednesday, January 10, 2018, at 6:00 p.m.  
City Council Chambers, 747 Market Street, Tacoma, WA

Please join Planning and Development Services staff for a presentation and question and answer discussion regarding the 2018 Amendments to the Comprehensive Plan and Land Use Regulatory Code. The following projects are moving forward through Planning Commission review with anticipated City Council adoption in June of 2018.

Additional information is available online at [www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning). Or email Stephen Atkinson, Senior Planner, at [satkinson@cityoftacoma.org](mailto:satkinson@cityoftacoma.org) with any questions regarding the amendment process.



### Car Wash Uses in Neighborhood Centers

The application seeks to amend the Land Use Regulatory Code to allow car wash facilities in the Neighborhood Commercial Mixed-use Zoning District (NCX).

Staff Contact: Lihuang Wung, Senior Planner, [lwung@cityoftacoma.org](mailto:lwung@cityoftacoma.org)



### Outdoor Tire Storage

The application seeks to amend the Land Use Regulatory Code concerning development standards for Vehicle Service and Repair businesses, with a focus on discount and used tire shops in the C-2 General Community Commercial District.

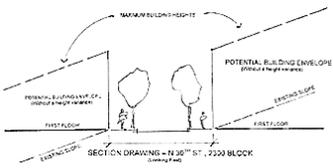
Staff Contact: John Harrington, Principal Planner, [jharring@cityoftacoma.org](mailto:jharring@cityoftacoma.org)



### S 80th Street Rezone

This project seeks to rezone an area along S. 80th Street from Planned Development Business District (PDB) to a more appropriate district that is consistent with the recommendations from the Joint Base Lewis-McChord Joint Land Use Study and the current use makeup of the area.

Staff Contact: Lauren Flemister, Senior Planner [lflemister@cityoftacoma.org](mailto:lflemister@cityoftacoma.org)



### View Sensitive District Height Measurement

The application seeks to amend the Land Use Regulatory Code concerning how building heights are measured in a View-Sensitive Overlay District (VSD), which has a reduced height limit (25-foot) and a measurement methodology that is unique from other districts.

Staff Contact: Lauren Flemister, Senior Planner, [lflemister@cityoftacoma.org](mailto:lflemister@cityoftacoma.org)



### Transportation Master Plan – Limited Amendment

These amendments will address work that has been completed since the adoption of the Transportation master Plan, including the new Environmental Action Plan, the upcoming Safe Routes to Schools Implementation Plan, the Pedestrian Safety Improvement Program, and some increased funding opportunities.

Staff Contact: Josh Diekmann, Traffic Engineer, [jdiekmann@cityoftacoma.org](mailto:jdiekmann@cityoftacoma.org)

# THIS IS NOT A PUBLIC HEARING

Additional notice will be issued at the time of a public hearing or comment period. This meeting is for informational purposes. You are receiving this notice because your property may be located within or near an area in which zoning or land use development standards may be modified. You and/or your affiliation(s) have been identified as stakeholders who may be interested or impacted by the proposals.

## Open Space Corridors Project

The Open Space Corridors project is a multi-phase effort to retain and enhance valuable open spaces throughout the City. As part of this current phase, the City is considering amendments to the Critical Areas Preservation Code, TMC 13.11, to strengthen protections for two types of regulated critical areas – Biodiversity Areas which contain and connect habitat valuable to wildlife, and steep slopes designated as Geologically Hazardous Areas (see the map below for areas of potential applicability). The purpose of the project is to prevent fragmentation of habitat functions and reduce risk to life and property, consistent with longstanding City policies. The updates would prioritize retaining existing vegetation and clarify standards for reasonable use of property which contain these critical areas.

For additional information, please visit: [www.cityoftacoma.org/openspacecorridors](http://www.cityoftacoma.org/openspacecorridors)

Staff Contact: Elliott Barnett, Associate Planner, [Elliott.barnett@cityoftacoma.org](mailto:Elliott.barnett@cityoftacoma.org)

