



AGENDA

MEETING: Special Meeting

TIME: Wednesday, March 6, 2019, 4:00 p.m.

LOCATION: Council Chambers, Tacoma Municipal Building, 1st Floor
747 Market Street, Tacoma, WA 98402

Note that the starting time is 4:00 p.m. for this meeting and the location is the Council Chambers from this meeting on.

A. Call to Order and Quorum Call

B. Approval of Agenda and Minutes

- Minutes – February 6, 2019

C. Public Comments

- Comments are accepted on all discussion items, and are limited to 3 minutes per person.

D. Discussion Items

1. Affordable Housing Action Strategy – Planning Actions

- Description: Continue to review proposed amendments to the Housing Element of the Comprehensive Plan. (This is an application of the 2019 Annual Amendments.)
- Action: Release for Public Review
- Staff Contact: Elliott Barnett, 253-591-5389, elliott.barnett@cityoftacoma.org

2. Historic Preservation Code Amendments

- Description: Continue to review recommendations of the Landmarks Preservation Commission regarding historic preservation related code amendments (This is an application of the 2019 Amendment).
- Action: Release for Public Review
- Staff Contact: Reuben McKnight, 253-591-5220, reuben.mcknight@cityoftacoma.org

3. Minor Amendments

- Description: Continue to review minor, clarification, and “cleanup” type of amendments to the Comprehensive Plan and Land Use Regulatory Code. (This is an application of the 2019 Annual Amendments.)
- Action: Release for Public Review
- Staff Contact: Lihuang Wung, 253-591-5682, lwung@cityoftacoma.org

E. Communication Items

- (1) **State of the City** – Mayor Woodards will host the “State of the City: Our Destiny in Motion” on Wednesday, March 6, 2019, at 6:30 p.m., at the University of Puget Sound’s Schneebeck Concert Hall, 1449 North Union.

(Continued on the Back)



- (2) **2019 Amendment Neighborhood Planning Open Houses** – In support of the 2019 Annual Amendment, Planning staff have conducted three open houses in February to engage citizens and stakeholders. Two more will be conducted in March, as listed below. For more information, please visit: www.cityoftacoma.org/2019Amendments.
 - Wednesday, March 13, 2019, 6-8 PM, Asia Pacific Cultural Center (Council District 3)
 - Monday, March 18, 2019, 6-8 PM, Stadium High School (Council District 2)
- (3) **2020 Amendment Applications** – The Planning Commission is accepting applications through April 1, 2019 for the 2020 Annual Amendment to the Comprehensive Plan and Land Use Regulatory Code. To submit an application, please visit www.cityoftacoma.org/2020Amendment.
- (4) **VISION 2050 Draft SEIS Open House** – Puget Sound Regional Council will conduct an open house on Wednesday, March 13, 2019, 4:00-6:00 p.m., at South Tacoma Public Library, 3411 S. 56th Street, Tacoma.
- (5) **Joint Meeting of Planning Commission and Transportation Commission** – The first segment of the next meeting of the Planning Commission will be held jointly with the Transportation Commission on Wednesday, March 20, 2019, at 5:00 p.m., in Council chambers (location subject to change). The joint meeting will feature a briefing from Sound Transit on the Tacoma Dome Link Extension project. After the briefing, the commissions will resume to their respective regular meetings. Agenda for the regular portion of the Planning Commission's meeting (subject to change) includes: Shoreline Master Program Update; and Future Land Use Map Implementation.
- (6) The next meeting of the Infrastructure, Planning and Sustainability Committee is on Wednesday, March 13, 2019, at 4:30 p.m., in Room 16 (location subject to change); tentative agenda (subject to change) includes: Rename of Puyallup River Bridge; and JBLM Airport Compatibility Overlay District.

F. Adjournment



MINUTES (Draft)

TIME: Wednesday, February 6, 2019, 5:00 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, Ryan Givens, David Horne, Jeff McInnis, Brett Santhuff, Andrew Strobel, Dorian Waller

A. CALL TO ORDER AND QUORUM CALL

Chair Wamback called the meeting to order at 5:03 p.m. A quorum was declared.

B. APPROVAL OF AGENDA AND MINUTES

The agenda was approved. The minutes for January 16, 2019 were approved as submitted.

C. PUBLIC COMMENTS

None.

D. DISCUSSION ITEMS

1. Manitou Potential Annexation Area – Proposed Zoning

Lihuang Wung, Planning and Development Services, facilitated the Planning Commission's review of the proposed land use designations and zoning classifications ("Proposed Zoning") for the Manitou Potential Annexation Area. The Commission had previously reviewed an option (Option 1) of the Proposed Zoning on November 7, 2018 and released it for public review (along with other applications for the 2019 Annual Amendment). Since then, an additional option (Option 2) had been suggested by Council Member Chris Beale (District No. 5).

Mr. Wung reviewed the existing land uses in the Manitou area under the Pierce County's "Mixed-Use District" designation. He continued to review Options 1 and 2 of the Proposed Zoning, where Option 2 would change the R-2 (Single-Family Residential) as proposed in Option 1 to R-3 (Two-Family Residential), and the C-2 (General Commercial) to C-1 (Neighborhood Commercial). He stated that both options reflect the existing land uses, preserve the residential characters, and are consistent with the proposed zoning that was originally adopted in 1995 as part of the pre-annexation planning for the area and last amended in 2004. Mr. Wung gave a high level overview of C-1 vs. C-2 zoning and provided a lot size and building envelopes table to compare R-2, R-3, and R-4L (Multi-Family Low Density). He stated that Option 2 would allow more development opportunities for the residential area where there are some large lots, but would make vehicle service related businesses nonconforming. He suggested that the Commission consider releasing both options for public review.

Discussion ensued. The Commissioners concluded that providing two options for discussion with citizens would be a positive approach, and a great test scenario for future annexation planning efforts for the other three designated Urban Growth Areas. They noted that this is a complicated and complex transition, and staff should make sure the public is not confused with two options. Commissioner McInnis made a motion to release both options for public review, and Commissioner Strobel seconded. The motion passed unanimously.

2. Affordable Housing Action Strategy – Planning Actions

Elliott Barnett, Planning Services Division, provided an overview of the recently adopted Affordable Housing Action Strategy (AHAS), which included four strategic objectives and 24 supporting actions, an implementation plan, and metrics to monitor and report implementation over time. He then reviewed the proposed amendments to the Comprehensive Plan Housing Element that would incorporate the up-to-date analysis of housing needs and actions from the AHAS and reflect the urgency of housing challenges. The proposed amendments included adding a summary of the AHAS, updating pertinent affordability data, adding and updating policies to reflect the AHAS, and incorporating the AHAS as an implementation strategy.

In terms of updating pertinent affordability data, Mr. Barnett introduced the Equity Index map produced by the City's Office of Equity and Human Rights, to be incorporated into the Housing Element. The Commissioners expressed a sense of confusion and concerns about the map, and provided the following comments and suggestions:

- The map seems to be highlighting the disparity of Tacoma, and not the equity. The areas with higher equity are actually better off and take away resources from those areas with lower equity.
- The terminology is misleading. "High Equity" should probably be "High Desirability."
- The map is not serving its purpose; it is sending the wrong message. The average citizen would not have the opportunity to have an in person explanation from the planners.
- It would be nice to have a series of maps since they are useful tools, and to change them to be more appropriate for the use of the Housing Element.
- The map should also block out areas that are not zoned for housing (such as Pt. Defiance, Port/Tideflats, and parks), and exclude the City of Ruston (to be consistent with other mapping).

In terms of adding and updating policies to reflect the AHAS, Mr. Barnett highlighted a proposed policy: "Apply infill housing approaches, including zoning, to create additional housing options and opportunities to accommodate Missing Middle Housing." The Commissioners provides various feedback:

- The text insert about the Missing Middle is borrowed from an outside source and should be more customized for Tacoma.
- "Missing Middle" is used in various industries and can mean different things. It doesn't necessarily mean different housing. It could mean finding housing for middle-income homebuyers. It also means entry level housing for some people.
- The proposed policy is appropriate. This conversation is much needed for the city, and is valuable.
- Consider changing the title of this section from "Missing Middle" to "Opportunities to Accommodate Growth" and talking more broadly about the transition as to how our thinking has evolved (i.e., responding to growth, implementing the Infill Housing Pilot Program, and introducing the Missing Middle concept).
- Policies should acknowledge the fluctuations in the real estate market. Affordability in the housing market is dependent on income but has different meaning when looking at people who are renting.
- Affordability will take partnerships, such as state programs and lender programs. Tacoma can't do it in isolation.
- The Missing Middle housing text needs to include more Tacoma based examples.
- We need to offer incentives for developers to build housing and for people to keep it affordable.
- The Legislature is expected to pass a new legislation about affordable housing in a few days. Make sure we are consistent with the legislation.

- Be cautious with the phrase "including zoning" in the draft policy. Including zoning does not necessarily mean upzone in every opportunity and everywhere. Studies indicate upzone has proven to be driving up housing prices.

Mr. Barnett commented that this was the right level and kind of conversation that this topic deserves. He proposed to continue to work on the Housing Element updates, focusing on issues relating to the Equity Index and the Missing Middle, and bring the amendment packet back to the Commission at a future meeting.

3. Future Land Use Map (FLUM) Implementation

Stephen Atkinson, Planning Services Division, provided an information briefing about the upcoming open houses supporting the 2019 Amendment. The open houses would provide a specific area of focus on the Future Land Use Map Implementation project and potential rezones. He reviewed the dates and time, locations, agenda, format, and expected outcomes of the open houses. He encouraged the Commissioners to attend if they can.

Mr. Atkinson reviewed how staff will be reaching out to citizens, such as district specific notices, the Planning Manager's Letter to the Community, Planning Commission e-mails, news release, direct outreach, Facebook event pages, and the city website. He showed the Commission some of the materials that will be provided at the open houses. He then reviewed the Tacoma FLUM story map, and online tool that will be available at the open houses. He continued to show the functions of the map and the type of information that can be gleaned from it. The Commissioners commented that this was a great website and they are excited to hear about how the workshops will go.

E. COMMUNICATION ITEMS

The Commission acknowledged receipt of the information.

F. ADJOURNMENT

The meeting adjourned at 7:27 p.m.

**These minutes are not a direct transcription of the meeting, but rather a brief capture. For full-length audio recording of the meeting, please visit:*

http://www.cityoftacoma.org/government/committees_boards_commissions/planning_commission/agendas_and_minutes/



To: Planning Commission
From: Elliott Barnett, Senior Planner
Subject: **Affordable Housing Action Strategy – Planning Actions**
Meeting Date: February 28, 2019
Memo Date: March 6, 2019

Action Requested:
Release the proposed amendments for public review.

Discussion:
At this meeting, staff will seek the Commission’s authorization to release proposed Housing Element updates for public comment. At the last meeting the Commission requested further background and discussion on topics including the concept of Missing Middle Housing and the City’s newly released Equity Index and opportunity maps. Staff are providing an updated draft staff report and an issues summary intended to address questions and provide the Commission with the information needed to move forward.

Project Summary:
This proposed amendment would formally recognize the Affordable Housing Action Strategy as an implementation element of the One Tacoma Comprehensive Plan. The AHAS is a strategic response to a changing housing market, increasing displacement pressure, and a widespread need for high-quality, affordable housing opportunities for all. The strategy was developed in 2018 through a series of community listening sessions, focus groups, input from community partners, market studies, and review of past housing strategies. The AHAS is intended to guide the City’s affordable housing strategies, program development, and investments over the next 10 years.

The Comprehensive Plan Housing Element is the City’s principal policy statement on housing. The proposed amendment to the Housing Element would update housing data and policies to reflect the changing housing market, and integrate the AHAS as the City’s strategy to fully implement the policies of the Housing Element. This amendment would follow the same approach as previously utilized in incorporating the Artfull Tacoma Plan and Environmental Action Plan as implementation strategies of the One Tacoma Plan.

- Prior Actions:**
- September 25, 2018 – City Council received and discussed the AHAS (available at www.cityoftacoma.org/housing).
 - September 26, 2018 – The Commission incorporated this review into the 2019 Work Program.
 - December 5, 2018 – The Commission provided initial direction on the scope of work and potential amendments and reviewed a draft staff report.
 - February 6, 2019 – The Commission provided comments on initial proposed draft changes and requested additional information relating to Missing Middle Housing and the City’s new Equity Index and opportunity mapping (www.cityoftacoma.org/equityindex).



Staff Contact:

Elliott Barnett, Senior Planner – (253) 591-5389, elliott.barnett@cityoftacoma.org.

Attachments:

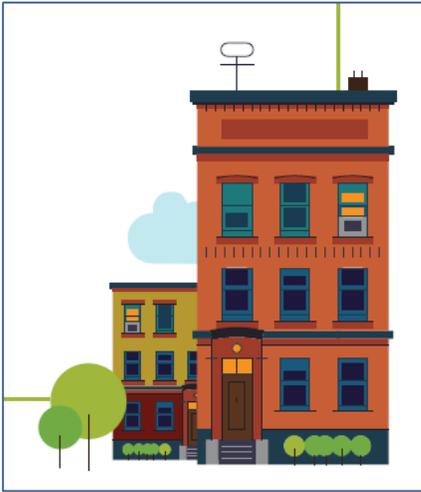
1. Updated draft staff report
2. Issues Summary

c: Peter Huffman, Director

Affordable Housing Action Strategy – Incorporation into the One Tacoma Plan Draft Staff Report – Mar. 6, 2019

This proposed amendment would formally recognize the Affordable Housing Action Strategy as an implementation element of the One Tacoma Comprehensive Plan. The AHAS is a strategic response to a changing housing market, increasing displacement pressure, and a widespread need for high-quality, affordable housing opportunities for all. The strategy was developed in 2018 through a series of community listening sessions, focus groups, input from community partners, market studies, and review of past housing strategies. The AHAS is intended to guide the City’s affordable housing strategies, program development, and investments over the next 10 years.

The Comprehensive Plan Housing Element is the City’s principal policy statement on housing. The proposed amendment to the Housing Element would update housing data and policies to reflect the changing housing market, and integrate the AHAS as the City’s strategy to fully implement the policies of the Housing Element. This amendment would follow the same approach as previously utilized in incorporating the Artfull Tacoma Plan and Environmental Action Plan as implementation strategies of the One Tacoma Plan.



Project Summary

Project Title:	Affordable Housing Action Strategy – Planning Actions
Applicant:	City
Location and Size of Area:	Changes would apply city-wide
Current Land Use and Zoning:	Multiple
Neighborhood Council Area:	Multiple
Staff Contact:	Elliott Barnett, Senior Planner 253-591-5389, elliott.barnett@cityoftacoma.org
Staff Recommendation:	Take initial steps of a multi-phase, inter-departmental implementation effort by recognizing and reflecting the AHAS through targeted updates to the Comprehensive Plan Housing Element.
Project Proposal:	The following changes are proposed to the Housing Element: <ul style="list-style-type: none"> • Incorporate the AHAS as a housing implementation strategy • Add a summary of the AHAS • Update data pertinent to housing affordability • Add new, and update existing, policies consistent with the AHAS



**Planning and Development Services
City of Tacoma, Washington**

Peter Huffman, Director

Project Manager

Elliott Barnett, Senior Planner
elliott.barnett@cityoftacoma.org

www.cityoftacoma.org/planning

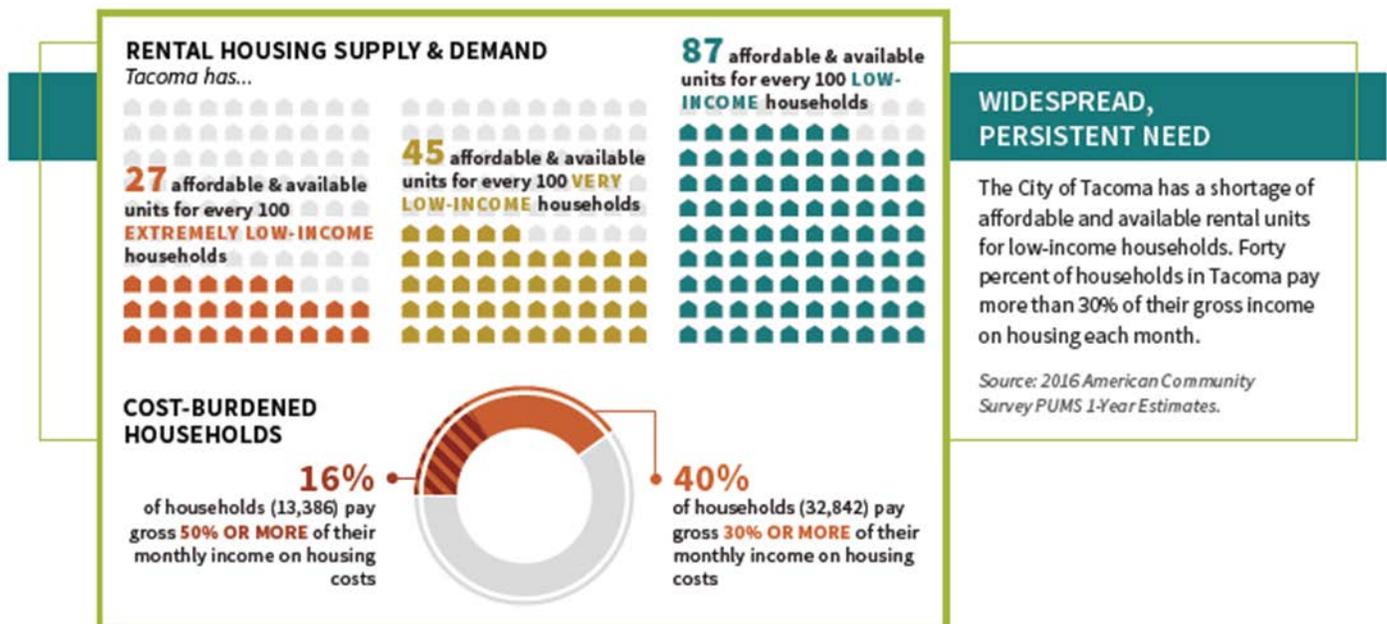
Background

Affordable Housing Action Strategy:

The City of Tacoma finalized its Affordable Housing Action Strategy in September 2018 as an urgent response to a changing housing market, increasing displacement pressure among residents, and a widespread need for high-quality, affordable housing opportunities for all. The AHAS Executive Summary states:

While the City of Tacoma has a strong legacy of working to solve its affordable housing challenges, it recognized a need for a more strategic approach to its housing investments—both today and in the future. The City of Tacoma needs to increase housing affordability as a way to maintain the quality of life that the city is known for and ensure housing costs do not worsen as the city grows over time.

The City of Tacoma lacks affordable, high-quality homes for all its residents. Today, nearly 33,000 households in Tacoma pay at least 30 percent of their income on housing costs each month, reducing their ability to pay for other necessities. The cost of rental homes increased by nearly 40 percent and home values nearly doubled since 1990, and within the last few years, these costs have begun to accelerate.



Throughout the broad community outreach that informed the Affordable Housing Action Strategy, many Tacoma residents shared that the city's market gains are a source of stress in their lives. Recent spikes in housing costs and a limited supply of housing options have created uncertainty for them, in addition to other barriers. Seniors face long waiting lists at properties built to serve them; families live in overcrowded conditions; and interested homebuyers experience steep costs and competition for homes.

Simply put, the city's housing supply cannot meet the daily needs of its residents, and this needs to change. No one living in Tacoma should have to choose between paying their rent or mortgage and other necessities.

Guided by the Affordable Housing Action Strategy, the City of Tacoma will dramatically increase its investments in new rental and homeownership opportunities and establish broader anti-displacement measures, including preserving affordable units at-risk of converting to market-rate rent and creating comprehensive protections for

renters. Together, this approach has the potential to produce 6,000 new affordable units; preserve 2,300 existing affordable units; and serve an additional 2,200 households by 2028. In total, these new or preserved homes and new services or programs will reach 10,500 households living in the City of Tacoma.

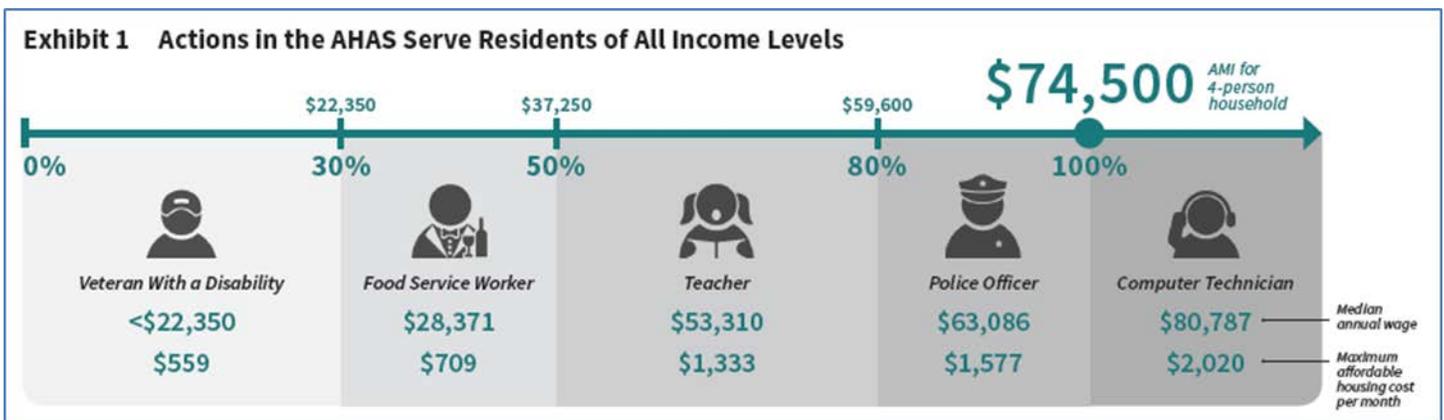
Actions within the Affordable Housing Action Strategy aim to help Tacomans in every walk of life. Because needs within the City of Tacoma vary—across owners and renters, neighborhoods, incomes, and abilities, among other factors—these actions cover a wide range of needs.

However, the city’s need for affordable housing is greatest among households with the lowest incomes and in some cases, with the highest barriers to accessing housing opportunities. The City of Tacoma aims to serve these households through a share of the new units and other resources created through the Affordable Housing Action Strategy.

This strategy focuses on how to enhance existing policies and programs that the city is already using to serve more people; cultivate additional funding; and establish strong anti-displacement measures to stabilize existing residents.

The Affordable Housing Action Strategy outlines four strategic objectives that will guide implementation over the next 10 years:

1. **Create more homes for more people.**
2. **Keep housing affordable and in good repair.**
3. **Help people stay in their homes and communities.**
4. **Reduce barriers for people who often encounter them.**



AHAS Planning-related Actions:

The AHAS contains a total of 27 recommended actions which will be implemented by multiple city departments and other partners. All of these actions relate to the Housing Element as a policy framework. That said, the policies related to housing development more closely relate to the City’s land use and development standards. Organizationally, policy discussions of those actions are generally facilitated by the Planning and Development Services Department (PDS) with guidance from the Planning Commission.

The AHAS calls out the following six actions as requiring a primary or secondary role from the Planning and Development Services (PDS) Department and recommends an implementation timeline.

Strategic Objective 1: Create More Homes for More People

Action	Timing	Level of effort
1.2 Modify inclusionary housing provisions to target unmet need and align with market realities.	Immediate (1-2 years)	High (PDS lead)
1.5 Create consistent standards for fee waiver eligibility and resources to offset waived fees.	Immediate (1-2 years)	Low (PDS lead)
1.6 Create a process to coordinate public investments, like capital improvements, with affordable housing activities to reduce the overall cost of development.	Immediate (1-2 years)	High
1.8 Encourage more diverse types of housing development through relaxed land use standards, technical assistance, and financial incentives.	Immediate (1-2 years) Short-term (3-4 years)	High (PDS lead)
1.10 Use value capture to generate and reinvest in neighborhoods experiencing increased private investment (with a focus on areas with planned or existing transit).	Short-term (3-4 years)	Medium
1.12 Explore opportunities for increased staff support during the development review process.	Short-term (3-4 years) Medium-term (4-6 years)	High

The AHAS includes estimates on the time and level of effort for each. In the case of several actions, the AHAS anticipates that some actions will be completed in phases, and that full completion of these actions could take up to six years.

Missing Middle Housing

The AHAS calls for steps to promote more diverse types of housing development through changes to land use standards, technical assistance and financial incentives. This supports current Housing Element policies which highlight infill approaches as a method to promote housing affordability and choice throughout Tacoma’s neighborhoods. This is in line with actions by many cities to consider how to make more space for so-called “Missing Middle” housing types.



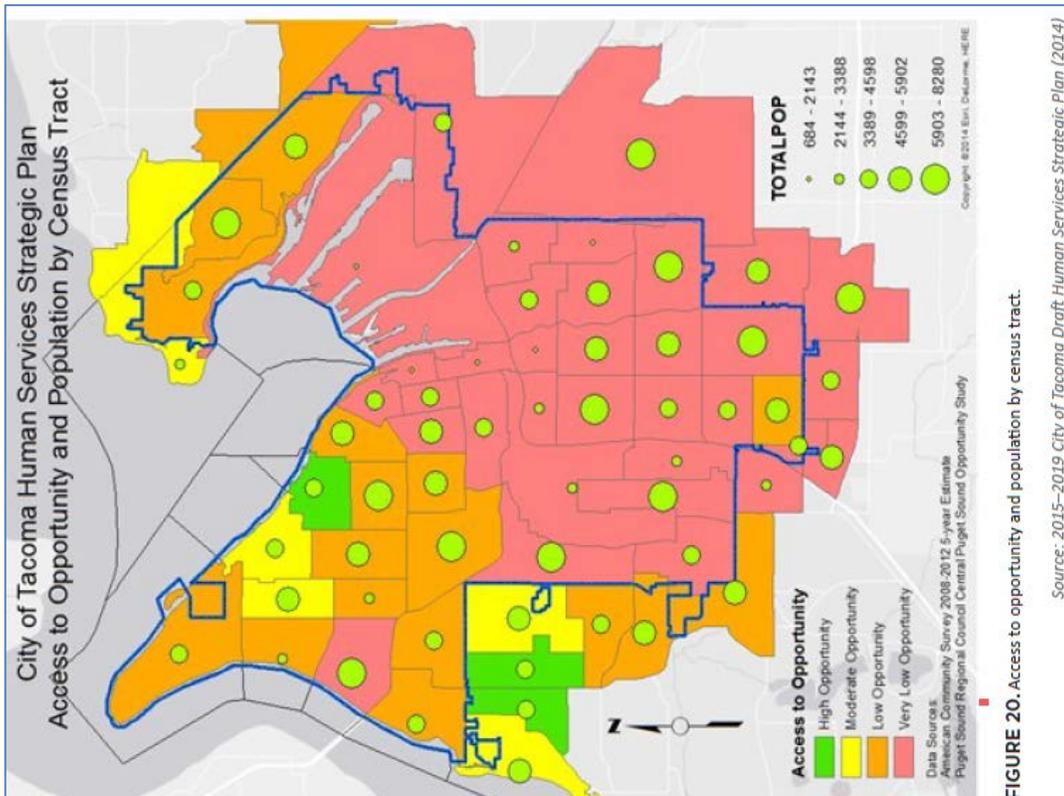
“Missing Middle is a range of multi-unit or clustered housing types compatible in scale with single-family homes that help meet the growing demand for walkable urban living.” www.missingmiddlehousing.com

Creating new housing, particularly at affordable prices, is central to the AHAS recommended actions. Tacoma has a robust growth strategy to accommodate its share of regional growth. Tacoma’s official growth targets call for 54,741 new housing units between 2010 and 2040 (see the 2014 Pierce County Buildable Lands Report). The City’s growth strategy directs the majority of new housing development to designated Centers, including the Downtown and Tacoma Mall Neighborhood Regional Growth Centers. The City’s adopted targets allocate about 80 percent to Centers, and about 20 percent (approximately 9,300 new dwellings), to other (primarily residential) areas.

While there is ample space for high density residential and mixed-use development in Centers, land zoned to accommodate significant growth outside of Centers is limited. The Buildable Lands Report identifies undeveloped, multifamily zoned land adequate for approximately 2,000 new dwellings. This leaves a target of around 7,000 new dwellings in land zoned for single-family development. Single-family land constitutes approximately 75 percent of all land where residential development is allowed. In conclusion, while there is ample single-family development, and capacity for high density development, there is little area zoned to accommodate medium-density housing types such as duplexes, triplexes and small-scale multifamily development. Over the next two to three years the City will be working with Pierce County to update the Buildable Lands analysis.

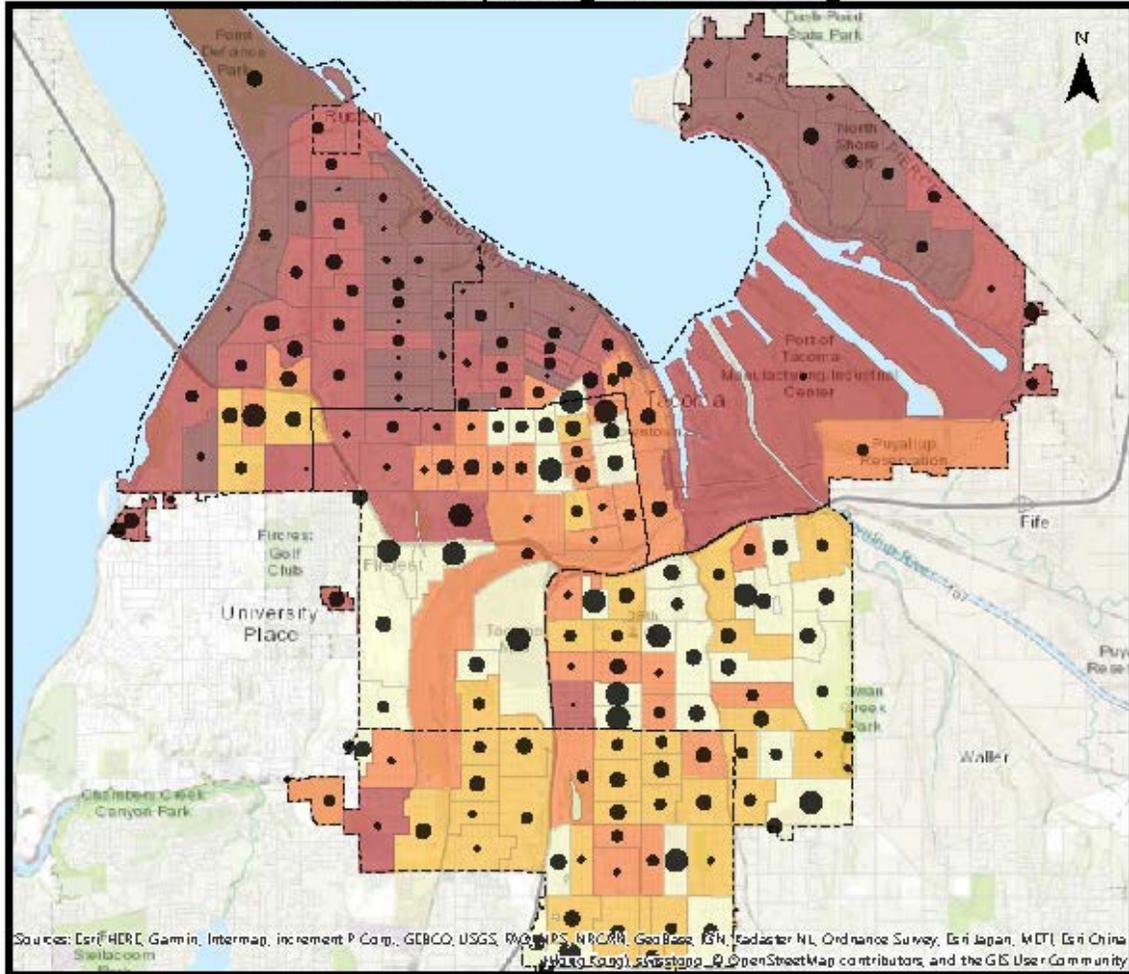
Housing and Opportunity

For several years, policy work at the regional scale has sought to recognize and begin to address differences in opportunities based on location. Acknowledging these inequities can improve City actions such as decisions of where to focus housing investments or incentives to address disparities in access to opportunity. The Housing Element currently references Puget Sound Regional Council’s Access to Opportunities analysis, reflecting that there are disproportionate opportunities available to residents of different neighborhoods of the City. The City of Tacoma has now developed a more refined analysis that incorporates more Tacoma-specific data to inform policy and programmatic choices through an equity lens. For more information, visit www.cityoftacoma.org/equityindex.



Puget Sound Regional Council – Opportunity Map (currently included in the Housing Element).

Households Spending 30%+ on Housing



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, NOAA, NPS, NRCMA, GeoBasis, IGN, Fedacster NL, Ordnance Survey, Esri Japan, METI, Esri China, Swisstopo, Swisstopo, OpenStreetMap contributors, and the GIS User Community

0 0.5 1 2 Miles

Tacoma Opportunity Index

- Very High
- High
- Moderate
- Low
- Very Low

Tacoma Accessibility

Percentage of Households Cost-Burdened

- 0 - 16%
- >17% - 29%
- >30% - 41%
- >42% - 53%
- >54% - 70%

The Equity Index represents 20 indicators within four social determinant categories; Accessibility, Economy, Education, and Livability. The census block groups were classified into Very Low to Very High. Opportunity is defined as a situation or condition that places individuals in a position to be more likely to succeed or excel.

Red census blocks represent communities that exceed the average score among the indicators. They are labeled as such to help emphasize the disparities within the City.

February 25, 2019

Policy Summary

Policies at multiple levels require cities to take actions to address housing needs and challenges as well as to promote infill in walkable, urban neighborhoods.

Washington State Growth Management Act

GMA Housing Goal: Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

VISION 2040 Multicounty Planning Policies (MPPs)

VISION 2040 recognizes that to meet the demands of a growing and changing population in the central Puget Sound, the region needs to develop vibrant communities that offer a diverse and well-distributed mix of homes affordable to both owners and renters in every demographic and income group. VISION 2040 encourages housing production that will meet our needs and places a major emphasis providing residences that are safe and healthy, attractive, and close to jobs, shopping, and other amenities. The Multicounty Planning Policies address 1) housing diversity and affordability, 2) jobs-housing balance, and 3) best practices for home construction. These Multicounty Planning Policies place an emphasis on preserving and expanding housing affordability, incorporating quality and environmentally responsible design in homebuilding, and offering healthy and safe home choices for all the region's residents.

Countywide Planning Policies

The Countywide Planning Policies (CPPs) are goals, objectives, policies, and strategies to guide the production of the County and municipal comprehensive plans. The CPPs provide strong policy support for affordable housing actions, including:

AH-1. The County, and each municipality in the County, shall determine the extent of the need for housing for all economic segments of the population, both existing and projected for its jurisdiction over the planning period.

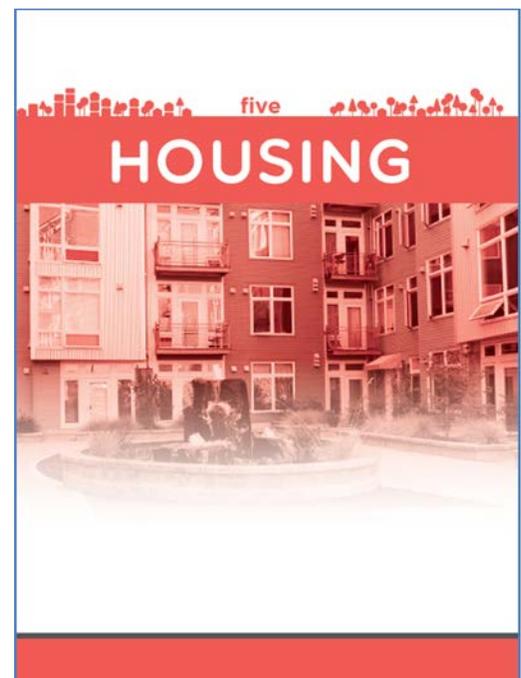
One Tacoma Housing Element

One Tacoma Comprehensive Plan – Housing Element:

The Housing Element is the city's policy framework for housing issues. The Housing Element addresses requirements under the Washington State Growth Management Act and the Pierce County Countywide Planning Policies. For example, the City must address housing affordability and access, plan for adequate growth capacity to meet Tacoma's share of regional growth targets, and ensure adequate health and safety in the City's housing supply. The Element also reflects community input on issues related to housing over many years.

The goals and policies in this chapter convey the City's intent to:

- Ensure adequate access to a range of housing types for a socially- and economically-diverse population.
- Support fair, equitable, healthy, resource efficient and physically-accessible housing.
- Concentrate new housing in and around centers and corridors near transit and services to reduce the housing/transportation cost burden.



- Increase the amount of housing that is affordable, especially for lower income families and special needs households. Promote a supply of permanently-affordable housing for Tacoma’s most vulnerable residents. Expand the number and location of housing opportunities, both market rate and assisted, for families and individuals throughout the city.

The Housing Element provides strong policy support for affordable housing actions, and for housing opportunities and choice throughout the City, such as the following:

H-1.3. Encourage new and innovative housing types that meet the evolving needs of Tacoma households and expand housing choices in all neighborhoods. These housing types include single family dwelling units; multi-dwelling units; small units; accessory dwelling units; pre-fabricated homes such as manufactured, modular; co-housing and clustered housing.

H-1.6 Allow and support a robust and diverse supply of affordable, accessible housing to meet the needs of older adults and people with disabilities, especially in centers and other places which are in close proximity to services and transit.

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.

Consistency of the AHAS and the Housing Element

The Housing Element is a policy framework intended to initiate and inform a range of implementation actions. The Housing Element calls for affordable housing and housing choice throughout the City. However, the Element was last updated in 2015 and since that time affordability has become increasingly challenging. As a result, current Housing Element policies do not reflect the level of urgency demonstrated by the AHAS’s up-to-date analysis, and some of its policies reflect a more passive, less action-oriented stance.

In contrast, the AHAS is an action strategy with detail on roles, priorities, timelines and other implementation considerations. The AHAS calls for a range of actions to increase the supply of affordable housing options, especially for households with the lowest incomes. The AHAS recommends actions including creating dedicated sources of funding to preserve and build new housing, enhancing development incentives to create more affordable units in market-rate developments, using city-owned land to provide opportunities for affordable housing development, and changing the City’s land use provisions to make it easier to build less costly, small-scale homes, such as accessory dwelling units or duplexes, and providing supports like technical assistance and financial incentives for people who want to create these alternatives. In summary, staff is proposing two actions for Commission consideration:

1. Housing Element could be updated based on the AHAS to more fully reflect the heightened urgency of housing challenges, to integrate new policy concepts, to strengthen policy support for actions to refine the City’s supply of affordable housing options, and to lend policy support to the AHAS as an implementation document.
2. To formally recognize and integrate the AHAS as an implementation strategy of the Comprehensive Plan, lending it a strong policy and legislative backing to move forward into action.

Impacts Assessment

The policy changes currently proposed will have no direct impacts at this time. Rather, they will lend support to housing actions the City may undertake in the coming years, each of which will need to be analyzed to determine the impacts in terms of organizational resources, potential change at the neighborhood scale, equity and other topics.

Options Analysis

- **Staff Recommended Option:**

Staff have developed the following preliminary list of recommended changes to the Housing Element:

- Add a summary discussion of the AHAS
- Update data in the Housing Element with current housing affordability data from the AHAS
- Add a policy incorporating the AHAS as an implementation strategy
- Add new, or modify existing, policies to address the following AHAS recommendations:
 - Consider inclusionary zoning housing provisions to target unmet need and align with market realities (AHAS 1.2)
 - Seek methods to reduce cost and time of affordable housing permitting (AHAS 1.5)
 - Coordinate public investments with affordable housing activities to reduce the overall cost of development (AHAS 1.6)
 - Promote infill and new development to provide “Missing Middle” housing (AHAS 1.8)
 - Take steps to preserve existing affordable housing (AHAS 2.2)
 - Expand tenants’ protections (AHAS 3.1)
 - Create a range of resources for households experiencing a housing crisis (AHAS 3.2)
 - Earmark a portion of new or expanded sources of local funding to provide support services in new development (AHAS 4.4)
- Update some policies to reflect a more action-oriented stance
- Reflect other AHAS issues or actions, as identified by the Planning Commission

The Issues Summary, included as Attachment 2, provides more information.

- **Other options for the Commission to consider.**

The Planning Commission could provide perspective on the resources, staffing and stakeholder engagement process called for as this multi-year effort moves forward as well as recommend priorities for the implementation of planning related actions.

- **Future Project phases and related policy initiatives.**

The planning-related actions will occur in coordination with the ongoing city-wide AHAS implementation process. The City also takes actions intended to indirectly improve access to housing, such as increasing financial security and employment opportunities. The Planning Commission will have a direct role in future implementation and program development for planning actions in the AHAS.

Issues & Recommendations: Housing Element Updates

The following updates are proposed to the Comprehensive Plan - Housing Element to reflect Tacoma's Affordable Housing Action Strategy (AHAS). With Planning Commission direction, these modifications and additions would be integrated into the Housing Element for public review.

SUMMARY:

1. Add a policy incorporating the AHAS as an implementation strategy
2. Add a summary discussion of the AHAS
3. Update data in the Housing Element with current housing affordability data from the AHAS
4. Add new, or modify existing, policies to address the following AHAS recommendations:
 - o Consider inclusionary zoning housing provisions to target unmet need and align with market realities (AHAS 1.2)
 - o Seek methods to reduce cost and time of affordable housing permitting (AHAS 1.5)
 - o Coordinate public investments with affordable housing activities to reduce the overall cost of development (AHAS 1.6)
 - o Promote infill and new development to provide "Missing Middle" housing (AHAS 1.8)
 - o Take steps to preserve existing affordable housing (AHAS 2.2)
 - o Expand tenants' protections (AHAS 3.1)
 - o Create a range of resources for households experiencing a housing crisis (AHAS 3.2)
 - o Earmark a portion of new or expanded sources of local funding to provide support services in new development (AHAS 4.4)
 - o Update some policies to reflect a more action-oriented stance
5. Replace the Opportunity Maps with updated Opportunity Maps prepared as part of Tacoma's Equity Index efforts.

SPECIFIC RECOMMENDATIONS:

1. Add a policy incorporating the AHAS as an implementation strategy

The following policy and text would be added to the Housing Element:

AFFORDABLE HOUSING ACTION STRATEGY

Policy H-6.1 Proactively implement the action strategies of the City's Affordable Housing Action Strategy through a coordinated effort lead by the City of Tacoma in partnership with a broad range of stakeholders.

In 2018 the City of Tacoma developed its Affordable Housing Action Strategy as an urgent response to a changing housing market, increasing displacement pressure among residents, and a widespread need for high-quality, affordable housing opportunities for all.

2. Add a summary discussion of the AHAS

The following two background and overview pages from the AHAS would be added to the Housing Element.

What are some proposed solutions to ensure all Tacoma residents have an affordable place to live and that new development benefits everyone?

1

CREATE MORE HOMES FOR MORE PEOPLE.

The City of Tacoma needs to considerably increase its supply of affordable housing options, especially for households with the lowest incomes. Actions that would increase the city's supply of affordable homes include:

- Creating dedicated sources of funding—whether general funds, property tax levy, real-estate transaction fees or other methods—that provide the City's Housing Trust Fund with greater and more reliable resources to preserve and build new housing.
- Enhancing incentives—like increased density, reduced parking requirements, and property tax exemptions—to create more income-restricted units in new market-rate development.
- Using city-owned land to provide new opportunities for affordable rental and homeownership development.
- Changing the City of Tacoma's land-use provisions to make it easier to build less costly, small-scale homes, such as accessory dwelling units or duplexes, as well as provide other supports like technical assistance and financial incentives for people who want to create these alternatives.

3

HELP PEOPLE STAY IN THEIR HOMES AND COMMUNITIES.

Many residents in Tacoma already cannot keep up with rising housing costs in the form of higher tax bills or rents. They are often on the verge of making painful decisions about leaving their current home or community and have limited options for assistance. Actions that would help stabilize homeowners and tenants include:

- Ensuring residents have substantial notice for rent increases or lease terminations and establish relocation assistance as part of a comprehensive tenant protections policy.
- Supporting residents or organizations interested in leading or participating in community-based initiatives, including those that protect tenants' rights.
- Exploring creation of a community land trust, leveraging local expertise.
- Creating an additional source of local tax relief to stabilize more homeowners.

2

KEEP HOUSING AFFORDABLE AND IN GOOD REPAIR.

The City of Tacoma needs to take steps to ensure existing affordable housing options remain available to our community. Loss of affordable homes could further burden or displace Tacoma residents. Actions that would preserve and improve the city's existing supply of affordable housing include:

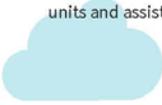
- Making it easier, through a preservation ordinance, for the City of Tacoma or its partners to buy back subsidized properties as their income restrictions expire.
- Exploring creation of a proactive code enforcement program, which would actively inspect properties for health and safety violations.
- Creating a dedicated source of funding to keep rents stable at existing subsidized and unsubsidized housing units and assist residents facing a housing crisis.

4

REDUCE BARRIERS FOR PEOPLE WHO OFTEN ENCOUNTER THEM.

Even when affordable units exist, many residents must overcome significant barriers to access them. Residents mentioned barriers like limited knowledge of housing resources; language barriers; and difficulty qualifying for or securing housing (like meeting security deposit requirements). Actions that make it easier for residents to access housing opportunities, including those in the private housing market, include:

- Streamlining processes for households applying for and using rental assistance.
- Working with landlords to increase participation in rental assistance programs and their willingness to accept "higher-barrier" households.
- Ensuring a portion of new or expanded funding sources can provide services as part of new housing development.



Background

Many Tacoma residents make difficult financial choices each month—paying higher housing costs (at the expense of other living expenses), living in overcrowded or less than desirable conditions, or dealing with an unexpected housing crisis. Tacoma needs to build and preserve more affordable housing for all its residents and ensure new development benefits everyone.

Why does the City of Tacoma need to address housing affordability?

Many residents in the City of Tacoma have significant unmet housing needs. One measure of housing need is “cost-burden”—or when a household pays more than 30% of their gross income on housing, including utilities. If a household pays more than one-half (50%) of their gross income on housing, that household is “severely cost-burdened.” Cost-burdened households have less for other essentials, like food, clothing, transportation, and medical care. Currently, more than 18,600 renters and 14,000 owners in the City of Tacoma experience cost-burdens.

Everyone benefits from affordable housing. People with the greatest need for it, though, are often working lower-wage occupations or living on fixed incomes, like seniors and persons living with disabilities.

What is the Affordable Housing Action Strategy (AHAS)?

The City is developing more ways to serve more residents with housing needs through its *Affordable Housing Action Strategy (AHAS)*. The Community and Economic Development Department is leading the development of the AHAS. The goal of the AHAS is to preserve and increase the number of affordable, available, and accessible housing units throughout the city. The AHAS will explain how the City of Tacoma and its partners will achieve this goal.

What does “affordable housing” mean?

Housing is typically considered affordable if total housing costs do not exceed 30% of a household’s gross income.

The U.S. Department of Housing and Urban Development (HUD) uses an income benchmark—area median income or AMI—for its federal housing programs. The FY17 regional AMI for a family is \$74,500. Using this regional standard likely undercounts the housing affordable within the City of Tacoma, as well as overestimates what the average household can afford. Despite some limitations, a majority of the City’s existing funding is from federal funds, which use HUD-defined AMI to determine eligibility, making it an important measure for the AHAS.

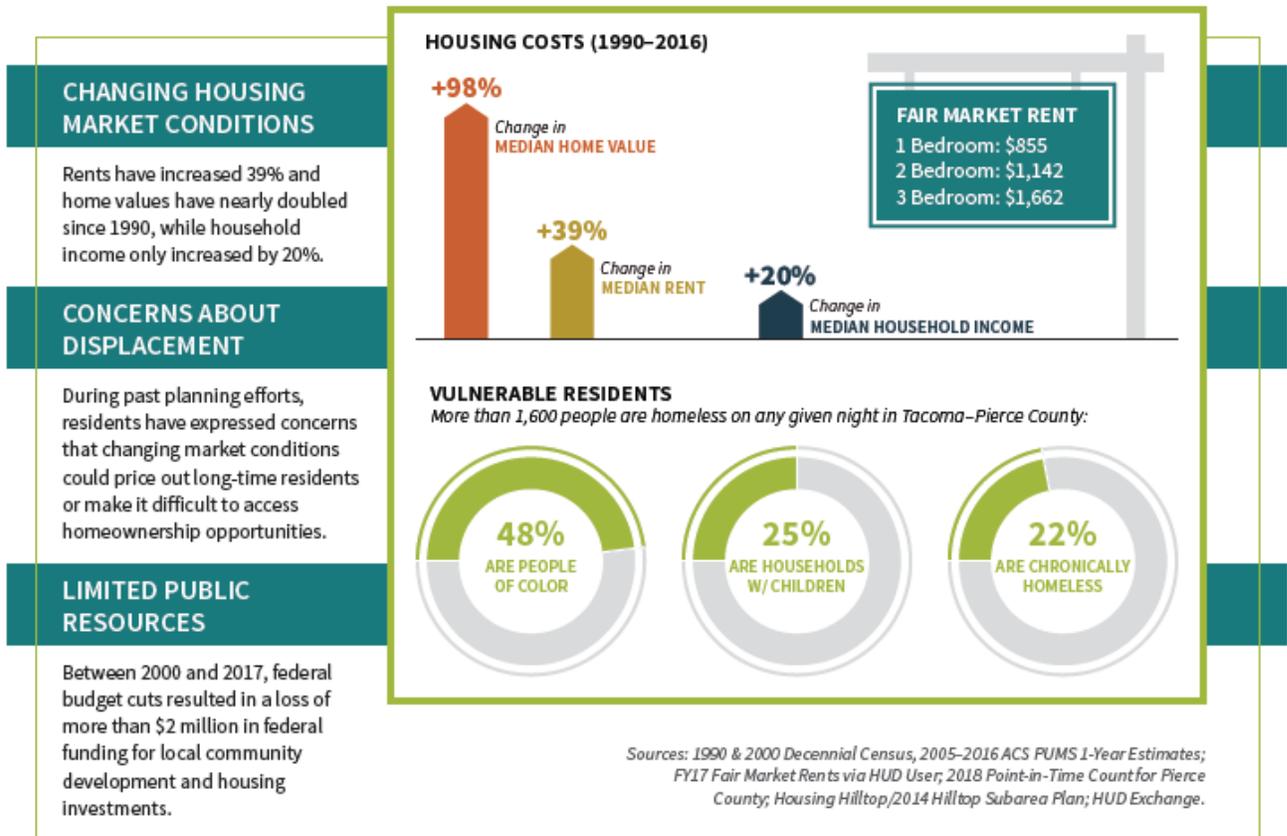
Do “affordable housing” and “subsidized housing” mean the same thing?

Affordable housing and subsidized housing are different, even though they are sometimes used interchangeably. Subsidized housing refers to programs that provide direct payments to individual households or development projects. These payments help their overall housing costs. Typically, to live in subsidized housing, you need to be below a certain income level (and sometimes you need to meet other requirements). Public housing, rental assistance like Section 8, and developments that use Low-Income Housing Tax Credits are examples of subsidized housing.



3. Update data in the Housing Element with current housing affordability data from the AHAS

The following infographic would be added to the Housing Element:



4. Add new, or modify existing, policies to address AHAS recommendations.

The following modifications and additions are proposed to the Housing Element:

Policy H-1.4 Promote Support the maintenance and improvement of the existing housing stock and encourage the adaptation of the existing housing stock to accommodate the changing variety of household types.

Policy H-1.6 Allow and support a robust and diverse supply of affordable, accessible housing to meet the needs of special populations, to include older adults, and people with disabilities, and permanent, supportive housing for homeless individuals, especially in centers and other places which are in close proximity to services and transit.

Policy H-1.8: Create a process to coordinate public investments, such as capital improvements, with affordable housing activities to reduce the overall cost of development.

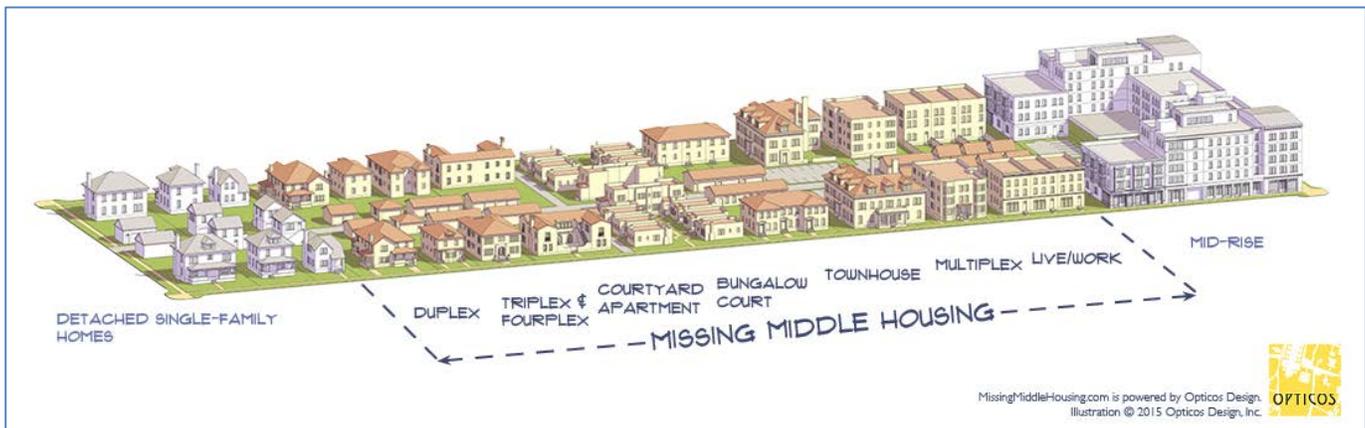
Policy H-2.8 Help people stay in their homes through expanded tenant’s protections, providing resources for households experiencing a crisis, increasing community organizing capacity, and other means.

Policy H-1.9 Apply infill housing approaches to create additional opportunities for low and mid-range (Missing Middle) housing types.

MISSING MIDDLE HOUSING

Tacoma’s growth strategy directs dense development Downtown, within designated Centers and along Corridors served by transit. However, to meet Tacoma’s housing goals, infill would also need to occur in single-family areas, which constitute about 75 percent of the area where residential development is allowed.

Along with focused high-density growth in Centers, allowing for “missing middle” housing options more broadly could support City goals such as promoting housing choice, helping families stay together and age in place, promoting active, healthy living and social interaction, supporting neighborhood shopping districts, making neighborhoods more inclusive, and reducing urban sprawl.



“Missing middle” housing is a range of multi-unit or clustered housing types compatible in scale with single-family homes (credit to Daniel Parolek of Opticos Design).

Policy H-3.7 Provide 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) to promote the development of higher density multifamily housing in designated centers and other areas where housing options are needed.

Policy H-4.8 Prevent homelessness and reduce the time spent being homeless by ensuring that a continuum of safe and affordable housing opportunities and related supportive services are allowed and appropriately accommodated, including but not limited to transitional-permanent supportive housing, emergency shelters, and temporary shelters.

Policy H-4.12 ~~Encourage~~ Facilitate a variety of ownership opportunities and choices by allowing and supporting the creation of condominiums, cooperatives, mutual housing associations, limited equity cooperatives, community land trusts and sweat equity.

Policy H-4.13 ~~Pursue a variety of funding sources and mechanisms~~ Create a local source of revenue and pursue a variety of other funding sources to preserve and develop housing units and various assistance programs for households whose needs are not met by the private market.

Policy H-4.15 Modify and expand the City's inclusionary housing provisions to target unmet need and align with market conditions.

Policy H-4.16 Prioritize City actions and investments on serving households with the greatest housing challenges and unmet needs.

GOAL H-5 Encourage Support *access to resource efficient and high performance housing that is well integrated with its surroundings, for people of all abilities and income levels.*

Policy H-5.1 ~~Encourage~~ Support development and maintenance of housing, especially multi-dwelling housing, that protects the health and safety of residents and encourages healthy lifestyles and active living.

Policy H-5.2 ~~Encourage~~ Promote housing that is protected from noise, pests, hazardous environmental conditions and materials.

Policy H-5.3 ~~Encourage~~ Support housing that provides features supportive of healthy and active living, such as high indoor air quality, useable open areas, recreation areas, community gardens, and crime-preventative design.

Policy H-5.4 ~~Encourage~~ Promote energy efficiency, green building practices, materials, and design to produce healthy, efficient, durable, and adaptable homes.

Policy H-5.6 ~~Encourage~~ Promote active transportation in residential areas through the development of pathways, sidewalks, and high-quality onsite amenities such as secure bicycle parking.

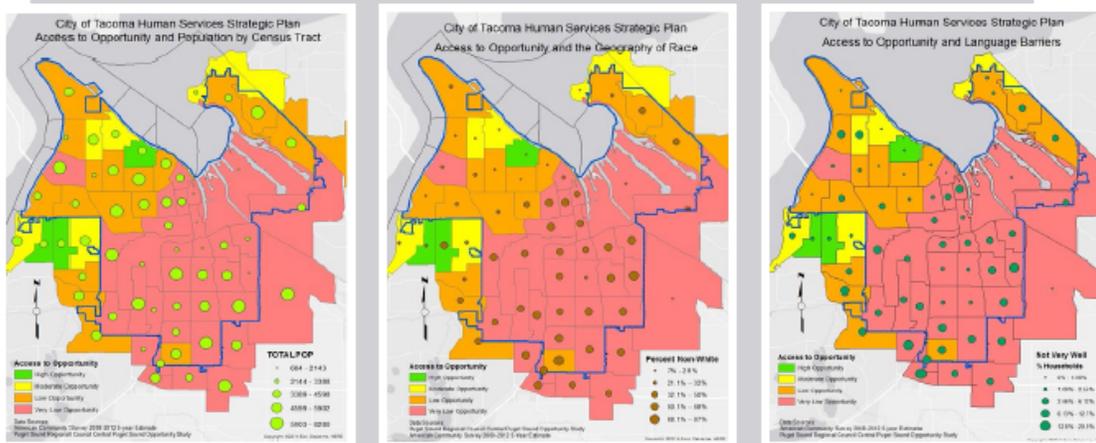
Policy H-5.7 ~~Encourage~~ Require site designs and relationship to adjacent developments that reduces or prevents social isolation, especially for groups that often experience it, including older adults, people with disabilities, communities of color, and immigrant communities.

Policy H-5.8 Support a strong housing code enforcement program to reduce substandard housing through repair and rehabilitation, such as an active rental inspection program.

Policy H-5.11 ~~Encourage~~ Promote public acceptance of new housing types in historically lower density areas by ensuring that they are well designed and compatible with the character of the neighborhoods in which they are located through a robust design review process.

5. Replace the Opportunity Maps with updated Opportunity Maps prepared as part of Tacoma’s Equity Index efforts.

PSRC OPPORTUNITY MAPS



The first “Opportunity Map” shown above illustrates that many living in Tacoma do not have fair access to the critical opportunity structures and social infrastructure to succeed in life. Opportunity maps illustrate whether patterns of segregation by age, class, gender, race, ethnicity, disability, or language correlate with areas of higher or lower opportunity.

For example, the second and third figures above show that a significant portion of the City’s non-White residents and those with language barriers live in areas of very low opportunity. The latest data from the U.S. Census Bureau underscores the effects of low opportunity and how non-White residents are disproportionately impacted. The income gap for racial and ethnic minorities continues to widen. Per Capita income of African Americans is 36% lower than that of white residents and Per Capita income of Latinos is 47% lower.

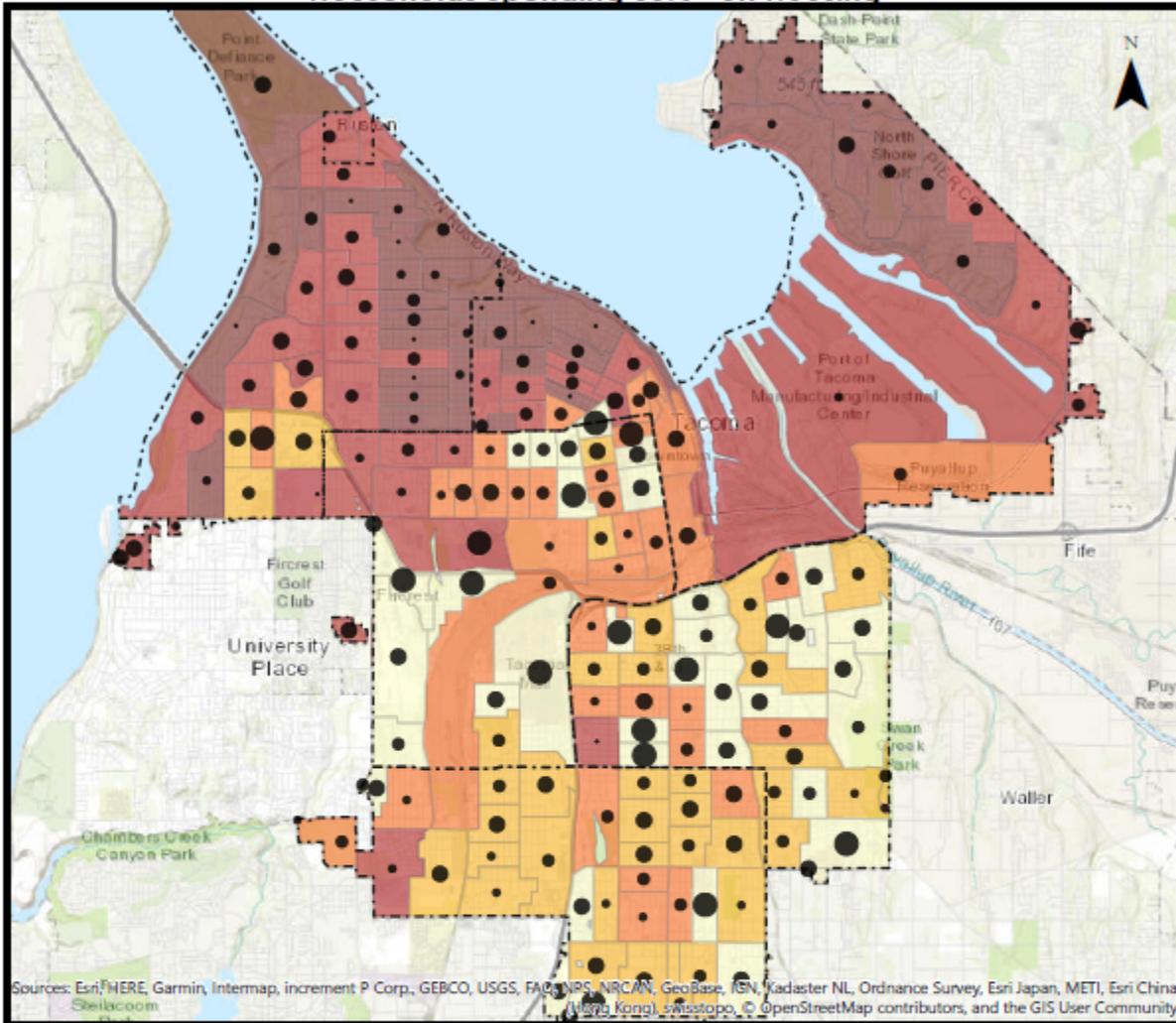
These realities, combined with other trends—the breakdown of traditional systems of family support (parents often working multiple jobs without extended family support for raising children), lack of financial literacy and ability of many to manage their financial lives, inadequate access to transportation, and lack of affordable housing—have marginalized people of color and had similar effects on other community members based on their age, sexual orientation, immigration status or disabilities.

The thumbnails above are provided as full page illustrations at the end of this element in Figure 20, Figure 21 and Figure 22.

Source: 2015–2019 City of Tacoma Draft Human Services Strategic Plan (2014); U.S. Census Bureau, 2008–2012 5-Year American Community Survey

This exhibit would be replaced.

Households Spending 30%+ on Housing



0 0.5 1 2 Miles

Tacoma Opportunity Index

- Very High
- High
- Moderate
- Low
- Very Low

Tacoma Accessibility

Percentage of Households Cost-Burdened

- 0 - 18%
- >19% - 29%
- >30% - 41%
- >42% - 53%
- >54% - 70%

The Equity Index represents 20 indicators within four social determinant categories; Accessibility, Economy, Education, and Livability. The census block groups were classified into Very Low to Very High. Opportunity is defined as a situation or condition that places individuals in a position to be more likely to succeed or excel.

Red census blocks represent communities that exceed the average score among the indicators. They are labeled as such to help emphasize the disparities within the City.

This exhibit would be added. Additional data could also be prepared to illustrate various housing-related issues

February 25, 2019



To: Planning Commission
From: Reuben McKnight, Historic Preservation Officer
Subject: **Historic Preservation Code Amendments**
Meeting Date: March 6, 2019
Memo Date: February 27, 2019

Action Requested: Release for Public review.

Discussion:

At the meeting on March 6, 2019 the Planning Commission will be asked to release the Proposed Amendments, as recommended by the Landmarks Commission, for public review and comment.

Staff presented the Landmarks Commission's recommendation to the Planning Commission on January 16, 2019. As a result of that discussion the Planning Commission requested additional information on several areas relating to the demolition review code, which were provided as a communication item in the February 20 meeting packet. After the initial communication item was prepared for the Commission, additional questions were submitted to staff. Staff is providing an attachment with a summary of those questions and staff responses (Attachment A).

Project Summary:

The objective of these amendments is to make general process improvements and clarifications to the body of regulations affecting historic preservation activities in Tacoma, as well as to address current gaps in the permit process for addressing impacts to cultural and historic sites resulting from development activities. These amendments are the product of several years of discussion including community stakeholders, the Landmarks Commission, and others.

Prior Actions:

- June 6, 2018 – the Planning Commission conducted a public hearing on the 2019 Amendment applications and accepted comments on this item.
- June 20, 2018 – the Planning Commission accepted this application into the 2019 Work Program, concluded the scoping process, and directed staff to begin analysis.
- August 8, 2018 – the Landmarks Preservation Commission began deliberations and code development.
- September 19, 2018 – staff provided a briefing to the Planning Commission.
- December 12, 2018 – the Landmarks Preservation Commission issued a recommendation to the Planning Commission.
- January 16, 2019 – staff provided a briefing to the Planning Commission on the proposed amendments.
- February 20, 2019 – staff provided a communication item regarding the proposed amendments addressing questions from the Commission

Staff Contact: If you have any questions

- Reuben McKnight, Historic Preservation Officer, reuben.mcknight@cityoftacoma.org, or 253-591-5220.

Attachments:

- A. Questions and Responses
- B. Letter from Landmarks Preservation Commission Chair
- C. Summary of Draft Amendments
- D. Staff Report and Amendment Exhibits

Historic Code Amendments Attachment A: Question and Response

1. *Using 50 years of age as a criterion seems arbitrary, as there are buildings that are not yet 50 years of age that may be significant due to associations with events or other factors, and there are many buildings older than 50 years of age of no historic value.*

Staff response: The age criterion is a standard used nationally by local, state and federal historic preservation programs as a threshold, or starting point, when considering historic significance. Fifty years is the threshold age in the City of Tacoma landmarks designation criteria, and it is also the generally used threshold age for National Register eligibility used by the National Parks Service (in exceptional circumstances, properties that have achieved significance within the last 50 years may also be determined eligible). It is considered to be an appropriate amount of time to provide historical perspective to properly assess historic importance. There are many examples that one could use to demonstrate that it is imperfect.

To point, there are clearly buildings that are younger than 50 years being extraordinarily important, such as the Space Needle in Seattle, which is why Seattle is unusual in that it extended its landmarks eligibility to begin at 25 years of age. The 50-year-old threshold in Tacoma could be lowered to be more inclusive; this would result in a higher number of properties reviewed under the proposed demolition review ordinance.

Likewise, there are thousands of buildings in Tacoma that are 50 or even 100 years of age that we would not consider historically significant. Many of us live in homes which meet the age criterion and are pleasant, but are otherwise unremarkable in terms of historic preservation.

This brings up a second point that is important to bear in mind, which is that 50 years is only a threshold determination. It does not automatically mean that a property is historically important, only that it might be. There are other criteria that need to be evaluated before a determination of significance is made, such as whether a property is significantly associated with events, or individuals, or historical narratives that are important.

The age threshold in the demolition review ordinance is designed to be consistent with standards already in place in the Tacoma Municipal Code, and state and federal law. It is also intended to strike a balance between protecting the historic character of the city and fostering development within it. While imperfect on its own, it is not an arbitrary criterion but rather a common standard for review.

2. *Buildings that are not yet 50 years of age may contain significant or important materials. Does the demolition review code address this?*

Staff response: The demolition review code as proposed does not use materials or other aspects of a building as a threshold trigger. However, preservation, reuse and recycling of architectural elements and historic materials is an important issue not only for historic preservation but also in terms of sustainable development practices. However, at this time, the draft demolition review code is intended to provide a limited, reasonable threshold to review projects of a certain scale that may have an adverse effect on the historic character of the city.

3. *Is a building the only structure that can trigger a historic preservation review? What about a cobblestone street? What about a neighborhood?*

Staff response: The scope of this code as proposed includes only projects involving demolitions that meet the age and square footage threshold. It is important to note that the demolition review code is not intended to regulate all development activities within the city; its scope is intentionally set to certain parameters. The demolition review ordinance is not intended to protect or regulate all aspects of Tacoma's history; in some cases, there are other regulations that do this, or better tools, and in other cases, it is simply a matter of striking the right balance.

There are many historical elements within the built environment that could be preserved, including historic street paving, granite curbs and brick gutters, street lights, and other features within Tacoma. Some, such as Wright Park, are listed on the Tacoma Register of Historic Places on their own merits.

Streets, in particular, represent a significant management challenge for the City due to costs associated with maintenance and upkeep and the utilities that often run beneath the surface. The Landmarks Commission and the City have had numerous discussion on this subject; in 2005 City Council adopted a new Landmarks Ordinance that categorically exempted streets from historic designation and also exempted them from historic district regulations. The disqualification of streets from historic designation was removed in 2008, but they still remain exempt from historic district requirements in the municipal code.

The primary point in this answer is that there are many elements within the built environment that are important to residents and to our shared history, and each represents a unique challenge when it comes to finding the appropriate level of management and protection.

4. *This proposal creates yet another sub-process in the already lengthy permitting process for re-development projects that may have 50-year-old buildings of no historic value.*

Staff response: It is the recommendation of the Landmarks Preservation Commission and the Planning Services Division that the existing process for the review of demolition of potentially significant buildings is not an acceptable status quo. While the appropriate level and timing of such a review is a matter of debate, there currently is no historic demolition review for large sections of the city, despite the fact that historic preservation is called out in the Growth Management Act as well

as within the State Environmental Policy Act (and within the Act there is no lower threshold for review of historically significant buildings proposed for demolition). Development of improved demolition review is specifically directed within the Comprehensive Plan's existing policies (noted in the staff report included in the January 16th meeting packet).

The City likely has the authority under existing SEPA rules to conduct demolition review, but without language in the Tacoma Municipal Code to provide guidance to staff, the public and the development community, such a practice would be highly unpredictable and confusing.

Other specialized review processes do exist, including Critical Areas, wetlands, and shorelines (the latter of which contains historic review language very similar to what is currently in the Tacoma Municipal Code for the subarea Cultural Resource Management Plan section). All of these review processes have thresholds.

The 50-year-old threshold is simply one way of determining whether a property falls within the scope of review, not how lengthy the review will be, and it certainly does not mean that "buildings of no historic value" will be subjected to a drawn-out, lengthy and unnecessarily burdensome permitting process.

It is worth pointing out that historic preservation as a permit review process in Tacoma is one of the most efficient within the Planning and Development Services Department, despite the often inaccurate representation of historic preservation as an obstructionist and arbitrary function of city and state governments, and the historic preservation program maintains a high level of credibility within the City organization and with its constituency.

5. *The proposed code does nothing to identify buildings that may have historic value even though they are not yet 50 years old.*

Staff response: This is correct, and the reason for this is that this code is not designed to be a tool for survey and identification of historic buildings. Survey and inventory is a function of the historic preservation office, not a permitting function. The City's policies promote the use of surveys to proactively identify historic and cultural resources as a part of subarea or neighborhood planning, particularly in areas of likely growth and redevelopment.

The City currently has two historic buildings surveys as GIS data layers, including the Tacoma Cultural Resource Inventory, which was conducted between 1977-1981 and includes approximately 1,600 buildings. These records have been periodically updated with supplemental update surveys conducted in 1993 and 2004 in Hilltop, 2000-2003 in the Central Business District and in 2006 in the Whitman area, but the records are very incomplete. In 2011, the City commissioned a historic building predictive GIS model to categorize the potential significance of buildings built prior to 1965, using assessor data, historical records and building records from the Tacoma

Public Library. However, while the database model provided useful aggregate building data, initial field testing and a subsequent analysis of its internal validity indicated that it was not a suitable basis for a demolition review permit requirement. In short, it missed important buildings and included many properties that were not significant.

A possible amendment to the proposed demolition review code that the Planning Commission could consider is to utilize the historic building inventory in lieu of the current criteria where an up to date survey has been completed.

The City is also currently working with the community advocacy organization Historic Tacoma to identify and inventory significant buildings within the Proctor Mixed Use Center, and recently partnered with the University of Washington through the Livable City Year Program to identify potential historic districts and resources in the McKinley Hill and South Tacoma neighborhoods, work that is ongoing.

6. *The historic preservation proposal is triggered only when demolition of a 50+ year-old building is proposed. As Commissioner Santhuff pointed out, will there be limits to the remodeling of historic buildings so that only period remodels are allowed?*

Staff response: This proposed code is only intended to review demolitions. There are other areas in the municipal code that deal with alterations of historic buildings (i.e. buildings that are within historic districts or individually listed on a historic register).

Generally speaking, the policy of this and other cities is to conduct design/historic review on older buildings only when they have been given a special status such as a historic designation. Further, that most historic designations are initiated by the property owner, although in Tacoma (and other cities, such as Seattle) owner consent is not required for the City Council to place a building on a historic register.



City of Tacoma
Landmarks Preservation Commission

December 12, 2018

Stephen Wamback, Chair
Tacoma Planning Commission

Dear Chair Wamback:

On behalf of the Landmarks Preservation Commission, I am pleased to present the Commission's recommendations for amendments to Title 13 of the Tacoma Municipal Code, in regard to historic preservation. This set of amendments ranges from minor adjustments to existing language for the purposes of clarity, to a new section covering the review of certain demolition permits in the City, that addresses what the Commission feels is a gap in existing regulations.

Specifically, the enclosed code language includes the following general scope:

1. Establishment of a citywide demolition review process.

Currently the City reviews demolition permits that affect City Landmarks and buildings within locally designated historic districts, as well as development permits within the Downtown and Mall Subareas for adverse effects to cultural and historical resources (TMC 13.12.570). However, outside of the subareas and locally designated historic districts, there is very little review for cultural and historic resources. The efforts to improve demolition review began with the adoption of the Historic Preservation Plan in 2011 and the subsequent discussions that have occurred since then, including the Planning Commission, Landmarks Commission and City Council.

The proposed language would:

- Create a new process that includes enhanced review of demolition permits that involve the demolition of structures 50 years old or older, and 1) involve a cumulative demolition of 4000 sf or more of buildings a parcel, or 2) are located within Mixed Use Centers, or 3) are contributing properties within National Register Historic Districts or are individually listed on National Register of Historic Places. Historically significant structures proposed for demolition would receive additional review, and potentially be recommended to City Council for Landmarks protection.
- Amend the existing demolition review language for subareas, including the Downtown Subarea and the Mall Subarea (TMC 13.12.570 "Cultural Resource Management Plan"), for usability and predictability.

The Commission believes that these proposed additions and amendments to the code will close gaps in the review process and provide for a more transparent assessment of impacts to cultural resources resulting from development activity.

2. Improvements to the nomination and designation of properties to the Tacoma Register of Historic Places, including:
 - Clarification regarding elements that can be included in historic designations
 - Clarification of the role of City Council in its review of nominations (TMC 13.07.050 and others).
 - Ease the process for nominating properties already individually listed on the National Register of Historic Places to the Tacoma Register of Historic Places

3. Increase effectiveness of Historic Conditional Use Permit
 - The Commission recommends further consideration of potential improvements to the Historic Conditional Use Permit language to improve its usability by expanding the table of potential uses to include eating and drinking establishments, Live Work, and potentially other uses that the Planning Commission may wish to consider.
 - Clarify existing language where it is unclear or unnecessarily restrictive.

These recommendations are accompanied by related “clean up” items proposed within TMC 1.42 including general language clean up (removing outdated references and revising language to be gender-neutral), removing the “arts commission liaison” position from the Commission, and other minor changes.

This body of recommendations represents the product of several years of discussion by the Landmarks Preservation Commission, staff, and the community. This year, the proposed amendments have been under review since August at the Landmarks Commission’s regularly scheduled meetings.

We believe that the proposed amendments will result in a significant increase in the effectiveness of the cultural resource management toolkit in Tacoma, while balancing the need to protect our most important historic resources with the need to accommodate future growth and ensure predictable, customer service focused project review.

Sincerely,



Kevin Bartoy,
Chair

Enclosures:

Draft Recommended Amendments to 13.05, 13.07, and 13.12



2019 Amendment Application No. 2019-06

Historic Preservation Code Improvements

PROPOSED AMENDMENTS TO THE TACOMA MUNICIPAL CODE TITLE 1 AND 13 – ADMINISTRATIVE CODE AND LAND USE REGULATORY CODE

January 16, 2019

NOTES:

This summary includes the sections that are proposed to be amended for Landmarks Commission review. Each section is an excerpt, in order to cut down on paper usage.

Sections are divided by *** marks, indicating the beginning and end of each amended section. Sections within which language has been omitted for length include ... marks to indicate the omitted language.

Additions are indicated by red underline and deletions are indicated by ~~red strikethrough~~.

The following code sections are included in this draft language:

1.42 Landmarks Preservation Commission

- 1.42.040 Composition of the Landmarks Preservation Commission
- 1.42.090 Powers and Duties of the Commission
- 1.42.100 Meetings and Procedures
- 1.42.110 Historic Preservation Officer

13.06 Zoning

- 13.06.640 Conditional Use Permit

13.07 Landmarks and Historic Special Review Districts

- 13.07.30 Definitions
- 13.07.040 Tacoma Register of Historic Places – Establishment and criteria.
- 13.07.050 Tacoma Register of Historic Places – Nomination and designation process for individual properties.

13.12 Environmental Code

- 13.12.570 Archaeological, Cultural, and Historic Resources.

1.42.040 Composition of the Landmarks Preservation Commission.

All members of the Commission shall have a demonstrated interest and familiarity with basic historic preservation issues, either through professional practice or volunteer work, and shall be residents within the boundaries of the City, except as provided elsewhere in this chapter.

The Landmarks Preservation Commission shall consist of ~~11 members as follows~~ the following:

A. Architect Positions: The Commission shall ~~always~~ include a minimum of three members who are currently or have been in the past professionally certified architects. These positions shall be named Architect Positions 1 through 3.

B. Professional Positions: In addition to the above, the Commission shall ~~always~~ include a minimum of four individuals who have had professional experience or training related to Historic Preservation originating from employment or study within the

following disciplines: Arts or art history, architecture, history, architectural history, planning, prehistoric and/or historic archaeology, conservation, construction or building trades, landscape architecture, urban planning or design, structural engineering, land use or real estate law, real estate, appraisal or real estate finance, project management or contracting, or a related discipline. These positions shall be named Professional Positions 1 through 4.

~~C. Tacoma Arts Commission Liaison Position: One position may be appointed from the membership of the Tacoma Arts Commission upon nomination by the Tacoma Arts Commission Chair. If the Arts Commission Chair declines to make such an appointment, upon request of the Mayor, the position may be appointed by City Council according to the normal appointment procedures described in this chapter.~~

~~DC.~~ At-Large Positions: The remaining positions may be filled at-large. These shall be referred to as At-Large Positions 1 through ~~34~~.

~~ED.~~ Temporary vacancies of one or all of the professional positions shall not render actions by the Commission invalid, unless the Commission action is related to meeting Certified Local Government (“CLG”) responsibilities cited in the Certification Agreement between the Mayor and the State Historic Preservation Officer on behalf of the state.

~~FE.~~ Exception to the residency requirement may be granted by City Council in order to fill vacancies for professional positions.

~~GF.~~ The Appointments Committee may, at its discretion, solicit nominations from neighborhood community associations, business districts, and professional organizations to ensure geographic and professional diversity within the Commission.

~~HG.~~ The provisions of this chapter shall be enforced as vacancies occur following the adoption of this legislation.

1.42.090 Powers and duties of the Commission.

The primary duty of the Landmarks Preservation Commission is to identify and actively encourage the conservation of the City’s historic resources by establishing and maintaining a register of historic landmarks, landmark sites, historic special review districts, and conservation districts; reviewing proposed changes to register properties; raising community awareness of the City’s history and historic resources; and serving as the City’s primary resource in matters of history, historic planning, and preservation, as provided for in this chapter and Chapter 13.07 of the TMC.

In carrying out these responsibilities, the Landmarks Preservation Commission shall engage in the following:

- A. Serve as liaison to the City Council on matters of historic preservation policy.
- B. Establish and maintain the Tacoma Register of Historic Places (“Register”), as provided for in TMC 13.07. The Register shall consist of buildings, structures, sites, objects, and districts identified by the Commission as having historic significance worthy of recognition and protection by the City in accordance with the purposes of this chapter.
- C. Review and advise the City Council regarding nominations to the Tacoma Register of Historic Places for individual listings as well as for potential historic districts, according to criteria and procedures listed in TMC 13.07.
- D. Review proposals to construct, change, alter, modify, remodel, move, demolish, or significantly affect properties or districts on the register, as provided in TMC 13.05 and 13.07, and adopt standards, design guidelines, and district rules to be used to guide this review and the issuance of a certificate of approval.

1.42.100 Meetings and procedures.

- A. The Commission shall establish a regular time and place for meetings and shall meet a minimum of 12 times per calendar year, or additionally, as necessary, to conduct Commission business. Special meetings may be called by the chairman or by any three members of the Commission upon personal notice being given to all members or written notice being mailed to each member at least 24 hours prior to the date set for such meeting, unless such notice requirement is waived in writing.
- B. A simple majority of appointed filled positions shall constitute a quorum.
- C. All Commission meetings shall be conducted in compliance with Chapter 42.30 RCW, Open Public Meetings Act, to provide for adequate public participation, and the Commission shall adopt standards in its rules to guide this action.
- D. The Commission’s chairman person shall submit an annual report to the City Council, sending a copy thereof to the City Clerk.

1.42.110 Historic Preservation Officer.

To ensure adequate commission and professional staff assistance, the Director of ~~the Community and Economic Development Planning and Development Services~~ Department shall appoint a Historic Preservation Officer for the City. The Historic Preservation Officer shall possess expertise in the field of historic preservation, with professional qualifications in the disciplines of archaeology, architecture, architectural history, history, urban planning, art history, or a closely related field.

Under the direction of the Commission, the Historic Preservation Officer shall act as ex officio secretary and shall keep accurate records of the Commission’s proceedings and transactions, conduct official correspondence, assist in organizing and supervising the Landmarks Preservation Commission, and organize and supervise clerical and technical work of the Commission to the extent required to administer this chapter.

13.07.030 Definitions.

...

“Significant interior ~~features~~spaces” means architectural features, spaces, and ornamentations which are specifically identified in the landmark nomination and which are located in public ~~or common~~ areas of buildings such as lobbies, corridors, or other assembly spaces, ~~or that are of exceptional historic significance due to integrity or association with historic events.~~

13.06.640 (F) Conditional Uses in Historic Structures. A conditional use permit for the reuse of a historic structure and/or site for one of the below- listed uses (where not otherwise allowed by the underlying zoning) shall be authorized only if it can be found to be consistent with all of the following criteria. This provision shall be limited to only ~~those~~ parcels that contain structures and sites that are individually-listed on the Tacoma Register of Historic Places. In granting such a conditional use permit the Director or Hearing Examiner may attach thereto such conditions regarding the location, character, orientation, layout, access and other features of the proposed development as may be deemed necessary to ensure consistency with the intent of the TMC and Comprehensive Plan and ensure that use of the building and site will be compatible with the existing, historic attributes of the building and site and surrounding uses.

1. The use shall be consistent with the goals and policies of the Comprehensive Plan, any adopted neighborhood or community plans, and applicable ordinances of the City of Tacoma.
2. 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 use permit:
 - 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.
3. The proposed re-use shall promote the preservation and/or restoration of the designated historic structure(s) on the site.
4. Whether the proposed re-use is necessary to maintain and preserve the historic property due to unique circumstances of the property.
5. The proposed reuse and design of any modifications to the historic structure(s) and site shall be approved by the Landmarks Preservation Commission.
6. The proposed use(s) shall be limited to ~~one of~~ the following:

Art/Craft production	Assembly facilities	Continuing care retirement community
Cultural institutions, <u>including art galleries</u>	Extended care facility	Group housing
Intermediate care facility	Lodging house	Multi-family dwellings
Offices offering professional dental, medical, legal or design services	Offices for charitable, philanthropic or community service organizations where it can be shown that there is limited contact with the general public	Personal services
Retirement home	Retail, only as an incidental use to one or more of the other listed uses	<u>Eating and Drinking</u>
<u>Live Work</u>		

13.07.040 Tacoma Register of Historic Places – Establishment and criteria.

A. Tacoma Register of Historic Places is Established. In order to meet the purposes of this chapter and Chapter 1.42 of the TMC, there is hereby established the Tacoma Register of Historic Places. Historic resources and districts designated to this Register pursuant to the procedures and criteria listed in this chapter are subject to the controls and protections of the Landmarks Preservation Commission established by TMC 1.42 and pursuant to the design review provisions of this chapter.

B. Criteria for the Designation to the Tacoma Register of Historic Places.

1. Threshold Criteria: The Commission may determine that a property is eligible for consideration for listing on the Tacoma Register of Historic Places if it:

- a. Is at least 50 years old at the time of nomination; and
- b. Retains integrity of location, design, setting, materials, workmanship, feeling, and association such that it is able to convey its historical, cultural, or architectural significance

2. Designation Criteria: In addition to the above, a property may be designated to the Tacoma Register of Historic Places if it:

- a. Is associated with events that have made a significant contribution to the broad patterns of our history; or
- b. Is associated with the lives of persons significant in our past; or
- c. Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
- d. Has yielded or may be likely to yield, information important in prehistory or history; or
- e. Abuts a property that is already listed on the Tacoma Register of Historic Places and was constructed within the period of significance of the adjacent structure; or
- f. Is already individually listed on the National Register of Historic Places; or
- g. Owing to its unique location or singular physical characteristics, represents an established and familiar visual feature of the neighborhood or City.

3. Additional criteria for considering designation of interior spaces. The Commission may include interior spaces in its designation recommendation if the Commission determines:

- a. The interior space meets the definition of “significant interior spaces” as described in this chapter and contributes to the historic character of the property, and
- b. That the protection of the interior space would provide broad public benefit.

13.07.050 Tacoma Register of Historic Places – Nomination and designation process for individual properties.

A. Process for the nomination of individual properties, generally:

1. Any resident of Tacoma or City official, including members of the City Council, City staff, or members of the Planning Commission, may request consideration by the Landmarks Preservation Commission of any particular property for placement on the Tacoma Register of Historical Places.

2. A written request, which shall be in the form of a completed nomination to the Tacoma Register of Historic Places, shall be made to the Historic Preservation Officer. For properties that are individually listed on the National Register of Historic Places, the National Register nomination form may be submitted in lieu of a Tacoma Register form. At a minimum, the nomination form shall contain the following:

- a. A narrative statement which addresses the historical or cultural significance of the property, in terms of the Designation Criteria listed in this chapter; and
- b. A narrative statement which addresses the physical condition assessment and architectural description; and
- c. Specific language indicating which improvements on the site are included in the nomination, including any significant interior spaces ~~within publicly owned buildings~~; and

...

B. Landmarks Preservation Commission Preliminary Meeting on Nomination.

1. When a nomination form is found by the Historic Preservation Officer to be complete as indicated in this section, the Historic Preservation Officer shall:

a. Schedule the nomination for preliminary consideration at the next available regularly scheduled meeting of the Landmarks Preservation Commission and shall serve the taxpayer(s) of record written notice 14 days in advance of the time and place of the meeting. If the taxpayer of record is not the sponsor of the nomination, the taxpayer of record may request an additional 30 days to respond to the nomination.

b. Notify other City Departments and Divisions, as appropriate, of receipt of the nomination.

2. No person shall carry out or cause to be carried out any alteration of any building, site, structure, or object under consideration by the Landmarks Preservation Commission for designation as a City Landmark, without a Certificate of Approval pursuant to TMC 13.05.047.

3. At this meeting, the Landmarks Preservation Commission shall, by quorum vote, find that the application meets the threshold criteria for designation contained in this chapter, that it does not meet the threshold criteria, or the Commission may defer the decision if additional information is required. The Commission may also, by quorum vote, amend or edit a nomination that is under review at the preliminary meeting.

...

D. City Council Review of Designation.

1. Upon receipt of a recommendation from the Commission, the City Council may place the nominated property on the Tacoma Register of Historic Places ~~approve the same~~ by adoption of a resolution designating the structure property as a historic landmark or building, ~~may reject the same, or may refer it back to the Commission for further consideration~~, as the Council may deem appropriate.

2. If the City Council approves the designation, the designating resolution shall contain the following:

- a. Location description, including legal description, parcel number, and street address of the City landmark;
- b. Criteria under which the property is considered historic and therefore designated as a landmark;
- c. Elements of the property, including any significant interior spaces if so nominated, that the Council determines shall be subject to Landmarks Preservation Commission regulation.

3. Upon adoption of a resolution approving the designation of a historic building as a City landmark, the City ~~Clerk shall transmit a copy of said resolution to Building and Land Use Services, which~~ shall place the City landmark designation on the subject property's records under ~~his or her~~ its jurisdiction.

13.12.570 Archaeological, Cultural, and Historic Resources.

A. Regional Growth Centers.

1. This section sets forth provisions for addressing archaeological, cultural, and historic resources for projects located within the Downtown Tacoma Regional Growth Center and within the Tacoma Mall Neighborhood Regional Growth Center in areas where a Subarea Plan and a companion area-wide, non-project Environmental Impact Statement (“EIS”) have been completed. The Planning and Development Services Department will use this process and any required assessments to evaluate potential impacts and assist in identifying and establishing appropriate mitigation measures.

2. Cultural Site Assessment Requirements B. Known Archaeological, Cultural and Historic Resources.

a. 1. All applications for a permit shall ~~indicate~~ identify whether the property is within 500 feet of a site known to contain an historic, cultural or archaeological resource(s) based upon historic registers and records. Locations Records of known archaeological sites are restricted and c. Consultation with the Washington Department of Archaeology and Historic Preservation or a certified archaeologist will be required.

(1) If there are no known historically designated or significant sites within 500 feet of the subject property, a letter to the Historic Preservation Officer should be submitted with the development stating so, along with the research methods used and resources consulted.

(2) If the property is determined to be within 500 feet of a site known to contain historic, cultural, or archaeological resources, the City shall require a cultural resource site assessment; provided that, the provisions of this section may be waived if the Director determines that the proposed development activities do not include any ground disturbing activities and will not impact a known historic, cultural or archaeological site. The intent of the site assessment is to identify potentially affected historic or cultural significant properties near the project area, and to provide a general assessment of the potential impacts to these properties. The site assessment shall be conducted in accordance with Washington State Department of Archaeology and Historic Preservation guidelines for survey and site reporting to determine the presence of significant historic or archaeological resources. The fee for the services of the professional archaeologist or historic preservation professional shall be paid by the landowner or responsible party. The site assessment shall contain the following elements:

(a) The Cultural Resource Assessment shall catalog known significant historic or cultural sites in the vicinity (500 feet) of the proposed project, and assess whether there are any probable impacts to those sites resulting from the development activity. This assessment shall include photographs and a brief description of significant sites, a description of anticipated impacts (if any) and a map showing locations relative to the proposed development.

(b) Where there is a large planned development that may affect numerous historically significant properties, and for any project that includes demolitions of structures 50 years of age or older, the documentation of buildings must be conducted in accordance with Washington State Department of Archaeology and Historic Preservation guidelines for survey and site reporting. Such documentation must include an assessment of the historic significance or lack thereof, and the basis for this assessment.

(c) Demolition of historically significant structures or the disturbance of documented archaeological sites will automatically require the preparation of a Cultural Resource Management Plan (see below).

(d) Waivers of the Cultural Site Assessment. Applicants may request that the provisions of this section be waived by submittal of a written request stating the basis for such a waiver, including the resources consulted and research conducted.

(e) The fee for the services of the professional archaeologist or historic preservation professional shall be paid by the landowner or responsible party, if needed.

(3) From the date of receipt of the Cultural Resource Assessment, the Historic Preservation Officer shall have thirty (30) days to review the document. The Historic Preservation Officer may accept the assessment as presented, request additional information or clarification, or find that, due to likely adverse effects upon historically or culturally significant properties resulting from the development project, a Cultural Resource Management Plan should be completed.

3. Cultural Resource Management Plan

a. 2. If the cultural resource site assessment identifies the presence of significant historic or archaeological resources, for which there is an anticipated adverse effect resulting from the proposed development activity, a Cultural Resource Management Plan (“CRMP”) shall be prepared by a professional archaeologist or historic preservation professional paid by the landowner or responsible party. In the preparation of such plans, the professional archaeologist or historic preservation professional shall solicit comments from the Washington State Department of Archaeology and Historic Preservation and the Puyallup Tribe. Comments received shall be incorporated into the conclusions and recommended conditions of the CRMP to the maximum extent practicable.

b. The CRMP is intended to provide documentation that allows a thorough assessment of the anticipated adverse impacts to historic and culturally significant properties resulting from development activities within the regional growth center or subarea. The CRMP shall be prepared by a qualified cultural resources consultant, as defined by the Washington State Department of Archaeology and Historic Preservation, and 3.-A CRMP shall contain the following minimum elements and information:

a. The CRMP shall be prepared by a qualified cultural resources consultant, as defined by the Washington State Department of Archaeology and Historic Preservation;

(1) b. A Description of the Area of Potential Effect (“APE”) for the project, defined as geographic area or areas within which the development project may directly or indirectly cause changes in the character or use of historic or culturally significant

properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of the project and may be different for different kinds of effects caused by the project. ~~including~~ The justification for the APE shall include a general description of the scope of work for the project and the extent and locations of ground disturbing activities (ground disturbing activities include excavations for footings, pilings, utilities, environmental testing or sampling, areas to be cleared and/or graded, demolition, removal or relocation of any existing structures, and any other ground disturbances that may occur as a result of construction activities);

(2) An inventory and assessment of all historically and culturally significant/designated properties within the APE, including citations, with dates, of any previous written documentation on listed or known culturally significant sites. In compiling this information consultations with the following agencies shall be necessary, and a list of the agency officials that were consulted with shall be included, such as the Washington State Department of Archaeology and Historic Preservation, the City of Tacoma Historic Preservation Office, and the Puyallup Tribe of Indians;

(3)e. Photographs of the APE, including existing structures and areas of construction activities; An assessment of probable direct and indirect impacts within the APE resulting from development activities, including:

(a) Demolition of any buildings or structures over 50 years of age.

(b) The potential for the site to contain historic or prehistoric archaeological materials, based on the topography of the property, historical literature, geological data, geographical context, or proximity to areas of known cultural significance.

(4) d. An examination of project on-site design alternatives; including an explanation of why the proposed activity requires a location on, or access across and/or through, a significant historic or archaeological resource; and

e. An explanation of why the proposed activity requires a location on, or access across and/or through, a significant historic or archaeological resource; and

f. Citations, with dates, of any previous written documentation on listed or known culturally significant sites. In compiling this information consultations with the following agencies shall be necessary, and a list of the agency officials that were consulted with shall be included:

(1) State Department of Archaeology and Historic Preservation to identify buildings, sites, or objects within the APE that are listed on the National Register of Historic Places or the Washington State Heritage Register.

(2) City of Tacoma Historic Preservation Office to identify any buildings, sites, or objects within the APE listed on the Tacoma Register of Historic Places.

(3) The Puyallup Tribe of Indians Historic Preservation Section to identify any buildings, sites, or objects within the APE within the 1873 Land Claims Settlement Survey Area.

g. An assessment of probable adverse impacts to culturally significant buildings, sites, or objects, resulting from:

(1) Demolition of any buildings or structures over 50 years of age.

(2) The potential for the site to contain historic or prehistoric archaeological materials, based on the topography of the property, historical literature, geological data, geographical context, or proximity to areas of known cultural significance.

(5) h. A description of how potential adverse effects to cultural resources as a result of construction activities will be mitigated or minimized. Subject to review and approval of the City's Historic Preservation Officer, appropriate mitigation may include, but is not limited to:

(a) ~~(1)~~ Additional consultation with federal, state, local and tribal officials or the Tacoma Landmarks Commission.

(b) ~~(2)~~ Additional studies such as pedestrian surveys, subsurface testing, remote sensing, phased or periodic testing as a part of any geotechnical assessment or soil testing required for the project, or monitoring during construction.

(c) ~~(3)~~ Avoidance of historic/cultural resources;

(d) ~~(4)~~ Retention of all or some of a historic structure into a new development;

(e) ~~(5)~~ Interpretive/educational measures;

(f) ~~(6)~~ Off-site/on site preservation of another historic resource;

(g) ~~(7)~~ Recording the site with the Washington State Department of Archaeology and Historic Preservation, or listing the site in the National Register of Historic Places, Washington Heritage Register, as applicable, or any locally developed historic register registry formally adopted by the City of Tacoma;

(h) ~~(8)~~ Preservation in place;

(i) ~~(9)~~ Reinterment in the case of grave sites;

(j) ~~(10)~~ Covering an archaeological site with a nonstructural surface to discourage pilferage (e.g., maintained grass or pavement);

(k) ~~(11)~~ Excavation and recovery of archaeological resources;

(l) ~~(12)~~ Inventorying prior to covering of archaeological resources with structures or development; and

(m) ~~(13)~~ Monitoring of construction excavation.

c. 4. Upon receipt of a complete permit application in an area of known historic/archaeological resources, the City shall notify and request a recommendation from appropriate agencies such as the Washington State Department of Archaeology and Historic Preservation and the Puyallup Tribe. Recommendations of such agencies and other affected persons shall be duly considered and adhered to whenever possible and reasonable.

d. 5. The recommendations and conclusions of the CRMP shall be used to assist the Director in making final administrative decisions concerning the presence and extent of historic/archaeological resources and appropriate mitigating measures. The Director shall consult with the Washington State Department of Archaeology and Historic Preservation and the Puyallup Tribe prior to approval of the CRMP.

e. 6. The Director may reject or request revision of the conclusions reached in a CRMP when the Director can demonstrate that the assessment is inaccurate or does not fully address the historic/archaeological resource management concerns involved.

B. Demolition of Historic Resources - Citywide

1. Scope and Applicability. This section sets forth provisions for review of demolition permits that affect structures that are 50 years of age or greater at the time of permit application, and that involve demolition of 4000 gross square feet or more on a parcel, or are located within designated Mixed Use Centers, or are properties listed on the National Register of Historic Places either as part of a district or individually listed. The following project types are exempt from this section:

a. Demolition of single family homes that are not located within National Register Historic Districts or listed on the National Register of Historic Places;

b. Demolitions of buildings that are less than 4,000 square feet in size that are not located within National Register Historic Districts or listed on the National Register of Historic Places, or located within Mixed Use Centers;

2. Demolitions affecting designated City Landmarks. All demolition permits affecting City Landmarks (either individually listed or within local historic special review districts) shall be reviewed pursuant to procedures outlined in TMC 13.05.048 and TMC 13.07.110.

3. Requirements. Applications for a demolition permit shall include a summary report that identifies all affected structures that are fifty years of age or greater, and shall note any such structures that are listed on the National Register of Historic Places either individually or as part of a district. Submittal materials shall include at minimum:

a. Current photographs of all elevations of all affected structures

b. Historical photographs of the affected structures, if available from public sources

c. Narrative of any known history of affected structures (construction date, architect, builder, occupants, associated events)

4. The summary demolition report shall be reviewed by the Historic Preservation Officer to determine whether the affected structures appear to be historically significant and should be referred to the Landmarks Preservation Commission for consideration of designation to the Tacoma Register of Historic Places. The Historic Preservation Officer may consider the summary demolition report for up to 30 days.

a. Demolition affecting properties that are listed on the National Register of Historic Places, either individually or as a contributing structure within a historic district, shall be referred to the Landmarks Commission for consideration of designation to the Tacoma Register of Historic Places, unless it is determined by the Historic Preservation Officer that such properties lack historic integrity of location, place, setting, materials, association or feeling to the extent that such properties would be unlikely to be eligible for designation to the Tacoma Register.

b. Demolition of all other properties shall be preliminarily assessed by the Historic Preservation Officer based upon the criteria for designation of a landmarks TMC 13.07.040.

5. If the Historic Preservation Officer determines that the affected structures possess historic integrity of location, design, setting, materials, workmanship, feeling, and association and are likely eligible for listing on the Tacoma Register of Historic Places, or if the affected properties are already listed on the National Register of Historic Places, the applicant will be directed to prepare a Historic Property Assessment Report, which shall be prepared at the expense of the applicant by a qualified historic preservation consultant, and which shall contain:

a. A narrative statement which assesses the historical or cultural significance of the property, in terms of the Designation Criteria listed in TMC 13.07.050; and

b. A narrative statement which assesses the physical condition of the property and includes an architectural description; and

c. Specific language indicating which improvements on the site are eligible for historic designation according to the Designation Criteria, including any significant interior features within publicly owned buildings; and

d. A complete legal description; and

e. A description of the character-defining features and architectural elements that contribute to the historic character of the property.

6. The Historic Property Assessment Report shall be forwarded to the Landmarks Preservation Commission for its review. If the Commission finds that the affected properties should be included in the Tacoma Register of Historic Places, it shall transmit such a recommendation to the appropriate Council Committee for concurrence.

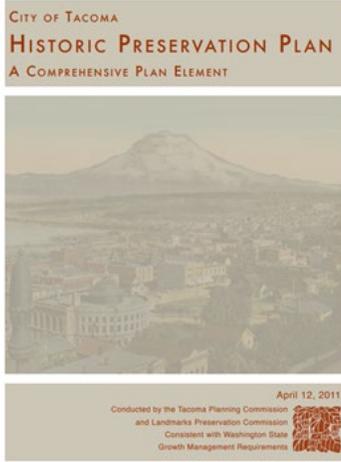
7. If no concurrence from the Committee is received within 60 days of the Committee's initial consideration of the recommendation, the Commission's recommendation is rejected. In all cases, the Committee's concurrence by vote shall be required for further consideration by the Commission; however, this does not preclude consideration of the property for designation to the Tacoma Register of Historic Places if a formal nomination for the same property is received from a private individual.

8. Upon receiving concurrence from the Committee, the Landmarks Preservation Commission shall schedule a public hearing as soon as it is practical to solicit public comment on the potential designation, per the procedural requirements at TMC 13.07.050.

9. During the demolition review process, all requirements of TMC 13.05.046 relating to the alteration of historic properties apply to the affected properties. If the demolition permit application is withdrawn, but the Commission or City Council is considering historic designation of the subject property, the historic designation review will continue regardless of the demolition permit status.

C. Unanticipated Discovery of Archaeological, Cultural and Historic Resources.

All permit applications shall prepare a plan for the possible unanticipated discovery of historic, cultural or archaeological resources, including a point of contact, procedure for stop-work notification, and for notification of appropriate agencies



Historic Preservation Code Improvements

Staff Report

This proposal seeks to improve the effectiveness of the Historic Preservation Program through a series of code amendments, including: enhancement of demolition/cultural resources impact review within TMC 13.12.570; enhancements to TMC 13.07, including clarification of the nomination and designation process and project review, and the Historic Conditional Use Permit at TMC 13.06.640 F. Companion amendments to TMC 1.42 regarding the composition of the Landmarks Commission are also proposed.

Project Summary	
Applicant:	Planning and Development Services
Type of Amendment:	Code
Location and Size of Area:	Citywide
Current Land Use and Zoning:	Multiple
Neighborhood Council Area:	Multiple
Staff Recommendation:	To Release the Staff Report and Draft Exhibits for public review and comment.
Date of Report:	January 16, 2019
Project Proposal:	<p>Major elements of the proposed amendments include:</p> <ol style="list-style-type: none"> 1. Establishment of a citywide demolition review process that would include review of demolition permits for adverse effects to historically significant properties over 4,000 SF, within Mixed Use Centers, and within National Register Historic Districts or affecting National Register listed buildings, as well as clarifying existing demolition review language in code. 2. Amendments to clarify the nomination and designation process, including improvements to language regarding elements that can be included in historic designations, as well as improvements to the language regarding City Council review of nominations (TMC 13.07.050 and others). 3. Changes to nomination requirements to ease nominations locally for properties already on the National Register of Historic Places. 4. Increase effectiveness of Historic Conditional Use Permit by clarifying elements of listed properties eligible for Conditional Use, as well as potential expansion of use palette.



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

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www.cityoftacoma.org/historicpreservation

1. Area of Applicability

These amendments are citywide, but would primarily affect properties with institutional, commercial and multifamily structures and those within National Register Historic Districts.

2. Background

This is an outgrowth of several years of community discussion as well as Landmarks Commission direction, in addition to process issues discovered during project review since the last significant code amendment in 2011.

In 2011 a GIS-based predictive model was created with the objective of providing a data-driven approach to determine what properties might be historically significant, without the need or expense of a field survey. However, after much analysis and review, it was determined that due to limitations on data, there were internal and external validity problems with the model output significant enough to limit its use as a permitting threshold tool (i.e. whether it could be used to determine whether a property was significant enough to require demolition review in permitting).

Moreover, the Downtown Subarea Plan implemented a similar requirement for review of impacts to historic and cultural resources resulting from development activities within the downtown area, under its Cultural Resource Management Plan requirement that is codified at TMC 13.12.570.

The remainder of the propose amendments are not expansions of code or program authority as much as they are clean up and clarification of existing language.

3. Policy Framework

The Historic Preservation Element of the Comprehensive Plan anticipates and supports the proposed amendments. Among other observations, the plan notes that demolition review is an administrative function housed within the Historic Preservation Office, and that presently (2011) the existing tools are not sufficient for this task to be fully functional.

Specifically, the Plan states:

Goal: Historic Resources are Protected from Demolition.

Historically significant properties should be protected from demolition whenever possible. This includes properties eligible for, or listed in, local, state or national historic registers.

Policy HP-21

Provide effective demolition review procedures.

Procedures for demolition review should protect both identified and potential historic resources from demolition.

Action HP-21A

Consider expanding a demolition review and consideration period to non-designated properties that may be historically significant.

Consideration should be given to expanding demolition review to include all properties within a historic or conservation district as well as non-single family residential properties that meet a specific age threshold and

appear on a historic register or are likely to be historically significant based on a predictive model. Note that a review period may also allow for public notice and comment.

4. Objectives

The following is a summary of how the proposed amendments respond to the objectives identified in 13.02.045.D.4 for amendments to the Comprehensive Plan and Land Use Regulatory Code:

- Address inconsistencies or errors in the Comprehensive Plan or development regulations;

Demolition review is not currently adequate within the City of Tacoma, and as practiced currently is both falling short of the Comprehensive Plan policy direction and the expectations of the community.

The amendments involving the Landmarks code will clarify processes for nominations that have recently arisen, improving the quality of service to Tacoma's citizens.

- 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;

With increasing real and anticipated development pressure, this amendment is needed to ensure that adequate public review is conducted for projects that may affect historically significant properties in Tacoma. In addition, it potentially provides an opportunity for better project outcomes to ensure that future development is compatible with the character of the existing built environment.

- Maintain or enhance compatibility with existing or planned land uses and the surrounding development pattern;

Demolition review would provide an opportunity to identify and mitigate impacts to Tacoma's historic areas resulting from demolition of historically significant structures. This would encourage a balance between new development activity and the character of the existing context.

- Enhance the quality of the neighborhood.

The Historic Conditional Use Permit is intended to encourage the adaptive reuse of historically significant properties within neighborhoods, in cases where historic structure was constructed prior to the adoption of the zoning code and potential new uses are not allowed by the present day zoning. These structures, such as schools or other institutional buildings, are often character defining to the neighborhood and contribute to the neighborhood identity.

To date, the Historic Conditional Use Permit has not resulted in a successful historic adaptive reuse development project. The enhancements to this program would identify and address inadequacies, such as limitations on potential uses or other barriers.

6. Outreach

The following outreach has been conducted to this point in the process:

- The Planning Commission conducted a public scoping hearing on June 6, 2018 and accepts comment on agenda items at regular meetings.
- The Master Builders Association of Pierce County has been briefed on the demolition review concept. The Historic Preservation Office is conversant with our counterparts at the Puyallup Tribe, and we would also offer these proposals for consultation with the appropriate staff at the Tribal administration.

- The Landmarks Commission is the primary subject matter expert on these policy issues, and has discussed all of these amendment areas in recent years at various meetings.

The following outreach will be conducted prior to a Planning Commission recommendation:

- In February, the City will be conducting a series of neighborhood planning workshops to provide information on proposed amendments, to gather community input on the proposals, and to raise awareness regarding the legislative process.
- The Planning Commission will conduct a public hearing on the proposed amendments.

Attachments:

1. Draft Exhibit: Amendments to the Tacoma Municipal Code



To: Planning Commission
From: Lihuang Wung, Planning Services Division
Subject: **Minor Amendments**
Date: February 27, 2019

For the Meeting of: March 6, 2019

Action Requested: Release for Public review.

Discussion:

The Planning Commission will continue to review the "Minor Amendments" application for the 2019 Annual Amendment to the *One Tacoma* Comprehensive Plan and Land Use Regulatory Code. The review will focus on staff's response to the Commission's comments and suggestions raised at the last meeting on February 20, 2019, as well as new issues proposed by staff. Attached to facilitate the Commission's review is the revised Exhibit "A" (Issues and Proposed Amendments) to the Staff Analysis Report, with revisions **highlighted in yellow**.

Project Summary:

The Minor Amendments application includes proposed amendments that are intended to keep information current, address inconsistencies, correct minor errors, and clarify and improve provisions that, through implementation of the *One Tacoma Plan* and administration of the code, are found to be unclear or not fully meeting their intent. This year, the application includes 28 proposed amendments that address Chapters 1.37, 8.30, 13.04, 13.05, 13.06, 13.06A, and 13.09 of the Tacoma Municipal Code.

Prior Actions:

- June 20, 2018 – Reviewed preliminary scope of work
- February 20, 2019 – Reviewed issues and the associated proposed amendments

Staff Contact:

- Lihuang Wung, Senior Planner, lwung@cityoftacoma.org, (253) 591-5682

Attachment:

1. Revised Exhibit "A" (Issues and Proposed Amendments) to the Staff Analysis Report regarding Minor Amendments (dated March 6, 2019)

c. Peter Huffman, Director





**2019 AMENDMENT
TO THE COMPREHENSIVE PLAN AND LAND USE REGULATORY CODE**

EXHIBIT "A"

Minor Amendments – Issues and Proposed Amendments

(For Planning Commission's Review on March 6, 2019. Revisions to the previous version dated February 20, 2019 are in Items #3, #18, #26, #27, and #28, and highlighted in yellow.)

No.	Subject	Code Sections	Issues and Analysis	Proposed Amendments
1.	Cleanups to TDR Admin Code	1.37.050.C.3 and 1.37.060	<p>Modifications are proposed to TMC 1.37 Transfer of Development Rights Program Administrative Code to clarify methodology and administration of the TDR Program. The changes would:</p> <p>1. Remove the option to pay into a City Open Space Fund in exchange for height bonuses rather than utilizing TDR Credits for that purpose. This option was intended to streamline the use of the program and promote its use. The provision has not been utilized, and was intended to be phased out once the TDR Program became established. As it stands, it essentially undercuts the market for TDR sending credits by offering a fixed price for height bonuses. Therefore, staff recommends that it be removed.</p> <p>2. Remove descriptive text which was added in order to streamline and promote the use of the TDR Program by illustrating the methodology for determining the number of TDR Sending Credits available from Tacoma Habitat sending areas. In application, staff has found that this methodology does not generate an accurate assessment of development potential of an open space site, as required by the TDR Code. This is because there is a broad range of characteristics that greatly affect development potential. Furthermore, the City's recent adoption of Biodiversity Corridors/Areas standards is not reflected in the current calculation. The current language is not achieving its intent of supporting the TDR Manager's determination of the development potential (and thus TDR Sending Credits) on a proposed Open Space sending area site. Staff recommends its removal.</p>	<ul style="list-style-type: none"> • Modify 1.37.050.C.3 and 1.37.060 as follows: <p>1.37.050 Sending Area TDR Allocation.</p> <p>.....</p> <p>C. For Tacoma Habitat sending areas:</p> <ol style="list-style-type: none"> 1. For residential zones: one TDR for each forgone dwelling allowed by the property's current zoning. 2. For nonresidential or multifamily zones: one TDR for each 8,000 square feet of potential but foregone floor area allowed by the property's current zoning. 3. In determining development potential for this purpose, the TDR Manager shall make a reasonable estimate of the number of dwelling units or square feet of floor area buildable on the sending area under its current zoning restrictions and all other applicable land use, <u>development standards</u> and environmental controls (e.g. applicable setback<u>setbacks, infrastructure requirements</u> or wetland<u>critical area</u> regulations). The net development potential will be used, typically assuming that 25 percent of the total area would be utilized for roads and infrastructure. The TDR Manager may further reduce this estimate, up to an additional 25 percent, if specific site characteristics substantially limit development potential (including steep slopes, critical areas, or the absence of access or utilities in the vicinity). <p>.....</p> <p>1.37.060 Receiving Area Baselines, Maximum Development and Exchange Ratios for Receiving Areas Where Bonus Development Is Allowed By TDR.</p> <p>In zones where Title 13 TMC expresses bonus development in terms of height, the number of TDRs required to obtain a development bonus shall be calculated using square feet of bonus floor area.</p> <p>As provided in Title 13 TMC, the relevant zoning regulations for each TDR receiving area establish the property's base height limit development potential and the ability to use TDRs to achieve the property's maximum development potential. TDRs may be used as follows to achieve the height bonus as provided in Title 13 TMC:</p> <ol style="list-style-type: none"> A. For sending areas situated in unincorporated Pierce County: one TDR allows 5,000 square feet of bonus floor area. B. For sending areas situated in unincorporated King County: one TDR allows 10,000 square feet of bonus floor area. C. For Tacoma Habitat sending areas: one TDR allows 15,000 square feet of bonus floor area. D. For Tacoma Landmarks sending area: one TDR allows 10,000 square feet of bonus floor area. <p>E. In addition to, or as an alternative to acquiring TDRs, a developer can achieve one (1) square foot of bonus floor area for every two dollars (\$2.00) deposited into the City's open space fund. Revenue accrued for TDRs must be used for TDR purchases from In-city and/or Regional TDRs.</p>
2.	Landscaping along walkways	13.06.502.E.7.d & 13.06.512.B.6.a	<p>Two sections deal with the number of trees required along internal pedestrian connections. 13.06.502.E.7.d says trees shall be provided at 40' (30' in X-zones) intervals along walkways w/in or adjacent to parking lots. But, 13.06.512.B.6.a states that for walkways longer than 25', trees shall be provided adjacent to the walkways at a rate equivalent to the linear requirements for street trees. Parking lot walkways are part of the internal pedestrian system required by 13.06.512, so why not have just one requirement? The proposal is in 13.06.502.E.7.d, a reference be made to 13.06.512.B.6 (concerning Pedestrian and bicycle support standards - Bicycle and Pedestrian Connections - Facility Design).</p>	<ul style="list-style-type: none"> • Modify the table of TMC 13.06.502.E Landscaping requirements applicable to Residential, Commercial, Industrial and Mixed-Use Districts, , as follows: <p>7. Parking Lot Landscaping</p> <p>d. Distribution</p> <p>(4) Trees shall be provided at an average of 40-foot intervals along walkways within or adjacent to parking lots. In X-Districts, trees shall be provided at an average of 30-foot intervals. <u>along walkways per 13.06.512.B.6.</u></p>

No.	Subject	Code Sections	Issues and Analysis	Proposed Amendments
3.	Street tree removal/pruning clarification	13.06.502.B.2, 13.06.502.E.1, and 13.06.502.E.6	<p>The proposed changes to the Landscaping Code would clarify the circumstances when street trees are required. The Landscaping Code requires street trees in most zones. However, the code contains some confusing language that could be clarified to better achieve the intent. For example, street trees are required with development of property as well as with street improvements. However, the two requirements are in separate sections of the code which can lead to confusion.</p> <p>The proposed revisions would clarify that street trees are required with new development, alterations, and street/sidewalk improvements. Furthermore the changes clarify that street trees are considered required landscaping that should be well maintained and should be replaced if improperly pruned, damaged or removed.</p>	<ul style="list-style-type: none"> • Modify 13.06.502 Landscaping and buffering standards, subsection B.2 Applicability - Street Trees, as follows: <ol style="list-style-type: none"> 2. Street trees. <u>Street trees are required per</u> In addition to the thresholds identified above, <u>unless exempted. In addition,</u> street trees are required <u>with when:</u> <ol style="list-style-type: none"> a. Street or sidewalk improvements are required in association with a Preliminary Plats or Short Plats with 5 or more lots; or b. Constructing Construction of new permanent roadways, excluding residential Local Improvement Districts; alterations to the width of existing permanent roadways; constructing Construction of new sidewalk; <u>and replacing replacement of</u> more than 50% of an existing sidewalk along a site’s frontage (when 50 linear feet or more is being constructed). In the case of sidewalk replacement, street trees shall be required proportionate to the linear footage of sidewalks replaced. eb. If street trees are required in the applicable zone, then existing street trees shall be preserved in healthy, thriving, and safe condition per the tree <u>installation, maintenance, and</u> preservation requirements of this section and the technical specifications of the UFM, or replaced, in association with street improvement projects. If required street trees are improperly pruned, damaged or removed, they shall be replaced per the provisions of this section. • Modify the table in TMC 13.06.502.E Landscaping requirements applicable to Residential, Commercial, Industrial and Mixed-Use Districts, subsection 1.a, concerning Exemptions, as follows: <ol style="list-style-type: none"> 1. Exemptions: <ol style="list-style-type: none"> a. Single, two and three-family and townhouse developments are exempt from all landscaping requirements, with the exceptions that street trees are required in X Districts, and in all districts in association with a full plat or short plat with 5-9 lots, <u>and per Small Lot standards of Section 13.06.145.</u> • Modify the table in TMC 13.06.502.E Landscaping requirements applicable to Residential, Commercial, Industrial and Mixed-Use Districts, subsection 6.a(1), concerning Street Trees - Exceptions, as follows: <ol style="list-style-type: none"> a. Exceptions: <ol style="list-style-type: none"> (1) Street trees are not required in In the PMI Districts, <u>street trees are required with new development, alterations and street improvements as specified in Section B., above, with the exception of for development on</u> the following gateway corridors into the City located within or near the Port of Tacoma: Marine View Drive, E. 11th Street west of Portland Avenue, Portland Avenue (south of E. 11th Street), and Port of Tacoma Road (south of E. 11th Street). <u>In other locations within the PMI District, street trees are only required for street and sidewalk improvements as specified in Section B, above.</u>
4.	Landscaping Buffer Screening for Craft Production	13.06.200.C.5 and 13.06.300.D.3	As part of the footnote for the use of “Craft Production” in the Commercial Districts Use Table indicates that "Outside storage is allowed provided screening and/or buffer planting areas are provided in accordance with Section 13.06.502.C." The same footnote appears for the same use in the Mixed-Use Center Districts Use Table, except that the reference is to Section 13.06.502.D. The references to 13.06.502.C (General Landscaping Requirements applicable to all required landscaping) and 13.06.502.D (Credits and Flexibility) are both incorrect; it should be 13.06.510.D (Storage areas and vehicle storage areas).	<ul style="list-style-type: none"> • Modify part of the footnote for the use of “Craft Production” in the Commercial Districts Use Table (TMC 13.06.200.C.5) as follows: "Outside storage is allowed provided screening and/or buffer planting areas are provided in accordance with Section 13.06.502.C <u>13.06.510.D.</u>" • Modify part of the footnote for the use of “Craft Production” in the Mixed-Use Center Districts Use Table (TMC 13.06.300.D.3) as follows: "Outside storage is allowed provided screening and/or buffer planting areas are provided in accordance with Section 13.06.502.D <u>13.06.510.D.</u>"
5.	Landscape Type B	13.06A.065.E.7	"Landscape Type B" no longer exists; the reference to it should be removed.	<ul style="list-style-type: none"> • Modify 13.06A.065.E.7 (Parking Standards - Surface parking lots on Primary Pedestrian Streets within the RPA boundary) as follows: "7. At a minimum, the required setback area shall be landscaped consistent with Landscape Type B found in Section 13.06.502.F. Alternatively, a <u>A</u> minimum of 15 percent of the setback area shall be landscaped with a combination of trees, shrubs, and ground cover and the setback area shall also include at least two amenities from the following: decorative lighting and pavers; seating, benches, or low sitting walls that could include weather protection or tables; planters; vegetated Low Impact Development Best Management Practices (LID BMPs), public art as approved by appropriate City Commissions; water feature or drinking fountain; public plaza; bike racks or bike boxes; or other public amenities as approved by the City."

No.	Subject	Code Sections	Issues and Analysis	Proposed Amendments		
6.	Substantial Connection and Accessory Building	13.06.700.S and 13.06.700.A	The term "substantial connection" only appears in the definition of itself and in the definition of "accessory building." Its relevancy has changed since we removed the "within 6 feet" statement about accessory buildings and are relying on what "attached" means per the building code. However, we still need it to ensure "real" attachments. For instance, a garage should be truly connected to a house in order to be 35 feet tall. While the definition of "substantial connection" is considered appropriate, the intent and application of it in the definition of "accessory building" should be clarified.	<ul style="list-style-type: none"> • Modify 13.06.700.A regarding "accessory building" as follows: "Accessory building. An accessory building, structure, or portion thereof which is subordinate to and the use of which is incidental to that of the main building, structure, or use, and which is not considered as a main building or a building used for dwelling purposes. If an accessory building is attached to the main building by a substantial connection, such accessory building shall be considered as a part of the main building for the purposes of building envelope standards. The building must meet all other requirements under the building code." • No change is proposed to 13.06.700.S regarding "substantial connection": "Substantial connection. A substantial connection is a common covered structure whose roof extends between two structures, the width of which is at a minimum 50% of the width of one of the structures, and which utilizes a roof style, structure, and finishing materials that tie into the existing roof of at least one of the two structures." 		
7.	ADUs in association with single-family development	13.06.100.C.5, 13.06.200.C.5, and 13.06.300.D.3	Accessory dwelling units (ADUs) are only allowed with a single-family dwelling. Such intent is suggested in TMC 13.06.150 Accessory Dwelling Units (in subsections A.5, C.1, D.1 and D.6), but is not clearly indicated in the use tables. Clarification is needed to that ADUs are not permitted except in association with single-family dwellings.	<ul style="list-style-type: none"> • Add a footnote to each of 13.06.100.C.5 (Residential Districts Use Table), 13.06.200.C.5 (Commercial Districts Use Table), and 13.06.300.D.3 (Mixed-Use Center Districts Use Table), as part of the Additional Regulations associated with the use of "Dwelling, accessory (ADU)." The footnote states: "ADUs are only allowed in association with single-family development." 		
8.	Single-family dwelling accessory buildings in Commercial and Mixed-Use Center districts	13.06.200.C.5 and 13.06.300.D.3	Existing single family homes in the Commercial and Mixed-Use Center districts are allowed to have accessory structures (garages etc.), but there aren't specific size or height limitations like in the Residential districts. Customers push us to allow very large garages. We fall back on the definition of "Accessory Structure" as a building that is subordinate and incidental to the main building. Since subordinate and incidental aren't defined, we fall back on the R-district criteria. We should directly reference the criteria instead.	<ul style="list-style-type: none"> • Modify 13.06.200.C.5 (Commercial Districts Use Table) as follows: <ul style="list-style-type: none"> ▪ Insert a footnote to "Dwelling, single-family detached", "Dwelling, two-family" and "Dwelling, three-family" by adding a superscript "4" to each; and ▪ In the Footnotes section, add: "4. Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.100.F." • Modify 13.06.300.D.3 (Mixed-Use Center Districts Use Table) as follows: <ul style="list-style-type: none"> ▪ Insert a footnote to "Dwelling, single-family detached", "Dwelling, two-family" and "Dwelling, three-family" by adding a superscript "6" to each; and ▪ In the Footnotes section, add "6. Subject to additional requirements pertaining to accessory building standards as contained in Section 13.06.100.F." 		
9.	Yard space standards for single-family dwelling in mixed-use districts	13.06.300.G	Single-family dwellings don't have a yard space requirement in X districts, but all other types of residential development (duplex, triplex etc.) do. This change would clarify that the current requirement for duplex and triplexes in X districts also applies to single-family dwellings.	<ul style="list-style-type: none"> • Modify TABLE 13.06.300.G: X-District Residential Yard Space Standards, as follows: <table border="1" data-bbox="1600 1120 2996 1336"> <tr> <td data-bbox="1600 1120 2996 1215"> <p>TABLE 13.06.300.G: X-District Residential Yard Space Standards Required yard space is intended to provide access to fresh air, light, and green features and to be functional and attractive as an outdoor extension of the dwelling or a shared space for living, relaxation, and social interaction.</p> </td> </tr> <tr> <td data-bbox="1600 1215 2996 1336"> <p>1. Single-Family, Duplexes and Triplexes. At least 200 square feet of yard space is required for each dwelling unit. Required yard space could include a combination of front porches, private or shared rear yards, balconies, or rooftop decks. Vehicular access areas and required walkways and buffers shall not count as yard space and front yard areas may not be counted towards this requirement, except for those yard areas set back beyond the minimum requirement.</p> </td> </tr> </table> 	<p>TABLE 13.06.300.G: X-District Residential Yard Space Standards Required yard space is intended to provide access to fresh air, light, and green features and to be functional and attractive as an outdoor extension of the dwelling or a shared space for living, relaxation, and social interaction.</p>	<p>1. Single-Family, Duplexes and Triplexes. At least 200 square feet of yard space is required for each dwelling unit. Required yard space could include a combination of front porches, private or shared rear yards, balconies, or rooftop decks. Vehicular access areas and required walkways and buffers shall not count as yard space and front yard areas may not be counted towards this requirement, except for those yard areas set back beyond the minimum requirement.</p>
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<p>1. Single-Family, Duplexes and Triplexes. At least 200 square feet of yard space is required for each dwelling unit. Required yard space could include a combination of front porches, private or shared rear yards, balconies, or rooftop decks. Vehicular access areas and required walkways and buffers shall not count as yard space and front yard areas may not be counted towards this requirement, except for those yard areas set back beyond the minimum requirement.</p>						
10.	Onsite Open Space for Multi-family	13.06.100.D.7 Residential Districts Minimum Usable Yard Space And; 13.06.300.G X-District Residential Yard Space Standards	<p>TMC 13.06.100 and 13.06.300 require provision of onsite open space for certain multifamily and mixed-use developments. These provisions also allow for reductions or exemptions from the onsite open space requirement for developments that are within ¼ mile of a park or school providing open space. Staff have noted the opportunity to clarify these provisions by adding specificity to the reduction/exemption language. The current provisions do not specify whether the ¼ mile distance refers to walking distance or as the crow flies. The provisions are also silent as to what features are required to be present to count for the purpose of this bonus, and do not specify whether the open space will be available on a long-term basis.</p> <p>To address these questions, the proposed changes would clarify that open space located at a park or school and proposed to meet the onsite open space/yard requirements of multifamily or mixed-use development would be accessible, functional, and available on a long-term basis.</p>	<ul style="list-style-type: none"> • Modify 13.06.100.D, the table for Residential Districts - Lot size and building envelope standards, item 7. Minimum Usable Yard Space, , as follows: f. Yard Space Exceptions (2) Proximity to Active Public Recreation: When the site is located within a quarter mile accessible walking distance, using the shortest route, of a public park or school that has accessible attractive, well-maintained outdoor recreation facilities regularly available to the public on a long-term basis, the common yard space requirement may be waived, reducing the overall required usable yard space to 13 percent of the lot area for multi-family development and 300 total square feet for townhouses. • Modify TABLE 13.06.300.G: X-District Residential Yard Space Standards, Item 3.d(1), as follows: Projects located within a quarter mile accessible walking distance of a public park or public school that includes accessible and attractive, well-maintained outdoor recreational facilities which are regularly available to the public on a long-term basis. 		

No.	Subject	Code Sections	Issues and Analysis	Proposed Amendments
11.	Floor Area Ratio for small lots/Variances and Functional Yard Space	13.06.145.C and 13.06.145.E	FAR for small lot houses is listed as a design standard, where in actuality it's a bulk/dimensional standard. The variance criteria for design would be used but that's not really appropriate. Suggestion is to move FAR in 13.06.145 (Small-lot single-family residential development) from subsection E (Design standards - Level 1) to C (Building envelop standards). Also, the same change would apply to functional yard space.	<ul style="list-style-type: none"> Modify Section 13.06.145 Small-lot single-family residential development, as follows: <p>C. Building envelope standards.</p> <p><u>1.</u> New single-family detached dwellings on small lots shall be subject to the standard building envelope requirements for single-family dwellings in the applicable zoning district (see Section 13.06.100.D).</p> <p><u>2.</u> <u>Floor Area Ratio. Houses developed on Small Lots shall not exceed a Floor Area Ratio of 0.5.</u></p> <p><u>3.</u> <u>Functional yard space. All lots shall provide at least one contiguous yard space equivalent to at least 10% of the lot size.</u></p> <p>.....</p> <p>E. Design Standards – Level 1. The following design standards shall be met for all new single-family dwellings on new Small Lots, and on all pre-existing lots that are smaller than the current, applicable minimum lot size and/or width requirements in Section 13.06.100.D:</p> <p>1. Floor Area Ratio. Houses developed on Small Lots shall not exceed a Floor Area Ratio of 0.5.</p> <p><u>1.</u> Clear building entries. Dwellings shall provide a clearly defined building entrance that faces the street and provides weather protection that is at least 4 feet deep along the width of the building entry. A porch may serve to comply with this provision.</p> <p>(a) <u>a.</u> Within designated Historic Districts, covered porches (projecting or alcove) a minimum of 60 square feet and no dimension less than 6 feet, with decorative piers, columns, railings or other architectural features are required.</p> <p>.....</p> <p>7. Functional yard space. All lots shall provide at least one contiguous yard space equivalent to at least 10% of the lot size. (See examples below) This usable yard space shall (see examples below):</p> <p>a. Feature minimum dimensions of 15 feet on all sides, except for lots that are less than 3,500 SF, where the minimum dimensions shall be no less than 12 feet.</p> <p>b. Not include alleys or driveway space.</p> <p>c. Not be located within the required front yard.</p> <p>d. Be directly connected to and accessible from the house.</p>
12.	Garage Doors on Corner Lots	13.06.100.D.6, 13.06.100.F.6, and 13.06.501.E.6.b	Garages that include vehicular doors facing the front property line shall be setback at least 20' from the front property line. Such requirement does not seem to apply to corner lots where garages are facing the corner street, resulting in as little as a 5' deep driveway. Clarification should be made in appropriate TMC sections that such requirement also applies to corner street property line.	<ul style="list-style-type: none"> Modify 13.06.100.D.6 (Lot size and building envelope standards - setbacks), concerning the item of "Vehicular Doors Facing the front property Line" as follows: <p>"Vehicular Doors Facing the front <u>Front or Corner Street property Property</u> Line - Vehicular doors that face the front <u>or corner street</u> property line, where such property line abuts a public street or private road, shall be setback a minimum of 20 feet from the front <u>or corner street</u> property line or private road easement."</p> Modify 13.06.100.F.6 (Accessory building standards - garages) as follows: <p>"6. For garages that include vehicular doors facing the front <u>or corner street</u> property line, the building or portion of the building with such doors shall be setback at least 20 feet from the front <u>or corner street</u> property line or private road easement."</p> Modify 13.06.501.E.6.b (Single, Two and Three-Family Dwelling Minimum Design Standards - Garage design standards) as follows: <p>"b. For garages that include vehicular doors facing the front <u>or corner street</u> property line, the building or portion of the building with such doors shall be setback at least 20 feet from the <u>front or corner street</u> property line or private road easement."</p>

No.	Subject	Code Sections	Issues and Analysis	Proposed Amendments
13.	Front porches into front yards	13.06.602.A.4.m(9)	Current regulations allow front porches to extend 8 feet into the required front yard setback. This however does not prevent lots that average their front yard setback to 8 feet or smaller from having their front porch end at the property line.	<ul style="list-style-type: none"> • Modify 13.06.602 General restrictions, as follows: A. This section contains general provisions for use, height, area, setbacks and yards. The following provisions apply to all zoning districts, except as hereinafter provided, and except where modified by the provisions of Chapter 13.06A relating to Downtown Districts, Chapter 13.10 relating to Shoreline Management, and other sections of the TMC: 4. Area, setbacks and yards. Any building or structure hereafter built, enlarged, or moved on a lot shall conform to the area regulations of the district in which such building or structure is located. m. Projections into required setbacks and yards. Every part of a required setback or yard shall be open, from the ground to the sky, and unobstructed, except for the following: (9) Covered porches which are open on three sides and do not extend above the level of the first floor may project 8-feet into the required front yard setback. <u>If front yard setback averaging is used to establish the front yard setback, then covered porches can extend 8-feet into the front yard setback or extend half the setback distance, whichever is less.</u>
14.	Planned Residential Development Districts	13.06.100.D and 13.06.140.B	<p>The Minimum Lot Area table for residential districts is not internally consistent, nor is it clear regarding whether minimum lot size restrictions apply to PRDs. PRDs are intended to be an exception to minimum lot size standards, but the current wording is so absolute as to not allow for any exceptions thereby creating the conflict with PRD lot sizes generally. Clarification to the language is needed to resolve this apparent conflict.</p> <p>In the same table, under "Planned Residential Districts", the word "density" is needed, because there are no provisions in TMC 13.06.140 that address lot sizes except through the provisions regarding PRD density.</p> <p>In TMC 13.06.140.B, modifications are needed to clarify how PRD approvals are to work, i.e., Council approves the classification request, but the site plan can be approved by the Hearing Examiner.</p>	<ul style="list-style-type: none"> • Modify the table in TMC 13.06.100.D Residential Districts - Lot size and building envelope standards, as follows: 1. Minimum Lot Area Single-family detached dwellings – Small Lots (Level 2) One of the following exceptions may be applied per parcel to allow for reductions in minimum lot area below the Single-family Level 1 Small Lot minimum size. In no <u>Except in the</u> case shall <u>of a Planned Residential District no</u> new lot <u>shall</u> be smaller than the following without grant of a variance: R-1: 4,500 sq. ft.; R-2, R-2SRD, HMR-SRD: 3,000 sq. ft.; R-3 and above: 2,500 sq. ft. Planned Residential Districts Planned Residential Districts: Exceptions to the standard and small lot provisions of this section may be permitted through the <u>density</u> provisions of Section 13.06.140. • Modify 13.06.140 PRD Planned Residential Development District, as follows: "B. Procedures. Application for reclassification to a PRD District shall be made in accordance with the provisions of Chapter 13.05 and Section 13.06.650, <u>with a public hearing being conducted by the Hearing Examiner, and final action being taken legislatively by the City Council.</u> Applications for reclassification to a PRD District shall bear the written consent of the owners of all property within the proposed PRD. Applications for a major modification to an existing PRD District shall bear the written consent of the owners of the specific properties proposed to be modified. The Hearing Examiner shall conduct a public hearing on all applications for site approval which accompany a reclassification request <u>and shall have approval authority on such site approval conditioned on City Council approval of the reclassification.</u> In acting upon a request for site approval, the Hearing Examiner or Director shall consider, but not be limited to, the following criteria:"
15.	Reduced Parking for Downtown Districts	13.06.510.A and 13.06A.065	Currently, TMC 13.06.510 (Off-street parking and storage areas) provides reduced parking incentive tied to transit access, trip reduction plan, mixed-use/shared parking credit, etc., as set forth in 13.06.510.A Table 2. Such incentive applies in the X districts but not across Downtown outside of the Reduced Parking Area (RPA). Since Downtown is a mixed-use center, it should qualify for such reduced parking incentive.	<ul style="list-style-type: none"> • Modify 13.06.510.A, TABLE 2 – Required Off-Street Parking Spaces in Mixed-Use Center Districts, in the heading of Parking Quantity Reduction, as follows: Parking Quantity Reductions. The parking requirements for mixed-use, multi-family, group housing, commercial, institutional and industrial developments within X-Districts <u>and Downtown Districts as listed in TMC 13.06A</u> may be reduced as follows: • Modify Section 13.06A.065 (Parking Standards) by adding a provision as follows: A. Purpose and Applicability. The following off-street parking standards are intended to achieve Comprehensive Plan policies that strive to minimize and effectively manage the amount of land in downtown that is currently dedicated to parking, as large parking areas are often unattractive, inefficient uses of land which disrupt cohesive urban form and pedestrian environment. 1. Variances to the required standards may be authorized pursuant to Section 13.06A.110. <u>7. Parking requirements may be reduced through provision of one or more of the Parking Quantity Reduction options offered in Mixed-Use Center Districts under 13.06.510.A Table 2.</u>

No.	Subject	Code Sections	Issues and Analysis	Proposed Amendments																																																																		
16.	Parking for Triplexes and for Multiple-family Dwellings in R-3	13.06.510.A Table 1	There is a parking requirement for triplexes in the R-2SRD, HMR-SRD and R-3, but no parking requirement listed for triplexes in other districts (Higher R-districts and T, C-1, C-2). The current parking requirement should be applicable to triplexes in all districts. Also, there is no parking requirement for multifamily dwellings in the R-3 district and multifamily may be considered in R-3 under the Residential Infill Pilot Program. It is suggested that "R-3" be added in the table under "Multi-family dwelling".	<ul style="list-style-type: none"> Modify Table 1 in Section 13.06.510.A as follows: <table border="1" data-bbox="1597 197 2884 1171"> <thead> <tr> <th colspan="3" data-bbox="1597 197 2884 227">TABLE 1 – Required Off-Street Parking Spaces^{9, 14}</th> </tr> <tr> <th data-bbox="1597 227 2240 268">Use</th> <th data-bbox="2240 227 2573 268">Unit</th> <th data-bbox="2573 227 2884 268">Required parking spaces</th> </tr> <tr> <td></td> <td></td> <th data-bbox="2573 268 2884 308">Min.</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="1597 308 2884 338">Residential</td> </tr> <tr> <td data-bbox="1597 338 2240 409">Single-family detached dwelling, Adult family home, Staffed residential home^{1, 2, 12}</td> <td data-bbox="2240 338 2573 409">Dwelling.</td> <td data-bbox="2573 338 2884 409">2.00</td> </tr> <tr> <td data-bbox="1597 409 2240 449">Two-family dwelling in all districts^{1, 2, 12}</td> <td data-bbox="2240 409 2573 449">Dwelling.</td> <td data-bbox="2573 409 2884 449">2.00</td> </tr> <tr> <td data-bbox="1597 449 2240 489">Townhouse dwelling in all districts^{1, 2, 12}</td> <td data-bbox="2240 449 2573 489">Dwelling.</td> <td data-bbox="2573 449 2884 489">1.00</td> </tr> <tr> <td data-bbox="1597 489 2240 550">Three-family in R-2SRD, HMR-SRD and R-3 dwelling in all districts^{1, 2, 12}</td> <td data-bbox="2240 489 2573 550">Dwelling.</td> <td data-bbox="2573 489 2884 550">2.00</td> </tr> <tr> <td data-bbox="1597 550 2240 590">Group housing – up to 6 residents</td> <td data-bbox="2240 550 2573 590"></td> <td data-bbox="2573 550 2884 590">2.00</td> </tr> <tr> <td data-bbox="1597 590 2240 631">Group housing – 7 or more residents^{1, 16}</td> <td data-bbox="2240 590 2573 631">Room, suite or dwelling.</td> <td data-bbox="2573 590 2884 631">1.00</td> </tr> <tr> <td data-bbox="1597 631 2240 691">Small Lots, Cottage Housing and lots not conforming to area/width³</td> <td data-bbox="2240 631 2573 691">Dwelling.</td> <td data-bbox="2573 631 2884 691">1.00</td> </tr> <tr> <td data-bbox="1597 691 2240 731">Mobile home park^{1, 2, 12}</td> <td data-bbox="2240 691 2573 731"></td> <td data-bbox="2573 691 2884 731"></td> </tr> <tr> <td colspan="3" data-bbox="1597 731 2884 762">Multiple-family dwelling^{1, 2, 12, 16}</td> </tr> <tr> <td data-bbox="1597 762 2240 822">Located in <u>R-3</u>, R-4-L, T, HMR-SRD, and PRD Districts¹²</td> <td data-bbox="2240 762 2573 822">Dwelling.</td> <td data-bbox="2573 762 2884 822">1.50</td> </tr> <tr> <td data-bbox="1597 822 2240 862">Located in R-4, C-1, C-2, HM, and M-1 Districts¹²</td> <td data-bbox="2240 822 2573 862">Dwelling.</td> <td data-bbox="2573 822 2884 862">1.25</td> </tr> <tr> <td data-bbox="1597 862 2240 903">Located in R-5 District¹²</td> <td data-bbox="2240 862 2573 903">Dwelling.</td> <td data-bbox="2573 862 2884 903">1.00</td> </tr> <tr> <td data-bbox="1597 903 2240 943">Mixed-Use Center District</td> <td data-bbox="2240 903 2573 943">See TABLE 2 (next table).</td> <td data-bbox="2573 903 2884 943"></td> </tr> <tr> <td data-bbox="1597 943 2240 1034">Retirement homes, apartment hotels, residential hotels, residential clubs, fraternities, sororities, and group living quarters of a university or private club¹</td> <td data-bbox="2240 943 2573 1034">Guest room, suite, or dwelling.</td> <td data-bbox="2573 943 2884 1034">Same as for multiple-family.</td> </tr> <tr> <td data-bbox="1597 1034 2240 1074">Residential in DR, DCC, DMU, and WR Districts</td> <td data-bbox="2240 1034 2573 1074">See Chapter 13.06A.</td> <td data-bbox="2573 1034 2884 1074"></td> </tr> <tr> <td colspan="3" data-bbox="1597 1074 2884 1104">Retail¹⁰ (View-Sensitive)</td> </tr> <tr> <td data-bbox="1597 1104 2240 1145">.....</td> <td data-bbox="2240 1104 2573 1145"></td> <td data-bbox="2573 1104 2884 1145"></td> </tr> <tr> <td data-bbox="1597 1145 2240 1171">.....</td> <td data-bbox="2240 1145 2573 1171"></td> <td data-bbox="2573 1145 2884 1171"></td> </tr> </tbody> </table> 	TABLE 1 – Required Off-Street Parking Spaces ^{9, 14}			Use	Unit	Required parking spaces			Min.	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17.	Clarify CUP for multifamily under Pilot Program	13.06.640.H	There is a typo in TMC 13.06.640.H which provides criteria for multifamily up to 6 units in the R-3 District, which can be proposed under the Pilot Program. The section incorrectly includes a reference to R-2. This was meant to be R-3. It is clear in the Residential section that multifamily is not permitted in the R-2 at all.	<ul style="list-style-type: none"> Correct a typo in 13.06.640 Conditional use permit, as follows: <p>"H. Multi-family development up to a maximum of six dwelling units may be allowed by conditional use permit in the R-3 District. A conditional use permit for a multi-family dwelling unit in R-2<u>R-3</u> Districts shall only be approved upon a finding that such use is consistent with all of the following criteria:"</p> 																																																																		

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18.	Incorporation of Pedestrian Streets from the Comprehensive Plan to the Land Use Code	13.06.100.C.2, 13.06.200.C.2, and 13.06.400.C.2	<p>The following provision appears in TMC 13.06.100 (Residential Districts), 13.06.200 (Commercial Districts), and 13.06.400 (Industrial Districts), as subsection C.2 in each: “2. Pedestrian streets designated. Figure 7 of the Comprehensive Plan designates Corridors that are considered key streets for integrating land use and transportation and achieving the goals of the Urban Form and Design and Development Elements. These Corridors are herein referred to as “Pedestrian Streets.” The designation entails modified design requirements to improve building orientation, definition of the public realm, and pedestrian connectivity.” These designated pedestrian streets as illustrated on Figure 7 should be listed out in the code, in order to improve the referencing and reduce the confusion of staff and customers.</p> <p>Additional Notes:</p> <ul style="list-style-type: none"> • “Pedestrian Streets” correspond to the designated “Corridors” established in the Comprehensive Plan as thriving places that support and connect Tacoma’s centers (Policy UF-10, Urban Form Element, <i>One Tacoma Plan</i>). • Pedestrian streets exist in all but two 20-Minute Neighborhoods (or 20-Minute Walksheds) established in the Transportation Master Plan (Map of Pedestrian Priority Network, TMP Element, <i>One Tacoma Plan</i>); the two exceptions are in North End/Ruston Way and Northeast Tacoma. • TMP identifies a project prioritization matrix (Appendix B – Tier 1 Project List) that includes a number of 25-year projects in the categories of Arterial Street Improvement, Bicycle & Pedestrian, Modal Conflict Studies, Neighborhood Action Strategy, Railroad Operations, and Transit. A cursory review of the associated maps of projects in Appendix B indicates that all Pedestrian Streets are addressed with certain types of projects, illustrating the consistency between the TMP and Urban Form elements of the <i>One Tacoma Plan</i>. • An overall review of the Pedestrian Streets may be needed in the future to determine the appropriateness of existing segments (e.g., S. 19th Street west of the James Center) and the need for new segments (e.g., in North End/Ruston Way, in Northeast Tacoma, and S. 74th Street between S. Tacoma Way and Lakewood Drive). 	<ul style="list-style-type: none"> • Insert the following list of designated pedestrian streets under subsection C.2 of each of Sections 13.06.100, 13.06.200, and 13.06.400: <table border="1"> <thead> <tr> <th colspan="3">Corridor Streets</th> </tr> <tr> <th>Street</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr><td>6th Avenue</td><td>North Jackson</td><td>South L Street</td></tr> <tr><td>12th Street</td><td>South Locust Lane</td><td>South Cushman Ave</td></tr> <tr><td>19th Street</td><td>91st Avenue West</td><td>Downtown Regional Growth Center</td></tr> <tr><td>North 21st Street</td><td>North Vassault Street</td><td>North Highland Street</td></tr> <tr><td>North 26th Street</td><td>North Vassault Street</td><td>North Union Avenue</td></tr> <tr><td>East 29th</td><td>Crossroads Mixed Use Center</td><td>East T Street</td></tr> <tr><td>East 32nd</td><td>East N Street</td><td>East Grandview Avenue</td></tr> <tr><td>South 38th Street</td><td>South Tacoma Way</td><td>East Portland Avenue</td></tr> <tr><td>South 47th/48th Street</td><td>South Tacoma Way</td><td>Interstate 5</td></tr> <tr><td>South 56th Street</td><td>South Orchard Street</td><td>East Portland Avenue</td></tr> <tr><td>East 72nd Avenue</td><td>South Tacoma Way</td><td>City Limits</td></tr> <tr><td>South G Street/Delin Street</td><td>Downtown Regional Growth Center</td><td>South 38th Street</td></tr> <tr><td>North I Street</td><td>North Steele Street</td><td>North 3rd Street</td></tr> <tr><td>McKinley Avenue</td><td>Wiley Avenue</td><td>East 72nd Street</td></tr> <tr><td>North Mildred Street</td><td>North 9th Street</td><td>South 19th Street</td></tr> <tr><td>Pacific Avenue</td><td>South 27th Street</td><td>99th Street South</td></tr> <tr><td>North Pearl Street</td><td>North Terminus of Pearl Street</td><td>South 19th Street</td></tr> <tr><td>North Proctor Street</td><td>North 28th Street</td><td>North 24th Street</td></tr> <tr><td>East Portland Avenue</td><td>Puyallup Avenue</td><td>East 72nd Street</td></tr> <tr><td>Puyallup Avenue</td><td>East L Street</td><td>East Portland Avenue</td></tr> <tr><td>South Tacoma Way</td><td>Thompson Avenue</td><td>City Limits</td></tr> <tr><td>North Union Avenue</td><td>North 26th Street</td><td>South 38th Street</td></tr> </tbody> </table>	Corridor Streets			Street	From	To	6th Avenue	North Jackson	South L Street	12th Street	South Locust Lane	South Cushman Ave	19th Street	91st Avenue West	Downtown Regional Growth Center	North 21st Street	North Vassault Street	North Highland Street	North 26th Street	North Vassault Street	North Union Avenue	East 29th	Crossroads Mixed Use Center	East T Street	East 32nd	East N Street	East Grandview Avenue	South 38th Street	South Tacoma Way	East Portland Avenue	South 47th/48th Street	South Tacoma Way	Interstate 5	South 56th Street	South Orchard Street	East Portland Avenue	East 72nd Avenue	South Tacoma Way	City Limits	South G Street/Delin Street	Downtown Regional Growth Center	South 38th Street	North I Street	North Steele Street	North 3rd Street	McKinley Avenue	Wiley Avenue	East 72nd Street	North Mildred Street	North 9th Street	South 19th Street	Pacific Avenue	South 27th Street	99th Street South	North Pearl Street	North Terminus of Pearl Street	South 19th Street	North Proctor Street	North 28th Street	North 24th Street	East Portland Avenue	Puyallup Avenue	East 72nd Street	Puyallup Avenue	East L Street	East Portland Avenue	South Tacoma Way	Thompson Avenue	City Limits	North Union Avenue	North 26th Street	South 38th Street
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19.	R-District vs. Residentially Zoned	13.06.100.A	Need to clarify that both "R-District" and "Residentially Zoned Property" mean only districts in the Residential Zones (R-1 thru R-5).	<ul style="list-style-type: none"> • Modify 13.06.100.A Residential Districts - District purposes by adding the following provision: 9. Throughout the Zoning Code, references are made to “R-Districts” and “Residentially Zoned” properties. Both of these references mean any district within the R-series, i.e., the R-1 through R-5 Districts listed within this 13.06.100 series. 																																																																								
20.	Roofline Standards - incorrect citations	13.06.501.D.6.b(2), 13.06.501.D.6.b(4), 13.06.501.D.6.b(5)(a), 13.06.501.E.8.a(1), and 13.06.501.F.3.b	There are multiple incorrect citations pertaining to roofline standards that are found in Sections 13.06.501.D, E and F regarding building design standards for residential development. Three references are made to 13.06.501.D.3, which pertains to mass reduction standards, not roofline standards. Two references are made to 13.06.501.I.1, which doesn't exist anymore. The correct reference should be "Section 13.06.501.D.4", which pertains to Multi-family Residential Minimum Design Standards - roofline standards.	<ul style="list-style-type: none"> • Change "13.06.501.D.3" to "13.06.501.D.4" in the following sections: <ul style="list-style-type: none"> ▪ Section 13.06.501.D.6 Façade Surface Standards, subsections b(2), b(4), and b(5)(a). • Change "13.06.501.I.1" to "13.06.501.D.4" in the following sections: <ul style="list-style-type: none"> ▪ Section 13.06.501.E.8.a(1) regarding Single, Two and Three-Family Dwelling Minimum Design Standards - Articulation; and ▪ Section 13.06.501.F.3.b regarding Townhouse Minimum Design Standards - Building Mass - Unit articulation. 																																																																								

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21.	Customer service office	13.06.200.C.5 and 13.06.300.D.3	The term "customer service offices" appears twice in the code, i.e., (1) in the Commercial Districts Use Table, in footnote 1, pertaining to designated pedestrian streets, and (2) in the Mixed-Use Center Districts Use Table, in the note for additional regulations associated with the use of "business support services." However, the term is not defined in the code, which has created some uncertainty in determining whether a law office would qualify and be allowed to locate on N. 30th Street as delineated in the above-mentioned footnote. In both use tables, the term is apparently referenced within the context of, and interchangeable with, "offices", which is already defined. A reasonable resolution is to replace the term in these cases with "offices."	<ul style="list-style-type: none"> • Modify Footnote 1 in 13.06.200.C.5 Commercial Districts Use Table as follows: "1. Designated Pedestrian Streets – For segments here noted, additional use limitations apply to areas within C-2 Commercial District zoning to ensure continuation of development patterns in certain areas that enhance opportunities for pedestrian-based commerce. North 30th Street from 200 feet east of the Starr Street centerline to 190 feet west of the Steele Street centerline: street level uses are limited to retail, personal services, eating and drinking, and customer service offices." • Modify the note for additional regulations associated with the use of "business support services" in 13.06.300.D.3 Mixed-Use Center Districts Use Table as follows: "In NCX, all activities must occur within buildings; outdoor storage/repair is prohibited. Customer service offices must be located at building fronts on designated pedestrian streets in NCX."
22.	Street occupancy permit	13.06.521.G.5, 13.06.521.J.6, and 13.06.522.J	The official name of the former "street occupancy permit" is "right-of-way occupancy permit." Corrections should be made to appropriate sections of the code.	<ul style="list-style-type: none"> • Change "street occupancy permit" to "right-of-way occupancy permit" in the following sections: <ul style="list-style-type: none"> ▪ 13.06.521.G.5 (General sign regulations - Freestanding signs); ▪ 13.06.521.J.6 (General sign regulations - Canopy and awning signs); and ▪ 13.06.522.J (District sign regulations - Temporary Signs - Feather Signs)
23.	Public notice and comment period for short plat	13.04.090.D and 13.05.020.D.3	Two scrivener's errors. TMC 13.04.090.D states that public notices for short plats shall be given in accordance with the provisions of Chapter 13.06 (Zoning), while it should be Chapter 13.05 (Land Use Permit Procedures). TMC 13.05.020.D.3 states that the comment period for short plats is 20 days, while it should be 14 days, as set forth in TMC 13.05.020, Table H – Notice, Comment and Expiration for Land Use Permits, for the permit type of "Short plat (5-9 lots)."	<ul style="list-style-type: none"> • Modify 13.04.090.D as follows: "D. Notification. Public notice required by this chapter shall be given in accordance with the provisions of Chapter 13.0613.05 for five-to nine-lot short subdivisions. In the event that a proposed short subdivision within the City of Tacoma has a border coterminous with Tacoma's city limits, a notice of filing shall be given to the appropriate county or city officials and in the event that the short subdivision within the City of Tacoma is adjacent to the right-of-way of a state highway, a notice of filing shall be given to the Washington State Department of Transportation." • Modify 13.05.020.D.3 as follows: 3. Parties receiving notice of application shall be given 30 days, with the exception of five to nine lot preliminary plats which shall be given 20-14 days from the date of mailing (including the day of mailing) to provide any comments on the proposed project to the Department, unless a Public Meeting is held, as provided by Section 13.05.020.G. The notice shall indicate that a copy of the decision taken upon such application will be provided to any person who submits written comments on the application within 30 days of the mailing of such notice, or who requests receipt of a copy of the decision.
24.	Critical Areas with Overgrown Vegetation	8.30.040.C.2	Need to add a reference within the nuisance code (TMC 8.30) to the critical areas preservation code (TMC 13.11) for sites near critical areas with overgrown vegetation. Vegetation in critical areas must be preserved and the removal of vegetation, regardless of type or origin, is a regulated activity in TMC 13.11. Exceptions or modifications would be needed to ensure there are no negative impacts to the critical area.	<ul style="list-style-type: none"> • Modify 8.30.040 Specific public nuisances declared, subsection C.2 as follows: C. Filthy, littered, trash-covered, or overgrown premises or public rights-of-way for which a property owner is responsible, including, but not limited to: <ul style="list-style-type: none"> 1. Animal parts or wastes which are improperly handled, contained, or removed from the premises, including bones, meats, hides, skins, or any part of any dead animal, fish, or fowl. 2. Overgrown, uncultivated, unkempt, or potentially hazardous vegetation of any type, including, but not limited to, shrubs, brush, trees, weeds, blackberry vines, and grasses over one foot in height or length that poses a threat to public health, safety and welfare, including vegetation which may harbor rodents or transient activity. Where erosion control issues or, indigenous species, <u>or critical areas as defined in TMC 13.11</u> are present, an exception or modification may be made to these requirements. Where a single parcel is undeveloped and over one acre in area, elimination of the fire hazard presented by vegetation may be accomplished by removing the vegetation from the area within 20 feet of abutting, improved properties or public rights-of-way.
25.	Code Section Reorganization	13.05, 13.06, 13.06A, and 13.09	The proposed code section reorganization is an effort to consolidate and organize sections to be more intuitive and user friendly. This effort will position the code more positively for future code updates and expansions in years to come. Repealed sections will be removed and freed up for future use.	<ul style="list-style-type: none"> • (See Attachment 1 – Proposed Re-Organization of TMC 13.05, 13.06, 13.06A, and 13.09) (Staff note: Attachment 1 is not included in this March 6, 2019 version of Exhibit "A.")

No.	Subject	Code Sections	Issues and Analysis	Proposed Amendments
26.	Design Standards improvement for small-lot single-family residential development	13.06.145.E.2, 13.06.145.E.2.b, and 13.06.145.E.6.e	<p>The provisions concerning small-lot single-family residential development as set forth in TMC 13.06.145, specifically relating to building entries, garages, and driveways, need to be clarified and enhanced in order to better fulfill and reinforce the regulatory intent, which is “to better ensure that new single-family development on such lots is compatible with the desired character of the City’s residential areas.”</p> <ul style="list-style-type: none"> 13.06.145.E.2, concerning clear building entries, should be enhanced with an additional requirement that the front entry to the house must be on the wall nearest to the street frontage. This will prevent circumventing the current requirement, intentionally or unintentionally, by placing the front entry near the rear portion of the house but with the door still facing the front street. 13.06.145.E.2.a, concerning garages, should be enhanced with an additional provision that side-loaded garages are only permitted in the rear half of corner lots. This will prevent odd development pattern of residential structures and driveways, such as a side-loaded garage being located in the front half of the house, hindering the appropriate placement of the building entry. 13.06.145.E.6, concerning driveways, should be enhanced with additional requirements that in no case shall a driveway or parking area occupy more than 50% of the width of the front yard, and that if a parking turnaround is used, the turnaround area shall be setback at least 10 feet and be screened by a 4-foot high landscape hedge. This will prevent driveway turnarounds and pavement monopolizing the street view of the small lot. 	<ul style="list-style-type: none"> Modify 13.06.145.E.2, concerning clear building entries, as follows: <ol style="list-style-type: none"> Clear building entries. Dwellings shall provide a clearly defined building entrance that faces the street, <u>which is on the wall nearest to the street frontage</u>, and provides weather protection that is at least 4 feet deep along the width of the building entry. A porch may serve to comply with this provision. Modify 13.06.145.E.2, concerning garages, as follows: <ol style="list-style-type: none"> Garages: <ol style="list-style-type: none"> The garage shall be located in the rear with rear access if suitable access is available, such as abutting right-of-way that is or can be practicably developed. <u>Side-loaded garages are only permitted in the rear half of corner lots.</u> Where vehicular access is not available from an alley or side street, garages or carports shall be setback at least 5 feet behind the front façade of the house or the front of a covered porch (where the porch is at least 48 square feet and contains no dimension less than 6 feet). In addition, vehicular doors and carports (measurement based on width of canopy) shall not occupy more than 50% of the width of the front façade. For narrower lots, this requirement may preclude development of a garage or carport. Modify 13.06.145.E.6, concerning driveways, as follows: <ol style="list-style-type: none"> Driveways. <ol style="list-style-type: none"> Vehicular access shall be from the rear of the site whenever feasible. For driveways accessing the street, the maximum width of driveway approaches shall be 20 feet. Driveway approach widths for lots less than 45 feet wide shall be no greater than 14 feet. In no case shall a driveway approach occupy more than 50% of any lot frontage. Shared driveway approaches may be appropriate for narrower lots. <u>In no case shall a driveway or parking area occupy more than 50% of the width of the front yard. If a parking turnaround is used, the turnaround area shall be setback at least 10 feet and be screened by a 4-foot high landscape hedge.</u>
27.	Clarify FAR definition for small lots	TMC 13.06.700	<p>The FAR definition for small lots indicates that “spaces below grade” are exempt for the FAR calculation. Grade is defined as “the elevation of the ground surface around a building.” This results in lack of clarity as to whether a basement (only partly below grade) should be included in the calculation or not. The proposed clarification would result in spaces that meet the definition of basement are not included in small lot FAR calculations.</p>	<ul style="list-style-type: none"> Modify the definitions of Floor Area Ratio – Single-family small lots and Basement as follows: <ol style="list-style-type: none"> 13.06.700.B Basement. A story partly underground. A basement shall be counted as a story in building height measurement <u>and floor area ratio for single-family small lots</u> where more than one-half of its height is above the average level of the adjoining ground. 13.06.700.F Floor Area Ratio – Single-family Small Lots. The ratio of the total floor area of a single-family house to the lot area upon which it is built, not including <u>basements spaces below grade</u> and accessory structures.

No.	Subject	Code Sections	Issues and Analysis	Proposed Amendments
28.	Zoning Map incorporation into the Zoning Code	13.06.600	There is need to incorporate the Official Zoning Map into the Zoning Code to provide a useful and effective visual reference to the zoning patterns city-wide.	<p>Modify 13.06.600, concerning zoning code administration, as follows:</p> <p>13.06.600 Zoning code administration – General purposes.</p> <p>A. Purpose. The broad purposes of the zoning provisions of the Tacoma Municipal Code are to protect and promote the public health, safety, and general welfare, and to implement the policies of the Comprehensive Plan of the City of Tacoma. More specifically, the zoning code is intended to:</p> <p>A1. Provide a guide for the physical development of the City in order to:</p> <p>a. 1. Preserve the character and quality of residential neighborhoods;</p> <p>b. 2. Foster convenient, harmonious, and workable relationships among land uses; and</p> <p>c. 3. Achieve the arrangement of land uses described in the Comprehensive Plan.</p> <p>4B. Promote the economic stability of existing land uses that are consistent with the Comprehensive Plan and protect them from intrusions by inharmonious or harmful land uses.</p> <p>5C. Promote intensification of land use at appropriate locations, consistent with the Comprehensive Plan, and ensure the provision of adequate open space for light, air, and fire safety.</p> <p>6D. Foster development patterns that offer alternatives to automobile use by establishing densities and intensities that help make frequent transit service feasible, and encourage walking and bicycling. This emphasis on alternative transportation will also have air quality benefits and will conserve energy.</p> <p>7E. Establish review procedures to ensure that new development is consistent with the provisions of this chapter and all other requirements of this code.</p> <p>B. Official Zoning Map.</p> <p><u>The following map is a general representation of the zoning classifications and their boundaries, as established in this Chapter.</u></p> 