

Members

Jeremy C. Doty, Chair
Donald Erickson, Vice-Chair
Chris Beale
Sean Gaffney
Tina Lee
Ian Morrison
Matthew Nutsch
Erle Thompson
Scott Winship



Agenda

Tacoma Planning Commission

Community and Economic Development Department

Ryan Petty, Director
Peter Huffman, Assistant Director
Charles Solverson, P.E., Building Official

Public Works and Utilities Representatives

Jim Parvey, City Engineer/Assistant Director, Public Works Department
Heather Pennington, Resource Planning Manager, Tacoma Water
Diane Lachel, Community and Government Relations Manager, Click! Network, Tacoma Power

747 Market Street, Room 1036
Tacoma, WA 98402-3793
253-591-5365 (phone) / 253-591-2002 (fax)
www.cityoftacoma.org/planning

(Agenda also posted at: www.cityoftacoma.org/planning > "Planning Commission" > "Agendas-Minutes-Recordings")

MEETING: Regular Meeting

TIME: Wednesday, November 16, 2011, 4:00 p.m.

PLACE: Room 16, Tacoma Municipal Building North
733 Market Street, Tacoma, WA 98402

A. CALL TO ORDER

B. QUORUM CALL

C. APPROVAL OF MINUTES – Regular Meeting of October 19, 2011

D. GENERAL BUSINESS

(4:05 p.m.) **1. 2012 Annual Amendment: #2012-3 Transportation Element**

Description: Review proposed changes to the Transportation Element, including reprioritization of mobility improvement projects contained in the Mobility Master Plan section and update of the Unfunded Project List.

Actions Requested: Discussion; Direction

Support Information: See "Agenda Item GB-1"

Staff Contact: Diane Wiatr, 591-5380, dwiatr@cityoftacoma.org

(4:30 p.m.) **2. Large Scale Retail Moratorium**

Description: Complete the review of the proposed code revisions concerning the size limitations for large scale retail establishments, in response to the City Council's directives pursuant to Substitute Ordinance No. 28027 adopted on November 1, 2011.

Actions Requested: Authorize for Public Distribution; Set Public Hearing Date

Support Information: See "Agenda Item GB-2"

Staff Contact: Brian Boudet, 573-2389, bboudet@cityoftacoma.org



E. COMMUNICATION ITEMS

F. COMMENTS BY LONG-RANGE PLANNING DIVISION

G. COMMENTS BY PLANNING COMMISSION

H. ADJOURNMENT

Members

Jeremy C. Doty, Chair
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Public Works and Utilities Representatives

Jim Parvey, City Engineer/Assistant Director, Public Works Department
Heather Pennington, Water Distribution Engineering Manager, Tacoma Water
Diane Lachel, Community and Government Relations Manager, Click! Network, Tacoma Power



Minutes

Tacoma Planning Commission

747 Market Street, Room 1036

Tacoma, WA 98402-3793

253-591-5365 (phone) / 253-591-2002 (fax)

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(For Review/Approval on 11-16-11)

MEETING: Regular Meeting

TIME: Wednesday, October 19, 2011, 4:00 p.m.

PLACE: Room 16, Tacoma Municipal Building North
733 Market Street, Tacoma, WA 98402

Members Present: Jeremy Doty (Chair), Donald Erickson (Vice-Chair), Chris Beale, Sean Gaffney, Tina Lee, Ian Morrison, Matthew Nutsch, Erle Thompson, Scott Winship

Staff Present: Donna Stenger, Chelsea Levy, Ian Munce, Jana Magoon, Shanta Frantz, Lihuang Wung, Noah Yacker (CED); Josh Diekmann (Public Works)

Chair Doty called the meeting to order at 4:02 p.m. Commissioner Scot Winship, appointed on October 11, 2011, representing District No, 1, was sworn in by Acting City Clerk.

The minutes for the regular meeting and public hearing of September 21, 2011 were approved as submitted.

GENERAL BUSINESS

1. Large Scale Retail Moratorium

Chair Doty recused himself from participating in the discussion, because his employer has a business relationship with Wal-Mart. Commissioner Morrison indicated that he has accepted a job offer with a law firm in Seattle that represents Wal-Mart, and he would also recuse himself. Vice-Chair Erickson presided during the discussion.

Ms. Shanta Frantz, Building and Land Use Services, reviewed the oral testimony received at the Planning Commission's public hearing on October 5, 2011 and written comments received through October 7, 2011. The public comment was overwhelmingly in favor of maintaining the moratorium and extending its duration, except for a few letters in opposition citing such concerns as economic growth and jobs.



Ms. Frantz also facilitated the Commissioners' review of the draft letter of recommendation and the draft Findings and Recommendations report that were prepared based on public comment and staff analysis. According to the draft letter and report, the Commission would recommend to the City Council that the duration of the moratorium be extended to 12 months, its geographical applicability be limited to Urban and Community Mixed-Use Centers, and its scope be clarified as to how it is intended to affect remodels and additions to existing large retail establishments. Upon approval of the Commission, the letter and the report would be forwarded to the Council for its consideration. The Council will conduct a public hearing on October 25, 2011 and subsequently make a decision to rescind, retain or modify the moratorium, Ms. Frantz indicated.

Vice-Chair Erickson asked for clarification of why more time was needed. Ms. Donna Stenger explained that extending the moratorium through August 2012 would be needed to accomplish the necessary tasks to resolve all the issues and concerns of the community that came up during the public hearing. She reviewed the proposed 12-month work plan as attached to the draft Findings and Recommendations report and discussed how the tasks would be accomplished in a timely manner. She also pointed out that the planning activities associated with this moratorium, as well as two other moratoria currently in effect (concerning billboards and medical cannabis), will take precedence over other work activities, causing delays, reduction of scope and reduction of effort to those activities. She went over a list of projects currently included in the Planning Commission Work Program for 2011-2012 that are being impacted, such as the Container Port Element, the Platting and Subdivision Code Revisions, the Plan and Code Refinements, the Sign Code Revisions, and the Downtown Parking Requirements.

Vice-Chair Erickson asked the Commissioners to consider three questions: (a) are they in support of the moratorium; (b) should it be in effect for 6 months or a year; and (c) what should be the geographic scope of the moratorium.

Discussion ensued and a consensus was reached that, in order to allow all the City entities involved in this issue and to address community expectations, sufficient time was needed to develop appropriate regulations and 12-month duration would be required. The Commissioners also concurred with staff's assessment that the moratorium should be limited in geographic scope and only applicable to Urban and Community Mixed-Use Centers, where the discrepancies between Comprehensive Plan policies and the associated land use regulations are particularly problematic. Other issues considered by the Commissioners included whether the size threshold should be changed; should the moratorium pertain to maintenance or modification of existing retail establishments; and should the reuse of an existing vacant buildings by another retailer be affected by the moratorium.

With a vote of 7 Ayes, 0 Nays, and 2 Abstentions (Chair Doty and Commissioner Morrison), the draft Finding of Facts and Recommendations report and the draft letter of recommendation were approved, as amended per Commission's discussion. In summary, the Planning Commission recommended that (1) the moratorium is needed; (2) the duration of 6 months should be extended to 12 months, until August 30, 2012; (3) the moratorium should be applicable to only Community and Urban Mixed-Use Centers; (4) the moratorium should only apply to new large scale retail buildings, substantial alterations of an existing large scale retail building, and additions to an existing large scale retail building that creates an increase of more than 10% in square footage; and (5) the moratorium should not apply to minor alterations and tenant improvements for existing large scale retail buildings; nor should it apply to the reuse of an existing large scale retail building.

2. Downtown Parking Requirements

Chair Doty resumed. Chelsea Levy, Long Range Planning, facilitated the Commission's review of the proposed code revisions regarding parking requirements in Downtown Tacoma. Her presentation focused on two issues, i.e., Surface Parking Lots on Primary Pedestrian Streets and public comments received at the Commission's public hearing on September 21, 2011.

Concerning surface parking lots, part of the proposed regulations would limit new surface lots associated with an on-site use to 60 feet in width, unless there is a 60-ft setback, and prohibit expansion of existing on-site surface parking lots, unless there is a 60-ft setback. Ms. Levy stated that Councilmember David Boe recently suggested the Commission to consider changing the 60-ft setback to 40 feet, because most of the existing lots on Primary Pedestrian Streets are 100-ft deep and a 40-ft setback would allow a 60-ft parking area behind the setback which would accommodate an efficient parking layout. Ms. Levy indicated that currently there are only three sites within the proposed Reduced Parking Area (RPA) that would be affected by the regulations. Other sites would require demolition of an existing building to be affected.

At this point, Commission Winship recused himself from participating in further discussion, citing that he is a board member of United Way, which owns one of the three sites in question (at Pacific Ave. and Hood St.).

Discussion ensued, and the Commissioners reached a consensus that the 40-ft setback would be reasonable. The Commissioners also discussed what uses could go in the setback area, be it a building, landscaping, or public amenities. Ms. Levy indicated that she would return with a proposal for a minimum requirement of landscaping and a "pick list" for amenities (including such items as water feature, planters, bike racks, decorative lighting, and public art) from which the developer can choose. The Commissioners also suggested that the language in the Code be carefully reviewed by the Legal Department when it pertains to easements for public access.

Ms. Levy reviewed the oral testimony received at the public hearing on September 21, 2011 and written comments received through September 30. The Commissioners focused their discussion on parking maximums versus minimums and allowances for providing public parking. Ms. Levy provided some alternatives for consideration. The Commissioners recognized that the main goal is having a code amendment that limits the development of parking lots but promotes a vibrant downtown that is pedestrian-friendly and transit-oriented, as envisioned in the Comprehensive Plan. Some Commissioners felt that maximums/minimums should not be set but rather let the market dictate the parking requirements and that if parking requirements were mandated it could act as hindrance to development downtown. Ms. Stenger noted that the City has the mechanism of Development Regulation Agreements (DRAs) in place that would provide the developer an opportunity and the flexibility to make certain adjustments tailored to the specifics of the proposed project if significant public benefits are secured.

Discussion continued, and the Commissioners reached a consensus to reduce the parking maximum within the RPA from 3.6 (stalls per 1,000 square feet of floor area) to 2.5, which was an approximate average of five benchmarking cities that staff had surveyed. The same maximum would be reintroduced in the IFSA where currently there is no maximum.

3. Brewery District Subarea Plan

Ian Munce, Long Range Planning, provided an overview of a planning effort currently underway in the South Downtown Tacoma, which includes the areas generally known as the Brewery District, the Dome District, parts of the Hillside, the University of Washington Campus, the Museum District, and the Thea Foss Waterway. The area has significant and well-documented capacity for additional density, and access to multi-modal transportation (e.g., transit, light rail, and commuter rail), offering great potential for redevelopment and job creation, as well as an access point to the region's largest job centers.

This subarea plan is being conducted as part of the regional "Growing Transit Communities" effort undertaken by the Puget Sound Regional Council (PSRC), focusing on executing the region's long-term growth and transportation strategies, *VISION 2040* and *Transportation 2040*. If the region is to meet VISION 2040's resource protection, climate change, smart growth, and sustainability goals, the City of Tacoma, as one of the region's metropolitan cities, must support approximately 8 percent of the region's total population and employment growth between 2000 and 2040. Much of this growth can be accommodated in a revitalized downtown Tacoma, which has targets for an additional 60,000 jobs and 70,000 people by 2030.

The Federal government is willing to invest in regional centers to accomplish this projected growth. A new federal partnership involving three entities (Department of Housing and Urban Development, Department of Transportation, and Environmental Protection Agency) has set up the Livability Principles and awarded HUD grants nationwide to competitive planning projects. The Growing Transit Communities program has received \$5 million, of which \$500,000 has been awarded to Tacoma's subarea plan. This regional planning effort emphasizes affordable housing, transportation choices and linkage, economic competitiveness, and community outreach, which are among some of the Livability Principles.

A critical aspect of the development of the subarea plan is a new SEPA approach which would allow cities to conduct upfront environmental review on an area-wide basis relieving subsequent investors from conducting expensive environmental analysis. Mr. Munce explained how the new approach would work to attract new regional investment incented by improved permit processing times.

Mr. Munce also reviewed the schedule of the subarea plan, the scoping process, the community outreach efforts, and the regional collaboration and major players. He encouraged the Commissioners to be involved in the process. Commissioner Lee indicated that she has been and will continue to be involved from the public transit perspective.

COMMUNICATION ITEMS

None.

COMMENTS BY LONG-RANGE PLANNING DIVISION

Ms. Stenger reported that the City Council's Environment and Public Works and Economic Development Committees met jointly on October 12, 2011 to discuss the Shoreline Master Program Update; they focused on issues associated with S-6 and S-7 Shoreline Districts and the eastside of the Thea Foss Waterway. They will continue their discussion on October 26.

Ms. Stenger noted a change that the City Council is considering, which would allow the reconstruction of damaged/destroyed nonconforming structure no matter how much the structure is damaged, i.e., the current threshold of allowing reconstruction if 75% or less of the structure is damaged would be removed.

Ms. Stenger also reported that the City Council is scheduled to conduct a public hearing on October 25, 2011, concerning the Large Scale Retail Moratorium.

COMMENTS BY PLANNING COMMISSION

Chair Doty welcomed new Commissioner Scott Winship and Commissioner Winship gave brief comments on his business and personal background.

Commissioner Beale inquired about the schedule of the Mobility Stakeholder Funding Task Force. Jose Diekmann of Public Works responded that he will provide.

ADJOURNMENT

The meeting adjourned at 6:12 p.m.



City of Tacoma
Community and Economic Development Department

TO: Planning Commission
FROM: Donna Stenger, Manager, Long-Range Planning Division
SUBJECT: Annual Amendment #2012-3 – Transportation Element
DATE: November 9, 2011

At your meeting on November 16, 2011, staff will present the proposed amendments to the Transportation Element of the Comprehensive Plan, which include two sets of changes, i.e., updates to the Mobility Master Plan Section and updates to the Unfunded Project List.

Proposed amendments to the Mobility Master Plan Section include (a) reprioritization of pedestrian improvement projects as listed in Table 3 – Proposed Sidewalk Improvements and as listed in the subsection of Intersection Improvement Recommendations; (b) reprioritization of bicycle improvement projects as listed in Table 2 – Short Term Bicycle Project Priority List; and (c) changes and corrections to text, maps and project lists, where appropriate, to keep the information current.

The proposed amendments to the Mobility Master Plan Section are at the request of the Bicycle and Pedestrian Action Committee (BPAC), which is a citizen-based group established to assist the City in implementing the Mobility Master Plan. To facilitate the Commissioners' review of the proposed amendments, staff will present background information on the Mobility Master Plan, the process and status of the plan's implementation, as well as the criteria established by BPAC for the prioritization of bicycle and pedestrian projects.

As to the Unfunded Project List, it reflects the desires of the community and exemplifies the City's intent to maintain the service level of the transportation system citywide and meet the concurrency requirements of the Growth Management Act. Staff will present 26 project ideas submitted by various Neighborhood Councils that are considered for inclusion in the Unfunded Project List to gain eligibility for future funding.

Attached are the proposed changes to the Sidewalk Improvements List and the Intersection Improvement Recommendations, as well as the proposed changes to the Unfunded Projects List. Proposed changes to the Short Term Bicycle Project List and proposed changes to text and maps are under development and will be provided to the Planning Commission as they become available.

If you have any questions, please contact Diane Wiatr at 591-5380 or dwiatr@cityoftacoma.org.

c. Peter Huffman, Assistant Director

Attachments (2)

A-1: Draft Prioritization of Proposed Sidewalk Improvements. City of Tacoma Planning Commission 11.16.11

Proposed Sidewalk Improvements										
Priority	Street	From-to	Miles	Serves school?	Significant destinations within 1 block	MUC?	Arterial or Residential	Proximity to transit and bike facilities	Cost*	Council District
Underway and Completed Projects:										
N/A	S I St	S 80th St - S 84th St	0.4	Middle	Baker Middle School	No	Residential	Pierce Transit Rt 45	\$314,000	District 5
N/A	E 72nd St	E D St - McKinley Ave	0.22	No	72nd and Pacific MUC, Blueberry Park, small businesses	Adjacent	Arterial Principal	Pierce Transit Rt 202 and 42.	\$172,000	District 3
N/A	S J St	S 80th St - S 84th St	0.49	Middle	Baker Middle School	No	Residential	Pierce Transit Rt 45	\$384,000	District 5
N/A	E 44th St	E Portland Ave - Swan Creek Park	0.22	Elementary	Lister Elementary School, Swan Creek Park	No	Arterial Collector	Near future pipeline trail. Pierce Transit Rt 41 and 54.	\$172,000	District 4
N/A	S C St	S 25th St - S Tacoma Wy	0.2	No	Downtown MUC, 1 block from Tacoma Rescue Mission	Yes	Arterial Minor	Adjacent to future Prairie Line Trail.	\$157,000	District 2
Total Completed and Underway:			1.53						\$1,199,000	
Short Term:										
1	S 76th St	Alaska Ave - Pacific Ave	0.89	Elementary	S 72nd and Pacific MUC, Birney Elementary School, South End Neighborhood Center	Yes	Residential	Pierce Transit Rt 1, 45 and 48, Park Ave Bike Blvd, Yakima Bike Lanes	\$698,000	District 5
2	NE 51st St	Slayden Rd - Browns Point Blvd	0.35	Elementary	Browns Point Elementary School	No	Arterial Collector	No	\$274,000	District 2
3	S 66th St	S Verde St Aly - South Tacoma Wy	0.23 0.6	Elementary and Middle	Manitou Elementary School, Manitou Park, Boys and Girls Club, SERA, Gray Middle School	No	Minor Arterial	Pierce Transit Rt 53, Bike lanes on Tyler	\$180,000 \$470,000	District 5
4	S E 64th St	E J St - E N St	0.42	Elementary	1 block from Boze Elementary School	No	Minor Arterial	1 block from Pierce Transit Rt 41, 42 and 56	\$329,000	District 4
5	S 66th St	S Junett St - Tacoma Mall Blvd Wapato	1.06 0.3	Elementary	Tacoma Baptist Elementary School	No	Minor Arterial/Not Classified	Pierce Transit Rt 3	\$831,000 \$235,000	District 5
6	S 84th St	Tacoma Mall Blvd - S Alaska St	0.41	Elementary	Puget Sound Christian Elementary School, Regal Cinema Lakewood, small businesses and restaurants	No	Residential/Minor Arterial	Pierce Transit Rt 48	\$321,000	District 5
7	N Vassault, E	N 26th St - N 24th St	0.09	Elementary	Skyline Elementary School, Westgate MUC, apartments, Church, Preschool	Adjacent	Residential	Pierce Transit Rt 10	\$71,000	District 1
8	S 92nd Ave	S Hosmer - S D St	0.91	Elementary	Stafford Elementary School, Residential	No	Residential	Pierce Transit Rt 45 and 55, Park Ave Bike Blvd, Yakima Bike Lanes	\$713,000	District 5
9	S L St	South End Neighborhood Center - S 80th St	0.18	Elementary	South End Neighborhood Center and Birney Elementary School	No	Residential	Pierce Transit Rt 48	\$141,000	District 5
10	N 24th St	N Narrows Dr - Lenore Dr	0.22	Elementary	Skyline Elementary School	No	Residential	No	\$172,000	District 1
11	NE Harbor View Dr/NE 49th St	NE 51st St - Browns Point Blvd	0.9	Elementary	Browns Point Elementary School (back field)	No	Residential	No	\$705,000	District 2
12	S Wapato	S 64th St - S 68th St	0.51	Elementary	Tacoma Baptist Elementary School, Wapato Hills Park	No	Residential	No	\$400,000	District 5
13	S 64th St	S Orchard St - Tyler St	1.16	Middle	Gray Middle School, SERA	No	Residential	Pierce Transit Rt 53 and Rt 51, Bike lanes on Tyler	\$909,000	District 5
14	S 80th St	S Sheridan Ave - S Tacoma Ave	1.09	Middle	Baker Middle School, Ryan's Park	No	Residential	Pierce Transit Rt 45 and 48, Park Ave Bike Blvd, Yakima Bike Lanes	\$854,000	District 5
Total Short-Term:			8.33						\$6,292,000	

Priority	Street	From-to	Miles	Serves school?	Significant destinations within 1 block	MUC?	Arterial or Residential	Proximity to transit and bike facilities	Cost*	Council District
Medium Term:										
15	S 58th St	S Durango St - South Tacoma Way Aly	0.43	No	56th and STW MUC, SERA, Sounder Station	Yes	Residential/Arterial Collector	Sounder Station, Pierce Transit Rt 300, future Water Ditch Trail/Sounder Station connection	\$337,000	District 3
16	S 60th St	S Adams St - South Tacoma Way	0.25	No	56th and STW MUC, SERA, Sounder Station	Yes	Residential	Sounder Station, Pierce Transit Rt 300, future Water Ditch Trail/Sounder Station connection	\$196,000	District 3
17	S Adams St	S 56th St - S 66th St	0.8	No	56th and STW MUC, SERA, Sounder Station	Adjacent	Residential	Sounder Station, Pierce Transit Rt 53, future Water Ditch Trail/Sounder Station connection	\$627,000	District 5
18	N 21st St	W of N Pearl St- Highland St	0.07	No	Westgate MUC, residential, banks, Joesepi's restaurant	Yes	Arterial Principal	No	\$55,000	District 1
19	Union Ave	Center to Hwy 16	0.2	No	Residential and small businesses. Connection to Scott Pierson Trail. Tacoma Central MUC.	Adjacent	Arterial Principal	Scott Pierson Trail, Pierce Transit Rt 51, 52 and 57	\$157,000	District 3
20	S Pine St	Hwy 16-Hood Street	0.2	No	Small businesses and industrial. Connection to Scott Pierson Trail. Tacoma Central MUC.	Adjacent	Minor Arterial	Scott Pierson Trail, bike lanes on South Tacoma Way, Pierce Transit Rt 57, one block from Rt 3	\$157,000	District 3
21	N 11th St	N Highland St - N Orchard St	0.32	High	Wilson High School	No	Residential	Pierce Transit Rt 16	\$251,000	District 1
22	S 62nd St	S Clement Ave - S Wapato St	0.61	No	Wapato Hills Park, Residential	No	Residential	Pierce Transit Rt 3	\$478,000	District 5
23	N 11th St	N Adams St - N Union Ave	0.27	University	University of Puget Sound	No	Residential	Pierce Transit Rt 14, bike lanes on Union Ave	\$212,000	District 2
24	S M St	S 84th St - S 88th St	0.34	No	Tacoma First Baptist Church	No	Residential	Pierce Transit Rt 48	\$266,000	District 5
25	S Tyler St	S 38th St - S 52nd St	1.55	No	Tacoma Firs Golf Center, Residential, Business	No	Residential	Tyler St Bike Lanes	\$1,215,000	District 1
26	N Narrows Dr	N Narrows St Dr - Bridgeview Dr	0.22	No	Residential neighborhood	No	Residential	Bike lanes on Narrows Drive.	\$172,000	District 1
27	S 56th St	Tacoma Mall Blvd - S Alaska St	0.49	No	Residential and small business	No	Arterial Principal	Pierce Transit Rt 56	\$384,000	District 1, 5 & 4
Total Medium-Term			5.75						\$4,507,000	

*Cost estimates are a simplified \$/mile. They do not reflect site-specific conditions and do not include costs of ADA ramps, crossing improvements, ROW encroachment issues, etc.

A-2: Draft Prioritization of Proposed Intersection Improvements. City of Tacoma Planning Commission 11.16.11

Priority	Intersection	Existing Conditions*					Significant destinations within 1 block	Proximity to transit and bike facilities	BPAC Recommended Improvements Based on Initial Site Visits	Safety			Council District	Original Prioritization***
		Traffic Control	Crosswalks and Stop Bar	Sidewalk	Curb Ramps	Add. Info				Ped Crashes	Injury	Crash Location		
Improvements Underway/Complete:														
	S Commerce St & S 9th St	To be improved during S 9th Construction project							6	6	INTER (5) MIDBL (1)	District 2	S	
	S 25th St & Pacific Ave	To be improved during Sound Transit D-M Street Construction							3	2	INTER (2) MIDBL (1)	District 2	S	
	N 26th St & N Proctor St	Pedestrian intersection improvements complete.							3	3	INTER	District 1&2	NC	
	E Portland Ave & E 56th St	Pedestrian intersection improvements complete.							9	8	INTER (8) MIDBL (1)	District 4	M	
Short-Term:														
1	S Mildred St & S 19th St	4-way Traffic signal	1 stop bar	Narrow, too close to cars	Yes, non-ADA	Audio crosswalk	TCC, shops and restaurants	TCC Transit Center, planned bike facilities	Needs ADA improvements, crosswalks, stop bars traffic calming and road diet.	10	8	INTER (7) MIDBL (3)	District 1	L
2	Tacoma Ave S & S 9th St	4-way signal and crossing. No ped buttons.	Stop bars only	Good	2 ADA, 2 non-ADA		Municipal Courthouse, School Admin	Bus 30 ft multiple directions	Stripe crosswalks, add ADA curbs and ped activation buttons. Explore signal timing, scramble signal or lights embedded in road.	9	9	INTER (7) MIDBL (2)	District 3	S
3	S I St & Division Ave	4-way signal and crossing. One with ped button.	1 stop bar, no crosswalk	Average	Yes, Non-ADA		Wright Park, Churches, Hospital, Stadium MUC	1 block west of planned bike blvd, bus stop 30 ft West	Stripe stop bars and crosswalks, add ADA curb ramps. Timed ped beacons.	2	1	INTER	District 2	S
4	Division St & Sprague & 6th Ave	5-way signal with ped buttons	Striped crosswalk, no stop bars	Good	Non-ADA, poor condition	Two Ped Islands	Jason Lee Middle School, Southern Kitchen, Walgreens	Pierce Transit Rt 1 and 11	Add ADA ramps and Stop Bars. Prioritize Ped travel. Add countdown signals.	1	1	MIDBL	District 2 & 3	NC
5	Tacoma Mall Blvd & S 48th St	4-way traffic signal with old ped buttons	Nothing	Fair	None		Tacoma Mall, middle school, bus transfer station	Bus transfer center located about 200 to 300 yards to the west.	Very hazardous, needs major analysis. Add pedestrian refuge, crosswalks, stop bars, ADA-curb ramps, countdown ped-activated signals.	7	7	MIDBL (4) INTER (3)	District 3	L
6	S J St & S 19th St	4 way signal, no ped buttons	Both	Good	Yes, non-ADA		St. Joe Hospital, Church, businesses	Buses, Fawcett Bike Blvd	Crossing buttons, ADA bubbles, Ped zone warnings on S 19th approaches.	6	6	INTER	District 3	L
Medium-Term:														
7	E 56th & E McKinley Ave	4-way signal	Crosswalk only (nice)	Good, but narrow	Yes, non-ADA		Stewart Heights Park, Sheridan Elementary School, businesses	3 bus routes.	Needs traffic calming, to slow speeds in the school zone. Improve signalization and crossing, consider adding a pedestrian island.	4	3	INTER	District 4&5	M
8	A St & S 38th St	2-way stop sign on A st	Nothing	Good	Yes, non-ADA	Bad sight distance	Grocery store, church, residential	Pierce Transit Route 54.	Add a crosswalk with ped-activated flashing beacon and a pedestrian island.	4	4	INTER (3) MIDBL (1)	District 4	M
9	Tacoma Ave & N 1st St	4 way signal and crossings with buttons.	Stop bars only	Good	1 ADA, 3 non-ADA		Tullys, Rankos, Stadium High School. IN MUC, Grocery, High School	Bus Stop, 2 blocks away and Tacoma Ave bike lanes	Stripe stop bars and crosswalks, Add ADA curb ramps.	2	2	INTER	District 2	M
10	I-5-SB-ramp-termini-at S 74th St and Tacoma Mall Blvd.	4-way signal with ped buttons.	Stop bars		Yes, non-ADA		Bates Technical College South Campus, Home Depot, bank		Needs in-depth analysis/overhaul. ADA improvements, crosswalks, ped refuge.	3	2	INTER	District 5	M
11	I-5-NB-ramp-termini-at S 72nd St and Hosmer	4-way signal with ped buttons.	Stop bars		Yes, non-ADA		Small businesses and restaurants, Wapato Park	Pierce Transit Rt 202	Needs in-depth analysis/overhaul. ADA improvements, crosswalks, ped refuge.	1	1	INTER	District 5	M

Priority	Intersection	Existing Conditions*					Significant destinations within 1 block	Proximity to transit and bike facilities	BPAC Recommended Improvements Based on Initial Site Visits	Safety			Council District	Original Prioritization***
		Traffic Control	Crosswalks and Stop Bar	Sidewalk	Curb Ramps	Add. Info				Ped Crashes	Injury	Crash Location		
Medium-Term (Continued):														
12	I-5 NB off-ramp terminus at Portland Ave/E 28th St	4 way signal with detour.	Crosswalks (faded)	Fair	Need repair	Small ped islands	Gas station. Access under I-5	Bus stop for route 41 going south	Stripe crosswalks. Add ADA curb ramps. Area currently under construction.	1	1	INTER	District 4	M
13	S Puget Sound Ave & S 56th St	4-way signal with ped buttons and countdown	Stop bars only	Good	Yes, non-ADA		Library, church, grocery store, South Tacoma Way shopping district	1 bus stop, near water ditch trail.	Add crosswalks and ADA curb ramps, remove steel plates that are hazardous for bikes and pedestrians.	4	4	INTER (3) MIDBL (1)	District 3	M
14	S 84th & Pacific Ave	4-way signal	Stop bars only		Yes	Audio Crosswalk	Walgreens, gas station, 2 banks, a few blocks from Larchmont elementary.	Pierce Transit Rt 1.	Add crosswalks. Upgrade ramps if not ADA.	4	3	INTER	District 5	M
15	S 96th St & Pacific Ave	4-way signal	Stop bars (faded)	Old and narrow	Yes, non-ADA		7-11, U-haul auto shops	Rt 1, bike lanes on 96th.	Add crosswalks, stop bars and upgrade ADA ramps	3	3	INTER (2) MIDBL (1)	District 5	M
16	S Steele St & S 96th St	4-way signal with ped buttons and countdown	1 stop bar, no crosswalks		Yes, non-ADA		2 large apartment complexes nearby	Bike lanes West on 96th. 3 bus stops.	Paint stop bars and crosswalks. Add ADA curb ramps.	5	4	INTER (4) MIDBL (1)	District 5	M
17	S 38th & McKinley Ave	4 way signal with walk signals	Crosswalks except South side	Good	Yes, non-ADA		4-5 small businesses, a fire station and a closed school	Bus stops within one block on all four streets	Add crosswalk on South Side and ADA curb ramps.	4	5	INTER	District 4	NC
18	E Portland Ave & E 32nd St	4 way signal with walk signals	Crosswalks except West side	Good except West side	Yes, ADA	Small bulb out	Community Garden, Mini-mart	Pierce Transit Rt 41	Repaint E side crosswalk and add a crosswalk on the W side.	4	3	INTER (3) MIDBL (1)	District 4	NC
19	N 11th St & N Pearl St	Traffic signal	1 stop bar, 1 crosswalk	Pretty good	Yes, non-ADA	No	Grocery store and apartments	Transit on Pearl and 11th	Needs paint on crosswalks, ADA curb ramps and bike detection (11th to be bike blvd).	4	3	INTER (3) MIDBL (1)	District 1	NC
20	S Hosmer St & S 84th St	4-way signal with ped countdown	Both	Good	2 ADA, 2 non-ADA	Red-light camera	Restaurants and gas station	2 bus stops nearby	Restripe crosswalks	2	2	INTER	District 5	M
21	S 38th St & Pacific Ave	4 way signal with walk signals	Crosswalks	Good except SE side	Yes, ADA		A lot of small business	Heavy transit corridor.	Highly used ped intersection, possible location for a scramble signal? Add stop bars.	4	4	INTER	District 4	M
22	E Portland Ave & E 29th St	2-way stop signs on E 29th	Nothing	Good except SW side	Yes, ADA		Gas station and Lyons Technology Services	Pierce Transit Rt 41	Ped beacon and crosswalks with lights.	3	4	INTER	District 4	M
23	S 54th and Tacoma Mall Blvd	4-way flashing red beacon	Nothing		2, non-ADA		Small businesses, grocery store, restaurants.	Key connection to Water Ditch Trail.	Crosswalk, ped-activated beacon, refuge island and ADA improvements. To be improved with bike blvd project on S 54th.	0	0	N/A	District 3	New
Long-Term:														
24	N 26th & N Pearl St	Traffic signal	Both (faded)	Good	Yes, non-ADA	No	Restaurants and stores		Repaint crosswalk add bike facilities and street trees.	5	5	INTER (4) MIDBL (1)	District 1	L
25	S 56th St & Pacific Ave	4-way signal	Both on Pacific (faded)		1-ADA, 3 non-ADA		Many businesses, Walgreens, fast food	Rt 1 and 56th	Add ADA-curb ramps and crosswalk. Repaint faded crosswalks and stop bars.	4	2	INTER	District 4&5	L

*Existing conditions and recommended improvements are based on initial site visits by members of the City of Tacoma Bicycle and Pedestrian Action Committee and are not final recommendations.

**Pedestrian crash data is from 1.1.05-11.6.10. There are no pedestrian fatalities on record at any of these intersections during that time period.

***Original prioritization in the Mobility Master Plan. S=Short Term. M=Medium Term. L=Long Term. NC= Not Classified, projects that were listed in the MoMaP but mistakenly left off the prioritized list.

New=Projects not included in the Mobility Master Plan.

Attachment B. Project Requests for the Transportation Element's Unfunded Project List

Proposed Project	Requested by (Neighborhood Council)*	Proposed Change to the Transportation Element
1. Browns Point Blvd – Complete sidewalks along at least one side of Browns Point Blvd from 33 rd Street NE to intersection with Norpoint Way near 21 st Ave NE with priorities between Crescent Heights to Norpoint Way, Norpoint Way to 51 st St NE, Howard's Corner to McMurray Rd, and 51 st St NE to the north end of Norpoint Way NE.	Northeast	Add as a new NAS project
2. SR509 and Slayden Road Intersection – Install traffic control devices on all legs of the intersection to improve access and intersection movements.	Northeast	Add as a new NAS project
3. Northshore Parkway from Nassau to Norpoint Way - Provide uphill (eastbound) passing lane, bike lanes, sidewalks on north side, landscaping between Nassau and Norpoint Way, and evaluate signal at 45 th Ave NE and/or 42 nd Ave NE	Northeast	Amend the current NAS project "Northshore Parkway from Nassau to Norpoint Way"
4. McMurray Road from Marine View Drive to Browns Point Blvd – Install streetlights and sidewalk on at least one side	Northeast	Add as a new NAS project
5. 45 th Street NE from Nassau Ave NE to Norpoint Way – Install pedestrian protected crosswalk	Northeast	Add as a new NAS project
6. Jackson Ave from S 19 th St to SR 16 – Install traffic calming devices	West End	Add as a new NAS project
7. N 23 rd St and Shirley St – Install a roundabout or traffic calming devices near the intersection for pedestrians crossing to Kandle Park	West End	Add as a new NAS project
8. South Tacoma Gateways – Install streetscape improvements at all arterial entryways to the South Tacoma Neighborhood Council area	South Tacoma	Add as a new NAS project
9. S 60 th from Oakes to Pine Street – Install sidewalk	South Tacoma	Add as a new NAS project
10. Washington Street from S 54 th to S 58 th Street – Improve existing sidewalk and add separation between on-street parking	South Tacoma	Add as a new NAS project
11. South Tacoma Sound Transit Station – Complete sidewalks along S 58 th and S 60 th to connect to South Tacoma Way	South Tacoma	Add as a new NAS project
12. S 68 th St between S Mullen and S Gove St – Install sidewalks on the north side	South Tacoma	Add as a new NAS project
13. S 60 th at Lawrence, Montgomery, and Alder St – Install ADA ramps at each intersection.	South Tacoma	Add as a new NAS project

Proposed Project	Requested by (Neighborhood Council)*	Proposed Change to the Transportation Element
14. McKinley Hill to downtown Tacoma – Complete sidewalks	Eastside	Add as a new NAS project
15. Residential areas located just north of the intersections of East 38 th and Howe and East 38 th and K Streets – Install streetlights and pedestrian improvements, such as crosswalks	Eastside	Add as a new NAS project
16. E 54 th St from Pacific Ave to Bell St – Street improvements	Eastside	Add as a new NAS project
17. Railroad Crossings at E 48 th and E 52 nd – Improve roadway over railroad tracks	Eastside	Add as a new NAS project
18. N 21 st from Proctor to Pearl St – Complete sidewalk network	North End	Replace the current NAS project “N 21 st (Orchard to Huson, Bennett; Baltimore to Villard; Highland alley)
19. Pedestrian overpass between Old Town Business District and Ruston Way – Grade separated pedestrian link over the rail lines	North End	Add as a new NAS project
20. N 29 th Crossing between White and Carr St – Install pedestrian crossing/connection between Ursich Park and Old Town Park	North End	Add as a new NAS project
21. North 9 th and North 11 th St – Rehabilitate cobblestone streets	North End	Add as a new NAS project
22. N Steele and M St – Install historic style streetlights	North End	Add as a new NAS project
23. Sprague Ave from SR 16 to S 19 th St – Install streetscape improvements at entryway	Central	Add as a new NAS project
24. 6 th Avenue from Sprague to Alder St – Complete sidewalk network and provide crosswalks	Central	Add as a new NAS project
25. Union Ave between SR 16 and S 23 rd St – Complete sidewalk network and provide crosswalk between shopping center and Senior Center	Central	Add as a new NAS project
26. S 15 th , S 19 th , Prospect, and Trafton St – Provide street improvements to unimproved streets in this area.	Central	Add as a new NAS project

* Notes:

- NAS = “Neighborhood Action Strategy” project category
- The New Tacoma and South End Neighborhood Councils had no changes to the previous Transportation Action Strategies.



City of Tacoma
Community and Economic Development Department

TO: Planning Commission

FROM: Donna Stenger, Manager, Long-Range Planning Division

SUBJECT: Large Scale Retail Moratorium – Proposed Code Amendments

DATE: November 9, 2011

On November 16 the Planning Commission will continue its review and discussion regarding proposed changes to the zoning regulations relative to large scale retail uses. At this meeting staff is seeking the Planning Commission's authorization of the draft code and staff report for public comment in preparation for the public hearing that is tentatively scheduled to occur on December 7, 2011.

These regulatory changes are being drafted in response to the emergency moratorium adopted by the City Council on August 30, 2011 (Ordinance No. 28014), which was retained and modified by the City Council on November 1, 2011 (Substitute Ordinance No. 28027). Of note, the revised moratorium ordinance calls for the Commission to focus its short review on a citywide approach to addressing the size of large retail establishments, and doing so within the 6-month timeframe of the moratorium, which will expire on February 29, 2012.

In summary, the draft code changes would:

- Within the C-2, CCX, UCX, UCX-TD, CIX and RCX zoning districts, a conditional use permit would be required for retail uses that exceed 45,000 square feet.
- Within the portions of the M-1 and M-2 zoning districts where these uses are allowed (outside of the South Tacoma Manufacturing/Industrial Center), a conditional use permit would be required for retail uses that exceed 65,000 square feet.
- Specific conditional use permit decision criteria would be created for large scale retail uses, with an enhanced focus on ensuring projects are designed to be compatible with the Comprehensive Plan policies for the area (particularly in Mixed-Use Centers), mitigating potential impacts to the surrounding area, and ensuring the feasibility of future building reuse.
- Conditional use permits for large scale retail uses would require a pre-application community meeting, a public hearing, and be subject to approval by the Hearing Examiner.

If you have any questions, please contact Brian Boudet at 573-2389 or bboudet@cityoftacoma.org.

Attachments

c: Peter Huffman, Assistant Director



LARGE SCALE RETAIL MORATORIUM PROPOSED CODE AMENDMENTS

STAFF REPORT
November 16, 2011

Applicant:	City of Tacoma, Community & Economic Development Dept.
Contact:	Brian Boudet
Type of Amendment:	Regulatory Code Text Change
Current Land Use Intensity:	Largely Medium and High Intensity areas
Current Area Zoning:	C-2, CCX, UCX, UCX-TD, RCX, CIX, M-1, and M-2 Districts
Size of Area:	City-wide
Location:	City-wide
Neighborhood Council area:	All
Proposed Amendment:	Amending the code to require a discretionary land use review (i.e., conditional use permit) for large scale retail businesses that exceeds either 45,000 square feet or 65,000 square feet in size, depending on the site's zoning designation.

General Description of the Proposed Amendment:

This amendment will add a requirement that all retail businesses located within a specific zoning district that exceed a specific size threshold secure a conditional use permit. The commercial, mixed-use, and industrial districts affected by this amendment are as follows: C-2, CCX, UCX, UCX-TD, RCX, CIX, M-1, and M-2 District. Under this proposed amendment, a conditional use permit would be required for those large scale retail businesses that exceed 45,000 square feet in size that are proposed within the C-2, CCX, UCX, UCX-TD, RCX, and CIX Districts. Likewise, a conditional use permit would be required for those large scale retail businesses that exceed 65,000 square feet in size that are located within the M-1 and M-2 Districts and are located outside of the South Tacoma Manufacturing and Industrial Center (where large scale retail uses are already prohibited). This amendment does not add similar square-footage thresholds and conditional use permit requirements to the Downtown Tacoma and Shoreline zoning districts, where large scale, sprawling retail uses are possible but much less likely.

In addition, the draft code changes would:

- Create specific conditional use permit decision criteria for large scale retail uses, with an enhanced focus on ensuring projects are designed to be compatible with the Comprehensive Plan policies for the area (particularly in Mixed-Use Centers), mitigating potential impacts to the surrounding area, and ensuring the feasibility of future building reuse.
- Conditional use permits for large scale retail uses would require a pre-application community meeting, a public hearing, and be subject to approval by the Hearing Examiner.

Additional Information:

The areas affected by this amendment generally share the following characteristics: they are located within areas that are designated as Medium and High Intensity areas by the Comprehensive Plan; many are within the City's designated Mixed-Use Centers; they may already contain shopping center sites with existing large scale retail businesses or stand-alone large scale retail businesses; they often contain large parcels or are located where parcels could be assembled into sites that could accommodate large scale retail businesses; they are usually located on or near arterial streets; they are usually served by public transit; they are often adjacent to or near established residential neighborhoods; and many are located on or near designated pedestrian streets. The map included as Exhibit B highlights the areas that would be affected by these proposed code amendments.

This amendment is being proposed to better align Comprehensive Plan policy guidance with the Land Use Regulatory Code with respect to how the City regulates large scale retail businesses. This effort is the result of the Planning Commission and City Council's review under a six-month City-wide moratorium on large scale retail establishments enacted on August 30, 2011 (Ordinance No. 28014).

The City Council's direction through the moratorium process was to address the Comprehensive Plan policies and the concerns that were brought forward from the community during the first two months of the moratorium by identifying an appropriate regulatory path based on size limitations for retail uses. The City Council found that this narrow scope could be achieved by the moratorium expiration date of February 29, 2012.

Public Outreach:

The emergency moratorium adopted by the City Council, which was the impetus for these proposed amendments, garnered substantial community interest and public input. The Planning Commission held a public hearing on the moratorium on October 5, 2011 and the City Council held a public hearing on October 25, 2011. Notice for both hearings was widely distributed and both hearings were well attended. In addition to generally supporting the moratorium, the overwhelming sentiment expressed both in written and oral testimony received to date has been widespread community concern about large scale retail developments, their potential impact on surrounding neighborhoods and the adopted vision for many of the areas where they might be located, and the desire for greater community input and review of such projects.

It is important to note that one of the key purposes of the proposed amendments is to increase the level of public notice and opportunity for community input on future large scale retail projects. The proposed amendments include requirements for substantial public notice, a public hearing, and a pre-application community meeting for future large scale retail projects in these districts.

In addition to the substantial outreach conducted as part of the moratorium review, these proposed amendments will be subject to further public review and comment. These issues have been and will continue to be discussed at Planning Commission meetings between September 2011 and January 2012, all of which are open to the public. If approved for public review, notice of these proposed amendments will be widely distributed to existing large retailers, property owners and businesses within and around these areas, business districts and neighborhood councils, environment, development, civic and social organizations, adjacent jurisdictions and governmental agencies and commissions, and other interested individuals and groups. The Planning Commission will be holding a public hearing and considering all community input prior to making a recommendation to the City Council, and the City Council will hold its own public hearing prior to making a final decision on these proposed amendments.

Applicable Provisions of the Growth Management Act (and other state laws):

The GMA requires consistency between the Comprehensive Plan and development regulations. As noted above, the need to better align the Comprehensive Plan policies for large scale retail businesses and the associated Land Use Regulatory Code provisions was highlighted throughout the moratorium process. This code amendment will increase the consistency between the Code and Plan and better ensure that future large scale retail development is compatible with a helps implement this community’s vision and goals, as outlined in the Comprehensive Plan.

Applicable Provisions of the Comprehensive Plan:

Comprehensive Plan policies adopted in 2007 specifically call for the creation of a special permit process for large developments within the Urban and Community Mixed-Use Centers. The specific policies, “LU-MUUC-11 Site Plan Review Process for Urban Centers” and “LU-MUCC-3 Site Plan Review Process for Community Centers,” both provide the following policy guidance:

Establish a binding site plan review process to apply to infill, development and redevelopment of site and buildings meeting certain criteria, to encourage the urban center to transition over time to a finer-grained, pedestrian-oriented mixed-use urban neighborhood with considerably less area devoted to surface parking. The binding site plan review process should apply to all new development and to renovations equal to 50 percent or more of existing building value.

- Large sites: Require master planning for sites of five acres or greater or buildings of 45,000 square feet or greater, with a maximum block size of 360’ x 360’, and phased planning for vehicle and non-motorized circulation, a mix of uses, and structured parking.
- Medium sites: Require a site plan for sites of one to five acres or buildings of 20,000 to 45,000 square feet, which defines pedestrian circulation, vehicle circulation, and building and parking placement.
- Small sites: Sites less than one acre or buildings less than 20,000 square feet should not be subject to site plan requirements.

Currently, discretionary land use permits are not required for new large scale buildings within the Urban or Community Mixed-Use Centers. While there are limitations on the amount of retail space allowed in some of the commercial and industrial districts, the districts that do not have such a limitation are the “C-2,” “M-1,” and “M-2” Districts. As such, these districts have been included in this code amendment. The Comprehensive Plan provides for the following general development goals for commercial and industrial areas:

Commercial Development Goal: To achieve an attractive, convenient and well-balanced system of commercial facilities, which serve the needs of the citizens, are appropriate to their relative service areas and are compatible with adjacent land use.

Industrial Development Goal: To maintain, rehabilitate, develop, and expand industrial areas within the City of Tacoma that reflect balanced diversification, maximum employment opportunities, high quality standards, minimum degradation of the environment, efficient land utilization and proper location.

The intent statements for most of the districts where large scale retail uses are allowed recognize that they are areas appropriate for large scale uses that will attract people from throughout the city and beyond. However, many of these districts, particularly the mixed-use districts, are also intended to incorporate a dense and compact mix of uses and a development pattern and form that encourages and supports pedestrian activity and multi-modal transportation choices. This code amendment will provide for a discretionary permit review process under the Land Use Regulatory Code to better implement these applicable Comprehensive Plan policies.

Applicable Provisions of the Land Use Regulatory Code:

Large retail uses are currently allowed in many areas of the city. The zoning districts that allow large retail uses include the C-2 General Community Commercial District, CCX Community Commercial Mixed-Use District, UCX Urban Center Mixed-Use District, UCX-TD Urban Center Mixed-Use Tacoma Dome District, CIX Commercial Industrial Mixed-Use District, RCX Residential-Commercial Mixed-Use District, M-1 Light Industrial District, M-2 Heavy Industrial District, and all of the Downtown zoning districts.

While there are currently prescriptive standards for the commercial and mixed-use center districts that relate to building design, site layout, pedestrian orientation, and transit and bicycle accessibility, the proposed conditional use permit process and associated review criteria will allow the City and the public to review proposals for large scale retail developments as a whole. Considering the scale of these projects and their resulting impact on surrounding neighborhoods and the ability for areas to achieve the community's long-term vision, this discretionary public review process is particularly important to provide the opportunity for an important evaluation of whether the prescriptive standards, coupled with the factors emphasized under the conditional use permit criteria will create building and site designs that respond to the characteristics of the surrounding neighborhood and appropriately respond to the vision and goals outlined in the Comprehensive Plan. This additional review is also critical in the selected industrial districts, where most of the building and site-design standards do not currently apply.

The proposed code amendment will provide for review thresholds for large scale retail businesses in specific commercial, industrial and mixed-use center districts. To further the ability for community input on such projects, the proposed conditional use permit process would require that the applicant host a community meeting prior to submitting its conditional use application to the City, and that the Hearing Examiner conducts a public hearing prior to issuing a decision on the conditional use permit application.

Amendment Criteria:

Applications for amendments to the Comprehensive Plan and Land Use Regulatory Code are subject to review based on the adoption and amendment procedures and the review criteria contained in TMC 13.02.045.G. Proposed amendments are required to be consistent with or achieve consistency with the Comprehensive Plan and meet at least one of the eleven review criteria to be considered by the Planning Commission. The following section provides a review of each of these criteria with respect to the proposal. Each of the criteria is provided, followed by staff analysis of the criterion as it relates to this proposal.

1. There exists an obvious technical error in the pertinent Comprehensive Plan or regulatory code provisions.

While these proposed amendments are designed to improve consistency between the Code and Plan, they are not addressing a "technical error" in either of these documents.

2. Circumstances related to the proposed amendment have significantly changed, or a lack of change in circumstances has occurred since the area or issue was last considered by the Planning Commission.

The Planning Commission and City Council recently conducted a substantial update to the Comprehensive Plan policies, zoning and development regulations for the Mixed-Use Centers. That effort resulted in expanded policy guidance and the creation of three new centers in 2007 and the adoption of revised zoning and design and development regulations in 2009. However, while that

project resulted in significant improvements it was largely focused on the Neighborhood Mixed-Use Centers and the Urban and Community Centers did not receive sufficient attention, nor were the commercial or industrial districts updated as part of that review. Of particular note, the Comprehensive Plan provides guidance on, and recommends the development of a discretionary land use review process for the development of large scale retail businesses in certain areas of the city. These policies have yet to be implemented with correlating regulations.

3. The needs of the City have changed, which support an amendment.

The overwhelming public response in favor of the large scale retail moratorium at both the Planning Commission and City Council public hearings was a clear indication that the public is concerned about the potential impacts of large scale retail businesses on their existing neighborhoods and the long-range vision for their community. Recent development proposals have highlighted that the existing design and development standards for large scale retail uses are not sufficient to ensure that they are developed in a manner reflective of community desires and the policies and goals of the Comprehensive Plan. The proposed conditional use permit process is designed to address that important need.

4. The amendment is compatible with existing or planned land uses and the surrounding development pattern.

The purpose of the proposed conditional use permit requirement for large scale retail businesses is to allow the neighbors and the surrounding community to provide feedback and input on the appropriateness of the proposal as well as building and site design. The proposed conditional use permit review criteria have been designed to ensure that compatibility with the existing and/or planned uses and surrounding development pattern is an important consideration in the siting and design of future large scale retail developments.

5. Growth and development, as envisioned in the Plan, is occurring faster, slower, or is failing to materialize.

This criterion is not applicable, however, recent proposals have highlighted the need to review the existing design and development standards and permit review process for large scale retail developments and improve those requirements.

6. The capacity to provide adequate services is diminished or increased.

One of the key community concerns expressed during the moratorium review process was whether or not the current review process provided sufficient opportunity for the community to provide input and for the city to adequately ensure that new large scale retail development is only allowed where appropriate services and infrastructure is or can be provided. The proposed conditional use permit review will better ensure that community input is received and necessary services and infrastructure is addressed, such as appropriate traffic controls and mitigations.

7. Plan objectives are not being met as specified, and/or the assumptions upon which the plan is based are found to be invalid.

As further detailed below in the response to Criterion #10, this code amendment would better align the Land Use Regulatory Code with the Comprehensive Plan and better ensure that future large scale retail development is consistent with the Comprehensive Plan.

8. Transportation and and/or other capital improvements are not being made as expected.

See the response provided to Criterion #6, above.

9. For proposed amendments to land use intensity or zoning classification, substantial similarities of conditions and characteristics can be demonstrated on abutting properties that warrant a change in land use intensity or zoning classification.

This criterion is not applicable

10. A question of consistency exists between the Comprehensive Plan and its elements and RCW 36.70A, the County-wide Planning Policies for Pierce County, Multi-County Planning Policies, or development regulations.

The need to better align the Comprehensive Plan policies for large scale retail businesses and the Land Use Regulatory Code standards and review process for these types of uses was highlighted during the review of the moratorium. This code amendment will increase the consistency between the Land Use Regulatory Code and the Comprehensive Plan, and better ensure that future large scale retail developments go through public review commensurate with their size and potential impacts and are designed in a manner that is consistent with the Comprehensive Plan policies applicable to the area where they are proposed.

The proposed 45,000 square foot threshold for mixed-use center districts is based on the Comprehensive Plan policy guidance that buildings greater than 45,000 square feet should require a thorough and public review process. The proposed 45,000 square foot threshold for the C-2 General Community Commercial District recognizes that these districts are somewhat similar to the neighborhood and community mixed-use districts in that they allow for a dense mix of uses, are often located in close proximity to residential areas, and in some cases include designated pedestrian streets.

A higher threshold of 65,000 square feet is proposed for the industrial districts where large scale retail uses could be located (outside of the South Tacoma Manufacturing/Industrial Center). This proposal balances the desire for additional community input and discretionary review with the recognition that locating large scale retail businesses within industrial districts is less likely to significantly impact surrounding neighborhoods and community activities than similar proposals within commercial or mixed-use districts.

Economic Impact Assessment:

The proposed amendment will increase the overall review time for large scale retail businesses to locate within the city. However, it has been staff's experience that when a proposal is required to secure a discretionary land use permit, the subsequent building permit review time is often decreased because many, if not all, of the design and development standards, storm water management and source control

analysis, and traffic and other possible environmental mitigations have been addressed or the customer has been advised of such requirements for the subsequent building permit application during the land use permit review for the proposal.

It is also staff's experience that many applicants for large scale retail projects approach the City assuming that a discretionary land use permit will be required for their project (as many jurisdictions within Washington and other states already have this requirement), and thus the proposed requirement may not be a dramatic and unexpected one in many cases. While it may be argued that a discretionary land use permit could discourage or increase the cost of future large scale retail development, it is important to note that the proposal is not designed to prevent large scale retail development. The proposed review process is designed to ensure that future large scale retail development is done in a manner that is consistent with this community's vision and goals, which include fostering economic growth along with preserving our unique community character and maintaining and creating vibrant, well-connected, safe and attractive urban neighborhoods.

Staff Recommendation:

Staff recommends that the draft amendments to the Land Use Regulatory Code for large scale retail businesses should be forwarded for public review and comment.

Exhibits:

- A. Draft Code Amendments
- B. Map showing the areas where a square footage threshold and conditional use permit requirement is proposed (the two different areas reflect the two different proposed thresholds)



Large Scale Retail Moratorium

DRAFT LAND USE REGULATORY CODE AMENDMENTS

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

Chapter 13.05

LAND USE PERMIT PROCEDURES

* * *

13.05.020 Notice process.

* * *

C. Process II – Administrative Decisions Requiring an Environmental Determination and Height Variances, Shoreline Permits, Conditional Use (~~except for large scale retail uses~~), Special Development Permits, Wetland/Stream/Fish & Wildlife Habitat Conservation Area (FWHCA) Development Permits, Wetland/Stream/FWHCA Assessments, and Wetland Delineation Verifications.

* * *

D. Process III – Decisions Requiring a Public Hearing.

1. A notice of application shall be provided within 14 days following a notice of complete application being issued to the applicant as identified in Section 13.05.010.C.

2. Notice of application, including the information identified in Section 13.05.020.E, shall be mailed by first-class mail to the applicant, property owner (if different than the applicant), neighborhood councils in the vicinity where the proposal is located; qualified neighborhood or community organizations; the Tacoma Landmarks Commission (for proposals located within a historic district or affecting a designated landmark); Puyallup Indian Tribe for “substantial action” as defined in the “Agreement Between the Puyallup Tribe of Indians, Local Governments in Pierce County, the State of Washington, the United States of America, and Certain Private Property Owners,” dated August 27, 1988; and to owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.020.G. For major modifications to development approved in a PRD District rezone and/or site approval, the notice of application shall also be provided to all owners of property and/or taxpayers of record within the entire PRD District and owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.020.G from the boundary of the PRD District.

3. The notified parties shall be allowed 21 days from the date of mailing to comment on the pre-threshold environmental determination under provisions of Chapter 13.12, after which time the responsible official for SEPA shall make a final determination. Those parties who comment on the environmental information shall receive notice of the environmental determination. If an appeal of the determination is filed, it will be considered by the Hearing Examiner at the public hearing on the proposal.

4. A public information sign (or signs), provided by the Department, indicating that a land use permit application for a proposal has been submitted, shall be erected on the site by the applicant, in a location specified by the Department, within seven calendar days of the date on which a notice of complete application is issued to the applicant. The sign shall remain on the site until the date of final decision, at which time the sign shall be removed

by the applicant. The notice shall contain, at a minimum, the following information: type of application, name of applicant, location of proposal, and where additional information can be obtained.

5. Notice shall be published in a newspaper of general circulation for applications identified in the table in subsection G of this section.

* * *

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

Table G – Notice, Comment and Expiration for Land Use Permits

Permit Type	Preapplication Meeting	Notice: Distance	Notice: Newspaper	Notice: Post Site	Comment Period	Decision	Hearing Required	City Council	Expiration of Permit
* * *									
Plats 10+ lots	Required	400 feet	Yes	Yes	21 days SEPA**	Hearing Examiner	Yes	Final Plat	5 years***
Plats 5-9 lots	Required	400 feet	Yes	Yes	20 days	LUA	No*	Final Plat	5 years***
Rezones	Required	400 feet	No	Yes	21 days SEPA**	Hearing Examiner	Yes	Yes	None
Shoreline/CUP/ variance	Required	400 feet	No	Yes	30 days*** **	LUA	No*	No	2 years/ maximum 6
Short plat	Required	No	No	No	No	LUA	No	No	5 years***
Site approval	Optional	400 feet	No	Yes	30 days*** **	LUA	No*	No	5 years
Conditional use	Required	400 feet	No	Yes	30 days*** **	LUA	No*	No	5 years****
<u>Conditional use, large-scale retail</u>	<u>Required</u>	<u>400 feet</u>	<u>Yes</u>	<u>Yes</u>	<u>30 days**</u>	<u>Hearing Examiner</u>	<u>Yes</u>	<u>Yes</u>	<u>5 years</u>
Variance	Optional	100 feet	No	Yes	14 days	LUA	No*	No	5 years
* * *									

INFORMATION IN THIS TABLE IS FOR REFERENCE PURPOSE ONLY.

- * When an open record hearing is required, all other land use permit applications for a specific site or project shall be considered concurrently by the Hearing Examiner (refer to Section 13.05.040.E).
- ** Comment on land use permit proposal allowed from date of notice to hearing.
- *** Must be recorded with the Pierce County Auditor within five years.
- **** Special use permits for wireless communication facilities, including towers, are limited to two years from the effective date of the Land Use Administrator’s decision.
- ***** If a public meeting is held, the public comment period shall be extended 7 days beyond and including the date of the public meeting.

* * *

Chapter 13.06
ZONING

* * *

13.06.200 Commercial Districts.

* * *

C. Land use requirements.

1. Applicability. The following tables compose the land use regulations for all districts of Section 13.06.200. All portions of Section 13.06.200 and applicable portions of Section 13.06.500 apply to all new development of any land use variety, including additions and remodels, in all districts in Section 13.06.200, unless explicit exceptions or modifications are noted. The requirements of Section 13.06.200.A through Section 13.06.200.C are not eligible for variance. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply.

2. Use requirements. The following use table designates all permitted, limited, and prohibited uses in the districts listed. Use classifications not listed in this section or provided for in Section 13.06.500 are prohibited, unless permitted via Section 13.05.030.E. Certain street level use restrictions may apply; see Section 13.06.200.C.4 below.

3. Use table abbreviations.

P	=	Permitted use in this district.
CU	=	Conditional use in this district. Requires conditional use permit, consistent with the criteria and procedures of Section 13.06.640.
TU	=	Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.635.
N	=	Prohibited use in this district.

4. District use table.

Uses	T	C-1	C-2 ¹	HM	PDB	Additional Regulations ^{2,3} (also see footnotes at bottom of table)
* * *						
Residential care facility for youth	P	P	P	P	P	See Section 13.06.535. See definition for bed limit.
Residential chemical dependency treatment facility	P	P	P	P	P	See Section 13.06.535.
Retail	N	P	P/CU~	P*	P*	~A conditional use permit is required for retail businesses exceeding 45,000 square feet within the C-2 District. See Section 13.06.640.J. *Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts.
Retirement home	P	P	P	P	P	See Section 13.06.535.
* * *						

D. Building envelope standards.

	T	C-1	C-2	HM	PDB
Minimum Lot Area	0 non-residential; 1,500 square feet per residential unit	0	0	0	0
Minimum Lot Width	0	0	0	0	0
Maximum Lot Coverage	None	None	None	None	None
Minimum Front Setback	In all districts listed above, 0 feet, unless abutting a residential zoning, then equal to the residential zoning district for the first 100 feet from that side. Maximum setbacks (Section 13.06.200.E) supersede this requirement where applicable. Animal sales and service: shall be setback from residential uses or residential zoning district boundaries at least 20 feet.				
Minimum Side Setback	In all districts listed above, 0 feet, unless created by requirements in Section 13.06.502. Animal sales and service: shall be setback from residential uses or residential zoning district boundaries at least 20 feet.				
Minimum Rear Setback	In all districts listed above, 0 feet, unless created by requirements in Section 13.06.502. Animal sales and service: shall be setback from residential uses or residential zoning district boundaries at least 20 feet.				
Maximum Setback from Designated Streets	See Section 13.06.200.E for application with any district listed above on designated segments of North 30th Street and 6th Avenue.				
Maximum Height Limit	35 feet	35 feet	45 feet	150 feet	45 feet
	Height will be measured consistent with Building Code, Height of Building, unless a View Sensitive Overlay District applies. Height may be further restricted in View-Sensitive Overlay Districts, per Section 13.06.555. Certain specified uses and structures are allowed to extend above height limits, per Section 13.06.602.				
Maximum Floor Area	20,000 square feet per building	30,000 square feet per building	<u>45,000 square feet per business for retail uses, unless approved with a conditional use permit. See Section 13.06.640.J.</u> None	7,000 square feet per business for eating and drinking, retail and personal services uses	7,000 square feet per business for eating and drinking, retail and personal services uses

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13.06.300 Mixed-Use Center Districts.

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D. Land use requirements.

1. Use requirements. The following use table designates all permitted, limited, and prohibited uses in the districts listed. Use classifications not listed in this section or provided for in Section 13.06.500 are prohibited, unless permitted via Section 13.05.030.E.

2. Use table abbreviations.

P	= Permitted use in this district.
CU	= Conditional use in this district. Requires conditional use permit, consistent with the criteria and procedures of Section 13.06.640.
TU	= Temporary use consistent with Section 13.06.635.
N	= Prohibited use in this district.

3 District use table.

Uses	NCX	CCX	UCX	UCX-TD	RCX ¹	CIX	HMX	URX	NRX	Additional Regulations ^{3,4,5} (also see footnotes at bottom of table)
* * *										
Research and development industry	N	N	N	N	N	P	N	N	N	
Residential care facility for youth	P	P	P	P	P	P	P	P	P	See Section 13.06.535. See definition for bed limit. In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. ² Not subject to minimum densities found in Section 13.06.300.E.
Residential chemical dependency treatment facility	P	P	P	P	P	P	P	P	P	See Section 13.06.535. In CCX and NCX Districts, prohibited at street level along frontage of designated core pedestrian streets. ²
Retail	P	<u>P/CU~</u>	<u>P/CU~</u>	<u>P/CU~</u>	<u>P/CU~</u>	<u>P/CU~</u>	P*	N	N	<u>~A conditional use permit is required for retail businesses exceeding 45,000 square feet. See Section 13.06.640.J.</u> *Limited to 7,000 square feet of floor area, per business, in the HMX District.
* * *										

E. Building envelope standards.

1. The following table contains the primary building envelope requirements. See Section 13.06.501 for additional requirements:

	NCX	CCX	UCX	UCX-TD	RCX	CIX	HMX	URX	NRX	Additional Requirements
* * *										
Upper story setback	See Section 501.C.2 for stepback standards along pedestrian streets.	See Section 501.C.2 for stepback standards along pedestrian streets.	None	10 feet from adjacent lot line for portion over 50 feet in height.	None	None	None	None	None	See Section 13.06.503; residential transition standards may also apply.
Maximum floor area	30,000 square feet per business; 45,000 square feet for full service grocery stores only; offices shall be exempt from these limits.	<u>45,000 square feet per business for retail uses, unless approved with a conditional use permit. See Section 13.06.640.J.</u> None	<u>45,000 square feet per business for retail uses, unless approved with a conditional use permit. See Section 13.06.640.J.</u> None	<u>45,000 square feet per business for retail uses, unless approved with a conditional use permit. See Section 13.06.640.J.</u> None	<u>45,000 square feet per business for retail uses, unless approved with a conditional use permit. See Section 13.06.640.J.</u> None	<u>45,000 square feet per business for retail uses, unless approved with a conditional use permit. See Section 13.06.640.J.</u> None	7,000 SF per business for eating and drinking, retail and personal services uses	None	None	See Section 13.06.300.D for limitations on the amount of non-residential space allowed in developments in RCX Districts.
* * *										

13.06.400 Industrial Districts.

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13.06.400.C Land use requirements.

1. Applicability. The following tables compose the land use regulations for all districts of Section 13.06.400. All portions of Section 13.06.400 and applicable portions of Section 13.06.500 apply to all new development of any land use variety, including additions and remodels. Explicit exceptions or modifications are noted. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply.

2. Use Requirements. The following use table designates all permitted, limited, and prohibited uses in the districts listed.

Use classifications not listed in this section or provided for in Section 13.06.500 are prohibited, unless permitted via Section 13.05.030.E.

3. Use table abbreviations.

P	=	Permitted use in this district.
CU	=	Conditional use in this district. Requires conditional use permit consistent with the criteria and procedures of Section 13.06.640.
TU	=	Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.635.
N	=	Prohibited use in this district.

4. District use table.

Uses	M-1	M-2	PMI	Additional Regulations ¹

Residential chemical dependency treatment facility	P/N*	N	N	See Section 13.06.535. *Not permitted within the South Tacoma M/IC Overlay District.
Retail	P~	P~	P*	*Limited to 7,000 square feet of floor area, per development site, in the PMI District. ~Within the South Tacoma M/IC Overlay District, unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet in the M-1 district. <u>Outside of the South Tacoma M/IC Overlay District, limited to 65,000 square feet per business, unless approved with a conditional use permit. See Section 13.06.640.J.</u>

13.06.640 Conditional use permit.

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

* * *

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

1. There shall be a demonstrated need for the use within the community at large which shall not be contrary to the public interest.
2. The use shall be consistent with the goals and policies of the Comprehensive Plan, any adopted neighborhood or community plan, and applicable ordinances of the City of Tacoma.
3. The use shall be located, planned, and developed in such a manner that it is not inconsistent with the health, safety, convenience, or general welfare of persons residing or working in the community. The following shall be considered in making a decision on a conditional property use:
 - a. The generation of noise, noxious or offensive emissions, light, glare, traffic, or other nuisances which may be injurious or to the detriment of a significant portion of the community.
 - b. Availability of public services which may be necessary or desirable for the support of the use. These may include, but shall not be limited to, availability of utilities, transportation systems (including vehicular, pedestrian, and public transportation systems), education, police and fire facilities, and social and health services.
 - c. The adequacy of landscaping, screening, yard setbacks, open spaces, or other development characteristics necessary to mitigate the impact of the use upon neighboring properties.

An application for a conditional use permit shall be processed in accordance with the provisions of Chapter 13.05.

* * *

J. Large Scale Retail. Where allowed, a conditional use permit for a retail business that exceeds the applicable size limitations (as outlined in the use tables found in Sections 13.06.100, -.200, -.300, and -.400) shall only be approved upon a finding that such development is consistent with all of the standard decisions criteria for conditional use permits, as outlined above under Subsection C, and the following additional decision criteria:

1. The proposed development is designed in a manner that allows for future reuse of the building by multiple tenants. This may be accomplished by incorporating a variety of different design elements, including provision of several tenant spaces of varying sizes within buildings or the ability to practically modify the buildings in the future with building separations and modifications to access, mechanical systems and other components that would accommodate multi-tenant reuse.
2. The design of off-street parking areas represent a substantial effort to ensure enhanced pedestrian safety and comfort. Parking lot design strategies may include segmenting surface parking areas into smaller groupings with interspersed buildings, pedestrian features, frequent pedestrian pathways, landscaping, and other focal points, and/or provision of structured parking for a significant portion of the on-site parking provided.
3. The type and volume of traffic and existing and proposed traffic pattern allows for accessibility for persons and various modes of transportation. Adequate landscaping, screening, open spaces, and/or other development characteristics are provided as necessary to mitigate the traffic impact upon neighboring properties. In addition, pedestrian-oriented design is emphasized within mixed-use centers to maintain connectivity between uses and all modes of transportation, including bicycle, pedestrian and mass transit options.

4. Business activity, including delivery and hours of operation, are limited to avoid unnecessary noise and light impacts to surrounding residential uses. Outdoor storage or garden areas are appropriately screened from view or contained within a building.

5. In mixed-use centers, the overall development is designed to positively contribute to the desired and planned character of the district, as outlined in the Comprehensive Plan. This may be accomplished through incorporation of enhanced development features, such as incorporating a variety of uses, structured parking, multiple floors to allow for a smaller building footprint, smaller-scale storefront design along the street level, incorporation of residential units within the building or overall development site, and a diverse array of public spaces, including indoor and outdoor spaces, active and passive spaces, and plazas and garden spaces.

An application for a conditional use permit for large scale retail businesses shall be processed in accordance with the provisions of Chapter 13.05, except with the following additional requirement:

Pre-application community meeting. Prior to submitting an application to the City for a conditional use permit for a large scale retail business, the applicant shall hold a public informational meeting with adjacent community members. The purpose of the meeting is to provide an early, open dialogue between the applicant and the neighborhood surrounding the proposed development. The meeting should acquaint the neighbors of the proposed development with the applicant and/or developers and provide for an exchange of information about the proposal and the community, including the characteristics of the proposed development and of the surrounding area and any particular issues or concerns of which the applicant should be made aware. The applicant shall provide written notification of the meeting to the appropriate neighborhood council, qualified neighborhood and community organizations, and to the owners of property located within 400 feet of the project site. Subsequently, as part of the conditional use permit application, the applicant shall provide written confirmation that the required pre-application community meeting was held, the general substance of the community input, and whether, and if so how, the project was modified in response to the community input.

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