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Agenda

Tacoma Planning Commission

Community and Economic Development Department

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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

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(Agenda also available online at: www.cityoftacoma.org/planning > "Planning Commission" > "Agenda Packets")

MEETING: Regular Meeting

TIME: Wednesday, April 20, 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 – N/A

D. GENERAL BUSINESS

(4:05 p.m.) **1. Billboard Regulations**

Description: Review comments concerning the proposed code revisions for billboards received at the public hearing on March 16, 2011 and through the comment period ending on March 25, 2011 and staff responses

Actions Requested: Discussion, Direction

Support Information: See "Agenda Item GB-1"

Staff Contact: Shirley Schultz, 591-5121, shirley.schultz@cityoftacoma.org

(4:55 p.m.) **2. Master Program for Shoreline Development**

Description: Authorize the release, for the purpose of public review and comment, the Draft Shoreline Master Program, including the following:

- Staff report and Department of Ecology Submittal Checklist,
- Draft Shoreline Master Program,
- Draft Environment Designation Map,
- Draft Shoreline Restoration Plan,
- Draft Public Access Alternatives Plan,
- Draft Thea Foss Waterway Design Guidelines,
- Draft Cumulative Impacts Analysis,



- Related changes to the Land Use Regulatory Code, Chapters 13.05(Land Use Permit Procedures), 13.06 (Zoning) and 13.11 (Critical Areas Preservation).

Actions Requested: Authorize for Public Distribution; Set June 1, 2011 for a Public Hearing

Support Information: See “Agenda Item GB-2”

Staff Contact: Steve Atkinson, 591-5531, satkinson@cityoftacoma.org

(5:45 p.m.) **3. 2011 Annual Amendment**

Description: Complete the review/analysis process for the following applications for amending the Comprehensive Plan and Land Use Regulatory Code for 2011:

- #2011-01 – 49th and Pine Intensity and Zoning Change
- #2011-02 – Historic Preservation Plan and Code Revisions
- #2011-04 – Water Level of Service Standard
- #2011-05 – Transportation Element
- #2011-06 – Regional Centers & Safety-Oriented Design
- #2011-07 – Park Zoning and Permitting
- #2011-08 – Regulatory Code Refinements
- #2011-09 – SEPA Regulations Amendment

Actions Requested: Recommendation to the City Council

Support Information: See “Agenda Item GB-3”

Staff Contact: Donna Stenger, 591-5210, dstenger@cityoftacoma.org

E. COMMUNICATION ITEMS

1. “May is Bike Month!” Poster – “*Agenda Item C-1*”
2. Planning Commission Openings – The City Council is seeking interested and qualified citizens to fill three positions on the Planning Commission, representing Council District No. 1 (West End and North End), Development Community, and Public Transportation, for a 3-year term from July 1, 2011 to June 30, 2014. Applications must be submitted to the Mayor’s Office by Friday, June 10, 2011. (www.cityoftacoma.org/planning > “Planning Commission”)
3. 2012 Annual Amendment – The Planning Commission is accepting applications for amending the Comprehensive Plan and/or Land Use Regulatory Code for 2012. Applications must be submitted by Thursday, June 30, 2011. (www.cityoftacoma.org/planning > “2012 Annual Amendment”)

F. COMMENTS BY LONG-RANGE PLANNING DIVISION

G. COMMENTS BY PLANNING COMMISSION

H. ADJOURNMENT



City of Tacoma
Community and Economic Development Department

TO: Planning Commission
FROM: Shirley Schultz, Principal Planner, Current Planning Division
SUBJECT: Billboard Regulations – Public Comment and Review
DATE: April 13, 2011

At your last meeting, Commission members were provided a copy of the public comments received concerning the proposed changes to the billboard regulations. Due to the extensive commentary, staff also provided an initial overview of some of the key issues that emerged from the public testimony.

At the April 20 meeting, the Commission will continue its review and discussion of the testimony and possible revisions to the draft code. As promised, attached is a “Summary of Public Comments and Staff Responses Report” that summarizes all of the issues and concerns raised in public testimony. Where appropriate, staff has provided responses and, in some cases, is recommending modifications to the draft proposed regulations to address the points raised by many of the commenters.

Staff is seeking guidance and/or concurrence on the proposed modifications and direction from the Commission to assist in any further analysis and potential revisions in response to the testimony and in formulating its findings and recommendation to the City Council. To facilitate the discussion, Shelley Kerslake, the City’s legal counsel, will also be at the meeting to speak with the Planning Commission about the Settlement Agreement and next steps, and to address some of the legal issues/questions that have been raised.

If you have any questions, please contact Shirley Schultz at (253) 591-5121 or shirley.schultz@cityoftacoma.org.

Attachment

c: Peter Huffman, Assistant Director



BILLBOARD CODE REVISIONS

SUMMARY OF PUBLIC COMMENTS AND STAFF RESPONSES REPORT April 20, 2011

	COMMENTS	SOURCE(S)	STAFF RESPONSE
AESTHETICS			
1.	Digital Billboards are visual blight	Barrie, Robbins-Ghormley, Rolfe, Augustine, Babare, Bjornson, Buffington, Cooke(2)*, Cooper, Corso, Davie, Delight, Donohue, Faker*, Flint, Gannett, Heller*, Jacobs, Kircher, Lally, Lawson*, Limerick, Martin, McDonald-Wright, McManus, Mellor, Nuismer, Oberfield, Osborn, Paul, Paulson, Pinto, Porter, Riedener, Sabo, Schlemmer, Schmidt, Shoop, Sukys, Sutton, Swanson, Walton, Weiss*, Winters, Historic Tacoma, Central Neighborhood Council	Comment noted.
2.	There's too much advertising, this is intrusive, and it does not belong in common public spaces	Ayer, Bjornson, Caldwell, Erickson, Freitas, Girvin, Heller*, Koenig, Marks, Menzies*, Neuberger, Sullivan, Varnell,	Comment noted.
SAFETY			
3.	Make sure luminance levels are acceptable for safety standards	Community Council of Tacoma	Staff is reviewing current draft code and studies regarding luminance and brightness levels and will continue to discuss this issue, related information and any potential changes to the draft levels with the Planning Commission for its consideration.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
4.	Digital billboards contribute to driver distraction, pedestrian distraction, including references to FHWA studies and a Wisconsin study	Allard, Carr, Bjornson, Boneske, Corso, Cruise, DeOme*, Davis-Long, Denton, Dewes, Dewitt, Eaves, Erickson, Gannett, Halko, Halmo, Hankwitz*, Hull*, Jacobs*, Jensen, Jensen*, Johanson*, Lambert, Lawson, Limerick, Love, McElhiney*, Mellor, Menzies, Mordhorst, Napolitano, Nelson, Nichols, Noss, Oberfield, Paul, Riedener, Riehs, Sawaya, Schaaf, Schlemmer, Sukys, Sutton, Van Horn, Varnell, Varner, Walton, Weiss*, Winters* Historic Tacoma, South Tacoma Business District Association, South Tacoma Neighborhood Council, Central Neighborhood Council	Comment noted. The Planning Commission has voiced similar concerns and they will continue to discuss this issue before making their recommendation. Based upon the April 6 Planning Commission discussion, it is likely that the Commission's final report and recommendation will include findings related to driver safety and distraction from digital signage. At a minimum, the sign code will ensure that signs are consistent with the following: do not interfere with or obscure any official sign, traffic control device, signal, or roadway illumination; cannot display any messages or color combinations which might be mistaken for emergency lights or traffic control devices; and cannot be construed as providing direction or warning to drivers.
5.	Information on correlation between accidents and digital signs is inconsistent. US DOT, state, and insurance statistics show no correlation.	Clear Channel Outdoor	Comment noted. While there are studies which show no correlation between accidents and digital signs, the safety question is complex and no engineering design standards are in place. There is no definitive guidance on controls for this type of sign. It is clear that the purpose of signs is to get the attention of passers-by, so the goal of any ordinance would be to minimize the length and amount of any distraction.
6.	Studies in OH, NM, MN, VA, and PA conducted by local governments, show that there's no statistical correlation between accidents and digital billboards	Clear Channel Outdoor	Comment noted. Other studies, however, have shown a correlation between digital signs and accident rates (Wisconsin). No thorough study has been completed by the FHWA to use as guidance in this case.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
RECEIVING AREAS			
7.	There should be no special receiving areas, they are too close to residential districts, they are illegal and nonconforming	Cruise, Love, Winters Central Neighborhood Council	<p>Comment noted. Under the current proposal, only 10 digital faces may locate within the special receiving areas; after that, future digital billboards would only be allowed in the 4 permitted zones – C-2, M-1, M-2, and PMI.</p> <p>The special receiving areas are located in the following zoning districts: M-2, M-1, C-2, CIX, UCX, UCX-TD, WR, CCX, C-1, T, NCX, RCX, R4-L, R-3, R2-SRD, and R-2. Six of the special receiving areas are located wholly within the C-2, M-1, or M-2 zoning districts. The remaining areas are at least partially zoned residential or mixed-use.</p> <p>The Planning Commission may consider, as part of its recommendation, the removal of some or all of the draft special receiving areas.</p>
8.	Special receiving areas are not fair to different neighborhoods	Bishop, Cruise, Corso, Olson, Perkins, Schlemmer	<p>Comment noted. The City is divided into eight neighborhood council districts. The 18 special receiving areas in the current draft are located in the following neighborhood council districts:</p> <ul style="list-style-type: none"> • Central (1) • Along the Central / North End boundary (3) • New Tacoma (3) • West End (1) • South Tacoma (9) • South End (1) <p>There are no special receiving areas in the following neighborhoods council districts:</p> <ul style="list-style-type: none"> • Northeast Tacoma • East Side <p>The special receiving areas currently included in the draft regulations were outlined in the settlement agreement negotiated between the City Council and Clear Channel Outdoor. The Commission may consider recommending changes to the special receiving areas.</p>
9.	Distribute billboards more evenly, including additional neighborhoods, near decision-makers' homes	Olson, Cruise	<p>Comment noted. The special receiving areas in the current draft, which would apply to the first 10 digital billboards, were negotiated between the City Council and Clear Channel Outdoor. Beyond the first 10 digital billboards allowed, the proposed regulations do not allow billboards to be located in or near residentially-zoned areas.</p>

	COMMENTS	SOURCE(S)	STAFF RESPONSE
10.	Were the council members aware that the 19 special receiving areas were adjacent to residential neighborhoods and the billboards would shine on houses?	DeOme	Council members and Planning Commissioners all received copies of the proposed special receiving areas. The areas were determined by negotiation and discussion between the City Council and Clear Channel Outdoor.
11.	No billboards of any type should be allowed near schools, churches, parks, shorelines, and historic buildings	Ayer(2), Carr, Casey, Thacker, Clark, Coates, Elling, Hatter, Martin, McClintock, Nash, Parker, Price, Robbins-Ghormley, Rolfe, Schain, Strivens, Swanson, Delight North End Neighborhood Council	Comment noted. Under the current proposal, the first 10 digital billboard faces would be allowed in special receiving areas, some of which are within or near historic districts, shorelines, parks, churches or schools. After the first 10, billboards would not be allowed in or near these areas/uses. Staff is currently reviewing and will propose additional language to clarify how this restriction relates to historic districts, historic sites, and conservation areas. In addition, the Commission has requested staff provide additional discussion about buffering from churches located in commercial or industrial areas. See response to Comment #7.
12.	Billboards, if allowed, should be restricted to industrial areas like the tide flats and Nalley Valley.	Ayer(2), Carr, Casey, Thacker, Clark, Coates, Elling, Entwistle, Hatter, Martin, McClintock, Nash, Parker, Price, Robbins-Ghormley, Schain, Stephens, Strivens, Swanson Community Council of Tacoma, Northeast Tacoma Neighborhood Council	Comment noted. As currently drafted, the first 10 faces would be allowed in the special receiving areas. After the first 10, billboards would be restricted to 4 zoning districts, 3 of which are industrial zones. The Planning Commission may choose to address this item further in its findings and recommendation to the City Council.
13.	Increase buffers to 1000 feet, 700 feet, or only where they are not visible from residential uses	Girvin, Cruise Sukys South Tacoma Neighborhood Council, Central Neighborhood Council	Comment noted. The current and proposed buffers are 250 feet from churches, schools, historic properties, open space/parks, or residences, and 375 feet from a shoreline district. Increasing buffers to this level would significantly reduce the number of places a new billboard could locate, and thus could reduce the effectiveness of the proposed exchange program. If directed by the Commission, staff could conduct additional analysis regarding increased buffering distances.
14.	Only allow digital billboards where there is currently (as of February 2011) a lit billboard.	Price	Comment noted. The Planning Commission may choose to address this item further in its findings and recommendation to the City Council.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
15.	<p>6th & Sprague should not be a special receiving area</p> <ul style="list-style-type: none"> • Blocks Trinity Presbyterian Church (and Central Seventh Day Adventist) • Dangerous • Distracting to students • Too close to an historic district 	<p>Ayer, Barrie, Beardsley-Schoonmaker, Casey, Thacker, Bert*, Bishop, Bonner, Cade, Carlton, Clark, Cruise, Curtis, Elling, Entwistle, Erickson, Hankwitz*, Hawkins, Herron, Lambert, Leslie, Martin, McClintock, Menzies, Miller, Miller (2), Monroe, Nash, Nash(2), Neuberger, Nuismer, Oliver, Robbins-Ghormley; Robbins-Ghormley(2), Robinson, Rose, Ryan, Sabo, Sautner, Sawaya(2), Schlemmer, Shoop, Spivey, Strader, Sukys, Tucker, Varnell, Walkup*</p> <p>North Slope Historic District, Central Neighborhood Council</p>	<p>Comments noted.</p> <p>It should be noted that the specific billboard at the It's Greek to Me restaurant site is not owned by Clear Channel Outdoor. It is one of 4 structures in the city that are owned by a different party, but managed by Clear Channel Outdoor.</p> <p>Further, it should be clarified that placement of a digital billboard at a particular site will not necessarily result in removal of a standard billboard at that site – that is, in the special receiving areas, digital billboards are not necessarily <i>replacement</i> billboards – so, in special receiving areas, there could be an increase in the number of billboards, at least until such time as the standard billboards were removed through the exchange program.</p> <p>This will be discussed thoroughly at the April 20 Planning Commission meeting. In addition, the Commission may choose to recommend that this location, or any of the other specific locations included in the draft, not be included as a special receiving area.</p>
16.	<p>Digital billboards should not be allowed on 6th Avenue; they are contrary to the goals for a pedestrian-oriented community</p>	<p>Boneske, Cruise, Koenig, Leslie, Lumsden, Mullen, Nelson, Ryan, Turner</p>	<p>Comment noted. Staff briefly addressed this issue (what the Comprehensive Plan says about signage and pedestrian orientation) in the staff report. See the response to Comment #70.</p> <p>The goals of the Mixed Use Districts in the <i>Comprehensive Plan</i> include creating pedestrian-oriented streets, context-sensitive design, and quality, distinctive, signage. Billboards are not specifically addressed in the mixed-use language because currently billboards would not be allowed in a mixed-use district. Of the 18 special receiving areas in the draft code, 7 are wholly or partially within mixed-use centers.</p> <p>Also see the response to Comment #15.</p>
17.	<p>The digital sign at 56th & South Tacoma Way is bad, no digital billboard should go there</p>	<p>Schmidt, Stephens</p>	<p>Comment noted. It should be clarified that the digital sign operating in this neighborhood (at the Austin's Pro/Max automotive retail and service business) is an on-premises sign and not a billboard and would not be affected by the proposed code changes.</p> <p>Also see the response to Comment #15.</p>

	COMMENTS	SOURCE(S)	STAFF RESPONSE
18.	No digital billboards should be allowed at 74 th and Tacoma Mall Boulevard	Halko, Vaughn	Comment noted. Currently, even though this area is zoned “C-2” there are very few locations where a billboard could be located because of buffering standards, and also because of State regulations regarding billboards along highways. Under the draft code, the special receiving area would increase the number of locations where a digital billboard could be located, but the State regulations regarding signs visible from I-5 would still apply, likely restricting where and how a billboard could be located in this special receiving area. Also see the response to Comment #15.
19.	How did the dots on the settlement agreement map become the receiving areas in the code?	DeOme Central Neighborhood Council	The special receiving areas were determined through negotiation between the Council and Clear Channel. It is staff’s understanding that they were chosen, in part, based upon visibility and traffic counts and are meant to be areas and not specific locations, in order to allow Clear Channel some flexibility in negotiating property leases for the placement of digital billboards. The specific boundaries contained in the draft code were provided by Clear Channel.
20.	Could more than one digital billboard go in a special receiving area?	DeOme	Yes – either on the same structure or on different structures in the same special receiving area. It is important to note that “one billboard” equates to one billboard <i>face</i> not one billboard <i>structure</i> – so a double-faced billboard structure (which is common) is considered two billboards. The current draft code does not include any restriction on how many digital billboard faces or structures could be located in each of the special receiving areas. If directed by the Commission, staff could explore such a restriction
21.	Digital billboards will not be placed in residential zones – only in C1, C2, CCX, NCX, UCX, UCX-TD, M1, M2, and WR.	Clear Channel Outdoor	This may be correct, however, as currently drafted, some of the special receiving areas are within or adjacent to residential districts. However, this comment may indicate that even if available Clear Channel does not intend to locate billboards in those areas. Currently, billboards may be placed in C-2, M-1, M-2, and PMI zoning districts.
22.	The special receiving areas were carefully chosen between Clear Channel and the City Council.	Clear Channel Outdoor	This is correct, based upon staff’s understanding of the negotiations leading up to the Settlement Agreement.
23.	The special receiving areas are high-traffic corridors.	Clear Channel Outdoor	This is correct. The special receiving areas are generally located at or near major arterial intersections.
24.	It’s impossible for every receiving area to have a sign.	Clear Channel Outdoor	Based on a maximum of 10 digital billboards in the 19 special receiving areas, this is correct.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
ILLUMINATION, IMAGES, CONTENT			
25.	Have the Council members seen examples of what digital billboards look like in the dark and light hours?	DeOme	Council members and Commissioners were shown the video provided by Clear Channel Outdoor showing side-by-side comparisons of static and digital billboards, which is also available on the Planning Division website at: http://cms.cityoftacoma.org/Planning/Billboard%20Regulations/Digital%20Ovs%20Traditional%20Video.wmv
26.	Digital Billboards create light pollution in general and especially affecting residential neighborhoods	Barrie, Allard, Babare, Beardsley-Schoonmaker, Botsford, Davis-Long, Eaves, Flint, Freitas, Girvin, Jacobs, Limerick, Marks, Martin, Menzies*, Monroe, Paulson, Robinson, Sautner, Sukys, Varnell, Varner, Walton, Weiss*, Winters South Tacoma Neighborhood Council	While lighted billboards and digital billboard do increase light levels in the surrounding area, the current draft of the code includes limits on the brightness of signs that are meant to reduce the impacts. See response to Comment #3.
27.	Turn off between 10 p.m. and 6 a.m. or restrict to daylight hours only	Freitas*, North Slope Historic District, Central Neighborhood Council	Comment noted. The current draft code would restrict billboards from being lit between 10 p.m. and 5 a.m. The Commission could consider recommending different time restrictions.
28.	The number of messages should be reduced to lengthen static image time	Parker, Community Council of Tacoma, Northeast Tacoma Neighborhood Council, Central Neighborhood Council	Comment noted. The Planning Commission may choose to address this item further. Under the proposed code, the required static image time is no less than 8 seconds.
29.	Prohibit message sequencing	Community Council of Tacoma, Northeast Tacoma Neighborhood Council	Comment noted. The Planning Commission may choose to address this item further. Legal information regarding content regulation will be required, and in addition the Commission may wish to look at interactive messages (i.e., messages with text messaging instructions or "call now" type messages).
30.	Digital billboards in South Tacoma should be shielded so that no light is directed upward which might affect aircraft at JBLM	Bozick	Comment noted. Staff will be drafting language to address this concern and discussing it further with the Commission.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
31.	Are there any restrictions on content? Some images may not be appropriate in some areas, and also equal time should be guaranteed.	Mordhorst	Content cannot generally be regulated, only time, place, and manner. Digital billboards are not subject to the same regulations regarding equal time as TV and radio are.
32.	These are not like the signs along I-5, and will be adjusted for brightness based on ambient light.	Clear Channel Outdoor	Comment noted. Clear Channel operates several signs within the City of Kent, which are comparable to what would be installed in Tacoma. The proposed regulations include a requirement that digital billboards include an ambient light sensor so that they can continually adjust to changing light conditions.
33.	Signs will not be animated, flash, rotate, etc.	Clear Channel Outdoor	This is correct. Animation, rotation, etc. is prohibited in the draft code.
34.	The light level is not dissimilar to that from a lighted static billboard.	Clear Channel Outdoor	Comment noted. Different studies of brightness are discussed in "Illuminating the Issues: Digital Signage and Philadelphia's Green Future" by Gregory Young. It can be found multiple places, it is included on page 156 of Volume II of the public comments.
SETTLEMENT AGREEMENT			
35.	Have all business districts and neighborhood councils been notified?	Jensen	Yes. The public notice was distributed to a broad mailing list and was also sent electronically to neighborhood groups, business districts, and community groups. Several of those groups submitted comments.
36.	Give citizens opportunity (let them vote) to decide if the status quo is better than the settlement agreement, if we should sue, etc.	Nelson, Roberson	Comment noted. Any decision regarding a ballot measure could be made by the City Council or pursued by citizen petition.
37.	More public input should have been taken before the agreement was made.	Ayer(2), Buffington, Carr, Casey, Dickson*, Thacker, Clark, Coates, Elling, Jensen (2), Hankwitz*, Hatter, Martin, McClintock, Nash, Nelson, Parker, Price, Robbins-Ghormley, Schain, Strivens, Swanson, Tyvand, Winters* South Tacoma Neighborhood Council	Comment noted.
38.	Hold public comment period open	Jensen*	The Planning Commission determined not to extend the comment period at their March 16 meeting. The comment period was open from February 16 through March 25. Additional comment will be taken at the City Council public hearing as well as at the first and second readings of the ordinance to adopt code changes.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
39.	The City needs to plan public meetings at times when more people can attend	Jensen (2)	Comment noted.
40.	We are interested in hearing the council's reasoning for approving the settlement agreement. What was the advice of the Legal Department?	DeOme, Schafer*	Comment noted. The Planning Commission has made a similar request and the City's legal counsel will be addressing legal issues and questions at the Commission's April 20 meeting.
41.	The term "Settlement Agreement" is a misnomer; it's never been signed, it's not valid and can be revoked	Lumsden, Winters, Cruise, Schafer Central Neighborhood Council	Comment noted. Clarification on the Settlement Agreement, the "option period" and other legal items will be addressed as appropriate by the City's legal counsel at the April 20 meeting.
42.	The Court case (lawsuit) was invalid because it's okay to control signage w/o intruding upon 1 st Amendment rights. Clear Channel never sought administrative remedy, and it was beyond the statute of limitations of state land use law.	Schafer, Halmo South Tacoma Neighborhood Council,	Comment noted. Comments, information, and arguments related to the Settlement Agreement, litigation, legitimacy of sign regulation, etc. will be reviewed by the Planning Commission for their information and will be passed on to both legal counsel and the City Council for their consideration as they make further decisions regarding billboards.
43.	The Settlement Agreement is not substantial – there's no guarantee that other billboards will come down, the exchange ratio is not high enough. The public messaging benefits doesn't offset all of the negatives.	Adkins, Jensen, Price, Weiss South Tacoma Neighborhood Council	Comment noted.
44.	This was addressed in 1997, we should move forward with that. It is defensible in court.	Allard, Alexander, Anderson*, Atherton*, Ayer(2), Barrie, Babare, Camarata, Casey, Thacker, Clark, Coates, Collier, DeOme*, Elling, Hampton*, Hatter, Jeffrey, LaPointe*, Lawson*, Lewis, Lumsden, Martin, McClintock, Menzies, Nash, Nelson, Oberfield, Owens, Parker, Paulson, Price, Rasmussen*, Reid*, Robbins-Ghormley, Ryan, Rolfe, Schafer, Schain, Spivey, Stailey, Strivens, Swanson, Winters North End Neighborhood Council, Central Neighborhood Council	Comment noted. See response to Comment #42.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
45.	Tacoma's current definition of billboard is not content based and is defensible per the <i>Los Angeles</i> decision; the current ordinance is defensible	Schafer	Comment noted. See response to Comment #42.
46.	The current code as related to nonconforming signs is invalid because of incorrect reference to section and numbering.	Schafer	Comment noted. See response to Comment #42.
47.	Please clarify the Option Period in the proposed settlement agreement.	Schafer	Comment noted. Clarification on the Settlement Agreement, the "option period" and other legal items will be addressed as appropriate by the City's legal counsel at the April 20 meeting.
48.	This should not be restricted to Clear Channel – it's a business monopoly, it's a communication monopoly (i.e., how do you guarantee equal time)	Davie, Mordhorst	Comment noted. These potential code changes are not designed for or only applicable to Clear Channel Outdoor – they would apply to all current and any future owner of billboards in the city. The City's legal counsel may speak to this in more depth at the April 20 meeting.
49.	Did the Council receive figures from Clear Channel regarding their profits on the digital billboards? Once they are up, there are minor labor costs and the boards can show multiple images. It seems like it is going to be more profit than a 1 for 5 trade.	DeOme	Comment noted. The Planning Commission did not participate in negotiations; the exchange ratio was negotiated between the City Council and Clear Channel Outdoor. See response to Comment #52.
50.	Did Clear Channel write the code?	Jensen	Clear Channel provided a draft code to staff and it was one item used as information for consideration by the Planning Commission, along with benchmarking from other cities and staff-level research. Ultimately, the Planning Commission decided what requirements and performance standards were used in the draft code.
51.	Please provide an accurate Exhibit 2, and a copy of the settlement agreement.	Schafer	This has been done and posted on the Planning Division website (www.cityoftacoma.org/planning).
52.	Increase the exchange ratio	Price	Comment noted. The Planning Commission could consider recommending a different exchange ratio and/or discuss this issue further in its findings and recommendation to the City Council.
53.	The Settlement Agreement talks about structures, not faces, and does not restrict size – how are those addressed?	DeOme	These items are addressed in the draft code. The revised regulations, if adopted, will be the controlling document for future rules regarding billboards; however, Clear Channel retains the option to pursue continued litigation.
54.	The Settlement Agreement will result in a net reduction of over 30,000 sf of signage in the city, aggressively removing about 42% of Clear Channel's assets.	Clear Channel Outdoor	If the exchange is carried out to its fullest extent (i.e., no remaining Clear Channel static billboards and only 36-38 digital billboards) these numbers are approximately correct. The immediate removal of 79 faces and 100 permits does represent about that proportion of assets.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
55.	What do we do to guarantee there's not a proliferation of billboards?	Botsford	Limits are provided in the code. No new billboards are allowed – a certain number must be removed in order to install one in a new location. The overall goal of the proposed code amendment is to reduce the number of billboard faces in the city. If adopted and implemented, the proposed regulations would result in the elimination of 54 existing static faces and an additional 25 faces within 5 years. Ultimately, all 253 standard faces could be replaced with 38 or fewer digital faces, citywide.
SIZE			
56.	Digital billboards proposed are too big (should be limited to 300 square feet if allowed at all)	Adkins, Cruise, Parker, Jensen (2)*, Nelson, Schmidt, Winters* Historic Tacoma, Central Neighborhood Council	Comment noted. The Planning Commission may choose to consider changes to the size allowances and address this item further in its findings and recommendation to the City Council.
57.	Were the council members aware the settlement agreement describes the first 10 billboards in 19 receiving areas as "bulletin" boards, which means they can be up to 600 square feet	DeOme	It is staff's understanding that the Council was made aware that the first ten signs would be the "bulletin" size (up to 672 square feet).
58.	The Settlement Agreement DOES NOT identify the size of the first ten 10 digital billboards. The references in Clear Channel's draft of the ordinance uses the term "bulletin" inconsistently.	Cruise Central Neighborhood Council	Comment noted. The term "bulletin" is used inconsistently in the Settlement Agreement. Staff subsequently clarified with both Clear Channel Outdoor and legal counsel that the proposed size for the first ten is intended to be bulletin, or 672 square feet. The adopted code will be the controlling factor for the regulation of billboards, and therefore the code establishes the allowed size for digital billboards.
59.	There is NO definition of "bulletin" billboards in the TMC 13.06.520 on Signs identifying "bulletin" boards as 672 sq. ft. The only reference to "bulletin" billboards in the TMC is TMC 13.06.521(1) stating under the section on "Exempt Signs" that "Non-electric bulletin boards [shall] not exceed [ing] 12 square feet..." Obviously by Tacoma's own definition, a bulletin board can be as small as 12 square feet. This sounds to me like the City is accepting the unsubstantiated, inappropriate definition of a "bulletin" billboard offered by Clear Channel to the detriment of the citizens and residential neighborhoods of Tacoma.	Cruise	Comment noted. Staff agrees that the use of "bulletin" in the sign code to refer to a bulletin board (for posting of notices, etc.) or in the sense of "a brief notice" is confusing in light of the term "bulletin" being used in the discussion of digital billboards and size. It should be noted that "bulletin" is <i>not</i> used to discuss billboard size in the draft code. The adopted code will be the controlling factor for the regulation of billboards, and therefore the code establishes the allowed size for digital billboards. However, to avoid confusion, staff will put forth additional code changes to remove or clarify the use of that word in the code.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
60.	Digital Billboards should have stricter size limits, lower height, location only on sides of buildings	Parker, Price North End Neighborhood Council, Northeast Tacoma Neighborhood Council	Comment noted. The Planning Commission may consider changes to these standards and address this item further in its findings and recommendation to the City Council.
61.	Revise the entire sign code to make ALL signage smaller and more contextual	Gray, Shaw, Stailey North End Neighborhood Council	Comment noted. Revisions to the entire sign code are beyond the scope of this project.
ENVIRONMENTAL			
62.	Did the council consider increased energy use issues with the digital billboards? How do digital billboards play into being a “green” city?	DeOme	Comment noted. Signs are not subject to the energy standards under the building code. Digital billboards generally use more energy than a standard floodlit billboard; however, LED technology is continuously improving to use less electricity. While different energy use figures have been cited, taking into account the proposed exchange program (where multiple existing billboards will be removed in exchange for each digital billboard), the overall change in energy usage by billboards may not be significant or could reflect an overall reduction.
63.	Energy use is too high and they cannot be recycled	Allard, Anderson*, Bjornson, Carrigan, Davis-Long, DeOme, Frederick, Gannett, Historic Tacoma, Lampman, Love, McDonald-Wright, Nichols, Oberfield, Rasmussen, Schmidt, Sukys, Tyvand, Walton, Winters, Erickson, Martin, McDonald-Wright, Nichols, Sawaya, Sukys, Tyvand, Weiss*, Winters* Historic Tacoma, Central Neighborhood Council	Comment noted. See response to Comment #62.
64.	The location surrounding South 72 nd and 74 th is an important flyway and habitat near Wapato Park – light pollution is bad enough already	Lawson	Comment noted.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
65.	Digital Billboards create noise pollution with their cooling fans	Sautner, Jensen, Robinson, Rolfe, Walton, DeOme Central Neighborhood Council	Comment noted. Any use or development in the City is required to comply with the City's noise ordinance and would be subject to enforcement. Further, at least one major sign manufacturer does not use cooling fans for its signs (Daktronics, which Clear Channel says is a primary provider of its digital billboards).
66.	Over the past 4 years there has been a 79% decrease in energy use for digital billboards, with further reductions expected.	Clear Channel Outdoor	This is consistent with the information staff has received from one of the primary sign manufacturers (Daktronics).
67.	Current generation of digital sign faces are not cooled by fans.	Clear Channel Outdoor	This is consistent with the information staff has received from one of the primary sign manufacturers (Daktronics).
68.	Digital billboards eliminate the need for vinyl (not recyclable) and the traffic on the streets associated with changing vinyl billboard faces.	Clear Channel Outdoor	Comment noted.
69.	Manufacturers state that 90% of a digital sign is recyclable.	Clear Channel Outdoor	This is consistent with the information staff has received from one of the primary sign manufacturers (Daktronics).

GENERAL COMMENTS AND QUESTIONS

70.	Why do we have to do anything? Can't we just ban them? (like other cities, like Seattle)	Bjornson*, Davis-Long, Gray, Shaw, Jensen(2), Nelson, Perkins, Winters	Yes. Currently the City bans new billboards. The City does not have to allow digital billboards. As outlined in the Settlement Agreement, allowing digital billboards is seen as an opportunity to: 1) achieve resolution to a lawsuit; and 2) accelerate the removal of static billboards in the city.
71.	Digital billboards are bad for Tacoma's image – they negate good work done to promote economic growth	Adkins, Anderson, Barrie, Schain, Blilie, Faker, Flint, Halko, Heller*, Jensen*, Johanson*, Jones*, Love, Miller(2), Nelson, Nuismer, Paul, Paulson, Perkins, Porter, Ray, Schmidt, Stephens, Vaughn, Cruise South Tacoma Business District Association, South Tacoma Neighborhood Council, Central Neighborhood Council	Comment noted.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
72.	This proposal goes against the Comprehensive Plan and current city law	Adkins, DeOme*, Menzies, Morford, Reid*, Winters Historic Tacoma, South Tacoma Business District Association, South Tacoma Neighborhood Council	<p>Comment noted. The staff report briefly addressed the applicable policies of the Comprehensive Plan and how they relate to the proposed code changes:</p> <p>The <i>Comprehensive Plan</i> discusses signage in the context of urban design, aesthetics, and pedestrian orientation in several sections of the <i>Plan</i>. In most cases it sets forth goals and policies for integrating signage plans into sub-area development plans, ensuring high quality signage, and encouraging pedestrian-scaled signs in mixed-use districts. Commercial district design goals are to integrate signage into the overall design and scale of the district, and ensuring that commercial district development does not act as a detriment to surrounding neighborhoods. The <i>Plan</i> states outright that billboards should be prohibited in the Shoreline districts and freestanding signs should be prohibited in the UCX-TD district (Tacoma Dome Urban Center Mixed-Use). Individual signs proposed for some of the special receiving areas (specifically, those proposed for location in the UCX-TD between “D” and “G” Streets along Puyallup Avenue) could be seen as in conflict with the stated goal of the <i>Comprehensive Plan</i> to not allow freestanding signs in these areas. In addition, to the extent that billboards are considered to be auto-oriented (that is, they are directed toward busy streets and the attention of motorists), it can also be argued that they are not appropriate for location in mixed-use districts generally. Six of the 19 Special Receiving Areas are located in mixed-use districts and one is located in a Downtown district. These proposed locations are along busy arterial streets with high volumes of vehicular traffic. See Exhibit B.</p> <p>Certain special receiving areas also are located within the required buffer distance from residential districts. Digital billboards placed in these locations may impact the residential area – depending on how the sign is designed and oriented.</p> <p>In the aggregate, however, the exchange program should result in fewer billboards overall (both digital and traditional) in the city, with fewer billboards located close to residential districts and fewer billboards in all districts – including mixed-use districts. While some areas may be impacted temporarily or permanently by additional billboards, overall the city will see a reduction.</p> <p>The proposed exchange program will result in the immediate removal of 54 standard billboard faces or about 12,300 square feet of signage. These billboards are located in nonconforming locations, in the shoreline district, mixed-used districts, and small neighborhood commercial areas.</p>

	COMMENTS	SOURCE(S)	STAFF RESPONSE
73.	Digital billboards are bad for property values and are a disincentive to development	Billie, Boneske, Bjornson, Cruise, Freitas, Limerick, Lumsden, Mullen, Rash, Robinson, Sukys(2), Varnell, Varner South Tacoma Neighborhood Council, Central Neighborhood Council	Comment noted.
74.	What we have now is better than digital billboards would be	Barrie, Parker, Jensen, Rue, Spivey	Comment noted.
75.	Allowing digital billboards may result in lawsuits over safety and property devaluation	Cruise South Tacoma Neighborhood Council, Central Neighborhood Council	Comment noted. The City's legal counsel will be addressing legal issues and questions at the Commission's April 20 meeting.
76.	The Commission should not only listen to the public but look at their own personal situations /attitudes toward this proposal.	Tubig*	Comment noted.
77.	Clear Channel should reimburse owners for any property value loss	Gray, Shaw, Varnell	Comment noted.
78.	Hold off – pass a moratorium on digital billboards: <ul style="list-style-type: none"> • till 2021 • till FHWA Study comes out • for five years 	DeOme*, Denton, Jensen, Cruise, Halmo	Comment noted. The Planning Commission may choose to address this item further in its findings and recommendation to the City Council.
79.	Provide an attorney to help land owners get rid of leases	Adkins	Comment noted. Leases are private transactions and the City does not generally get involved in the negotiations regarding private leases. The City's legal counsel will be addressing legal issues and questions at the Commission's April 20 meeting.
80.	Start with a few digital billboards and then see if more should be allowed	Davis	Comment noted. The Planning Commission could choose to recommend the Council consider some type of pilot program.
81.	Add 54 removed billboards to the code	Cruise	Comment noted. Staff is drafting language to include in the code regarding the 54 specific billboards slated for removal in exchange for the first 10 digital billboards.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
82.	The language about changes to nonconforming billboards should be deleted entirely. It's vague, ambiguous, and illogical, and capriciously perpetuates nonconforming signs by turning them into digital billboards. It is also inconsistent with federal and state regulations on nonconforming signs.	Cruise	Comment noted. Nonconforming language will remain in some form but staff is drafting language that revises and clarifies the statement.
83.	Please correct the math on the exchange rates.	DeOme	The exchange rates in the staff report are an attempt to lay out just one possible scenario of exchange under the proposed code. If 10 digital billboards are permitted immediately and no more are permitted within the first five years, the exchange rate (and eventual total number of billboards) would be different than if 10 were permitted immediately and then a rate of, say, 1 per year after. The results would also change whether a digital billboard replaced an <i>existing</i> billboard in a special receiving area or whether it was a <i>new</i> billboard in a special receiving area. In short, there are numerous ways the exchange rate after the first 10 billboards could work. The billboard situation would, in all likelihood, be somewhere between "no digital billboards and 253 standard faces" and "no standard faces and 38 digital billboards".
84.	Provide photos of digital billboards	Hampton	See the video posted on the Planning Division website at: http://cms.cityoftacoma.org/Planning/Billboard%20Regulations/Digital%20Qvs%20Traditional%20Video.wmv
85.	Verify whether or not the City benefits in ANY WAY from these, and how much	Jensen, Botsford	The City receives some B&O tax from businesses operating billboards and its portion of the personal property tax paid by billboard owners to Pierce County. Business license fees, utility taxes (for electrical use), and permit fees would also be collected. Sales tax does not apply.
86.	The City should get revenue/tax for allowing these	Caldwell, Corso, Lumsden, Riedener	Comment noted.
87.	Provide a cost/benefit analysis from Clear Channel – what they gain from the proposal	Rich	Comment noted. Studies exist which estimate the profitability of digital vs. standard billboards, but Clear Channel has not supplied this information.
88.	Address the issue of placing cell equipment on billboards	Stephens	Comment noted. Staff is drafting language regarding co-location to be considered for the draft code.
89.	Demonstrate that these do not cause interference with radio and home electronics.	Pederson	Comment noted. Staff is drafting language regarding electronic interference to be considered for the draft code.
90.	Are billboards allowed at 12 th & Union?	DeOme	No, nor will they be under the draft code.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
91.	Why are illegal billboards allowed to remain?	DeOme	Billboards are considered legal non-conforming uses if they were built legally and with the proper permits (commonly referred to as “grandfathered” uses). They became non-conforming based upon subsequent changes in the city’s land use code. Nonconforming uses are generally allowed to remain – for example, this is why we still have some old corner stores in areas that have long since been designated as single-family neighborhoods. The 1997 billboard code included an “amortization” clause designed to eliminate all nonconforming billboards by 2007. That amortization clause was a key reason for Clear Channel’s lawsuit against the City, to which the settlement agreement is a response.
92.	There should enforceable timeline for the removal of (all) static faces	Parker, Lumsden, Price North Slope Historic District, North End Neighborhood Council	Comment noted. Any new amortization or removal program would need to be considered in light of current amortization code language, whether it’s feasible, whether it would necessitate compensation for removed signs, etc. Staff will be drafting language to clarify that any faces required to be removed in exchange for new billboards would be done so before the new billboard was erected. See response to Comment #91.
93.	Update the sign code to affirmatively prohibit digital billboards	Freitas, Alexander	Comment noted. If the Council ultimately elects to not allow digital billboards, staff will recommend a more obvious prohibition.
94.	Because of the cost/investment in digital billboards, removal will be difficult and expensive (e.g., in case of a public works project)	Central Neighborhood Council	Comment noted.
95.	The City should limit the effective period of permits for digital billboards to prevent costs if a billboard has to be removed. Also, there should be an agreement with Clear Channel to limit liability in the case of power loss or other reason the sign is turned off.	Central Neighborhood Council	Comment noted. The Planning Commission may choose to address this item further in its findings and recommendation to the City Council.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
GENERAL OPPOSITION			
96.	<p>Generally opposed to the proposal</p> <p>Sources: <u>Neighborhood Council, Groups, Organizations:</u> North Slope Historic District, Historic Tacoma, South Tacoma Business District Association, Community Council of Tacoma, North End Neighborhood Council, Northeast Tacoma Neighborhood Council</p> <p><u>Individuals:</u> Adkins, Alexander, Allard, Allen, Amberly, Anderson, Anderson, Anderson, Atherton, Augustine, Ayer, Ayer, Babare, Bardwil, Barrie, Beardsley-Schoonmaker, Bishop, Bjornson, Blilie, Boardman, Boneske, Bonner, Botsford, Bozick, Braun, Bristow, Buffington, Cade, Camarata, Carleton, Carr, Carrigan, Casey, Clark, Coates, Coble, Collier, Cooke, Cooke, Cooper, Corso, Cruise, Curtis, Davie, Davis, Davis, Delight, Denton, DeOme, Dewes, DeWitt, Di Nino, Donohue, Eaves, Eberhardt, Elling, Entwistle, Erickson, Ferrari, Finnigan, Flint, Flynn, Frederick, Freitas, Gannett, Girvin, Gray, Haddon, Halko, Halmo, Hammer, Hampton, Hatter, Hawkins, Herron, Jacobs, Jacobson, Jeffery, Jensen, Jensen, Johnson, Kircher, Knudson, Koenig, Ladenburg, Lally, Lambert, Lampman, Langsted, Larsen, Lawson, Leslie, Lewis, Limerick, Love, Lumsden, Marks, Martin, Martin, McClintock, McDonald-Wright, McManus, Mellor, Menzies, Michael, Miller, Miller, Miller, Monroe, Mordhorst, Morford, Mullen, Murphy, Napolitano, Nash, Nash, Nelson, Neuberger, Nichols, Nilson, Noss, Nuismer, Oberfield, Oberfield, Oliver, Olsen, Olson, Osborn, Owens, Parker, Paul, Paulson, Pedersen, Perkins, Pinto, Porter, Price, Rash, Rasmussen, Rasmussen, Ray, Rich, Riedener, Riehs, Robbins-Ghormley, Robbins-Ghormley, Roberson, Robinson, Rolfe, Rose, Rosi, Rue, Ryan, Ryan, Sabo, Sautner, Sawaya, Sawaya, Schaaf, Schafer, Schain, Schlemmer, Schmidt, Shifty, Shoop, Sikora, Spivey, Stailey, Stephens, Strader, Strivens, Sukys, Sukys, Sullivan, Sutton, Swanson, Thacker, Thekat, Thurlow, Tubig, Tucker, Turner, Tyvand, Van Horn, Varnell, Varner, Vaughn, Vaughn, Walton, Weiss, Winters, Wolf</p> <p><u>Petitions:</u> Petitions signed by a total of 103 people</p>		Opposition noted.
SUPPORTIVE COMMENTS			
97.	The exchange rate results in a smaller number of billboards	Caldwell	This is a correct statement, the way the code is currently drafted 54 faces would be removed in conjunction with the first 10 digital faces; an additional 25 would be removed within the first 5 years. Beyond the first 10, additional digital billboards could be erected in exchange for removing multiple existing static billboards.
98.	Digital billboards are already operating successfully in other cities, and in 43 states	Diamond Clear Channel Outdoor	Comment noted.

	COMMENTS	SOURCE(S)	STAFF RESPONSE
99.	Billboards provide income for property owners	Tran, Johnson, Larsen, Rosi, Dickson	Comment noted. The proposed regulations would encourage the removal of many of the existing billboards in exchange for allowing new digital billboards. Under that scenario, some property owners with existing billboards would likely lose their billboard(s) and any associated income while some property owners would get new billboards and any associated income.
100.	Clear Channel provides board membership from executives	Boys & Girls Club	Comment noted. It is unclear how allowing or not allowing digital billboards would affect whether individuals choose to serve such organizations.
101.	Digital billboards are cleaner and more contemporary than standard billboards	Jacobson, Caldwell, Clear Channel Outdoor	Comment noted.
102.	Clear Channel has a commitment to give back to community	Brain Injury Association of Washington, Communities in Schools, Graham Business Association, United Way of Pierce County, Proctor District Association, American Red Cross, Boys & Girls Club, Clear Channel Outdoor	Comment noted. It is important to note that these potential code changes are not designed for or only applicable to Clear Channel Outdoor.
103.	Digital billboards are a dynamic tool for local businesses to reach a large number of people, increase sales and revenue	Jacobson, WWEE, Communities in Schools, Diamond, Larsen, Clear Channel Outdoor	Comment noted.
104.	85% of the billboard space is purchased by local businesses, where the national average is 47%, indicating that Tacoma businesses rely on billboards more than other places.	Clear Channel Outdoor	Comment noted.
105.	In an economic downturn it does not make sense to take away an efficient, affordable advertising medium.	Clear Channel Outdoor	Comment noted.
106.	Digital billboards provide real-time public service information	Diamond, American Red Cross, Clear Channel Outdoor	Comment noted. Staff are currently working on additional code language to require digital billboard operators to have an agreement with emergency communication and public service provider(s).

	COMMENTS	SOURCE(S)	STAFF RESPONSE
107.	Digital billboards assist in raising awareness, getting volunteers, etc. for our organizations	Brain Injury Association of Washington, WWEE, Communities in Schools, United Way of Pierce County, American Heart Association, American Red Cross	Comment noted.
108.	Clear Channel provides discounted and pro-bono advertising	Brain Injury Association of Washington, Washington Women's Employment & Education (WWEE), Communities in Schools, Graham Business Association, United Way of Pierce County, Proctor District Association, American Heart Association, American Red Cross, Boys & Girls Club	Comment noted. As noted above, these potential code changes are not designed for or applicable only to Clear Channel Outdoor. The proposed regulations do not include any requirements for billboard operators to provide discounted services.
109.	Passing this ordinance indicates receptiveness to businesses	Jacobson	Comment noted.
110.	Clear Channel provides marketing and outreach assistance	WWEE, Communities in Schools, United Way of Pierce County, Proctor District Association	Comment noted. Also see the response to Comments #102 and #108.
111.	Digital billboards are more subtle than people think	Jacobson, Diamond	Comment noted.
112.	Over-regulation is detrimental to growth and prosperity	Jacobson	Comment noted.
113.	Clear Channel and advertising have increased support for a public event/festival	Graham Business Association, Proctor District Association, Boys & Girls Club	Comment noted.
114.	Clear Channel operates its signs legally – they have been present in the City for more than 85 years	Clear Channel Outdoor	Comment noted. Also see Comment #102.
115.	Signs were all legal when built and are legally non-conforming.	Clear Channel Outdoor	Comment noted. The proposed regulations recognize the existence of legally non-conforming billboards in the City.

SOURCE KEY

Oral Testimony on March 16, 2011

No.	Last Name	First Name	Affiliation	Address	City	State	Zip	E-mail
1.	Freitas	Kevin	FeedTacoma.com					
2.	Sukys	Britton						
3.	Adkins	Jon	Dome District					
4.	Cruise	Susan	Central Neighborhood Council					
5.	Winters	Sharon	Historic Tacoma					
6.	Schafer	Douglas	Central Neighborhood Council					
7.	Reid	Kendall						
8.	Hampton	Marshall						
9.	Tubig	Chris						
10.	Weiss	Stacey						
11.	Jensen	Jill						
12.	Jensen	Rob						
13.	DeOme	Tricia	Central Neighborhood Council					
14.	Menzies	Patricia						
15.	Johanson	Sandra						
16.	Atherton	Jason						
17.	Jacobs	Brian						
18.	Jensen	Audrey						
19.	Faker	Denny	Stadium District					
20.	Lawson	Kirsten						
21.	Dickson	William B.	Wm. Dickson Co.					
22.	Heller	Eric						
23.	Rasmussen	Joni						
24.	Anderson	R. R.	Cartoonist					
25.	Bjornson	Erik	North End Neighborhood					
26.	James	Rick	NTNC					
27.	LaPointe	Raquel						
28.	Paul	Bert						
29.	Hull	Louise						
30.	Walkup	Diane						
31.	Hankwitz	Victoria						
32.	McElhiney	Scott						
33.	Cooke	Edie						

Written Comments received by March 25, 2011

No.	Last Name	First Name	Affiliation	Address	City	State	Zip	E-mail	Date
1.	Adkins	Jori		301 Puyallup Ave.	Tacoma		98421	joriadkins@mac.com	22-Mar
2.	Alexander	Morgan						motocafe@yahoo.com	22-Mar
3.	Allard	Sarah						se.allard@gmail.com	16-Mar
4.	Allen	MacKenzie		1102 North M St.	Tacoma		95403	macallen@harbornet.com	17-Mar
5.	Anderson	Colleen						colleen-anderson@iacademy.org	16-Mar
6.	Anderson	Deborah						dja1950@hotmail.com	24-Mar
7.	Anderson	R. R.	Cartoonist					andersor42@gmail.com	16-Mar
8.	Atherton	Jason		423 S G Street #R	Tacoma	WA	98405	jra721@gmail.com	22-Mar
9.	Augustine	Stacy		4401 N 32nd Street	Tacoma			saugustine@harbornet.com	13-Mar
10.	Ayer	Julian		514 N. I St.	Tacoma	WA	98403	julianayer@gmail.com	15-Mar
11.	Ayer	Stephanie Kennedy		514 N. I St.	Tacoma	WA	98403	stephanieayer@gmail.com	15-Mar
12.	Babare	Martin & Evelyn		6442 View Ridge Dr	Tacoma	WA	98407	mbabare@nventure.com	23-Mar
13.	Bardwil	Mark	North Slope Historic District					-	21-Feb
14.	Barrie	Christy						CBARRIE@Tacoma.K12.Wa.U S	22-Mar
15.	Beardsley-Schoonmaker	Courtney	Trinity Presbyterian Church Intern for Youth Devpt.	1615 6th Ave.	Tacoma	WA	98405	courtneyb@tpctacoma.org	16-Mar
16.	Bishop	Nancy						bishopnan@gmail.com	18-Mar
17.	Bjornson	Erik	Law Office of Erik Bjornson					-	22-Mar
18.	Billie	Amanda						ABillie@Bentallkenedy.com	25-Mar
19.	Boardman	Jim						jboardman@witt-company.com	14-Jan
20.	Boneske	Doug						DougBoneske@g.com	16-Mar
21.	Bonner	Stanley		1702 6th Ave				-	15-Mar
22.	Botsford	Adam		814 South 72nd Street	Tacoma	WA		adambotsford@hotmail.com	16-Mar
23.	Bozick	Vincent	Joint Base Lewis-McChord					rose.scheffler@us.army.mil	21-Mar
24.	Braun	Kelly						kelly.myles.braun@gmail.com	25-Mar
25.	Bristow	Pete	South Tacoma Business District Association					-	23-Mar
26.	Buffington	Ross & Julie		502 S. Sheridan Ave.	Tacoma	WA	98405	rossbuffington@mac.com	20-Mar
27.	Cade	Deborah		908 North M Street	Tacoma	WA	98403	dlcade@comcast.net	25-Mar
28.	Caldwell	Tony	SENCo					caldwellae@hotmail.com	16-Jan
29.	Camarata	Justin	North End Neighborhood Council					justincamarata@gmail.com	23-Mar
30.	Carleton	Naomi						ensie1@gmail.com	15-Mar
31.	Carr	Maile		412 South M Street	Tacoma	WA	98405	smileslau@hotmail.com	15-Mar
32.	Carrigan	Drew						drew.carrigan@gmail.com	16-Mar
33.	Casey	Robert	(& Tracie Thacker)	1617 Division Ave #9	Tacoma	WA	98403	traciet@harbornet.com	14-Mar
34.	Cech	Anita	Communities In Schools of Washington	1010 South 336th Street, #205	Federal Way	WA	98003	Anita@ciswa.org	22-Mar
35.	Clark	Aya		523 N. C Street. #2	Tacoma		98403	ayaclark@comcast.net	16-Mar
36.	Coates	Brooke		17 North Rd. N	Tacoma	WA	98406	brookecoates2@gmail.com	15-Mar
37.	Coble	Kenneth						kennethcoble@gmail.com	16-Mar
38.	Collier	Josh						joshcollier@gmail.com	21-Mar

No.	Last Name	First Name	Affiliation	Address	City	State	Zip	E-mail	Date
39.	Cooke	Edie		2109 North Union Avenue	Tacoma	WA	98406	edie.cooke@hotmail.com	17-Mar
40.	Cooke	Richard		2109 North Union Ave	Tacoma	WA	98406	apclam@nventure.com	16-Mar
41.	Cooper	Doug & Char		1520 South 5th Street	Tacoma	WA	98405	coopersz@comcast.net	16-Mar
42.	Corso	Geoff		701 N. J St.				corso1965@live.com	17-Mar
43.	Crawley	Deborah	Brain Injury Association of Washington	PO Box 3044	Seattle	WA	98114	deborahc@braininjurywa.org	16-Mar
44.	Cruise	Susan		615 S. Madison St.	Tacoma	WA	98405	scruise250@msn.com	11-Mar
45.	Curtis	Debra						micadeki@comcast.net	22-Mar
46.	Davie	Fred		4102 N. Ferdinand St.	Tacoma	WA	98407	backstagevideotacoma@yahoo.com	16-Mar
47.	Davis	Bonnie			Tacoma			-	3-Mar
48.	Davis	Felice		3008 N. Narrows Dr. E101	Tacoma	WA	98407	fdavis1944@gmail.com	15-Mar
49.	Delight	Anita Joy		2214 N. Stevens Street	Tacoma	WA	98406	ajoy@harboret.com	15-Mar
50.	Denton	Jon						moment_00@yahoo.com	15-Mar
51.	DeOme	Tricia	Central Neighborhood Council					chair@cnc-tacoma.com	1-Mar
52.	DeOme (3)	Tricia	(& Douglas Schafer)					-	25-Mar
53.	Dewes	Amberly						iamdewes@yahoo.com	24-Mar
54.	DeWitt	Suzie & Scott						suziedewitt@nwdusa.com	3-Feb
55.	Di Nino	Lynn		2313 N 29th St	Tacoma	WA		lynndin@msn.com	27-Mar
56.	Diamond	Jon	Diamond Parking					-	21-Mar
57.	Donohue	Rick						planeman01@hotmail.com	23-Mar
58.	Eaves	Michaela						michaelaeaves@gmail.com	16-Mar
59.	Eberhardt	Ginny	Community Council of Tacoma					-	24-Mar
60.	Elling	Kari Ann		921 S. Ridgewood Ave	Tacoma	WA	98405	kariann713@yahoo.com	15-Mar
61.	Entwistle	Zach		7519 E F St	Tacoma	WA	98404	zach@zachentwistle.com	16-Mar
62.	Erickson	Sara		315 N L Street	Tacoma	WA	98403	315 N L Street Tacoma 98403	18-Mar
63.	Finnigan	Katherine						kdf@nventure.com	23-Mar
64.	Flint	Bryan		508 E Harrison St.	Tacoma	WA	98404	bryanflnt@gmail.com	25-Mar
65.	Flynn	Christie						ittyjo@yahoo.com	17-Mar
66.	Frederick	Richard		1563 Seashore Dr.	Tacoma	WA	98465	alphacentauri@harboret.com	17-Mar
67.	Freitas	Kevin		3142 N. Cheyenne St.	Tacoma	WA	98407	kevin@kevinfreitas.net	16-Mar
68.	Gannett	Mark						mgannett@vigliaw.com	23-Mar
69.	Girvin	Robert		906 N. Stadium Way	Tacoma	WA	98403	rgirvin@harboret.com	15-Mar
70.	Gray	Colleen	(& Stan Shaw)					anythingcreative@harboret.com	16-Mar
71.	Haddon	Ellie							17-Mar
72.	Halmo	Jim						jimh1890@hotmail.com	16-Mar
73.	Hammer	Bruce		5816 South A Street	Tacoma	WA	98408	turtleboy1@thewiredcity.net	25-Mar
74.	Hampton	Marshall						mhampton@wamail.net	18-Jan
75.	Hatter	Beverly						bevhatler@harboret.com	15-Mar
76.	Hawkins	Anne	Jason Lee Middle School					AHAWK11@Tacoma.K12.Wa.U S	16-Mar
77.	Haynie	David	Graham Business Association	PO Box 163	Graham	WA	98338	peg2@mashell.com	15-Mar

No.	Last Name	First Name	Affiliation	Address	City	State	Zip	E-mail	Date
78.	Herron	Anna		618 S. Sheridan Avenue	Tacoma	WA		aherron@northwestleadership.org	18-Mar
79.	Hilderbrand	Kari	United Way of Pierce County					-	15-Mar
80.	Jacobs	Brian						bljacobs@harboret.com	16-Mar
81.	Jacobson	Kurt		4553 Kennedy Rd NE	Tacoma	WA	98422	kurtgjacobson@gmail.com	21-Mar
82.	Jeffery	Karen		424 East Wright Ave.	Tacoma	WA		mcgintey@comcast.net	22-Mar
83.	Jensen	Jill		3002 N. 13th St.	Tacoma	WA		jillandrob@gmail.com	25-Mar
84.	Jensen	Robert		3002 N 13th	Tacoma	WA		robert.w.jensen@boeing.com	24-Mar
85.	Johnson	Jere						-	19-Mar
86.	Kerslake	Shelley	Kenyon Disend, PLLC					smkdd@comcast.net	7-Mar
87.	Kester	Eugene	Proctor District Association					-	14-Mar
88.	Kircher	Bob						bobkircher@comcast.net	12-Feb
89.	Knudson	Gary	Gary Knudson & Associates	3307 N 25th Street	Tacoma	WA	98406	gknudson@harboret.com	7-Mar
90.	Koenig	Jennifer	(along with Joe, Aidan, Charlie, and Zachary)					koenig3722@comcast.net	16-Mar
91.	Ladenburg	John	Ladenburg Law, PLLC	1019 Pacific Avenue, Suite 1116	Tacoma	WA	98402	john@ladenburg.org	15-Mar
92.	Lally	Beth						blally253@gmail.com	16-Mar
93.	Lambert	Annie		4617 S. 12th Street Ct.	Tacoma	WA	98405	anniecorson@gmail.com	18-Mar
94.	Lampman	Carmen	Century Insurance Services LLC.	3208 50th St Ct NW Ste C104	Gig Harbor	WA	98335	Carmenl@CenturyInsurancesvc.com	17-Mar
95.	Langsted	Fred	(& Tracie Ferrari, Tracie)	3621 North Stevens Street	Tacoma	WA	98407	Atomic215DH@hotmail.com	16-Mar
96.	Larsen	Darrel	King County Deputy Assessor					-	20-Mar
97.	Lawson	Kirsten Marie						-	23-Mar
98.	Leslie	Najeea	Forms of Grace, Yoga & Healing Arts					najeea@iname.com	15-Mar
99.	Lewis	Mary						-	24-Mar
100.	Limerick	James						-	17-Mar
101.	Lippens	Olivia	Clear Channel Outdoor Seattle	PresidentClear Channel Outdoor Seattle				oliviavoigtlippens@clearchannel.com	16-Mar
102.	Love	Courtney						-	25-Mar
103.	Lumsden	Terry		3517 6th Ave #200	Tacoma	WA	98406	TELumsden@aol.com	22-Mar
104.	Marks	Jena						Paintmarks1@yahoo.com	16-Mar
105.	Martin	Adam						icecreamdoesitwell@gmail.com	16-Mar
106.	Martin	Judith		515 North M Street	Tacoma	WA	98403	judithkmartin@aol.com	19-Mar
107.	Mason	Brent	Washington Women's Employment & Education	3516 South 47th Street, Suite 205	Tacoma	WA	98409	brentm@WVEE.org	14-Mar
108.	Mayes	Michael	Clear Channel Outdoor	3601 6th Avenue S	Seattle	WA	98134	MichaelMayes@clearchannel.com	25-Mar
109.	McClintock	Marshall	Landmarks Preservation Commission	701 North J Street	Tacoma	WA	98403	marshalm@q.com	5-Mar
110.	McDonald-Wright	Susan						samw1225@harboret.com	15-Mar
111.	McManus	Charlie	Primo Grill					pgrill@qwestoffice.net	24-Mar
112.	Mellor	Nancy						nancy_mellor@wamail.net	

No.	Last Name	First Name	Affiliation	Address	City	State	Zip	E-mail	Date
113.	Menzies	Patricia		615 S Grant Ave.	Tacoma	WA	98405	pmenzies48@gmail.com	16-Mar
114.	Miller	Chris						martindelmar@gmail.com	25-Mar
115.	Miller	John		648 North Sprague	Tacoma	WA	98403		15-Mar
116.	Miller	Katie						katiemiller@gmail.com	16-Mar
117.	Minas	Francesca	American Heart Association	710 2nd Ave. Ste. 900	Seattle	WA	98104	Francesca.Minas@heart.org	23-Mar
118.	Monroe	Tad & Melissa		1617 Division Avenue #11	Tacoma	WA		tmonroe@urbangracetacoma.org	
119.	Montgomery	Dennis	Communities In Schools of Washington					-	7/28/2010
120.	Mordhorst	Andrew						amartist@harbornet.com	24-Feb
121.	Morford	M.						mmorf@mail.com	22-Mar
122.	Mullen	Bob & Janet		3005 S. 7th	Tacoma	WA	98405	mullens1@juno.com	13-Mar
123.	Murphy	Robyn						theimbibery@gmail.com	16-Mar
124.	Napolitano	Lew						NAPOLL@dshs.wa.gov	15-Jan
125.	Nash	Mindy		1522 Earnest S. Brazill St.	Tacoma	WA	98405	mindynash@gmail.com	16-Mar
126.	Nash	Rod						rod.g.nash@gmail.com	18-Mar
127.	Nelson	Jodi						Jodi.Nelson1@comcast.net	25-Mar
128.	Neuberger	Tim						timneuberger@hotmail.com	15-Mar
129.	Nichols	Laure						johnnichols@harbornet.com	16-Mar
130.	Nilson	Cary						carynilson@vzw.blackberry.net	16-Mar
131.	Noss	Joy		1201 12th Ave. S.W.	Puyallup	WA	98371	pjmst@g.com	24-Mar
132.	Nuismer	JT	Gray Gables Homeowners Association	1617 Division Ave. #2	Tacoma	WA		jtnuismer@harbornet.com	25-Mar
133.	Oberfield	Matthew		916 N. Grant Ave.	Tacoma	WA	98403	mx2oberfield@harbornet.com	16-Mar
134.	Oberfield	Megan						mx2oberfield@harbornet.com	15-Mar
135.	Oliver	John & Judy		1417 Division Ave.	Tacoma	WA		oliver_001@msn.com	16-Mar
136.	Olsen	Debra		8222 S Park Ave	Tacoma	WA		Deb@luth.org	16-Mar
137.	Olson	Don		3510 South 7th Street	Tacoma	WA	98405	d.olsonjr@comcast.net	17-Mar
138.	Osborn	Robert		2504 S M St	Tacoma	WA	98405	osborn1970@yahoo.com	18-Mar
139.	Owens	Jayson						jaysondownens@gmail.com	22-Mar
140.	Parker	Kevin		1215 South 14th Street	Tacoma	WA	98405	v-kep@microsoft.com	21-Mar
141.	Paul	Brendan						brendanpatrickpaul@gmail.com	24-Mar
142.	Paulson	Jamie		809 S Pine St	Tacoma	WA		jamie@thriceallamerican.com	16-Mar
143.	Pedersen	Ray						hagar512@comcast.net	19-Jan
144.	Perkins	Sally		1419 S. Sheridan	Tacoma	WA	98405	sally@practicalsolutionstacoma.com	16-Mar
145.	Petitions		(103 signatures total)						25-Mar
146.	Pinto	Mark		3419 N. 27th St.	Tacoma	WA	98407	markpinto@ymail.com	6-Mar
147.	Porter	Kaaren						porkat@comcast.net	16-Mar
148.	Price	Kyle	North End Neighborhood Council	1112 North 5 th	Tacoma	WA		Kyle_Price@aw.org	2-Feb
149.	Rash	Jordan		3826 N 7th Street	Tacoma	WA	98406	rash.jordan@gmail.com	16-Mar
150.	Rasmussen	Joanna	Whitman Elementary					JRASMU1@Tacoma.K12.Wa.U S	23-Mar
151.	Rasmussen	Joel		520 North Ainsworth Ave.	Tacoma	WA	98403	Joel.Rasmussen@Insengineers.com	24-Mar
152.	Ray	Erika						erikaray7584@gmail.com	24-Mar

No.	Last Name	First Name	Affiliation	Address	City	State	Zip	E-mail	Date
153.	Rich	Jim	Guardian Security					jhrich@gwestoffice.net	4-Mar
154.	Riedener	Claudia	Ixia Tile Tacoma	1004 S. Steele	Tacoma	WA	98405	ixia@harbornet.com	25-Mar
155.	Riehs	Abbey						brianandabbey@gmail.com	17-Mar
156.	Robbins-Ghormley	Amber		3309 N. 8th St.	Tacoma	WA	98406	am_robbins@yahoo.com	15-Mar
157.	Robbins-Ghormley	Matt	Trinity Leadership and Congregation					matt@tpctacoma.org	16-Mar
158.	Roberson	Fred	Roberson Building Company	1944 Pacific Ave., Suite 210	Tacoma	WA	98402-3121	paula@officesandlofts.com	21-Mar
159.	Robinson	Joanna						jorobin@wamail.net	16-Mar
160.	Rolfe	Linda		3623 North Proctor	Tacoma	WA	98407	larolfe1@comcast.net	15-Mar
161.	Rose	Jacob	Pacific Grill					jacobrosere@gmail.com	16-Mar
162.	Rosi	Ron						-	22-Mar
163.	Rue	Kirk		317 North 4th	Tacoma	WA	98403	barkplace@harbornet.com	23-Mar
164.	Ryan	Jeffrey	Ryan Architecture	3017 North 13th St.	Tacoma	WA	98406	jryan@harbornet.com	17-Mar
165.	Ryan	Susan						SRyan1@rainierconnect.com	17-Mar
166.	Sabo	Marilynn						gowanraig@yahoo.com	14-Mar
167.	Sautner	Helen						gems3125@gmail.com	16-Mar
168.	Sawaya	Melanie		1506 South 5th Street	Tacoma	WA	98405	msawaya18@gmail.com	2-Mar
169.	Sawaya	William		1506 South 5th Street	Tacoma	WA	98405	wesawaya@yahoo.com	21-Mar
170.	Schaaf	John & Linda						spunkertwo@comcast.net	12-Mar
171.	Schafer	Douglas						schafer@pobox.com	3/1/2011 3/18/2011
172.	Schain	Steve		420 N Stadium Way	Tacoma	WA	98403	steveschain@harbornet.com	15-Mar
173.	Schlemmer	Jennevieve						jps@jennevieve.com	25-Mar
174.	Schmidt	Ken						khschmidt55@yahoo.com	16-Mar
175.	Schoo	Stephanie	American Red Cross					llana.Kalmbach@seattliredcross.org	16-Mar
176.	Shifty	Citykitty						shifty@meowmail.com	16-Mar
177.	Shoop	Harlan		1111 S. Ridgewood	Tacoma		98405	harlanshoop@comcast.net	18-Mar
178.	Sikora	John		4519 North Frace	Tacoma			-	17-Mar
179.	Spivey	Mike		620 N. Adams St.	Tacoma		98406	mike.z.spivey@gmail.com	15-Mar
180.	Stailey	Heather						hastailey@aol.com	24-Mar
181.	Starnes	Mark	Boys & Girls Clubs					-	15-Mar
182.	Stephens	Heidi						heidigs@hotmail.com	22-Mar
183.	Strader	Virginia		654 North Sprague.	Tacoma	WA		-	15-Mar
184.	Strivens	Karla		7623 East F St.	Tacoma	WA		office@tpctacoma.org	16-Mar
185.	Sukys	Britton		1617 Division Ave #12	Tacoma	WA	98403	sukys@comcast.net	10-Mar
186.	Sukys	Glenn	Keys Investigations	P.O. Box 8445	Tacoma	WA	98409	gsukys@q.com	11-Mar
187.	Sullivan	Grace						gracehope@gmail.com	16-Mar
188.	Sutton	Beth						basuttonrt@hotmail.com	16-Mar
189.	Swanson	Rob						dr.robswanson@gmail.com	15-Mar
190.	Thekat	Gritz						gritz@meowmail.com	16-Mar
191.	Thurlow	John	Northeast Tacoma Neighborhood Council					-	21-Mar

No.	Last Name	First Name	Affiliation	Address	City	State	Zip	E-mail	Date
192.	Tran	Hung	Hung Tran Auto Repair					hungauto08@yahoo.com	18-Mar
193.	Tubig	Chris						chris.tubig@gmail.com	16-Mar
194.	Tucker	Joan						Joan.Tucker@multicare.org	24-Mar
195.	Turley	Bob	Diamond Parking					Bob.Turley@DiamondParking.com	21-Mar
196.	Turner	Julie		817 North J. St.	Tacoma	WA	98403	juliejayturner@gmail.com	14-Mar
197.	Tyvand	Patsy		3804 No 33rd Street	Tacoma	WA		patsy.tyvand@expeditors.com	24-Mar
198.	Van Horn	Shirley						shirleyvanhorn@net-venture.com	24-Mar
199.	Varnell	Joann	Jason Lee Middle School					JVARNEL@Tacoma.K12.Wa.US	16-Mar
200.	Varner	Paula		3315 North 27th St	Tacoma	WA	98407	cetaceous_1@yahoo.com	16-Mar
201.	Vaughn	Laura						lauravaughn@harboret.com	16-Mar
202.	Vaughn	Skip	South Tacoma Neighborhood Council					skipvaughn@harboret.com	16-Mar
203.	Walton	Jackie						dancingjackaroo@gmail.com	20-Mar
204.	Weiss	Stacey		1214 N Junett St	Tacoma	WA	98406	sweiss@pugetsound.edu	16-Mar
205.	Winters	Sharon	Historic Tacoma					swinters@nventure.com	8-Mar
206.	Wolfe	Braden		4211 N. 14th St.	Tacoma	WA	98406	abw@harboret.com	22-Mar



City of Tacoma
Community and Economic Development Department

Agenda Item
GB-2

TO: Planning Commission

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

SUBJECT: Shoreline Master Program Update

DATE: April 13, 2011

The Planning Commission is scheduled to authorize the release of the revised draft of the Master Program for Shoreline Development for public review and comment. The Shoreline Master Program (SMP) is a policy and regulatory document and will amend both the Comprehensive Plan and the Land Use Regulatory Code, Chapter 13.10 (Shoreline Management). The policy portion amends and adds new policy to the Comprehensive Plan consistent with State mandated guidelines. The regulatory portion of the document similarly amends and adds new development requirements and also includes area-wide zoning changes for certain shoreline districts. Related regulatory provisions are proposed for amendment as a part of the overall update and include changes to Chapters 13.05 (Permit Procedures), 13.06 (Zoning), and 13.11 (Critical Areas Preservation). In addition, a new component has been prepared, the Draft Shoreline Restoration Plan, which is a required element of the Shoreline Master Program and will be adopted as part of the Master Program.

In addition to the Master Program, other documents have been prepared which supplement the Master Program but will not be adopted as part of the SMP. The Public Access Alternatives Plan and Thea Foss Waterway Design Guidelines are anticipated for adoption concurrent with the Master Program, though independent of the Master Program to maintain local authority and control for future amendments. The Cumulative Impacts Analysis is a required analysis that supplements the Master Program but is not a regulatory document. These documents also will be made available for public review and comment.

Attached for your review is a copy of the draft Master Program and related documents:

- Staff Report with Department of Ecology Submittal Checklist
- Draft Shoreline Master Program
 - Appendix A: Draft Shoreline Designation Map (per WAC 173-26-211(2))
 - Appendix B: Draft Shoreline Restoration Plan (per WAC 173-26-201(2)(f))
 - Appendix C: Public Access Alternatives Plan (per WAC 173-26-221(4)(c))
 - Appendix D: Thea Foss Waterway Design Guidelines (from Thea Foss Waterway Design and Development Plan)
- Draft Cumulative Impacts Analysis (per WAC 173-26-201(3)(d)(iii))
- Tacoma Municipal Code 13.11 Critical Areas Preservation, draft revisions
- Tacoma Municipal Code 13.06 Signs, draft revisions
- Tacoma Municipal Code 13.05 Land Use Permit Procedures, draft revisions

Upon authorization by the Commission, the above documents will be posted on the planning website and widely distributed to state and federal agencies, stakeholders and other interested

2008 Annual Amendment Package

August 28, 2008

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parties. Staff is seeking the Commission's concurrence to set June 1, 2011 as the date for the public hearing.

If you have any questions, please contact Steve Atkinson at 591-5531 or satkinson@cityoftacoma.org.

DS:sa

c. Peter Huffman, Assistant Director

Attachments



SHORELINE MASTER PROGRAM UPDATE

STAFF REPORT
April 15, 2011

Applicant:	Community and Economic Development Department, Building and Land Use Services
Contact:	Stephen Atkinson, 253.591.5531
Type of Amendment:	Comprehensive Plan Map and Text Change, Land Use Regulatory Code Text Change, Area-wide Rezone.
Current Land Use Intensity:	Current Land Use Intensity ranges from Low Intensity to High Intensity.
Current Area Zoning:	The area is currently comprised of 14 shoreline zoning districts, S-1 to S-14.
Size of Area:	The area encompasses 46 miles of marine and freshwater shoreline and the waters of the state.
Location:	All lands within 200' of ordinary high water mark and associated critical areas, as well as all marine waters, Wapato Lake, Puyallup River and Hylebos Creek, within the City limits.
Neighborhood Council area:	New Tacoma, Northeast Tacoma, West End, North End, South End, and Eastside.
Proposed Amendment:	Adoption of amendments to the City of Tacoma Master Program for Shoreline Development (Master Program), stand-alone Element No. 16 of the Tacoma Comprehensive Plan (Comprehensive Plan) and modifications to the Land Use Regulatory Code (Chapters 13.10, 13.05, 13.06 and 13.11), including shoreline district zoning reclassifications.

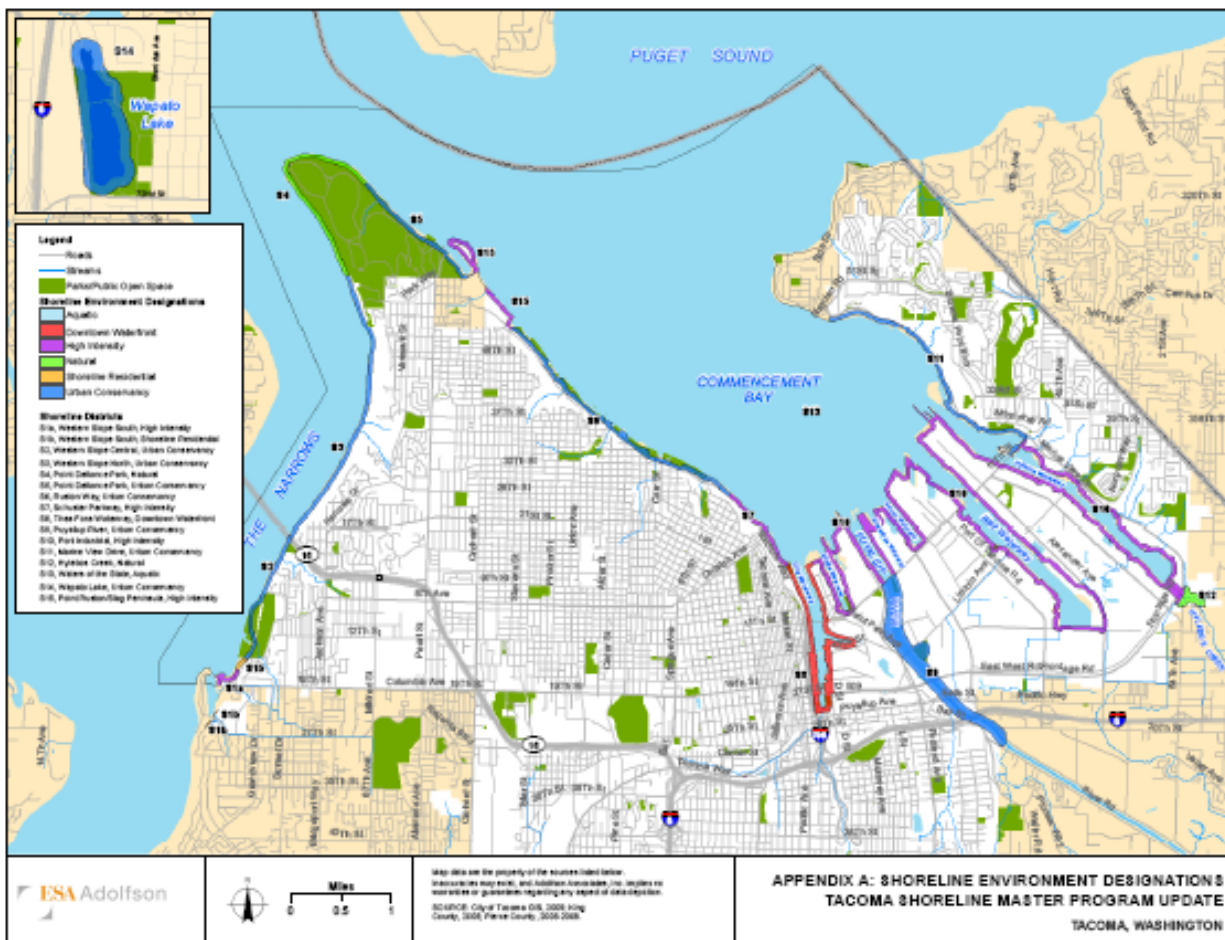
General Description of the Proposed Amendment:

The proposed amendment would replace the City's existing Master Program for Shoreline Development which guides activities and development along the City's shorelines. The proposed Draft Tacoma Shoreline Master Program (TSMP) would replace Stand-alone Element No. 16, Master Program for Shoreline Development in the City of Tacoma Comprehensive Plan. The Land Use Regulatory Code, Chapter 13.10 Shoreline Management of the Tacoma Municipal Code, would be replaced with administrative and regulatory portions of the proposed Draft TSMP. The proposed Draft TSMP is the product of a comprehensive, city-wide update of the Master Program as required by state law and will affect activities and developments along and within the City's shorelines.

Most jurisdictions have not conducted comprehensive updates of their Shoreline Master Programs (SMPs) since their original adoption in the mid 1970s. This prompted state legislation in 2003 to require updates of local SMPs by specific dates. Tacoma last amended its Master Program in 1996 and is now required to complete a comprehensive update by December 1, 2011.

The Shoreline Management Act of 1971 (SMA) and subsequent Department of Ecology guidelines (2003) require SMPs to meet three basic policies: a) give priority to uses that require a shoreline location; b) promote public access and enjoyment opportunities; and c) protect the environmental resources of state shorelines. Because the update needs to be based on scientific and technical information to assure no net loss of shoreline ecological functions, the City initiated its Master Program update process with an inventory and characterization of the 46 miles of shorelines concurrently with development of updates to the Critical Areas Preservation Ordinance (CAPO) in 2006. Subsequently, a waterfront land use analysis to determine needs for water-dependent activities was prepared to guide the Master Program re-evaluation process.

The update is an amendment to the Master Program including goals, policies, environment designations, district boundaries, and development regulations for the following shorelines of the state located within the city limits: Commencement Bay and its waterways, the Narrows, the Puyallup River, Hylebos Creek and Wapato Lake. The Puyallup River and marine areas waterward of extreme low tide are designated as “shorelines of statewide significance,” requiring additional attention. The following map depicts shoreline jurisdiction and the proposed shoreline environment designations and districts.



Additional Information:

The Tacoma Shoreline Master Program (TSMP) was developed pursuant to the authority conferred by the Washington State Constitution, the Revised Code of Washington (RCW) Title 90.58; and Title 36.70A, the Washington Administrative Code (WAC) Title 173.26; and Title 13 of the Tacoma Municipal Code. The City is required to prepare and update its Master Program for the regulation of uses of the shoreline within the City's jurisdiction. The Master Program is required to be developed in accordance with guidelines established by the Department of Ecology (Ecology) and to include substantial public input.

According to Title 13 of the Tacoma Municipal Code the Planning Commission is charged with developing a shoreline management element for the Comprehensive Plan, setting forth policies concerning economic development, public access, circulation; recreation, urban design, conservation, restoration, natural environment; and historical, cultural, scientific, and educational values.

Periodic review and evaluation are important in order that the Master Program policy and implementing development regulations maintain their effectiveness through changing conditions. The proposed draft TSMP reflects unique shoreline conditions and development requirements that exist and are projected to be needed into the next twenty (20) years. Through outreach to the community, goals were established as the foundation for the draft TSMP, based on the three state overarching policies. Shoreline resources were inventoried and an analysis was made of levels of alteration of shoreline functions and processes, as well as documentation of the existing land use pattern. The shoreline land supply was documented for existing uses and projections were developed for water-dependent uses in the shoreline to determine if there was an adequate supply of land to meet future demands. Policies and regulations were developed from those goals and analyses and were designed to be generally applicable to all shorelines. The proposed draft TSMP is directed to all land and water uses, their potential impact on the environment, and estimates of future growth. It recognizes plans and programs of other governmental entities, adjacent jurisdictions, and private development.

The proposed Draft TSMP modifies or deletes existing goals and policies of the existing Master Program and adds new goals and policies. It also proposes changes to development regulations including text revisions, additions and deletions and minor changes to shoreline district classifications, adding three new districts and combining two existing districts into one, mostly for consistency with uses and development on the ground. Generally, the proposed Draft TSMP emphasizes:

- The importance of preserving existing industrial lands to the City's economy;
- Mixed uses along Marine View Drive, Ruston Way; the Thea Foss Waterway and from Titlow Beach south to the city limits with increased public access to the shorelines;
- Preserving park uses along Point Defiance and Titlow Beach as well as other natural areas in and around Wapato Lake and Hylebos Creek.

Public Outreach:

The amendments to the Comprehensive Plan and Regulatory Code that accompany the proposed Draft TSMP have been widely discussed over several years with the community, Planning Commission and the City Council. Staff prepared a Public Participation Plan to guide outreach efforts. This plan has been available on the City of Tacoma Shoreline Master Program Update webpage and provides further detail on interested parties and contact lists. Notification has been broad. All taxpayers within shoreline jurisdiction and within 400' of the jurisdiction have been sent postcard notifications of public meetings; mailing lists have been compiled which include appropriate federal, state and local agencies and jurisdictions, interested parties, Neighborhood Councils, media, business owners, community groups and others. A Waterfront Conference sponsored by the University of Washington Tacoma was held on

January 28, 2010 to promote and discuss shoreline issues relevant to the Master Program update.

Since 2006, approximately 5 general public workshops and informational meetings have been held; 11 meetings with general stakeholders and technical committees; 20 meetings with various interested parties, including Metro Parks' Nature and Environment Committee, the Community Council, the Sustainable Tacoma Commission, the Board of the Foss Waterway Development Authority and its Urban Design Review Committee, the North End, West End and New Tacoma Neighborhood Councils, East Foss property owners, the Chamber of Commerce's shoreline task force, Walk the Waterfront, Tacoma Waterfront Association, and others. Staff has presented, discussed, and briefed the Planning Commission on 22 occasions since 2006. The Planning Commission's meetings are open to the public and agenda materials have been posted on the City's website and are publicly available. Furthermore, staff has presented to the full City Council or to the Council's standing committees on 10 occasions.

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

The proposed Draft Tacoma Shoreline Master Program (TSMP) was developed pursuant to the authority conferred by the Washington State Constitution, the Revised Code of Washington (RCW) Title 90.58.080(2)(a)(iii);. The City is required to prepare and update its Master Program for the regulation of uses of the shoreline within the City's jurisdiction. The proposed Tacoma Shoreline Master Program was developed in accordance with guidelines established by the Department of Ecology (Ecology) Washington Administrative Code (WAC) Title 173-26-201.

For cities and counties planning under the Growth Management Act, Chapter 36.70A RCW, the goals and policies of the Shoreline Management Act are added as one of the goals of GMA. Further, the goals and policies of the Master Program shall be considered an element of the Comprehensive Plan and all other portions of the Master Program are considered a part of Tacoma's development regulations. The provisions of the Shoreline Management Act and State guidelines shall be the sole basis for determining compliance of the Master Program with GMA except for the internal consistency requirements between the comprehensive plan elements and implementing development regulations as articulated in WAC 365-195-500.

The Growth Management Act also calls for coordination and consistency of comprehensive plans among local jurisdictions. Adjacent jurisdictions have been included in public notification and outreach efforts and staff has participated in the ongoing Department of Ecology shoreline coordination meetings.

GMA requires that once the Department of Ecology approves an amended Master Program in accordance with the new guidelines, the protection of critical areas within shorelines of the state shall be accomplished only through the City's Master Program and shall not be subject to the procedural and substantive requirements of GMA pertaining to critical areas. The Master Program must provide a level of protection to critical areas located within shorelines of the state that is at least equal to the level of protection provided by the City's existing critical area preservation regulations which are codified in Chapter 13.11 of the Tacoma Municipal Code.

Because of these consistency requirements and change in oversight authority from GMA to SMA for critical areas, the proposed Master Program update includes revisions to other development regulations in the Land Use Regulatory Code in addition to those proposed for Chapter 13.10 Shoreline Management.

In addition, the Department of Ecology has developed a checklist that is to be submitted with proposed updates to a Master Program that identifies the components that a proposed Master Program must include to be compliant with SMA and the substantive and procedural requirements of the Washington

Administrative Code. The checklist is to be completed by staff and notes the sections of the Master Program that address each of the required components. Incorporated within this checklist are provisions that demonstrate GMA consistency requirements. The checklist provides a useful reference guide to articulate how Tacoma proposes to address the State requirements. A copy of the completed checklist is attached to this report.

The State Environmental Policy Act (SEPA) requires a threshold environmental determination be issued for any governmental proposal that affects land use (WAC 197-11-310). A SEPA environmental checklist will be prepared to evaluate whether the proposed Draft TSMP and subsequent amendments to the Comprehensive Plan and Title 13 would have a probable significant impact on the environment.

Applicable Provisions of the Multi-County Planning Policies (Vision 2040/Transportation 2040):

The amendment will support Vision 2040 goals and policies for the environment by:

- Achieving no-net-loss of ecological functions;
- Using a landscape approach to restoration objectives and actions;
- Requiring mitigation for new impacts to shoreline functions and processes;
- Encouraging the use of low impact development; and
- Focusing new development on the least sensitive portions of a development site.

The amendment also will support Vision 2040 goals and policies for the economy by prioritizing economic uses that are dependent upon a shoreline location and ensuring an adequate land supply for water-oriented uses.

In addition, the amendment supports goals and policies for development patterns by directing new development to occur in areas already characterized by like development and intensities and with high levels of shoreline alteration, while providing increased protection to natural shorelines and intact ecosystem functions and processes.

Applicable Provisions of the County-wide Planning Policies for Pierce County:

The amendment will support County-wide Planning Policies for economic development and employment by ensuring an adequate land supply for water-oriented uses, prioritizing port, terminal and industrial uses in the S-7 and S-10 shoreline districts, by designating appropriate areas for high intensity uses, and by maintaining natural buffers between residential and industrial uses.

The amendment also will support County-wide Planning Policies for historic, archaeological and cultural preservation by requiring that developers and property owners notify the City and appropriate authorities if archaeological resources are uncovered during excavation and by requiring that permits issued in areas with a high probability of containing archaeological resources perform a site inspection or evaluation in cooperation with affected Indian tribes.

The amendment supports County-wide Planning Policies for natural resources, open space and protection of environmentally-sensitive lands by prioritizing uses and development that support public access and recreation, establishing vegetation conservation standards, establishing critical areas protections that will achieve no net loss of shoreline ecological functions and developing a restoration plan with related policies and development standards that:

- Identifies degraded areas, impaired ecological functions, and potential restoration sites;
- Establishes restoration goals and priorities, including SMP goals and policies that provide for restoration of impaired ecological functions;
- Identifies existing restoration projects and programs;
- Identifies additional projects and programs needed to achieve local restoration goals, and implementation strategies including identifying prospective funding sources, sets timelines and benchmarks for implementing restoration projects and programs; and
- Provides mechanisms or strategies to ensure that restoration projects and programs will be implemented according to plans and to appropriately review the effectiveness of the projects and programs in meeting the overall restoration goals. *WAC 173-26-186(8)(c); 201(2)(c)&(f)*

Applicable Provisions of the Comprehensive Plan:

Periodic review and evaluation of stand-alone Element 16 Master Program for Shoreline Development and implementing development regulations is important in order that these programs maintain their effectiveness. Changing conditions, such as updates of state laws and community needs necessitate amendments.

The proposed Master Program will rescind and replace the existing goals and policies of the Comprehensive Plan found in the Master Program element. As noted previously, the Master Program contains components which are considered a part of the Comprehensive Plan and components which are considered a part of the City’s development regulations; i.e., the Land Use Regulatory Code.

Other elements of the Comprehensive Plan contain intents goals and policies, which relate to the management and development of shoreline areas. These include the Environmental Policy, Transportation, Urban Forestry, and the Open Space Habitat and Recreation elements. A full discussion of all of the policies would be extensive but the following provides a summary of the key components of the Comprehensive Plan that will be carried out through the adoption of the updated Master Program.

Environmental Policy Element

The general goal in the Environmental Policy Element of the City of Tacoma’s Comprehensive Plan (last amended 6/30/2009) is to “ensure conservation, protection, enhancement and proper management of natural resources and shoreline, while providing for a balanced pattern of development and the needs of the citizens of the City of Tacoma.” There is a strong environmental policy basis in the Comprehensive Plan for the restoration of shoreline resources.

Generalized Land Use Element

The Generalized Land Use Element of the Comprehensive Plan includes a goal regarding the provision of open space and quality of life:

LU-MUD-3 – Open Space: Provide a diverse array of usable open spaces including small parks, plazas, playgrounds, and others within centers to balance higher density development, enhance the quality of the living environment and provide social and recreational opportunities for residents, employees and visitors.

Open Space Habitat and Recreation Plan

The Open Space Habitat and Recreation Plan (OSHRP), officially entitled the Open Space Habitat and Recreation Element of the Comprehensive Plan, was adopted by the City Council on December 9, 2008.

The OSHRP sets forth goals, policies, and implementation plans for Tacoma municipal open spaces and natural areas. The Plan was prepared to meet Goals Nine and Ten of the GMA. Goal Nine encourages cities and counties to retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water and develop parks and recreation facilities. Goal Ten encourages cities and counties to protect the environment and enhance Washington’s high quality of life, including air and water quality, and the availability of water.

The overall purpose of the OSHRP is established in the Plan’s vision statement: “Create an integrated system of habitat and recreation lands and facilities in Tacoma that defines and enhances the built and natural environment, supports and nurtures plant and wildlife habitat, offers a well-balanced range of recreation opportunities and enriches the lives of Tacoma’s current and future citizens.” The OSHRP includes policies and other guidance intended to enact and achieve this vision. The OSHRP notes that Tacoma’s shorelines and waterfront areas are a source of economic activity, entertainment and recreation, as well as providing invaluable ecological and cultural functions. It further notes that Tacoma has a legacy of industrial development along its shorelines, which has reduced public access. At the same time, the Port of Tacoma and other industrial areas are major economic assets to the City. The OSHRP notes the importance of reclaiming shoreline areas for public access, recreation, educational and interpretive displays, public art, community events, habitat restoration and other open space purposes. To those ends, the OSHRP includes the following policies specific to shoreline public access:

OS-SH-1 Prioritize Tacoma’s Shorelines and Waters - Recognize the strong community connection to Tacoma’s shorelines and waters as cultural, historic, recreational, educational, economic, natural and aesthetic assets of tremendous value. Work with partners to undertake a broad range of activities that enhance Tacoma’s identity as a waterfront community, including designating and enhancing shoreline areas for public access, recreation, educational and interpretive displays, public art, community events, habitat restoration and other activities.

OS-SH-2 Shoreline and Water Access - Develop opportunities for public access to the Puget Sound for water-oriented recreation and enjoyment of shorelines, including public access to both natural and man-made waterfront features such as beaches, tidelands, wharfs, piers, esplanades, parks, heritage sites, and waterfront trails and paths.

OS-SH-3 Shoreline and Water Activities - Develop and enhance opportunities for swimming, boating including use of Tacoma’s water trails, fishing, SCUBA diving, educational activities, wildlife observation and other shoreline and water-dependent activities.

OS-SH-4 Reconnect Shorelines and Uplands Habitat - Recognize the critical habitat functions and the loss of historic habitat connectivity between shorelines and upland areas and water courses, and seek to re-create these connections through habitat conservation and restoration efforts.

OS-SH-5 Shoreline Trail Connections – Recognizing that many of Tacoma’s existing and planned trails follow the shoreline or connect shoreline and upland areas, partner to develop and maintain trails oriented to the shorelines, slopes and gulches. Development of trails should be coordinated with habitat restoration efforts.

OS-MUC-5 Reconnect the Waterfront – Seek opportunities to re-connect downtown and the Thea Foss Waterway through developing multifunctional open spaces, trails and/or recreational facilities that provide or enhance pedestrian connectivity between downtown and the waterfront.

Transportation Element and Mobility Master Plan

4.2.4.1 The goal of the Transportation Element is to “Achieve a multimodal transportation system that efficiently moves people and goods with optimum safety and appropriate speed, maximizes the conservation of energy, and minimally disrupts the desirable features of the environment”.

4.2.4.2 The Mobility Master Plan outlines a vision in which: “Tacoma is a world-class walking and biking community in which pedestrians and bicyclists are top priorities in transportation planning. Tacoma's transportation system is useable and welcoming to people of all abilities. Streets accommodate bicyclists in large numbers, sidewalks are user friendly, and residents share the road safely and are fully mobile without an automobile.”

4.2.4.3 The goals of the Mobility Master Plan that support the draft PAAL and the Transportation goals, policies and standards of the proposed draft TSMP include:

- Complete a safe and comfortable bicycling system that connects all parts of the city (north to south/east to west) and accommodates all types of cyclists by 2025.
- Create a safer street environment that reduces intermodal crashes involving bicyclists, pedestrians and motor vehicles by at least 10% from 2010 rates by 2015 and work to meet Washington State’s Target Zero goal of eliminating fatal and serious injuries by 2030
- Increase transit use by enhancing pedestrian access and bicycle support facilities through the development of bikeways and walkways that serve transit hubs.
- Promote healthy lifestyles by offering improved opportunities for active living for people of all abilities through the development of a robust nonmotorized network, including bikeways, sidewalks, and linear parks.

The Downtown Plan

The City adopted an update to its Downtown Plan, known as the Downtown Element, in December of 2008. The updated Downtown Element of the Comprehensive Plan includes specific direction for creating and enhancing the connection between Downtown and the waterfront, particularly the Thea Foss Waterway, capitalizing on its proximity to the downtown area. The element acknowledges that there are impediments to this connection and plots a strategy for removing some of these over time.

The Downtown Element states: “There is also a strong desire from the community to fully integrate the downtown to its waterfront. Physical impediments remain extreme, including railroad rights of way and a freeway. Near term enhanced connections are planned for 15th Street, with hopes for a restored Murray Morgan Bridge, and potential public access from Fireman’s Park tied to future development.”

The proposed update to the Master Program will also rescind three elements of the Comprehensive Plan: the Ruston Way Design and Development Plan (1981), the Shoreline Trails Plan (1989) and the Thea Foss Waterway Design and Development Plan (2005).

Applicable Provisions of the Land Use Regulatory Code:

The proposed amendment will rescind and replace the existing portion of the Land Use Regulatory Code for shoreline management, (Chapter 13.10) including environment designations, shoreline zoning district boundaries, development standards, uses, modifications, permit procedures, and definitions. Because of the consistency requirements of GMA and SMA, State required provisions related to critical areas and the desire to streamline and reduce redundancies in the City’s regulatory code, modifications are also

proposed to other sections of the code. The following table summarizes the proposed changes by topic in the proposed draft TSMP.

TOPIC	DESCRIPTION OF CHANGES
Administrative Provisions	The current Master Program references state-developed procedures; the proposed Draft TSMP will include compliance requirements for non-conforming uses, shoreline substantial development permits and exemptions, shoreline conditional use permits, and shoreline variances, consistent with WAC requirements.
Shoreline Environment Designations	The proposed Draft TSMP includes a revised Shoreline Environment Designation system based on the recommended classifications in WAC 173.26.211. Designation criteria, purpose statements, and management policies have been drafted for each designation. This draft also proposes a unique designation of “Downtown Waterfront” for the Thea Foss Waterway. Attachment A shows the proposed changes from the existing designation system to the proposed classification system in this draft.
Shorelines of Statewide Significance	Policies for Shorelines of Statewide Significance have been included per WAC 173.26.251. Shorelines of Statewide Significance are defined in RCW 90.58.030.
Shoreline Districts	The former shoreline district boundaries S-1 through S-14 are proposed for minor modifications for consistency with the new shoreline environment designation system. Modifications include three new districts and the combination of two existing districts into one. The proposed Shoreline District Map changes are graphically represented in Appendix B. The use and development standards for each district have also been updated to be consistent with and implement the overarching shoreline environment designation and the policies for that designation, as well as to achieve consistency with the intent for the district.
Shoreline Uses & Development	A Use and Development Table is proposed as a new feature in the proposed draft TSMP to facilitate a quick overview of the uses and development allowed, not allowed and allowed through a shoreline conditional use permit in each shoreline district. The table also identifies general dimensional standards. A color-coded version of the proposed use table that shows how use regulations have changed is provided as Attachment C. Development standards for shoreline uses have been revised and updated to meet requirements for no net loss of ecological functions. Shoreline use categories have been updated to reflect the classifications in the WAC.
Shoreline Modifications	The proposed draft TSMP increases the protection of nearshore habitats, while allowing for protection of existing structures. The proposed draft TSMP encourages non-structural and softshore shoreline protection measures where feasible, while allowing for protection of existing uses.

TOPIC	DESCRIPTION OF CHANGES
<p>General Policies and Regulations</p>	<p><i>Critical Areas Protection.</i> Critical areas in the shoreline will be regulated under the provisions of the proposed draft TSMP. CAPO regulations have been incorporated into the draft TSMP and modified consistent with the City’s shoreline goals and policies.</p> <p><i>Overwater Structures.</i> The proposed draft TSMP strengthens the protections of the shoreline environment by limiting the types of uses allowed over water, limiting overwater coverage and introduces standards for docks and piers.</p> <p><i>Vegetation Conservation.</i> Vegetation conservation policies and standards have been proposed, consistent with WAC 173.26.221(5), that gives priority to the conservation and enhancement of native vegetation in the shoreline and recognizes the ecosystem-wide functions that native vegetation provides.</p> <p><i>Water Quality and Quantity.</i> Water quality and quantity policies and standards have been proposed, consistent with WAC 173.26.221(6), that will protect against adverse impacts to the public health, to the land and wildlife and the waters of the state.</p> <p><i>Views and Aesthetics.</i> Policies and development standards are proposed that will ensure that new development takes advantage of the shoreline location in design and orientation and will give protection to public views of the shoreline and waters of the state, as well as other scenic and aesthetic values.</p> <p><i>Public Access.</i> The shoreline public access requirements have been strengthened in the proposed draft TSMP and a draft Public Access Alternatives Plan (PAAL) has been developed to guide development of visual and physical access to the City’s shorelines.</p>
<p>Restoration Plan</p>	<p>The Habitat Restoration Plan has been developed as required by WAC 173.26.201(2)(f). This is an entirely new element of shoreline master programs to improve shoreline conditions over time, and includes ongoing regional and local efforts and conceptual restoration opportunities.</p>
<p>Public Access Alternatives Plan</p>	<p>The Public Access Alternatives Plan (PAAL) has been developed pursuant to WAC 173.26.201(4)(c). The PAAL includes an inventory of existing public access sites and integrates planned public access projects from the Shoreline Trails Plan, Ruston Way Plan, and Thea Foss Waterway Design and Development Plan.</p>
<p>Shoreline Trails Plan</p>	<p>Identified shoreline trails have been integrated into the proposed public access system as conceptualized in the Public Access Alternatives Plan. The Shoreline Trails Plan will be rescinded as part of this update.</p>

TOPIC	DESCRIPTION OF CHANGES
Ruston Way Plan and Design and Development Concept	Use and development standards for Ruston Way are integrated into the Shoreline Master Program for the S-6 Shoreline District. Public access that was implemented under the Ruston Way Plan has been identified as part of the inventory of existing public access in the Inventory and Characterization and the Public Access Alternatives Plan. Proposed access projects are also integrated into the PAAL. The Ruston Way Plan and Design and Development Concept will be rescinded as part of this update.
Thea Foss Waterway Design and Development Plan	The Foss Plan has been revised and incorporated where applicable into the Shoreline Master Program. Policies and development regulations from the Foss Plan have been added to the SMP. Public access projects identified in the Foss Plan have been incorporated into the PAAL and updated to reflect public comment and testimony. Design standards have been relocated into a stand alone Thea Foss Waterway Design Guidelines document. The Foss Plan will be rescinded as part of this update.
TMC 13.11	A proposed draft of TMC 13.11 has been amended to address consistency with the changes in the proposed Draft TSMP, i.e. the integration of critical areas policies and standards within the TSMP and regulation of critical areas within shorelines of the state solely under the TSMP.
TMC 13.06	A proposed draft of TMC 13.06 has been amended to include dimensional sign standards for signs within shoreline jurisdiction.
TMC 13.05	A proposed draft of TMC 13.05 has been amended to streamline the permit appeal process by moving appeals of Land Use Administrator shoreline decisions directly to the Shoreline Hearings Board.

Amendment Criteria:

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

This criterion is not applicable. The proposal will rescind and replace the existing Comprehensive Plan and regulatory code provisions for shoreline management.

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 City of Tacoma Shoreline Master Program was first adopted in 1976 and was later updated in 1996. Additional amendments have been made to various elements of the plan policies and land use regulatory code. In 2003, Department of Ecology Guidelines were updated to account for new science, emerging shoreline issues, and changing shoreline conditions. The Guidelines established new standards for shoreline uses and development as well as procedural and technical requirements for evaluating shoreline conditions and updating the Master Program. As part of the update to the WAC Guidelines, RCW 90.58.080 established a timeline for the City of Tacoma to adopt an updated Master Program consistent with WAC 173-26 by December 1, 2011.

In 2007 the City completed an Inventory and Characterization Report that analyzed the existing ecological functions and intact shoreline processes, as well as documented levels of alteration and existing land use development patterns. This report provides a foundation for documenting the baseline conditions for meeting no net loss standards as well as for designating shoreline environments and identifying opportunities for shoreline restoration.

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

WAC 173-26-201 and -211 require local jurisdictions to estimate future demand for shoreline space and potential use conflicts based on the characterization of current shoreline use patterns and projected trends. Further, the SMP must ensure that adequate space for projected shoreline preferred uses is provided. Public access needs and opportunities within the jurisdiction must also be identified. The following reports were prepared to analyze the existing and projected trends in shoreline use and development:

- Tacoma Waterfront Lands Analysis (2008)
- Shoreline Use Analysis (2008)

In addition, shoreline amendment applications in 2004, 2005, and 2008 as well as Critical Areas Preservation Ordinance amendments in 2008 and 2009 pointed to a need for a comprehensive update to the Master Program for Shoreline Development. Recognizing this need, the City Council in 2005 authorized a comprehensive update to the Master Program and the Thea Foss Waterway Design and Development Plan ahead of the state-mandated adoption schedule.

Public participation throughout the Master Program update has resulted in documentation of changing community needs, vision, and goals for the City's shorelines. Public participation has informed the development of the Master Program from the outset and has been documented on the City's website at www.cityoftacoma.org/shorelineupdate.

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

Recommendations for shoreline environment designations are derived from existing ecological functions and levels of shoreline alteration as well as the existing land use pattern. The amendment is generally compatible with adjacent zoning and land use intensities, however, it is anticipated that in some limited circumstances the amendment may require future updates to land use intensities within shoreline jurisdiction to achieve internal consistency.

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

This criterion is not applicable.

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

This criterion is not applicable.

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

The City of Tacoma Shoreline Master Program was first adopted in 1976 and later updated in 1996. Washington Administrative Code (WAC) Guidelines were updated in 2003 with a requirement that the City update the TSMP to achieve consistency with the WAC Guidelines by December 1, 2011. The Guidelines were updated to account for changing shoreline conditions, new science, and emerging shoreline issues. The assumptions that the existing TSMP are founded upon must be re-evaluated to account for both the updated Guidelines, as well as account for the change in land use patterns and character and alterations to shoreline ecological functions that have occurred since the TSMP was first adopted and later amended.

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

This criterion is not applicable.

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.

Environment designations and shoreline district boundaries have been re-evaluated and are proposed for reclassification consistent with the WAC designation process and criteria in WAC 173-26-211(5) and are generally consistent with the Comprehensive Plan.

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.

This criterion is not applicable.

Reclassification Criteria:

Applications for area-wide zoning reclassifications are subject to review based on the amendment procedures and the review criteria contained in TMC 13.02.053.3. Proposed reclassifications are required to meet at least one of the six 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's analysis of the criterion as it relates to this proposal.

(a) Substantial evidence is presented demonstrating that growth and development is occurring in a different manner than presented in the Comprehensive Plan.

This criterion is not applicable.

(b) The proposed area-wide reclassification is consistent with the Comprehensive Plan and the Generalized Land Use Plan map.

The proposed area-wide reclassification is consistent with the Comprehensive Plan, as proposed for amendment.

(c) The reclassification is needed to further implement the Comprehensive Plan.

The reclassification is necessary to implement the Comprehensive Plan. The proposed amendment includes a new environment designation system, developed in accordance with WAC 173-21-211(5). The WAC requires specific use and development standards per designation. The City of Tacoma uses specific shoreline zoning districts to implement the use and development policies associated with the designations. Therefore, in updating the designation system, the shoreline zoning districts must also be updated to be consistent with the permitted uses and associated development standards.

(d) The proposed reclassification is needed to maintain consistency with proposed amendments to the Comprehensive Plan.

The proposed reclassification is needed to maintain consistency with proposed amendments to the Comprehensive Plan in accordance with the classification and designation criteria for shoreline environment designations as specified in WAC 173-21-211(5). The proposed amendments to the Comprehensive Plan will reclassify the City's shoreline environment designations according to the recommended classification system in WAC 173-26-211 with the exception of the Downtown Waterfront designation which is proposed under the allowances for local jurisdictions to propose alternatives to the recommended system. Proposed area-wide rezones are necessary to achieve consistency with the designation criteria, purpose, and management policies as specified in the WAC. The Shoreline Districts are intended to implement the purpose and policies of each proposed designation. Standards have also been modified for each district to achieve consistency with the designation. The following table summarizes the proposed amendments to the designations and the related shoreline district rezones.

EXISTING DISTRICT	EXISTING SED	→	NEW DISTRICT	NEW SED	NOTES
S1	Urban	→	<i>S1a</i>	<i>High Intensity</i>	• Split out marinas from residential areas
		→	<i>S1b</i>	<i>Shoreline Residential</i>	
S2	Conservancy	→	<i>S2</i>	<i>Urban Conservancy</i>	
S3	Conservancy	→	<i>S3</i>	<i>Urban Conservancy</i>	
S4	Natural	→	<i>S4</i>	<i>Natural</i>	
S5	Conservancy	→	<i>S5</i>	<i>Urban Conservancy</i>	
S6	Urban	→	<i>S6</i>	<i>Urban Conservancy</i>	<ul style="list-style-type: none"> • Changed to Urban Conservancy • Created new district for Point Ruston and Slag Peninsula • S-6 extended south to include Jack Hyde Park, Chinese Reconciliation Park and the Sperry Ocean Dock site (Parcel #8950002312)
		→	<i>S15</i>	<i>High Intensity</i>	
S7	Urban	→	<i>S7</i>	<i>High Intensity</i>	
S8	Urban	→	<i>S8</i>	<i>Downtown Waterfront</i>	• Applied new designation, Downtown Waterfront
S9	Urban	→	<i>S9</i>	<i>Urban Conservancy</i>	• Changed to Urban Conservancy
S10	Urban	→	<i>S10</i>	<i>High Intensity</i>	• New S-12: Hylebos Creek east of SR 509
		→	<i>S12</i>	<i>Urban Conservancy</i>	
S11	Urban	}→	<i>S11</i>	<i>Urban Conservancy</i>	• Combined to one district and changed designation to Urban Conservancy
S12	Urban				
S13		→	<i>S13</i>	<i>Aquatic</i>	• Open waters of Commencement Bay designated Aquatic
S14	Urban	→	<i>S14</i>	<i>Urban Conservancy</i>	

- (e) **There is substantial evidence presented showing inconsistency between the designated land use intensity in the subject area and the existing zoning.**

This criterion is not applicable.

- (f) **The subject property is suitable for development in general conformance with the zoning standards under the recommended rezone classification.**

This criterion is not applicable.

Concomitant Zoning Agreements (CZAs):

There are no site-specific rezones or associated concomitant zoning agreements affecting this area.

Economic Impact Assessment:

The Shoreline Management Act (RCW 90.58.020) states:

It is the policy of the state to provide for the management of the shorelines of the state by planning for and fostering all reasonable and appropriate uses. This policy is designed to insure the development of these shorelines in a manner which, while allowing for limited reduction of rights of the public in the navigable waters, will promote and enhance the public interest. This policy contemplates protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life, while protecting generally public rights of navigation and corollary rights incidental thereto.

The proposed amendment supports the overarching goals and policies of the Shoreline Management Act (SMA) by prioritizing water-dependent and water-oriented uses and ensuring a sufficient land supply to meet the future needs of water-dependent uses in the City's shorelines, consistent with the public interest. This proposed amendment will foster reasonable and appropriate uses consistent with the SMA and the WAC Guidelines.

The proposed amendment articulates specific objectives for economic development within shoreline jurisdiction, including:

1. Encourage new economic uses in priority order. Preference should be given to water-dependent uses. Secondary preference should be given to water-related and water-enjoyment uses.
2. Encourage new economic development to locate in areas that are already developed with similar uses.
3. Ensure that only those new industries that are either water-dependent or water-related operate in the shoreline area.
4. Implement economic development policies contained in the Comprehensive Plan in shoreline areas consistent with this Program and the Act.
5. Encourage economic development that has minimal adverse effects and mitigates unavoidable impacts upon shoreline ecological functions and processes and the built environment.
6. Support the long-term and widespread economic contribution of our international container ports and related industrial lands and transportation systems, and ensure that container ports continue to function effectively alongside vibrant city waterfronts.
7. Encourage shoreline development that has a positive effect upon economic and social activities of value to the City and region.

Implementation of the goals, objectives and policies of the amendment will support the growth of port, terminal and industrial related uses and commercial development, where appropriate, and will grow the employment base of the City and region while achieving no-net-loss of shoreline ecological functions and providing significant new public amenities. Two shoreline districts, S-7 and S-10 are prioritized for port, terminal and industrial related uses. According to the Tacoma Waterfront Lands Analysis report, these two districts alone account for approximately 950 acres of land, or, over 50% of the total shoreline land supply. In all, around 940 acres of shoreline lands are currently occupied by port, terminal or industrial uses with additional available lands for development or expansion.

Increased opportunities for public access and improved conditions of open space will increase public use of the waterfront with spinoff opportunities for support businesses. Improved clarity will provide certainty about City expectations for permit approval.

In addition, three shoreline districts are prioritized for high-intensity uses with potential for significant new mixed-use commercial and residential development. These districts include the S-1a Western Slope South, S-8 Thea Foss Waterway, and S-15 Point Ruston/Slag Peninsula. These three areas have been identified as having significant redevelopment opportunities.

Updated shoreline regulations and development standards proposed to achieve the State mandate of no-net-loss of shoreline ecological functions may in some cases create additional review of shoreline exemptions and permits that may raise the cost of development. However, current critical areas standards are applied through TMC 13.11, which has resulted in the need in certain instances for permit applicants to have to apply for both shoreline and critical areas permits. This process will be streamlined upon adoption of the proposed draft, as the critical areas review would be accomplished through the shoreline permit.

Staff Recommendation:

Staff recommends that the proposed Draft Tacoma Shoreline Master Program be forwarded for official public review and comment.

Attachments:

- A. Department of Ecology submittal checklist

SHORELINE MASTER PROGRAM SUBMITTAL CHECKLIST

This checklist is for use by local governments to satisfy the requirements of WAC 173-26-201(3)(a), relating to submittal of Shoreline Master Programs (SMPs) for review by the Department of Ecology (Ecology) under Chapter 173-26 WAC. The checklist does not create new or additional requirements beyond the provisions of that chapter.

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INSTRUCTIONS

This checklist is intended to help in preparation and review of local shoreline master programs (SMPs). Local governments should include a checklist with all SMPs submitted for review by Ecology.

Information provided at the top of the checklist identifies what local jurisdiction and specific amendment (e.g. comprehensive update, environment re-designation or other topic) the checklist is submitted for, and who prepared it. Indicate in the location column where in the SMP (or other documents) the requirement is satisfied. If adopting other regulations by reference, identify what specific adopted version of a local ordinance is being used, and attach a copy of the relevant ordinance (*see example 1, below*).

Draft submittals: For draft submittals, local governments may use the Comments column to note any questions or concerns about proposed language. Ecology may then use the Comment field to respond (*see example 2, below*).

Final submittals: When submitting locally-approved SMPs for Ecology review, leave the comment field blank. Ecology will use the comment field to develop final comments on the SMP.

Ecology has attempted to make this checklist an accurate and concise summary of rule requirements, however the agency must rely solely on adopted state rules and law in approving or denying a master program. This document does not create new or additional requirements beyond the provisions of state laws and rules [WAC 173-26-201(3)(a)].

EXAMPLE 1: reference other documents if necessary

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
Inventory of existing data and materials. WAC 173-26-201(3)(c)(i) through (x).	Appendix A: Shoreline Inventory and Analysis, Section 2.	
Wetland buffer requirements are adequate to ensure wetland functions are protected and maintained in the long-term, taking into account ecological functions of the wetland, characteristics of the buffer, and potential impacts associated with adjacent land uses. WAC 173-26-221(2)(c)(i)(B)	City Ordinance CA 19.072, adopted July 17 2003, p. 32	

EXAMPLE 2: for draft submittals, use Comments column

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
High-intensity environment designation criteria: Areas within incorporated municipalities, "UGAs," and "rural areas of more intense development" (<i>see RCW 36.70A.070</i>) that currently support or are planned for high-intensity water-dependent uses. WAC 173-26-211(5)(d)(iii)	Urban Industrial, p. 15 Urban Mixed, p. 18 Also see Appendix B, Use Analysis, Chapter 3, p. 12.	Local government: SMP includes two urban designations that meet high-intensity criteria – Urban Industrial, and Urban Mixed. These alternative designations allow more specificity for public access, view and amenity requirements for the mixed use areas. Ecology: Proposed alternative designations are consistent with the purposes and policies of the high-intensity criteria, as per WAC 173-26-211(4)(c).

<p>Acronyms and abbreviations</p> <p>comp plan: Comprehensive Plan CUP: Conditional Use Permit SMA: Shoreline Management Act, RCW 90.58 SMP: Shoreline Master Program SSWS: Shorelines of Statewide Significance WAC: Washington Administrative Code</p>	<p>For more information</p> <p>www.ecy.wa.gov/programs/sea/SMA/index.html</p> <p>Ecology SMA Policy Lead: Peter Skowlund: (360) 407-6522</p>
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SHORELINE MASTER PROGRAM SUBMITTAL CHECKLIST

Prepared for: City of Tacoma (Jurisdiction Name) Name of Amendment: City of Tacoma Comprehensive Shoreline Master Program Update Prepared by: Stephen Atkinson (Name) Date: April/XX/2011		
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STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
DOCUMENTATION OF SMP DEVELOPMENT PROCESS		
Public involvement, communication, and coordination		
Documentation of public involvement throughout SMP development process. WAC 173-26-201(3)(b)(i) and WAC 173-26-090 and 100. For SSWS, see WAC 173-26-251(3)(a)	Appendix B of Public Participation Plan - ongoing	
Documentation of communication with state agencies and affected Indian tribes throughout SMP development. WAC 173-26-201(3)(b)(ii) and (iii), WAC 173-26-100(3). For saltwater shorelines, see WAC 173-26-221(2)(c)(iii)(B). For SSWS, see WAC 173-26-251(3)(a).	Appendix B of Public Participation Plan - ongoing	
Demonstration that critical areas regulations for shorelines are based on the SMA and the guidelines, and are at least equal to the current level of protection provided by the currently adopted critical areas ordinance. WAC 173-26-221(2)(b)(ii),(iii) and (c).	Chapter 6.4 Marine Shoreline and Critical Areas Protection in Draft SMP	
Documentation of process to assure that proposed regulatory or administrative actions do not unconstitutionally infringe upon private property rights . See " <i>State of Washington, Attorney General's Recommended Process for Evaluation of Proposed Regulatory or Administrative Actions to Avoid Unconstitutional Takings of Private Property.</i> " WAC 173-26-186(5).	Chapter 1.3 Governing Principles in Draft SMP	
Final submittal includes: evidence of local government approval (or a locally approved "statement of intent to adopt"); new and/or amendatory text, environment designation maps (with boundary descriptions and justification for changes based on existing development patterns, biophysical capabilities and limitations, and the goals and aspirations of the local citizenry); a summary of the proposal together with staff reports and supporting materials; evidence of SEPA compliance; copies of all comments received with names and addresses. WAC 173-26-110 Submittal must include clear identification and transmittal of all provisions that make up the SMP. <i>This checklist, if complete, meets this requirement.</i> WAC 173-26-210(3)(a) and (h).	TBD	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
Shoreline Inventory		
<p>Inventory of existing data and materials. WAC 173-26-201(3)(c)(i) through (x).</p> <p>For jurisdictions with critical saltwater habitats, see WAC 173-26-221(2)(c)(iii)(A)&(B).</p>	<p>Included with October 20, 2009 Quarterly Report.</p>	<p>Available on City of Tacoma website at www.cityoftacoma.org/shorelineupdate</p>
Shoreline Analysis		
<p>Characterization of shoreline ecosystems and their associated ecological functions that:</p> <ul style="list-style-type: none"> identifies ecosystem-wide processes and ecological functions; assesses ecosystem-wide processes to determine their relationship to ecological functions; identifies specific measures necessary to protect and/or restore the ecological functions and ecosystem-wide processes. WAC 173-26-201(3)(d)(i)(A). <p>Demonstration of how characterization was used to prepare master program policies and regulations that achieve no net loss of ecological functions necessary to support shoreline resources and to plan for restoration of impaired functions. WAC 173-26-201(3)(d)(i)(E).</p> <p>For vegetation, see WAC 173-26-221(5). For jurisdictions with critical saltwater habitats, see WAC 173-26-221(2)(c)(iii)(B).</p> <p>Description of data gaps, assumptions made and risks to ecological functions associated with SMP provisions. WAC 173-26-201(2)(a)</p> <p>Characterization includes maps of inventory information at appropriate scale. WAC 173-26-201(3)(c)</p>	<p>Included with October 20, 2009 Quarterly Report</p>	<p>Available on City of Tacoma website at www.cityoftacoma.org/shorelineupdate</p>

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>Use analysis estimating future demand for shoreline space and potential use conflicts based on characterization of current shoreline use patterns and projected trends. Evidence that SMP ensures adequate shoreline space for projected shoreline preferred uses. Public access needs and opportunities within the jurisdiction are identified. Projections of regional economic need guide the designation of "high-intensity" shoreline. WAC 173-26-201(3)(d)(ii) & (v); WAC 173-26-211(5)(d)(ii)(B)</p> <p>For SMPs that allow mining, demonstration that siting of mines is consistent with requirements of WAC 173-26-241(3)(h)(i).</p> <p>For SSWS:</p> <p>evidence that SMP preserves adequate shorelands and submerged lands to accommodate current and projected demand for economic resources of statewide importance (e.g., commercial shellfish beds and navigable harbors) based on statewide or regional analyses, requirements for essential public facilities, and comment from related industry associations, affected Indian tribes, and state agencies.</p> <p>Evidence that public access and recreation requirements are based on demand projections that take into account activities of state agencies and interests of the citizens to visit public shorelines with special scenic qualities or cultural or recreational opportunities. WAC 173-26-251(3)(c)(ii) & (iii)</p> <p>Optimum implementation directives incorporated into comp plan and development regulations. WAC 173-26-251(2) & (3)(e)</p> <p>For GMA jurisdictions, SMP recreational provisions are consistent with growth projections and level-of-service standards contained in comp plan. WAC 173-26-241(3)(i)</p>	<p>Waterfront Land Use Analysis and Shoreline Use Analysis included with October 20, 2009 Quarterly Report.</p>	<p>Available on City of Tacoma website at www.cityoftacoma.org/shorelineupdate</p>
<p>Restoration plan that:</p> <ul style="list-style-type: none"> identifies degraded areas, impaired ecological functions, and potential restoration sites; Establishes restoration goals and priorities, including SMP goals and policies that provide for restoration of impaired ecological functions; Identifies existing restoration projects and programs; Identifies additional projects and programs needed to achieve local restoration goals, and implementation strategies including identifying prospective funding sources sets timelines and benchmarks for implementing restoration projects and programs; provides mechanisms or strategies to ensure that restoration projects and programs will be implemented according to plans and to appropriately review the effectiveness of the projects and programs in meeting the overall restoration goals. WAC 173-26-186(8)(c); 201(2)(c)&(f) <p>For critical freshwater habitats: incentives to restore water connections impeded by previous development. WAC 173-26-221(2)(c)(iv)(C)(III).</p> <p>For SSWS, identification of where natural resources of statewide importance are being diminished over time, and master programs provisions that contribute to the restoration of those resources. WAC 173-26-251(3)(b)</p>	<p>Included in Appendix B Draft Restoration Plan.</p>	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>Evidence that each environment designation is consistent with guidelines criteria [WAC 173-26-211(5)], as well as existing use pattern, the biological and physical character of the shoreline and the goals and aspirations of the community. WAC 173-26-211(2)(a). WAC 173-26-110(3)</p> <p>Lands designated as “forest lands of long-term significance” under RCW 36.70A.170 are designated either natural or rural conservancy shoreline environment designations. WAC 173-26-241(3)(e).</p> <p>For SSWS, demonstration that environment designation policies, boundaries, and use provisions implement SMA preferred use policies of RCW 90.58.020(1) through (7). WAC 173-26-251(3)(c)</p>	<p>Chapter 5 Shoreline Environment Designations in the Draft SMP.</p>	
<p>Assessment of how proposed policies and regulations cause, avoid, minimize and mitigate cumulative impacts to achieve no net loss policy. Include policies and regulations that address plating or subdividing of property, laying of utilities, and mapping of streets that establish a pattern for future development. Evaluation addresses:</p> <p>(i) <i>current circumstances</i> affecting the shorelines and relevant natural processes;</p> <p>(ii) reasonably <i>foreseeable future development</i> and use of the shoreline (including impacts from unregulated activities, exempt development, and other incremental impacts); and</p> <p>(iii) <i>beneficial effects</i> of any established regulatory programs under other local, state, and federal laws. WAC 173-26-201(3)(d)(iii) and WAC 173-26-186(8)(d)</p> <p>For jurisdictions with critical saltwater habitats, identification of methods for monitoring conditions and adapting management practices to new information. WAC 173-26-221(2)(c)(iii)(B).</p> <p>For SSWS, evidence that standards ensuring protection of ecological resources of statewide importance consider cumulative impacts of permitted development. WAC 173-26-251(3)(d)(i)</p>	<p>Cumulative Impacts Analysis April 2011 Draft.</p>	<p>Available on City of Tacoma website at www.cityoftacoma.org/shorelineupdate</p>
SMP CONTENTS		
<p>Any goals adopted as part of the SMP are consistent with the SMA. (<i>Note: Goal statements are not required.</i>)</p>	<p>Chapter 3 Goals & Objectives in the Draft SMP.</p>	
<p>Policies (A) are consistent with guidelines and policies of the SMA; (B) address elements of RCW 90.58.100; and (C) include policies for environment designations, accompanied by a map or physical description of designation boundaries in sufficient detail to compare with comprehensive plan land use designations. (D) are consistent with constitutional and other legal limitations on regulation of private property. WAC 173-26-191(2)(a)(i)</p> <p>SMP implements preferred use policies of the SMA. WAC 173-26-201(2)(d)</p>	<p>See policies in Chapter 4 - Shorelines of the State and Chapter 5 - Shoreline Environment Designations.</p> <p>Also policies in Chapter 6,7, and 8 - General, use and shoreline modifications policies in the Draft SMP.</p>	
<p>Regulations: (A) are sufficient in scope and detail to ensure the implementation of SMA, SMP guidelines, and SMP policies; (B) include environment designation regulations; (C) include general regulations, use regulations that address issues of concern in regard to specific uses, and shoreline modification regulations; and, (D) are consistent with constitutional and other legal limitations on the regulation of private property. WAC 173-26-191(2)(a)(ii)</p>	<p>Chapters 6,7,8 and 9 General, use, modification, and district-specific regulations in the Draft SMP.</p>	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
ENVIRONMENT DESIGNATIONS		
Each environment designation includes: Purpose statements, classification criteria, management policies, and regulations (types of shoreline uses permitted, conditionally permitted, and prohibited; building or structure height and bulk limits, setbacks, maximum density or minimum frontage requirements, and site development standards). WAC 173-26-211(2)(4).	Chapter 5 Shoreline Environment Designations in the Draft SMP.	
An up-to-date map accurately depicting environment designation boundaries on a map. If necessary, include common boundary descriptions. WAC 173-26-211(2)(b); WAC 173-26-110(3);	Appendix A of the Draft SMP.	
Statement that undesigned shorelines are automatically assigned a conservancy environment designation. WAC 173-26-211(2)(e).	Chapter 5.4.1 Map established in the Draft SMP.	Areas with critical areas would be automatically designated as Natural; all other areas designated as Urban Conservancy.
Natural environment. WAC 173-26-211(5)(a)		
Designation criteria: Shorelines that are ecologically intact and performing functions that could be damaged by human activity, of particular scientific or educational interest, or unable to support human development without posing a safety threat. WAC 173-26-211(5)(a)(iii)	Chapter 5.5.1(A) Natural Environment in the Draft SMP.	
Prohibition on new: <ul style="list-style-type: none"> uses that would substantially degrade ecological functions or natural character of shoreline. WAC 173-26-211(5)(a)(ii)(A) Commercial uses; industrial uses; nonwater oriented recreation; roads, utility corridors, and parking areas. WAC 173-26-211(5)(a)(ii)(B) development or significant vegetation removal that would reduce the capability of vegetation to perform normal ecological functions. WAC 173-26-211(5)(a)(ii)(G) subdivision of property in a configuration that will require significant vegetation removal or shoreline modification that adversely impacts ecological functions. WAC 173-26-211(5)(a)(ii)(G) 	Chapter 5.5.1 Natural Environment and Table 9-2, Chapter 9 District Specific Regulations in the Draft SMP.	
For single family residential development: limits on density and intensity to protect ecological functions, and requirement for CUP. WAC 173-26-211(5)(a)(ii)(C)	Table 9-2, Chapter 9.5 District Specific Regulations in the Draft SMP.	Single Family Development is prohibited
For commercial forestry: requirement for CUP, requirement to follow conditions of the State Forest Practices Act. WAC 173-26-211(5)(a)(ii)(D)	Table 9.2, Chapter 9.5 District Specific Regulations in the Preliminary Draft SMP.	Commercial forestry is prohibited.
For agriculture: low intensity use allowed if subject to appropriate limits or conditions to assure that the use does not expand or practices don't conflict with purpose of the designation. WAC 173-26-211(5)(a)(ii)(E)	Table 9.2, Chapter 9.5 District Specific Regulations in the Preliminary Draft SMP.	Agriculture is prohibited
Low intensity public uses such as scientific, historical, cultural, educational research uses, and water-oriented recreational access allowed if ecological impacts are avoided. WAC 173-26-211(5)(a)(ii)(F)	Chapter 5.5.1 Natural Environment and Table 9.2, Chapter 9 District Specific Regulations in the Preliminary Draft SMP.	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
Rural conservancy. WAC 173-26-211(5)(b)		
Designation criteria: areas outside municipalities or UGAs with: (A) low-intensity, resource-based uses, (B) low-intensity residential uses, (C) environmental limitations such as steep banks or floodplains, (D) high recreational or cultural value, or (E) low-intensity water-dependent uses. WAC 173-26-211(5)(b)(iii)	Not applicable.	
Restrictions on use and development that would degrade or permanently deplete resources. Water-dependent and water-enjoyment recreation facilities are preferred uses. Low intensity, water-oriented commercial and industrial uses limited to areas where those uses have located in the past or at sites that possess conditions and services to support the development. WAC 173-26-211(5)(b)(ii)(A) and (B) For SMPs that allow mining, see WAC 173-26-241(3)(h).	Not applicable.	
Prohibition on new structural shoreline stabilization and flood control works except where there is documented need to protect an existing primary structure (provided mitigation is applied) or to protect ecological functions. WAC 173-26-211(5)(b)(ii)(C).	Not applicable.	
Development standards for residential use that preserve existing character of the shoreline. Density, lot coverage, vegetation conservation and other provisions that ensure no net loss of shoreline ecological functions. Density or lot coverage limited to a maximum of ten percent total impervious surface area within the lot or parcel, or alternative standard that maintains the existing hydrologic character of the shoreline. (May include provisions allowing greater lot coverage for lots legally created prior to the adoption of a master program prepared under these guidelines, if lot coverage is minimized and vegetation is conserved.) WAC 173-26-211(5)(b)(ii)(D).	Not applicable.	
Aquatic. WAC 173-26-211(5)(c)		
Designation criteria: Areas waterward of the ordinary high-water mark (OHWM). WAC 173-26-211(5)(c)(iii)	Chapter 5.5.2(A), (B) and (C) Designation Criteria in the Draft SMP.	
New over-water structures: allowed only for water-dependent uses, public access, or ecological restoration. WAC 173-26-211(5)(c)(ii)(A) limited to the minimum necessary to support the structure's intended use. WAC 173-26-211(5)(c)(ii)(B)	Chapter 5.5.2(D)(a) Aquatic Environment & Table 9-2, Chapter 9.14 District Specific Regulations in the Preliminary Draft SMP.	
Multiple use of over-water facilities encouraged. WAC 173-26-211(5)(c)(ii)(C)	Chapter 5.5.2 Aquatic Environment & Table 9-2, Chapter 9.14 District Specific Regulations in the Draft SMP.	
Location and design of all developments and uses required to: minimize interference with surface navigation, to consider impacts to public views, and to allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration. WAC 173-26-211(5)(c)(ii)(D) prevent water quality degradation and alteration of natural hydrographic conditions. WAC 173-26-211(5)(c)(ii)(F)	Chapter 5.5.2 Aquatic Environment; Chapter 8 Shoreline Modification Policies & Regulations; Table 9-2, Chapter 9.14 District Specific Regulations in the Draft SMP	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>Uses that adversely impact ecological functions of critical saltwater and freshwater habitats limited (except where necessary for other SMA objectives, and then only when their impacts are mitigated). WAC 173-26-211(5)(c)(ii)(E)</p>	<p>Chapter 5.5.2 Aquatic Environment in the Draft SMP</p>	
<p>High-intensity. WAC 173-26-211(5)(d)</p>		
<p>Designation criteria: Areas within incorporated municipalities, "UGAs," and "rural areas of more intense development" (see RCW 36.70A.070) that currently support or are planned for high-intensity water-dependent uses. WAC 173-26-211(5)(d)(iii)</p>	<p>Chapter 5.5.5(A), (B) and (C) Designation Criteria in the Draft SMP.</p>	
<p>Priority given first to water-dependent uses, then to water-related and water-enjoyment uses. New non-water oriented uses prohibited except as part of mixed use developments, or where they do not conflict with or limit opportunities for water oriented uses or where there is no direct access to the shoreline. WAC 173-26-211(5)(d)(ii)(A)</p>	<p>Chapter 5.5.5(D)(1).High Intensity Environment in the Draft SMP.</p>	
<p>Full use of existing urban areas required before expansion of intensive development allowed. WAC 173-26-211(5)(d)(ii)(B)</p>	<p>Chapter 5.5.5(D)(2).High Intensity Environment in the Draft SMP</p>	
<p>New development does not cause net loss of shoreline ecological functions. Environmental cleanup and restoration of the shoreline to comply with relevant state and federal laws assured. WAC 173-26-211(5)(d)(ii)(C)</p>	<p>Chapter 5.5.5(D)(3). High Intensity Environment in the Draft SMP</p>	
<p>Visual and physical public access required where feasible. Sign control regulations, appropriate development siting, screening and architectural standards, and maintenance of natural vegetative buffers to achieve aesthetic objectives. WAC 173-26-211(5)(d)(ii)(D) and (E)</p>	<p>Chapter 5.5.5(D)(4) and (5). High Intensity Environment in the Draft SMP</p>	
<p>Urban conservancy. WAC 173-26-211(5)(e)</p>		
<p>Designation criteria: Areas within incorporated municipalities, UGAs, and rural areas of more intense development that are not suitable for water-dependent uses and that are either suitable for water-related or water-enjoyment uses, are flood plains, have potential for ecological restoration, retain ecological functions, or have potential for development that incorporates ecological restoration. WAC 173-26-211(5)(e)(iii)</p>	<p>Chapter 5.5.4(A), (B) and (C) Designation Criteria in the Draft SMP.</p>	
<p>Allowed uses are primarily those that preserve natural character of area, promote preservation of open space, floodplain or sensitive lands, or appropriate restoration. WAC 173-26-211(5)(e)(ii)(A)</p> <p>Priority given to water-oriented uses over non-water oriented uses. For shoreline areas adjacent to commercially navigable waters, water-dependent uses given highest priority. WAC 173-26-211(5)(e)(ii)(D)</p> <p>For SMPs that allow mining, see WAC 173-26-241(3)(h).</p>	<p>Chapter 5.5.4(D) Urban Conservancy in the SMP Update; Table 9-2, Chapter 9 District Specific Regulations in the Draft SMP.</p>	
<p>Standards for shoreline stabilization measures, vegetation conservation, water quality, and shoreline modifications that ensure new development does not result in a net loss of shoreline ecological functions or degrade other shoreline values. WAC 173-26-211(5)(e)(ii)(B)</p>	<p>Chapter 5.5.4 Urban Conservancy management policies and Chapter 6, 7 and 8, Shoreline use and modification policies and regulations in the Draft SMP</p>	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
Public access and recreation required where feasible and ecological impacts are mitigated. WAC 173-26-211(5)(e)(ii)(C)	Chapter 5.5.4(5) Urban Conservancy in the Draft SMP.	
Shoreline residential. WAC 173-26-211(5)(f)		
Designation criteria: Areas within incorporated municipalities, Urban Growth Areas (UGAs), "rural areas of more intense development," and "master planned resorts" (see RCW 36.70A.360) that are predominantly residential development or planned and platted for residential development. WAC 173-26-211(5)(f)(iii)	Chapter 5.5.3(A), (B) and (C) Designation Criteria in the Draft SMP.	
Standards for density or minimum frontage width, setbacks, buffers, shoreline stabilization, critical areas protection, and water quality protection assure no net loss of ecological function. WAC 173-26-211(5)(f)(ii)(A)	Chapter 5.5.3 Shoreline Residential Environment in the Preliminary Draft SMP and Chapter 6, 7 and 8, Shoreline use and modification policies and regulations in the Draft SMP.	
Multifamily and multi-lot residential and recreational developments provide public access and joint use for community recreational facilities. WAC 173-26-211(5)(f)(ii) (B)	Chapter 5.5.3(6) Shoreline Residential Environment in the Draft SMP.	
Access, utilities, and public services required to be available and adequate to serve existing needs and/or planned future development. WAC 173-26-211(5)(f)(ii)(C)	Chapter 7.12 General Use Policies & Regulations in the Draft SMP.	
Commercial development limited to water-oriented uses. WAC 173-26-211(5)(f)(ii)(D)	Chapter 5.5.3(D)(4) Shoreline Residential Environment in the Draft SMP.	
GENERAL POLICIES AND REGULATIONS		
Archaeological and Historical Resources. WAC 173-26-221(1)		
Developers and property owners required to stop work and notify the local government, state office of archaeology and historic preservation and affected Indian tribes if archaeological resources are uncovered during excavation. WAC 173-26-221(1)(c)(i)	Chapter 6.3.2(B) Archaeological, Cultural and Historic Resources in the Draft SMP.	
Permits issued in areas documented to contain archaeological resources require site inspection or evaluation by a professional archaeologist in coordination with affected Indian tribes WAC 173-26-221(1)(c)(ii)	Chapter 6.3.2(A)(3) Archaeological, Cultural and Historic Resources in the Draft SMP	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
Critical areas. WAC 173-26-221(2)		
<p>Policies and regulations for critical areas (designated under GMA) located within shorelines of the state: (i) are consistent with SMP guidelines, and (ii) provide a level of protection to critical areas within the shoreline area that is at least equal to that provided by the local government's existing critical area regulations adopted pursuant to the GMA for comparable areas other than shorelines. WAC 173-26-221(2)(a) and (c)</p> <p>Planning objectives are for protection <i>and restoration</i> of degraded ecological functions and ecosystem-wide processes.</p> <p>Regulatory provisions <i>protect</i> existing ecological functions and ecosystem-wide processes. WAC 173-26-221(2)(b)(iv)</p> <p>Critical area provisions promote human uses and values, such as public access and aesthetic values, provided they do not significantly adversely impact ecological functions. WAC 173-26-221(2)(b)(v)</p>	Chapter 6.4 Marine Shoreline and Critical Areas Protection in the Draft SMP.	
If SMP includes optional expansion of jurisdiction: Clear description of the inclusion of any land necessary for buffers of critical areas that occur within shorelines of the state, accurately depicting new SMP jurisdiction consistent with RCW 90.58.030(2)(f)(ii) and WAC 173-26-221(2)(a).	Not applicable.	
Wetlands. WAC 173-26-221(2)(c)(i)		
Wetlands definition are consistent with WAC 173-22.	Chapter 10 Definitions in the Draft SMP.	
Provisions requiring wetlands delineation method are consistent with WAC 173-22-035.	Chapter 2.4.2(B) Permit Application Submittal Requirements in the Draft SMP.	
Regulations address all uses and activities listed in WAC 173-26-221(2)(c)(i)(A) to achieve no net loss of wetland area and functions including lost time when the wetland does not perform the function. [WAC 173-26-221(2)(c)(i)(A) + (C)]	Chapter 6.4.5 Wetlands in the Draft SMP.	
Wetlands rating or categorization system is based on rarity, irreplaceability, or sensitivity to disturbance of a wetland and the functions the wetland provides. Use Ecology Rating system or regionally specific, scientifically based method. WAC 173-26-221(2)(c)(i)(B)]	Chapter 6.4.5(A) and (B) Wetlands in the Draft SMP; Table 6-2 Wetland Buffer Widths.	
Buffer requirements are adequate to ensure wetland functions are protected and maintained in the long-term, taking into account ecological functions of the wetland, characteristics of the buffer, and potential impacts associated with adjacent land uses. WAC 173-26-221(2)(c)(i)(B)	Chapter 6.4.5(B) Wetlands in the Draft SMP; Table 6-2 Wetland Buffer Widths.	
Wetland mitigation requirements are consistent with WAC 173-26-201(2)(e) and which are based on the wetland rating. WAC 173-26-221(2)(c)(i)(E) and (F)	Chapter 6.4.5(H) Wetlands in the Draft SMP.	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>Compensatory mitigation allowed only after mitigation sequencing is applied and higher priority means of mitigation are determined to be infeasible.</p> <p>Compensatory mitigation requirements include (I) replacement ratios; (II) Performance standards for evaluating success; (III) long-term monitoring and reporting procedures; and (IV) long-term protection and management of compensatory mitigation sites. WAC 173-26-221(2)(c)(i)(F)</p> <p>Compensatory mitigation requirements are consistent with preference for “in-kind and nearby” replacement, and include requirement for watershed plan if off-site mitigation is proposed. WAC 173-173-26-201(2)(e)(B)</p>	<p>Chapter 6.4.2(C) Marine Shoreline and Critical Areas Protection general mitigation requirements and Chapter 6.4.5(H) wetland mitigation requirements in the Draft SMP.</p>	
Geologically Hazardous Areas. WAC 173-26-221(2)(c)(ii)		
<p>Prohibition on new development (or creation of new lots) that would:</p> <ul style="list-style-type: none"> cause foreseeable risk from geological conditions during the life of the development prohibited. WAC 173-26-221(2)(c)(ii)(B) require structural shoreline stabilization over the life of the development. (Exceptions allowed where stabilization needed to protect allowed uses where no alternative locations are available and no net loss of ecological functions will result.) WAC 173-26-221(2)(c)(ii)(C) 	<p>Chapter 6.4.7(C)(1) Geologically Hazardous Areas in the Draft SMP.</p>	
<p>New stabilization structures for existing primary residential structures allowed only where no alternatives (including relocation or reconstruction of existing structures), are feasible, and less expensive than the proposed stabilization measure, and then only if no net loss of ecological functions will result. WAC 173-26-221(2)(c)(ii)(D)</p>	<p>Chapter 6.4.7(C)(1)(d) Geologically Hazardous Areas and Chapter 8.2 Shoreline Modification Policies and Regulations in the Draft SMP.</p>	
Critical Saltwater Habitats. WAC 173-26-221(2)(c)(iii)		
<p>Prohibition on new docks, bulkheads, bridges, fill, floats, jetties, utility crossings and other human-made structures that intrude into or over critical saltwater habitats, except where:</p> <ul style="list-style-type: none"> public need is clearly demonstrated; avoidance of impacts is not feasible or would result in unreasonable cost; the project include appropriate mitigation; and the project is consistent with resource protection and species recovery. <p>Private, non-commercial docks for individual residential or community use allowed if it is infeasible to avoid impacts by alternative alignment or location and the project results in no net loss of ecological functions. WAC 173-26-221(2)(c)(iii)(C)</p>	<p>Chapter 6.4.1 Shoreline & Critical Areas Protection; ^4.4 Fish and Wildlife Habitat Conservation Areas; Chapter 8.2 Shoreline Modification Policies and Regulations; and Table 9-2 in Chapter 9 District-specific Regulations in the Draft SMP.</p>	
<p>Where inventory of critical saltwater habitat has not been done, all over water and near-shore developments in marine and estuarine waters require habitat assessment of site and adjacent beach sections. WAC 173-26-221(2)(c)(iii)(C)</p>	<p>Section 6.4.3 Marine Shorelines and Critical Areas and 2.4.2 Permit Application Submittal Requirements in the Draft SMP.</p>	
Critical Freshwater Habitats. WAC 173-26-221(2)(c)(iv)		
<p>Requirements that ensure new development within stream channel, channel migration zone, wetlands, floodplain, hyporheic zone, does not cause a net loss of ecological functions. WAC 173-26-221(2)(c)(iv)(C)(I) and WAC 173-26-221(2)(c)(iv)(B)(II)</p>	<p>Chapter 6.4 Shoreline and Critical Areas Protection in the Draft SMP</p>	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
Authorization of appropriate restoration projects is facilitated. WAC 173-26-221(2)(c)(iv)(C)(III)	Chapter 8 Shoreline Modification Policies and Regulations, and Table 9-2 in Chapter 9 District-specific Regulations in the Draft SMP.	
Regulations protect hydrologic connections between water bodies, water courses, and associated wetlands. WAC 173-26-221(2)(c)(iv)(C)(IV)	Chapter 6.4 Shoreline and Critical Areas Protection in the Draft SMP.	
Flood Hazard Reduction. WAC 173-26-221(3)		
New development within the channel migration zone or floodway limited to uses and activities listed in WAC 173-26-221(3)(b) and (3)(c)(i)	Chapter 6.4.8(B) Flood Hazard Areas of the Draft SMP.	
New structural flood hazard reduction measures allowed only: where demonstrated to be necessary, and when non-structural methods are infeasible and mitigation is accomplished. landward of associated wetlands and buffer areas except where no alternative exists as documented in a geotechnical analysis. WAC 173-26-221(3)(c)(ii) & (iii)	Chapter 6.4.8(B)(5) and (7) Flood Hazard Areas of the Draft SMP.	
New publicly funded dikes or levees required to dedicate and improve public access (see exceptions). WAC 173-26-221(3)(c)(iv)	Chapter 6.4.8(B)(8) Flood Hazard Areas of the Draft SMP.	
Removal of gravel for flood control allowed only if biological and geomorphological study demonstrates a long-term benefit to flood hazard reduction, no net loss of ecological functions, and extraction is part of a comprehensive flood management solution. WAC 173-26-221(3)(c)(v)	Chapter 6.4.8(B)(9) Flood Hazard Areas of the Draft SMP.	
Public Access. WAC 173-26-221(4)		
Policies and regulations protect and enhance both physical and visual access . WAC 173-26-221(4)(d)(i)	Chapter 6.5 Public Access and 6.7 Views and Aesthetics of the Draft SMP.	
Public entities are required to incorporate public access measures as part of each development project, unless access is incompatible with safety, security, or environmental protection. WAC 173-26-221(4)(d)(ii)	Chapter 6.5.2(3) Public Access of the Draft SMP.	
Non-water-dependent uses (including water-enjoyment, water-related uses) and subdivisions of land into more than four parcels include standards for dedication and improvement of public access. WAC 173-26-221(4)(d)(iii)	Chapter 6.5.2(3) Public Access, of the Draft SMP.	
Maximum height limits, setbacks, and view corridors minimize impacts to existing views from public property or substantial numbers of residences. WAC 173-26-221(4)(d)(iv); RCW 90.58.320	Chapter 6.5.2 Public Access, Chapter 6.7 Views & Aesthetics, & Table 9-2, use and standards table of the Draft SMP.	
Vegetation Conservation (Clearing and Grading). WAC 173-26-221(5)		
Vegetation standards implement the principles in WAC 173-26-221(5)(b). Methods to do this may include setback or buffer requirements, clearing and grading standards, regulatory incentives, environment designation standards, or other master program provisions. WAC 173-26-221(5)(c)	Chapter 6.6 Vegetation Conservation of the Draft SMP.	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
Selective pruning of trees for safety and view protection is allowed and removal of noxious weeds is authorized. WAC 173-26-221(5)(c)	Chapter 6.7 Views and Aesthetics and section 6.6.2(5) Vegetation Conservation of the Draft SMP.	
Water Quality. WAC 173-26-221(6)		
Provisions protect against adverse impacts to water quality and storm water quantity and ensure mutual consistency between SMP and other regulations addressing water quality. WAC 173-26-221(6)	Chapter 6.8 Water Quality and Quantity of the Draft SMP.	
SHORELINE MODIFICATIONS		
SMP: (a) allows structural shoreline modifications only where demonstrated to be necessary to support or protect an allowed primary structure or a legally existing shoreline use that is in danger of loss or substantial damage or are necessary for mitigation or enhancement; (b) limits shoreline modifications in number and extent; (c) allows only shoreline modifications that are appropriate to the specific type of shoreline and environmental conditions for which they are proposed; (d) gives preference to those types of shoreline modifications that have a lesser impact on ecological functions. Policies promote "soft" over "hard" shoreline modification measures (f) incorporates all feasible measures to protect ecological shoreline functions and ecosystem-wide processes as modifications occur; (g) requires mitigation sequencing. WAC 173-26-231(2); WAC 173-26-231(3)(a)(ii) and (iii);	CHAPTER 8 SHORELINE MODIFICATION POLICIES & REGULATIONS OF THE DRAFT SMP.	TYPE FACE INCONSISTENT BECAUSE OF FLAW IN ECOLOGY TEMPLATE.
Shoreline Stabilization. WAC 173-26-231(3)(a)		
Definition: structural and nonstructural methods to address erosion impacts to property and dwellings, businesses, or structures caused by natural processes, such as current, flood, tides, wind, or wave action. WAC 173-26-231(3)(a)(i) Definition of new stabilization measures include enlargement of existing structures. WAC 173-26-231(3)(a)(iii)(C), last bullet; WAC 173-26-231(3)(a)(iii)(B)(I), 5 th bullet)	Chapter 10 Definitions of the Draft SMP.	
Standards setting forth circumstances under which shoreline alteration is permitted , and for the design and type of protective measures and devices. WAC 173-26-231(3)(a)(ii)	Chapter 8.2.2 Shoreline Modification Regulations and Table 9-2, use and standards table of the Draft SMP.	
<p>New development (including newly created parcels) required to be designed and located to prevent the need for future shoreline stabilization, based upon geotechnical analysis.</p> <p>New development on steep slopes and bluffs required to be set back to prevent need for future shoreline stabilization during life of the project, based upon geotechnical analysis.</p> <p>New development that would require shoreline stabilization which causes significant impacts to adjacent or down-current properties and shoreline areas is prohibited. WAC 173-26-231(3)(a)(iii)(A)</p>	Chapter 8.2.2 Shoreline Modification Regulations of the Draft SMP.	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>New structural stabilization measures are not allowed except when necessity is demonstrated. Specific requirements for <i>how to demonstrate need</i> are established for:</p> <p>(I) existing primary structures; (II) new non-water-dependent development including Single Family Residences; (III) water-dependent development; and (IV) ecological restoration/toxic clean-up remediation projects. WAC 173-26-231(3)(a)(iii)(B)</p>	Chapter 8.2.2(A) Shoreline Modification Regulations, of the Draft SMP	
<p>Replacement of existing stabilization structures is based on demonstrated need. Waterward encroachment of replacement structure only allowed for residences occupied prior to January 1, 1992, or for soft shoreline stabilization measures that provide restoration of ecological functions. WAC 173-26-231(3)(a)(iii)(C)</p>	Chapter 8.2.2(A) Shoreline Modification Regulations of the Preliminary Draft SMP	
<p>Geotechnical reports prepared to demonstrate need include estimates of rate of erosion and urgency (damage within 3 years) and evaluate alternative solutions. WAC 173-26-231(3)(a)(iii)(D)</p>	Chapter 8.2.2(A)(13) Shoreline Modification Regulations of the Draft SMP	
<p>Shoreline stabilization structures are limited to the minimum size necessary. WAC 173-26-231(3)(a)(iii)(E)</p>	Chapter 8.2.2(A)(14) Shoreline Modification Regulations of the Preliminary Draft SMP	
<p>Public access required as part of publicly financed shoreline erosion control measures. WAC 173-26-231(3)(a)(iii)(E)</p>	Chapter 8.2.2(A)(15) Shoreline Modification Regulations of the Draft SMP	
<p>Impacts to sediment transport required to be avoided or minimized. WAC 173-26-231(3)(a)(iii)(E)</p>	Chapter 8.2.2(A)(17) Shoreline Modification Regulations of the Draft SMP	
Piers and Docks. WAC 173-26-231(3)(b)		
<p>New piers and docks:</p> <p>allowed only for water-dependent uses or public access restricted to the minimum size necessary to serve a proposed water-dependent use. permitted only when specific need is demonstrated (except for docks accessory to single-family residences).</p> <p>Note: Docks associated with single family residences are defined as water dependent uses provided they are designed and intended as a facility for access to watercraft. WAC 173-26-231(3)(b)</p>	Chapter 8.6.2 Moorage Facilities regulations in the Draft SMP.	
<p>When permitted, new residential development of more than two dwellings required to provide joint use or community docks, rather than individual docks. WAC 173-26-231(3)(b)</p>	Chapter 8.6.2(E) Moorage Facilities of the Draft SMP.	
<p>Design and construction of all piers and docks required to avoid, minimize and mitigate for impacts to ecological processes and functions and be constructed of approved materials. WAC 173-26-231(3)(b)</p>	Chapter 8.6.2(C) Moorage Facilities of the Preliminary Draft SMP.	
Fill. WAC 173-26-231(3)(c)		
<p>Definition of "fill" consistent with WAC 173-26-020(14)</p>	Chapter 10 Definitions of the Draft SMP.	
<p>Location, design, and construction of all fills protect ecological processes and functions, including channel migration. WAC 173-26-231(3)(c)</p>	Chapter 8.3.2(A) Shoreline Modification Fill and Excavation in the Draft SMP.	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
Fill waterward of the OHWM allowed only by shoreline conditional use permit, for: <ul style="list-style-type: none"> water-dependent use; public access; cleanup and disposal of contaminated sediments as part of an interagency environmental clean-up plan; disposal of dredged material in accordance with DNR Dredged Material Management Program; expansion or alteration of transportation facilities of statewide significance currently located on the shoreline (if alternatives to fill are shown not feasible); mitigation action, environmental restoration, beach nourishment or enhancement project. WAC 173-26-231(3)(c) 	Chapter 8.3.2(A) Shoreline Modification Fill and Excavation of the Draft SMP.	
Breakwaters, Jetties, and Weirs. WAC 173-26-231(3)(d)		
Structures waterward of the ordinary high-water mark allowed only for water-dependent uses, public access, shoreline stabilization, or other specific public purpose. WAC 173-26-231(3)(d)	Chapter 8.2.2(B) Breakwaters, Jetties, Groins and Weirs of the Draft SMP	
Shoreline conditional use permit required for all structures except protection/restoration projects. WAC 173-26-231(3)(d)	Chapter 8.2.2(B)(3) Shoreline Modification & Table 9-2, use and standards table of the Draft SMP	
Protection of critical areas and appropriate mitigation required. WAC 173-26-231(3)(d)	Chapter 6.4 Marine Shoreline and Critical Areas Protection	
Dunes Management. WAC 173-26-231(3)(e)		
Development setbacks from dunes prevent impacts to the natural, functional, ecological, and aesthetic qualities of the dunes. WAC 173-26-231(3)(e)	Not applicable.	
Dune modifications allowed only when consistent with state and federal flood protection standards and result in no net loss of ecological processes and functions. WAC 173-26-231(3)(e)	Not applicable.	
Dune modification to protect views of the water shall be allowed only on properties subdivided and developed prior to the adoption of the master program and where the view is completely obstructed for residences or water-enjoyment uses and where it can be demonstrated that the dunes did not obstruct views at the time of original occupancy. WAC 173-26-231(3)(e)	Not applicable.	
Dredging and Dredge Material Disposal. WAC 173-26-231(3)(f)		
Dredging and dredge material disposal avoids or minimizes significant ecological impacts. Impacts which cannot be avoided are mitigated. WAC 173-26-231(3)(f)	Chapter 8.3.2(B) Dredging and Dredge Material Disposal of the Draft SMP.	
New development siting and design avoids the need for new and maintenance dredging. WAC 173-26-231(3)(f)	Chapter 8.3.2(B) Dredging and Dredge Material Disposal of the Draft SMP.	
Dredging to establish, expand, relocate or reconfigure navigation channels allowed only where needed to accommodate existing navigational uses and then only when significant ecological impacts are minimized and when mitigation is provided. WAC 173-26-231(3)(f)	Chapter 8.3.2(B)(2) Dredging and Dredge Material Disposal of the Draft SMP.	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
Maintenance dredging of established navigation channels and basins restricted to maintaining previously dredged and/or existing authorized location, depth, and width. WAC 173-26-231(3)(f)	Chapter 8.3.2(B)(5) Dredging and Dredge Material Disposal of the Draft SMP.	
Dredging for fill materials prohibited except for projects associated with MTCA or CERCLA habitat restoration, or any other significant restoration effort approved by a shoreline CUP. Placement of fill must be <i>waterward</i> of OHWM. WAC 173-26-231(3)(f)	Chapter 8.3.2(B)(7) Dredging and Dredge Material Disposal of the Draft SMP.	
Uses of dredge material that benefits shoreline resources are addressed. If applicable, addressed through implementation of regional interagency dredge material management plans or watershed plan. WAC 173-26-231(3)(f)	Chapter 8.3.2(B)(6) Dredging and Dredge Material Disposal of the Draft SMP.	
Disposal within river channel migration zones discouraged, and in limited instances when allowed, require CUP. (Note: not intended to address discharge of dredge material into the flowing current of the river or in deep water within the channel where it does not substantially effect the geo-hydrologic character of the channel migration zone). WAC 173-26-231(3)(f)	Chapter 8.3.2(B)(4) Dredging and Dredge Material Disposal of the Draft SMP.	
Shoreline Habitat and Natural Systems Enhancement Projects. WAC 173-26-231(3)(g)		
Provisions that foster habitat and natural system enhancement projects , provided the primary purpose is restoration of the natural character and functions of the shoreline, and only when consistent with implementation of the restoration plan developed pursuant to WAC 173-26-201(2)(f)	Sections 3.4 and 3.5 and Chapter 8.45 Ecological Restoration and Enhancement of the Draft SMP.	
SPECIFIC SHORELINE USES		
Agriculture. WAC 173-26-241(3)(a)		
Use of agriculture related terms is consistent with the specific meanings provided in WAC 173-26-020. WAC 173-26-241(3)(a)(ii) and (iv)	Not applicable.	
Provisions address new agricultural activities , conversion of agricultural lands to other uses, and other development not meeting the definition of agricultural activities. Provisions assure that development in support of agricultural uses is: (A) consistent with the environment designation; and (B) located and designed to assure no net loss of ecological functions and not have a significant adverse impact on other shoreline resources and values. WAC 173-26-241(3)(a)(ii) & (v)	Not applicable.	
Shoreline substantial development permit is required for all agricultural development not specifically exempted by the provisions of RCW 90.58.030(3)(e)(iv)	Not Applicable.	
Conversion of agricultural land to non-agricultural uses is consistent with the environment designation, and regulations applicable to the proposed use do not result in a net loss of ecological functions. WAC 173-26-241(3)(a)(vi)	Not applicable.	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
Aquaculture. WAC 173-26-241(3)(b)		
Location and design requirements for aquaculture facilities avoid: loss of ecological functions, impacts to eelgrass and macroalgae, significant conflict with navigation and water-dependent uses, the spreading of disease, introduction of non-native species, or impacts to shoreline aesthetic qualities. Impacts to functions are mitigated. WAC 173-26-241(3)(b)	Not applicable.	Aquaculture prohibited.
Boating Facilities. WAC 173-26-241(3)(c)		
Definition: Boating facility standards do not apply to docks serving four or fewer SFRs. WAC 173-26-241(3)(c)	Chapter 10 Definitions of the Draft SMP	
Boating facilities restricted to suitable locations . WAC 173-26-241(3)(c)(i)	Chapter 7.3.2 Boating Facilities of the Draft SMP.	
Provisions ensuring health, safety, and welfare requirements are met. WAC 173-26-241(3)(c)(ii)	Chapter 7.3.2 Boating Facilities of the Draft SMP.	
Provisions to avoid or mitigate aesthetic impacts . See WAC 173-26-241(3)(c)(iii)	Chapter 7.3.2 Boating Facilities of the Draft SMP.	
Public access required in new boating facilities. WAC 173-26-241(3)(c)(iv)	Chapter 7.3.2 (C) Boating Facilities of the Draft SMP.	
Impacts of live-aboard vessels are limited. WAC 173-26-241(3)(c)(v)	Chapter 7.3.2(K) Boating Facilities, of the Draft SMP.	
Provisions assuring no net loss of ecological functions as a result of development of boating facilities while providing public recreational opportunities. WAC 173-26-241(3)(c)(vi)	Chapter 7.3.2 Boating Facilities of the Draft SMP.	
Navigation rights are protected. WAC 173-26-241(3)(c)(vii)	Chapter 7.3.2(A)(2) Boating Facilities; Chapter 6.1.1(2) Shoreline Use; and Chapter 5.5.2, Aquatic Environment of the Draft SMP.	
Extended moorage on waters of the state without a lease or permission is restricted, and mitigation of impacts to navigation and access is required. WAC 173-26-241(3)(c)(viii)	Chapter 8.6.2(A)(3) Moorage Facilities of the Draft SMP.	
Commercial Development. WAC 173-26-241(3)(d)		
Preference given first to water-dependent uses, then to water-oriented commercial uses. WAC 173-26-241(3)(d)	Chapter 7.4.2(A) Commercial Use and Chapter 6.1 Shoreline Use of the Draft SMP.	
Water-enjoyment and water-related commercial uses required to provide public access and ecological restoration where feasible and avoid impacts to existing navigation, recreation, and public access. WAC 173-26-241(3)(d)	Chapter 7.4.2(A)(4) and (7) in Commercial Use and Chapter 6.5 Public Access of the Draft SMP.	
New non-water-oriented commercial uses prohibited unless they are part of a mixed-use project, navigation is severely limited, and the use provides a significant public benefit with respect to SMA objectives. WAC 173-26-241(3)(d)	Chapter 7.4.2(A)(5) Commercial Use of the Preliminary Draft SMP.	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>Non-water-dependent commercial uses over water prohibited except in existing structures, and where necessary to support water-dependent uses. WAC 173-26-241(3)(d)</p>	<p>Chapter 7.4.2(A)(8) Commercial Use of the Preliminary Draft SMP.</p>	
<p>Forest Practices. WAC 173-26-241(3)(e)</p>		
<p>Forest practices not covered by the Forest Practices Act, especially Class IV-General forest practices involving conversions to non-forest use result in no net loss of ecological functions and avoid impacts to navigation, recreation and public access. WAC 173-26-241(3)(e)</p>	<p>Not applicable.</p>	
<p>SMP limits removal of trees on shorelines of statewide significance (RCW 90.58.150). Exceptions to this standard require shorelines conditional use permit. WAC 173-26-241(3)(e)</p>	<p>Not applicable.</p>	
<p>Industry. WAC 173-26-241(3)(f)</p>		
<p>Preference given first to water-dependent uses, then to water-oriented industrial uses. WAC 173-26-241(3)(f)</p>	<p>Chapter 7.5.3(A)(1) Port, Terminal and Industrial Use of the Draft SMP.</p>	
<p>Location, design, and construction of industrial uses and redevelopment required to assure no net loss of ecological functions. WAC 173-26-241(3)(f)</p>	<p>Chapter 7.5.3(A)(2) Port, Terminal and Industrial Use of the Draft SMP.</p>	
<p>Industrial uses and redevelopment encouraged to locate where environmental cleanup and restoration can be accomplished. WAC 173-26-241(3)(f)</p>	<p>Chapter 7.5.3(5) Port, Terminal and Industrial Use of the Draft SMP.</p>	
<p>Public access required unless such a requirement would interfere with operations or create hazards to life or property. WAC 173-26-241(3)(f)</p>	<p>Chapter 6.5.2(A)(7) Public Access of the Draft SMP.</p>	
<p>New non-water-oriented industrial uses prohibited unless they are part of a mixed-use project, navigation is severely limited, and the use provides a significant public benefit with respect to SMA objectives. WAC 173-26-241(3)(f)</p>	<p>Chapter 7.5.2(A)(3) Port, Terminal and Industrial Use of the Draft SMP.</p>	
<p>In-Stream Structures. WAC 173-26-241(3)(g)</p>		
<p>Definition: structure is waterward of the ordinary high water mark and either causes or has the potential to cause water impoundment or the diversion, obstruction, or modification of water flow. WAC 173-26-241(3)(g)</p>	<p>Chapter 10 Definitions of the Draft SMP.</p>	
<p>In-stream structures protect and preserve ecosystem-wide processes, ecological functions, and cultural resources, including, fish and fish passage, wildlife and water resources, shoreline critical areas, hydrogeological processes, and natural scenic vistas. WAC 173-26-241(3)(g)</p>	<p>Chapter 8.2 Shoreline Modification of the Draft SMP.</p>	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
Mining. WAC 173-26-241(3)(h)		
<p>Policies and regulations for new mining projects:</p> <ul style="list-style-type: none"> require design and operation to avoid and mitigate for adverse impacts during the course of mining and reclamation achieve no net loss of ecological functions based on required final reclamation give preference to proposals that create, restore or enhance habitat for priority species are coordinated with state Surface Mining Reclamation Act requirements. assure subsequent use of reclaimed sites is consistent with environment designation and SMP standards. <p>See WAC 173-26-241(3)(h)(ii)(A) – (C)</p>	Not applicable.	
<p>Mining waterward of OHWM is prohibited unless:</p> <ul style="list-style-type: none"> (I) Removal of specified quantities of materials in specified locations will not adversely impact natural gravel transport; (II) The mining will not significantly impact priority species and the ecological functions upon which they depend; and (III) these determinations are integrated with relevant SEPA requirements. WAC 173-26-241(3)(h)(ii)(D) 	Not applicable.	
<p>Renewal, extension, or reauthorization of in-stream and gravel bar mining activities require review for compliance with these new guidelines requirements. WAC 173-26-241(3)(h)(ii)(D)(IV)</p>	Not applicable.	
<p>Mining within the Channel Migration Zone requires a shoreline conditional use permit. WAC 173-26-241(3)(h)(ii)(E)</p>	Not applicable.	
Recreational Development. WAC 173-26-241(3)(i)		
<p>Definition includes both commercial and public recreation developments. WAC 173-26-241(3)(i)</p>	Chapter 10 Definitions of the Draft SMP.	
<p>Priority given to recreational development for access to and use of the water. WAC 173-26-241(3)(i)</p>	Chapter 7.6.1(A)(1) Recreational Development of the Draft SMP.	
<p>Location, design and operation of facilities are consistent with purpose of environment designations in which they are allowed. WAC 173-26-241(3)(i)</p>	Chapter 7.6.1(A)(7) Recreational Development of the Draft SMP.	
<p>Recreational development achieves no net loss of ecological processes and functions. WAC 173-26-241(3)(i)</p>	Chapter 7.6.2(A)(1) Recreational Development of the Draft SMP.	
Residential Development. WAC 173-26-241(3)(j)		
<p>Definition includes single-family residences, multifamily development, and the creation of new residential lots through land division. WAC 173-26-241(3)(j)</p>	Chapter 10 Definitions of the Draft SMP.	
<p>Single-family residences identified as a priority use only when developed in a manner consistent with control of pollution and prevention of damage to the natural environment. WAC 173-26-241(3)(j)</p>	Chapter 7.7.2(A)(2) Residential Development of the Draft SMP	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
No net loss of ecological functions assured with specific standards for setback of structures sufficient to avoid future stabilization, buffers, density, shoreline stabilization, and on-site sewage disposal. WAC 173-26-241(3)(j)	Chapter 7.7.2(A)(1), (9) and (11) Residential Development and Chapter 9, Table 9-2 of the Draft SMP.	
New over-water residences and floating homes prohibited. Appropriate accommodation for existing floating or over-water homes. WAC 173-26-241(3)(j)	Chapter 7.7.2(A)(3) Residential Development; Chapter 9.14(D)(1) District Specific Regulations; and Chapter 2.5 Nonconforming Uses and Development of the Draft SMP .	
New multiunit residential development (including subdivision of land for more than four parcels) required to provide community and/or public access in conformance to local public access plans. WAC 173-26-241(3)(j)	Chapter 7.7.1(A)(8) Residential Development of the Draft SMP.	
New (subdivided) lots required to be designed, configured and developed to: (i) Prevent the loss of ecological functions at full build-out; (ii) Prevent the need for new shoreline stabilization or flood hazard reduction measures; and (iii) Be consistent with applicable SMP environment designations and standards. WAC 173-26-241(3)(j)	Chapter 7.7.2(A)(11) Residential Development of the Draft SMP	
Transportation Facilities. WAC 173-26-241(3)(k)		
Proposed transportation and parking facilities required to plan, locate, and design where routes will have the least possible adverse effect on unique or fragile shoreline features, will not result in a net loss of shoreline ecological functions or adversely impact existing or planned water dependent uses. WAC 173-26-241(3)(k)	Chapter 7.10.2(A)(1) Transportation and 7.9.2(2) Parking of the Draft SMP.	
Circulation system plans include systems for pedestrian, bicycle, and public transportation where appropriate. WAC 173-26-241(3)(k)	Chapter 7.10.2(A)(2) Transportation of the Draft SMP.	
Parking allowed only as necessary to support an authorized shoreline use and which minimize environmental and visual impacts of parking facilities. WAC 173-26-241(3)(k)	Chapter 7.9.2 Parking of the Draft SMP.	
Utilities. WAC 173-26-241(3)(l)		
Design, location and maintenance of utilities required to assure no net loss of ecological functions. WAC 173-26-241(3)(l)	Chapter 7.12.2(D)(1) Utilities of the Draft SMP.	
Utilities required to be located in existing rights-of-ways whenever possible. WAC 173-26-241(3)(l)	Chapter 7.12.2(C)(4) Utilities of the Draft SMP.	
Utility production and processing facilities and transmission facilities required to be located outside of SMA jurisdiction , unless no other feasible option exists. WAC 173-26-241(3)(l)	Chapter 7.12.2(B) Utilities of the Draft SMP.	
SMP ADMINISTRATIVE PROVISIONS		
The statement: "All proposed uses and development occurring within shoreline jurisdiction must conform to chapter 90.58 RCW, the Shoreline Management Act and this master program" whether or not a permit is required. WAC 173-26-191(2)(a)(iii)(A)	Chapter 2.1 General Compliance and Chapter 1.7 Applicability of the Draft SMP.	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
Administrative provisions ensure permit procedures and enforcement are conducted in a manner consistent with relevant constitutional limitations on regulation of private property. WAC 173-26-186(5) and WAC 191(2)(a)(iii)(A)	Chapter 2 Administrative Provisions of the Draft SMP.	
Identification of specific uses and development that require a shoreline conditional use permit (CUP) . Standards for reviewing CUPs and variances conform to WAC 173-27. WAC 191(2)(a)(iii)(B) and WAC 173-26-241(2)(b)	Chapter 2.3 Administrative Provisions pages of the Draft SMP.	
Administrative, enforcement, and permit review procedures conform to the SMA and state rules (see <i>RCW 90.58.140, 143, 210 and 220 and WAC 173-27</i>). WAC 191(2)(a)(iii)(C), WAC 173-26-201(3)(d)(vi)	Chapter 2 Administrative Provisions of the Draft SMP.	
Mechanism for tracking, and periodically evaluating the cumulative effects of all project review actions in shoreline areas. WAC 173-26-191(2)(a)(iii)(D)	Chapter 2 Administrative Provisions of the Preliminary Draft SMP.	
SMP definitions are consistent with all definitions in WAC 173-26-020, and other relevant WACs.	Chapter 10 Definitions of the Preliminary Draft SMP.	



DRAFT Shoreline Master Program

APRIL 2011
CITY OF TACOMA, WASHINGTON

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CHAPTER 1 INTRODUCTION

1.1 Purpose and Intent

The purposes of this Tacoma Shoreline Master Program (TSMP) are:

1. To guide the future development of shorelines in the City of Tacoma in a positive, effective, and equitable manner consistent with the Washington State Shoreline Management Act of 1971 (the "Act") as amended (RCW 90.58).
2. To promote the public health, safety, and general welfare of the community by providing long range, comprehensive policies and effective, reasonable regulations for development and use of Tacoma's shorelines; and
3. To ensure, at minimum, no net loss of shoreline ecological functions and processes and to plan for restoring shorelines that have been impaired or degraded by adopting and fostering the following policy contained in RCW 90.58.020, Legislative Findings for shorelines of the State:

"It is the policy of the State to provide for the management of the shorelines of the State by planning for and fostering all reasonable and appropriate uses. This policy is designed to insure the development of these shorelines in a manner, which, while allowing for limited reduction of rights of the public in the navigable waters, will promote and enhance the public interest. This policy contemplates protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the State and their aquatic life, while protecting generally public rights of navigation and corollary rights incidental thereto...

In the implementation of this policy the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the State shall be preserved to the greatest extent feasible consistent with the overall best interest of the State and the people generally. To this end uses shall be preferred which are consistent with control of pollution and prevention of damage to the natural environment or are unique to or dependent upon use of the State's shoreline. Alterations of the natural condition of the shorelines of the State, in those limited instances when authorized, shall be given priority for single family residences, ports, shoreline recreational uses including but not limited to parks, marinas, piers, and other improvements facilitating public access to shorelines of the State, industrial and commercial developments which are particularly dependent on their location on or use of the shorelines of the State, and other development that will provide an opportunity for substantial numbers of the people to enjoy the shorelines of the State.

Permitted uses in the shorelines of the State shall be designed and conducted in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water."

WORKING DRAFT TSMP**1.2 Title**

This document shall be known and may be cited as the Tacoma Shoreline Master Program (the “Program”, “Master Program” or “TSMP”).

1.3 Governing Principles

1. The goals, policies, and regulations of this Program are intended to be consistent with the State shoreline guidelines in Chapter 173-26 of the Washington Administrative Code (WAC). The goals, policies and regulations are informed by the Governing Principles in WAC 173-26-186, and the policy statements of RCW 90.58.020.
2. Any inconsistencies between this Program and the Act must be resolved in accordance with the Act.
3. Regulatory or administrative actions contained herein must not unconstitutionally infringe on private property rights or result in an unconstitutional taking of private property.
4. The regulatory provisions of this Program are limited to shorelines of the state, whereas the planning functions of this Program may extend beyond the designated shoreline boundaries.
5. The policies and regulations established by the Program must be integrated and coordinated with those policies and rules of the Tacoma Comprehensive Plan and development regulations adopted under the Growth Management Act (RCW 36.70A) and RCW 34.05.328, Significant Legislative Rules.
6. Protecting the shoreline environment is an essential statewide policy goal, consistent with other policy goals. This Program protects shoreline ecology from such impairments in the following ways:
 - a. By using a process that identifies, inventories, and ensures meaningful understanding of current and potential ecological functions provided by shorelines.
 - b. By including policies and regulations that require mitigation of adverse impacts in a manner that ensures no net loss of shoreline ecological functions. The required mitigation shall include avoidance, minimization, and compensation of impacts in accordance with the policies and regulations for mitigation sequencing in WAC 173-26-201(2)(e)(i), Comprehensive Process to Prepare or Amend Shoreline Master Programs.
 - c. By including policies and regulations to address cumulative impacts, including ensuring that the cumulative effect of exempt development will not cause a net loss of shoreline ecological functions, and by fairly allocating the burden of addressing such impacts among development opportunities.
 - d. By including regulations and regulatory incentives designed to protect shoreline ecological functions, and restore impaired ecological functions where such functions have been identified.

WORKING DRAFT TSMP**1.4 Adoption Authority**

1. This Master Program is adopted under the authority granted by the Act and WAC Chapter 173-26.

1.5 Master Program Amendments**A. General**

1. Any of the provisions of this Master Program may be amended as provided for in RCW 90.58.120 and .200 and Chapter 173-26 WAC. Amendments or revision to the Master Program, as provided by law, do not become effective until approved by the Washington State Department of Ecology.
2. Proposals for shoreline environment re-designation (i.e., amendments to the shoreline maps and descriptions) must demonstrate consistency with the criteria set forth in WAC 173-22-040.

B. Planning Commission

1. The Tacoma Planning Commission shall be responsible for hearing and making recommendations for action to the City Council on the following types of matters:
2. Amendments to the Shoreline Master Program. Any of the provisions of this Master Program may be amended as provided for in WAC 173-26-100.

C. City Council

1. The Tacoma City Council shall be responsible for making final determinations on amendments to the Shoreline Master Program, for review and approval by Ecology, which shall be adopted by ordinance. The Council shall enter findings and conclusions setting forth the factors it considered in reaching its decision.

D. State Department of Ecology

1. The duties and responsibilities of the Washington Department of Ecology shall include, but are not limited to the following:
 - a. Reviewing and approving Master Program amendments prepared by the City of Tacoma pursuant to WAC 173-26-120 (State Process for Approving/Amending Shoreline Master Programs). Amendments or revisions to the Master Program, as provided by law, do not become effective until approved by the Washington State Department of Ecology.
 - b. Final approval and authority to condition or deny Shoreline Conditional Use Permits and Shoreline Variance Permits filed in the City of Tacoma.

1.6 Relationship to Other Plans and Regulations

1. Uses, developments and activities regulated by this Master Program may also be subject to the provisions of the Tacoma Comprehensive Plan, the Washington State Environmental

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- Policy Act ("SEPA," Chapter 43.21C RCW and Chapter 197-11 WAC), other provisions of the Tacoma Municipal Code, including Title 13 Land Use Regulatory Code and various other provisions of local, state and federal law, as may be amended.
2. Pursuant to RCW 90.58, in the event this Program conflicts with other applicable City policies or regulations, all regulations shall apply and unless otherwise stated, the more restrictive provisions shall prevail.
 3. Proponents of shoreline use/development shall comply with all applicable laws prior to commencing any shoreline use, development, or activity.
 4. Where this Program makes reference to any RCW, WAC, or other state, or federal law or regulation the most recent amendment or current edition shall apply.

1.7 Applicability

1. The Act and this Program adopted pursuant thereto comprise the basic state and city law regulating use of shorelines in the City of Tacoma. In the event provisions of this Program conflict with other applicable city policies or regulations, the policies of the Act shall prevail.
2. All proposed uses and development occurring within shoreline jurisdiction must conform to the Shoreline Management Act and this Program. The policies and regulations of this Program apply to all shoreline uses and developments within shoreline jurisdiction whether or not a shoreline permit or statement of permit exemption is required.
3. This Master Program shall apply to all of the lands and waters within the City limits of Tacoma that fall under the jurisdiction of the Act. This includes the portions of the Puget Sound, the Puyallup River and Wapato Lake that meet the definition of 'shorelines of the state'.
4. This Master Program shall apply to every person, individual, firm, partnership, association, organization, corporation, local or state governmental agency, public or municipal corporation, or non-federal entity which develops, owns, leases, or administers lands, wetlands, or waters that fall under the jurisdiction of the Act.
5. Classification of a use or development as permitted does not necessarily mean the use/development is allowed. It means the use/development may be allowed subject to review and approval by the City and/or the Department of Ecology. The City may attach conditions of approval to any permitted use via a permit or statement of exemption as necessary to assure consistency of the project with the Act and the Program.
6. Federal agency actions must comply with this Master Program and the Act.
7. Non-federal agency actions undertaken on private lands must comply with this Master Program and the Act when such lands fall within the external boundaries of federally owned lands (e.g., private in-holdings in the National Forest).

1.8 Liberal Construction

As provided for in RCW 90.58.900, Liberal Construction, the Act is exempted from the rule of strict construction; the Act and this Program shall therefore be liberally construed to give full

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effect to the purposes, goals, objectives, and policies for which the Act and this Program were enacted and adopted.

1.9 Severability

Should any section or provision of this program be declared invalid, such decision shall not affect the validity of this Program as a whole.

1.10 Effective Date

This Master Program shall take effect on _____ and shall apply to new applications submitted on or after that date and to incomplete applications submitted prior to that date.

1.11 Master Program Review

This Master Program shall be periodically reviewed and adjustments shall be made as are necessary to reflect changing local circumstances, new information or improved data, and changes in State statutes and regulations. This review process shall be consistent with WAC 173-26 requirements and shall include a local citizen involvement effort and public hearing to obtain the views and comments of the public.

CHAPTER 2 ADMINISTRATION

2.1 General Compliance

1. To be authorized under this Program, all uses and developments shall be planned and carried out in a manner that is consistent with the TMC and this Program regardless of whether a shoreline substantial development permit, statement of exemption, shoreline variance, or shoreline conditional use permit is required.
2. The City shall not issue any permit for development within shoreline jurisdiction until approval has been granted pursuant to the adopted Program.
3. A development or use that does not comply with the bulk, dimensional and/or performance standards of this Program shall require a shoreline variance even if the development or use does not require a substantial development permit.
4. A development or use that is listed as a conditional use pursuant to this Program, or is an unlisted use, must obtain a conditional use permit even if the development or use does not require a substantial development permit.
5. Issuance of a shoreline substantial development permit, shoreline variance or shoreline conditional use permit does not constitute approval pursuant to any other federal, state or City laws or regulations.
6. All shoreline permits or statements of exemption issued for development or use within shoreline jurisdiction shall include written findings prepared by the Land Use Administrator, documenting compliance with bulk and dimensional policies and regulations of this Program. The Land Use Administrator may attach conditions to the approval as necessary to assure consistency with the RCW 90.58 and this Program. Such conditions may include a requirement to post a performance bond assuring compliance with permit requirements, terms and conditions.
7. Proposed actions that would alter designated critical areas or their buffers, as established by this Program (TSMP section 6.4) shall be reviewed for compliance with the provisions of this Program. Applicable critical area report and/or mitigation plan and/or habitat management plan shall be prepared consistent with the requirements of TSMP section 2.4.2 and submitted as part of the development application or request for statement of exemption. The critical area review shall be conducted and processed in conjunction with the highest threshold of review that is applicable to the primary development proposed:
 - a. Review pursuant to TSMP Section 2.3.3 (List of Exemptions);
 - b. Land Use Permit or Building Permit;
 - c. Excavation, Grading, Clearing and Erosion Control Permit;
 - d. SEPA Threshold Determination;
 - e. Shoreline Substantial Development Permit;

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- f. Shoreline Conditional Use Permit; or
- g. Shoreline Variance.

2.2 Administrative Authority and Responsibility**A. Land Use Administrator**

1. The Land Use Administrator shall have the authority to act upon the following matters:
 - a. Interpretation, enforcement, and administration of the City's Shoreline Master Program as prescribed in this title;
 - b. Applications for Shoreline Management Substantial Development Permits as prescribed in this title;
 - c. Applications for Shoreline Conditional Use Permits as prescribed in this title;
 - d. Applications for Shoreline Variances as prescribed in this title;
 - e. Modifications or revisions to any of the above approvals.

2.3 Shoreline Permits and Exemptions**2.3.1 Shoreline Substantial Development Permit Required**

1. A shoreline substantial development permit shall be required for all proposed use and development of shorelines unless the use or development is specifically identified as exempt from a substantial development permit.
2. The Land Use Administrator may grant a substantial development permit only when the development proposed is consistent with the policies and procedures of RCW.90.58; the provisions of WAC 173-27; and this Program.
3. In the granting of all shoreline substantial development permits, consideration shall be given to the cumulative environmental impact of additional requests for like actions in the area. For example, if shoreline substantial development permits were granted for other developments in the area where similar circumstances exist, the sum of the permitted actions should also remain consistent with the policy of RCW 90.58.020 and should not produce significant adverse effects to the shoreline ecological functions and processes or other users.

2.3.2 Exemptions from a Substantial Development Permit

1. Uses and developments that are not considered substantial developments pursuant to RCW 90.58.030(3)(e), WAC 173-27-040 (List of Exemptions), and TSMP Section 2.3.3 shall not require a substantial development permit but shall conform to the policies and regulations of this Program.
2. If any part of a proposed development is not eligible for exemption as defined in RCW 90.58.030(3)(e), WAC 173-27-040 and TSMP Section 2.3.3, then a substantial development permit is required for the entire proposed development project.

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3. Exemptions shall be construed narrowly. Only those developments that meet the precise terms of one or more of the listed exemptions may be granted exemptions from the substantial development permit process.
4. The burden of proof that a development or use is exempt is on the applicant or proponent of the development action.

2.3.3 Exemptions Listed

The following activities shall be considered exempt from the requirement to obtain a shoreline substantial development permit but shall obtain a statement of exemption, as provided for in Section 2.3.4:

1. Any development of which the total cost or fair market value, whichever is higher, does not exceed five thousand seven hundred and eighteen dollars (\$5,718.00), if such development does not materially interfere with the normal public use of the water or shorelines of the state. The dollar threshold established in this subsection must be adjusted for inflation by the office of financial management every five years, beginning July 1, 2007, based upon changes in the consumer price index during that time period. "Consumer price index" means, for any calendar year, that year's annual average consumer price index, Seattle, Washington area, for urban wage earners and clerical workers, all items, compiled by the Bureau of Labor and Statistics, United States Department of Labor. The office of financial management must calculate the new dollar threshold and transmit it to the office of the code reviser for publication in the Washington State Register at least one month before the new dollar threshold is to take effect. For purposes of determining whether or not a permit is required, the total cost or fair market value shall be based on the value of development that is occurring on shorelines of the state as defined in RCW [90.58.030](#) (2)(c). The total cost or fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials;
2. Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition, including but not limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to shoreline resource or environment. Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment. Relocation and reconfiguration of the structure or development may be performed within the existing property boundaries if the relocation or reconfiguration results in a measurable and sustainable ecological improvement;
3. Construction of the normal protective bulkhead common to single-family residences. A "normal protective" bulkhead includes those structural and nonstructural developments installed at or near, and parallel to, the ordinary high water mark for the sole purpose of protecting an existing single-family residence and appurtenant structures from loss or damage by erosion. A normal protective bulkhead is not exempt if constructed for the purpose of creating dry land. When a vertical or near vertical wall is being constructed or reconstructed, not more than one cubic yard of fill per one foot of wall may be used as backfill. When an existing bulkhead is being repaired by construction of a vertical wall fronting the existing

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- wall, it shall be constructed no further waterward of the existing bulkhead than is necessary for construction of new footings. When a bulkhead has deteriorated such that an ordinary high water mark has been established by the presence and action of water landward of the bulkhead then the replacement bulkhead must be located at or near the actual ordinary high water mark. Beach nourishment and bioengineered erosion control projects may be considered a normal protective bulkhead when any structural elements are consistent with the above requirements and when the project has been approved by the state department of fish and wildlife.
4. Emergency construction necessary to protect property from damage by the elements. An "emergency" is an unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a time too short to allow full compliance with this chapter. Emergency construction does not include development of new permanent protective structures where none previously existed. Where new protective structures are deemed by the Land Use Administrator to be the appropriate means to address the emergency situation, upon abatement of the emergency situation the new structure shall be removed or any permit which would have been required, absent an emergency, pursuant to chapter [90.58](#) RCW, these regulations, or this Program, shall be obtained. All emergency construction shall be consistent with the policies of chapter [90.58](#) RCW and this Program. As a general matter, flooding or other seasonal events that can be anticipated and may occur but that are not imminent are not an emergency;
 5. Construction or modification of navigational aids such as channel markers and anchor buoys;
 6. Construction on shorelands by an owner, lessee or contract purchaser of a single-family residence for their own use or for the use of their family, which residence does not exceed a height of thirty-five feet above average grade level and which meets all requirements of the City and state agency or local government having jurisdiction thereof, other than requirements imposed pursuant to chapter [90.58](#) RCW. "Single-family residence" means a detached dwelling designed for and occupied by one family including those structures and developments within a contiguous ownership which are a normal appurtenance. An "appurtenance" is necessarily connected to the use and enjoyment of a single-family residence and is located landward of the ordinary high water mark and the perimeter of a wetland. On a statewide basis, normal appurtenances include a garage; deck; driveway; utilities; fences; installation of a septic tank and drainfield and grading which does not exceed two hundred fifty cubic yards (250 cy) and which does not involve placement of fill in any wetland or waterward of the ordinary high water mark. Local circumstances may dictate additional interpretations of normal appurtenances which shall be set forth and regulated within the applicable master program. Construction authorized under this exemption shall be located landward of the ordinary high water mark;
 7. Construction of a dock, including a community dock, designed for pleasure craft only, for the private non-commercial use of the owner, lessee, or contract purchaser of a single-family and multiple-family residences. A dock is a landing and moorage facility for watercraft and does not include recreational decks, storage facilities or other appurtenances. This exception applies if either:
 - a. In salt waters, the fair market value of the dock does not exceed two thousand five hundred dollars (\$2,500.00); For purposes of this section salt water shall include the tidally influenced marine and estuarine water areas of the state including Puget Sound and all bays and inlets associated with such water body; or

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- b. In fresh waters the fair market value of the dock does not exceed ten thousand dollars (\$10,000.00), but if subsequent construction having a fair market value exceeding two thousand five hundred dollars (\$2,500.00) occurs within five years of completion of the prior construction, the subsequent construction shall be considered a substantial development for the purpose of this chapter.
8. Operation, maintenance, or construction of canals, waterways, drains, reservoirs, or other facilities that now exist or are hereafter created or developed as a part of an irrigation system for the primary purpose of making use of system waters, including return flow and artificially stored ground water from the irrigation of lands;
9. The marking of property lines or corners on state-owned lands, when such marking does not significantly interfere with normal public use of the surface of the water;
10. Operation and maintenance of any system of dikes, ditches, drains, or other facilities existing on September 8, 1975, which were created, developed or utilized primarily as a part of an agricultural drainage or diking system;
11. Any project with a certification from the governor pursuant to chapter [80.50 RCW](#) (certification from EFSEC);
12. Site exploration and investigation activities that are prerequisite to preparation of an application for development authorization under this chapter, if:
 - a. The activity does not interfere with the normal public use of the surface waters;
 - b. The activity will have no significant adverse impact on the environment including but not limited to fish, wildlife, fish or wildlife habitat, water quality, and aesthetic values;
 - c. The activity does not involve the installation of any structure, and upon completion of the activity the vegetation and land configuration of the site are restored to conditions existing before the activity;
 - d. A private entity seeking development authorization under this section first posts a performance bond or provides other evidence of financial responsibility to the local jurisdiction to ensure that the site is restored to pre-existing conditions; and
 - e. The activity is not subject to the permit requirements of RCW [90.58.550](#) (Oil & Natural Gas Exploration in Marine Waters);
13. The process of removing or controlling aquatic noxious weeds, as defined in RCW [17.26.020](#), through the use of an herbicide or other treatment methods applicable to weed control that are recommended by a final environmental impact statement published by the department of agriculture or the department of ecology jointly with other state agencies under chapter [43.21C RCW](#);
14. Watershed restoration projects as defined in Chapter 10. The City shall review the projects for consistency with this Program in an expeditious manner and shall issue its decision along with any conditions within forty-five days of receiving all materials necessary to review the request for exemption from the applicant. Signs and public art projects approved by the City

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of Tacoma Arts Administrator that are no larger or taller than the allowance for free-standing signs in the applicable Shoreline District in which they are located, provided that the installation does not degrade any stream, wetland and/or associated buffers and the proposal complies with sections 13.06.520, 13.06.521 and 13.06.522 of the TMC.

15. A public or private project that is designed to improve fish or wildlife habitat or fish passage, when all of the following apply:
 - a. The project has been approved in writing by the department of fish and wildlife;
 - b. The project has received hydraulic project approval by the state department of fish and wildlife pursuant to chapter [77.55](#) RCW; and
 - c. The City has determined that the project is substantially consistent with the shoreline master program. The City shall make such determination in a timely manner and provide it by letter to the project proponent.

2.3.4 Statement of Exemption

1. The Land Use Administrator is hereby authorized to grant or deny requests for statements of exemption from the shoreline substantial development permit requirement for uses and developments within shorelines that are specifically listed in TSMP Section 2.4.3. The statement shall be in writing and shall indicate the specific exemption of this Program that is being applied to the development, and shall provide a summary of the Land Use Administrator's analysis of the consistency of the project with this Program and the Act. Statements of exemption may contain conditions and/or mitigating measures of approval to achieve consistency and compliance with the provisions of the Program and Act.
2. Exempt activities related to any of the following shall not be conducted until a statement of exemption has been obtained from the Land Use Administrator: dredging, flood control and in-water structures, archaeological or historic site alteration, clearing and ground disturbing activities such as filling and excavation, docks, shore stabilization, free-standing signs, public art projects approved by the Arts Administrator, or activities determined to be located within a wetland, stream or FWHCA critical area and/or its buffer..
3. No statement of exemption shall be required for other uses or developments exempt pursuant to TSMP 2.3.3 unless the administrator has cause to believe a substantial question exists as to qualifications of the specific use or development for the exemption or there is a likelihood of adverse impacts to shoreline ecological functions.
4. Whether or not a written statement of exemption is issued, all permits and decisions issued within the area of shorelines shall include a record of review actions prepared by the Administrator.
5. No written statement of exemption is required for emergency development pursuant to WAC 173-14-040(2)(d).
6. A notice of decision for shoreline statements of exemption shall be provided to the applicant/proponent and any party of record. Such notices shall also be filed with the Department of Ecology, pursuant to the requirements of WAC 173-27-050 when the project is subject to one or more of the following Federal Permitting requirements:

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- a. A U.S. Army Corps of Engineers Section 10 permit under the Rivers and Harbors Act of 1899; or
 - b. A Section 404 permit under the Federal Water Pollution Control Act of 1972.
7. A denial of an exemption shall be in writing and shall identify the reason(s) for the denial. In accordance with TSMP Section 2.7, the Land Use Administrator's decision on a statement of exemption is not subject to administrative appeal.

2.3.5 Shoreline Variance

1. The purpose of a variance is to grant relief to specific bulk or dimensional requirements set forth in this Program where there are extraordinary or unique circumstances relating to the property such that the strict implementation of this Program would impose unnecessary hardships on the applicant/proponent or thwart the policies set forth in RCW 90.58.020 and this program.
2. Shoreline variance permits should be granted in circumstances where denial of the permit would result in a thwarting of the policy enumerated in the SMA (RCW 90.58.020). In all instances extraordinary circumstances shall be shown and the public interest shall suffer no substantial detrimental effect.
3. The Land Use Administrator is authorized to grant a variance from the performance standards of this Program only when all of the following criteria are met (WAC 173-27-170).
 - a. That the strict application of the bulk, dimensional or performance standards set forth in the applicable master program precludes, or significantly interferes with, reasonable use of the property;
 - b. That the hardship described in (a) of this subsection is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the master program, and not, for example, from deed restrictions or the applicant's own actions;
 - c. That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program and will not cause adverse impacts to the shoreline environment;
 - d. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;
 - e. That the variance requested is the minimum necessary to afford relief; and
 - f. That the public interest will suffer no substantial detrimental effect.
4. Variance permits for development and/or uses that will be located waterward of the ordinary high water mark (OHWM), as defined in RCW 90.58.030 (2)(b), or within any wetland as defined in RCW 90.58.030 (2)(h), may be authorized provided the applicant can demonstrate all of the following:

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- a. That the strict application of the bulk, dimensional or performance standards set forth in the applicable master program precludes all reasonable use of the property;
 - b. That the proposal is consistent with the criteria established under subsection (3)(b) through (f) of this section; and
 - c. That the public rights of navigation and use of the shorelines will not be adversely affected.
5. In the granting of all shoreline variances, consideration shall be given to the cumulative environmental impact of additional requests for like actions in the area.
 6. Before making a determination to grant a shoreline variance, the City shall consider issues related to the conservation of valuable natural resources, and the protection of views from nearby public roads, surrounding properties and public areas.
 7. A variance from City development code requirements shall not be construed to mean a shoreline variance from shoreline master program use regulations and vice versa.
 8. Shoreline variances may not be used to permit a use or development that is specifically prohibited in an environment designation.
 9. The burden of proving that a proposed shoreline variance meets the conditions in this section and the criteria of this program shall be on the applicant. Absence of such proof shall be grounds for denial of the application.

2.3.6 Shoreline Conditional Use Permit

1. The purpose of the conditional use permit is to provide greater flexibility in varying the application of the use regulations of this Program in a manner which will be consistent with the policies of RCW 90.58, particularly where denial of the application would thwart the policies of the Shoreline Management Act.
2. When a conditional use is requested, the Land Use Administrator shall be the final approval authority for the City. However, shoreline conditional uses must have approval from the state. Department of Ecology shall be the final approval authority under the authority of WAC 173-27-200.
3. Conditional use permits shall be authorized only when they are consistent with the following criteria:
 - a. The proposed use is consistent with the policies of RCW 90.58.020, WAC 173-27-160 and all provisions of this Program;
 - b. The use will not interfere with normal public use of public shorelines;
 - c. The proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located;

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- d. That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and this Program;
 - e. The public interest will suffer no substantial detrimental effect;
 - f. Consideration has been given to cumulative impact of additional requests for like actions in the area.
4. Other uses not set forth in the shoreline master program may be authorized through a conditional use permit if the applicant can demonstrate that the proposed use is consistent with the purpose of the shoreline environment designation and compatible with existing shoreline improvements. However, uses specifically prohibited by this master program shall not be authorized.
 5. The burden of proving that a proposed shoreline conditional use meets the criteria of this program in WAC 173-27-160 shall be on the applicant. Absence of such proof shall be grounds for denial of the application.
 6. The City is authorized to impose conditions and standards to enable a proposed shoreline conditional use to satisfy the conditional use criteria.

2.3.7 Ecology Review

1. Ecology shall be notified of any Substantial Development, Conditional Use or Variance Permit decisions made by the Land Use Administrator (or Hearing Examiner when required pursuant to TMC 13.05.060), whether it is an approval or denial. The notification shall occur after all local administrative appeals related to the permit have concluded or the opportunity to initiate such appeals has lapsed. When a Substantial Development Permit and either Conditional Use or Variance Permit are required for a development, the submittal of the permits shall be made concurrently. The Land Use Administrator shall file the following with the Department of Ecology and Attorney General:
 - a. A copy of the complete application per WAC 173-27-180;
 - b. Findings and conclusions that establish the basis for the decision including but not limited to identification of shoreline environment designation, applicable Master Program policies and regulations and the consistency of the project with appropriate review criteria for the type of permit(s);
 - c. The final decision of the City;
 - d. The permit data sheet per WAC 173-27-990;
 - e. Affidavit of public notice; and
 - f. Where applicable, the Land Use Administrator shall also file the applicable documents required by the State Environmental Policy Act (RCW 43.21C).
2. When the project has been modified in the course of the local review process, plans or text shall be provided to Ecology that clearly indicates the final approved plan.

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3. If Ecology determines that the submittal does not contain all of the documents and information required by this section, Ecology shall identify the deficiencies and notify the City and the applicant in writing. Ecology will not act on Conditional Use or Variance Permit submittals until the material requested in writing is submitted to them.
4. Ecology shall convey to the City and applicant its final decision approving, approving with conditions, or disapproving the permit within thirty days (30) of the date of submittal by the City. The Land Use Administrator will notify those interested persons having requested notification of such decision.
5. Ecology shall base its determination to approve, approve with conditions or deny a Conditional Use Permit or Variance Permit on consistency with the policy and provisions of the SMA, the criteria listed in WAC 173-27 and this Program.

2.4 Minimum Permit Application Submittal Requirements**2.4.1 General Requirements**

Pursuant to WAC 173-27-180, all applications for a shoreline substantial development permit, conditional use, or variance shall provide, at a minimum, the following:

1. The name, address and phone number of the applicant. The applicant should be the owner of the property or the primary proponent of the project and not the representative of the owner or primary proponent.
2. The name, address and phone number of the applicant's representative if other than the applicant.
3. The name, address and phone number of the property owner, if other than the applicant.
4. Location of the property. This shall, at a minimum, include the property address and identification of the section, township and range to the nearest quarter, quarter section or latitude and longitude to the nearest minute. All applications for projects located in open water areas away from land shall provide a longitude and latitude location.
5. Identification of the name of the shoreline (water body) that the site of the proposal is associated with. This should be the water body from which jurisdiction of the act over the project is derived.
6. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project.
7. A general description of the property as it now exists including its physical characteristics and improvements and structures.
8. A general description of the vicinity of the proposed project including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics.
9. A site development plan consisting of maps and elevation drawings, drawn to an appropriate scale to depict clearly all required information, photographs and text which shall include:

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- a. The boundary of the parcel(s) of land upon which the development is proposed.
- b. The ordinary high water mark of all water bodies located adjacent to or within the boundary of the project. This may be an approximate location provided, that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark the mark shall be located precisely and the biological and hydrological basis for the location as indicated on the plans shall be included in the development plan. Where the ordinary high water mark is neither adjacent to or within the boundary of the project, the plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline.
- c. Existing and proposed land contours. The contours shall be at intervals sufficient to accurately determine the existing character of the property and the extent of proposed change to the land that is necessary for the development. Areas within the boundary that will not be altered by the development may be indicated as such and contours approximated for that area.
- d. A delineation of all wetland areas that will be altered or used as a part of the development.
- e. A general indication of the character of vegetation found on the site.
- f. The dimensions and locations of all existing and proposed structures and improvements including but not limited to; buildings, paved or graveled areas, roads, utilities, septic tanks and drainfields, material stockpiles or surcharge, and stormwater management facilities.
- g. Where applicable, a landscaping plan for the project.
- h. Where applicable, plans for development of areas on or off the site as mitigation for impacts associated with the proposed project shall be included and contain information consistent with the requirements of this section.
- i. Quantity, source and composition of any fill material that is placed on the site whether temporary or permanent.
- j. Quantity, composition and destination of any excavated or dredged material.
- k. A vicinity map showing the relationship of the property and proposed development or use to roads, utilities, existing developments and uses on adjacent properties.
- l. Where applicable, a depiction of the impacts to views from existing residential uses and public areas.
- m. On all variance applications the plans shall clearly indicate where development could occur without approval of a variance, the physical features and circumstances on the property that provide a basis for the request, and the location of adjacent structures and uses.

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1. City staff will provide an initial site review based on existing information, maps and a potential site visit to identify marine buffers, wetlands, streams, FWHCA, and their associated buffers within 300 feet of a proposed project. The review distance for FWHCA management areas will be based on the type of priority habitat or species and WDFW recommendations. Site reviews are completed on a site by site basis and the City may provide preliminary information or require an applicant provide information regarding the ordinary high water mark location, wetland delineation, wetland categorization, stream type, hydrology report, or priority fish and wildlife species and habitat presence information. Formal Priority Habitats and Species (PHS) information is available from WDFW.
2. The Building and Land Use Services Division may utilize information from the United States Department of Agriculture Natural Resource Conservation Service, the United States Geological Survey, the Washington Department of Ecology, the Coastal Zone Atlas, the Washington Department of Fish and Wildlife stream maps and Priority Habitat and Species maps, Washington DNR Aquatic Lands maps, the National Wetlands Inventory maps, Tacoma topography maps, the City's Generalized Wetland and Critical Areas Inventory maps, and Pierce County Assessor's maps to establish general locations and/or verify the location of any wetland, or stream, or FWHCA site. The City's Generalized Wetland and Critical Area Inventory maps and other above-listed sources are only guidelines available for reference. The actual location of critical areas must be determined on a site by site basis according to the classification criteria.
3. The Land Use Administrator shall determine whether application for a shoreline permit or exemption will be required to include the marine shoreline and critical areas information specified in 2.4.2(B), below.
4. The Land Use Administrator may require additional information on the physical, biological, and anthropogenic features that contribute to the existing ecological conditions and functions to make this determination.

B. Application Requirements

1. Application for any shoreline development permit for a project or use which includes activities within a marine shoreline buffer, wetland, stream, fish and wildlife habitat conservation area (FWHCA) or their associated buffer shall comply with the provisions of this section and shall contain the following information:
 - a. A Joint Aquatic Resources Permit Application including, but not limited to, a description of the proposal, vicinity map for the project and identification of all the local, state and/or federal related permit(s) required for the project.
 - b. A technical report that identifies and characterizes all critical areas, including wetlands, streams, fish and wildlife conservations areas and their associated priority species and/or habitats, water bodies, shorelines, marine buffer areas, floodplains and associated buffers on or adjacent to the project area. For areas off-site but within 300 feet of the project boundaries, estimate conditions using best available information. Review for priority species may extend beyond 300 feet and will be based on

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WDFWs published management recommendations for each species. The report shall include the following:

- i. The name, qualifications, and contact information for the primary author(s);
 - ii. Documentation of any fieldwork performed on the site, including field data sheets for delineations, functional assessments, baseline hydrologic data, etc. Wetland Delineations shall be prepared according to the currently adopted Department of Ecology, Washington State Wetlands Identification and Delineation Manual; FWHCA Delineations and ordinary high water mark shall be prepared according to professional standards;
 - iii. A description of the methodologies used to conduct the wetland delineations, functional assessments, or impact analyses including references;
 - iv. The appropriate wetland rating, stream type, type of priority species and/or habitat, any critical marine resources, any WDFW management recommendations and required buffers for each critical area identified;
 - v. A characterization of the marine shoreline or critical area including but not limited to size, rating and classification will be based on the entire system, not only the portions present on the project site;
 - vi. For wetlands, the Cowardin classification and hydrogeomorphic classification, habitat elements, and to the extent possible hydrologic information such as location of inlet/outlets (if they can be legally accessed), estimate water depths and hydro-period patterns within the wetland based on visual cues (e.g. algal mats, drift lines, flood debris, etc.);
 - vii. A discussion of the proposed project and the potential direct and indirect physical and biological impacts;
 - viii. A hydrologic study or narrative as required by staff, for the wetland or stream identifying the contributing basin and demonstrating that pre and post development flows will be maintained;
 - ix. Demonstration that all runoff from pollution generating surfaces discharging to shorelines, wetlands, streams or FWHCA shall receive water quality treatment in accordance with the current City's Surface Water Management Manual. Water quality treatment is required for all sites irrespective of the thresholds established in this Manual; and
 - x. Any other information deemed necessary to verify compliance with the provisions of this chapter.
- c. A copy of the site plan sheet(s) for the project must be included with the written report and must include, at a minimum:
- i. A surveyed site plan that identifies the development proposal, all shorelines of the state and marine buffers, critical areas and their associated buffers including square footage estimates for critical areas, buffers, and areas of

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- proposed impacts. The on-site marine buffer shall be surveyed and based on the ordinary high water mark. Wetland boundaries shall be surveyed and based upon a wetland delineation. On-site stream boundaries shall be surveyed and based on the stream's ordinary high water mark;
- ii. Buffers for off-site critical areas that extend onto the project site;
 - iii. The development proposal including the location of proposed utilities including stormwater management facilities, specification of all proposed draining, excavation, filling, grading and dredging; and
 - iv. Two-foot contours, terrain, and drainage flow, significantly vegetated areas and dominate vegetation, existing site improvements/structures, drainage control facilities (natural and artificial), existing utilities above and below ground where appropriate and required by the City.
- d. For shoreline permits that will have impacts to Wetland/Stream/FWHCA or marine buffers, the additional following information is required;
- i. A description of reasonable efforts made to apply mitigation sequencing pursuant to TSMP Section 6.4.2(C);
 - ii. An analysis of site development alternatives including a no development alternative;
 - iii. An assessment and documentation of the shoreline and/or critical areas functional characteristics, along with its ecological, aesthetic, economic, and other values. Functional analysis must be done using a functional assessment method recognized by local or state agency staff and shall include a reference for the method and all data sheets.
 - iv. An assessment of the probable cumulative impacts resulting from the proposed development;
 - v. A mitigation plan for impacts associated with actions. The mitigation plan must be in conformance with the General Mitigation Requirements under TSMP Section 6.4.2(C) and (D) as well as the specific mitigation requirements contained in this section;
 - vi. A study of potential flood, erosion or other hazards on the site and provisions for protective measures that might be taken to reduce such hazards as required by City staff; and
 - vii. A Construction Stormwater Pollution Prevention Plan that shall be submitted by the applicant in accordance with the current City's Surface Water Management Manual.
- e. For development proposals that will have impacts to a FWHCA, a habitat management plan, biological evaluation, or equivalent shall be submitted. The report shall incorporate the items within this section and shall also include at a minimum:

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- i. Analysis and discussion of the project's effects on critical fish and wildlife habitat;
 - ii. An assessment and discussion on special management recommendations which have been developed for species or habitats located on the site by any federal or state agency;
 - iii. Proposed mitigation measures which could minimize or avoid impacts and are consistent with 6.4.2(C);
 - iv. An assessment and evaluation of the effectiveness of mitigation measures proposed; and
 - v. An assessment and evaluation of ongoing management practices which will protect critical fish and wildlife habitat after development of the project site, including proposed monitoring and maintenance programs.
- f. In the event of conflicts regarding information in the report, the Land Use Administrator may, at the applicant's expense, obtain competent expert services to verify information and establish a final delineation;
2. Technical reports shall be submitted and the Land Use Administrator shall review all information submitted as to its validity and may reject it as incomplete or incorrect. All technical reports shall be prepared by a qualified professional as defined in TSMP Chapter 10.
 3. The Land Use Administrator may waive requirements on a case by case basis and may request additional information as necessary.

2.4.3 Boating Facilities

1. Application Requirements. Applications for new boating facilities, including marinas and launch ramps, shall be approved only if enhanced public access to public waters outweighs the potential adverse impacts of the use. Applications shall be accompanied by supporting application materials that document the market demand for such facilities, including
 - a. The total amount of moorage proposed;
 - b. The proposed supply, as compared to the existing supply within the service range of the proposed facility, including vacancies or waiting lists at existing facilities;
 - c. The expected service population and boat ownership characteristics of the population;
 - d. Existing approved facilities or pending applications within the service area of the proposed new facility.
2. New marinas with in-water moorage and expansion of in-water moorage facilities in existing marinas shall be approved only when:

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- a. Opportunities for upland storage sufficient to meet the demand for moorage are not available on site.
3. Applications for launch ramps shall contain:
 - a. A habitat survey;
 - b. A slope bathymetry map;
 - c. Evaluation of effects on littoral drift.
4. Applications for marinas, launch ramps, and accessory uses shall include an assessment of existing water-dependent uses in the vicinity including, but not limited to, navigation, fishing, shellfish harvest, pleasure boating, swimming, beach walking, picnicking and shoreline viewing and document potential impacts and mitigating measures. Impacts on these resources shall be considered in review of proposals and specific conditions to avoid or minimize impacts may be imposed.
5. Marina and launch ramp proposals may be required to prepare a visual assessment of views from surrounding residential properties, public viewpoints and the view of the shore from the water surface.

2.4.4 Moorage Facilities

1. As part of any application for shoreline substantial development that involves the construction of piers, wharves, docks, and floats, the applicant shall provide the following:
 - a. Environmental and navigational impact, pier density, waste disposal, oil and gas spillage, parking availability, and impact on adjacent lands;
 - b. Whether cooperative use is present or may be present in the future;
 - c. Whether existing facilities may be used or expanded to be used in preference to the construction of new facilities. New facilities should require a demonstration of public benefit as appropriate;
 - d. Whether an open pile or floating structure is the appropriate design.

2.4.5 Major Utilities

1. Application Requirements. Application requirements for the installation of major utility facilities shall include the following:
 - a. Description of the proposed facilities;
 - b. Reasons why the utility facility requires a shoreline location; Alternative locations considered and reasons for elimination; Location of other utility facilities in the vicinity of the proposed project and any plans to include the other types of utilities in the project;
 - c. Plans for reclamation of areas disturbed both during construction and following decommissioning and/or completion of the useful life of the utility;

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- d. Plans for control of erosion and turbidity during construction and operation; and Identification of any possibility for locating the proposed facility at another existing location.

2.4.6 Archaeological, Cultural and Historic Resources**A. Known Archaeological, Cultural and Historic Resources**

1. Applications for a shoreline permit shall identify whether the property is within 500 feet of a site known to contain an historic, cultural or archaeological resource(s). Records of known sites are restricted. Consultation with Washington Department of Archaeology and Historic Preservation or a certified archaeologist will be required. If the property is determined to be within 500 feet of a site known to contain an 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 Land Use Administrator 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 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.
2. If the cultural resource site assessment identifies the presence of significant historic or archaeological resources, a Cultural Resource Management Plan (CRMP) shall be prepared by a professional archaeologist or historic preservation professional shall be 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.
3. A CRMP shall contain the following minimum elements:
 - a. The CRMP shall be prepared by a qualified cultural resources consultant, as defined by the Washington State Department of Archaeology and Historic Preservation.
 - b. The CRMP shall include the following information:
 - i. Description of the Area of Potential Effect (APE) for the project, including 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.
 - ii. Photographs of the APE, including existing structures and areas of construction activities.
 - iii. An examination of project on-site design alternatives;

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- iv. An explanation of why the proposed activity requires a location on, or access across and/or through, a significant historic or archaeological resource; and
- v. 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. A list of the agency officials that were consulted with shall be included:
 - State Department of Archaeology and Historic Preservation to identify buildings, sites or objects within the APE that are listed on or the National Register of Historic Places or the Washington State Heritage Register.
 - City of Tacoma Historic Preservation Office to identify any buildings, sites, or objects within the APE listed on the Tacoma Register of Historic Places.
 - 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, and areas regulated under TMC 13.10 Shoreline Management.
- vi. An assessment of probable adverse impacts to culturally significant buildings, sites or objects, resulting from:
 - Demolition of any buildings or structures over 50 years of age.
 - 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.
- vii. A description of how potential adverse effects to cultural resources as a result of construction activities will be mitigated or minimized. Mitigation includes but is not limited to:
 - Additional consultation with Federal, State, local and Tribal officials or Tacoma Landmarks Commission.
 - 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.
 - Subject to review and approval of the City's Historic Preservation Officer other potential mitigation measures may include:
 - Avoidance of historic/cultural resources
 - Retention of all or some of historic structure into a new development
 - Interpretive/educational measures
 - Off-site/on site preservation of another historic resource
 - Recording the site with the 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

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- locally developed historic registry formally adopted by the City of Tacoma;
 - Preservation in place;
 - Reinterment in the case of grave sites;
 - Covering an archaeological site with a nonstructural surface to discourage pilferage (e.g., maintained grass or pavement); Excavation and recovery of archaeological resources;
 - Inventorying prior to covering of archaeological resources with structures or development; and
 - Monitoring of construction excavation.
4. Upon receipt of a complete development 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.
 5. The recommendations and conclusions of the CRMP shall be used to assist the Administrator in making final administrative decisions concerning the presence and extent of historic/archaeological resources and appropriate mitigating measures. The Administrator shall consult with the Washington State Department of Archaeology and Historic Preservation, and the Puyallup Tribe prior to approval of the CRMP.
 6. The Administrator may reject or request revision of the conclusions reached in a CRMP when the Administrator can demonstrate that the assessment is inaccurate or does not fully address the historic/archaeological resource management concerns involved.
- B. Unanticipated Discovery of Archaeological, Cultural and Historic Resources
1. All applications for a shoreline permit shall prepare a plan for the possible unanticipated discovery of historic, cultural or archaeological resource(s), including a point of contact, procedure for stop-work notification, and for notification of appropriate agencies.

2.5 Non-Conforming Uses and Development**A. Nonconforming Uses**

1. Nonconforming uses include shoreline uses which were lawfully established prior to the effective date of the Act or this Master Program, or amendments thereto, but which do not conform to the present regulations or standards of this Program. The continuance of a nonconforming use is subject to the following standards:
 - a. Change of ownership, tenancy, or management of a nonconforming use shall not affect its nonconforming status, provided that the use does not change or intensify;
 - b. Additional development of any property on which a nonconforming use exists shall require that all new uses conform to this Master Program and the Act;
 - c. If a nonconforming use is converted to a conforming use, no nonconforming use may be resumed;

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- d. A nonconforming use which is moved any distance must be brought into conformance with the Master Program and the Act;
- e. A nonconforming use may convert to another nonconforming use of a similar intensity, through a conditional use permit, provided the conversion does not increase any detrimental impact to the shoreline environment;
- f. When the operation of a nonconforming use is vacated or abandoned for a period of 12 consecutive months or for 18 months of any 3-year period, the nonconforming use rights shall be deemed extinguished and the future use of such property shall be in accordance with the permitted and conditional use regulations of the Shoreline District in which it is located;
- g. If a nonconforming use is damaged by fire, flood, explosion, or other natural disaster such use may be resumed at the time the building is repaired; Provided, such restoration shall be undertaken within 18 months following said damage;
- h. Normal maintenance and repair of a nonconforming use or structure may be permitted provided all work is consistent with the provisions of this Program.

B. Nonconforming Structures

1. Nonconforming structures includes shoreline structures which were lawfully constructed or placed prior to the effective date of the Act or the Master Program, or amendments thereto, but which do not conform to present bulk, height, dimensional, setback, or density requirements. Existing nonconforming structures shall be considered permitted for the purposes of this Program and may continue even though the structures fail to conform to the present requirements of the district in which they are located. A legally nonconforming structure may be maintained as follows:
 - a. If a nonconforming structure or development is damaged by fire, flood, explosion, or other natural disaster and the damage is less than seventy-five percent (75%) of the replacement cost of the structure or development, it may be restored or reconstructed to those configurations existing at the time of such damage, provided:
 - i. The rebuilt structure shall not expand the footprint or height of the damaged structure;
 - ii. No degree of relocation shall occur, except to increase conformity or to increase ecological function, in which case the structure shall be located in the least environmentally damaging location possible;
 - iii. The submittal of applications for permits necessary to restore the development is begun within eighteen (18) months of the damage. The Land Use Administrator may waive this requirement in situations with extenuating circumstances; and
 - iv. The reconstruction is commenced within one (1) year of the issuance of permits. The Land Use Administrator may allow a one (1) year extension.

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- b. Except where otherwise specified in this Program, if a non-conforming structure or development is damaged by fire, flood, explosions, or other natural disaster and the damage exceeds seventy-five percent (75%) of the replacement cost of the original structure or development, all reconstructed or restored structures shall conform to the provisions of this Program and all applicable City codes. Where the strict application of this provision may result in a 'taking' the Administrator may permit the restoration or reconstruction of the structure to those configurations existing at the time of such damage through a shoreline variance.
 - c. A nonconforming building or structure may be repaired and maintained as provided in and as limited by this section. The maintenance of such building or structure shall include only necessary repairs and incidental alterations, which alterations, however, shall not extend the nonconformity of such building or structure; provided that necessary alterations may be made as required by other law or ordinance.
 - d. Changes to interior partitions or other nonstructural improvements and repairs may be made to a nonconforming structure; provided that the cost of the desired improvement or repair does not exceed one-half of the replacement cost of the nonconforming structure over any consecutive five-year period, with replacement cost determined according to the Building Code.
2. A building or structure, nonconforming as to the bulk, dimensional and density requirements of this title, with a conforming use, may be added to or enlarged if such addition or enlargement conforms to the regulations of the shoreline environment and district in which it is located. In such case, such addition or enlargement shall be treated as a separate building or structure in determining conformity to all of the requirements of this title, and shall be subject to the following:
- a. The Administrator may allow a one time expansion of nonconforming overwater structures up to ten (10) percent of the total square footage of the structure, provided there is no increase in overwater area or shading, or overall height of the structure and the expansion is consistent with all other provisions of this Program. The applicant shall record notice on Title.
3. No expansion may occur which extends or otherwise increases the nonconformity.
- C. Nonconforming Lots

- 1. Undeveloped lots, tracts, parcels, or sites located landward of the ordinary high water mark that were established prior to the effective date of the Act and the Master Program, or amendments thereto, but that do not conform to the present lot size or density standards are considered nonconforming lots of record and are legally buildable subject to the following conditions:
 - a. All new structures or additions to structures on any nonconforming lot must meet all setback, height and other construction requirements of the Master Program and the Act.
 - b. Parcel modifications, such as a boundary line adjustment, property combinations, segregations, and short and long plats shall be allowed, without need for a variance, to modify existing parcels that are nonconforming to minimum lot size requirements,

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such as minimum area, width or frontage, as long as such actions would make the nonconforming parcel(s) more conforming to the minimum lot size requirements and would not create any new or make greater any existing nonconformities.

2.6 Public Notice Requirements

- A. Public notice for applications shall be provided in accordance with TMC 13.05 Land Use Permit Procedures. This may include mailed public notice, posting signs on the site, newspaper notice and notice to qualified neighborhood groups. The public shall be provided with opportunity to comment upon applications in accordance with TMC 13.05.

2.7 Appeals

- A. Shoreline Hearings Board
 - 1. Appeals of any final permit decision may be made to the Shorelines Hearing Board as governed by the procedures established in RCW 90.58.180 (Appeals from Granting, Denying, or Rescinding Permits) and WAC 461-08 (Practice and Procedure, Review of the Granting, Denying or Rescinding of Substantial Development Permits, Hearings). All appeals of any final permit decision must be made to the Shorelines Hearing Board within twenty-one (21) days after receipt of the City's or Ecology's final decision concerning the shoreline permit or formal approval or revisions of the permit.

2.8 Enforcement

- A. Enforcement
 - 1. The enforcement provisions of RCW 90.58.210 through 90.58.230 and WAC 173-27-240 through 173-27-310 shall apply.
 - 2. The Shoreline Management Act calls for a cooperative enforcement program between local and state government. It provides for both civil and criminal penalties, orders to cease and desist, orders to take corrective action and permit rescission. The choice of enforcement action and the severity of any penalty should be based on the nature of the violation and the damage or risk to the public or to public resources. The existence or degree of bad faith of the persons subject to the enforcement action, the benefits that accrue to the violator, and the cost of obtaining compliance may also be considered.
 - 3. The Land Use Administrator, and/or authorized representative, shall have the authority to enforce the land use regulations of the City of Tacoma in accordance with the TMC 13.05.100.
- B. Penalties
 - 1. Any person found to have willfully engaged in activities on the City's shorelines in violation of the Shoreline Management Act of 1971 or in violation of the City's Shoreline Master Program, rules or regulations adopted pursuant thereto shall be subject to the penalty provisions of the TMC 13.05.100.

CHAPTER 3 GOALS AND OBJECTIVES

3.1 Overarching Shoreline Goal of the City of Tacoma

Develop the full potential of Tacoma's shoreline in accord with the unusual opportunities presented by its relation to the City and surrounding area, its natural resource values, and its unique aesthetic qualities offered by water, topography, views, and maritime character; and to develop a physical environment which is both ordered and diversified and which integrates water, shipping activities, and other shoreline uses with the structure of the City while achieving a net gain of ecological function.

3.2 Shoreline Land Use

The shoreline use element considers the use and development of shorelines and adjacent land areas for housing, business, industry, transportation, recreation, education, public institutions, utilities and other categories of public and private land use with respect to the general distribution, location and extent of such uses and developments.

3.2.1 Shoreline Land Use Goal

To preserve and develop shorelines in a manner that allows for an orderly balance of uses.

3.2.2 Shoreline Land Use Objectives

1. Encourage new water-dependent, water-related, and water-enjoyment uses in priority order.
2. Support the City Comprehensive Plan policies as they relate to the shoreline
3. Implement regulations and standards in a manner consistent with all relevant constitutional and other legal limitations on the regulation of private property.
4. Encourage mixed use developments that include and support water-oriented uses and provide a substantial public benefit consistent with the public access and ecological restoration goals and policies of the Act.
5. Balance the location, design, and management of shoreline uses throughout the city to prevent a net loss of shoreline ecological functions and processes over time.
6. Encourage shoreline uses and development that enhance shoreline ecological functions and/or processes or employ innovative features that further the purposes of this Program.
7. Discourage new non-water-oriented industrial uses from locating inside shoreline jurisdiction, in order to reserve adequate land supply to serve future water-dependent and water-related industrial uses.
8. Support the long-term and widespread economic contribution of our international container ports and related industrial lands and transportation systems, and ensure that container ports continue to function effectively alongside vibrant city waterfronts.
9. Encourage shoreline uses and development that enhance and/or increase public access to the shoreline.

WORKING DRAFT TSMP**3.3 Economic Development**

The economic development element provides for the location and design of industries, transportation facilities, port facilities, tourist facilities, commerce and other developments that are particularly dependent upon a shoreline location and/or use of the shorelines of the state.

3.3.1 Economic Development Goal

To create and maintain a dynamic and diversified economic environment that can coexist harmoniously with the natural and human environments.

3.3.2 Economic Development Objectives

1. Encourage new economic uses in priority order. Preference should be given to water-dependent uses. Secondary preference should be given to water-related and water-enjoyment uses.
2. Encourage new economic development to locate in areas that are already developed with similar uses.
3. Ensure that only those new industries that are either water-dependent or water-related operate in the shoreline area.
4. Implement economic development policies contained in the Comprehensive Plan in shoreline areas consistent with this Program and the Act.
5. Encourage economic development that has minimal adverse effects and mitigates unavoidable impacts upon shoreline ecological functions and processes and the built environment.
6. Support the long-term and widespread economic contribution of our international container ports and related industrial lands and transportation systems, and ensure that container ports continue to function effectively alongside vibrant city waterfronts.
7. Encourage shoreline development that has a positive effect upon economic and social activities of value to the City and region.

3.4 Conservation

The shoreline conservation element provides for the protection of natural resources, and shoreline ecological functions and processes. Resources to be conserved and protected include, but are not limited to, wetlands; riparian, nearshore, and aquatic habitats; priority fish and wildlife habitats and species; floodplains; feeder bluffs and other geological features; cultural and historic resources; as well as scenic vistas and aesthetics.

3.4.1 Conservation Goal

To conserve shoreline resources and important shoreline features, and protect shoreline ecological functions and the processes that sustain them to the maximum extent practicable.

WORKING DRAFT TSMP**3.4.2 Conservation Objectives**

1. Ensure new shoreline developments achieve no net loss of shoreline ecological functions and processes.
2. Prioritize protection and/or conservation of shoreline areas that are ecologically intact and minimally developed or degraded.
3. Acquire or otherwise protect a maximum amount of prime habitat for conservation purposes.
4. Conserve urban open space to provide habitat for wildlife and native plants.
5. Require that all shoreline uses conform to applicable federal, state, and local laws and regulations relating to environmental quality and resource protection.
6. Encourage public and private property owners to protect beneficial shoreline plants and animals.
7. Conserve, to the greatest extent feasible, the streams and ravines, steep slopes, and the anadromous fish runs of Commencement Bay and the City of Tacoma.

3.5 Restoration

This element provides for the timely restoration and enhancement of ecologically impaired areas in a manner that achieves a net gain in shoreline ecological functions and processes above baseline conditions as of the adoption of this Program.

3.5.1 Restoration Goal

To re-establish, rehabilitate and/or otherwise improve impaired shoreline ecological functions and/or processes through voluntary and incentive-based public and private programs and actions that are consistent with the Shoreline Master Program Restoration Plan and other approved restoration plans.

3.5.2 Restoration Objectives

1. Restore, replenish, and maintain publically-owned shoreline beach properties to as natural a condition as possible.
2. Identify, enhance and restore shoreline areas that have exceptional geological, ecological or biological significance, or are required to support publically-owned natural resources, or are required for resource conservation and improvements to urban life.
3. Coordinate with federal and State agencies that have jurisdiction over fish and wildlife resources.
4. Encourage and facilitate voluntary, cooperative restoration and enhancement programs between local, state, and federal public agencies, tribes, non-profit organizations, and landowners to address shorelines with impaired ecological functions and/or processes.
5. Direct restoration and enhancement efforts towards improving the habitat of priority wildlife species.

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6. Ensure restoration and enhancement is consistent with and, where practicable, prioritized based on the biological recovery goals for early Chinook, bull trout populations and other species and/or populations for which a recovery plan is available.
7. Integrate restoration and enhancement with other parallel natural resource management efforts such as the WRIA 10 and 12 Salmon Habitat and Protections Strategy, Lower Puyallup Watershed Action Plan, NRDA Trustees Commencement Bay Natural Resource Restoration Plan, and the Puget Sound Salmon Recovery Plan.

3.6 Flood Prevention and Flood Damage Minimization

This element provides for minimization and/or prevention of flood damages within the City of Tacoma shoreline jurisdiction

3.6.1 Flood Prevention and Flood Damage Minimization Goal

Protect shoreline resources and shoreline development and ensure public safety through land use controls and implementation of federal, state and local flood hazard programs, development standards and building codes.

3.6.2 Flood Prevention and Flood Damage Minimization Objectives

1. Manage flood protection in accordance with the City's current flood hazard regulations; Sections 2.12.040 through 2.12.050, Flood Hazard and Coastal High Hazard Areas, and Chapter 12.08 Surface Water Management Manual of the TMC for general and specific flood hazard protection.
2. Participate in regional efforts on flood protection issues, coordinating with the Federal Emergency Management Agency (FEMA), the State of Washington, Pierce County as well as other jurisdictions, particularly those with jurisdiction of the Puyallup River and neighboring Puget Sound shorelines.
3. Discourage development in floodplains, channel migration zones and coastal high hazard areas associated with the City's shorelines that would individually or cumulatively result in an increased risk of flood damage.
4. Give preference to flood hazard avoidance and non-structural flood hazard reduction measures over structural measures.

3.7 Archaeological, Historic, and Cultural Resources

The archaeological, historic, cultural element provides for protection, preservation and/or restoration of buildings, sites, and areas having archaeological, historic, or cultural value or significance.

3.7.1 Archaeological, Historic and Cultural Resources Goal

Protect and enhance shoreline features of archaeological, historic, and cultural value or significance and to preserve these features for the public benefit through coordination and consultation with the appropriate local, state and federal authorities, including affected Indian tribes.

WORKING DRAFT TSMP**3.7.2 Archaeological, Historic and Cultural Resources Objectives**

1. Recognize the importance of the waterfront to Tacoma's history and character.
2. Recognize the high probability that development may encounter archaeological, historic and cultural resources, and ensure that appropriate measures are taken to protect, preserve, and enhance sites and features of archaeological, historic, and cultural value or significance.
3. Collaborate on cultural resource management issues with the appropriate tribal, state, federal and local governments and entities.
4. Encourage cooperation between public and private entities in the identification, protection and management of cultural resources.
5. Where appropriate, make access to such sites available to parties of interest, provided that access to such sites must be designed and managed in a manner that gives maximum protection to the resource.
6. Provide opportunities for education related to archaeological, historical and cultural features where appropriate and incorporated into public and private programs and development.

3.8 Public Access

The public access element provides for public access to publicly owned or privately owned shoreline areas where the public is granted a right of use or access.

3.8.1 Public Access Goal

To increase the ability of the general public to reach, touch, and enjoy the water's edge, to travel on the waters of the state, and/or to view the water and the shoreline from adjacent locations, provided that private rights, the public safety, and shoreline ecological functions and processes are protected consistent with the U.S. and State constitutions, state case law, and state statutes.

3.8.2 Public Access Objectives

1. Establish public access to and along the City's shorelines to the maximum extent feasible.
2. Develop a continuous system of vistas, view areas, view corridors, scenic drives, trails, and bike paths that capitalize on Tacoma's unique relationship to Puget Sound.
3. Establish a linear system of public access along the Tacoma shoreline, starting with high-density intensive-use urban activity on the Thea Foss Waterway, moving to moderate-use paved walkways on Schuster Parkway, to an intensive-use, multimodal pathway along Ruston Way, to a moderate-intensity promenade in Point Defiance Park from the boathouse to Owen Beach, and finally to a completely natural beach walk from Owen Beach to Salmon Beach.
4. Locate, design, manage and maintain public access in a manner that protects shoreline ecological functions and processes and public health and safety.
5. Design and manage public access in a manner that ensures compatibility with water-oriented uses.

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6. Encourage cooperation among the City, landowners, developers, other agencies and organizations to enhance and increase public access to shorelines as specific opportunities arise. Provide for diverse shoreline access and recreational experiences for the citizen's of the City of Tacoma and the Puget Sound region.
7. Design public access sites to provide continuity of site details to increase the ability of the public to discern public from private spaces.

3.9 Recreation

The recreation element provides for the preservation and expansion of water-oriented recreational opportunities that facilitate the public's ability to enjoy the physical and aesthetic qualities of the shoreline through parks, public access to tidelands and beaches, bicycle and pedestrian paths, viewpoints and other recreational amenities.

3.9.1 Recreation Goal

To provide opportunities, spaces, and appropriate facilities for diverse forms of water-oriented recreation that takes advantage of the unique waterfront setting.

3.9.2 Recreation Objectives

1. Locate only water-oriented recreational uses in the shoreline area.
2. Locate, design, manage and maintain recreation uses and facilities in a manner that protects shoreline ecological functions and processes and public health and safety.
3. Locate, design, and operate recreational development in a manner that minimizes adverse effects on adjacent properties as well as other social, recreational, or economic activities.
4. Acquire additional recreation areas and public access areas with a high recreation value prior to demand to assure that sufficient shoreline recreation opportunities are available to serve future recreational needs.
5. Encourage cooperation among public agencies, non-profit groups, and private landowners and developers to increase and diversify recreational opportunities through a variety of means including incorporating water-oriented recreational opportunities into mixed use developments and other innovative techniques.
6. Recognize and protect the interest of all people of the state by providing increased recreational opportunities within shorelines of statewide significance and associated shorelands.
7. Encourage private and public investment in recreation facilities.

3.10 Transportation and Essential Public Facilities

The transportation and essential public facilities element provides for the general location and extent of existing and proposed public thoroughfares, transportation routes, terminals, and other public utilities and facilities.

WORKING DRAFT TSMP**3.10.1 Transportation and Essential Public Facilities Goal**

To provide transportation systems and essential public facilities in shoreline areas without adverse effects on existing shoreline use and development or shoreline ecological functions and/or processes.

3.10.2 Transportation and Essential Public Facilities Objectives

1. Locate, develop, manage, and maintain transportation systems and essential public facilities in a manner that protects shoreline ecological functions and processes.
2. Locate and design transportation systems and essential public facilities to be harmonious with the existing and future economic and social needs of the community.
3. Discourage the development of non-water-dependent transportation systems and essential public facilities unless no feasible alternatives exist.
4. Encourage alternate modes of travel and provide multiple use transportation corridors where compatible in association with shoreline transportation development.
5. Require transportation systems and essential public facility development in shoreline areas to protect and enhance physical and visual shoreline public access.
6. Develop a coherent network of motorized and non-motorized transportation facilities that relate the circulation system more closely to the shoreline area that it serves.
7. Protect the public's right to use navigable waters, together with the right to use state-owned Harbor Areas for the development of landings, wharves, and associated facilities.

3.11 View and Aesthetics

This element provides for preservation and/or protection of scenic vistas, views of the water, and other aesthetic qualities of shorelines for public enjoyment.

3.11.1 View and Aesthetics Goals

To assure that the public's ability and opportunity to enjoy shoreline views and aesthetics is protected.

3.11.2 View and Aesthetics Objectives

1. Preserve, to the greatest extent feasible, the public's opportunity to enjoy the physical and aesthetic qualities of the City's shorelines.
2. Identify and protect areas with scenic vistas and areas where the shoreline has high aesthetic value.
3. Minimize adverse impacts from new development on views from public property or views enjoyed by a substantial number of residences.
4. Enhance the shoreline's positive and distinct features, unify shoreline areas visually, and give definition to sub-areas.
5. Encourage design details such as form, scale, proportion, color, materials, and texture to be compatible with shoreline areas wherever feasible.

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6. Improve the appearance of the shoreline for those who live and work there and make it a more attractive and interesting place to visit.
7. Design shoreline areas for a variety of uses and users and to improve accessibility to all of Tacoma's residents.
8. Design and locate new shoreline uses to take full advantage of the waterfront views and location.

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CHAPTER 4 SHORELINES OF THE STATE

4.1 Shoreline Jurisdiction

Per the SMA (RCW 90.58.030), the shoreline area to be regulated under the City of Tacoma's TSMP includes all "shorelines of statewide significance", "shorelines of the state" and their adjacent shorelands, defined as the upland area within 200 feet of the OHWM, as well as any associated wetlands. "Associated wetlands" means those wetlands that are in proximity to and either influence or are influenced by tidal waters or lake or streams subject to the SMA (WAC 173-22-030(1)).

So as to avoid any duplication of regulation between the TSMP and TMC 13.11 Critical Areas, associated wetlands and their buffers shall be regulated solely under the TSMP; where the buffer of an unassociated wetland is determined to overlap shoreline jurisdiction, that portion of the buffer that is within shoreline jurisdiction shall be regulated solely under the TSMP, whereas the area outside shoreline jurisdiction shall be regulated by TMC 13.11.

The City's shoreline jurisdiction is also required to include, at a minimum, the floodway and contiguous areas of the 100-year floodplain landward 200 feet from such floodways (RCW 90.58.030(f)). Under SMA (RCW 90.58.030(f)(i) and (ii)), the City may determine that portion of the 100-year floodplain to be included in its master program provided the minimum required extent, noted in RCW 90.58.030(f) is included. The City may also include those critical areas buffers regulated under TMC 13.11, that are located landward of the minimum shoreline extent required under SMA.

For the purposes of this Program, shoreline jurisdiction shall include designated floodways and the minimum 100-year floodplain, as outlined above, that are within 200 feet of the designated floodway. Areas of the 100-year floodplain that are landward beyond 200 feet from the floodway are not included in the shoreline jurisdiction and are not regulated by this Program.

Water bodies in Tacoma regulated under the SMA and this Program include the marine shorelines of Puget Sound and Commencement Bay, the Puyallup River, and Wapato Lake. Portions of Hylebos Creek in the City are also regulated under this Program. The Puyallup River and marine areas waterward of extreme low tide are designated as "shorelines of statewide significance." Wapato Lake and marine areas landward of extreme low tide are designated as "shorelines of the state." For non-SMA streams, only that portion of the stream that is located within shoreline jurisdiction shall be regulated by this Program.

For other critical areas that occur within shoreline jurisdiction, such as geologically hazardous areas, only that portion of the critical area and its buffer that is within 200' of the ordinary high water mark (OHWM) of a marine or freshwater shoreline shall be regulated by this Program. That portion of the critical area that occurs outside 200' of the OHWM shall be regulated by TMC 13.11. To avoid dual regulatory coverage of a critical area by the TSMP and TMC 13.11 Critical Areas, TMC 13.11 shall not apply to any portion of a critical area and/or its buffer that is within the jurisdiction of this Program.

4.2 Designation of Shorelines of Statewide Significance

In accordance with RCW 90.58.030(2)(f), the following City of Tacoma shorelines are designated shorelines of statewide significance:

1. The Puyallup River and associated shorelands within the City boundary consistent with RCW 90.58.030(2)(f)(v)(A) and (vi); and
2. Those areas of the Puget Sound and Commencement Bay within the City lying seaward from the line of extreme low tide..

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In accordance with RCW 90.58.020, the City shall manage shorelines of statewide significance in accordance with this section and in accordance with this Program as a whole. Preference shall be given to uses that are consistent with the statewide interest in such shorelines. Uses that are not consistent with this section or do not comply with the other applicable policies and regulations of this Program shall not be permitted on shorelines of statewide significance. In managing shorelines of statewide significance, The City of Tacoma shall:

1. Recognize and protect the statewide interest over local interest;
2. Preserve the natural character of the shoreline;
3. Seek long-term benefits over short-term benefit;
4. Protect the resources and ecology of the shoreline;
5. Increase public access to publicly owned areas of the shoreline;
6. Increase recreational opportunities for the public in the shoreline; and
7. Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary.

4.4 Policies for Shorelines of Statewide Significance

The statewide interest should be recognized and protected over the local interest in shorelines of statewide significance. To ensure that statewide interests are protected over local interests, the City shall review all development proposals within shorelines of statewide significance for consistency with RCW 90.58.020 and the following policies:

1. Redevelopment of shorelines should be encouraged where it restores or enhances shoreline ecological functions and processes impaired by prior development activities.
2. The Washington Departments of Fish and Wildlife and Ecology, the Puyallup Tribe, and other resource agencies should be consulted for development proposals that could affect anadromous fisheries.
3. The range of options for shoreline use should be preserved to the maximum possible extent for succeeding generations. Development that consumes valuable, scarce or irreplaceable natural resources should not be permitted if alternative sites are available.
4. Potential short term economic gains or convenience should be measured against potential long term and/or costly impairment of natural features.
5. Protection or enhancement of aesthetic values should be actively promoted in new or expanding development.
6. Resources and ecological systems of shorelines of statewide significance should be protected.

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7. Those limited shorelines containing unique, scarce and/or sensitive resources should be protected to the maximum extent feasible.
8. Erosion and sedimentation from development sites should be controlled to minimize adverse impacts on ecosystem processes. If site conditions preclude effective erosion and sediment control, excavations, land clearing, or other activities likely to result in significant erosion should be severely limited.
9. Public access development in extremely sensitive areas should be restricted or prohibited. All forms of recreation or access development should be designed to protect the resource base upon which such uses in general depend.
10. Public and private developments should be encouraged to provide trails, viewpoints, water access points and shoreline related recreation opportunities whenever possible. Such development is recognized as a high priority use.
11. Development not requiring a waterside or shoreline location should be located upland so that lawful public enjoyment of shorelines is enhanced.
12. Lodging and related facilities should be located upland and provide for appropriate means of access to the shoreline.

CHAPTER 5 SHORELINE ENVIRONMENT DESIGNATIONS

5.1 Introduction

The intent of designating shoreline environment is to encourage development that will enhance the present or desired character of the shoreline. To accomplish this, segments of shoreline are given an environment designation based on existing development patterns, natural capabilities and limitations, and the aspirations of the local community. Environment designations are categories that reflect the type of development that has occurred, or should take place in a given area. The scheme of classifications represents a relative range of development, from high to low intensity land use, and targets types of development to specific areas. The environment classification scheme is intended to work in conjunction with local comprehensive planning and zoning.

Management policies are an integral part of the environment designations and are used for determining uses and activities that can be permitted in each environment. Specific development regulations specify how and where permitted development can take place within each shoreline environment. Development Regulations in this chapter generally govern use, height limits, and setbacks. Additional policies and development regulations are provided for specific situations, uses and developments in other chapters of this Master Program.

5.2 Authority

Local governments are required, under the Washington State Shoreline Management Act of 1971 through WAC 173-26, to develop and assign a land use categorization system for shoreline areas as a basis for effective Shoreline Master Programs. The state's Shoreline Master Program Guidelines describe the purpose of environment designations in WAC 173-26-191(1)(d): Shoreline management must address a wide range of physical conditions and development settings along shoreline areas. Effective shoreline management requires that the Shoreline Master Program prescribe different sets of environmental protection measures, allowable use provisions, and development Regulations for each of these shoreline segments.

The method for local government to account for different shoreline conditions is to assign an environment designation to each distinct shoreline section in its jurisdiction. The environment designation assignments provide the framework for implementing shoreline policies and regulatory measures specific to the environment designation.

5.3 Shoreline Environment Designations

The City of Tacoma classification system consists of six shoreline environments that are consistent with, and implement the Washington State Shorelines Management Act (Chapter 90.58 RCW), the Shoreline Master Program Guidelines (Chapter 173-26 WAC), and the City of Tacoma Comprehensive Plan. These environment designations have been assigned consistent with the corresponding designation criteria provided for each environment. In delineating environment designations, the City of Tacoma aims to assure that existing shoreline ecological functions are protected with the proposed pattern and intensity of development. Such designations should also be consistent with policies for restoration of degraded shorelines. The six shoreline environments are:

1. Aquatic
2. Natural

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3. Residential
4. Urban Conservancy
5. High Intensity
6. Downtown Waterfront

5.4 Official Shoreline Environment Designation Map**5.4.1 Map Established**

The location and extent of areas under the jurisdiction of this Master Program, and the boundaries of the various shoreline environments affecting the lands and waters of the City shall be as shown on the map, entitled, “Official Shoreline Environments Designation Map, City of Tacoma, Washington.” The official shoreline map and all the notations, references, and amendments thereto and other information shown thereon are hereby made a part of this Master Program, just as if such information set forth on the map were fully described and set forth herein.

In the event that new shoreline areas are discovered (e.g., associated wetlands) that are not mapped and/or designated on the official shoreline map, these areas are automatically assigned a Natural designation if they include critical areas, or, if no critical areas are included, an Urban Conservancy designation shall be applied until the shoreline can be re-designated through an TSMP amendment (WAC 173-26-211(2)(e)).

5.4.2 File Copies

The official shoreline district maps shall be kept on file in the office of the City of Tacoma Building and Land Use Services Division, the Washington State Department of Ecology, and the Washington State Code reviser. Unofficial copies of the map may be prepared for administrative purposes. To facilitate use of this Master Program unofficial shoreline district maps and boundary descriptions are provided in TSMP Chapter 9. An unofficial city-wide Shoreline Environment Designations map is included with this Program as Appendix A.

5.4.3 Map Amendments

The designation map is an integral part of this Master Program and may not be amended except upon approval by the City and the Washington State Department of Ecology, as provided under the Shoreline Management Act.

5.4.4 Boundary Interpretation**A. Boundary Interpretation**

1. If disagreement develops as to the exact location of a shoreline environment designation boundary line shown on the Official Shoreline Map, the following rules shall apply:
 - a. Boundaries indicated as approximately following lot, tract, or section lines shall be so construed.
 - b. Boundaries indicated as approximately following roads or railways shall be respectively construed to follow their centerlines.

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- c. Boundaries indicated as approximately parallel to or extensions of features indicated in (1) or (2) above shall be so construed.
2. Whenever existing physical features are inconsistent with boundaries on the Official Shoreline Map, the Shoreline Administrator shall interpret the boundaries, with deference to actual conditions. Appeals of such interpretations may be filed pursuant to the applicable appeal procedures described in Chapter 2, Administrative Provisions.

B. Split Zoning

1. Whenever a zone boundary line passes through a single unified parcel of land as indicated by record of the Pierce County Auditor as of the adoption of the Shoreline Management Act and such parcel is of an area equal to the minimum requirements of either zone, the entire parcel may be used in accordance with the provisions of the least restrictive of the two zones; provided, more than 50 percent of the parcel is located within the lease restrictive of the two zones.
2. Whenever a shoreline jurisdiction boundary line passes through a single unified parcel of land as indicated by record of the Pierce County Auditor as of the adoption of the Shoreline Management Act, the shoreline zone may be applied to the whole parcel where the conditions in (a) above are met; in no instance shall non-shoreline zoning be applied to that portion of the parcel that is within shoreline jurisdiction.

5.5 Shoreline Environment Designations

The following section contains purpose statements, designation criteria and management policies for each of the six shoreline environment designations established by this Program. Areas included in each shoreline environments are listed in this section and shown in TSMP Chapter 9. The management policies are implemented through use regulations and development standards included in Table 9-2 and TSMP Chapters 6 through 9.

5.5.1 Natural Environment**A. Purpose**

The purpose of the "natural" environment is to protect those shoreline areas that are relatively free of human influence or that include intact or minimally degraded shoreline functions intolerant of human use. These systems require that only very low intensity uses be allowed in order to maintain the ecological functions and ecosystem-wide processes. Consistent with the policies of this designation, the City of Tacoma should plan for the restoration of degraded shorelines within this environment.

B. Areas Proposed for Designation

1. District S-4 Point Defiance – Natural
2. District S-12 – Hylebos Creek

C. Designation Criteria

The "natural" environment designation is assigned to shoreline areas that have the following characteristics:

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1. The shoreline is ecologically intact and therefore currently performing an important, irreplaceable function or ecosystem-wide process that would be damaged by human activity;
2. The shoreline is considered to represent ecosystems and geologic types that are of particular scientific and educational interest; or
3. The shoreline is unable to support new development or uses without significant adverse impacts to ecological functions or risk to human safety.

D. Management Policies

1. Preservation of the area's ecological functions, natural features and overall character must receive priority over any other potential use. Uses should not degrade shoreline ecological functions or processes or the natural character of the shoreline area.
2. New development or significant vegetation removal that would reduce the capability of the shoreline to perform a full range of ecological functions or processes should not be permitted.
3. Private and/or public enjoyment of natural shoreline areas should be encouraged and facilitated through low intensity recreational, scientific, historical, cultural, and educational research uses such as walking/hiking trails, provided that no significant ecological impact on the area will result.
4. Beaches, sea cliffs, and forests shall be retained in their natural state.

5.5.2 Aquatic Environment**A. Purpose**

The purpose of the "aquatic" environment is to protect, restore, and manage the unique characteristics and resources of the marine areas waterward of the ordinary high-water mark.

B. Areas Proposed for Designation

1. District S-13 Waters of the State

C. Designation Criteria

The "aquatic" environment designation is assigned to marine waters below the ordinary high-water mark and the underlying lands.

D. Management Policies**1. Uses**

- a. Limit new uses and activities within the Aquatic environment, with few exceptions, to water-dependent uses and public access/recreational improvements designed to provide access to the shoreline for a substantial number of people.
- b. Permit water-enjoyment and water-related uses in existing over-water buildings.

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- c. Permit non-water oriented uses on/in existing over-water structures only where they are in support of water-oriented uses and the size of the use is limited to the minimum necessary to support the structure's intended use.
- d. New uses and development in the Aquatic environment that have an upland connection should also be consistent with the permitted uses in the adjacent upland shoreline designation and district. Uses prohibited in the upland shoreline district should not be permitted.
- e. Aquatic uses and modifications should be designed and managed to prevent degradation of water quality and alteration of natural hydrologic conditions including sediment transport and benthic drift patterns.
- f. Water oriented recreational uses in the aquatic environment should not detrimentally impact the operations of water-dependent industrial uses.

2. New Over-Water Structures

- a. Permit new over-water structures only for water-dependent uses, restoration projects, public access, or emergency egress. New over-water structures must show significant public benefits. Pursuant to this policy, upper-story balconies or cantilevered decks may be permitted for the purpose of dedicated public access if attached to an existing legally established building, provided that ecological functions are not impacted.
- b. Prohibit non-water-dependent uses on new overwater structures.
- c. New overwater residential uses are strictly prohibited.
- d. The size of new over-water structures should be limited to the minimum necessary to support the structure's intended use.
- e. In order to reduce the impacts of shoreline development and increase effective use of water resources, multiple use of over-water facilities should be encouraged.

3. Reuse of Over-water Structures

- a. Permit minor expansions, up to ten (10) percent of the total square footage of the structure, of existing over-water structures when necessary to provide public access, to facilitate environmental restoration, or to meet building safety codes.
- b. Refurbish or rebuild existing piers and wharves along Thea Foss Waterway and Ruston Way to maintain a modern-day link with the community's maritime history.
- c. Develop, in coordination with the Foss Waterway Development Authority, a moorage float and dock facility for passenger-only ferries and other seasonal commercial tour vessels at the Municipal Dock site on the Thea Foss Waterway.

4. Design Elements

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- a. All developments and uses on navigable waters or their beds should be located and designed to minimize interference with surface navigation, to be compatible with adjacent aquatic and upland uses, and to consider impacts to public views.

5. Environmental Protection

- a. Shoreline uses and modifications within the Aquatic environment should be designed and managed consistent with the Environmental Protection policies and regulations of Chapter 6 including but not limited to preservation of water quality, habitat (such as eelgrass, kelp, forage fish spawning beaches, etc.), natural hydrographic conditions, and safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration.
- b. Remove abandoned over-water structures when they no longer serve their permitted use unless:
 - i. Retaining such structures provides a net environmental benefit, for example, artificial reef effect of concrete anchors; or
 - ii. Such structures can be reused in a manner that helps maintain the character of the City's historic waterfront; or
 - iii. Removing such structures would have substantial potential to release harmful substances into the waterways despite use of reasonable precautions.

5.5.3 Shoreline Residential Environment

A. Purpose

The Shoreline Residential designation accommodates residential development and accessory structures that are consistent with this chapter. An additional purpose is to provide appropriate public access and recreational uses.

B. Areas Proposed for Designation

1. District S-1b Western Slope South – Shoreline Residential

C. Designation Criteria

The "shoreline residential" environment designation is assigned to shoreline areas in the city if they are predominantly single-family or multifamily residential development or are planned and platted for residential development.

D. Management Policies

Development within Shoreline Residential shoreline areas shall be consistent with the following policies:

1. New development should be designed and located to preclude the need for shoreline armoring, flood control works, vegetation removal and other shoreline modifications.

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2. The scale and density of new uses and development should be compatible with the existing residential character of the area while sustaining or enhancing shoreline ecological functions and processes.
3. Public outdoor recreation facilities should be encouraged if compatible with the character of the area. Preferred uses include water-dependent and water-enjoyment recreation facilities that provide opportunities for substantial numbers of people to access and enjoy the shoreline.
4. Commercial development should be limited to water-oriented uses.
5. Low impact development should be implemented to the maximum extent possible to avoid and minimize impacts to water quality and quantity.
6. Multi-family residential, multi-lot (4 or more lots) and recreational developments should provide shoreline areas for joint use, and public access to the shoreline.
7. Establishment of native vegetation within a required buffer to slow surface and ground water movement and for improvement of the near-shore function including habitat and natural resources should be a priority

5.5.4 Urban Conservancy Environment**A. Purpose**

The “urban conservancy” environment is intended to protect and restore the public benefits and ecological functions of open space, natural areas and other sensitive lands where they exist within the City, while allowing a variety of compatible uses. It is the most suitable designation for shoreline areas that possess a specific resource or value that can be protected without excluding or severely restricting all other uses. It should be applied to those areas that would most benefit the public if their existing character is maintained, but which are also able to tolerate limited or carefully planned development or resource use. Permitted uses may include recreational, cultural and historic uses provided these activities are in keeping with the goals of protection and restoration as stated.

B. Areas Proposed for Designation:

1. District S-2 Western Slope Central
2. District S-3 Western Slope North
3. District S-5 Point Defiance – Urban Conservancy
4. District S-6 Ruston Way
5. District S-9 Puyallup River
6. District S-11 Marine View Dr.
7. District S-14 Wapato Lake

C. Designation Criteria

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The "urban conservancy" environment designation is assigned to shoreline areas appropriate and planned for development that is compatible with maintaining or restoring the ecological functions of the area and that are not generally suitable for water-dependent uses, if any of the following characteristics apply:

- a. They are suitable for water-related or water-enjoyment uses;
- b. They are open space or other sensitive areas that should not be more intensively developed;
- c. They have potential for ecological restoration;
- d. They retain important ecological functions, even though partially developed; or
- e. They have the potential for development that is compatible with ecological restoration.

D. Management Policies

1. Permitted uses should be those that would preserve the natural character of the area and/or promote the protection and restoration of ecological function within critical areas and public open spaces, either directly or over the long term.
2. Restoration of shoreline ecological function concurrent with development and redevelopment within Urban Conservancy shorelines should be a priority.
3. New development should be designed and located to preclude the need for shoreline armoring, flood control works, vegetation removal and other shoreline modifications.
4. When development requires shoreline modification or stabilization, bioengineered shoreline stabilization measures, conservation of native vegetation, and Low Impact Development techniques for surface water management should be implemented to minimize adverse impacts to existing shoreline ecological functions.
5. Public access and public recreation objectives should be implemented whenever feasible and adverse ecological impacts can be avoided. Continuous public access along the marine shoreline should be provided, preserved, or enhanced consistent with this policy.
6. Protection of ecological functions should have priority over public access, recreation and other development objectives whenever a conflict exists.
7. Permitted uses should consist of low intensity uses that preserve the natural character of the area or promote preservation of open space and critical areas.
8. Water-oriented commercial uses are encouraged when specific uses and design result in substantial open space, public access and/or restoration of ecological functions and if compatible with surrounding uses.
9. Existing historic and cultural buildings and areas should be preserved, protected and reused when feasible.

WORKING DRAFT TSMP**5.5.5 High-Intensity Environment****A. Purpose**

The purpose of the "high-intensity" environment is to provide for high-intensity water-oriented commercial, transportation, and industrial uses while protecting existing ecological functions and restoring ecological functions in areas that have been previously degraded.

B. Areas Proposed for Designation:

1. District S-1a Western Slope South – High-intensity
2. District S-7 Schuster Parkway
3. District S-10 Port/Industrial Area
4. District S-15 Point Ruston/Slag Peninsula

C. Designation Criteria

The "high-intensity" environment designation is assigned to shoreline areas if they currently support high-intensity uses related to commerce, transportation or navigation; or are suitable and planned for high-intensity water-oriented uses.

D. Management Policies

1. First priority should be given to water-dependent uses. Second priority should be given to water-related and water-enjoyment uses. Non-water oriented uses should not be permitted except as part of mixed use developments and where they do not conflict with or limit opportunities for water oriented uses or on sites where there is no direct access to the shoreline.
2. Full utilization of existing high intensity areas should be achieved before further expansion of intensive development is permitted.
3. Policies and regulations shall assure no net loss of shoreline ecological functions as a result of new development. Where applicable, new development shall include environmental cleanup and restoration of the shoreline to comply with relevant state and federal law.
4. Where feasible, visual and physical public access should be required as provided for in WAC 173-26-221(4)(d). Pedestrian and bicycle paths should be permitted as public access opportunities.
5. Aesthetic objectives should be implemented by means such as sign control regulations, appropriate development siting, screening and architectural standards, and maintenance of natural vegetative buffers.
6. Require new development to provide physical and visual access to shorelines whenever possible and consistent with constitutional and statutory limitations, provided such access does not interfere with industrial operations or endanger public health and safety.

WORKING DRAFT TSMP**5.5.6 Downtown Waterfront****A. Purpose**

1. Foster a mix of private and public uses, including parks and recreation facilities, that are linked by a comprehensive public access system, including a continuous walkway encircling the entire Thea Foss Waterway;
2. Strengthen the pedestrian-orientation of development on the Thea Foss Waterway;
3. Promote the design vision for the Thea Foss Waterway through the establishment and implementation of design guidelines and standards;
4. Manage the shoreline area in a way that optimizes circulation, public access, development, and environmental protection;
5. Encourage and provide opportunities for mixed-use development that supports water-oriented uses and provides significant public benefit and enjoyment of the Waterway for the citizens of Tacoma;
6. Promote the east side of the Foss Waterway as a center for industries and firms specializing in the design, research, development, and implementation of clean technology;
7. Encourage a mix of uses, including water-oriented industrial and commercial uses that are compatible with public access objectives, and residential uses except in that area of the east side of the Foss Waterway north of 11th Street, reserved primarily for water-oriented industrial and commercial development; and
8. Retain and enhance characteristics of the Thea Foss Waterway that support marine and recreational boating activities.

B. Areas Proposed for Designation

1. District S-8 Thea Foss Waterway

C. Designation Criteria

The "Downtown Waterfront" environment designation is generally assigned to shoreline areas that are contained within the Downtown Tacoma Regional Growth Center and comprised of or planned for a mix of higher intensity uses in mixed use buildings. The Downtown Waterfront designation is applied to shoreline areas that:

1. Are zoned for commercial, industrial and high density residential uses;
2. Are within or adjacent to the downtown core;
3. Are primarily developed with high intensity uses;
4. Are currently characterized by a dense mix of residential, commercial and industrial uses;
5. Contain historic structures, sites related to the Foss Waterway's maritime history as well as cultural, educational and institutional uses; and

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D. General Management Policies

1. Land Use

a. General

- i. Retain and enhance characteristics of the Thea Foss Waterway that support marine and boating activities.
- ii. Buildings adjacent to the esplanade/public walkway and public access/view corridors should provide ground-level uses that are pedestrian-friendly and publicly accessible where appropriate.
- iii. Encourage and provide opportunities for mixed use development that supports water-oriented uses and provides significant public benefit and enjoyment of the Waterway for the citizens of Tacoma.
- iv. Encourage uses that generate significant walk-in and casual visitors.
- v. Promote diverse, high-quality, pedestrian-related development that highlights the rich cultural, natural and maritime history of the Thea Foss Waterway.

b. East Foss

- i. Retain the “working waterfront” by encouraging a mix of water-oriented commercial, industrial, retail and office uses, and industries specializing in the design and development of clean technology.
- ii. Encourage residential uses only in that area south of 11th Street.
- iii. Residential and hotel/motel uses are not permitted north of 11th Street.

2. Views and Aesthetics

- a. Emphasize the uniqueness of the Thea Foss Waterway as a protected waterway immediately adjacent to a downtown core, bringing together the attractions of the downtown area, the industrial, mixed-use waterfront, and public spaces.
- b. Important public views of the Thea Foss Waterway from downtown should be protected.
- c. Encourage existing industrial and commercial uses to improve the aesthetics of the Waterway through techniques such as aesthetic treatments of storage tanks, cleanup of blighted areas, landscaping, exterior cosmetic improvements, landscape screening, and support of the Waterway environmental cleanup and remediation.
- d. Foster desirable character through the establishment and application of design guidelines and standards.
- e. Public art, historical interpretation and/or design elements which enrich the area are encouraged.

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- f. Encourage the incorporation of aesthetic elements and/or artwork in the design of public facilities and amenities.
- g. Historic markers and design elements that reflect the history and culture of local and indigenous peoples should be encouraged where appropriate.
- h. Develop site features that facilitate public participation in maritime events and activities.

3. Public Access

- a. Provide a wide variety of physical settings, landscaped parks, plazas, and pedestrian attractions.
- b. Unify and link parks, public areas, uses and attractions by a public walkway along the shoreline edge, where appropriate.
- c. Public spaces should be designed to be recognizable as 'public' areas and to promote a unified access system, including the design and location of site details and amenities consistent with the Thea Foss Waterway Design Guidelines and Standards.
- d. Public attractions on the Thea Foss Waterway should give preference to those which are water-oriented or relate to the Waterway's maritime history.

CHAPTER 6 GENERAL POLICIES AND REGULATIONS

The following regulations shall apply to all uses and all districts in the City of Tacoma shoreline jurisdiction.

6.1 Shoreline Use

6.1.1 Policies

1. Shoreline uses that are water-dependent, water-related or water-enjoyment should be given preference (RCW 90.58.020). Such uses should be located, designed, and maintained in a manner that minimizes adverse impacts to shoreline ecological functions and/or processes.
2. Non-water-oriented uses may be permitted, provided that existing water-dependent uses and water-related uses are not displaced and the future supply of sites for water-dependent or water-related uses is not compromised, or, when the non-water-oriented use is part of a mixed use project or facility that supports water-oriented uses.
3. Adequate space should be reserved on shorelines to meet the current and projected demand for water-dependent uses.
4. Encourage close cooperation and coordination between both public and private shoreline interests including private property owners, the City, the Metropolitan Park District and the Port of Tacoma in the overall management and/or development of shorelines land use.
5. Shoreline uses should not deprive other uses of reasonable access to navigable waters. Public recreation activities such as fishing, swimming, boating, wading, and water-related recreation should be preserved and enhanced. The rights of treaty tribes to resources within their usual and accustomed areas should be accommodated.
6. Mixed-use projects or facilities that result in significant public benefit are encouraged in shoreline locations designated High Intensity and Downtown Waterfront.

6.1.2 Regulations

1. Restoration of ecological functions and processes shall be permitted on all shorelines and shall be located, designed and implemented in accordance with applicable policies and regulations of this Program.
2. Shoreline uses and developments shall be located, designed, and managed so that other appropriate uses are neither subjected to substantial or unnecessary adverse impacts, nor deprived of reasonable, lawful use of navigable waters, publicly owned shorelines, or private property.
3. Shoreline uses and developments shall be designed and located to minimize the need for future shoreline stabilization.
4. Water-enjoyment uses shall be designed to be oriented towards the shoreline such that the general public has the opportunity to enjoy the aesthetics of a shoreline location and have physical and/or visual access to the shoreline.

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5. Water-dependent uses shall be given preference over water-related and water-enjoyment uses. Prior to approval of water-dependent uses, the Land Use Administrator shall review a proposal for design, layout and operation of the use and shall make specific findings that the use qualifies as a water-dependent use.
6. Water-related uses may not be approved if they displace existing water dependent uses. Prior to approval of a water-related use, the Land Use Administrator shall review a proposal for design, layout and operation of the use and shall make specific findings that the use qualifies as a water-related use.
7. Water-enjoyment uses may be not be approved if they displace existing water-dependent or water-related uses or if they occupy space designated for water dependent or water-related use identified in a substantial development permit or other approval. Prior to approval of water-enjoyment uses, the Administrator shall review a proposal for design, layout and operation of the use and shall make specific findings that the use qualifies as a water-enjoyment use.
8. Non-water oriented uses may be permitted only when one of the following conditions is met:
 - a. The use is part of a mixed-use project or facility that includes water-oriented uses and provides a significant public benefit with respect to the Shoreline Management Act's objectives such as providing public access and ecological restoration; or
 - b. Navigability is severely limited at the proposed site and the use provides a significant public benefit with respect to the Shoreline Management Act's objectives such as providing public access and ecological restoration.
 - c. The use is within the shoreline jurisdiction but physically separated from the shoreline by a separate property, public right-of-way (excluding public access features), or existing use.
9. Non-water-oriented uses within a mixed-use project or facility, as specified in 8(a) above, shall be established or developed concurrently with a water-oriented use and shall provide public access and habitat restoration subject to the requirements below.
10. The following standards apply to non-water-oriented uses permitted, in accordance with 8(a) through (c) above, in the shoreline:
 - a. When a mixed-use project or facility that contains non-water-oriented uses is proposed in the shoreline, public access shall be provided between the subject development and the adjacent shoreline concurrently and shall be consistent with an adopted public access plan. In cases where said public access cannot be provided due to seasonal constraints, including fish windows, the timing with other planned / ongoing soil remediation or implementation of a habitat restoration project, said public access shall be secured with a financial surety totaling 150% of the cost of the required access or some other acceptable surety as may be specified by the Land Use Administrator.
 - b. When a mixed-use project or facility that contains non-water-oriented uses is proposed in the shoreline, restoration of shoreline functions shall be provided

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consistent with an adopted Restoration Plan and shall meet the mitigation requirements in TSMP Section 6.4.2 (C) and (D) and the following:

- i. 80% of the remaining buffer area shall be enhanced on site or an equivalent shall be restored off site.;
 - ii. Required restoration shall be completed prior to occupancy of the subject use. In cases where the required mitigation cannot be provided due to seasonal constraints, including fish windows, or the timing with other planned / ongoing soil remediation or implementation of public access projects, said mitigation shall be secured with a financial surety totaling 150% of the required restoration project or some other acceptable surety as may be specified by the Land Use Administrator.
 - c. Non-water-oriented uses shall not occupy the portion of the ground floor of a mixed-use structure that fronts on or is adjacent to the shoreline, except where specifically authorized in this Program.
 - d. Only parking on the landward side of the ground floor of a shoreline mixed-use structure is permitted.
 - e. In no case may residential uses within a shoreline mixed-use structure occupy the ground floor.
11. Non-water-dependent loading and service areas shall not be located between the shoreline and the development.
 12. All uses and developments in Shoreline Districts shall comply with the use regulations and developments standards contained in Table 9-2. Refer to TSMP Chapter 7 for all applicable provisions related to specific uses and development standards.

6.2 Site Planning**6.2.1 Policies**

1. The design, density and location of all permitted uses and development should consider physical and natural features of the shoreline and should assure no net loss of ecological functions by avoiding and minimizing adverse effects on shoreline ecology.
2. Site plans and structural designs for shoreline development in shoreline areas should acknowledge the water's proximity and value as an ecological and scenic resource.
3. Development and use should be designed in a manner that directs land alteration to the least sensitive portions of the site to maximize vegetation conservation; minimize impervious surfaces and runoff; protect riparian, nearshore and wetland habitats; protect wildlife and habitats; protect archaeological, historic and cultural resources; and preserve aesthetic values. This may be accomplished by minimizing the project footprint and other appropriate design approaches.
4. Low impact and sustainable development practices such as rain gardens and pervious surfacing methods including but not limited to, porous paving blocks, porous concrete and

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other similar materials, should be incorporated in developments where site conditions allow to maintain shoreline ecological functions and processes. Topographic modification, vegetation clearing, use of impervious surfaces and alteration of natural drainage or other features should be limited to the minimum necessary to accommodate approved uses and development. An engineering geologist should be consulted prior to using infiltration practices on shore bluffs.

5. Accessory development or use that does not require a shoreline location should be located outside of shoreline jurisdiction unless such development is necessary to serve approved uses. When sited within shorelines jurisdiction, uses and/or developments such as parking, service buildings or areas, access roads, utilities, signs and storage of materials should be located inland away from the land/water interface and landward of water-oriented developments and/or other approved uses.
6. Development should be located, designed, and managed so that impacts on shoreline or upland uses are minimized through setbacks, buffers, and control of proximity impacts such as noise or light and glare.

6.2.2 Regulations

1. All shoreline uses and developments shall provide setbacks from adjacent property lines or the landward edge of marine shoreline buffers in accordance with the standards contained in this Program and Table 9-2.
2. Side and front setbacks shall be of adequate width to attenuate proximity impacts such as noise, light and glare, scale, and aesthetic impacts. Fencing or landscape areas may be required to provide a visual screen. Refer to Chapter 9 for all applicable provisions related to district-specific setback regulations.
3. Rear setback from the landward edge of the marine shoreline buffer shall be no less than 10 feet unless otherwise specified in Table 9-2.
4. Unless otherwise stated elsewhere in this Program, modifications to front and side setbacks within shoreline districts may be authorized by the Land Use Administrator under the following circumstances:
 - a. The adjacent land use is of such a character as to render a setback unreasonable or unnecessary (e.g., industrial development);
 - b. Increased physical or visual access by the public to the shorelines and adjacent waters is reasonable and provides enhanced public benefit;
 - c. Better and/or more environmentally sensitive site and structure design will achieve greater protection of or lessen impacts upon ecological functions with a lesser setback;
 - d. Where a previously established setback line can be ascertained on adjacent properties, structures may be permitted similar setback as if a line were extended across the subject property from nearest points of the adjacent structures;

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- e. For side setback/view corridors: two or more contiguous properties are being developed under an overall development plan where view corridors will be provided which meet the intent and purposes of this Program and the Act;
 - f. A significant portion of the site, greater than that required, is being set aside for public access, public open space, or public access elements; or
 - g. Excessive removal of vegetation would be necessary to meet the required setback.
5. In authorizing a lesser setback, the Land Use Administrator shall determine that the following criteria have been met:
 - a. One or more of the circumstances set forth in TSMP Section 6.2.2(4) are present or will occur;
 - b. The reduction or elimination of the setback is consistent with the intended character of the shoreline district as well as the purpose and Management Policies of the Shoreline Environment Designation and will not adversely affect the rights of neighboring property owners and will secure for neighboring properties substantially the same protection that the regulation, if enforced literally, would have provided;
 - c. Vehicular sight distance and pedestrian safety will not be adversely affected; and
 - d. Undue view blockage or impairment of existing or proposed pedestrian access to the shorelines and adjacent waters will not result.
 6. In authorizing modifications to required setbacks, the Land Use Administrator may impose conditions on the permit as necessary to ensure compliance with this Program.
 7. Design of structures shall conform to natural contours and minimize disturbance to soils and native vegetation.
 8. Stormwater infiltration systems shall be employed to mimic the natural infiltration and ground water interflow processes where appropriate.
 9. Fences, walls and similar structures shall only be permitted as normal appurtenances to single-family developments, water-dependent uses, for protecting critical areas, and where there is a safety or security issue. Fencing, walls and similar structures shall be designed in a manner that does not significantly interfere with public views of the shoreline.
 10. Accessory uses that do not require a shoreline location shall be sited away from the shoreline and upland of the principal use.
 11. Unless integral to a permitted water-oriented use, accessory uses shall observe the marine shoreline and critical area regulations in TSMP Section 6.4.
 12. Development shall be located, designed, and managed so that impacts on public use of the shoreline are minimized.
 13. Interior and exterior lighting shall be designed and operated to avoid illuminating nearby properties, public areas, or waters; prevent glare on adjacent properties, public areas or

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roadways to avoid infringing on the use and enjoyment of such areas, and to prevent hazards. Methods of controlling spillover light include, but are not limited to, limits on height of structure, limits on light levels of fixtures, light shields, setbacks, buffer areas and screening.

6.3 Archeological, Cultural and Historic Resources**6.3.1 Policies**

1. The City should work with tribal, state, federal and local governments as appropriate to identify and maintain an inventory of all known significant local historic, cultural and archaeological sites in observance of applicable state and federal laws protecting such information from general public disclosure. As appropriate, such sites should be protected, preserved and/or restored for study, education and/or public enjoyment to the maximum possible extent.
2. Where adverse impacts are unavoidable, the City should require documentation and data recovery consistent with the requirements of this chapter. Adverse impacts should be mitigated according to the requirements of this chapter.
3. If development is proposed adjacent to an identified historic, cultural or archaeological site, then the proposed development should be designed and operated so as to be compatible with continued protection of the historic, cultural or archaeological site.
4. Owners of property containing identified historic, cultural or archaeological sites should make development plans known well in advance of application, so that appropriate agencies have ample time to assess the site and make arrangements to preserve historical, cultural and archaeological values as applicable.
5. Private and public owners of historic sites should be encouraged to provide public access and educational opportunities in a manner consistent with long term protection of both historic values and shoreline ecological functions.
6. Cooperation among involved private and public parties is encouraged to achieve the Archeological, Historical and Cultural element goals and objectives of this Program.

6.3.2 Regulations**A. General**

1. Archaeological sites located in shoreline jurisdiction are subject to RCW 27.44 (Indian Graves and Records) and RCW 27.53 (Archaeological Sites and Records).
2. Development or uses that may impact such sites shall comply with WAC 25-48 as well as the requirements within this Program, where applicable.
3. Development that is proposed in areas documented to contain archaeological resources shall have a site inspection or evaluation by a professional archaeologist in coordination with affected Indian tribes.

B. Unanticipated Discovery of Historic, Cultural or Archaeological Resource

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1. Consistent with TSMP 2.4, all applications for a shoreline permit or request for a statement of exemption shall prepare a plan for the possible unanticipated discovery of historic, cultural or archaeological resource(s), including a point of contact, procedure for stop-work notification, and for notification of appropriate agencies.
2. Whenever historic, cultural or archaeological sites or artifacts are discovered in the process of development on shorelines, work on that portion of the development site shall be stopped immediately, the site secured and the find reported as soon as possible to the Administrator. Upon notification of such find, the property owner shall notify the Washington State Department of Archaeology and Historic Preservation and the Puyallup Tribe, and the Administrator shall conduct a site investigation to determine the significance of the discovery. Based upon the findings of the site investigation and consultation with the Washington State Department of Archaeology and Historic Preservation, the Puyallup Tribe, and the proponents unanticipated discovery plan prepared consistent with TSMP 2.4, the Administrator may require that an immediate site assessment be conducted or may allow stopped work to resume.
3. If a site assessment is required, the area of inadvertent discovery shall be stabilized, contained or otherwise protected until the site assessment and/or CRMP is completed. The site assessment shall be prepared to determine the significance of the discovery and the extent of damage to the resource and shall be distributed to the Washington State Department of Archaeology and Historic Preservation, and the Puyallup Tribe
4. Upon receipt of a positive determination of a site's significance, the Administrator may invoke the provisions of TSMP 2.4.6 for a Cultural Resource Management Plan (CRMP), if such action is reasonable and necessary to implement.

6.4 Marine Shoreline and Critical Areas Protection**6.4.1 Policies**

1. Maintain healthy, functioning ecosystems through the protection of ground and surface waters, marine shorelines, wetlands, and fish and wildlife and their habitats, and to conserve biodiversity of plant and animal species.
2. Prevent cumulative adverse impacts to water quality, streams, FWHCAs, shoreline functions and processes, and wetlands over time.
3. Give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries.
4. Shoreline use and development should be carried out in a manner that achieves no net loss of ecological functions; in assessing the potential for net loss of ecological functions or processes, project specific and cumulative impacts should be considered.
5. The City should encourage innovative restoration strategies to provide for comprehensive and coordinated approaches to mitigating cumulative impacts and restoration rather than piecemeal mitigation.
6. Required mitigation should be in-kind and on-site, when feasible and practicable, and sufficient to maintain the functions and processes of the modified critical area or buffer.

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7. Protect members of the public and public resources and facilities from injury, loss of life, or property damage due to landslides and steep slope failures, erosion, seismic events, volcanic eruptions, flooding or similar events.

6.4.2 General Regulations**A. General Regulations**

1. Shoreline use and development shall be carried out in a manner that prevents or mitigates adverse impacts so that no net loss of existing ecological functions occurs; in assessing the potential for net loss of ecological functions or processes, project specific and cumulative impacts shall be considered.
2. Any shoreline development proposal that includes modification to a marine shoreline, marine buffer, critical area or buffer is subject to the Review Process in TSMP section 2.4.2.

B. Critical Area Buffer Modification

1. Modification of a critical area and/or marine buffer is prohibited except when:
 - a. Modification is necessary to accommodate an approved water-dependent or public access use, including trails and/or pedestrian/bicycle paths; provided, that such development is operated, located, designed and constructed to minimize and, where possible, avoid disturbance to shoreline functions and native vegetation to the maximum extent feasible; or
 - b. Modification is necessary to accommodate a water-related or water-enjoyment use or mixed-use development if it includes a water-oriented component provided that the proposed development is operated, located, designed and constructed to minimize and, where possible, avoid disturbance to native vegetation and shoreline and critical area functions to the maximum extent feasible; or
 - c. Modification is associated with a mitigation, restoration, or enhancement action that has been approved by the City and which complies with all of the provisions of this Program; or
 - d. Modification is approved pursuant to the variance provisions of this Program (TSMP section 2.3.5).
2. The following specific activities may be permitted within a critical area or marine buffer as part of an authorized use or development, subject to submittal of a critical area report, when they comply with the applicable policies and regulations of this Program.
 - a. Clearing, filling and grading;
 - b. New, replacement, or substantially improved shoreline modification and/or stabilization features;
 - c. Construction of trails, roadways, and parking;
 - d. New utility lines and facilities;

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- e. Stormwater conveyance facilities (this does not include stormwater management facilities such as detention ponds, stormwater vaults or wetlands) may be permitted within a required buffer when all of the following are demonstrated:
 - i. No other feasible alternatives with less impact exist; Mitigation for impacts including water quality is provided;
 - ii. Stormwater conveyance facilities shall incorporate fish habitat features;
 - iii. Vegetation shall be maintained and, if necessary, added adjacent to all open channels and ponds in order to retard erosion, filter out sediments, and shade the water;
 - iv. Vegetation shall consist of species capable of achieving a height sufficient to provide substantial shade to the adjacent water-body provided they do not alter channel migration and flood conveyance capacity.
- 3. To avoid penalizing property owners or development proponents wishing to voluntarily restore shoreline conditions by removing riprap, bulkheads, or other shoreline modifications, and promoting development of natural vegetation, or where adjacent property owners may be harmed by mitigation actions that modify or relocate the OHWM, thereby expanding the critical area or marine shoreline buffer onto adjacent properties, the Land Use Administrator may approve a site-specific alternative to the standard buffer on restored shorelines. The buffer alternative shall not create encumbrances on adjoining properties. The Land Use Administrator shall require the project proponent to prepare a restoration plan showing the pre- and post restoration conditions, the proposed building envelope, and shoreline setback and buffer. In granting this relief, the Land Use Administrator may consider the quality and function of the remaining buffer, the type, intensity and location of adjacent uses, and any other information as necessary to ensure the sustained function of the critical area or marine shoreline.
- 4. Modification of a shoreline or critical area buffer is subject to the site review requirements in TSMP section 2.4.2.

C. General Mitigation Requirements

- 1. If modification to a marine shoreline, wetland, stream, FWHCA, or buffer is unavoidable, all adverse impacts resulting from a development proposal or alteration shall be mitigated so as to result in no net loss of shoreline and/or critical area functions or processes.
- 2. Mitigation shall occur in the following prioritized order:
 - a. Avoiding the adverse impact altogether by not taking a certain action or parts of an action, or moving the action;
 - b. Minimizing adverse impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology and engineering, or by taking affirmative steps to avoid or reduce adverse impacts;
 - c. Rectifying the adverse impact by repairing, rehabilitating or restoring the affected environment;

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- d. Reducing or eliminating the adverse impact over time by preservation and maintenance operations during the life of action;
- e. Compensating for the adverse impact by replacing, enhancing, or providing similar substitute resources or environments and monitoring the adverse impact and the mitigation project and taking appropriate corrective measures;
- f. Monitoring the impact and compensation projects and taking appropriate corrective measures.

3. Type and Location of Mitigation

- a. Preference shall be given to mitigation projects that are located within the City of Tacoma. Prior to mitigating for impacts outside City of Tacoma jurisdiction, applicants must demonstrate that the preferences herein cannot be met within City boundaries.
- b. Natural, Shoreline Residential and Urban Conservancy Environments:
 - i. Compensatory mitigation for ecological functions shall be either in-kind and on-site, or in-kind and within the same reach, subbasin, or drift cell, except when all of the following apply:
 - There are no reasonable on-site or in subbasin opportunities (e.g. on-site options would require elimination of high functioning upland habitat), or on-site and in subbasin opportunities do not have a high likelihood of success based on a determination of the natural capacity of the site to compensate for impacts. Considerations should include: anticipated marine shoreline/wetland/stream mitigation ratios, buffer conditions and proposed widths, available water to maintain anticipated hydrogeomorphic classes of wetlands, or streams when restored, proposed flood storage capacity, potential to mitigate riparian fish and wildlife impacts (such as connectivity); and
 - Off-site mitigation has a greater likelihood of providing equal or improved critical area functions than the impacted critical area.
- c. High-Intensity and Downtown Waterfront Environments:
 - i. The preference for compensatory mitigation is for innovative approaches that would enable the concentration of mitigation into larger habitat sites in areas that will provide greater critical area or shoreline function.
 - ii. The Administrator may approve innovative mitigation projects including but not limited to activities such as advance mitigation, mitigation banking and preferred environmental alternatives. Innovative mitigation proposals must offer an equivalent or better level of protection of critical area functions and values than would be provided by a strict application of on-site and in-kind mitigation. The Administrator shall consider the following for approval of an innovative mitigation proposal:

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- Creation or enhancement of a larger system of natural areas and open space is preferable to the preservation of many individual habitat areas;
 - Consistency with Goals and Objectives of the Shoreline Restoration Plan and the Goals and Objectives of this Program;
 - The applicant demonstrates that long-term management and protection of the habitat area will be provided;
 - There is clear potential for success of the proposed mitigation at the proposed mitigation site;
 - Restoration of marine shoreline functions or critical areas of a different type is justified based on regional needs or functions and processes;
 - Voluntary restoration projects initiated between 2006 and the adoption of this program when they comply with Section D Mitigation Plan Requirements;
 - The replacement ratios are not reduced or eliminated, unless the reduction results in a preferred environmental alternative; and
 - Public entity cooperative preservation agreements such as conservation easements.
- d. Aquatic Environments:
- i. Compensatory mitigation should be consistent with the preference and requirements of the adjacent upland designation.
4. Fee-in-lieu.
- a. In cases where mitigation pursuant to this section (TSMP 6.4) is not possible, or where the maximum possible onsite mitigation will not wholly mitigate for anticipated impacts, or where an alternative location, identified in an adopted restoration plan, would provide greater ecological function, the Land Use Administrator may approve a payment of a fee-in-lieu of mitigation. The fee shall be reserved for use in high value restoration actions identified through the Shoreline Restoration Plan (Appendix B).
 - b. To aid in the implementation of off-site mitigation, the City may develop a formal program which prioritizes wetland and/or other critical areas for use as mitigation and/or allows payment in lieu of providing mitigation on a development site. This program shall be developed and approved through a public process and be consistent with state and federal rules. The program should address:
 - i. The identification of sites within the City that are suitable for use as off-site mitigation. Site suitability shall take into account critical area functions, potential for degradation, and potential for urban growth and service expansion; and
 - ii. The use of fees for mitigation on available sites that have been identified as suitable and prioritized for restoration and/or enhancement.

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- c. Any off-site mitigation would have to be consistent with the goals and objectives of the Shoreline Restoration Plan.
5. Timing of Compensatory Mitigation. Compensation projects should be completed prior to activities that will disturb the on-site critical area. If not completed prior to disturbance, compensatory mitigation shall be completed immediately following the disturbance and prior to final occupancy. Construction of mitigation projects shall be timed to reduce impacts to existing fisheries, wildlife, and flora.
6. The Land Use Administrator may authorize a one-time temporary delay in completing construction or installation of the compensatory mitigation when the applicant provides a written explanation from a qualified professional as to the rationale for the delay (i.e. seasonal planting requirements, fisheries window).

D. Mitigation Plan

1. A mitigation plan shall be prepared consistent with best available science. The intent of these provisions is to require a level of technical study and analysis sufficient to protect the shoreline and critical areas and/or protect developments and occupants from critical areas involving hazards. The analysis shall be commensurate with the value or sensitivity of a particular shoreline or critical area and relative to the scale and potential impacts of the proposed activity.
2. The mitigation plan shall provide for construction, maintenance, monitoring, and contingencies as required by conditions of approval and consistent with the requirements of this Program.
3. The mitigation plan shall be prepared by a qualified professional; provided, that the Land Use Administrator may waive the requirement to hire a qualified professional to prepare a mitigation plan when the required mitigation involves standard planting or enhancement practices. The waiver shall not be granted for mitigation practices involving critical area creation, rehabilitation and/or restoration.
4. The mitigation plan shall contain the following information:
 - a. A description and scaled drawings of the activities proposed to reduce risks associated with geologic hazards and/or flooding, and/or to mitigate for impacts to shoreline buffers or critical area functions and values. This shall include all clearing, grading/excavation, drainage alterations, planting, invasive weed management, installation of habitat structures, irrigation, and other site treatments associated with the development activities;
 - b. Specific information on construction or the proposed mitigation activity including timing, sequence, equipment needs, and best management practices;
 - c. A description of the shoreline ecological functions or critical areas functions and values that the proposed mitigation area(s) shall provide, and/or a description of the level of hazard mitigation provided;
 - d. The goals, objectives, and performance standards that the proposed mitigation action(s) shall achieve;

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- e. A description of how the mitigation area(s) will be evaluated and monitored to determine if the performance standards are being met;
- f. A program and schedule for construction and post-construction monitoring of the mitigation project;
- g. An evaluation of potential adverse impacts on adjacent property owners resulting from the proposed mitigation and measures to address such impacts;
- h. Identification of potential courses of action, and any corrective measures to be taken if monitoring or evaluation indicates that project performance standards are not being met;
- i. Plan sheets showing the edge of the shoreline marine buffer, critical area and/or critical area buffer. The affected area shall be clearly staked, flagged, and/or fenced prior to and during any site clearing and construction to ensure protection for the critical area and buffer during construction;
- j. A description of other permits and approvals being sought, including the need for permits from state and/or federal agencies; and
- k. Additional information as required by the subsequent articles of this Program.

E. Sureties

1. The City will accept performance and monitoring and maintenance sureties in the form of bonds or other sureties in a form accepted in writing by the City. Sureties shall be posted prior to issuance of any shoreline permit.
2. Performance Surety. Except for public agencies, applicants receiving a permit involving compensation for mitigation are required to post a cash performance bond or other acceptable security to guarantee compliance with this chapter prior to beginning any site work. The surety shall guarantee that work and materials used in construction are free from defects. All sureties shall be approved by the City Attorney. The surety cannot be terminated or cancelled without written approval. The Land Use Administrator shall release the surety after documented proof that all structures and improvements have been shown to meet the requirements of this chapter.
3. Monitoring and Maintenance Surety. Except for public agencies, an applicant shall be required to post a cash maintenance bond or other acceptable security guaranteeing that structures and improvements required by this chapter will perform satisfactorily for a minimum of five (5) years after they have been constructed and approved. The value of the surety shall be based on the average or median of three contract bids that establish all costs of compensation, including costs relative to performance, monitoring, maintenance, and provision for contingency plans. The amount of the surety shall be set at 150 percent of the average expected cost of the compensation project. All surety shall be on a form approved by the City Attorney. Without written release, the surety cannot be cancelled or terminated. The Land Use Administrator shall release the surety after determination that the performance standards established for measuring the effectiveness and success of the project have been met.

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A. Classification

1. Marine shorelines include all marine “shorelines of the state”, including commencement Bay and the Tacoma Narrows, as defined in RCW 90.58.030 within the City of Tacoma.

B. Marine Shoreline Buffers

1. A buffer area shall be maintained on all marine shorelines for all uses adjacent to the marine shoreline to protect and maintain the integrity, functions and processes of the shoreline and to minimize risks to human health and safety. The buffer shall be measured horizontally from the edge of the ordinary high water mark landward.
2. Buffers shall consist of an undisturbed area of native vegetation or areas identified for restoration established to protect the integrity, functions and processes of the shoreline. Required buffer widths shall reflect the sensitivity of the shoreline functions and the type and intensity of human activity proposed to be conducted nearby.
3. Buffer widths shall be established according to Table 6-1. Buffer widths may be increased under the following circumstances:
 - a. The Administrator determines that the minimum width is insufficient to prevent loss of shoreline functions.
 - b. The Administrator determines that the proposed modification would result in an adverse impact to critical saltwater habitats including kelp beds, eelgrass beds, or spawning and holding areas for forage fish.

Table 6-1 Minimum Marine Buffers

Marine Habitat Area	Buffer Width (feet)
S-1a, S1b	50
S-2	115
S-3, S-4	200
S-5, S-6, S-7	115
S-8, S-10	50
S-11	115
S-15	50

C. Marine Shoreline Buffer Reductions

1. Water-dependent and public access uses and development may reduce the standard buffer such that direct water access is provided.
2. Water-related and water-enjoyment uses and development may reduce the standard buffer when mitigation sequencing has been applied to the greatest extent practicable. Buffer shall

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- be reduced to no less than 25 feet from OHWM. Any further reduction shall require a shoreline variance.
3. Reductions of the standard buffer for any non-water-oriented use or development shall not be allowed except through a shoreline variance.
 4. Reduction of the standard buffer may be permitted for stairs or walkways necessary to access the shoreline provided that any stair or walkway in the marine shoreline complies with all provisions of the Program, conforms to the existing topography and, to the extent feasible, minimizes impervious surfaces.
 5. Where a marine buffer geographically coincides with a stream, FWHCA or wetland, provisions for increasing buffers, buffer averaging, and buffer reductions for the wetland and stream component shall apply as described within this chapter only when there is no impact to shoreline functions associated with the marine shoreline.

D. Marine Shoreline Mitigation Requirements

1. All marine shoreline buffer mitigation shall comply with applicable mitigation requirements specified in TSMP Section 6.4.2(C) and (D) and 6.4.3 (D) and (E) including, but not limited to, mitigation plan requirements, monitoring and bonding.
2. Where a designated marine shoreline geographically coincides with a FWHCA, stream or wetland, mitigation will comply with applicable mitigation requirements for those resources as described within this Program.

E. Marine Shoreline Mitigation Ratios

1. The following mitigation ratios are required for impacts to the marine shoreline buffer. The first number specifies the area of replacement shoreline buffer area, and second specifies the area of altered shoreline buffer area.
 - a. 1:1 for areas on the parcel or on a parcel that abuts the ordinary high watermark within one quarter (1/4) mile along the shoreline from where the vegetation removal, placement of impervious surface or other loss of habitat occurred.
 - b. 3:1 for off-site mitigation that occurs more than one quarter (1/4) mile along the shoreline from where the vegetation removal, placement of impervious surface or other loss of habitat occurred. Mitigation must be consistent with the Shoreline Restoration Plan (Appendix B).
2. If mitigation is performed off-site, a conservation easement or other legal document must be provided to the City to ensure that the party responsible for the maintenance and monitoring of the mitigation has access and the right to perform these activities.

6.4.4 Fish and Wildlife Habitat Conservation Areas (FWHCAs)**A. FWHCA Classification**

1. Fish and Wildlife Habitat Conservation Areas (FWHCAs) shall include:

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- a. Lands containing priority habitats and species;
- b. All public and private tidelands or bedlands suitable for shellfish harvest, including any shellfish protection districts established pursuant to RCW 90.72. The Washington Department of Health's classification system shall be used to classify commercial shellfish areas;
- c. Critical saltwater habitats including kelp and eelgrass beds and herring, sand lance, and smelt spawning areas. Kelp and eelgrass beds may be classified and identified by the Washington Department of Natural Resources Aquatic Lands Program and the Washington Department of Ecology. Locations are compiled in the WDNR Aquatic Lands Shore Zone Inventory, and the Puget Sound Environmental Atlas, Volumes 1 and 2. Herring, sand lance, and surf smelt spawning times and locations are outlined in RCW 220-110, Hydraulic Code Rules and the Puget Sound Environmental Atlas;
- d. Natural ponds or lakes under 20 acres and their submerged aquatic beds that provide critical fish or wildlife habitat; and
- e. Lakes, ponds, streams and rivers planted with game fish, including those planted under the auspices of a federal, state, local, or tribal program and waters which support priority fish species as identified by the Washington Department of Fish and Wildlife.

B. FWHCA Standards

1. Whenever activities are proposed within or adjacent to a habitat conservation area with which state or federally endangered, threatened, or sensitive species have a primary association, such area shall be protected through the application of protection measures in accordance with a critical area report and habitat management plan prepared by a qualified professional and approved by the City.
2. If the Administrator determines that a proposal is likely to adversely impact a FWHCA, s/he may require additional protective measures such as a buffer area.
3. Any activity proposed in a designated FWHCA shall be consistent with the species located there and all applicable state and federal regulations regarding that species. In determining allowable activities for priority habitats and species that are known or that become known, the provisions of the Washington State Hydraulic Code and Department of Fish and Wildlife's (WDFW) Management Recommendations for Washington Priority Habitats and Species shall be reviewed.
4. Where a designated FWHCA geographically coincides with a marine shoreline, stream or wetland, the appropriate wetland or stream buffer and associated buffer requirements shall apply as described in this Program.
5. Bald eagle habitat shall be protected pursuant to the Washington State Bald Eagle Protection Rules (WAC 232-12-292). The City shall verify the location of eagle management areas for each proposed activity. Approval of the activity shall not occur prior to approval of the habitat management plan by the Washington Department of Fish and Wildlife.

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6. All activities, uses and alterations proposed to be located in water bodies used by anadromous fish or in areas that affect such water bodies shall give special consideration to the preservation and enhancement of anadromous fish habitat.
7. No structures of any kind shall be placed in or constructed over critical saltwater habitats unless they result in no net loss of ecological function, are associated with a water-dependent or public access use, comply with the applicable requirements within this Program and meet all of the following conditions:
 - a. The project, including any required mitigation, will result in no net loss of ecological functions associated with critical saltwater habitat;
 - b. Avoidance of impacts to critical saltwater habitats by an alternative alignment or location is not feasible or would result in unreasonable and disproportionate cost to accomplish the same general purpose;
 - c. The project is consistent with the state's interest in resource protection and species recovery;
 - d. The public's need for such an action or structure is clearly demonstrated and the proposal is consistent with protection of the public trust, as embodied in RCW 90.58.020;
 - e. Shorelands that are adjacent to critical saltwater habitats shall be regulated per the requirements within this Program;
 - f. A qualified professional shall demonstrate compliance with the above criteria in addition to the required elements of a critical area report as specified in this Chapter.

C. FWHCA Mitigation Requirements

1. All FWHCA mitigation shall comply with applicable mitigation requirements specified in TSMP Section 6.4.2 including, but not limited to, mitigation plan requirements, monitoring and bonding.
2. Where a designated FWHCA geographically coincides with a marine shoreline, stream or wetland, mitigation will comply with applicable mitigation requirements for those resources as described within this Program.
3. Mitigation sites shall be located to preserve or achieve contiguous wildlife habitat corridors, in accordance with a mitigation plan that is part of an approved critical area report, to minimize the isolating effects of development on habitat areas, so long as mitigation of aquatic habitat is located within the same aquatic ecosystem as the area disturbed.
4. Mitigation shall achieve equivalent or greater biological and hydrological functions and shall include mitigation for adverse impacts upstream or downstream of the development proposal site. Mitigation shall address each function affected by the alteration to achieve functional equivalency or improvement on a per function basis.

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1. Wetlands shall be classified Category I, II, III, and IV, in accordance with the criteria from the Washington State Wetlands Rating System for Western Washington, August 2004, Revised Annotated Version, August 2006, Publication Number 04-06-025, August 2004.
2. Category I wetlands are those that 1) represent a unique or rare wetland type; or 2) are more sensitive to disturbance than most wetlands; or 3) are relatively undisturbed and contain ecological attributes that are impossible to replace within a human lifetime; or 4) provide a high level of functions. Category I wetlands include the following types of wetlands: Estuarine wetlands, Natural Heritage wetlands, Bogs, Mature and Old-growth Forested wetlands; wetlands that perform many functions very well and that score 70 or more points in the Washington Wetlands Rating System for Western Washington.
3. Category II wetlands are those that are difficult to replace, and provide high levels of some functions. These wetlands occur more commonly than Category I wetlands, but still need a relatively high level of protection. Category II wetlands include the following types of wetlands: Estuarine wetlands, and wetlands that perform functions well and score between 51-69 points.
4. Category III wetlands are those that perform functions moderately well and score between 30-50 points, and. These wetlands have generally been disturbed in some way and are often less diverse or more isolated from other natural resources in the landscape than Category II.
5. Category IV wetlands are those that have the lowest levels of functions (less than 30 points) and are often heavily disturbed. These are wetlands that may be replaced, and in some cases may be improved.
6. In addition, wetlands that require special protection and are not included in the general rating system shall be rated according to the guidelines for the specific characteristic being evaluated. The special characteristics that should be taken into consideration are as follows:
 - a. The wetland has been documented as a habitat for any Federally -listed Threatened or Endangered plant or animal species. In this case, “documented” means the wetland is on the appropriate state or federal database.
 - b. The wetland has been documented as a habitat for State- listed Threatened or Endangered plant or animal species. In this case “documented” means the wetland is on the appropriate state database.
 - c. The wetland contains individuals of Priority Species listed by the WDFW for the State.
 - d. The wetland has been identified as a Wetland of Local Significance.

B. Wetland Buffers

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1. A buffer area shall be provided for all uses and activities adjacent to a wetland area to protect the integrity, function, and value of the wetland. The buffer shall be measured horizontally from the delineated edge of the wetland.
2. Wetland buffer widths shall be established according to the following tables (Tables 6-2 through 6-3):

Table 6-2. Wetland Buffer Widths

Wetland Category	Buffer Width (feet)
Category I	200
Category II	100
Category III	75
Category IV	50
*Best Available Science Review, City of Tacoma, Critical Areas Preservation Ordinance, Tacoma, Washington, June 15, 2004, prepared by GeoEngineers	

Table 6-3. Lakes of Local Significance*

Site	Buffers (feet)
Wapato Lake and associated wetlands	200, but not to exceed the centerline of Alaska Street.
*Best Available Science Review Recommendation from City of Tacoma Critical Areas Task Force June 2004	

C. Wetland Buffer Reductions

1. A wetland buffer may be reduced only for a water-oriented use, per 6.4.2(B) and in accordance with the provisions of this Section, when mitigation sequencing has been applied to the greatest extent practicable. The buffer shall not be reduced to any less than $\frac{3}{4}$ of the standard buffer width. The remaining buffer on-site shall be enhanced or restored to provide improved wetland function. Any other proposed wetland buffer reduction shall require a shoreline variance.
2. Low impact uses and activities consistent with the wetland buffer function may be permitted within a buffer that has not been reduced depending upon the sensitivity of wetland and intensity of activity or use. These may include pedestrian trails, viewing platforms, utility easements and storm water management facilities such as grass-lined swales that are used to sustain existing hydrologic functions of the wetland.
3. Measures identified in Table 6-4 shall be used to minimize impacts to the wetland to the greatest extent practicable.

Table 6-4. Examples to Minimize Disturbance*

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Disturbance element	Minimum measures to minimize impacts	Activities that may cause the disturbance
Lights	Direct lights away from wetland	Parking Lots, Warehouses, Manufacturing, High Density Residential
Noise	Place activity that generates noise away from the wetland	Manufacturing, High Density Residential
Toxic runoff	Route all new untreated runoff away from wetland, Covenants limiting use of pesticides within 150 feet of wetland	Parking Lots, Roads, Manufacturing, residential Areas, Application of Agricultural Pesticides, Landscaping
Change in water regime	Infiltrate or treat, detain and disperse into buffer new runoff from surface	Any impermeable surface, lawns, tilling
Pets and Human disturbance	Fence around buffer, Plant buffer with “impenetrable” natural vegetation appropriate for region	Residential areas
Dust	Best Management Practices for dust	Tilled fields
*Washington State Department of Ecology and Washington State Department of Fish and Wildlife’s Wetlands in Washington State; Volume 2: Guidance for Protecting and Managing Wetlands, Buffer Alternative 3		

4. As an incentive, when the buffer area between a wetland and a regulated activity is reduced or averaged, the applicant may dedicate the wetland and buffer to the City, in lieu of providing compensatory mitigation, depending upon the intensity of use and the wetland category. The Land Use Administrator shall determine whether the dedication is of benefit to the City for the protection of natural resources.

D. Yard Reduction

1. In order to accommodate for the required buffer zone, the Land Use Administrator may reduce the front and/or rear yard set-back requirements on individual lots. The front and/or rear yard shall not be reduced by more than 50 percent. In determining whether or not to allow the yard reduction, the Land Use Administrator shall consider the impacts of the reduction on adjacent land uses.

E. Buffer Averaging

1. The widths of buffers may be averaged if this will improve the protection of wetland functions, or if it is the only way to allow for use of the parcel. Averaging may not be used in conjunction with the provisions for reductions in buffers listed above.

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2. Averaging to improve wetland protection may be approved when all of the following conditions are met:
 - a. The wetland has significant differences in characteristics that affect its habitat functions, such as a wetland with a forested component adjacent to a degraded emergent component or a dual-rated wetland with a Category I area adjacent to a lower rated area, and
 - b. The buffer is increased adjacent to the high-functioning area of habitat or more sensitive portion of the wetland and decreased adjacent to the lower-functioning or less sensitive portion; and
 - c. The total area of the buffer after averaging is equal to the area required without averaging; and
 - d. The buffer at its narrowest point is never less than $\frac{3}{4}$ of the standard width.
3. Averaging to allow a reasonable use of a legal lot of record may be permitted when all of the following conditions are met:
 - a. There are no feasible alternatives to the site design that could be accomplished without buffer averaging;
 - b. The averaged buffer will not result in degradation of the wetland's functions as demonstrated by a report from a qualified wetland expert;
 - c. The total area of the buffer after averaging is equal to the area required without averaging; and
 - d. The buffer at its narrowest point is never less than $\frac{3}{4}$ of the standard width.

F. Buffer Increases

1. The widths of the buffers may be required to be increased if the following conditions are found on the subject site:
 - a. If the existing buffer is unvegetated, sparsely vegetated, or vegetated with non-native species that do not perform needed functions, the buffer must either be planted to create the appropriate plant community or the buffer must be widened to the maximum buffer for the land use intensity to ensure that adequate functions in the buffer are provided.
 - b. If the buffer for a wetland is based on the score for water quality, rather than habitat, then the buffer should be increased by 50% if the slope is greater than 30% (a 3-foot rise for every 10 feet of horizontal distance).
 - c. If the wetland provides habitat for a particularly sensitive species (such as threatened or endangered species), the buffer must be increased to provide adequate protection for the species based on its particular life history needs as required by the Washington State Department of Fish and Wildlife.

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G. Wetland Standards

1. General standards. No regulated activity or use shall be permitted within a wetland or stream corridor without prior approval and without meeting the provisions of this Program. All development proposals that are anticipated to impact a wetland or stream corridor are subject to the review process in TSMP section 2.4.2. Any permitted wetland modification shall demonstrate the following:
 - a. The applicant has taken appropriate action to first, avoid adverse impacts, then minimize impacts and finally, compensate or mitigate for unavoidable impacts;
 - b. The result of the proposed activity is no net loss of wetland functions;
 - c. The existence of plant or wildlife species appearing on the federal or state endangered or threatened species list will not be jeopardized;
 - d. The proposal will not lead to significant degradation of groundwater or surface water quality; and
 - e. The proposal complies with the remaining standards of this chapter, which include those pertaining to wetland compensation and the provision of bonds.

H. Wetland Mitigation Requirements

1. Methods to achieve compensation for wetland functions shall be approached in the following order of preference:
 - a. Restoration (re-establishment and rehabilitation) of wetlands on upland sites that were formerly wetlands.
 - b. Creation (Establishment) of wetlands on disturbed upland sites such as those with vegetative cover consisting primarily of non-native introduced species. This should only be attempted when there is an adequate source of water and it can be shown that the surface and subsurface hydrologic regime is conducive for the wetland community that is being designed.
 - c. Enhancement of significantly degraded wetlands in combination with restoration or creation. Such enhancement should be part of a mitigation package that includes replacing the impacted area and meeting appropriate ratio requirements.
2. Wetland Mitigation Banks
 - a. Credits from a wetland mitigation bank may be approved for use as mitigation for unavoidable impacts to wetlands when:
 - b. The bank is certified under Chapter 173-700 WAC;
 - c. The Administrator determines that the wetland mitigation bank provides appropriate mitigation for the authorized impacts; and
 - d. The proposed use of credits is consistent with the terms and conditions of the bank's certification.

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- e. Replacement ratios for projects using bank credits shall be consistent with replacement ratios specified in the bank's certification.
- f. Credits from a certified wetland mitigation bank may be used to compensate for impacts located within the service area specified in the bank's certification. In some cases, bank service areas may include portions of more than one adjacent drainage basin for specific wetland functions.

I. Mitigation Ratios

1. The ratios contained within Table 6-4 shall apply to all Creation, Re-establishment, Rehabilitation, and Enhancement compensatory mitigation.
2. The Land Use Administrator may increase the ratios under the following circumstances:
 - a. Uncertainty exists as to the probable success of the proposed restoration or creation;
 - b. A significant period of time will elapse between impact and replication of wetland functions;
 - c. Proposed mitigation will result in a lower category wetland or reduced function relative to the wetland being impacted; or
 - d. The impact was an unauthorized impact.

WORKING DRAFT TSMP**Table 6-4 Mitigation ratios for projects in Western Washington that do not alter the hydro-geomorphic setting of the site*****

Category and Type of Wetland	Re-establishment or Creation	Rehabilitation	1:1 Re-establishment or Creation (R/C) and Enhancement (E)	Enhancement only
All Category IV	1:5:1	3:1	1:1 R/C and 2:1 E	6:1
All Category III	2:1	4:1	1:1 R/C and 2:1 E	8:1
Category II Estuarine	Case-by-case	4:1 rehabilitation of an estuarine wetland	Case-by-case	Case-by-case
Category II Interdunal	2:1 Compensation has to be interdunal wetland	4:1 compensation has to be interdunal	1:1 R/C and 2:1 E	8:1
All other Category II	3:1	8:1	1:1 R/C and 4:1 E	12:1
Category I Forested	6:1	12:1	1:1 R/C and 10:1 E	24:1
Category I based on score for functions	4:1	8:1	1:1 R/C and 6:1 E	16:1
Category I Natural Heritage site	Not considered possible	6:1	Case-by-case	Case-by-case
Category I Bog	Not considered possible	6:1	Case-by-case	Case-by-case
Category I Estuarine	Case-by-case	6:1	Case-by-case	Case-by-case
<p>*Natural heritage site, coastal lagoons, and bogs are considered irreplaceable wetlands, and therefore no amount of compensation would replace these ecosystems. Avoidance is the best option. In the rare cases when impacts cannot be avoided, replacement ratios will be assigned on a case-by-case basis. However, these ratios will be significantly higher than the other ratios for Category I wetland.</p> <p>**Rehabilitation ratios area based on the assumption that actions judged to be most effective for that site are being implemented.</p> <p>**Rehabilitation ratios area based on the assumption that actions judged to be most effective for that site are being implemented.</p> <p>***Washington State Department of Ecology and Washington State Department of Fish and Wildlife's Wetlands in Washington State; Volume 2: Guidance for Protecting and Managing Wetlands, Buffer Alternative 3</p>				

J. Compensatory Mitigation Plan Requirements

1. When a project involves wetland or buffer impacts, a compensatory mitigation report shall be prepared consistent with the requirement in 6.4.2(D) of this Program.

6.4.6 Streams and Riparian Habitats**A. Stream Classification**

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1. Streams shall be generally classified in accordance with the Washington State Water Typing System set forth in WAC 222-16-030 to describe Type “S,” “F,” “Np” and “Ns” streams. Additional criteria typing for “F1”, and “F2” and “Ns1” and “Ns2” streams are included within this section.
2. For permits previously issued, and non-conforming uses and structures, refer to WAC 222-16-031, the interim water typing system that describes stream categories utilized prior to the adoption of this Program. The new water typing system described in WAC 222-16-030 separates streams and other water courses into Type S, F, Np and Ns Water. The interim water typing system described in WAC 222-16-031 separates streams into Type I, II, III, IV, and V streams and their respective conversions to the types described in WAC-222-16-030.
3. General descriptions of the new water typing system are as follows:
 - a. Type “S” Water means all streams or rivers, within their bankfull width, inventoried as “shorelines of the state” or “shorelines of statewide significance” under this Program
 - b. Type “F” Water means segments of natural waters other than Type S Waters, which are within the bankfull widths of defined channels and periodically inundated areas of their associated wetlands, to within lakes, ponds, or impoundments having a surface area of 0.5 acre or greater at seasonal low water and which in any case contain fish habitat or as further described within WAC 222-16-031. Type “F1” Water means segments of natural waters containing salmonid fishes. Type “F2” Water means segments of natural water containing fish that are not salmonids.
 - c. Type “Np” Water means all segments of natural waters within the bankfull width of defined channels that are perennial nonfish habitat streams. Perennial streams are waters that do not go dry any time of a year of normal rainfall or as further described within WAC 222-16-031.
 - d. Type “Ns” Water means all segments of natural waters within the bankfull widths of the defined channels that are not Type S, F, or Np Water. These are seasonal, nonfish habitat streams in which surface flow is not present for at least some portion of a year of normal rainfall and are not located downstream from any stream reach that is a Type Np Water. “Ns1” Waters must be physically connected by an above ground channel system to Type, F, or Np Waters. “Ns2” Waters may not be physically connected by an above ground channel system to Type, F, or Np Waters.

B. Stream Buffers

1. A buffer area shall be provided for all uses and activities adjacent to a stream to protect the integrity and function of the stream. The buffer shall be measured horizontally from the edge of the ordinary high water mark.
2. Stream buffer widths shall be established according to Table 6-5, which is based on stream classification. Stream buffers for “Streams of local significance” are shown in Table 6-6.

Table 6-5 Stream Types

Stream Type	Buffer (feet)
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Type S or Streams of local significance	150
Type F1 (Salmonids)	150
Type F2 (Non-Salmonids)	100
Type Np (No fish)	100
Type Ns1 (Connected to S, F, or Np)	75
Type Ns2 (Not connected to S, F, or Np)	25

Table 6-6 Streams of local significance

Name	Buffer (feet)
Puyallup River	150
Hylebos Creek	150
Puget Creek	150
Wapato Creek	150
Swan Creek	150

C. Stream Buffer Increase

1. The required buffer widths shall be increased as follows:
 - a. When the Land Use Administrator determines that the recommended width is insufficient to prevent habitat degradation and to protect the structure and functions of the habitat area;
 - b. When the frequently flooded area exceeds the recommended buffer width, the buffer area may extend to the outer edge of the frequently flooded area, where appropriate;
 - c. When a channel migration zone is present, the stream buffer area width shall be measured from the outer edge of the channel migration zone;
 - d. When the stream buffer is in an area of high blowdown potential, the stream buffer area width shall be expanded an additional fifty feet on the windward side; or
 - e. When the stream buffer is within an erosion or landslide area, or buffer, the stream buffer area width shall be the recommended distance, or the erosion or landslide hazard area or buffer, whichever is greater.

D. Stream Buffer Reduction

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1. A stream buffer may be reduced only for a water-oriented use, per 6.4.2(B) and in accordance with the provisions of this Section, when mitigation sequencing has been applied to the greatest extent practicable. The buffer shall not be reduced to any less than $\frac{3}{4}$ of the standard buffer width. The remaining buffer on-site shall be enhanced or restored to provide improved stream and riparian function. Any other proposed stream buffer reduction shall require a shoreline variance.
2. Low impact uses and activities consistent with the stream buffer function may be permitted within a buffer that has not been reduced depending upon the sensitivity of stream riparian area and intensity of activity or use. These may include pedestrian trails, viewing platforms, utility easements and storm water management facilities such as grass-lined swales that are used to sustain existing hydrologic functions of the critical area.
3. As an incentive, when the buffer area between a stream and a regulated activity is reduced or averaged, the applicant may dedicate the buffer to the City, in lieu of providing compensatory mitigation, depending upon the intensity of use and the stream type. The Land Use Administrator shall determine whether the dedication is of benefit to the City for the protection of natural resources.

E. Yard Reduction

1. In order to accommodate for the required buffer zone, the Land Use Administrator may reduce the front and/or rear yard set-back requirements on individual lots. The front and/or rear yard shall not be reduced by more than 50 percent. In determining whether or not to allow the yard reduction, the Land Use Administrator shall consider the impacts of the reduction on adjacent land uses.

F. Stream Buffer Averaging

1. The Land Use Administrator may allow the recommended stream buffer width to be averaged in accordance with a stream habitat analysis report only if:
 - a. The stream buffer areas that are reduced through buffer averaging will not reduce stream or habitat functions, including those of nonfish habitat;
 - b. The stream buffer areas that are reduced will not degrade the habitat, including habitat for anadromous fish;
 - c. The proposal will provide additional habitat protection;
 - d. The total area contained in the stream buffer of each stream on the development proposal site is not decreased;
 - e. The recommended stream buffer width is not reduced by more than twenty-five (25%) percent in any one location;
 - f. The stream buffer areas that are reduced will not be located within another critical area or associated buffer; and

G. Stream Standards

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1. Type F1, F2, Np, and Ns1, and Ns2 streams may be relocated or placed in culverts provided it can be demonstrated that:
 - a. There is no other feasible alternative route with less impact on the environment;
 - b. Existing location of the stream would prevent a reasonable economic use of the property;
 - c. No significant habitat area will be destroyed;
 - d. The crossing minimizes interruption of downstream movement of wood and gravel;
 - e. The new channel or culvert is designed and installed to allow passage of fish inhabiting or using the stream, and complies with WDFW requirements;
 - f. The channel or culvert complies with the current adopted City of Tacoma Storm Water Manual;
 - g. The applicant will, at all times, keep the channel or culvert free of debris and sediment to allow free passage of water and fish;
 - h. Roads in riparian habitat areas or buffers shall not run parallel to the water body;
 - i. Crossing, where necessary, shall only occur as near to perpendicular with the water body as possible;
 - j. Road bridges are designed according to Washington Department of Fish and Wildlife Design of Road Culverts for Fish Passage, 2003, and the National Marine Fisheries Service Guidelines for Salmonid Passage at Stream Crossing, 2000; and
 - k. Proposals for a steam crossing are subject to the review process in TSMP Section 2.4.1.

H. Public Access within a Stream Buffer

- a. Where possible, trails and associated viewing platforms shall not be made of continuous impervious materials. Natural trails with pervious surfaces such as, but not limited, to bark chip are encouraged.
- b. Trails shall be located on or near the outer edge of the riparian area or buffer, where possible, except for limited viewing platforms and crossings;

I. Stream Mitigation Requirements

1. Where a riparian wetland exists, all proposed alterations in the buffer of a stream shall be in accordance with the standards for the applicable wetland category.
2. Where riparian habitat does not exist, restoration, enhancement or creation will be required within the standard or modified buffer width.
3. In the event stream corridor alterations or relocations, as specified above, are permitted, the applicant shall submit an alteration or relocation plan prepared in association with a qualified

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professional with expertise in this area. In addition to the general mitigation plan standards, the plan shall address the following information:

- a. Creation of natural meander patterns and gentle side slope formations;
 - b. Creation of narrow sub channel, where feasible, against the south or west bank;
 - c. Provisions for the use of native vegetation;
 - d. Creation, restoration or enhancement of fish spawning and nesting areas;
 - e. The proposed reuse of the prior stream channel;
 - f. Provision of a qualified consultant, approved by the City, to supervise work to completion and to provide a written report to the Land Use Administrator stating the new channel complies with the provisions of this chapter; and
 - g. When streambank stabilization is necessary, bioengineering or soft armoring techniques are required, where possible.
4. The Washington Department of Fish and Wildlife has authority over all projects in State Waters which impact fish. Construction in State Waters is governed by Chapter 75.20 RCW, Construction Projects in State Waters.

6.4.7 Geologically Hazardous Areas**A. Designation.**

1. Designation of Geologically Hazardous Areas. Geologically hazardous areas include areas susceptible to erosion, sliding, earthquake, or other geological events. Areas susceptible to one or more of the following types of geo-hazards shall be designated as a geologically hazardous area:
 - a. Erosion hazard;
 - b. Landslide hazard;
 - c. Seismic hazard;
 - d. Mine hazard;
 - e. Volcanic hazard; and
 - f. Tsunami hazard.

B. Classification

1. Erosion hazard areas. Erosion hazard areas generally consist of areas where the combination of slope and soil type makes the area susceptible to erosion by water flow, either by precipitation or by water runoff. Concentrated stormwater runoff is a major cause of erosion and soil loss. Erosion hazard critical areas include the following:

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- a. Areas with high probability of rapid stream incision, stream bank erosion or coastal erosion, or channel migration.
 - b. Areas defined by the Washington Department of Ecology Coastal Zone Atlas as one of the following soil areas: Class U (Unstable) includes severe erosion hazards and rapid surface runoff areas, Class Uos (Unstable old slides) includes areas having severe limitations due to slope, Class Urs (Unstable recent slides), and Class I (Intermediate).
 - c. Any area characterized by slopes greater than 15 percent; and the following types of geologic units as defined by draft geologic USGS maps: m (modified land), Af (artificial fill), Qal (alluvium), Qw (wetland deposits), Qb (beach deposits), Qtf (tide-flat deposits), Qls (landslide deposits), Qmw (mass-wastage deposits), Qf (fan deposits), Qvr and Qvs series of geologic material types (Vashon recessional outwash and Steilacoom Gravel), and Qvi (Ice-contact deposits).
 - d. Slopes steeper than 25% and a vertical relief of 10 or more feet.
2. **Landslide Hazard Areas.** Landslide hazard areas are areas potentially subject to landslides based on a combination of geologic, topographic, and hydrologic factors. They include areas susceptible because of any combination of bedrock, soil, slope, slope aspect, structure, hydrology, or other factors. Landslide hazard areas are identified as any area with all three of the following characteristics:
- a. Slopes steeper than 25 percent and a vertical relief of ten (10) or more feet.
 - b. Hillsides intersecting geologic contacts that contain impermeable soils (typically silt and clay) frequently inter-bedded with permeable granular soils (predominantly sand and gravel), or impermeable soils overlain with permeable soils.
 - c. Springs or groundwater seepage.
 - d. Any area which has exhibited movement during the Holocene epoch (from 10,000 years ago to present) or that are underlain or covered by mass wastage debris of that epoch.
 - e. Any area potentially unstable due to rapid stream incision stream bank erosion or undercutting by wave action.
 - f. Any area located on an alluvial fan presently subject to, or potentially subject to, inundation by debris flows or deposition of stream-transported sediments.
 - g. Any area where the slope is greater than the angle of repose of the soil.
 - h. Any shoreline designated or mapped as Class U, Uos, Urs, or I by the Washington Department of Ecology Coastal Zone Atlas.
3. **Seismic hazard areas.** Seismic hazard areas shall include areas subject to severe risk of damage as a result of seismic-induced settlement, shaking, lateral spreading, surface faulting, slope failure, or soil liquefaction. These conditions occur in areas underlain by soils of low cohesion or density usually in association with a shallow groundwater table. Seismic hazard

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areas shall be as defined by the Washington Department of Ecology Coastal Zone Atlas (Seismic Hazard Map prepared by GeoEngineers) as: Class U (Unstable), Class Uos (Unstable old slides), Class Urs (Unstable recent slides), Class I (Intermediate), and Class M (Modified) as shown in the Seismic Hazard Map.

4. Mine Hazard Areas. Mine hazard areas are those areas underlain by or affected by mine workings such as adits, gangways, tunnels, drifts, or airshafts, and those areas of probable sink holes, gas releases, or subsidence due to mine workings. Underground mines do not presently exist within City limits¹.
5. Volcanic Hazard Areas. Volcanic hazard areas are areas subject to pyroclastic flows, lava flows, debris avalanche, and inundation by debris flows, lahars, mudflows, or related flooding resulting from volcanic activity. The most likely types of volcanic hazard within the City are mudflows, lahars, or flooding relating to volcanic activity. The boundaries of the volcanic hazard areas within the City are shown in the volcanic hazard map.
6. Tsunami hazard areas. Tsunami hazard areas are coastal areas and large lake shoreline areas susceptible to flooding and inundation as the result of excessive wave action derived from seismic or other geologic events. Currently, no specific boundaries have been established in the City limits for this type of hazard area.

C. General Regulations

1. The following regulations apply to all geologically hazardous areas:
 - a. New development or the creation of new lots that would cause foreseeable risk from geological conditions to people or improvements during the life of the development shall be prohibited.
 - b. New development or the creation of new lots that would require structural shoreline stabilization over the life of the development shall be prohibited, except where:
 - i. stabilization is necessary to protect an permitted use; and
 - ii. no alternative location is available; and
 - iii. no net loss of ecological functions will result.
 - c. Under such circumstances, the stabilization measures shall conform to all provisions included in Chapter 8 of this Program.
 - d. Stabilization structures or measures to protect existing primary residential structures may be permitted where no alternatives, including relocation or reconstruction of existing structures, are found to be feasible, and less expensive than the proposed stabilization measure provided they are designed and constructed consistent with conform with the provisions of Chapter 8 of this Program.

¹ An underground structure, consisting of a partially completed underground railroad tunnel, exists within City limits, as defined in the mine hazard areas map. The tunnel was constructed in 1909 and discontinued that same year due to excessive groundwater flows within the tunnel. The dimensions of the tunnel are presently unknown, and it was reportedly backfilled with wood, sand, and gravel in 1915.

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D. Erosion and Landslide Hazards - Development Standards

1. Structures and improvements shall be required to maintain a minimum 50-foot geo-setback from the boundary of all erosion and landslide hazard areas (Note: where no distinct break exists, the top of a steep slope is the upper most limit of the area where the ground surface drops greater than 10 feet or more vertically within a horizontal distance of 25 feet). No geo-setback shall be required where the vertical relief of the slope is 10 feet or less. The geo-setback may be reduced to 30 feet where the vertical relief of the slope is greater than 10 feet but no more than 20 feet.
2. The 30-foot or 50-foot geo-setback may be reduced to a minimum of 10 feet for the following:
 - a. Construction of one-story detached accessory structures (garages, sheds, playhouses of similar structures not used for continuous occupancy) with less than 1,000 square feet of floor area, whichever is greater for existing residences.
 - b. Addition to existing residences, including decks that have a maximum 250 square feet footprint of building, deck or roof area, whichever is greater, and are not closer to the top or bottom of the slope than the existing residence.
 - c. Installation of fences where they do not impede emergency access.
 - d. Clearing only up to 2,000 square feet during May 1 to October 1, if determined by the Building Official to not cause significant erosion hazard.
 - e. Grading up to 5 cubic yards during April 1 to October 1 over an area not to exceed 2,000 square feet, if determined by the Building Official that such grading will not cause a significant erosion hazard.
 - f. Removal of noxious or invasive weeds, provided such areas are protected from erosion with either native vegetation or other approved erosion protection.
 - g. Forest practices regulated by other agencies.
 - h. The construction of public or private utility corridors; provided it has been demonstrated that such construction will not significantly increase erosion risks.
 - i. Trimming and limbing of vegetation for the creation and maintenance of view corridors, removal of site distance obstructions as determined by the City Traffic Engineer, removal of hazardous trees, or clearing associated with routine maintenance by utility agencies or companies; provided that the soils are not disturbed and the loss of vegetative cover will not significantly increase risks of landslide or erosion.
 - j. The construction of approved public or private trails; provided they are constructed in a manner which will not contribute to surface water runoff.
 - k. Remediation or critical area restoration project under the jurisdiction of another agency.

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1. Where it can be demonstrated through an erosion and/or landslide hazard analysis prepared by a geotechnical hazards specialist that there is no significant risk to the development proposal or adjacent properties, or that the proposal can be designed so that any erosion hazard is significantly reduced, the geo-setback may be reduced as specified by the geotechnical specialist. This geo-setback may be increased where the Building Official determines a larger geo-setback is necessary to prevent risk of damage to proposed and existing development. The development must also comply with the Specific Development Standards for Erosion and Landslide Hazard Areas.
- m. The erosion hazard analysis shall include the information specified in TMC 13.11.730(A)(1)(l) and the landslide hazard analysis shall include information specified in TMC 13.11.730(B)(1)(o).
- n. In addition to the erosion hazard analysis, a Construction Stormwater Pollution Prevention Plan shall be required that complies with the requirements in the currently adopted City Stormwater Management Manual. Clearing and grading activities in an erosion hazard area shall also be required to comply with the City amendments to the most recently adopted International Building Code.

E. Erosion and Landslide Hazard Areas - Specific Development Standards

1. The development shall not increase surface water discharge or sedimentation to adjacent properties beyond pre-development conditions. Note that point discharges onto adjacent properties is not permitted without approved easements. Dispersed flows meeting pre-developed flows will be permitted provided other development standards can be met.
2. The development shall not decrease slope stability on adjacent properties.
3. Such alterations shall not adversely impact other critical areas.
4. The proposed development shall not decrease the factor of safety for landslide occurrences below the limits of 1.5 for static conditions and 1.2 for dynamic conditions. Analysis of dynamic conditions shall be based on a minimum horizontal acceleration as established by the current version of the International Building Code.
5. Structures and improvements shall minimize alterations to the natural contour of the slope, and the foundation shall be tiered where possible to conform to existing topography. Terracing of the land; however, shall be kept to a minimum to preserve natural topography where possible. Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation.
6. Development shall be designed to minimize impervious lot coverage. All development shall be designed to minimize impervious lot coverage and should incorporate understructure parking and multi-level structures within the existing height limit.
7. Roads, walkways, and parking areas should be designed parallel to topographic contours with consideration given to maintaining consolidated areas of natural topography and vegetation.
8. Removal of vegetation shall be minimized. Any replanting that occurs shall consist of trees, shrubs, and ground cover that is compatible with the existing surrounding vegetation, meets

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the objectives of erosion prevention and site stabilization, and does not require permanent irrigation for long-term survival.

9. The proposed development shall not result in greater risk or need for increased geo-buffers on neighboring properties.
10. Structures and improvements shall be clustered where possible. Driveways and utility corridors shall be minimized through the use of common access drives and corridors where feasible. Access shall be in the least sensitive area of the site.

F. Seismic Hazard Areas - General Development Standards

1. A hazard analysis report, which shall include the information specified in TMC 13.11.730(D)(2), will be required for structures and improvements in a seismic hazard area. All developments shall be required to comply with the requirements of the most recently adopted edition of the International Building Code. The following types of projects will not require a seismic hazardous analysis report:
 - a. Construction of new buildings with less than 2,500 square feet footprint of floor or roof area, whichever is greater, and which are not residential structures or used as places of employment or public assembly.
 - b. Additions to existing residences, including decks that have a maximum 250 square feet footprint of building, deck or roof area, whichever is greater.
 - c. Installation of fences where they do not impede emergency access.
2. The exceptions above may not apply to areas that are also landslide hazard areas.
3. All developments shall be required to comply with the requirements of the most recently adopted edition of the International Building Code.

G. Volcanic Hazard Areas - General Development Standards

1. Development in volcanic hazard areas shall comply with the zoning and Building Code requirements of the TMC. New developments in volcanic hazard areas shall be required to submit an evacuation and emergency management plan, with the exception of the following:
 - a. Construction of new buildings with less than 2,500 square feet of floor area or roof area, whichever is greater, and which are not residential structures or used as places of employment or public assembly;
 - b. Additions to existing residences, including decks that have a maximum 250 square feet footprint of building, deck or roof area, whichever is greater; and
 - c. Installation of fences where they do not impede emergency egress.

H. Mine Hazard Areas - General Development Standards

1. Critical facilities, as defined by the currently adopted version of International Building Code, are not permitted in the area of the former railroad tunnel. Other development within 50 feet

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of the mapped location of the former railroad tunnel shall be required to perform a hazard analysis that includes the information specified in TMC 13.11.730(F)

I. Tsunami Hazard Areas - General Development Standards

1. Development in tsunami hazard areas shall comply with the zoning and Building Code requirements of the TMC. There are no other specific development standards for tsunami hazard areas.

6.4.8 Flood Hazard Areas

A. Classification.

1. Classifications of flood hazard areas shall be consistent with the most recent official map of the Federal Insurance Administration that delineates areas of special flood hazards and includes the risk premium zones applicable to the City. Also known as “flood insurance rate map” or “FIRM.”
2. Where the flood insurance map and studies do not provide adequate information, the City, through its Public Works Department, shall consider and interpret information produced by the Army Corps of Engineers, Natural Resource Conservation Service, Department of Housing and Urban Development, or any other qualified person or agency to determine the location of Flood Hazard Areas and Coastal High Hazard Areas.

B. Flood Hazard Area Standards

1. All development proposals shall comply with TMC 2.12.040 through 2.12.050, Flood Hazard and Coastal High Hazard Areas, and TMC 12.08 Surface Water Management Manual for general and specific flood hazard protection.
2. Development shall not reduce the base flood water storage ability. Construction, grading, or other regulated activities which would reduce the flood water storage ability must be mitigated by creating compensatory storage on- or off-site.
3. Development in floodplains shall not significantly or cumulatively increase flood hazard or be inconsistent with a comprehensive flood hazard management plan adopted pursuant to chapter 86.12 RCW, provided the plan has been adopted after 1994 and approved by the department. New development or new uses in shoreline jurisdiction, including the subdivision of land, should not be established when it would be reasonably foreseeable that the development or use would require structural flood hazard reduction measures within the channel migration zone or floodway. The following uses and activities may be appropriate and or necessary within the channel migration zone or floodway:
 - a. Actions or projects that protect or restore the ecosystem-wide processes or ecological functions.
 - b. Bridges, utility lines, and other public utility and transportation structures where no other feasible alternative exists or the alternative would result in unreasonable and disproportionate cost. Where such structures are permitted, mitigation shall address impacted functions and processes in the affected section of watershed or drift cell.

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- c. Repair and maintenance of an existing legal use, provided that such actions do not cause significant ecological impacts or increase flood hazards to other uses.
 - d. Modifications or additions to an existing non-agricultural legal use, provided that channel migration is not further limited and that the new development includes appropriate protection of ecological functions.
 - e. Development in incorporated municipalities and designated urban growth areas, as defined in Chapter 36.70A RCW, where existing structures prevent active channel movement and flooding.
 - f. Measures to reduce shoreline erosion, provided that it is demonstrated that the erosion rate exceeds that which would normally occur in a natural condition, that the measure does not interfere with fluvial hydrological and geomorphological processes normally acting in natural conditions, and that the measure includes appropriate mitigation of impacts to ecological functions associated with the river or stream.
4. Base flood data and flood hazard notes shall be shown on the face of any recorded plat or site plan, including, but not limited to, base flood elevations, flood protection elevation, boundary of floodplain, and zero rise floodway.
 5. Allow new structural flood hazard reduction measures in shoreline jurisdiction only when it can be demonstrated by a scientific and engineering analysis that they are necessary to protect existing development, that nonstructural measures are not feasible, that impacts ecological functions and priority species and habitats can be successfully mitigated so as to assure no net loss, and that appropriate vegetation conservation actions are undertaken consistent with WAC 173-26-221(5).
 6. Structural flood hazard reduction measures shall be consistent with an adopted comprehensive flood hazard management plan approved by the department that evaluates cumulative impacts to the watershed system.
 7. New structural flood hazard reduction measures shall be placed landward of the associated wetlands, and designated vegetation conservation areas, except for actions that increase ecological functions, such as wetland restoration, or as noted below. Provided that such flood hazard reduction projects be authorized if it is determined that no other alternative to reduce flood hazard to existing development is feasible. The need for, and analysis of feasible alternatives to, structural improvements shall be documented through a geotechnical analysis.
 8. Require that new structural public flood hazard reduction measures, such as dikes and levees, dedicate and improve public access pathways unless public access improvements would cause unavoidable health or safety hazards to the public, inherent and unavoidable security problems, unacceptable and un-mitigable significant ecological impacts, unavoidable conflict with the proposed use, or a cost that is disproportionate and unreasonable to the total long-term cost of the development.
 9. Require that the removal of gravel for flood management purposes be consistent with an adopted flood hazard reduction plan and with this chapter and permitted only after a biological and geomorphological study shows that extraction has a long-term benefit to flood hazard reduction, does not result in a net loss of ecological functions, and is part of a comprehensive flood management solution.

WORKING DRAFT TSMP**6.5 Public Access****6.5.1 Policies**

1. Public access to shorelines is required, where feasible, to the fullest extent allowed by law, provided that the provision of the public access results in no net loss of ecological function.
2. Developments, uses, and activities should be designed and operated to avoid or minimize blocking, reducing, or adversely interfering with the public's visual or physical access to the water and the shorelines.
3. Impacts to public access from new development should be mitigated through the provision of on-site visual and physical public access, unless such access is shown to be incompatible due to reasons of safety, security, or impact to the shoreline.
4. Public access should be provided to the shoreline as a primary use in its own right or as a secondary use provided as development or redevelopment occurs, provided that private property rights and public safety are protected. Public access elements may include, but should not be limited to the following:
 - a. Bicycle paths along or adjacent to the shoreline;
 - b. Shoreline parks;
 - c. Beach areas;
 - d. Piers, wharves, docks, and floats;
 - e. Transient moorage;
 - f. Trails, promenades, or other pedestrian ways along or adjacent to the shoreline edge.
5. Development projects on public property or proposed by public entities should be required to incorporate public access features except where access is incompatible with safety, security, or environmental protection.
6. Where public access cannot be provided on-site, the City should consider innovative measures to allow permit applicants to provide public access off-site, including contributing to a public access fund to develop planned shoreline access projects.
7. Public access provisions should be consistent with all relevant constitutional and other limitations that apply to public requirements that are placed on private property, including the nexus and proportionality requirements.
8. Public access requirements on privately owned lands should be commensurate with the scale of the development and should be reasonable, effective and fair to all affected parties including but not limited to the landowner and the public.
9. Public access should not compromise, in any significant manner, the rights of navigation and space necessary for water-dependent uses.

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10. New public access should be sited and appropriately designed to avoid causing detrimental impacts to the operations of existing water-dependent and water-related uses.
11. New development should avoid or minimize conflict with existing public access or planned public access projects and provide mitigation if impacts cannot be avoided.
12. Public and private property owners should use a variety of techniques, including acquisition, leases, easements and design and development innovations, in order to achieve the public access goals and to provide diverse public access opportunities.
13. Preference should be given to provision of on-site public access. Off-site public access is appropriate where it would provide more meaningful public access, prevent or minimize safety or security conflicts, or where off-site public access is consistent with an approved public access plan.
14. Water-enjoyment and non-water-oriented uses that front on the shoreline should provide continuous public access along the water's edge.
15. Public access should be provided as close as possible to the water's edge without significantly adversely affecting a sensitive environment or resulting in significant safety hazards. Improvements should allow physical contact with the water where feasible.
16. Public access improvements should be generally consistent with the Public Access Alternatives Plan, the Open Space Habitat and Recreation Plan, the Mobility Master Plan, and any other adopted public access plan if the project area is covered by these plans. However, an alternative proposed by the Applicant may be approved if it is consistent with the goals, objectives, and policies in this TSMP.
17. Developments within shoreline jurisdiction that do not have shoreline frontage should provide public access by providing trails or access corridors through or from their sites or by providing view improvements, including viewing platforms.
18. Where new development occurs in a location where access along or to the shoreline already exists, the new development should either contribute additional recreation or access facilities to enhance the existing access, or consider view improvements.
19. Public access provided by street-ends, utility corridors, and public rights-of-way should be addressed in public access plans and should be preserved, maintained and improved.
20. An applicant may construct public access improvements before site development as a part of an overall site master plan, which may be phased. The applicant would receive credit for those improvements at time of development.
21. Public spaces should be designed to be recognizable as 'public' areas and to promote a unified access system, including the design and location of site details and amenities, and to provide a safe and welcoming experience for the public.

6.5.2 Regulations**A. General Regulations**

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1. When public access is provided it shall achieve no net loss of existing shoreline ecological functions.
2. Developments, uses, and activities shall be designed and operated to avoid or minimize blocking, reducing, or adversely interfering with the public's visual or physical access to the water and the shorelines.
3. Public access shall be required to the extent allowed by law in the review of all shoreline substantial development permits and conditional use permits where any of the following conditions exist:
 - a. The project increases or creates public demand for access;
 - b. The project impacts or interferes with existing access by blocking access or discouraging use of existing access;
 - c. The project impacts or interferes with public use of waters subject to the Public Trust Doctrine;
 - d. The project is a non-water –dependent use, or a non-preferred use under the SMA; or
 - e. The project is publicly funded or on public lands.
4. The Land Use Administrator shall review the proposed use or development and make specific findings demonstrating the essential nexus between the use or development and the permit conditions requiring public access. Findings shall also include a determination that the permit conditions requiring public access are roughly proportional to the impacts caused by the proposed use or development.
5. Required public access may include the preservation of shoreline views consistent with Section 6.7, the establishment of public access easements to and along the shoreline, enhancement of an adjacent street-end or park or other public access features commensurate with the degree of impact caused by the development.
6. Public access is not required if the applicant can demonstrate, to the satisfaction of the Administrator, that there exists no substantiated nexus between the project and public access improvements and/or statutory limitations would be violated.
7. The Administrator may approve alternatives to on-site, physical access to the shoreline provided that on-site access alternatives such as limiting hours to daylight use, or altering site configurations or incorporating design elements, such as fences, terraces, hedges, and/or other landscaping to separate uses and activities cannot first be accommodated, and if the applicant can demonstrate that one or more of the following conditions exist:
 - a. Unavoidable health or safety hazards to the public exist which cannot be prevented by any practical means;
 - b. Access is not feasible due to the configuration of existing parcels and structures, such that access areas are blocked in such a way that cannot be reasonably remedied by the proposed development;

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- c. Inherent security requirements of the proposed development or use cannot be satisfied through the application of alternative design features or other solutions;
 - d. The cost of providing on-site access, easement, or an alternative amenity is unreasonably disproportionate to the total long-term cost of the proposed development;
 - e. Environmental impacts that cannot be mitigated, such as damage to spawning areas or nesting areas, will result from the public access; or
 - f. Public access is infeasible due to incompatible adjacent uses where the incompatibility cannot be mitigated.
8. Projects which meet the criteria in TSMP 6.5.2(A)(7) above must construct off-site public access improvements of comparable function and value or contribute funds of equivalent value to a locally established public access fund that will be used for developing or enhancing system capacity.
 9. In determining whether the proposed use or development meets one or more of the criteria in 6.5.2(A)(7) above, the City shall require substantial, credible evidence furnished by the applicant demonstrating how the proposal meets the criteria.
 10. When public access is required it shall be provided on the waterward side of the proposed development or use or, where safety or security considerations prevent access in close proximity to the water, the access shall be provided as close to the shoreline edge as is practicable.
 11. Water-enjoyment uses and non-water-oriented uses that front on the shoreline shall provide a continuous public access walkway between the use and the shoreline edge.
 12. Where a project is located within an area covered by an adopted public access plan, including the Open Space Habitat and Recreation Plan, the Public Access Alternatives Plan, Mobility Master Plan, or any other adopted public access plan, public access improvements shall be generally consistent with the adopted plan. However, the City may approve an alternative proposed by the Applicant that meets the goals, objectives, and policies in this Program.
 13. Public access improvements shall be designed to minimize impacts to critical areas, ecological functions, or ecosystem-wide processes. A biological assessment or a habitat management plan consistent with TSMP section 6.4 may be required for public access developments in shoreline jurisdiction. The City may require that buffers be increased based upon the results of that assessment. Full mitigation of impacts shall be required.
 14. In instances where public access is proposed in conjunction with a restoration or environmental mitigation project that includes work within a critical area or its buffer, the public access element may be provided within a critical area or its buffer provided it is the minimum necessary to provide an access function appropriate to the site and is consistent with applicable requirements in this Program. The design and location of said access feature shall not compromise the ability of the restoration project's ability to achieve its intended objectives.

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15. A project applicant may participate in “advance mitigation” by providing public access improvements prior to the time a project is constructed.
16. Public agencies may rely on their own master plans that incorporate public access planning in-lieu of providing public access on a permit by permit basis for development identified in the master plan, provided that the agency’s public access planning satisfies the following requirements: a) the City of Tacoma must first approve and adopt the master plan including City review for consistency with the requirements of this Program and WAC 173-27-221(4); b) the planned public access shall be commensurate with the agency’s projected development plans for a time period to be established as part of the agency’s master plan; c) the agency’s adoption of its plan must provide public participation consistent with RCW 90.58.130 and WAC 173-26-201(3)(b)(i); and d) the plan shall include a timeline for implementation, a maintenance plan, and a schedule for reporting and monitoring to ensure ongoing compliance with the requirements of this Program.
17. Where feasible, development uses and activities shall be designed and operated to avoid and minimize blocking, reducing, or adversely interfering with the public's physical access to the water and shorelines.
18. Public access provided by street ends, public utilities, and public rights-of-way shall not be diminished.
19. Public access sites shall be connected directly to adjacent public streets and trails.
20. Required public access improvements shall be fully developed and available for public use at the time of occupancy of the use or activity unless there are mitigating circumstances and an agreement setting forth an alternative schedule acceptable to the Land Use Administrator is in place.
21. Public access easements and shoreline permit conditions shall be recorded on the deed of title and/or on the face of a plat or short plat as a condition of approval. Said recording with the County Auditor's Office shall occur at the time of shoreline permit approval. Future actions by the applicant and/or successors in interest or other parties shall not diminish the usefulness or value of the public access provided, unless a new shoreline permit is secured.
22. The standard state approved logo or other signs that indicate the public's right of access and hours of access shall be constructed, installed, and maintained by the applicant, consistent with the sign standards in the Thea Foss Waterway Design Guidelines and Standards. Signs may control or restrict public access as a condition of permit approval.
23. All public access sites city wide shall provide site furnishings appropriate for the intended use of the access site, the estimated demand, site context and hours of use.
24. Pedestrian access shall be required along new and reconstructed dikes, jetties, and groins, except where the access meets the test in 6.5.2(A)(7)
25. Publicly financed or subsidized shoreline erosion control measures shall not restrict appropriate public access to the shoreline except where such access is determined to be infeasible because of incompatible uses, safety, or security.

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26. Existing public access shall not be eliminated unless the Applicant shows that there is no feasible alternative and replaces the public access at another location.
 27. Public access improvements shall include provisions for disabled and physically impaired persons where reasonably feasible.
- B. “S-15” Point Ruston/Slag Peninsula Shoreline District, “S-6” Ruston Way Shoreline District,
1. All new development that fronts on the shoreline shall provide a continuous public access walkway along the entire site’s shoreline, improved to a minimum average width of 15 feet and ADA accessible. A public access/view corridor from the street right-of-way to the public walkway shall be provided for each development and shall be a minimum of 10 feet wide and ADA accessible. The required pedestrian circulation link shall be located within the required side yard/view corridor and be counted toward said side yard/view corridor requirement. Provision shall be made to provide access from the parking lot to the main building entrance.
- C. “S-7” Schuster Parkway Shoreline District
1. All new development that fronts on the shoreline, except water-oriented Port, Terminal and Industrial use, shall provide a continuous public access walkway along the entire site’s shoreline, improved to a minimum average width of 15 feet and ADA accessible.
 2. When public access requirements cannot be met or are not required on-site, off-site improvements shall be accomplished that implements one of the following access priorities:
 - a. Completion of the multi-modal Schuster Parkway Trail, as identified in the Public Access Plan, including site amenities;
 - b. Completion of the Bayside Trail, including site amenities;
 - c. Improving connections between Schuster Parkway and the Bayside Trail;
 - d. Provide access to the shoreline via flyovers or pedestrian bridges to permit viewing of industrial properties and Commencement Bay.
- D. “S-8” Thea Foss Waterway Shoreline District
1. On the west side of the Thea Foss Waterway, new development shall provide a continuous, unobstructed, publicly accessible esplanade or boardwalk fronting on the shoreline edge where the minimum improved surface shall be 20 feet wide. Connections between Dock Street and the esplanade or boardwalk shall be provided through designated public access/view corridors, and possibly additional public access corridors.
 2. On the east side of the Thea Foss Waterway, new development located to the south of parcel number 8950000720, with the exception of existing water-oriented industrial development, shall provide a continuous, unobstructed, publicly accessible walkway or boardwalk fronting on the shoreline edge where the improved surface shall be a minimum of 15 feet wide. Connections between the walkway and East D Street shall be provided through public access/view corridors as required in TSMP 6.5.2. Existing industrial uses, at the time of the adoption of this Program, are not subject to the public access requirements.

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3. A public access/view corridor from the street right-of-way to the public esplanade, walkway or boardwalk shall be provided for each development, and shall be a minimum of 10 feet wide and ADA accessible. The required pedestrian circulation link shall be located within the required side yard/view corridor and be counted toward said side yard/view corridor requirement. Provision shall be made to provide access from the parking lot to the main building entrance.
4. On both the west and east sides of the Thea Foss Waterway, site amenities, such as benches, lights, and landscaping, shall be included as part of the esplanade or boardwalk construction consistent with the Thea Foss Waterway Design Guidelines and Standards, Appendix D.
5. On the western side of the Thea Foss Waterway, new permanent buildings are not permitted in any designated waterfront esplanade, boardwalk, or public access/view corridor unless otherwise specified, except that pedestrian bridges connecting development site buildings, weather protection features, public art or structures provided primarily as public access or a public amenity such as viewing towers, decks, and public restrooms may be located in or over these areas.

6.6 Vegetation Conservation**6.6.1 Policies**

1. Where new developments and/or uses are proposed, native shoreline vegetation should be conserved and/or enhanced to maintain shoreline ecological functions and/or processes and mitigate the direct, indirect and/or cumulative impacts of shoreline development, wherever feasible. It is recognized that all vegetation is beneficial to the shoreline; however, native vegetation is preferable and is the term used in this section. Important functions of shoreline vegetation include, but are not limited to:
 - a. Providing shade necessary to maintain water temperatures required by salmonid, forage fish, and other aquatic biota;
 - b. Regulating microclimate in riparian and nearshore areas;
 - c. Providing organic inputs necessary for aquatic life, including providing food in the form of various insects and other benthic macro invertebrates;
 - d. Stabilizing banks, minimizing erosion and sedimentation, and reducing the occurrence/severity of landslides;
 - e. Reducing fine sediment input into the aquatic environment by minimizing erosion, aiding infiltration, and retaining runoff;
 - f. Improving water quality through filtration and vegetative uptake of nutrients and pollutants;
 - g. Providing a source of large woody debris to moderate flows, create hydraulic roughness, form pools, and increase aquatic diversity for salmonid and other species;
 - h. Providing habitat for wildlife, including connectivity for travel and migration corridors.

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2. Limit removal of native vegetation to the minimum necessary to accommodate shoreline development.
3. Restrict native vegetation removal within shoreline jurisdiction in order to maintain the functions and values of the shoreline environment, including protection of habitat and shoreline bluffs.
4. Use best management practices (BMPs) to control erosion.
5. Voluntary restoration plans and projects should incorporate native vegetation management plans that are similar to the standards as specified in 6.6.2(3) below.
6. Maintaining well-vegetated shorelines is preferred over clearing vegetation to create views or provide lawns. Limited and selective clearing for views and lawns may be permitted when slope stability and ecological functions are not compromised. Trimming and pruning are generally preferred over removal of native vegetation.
7. Property owners are strongly encouraged to avoid use of fertilizers, herbicides and pesticides.
8. Shoreline landowners are encouraged to preserve and enhance native woody vegetation and native groundcovers to stabilize soils and provide habitat.

6.6.2 Regulations

1. Proponents of all new shoreline uses or developments shall demonstrate that site designs and layouts are consistent with the policies of this section to ensure shoreline functions, values, and processes are maintained and preserved. A shoreline permit or written statement of exemption shall not mandate, nor guarantee, unobstructed horizontal or lateral visibility of the water, shoreline or any specific feature near or far.
2. Proponents of all new shoreline uses or developments shall maintain existing native shoreline vegetation to the maximum extent practicable.
3. Removal of native vegetation within shoreline jurisdiction shall only be permitted upon approval of a detailed vegetation management plan prepared by a qualified landscape professional. The vegetation management plan shall include:
 - a. A map illustrating the distribution of existing plant communities in the area proposed for clearing and/or grading. The map must be accompanied by a description of the vegetative condition of the site, including plant species, plant density, any natural or manmade disturbances, overhanging vegetation, and the functions served by the existing plant community (e.g., fish and wildlife habitat values, slope stabilization).
 - b. A description of the shade conditions created by existing vegetation. This description shall include an inventory of overhanging vegetation as well as a determination of how much shade is created by standing trees, during midday at midsummer.
 - c. A detailed landscape map indicating which areas will be preserved and which will be cleared, including tree removal.

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- d. Drawings illustrating the proposed landscape scheme, including the species, distribution, and density of plants. Any pathways or non-vegetated portions shall be noted.
 - e. A description of the maintenance and monitoring strategies to ensure the replacement vegetation meets the standards contained herein.
4. The following standards shall apply for removal and replacement of existing native vegetation that occurs outside of a shoreline critical area and/or buffer:
 - a. Proponents shall use native species approved by the Land use Administrator that are of a similar diversity, density, and type to that occurring in the general vicinity of the site prior to any shoreline alteration. The vegetation shall be nurtured and maintained to ensure establishment of a healthy and sustainable native plant community over time;
 - b. A minimum of 4 inches of wood chip mulch, or equivalent, distributed over the entire planting area;
 - c. The applicant may be required to install and implement an irrigation system to insure survival of vegetation planted. For remote areas lacking access to a water-system, an alternative method (e.g., hand watering) may be approved;
 - d. Replacement shall occur as close to the ordinary high water mark as practicable;
 - e. For a period of three (3) years after initial planting, the applicant shall replace any unhealthy or dead vegetation planted as part of a vegetation management plan.
5. Trimming of trees is allowed without a vegetation management plan, provided:
 - a. This provision is not interpreted to allow clearing of vegetation;
 - b. Trimming does not include topping, stripping or imbalances; a minimum of 60% of the original crown shall be retained to maintain tree health;
 - c. Trimming does not directly impact the nearshore functions including fish and wildlife habitat;
 - d. Trimming is not within a wetland, stream or their buffers;
 - e. Trimming will not adversely impact a priority species; and
 - f. Trimming in landslide and erosion hazard areas does not impact soil stability.
6. Removal of native vegetation within the marine buffer, critical areas and/or their buffers shall provide a vegetation management plan consistent with the provisions of this chapter and shall comply with the mitigation requirements in TSMP Section 6.4.2.
7. Hazard trees that are within a marine buffer or critical area and/or its buffer, that pose a threat to public safety or an imminent risk of damage to private property may be removed provided that a report from a certified arborist is submitted to the City for review and approval. The report must include removal techniques, procedures for protecting the surrounding and/or

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- critical area and its buffer, and replacement of native trees. Where possible, cut portions of hazard trees are to be left on site as a habitat element such as a standing snag tree or downed woody debris.
8. The City may require a performance bond as a condition of shoreline exemption or shoreline permit approval, to ensure compliance with this Master Program.
 9. If the timing of required installation occurs between April 1st and October 1st of any given year, said installation may be postponed until after October 1st of the same year, provided a written request for postponement is submitted by the proponent, the financial surety has been secured by the City and the Land Use Administrator has issued a letter of approval for said postponement of native vegetation installment.
 10. Materials required in TSMP section 6.6.2(3) and (4), above, shall be submitted, reviewed and approved by the Land Use Administrator prior to issuance of any development permits on the site. Installation of all required vegetation and submittal of the maintenance and monitoring report shall be completed prior to occupancy for the subject use. As-installed reports shall be submitted to the Land Use Administrator at the end of each year for the five-year maintenance and monitoring period to assure compliance.
 11. Unless otherwise stated, native vegetation management does not include those activities covered under the Washington State Forest Practices Act, except for conversion to other non-forestry uses and those other forest practice activities over which the City has authority.
 12. As with all Master Program provisions, native vegetation management provisions apply even to those shoreline uses and developments that are exempt from the requirement to obtain a permit.
 13. Like other Master Program provisions, native vegetation management standards do not apply retroactively to existing uses and structures.

6.7 Views and Aesthetics**6.7.1 Policies**

1. To the extent feasible and consistent with the overall best interest of the state and the people generally, the public's opportunity to enjoy the aesthetic qualities of shorelines of the state, including views of the water, should be advanced.
2. Shoreline use and development activities should be oriented to take the greatest advantage of shoreline views. Buildings should be designed to provide maximum view opportunities from within.
3. Locate paths, benches, and picnic areas to take full advantage of marine views.
4. Shoreline use and development that are adjacent to pedestrian access ways should orient building facades to those pedestrian routes and utilize façade treatments that maximize the enjoyment of shoreline areas.
5. Consider the use of rooftop surfaces for open space and public recreation purposes.

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6. View and public access corridors should be designed and developed to encourage pedestrian uses.
7. Shoreline use and development activities should be designed and operated to minimize obstructions to the public's visual access to the water and shoreline.
8. As mandated by the Act (RCW 90.58.320), no permit should be issued for any new or expanded building or structure of more than 35 feet above average grade level on shorelines that will obstruct the view of a substantial number of residences on areas adjoining such shorelines, except where this Program does not prohibit such development and only when overriding considerations of the public interest will be served.
9. Shoreline use and development should not significantly detract from shoreline scenic and aesthetic qualities that are derived from natural or cultural features, such as shoreforms, vegetative cover and historic sites/structures.
10. New development should emphasize the water as a unique community asset.
11. New development should emphasize the bluffs abutting waterfront areas as natural design features that give definition to the urban form.
12. Views and the physical form of the waterfront should be preserved by maintaining low structures near the water and at the tops of the bluffs, and by allowing non view blocking vertical development at the base of the bluffs.
13. New uses and developments in shoreline areas should be designed and constructed for a "human scale" and pedestrian orientation.
14. Encourage design details such as form, scale, proportion, color, materials and texture to be compatible within shoreline areas wherever feasible.
15. Provide for uniform and recognizable design and signage elements in public access areas.
16. Continuous planting or other ground surface treatment should be used to physically and visually link the waterfront areas to the City and to each other.
17. Encourage the development of viewing areas wherever appropriate and feasible.

6.7.2 Regulations**A. General**

1. New development shall be located and designed to mitigate adverse impacts to views from public vistas, viewpoints, and scenic drives.
2. View corridors, as specified in Table 9.2, shall be provided concurrent with any new use or development.
3. Structures are not permitted in any required view corridor, except that weather protection features, public art, and areas provided primarily for public access, such as viewing towers and pedestrian bridges, may be located in or over these areas.

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4. As mandated by the Act (RCW 90.58.320), no permit may be issued for any new or expanded building or structure of more than 35 feet above average grade level on shorelines that will obstruct the view of a substantial number of residences on areas adjoining such shorelines, except where this Program does not prohibit such development and only when overriding considerations of the public interest will be served. Private views of the shoreline, although considered during the review process, are not expressly protected. Property owners concerned with the protection of views from private property are encouraged to obtain view easements, purchase the intervening property, and/or seek other similar private means of minimizing view obstruction.
5. Protection and/or enhancement of critical areas and their associated buffers shall be preferred over provisions for visual access, when there is an irreconcilable conflict between the two.
6. View protection does not justify the excessive removal of vegetation to create views or enhance partial existing views. Retaining vegetation and “windowing” or other pruning techniques shall always be preferred options over vegetation removal.
7. Water-dependent uses and/or public access uses shall be preferred over provisions for visual access, when there is an irreconcilable conflict between the two.
8. The following standards shall apply to developments and uses within the jurisdiction of this Program:
 - a. Where commercial, industrial, mixed-use, multifamily and/or multi-lot developments are proposed, primary structures shall provide for reasonable view/access corridors between buildings consistent with the development standards contained in Table 9-2.
 - b. Buildings shall incorporate architectural features that reduce scale such as setbacks, pitched roofs, offsets, angled facets, and recesses;
 - c. The first floor of structures adjacent to pedestrian public access-ways or street ROW shall be designed to maximize transparency, where appropriate;
 - d. Building surfaces on or adjacent to the water shall employ materials that minimize reflected light;
 - e. Building mechanical equipment shall be incorporated into building architectural features, such as pitched roofs, to the maximum extent possible. Where mechanical equipment cannot be incorporated into architectural features, a visual screen shall be provided consistent with building exterior materials that obstructs views of such equipment;
 - f. Fences, walls, hedges and other similar appurtenances and accessory structures shall be designed in a manner that does not preclude or significantly interfere with the public’s view of the water, to the extent feasible.

B. Landscaping

1. As part of meeting project site area landscaping requirements, the applicant for a proposed new development or redevelopment project must submit a landscaping plan for approval specifying installation of minimum ten-foot wide planting bed(s) of native riparian vegetation

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within and along portions of the fifteen-foot wide strip of land lying immediately landward of (a) the ordinary high water mark (OHWM) for currently unarmored shorelines, or (b) the landward edge of existing shoreline armoring for currently armored shorelines. (Where portions of already-developed sites are proposed to be redeveloped, the planting bed(s) shall only be required along those redeveloping portion(s) of the site actually abutting the shoreline). Riparian vegetation should be encouraged, but not required, elsewhere on the project site for aesthetic continuity with the riparian vegetation within the bed(s) required along the shoreline. The landscaping plan must also meet the following requirements:

- a. **Locations and Sizes of Required Shoreline Planting Beds.** The landscaping plan shall specify (a) particular species of native salt tolerant riparian vegetation that are to be planted in ground-level or raised planting beds (see the next section), (b) that each planting bed shall be a minimum of ten feet in width and a minimum of ten feet in length (a minimum of one hundred square feet), and (c) that the total minimum linear footage of planting beds along the project's shoreline shall be fifty percent of the project's shoreline length;
- b. **Plant Selection.** The native riparian plant species shall be specified on the landscaping plan. The suitability of the species must be reviewed and approved by a biologist/riparian plant specialist. The plant names listed on the landscaping plan shall comply with the names generally accepted in the riparian plant nursery trade. The plan shall further specify that (a) all plant materials shall be true to species and variety and legibly tagged, and (b) riparian plant materials shall be nursery grown in the Puget Sound area of Washington except that dug plants may be used upon approval of the biologist/riparian plant specialist;
- c. **Plant Sizes.** The landscaping plan shall specify the sizes of the riparian plants to be installed. The plan may also specify that larger stock may be substituted provided that (a) it has not been cut back to the specified size, and (b) the root ball is proportionate to the size of the plant. Because smaller stock may be acceptable based upon site-specific conditions, the plan may specify that the biologist/riparian plant specialist may make field determinations to substitute smaller stock for the stock size set forth on the plan.
- d. **Site Preparation.** The landscaping plan shall specify that (a) an amended planting soil shall be placed in the planting beds if needed, (b) all existing exotic vegetation must be removed from the planting beds, and (c) the project biologist/riparian plant specialist may make field determinations for the installation of barriers to limit Canada geese intrusion and feeding on installed plants;
- e. **Plant Monitoring.** The landscaping plan shall specify that five year monitoring will be conducted to ensure the long-term survival and stability of the riparian planting beds, with the elements of the monitoring to be (a) annual inspections of the plants, (b) replacement of failed riparian plants, (c) removal of exotic invasive species that may have become established, and (d) photographic documentation of planting success;
- f. **Criteria for Success.** The landscaping plan shall specify that, at the end of the fifth year of the monitoring, the riparian planting beds shall be considered successful if the following performance standards are met: (1) a minimum eighty percent survival rate

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of the riparian vegetation within the planting beds; and (2) a minimum of fifty percent cover within the planting beds by riparian vegetation four feet tall or taller.

C. S-8 Thea Foss Waterway

1. All new development in the “S-8” Thea Foss Waterway Shoreline District shall also be designed in accordance with the Thea Foss Waterway Design Guidelines and Standards.
2. For all new development that exceeds 35 feet in height, the project proponents shall conduct a view impact analysis. The purposes of the view analysis are to assist in addressing the requirements of the Act, including RCW 90.58.320, and to protect a locally significant public view. The analysis shall be submitted to the City as a part of the shoreline permit application. In addition, for projects utilizing the FWDA design review process, the analysis shall be submitted to and reviewed as part of their design review process.
3. The view analysis required under TSMP 6.7.2(C)(2) shall include the following:
 - a. The view analysis shall identify potential impacts to public access to the shorelines of the state and the view obstruction of a substantial number of residences on areas adjoining the west side of the Waterway.
 - b. The view analysis shall also identify potential impacts to the locally significant public view of Mount Rainier, behind the Murray Morgan Bridge, as seen from the northern end of the southernmost viewpoint projection in Fireman’s Park.
 - c. In addition to the requirements found in the Shoreline Management Act, including RCW 90.58.320, shoreline permits shall not be approved for any new or expanded building or structure of more than 50 feet in height that will obstruct the locally significant public view of Mount Rainier, as described above.

6.8 Water Quality and Quantity

6.8.1 Policies

1. Stormwater should be managed through the Tacoma Stormwater Management Manual (TMC 12.08) and the Comprehensive Plan.
2. The location, construction, operation and maintenance of all shoreline uses and developments should maintain or enhance the quantity and quality of surface and ground water over the long term.
3. Shoreline use and development should minimize the need for chemical fertilizers, pesticides or other similar chemical treatments to prevent contamination of surface and ground water and/or soils, and adverse effects on shoreline ecological functions and values.
4. Effective erosion/sedimentation controls for construction in the shoreline areas should be required.

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1. Shoreline use and development shall incorporate measures to protect and maintain surface and ground water quantity and quality in accordance with all applicable laws and in such a manner as to ensure no net loss of ecological function.
2. New development shall provide stormwater management facilities designed, constructed, and maintained in accordance with the current stormwater management standards. Deviations from these standards may be approved where it can be demonstrated that off-site facilities would provide better treatment, or where common retention, detention and/or water quality facilities meeting such standards have been approved as part of a comprehensive stormwater management plan.
3. Best management practices (BMPs) for control of erosion and sedimentation shall be implemented for all development in shorelines through an approved temporary erosion and sediment control (TESC) plan, or administrative conditions.
4. All materials that may come in contact with water shall be constructed of materials, such as untreated wood, concrete, approved plastic composites or steel, that will not adversely affect water quality or aquatic plants or animals. Materials used for decking or other structural components shall be approved by applicable state agencies for contact with water to avoid discharge of pollutants from wave splash, rain, or runoff. Wood treated with creosote, copper chromium arsenic or pentachlorophenol is prohibited in or above shoreline water bodies.
5. All proposed developments shall include measures to prevent minimize erosion during and after project construction and for the replanting of the site after construction in such a manner as to ensure no net loss of ecological function.
6. All proposed developments shall include measures to prevent the minimize contamination of surface waters, depletion and contamination of ground water supplies, and the generation of increased surface runoff.
7. All proposed developments shall provide for the disposal of any increased surface runoff without damage to streams or other wetlands.
8. All proposed developments shall provide storm drainage facilities which are separate from sewage disposal systems and which are constructed and maintained to meet all applicable standards for of water quality, including the Tacoma Stormwater Management Manual (TMC 12.08), Health Department Regulations, and other applicable Federal, State, and local regulations.
9. All proposed developments shall provide facilities or appurtenances for disposal of sanitary waste and shall manage and monitor the use of chemicals, fertilizers and other pollutants in such a manner so as to not degrade existing levels of water quality.

CHAPTER 7 GENERAL USE POLICIES AND REGULATIONS

The following policies and regulations shall apply in all City of Tacoma shoreline districts.

7.1 Prohibited Uses

The following uses are prohibited in all shoreline environments:

1. Agriculture;
2. Forest Practices; and
3. Mining.

7.2 Aquaculture

Aquaculture refers to the farming or culture of food fish, shellfish, or other aquatic plants or animals in freshwater or saltwater, and may include development such as structures, as well as use of natural spawning and rearing areas. Policies

1. Commercial aquaculture should be prohibited within the City of Tacoma.

7.2.2 Regulations

1. Aquaculture is prohibited in all shoreline districts, except for the following.
2. Aquaculture for the purpose of enhancing indigenous salmonid populations and fisheries or for educational purposes shall be permitted.

7.3 Boating Facilities

Boating facilities includes marinas, including foreshore and backshore types, dry storage and wet-moorage types, covered moorage, boat launches, and marine travel lifts. For purposes of the Shoreline Master Program, boating facilities excludes docks serving four or fewer single-family residences.

7.3.1 Policies

A. General Policies

1. Proposals for boating facilities development should ensure that there will be no net loss of ecosystem functions associated with the development.
2. In locating marinas and boat launch facilities, provisions for protection and/or improvement of resources shall be incorporated within the design of the facility.
3. Marinas and boat launch facilities should be designed in a manner that will reduce damage to fish and shellfish resources
4. Marinas and boat launch facilities should be designed and located to be aesthetically compatible with adjacent areas.

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5. Special attention should be given to the design and development of operational procedures for fuel handling and storage in order to minimize accidental spillage and provide satisfactory means for handling those spills that do occur.
 6. Shallow water areas with poor flushing action should not be considered for overnight and long-term moorage facilities.
 7. To conserve limited shoreline resources, upland boat storage should be preferred over new marinas.
 8. Boat launch facilities should be located in areas to minimize water pollution and should be separated from swimming beaches.
 9. New enclosed and/or covered moorages and boathouses should be prohibited.
 10. Encourage the installation of new technology and materials which will conserve space, be less damaging to the environment, and be more efficient.
 11. Encourage more efficient use and additions to existing marinas where appropriate rather than construction of new marinas.
 12. Parking areas for marinas and boat launch facilities should be located on the landward side of the primary use, outside of the marine buffer, and should be properly screened from adjacent uses.
 13. Marinas should incorporate public access and viewing opportunities, overwater where possible, and with regard for public safety.
 14. Live-aboard vessels should only be permitted where adequate marina facilities exist.
 15. Boaters should be encouraged to use biodegradable cleaning products to help minimize the introduction of pollutants into the water.
 16. Encourage guest/transient moorage as part of tourist and recreational attractions.
- B. “S-8” Thea Foss Waterway Shoreline District
1. Boating facilities are encouraged on the Thea Foss Waterway, provided they are developed consistent with the provisions of this Program.
 2. Encourage the establishment of new harbor areas where they do not impede with navigability of existing uses on the Waterway.

7.3.2 Regulations**A. General Regulations**

1. Any new shoreline substantial development or conditional use permit for a marina or boat launch facility shall include provisions for site restoration once any permitted facility or facilities ceases to be in water-oriented use for a continuous twelve month period.

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2. All facilities shall be constructed so as not to interfere with or impair the navigational use of surface water.
3. New marinas and/or boating facilities shall only be permitted where it can be demonstrated that:
 - a. That the proposed site has the flushing capacity required to maintain water quality;
 - b. That adequate facilities for the prevention and control of fuel spillage are incorporated into the marina proposal;
 - c. That there shall be no net loss of ecological functions as a result of the development of boating facilities and associated recreational opportunities;
 - d. The proposed design will minimize impediments to fish migration.

B. Site Location

1. Marinas or launch ramps shall not be permitted on the following marine shores unless it can be demonstrated that interference with littoral drift and/or degradation or loss of shoreline ecological functions and processes, especially those vital to maintenance of nearshore habitat, will not occur. Such areas include:
 - a. Feeder bluffs; and
 - b. High energy input driftways.
2. Marinas or launch ramps shall not be permitted within the following marine shoreline habitats because of their scarcity, biological productivity and sensitivity unless no alternative location is feasible, the project would result in a net enhancement of shoreline ecological functions, and the proposal is otherwise consistent with this Program:
 - a. Marshes, estuaries and other wetlands;
 - b. Kelp beds, eelgrass beds, spawning and holding areas for forage fish (such as herring, surf smelt and sandlance);
 - c. Other critical saltwater habitats.
3. Foreshore marinas or launch ramps may be permitted on low erosion rate marine feeder bluffs or on low energy input erosional driftways if the proposal is otherwise consistent with this Program.
4. Where foreshore marinas are permitted, the following conditions shall be met:
 - a. Open pile or floating breakwater designs shall be used unless it can be demonstrated that riprap or other solid construction would not result in any greater net impacts to shoreline ecological functions or processes or shore features; and
 - b. Solid structures that block fish passage shall not be permitted to extend without openings from the shore to zero tide level (Mean Lower Low Water, or MLLW), but shall stop short to allow sufficient shallow fringe water for fish passage.

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5. Foreshore and backshore marinas shall be designed to allow the maximum possible circulation and flushing of all enclosed water areas.
6. New or expanding marinas with dredged entrances that adversely affect littoral drift to the detriment of other shores and their users shall be required to periodically replenish such shores with the requisite quantity and quality of aggregate as determined by professional coastal geologic engineering studies.
7. Design and other standards for physical improvement of docks and piers are found in TSMP Section 7.6, Moorage Facilities: Docks, Wharves, Piers, Floats, and Buoys.

C. Public Access Associated with Marinas and Boating Facilities

1. New launch ramps shall be approved only if they provide public access to public waters, which are not adequately served by existing access facilities, or if use of existing facilities is documented to exceed the designed capacity. Prior to providing ramps at a new location, documentation shall be provided demonstrating that expansion of existing launch facilities would not be adequate to meet demand. Public access areas shall provide space and facilities for physical and/or visual access to water bodies, including feasible types of public shore recreation.
2. Marinas and boat launches shall provide public access for as many water-dependent recreational uses as possible, commensurate with the scale of the proposal. Features for such access could include, but are not limited to docks and piers, pedestrian bridges to offshore structures, fishing platforms, artificial pocket beaches, and underwater diving and viewing platforms.
3. Marinas over 25 slips in size must provide public access to the water, where feasible, consistent with the public access requirements of TSMP Section 6.5. An additional public access feature or equivalent increase in size of an existing feature shall be provided with each additional 75 slips. Expansion of existing marinas shall meet these standards when an additional 25 slips, or more, are added.

D. Site Considerations

1. Marinas, launch ramps, and accessory uses shall be designed so that lawfully existing or planned public shoreline access is not unnecessarily blocked, obstructed nor made dangerous.
2. Public launch ramps and/or marina entrances shall not be located near beaches commonly used for swimming, valuable fishing and shellfish harvest areas, or sea lanes used for commercial navigation unless no alternative location exists, and mitigation is provided to minimize impacts to such areas and protect the public health, safety and welfare.
3. Marinas and accessory uses shall be located only where adequate utility services are available, or where they can be provided concurrent with the development.
4. Marinas, launch ramps, and accessory uses shall be located where water depths are adequate to avoid the need for dredging and minimize potential loss of shoreline ecological functions or processes.

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5. Marinas, launch ramps, and accessory uses shall be located and designed with the minimum necessary shoreline stabilization to adequately protect facilities, users, and watercraft from floods, abnormally high tides, and/or destructive storms.

E. Boat Storage

1. Marinas, with the exception of facilities for transient or guest moorage, shall provide dry upland boat storage with a launch mechanism to protect shoreline ecological functions and processes, efficiently use shoreline space, and minimize consumption of public water surface area unless:
 - a. No suitable upland locations exist for such facilities; or
 - b. It can be demonstrated that wet moorage would result in fewer impacts to ecological functions and processes; and
 - c. It can be demonstrated that wet moorage would enhance public use of the shoreline.
2. Dry storage areas shall be located away from the shoreline and be landscaped with native vegetation to provide a visual and noise buffer for adjoining dissimilar uses or scenic areas.

F. Waste Disposal at Boating Facilities

1. Marinas shall provide pump out, holding, and/or treatment facilities for sewage contained on boats or vessels. These facilities shall be low-cost or free, visible, and readily accessible by marina patrons. The responsibility for providing adequate facilities for the collection of vessel sewage and solid waste is that of the marina operator.
2. Discharge of solid waste or sewage into a water body is prohibited. Marinas and boat launch ramps shall provide adequate restroom and sewage disposal facilities in compliance with applicable health regulations.
3. Garbage, litter, and recycling receptacles and facilities shall be provided and maintained by the marina operator as required by federal, state, and local laws and regulations.
4. Marinas shall provide adequate disposal facilities for the discarding of fish or shellfish cleaning wastes, scrap fish, viscera, or unused bait.
5. Marina operators shall post all regulations pertaining to handling, disposal and reporting of waste, sewage, fuel, oil or toxic materials where all users may easily read them.

G. Oil Product Handling, Spills, and Wastes

1. Fail safe facilities and procedures for receiving, storing, dispensing, and disposing of oil or hazardous products, as well as a spill response plan for oil and other products, shall be required of new marinas and expansion or substantial alteration of existing marinas. Compliance with federal or state law may fulfill this requirement.
2. Handling of fuels, chemicals or other toxic materials must be in compliance with all applicable Federal and State water quality laws as well as health, safety and engineering requirements.

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3. Rules for spill prevention and response, including reporting requirements, shall be posted on site.

H. Parking and Vehicle Access

1. Public or private launch ramps shall provide trailer spaces commensurate with projected demand.
2. Connecting roads between marinas and public streets shall have all weather surfacing, and be satisfactory to the City Engineer in terms of width, safety, alignment, sight distance, grade and intersection controls.

I. Launch Ramp Design

1. Preferred ramp designs, in order of priority, are:
 - a. Open grid designs with minimum coverage of beach substrate;
 - b. Seasonal ramps that can be removed and stored upland; and
 - c. Structures with segmented pads and flexible connections that leave space for natural beach substrate and can adapt to changes in beach profile.
2. Ramps shall be placed and maintained near flush with the foreshore slope.

J. Accessory Uses

1. Accessory uses at marinas or launch ramps including parking, boat repair and services, open air storage, waste storage and treatment, in-water net pens for baitfish, stormwater management facilities, utility and upland transportation development, shall be permitted provided they are consistent with all other provisions of this Program (including those for parking, transportation, and utilities) and, where possible, provide public physical or visual shoreline access.
2. Water-oriented accessory uses reasonably related to marina operation may be located over water or at the waters edge by conditional use provided the operator can demonstrate that an over-water or waters' -edge location is essential to the operation of the use and that the accessory use will avoid or mitigate any impacts to shoreline functions so that no net loss of shoreline functions results.
3. Minor boat repair and maintenance shall be permitted in conjunction with marina operation provided that the operator can demonstrate such accessory use is clearly incidental and subordinate to the marina development, and that best management practices for small boat yards are employed.

K. Live-Aboards

1. No vessel berthed in a marina shall be used as a place of residence except as authorized by the marina operator in conjunction with a permit from the City.
2. No more than twenty (20) percent of the slips at a marina shall be occupied by live-aboard vessels without a shoreline substantial development permit or shoreline variance granted in

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accordance with the provisions of TSMP Chapters 1 and 2 of this Program. Any marina with live-aboard vessels shall require:

- a. That all live-aboard vessels are connected to utilities that provide sewage conveyance to an approved disposal facility; or
 - b. That marina operators or live-aboards are contracted with a private pump-out service company that has the capacity to adequately dispose of live-aboard vessel sewage; or
 - c. That a portable pump-out facility is readily available to live-aboard vessel owners²;
 - d. That all live-aboard vessels shall have access to utilities that provide potable water;
 - e. That live-aboard vessels are of the cruising type, and are kept in good repair and seaworthy condition.
3. Marinas with live-aboard vessels shall only be permitted where compatible with the surrounding area and where adequate sanitary sewer facilities exist (as listed in section K.1.a, b, and c above) within the marina and on the live-aboard vessel.

L. “S-8” Thea Foss Waterway Shoreline District

1. New marina development may only occur in conjunction with an adjacent upland, non-marina use.
2. For purposes of marina location, the designated primary or secondary public access/view corridors specified in TSMP section 9.9 are extended into the Waterway on the west side, and are fixed in location. Marinas may not be located in or within 20 feet of these public access/view corridors. Further, marinas are prohibited south of the extension of South 18th Street to the south end of the Waterway. Visitor moorage is permitted, and required public access features for marinas such as viewing platforms and piers may be located in the public access/view corridors.

7.4 Commercial Use

Commercial use regulations apply to business uses or activities at a scale greater than a home occupation or cottage industry involving retail or wholesale marketing of goods and services.

7.4.1 Policies – General

A. General Policies

1. Commercial uses and development should be designed and constructed in such a manner as to result in no net loss of ecosystem functions including implementation of Low Impact Development techniques to the maximum extent feasible.

² These requirements are in addition to the requirement that all marinas provide portable, floating, or stationary facilities for the disposal of sanitary waste as stated above.

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2. Priority should be given to those commercial uses which are determined to be water-dependent uses or uses that will provide an opportunity for substantial numbers of the people to enjoy the shorelines of the state. Non water-oriented uses should be conditional uses in shoreline areas.
3. New commercial uses on shorelines should be encouraged to locate in those areas where current commercial uses exist.
4. An assessment should be made of the effect a commercial structure will have on a scenic view significant to a given area or enjoyed by a significant number of people.
5. Commercial uses should contain provisions for substantial public access to the shoreline. Such access should be appropriately signed and may be regulated to a reasonable degree, but should be generally available to the public and guaranteed by dedication, easement, or other legally binding document.
6. Public access and ecological restoration should be considered as potential mitigation of impacts to shoreline resources for all water-related and -dependent commercial uses consistent with all relevant constitutional and other legal limitations on the regulation of private property.
7. Design non-water-dependent commercial uses adjacent to the ordinary high water mark in a manner that provides shoreline setback enhancement and environmental restoration at the water's edge consistent with constitutional and other limitations on the regulation of private property.
8. New non-water dependent commercial uses should not interfere with or compromise the operation of existing adjacent water-dependent uses or decrease opportunities for the general public to access adjacent shorelines.
9. Non-water-dependent commercial uses should take advantage of the shoreline location by locating and designing the use to bring a large number of citizens to the shorelines.
10. Where commercial uses are separated from the shoreline by a public right of way, they should be designed to facilitate pedestrian traffic from the adjacent right of way.
11. The following provisions should be considered in evaluating proposals for commercial uses:
 - a. Structure orientation and location which provide for large open spaces between structures providing views of the shorelines;
 - b. Building design which provides for significant viewing opportunities from within buildings and which may include viewing areas specifically designed and designated for the general public;
 - c. Decks and rooftop structures which provide public views of the shoreline.

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1. Non-water-oriented commercial uses should be permitted only in combination with water-oriented uses as part of a mixed-use development or facility.
2. Commercial water-related activities such as boat building and repair on the east side of the Waterway should be encouraged where appropriate.
3. Commercial uses specializing in clean technology are encouraged on the east side of the Waterway north of the centerline of 15th Street.
4. Mixed-use projects should support the development and sustainability of water-oriented uses such as retail, including marine supplies, restaurants, and other uses that allow people to enjoy the waterfront on a casual basis.
5. Water-oriented retail uses should be clustered and incorporated into mixed-use development on the ground floor near pedestrian access points and centers of activity.
6. Outdoor commercial uses and activities (such as restaurants, retail facilities, public markets, and mobile vendors) are encouraged. Such uses should be designed and located to be compatible with the surrounding environment. Such uses and activities may be located in public access/view corridors, but should not unduly or unreasonably obstruct circulation in the public right-of-way. Vendor carts should be located along the esplanade and view corridors.

7.4.2 Regulations**A. General Regulations**

1. Commercial uses shall achieve no net loss of ecological function.
2. Commercial uses shall incorporate Low Impact Development techniques where feasible.
3. New non-water dependent commercial uses shall not interfere with or compromise the operation of existing adjacent water-dependent uses or decrease opportunities for the general public to access adjacent shorelines.
4. In construction of commercial uses, it is the intent of the City to require that all permitted commercial uses, either through the nature of their use, their design and location, and/or through provisions for public access, take full advantage of the waterfront setting to maximize views of the shoreline both for the commercial use and for the general public, and enhance the aesthetic value of the shoreline through appropriate design treatments. An applicant for a commercial use shall demonstrate the following:
 - a. That the proposed development will be designed and oriented to take advantage of the waterfront siting and the water view;
 - b. That the proposed development will be designed to maximize to the greatest extent feasible public view and public access to and along the shoreline, as provided in Section 6.5 of this Program;

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- c. That the proposed development will be designed to be compatible with existing and/or proposed uses and plans for adjacent properties;
 - d. That landscaping for proposed developments will receive special consideration to screen unsightly aspects of their operation from the public view but to minimize blockage of the existing water scenic view;
 - e. That the proposed development will be designed to be compatible with the character of the Shoreline District in which it is located;
 - f. That the proposed development will be designed to have a minimum adverse impact on the natural environment of the site, and shall fully mitigate for any adverse impact.
5. New non-water-oriented commercial uses or development are prohibited unless they meet one of the following tests and as a conditional use unless otherwise specified:
- a. The use is part of a mixed-use project or facility that supports water-oriented uses and provides a significant public benefit with respect to the public access and restoration goals of this Program.
 - b. Navigability is severely limited at the proposed site and the use provides a significant public benefit with respect to the public access and restoration goals of this Program.
 - c. The use is within the shoreline jurisdiction but physically separated from the shoreline by a separate property, public right-of-way, or existing use, and provides a significant public benefit with respect to the public access and restoration goals of this Program. For the purposes of this Program, public access trails and facilities do not constitute a separation.
6. An applicant for a non-water-oriented commercial use shall demonstrate ecological restoration is undertaken to the greatest extent feasible.
7. Non-water-dependent commercial uses shall avoid impacts to existing navigation, recreation, and public access.
8. Non-water-dependent commercial uses are prohibited over water except for water-related and water-enjoyment commercial uses in existing structures, and where necessary to support water-dependent uses.
- B. “S-5” Pt. Defiance Shoreline District
- 1. New commercial development shall be limited to upland locations only. Existing water-oriented commercial uses at the Point Defiance Marina Complex may be continued and be modified provided modifications do not adversely affect ecological conditions and comply with all other provisions of this Program.
- C. “S-8” Thea Foss Shoreline District

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1. Artisan/craftsperson uses must demonstrate that the use is compatible with surrounding uses and protection of public safety. Further, the site must be consistent with public access components as specified for water-enjoyment uses.
2. Uses may be permitted to occur outdoors; provided that shoreline permits involving outdoor activities may be reviewed on a five- year basis for ongoing compatibility. Permitted outdoor uses include: uses associated with permitted indoor use, mobile vendors, and permanent outdoor structures. Mobile vendors shall not be permitted in the Dock Street and East D Street rights-of-way.
3. Hotel/Motel uses are permitted on the west side of the Foss Waterway, and on the east side of the Foss Waterway only south of the centerline of 11th Street.

7.5 Port, Terminal and Industrial Use

In applying the regulations of this section, the following definitions are used:

1. “Port” means a center for water-borne commerce and traffic.
2. “Terminal” means a building or complex containing facilities needed by transportation operators and passengers at either end of a travel or shipping route by air, rail, road or sea.
3. “Industrial” means the production, processing, manufacturing, or fabrication of goods or materials. Warehousing and storage of materials or production is considered part of the industrial process.

7.5.2 Policies**A. General Policies**

1. Because of the great natural deep water potential of Commencement Bay, new deep water terminal and port-related industrial development is encouraged.
2. Because of the exceptional value of Puget Sound shorelines for residential, recreational, resource and other economic elements requiring clean water, deep water terminal expansion should not include oil super tanker transfer or super tanker storage facilities.
3. Public access and ecological restoration should be considered as potential mitigation of impacts to shoreline resources for all water-related and -dependent industrial uses consistent with all relevant constitutional and other legal limitations on the regulation of private property.
4. Expansion or redevelopment of water-dependent industrial facilities and areas should be encouraged, provided it results in no net loss of shoreline functions.
5. Industrial uses and related redevelopment projects are encouraged to locate where environmental cleanup can be accomplished.
6. The preferred location for future non-water-dependent industry is in industrial areas away from the shoreline.

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7. The cooperative use of docking, parking, cargo handling and storage facilities should be strongly encouraged in waterfront industrial areas.
 8. Land transportation and utility corridors serving ports and water-related industry should follow the guidelines provided under the sections dealing with utilities and road and railroad construction. Where feasible, transportation and utility corridors should not be located in the shoreline to reduce pressures for the use of waterfront sites.
 9. Port, terminal, and industrial uses should be encouraged to permit viewing of harbor areas from viewpoints, and similar public facilities which would not interfere with operations or endanger public health and safety.
 10. Special attention should be given to the design and development of facilities and operational procedures for fuel handling and storage in order to minimize accidental spills and to the provision of means for satisfactorily handling those spills which do occur.
- B. “S-8” Thea Foss Shoreline District
1. Existing industrial uses should be allowed to continue current operations.
 2. Improvements to existing industrial uses, such as the aesthetic treatment of storage tanks, cleanup of blighted areas, landscaping, exterior cosmetic improvements, landscape screening, and support of the Waterway environmental cleanup and remediation plan effort should be encouraged.

7.5.3 Regulations**A. General Regulations**

1. Water-dependent port, terminal, and industrial uses shall have shoreline location priority over all other uses in the S-7 and S-10 Shoreline Districts.
2. The location, design, and construction of port, terminal, and industrial uses shall assure no net loss of ecological functions.
3. New non-water-oriented port, terminal, and industrial uses are prohibited unless they meet one of the following criteria:
 - a. The use is part of a mixed-use project or facility that supports water-oriented uses and provides a significant public benefit with respect to the public access and restoration goals of this Program;
 - b. Navigability is severely limited at the proposed site and the use provides a significant public benefit with respect to the public access and restoration goals of this Program;
 - c. The use is within the shoreline jurisdiction but physically separated from the shoreline by a separate property, public right-of-way, or existing use, and provides a significant public benefit with respect to the public access and restoration goals of this Program. For the purposes of this Program, public access trails and facilities do not constitute a separation.

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4. Deep-water terminal expansion shall not include oil super tanker transfer or super tanker storage facilities.
 5. Where shoreline stabilization or in-water structures are required to support a water-dependent industrial use, the applicant shall be required to demonstrate:
 - a. That existing ecological function shall be improved, especially in regard to viability for migratory salmonids and other aquatic species;
 - b. That contaminated sediments are managed and/or remediated in accordance with state and federal laws;
 - c. That public access to the water body is provided where safety and operation of use are not compromised;
 - d. That shading and water surface coverage is the minimum necessary for the use.
 6. Best management practices shall be strictly adhered to for facilities, vessels, and products used in association with these facilities and vessels.
 7. All developments shall include the capability to contain and clean up spills, discharges, or pollutants, and shall be responsible for any water pollution which they cause.
 8. Petroleum products sump ponds shall be covered, screened, or otherwise protected to prevent bird kill.
 9. Procedures for handling toxic materials in shoreline areas shall prevent their entering the air or water.
- B. Log Rafting and Storage
1. Log Rafting and storage shall only be allowed in the “S-10” Port/Industrial Shoreline District and in the corresponding portions of the “S-13” Waters of the State Shoreline District.
 2. Restrictions shall be considered in public waters where log storage and handling are a hindrance to other beneficial water uses.
 3. Offshore log storage shall only be allowed on a temporary basis, and should be located where natural tidal or current flushing and water circulation are adequate to disperse polluting wastes.
 4. Log rafting or storage operations are required to implement the following, whenever applicable:
 - a. Logs shall not be dumped, stored, or rafted where grounding will occur.
 - b. Easy let-down devices shall be provided for placing logs in water. The freefall dumping of logs into water is prohibited.
 - c. Bark and wood debris controls and disposal shall be implemented at log dumps, raft building areas, and mill-side handling zones. Accumulations of bark and wood debris on the land and docks around dump sites and upland storage sites shall be kept out of

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the water. After cleanup, disposal shall be at an upland site where leachate will not enter surface or ground waters.

- d. Where water depths will permit the floating of bundled logs, they shall be secured in bundles on land before being placed in the water. Bundles shall not be broken again except on land or at mill sites.
 - e. Stormwater management facilities shall be provided to protect the quality of affected waters.
5. Log storage facilities shall be located upland and properly sited to avoid fish and wildlife habitat conservation areas.
 6. Log storage facilities must be sited to avoid and minimize the need for dredging in order to accommodate new barging activities at the site.
 7. Log booming shall only be allowed offshore in sub-tidal waters in order to maintain unimpeded nearshore migration corridors for juvenile salmonids and to minimize shading impacts from log rafts. Log booming activities include the placement in or removal of logs and log bundles from the water, and the assembly and disassembly of rafts for waterborne transportation.
 8. A Debris Management Plan describing the removal and disposal of wood waste must be developed and submitted to the City. Debris monitoring reports shall be provided, where stipulated.
 9. Existing in-water log storage and log booming facilities in critical habitats utilized by threatened or endangered species classified under ESA shall be reevaluated if use is discontinued for two (2) years or more, or if substantial repair or reconstruction is required. The evaluation shall include an alternatives analysis in order to determine if logs can be stored upland and out of the water. The alternatives analysis shall include evaluation of the potential for moving all, or portions of, log storage and booming to uplands.
- C. "S-8" Thea Foss Waterway Shoreline District
1. Water-oriented industrial development shall be permitted on the easterly side of the Waterway, north of the centerline of East 15th Street only.
 2. Existing industrial uses may expand, adapt, repair, replace, or otherwise modify, including changes necessitated by technological advancements; provided, however, that the uses may not be expanded beyond property boundaries currently owned, leased, or operated by the industrial user at the time of adoption of this Master Program.

7.6 Recreational Development

Recreational development refers to commercial and public facilities designed and used to provide recreational opportunities to the public. Recreation means the refreshment of body and mind through forms of play, sports, relaxation, or contemplation.

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A. General Policies

1. Priority should be given to commercial or public recreational development that provides access to and use of the water.
2. The public's right to the use of navigable waters should be strongly protected.
3. Only water-oriented recreational uses should be permitted on the shorelines.
4. Non-water-oriented recreational facilities should be located outside the shoreline area.
5. The City should insure that any recreational use is consistent with the ability of the shoreline to support that use.
6. Recreational uses should achieve no net loss of ecological function.
7. Recreational developments should be located, designed and operated to be compatible with and minimize adverse effects on environmental quality and valuable natural features, as well as on adjacent and surrounding land and water uses.
8. In approving shoreline recreational developments, the City should ensure that the development will preserve, enhance, restore or create desirable shoreline features. Such features include unique and fragile areas, scenic vistas and aesthetic values.
9. Encourage development of marina and boat launch facilities where appropriate, where physical space is available to alleviate unmet needs, and where it can be accommodated with minimal damage to the environment.
10. Public recreation activities such as fishing, clam digging, swimming, boating, wading, and water-related recreation should be permitted provided they do not adversely affect shoreline functions.
11. Shoreline parks and public access points should be linked through a continuous linear route, abutting the shoreline where feasible and appropriate. Preference is given to non-motorized uses such as pedestrian easements along tidelands, hiking paths and bicycle trails.
12. Diversity of recreational uses should be based on the natural features of the shorelines and the preservation of scenic views.
13. Recreational development in commercial projects which promotes multiple use of the shoreline is encouraged.
14. Additional shoreline recreational lands should be acquired through a variety of means including donations and fee purchase. Acquisition of easements, options and development rights can also provide recreational opportunities.
15. To avoid wasteful use of the limited supply of recreational shoreline, parking areas should be located inland away from the immediate edge of the water. Access should be provided by walkways or other methods.

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16. Maintain level of service to ensure that all people have access to the shoreline. Overuse of shoreline areas should be addressed by adding shoreline recreational capacity.

B. “S-4” Point Defiance Shoreline District

1. Recreational uses should not require structural modification of the shoreline.

C. “S-8” Thea Foss Shoreline District

1. Recreational boat building and restoration activities associated with maritime organizations (such as, but not limited to, the Sea Scouts and Maritime Center) are encouraged.

7.6.2 Regulations

A. General Regulations

1. Recreational development shall achieve no net loss of ecological processes and functions and should be designed to be compatible with surrounding properties.
2. Proposals for recreational developments which would substantially alter the natural characteristics of the shoreline shall be considered a conditional use.
3. Any recreational building or structure, excluding piers or docks or floats, proposed to be built over water, shall be considered a conditional use.
4. Non-water-oriented recreational development shall be located outside the shoreline jurisdiction.
5. Recreational development shall be designed and constructed so as to not unnecessarily interfere with public use of shorelines.
6. Recreational uses and improvements shall include public access to shorelines.
7. Proposals for recreational development shall be found to not have an adverse effect on industrial deep water terminal operations and facilities.
8. Accretional beaches shall be retained in their natural state for water-dependent uses such as swimming, clamming, and beachcombing.
9. Underwater parks and artificial reefs established in cooperation with State agencies shall include safety provisions to warn boating traffic of their location and shall not include materials toxic or otherwise hazardous to persons, fish, or wildlife.
10. Accesses for boats shall allow safe and convenient passage to the public water, dictated by the class of boats using the access; the public’s right to use navigable waters shall be protected.
11. Where public access has been unlawfully appropriated to private use, or otherwise unlawfully denied to the public, such prohibition shall be abated, and the area made accessible to the public.

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12. Trails shall be permitted, where they will not cause erosion or landslides, and will not result in a net loss of ecological functions. Trails in the marine buffer may be permitted consistent with TSMP Section 6.4.3.

B. “S-2” Western Slope Central Shoreline District

1. In the Hidden Beach Rocky Point area, the only recreational use permitted which requires structural modification of the shoreline shall be the construction and maintenance of walkways, trails and adjacent seating.

C. “S-4” Point Defiance Shoreline District

1. Recreational uses shall not require structural modification of the shoreline.

7.7 Residential Development

Residential development regulations apply to the development of single-family residences, including appurtenant structures and uses; multifamily development; and the creation of new residential lots through land division.

7.7.1 Policies

A. General Policies

1. Single family residences should be identified as a priority use only when developed in a manner consistent with control of pollution and with prevention of damage to the natural environment.
2. Development of residential units should result in no net loss of ecological function.
3. Any residential development along the shoreline should be set back from steep slopes and eroding shoreline areas so that the shoreline is not further eroded and structural improvements are not required to protect property.
4. Residential development should be designed to minimize the amount of impervious area and should utilize Low Impact Development techniques to the greatest extent practicable (e.g., permeable pavers, stormwater infiltration and filtration).
5. In cases where either large tracts are subdivided into single-family residential parcels or where contiguous individual building sites are developed for single-family residences, community access areas and one joint-use dock should be developed for the use of residents of the subject subdivision.
6. Residential development should be designed at a level of density that is compatible with the adjoining uses and the physical capabilities of the shoreline and water.
7. Multiple-family residential development of more than four (4) units, should be required to provide public pedestrian access to and along the waterfront within the project where appropriate.

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8. Residential developments should be designed to adequately protect the water and shoreline aesthetics.
 9. New residential development overwater and floating homes should be prohibited.
 10. Residential proposals should be required to provide plans that ensure the preservation of existing native vegetation and the control of erosion, to the greatest extent possible.
 11. Sewage disposal, water supply and storm drainage facilities should be provided in full compliance with City and State health regulations.
 12. In mixed-use development with a residential component, residential units should occupy the upper floors of structures and ground floors should be occupied by water-oriented uses.
 13. Parking for residential development should be located on uplands or on the street/landward side of the building.
- B. "S-8" Thea Foss Waterway Shoreline District
1. Residential uses should promote a variety of housing types, including live/work arrangements.

7.7.2 Regulations

A. General Regulations

1. Residential development shall achieve no net loss of ecological function.
2. Single family residences shall be permitted only when developed in a manner consistent with control of pollution and with prevention of damage to the natural environment.
3. Residential development over water, including garages, accessory buildings, houseboats, and floating homes, are prohibited.
4. Mobile homes shall not be permitted within the shoreline.
5. New multifamily residential uses and development is prohibited unless they meet one of the following criteria:
 - a. The use is part of a mixed-use project or facility that supports water-oriented uses and provides a significant public benefit with respect to the public access and restoration goals of this Program;
 - b. Navigability is severely limited at the proposed site and the use provides a significant public benefit with respect to the public access and restoration goals of this Program;
 - c. The use is within the shoreline jurisdiction but physically separated from the shoreline by a separate property, public right-of-way, or existing use, and provides a significant public benefit with respect to the public access and restoration goals of this Program. For the purposes of this Program, public access trails and facilities do not constitute a separation.

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6. Residential uses shall not be permitted on the ground floor of mixed-use structures.
 7. Outdoor parking areas shall be located on the street/landward side of residential units.
 8. Public access to and from the water's edge shall be included in multiple-family developments of four or more dwelling units.
 9. Residential development shall be designed, located and developed to avoid the need for future stabilization.
 10. Sewage disposal, water supply and storm drainage facilities shall be provided in full compliance with City and State health regulations.
 11. New (subdivided) lots shall be designed, configured, and developed to:
 - a. Prevent the loss of ecological functions at full build-out of all lots; and
 - b. Prevent the need for new shoreline stabilization or flood hazard reduction measures that would cause significant impacts to other properties or public improvements or a net loss of shoreline ecological functions.
- B. "S-3" Western Slope North Shoreline District
1. Due to the historic nature of the Salmon Beach residential community, any residential structure existing at the time of the adoption of this Program may be rebuilt in accordance with the Non-Conforming Use and Development regulations in 2.6.
 2. Structures, including accessory buildings, shall not be permitted on the steep slope area to the east. The existing stairways and trail systems which provide access from the two off-street parking areas serving Salmon Beach shall be permitted within the steep slope area.
- C. "S-8" Thea Foss Waterway Shoreline District
1. Residential development shall be permitted in upland locations on the west side of the waterway and on the east side only, south of the East 11th Street right of way, and shall be designed for multiple-family development only, excluding duplex and/or triplex development.
- D. "S-11" Marine View Drive Shoreline District
1. New single family and multi-family residential development is permitted only in that area north of 5410 Marine View Drive.

7.8 Signs

The following sign regulations apply to any device, flag, light, figure, picture, letter, work, message, symbol, plaque, poster or building face that is visible from outside the lot on which it is located and that is designed to inform or attract the attention of the public through visual communication.

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1. Signs in the shoreline should be designed and placed in a manner that will not interfere with the public's ability to access the shoreline, will minimize light impacts to the nearshore area, and will achieve no net loss of shoreline ecological functions.
2. Vistas and viewpoints should not be degraded and visual access to the water from such vistas should not be impaired by the design, placement, or lack of maintenance of signs.
3. When feasible, signs should be constructed against existing buildings to minimize visual obstructions of the shoreline and water bodies.

7.8.2 Regulations

1. Signs in the shoreline shall be designed and placed in a manner that:
 - a. does not interfere with the public's ability to access the shoreline;
 - b. does not interfere or degrade the public's ability to view the shoreline from view corridors, vistas and viewpoints;
 - c. minimizes light impacts to the nearshore area; and
 - d. will not result in a net loss of shoreline ecological functions.
2. Signs located within a Shoreline District are subject to the standards and regulations included in TMC 13.06. Variances to the sign provisions of Sections 13.06.520, 13.06.521, and 13.06.522 shall be granted according to the criteria listed in TMC 13.06.645.

7.9 Parking

The following parking regulations apply to parking, which is the principal use on a property, as well as accessory parking, which is accessory to an approved use and directly serves that use.

7.9.1 Policies

1. Parking as a primary use (stand-alone use) within the shoreline jurisdiction should be prohibited.
2. Parking should not be permitted between the development and the adjacent water body.
3. Parking for permitted uses should be in a structure.
4. Visual impacts of surface parking facilities should be effectively mitigated. Parking for permitted uses within the shoreline jurisdiction (but not including parking that is underground) should be minimized and screened from adjacent public access and buffer areas.
5. Where surface parking is developed within the shoreline jurisdiction, Low Impact Development techniques should be implemented.

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6. Lighting for parking areas should be oriented away from nearshore areas and sensitive habitat sites to minimize impacts on the nearshore environment, except where needed to promote public safety and CPTED considerations.
7. Loading and unloading zones, especially those inherent to a permitted use, parking for ADA and public parking on improved public rights-of-way, should be allowed when within shoreline jurisdiction.

7.9.2 Regulations

1. Parking as a primary or stand-alone use is prohibited.
2. Parking shall not be located within a required critical area and/or marine buffers except when the parking is integral to a water-oriented use or when the parking is within or beneath a permitted use.
3. Parking is not required, but when parking is provided, it should be provided in accordance with the development regulations in TMC 13.06 unless otherwise specified in this Chapter. Requirements shall be a condition of a Shoreline Management Substantial Development Permit when not specifically set forth in TMC 13.06.
4. Parking for a permitted use or activity shall not be permitted between the development and the adjacent shoreline.
5. Loading and unloading zones that are an inherent element of a water-dependent or a water-related use are permitted between the shoreline and the use area when it is adjacent to the shoreline but, when feasible, should not be within or adjacent to a required buffer.
6. Where parking areas are located adjacent to a required buffer the parking area shall be setback from the required buffer an additional 15 feet for installation of landscape screening.
7. Parking areas shall be landscaped in accordance with the standards in TMC 13.06.
8. Required landscaping, as specified in 7 above, shall include a mix of native trees and shrubs that effectively screen headlights from vehicles to the abutting buffer area. Gaps in screening are permitted to allow access to viewing areas or public areas where applicable.
9. When surface parking areas for permitted uses are designed and constructed, they shall achieve the following objectives:
 - a. A safe and signed pedestrian entry point to an established or proposed shoreline trail / walkway or viewing area for physical and visual access to the shoreline;
 - b. Implementation of Low Impact Development techniques for stormwater management and provide for the disposal of any increased surface runoff without damage to surrounding waters, wetlands, or waterfront areas;
 - c. Locate as far from a required shoreline or critical area buffer as possible.
10. Public parking on public street ends that are within shorelines but outside of required buffers is permitted.

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11. For developments which include public access features, one parking space for each 20 parking spaces provided shall be set aside and appropriately marked for public access use only, except as specified in Section 6.5.2(D) for the western side of Thea Foss Waterway.
12. Parking areas for public water access areas shall be connected to the water by access paths.

7.10 Transportation

The following transportation regulations apply to transportation facilities that include roads and railways, related bridges and culverts, fills, embankments, causeways, and bus and truck terminals. Off-street bicycle or recreational trails are not included.

7.10.1 Policies**A. General Policies**

1. New roadways, arterials, and railways, including expansions of these systems, should be designed and located to assure no net loss of shoreline ecological functions.
2. New roadways, arterials, and railways, including expansions or reconstruction of these systems, should be designed to accommodate transit, bicycle and pedestrian transportation facilities consistent with the Complete Streets Design Guidelines and the Non-Motorized Transportation Element of the Comprehensive Plan.
3. Only under exceptional circumstances should major highways, freeways and railways be located near shorelines, except in port and heavy industrial areas, so that existing shoreline roads may be reserved for slow moving recreational traffic.
4. Maximize the capacity of existing roadways to minimize the need for new streets and arterials.
5. Location and design of new roadways including arterials should not compromise existing and planned shoreline public access and existing and planned habitat restoration and enhancement.
6. New roadways, especially arterials, should be designed to be the minimum length necessary to serve a circulation function for vehicular modes of travel.
7. When it is required for new roadways including arterials to be located within a critical area and/or critical area or marine buffer, the absolute minimum necessary amount of improved right-of-way should be developed.
8. New roadways including access roads and driveways associated with a permitted use should be the minimum necessary to serve the required access function.
9. New roadways including arterials should be designed and constructed to implement a range of available Low Impact Development techniques.
10. High Intensity shorelines and shorelines having water-enjoyment uses or recreation activities should be adequately served by public transportation. Public transportation facilities may include:

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- a. Streetcars
 - b. Inter- and intra-city commuter water transportation and ferry service
 - c. Transient moorage
 - d. Non-motorized transportation facilities
 - e. Public transit
11. Pedestrian overpasses should be built where access to the shoreline has been or could be cut off by transportation facilities.
 12. Transportation facilities should be designed and located to avoid air and noise impacts to the shoreline environment and adjacent residential and recreational areas.
 13. Transient moorage is encouraged at marinas where feasible.
 14. New ferry service that utilizes existing moorage facilities should be permitted.
 15. Transportation modes that are pollution free should be encouraged.
- B. “S-8” Thea Foss Shoreline District
1. Pursue the development of an integrated Thea Foss Waterway transportation system that features pedestrian and bicycle pathways, passenger ferries, vehicular, and transit connections.
 2. The Thea Foss Waterway area should be well connected with neighboring districts, especially the downtown, Ruston Way, and Tacoma Dome areas.
 3. Encourage improved transportation linkages between Downtown and the Foss Peninsula.
 4. Transportation improvements or expansions should remain within the existing rights-of-way with the exception of the SR-509 ramps.
 5. The streetscape encircling the Waterway should provide for comfortable pedestrian circulation and bicycle transportation.
 6. East D Street should be designed and reconstructed as a transition between the mixed-use shoreline zoning and the industrial zoning east of East D Street and to achieve functional separation of industrial and nonindustrial traffic where feasible.
 7. Existing access points directly to Dock Street and on adjacent streets should be improved to reduce traffic obstructions from railroad crossings and future congestion.
 8. Expansion of railroad right-of-way should not be permitted.

7.10.2 Regulations

A. General Regulations

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1. Proposed transportation facilities are required to be planned, located, and designed in such a manner that routes will have the least possible adverse effect on unique or fragile shoreline features and will not result in a net loss of shoreline ecological functions or adversely impact existing or planned water-dependent uses and public access.
 2. Transportation system plans shall include pedestrian, bicycle, and public transportation facilities and be consistent with the Complete Streets Design Guidelines and the Non-Motorized Transportation Element of the Comprehensive Plan where applicable.
 3. Where proposed transportation facilities will cut off access to the shoreline, pedestrian overpasses shall be built to provide access.
 4. Vehicle and pedestrian circulation systems shall be designed to minimize clearing, grading and alteration of topography and natural features. Roadway and driveway alignment shall follow the natural contours of the site and minimize width to the maximum extent feasible. Elevated walkways should be utilized to cross wetlands.
 5. Any new railroad construction shall be a conditional use except extensions of existing railroad spurs on private property.
 6. New roadways including arterials shall be designed and constructed to implement a range of available Low Impact Development techniques.
 7. When it is required for new roadways including arterials to be located within a critical area and/or its required buffer, the absolute minimum necessary amount of improved right-of-way shall be developed.
 8. When they are necessary, crossings shall co-locate using existing crossings where feasible. New crossings shall be by the most direct route possible.
 9. New roadways including arterials shall be designed and constructed to enhance physical and visual access to the shoreline.
 10. Roads and railroads along public shoreline areas shall provide for safe pedestrian and bicycle circulation through the shoreline area. Pedestrian circulation shall be provided to the shoreline unless the access meets the criteria in 6.5.2(A)(7).
- B. "S-6" Ruston Way Shoreline District
1. Roadways shall be limited to one moving lane in each direction. Further construction shall be limited to the repair, maintenance, and improvement of existing thoroughfares and shall not include any new facilities dedicated solely to SOV-oriented automobile travel. None of the existing 100-foot Ruston Way right-of-way shall be vacated.
 2. New HOV and transit-oriented infrastructure including rail lines for streetcars and light rail shall be permitted provided their development is consistent with all other provisions of this Program.
- C. "S-7" Schuster Parkway and "S-15" Point Ruston/Slag Peninsula

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1. Further construction shall be limited to the repair, maintenance, and improvement of existing thoroughfares and shall not include any new facilities dedicated solely to SOV-oriented automobile travel. None of the existing Ruston Way right-of-way shall be vacated.
2. New HOV and transit-oriented infrastructure including rail lines for streetcars and light rail shall be permitted provided their development is consistent with all other provisions of this Program.

D. "S-8" Thea Foss Shoreline District

1. Transportation improvements or expansions shall remain within the existing rights-of-way with the exception of the SR-509 ramps.
2. The streetscape encircling the Waterway shall provide adequate facilities for pedestrian circulation and bicycle transportation.
3. Expansion of railroad right-of-way shall not be permitted.
4. Dock Street shall be limited to one moving lane in each direction. Further construction shall be limited to the repair, maintenance, and improvement of existing thoroughfares and shall not include any new facilities, but may include center turn lanes and other turning lanes. New transit infrastructure including rail lines for streetcars and light rail shall be permitted provided their development is consistent with all other provisions of this Program.
5. Street improvements shall be consistent with the unifying design elements in the Thea Foss Waterway Design Guidelines and Standards.

7.11 Solid Waste Disposal

Solid waste refers to all solid and semi-solid wastes, except wastes identified in WAC 173-304-015, including, but not limited to, junk vehicles, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, but excluding agricultural wastes and crop residues returned to the soil at agronomic rates. This includes all liquid, solid and semi-solid materials which are not the primary products of public, private, industrial, commercial, mining and agricultural operations. Solid waste includes but is not limited to sludge from wastewater treatment plants and septage from septic tanks, wood waste, dangerous waste, and problem wastes. Unrecovered residues from recycling operations shall be considered solid waste

7.11.1 Policies

1. Shoreline areas should not be disposal sites for solid waste; however, disposal of hazardous substances and other materials should be permitted if in conjunction with an environmental cleanup in accordance with state and federal regulations.
2. All developments, public and private, should provide for an adequate means for disposal of solid waste and should comply with existing City regulations concerning the handling of solid waste.
3. All shoreline areas should be kept litter-free. Private shoreline owners should be encouraged to maintain litter-free beaches.

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4. Recycling of solid waste now existing or generated within shoreline areas should be encouraged.
5. Where solid waste disposal sites are presently located in shoreline areas, the site should be rehabilitated to control leaching of contaminants.
6. The use of biodegradable products should be encouraged to minimize pollution from boat cleaning and from grey water.

7.11.2 Regulations

1. Permanent treatment and/or storage facilities for solid waste shall be prohibited in the shorelines. All garbage shall be deposited in trash or recycling receptacles. The handling of all solid waste in the shoreline shall conform to the provisions of TMC 12.09.
2. Disposal of hazardous substances or other materials generated, treated, or disposed of in conjunction with an environmental cleanup is permitted if in accordance with State and Federal regulations.
3. No person shall throw, discharge, or deposit from any vessel or the shore, pier, wharf, dock, float, or otherwise, any refuse matter of any kind whatsoever into or upon the waters or land area of Tacoma or Puget Sound, in accordance with local refuse disposal requirements.
4. No person shall dump or discharge oil, spirits, inflammable liquid, or contaminated bilge water into or upon the waters or land areas of Tacoma or Puget Sound.

7.12 Utilities

The regulations of this section apply to services and facilities that produce, convey, store, or process power, gas, sewage, communications, oil, waste, and the like. On-site utility features serving a primary use, such as a water, sewer or gas line to a residence, are "accessory utilities" and shall be considered a part of the primary use.

7.12.1 Policies

1. Design, location and maintenance of utilities is required to assure no net loss of ecological functions.
2. Utilities are required to be located in existing rights-of-ways whenever possible.
3. Utilities for the delivery of services and products such as but not limited to public sewer, water and storm mains and services, pipelines, power and transmission facilities are required to be located outside of shoreline jurisdiction unless no other feasible option exists. .
4. Prohibit utilities in wetlands and other critical areas unless no other practicable alternative exists.
5. Ensure that whenever utilities must be placed in a shoreline area, the location is chosen to:

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- a. Meet the needs of future populations in areas planned to accommodate this growth. Utilize existing transportation and utility sites, rights-of-ways and corridors, whenever possible.
 - b. Joint use of rights-of-way and corridors should be encouraged. Preserve scenic views and aesthetic qualities of the shoreline area.
 - c. Be located such that shoreline armoring and defense works will not be required for the life of the project.
 - d. Non-water-oriented parts of wastewater treatment, water reclamation, desalinization, and power plant facilities shall be located outside shoreline jurisdiction unless it can be demonstrated that no other feasible option is available.
6. Utilities within shorelines should be under-grounded.
 7. Upon completion of utility installation/maintenance projects on shorelines, banks should be restored to pre-project configuration, replanted and provided maintenance care until the newly planted vegetation is established. Plantings should be native species and/or be similar to vegetation in the surrounding area.
 8. When reasonably feasible, the co-location of new public and private utility distribution facilities should be promoted in shared trenches and overhead rights-of-way. The timing of construction should be coordinated to minimize construction related disruptions to the public and reduce the cost to the public utility delivery.
 9. Placement of utilities in shoreline areas should be planned and designed to avoid degradation of the shorelines and shoreline views during and after installation.

7.12.2 Regulations**A. General Regulations**

1. Utility development shall, through coordination with local government agencies, provide for compatible, multiple uses of sites and rights-of-way.
2. Utilities shall be designed and installed to meet future needs when possible.
3. Wireless communication facilities shall comply with City of Tacoma Municipal Code 13.06.545.

B. Uses

1. The following new major utility facilities may be permitted in shoreline jurisdiction if it can be shown that no practicable alternative exists outside of shoreline jurisdiction.
 - a. Electrical energy generating plants, substations, and transmission lines;
 - b. Sanitary sewer outfalls;
 - c. Sewage system mains, interceptors, pump stations, and treatment plants; Storm drainage mains and regional outfalls;

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- d. Submarine telecommunications cables; and Water lines and water system treatment plants.
 2. Upgrades to existing major utilities are permitted.
 3. Minor utilities are allowed as a permitted use, provided that within the Natural Designation, it has been determined that no other feasible alternative exists.
- C. Location
1. New distribution lines or extension of existing distribution lines shall only be permitted underground, unless otherwise specified, or where the applicant can demonstrate that, due to economic, technical, environmental, or safety considerations, placing utilities underground is infeasible.
 2. Above ground utilities are permitted in the S-3, S-9, S-10, and S-11 shoreline district.
 3. Utility production and processing facilities and transmission facilities shall be located outside of shoreline jurisdiction unless no other feasible option exists.
 4. Utilities shall be located within roadway and driveway corridors and right-of-ways wherever feasible. Joint use of rights-of-way and corridors is encouraged.
- D. Sewage treatment, water reclamation, desalinization, and power plants shall be located to minimize interference with adjacent uses of the water and shorelands. Environmental Protection
1. The design, location, and maintenance of utilities shall be undertaken in such a manner as to assure no net loss of ecological functions, preserve the natural landscape, and minimize conflicts with present and planned land and shoreline uses.
 2. Utilities shall be installed in such a manner that all banks are restored to a stable condition, replanted, and provided maintenance care until the newly planted vegetation is established. Plantings shall be native species or be similar to vegetation in the surrounding area.
 3. Construction of new storm drains or other outfalls into water bodies and improvements to existing facilities shall be accomplished to meet all applicable standards of water quality.
 4. Outfalls shall be located and constructed in accordance with regulations of the Washington Department of Ecology, the U.S. Environmental Protection Agency and any other agency having regulatory jurisdiction.
 5. To protect the aesthetic qualities of the shoreline, new utility lines including electricity, communications, and fuel lines shall be located underground, unless otherwise specified, or where the applicant can demonstrate that, due to economic, technical, environmental, or safety considerations, placing utilities underground is infeasible.
 6. When they are necessary, stream crossings for utilities shall co-locate using existing crossings where feasible. New crossings shall be by the most direct route possible.
 7. Underground utility crossings shall use the least impacting installation methods to the extent feasible.

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8. Underground utility installation in high groundwater area shall avoid alteration of groundwater patterns to the extent feasible.
9. Utility developments shall be located and designed so as to avoid, to the extent practicable, the need for any structural or artificial shoreline modification works for the life of the project.
10. Major utilities should be avoided in floodplains to the greatest extent practicable; if necessary, flood protection structures shall not increase flood hazards in other areas along the waterbody.
11. Installation of utilities shall assure the prevention of siltation or beach erosion.
12. Undergrounding of utilities across a water body shall comply with all applicable local, state, and federal agency regulations and requirements; a shoreline permit is required.

E. Public Access

1. When feasible, utility development shall include public access to the shorelines, trail systems, and other forms of recreation, provided such uses will not unduly interfere with utility operations, or endanger the public health, safety and welfare.
2. When feasible, utilities within the shoreline area shall be placed underground and utility corridors shall be used for shoreline access.

F. "S-11" Marine View Drive Shoreline District

1. Open channels shall be used where feasible for discharge from existing springs to the salt water.

CHAPTER 8 SHORELINE MODIFICATION POLICIES AND REGULATIONS

8.1 General Shoreline Modification Policies

1. Shoreline modification activities should protect or restore ecological processes and functions and minimize alterations of the natural shoreline, currents, and movement of sand and water circulation to avoid adverse effects on nearby shorelines.
2. Shoreline modification activities should not degrade water quality; and best management practices should be employed to prevent recontamination of shoreline areas.
3. Shoreline modifications should be constructed in such a way as to minimize damage to fish and shellfish resources and habitats; minimize damage to wildlife propagation and movement; and to conform to Washington Department of Fish and Wildlife design criteria.
4. New development siting and design should be conducted in such a manner that the need for continued shoreline modification activities such as dredging or channelization, to maintain the use is unnecessary.
5. Proposals for shoreline modification activities and associated uses should demonstrate that the construction and subsequent operation will not be detrimental to the public interest and uses of the shoreline and water body, including navigation and recreation.
6. Shoreline modification activities should demonstrate that impacts have been avoided, minimized and mitigated.
7. Shoreline modifications and associated uses should consider multiple use opportunities to enhance public access, use and enjoyment of the shoreline and water body where appropriate.

8.2 Shoreline Stabilization, Bulkheads, Breakwaters, Jetties, Groins, Weirs, Flood Control Works and In-Stream Structures

8.2.1 Policies

1. Non-structural or soft-shore bank stabilization techniques are preferred over structural shoreline stabilization, such as bulkheads, seawalls, and breakwaters.
2. Structural stabilization devices are discouraged in designated urban conservancy environments and should not be permitted in natural environments.
3. Structural stabilization devices should be designed to blend in with the surroundings and not to detract from the aesthetic qualities of the shoreline.
4. The construction of structural stabilization devices should be permitted only where there is a demonstrated need to protect upland areas or facilities, not for the purpose of creating land by filling.
5. Structural stabilization devices may be permitted for water-dependent uses in committed port, terminal and industrial waterways or where such construction can be integrated with the

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existing shoreline in such a way that they will substantially preclude any resultant damage to marine resources or adverse effects on adjacent properties.

6. Where flood protection measures such as dikes are planned, they should be placed landward of the stream-way, including associated wetlands directly interrelated and interdependent with the stream proper.

8.2.2 Regulations**A. Regulations – Stabilization**

1. Shoreline stabilization shall be designed, located, and mitigated to achieve no net loss of ecological functions.
2. Shoreline stabilization shall be permitted only where appropriate to the specific type of shoreline and environmental conditions for which it is proposed.
3. All shoreline stabilization measures shall be constructed to minimize damage to fish and shellfish habitat, and shall conform to the requirements of the Washington Department of Fish and Wildlife Hydraulics Code.
4. New development, including newly created parcels, shall be designed and located so as to prevent the need for future shoreline stabilization.
5. New development that would require shoreline stabilization which is likely to cause significant impacts to adjacent or down-current properties and shoreline areas is prohibited.
6. Shoreline stabilization structures shall not be permitted for the direct or indirect purpose of creating land by filling behind the structure.
7. New structural shoreline armoring may be permitted and existing structural shoreline armoring may be expanded when one or more of the following apply:
 - a. When necessary to support a project whose primary purpose is enhancing or restoring ecological functions;
 - b. As part of an effort to remediate hazardous substances pursuant to RCW 70.105;
 - c. When necessary to protect public transportation infrastructure or essential public facilities and other options are infeasible;
 - d. When necessary to protect a water-oriented use or an existing, lawfully established, primary structure, including a residence that is in imminent danger of loss or substantial damage from erosion caused by tidal action, currents, or waves;
8. Proposals for new, expanded, or replacement structural shoreline armoring permitted under this Program shall clearly demonstrate all of the following:
 - a. The erosion is not being caused by upland conditions, such as the loss of vegetation and drainage;

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- b. Nonstructural measures, such as placing the development further from the shoreline, planting vegetation, or installing on-site drainage improvements, are not feasible or not sufficient;
 - c. The need to protect primary structures from damage due to erosion is demonstrated through a geotechnical report. The damage must be caused by natural processes, such as tidal action, currents, and waves;
 - d. The erosion control structure will not result in a net loss of shoreline ecological functions.
9. When evaluating the need for new, expanded, or replacement structural shoreline armoring, the Land Use Administrator shall require the applicant to examine and implement alternatives to structural shoreline armoring in the following order of preference:
 - a. No action (allow the shoreline to retreat naturally);
 - b. Increased building setbacks and/or relocated structures;
 - c. Use of flexible/natural materials and methods, vegetation, beach nourishment, protective berms or bioengineered shoreline stabilization.
10. The City shall require applicants for new, expanded, or replacement structural shoreline armoring to provide credible evidence of erosion as the basis for documenting that the primary structure is in imminent danger from shoreline erosion caused by tidal action, currents, or waves. The evidence shall:
 - a. Demonstrate that the erosion is not due to landslides, sloughing or other forms of shoreline erosion unrelated to water action at the toe of the slope; and
 - b. Include an assessment of on-site drainage and vegetation characteristics and their effects on slope stability.
11. Replacement walls or bulkheads shall not encroach waterward of the ordinary high water mark or existing structure unless the residence was occupied prior to January 1, 1992, and there is an overriding safety or environmental concern. In such cases, the replacement structure shall abut the existing stabilization structure.
12. Soft shoreline stabilization measures that provide restoration of shoreline ecological functions may be permitted waterward of the ordinary high water mark.
13. Geotechnical reports pursuant to this section that address the need to prevent potential damage to a primary structure shall address the necessity for shoreline stabilization by estimating time frames and rates of erosion and report on the urgency associated with the specific situation. As a general matter, hard armoring solutions should not be authorized except when a report confirms that there is a significant possibility that such a structure will be damaged within three years as a result of shoreline erosion in the absence of such hard armoring measures, or where waiting until the need is that immediate, would foreclose the opportunity to use measures that avoid impacts on ecological functions. All geotechnical reports shall also identify any potential impacts to downstream structures.

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14. Shoreline stabilization structures shall be limited to the minimum size necessary.
15. Public access, consistent with TSMP 6.5.2, is required, where feasible, as part of any shoreline stabilization construction or replacement project on public land or using public funds.
16. In permitting shoreline stabilization structures on public lands, factors to be considered shall include: possible damage to marine life, reduction of beach surface area, reduction in hours of beach accessibility on tidal waters, reduction of navigable water surface, and limitation of points of access to the beach.
17. Impacts to sediment conveyance systems shall be avoided or minimized.
18. Bulkheads shall be constructed of concrete, wood, rock, riprap, or other suitable materials. The design and construction of such bulkheads shall, to the maximum extent feasible, preserve the natural characteristics of the shoreline, including beaches, and shall take into account habitat protection and aesthetics, including consideration of Washington Department of Fish and Wildlife criteria.

B. Regulations - Breakwaters, Jetties, Groins, and Weirs

1. Floating breakwaters shall be used in place of fixed types, where they can withstand extensive wave action, in order to maintain sediment movement, fish habitat, and water circulation. Fixed breakwaters shall be permitted only where design can maintain desired movement of sediment and circulation of water.
2. Breakwaters, jetties, groins, and weirs waterward of the OHWM are permitted only for water-dependent uses, public access, shoreline stabilization, or other specific public purpose; protection of critical areas and appropriate mitigation is required.
3. A shoreline conditional use permit is required for all breakwaters, jetties, groins and weirs.
4. The construction of breakwaters, jetties, groins and weirs shall be permitted only in cases where overall public benefit can be demonstrated.
5. Breakwaters and jetties shall incorporate public access to the maximum extent feasible.
6. Construction of breakwaters, jetties and groins shall not create significant interference with the public use of the water surface.
7. The effect on sediment movement shall be a primary consideration in the evaluation of proposed jetties or groins. Provision shall be made to minimize potential adverse effects on natural systems caused by jetties or groins, and costs of mitigating damages which do occur shall be borne by the project applicant.
8. Consideration shall be given to the effect which jetties and groins will have on wildlife propagation and movement, particularly with reference to the out migration of juvenile salmonids from the Puyallup River and Hylebos Creek systems, and to a design of these structures which will not detract from the aesthetic quality of the shoreline.

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9. Public access for sightseeing and public fishing shall be considered in jetty and groin design wherever such access would not interfere with the public safety.

C. Regulations - Flood Control Works and In-stream Structures

1. New in-stream structures shall protect and preserve ecosystem-wide processes, ecological functions, and cultural resources, including fish and fish passage, wildlife and water resources, shoreline critical areas, hydrological processes, and natural scenic vistas.
2. The following regulations shall be applied to proposed flood control and in-stream structures:
 - a. Materials used for bank stabilization shall consist of concrete, rock, or other materials of the earth and shall be of sufficient size to prevent their being washed away by high water, wave, or current action. Automobile bodies or other waste materials shall not be used;
 - b. No bank stabilization shall create hydrodynamic changes which may necessitate additional bank stabilization downstream;
 - c. Dikes, levees, berms, and similar flood control structures shall be shaped and planted with native vegetation suitable for wildlife habitat;
 - d. Materials capable of supporting growth used in construction of shoreline protection structures shall be revegetated with plants native to the area.
 - e. Flood control works and in-stream structures shall also be subject to the stabilization standards in TSMP 8.2.2(A) above.

8.3 Fill and Excavation, Dredging and Dredge Material Disposal

8.3.1 Policies

1. Shoreline landfills should not be authorized unless a specific use for the site is evaluated and permitted. Speculative landfills should not be permitted.
2. Where there is a demonstrated need for shoreline landfills, they should only be considered for water-dependent uses in committed port, terminal and industrial waterways or where such construction can be integrated with the existing shoreline to substantially preclude any resultant damage to marine resources or adverse effects on adjacent properties. Landfills should not be permitted in identified channel migration zones.
3. The location, design, and construction of all fill should protect ecological processes and functions, including channel migration. In evaluating fill projects such factors as total water surface reduction, navigation restriction, impediment to water flow and circulation, reduction of water quality and destruction of habitat, and the effects on state-owned resources should be considered.
4. The perimeter of the fill should be provided with a vegetative buffer or other means to prevent erosion.

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5. Uses of dredge material that can benefit shoreline resources are to be addressed through implementation of regional interagency dredge material management plans and watershed planning.
6. Dredging of bottom materials for the primary purpose of obtaining fill, material should be prohibited.

8.3.2 Regulations**A. Regulations - Fill and Excavation**

1. Fill placed waterward of the OHWM is prohibited except for the following instances. All instances shall require a conditional use permit, except for fill related to restoration of ecological functions:
 - a. Water-dependent use;
 - b. Public access;
 - c. Clean-up and disposal of contaminated sediments as part of an interagency environmental clean-up plan;
 - d. Disposal of dredged material in accordance with a DNR Dredged Material Management Program;
 - e. Expansion or alteration of transportation facilities of statewide significance currently located on the shoreline (if alternatives to fill are shown not to be feasible).
2. Fill waterward of the OHWM shall be permitted for ecological restoration and enhancement projects, provided the project is consistent with all other provisions of this program.
3. Fill and excavation must avoid impacts to buffers except for those instances in section (1) above and restoration actions, when consistent with all other provisions of this Program.
4. Fill is prohibited within the Puyallup River, except for environmental remediation and habitat improvement projects.
5. Fill and excavation shall be considered only where such construction can be integrated with the existing shoreline.
6. Fill and excavation shall not be authorized unless a specific use for the site has been evaluated and permitted; speculative fill and excavation shall be prohibited in all Shoreline Districts.
7. Applications for fill or excavation shall address methods which will be used to minimize damage of the following types:
 - a. Biota:
 - i. Reduction of habitat;
 - ii. Reduction of feeding areas for shellfish, fishlife, and wildlife;

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- iii. Reduction of shellfish, fishlife, and wildlife reproduction areas;
- iv. Reduction of fish migration areas.

b. Physical:

- i. Alteration of local current;
- ii. Wave damage;
- iii. Total water surface reduction;
- iv. Navigation restriction;
- v. Impediment to water flow and circulation;
- vi. Reduction of water quality;
- vii. Loss of public access;
- viii. Elimination of accretional beaches;
- ix. Erosion;
- x. Aesthetics.

- 8. All perimeters of fills shall use vegetation, retaining walls, or other means for erosion control.
- 9. Only materials that comply with State Water Quality Standards may be used in permitted landfill projects.
- 10. Dust control measures, including plants and vegetation where feasible, shall be taken in all fill and excavation projects.
- 11. Beach materials shall not be used for fill behind bulkheads, other than clean dredge materials from a permitted dredge and fill operation and materials excavated during construction of the bulkheads.

B. Regulations - Dredging and Dredge Material Disposal

- 1. Dredging and dredge material disposal shall avoid or minimize significant ecological impacts; impacts that cannot be avoided shall be compensated for to achieve no net loss of ecological functions.
- 2. Dredging to establish, expand, relocate, or reconfigure navigation channels are permitted only where needed to accommodate existing navigational uses and then only when significant ecological impacts are minimized or compensated for.
- 3. New non-water-dependent development that would result in the need for new dredging shall be prohibited.
- 4. Dredge disposal within river channel migration zones is prohibited.

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5. Maintenance dredging of established navigation channels and basins is restricted to maintaining previously dredged and/or existing channels and basins at their authorized location, depth, and width.
6. Deposit of dredge materials shall only be permitted in an approved disposal site, for habitat improvement, to correct material distribution problems which are adversely affecting fish and shellfish resources, where land deposition would be more detrimental to shoreline resources than water deposition, as a cap for contaminated sediments, or a fill used in conjunction with an approved environmental remediation project. Where deposit of dredge material is allowed upland, it shall avoid buffers and wildlife habitat and be subject to the regulations of fill in TSMP 8.3.2(A).
7. Dredging of bottom materials for the primary purpose of obtaining fill materials shall not be permitted, except for projects associated with MTCA or CERCLA habitat restoration, or any other significant restoration effort approved by a Shoreline Conditional Use Permit. In such cases, placement of fill must be waterward of the OHWM.
8. Returned water from any dredge material disposed of on land shall meet all applicable water quality standards in accordance with applicable water quality regulations.
9. Sides of dredged channels for port and industrial use shall be designed and constructed to prevent erosion and permit drainage.
10. On-site containment facilities shall only be permitted in the "S-10" Port Industrial Shoreline District, where such on-site containment facilities shall be conditional uses.

8.4 Clearing and Grading**8.4.1 Policies**

1. Clearing and grading should only be allowed in the shoreline in conjunction with a permitted use or development, unless otherwise allowed in this Program.
2. Disturbance to and removal of native soils should be minimized within shorelines.
3. Uses and site design should incorporate protection or reestablishment of the maximum amount of native vegetation on a particular site.
4. Vegetation that is removed as part of a permitted use should be reestablished within a required buffer.

8.4.2 Regulations

1. Clearing and grading activities shall only be permitted as an element of development for an authorized activity, a restoration action, or as otherwise permitted in this Program.
2. All clearing and grading activities shall achieve no net loss of ecological functions.
3. All clearing and grading activities shall meet the following standards:

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- a. All clearing and grading activities shall be limited to the minimum necessary for the intended development;
- b. Exposed soils shall be immediately developed or re-vegetated to prevent erosion;
- c. Exposed soils must be replanted such that complete coverage of exposed soils is attained within one growing season, or otherwise stabilized using mulch or other BMPs;
- d. In all cases where clearing is followed by re-vegetation, native plants shall be required, unless an alternative is specifically authorized;
- e. Re-vegetation shall avoid the need for chemical and fertilizer applications;
- f. Removal of noxious weeds and/or invasive species shall be incorporated in vegetation management plans, as necessary, to facilitate establishment of a stable community of native plants; and
- g. The moisture holding capacity of the topsoil layer shall be maintained by minimizing soil compaction or reestablishing natural soil structure and infiltration capacity on all areas of the project area not covered by impervious surfaces.

8.5 Ecological Restoration and Enhancement**8.5.1 Policies**

1. Ecological restoration and enhancement actions are encouraged in all shoreline districts, and are considered to be consistent with all kinds of uses, including residential, commercial, and industrial, provided that both are designed sensitively.
2. Ecological restoration and enhancement actions should be approached on a watershed basis, and should seek to promote an ecosystem or landscape approach to provide functioning and sustainable habitats.
3. Ecological restoration and enhancement actions should be focused on sites with low possibilities of contamination.
4. Ecological restoration and enhancement actions should be integrated with other regulatory efforts, including environmental remediation, source control, and site development actions, as well as long-range planning activities.
5. Where ecological restoration and enhancement are proposed as mitigation measures, a nexus should be established between the impacted and proposed habitat, considering habitat type, size, functions, and values, and connection to the larger ecosystem.
6. The environmental quality of Commencement Bay, its associated waterways, and the Puyallup River watershed, including all nearshore and adjacent upland areas, should be improved through comprehensive cleanup strategies, including priorities for identification of contaminated sites; source control of contaminated sites; coordination with the Environmental Protection Agency, the Washington Department of Ecology, and other agencies to ensure the most comprehensive, timely and cost-effective cleanup actions.

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7. The City should seek to protect ecological restoration and enhancement projects in perpetuity.
8. The goals and objectives of the Restoration Plan in Appendix B should be considered for all restoration and conservation projects as well as the Programmatic Restoration Opportunities within the functional analysis of the subject reach in the 2007 Shoreline Characterization and Inventory.
9. Restoration and enhancement may take place as a stand-alone project or as a required element of a larger development proposal. In either case the following should be achieved as is feasible:
 - a. Non-native vegetative species should be eliminated and soil amendments should be made including mulching to help establish new native vegetation;
 - b. Installation of native vegetation should be an appropriate mix of deciduous, conifer, under-story and groundcover species that are capable of achieving substantial water body shading, provide food sources for a variety of species, enhance and connect to habitat corridors and slow movement of groundwater and sheet-flow towards the water body;
 - c. Introduction of LWD to the water body is encouraged, but should not adversely impact fish passage or hydrologic function; and
 - d. Design and implementation of restoration projects that alter the location of the OHWM should not negatively impact abutting or proximate (third party) property owners, compromise the integrity or threaten the loss of existing structures, transportation routes, public access areas or cause significant additional erosion.

8.5.2 Regulations

1. Ecological restoration and enhancement shall be approached on a watershed basis and shall seek to promote an ecosystem or landscape approach, including integrating projects into their surrounding environments and promoting greenbelts for movement and use by species.
2. To the greatest extent feasible, ecological restoration and enhancement projects shall be protected in perpetuity. If future development proposes to impact existing ecological restoration and enhancement sites, it must be demonstrated that there are no practicable alternatives to avoid adverse impacts, and further, that adequate mitigation is provided to address unavoidable losses.
3. Environmental remediation activities shall utilize cleanup options which will not pose a threat to human health or the environment. Said cleanup options shall be compatible with adjacent and existing land uses.
4. Restoration projects that are within critical areas, shorelines or their required buffers are allowed subject to the applicable requirements within this Program.
5. Restoration projects that achieve the objectives within the Shoreline Restoration Plan, Appendix B shall have priority over other restoration projects.

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6. Restoration projects shall be designed such that there are no adverse impacts on ecological resources or functions within the same watershed or sub-drainage.
7. Restoration projects shall include a maintenance and monitoring plan, as well as a contingency plan in the event that said project does not achieve its intended objective. The maintenance and monitoring plan shall be consistent with the requirements in 6.4.2, but does not require a bond.

8.6 Moorage Facilities

Moorage facilities refer to piers, wharves, docks, floats, mooring buoys and other structures (either fixed or floating), to which vessels may be secured.

8.6.1 Policies

1. Moorage facilities should be designed to minimize interference with public use of the water and shoreline. Whenever possible, the design should enhance public access.
2. Multiple use and expansion of existing facilities is preferred over development of new facilities. New developments should demonstrate public benefit.
3. Mooring facilities should be design and located to protect significant public views and to minimize view impacts from adjacent properties.
4. Moorage facilities should be constructed so as to not obstruct or impair the navigational use of surface waters.
5. The cooperative use of moorage facilities is encouraged. Priority should be given to community facilities in all waterfront development where appropriate.
6. Environmental impact, navigational impact, waste disposal, oil and gas spillage, parking availability, and the impact on adjacent lands should be considered in evaluating requests for projects involving the construction of moorage facilities.
7. Moorage facilities should conform to the Washington Department of Fish and Wildlife development criteria.
8. Pier and dock construction should be limited to the minimum size necessary to meet the needs of the proposed water-dependent use.
9. Encourage the consideration of mooring buoys in place of piers, docks and floats.
10. Allow mooring buoys for transient boaters as a means to encourage economic development and recreation. Designated mooring buoys provide boaters with an alternative to anchoring in critical eelgrass beds.
11. Prohibit mooring buoys where sufficient dock facilities exist.
12. Ensure that mooring buoy fields are located, designed and operated so as to be compatible with adjacent uses and protect the aesthetic qualities of the shoreline environment.

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13. Ensure that mooring buoys are located, designed, constructed, and operated in a manner that will minimize damage to sensitive ecological areas such as eelgrass beds, except where the impacts of the mooring buoys will replace existing and ongoing practices that cause greater ecological degradation.
14. The use of pilings made of materials other than treated wood or creosote should be required.
15. Non-commercial structures should be encouraged to be built perpendicular rather than parallel to the shoreline.
16. Open pile structures are encouraged where:
 - a. Shore trolling is important;
 - b. There is significant longshore drift;
 - c. Scenic values are not impaired;
 - d. Damage to marine resources can be minimized; and
 - e. Alterations to the existing shoreline are minimized.
17. Floating docks are encouraged where:
 - a. Longshore drift is not significant;
 - b. They will not interfere with fishing or recreational boating; and
 - c. Non-biodegradable materials are used in structures.

8.6.2 Regulations**A. General Regulations**

1. There shall be no net loss of ecological functions as a result of development of moorage facilities and associated recreational opportunities.
2. Moorage facilities shall be located, designed, constructed, and operated so as to minimize impacts to shoreline resources and unnecessary interference with the right of adjacent property owners, public navigation of public waters, as well as adjacent shoreline or water uses.
3. Extended moorage on waters of the State without a lease or permission is prohibited.

B. Mooring Buoys and Mooring Buoy Fields

1. Mooring buoys and mooring buoy fields shall be located, designed, constructed, and operated so as to minimize impacts to shoreline resources and unnecessary interference with the right of adjacent property owners, as well as adjacent shoreline or water uses.
2. Mooring buoy fields shall provide for adequate upland support facilities (e.g., restrooms, dumpsters, etc.).

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3. The buoy system shall be adequate to withstand the maximum expected physical stress that the environment and moored craft will place on the buoy.
4. New mooring buoys shall not significantly interfere with navigation.
5. New mooring buoys shall demonstrate compliance with mitigation sequencing techniques. When impacts cannot be avoided, impacts must be mitigated to assure no net loss of function necessary to sustain shoreline resources.

C. Piers, Wharves, Docks and Floats

1. New piers, wharves, docks, and floats may be permitted only for water-dependent uses or public access and shall be restricted to the minimum size necessary to serve a proposed water-dependent use.
2. Design and construction of all piers, wharves, docks, and floats is required to avoid, minimize, and mitigate for impacts to ecological processes and functions and to be constructed of approved materials.
3. Pilings for newly constructed piers, wharves, docks, and floats shall be of materials other than treated wood. The afore cited prohibition does not apply to fender systems, mooring bollards, dolphins, batter walls or wing walls; nor wood treatments deemed acceptable in the future by State and Federal agencies with expertise. For replacement of more than 50 percent of the pilings in an existing pier, wharf, dock, or float, materials other than treated wood shall be used unless extreme adverse economic or engineering impacts can be demonstrated. The exceptions listed above also apply to this limitation.
4. In-water fixed platform structures supported by piles that do not abut the shoreline shall be prohibited.
5. Noncommercial piers, wharves, docks, and floats shall be constructed perpendicular to the shoreline where practicable.
6. Pier, wharf, dock, and float facilities shall be equipped with adequate lifesaving equipment such as life rings, hooks, and ropes.
7. When plastics or other non-degradable materials are used in the construction of piers, wharves, docks, and floats, the materials shall be safely contained.
8. Piers, wharves, docks, and floats shall be constructed so as to avoid or minimize impairment of views from existing uses or structures on neighboring properties.
9. Piers, wharves, docks, and floats shall be constructed so as not to interfere with or impair the navigational use of surface water.
10. When piers, wharves, docks, and floats are removed, the site shall be restored.
11. Piers, wharves, docks, and floats shall be designed and constructed to minimize interference with public use of the water and shoreline. The design of piers, wharves, docks, and floats should enhance public access and shall include access, unless access is incompatible with a water-dependent or single-family use.

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D. Covered Moorage

1. Legally permitted covered moorage and boathouses that were in lawful existence at the time of passage of this Program, or subsequent amendment to this Program, may continue as permitted/conforming structures subject to the requirements of this Master Program and the following restrictions:
 - a. Existing covered moorage and boathouses shall not increase overwater coverage;
 - b. All work and materials shall be performed using Best Management Practices (BMPs);
 - c. Existing structures may be repaired and maintained provided the amount of cover does not increase and light transmission is improved to meet state and federal standards;
 - d. Walls and fences for covered moorage shall be prohibited above deck or float level, except that handrails which are open in nature and not higher than 42 inches above the deck or float may be permitted;
 - e. Existing covered moorage and boathouses may be relocated and reconfigured within an approved marina if the relocation and reconfiguration does not result in an increase in overwater coverage and the new location results in an improvement to shoreline ecological functions.
2. New covered moorage for boat storage and new overwater boat houses shall be prohibited.
3. Covered over-water structures may be permitted only where vessel construction or repair work is to be the primary activity and covered work areas are demonstrated to be the minimum necessary over water.

E. Moorage Facilities Associated with Residential Uses

1. Docks associated with single family residences are defined as water-dependent uses provided they are designed and intended as a facility for access to watercraft.
2. If permitted under this Program, no more than one (1) dock/pier and one (1) float and one (1) boat/ski lift may be permitted on a single lot owned for residential use or private recreational use.
3. The length of docks and piers accessory to residential use/development shall be no greater than that required for safety and practicality for the residential use. The maximum length for residential docks or piers shall be limited to sixty (60) feet as measured horizontally from the ordinary high water mark. The maximum width for residential docks or piers shall be limited to six (6) feet. The Land Use Administrator may approve a different dock or pier length when needed to:
 - a. Avoid critical saltwater habitats; or
 - b. Reach adequate depths to accommodate watercraft; or

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- c. Accommodate shared use.
- 4. Docks serving four or fewer single family residences shall be permitted only when a specific need is demonstrated.
- 5. New residential developments of more than two dwellings shall provide joint-use or community docks, rather than individual docks.

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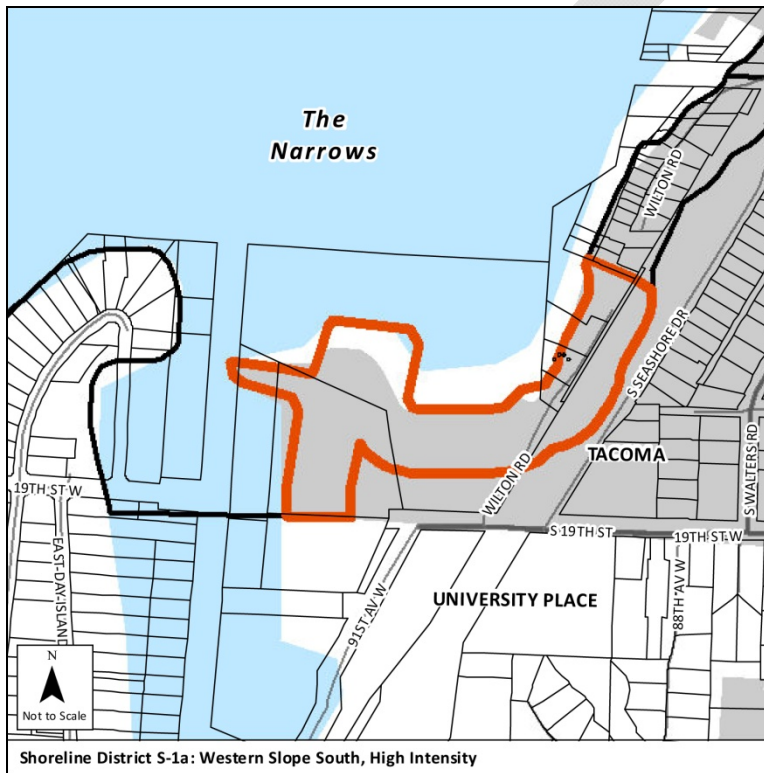
CHAPTER 9 DISTRICT-SPECIFIC REGULATIONS

The following TSMP provisions apply to each shoreline district specifically. Shoreline Environment Designations, as described in Chapter 5 of this program, are provided for each district.

9.1 S-1A Western Slope South S (HI)

- A. Intent. The intent of the “S-1a” Shoreline District is to retain the existing water-dependent uses and to encourage supplemental mixed-use development that results in additional public access and shoreline enhancement while minimizing impacts to the adjacent neighborhoods.
- B. District Boundary Description. The S-1a Shoreline District extends from the City limit at south 19th street to the transition between the multifamily and single family residential at the end of the 1600 block of Wilton Road, and including that area upland within 200’ of the OHWM.
- C. Map of District. Refer to Figure 9-1 below for a map of the “S-1a” Western Slope South district boundaries:

Figure 9-1. Western Slope South (HI)



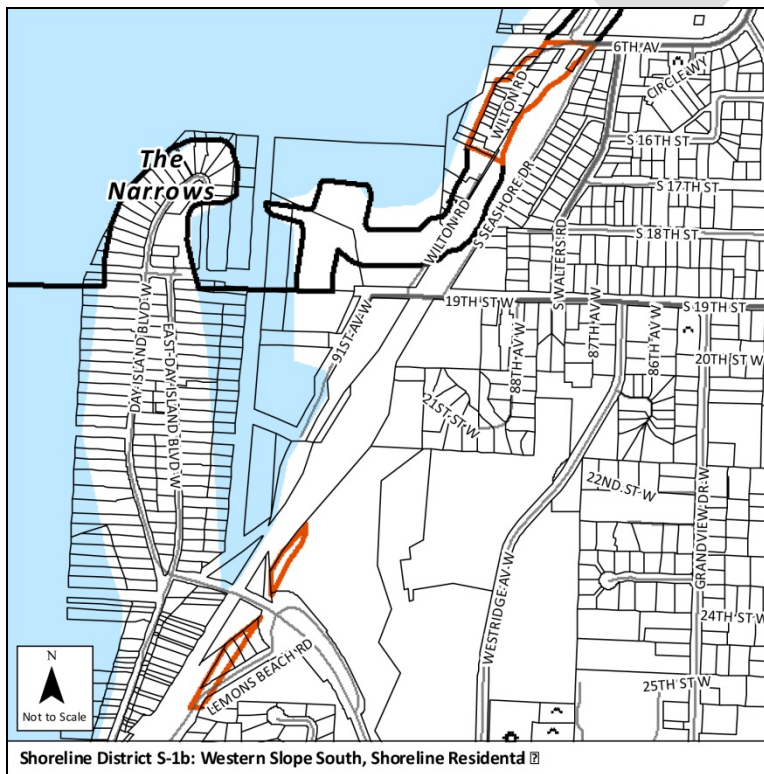
- D. District-Specific Use Regulations. Table 9-2 lists permitted uses, prohibited uses and uses permitted through issuance of a shoreline conditional use permit. In order to achieve consistency with adjacent lands, uses and developments on parcels located within a shoreline zoning district, but only partially in shoreline jurisdiction, are governed solely by this Program and the use and development standards for the S-1a shoreline District.

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- E. District-Specific Development Standards. All developments in “S-1a” Western Slope South Shoreline District shall comply with the standards included in Table 9-2 and the general regulations included in this Chapter.

9.2 S-1b Western Slope South N (SR)

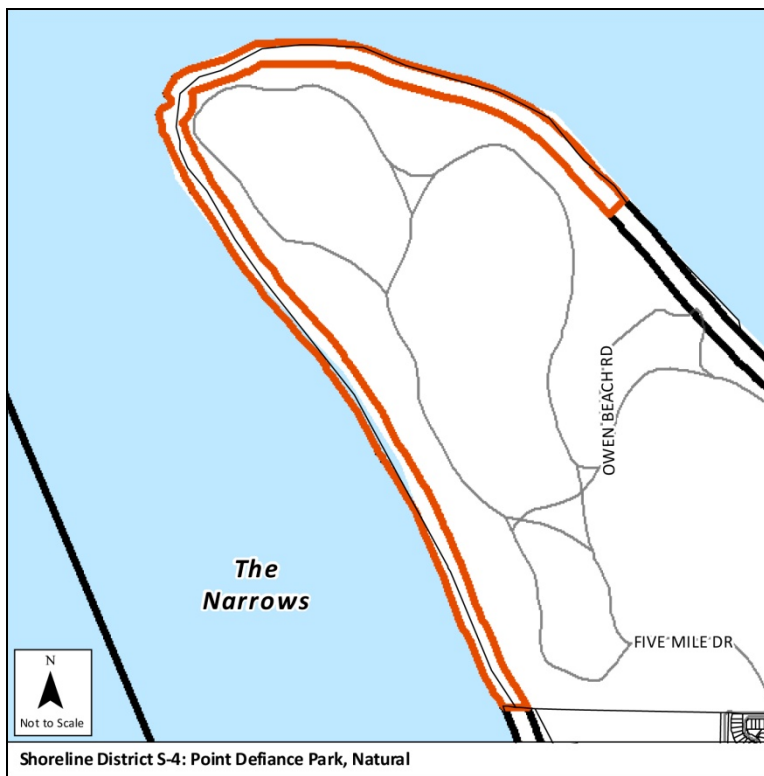
- A. Intent. The intent of the “S-1b” shoreline district is to maintain the existing residential uses while allowing new water-oriented uses only when they are compatible with the existing character of the district.
- B. District Boundary Description. The S-1b Shoreline District includes two separate and distinct areas. The first is located at 26th and Lemons Beach Road and includes that area within City of Tacoma jurisdiction that is upland within 200’ of the OHWM, but separated from the shoreline by University Place jurisdiction. The second area is contiguous to the S-1a Shoreline District, from the 1600 block of Wilton Road, where the single family residential uses begin, north to the centerline of 6th Avenue (extended), and including that area upland and within 200’ of the OHWM.
- C. Map of District. Refer to Figure 9-2 below for a map of the “S-1b” Western Slope South Shoreline District boundaries:

Figure 9-2. Western Slope South (SR)

- D. District-Specific Use Regulations. Table 9-2 lists permitted uses, prohibited uses and uses permitted through issuance of a shoreline conditional use permit.
- E. Development Standards. All permitted uses in the “S-1b” Western Slope South district shall comply with the standards included in Table 9-2 and the general regulations in this Chapter.

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Figure 9-5. Point Defiance Natural (N)



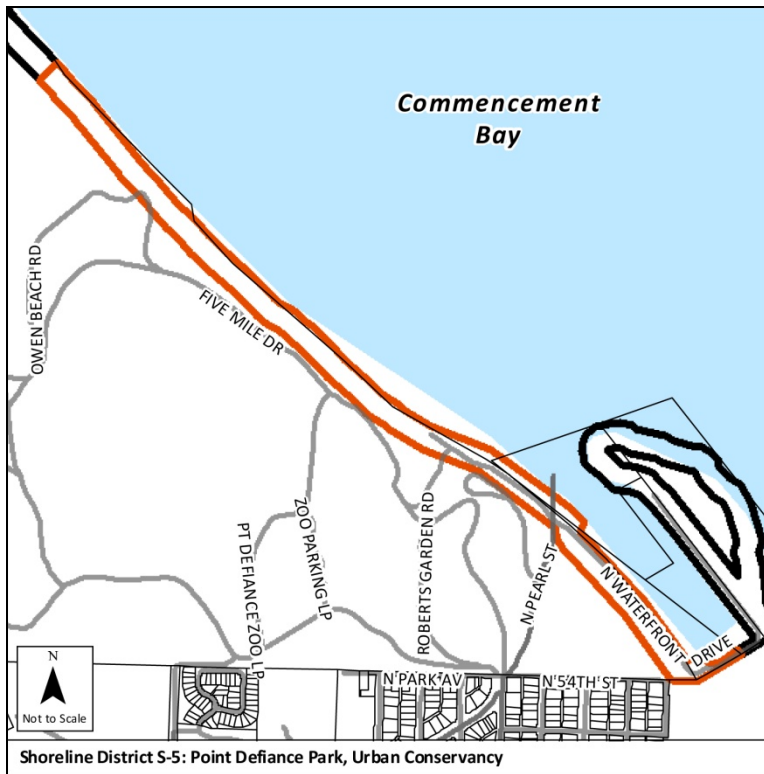
- D. District-Specific Use Regulations. Table 9-2 lists permitted uses, prohibited uses and uses permitted through issuance of a shoreline conditional use permit.
- E. Development Standards. All permitted uses in the S-4 shoreline district shall comply with the standards included in Table 9-2, except as provided in the general regulations in this Chapter.

9.6 S-5 Point Defiance Conservancy (UC)

- A. The intent of the “S-5” Shoreline District is to provide for perpetual utilization for park and recreational uses and encourage the creation and enhancement of view areas and trail systems, while allowing development of marinas, boat launch facilities, and low intensity water-oriented commercial uses.
- B. District Boundary Description. The S-5 Point Defiance Shoreline District extends from the start of the promenade at Owen Beach to the southern edge of the boat basin at Point Defiance, following N Waterfront Drive and ending at the gate to the Tacoma Yacht Club, and including only that area upland within 200’ of the OHWM.
- C. Map of District. Refer to Figure 9-6 below for a map of the S-5 Point Defiance – Conservation district boundaries.

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Figure 9-6. Point Defiance Conservancy (UC)



- D. District-Specific Use Regulations. Table 9-2 lists permitted uses, prohibited uses and uses permitted through issuance of a shoreline conditional use permit.
- E. District-Specific Development Standards. All permitted developments and uses in the “S-5” Point Defiance - Conservation Shoreline District shall comply with the regulations included in the general regulations and development standards included in Table 9-2.

9.7 S-6 Ruston Way (UC)

- A. The intent of the S-6 Shoreline District is to encourage low intensity water-oriented commercial, recreational, and open space development that provides public access and enjoyment opportunities, is designed and developed to be compatible with intact shoreline processes and functions and results in a net-gain of shoreline function over time and to preserve the character and quality of life in the adjoining residential areas, schools and park properties.
- B. District Boundary Description. The S-6 Shoreline District boundary extends from the centerline of N 49th Street to the south-easternmost extent of the Sperry Ocean Dock site (Parcel #8950002312) , including only those areas upland within 200’ of the OHWM and to the westernmost extent of the Ruston Way right-of-way, for the purposes of consistent zoning, where it exceeds 200’ from the OHWM.
- C. Map of District. Refer to Figure 9-7 below for a map of the S-6 Ruston Way district boundaries:

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Figure 9-7. Ruston Way



- D. District-Specific Use Regulations. Table 9-2 lists permitted uses, prohibited uses and uses permitted through issuance of a shoreline conditional use permit.
- E. Development Standards. All permitted developments and uses in the “S-6” Ruston Way Shoreline District shall comply with the regulations included in the general regulations and development standards included in Table 9-2.

9.8 S-7 Schuster Parkway (HI)

- A. The intent of the “S-7” Schuster Parkway Shoreline District is to allow development of deep water terminal and light industrial facilities and to preserve the character and quality of life in adjoining residential areas, school and park properties.
- B. District Boundary Description. The S-7 Shoreline District extends from the south-easternmost extent of the Sperry Ocean Dock site (parcel #8950002312) to the northernmost extent of Thea’s Park, and including those areas upland within 200’ of the OHWM.
- C. Map of District. Refer to Figure 9-8 below for a map of the “S-7” Schuster Parkway Shoreline District boundaries:

WORKING DRAFT TSMP**Figure 9-8. Schuster Parkway**

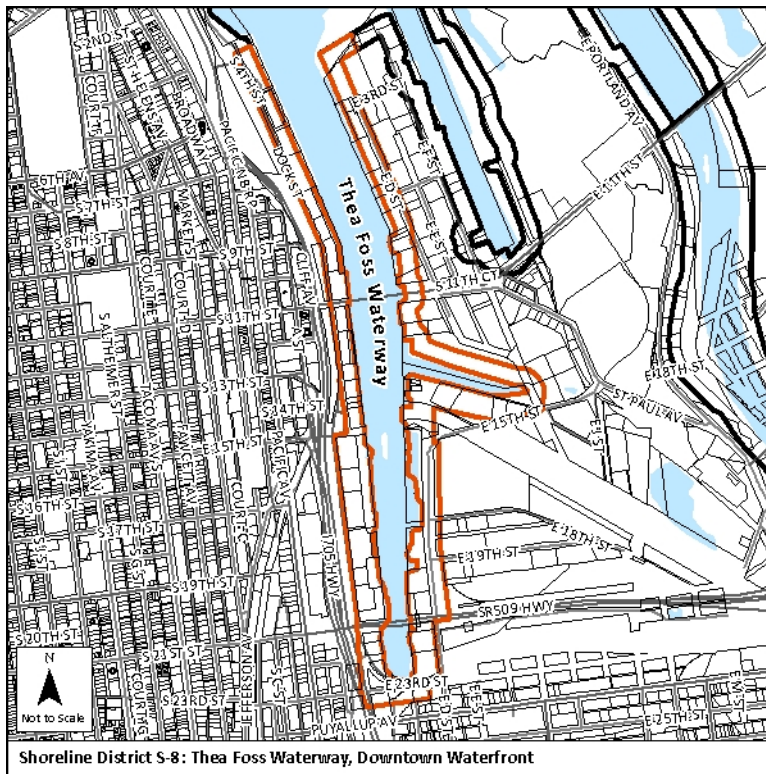
- D. District-Specific Use Regulations. Table 9-2 lists permitted uses, prohibited uses and uses permitted through issuance of a shoreline conditional use permit.
- E. Development Standards. All permitted developments and uses in the “S-7” Schuster Parkway Shoreline District shall comply with the standards included in Table 9-2 and the general regulations included in this Chapter.

9.9 S-8 Thea Foss Waterway (DW)

- A. The intent of the “S-8” Thea Foss Waterway Shoreline District is to improve the environmental quality of the Thea Foss Waterway; provide continuous public access to the Waterway; encourage the reuse and redevelopment of the area for mixed-use pedestrian-oriented development, cultural facilities, marinas and related facilities, water-oriented commercial uses, maritime activities, water oriented public parks and public facilities, residential development, and waterborne transportation; and to allow new water-oriented industrial uses where appropriate.
- B. District Boundary Description. The S-8 Shoreline District boundary extends from Thea’s Park on the northwest side of the waterway, wrapping around the waterway to the northeast corner, ending at the property boundary between NuStar and Capital Lumber, and including the areas upland within 200’ of the OHWM or to the Dock Street and East D Street rights-of-way.
- C. Map of District. Refer to Figure 9-9 below for a map of the “S-8” Thea Foss Waterway Shoreline District boundaries:

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Figure 9-9. Thea Foss Waterway



D. District-Specific Use Regulations. Table 9-2 lists permitted uses, prohibited uses and uses permitted through issuance of a shoreline conditional use permit. Permitted uses and activities are also subject to the district-specific regulations listed below:

1. Any building adjacent to Dock Street or the esplanade shall include water-oriented uses which are directly accessible from the adjacent public spaces. These water-oriented uses include uses which are open to the general public on a casual (“walk-in”) basis during regular business hours, including, but not limited to, retail stores and eating and drinking establishments. A minimum of 75 percent of the esplanade frontage and 20 percent of the Dock Street frontage shall be occupied by water-oriented uses, with the following exceptions:
 - a. To respond to short-term market conditions, non-water-oriented uses shall be permitted to occupy the water-oriented frontages so long as the structure meets the requirements in 6.1.2(9) and at least 25 percent of the shoreline frontage is occupied by a water-oriented use. Such uses may be permitted on an interim basis for a period up to 10 years, with a 5 year extension contingent upon approval by the Administrator. A new mixed-use structure adjacent to Dock Street or the esplanade may be permitted under this provision so long as the development standards in Table 9-2 and TSMP Section 9.9 are met.
 - b. To respond to short-term market conditions, mixed-use developments shall be permitted via a conditional use permit, to be occupied in their entirety by non-water-oriented uses so long as the requirements in 6.1.2(9) are met. Such uses may be permitted on an interim basis for a period up to 10 years, with a 5 year extension contingent upon approval by the Administrator. A new mixed-use structure adjacent

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to Dock Street or the esplanade may be permitted under this provision so long as the development standards in 9.9 are met.

- E. District-Specific Development Standards. In addition to the development standards included in Table 9-2 and the general regulations included in this Chapter, development in the “S-8” Thea Foss Waterway Shoreline District shall comply with all requirements included in the following three subsections. The development standards section is divided into three separate subsections. The first subsection is applicable to the west side of the Waterway; the second subsection is applicable to the east side of the Waterway; and the third subsection is applicable to both sides of the Waterway.

9.9.2 West Side of the Waterway

The following regulations apply to the west side of the Waterway. Any new building, structure or portion thereof erected on the west side shall be subject to the following standards.

1. Area Regulations

- a. Due to the significant public ownership on the west side of the Waterway, the areas bounded by Dock Street, designated public access/view corridors between Dock Street and the Waterway, and shoreline edge areas designated for public use and access, are termed “development sites.”
- b. The Foss Waterway Development Authority (FWDA) shall administer development of publicly- owned properties and shall conduct design review of projects on public property on the west side of the Waterway. Developers of private property are encouraged, but not required, to participate in the design review process conducted by the FWDA. If the FWDA design review process is not utilized for development on private property, City staff shall conduct the design review as part of the shoreline permit process and shall solicit comments from the FWDA. The required design review shall utilize the design guidelines and other requirements found in Appendix D, Thea Foss Waterfront Design Guidelines and Standards and shall include consideration of view impacts, as further described below. The findings and/or comments of the FWDA’s design review shall be referenced in shoreline permit decisions and given substantial weight in determining whether a proposed project is consistent with this Program and its design requirements.
- c. Blank walls (walls that do not contain doors, windows, or ventilation structures) between two feet and eight feet above the adjacent sidewalk shall be no longer than 20 feet in length.
- d. Frontage Requirements. For all structures adjacent to Dock Street or the esplanade, seventy-five percent (75%) of the esplanade frontage and twenty percent (20%) of the Dock Street frontage shall be designed and constructed to accommodate water-oriented uses. New mixed-use structures that cannot meet the use requirements in 9.9(D) above, and are permitted subject to 9.9(D) above, shall design and construct those frontages not occupied by water-oriented uses at the time of permitting, for future conversion to water-oriented uses. The required frontages shall meet the following standards:

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- i. The distance from the finished floor to the finished ceiling above shall be at least 12 feet. The area must have a minimum average depth of 25 feet measured from the sidewalk or esplanade level façade.
- ii. The sidewalk or esplanade level facades must include a pedestrian entrance or entrances to accommodate a single or multiple tenants or be structurally designed so entrances can be added when converted to the required uses in 9.9(D) above.
- iii. At least 25 percent of the sidewalk level façade of the portion of the building designed and constructed to accommodate future conversion to preferred uses shall provide transparency through the use of windows and doors for the area located between 2 feet above grade and 12 feet above grade.

2. Public Access/View Corridors.

- a. Fourteen public access/view corridors are located adjacent to the development sites and are defined below. By specifically designating these areas for public use and access, setbacks are not required on the front (Dock Street), side and rear edges of the development sites (except as specifically required below); provided, that the required public access areas, amenities and area-wide design features are provided.
- b. Fourteen 80-foot wide public access/view corridors between Dock Street and the inner harbor line and generally aligned with the extension of the urban street grid are hereby established. Three primary public access/view corridors are established at the alignment with South 13th, 15th, and 17th Streets. Eleven secondary public access/view corridors are established immediately south of the Dock Building, north and south of the Puget Sound Freight Building, north of the Municipal Dock Building, and at the alignment of South 9th, 11th, 12th, 14th, 16th, 18th, and 20th Streets.
- c. Public access/view corridors shall be developed concurrent with improvements on adjacent development sites. These corridors shall be designed and constructed in coordination with the FWDA. All developments abutting a public access/view corridor(s) shall be required to develop one-half of all public access/view corridors abutting their development site(s).
- d. Buildings are not permitted in any designated waterfront esplanade, boardwalk, or public access/view corridor, except that weather protection features, public art, or areas provided primarily for public access, such as viewing towers and pedestrian bridges, may be located in or over these areas. Pedestrian bridges over secondary public access/view corridors between development sites are permitted provided they are a maximum of 10 feet in width and 12 feet in height, and with a minimum clearance of 25 feet from the ground to the underside of the structure.
- e. Primary public access/view corridors may not be reduced in width and are generally fixed in location, but may be moved up to 25 feet in either direction to accommodate site development. Secondary public access/view corridors may be moved to accommodate site development, although the total corridor width must not be reduced. To move public access/view corridors, the applicant must demonstrate the following:

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- i. The movement is necessary to facilitate site design and would not compromise future development on remaining development sites;
 - ii. The new public access/view corridors created provide the same or greater public use value;
 - iii. Building design reflects the original public access/view corridor by reducing building height in this area or by providing additional public access and viewing opportunities.
- f. If the distance between any two public access/view corridors is greater than 500 lineal feet, an additional public access between Dock Street and the esplanade must be provided. This public access must be a minimum of 20 feet in width, signed for public access, open to the public, and may be either outdoors or within a structure.
- g. Development over public access/view corridors established at the alignment of South 16th and 18th Streets may occur; provided, the structure meets the following conditions:
 - i. The height to the underside of the structure is a minimum of 25 feet;
 - ii. The height does not exceed 50 feet;
 - iii. The structure is set back a minimum of 20 feet from the Dock Street facade of adjacent development sites;
 - iv. The total depth does not exceed 80 feet.
- h. Pedestrian bridges, "lids," or other features that connect the Waterway to the surrounding environment shall not be subject to the height limitations of RCW 90.58.320 or the height limitations of this Chapter. When located within public access/view corridors, care should be taken to preserve access and views from Dock Street and to provide safe, usable space under the bridge.
- i. Municipal Dock Site. Buildings on the Municipal Dock site shall be setback at least 10 feet from the edge of the public access/view corridor between the Municipal Dock site and Development Site 10. This additional setback area shall be designed and developed to facilitate additional public access and function as an extension of the abutting public access/view corridor. This setback requirement is not subject to variance.

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Table 9-1. Building Envelope Standards Table

	North end of Waterway to center of secondary view/access corridor between Development Site 11 and the Puget Sound Freight Building	Center of the secondary view/access corridor between Development Site 11 and the Puget Sound Freight Building to center of the secondary view/access corridor between Development Site 10 and Municipal Dock site		Center of the secondary view/access corridor between Development Site 10 and Municipal Dock site to center of 11th Street	Center of 11th Street to center of 15th Street, extended	Center of 15th Street, extended, to center of 18th Street, extended	Center of 18th Street, extended, to south end of Waterway
Alternatives	None	Alternative 1	Alt. 2 ¹	None	None	None	None
Minimum Height¹	50	50	none	50	50	40	40
Maximum Height	100	100	180	90	130	100	65
Modulation Required – from edge of view/ access corridors²	8 feet in at a height of 50 feet and between 50-100 feet	8 feet in at a height of 50 feet and between 50-100 feet	Alternative 2 See Section 13.10.110G.1.g. below, for additional standards for Alternative 2	8 feet in at a height of 50 feet and between 50-100 feet	8 feet in at two locations, one between a height of 25 and 50 feet and one between 50 and 75 feet	8 feet in at two locations, one between a height of 25 and 50 feet and one between 50 and 75 feet	8 feet in at two locations between a height of 25 and 50 feet
Modulation Required – from edge of esplanade³	8 feet in at two locations, one between a height of 25 and 50 feet and one between 50 and 75 feet	8 feet in at two locations, one between a height of 25 and 50 feet and one between 50 and 75 feet		8 feet in at two locations, one between a height of 25 and 50 feet and one between 50 and 75 feet	8 feet in at two locations, one between a height of 25 and 50 feet and one between 50 and 75 feet	8 feet in at two locations, one between a height of 25 and 50 feet and one between 50 and 75 feet	8 feet in at two locations, one between a height of 25 and 50 feet and one between 50 and 75 feet
Footnotes:							
1. All new buildings must meet the minimum height limit for 50 percent of the structure footprint. This requirement does not apply to buildings which existed as of January 1, 1996, structures in parks, the view/access corridors, the esplanade, or temporary uses or maintenance structures.							
2. Where a specific height is indicated, the actual modulation may occur at the floor elevation closest to the identified height.							
3. Required building modulation at 25 feet in height adjacent to esplanade is not required if actual building height at this location is less than 40 feet.							

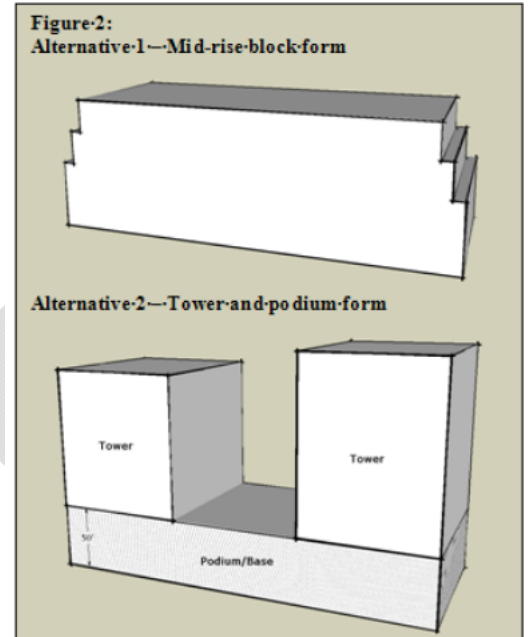


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3. Site Coverage Restrictions. The following site coverage restrictions are imposed to reduce building profile and bulk as buildings increase in height. These restrictions do not apply to developments along the westside of the Waterway that utilize the Alternative 2 development option in TSMP 9.9.2(6).
 - a. From grade to 50 feet in height: 100 percent coverage of development site permitted (subsurface parking may extend under adjacent public access/view corridors if conforming to Section 13.10.110.G.3.b(h) and/or beyond development sites north of 11th Street where the esplanade is several feet higher in elevation than Dock Street.)
 - b. From 50 feet to 100 feet: 70 percent coverage of the at-grade area is available for development, inclusive of required modulations.
 - c. Above 100 feet: 50 percent coverage of the at-grade area is available for development, inclusive of required modulations.
4. Any new building must extend to the site edge for a minimum of 60 percent of the site perimeter. This provision does not apply to developments along the west side of the Waterway that utilize the Alternative 2 development option in in TSMP 9.9.2(6).
5. Reduction of the required modulations and/or increased height limits on the western side of Waterway to accommodate structural elements may be authorized in conjunction with the issuance of a Shoreline Substantial Development Permit or Shoreline Conditional Use Permit when all of the following are satisfied. This provision does not apply to developments along the west side of the Waterway that utilize the Alternative 2 development option in Section in TSMP 9.9.2(6).
 - a. That portion of the structure exceeding the underlying height limit or contained within the required modulation:
 - i. Is designed primarily as an architectural or artistic feature and does not include signage or exterior mechanical equipment;
 - ii. Does not provide habitable floor space;
 - iii. Does not exceed the underlying height limit by more than 25 feet;
 - iv. Has a cumulative width of 15 percent or less of the development site's Dock Street frontage;
 - v. Does not extend waterward of ordinary high water; and
 - vi. Is designed to minimize view impacts from neighboring properties through the use of location, materials, and orientation.
 - b. The reduction of the required modulations and/or the increased height will not adversely affect the intended character of the shoreline district and will secure for neighboring properties substantially the same protection that a literal application of the regulation would have provided.

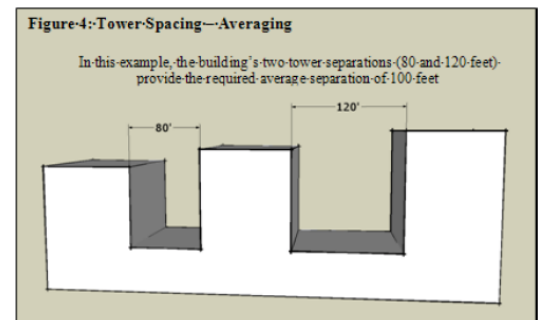
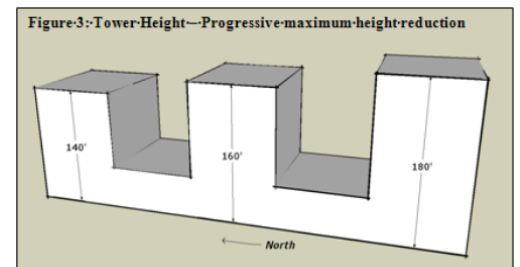
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- c. The reduction of the required modulations and/or the increased height will not be contrary to the intent of the Shoreline Management Act.
6. Alternative 2 Development Option. As noted in the building envelope standards table in Subsection G.1.c, above, within the area between the center of the public access/view corridor between Development Site 11 and the Puget Sound Freight Building and the center of the secondary public access/view corridor between Development Site 10 and Municipal Dock site, there are two basic development alternatives. Alternative 1 represents a midrise block form of building design. The basic development standards associated with Alternative 1 are mostly provided in the table and subsections above. Alternative 2 represents a tower and podium form of building design, which utilizes a combination of a low-rise block form with one or more tower elements that project up from the base (see Figure 2). Most of the development standards associated with Alternative 2 do not fit within the format of the above table and subsections and, therefore, are provided below. For projects utilizing Alternative 2, the following additional development standards shall apply:



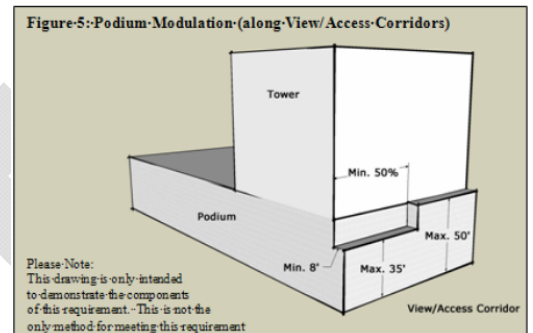
- a. Podium Height. The height of the podium shall be no greater than 50 feet. Mechanical equipment and parapet walls, as well as railings, planters, seating, shelters, and other similar amenities associated with the use of the podium roof as recreational space, shall be permitted up to a maximum height of 60 feet.

- b. Tower Height. The maximum height for any tower shall be 180 feet. Any portion of a building extending above the maximum height of the podium shall be considered a part of a tower. For projects with multiple towers on a single development site, only one of the towers shall be permitted to the maximum height limit. The maximum allowable height for each additional tower on that development site shall be progressively reduced by at least 20 feet. For example, a project with three towers could have one tower up to 180 feet tall, one tower up to 160 feet tall and one tower up to 140 feet tall (see Figure 3). Additionally, the tallest tower on each development site shall be the southernmost tower and additional towers shall step down in elevation as they progress to the north; provided, an alternative tower arrangement can be permitted if it is found to provide improved public access and reduced view impacts. This height limit is not subject to variance.



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- c. Tower Spacing. For buildings that incorporate multiple towers, the minimum spacing between towers shall be an average of 100 feet, with no less than 80 feet between any portions of any two towers (see Figure 4). For single projects with multiple buildings and multiple towers, the average spacing between towers may be calculated based on all of the towers contained in that project.
- d. Tower Width. The maximum width of any tower shall be 125 feet. For purposes of this requirement, the width shall be measured in a north-south direction, parallel to Dock Street.
- e. Tower Floorplate. The maximum floorplate area per floor for the portion of any tower above 50 feet in height shall be 15,000 square feet. The maximum floorplate area per floor for the portion of any tower above 100 feet in height shall be 12,000 square feet
- f. Podium Setback. The podium portion of any building shall be setback at least 10 feet from the edge of any public access/view corridor. This additional setback area shall be designed and developed to facilitate additional public access and function as an extension of the abutting public access/view corridor. This setback requirement is not subject to variance.
- g. Tower Setback. Along the public access/view corridors, the tower portion(s) of any building shall be setback at least 8 feet from the primary exterior face of the podium wall along the public access/view corridors.
- h. Podium Modulation. For the portion of the exterior wall along the public access/view corridors that is above 35 feet in height, at least 50 percent of the length of the podium wall shall be setback a minimum of 8 feet (see Figure 5).
- i. Podium Roof. At least 50 percent of the podium roof shall be improved as recreational space for use by the tenants and/or public. At least 30 percent of this improved recreational space on the podium roof shall be landscaped. The use of native vegetation is encouraged.

**9.9.3 East Side of the Waterway.**

The following regulations apply to the east side of the Waterway:

1. Building Height. Any building, structure, or portion thereof hereafter erected shall not exceed a height of 100 feet on the east side of the Waterway, except for the area north of East 15th Street, where an additional four feet of additional height is permitted for every one foot a structure is set back on all sides.

9.9.4 Additional Development Standards.

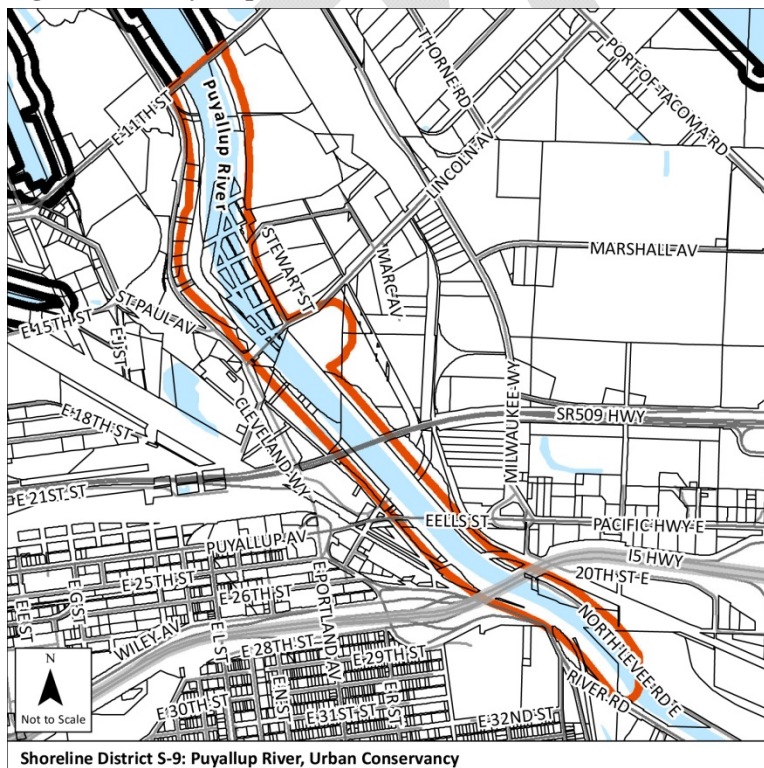
These additional development standards apply to the entire “S-8” Shoreline District.

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1. The following structures are permitted above the height limit: television antennas, chimneys, and similar building appurtenances, except where such appurtenances obstruct the view of the shoreline of a substantial number of residences on areas adjoining the shoreline, and then only provided they meet structural requirements of the City of Tacoma and provide no usable floor space above the height limitations. This provision does not apply to the tower height limit for developments along the west side of the Waterway that utilize the Alternative 2 development option (Section 13.10.110.G.1.g(2)) or to the portion of the west side of the Waterway from the center of the secondary public access/view corridor between Development Site 10 and the Municipal Dock site to the center of 11th Street.

9.10 S-9 Puyallup River (UC)

- A. The intent of the “S-9” Puyallup River Shoreline District is to encourage recreational development of the riverfront, ecological restoration activities that restore historic floodplain processes and functions, while allowing industrial development of adjacent upland areas, and to encourage continued preservation of Clear Creek, its associated wetlands, and related ecosystems. Permitted industrial uses will develop and operate in a manner that is compatible with shoreline ecological functions.
- B. District Boundary Description. The S-9 Shoreline District boundary extends from the centerline of the East 11th Street Bridge to the southern City limits, including the open water portion of the River, those areas upland within 200’ of the OHWM on both west and east banks, as well as the Gog-le-hi-te wetland and that portion of Clear Creek that is tidally influenced, and any associated wetlands.
- C. Map of District. Refer to Figure 9-10 below for a map of the “S-9” Puyallup River Shoreline District Shoreline District boundaries:

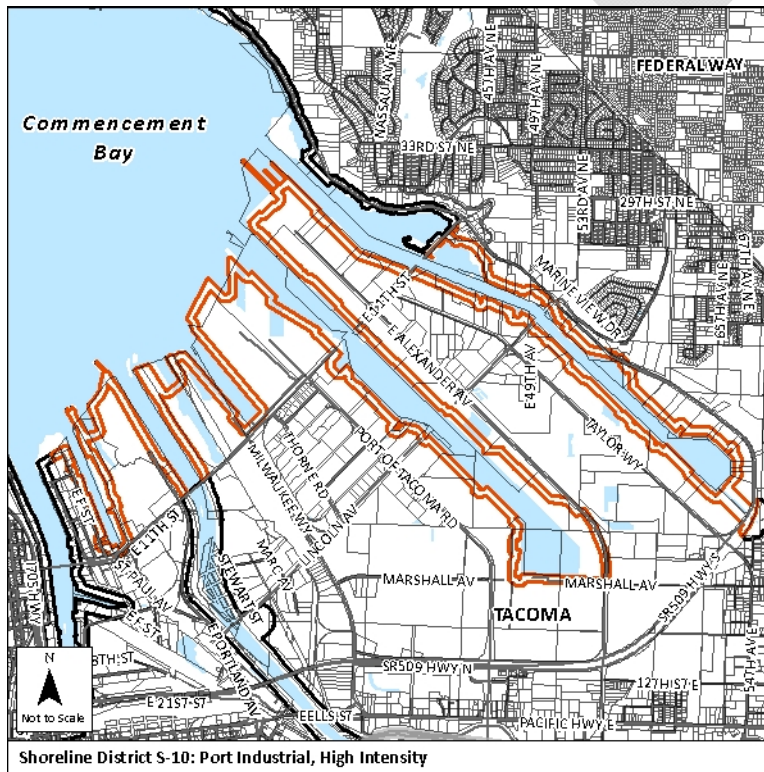
Figure 9-10. Puyallup River

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- D. District-Specific Use and Modification Regulations. Table 9-2 lists permitted uses, prohibited uses and uses permitted through issuance of a shoreline conditional use permit.
- E. District-Specific Development Standards. Development in the “S-9” Puyallup River Shoreline District shall comply with the standards included in Table 9-2 and the general regulations included in this Chapter.

9.11 S-10 Port Industrial (HI)

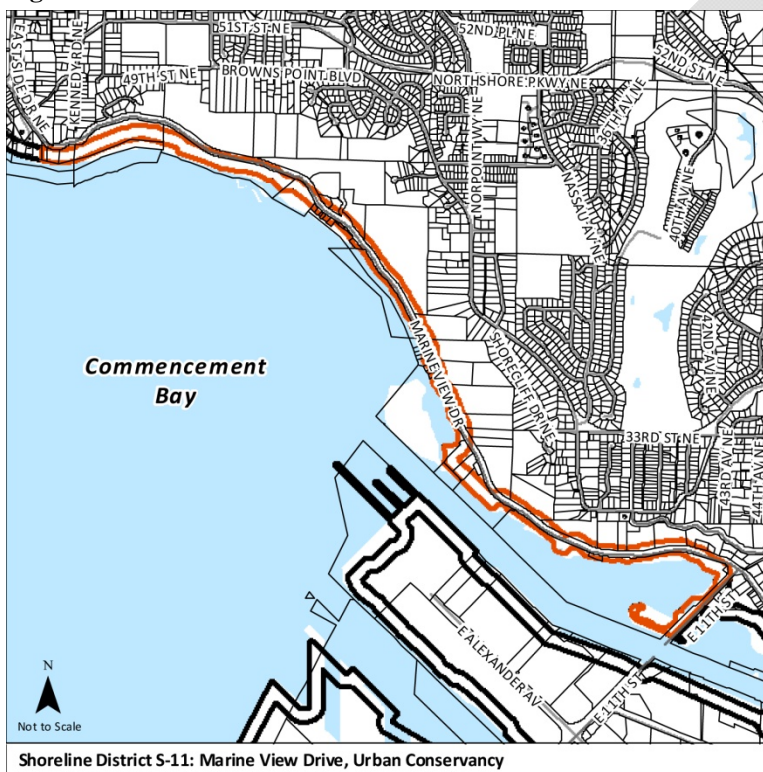
- A. The intent of the “S-10” Port Industrial Shoreline District is to allow the continued development of the Port Industrial Area, with an increase in the intensity of development and a greater emphasis on terminal facilities within the City.
- B. District Boundary Description. The S-10 Shoreline District extends from the northeast line of Thea Foss Waterway, to the Hylebos Waterway, including only those areas upland 200’ of the OHWM and except that portion of the Puyallup River southeast of East 11th Street and including that portion of Hylebos Waterway and Hylebos Creek landward of SR 509.
- C. Map of District. Refer to Figure 9-11 below for a map of the “S-10” Port Industrial Shoreline District Shoreline District boundaries:

Figure 9-11. Port Industrial

- D. District-Specific Use and Modification Regulations. Table 9-2 lists permitted uses, prohibited uses and uses permitted through issuance of a shoreline conditional use permit.
- E. District-Specific Development Standards. Developments in the “S-10” Port industrial Shoreline District shall comply with the development standards included in Table 9-2 and the general regulations included in this Chapter.

WORKING DRAFT TSMP**9.12 S-11 Marine View Drive (UC)**

- A. The intent of the “S-11” Marine View Drive Shoreline District is to encourage the development of water-related parks, open space, and recreation facilities, to allow development of marinas and related facilities, water-oriented commercial uses, and residential uses that are compatible with the existing shoreline processes and functions and that result in a net gain of shoreline functions over time.
- B. District Boundary Description. The S-11 Shoreline District boundaries include that area upland within 200’ of the OHWM and from centerline of the 11th Street Bridge north to the City Limit at Eastside Dr. NE (extended).
- C. Map of District. Refer to Figure 9-12 below for a map of the “S-11” Marine View Drive Shoreline District Shoreline District boundaries:

Figure 9-12. Marine View Drive

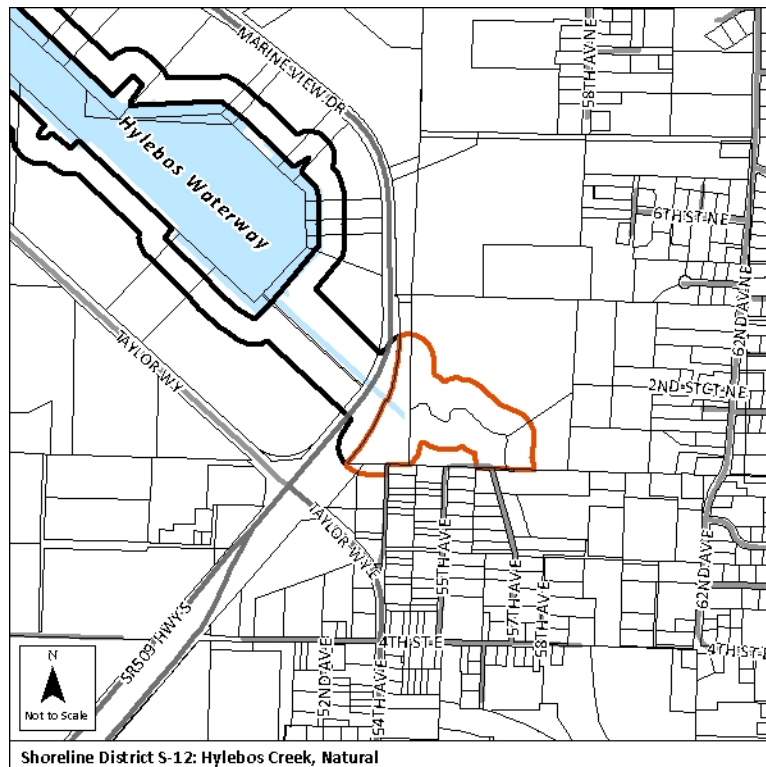
- D. District-Specific Use Regulations. Table 9-2 lists permitted uses, prohibited uses and uses permitted through issuance of a shoreline conditional use permit.
- E. District-Specific Development Standards. Developments in the “S-11” Marine View Drive Shoreline District shall comply with the development standards included in Table 9-2 and the general regulations included in this Chapter.

9.13 S-12 Hylebos Creek (N)

- A. The intent of the “S-12” Hylebos Creek Shoreline District is to protect and restore the historic functions of Hylebos Creek and achieve a net gain of shoreline function over time.

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- B. District Boundary Description. The S-12 Shoreline District boundary includes both the in-water portion of the stream and the areas upland within 200' of the OHWM from SR 509 to the City limit.
- C. Map of District. Refer to Figure 9-13 below for a map of the “S-12” Hylebos Creek Shoreline District boundaries:

Figure 9-13. Hylebos Creek

- D. District-Specific Use Regulations. Table 9-2 lists permitted uses, prohibited uses and uses permitted through issuance of a shoreline conditional use permit.
- E. District-Specific Development Standards. Developments in the “S-12” Hylebos Creek Shoreline District shall comply with the development standards included in Table 9-2 and the general regulations included in this Program.

9.14 S-13 Waters of the State (A)

- A. The intent of the “S-13” Waters of the State Shoreline District is to maintain these water bodies for the use by the public for navigation, commerce and recreation purposes and to manage in-water structures in a consistent manner throughout the City’s shorelines.
- B. District Boundary Description. The S-13 Shoreline District boundary includes all marine waters below the ordinary high water mark, waterward to the Outer Harbor Line of Commencement Bay and the Tacoma Narrows, or the Federal Pierhead Line in areas where the Outer Harbor Line is nonexistent, and the seaward City limit common to the City of Tacoma and Pierce County, except that area lying within the Town limits of the Town of Ruston.

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C. Map of District. Refer to Figure 9-14 below for a map of the “S-13” Waters of the State Shoreline District boundaries:

Figure 9-14. Waters of the State



D. District-Specific Use Regulations. Table 9-2 lists permitted uses, prohibited uses and uses permitted through issuance of a shoreline conditional use permit. Permitted uses and activities are also subject to the district-specific regulations listed below:

1. The following regulations shall apply to overwater uses and development within the “S-13” Shoreline District:
 - a. New uses and development in the S-13 Shoreline District shall only be permitted where the use or development is consistent with the permitted uses in the upland Shoreline District.
 - b. New overwater residential structures are prohibited. This prohibition does not apply to live-aborads, which must comply with the regulations in 7.3.2(K).
 - c. New over-water structures shall only be permitted for water-dependent uses, restoration projects, and public access.
 - d. New structures for non-water-dependent or non-public access uses are prohibited.
 - e. The size of new over-water structures shall be limited to the minimum necessary to support the structure's intended use.

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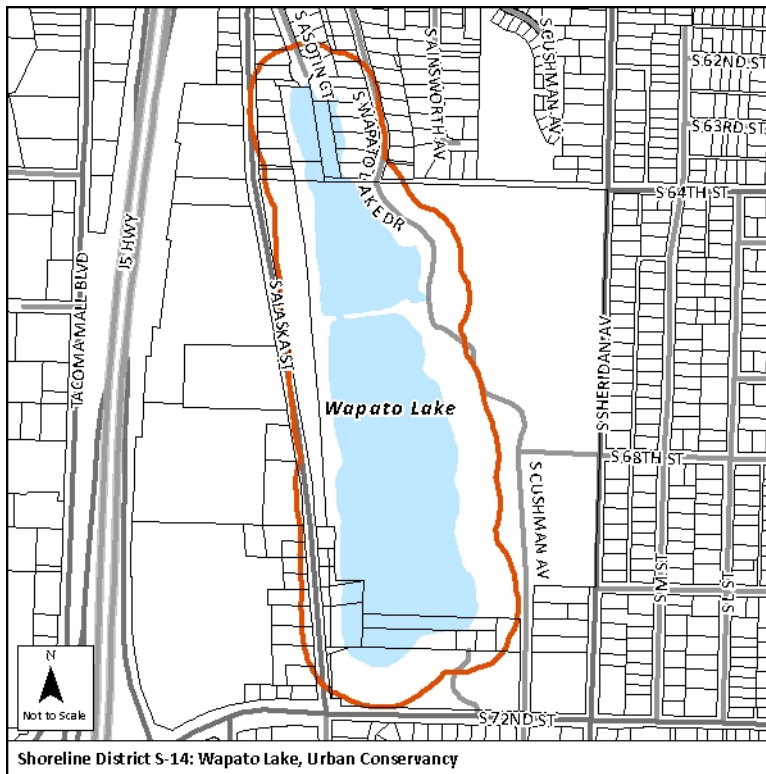
- f. Non-water-oriented uses shall only be permitted on existing over-water structures as part of a permitted mixed-use development that contains a water-dependent component.
 - g. Water-oriented commercial uses shall only be permitted over-water on existing overwater structures.
 - h. New overwater structures shall comply with the provisions in TSMP Section 7.6.
 - i. Improvement or modifications to residential or non-water-oriented commercial uses on existing overwater structures shall be permitted; provided, that the modifications do not result in an increase in overwater area and that the improvements are designed consistent with Washington Department of Fish and Wildlife standards to limit impacts on the aquatic environment and fisheries habitat, and do not adversely affect the public use of the shoreline area or surface waters.
 - j. All modification of existing uses on recognized overwater structures shall occur in a manner consistent with all provisions of this program as well as building, fire, health, and sanitation codes.
- E. District-Specific Development Standards. Developments in the “S-13” Waters of the State Shoreline District shall comply with the regulations and standards included the Table 9-2 and the general regulations included in this Chapter.

9.15 S-14 Wapato Lake (UC)

- A. The intent of the “S-14” Wapato Lake Shoreline District is to encourage the development of water-related parks, open space, and recreation facilities that achieve no net loss of ecological function, and prioritize vegetation and shoreline enhancement activities that result in a net gain of shoreline function over time.
- B. District Boundary Description. The S-14 Shoreline District boundary includes all areas both in-water and upland within 200’ from the ordinary high water mark of the Lake and including all associated wetlands and buffers.
- C. Map of District. Refer to Figure 9-15 below for a map of the “S-14” Wapato Lake Shoreline District boundaries:

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Figure 9-15. Wapato Lake



- D. District-Specific Use Regulations. Table 9-2 lists permitted uses, prohibited uses and uses permitted through issuance of a shoreline conditional use permit.
- E. District-Specific Development Standards. Developments in the “S-14” Marine View Drive South Shoreline District shall comply with the development standards included in Table 9-2 and the general regulations included in this Chapter.

9.16 S-15 Point Ruston / Slag Peninsula (HI)

- A. The intent of the “S-15” Point Ruston / Slag Peninsula Shoreline District is to establish continuous public access along the shoreline that will take full advantage of the unique shoreline location and views of Puget Sound and Commencement Bay while integrating high intensity upland development that includes mixed-use residential and commercial structures.
- B. District Boundary Description. The S-15 Shoreline District extends from N Waterfront Drive at the Tacoma Yacht Club gate, around the Slag Peninsula to the centerline of N 49th Street, and including that area upland within 200’ of the OHWM, excluding that area within Town of Ruston jurisdiction. In order to achieve consistency with adjacent lands, the use and developments regulation of the S-15 shoreline district shall apply to the entirety of the Point Ruston Development site from the OHWM to the Ruston Way right-of-way.
- C. Map of District. Refer to Figure 9-16 below for a map of the “S-15” Point Ruston / Slag Peninsula Shoreline District boundaries:

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Table 9-2. Shoreline Use and Development Standards

GENERAL SHORELINE USE, MODIFICATION & DEVELOPMENT STANDARDS TABLE																
District	S-1a	S-1b	S-2	S-3	S-4	S-5	S-6	S-7	S-8	S-9	S-10	S-11	S-12	S-13	S-14	S-15
District Name	Western Slope South	Western Slope South	Western Slope Central	Western Slope North	Point Defiance	Point Defiance	Ruston Way	Schuster Parkway	Thea Foss Waterway	Puyallup River	Port Industrial	Marine View Drive	Hylebos Creek	Waters of the State	Wapato Lake	Point Ruston / Slag Pen.
Shoreline Designation	HI	SR	UC	UC	N	UC	UC	HI	DW	UC	HI	UC	N	A	UC	HI
Shoreline Uses																
Agriculture																
Agriculture	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Aquaculture																
Aquaculture, general	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Artwork																
Artwork	P	P	P	P	P	P	P	P	P	P	P	P	P	CU	P	P
Boating Facilities																
Marinas	P	N	N	N	N	P	N	P	P	N	P	P	N	P/CU ¹	N	P
Launch Ramps and Lifts	P	N	CU	N	N	P	N	N	P ²	N	P	P	N	P	N	P
Non-motorized Boat Launch	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Commercial Development																
Water-dependent	P	N	P	N	N	P	P	P	P	P	P	P	N	P	N	P
Water-related	P	N	P	N	N	P	P	P	P	P	N	P	N	N/P ³	N	P
Water-enjoyment	P	P	P	N	N	P ³	P	P	P	P	N	P	N	N/P ³	N	P
Non Water-oriented ⁴	CU ⁴	N	N	N	N	CU	CU ⁴	CU	CU ⁵	CU/P ⁴	CU ⁴	CU ⁴	N	N/P	N	CU ⁶
Educational, Cultural and Scientific																
Educational, Cultural and Scientific	P	CU	P	P	P	P	P	P	P	P	P	P	P	P/N ⁷	P	P
Forest Practices																
Forest Practices	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Port, Terminal, and Industrial Development																
Water-dependent	CU ⁸	N	N	N	N	N	N	P	P ⁹	P	P	N	N	P	N	N
Water-related	CU ⁸	N	N	N	N	N	N	P	P ⁹	P	P	N	N	N	N	N
Non water-oriented ¹⁰	N	N	N	N	N	N	N	N	CU	CU	CU	N	N	N	N	N
Log Rafting and Storage	N	N	N	N	N	N	N	N	N	N	P	N	N	P	N	N
Mining																
Mining	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Parking																
Associated with an Approved Use	P	P	P	P	P	P	P	P	P	P	P	P	P	N	P	P
As a Primary Use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Recreational Development																
Water-oriented (including public and private facilities and off-street bicycle and pedestrian paths and trails)	P	P	P	P	P	P	P	P	P	P	P	P	P	CU	P	P
Non-Water oriented	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Residential Development																
Single-family ¹¹	N	P	P	P	N	N	N	N	N	N	N	P	N	N	P	N ¹²
Multifamily – stand alone	N/CU ¹³	N	N	N	N	N	N	N	N/CU ¹⁴	N	N	N/CU ¹³	N	N	N	P ¹⁵ /CU ¹⁶
Multifamily as part of a mix-use development	P	N	N	N	N	N	N	N	P ¹⁴	N	N	P	N	N	N	P ¹⁵
Home Occupation	P	P	P	P	N	N	N	N	P	N	N	P	N	N	N	P
Signs																
Interpretive/Educational	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

GENERAL SHORELINE USE, MODIFICATION & DEVELOPMENT STANDARDS TABLE

District	S-1a	S-1b	S-2	S-3	S-4	S-5	S-6	S-7	S-8	S-9	S-10	S-11	S-12	S-13	S-14	S-15
District Name	Western Slope South	Western Slope South	Western Slope Central	Western Slope North	Point Defiance	Point Defiance	Ruston Way	Schuster Parkway	Thea Foss Waterway	Puyallup River	Port Industrial	Marine View Drive	Hylebos Creek	Waters of the State	Wapato Lake	Point Ruston / Slag Pen.
Shoreline Designation	HI	SR	UC	UC	N	UC	UC	HI	DW	UC	HI	UC	N	A	UC	HI
Other	P	P	P	N	N	P	P	P	P	P	P	P	N	CU	P	P
Solid Waste Disposal																
Solid Waste Disposal	N	N	N	N	N	N	N	N	N	N	CU	N	N	N	N	N
Transportation																
New SOV-oriented Facilities	N	N	N	N	N	N	N	N	CU	P	P	N	N	N	N	P
New HOV or Transit-oriented Facilities	P	N	P	N	N	P	P	P	P	P	P	N	N	N	P	P
New Railways	N	N	N	N	N	N	N	N	N	P	P	N	N	N	N	N
Expansion of Existing Facilities	P	CU	P	P	N	P	P	P	CU	P	P	P	CU	CU	P	P
Passenger only ferry- and water taxi-related Facilities	CU	N	CU	N	N	P	P	P	P	N	N	P	N	P	N	CU
Fixed-wing landing areas	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Helicopter landing pads	N	N	N	N	N	N	N	N	N	N	CU	N	N	N	N	N
Seaplane Floats	CU	N	N	N	N	N	CU	N	P	N	N	CU	N	P	N	N
Non-motorized facilities, new or expansion (on-street)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities¹⁷																
Primary	P	P	P	P	N	P	P	P	P	P	P	P	N	CU	P	P
Accessory, Wireless Communications Facility	P	P	P	P	CU	P	P	P	P	P	P	P	CU	CU	P	P
	N	N	N	N	N	N	N	N	N	N	P	N	N	N	N	N
Shoreline Modification																
Shoreline Stabilization																
For water-dependent uses ¹⁸	P	P	P	P	N	P	P	P	P	P	P	P	P	P	P	P
For Non-water-dependent uses	CU	CU	CU	CU	N	CU	CU	CU	CU	CU	CU	CU	N	CU	CU	CU
Breakwaters, Jetties, Groins and Weirs																
Associated with marinas and boating facilities	CU	N	N	N	N	CU	N	N	CU	N	CU	CU	N	CU	N	N
For shoreline erosion control	CU	N	N	N	N	CU	N	N	CU	N	CU	CU	N	CU	N	N
For Navigational purposes	CU	N	CU	N	N	CU	N	N	CU	N	CU	CU	N	CU	N	N
As part of Ecological Restoration and Enhancement	P	N	P	P	N	P	P	P	P	P	P	P	P	P	N	P
Dredging and Dredge Material Disposal																
Non-maintenance dredging	CU	N	N	N	N	N	CU	N	CU	CU	CU	CU	N	CU	N	CU
Maintenance dredging	P	N	N	N	N	P	P	P	P	P	P	P	N	P	P	P
As Part of Ecological Restoration / Enhancement	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Fill and Excavation																
Fill and Excavation, Below OHWM	CU	CU	N	N	CU	CU	CU	CU	CU	N	CU	N	CU	N	N	CU
Below OHWM for Ecological Restoration and Enhancement	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Above OHWM	P	P	P	N	P	P	P	CU	P	CU	P	CU	CU	N/A	N	P
Flood Control Works and In-stream Structures																
Ecological Restoration / Enhancement / Mitigation																
Ecological Restoration / Enhancement / Mitigation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Mooring Facilities																
Piers, Wharves, Docks and Floats																

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GENERAL SHORELINE USE, MODIFICATION & DEVELOPMENT STANDARDS TABLE

District	S-1a	S-1b	S-2	S-3	S-4	S-5	S-6	S-7	S-8	S-9	S-10	S-11	S-12	S-13	S-14	S-15	
District Name	Western Slope South	Western Slope South	Western Slope Central	Western Slope North	Point Defiance	Point Defiance	Ruston Way	Schuster Parkway	Thea Foss Waterway	Puyallup River	Port Industrial	Marine View Drive	Hylebos Creek	Waters of the State	Wapato Lake	Point Ruston / Slag Pen.	
Shoreline Designation	HI	SR	UC	UC	N	UC	UC	HI	DW	UC	HI	UC	N	A	UC	HI	
Associated with Residential Uses	N	P	P	P	N	N	N	N	N	N	N	N	N	P	N	N	
Associated Public Access Uses	P	P	P	P	N	P	P	P	P	N	P	P	N	P	P	CU	
Associated with Water Dependent Uses	P	N	P	P	N	P	P	P	P	N	P	P	N	P	N	N	
Mooring Buoy	P	P	P	P	P	P	P	P	N	N	P	P	N	P	N	P	
Mooring Buoy Field	P	N	N	N	N	P	CU	P	N	N	P	P	N	CU	N	P	
Navigational Aids	P	P	P	P	P	P	P	P	P	N	P	P	N	P	N	P	
Covered Moorages/Boat Houses ³	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
General Minimum Development Standards																	
Critical Areas Buffers, per TSMP Chapter 6 ¹⁹	50 ft. from OHWM	50 ft. from OHWM	115 ft. from OHWM	200 ft. from OHWM	200 ft. from OHWM	115 ft. from OHWM	115 ft. from OHWM	115 ft. from OHWM	50 ft. from OHWM	150 ft. from OHWM	50 ft. from OHWM	115 ft. from OHWM	150 ft. from OHWM	N/A	200 ft. from OHWM ²⁰	50 ft. from OHWM	
Height Limit ²¹	35 ft within marine buffer; 75 ft upland and outside marine buffer with view study	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft	100 ft for deep water facilities ²² otherwise 35 ft ²³	Refer to S-8 Shoreline District Regulations	35 ft	100 ft ²³	35 ft	35 ft	35 ft, unless associated with Port/Industrial or transportation facilities.	35 ft	35 ft within 100 ft of OHWM; 50 ft from 100 – 200 ft.
Side Yard/View Corridor ²⁴	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage ²³	30% of shoreline frontage	30% of shoreline frontage	0 ft ²³	30% of shoreline frontage	30% of shoreline frontage	N/A	30% of shoreline frontage	30% of shoreline frontage	
Front Yard Setback	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft ²³	20 ft	50 ft from centerline of Puyallup river Dike	0 ft ²³	20 ft	20 ft	N/A	20 ft	20 ft	
Rear Yard Setback (from edge of applicable buffer)	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft ²³	10 ft	10 ft	0 ft ²³	10 ft	10 ft	N/A	10 ft	10 ft	
Lot Area																	
Minimum Ave. Width	50 ft	50 ft	50 ft	50 ft		50 ft	50 ft			50 ft		50 ft	50 ft	N/A	50 ft		
Minimum Lot Frontage	25 ft	25 ft	25 ft	25 ft		25 ft	25 ft			25 ft		25 ft	25 ft	N/A	25 ft		
Minimum Lot Area for SF Dwelling	5,000 sq ft	5,000 sq ft	5,000 sq ft	5,000 sq ft		5,000 sq ft	5,000 sq ft			5,000 sq ft		5,000 sq ft	5,000 sq ft	N/A	5,000 sq ft		
Minimum Lot Area for MF Dwelling	6,000 sq ft	6,000 sq ft	6,000 sq ft	6,000 sq ft		6,000 sq ft	6,000 sq ft			6,000 sq ft		6,000 sq ft	6,000 sq ft	N/A	6,000 sq ft		

Key:
P Permitted
N Prohibited
CU Conditional Use

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- 1 Expansion of an existing marina shall be permitted consistent with the provisions of this Program, new marina development shall be a conditional use.
- 2 Boat ramps shall be permitted only in that area on the east side of the Foss Waterway north of the Centerline of 15th Street.
- 3 Water-enjoyment and -related commercial uses shall be permitted over-water only as a reuse of an existing structure or when located within a mixed-use structure.
- 4 Non-water-oriented commercial uses shall only be permitted in accordance with the regulations in TSMP section 7.4.2 and only as a conditional use.
- 5 Non-water-oriented commercial uses shall be permitted outright as part of a mixed-use development with a water-oriented component; Non-water-oriented commercial uses in a mixed use development without a water-oriented component shall be permitted as a conditional use consistent with TSMP 9.9(D).
- 6 Non-water-oriented commercial uses shall be permitted outside 150' of OHWM only, except as specified in note 16
- 7 New educational, historic, and scientific uses are permitted over-water or in the S-13 Shoreline District (Waters of the State) only when water-dependent or as a reuse of an existing structure.
- 8 Water-dependent and -related port, terminal and industrial uses shall be permitted only in existing structures.
- 9 Water-dependent and -related port, terminal and industrial uses shall only be permitted on the east side of the Foss Waterway north of 15th Street.
- 10 Non-water-oriented industrial uses shall only be permitted in accordance with the regulations in TSMP section 7.5.2.
- 11 New single-family residential development shall only be permitted in upland locations.
- 12 Detached single-family residential use and development is allowed in the S-15 shoreline district outside of shoreline jurisdiction.
- 13 New stand alone multi-family residential uses may be permitted as a conditional use in accordance with the regulations in TSMP section 7.7.2.
- 14 Multifamily residential development shall only be permitted on the west side of the Foss Waterway, and on the east side of the Foss Waterway south of the centerline of E. 11th Street.
- 15 Multifamily residential uses shall be permitted in upland locations, outside 150' of OHWM.
- 16 Townhouses may be permitted in upland locations up to 100' from OHWM as a conditional use and may include an office use on the ground floor.
- 17 Above ground utilities are only allowed consistent with TSMP 7.12.2,
- 18 Structural shoreline stabilization shall be permitted only when necessity has been demonstrated as described in TSMP section 8.2.2.
- 19 Buffer reductions allowed for water-dependent uses per TSMP 6.4.3(c).
- 20 Except that the buffer shall not extend beyond the centerline of Alaska street.
- 21 District specific height limitations shall not apply to bridges in the shoreline. Bridges should be kept to the minimum height necessary and shall provide a view study to determine whether the structure will cause any significant impacts to public views of the shoreline.
- 22 The maximum height standard excludes equipment used for the movement of waterborne cargo between storage and vessel or vessel and storage.
- 23 Any building, structure, or portion thereof hereafter erected (excluding equipment for the movement of waterborne cargo between storage and vessel, vessel and storage) shall not exceed a height of 100 feet, Unless such building or structure is set back on all sides one foot for each four feet such building or structure exceeds 100 feet in height.
- 24 The side/yard corridor may be distributed between the two sides at the discretion of the proponent, provided a minimum 5 foot set back is maintained from either lot line.

CHAPTER 10 DEFINITIONS

1. Act

"Act" means the Washington State Shoreline Management Act of 1971, as amended, chapter 90.58 RCW.

2. Accessory Structure

An "accessory structure" is a subordinate building or use incidental to the use of the main building or use.

3. Agriculture

"Agriculture" means agricultural uses and practices including, but not limited to: producing, breeding, or increasing agricultural products; rotating and changing agricultural crops conducting agricultural operations; and maintaining agricultural lands under production or cultivation;

4. Amendment

"Amendment" means a revision, update, addition, deletion, and/or reenactment to an existing shoreline master program.

5. Approval

"Approval" means an official action by a local government legislative body agreeing to submit a proposed shoreline master program or amendments to Ecology for review and official action pursuant to this chapter; or an official action by Ecology to make a local government shoreline master program effective, thereby incorporating the approved shoreline master program or amendment into the state master program.

6. Appurtenance

"Appurtenance, normal" means a structure or use that is necessarily connected to a primary development and is located landward of the ordinary high water mark. Normal appurtenances include, but are not limited to, utilities, septic tanks and drainfields, and grading which does not exceed two hundred fifty (250) cubic yards and which does not involve placement of fill in any wetland or waterward of the ordinary high water mark, as well as driveways, walkways, and fences upon which the primary use is dependent.

7. Aquaculture

"Aquaculture" means the farming or culture of food fish, shellfish, or other aquatic plants or animals in freshwater or saltwater, and may include development such as structures, as well as use of natural spawning and rearing areas. Aquaculture does not include the harvest of wildstock geoduck on state-owned lands. Wildstock geoduck harvest is a fishery. Aquaculture does not include recreational shellfish harvesting for personal use and consumption; harvesting for educational projects; or improvements of habitats.

8. Artisan/craftsperson

"Artisan/craftsperson" means commercial activities that may have industrial characteristics such as noise, vibrations, odors, use of mechanical equipment or material storage, but provide public involvement or public access to unique artistic, crafts, or heritage skills. Examples include glass blowing, wooden boat building or restoration, pottery, and artist studios and schools.

9. Associated Wetlands

"Associated Wetlands" means those wetlands which are in proximity to and either influence or are influenced by tidal waters or a lake, stream or river subject to the Shoreline Management Act.

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10. Average Grade Level

"Average grade level" means the average of the natural or existing topography of the portion of the lot, parcel, or tract of real property which will be directly under the proposed building or structure: In the case of structures to be built over water, average grade level shall be the elevation of the ordinary high water mark. Calculation of the average grade level shall be made by averaging the ground elevations at the midpoint of all exterior walls of the proposed building or structure.

11. Bedlands

"Bedlands" means those submerged lands, including tidelands where appropriate, underlying navigable waters.

12. Bioengineering

"Bioengineering" means project designs or construction methods which use living plant material or a combination of living plant material and specially developed natural or synthetic materials to establish a complex root grid within the existing bank which is resistant to erosion, provides bank stability, and maintains a healthy riparian environment with habitat features important to fish life. Use of wood structures or limited use of clean angular rock may be allowable to provide stability for establishment of the vegetation.

13. Boat

See definition under "Vessel."

14. Boat Lift

"Boat lift" means a mechanical device that can hoist vessels out of the water for storage and place vessels into the water. These devices are usually located along a pier.

15. Boating Facilities

"Boating facilities" includes marinas, including foreshore and backshore types, dry storage and wet-moorage types, covered moorage, boat launches, and marine travel lifts. For purposes of the Shoreline Master Program, boating facilities excludes docks serving four or fewer single-family residences.

16. Boat House

"Boat house" means covered moorage that includes walls and a roof to protect the vessel.

17. Breakwater

"Breakwater" means an offshore structure that is generally built parallel to shore that may or may not be connected to land, and may be floating or stationary. Their primary purpose is to protect harbors, moorages and navigation activity from wave and wind action by creating stillwater areas along shore. A secondary purpose is to protect shorelines from wave caused erosion.

18. Building

A "building" is any structure having a roof supported by columns or walls for the housing, shelter, or enclosure of persons, animals, or chattels; when separated by dividing walls without openings, each portion of such building so separated shall be deemed a separate building.

19. Bulkhead

A "bulkhead" is a solid, open pile, or irregular wall of rock, rip-rap, concrete, steel, or timber or combination of these materials erected parallel to and near ordinary high water mark to provide a protective wall resistant to water and wave action.

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A "normal protective" bulkhead includes those structural and nonstructural developments installed at or near, and parallel to, the ordinary high water mark for the sole purpose of protecting an existing upland structure or use and appurtenant structures from loss or damage by erosion

20. Buoy

"Buoys" are floating devices anchored in a waterbody for navigational purposes or moorage. See also "moorage buoy."

21. City

The City of Tacoma, Washington

22. Clearing

"Clearing" means the destruction or removal of logs, scrub shrubs, stumps, trees or any vegetative material by burning, chemical, mechanical or other means.

23. Commercial

Commercial means a business use or activity at a scale greater than a home occupation or cottage industry involving retail or wholesale marketing of goods and services. Examples of commercial uses include restaurants, offices, and retail shops.

24. Commercial Fishing

Commercial fishing is the activity of capturing fish and other seafood under a commercial license.

25. Conditional Use

"Conditional use" means a use, development, or substantial development which is classified as a conditional use or is not classified within the Master Program.

26. Covered Moorage

"Covered moorage" means boat moorage, with or without walls, that has a roof to protect the vessel.

27. Critical Saltwater Habitat

Critical saltwater habitats include all kelp beds, eelgrass beds, spawning and holding areas for forage fish, such as herring, smelt and sandlance; subsistence, commercial and recreational shellfish beds; mudflats, intertidal habitats with vascular plants, and areas with which priority species have a primary association.

28. Cumulative Impact

"Cumulative Impact" means the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

29. Department of Ecology

"Department of Ecology" means the Washington State Department of Ecology.

30. Development

"Development" is an activity consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which may interfere with the normal public use of the surface of the waters overlying lands subject to the Shorelines Management Act of 1971 at any state of water level.

31. Development Regulations

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"Development regulations" means the controls placed on development or land uses, including, but not limited to, zoning ordinances, critical areas ordinances, all portions of a shoreline master program other than goals and policies approved or adopted under chapter 90.58 RCW, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto.

32. Dike

A "dike" is an artificial embankment normally set back from the bank or channel in the floodplain for the purpose of keeping floodwaters from inundating adjacent land.

33. Dock

"Dock" means a place or structure that connects with the shore and provides access to a boat vessel from the land.

34. Document of Record

"Document of record" means the most current shoreline master program officially approved or adopted by rule by Ecology for a given local government jurisdiction, including any changes resulting from appeals filed pursuant to RCW 90.58.190.

35. Dredging

"Dredging" is the removal of earth, sand, sludge or other material from the bottom of a water body, by mechanical or hydraulic means.

36. Dredging spoils

"Dredging spoils" are the bottom materials obtained from dredging.

37. Drift Cell

"Drift cell," "drift sector" or "littoral cell" means a particular reach of marine shore in which littoral drift may occur without significant interruption and which contains any natural sources of such drift and also accretion shore forms created by such drift.

38. Driftway

"Driftway" means that portion of the marine shore process corridor, primarily the upper foreshore, through which sand and gravel are transported by littoral drift. The driftway is the essential component between the feeder bluff(s) and accretion shoreform(s) of an integral drift sector. Driftways are also characterized by intermittent, narrow berm beaches.

39. Ecological Functions

"Ecological functions" or "shoreline functions" means the work performed or role played by the physical, chemical, and biological processes that contribute to the maintenance of the aquatic and terrestrial environments that constitute the shoreline's natural ecosystem.

40. Ecology

"Ecology" refers to the Washington State Department of Ecology.

41. Ecosystem-wide Processes

"Ecosystem-wide processes" means the suite of naturally occurring physical and geologic processes of erosion, transport, and deposition; and specific chemical processes that shape landforms within a specific shoreline ecosystem and determine both the types of habitat and the associated ecological functions.

42. Educational Facilities

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“Educational facilities” means a building or place for teaching and learning; or for the acquisition, conservation, study, assembly and public display and/or exhibition, and educational interpretation of objects having historical, cultural, scientific, or artistic value such as a museum.

43. Emergency

An "emergency" is an unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a time too short to allow full compliance with this chapter. Emergency construction does not include development of new permanent protective structures where none previously existed. As a general matter, flooding or other seasonal events that can be anticipated and may occur but that are not imminent are not an emergency;

44. Environmental Remediation

“Environmental remediation” consists of those actions taken to identify, eliminate, or minimize any threat posed by hazardous substances to human health or the environment. Such actions include any investigative, site remediation, and monitoring activities undertaken with respect to any release or threatened release of a hazardous substance.

45. Essential Public Facilities

“Essential public facilities” are broadly defined in RCW 36.70A.200 as being those types of facilities that are typically difficult to site. This definition includes but is not limited to, the following:

- a. Airports
- b. State education facilities
- c. State and regional transportation facilities
- d. State and local correctional facilities
- e. Solid waste handling facilities
- f. Inpatient facilities
- g. Mental health facilities
- h. Group Homes

46. Exempt

"Exempt" developments are those set forth in Section 5.7.4(Exemptions from Substantial Development Permit) of this Program which are not required to obtain a Shoreline Substantial Development Permit but which must otherwise comply with applicable provisions of the act and the local master program.

47. Extreme Low Tide

"Extreme low tide" means the lowest line on the land reached by a receding tide.

48. Fair Market Value

"Fair market value" of a development is the open market bid price for conducting the work, using the equipment and facilities, and purchase of the goods, services and materials necessary to accomplish the development. This would normally equate to the cost of hiring a contractor to undertake the development from start to finish, including the cost of labor, materials, equipment and facility usage, transportation and contractor overhead and profit. The fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials.

49. Feasible

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"Feasible" means, for these purposes, that an action, such as a development project, mitigation, or preservation requirement, meets all of the following conditions:

- a. The action can be accomplished with technologies and methods that have been used in the past in similar circumstances, or studies or tests have demonstrated in similar circumstances that such approaches are currently available and likely to achieve the intended results;
- b. The action provides a reasonable likelihood of achieving its intended purpose; and
- c. The action does not physically preclude achieving the project's primary intended legal use.
- d. In cases where these guidelines require certain actions unless they are infeasible, the burden of proving infeasibility is on the applicant.
- e. In determining an action's infeasibility, the reviewing agency may weigh the action's relative public costs and public benefits, considered in the short- and long-term time frames.

50. Feeder Bluff Exceptional

"Feeder Bluff Exceptional" means relatively rapidly eroding bluff segments identified by the presence of landslide scarps, bluff toe erosion, and a general absence of vegetative cover and/or portions of bluff face fully exposed. Other indicators included the presence of colluvium (slide debris), boulder or cobble lag deposits, and fallen trees across the beachface. Feeder bluff exceptional segments lack a backshore, old or rotten logs, and coniferous bluff vegetation.

51. Fill

"Landfill" means placing soil, sand, rock, dredge material, gravel, or other material (excluding solid waste) to provide new land, tideland, or bottom land area along the shoreline below the ordinary high water mark, or on upland areas in order to raise the elevation. Disposal of hazardous substances and other materials in conjunction with an environmental cleanup in accordance with State and Federal regulations is considered environmental remediation.

52. Fixed-wing landing areas

"Fixed-wing landing areas" means a cleared and paved area used for the takeoff and landing of fixed-wing aircraft.

53. Float

"Float" means a fixed platform structure anchored in and floating upon a water body that does not connect to the shore, and that provides landing for water dependent recreation or moorage for vessels or watercraft, and that does not include above water storage.

54. Floating Home

A "floating home" is a building constructed on a float, used in whole or in part as a dwelling, and not a vessel, and is typically characterized by permanent utilities, a semi-permanent anchorage/moorage design, and by the lack of adequate self propulsion to operate as a vessel.

55. Flood Hazard Reduction

"Flood hazard reduction" means measures taken to reduce flood damage or hazards. Flood hazard reduction measures may consist of nonstructural or indirect measures, such as setbacks, land use controls, wetland restoration, dike removal, use relocation, bioengineering measures, and storm water management programs; and of structural measures, such as dikes, levees, and floodwalls intended to contain flow within the channel, channel realignment, and elevation of structures consistent with the National Flood Insurance Program.

56. Flood Plain

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"Flood plain" is synonymous with the one hundred-year flood plain and refers to the land area susceptible to inundation with a one percent chance of being equaled or exceeded in any given year. The limit of this area shall be based upon flood ordinance regulation maps or a reasonable method which meets the objectives of the act.

57. Floodway

"Floodway" means the area, as identified in a master program as a floodway, and that has been established as such in federal emergency management agency (FEMA) flood insurance rate maps (FIRM) or floodway maps.

58. Footprint

"Footprint – building" means that area defined by the exterior walls of a structure.

59. Forest Land

"Forest land" means all land that is capable of supporting a merchantable stand of timber and is not being actively used, developed, or converted in a manner that is incompatible with timber production.

60. Forest Practices

Forest practice means any activity conducted on or directly pertaining to forest land and relating to growing or harvesting of timber, or the processing of timber, including but not limited to: road and trail construction and maintenance; harvest, final and intermediate; pre-commercial thinning; reforestation; fertilization; prevention and suppression of diseases and insects; salvage of trees; and brush control.

61. Geotechnical Report

"Geotechnical report" or "geotechnical analysis" means a scientific study or evaluation conducted by a qualified expert that includes a description of the ground and surface hydrology and geology, the affected land form and its susceptibility to mass wasting, erosion, and other geologic hazards or processes, conclusions and recommendations regarding the effect of the proposed development on geologic conditions, the adequacy of the site to be developed, the impacts of the proposed development, alternative approaches to the proposed development, and measures to mitigate potential site-specific and cumulative geological and hydrological impacts of the proposed development, including the potential adverse impacts to adjacent and down-current properties. Geotechnical reports shall conform to accepted technical standards and must be prepared by qualified professional engineers or geologists who have professional expertise about the regional and local shoreline geology and processes.

62. Grading

"Grading" refers to excavating, filling, leveling, or artificially modifying surface contours.

63. Grey Water

"Grey water" means wastewater generated by water-using fixtures and appliances such as sinks, showers, and dishwaters, but excluding the toilet.

64. Groin

A "groin" is a barrier structure extending from the shore to the water. It is used to interrupt lateral sediment movement along the shore.

65. Guidelines

"Guidelines" means those standards adopted by Ecology to implement the policy of chapter 90.58 RCW for regulation of use of the shorelines of the state prior to adoption of master programs. Such standards shall also provide criteria for local governments and Ecology in developing and amending master programs.

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66. Habitat Improvement

“Habitat improvement” means any actions taken to intentionally improve the overall processes and functions of critical habitats, including wetland, stream, and aquatic habitats. Such actions may or may not be in conjunction with a specific development proposal, and include, but are not limited to, restoration, creation, enhancement, preservation, acquisition, maintenance, and monitoring

67. Harbor Area

“Harbor area” means the area of navigable tidal waters between the inner and outer harbor lines where established in front of and within one mile of the corporate limits of an incorporated city or town by the Board of Natural Resources acting as the State Harbor Lines Commission as established by Section 1 of Article XV of the Washington State Constitution. This area may be leased but never sold by the State, and must be reserved for the purpose of navigation and commerce.

68. Hazardous Substances

“Hazardous substances” means those wastes designated by WAC 173-340-200, and regulated as hazardous substances by Ecology.

69. Hearings Board

"Hearing[s] board" or “State Shorelines Hearings Board” means the shoreline[s] hearings board established by 90.58 RCW. This is the hearings board established by the Shorelines Management Act of 1971 to decide appeals of cases involving shoreline substantial development permits, conditional uses, or variances.

70. Height

"Height" is measured from average grade level to the highest point of a structure; provided, that television antennas, chimneys, and similar appurtenances shall not be used in calculating height, except where such appurtenances obstruct the view of the shoreline of a substantial number of residences on areas adjoining such shorelines, or the applicable master program specifically requires that such appurtenances be included; provided further, that temporary construction equipment is excluded in this calculation.

71. Houseboat

“Houseboat” means a vessel used for living quarters but licensed and designed substantially as a mobile structure by means of detachable utilities for facilities, anchoring, and the presence of adequate self-propulsion to operate as a vessel.

72. Helicopter Landing Pad

“Helicopter Landing Pad” means a facility in which an area on a roof or on the ground is used for the takeoff and landing of helicopters or other steep- gradient aircraft,

73. Inner Harbor Line

“Inner harbor line” means the line established by the State in navigable tidal waters between the line of ordinary high tide and the outer harbor line and constituting the inner boundary of the harbor area. This line determines the seaward extent of private ownership in tidal or shoreland areas (often corresponds to the “bulkhead line”).

74. In-stream Structure

"In-stream structure" means a structure placed by humans within a stream or river waterward of the ordinary high-water mark that either causes or has the potential to cause water impoundment or the diversion, obstruction, or modification of water flow. In-stream structures may include those for hydroelectric generation, irrigation, water supply, flood control, transportation, utility service transmission, fish habitat enhancement, or other purpose.

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75. Jetty

A “jetty” is a structure that is generally perpendicular to shore extending through or past the intertidal zone. Jetties are built singly or in pairs at harbor entrances or river mouths mainly to prevent shoaling or accretion from littoral drift in entrance channels, which may or may not be dredged. Jetties also serve to protect channels from storm waves or cross currents, and stabilize inlets through barrier beaches. Most jetties are of riprap mound construction.

76. Land use Administrator

The “Administrator” is the City Land Use Administrator or his/her designee.

77. Live-aboard vessel

“Live-aboard vessel” means a vessel used primarily as a residence, and if used as a means of transportation or recreation, said transportation or recreation is a secondary or subsidiary use. Any vessel used for overnight accommodation for more than 15 nights in a one-month period shall be considered a residence.

78. Local Government

"Local government" means the City of Tacoma.

79. Lot Frontage

“Lot frontage” means that portion of a lot abutting upon the lot line running parallel to and farthest landward of the ordinary high water mark. Low Impact Development (LID)

80. Low Impact Development (LID)

“Low Impact Development” means a stormwater management strategy that emphasizes conservation and use of existing natural site features integrated with distributed, small scale stormwater controls to more closely mimic natural hydrologic patterns in residential, commercial, and industrial settings. “LID” can include the following:

- Permeable pavements;
- Vegetated roofs;
- Rainwater harvesting; and
- Bioretention areas (rain gardens).

For further information, please refer to http://www.psp.wa.gov/downloads/LID/LID_manual2005.pdf

81. Maintenance Dredging

“Maintenance dredging” refers to dredging for the purpose of maintaining a prescribed minimum depth previously authorized by a federal, state, and/or local permit as part of any specific waterway project.

82. Marina

“Marina” means a water-dependent facility that provides launching, storage, supplies, moorage and other accessory services for five or more pleasure and/or commercial water craft.

83. Marine

"Marine" means pertaining to tidally influenced waters, including oceans, sounds, straits, marine channels, and estuaries, including the Pacific Ocean, Puget Sound, Straits of Georgia and Juan de Fuca, and the bays, estuaries and inlets associated therewith.

84. Maritime Facility

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A facility which is open to the public in which the primary activities relate to the commercial fishing industry; boat building and repair; or other maritime activities or the history thereof.

85. Master Program

"Master program" shall mean the comprehensive use plan for a described area, and the use regulations together with maps, diagrams, charts, or other descriptive material and text, a statement of desired goals, and standards developed in accordance with the policies enunciated in RCW 90.58.020.

86. May

"May" means the action is acceptable, provided it conforms to the provisions of this Master Program.

87. Mean Higher High Water

"Mean Higher High Water" is the line on tidal beaches where the mean of the higher of each day's high tides has left a mark upon the beach distinctly separating the tidal area from adjoining uplands. For Tacoma, 11.80 feet above Mean Lower Low Water shall constitute the line of Mean Higher High Water, in those cases where the line of Ordinary High Water cannot be determined or established.

88. Mitigation

"Mitigation" means a negotiated action involving the avoidance, minimization, or compensation for possible adverse impacts.

89. Mixed-use Project

"Mixed-use projects" are developments that combine water-dependent/ water-related uses with water-enjoyment uses and/or non-water-oriented uses. Mixed-use developments can be a tool for increased water-dependent activities, civic revitalization, and public access to the shoreline. To encourage mixed-use projects that achieve a public benefit, special provisions can be included in a master program that offer a potential developer incentives or more latitude than normal master program requirements. In return, the developer's proposal must include elements that further the objectives of the Shoreline Management Act and benefit the public. Implicit in the concept of mixed-use provisions is that additional development incentives must be justified by increased and long-term public benefit resulting from the project and that the public benefit must relate to SMA objectives. Generally in mixed-use projects the water-oriented uses and non-revenue recreation uses are "subsidized" by the economic advantages of the other uses in the sense that the water-oriented uses could not be economically developed without support from viable non-water-oriented uses.

90. Mixed-Use Facility

A "mixed use facility" is a structure or development that combines non-water-oriented uses such as transient accommodations, residential units, or retail with one or more water-oriented uses in a manner that takes advantage of a shoreline location and which, as a general characteristic of the use, provides shoreline recreational and aesthetic enjoyment for a substantial number of people. In order to meet the definition of a mixed use facility, the facility must be designed to protect views to the shoreline, must be open to the general public and must be devoted to the specific aspects of the use that foster shoreline enjoyment.

91. Moorage

"Moorage" is a pier, dock, buoy or float, either fixed or floating, to which vessels may be secured.

"Covered moorage" refers to moorage which has a roof.

"Individual mooring facilities" refers to moorage for single vessels.

92. Moored Boat

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A “moored boat” is a vessel that is secured to a pier, float, dock, buoy or other vessel.

93. Mooring Buoy

“Mooring buoy” means an anchored floating device in a water body used for the landing or storage of a vessel or water craft.

94. Mooring Buoy Field

“Mooring Buoy Field” means the existence or establishment of 12 or more mooring buoys in a contiguous area.

95. Multifamily Residential Development

“Multifamily Residential Development” means a building or portion thereof designed for or used as the residence of four or more families living independently of each other.

96. Must

"Must" means a mandate; the action is required.

97. Natural Topography

"Natural topography" or "existing topography" means the topography of the lot, parcel, or tract of real property immediately prior to any site preparation or grading, including excavation or filling.

98. Navigational Channels

“Navigational channels” are those logical routes on the waters of Tacoma beyond the outer harbor line, commonly used by ships for useful commerce.

99. Navigable Waters

“Navigable waters” means waters which are, in fact and without substantial alteration, capable of being used practically for the carriage of commerce. Navigable waters include waters meandered by government surveyors as navigable unless otherwise declared by a court. Navigable waters do not include waters inside an inner harbor line.

100. Nexus

“Nexus” is the rational relationship between a probable adverse impact from a proposed development on a legitimate governmental interest or purpose.

101. Non-conforming Use/Structure

“Non-conforming use/development” means a shoreline use or structure which was lawfully constructed or established prior to the effective date of the applicable Act or Master Program provision, and which no longer conforms to the applicable shoreline provisions.

102. Normal Maintenance

"Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition.

103. Normal Protective Bulkhead

“Normal protective bulkhead” means a those structural and nonstructural developments installed at or near, and parallel to, the ordinary high water mark for the sole purpose of protecting an existing single-family residence and appurtenant structures from loss or damage by erosion (See WAC 173-27-040).

104. Normal Repair

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"Normal repair" means to restore a development to a state comparable to its original condition, including but not limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to shoreline resource or environment. Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment.

105. Ordinary High Water Mark

"Ordinary high water mark" on all lakes, streams, and tidal water is that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by a local government or Ecology: PROVIDED, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining salt water shall be the line of mean higher high tide and the ordinary high water mark adjoining fresh water shall be the line of mean high water.

106. Outer Harbor Line

"Outer harbor line" is the line located and established by the State Department of Natural Resources in navigable waters beyond which the State shall never sell or lease any rights whatever. This line determines the extent of water area that may be leased to private interests.

107. Over-water Structure

An "over-water structure" refers to a structure or other construction located waterward of the Ordinary High Water Mark (OHWM) or a structure or other construction erected on piling above the surface of the water, or upon a float.

108. Parking

"Principal use parking" is parking which is the principal use on the property and is not accessory to another use.

"Accessory Parking" is the use of land for the purpose of accommodating motor vehicles, motorized equipment, or accessory units, such as trailers, and directly serves an approved shoreline use.

109. Party of Record

"Party of record" includes all persons, agencies or organizations who have submitted written comments in response to a notice of application; made oral comments in a formal public hearing conducted on the application; or notified local government of their desire to receive a copy of the final decision on a permit and who have provided an address for delivery of such notice by mail.

110. Permit

"Permit" means any Substantial Development, Variance, Conditional Use Permit, or revision authorized under chapter 90.58 RCW.

111. Person

"Person" means an individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of the state or local governmental unit however designated.

112. Pier

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“Pier” means a fixed platform structure supported by piles in a water body that abuts the shore to provide landing for water-dependent recreation or moorage for vessels or watercraft and does not include above water storage.

113. Port, Terminal, Industrial

“Port” means a center for water-borne commerce and traffic.

“Terminal” means a building or complex containing facilities needed by transportation operators and passengers at either end of a travel or shipping route by air, rail, road or sea.

“Industrial means” means the production, processing, manufacturing, or fabrication of goods or materials. Warehousing and storage of materials or production is considered part of the industrial process.

114. Practicable

“Practicable” means a requirement or provision for a use or development that is capable of being put into practice or of being done or accomplished.

115. Priority Habitat

"Priority habitat" means a habitat type with unique or significant value to one or more species. An area classified and mapped as priority habitat must have one or more of the following attributes:

- a. Comparatively high fish or wildlife density;
- b. Comparatively high fish or wildlife species diversity;
- c. Important wildlife habitat;
- d. Important fish or wildlife seasonal range;
- e. Important fish or wildlife movement corridor;
- f. Rearing and foraging habitat;
- g. Important marine mammal haul-out;
- h. Refugia habitat;
- i. Limited availability;
- j. High vulnerability to habitat alteration;
- k. Unique or dependent species; or
- l. Shellfish bed.

A priority habitat may be described by a unique vegetation type or by a dominant plant species that is of primary importance to fish and wildlife (such as oak woodlands or eelgrass meadows). A priority habitat may also be described by a successional stage (such as, old growth and mature forests). Alternatively, a priority habitat may consist of a specific habitat element (such as a consolidated marine/estuarine shoreline, talus slopes, caves, snags) of key value to fish and wildlife. A priority habitat may contain priority and/or nonpriority fish and wildlife.

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116. Priority Species

"Priority species" means species requiring protective measures and/or management guidelines to ensure their persistence at genetically viable population levels. Priority species are those that meet any of the criteria listed below.

- a. Criterion 1. State-listed or state proposed species. State-listed species are those native fish and wildlife species legally designated as endangered (WAC 232-12-014), threatened (WAC 232-12-011), or sensitive (WAC 232-12-011). State proposed species are those fish and wildlife species that will be reviewed by the department of fish and wildlife (POL-M-6001) for possible listing as endangered, threatened, or sensitive according to the process and criteria defined in WAC 232-12-297.
- b. Criterion 2. Vulnerable aggregations. Vulnerable aggregations include those species or groups of animals susceptible to significant population declines, within a specific area or statewide, by virtue of their inclination to congregate. Examples include heron colonies, seabird concentrations, and marine mammal congregations.
- c. Criterion 3. Species of recreational, commercial, and/or tribal importance. Native and nonnative fish, shellfish, and wildlife species of recreational or commercial importance and recognized species used for tribal ceremonial and subsistence purposes that are vulnerable to habitat loss or degradation.
- d. Criterion 4. Species listed under the federal Endangered Species Act as proposed, threatened, or endangered.

117. Provisions

"Provisions" means policies, regulations, standards, guideline criteria or environment designations.

118. Public Access Area

"Public access area" means an area, pathway, road, or structure open to use by the general public and affording contact with or views of public waters.

119. Public Access

"Public access" refers to a provision of physical or visual approach from upland or adjacent properties or public waters or from shorelines or public waters to upland or adjacent properties, available to the general public.

120. Public Interest

"Public interest" means the interest shared by the citizens of the state or community at large in the affairs of government, or some interest by which their rights or liabilities are affected including, but not limited to, an effect on public property or on health, safety, or general welfare resulting from a use or development.

121. Qualified professional

"Qualified professional" means a person who, at a minimum, has earned a degree from an accredited college/university in the relevant scientific or engineering discipline appropriate to the critical area subject and two years of related professional work experience; or eight years of professional work experience in the relevant critical area subject.

122. Recreation

"Recreation" means the refreshment of body and mind through forms of play, sports, relaxation, or contemplation. Water-oriented recreation includes activities such as boating, fishing, swimming, skin

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diving, scuba diving, and enjoying the natural beauty of the shoreline or its wildlife through nature walks, photography, wildlife observation, and hiking.

123. Recreational Development

“Recreational development” includes commercial and public facilities designed and used to provide recreational opportunities to the public.

124. Residential Development

“Residential Development” includes the development of single-family residences, including appurtenant structures and uses. Residential development also includes multifamily development and the creation of new residential lots through land division.

125. Restore

"Restore," "restoration" or "ecological restoration" means the reestablishment or upgrading of impaired ecological shoreline processes or functions. This may be accomplished through measures including, but not limited to, revegetation, removal of intrusive shoreline structures and removal or treatment of toxic materials. Restoration does not imply a requirement for returning the shoreline area to aboriginal or pre-European settlement conditions.

126. Revetment

A sloped wall constructed of riprap or other material placed on stream banks or other shorelines to retard bank erosion and minimize lateral stream movement. A revetment typically slopes waterward and has rough or jagged facing. The slope differentiates it from a bulkhead, which is a vertical structure.

127. Rip-Rap

“Rip-rap” is a foundation or retaining wall of stones or rock placed along the water's edge or on an embankment to prevent erosion.

128. Rough Proportionality Test

“Rough Proportionality Test” is a case by case determination by the City that a particular condition of approval on a proposed project is reasonably related to both the character and the degree of a probable impact of the project on the public health, safety and welfare.

129. Setback

“Setback” means a space unoccupied by structures except where intrusions are specifically permitted by this Program.

130. Setback, Front

“Front Setback” means the space abutting a street right-of-way, access easement or private road either from which the lot is addressed or from which the lot gains primary access, and extending the full width of the lot; and at the intersection of two public rights-of-way, space abutting each right-of-way extending the full width of the lot.

131. Setback, Rear

“Rear Setback” means the space abutting a property line or landward edge of the marine buffer, as established by this Program, and opposite to the front setback or as nearly so as the lot shape permits, and extending the full width of the lot or buffer. If more than one rear setback or more than one front setback exists, the Land Use Director shall designate the rear setback.

132. Setback, Side

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“Side Setback” means the space abutting a property line, access easement or private road and generally between the required front and rear setbacks. Any setback not defined as a front or rear setback is a side setback.

133. Sewage

“Sewage” means wastewater associated with human habitation, including that portion of the wastewater from toilets or any other receptacles containing human or animal excreta and urine, commonly known as “black water.”

134. Shall

"Shall" means a mandate; the action must be done.

135. Shared Moorage

“Shared Moorage” or “joint use” means moorage for pleasure craft and/or landing for water sports for use in common by shoreline residents of a certain subdivision or community within shoreline jurisdiction or for use by patrons of a public park or quasi-public recreation area, including rental of non-powered craft. If a shared moorage provides commercial services or is of a large scale (more than four slips), it shall be considered a marina. Shared moorage proposed to be leased to upland property owners shall also be considered a marina. If a proposal includes covered moorage, commercial sale of goods or services, or a means of launching other than a ramp, swinging boom, or davit style hoist, it shall be considered a marina.

136. Shorelands/Shoreland Areas

“Shoreland” or “shoreland areas” means those lands extending landward for 200 feet in all directions as measured on a horizontal plane from the ordinary high water mark of Puget Sound, Commencement Bay, Thea Foss Waterway, Middle Tacoma Waterway Municipal Code City Clerk’s Office 13-283 (Revised 08/2009), St. Paul Waterway, Puyallup Waterway and the Puyallup River (including Clear Creek), Milwaukee Waterway, Sitcum Waterway, Blair Waterway (including Wapato Creek), Hylebos Waterway (including Hylebos Creek), Wapato Lake, Titlow Lagoon, floodways and contiguous floodplain areas landward 200 feet from such floodways, and all wetlands and river deltas associated with the streams, lakes and tidal waters which are subject to the provisions of the Act.

137. Shoreline Environmental Designations

Shoreline Environmental Designation. There are six shoreline environments defined and designated to exist on the shorelines of the City of Tacoma. These shoreline environmental designations are summarily defined in subsection 3.3 of this Program

138. Shoreline Jurisdiction

"Shoreline jurisdiction" means all "shorelines of the state" and "shorelands."

139. Shoreline Master Program

"Shoreline master program (TSMP)" or "master program" means the comprehensive use plan for a described area, and the use regulations together with maps, diagrams, charts, or other descriptive material and text, a statement of desired goals, and standards developed in accordance with the policies enunciated in RCW 90.58.020.

As provided in RCW 36.70A.480, the goals and policies of a shoreline master program approved under chapter 90.58 RCW shall be considered an element of the city's comprehensive plan. All other portions of the shoreline master program for a city adopted under chapter 90.58 RCW, including use regulations, shall be considered a part of the city's development regulations.

140. Shoreline Modifications

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"Shoreline modifications" means those actions that modify the physical configuration or qualities of the shoreline area, usually through the construction of a physical element such as a dike, breakwater, pier, weir, dredged basin, fill, bulkhead, or other shoreline structure. They can include other actions, such as clearing, grading, or application of chemicals.

141. Shoreline Stabilization

"New shoreline stabilization" refers to the construction or addition of hard or soft shoreline stabilization measures, including but not limited to bulkheads, revetments, rip rapping, anchor trees and slope bioengineering along a property abutting the shoreline.

"Replacement shoreline stabilization" refers to the construction of a new structure to perform a shoreline stabilization function of an existing structure which can no longer adequately serve its purpose.

142. Shoreline Substantial Development Permit

A "Shoreline Substantial Development Permit" is the permit required by this Master Program for uses which are substantial developments in shoreline jurisdiction.

143. Shorelines

"Shorelines" means all of the water areas of the City, including reservoirs, and their associated shorelands, together with the lands underlying them, except: (a) shorelines of statewide significance; (b) shorelines on segments of streams upstream of a point where the mean annual flow is 20 cubic feet per second or less, and the wetlands associated with such upstream segments; and (c) shorelines on lakes less than 20 acres in size and wetlands associated with such small lakes. Within the City of Tacoma, "shorelines" include: (1) Wapato Lake, (2) Titlow Lagoon, and (3) those areas of Puget Sound and those areas within the manmade waterways of Commencement Bay lying landward from the line of extreme low tide.

144. Shorelines of Statewide Significance

"Shorelines of Statewide Significance" means the following shorelines of the State:

- a. The area between the ordinary high water mark and the western boundary of the State from Cape Disappointment on the south to Cape Flattery on the north, including harbors, bays, estuaries, and inlets;
- b. Those areas of Puget Sound and adjacent salt waters and the Strait of Juan de Fuca between the ordinary high water mark and the line of extreme low tide as follows:
 - (1) Nisqually Delta – from DeWolf Bight to Tatsolo Point,
 - (2) Birch Bay – from Point Whitehorn to Birch Point,
 - (3) Hood Canal – from Tala Point to Foulweather Bluff,
 - (4) Skagit Bay and adjacent area – from Brown Point to Yokeko Point, and
 - (5) Padilla Bay – from March Point to William Point;
- c. Those areas of Puget Sound and the Strait of Juan de Fuca and adjacent saltwaters north to the Canadian line and lying seaward from the line of extreme low tide;
- d. Those lakes, whether natural, artificial, or a combination thereof, with a surface acreage of 1,000 acres or more, measured at the ordinary high water mark;
- e. Those natural rivers or segments thereof, as follows:
 - (1) Any west of the crest of the Cascade range downstream of a point where the mean annual flow is measured at 1,000 cubic feet per second, or more, and

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(2) Any east of the crest of the Cascade range downstream of a point where the annual flow is measured at 200 cubic feet per second, or more, or those portions of rivers east of the crest of the Cascade range downstream from the first 300 square miles of drainage area, whichever is longer;

f. Those shorelands associated with paragraphs a, b, d, and e above.

Within the City of Tacoma, the Puyallup River is the only river which has been designated as having shorelines of statewide significance. Because the Puyallup River within the City has been diked, the shorelines of statewide significance include the shoreline area on both sides of the river landward 200 feet from the ordinary high water mark. When dikes are located beyond 200 feet of the ordinary high water mark, the wetlands will be that area lying between the dike and the ordinary high water mark.

Other shorelines of statewide significance within the City of Tacoma are those areas of Puget Sound lying seaward from the line of extreme low tide. Within manmade waterways in Commencement Bay, shorelines of statewide significance include the area lying seaward from the line of extreme low tide. In some waterways, where extensive bulkheading has taken place, the line of extreme low tide may only mean a difference in water depth within the channel. In those situations, the shoreline of statewide significance is taken from the water line at extreme low tide seaward.

145. Shorelines of the City

“Shorelines of the City” means the total of all “shorelines” and “shorelines of statewide significance” within the City.

146. Shorelines of the State

"Shorelines of the state" are the total of all "shorelines" and "shorelines of statewide significance" within the state.

147. Should

"Should" means that the particular action is required unless there is a demonstrated, compelling reason, based on policy of the Shoreline Management Act and this chapter, against taking the action.

148. Sign

“Sign” means any device, flag, light, figure, picture, letter, work, message, symbol, plaque, poster or building face that is visible from outside the lot on which it is located and that is designed to inform or attract the attention of the public through visual communication, excluding murals or architectural designs that do not advertise a business, product or service.

149. Sign, Directional

“Sign, directional” means attached or freestanding railroad, highway, road, or traffic signs or signals erected, constructed, or maintained for the purpose of providing safety and directional information within public and private properties or rights-of-way for the movement of pedestrian and vehicular traffic.

150. Sign, Freestanding

“Sign, freestanding” means a self-supporting sign placed off and away from the building or use to which it is related. Freestanding signs may be single faced or consist of two parallel and fully connected faces. The square footage of such signs shall be determined by the dimensions of the frame or edges of the sign, regardless of whether it is one- or twofaced.

151. Sign, Interpretive

“Sign, informational” means a sign designed to impart educational, instructive, or historic information, or to identify parks or other public recreational facilities.

152. Significant Vegetation Removal

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"Significant vegetation removal" means the removal or alteration of trees, shrubs, and/or ground cover by clearing, grading, cutting, burning, chemical means, or other activity that causes significant ecological impacts to functions provided by such vegetation. The removal of invasive or noxious weeds does not constitute significant vegetation removal. Tree pruning, not including tree topping, where it does not affect ecological functions, does not constitute significant vegetation removal.

153. Single Family Residence

"Single-family residence" means a detached dwelling designed for and occupied by one family including those structures and developments within a contiguous ownership which are a normal appurtenance.

An "appurtenance" is necessarily connected to the use and enjoyment of a single-family residence and is located landward of the ordinary high water mark and the perimeter of a wetland. On a statewide basis, normal appurtenances include a garage; deck; driveway; utilities; fences; installation of a septic tank and drainfield and grading which does not exceed two hundred fifty cubic yards and which does not involve placement of fill in any wetland or waterward of the ordinary high water mark. Local circumstances may dictate additional interpretations of normal appurtenances which shall be set forth and regulated within the applicable master program.

154. Solid Waste

Solid waste means all solid and semi-solid wastes, except wastes identified in WAC 173-304-015, including, but not limited to, junk vehicles, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, but excluding agricultural wastes and crop residues returned to the soil at agronomic rates. This includes all liquid, solid and semi-solid materials which are not the primary products of public, private, industrial, commercial, mining and agricultural operations. Solid waste includes but is not limited to sludge from wastewater treatment plants and septage from septic tanks, wood waste, dangerous waste, and problem wastes. Unrecovered residues from recycling operations shall be considered solid waste.

155. Solid Waste Facility

"Solid waste facility" or "transfer facility" refers to any land or structure where solid waste is stored, collected, transported, or processed in any form, whether loose, baled or containerized, including but not limited to the following: transfer stations, landfills, or solid waste loading facilities. Solid waste handling and disposal facilities do not include the following: handling or disposal of solid waste as an incidental part of an otherwise permitted use; and solid waste recycling and reclamation activities not conducted on the same site as and accessory to the handling and disposal of garbage and refuse.

156. State Master Program

"State master program" means the cumulative total of all shoreline master programs and amendments thereto approved or adopted by rule by Ecology.

157. Stockpiling of Materials

"Stockpiling of materials" means the accumulation and storage of raw materials, equipment, apparatus and/or supplies by an individual, business, or organization. Stockpiling of materials as a primary use activity is subject to all applicable shoreline permits. Stockpiling of materials as a secondary use activity pursuant to a valid shoreline permit is considered a permitted use activity.

158. Stream

"Stream" means a naturally occurring body of periodic or continuously flowing water where the water is contained within a channel.

159. Streamway

Streamway" means the bed and banks of a stream.

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160. Structure

"Structure" means a permanent or temporary edifice or building, or any piece of work artificially built or composed of parts joined together in some definite manner, whether installed on, above, or below the surface of the ground or water, except for vessels.

161. Substantial Development

"Substantial development" shall mean any development of which the total cost or fair market value exceeds five thousand seven hundred and eighteen dollars (\$5,718), or as adjusted by the State Office of Financial Management, or any development which materially interferes with the normal public use of the water or shorelines of the state.

162. Substantially Degrade

"Substantially degrade" means to cause significant ecological impact.

163. Support

"Support" means that a non-water-oriented component of a mixed-use project is necessary to pay the costs of or provide a basis for the existence and ongoing subsistence of the water-oriented component.

164. Townhouse

"Townhouse" means a building on its own separate parcel of land containing one single-family dwelling unit that occupies space from the foundation to the roof and is attached to one or more other townhouse dwelling units by at least one common wall.

165. Transmit

"Transmit" means to send from one person or place to another by mail or hand delivery. The date of transmittal for mailed items is the date that the document is certified for mailing or, for hand-delivered items, is the date of receipt at the destination.

166. Transportation Facility

A "transportation facility" includes roads and railways, related bridges and culverts, fills, embankments, causeways, parking lots, parking structures, and bus and truck terminals. Not included is off-street bicycle or recreational trails.

167. Underground Utilities

"Underground utilities" means services which produce and carry electric power, gas, sewage, communications, oil, water, and storm drains below the surface of the ground.

168. Uplands

"Uplands" means dry lands landward of OHWM.

169. Uses and Development Activities

"Uses and development activities" for the purposes of this chapter means the following uses and development activities as defined in the Final Guidelines of the Department of Ecology (WAC 173-16-060), RCW 90.58.030, and the adopted Master Program for the City of Tacoma: Tacoma Municipal Code City Clerk's Office 13-285 (Revised 08/2009)

170. Utilities

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“Utilities” are services and facilities that produce, convey, store, or process power, gas, sewage, communications, oil, waste, and the like. Utilities have been categorized in this Master Program as primary, accessory, and personal wireless facilities:

1. Primary utilities are services and facilities that produce, transmit, carry, store, process or dispose of power, gas, water, sewage, communications (excepting wireless facilities, see below), oil and the like. For example: sewage treatment plants and outfalls, public high-tension utility lines, power generating or transfer stations, gas distribution lines and storage facilities.
2. Accessory utilities are small-scale distribution services directly serving a permitted shoreline use. For example, power, telephone, cable, communication antennas, water, sewer lines, including stormwater systems.
3. Personal wireless facilities meaning any unstaffed facility for the transmission and/or reception of personal wireless services. This can consist of an equipment shelter or cabinet, a support structure or existing structure used to achieve the necessary elevation, and the antenna or antenna array.

171. Variance

"Variance" is a means to grant relief from the specific bulk, dimensional or performance standards set forth in the applicable master program and not a means to vary a use of a shoreline.

172. Vegetation Conservation

“Vegetation conservation” includes activities to protect and restore vegetation along or near shorelines that minimize habitat loss and the impact of invasive plants, erosion and flooding and contribute to the ecological functions of shoreline areas. Vegetation conservation provisions include the prevention or restriction of plant clearing and earth grading, vegetation restoration, and the control of invasive weeds and nonnative species. Vegetation management provisions apply even to those shorelines and uses that are exempt from a permit requirement.

173. Vessel

"Vessel" includes ships, boats, barges, or any other floating watercraft which are designed and used for navigation and do not interfere with the normal public use of the water.

174. Water-dependent

"Water-dependent use" means a use or portion of a use which cannot exist in a location that is not adjacent to the water and which is dependent on the water by reason of the intrinsic nature of its operations. Examples of water-dependent uses may include ship cargo terminal loading areas, ferry and passenger terminals, barge loading facilities, ship building and dry docking, marinas, boat ramps and transient moorage, aquaculture, and float plane facilities.

175. Water-enjoyment

"Water-enjoyment use" means a recreational use or other use that facilitates public access to the shoreline as a primary characteristic of the use; or a use that provides for recreational use or aesthetic enjoyment of the shoreline for a substantial number of people as a general characteristic of the use and which through location, design, and operation ensures the public's ability to enjoy the physical and aesthetic qualities of the shoreline. In order to qualify as a water-enjoyment

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use, the use must be open to the general public and the shoreline-oriented space within the project must be devoted to the specific aspects of the use that fosters shoreline enjoyment. Primary water-enjoyment uses may include, but are not limited to, parks, piers, view towers, interpretive centers and other improvements facilitating public access to shorelines of the state. General water-enjoyment uses may include but are not limited to restaurants, museums, aquariums, scientific/ecological reserves, resorts and convention centers, and public markets, provided, that such uses conform to the above water-enjoyment specifications and the provisions of the Master Program.

176. Water-oriented

"Water-oriented use" means a use that is water-dependent, water-related, or water-enjoyment, or a combination of such uses.

177. Non-water-oriented

"Non-water-oriented uses" describes those uses which have little or no relationship to the shoreline and are not considered priority uses under the SMA. Examples include professional offices, automobile sales or repair shops, mini-storage facilities, multi-family residential development, department stores and gas stations.

178. Water Quality

"Water quality" means the physical characteristics of water within shoreline jurisdiction, including water quantity, hydrological, physical, chemical, aesthetic, recreation-related, and biological characteristics. Where used in this chapter, the term "water quantity" refers only to development and uses regulated under this chapter and affecting water quantity, such as impermeable surfaces and storm water handling practices. Water quantity, for purposes of this chapter, does not mean the withdrawal of ground water or diversion of surface water pursuant to RCW 90.03.250 through 90.03.340.

179. Water-Related Use

"Water-related use" means a use or portion of a use which is not intrinsically dependent on a waterfront location but whose economic viability is dependent upon a waterfront location because:

1. The use has a functional requirement for a waterfront location such as the arrival or shipment of materials by water or the need for large quantities of water; or
2. The use provides a necessary service supportive of the water-dependent uses and the proximity of the use to its customers makes its services less expensive and/or more convenient. Examples include, but should not be limited to, manufacturers of large materials for which transportation cost becomes a significant factor, professional services serving primarily water-dependent activities, warehousing of goods transported by water, seafood processing plants, hydroelectric generating plants, gravel storage when transported by barge, oil refineries where transport is by tanker and log storage.

180. Watershed Restoration

"Watershed restoration project" means a public or private project authorized by the sponsor of a watershed restoration plan that implements the plan or a part of the plan and consists of one or more of the following activities:

1. A project that involves less than ten miles of streamreach, in which less than twenty-five cubic yards of sand, gravel, or soil is removed, imported, disturbed or discharged, and in

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- which no existing vegetation is removed except as minimally necessary to facilitate additional plantings;
2. A project for the restoration of an eroded or unstable stream bank that employs the principles of bioengineering, including limited use of rock as a stabilization only at the toe of the bank, and with primary emphasis on using native vegetation to control the erosive forces of flowing water; or
 3. A project primarily designed to improve fish and wildlife habitat, remove or reduce impediments to migration of fish, or enhance the fishery resource available for use by all of the citizens of the state, provided that any structure, other than a bridge or culvert or instream habitat enhancement structure associated with the project, is less than two hundred square feet in floor area and is located above the ordinary high water mark of the stream.

181. Watershed Restoration Plan

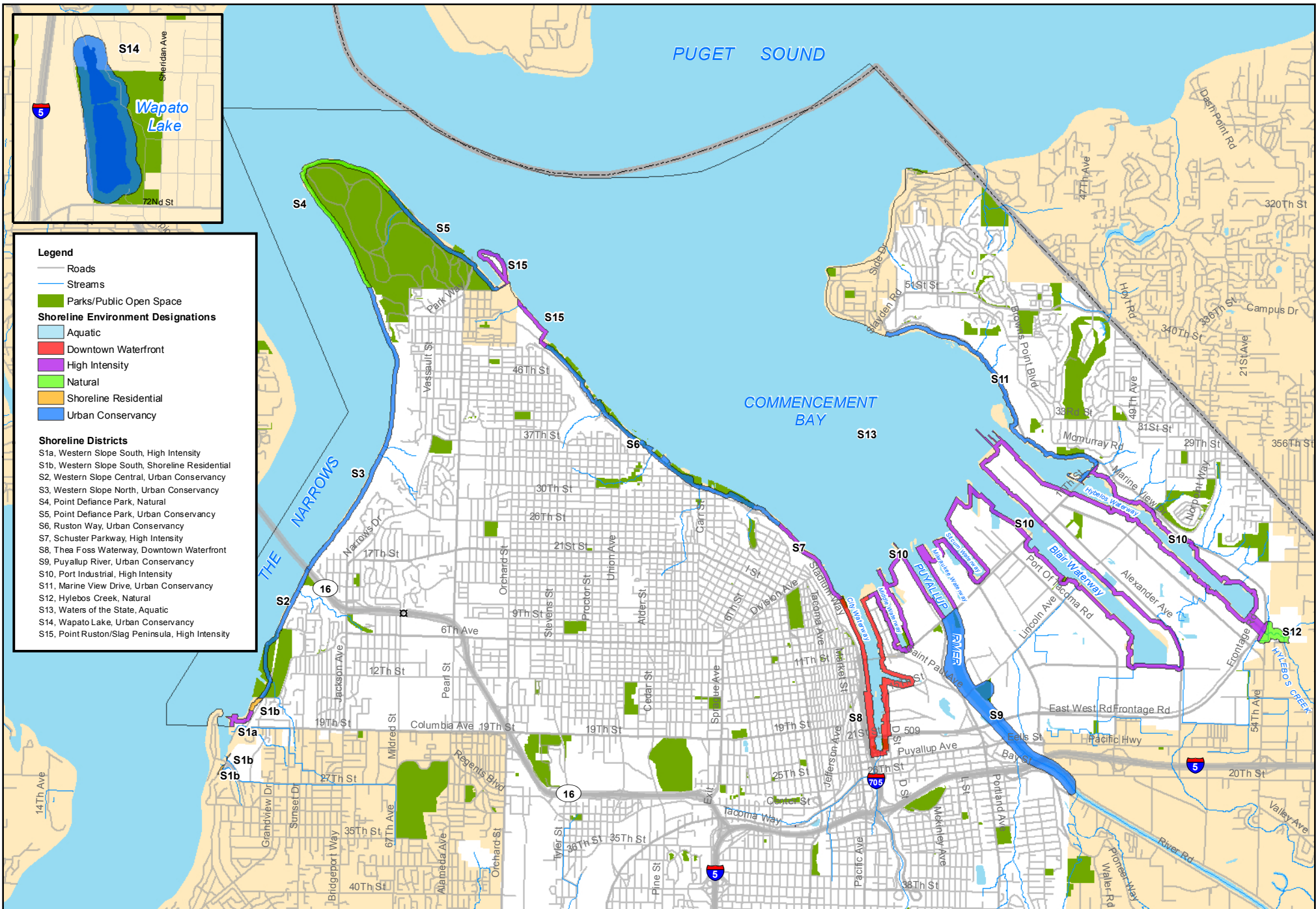
"Watershed restoration plan" means a plan, developed or sponsored by the department of fish and wildlife, the department of ecology, the department of natural resources, the department of transportation, a federally recognized Indian tribe acting within and pursuant to its authority, a city, a county, or a conservation district that provides a general program and implementation measures or actions for the preservation, restoration, re-creation, or enhancement of the natural resources, character, and ecology of a stream, stream segment, drainage area, or watershed for which agency and public review has been conducted pursuant to chapter 43.21C RCW, the State Environmental Policy Act.

182. Weir

"Weir" means a structure in a stream or river for measuring or regulating stream flow.

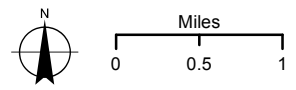
183. Wetlands

"Wetlands" means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas to mitigate the conversion of wetlands.



- Legend**
- Roads
 - Streams
 - Parks/Public Open Space
- Shoreline Environment Designations**
- Aquatic
 - Downtown Waterfront
 - High Intensity
 - Natural
 - Shoreline Residential
 - Urban Conservancy

- Shoreline Districts**
- S1a. Western Slope South, High Intensity
 - S1b. Western Slope South, Shoreline Residential
 - S2. Western Slope Central, Urban Conservancy
 - S3. Western Slope North, Urban Conservancy
 - S4. Point Defiance Park, Natural
 - S5. Point Defiance Park, Urban Conservancy
 - S6. Ruston Way, Urban Conservancy
 - S7. Schuster Parkway, High Intensity
 - S8. Thea Foss Waterway, Downtown Waterfront
 - S9. Puyallup River, Urban Conservancy
 - S10. Port Industrial, High Intensity
 - S11. Marine View Drive, Urban Conservancy
 - S12. Hylebos Creek, Natural
 - S13. Waters of the State, Aquatic
 - S14. Wapato Lake, Urban Conservancy
 - S15. Point Ruston/Slag Peninsula, High Intensity



Map data are the property of the sources listed below. Inaccuracies may exist, and Adolfs Associates, Inc. implies no warranties or guarantees regarding any aspect of data depiction.
 SOURCE: City of Tacoma GIS, 2009; King County, 2005; Pierce County, 2005-2008.

**APPENDIX A: SHORELINE ENVIRONMENT DESIGNATIONS
 TACOMA SHORELINE MASTER PROGRAM UPDATE
 TACOMA, WASHINGTON**

APPENDIX B



DRAFT

SHORELINE RESTORATION PLAN

Shoreline Master Program Update

April 2011

City of Tacoma, Washington

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1.0 OVERVIEW OF SHORELINE RESTORATION GOALS

Tacoma's shoreline restoration goals and objectives are aimed at restoring identified degraded areas. The following overarching goals will guide restoration efforts along the Tacoma shoreline:

- Improve shoreline water quality;
- Re-establish and restore natural shoreline processes, restore degraded and lost habitat, and wildlife corridors;
- Improve connectivity of the shoreline environments to one another and to adjacent habitat corridors that support priority species and species of local significance; and
- Promote shoreline stewardship.

2.0 INTRODUCTION

The Shoreline Restoration Plan is designed to meet the requirements for restoration planning outlined in the Department of Ecology Guidelines; WAC 173-26-201(2)(f) or, Guidelines, as well as the goals and aspirations of the people of the City of Tacoma. A restoration plan is not a regulatory document or a set of regulatory requirements. The Guidelines, however, point to restoration planning as a guide for improving shoreline ecological function at a city-wide scale.

The Shoreline Master Program should include restoration goals and policies, and regulations that facilitate implementation of restoration projects. The purpose of Tacoma's Shoreline Restoration Plan is to identify restoration goals and

objectives, identify existing programs, plans and policies that contribute to shoreline restoration, to prioritize degraded areas with potential for ecological restoration, and provide a strategy for implementation of this plan. Additionally, this document is intended as a basis for partnership



Figure 1 A beach restoration project was part of the development of Chinese Reconciliation Park along Ruston Way. The Project includes beach stabilization and restoration (addition of fish friendly substrate) as well as off shore restoration. The benefits include wave attenuation and reconnection of the shoreline and water, and enhanced nearshore marine habitat.

between the City of Tacoma, and its citizens, businesses, property owners, and non-governmental organizations.

The Shoreline Restoration Plan describes and relies heavily on the significant past and ongoing shoreline analyses and restoration programs in the city of Tacoma. This plan also builds on the assessment of shoreline functions and opportunity areas that was compiled in the Tacoma Shoreline Inventory and Characterization (July 2007).

Project proponents seeking mitigation sites can consider potential opportunities identified in this Shoreline Restoration Plan. Other conservation and restoration groups or agencies with restoration funding could also use the identified goals, policies and opportunities to guide their actions.

Specifically, this Shoreline Restoration Plan includes:

- A discussion of the purpose and regulatory background of this Shoreline Restoration Plan and the definition of restoration in the context of shoreline planning (Section 3.0);
- Proposed shoreline restoration goals and objectives (Section 4.0).
- Restoration opportunities and prioritization criteria (Section 5.0);
- A summary of existing restoration plans, programs and policies (Section 6.0); and
- A discussion about how this Shoreline Restoration Plan will be implemented, including funding and partnerships, timelines and benchmarks, strategies for measuring effectiveness and adaptive management (Section 7.0).

3.0 PURPOSE AND INTENDED USE OF THE SHORELINE RESTORATION PLAN

The governing principles of the Guidelines (WAC 173-26-186) clarify that restoration of shoreline ecological functions is accomplished through the following

- Goals and policies for restoring ecologically impaired shorelines;
- Meaningful understanding of the current shoreline ecological conditions;
- Regulations and mitigation standards that ensure that permitted developments do not cause a net loss of ecological functions;
- Regulations that ensure developments exempt from permitting do not result in net loss of ecological functions when evaluated in the aggregate;
- Regulations and programs that fairly allocate the burden of mitigating cumulative impacts among development opportunities; and

- Incentives or voluntary measures designed to restore and protect ecological functions.

Restoration planning relies on voluntary mechanisms (rather than regulatory provisions), economic incentives and varied funding sources that can contribute to the improvement of ecological functions. The Guidelines do not state that local programs should or could require individual permit applicants to restore past damages to an ecosystem as a condition of a permit for new development. However, this Shoreline Restoration Plan can be used to guide compensatory mitigation projects to shoreline areas where they may have the most effect. The City and project proponents may use Shoreline Restoration Plan information to prioritize the types and locations for restoration and mitigation actions. Other conservation and restoration groups or agencies, such as those identified in this plan, could also use the identified goals, objectives and opportunities to guide their actions.

3.1 Regulatory Background

Shorelines are a major feature in the City of Tacoma, providing both a valuable setting for land use and recreation and performing important ecological functions. The Shoreline Management Act (SMA or the Act; RCW 90.58) is charged with balancing how shorelines should be developed, protected, and restored. The Act has three broad policies or mandates; it strives to: 1) encourage water-dependent uses, 2) protect shoreline natural resources, and 3) promote public access. Restoration planning is an important component of the environmental protection policy of the Act. This Shoreline Restoration Plan supplements the City of Tacoma's Shoreline Master Program (TSMP).

Tacoma's Shoreline Master Program (TSMP) is being updated to comply with the Shoreline Management Act (SMA) requirements (RCW 90.58), and the state's SMP Guidelines (Washington Administrative Code [WAC] 173-26, Part III), which went into effect in 2003. The SMP Guidelines require that local governments develop SMP goals that promote "restoration" of impaired shoreline ecological functions and a "real and meaningful" strategy to implement restoration objectives. Local governments are also encouraged to contribute to restoration by planning for and supporting restoration of shoreline functions through the SMP and other regulatory and non-regulatory programs. The City's Shoreline Inventory and Characterization (ESA Adolfson, July 2007) describes how natural shoreline processes have been modified and identifies the restoration potential and opportunities within each shoreline reach. This Shoreline Restoration Plan builds on that analysis. See Section 3.0 for a discussion of how this plan meets the State's 2003 Guidelines.

Table 1 summarizes the key elements for shoreline restoration planning required by the Guidelines, and identifies which section of this Shoreline Restoration Plan addresses each element.

Table 1. WAC Requirements and Tacoma’s Shoreline Restoration Plan

Key elements for the shoreline restoration planning process WAC 173-26-201(2)(f)	Location in Tacoma Shoreline Master Program and Supporting Information
Identify degraded areas, impaired ecological functions, and sites with potential for ecological restoration.	Shoreline Inventory and Characterization, Section 8.0
Establish overall goals and priorities for restoration of degraded areas and impaired ecological functions.	Shoreline Restoration Plan, Section 4.3 and TSMP section 3.5
Identify existing and ongoing projects and programs that are currently being implemented which are designed to contribute to local restoration goals (such as capital improvement programs (CIPs) and watershed planning efforts (WRIA habitat/recovery plans).	Shoreline Restoration Plan, Section 6.0
Identify timelines and benchmarks for implementing restoration projects and programs and achieving local restoration goals.	Shoreline Restoration Plan, Section 7.0
Provide for mechanisms or strategies to ensure that restoration projects and programs will be implemented according to plans and to appropriately review the effectiveness of the projects and programs in meeting the overall restoration goals (e.g., monitoring of restoration project sites).	Shoreline Restoration Plan, Section 7.0
Identify additional projects and programs needed to achieve local restoration goals, and implementation strategies including identifying prospective funding sources for those projects and programs.	Shoreline Restoration Plan, Sections 5.0 and 7.0

3.2 Defining Restoration

The state has directed local governments to develop SMP provisions “...to achieve overall improvements in shoreline ecological functions over time when compared to the status upon adoption of the master program.” This overarching goal is accomplished primarily through two distinct objectives:

Protection of existing shoreline functions through regulations and mitigation requirements to ensure “no net loss” of ecological functions from baseline environmental conditions; and Restoration of shoreline ecological functions that have been impaired from past development practices or alterations.

This distinction is illustrated in Figure 1 below.

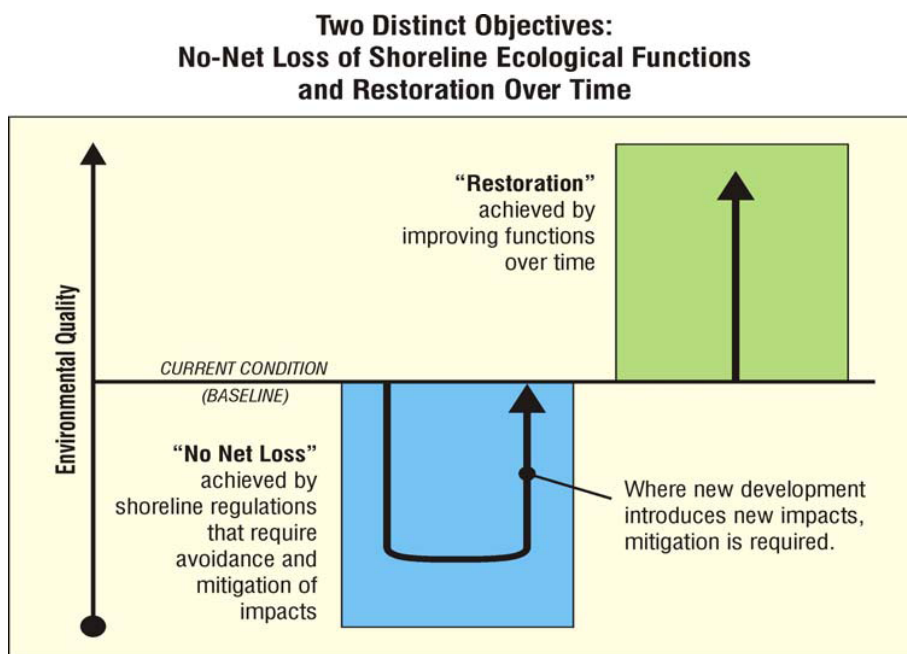


Figure 2 Mitigation Versus Restoration in Shoreline Master Programs (Source: Department of Ecology)

The concept of no net loss of shoreline ecological function is embedded in the Act and in the goals, policies and governing principles of shoreline Guidelines and other federal and state environmental protections (e.g., the Clean Water Act). Washington’s general policy goals for shorelines of the state include the “protection and restoration of ecological functions of shoreline natural resources.” This goal derives from the Act, which states, “permitted uses in the shoreline shall be designed and conducted in a manner that minimizes insofar as practical, any resultant damage to the ecology and environment of the shoreline area.”

There are numerous definitions for “restoration” in scientific and regulatory publications. Specific elements of these definitions often differ, but the core element of repairing damage to an existing, degraded ecosystem remains consistent. In the SMP context, the WAC defines “restoration” or “ecological restoration” as:

...the reestablishment or upgrading of impaired ecological shoreline processes or functions. This may be accomplished through measures including, but not limited to, revegetation, removal of intrusive shoreline structures and removal or treatment of toxic materials. Restoration does not imply a requirement for returning the shoreline area to aboriginal or pre-European settlement conditions” (WAC 173-26-020(27)).

Using the WAC definition of restoration with regard to state shorelines, it is clear the effort should be focused on specific shoreline areas where natural shoreline functions have been modified or degraded. The emphasis in the WAC is to achieve overall improvement in existing shoreline processes or functions, where functions are impaired. Therefore, the goal is not to restore the shoreline to historically natural conditions, but rather to improve on existing,

degraded conditions. In this context, restoration can be broadly implemented through a combination of programmatic measures (such as surface water management or public education) and site-specific projects (such as riparian plantings or habitat creation).

The Guidelines focus on an understanding and analysis of ecosystem-wide processes, or landscape scale processes that form and maintain shoreline ecological functions. The challenges with implementing restoration in highly urbanized settings have been characterized by Borde et al (2004), below. Shoreline restoration in Tacoma presents similar challenges and benefits.

More than 50% of the U.S. Population lives on the coast, with a higher growth rate in coastal counties than in the country as a whole. The result of this development has been the loss of a high percentage of coastal habitats that were once present in urban areas. Restoration in highly urbanized settings represents perhaps the most critical and challenging situation to use the principles of landscape ecology for choosing a restoration site. While the challenges of urban restoration are many, the importance of habitat restoration in these settings is monumental from an ecological and societal perspective. The ecological importance of projects in urban areas can be disproportional to the size of the project because of the lack of ecological habitat in the surrounding areas. In other words, urban restoration can be more important, even in small areas, than in other rural restoration.

Restoration in urban areas presents the following challenges:

- Multiple inputs watershed-wide that are outside of a restoration site;
- Limited sites available for restoration;
- Limited reference sites;
- Confounding factors, such as poor water quality, chemical contamination, and altered hydrology;
- Fragmented habitat;
- Competition for remaining potential restoration sites by development parties;
- High costs due to land acquisition expenses and the amount of work required to reverse habitat modifications;
- Differing needs for coastal resources (e.g., economic, cultural, social, recreational, environmental);
- Differing values of local citizens and government decision-makers; and
- Unintended potential impacts on neighboring properties that could be affected by expanded buffers.

However, these challenges are often offset by the following benefits:

- The restored habitat provides pockets of habitat where otherwise there would be none;
- Restored habitat can provide a connectivity to adjacent, more functional habitats;
- Additional natural landscapes for urban residents;
- A heightened public awareness of coastal ecosystems;
- Educational opportunities;
- Public involvement in the restoration process of highly visible projects, resulting in community project stewardship; and
- Pre-identified restoration sites can “organize” efforts including manpower, staff time and funding to further other SMA restoration goals.

4.0 SHORELINE RESTORATION PLAN GOALS AND OBJECTIVES

This section discusses existing shoreline restoration goals in the Tacoma Comprehensive Plan (2007) and Open Space Habitat and Recreation Plan (2008), and proposes additional goals and policies considering issues identified in the Shoreline Inventory and Characterization (2007).

4.1 Comprehensive Plan

The general goal in the Environmental Policy Element of the City of Tacoma’s Comprehensive Plan (last amended 6/30/2009) is to “ensure conservation, protection, enhancement and proper management of natural resources and shoreline, while providing for a balanced pattern of development and the needs of the citizens of the City of Tacoma.” There is a strong environmental policy basis in the Comprehensive Plan for the restoration of shoreline resources.

4.2 Open Space Habitat and Recreation Plan

The City of Tacoma, Green Tacoma Partnership and the Metropolitan Park District developed an Open Space Habitat and Recreation Plan in 2008. This plan and action program includes strategies for open space acquisition, management and restoration as well as city-wide green strategies. The Open Space Habitat Plan was developed to meet goals seven, nine and ten of the Washington State Growth Management Act (GMA). Goal #7 directs the City to develop regulations and “process permits in a timely and fair manner” by providing mitigation sites to further restoration goals with mitigation on-site is not an option. Goal #9 encourages cities and counties to retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water and develop parks and recreation facilities. Goal #10 encourages cities and counties to protect the environment and enhance Washington’s high quality of life, including air and water quality, and the availability of water.

4.3 Shoreline Restoration Goals and Objectives.

Tacoma’s restoration goals and objectives must be consistent with WAC Guidelines (described in Section 3.1). As such, goals are to be aimed at restoring identified degraded areas and impaired ecological functions. The City’s primary goal is to achieve an overall net gain in shoreline ecological function through the Shoreline Master Program, including restoration planning and implementation, policies and development regulations. As discussed in Section 1 of this Plan,

restoration actions are meant to achieve the following four priorities for restoration citywide:

1. Improve shoreline water quality
2. Re-establish and restore natural shoreline processes, restore degraded and lost habitat, and wildlife corridors
3. Improve connectivity of the shoreline environments to one another and to adjacent habitat corridors that support priority species and species of local significance
4. Promote shoreline stewardship



Figure 3 This public area along Ruston Way is planted with street trees and non-native ornamental shrubs; all set back from the shoreline. Replacing this landscaping with native vegetation (trees and shrubs) would preserve and maintain the existing use of the area and would add ecological value. Native shoreline vegetation would improve habitat by adding a source of woody debris, detrital inputs, and nearshore shade. These elements provide food and refuge for juvenile and adult fish and are key components of a well functioning natural shoreline.

The following restoration goals and objectives specifically address the altered shoreline processes and functions identified in the Shoreline Inventory and Characterization (ESA Adolfson, 2007 – summarized in Attachment B). Objectives identify specific measurable actions that can be taken to achieve the stated goals. For example, to meet the goal of improving water quality, an objective might be to remove creosote pilings.

4.3.1 Hydrology

Goal: Improve wave energy attenuation within the City’s nearshore.

Objective: Restore estuarine and freshwater wetlands.

Objective: Encourage removal of bulkheads and use of soft armoring.

Goal: Increase the area over which the fresh to salt water transition occurs.

Objective: Restore wetlands and setback levees wherever feasible in the fresh to salt water transition area and where reconnection to the floodplain could be accomplished.

Goal: Reconnect the Puyallup River and Hylebos Creek channels to the floodplain, and generally increase flood storage along the Puyallup River and within natural floodplains that do not detrimentally impact previously developed areas.

Objective: Restore wetlands and setback levees wherever feasible in the fresh to salt water transition area and where reconnection to the floodplain could be accomplished.

Objective: Partner with watershed entities and Pierce County to improve flood storage along the Puyallup River.

Goal: Increase summer flows in the Puyallup River and Hylebos Creek.

Objective: Partner with regional and upstream entities to address minimum instream flows in the Puyallup River and Hylebos Creek.

Goal: Improve hydrological functions in the fresh to salt water transition area.

Objective: Restore estuarine and freshwater wetlands.

Objective: Connect freshwater seeps and wetlands to the shoreline.

Goal: Maintain the important water storage function of Wapato Lake.

Objective: Prepare and implement a basin plan to manage the hydrology of Wapato Lake.

4.3.2 Sediment Generation and Transport

Goal: Improve sediment delivery to support nearshore processes.

Objective: Reconnect feeder bluff functions.

Objective: Encourage natural sediment delivery to the nearshore and remove blockages on streams (i.e. culverts).

4.3.3 Water Quality

Goal: Improve water contact time with soil in wetlands to improve the filtering and cycling of pollutants.

Objective: Restore estuarine and freshwater wetlands.

Goal: Remove and avoid pollutant discharges (including turbidity) to the shoreline and state waters.

Objective: Prevent further loss of wetland area.

Objective: Restore estuarine and freshwater wetlands.

Objective: Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris.

Objective: Decrease pollutant loading through low impact development and water quality improvement techniques.

Objective: Require water quality BMPs in urban and industrial areas.

Objective: Implement stormwater quality measures in the Hylebos Creek Basin Plan.

Goal: Restore the water quality of Wapato Lake.

Objective: Restore wetlands.

Objective: Decrease pollutant loading through low impact development and water quality improvement techniques.



Figure 4 The image above shows a collection of creosote-treated pilings south of the Sperry Dock along Schuster Parkway. Removal of these pilings would improve water quality by removing a contaminant source. For decades marine piles were coated with creosote, a preservative that protected the wood from wood-boring organisms. Approximately 300 chemicals have been identified in coal-tar creosote, many of which have been found to be potentially toxic to fish, other marine organisms and humans.

4.3.4 Habitat

Goal: Improve aquatic habitat conditions.

Objective: Restore and protect salt marsh habitat.

Objective: Remove fish passage barriers.

Objective: Restore eelgrass habitat where degraded.

Goal: Preserve and restore existing shoreline forests, and reconnect forests and the nearshore.

Objective: Remove barriers between shoreline forest and nearshore habitats and enhance existing forests.

Goal: Establish native riparian vegetation communities along the shoreline.

Objective: Plant native vegetation along Puyallup River levees whenever possible as consistent with levee management standards.

Objective: Re-establish native riparian plant and forest communities along Hylebos Creek.

Objective: Re-establish native riparian plant and forest communities around Wapato Lake.

Goal: Establish long term sources of large woody debris (LWD) to support shoreline habitat.

Objective: Reintroduce woody debris along the Puyallup River through plantings behind the levees and wood placement as consistent with levee management standards.

Objective: Re-establish native riparian plant and forest communities along Hylebos Creek.

Objective: Re-establish native riparian plant and forest communities around Wapato Lake while preventing conflicts with recreational uses.

Goal: Create high quality habitat connections between Wapato Lake and surrounding uplands.

Objective: Preserve existing and establish new habitat corridors around Wapato Lake.

5.0 RESTORATION OPPORTUNITIES

This section describes restoration opportunities within each shoreline district and criteria for use in prioritizing specific projects over time.

5.1 Opportunities

Restoration opportunities were identified based on the findings of the Shoreline Inventory and Characterization (2007).

Table 2 identifies specific restoration actions associated with the types and levels of shoreline alterations and the potential for restoration within each shoreline district. Further, the specific goals and objectives that Tacoma aims to achieve are associated with each action. Potential metrics for measuring the success of and monitoring restoration actions are suggested. Table 2 is not meant to be an exhaustive list of restoration actions and does not prohibit other meaningful objectives from being pursued.

As the City implements restoration actions, sea level rise and its potential effect on shoreline habitat will be considered (ESA Adolfson, 2007 – summarized in Attachment B). The size, elevation and overall resiliency of restoration projects will need to be planned according to expected changes in sea level.

Map 1 in Attachment A shows restoration opportunities conceptually as they occur across Tacoma's shoreline.

Table 2. Ecological Processes, Restoration Goals and Objectives, and Associated Actions

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
S-1A and B Western Slope South					
Water Quality: Long-term storage of excess nutrients, pathogens, and toxins	Moderate	Moderate	Goal: Remove and avoid pollutant discharges to the shoreline. Objective: Decrease pollutant loading through low impact development and water quality improvement techniques.	Use LID and water quality improvement measures in and adjacent to shoreline.	Water quality sampling/indicators Decrease in total impervious area
Habitat: Maintenance of typical native plant community	High	Moderate	Goal: Preserve and restore existing shoreline vegetation. Objective: Restore and protect marine riparian vegetation, where possible. Objective: Restore eelgrass habitat where degraded	Restore shoreline vegetation and salt water connections Replant eelgrass where degraded	Lineal feet of vegetated shoreline Square feet of restored eelgrass habitat
S-2 WESTERN SLOPE CENTRAL					
Hydrology: Attenuation of wave energy	High	Moderate	Goal: Improve wave energy attenuation within the City's nearshore. Objective: Restore estuarine and freshwater wetlands.	Restore historic wetlands and/or enhance existing wetlands	Acres of restored wetland within the shoreline district

¹ See *Shoreline Inventory and Characterization, Section 8.0*, for a discussion of the level of alteration of shoreline ecological processes and functions.

² See *Attachment 3 to this Plan* for a summary of the criteria used to rate restoration potential. See *Shoreline Inventory and Characterization, Section 8.0*, for further discussion.

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
Sediment Generation and Transport: Sediment delivery from coastal bluffs	Moderate	Moderate	Goal: Improve sediment delivery to support nearshore processes. Objective: Reconnect feeder bluff functions.	Remove barriers to sediment delivery from bluffs	Number of parcels where bluffs have been reconnected Feet of feeder bluff along shoreline
Water Quality: Water contact time with soil	Moderate	Moderate	Goal: Improve water contact time with soil in wetlands to improve the filtering and cycling of pollutants. Objective: Restore estuarine and freshwater wetlands.	Restore historic wetlands and/or enhance existing wetlands	Acres of restored wetland within the shoreline district
Water Quality: Long-term storage of excess nutrients, pathogens, and toxins	High	Moderate	Goal: Remove and avoid pollutant discharges to the shoreline. Objective: Decrease pollutant loading through low impact development and water quality improvement techniques. Objective: Remove creosote contaminated logs, pilings and debris.	Use LID and water quality improvement measures in and adjacent to shoreline. Remove creosote contaminated pilings and debris.	Water quality sampling/indicators. Decrease in total impervious area. Number of pilings and contaminated logs removed.
Water Quality: Long-term storage of excess nutrients, pathogens, and toxins	High	Moderate	Goal: Remove and avoid pollutant discharges to the shoreline. Objective: Prevent further loss of wetland area.	Limit wetland fill in or adjacent to shoreline districts.	Total area of wetland.

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
Habitat: Maintenance of typical native plant community	Moderate	Moderate	Goal: Preserve and restore existing shoreline forests, and reconnect forests to the nearshore. Goal: Improve aquatic habitat conditions. Objective: Restore and protect salt marsh habitat.	Restore salt marsh and tidal wetlands	Acres of wetland restored within the shoreline district
Habitat: Source and delivery of LWD	High	Moderate	Goal: Preserve and restore existing shoreline forests, and reconnect forests to the nearshore. Goal: Establish long term sources of LWD to support shoreline habitat. Objective: Remove barriers between shoreline forest and nearshore habitats and enhance existing forests.	Remove structural barriers between shoreline forests and nearshore habitats. Enhance existing forests with native plants and trees.	Number of connections between upland forest and nearshore. Acres of native habitat enhanced within the shoreline district.
S-3 WESTERN SLOPE NORTH					
Hydrology: Attenuation of wave energy	High	Low	Goal: Improve wave energy attenuation within the City's nearshore. Objective: Encourage removal of bulkheads and use of soft armoring.	Replace existing bulkheads with soft shoreline armoring	Feet of hard bulkhead removed and replaced with new soft-shore armoring
Sediment Generation and Transport: Sediment delivery from coastal bluffs	Moderate	Moderate	Goal: Improve sediment delivery to support nearshore processes. Objective: Reconnect feeder bluff functions.	Remove barriers to sediment delivery from bluffs	Number of parcels where bluffs have been reconnected Feet of feeder bluff along shoreline

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
<p>Water Quality: Long-term storage of excess nutrients, pathogens, and toxins</p>	<p>High</p>	<p>Moderate</p>	<p>Goal: Remove and avoid pollutant discharges to the shoreline.</p> <p>Objective: Prevent further loss of riparian vegetation.</p> <p>Objective: Decrease pollutant loading through low impact development and water quality improvement techniques.</p>	<p>Use LID and water quality improvement measures in and adjacent to shoreline.</p>	<p>Water quality sampling/indicators</p> <p>Decrease in total impervious area</p>
<p>Habitat: Source and delivery of LWD</p>	<p>High</p>	<p>Moderate</p>	<p>Goal: Preserve and restore existing shoreline forests, and reconnect forests to the nearshore.</p> <p>Goal: Establish long term sources of LWD to support shoreline habitat.</p> <p>Objective: Remove barriers between shoreline vegetation and nearshore habitats and enhance existing vegetation.</p> <p>Objective: Remove or improve overwater structures.</p>	<p>Remove structural barriers between shoreline forests and nearshore habitats.</p> <p>Enhance existing forests with native plants and trees.</p>	<p>Number of connections between upland forest and nearshore.</p> <p>Lineal feet of shoreline vegetation or acres of forest enhanced within the shoreline district</p> <p>Square feet of overwater coverage (opaque).</p> <p>Lineal feet of unmodified shoreline/bluff</p>
<p>S-4 and S-5 POINT DEFIANCE</p>					
<p>Hydrology: Attenuation of wave energy</p>	<p>High</p>	<p>High</p>	<p>Goal: Improve wave energy attenuation within the City's nearshore.</p> <p>Objective: Encourage removal of bulkheads and use of soft armoring.</p>	<p>Replace existing bulkheads with soft shoreline armoring</p>	<p>Feet of bulkhead removed</p> <p>Feet of new soft armoring</p>

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
<p>Sediment Generation and Transport: Sediment delivery from coastal bluffs</p>	<p>Moderate</p>	<p>Moderate</p>	<p>Goal: Improve sediment delivery to support nearshore processes.</p> <p>Objective: Reconnect feeder bluff functions.</p>	<p>Remove barriers to sediment delivery from bluffs</p>	<p>Number of parcels where bluffs have been reconnected</p> <p>Feet of feeder bluff along shoreline</p>
<p>Water Quality: Long-term storage of excess nutrients, pathogens, and toxins</p>	<p>High</p>	<p>Moderate</p>	<p>Goal: Remove and avoid pollutant discharges to the shoreline.</p> <p>Objective: Decrease pollutant loading through low impact development and water quality improvement techniques.</p> <p>Objective: Prevent further loss of wetland area and increase shoreline vegetation</p>	<p>Use LID and water quality improvement measures in and adjacent to shoreline.</p> <p>Limit wetland fill in or adjacent to shoreline districts.</p>	<p>Water quality sampling/indicators</p> <p>Decrease in total impervious area</p> <p>Lineal feet of shoreline vegetation.</p>
<p>Habitat: Source and delivery of LWD</p>	<p>High</p>	<p>Moderate</p>	<p>Goal: Preserve and restore existing shoreline forests, and reconnect forests to the nearshore.</p> <p>Goal: Establish long term sources of LWD to support shoreline habitat.</p> <p>Objective: Remove barriers between shoreline forest and nearshore habitats and enhance existing forests.</p> <p>Objective: Restore eelgrass habitat where degraded</p>	<p>Remove structural barriers between shoreline forests and nearshore habitats.</p> <p>Enhance existing forests with native plants and trees.</p>	<p>Number of connections between upland forest and nearshore.</p> <p>Acres of native habitat enhanced within the shoreline district.</p>

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
S-6 RUSTON WAY					
Hydrology: Attenuation of wave energy	High	Moderate	Goal: Improve wave energy attenuation within the City's nearshore. Objective: Restore estuarine and freshwater wetlands. Objective: Encourage removal of bulkheads and use of soft armoring.	Restore historic wetlands and/or enhance existing wetlands Replace existing bulkheads with soft shoreline armoring	Acres of restored wetland within the shoreline district Feet of bulkhead removed Feet of new soft armoring
Sediment Generation and Transport: Sediment delivery from coastal bluffs	Moderate	Moderate	Goal: Improve sediment delivery to support nearshore processes. Objective: Reconnect feeder bluff functions.	Remove barriers to sediment delivery from bluffs	Number of parcels where bluffs are reconnected Feet of feeder bluff along shoreline
Water Quality: Water contact time with soil	Moderate	Moderate	Goal: Improve water contact time with soil in wetlands to improve the filtering and cycling of pollutants. Objective: Restore estuarine and freshwater wetlands.	Restore historic wetlands and/or enhance existing wetlands	Acres of restored wetland within the shoreline district
Water Quality: Long-term storage of excess nutrients, pathogens, and toxins	High	Moderate	Goal: Remove and avoid pollutant discharges to the shoreline. Objective: Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris.	Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris.	Number of pilings and contaminated logs removed Tons of debris removed Cubic yards of fill/contaminated sediments removed

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
<p>Water Quality: Long-term storage of excess nutrients, pathogens, and toxins</p>	<p>High</p>	<p>Moderate</p>	<p>Goal: Remove and avoid pollutant discharges to the shoreline.</p> <p>Objective: Decrease pollutant loading through low impact development and water quality improvement techniques.</p> <p>Objective: Prevent further loss of wetland area.</p> <p>Objective: Increase native shoreline vegetation</p>	<p>Use LID and water quality improvement measures in and adjacent to shoreline.</p> <p>Enhance shoreline vegetation</p> <p>Limit wetland fill in or adjacent to shoreline districts.</p> <p>Avoid loss of vegetation along shoreline</p>	<p>Water quality sampling/indicators</p> <p>Decrease in total impervious area</p> <p>Acres of restored wetland</p> <p>Lineal feet of shoreline vegetation</p>
<p>Habitat: Source and delivery of LWD</p>	<p>High</p>	<p>Low</p>	<p>Goal: Preserve and restore existing shoreline forests, and reconnect forests to the nearshore.</p> <p>Goal: Establish long term sources of LWD to support shoreline habitat.</p> <p>Objective: Remove barriers between shoreline forest and nearshore habitats and enhance existing forests and shoreline vegetation.</p> <p>Objective: Restore eelgrass habitat where degraded</p>	<p>Remove structural barriers between shoreline forests and nearshore habitats.</p> <p>Enhance existing forests with native plants and trees.</p> <p>Daylight culverted portions of streams and drainages, where possible.</p>	<p>Number of connections between upland forest and nearshore.</p> <p>Acres of forest habitat enhanced within the shoreline district</p> <p>Lineal feet of shoreline vegetation.</p>

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
S-7 SCHUSTER PARKWAY					
Hydrology: Attenuation of wave energy	High	Moderate	Goal: Improve wave energy attenuation within the City's nearshore. Objective: Encourage removal of bulkheads and use of soft armoring.	Replace existing bulkheads with soft shoreline armoring	Feet of bulkhead removed Feet of new soft armoring
Sediment Generation and Transport: Sediment delivery from coastal bluffs	Moderate	Moderate	Goal: Improve sediment delivery to support nearshore processes. Objective: Reconnect feeder bluff functions.	Remove barriers to sediment delivery from bluffs	Number of parcels where bluffs are reconnected Feet of feeder bluff along shoreline
Water Quality: Long-term storage of excess nutrients, pathogens, and toxins	High	Moderate	Goal: Remove and avoid pollutant discharges to the shoreline. Objective: Decrease pollutant loading through low impact development and water quality improvement techniques. Objective: Prevent further loss of wetland area.	Use LID and water quality improvement measures in and adjacent to shoreline. Limit wetland fill in or adjacent to shoreline districts. Enhance shoreline vegetation where possible.	Water quality sampling/indicators Decrease in total impervious area Water quality sampling/indicators Lineal feet of shoreline vegetation
Water Quality: Long-term storage of excess nutrients, pathogens, and toxins	High	Moderate	Goal: Remove and avoid pollutant discharges to the shoreline. Objective: Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris.	Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris.	Number of pilings and contaminated logs removed Tons of debris removed Cubic yards of fill/contaminated sediments removed

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
S-8 THEA FOSS WATERWAY					
Water Quality: Long-term storage of excess nutrients, pathogens, and toxins	High	Moderate	Goal: Remove and avoid pollutant discharges to the shoreline. Objective: Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris.	Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris.	Number of pilings and contaminated logs removed Tons of debris removed Cubic yards of fill/contaminated sediments removed
Water Quality: Long-term storage of excess nutrients, pathogens, and toxins	High	Moderate	Goal: Remove and avoid pollutant discharges to the shoreline. Objective: Decrease pollutant loading through low impact development and water quality improvement techniques. Objective: Prevent further loss of wetland area and enhance shoreline vegetation.	Use LID and water quality improvement measures in and adjacent to shoreline. Limit wetland fill in or adjacent to shoreline districts.	Water quality sampling/indicators Decrease in total impervious area Total area of wetland. Lineal feet of shoreline vegetation.
S-9 PUYALLUP RIVER					
Hydrology: Fresh to Salt Water Transition	High	Low	Goal: Increase the area over which the fresh to salt water transition occurs. Objective: Restore wetlands and setback levees wherever feasible in the fresh to salt water transition area and where reconnection to the floodplain could be accomplished.	Hydrology: Fresh to Salt Water Transition	Area of fresh to salt water transition

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
Hydrology: Channel and floodplain connection	High	Low	<p>Goal: Reconnect the Puyallup River channels to the floodplain and generally increase flood storage.</p> <p>Objective: Restore wetlands and setback levees wherever feasible in the fresh to salt water transition area and where reconnection to the floodplain could be accomplished.</p>	<p>Restore historic wetlands and/or enhance existing wetlands</p> <p>Set back levees</p>	<p>Acres of restored wetland within the shoreline district</p> <p>Acres of floodplain expansion</p>
Hydrology: Summer low flows	High	Moderate	<p>Goal: Increase summer flows in the Puyallup River.</p> <p>Objective: Partner with regional and upstream entities to address minimum instream flows in the Puyallup River.</p>	<p>Continue coordination with regional entities including Pierce County.</p>	<p>Acres of restored floodplain watershed-wide.</p>
Hydrology: Flood flow retention	Moderate	Low	<p>Goal: Reconnect the Puyallup River channels to the floodplain and generally increase flood storage.</p> <p>Objective: Partner with watershed entities and Pierce County to improve flood storage along the Puyallup River.</p>	<p>Continue coordination with regional entities including Pierce County.</p>	<p>Acres of restored floodplain watershed-wide.</p>
Sediment Generation and Transport: Upland sediment generation	Moderate	Moderate	<p>Goal: Reduce sediment loading in the Puyallup River.</p> <p>Objective: Require water quality BMPs in urban and industrial areas.</p>	<p>Use water quality improvement measures in and adjacent to shoreline.</p>	<p>Water quality sampling/indicators</p>
Water Quality: Water contact time with soil	High	Moderate	<p>Goal: Improve water contact time with soil in wetlands to improve the filtering and cycling of pollutants.</p> <p>Objective: Encourage the restoration of estuarine and freshwater wetlands.</p>	<p>Restore historic wetlands and/or enhance existing wetlands</p>	<p>Acres of restored wetland within the shoreline district</p> <p>Decrease in total impervious area</p>

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
<p>Water Quality: Long-term storage of excess nutrients, pathogens, and toxins</p>	High	Moderate	<p>Goal: Remove and avoid pollutant discharges to the shoreline.</p> <p>Objective: Decrease pollutant loading through low impact development and water quality improvement techniques.</p> <p>Objective: Restore estuarine and freshwater wetlands.</p>	<p>Use LID and water quality improvement measures in and adjacent to shoreline.</p> <p>Restore historic wetlands and/or enhance existing wetlands</p>	<p>Water quality sampling/indicators</p> <p>Decrease in total impervious area</p> <p>Total acres of wetland</p>
<p>Water Quality: Long-term storage of excess nutrients, pathogens, and toxins</p>	High	Moderate	<p>Goal: Remove and avoid pollutant discharges to the shoreline.</p> <p>Objective: Remove creosote contaminated logs, pilings and debris.</p>	<p>Remove creosote contaminated logs, pilings and debris.</p>	<p>Number of pilings and contaminated logs removed.</p>
<p>Habitat: Maintenance of typical native plant community</p>	High	Low	<p>Goal: Establish native riparian vegetation communities along the shoreline.</p> <p>Objective: Plant native vegetation along Puyallup River levees whenever possible as consistent with levee management standards.</p> <p>Objective: Plant native vegetation behind the Puyallup River levees whenever possible as consistent with levee management standards.</p>	<p>Restore native shoreline vegetation and wetland connections.</p>	<p>Acres of habitat enhanced within the shoreline district</p>

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
Habitat: Source and delivery of LWD	High	Moderate	Goal: Establish long term sources of LWD to support shoreline habitat. Objective: Reintroduce LWD along the Puyallup River through plantings behind the levee and wood placement as consistent with levee management standards.	Remove structural barriers between shoreline vegetation and river Remove fish passage barriers. Enhance existing shoreline vegetation with native plants and trees.	Acres of habitat enhanced within the shoreline district Number of fish passage barriers removed.
S-10 PORT INDUSTRIAL					
Hydrology: Fresh to Salt Water Transition	High	Low	Goal: Improve hydrological functions in the fresh to salt water transition area. Objective: Connect freshwater seeps and wetlands to the shoreline.	Excavate and revegetate connections between seeps/wetlands and shorelines	Number of connections Acres of wetland connection
Hydrology: Attenuation of wave energy	High	Moderate	Goal: Improve wave energy attenuation within the City's nearshore. Objective: Restore estuarine and freshwater wetlands.	Restore historic wetlands and/or enhance existing wetlands	Acres of enhanced/restored wetland within the shoreline district
Water Quality: Water contact time with soil	Moderate	Moderate	Goal: Improve water contact time with soil in wetlands to improve the filtering and cycling of pollutants. Objective: Restore estuarine and freshwater wetlands.	Restore historic wetlands and/or enhance existing wetlands	Acres of enhanced/restored wetland within the shoreline district

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
<p>Water Quality: Long-term storage of excess nutrients, pathogens, and toxins</p>	<p>High</p>	<p>Moderate</p>	<p>Goal: Remove and avoid pollutant discharges to the shoreline.</p> <p>Objective: Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris.</p>	<p>Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris.</p>	<p>Number of pilings and contaminated logs removed</p> <p>Tons of debris removed</p> <p>Cubic yards of fill/contaminated sediments removed</p>
<p>Water Quality: Long-term storage of excess nutrients, pathogens, and toxins</p>	<p>High</p>	<p>Moderate</p>	<p>Goal: Remove and avoid pollutant discharges to the shoreline.</p> <p>Objective: Decrease pollutant loading through low impact development and water quality improvement techniques.</p> <p>Objective: Prevent further loss of wetland area.</p>	<p>Use LID and water quality improvement measures in and adjacent to shoreline.</p> <p>Do not allow wetland fill in or adjacent to shoreline districts.</p>	<p>Water quality sampling/indicators</p> <p>Total acres of wetland</p>
<p>Habitat: Maintenance of typical native plant community</p>	<p>Moderate</p>	<p>Low</p>	<p>Goal: Preserve and restore existing shoreline forests, and reconnect forests to the nearshore.</p> <p>Goal: Improve aquatic habitat conditions.</p> <p>Objective: Restore and protect salt marsh habitat.</p> <p>Objective: Restore eelgrass habitat where degraded</p>	<p>Restore salt marsh and tidal wetlands</p>	<p>Acres of wetland restored within the shoreline district</p>

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
Habitat: Source and delivery of LWD	High	Moderate	<p>Goal: Preserve and restore existing shoreline forests, and reconnect forests to the nearshore.</p> <p>Goal: Establish long term sources of LWD to support shoreline habitat.</p> <p>Objective: Remove barriers between shoreline forest and nearshore habitats and enhance existing forests.</p>	<p>Remove structural barriers between shoreline forests and nearshore habitats.</p> <p>Enhance existing shoreline vegetation with native plants and trees.</p>	<p>Number of connections between upland forest and nearshore.</p> <p>Area of forest enhanced or lineal feet of shoreline vegetation.</p>
S-11 MARINE VIEW DRIVE					
Hydrology: Fresh to Salt Water Transition	High	Low	<p>Goal: Improve hydrological functions in the fresh to salt water transition area.</p> <p>Objective: Connect freshwater seeps and wetlands to the shoreline.</p>	<p>Excavate and revegetate connections between seeps/wetlands and shorelines</p>	<p>Number of connections</p> <p>Acres of wetland connection</p>
Hydrology: Attenuation of wave energy	High	Moderate	<p>Goal: Improve wave energy attenuation within the City's nearshore.</p> <p>Objective: Restore estuarine and freshwater wetlands.</p>	<p>Restore existing wetlands</p>	<p>Acres of restored wetland within the shoreline district</p>
Hydrology: Attenuation of wave energy	High	Moderate	<p>Goal: Improve wave energy attenuation within the City's nearshore.</p> <p>Objective: Encourage removal of bulkheads and use of soft armoring.</p>	<p>Replace existing bulkheads with soft shoreline armoring</p>	<p>Feet of bulkhead removed</p> <p>Feet of new soft armoring</p>

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
Sediment Generation and Transport: Sediment delivery from coastal bluffs	Moderate	Moderate	Goal: Improve sediment delivery to support nearshore processes. Objective: Reconnect feeder bluff functions.	Remove barriers to sediment delivery from bluffs	Number of parcels where bluffs are reconnected Feet of feeder bluff along shoreline
Water Quality: Water contact time with soil	Moderate	Moderate	Goal: Improve water contact time with soil in wetlands to improve the filtering and cycling of pollutants. Objective: Restore estuarine and freshwater wetlands.	Restore existing wetlands	Acres of restored wetland within the shoreline district
Hydrology: Attenuation of wave energy	High	Moderate	Goal: Improve wave energy attenuation within the City's nearshore. Objective: Restore estuarine and freshwater wetlands.	Restore existing wetlands	Acres of restored wetland within the shoreline district
Hydrology: Attenuation of wave energy	High	Moderate	Goal: Improve wave energy attenuation within the City's nearshore. Objective: Encourage removal of bulkheads and use of soft armoring.	Replace existing bulkheads with soft shoreline armoring	Feet of bulkhead removed Feet of new soft armoring
Sediment Generation and Transport: Sediment delivery from coastal bluffs	Moderate	Moderate	Goal: Improve sediment delivery to support nearshore processes. Objective: Reconnect feeder bluff functions.	Remove barriers to sediment delivery from bluffs	Number of parcels where bluffs are reconnected Feet of feeder bluff along shoreline

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
Water Quality: Water contact time with soil	Moderate	Moderate	Goal: Improve water contact time with soil in wetlands to improve the filtering and cycling of pollutants. Objective: Restore estuarine and freshwater wetlands.	Restore existing wetlands	Acres of restored wetland within the shoreline district
Water Quality: Long-term storage of excess nutrients, pathogens, and toxins	High	Moderate	Goal: Remove and avoid pollutant discharges to the shoreline. Objective: Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris.	Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris.	Number of pilings and contaminated logs removed Tons of debris removed Cubic yards of fill/contaminated sediments removed
Water Quality: Long-term storage of excess nutrients, pathogens, and toxins	High	Moderate	Goal: Remove and avoid pollutant discharges to the shoreline. Objective: Decrease pollutant loading through low impact development and water quality improvement techniques. Objective: Prevent further loss of wetland area.	Use LID and water quality improvement measures in and adjacent to shoreline. Do not allow wetland fill in or adjacent to shoreline districts.	Water quality sampling/indicators Decrease in total impervious area Total acres of wetland

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
<p>Habitat: Source and delivery of LWD</p>	<p>High</p>	<p>Moderate</p>	<p>Goal: Preserve and restore existing shoreline forests, and reconnect forests to the nearshore.</p> <p>Goal: Establish long term sources of LWD to support shoreline habitat.</p> <p>Objective: Remove barriers between shoreline forest and nearshore habitats and enhance existing forests.</p> <p>Objective: Restore eelgrass habitat where degraded</p>	<p>Remove structural barriers between shoreline forests and nearshore habitats.</p> <p>Enhance existing forests with native plants and trees.</p>	<p>Number of connections between upland forest and nearshore.</p> <p>Acres of forest habitat enhanced.</p>
<p>Water Quality: Long-term storage of excess nutrients, pathogens, and toxins</p>	<p>High</p>	<p>Moderate</p>	<p>Goal: Remove and avoid pollutant discharges to the shoreline.</p> <p>Objective: Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris.</p>	<p>Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris.</p>	<p>Number of pilings and contaminated logs removed</p> <p>Tons of debris removed</p> <p>Cubic yards of fill/contaminated sediments removed</p>
<p>Water Quality: Long-term storage of excess nutrients, pathogens, and toxins</p>	<p>High</p>	<p>Moderate</p>	<p>Goal: Remove and avoid pollutant discharges to the shoreline.</p> <p>Objective: Decrease pollutant loading through low impact development and water quality improvement techniques.</p>	<p>Use LID and water quality improvement measures in and adjacent to shoreline.</p>	<p>Water quality sampling/indicators</p> <p>Decrease in total impervious area</p>
<p>Water Quality: Long-term storage of excess nutrients, pathogens, and toxins</p>	<p>High</p>	<p>Moderate</p>	<p>Goal: Remove and avoid pollutant discharges to the shoreline.</p> <p>Objective: Prevent further loss of wetland area.</p>	<p>Do not allow wetland fill in or adjacent to shoreline districts.</p>	<p>Total acres of wetland</p>

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
Habitat: Source and delivery of LWD	High	Moderate	Goal: Preserve and restore existing shoreline forests, and reconnect forests to the nearshore. Goal: Establish long term sources of LWD to support shoreline habitat. Objective: Remove barriers between shoreline forest and nearshore habitats and enhance existing forests.	Remove structural barriers between shoreline forests and nearshore habitats. Enhance existing forests with native plants and trees.	Number of connections between upland forest and nearshore. Acres of forest enhanced.
S-12 – HYLEBOS CREEK					
Hydrology: Fresh to Salt Water Transition	High	Moderate	Goal: Improve hydrological functions in the fresh to salt water transition area. Objective: Restore estuarine and freshwater wetlands.	Restore historic wetlands and/or enhance existing wetlands	Acres of restored wetland within the shoreline district
Hydrology: Channel and floodplain connection	High	Moderate	Objective: Reconnect Hylebos Creek channels to the floodplain. Objective: Restore wetlands and setback levees wherever feasible in the fresh to salt water transition area and where reconnection to the floodplain could be accomplished.	Restore historic wetlands and/or enhance existing wetlands Setback levees	Acres of restored wetland within the shoreline district Acres of floodplain expansion

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
Sediment Generation and Transport: Upland sediment generation	Moderate	Moderate	Goal: Reduce sediment loading in Hylebos Creek. Objective: Require water quality BMPs in urban and industrial areas. Objective: Implement stormwater quality measures in the Hylebos Creek Basin Plan.	Use water quality improvement measures in and adjacent to shoreline.	Water quality sampling/indicators
Water Quality: Water contact time with soil	High	Moderate	Goal: Improve water contact time with soil in wetlands to improve filtering and cycling of pollutants. Objective: Restore estuarine and freshwater wetlands.	Restore historic wetlands and/or enhance existing wetlands	Acres of restored wetland within the shoreline district
Water Quality: Long-term storage of excess nutrients, pathogens, and toxins	High	Moderate	Goal: Remove and avoid pollutant discharges to the shoreline. Objective: Restore estuarine and freshwater wetlands.	Restore historic wetlands and/or enhance existing wetlands	Acres of restored wetland within the shoreline district
Habitat: Maintenance of typical plant community	Moderate	High	Goal: Establish native riparian vegetation communities along the shoreline. Objective: Re-establish native riparian plant and forest communities along Hylebos Creek.	Establish native plants and trees along creek.	Number of trees and plants surviving 2 years after planting Acres planted

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
Habitat: Source and delivery of LWD	High	High	Goal: Establish long term sources of LWD to support shoreline habitat. Objective: Re-establish native riparian plant and forest communities along Hylebos Creek.	Establish native plants and trees along creek.	Number of trees and plants surviving 2 years after planting Acres planted
Habitat Barriers to fish passage	Moderate	Moderate	Goal: Improve aquatic habitat conditions. Objective: Remove fish passage barriers.	Remove barriers between shoreline and upstream habitat	Number of barriers removed Fish population in upstream habitat Miles of newly accessible habitat
S-14 WAPATO LAKE					
Hydrology: Water storage	Moderate	Moderate	Goal: Maintain the important water storage function of Wapato Lake. Objective: Prepare and implement a basin plan to manage the hydrology of Wapato Lake.	Prepare and implement basin plan to manage Wapato Lake hydrology.	Plan completed
Sediment Generation and Transport: Sediment Sink	Low	Moderate	Goal: Reduce sediment loading in Wapato Lake. Objective: Decrease pollutant loading through low impact development and water quality improvement techniques.	Use LID and water quality improvement measures in and adjacent to shoreline.	Water quality sampling/indicators Decrease in total impervious area
Water Quality: Maintain trophic level	High	Moderate	Goal: Restore the water quality of Wapato Lake. Objective: Restore wetlands.	Restore existing wetlands	Acres of restored wetland within the shoreline district

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
Water Quality: Maintain trophic level	High	Moderate	Goal: Restore the water quality of Wapato Lake. Objective: Decrease pollutant loading through low impact development and water quality improvement techniques.	Use LID and water quality improvement measures in and adjacent to shoreline.	Water quality sampling/indicators Decrease in total impervious area
Habitat: Maintenance of native plant community	High	High	Goal: Establish native riparian vegetation communities along the shoreline. Objective: Re-establish native riparian plant and forest communities around Wapato Lake.	Establish native plants and trees in passive recreation areas in park.	Number of trees and plants surviving 2 years after planting Acres planted
Habitat: Source and delivery of LWD	High	High	Goal: Establish long term sources of LWD to support shoreline habitat. Objective: Re-establish native riparian plant and forest communities around Wapato Lake.	Establish native plants and trees in passive recreation areas in park.	Number of trees and plants surviving 2 years after planting Acres planted
Habitat: Connection between upland and aquatic habitats	Moderate	Low	Goal: Create high quality habitat connections between Wapato Lake and surrounding uplands. Objective: Preserve existing and establish new habitat corridors around Wapato Lake.	Remove barriers between Wapato Lake and upland habitat	Number of corridors created Barriers removed Acres of habitat corridor
Hydrology: Water storage	Moderate	Moderate	Goal: Maintain the important water storage function of Wapato Lake. Objective: Prepare and implement a basin plan to manage the hydrology of Wapato Lake.	Prepare and implement basin plan to manage Wapato Lake hydrology.	Plan completed

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
Sediment Generation and Transport: Sediment Sink	Low	Moderate	Goal: Reduce sediment loading in the Puyallup River, Hylebos Creek and Wapato Lake. Objective: Decrease pollutant loading through low impact development and water quality improvement techniques.	Use LID and water quality improvement measures in and adjacent to shoreline.	Water quality sampling/indicators Decrease in total impervious area
Water Quality: Maintain trophic level	High	Moderate	Goal: Restore the water quality of Wapato Lake. Objective: Restore wetlands.	Restore existing wetlands	Acres of restored wetland within the shoreline district
Habitat: Maintenance of native plant community	High	Moderate	Goal: Establish native riparian vegetation communities along the shoreline. Objective: Re-establish native riparian plant and forest communities around Wapato Lake.	Establish native plants and trees in passive recreation areas in park.	Number of trees and plants surviving 2 years after planting Acres planted
Habitat: Source and delivery of LWD	High	High	Goal: Establish long term sources of LWD to support shoreline habitat. Objective: Re-establish native riparian plant and forest communities around Wapato Lake.	Establish native plants and trees in passive recreation areas in park.	Number of trees and plants surviving 2 years after planting Acres planted

Ecological Process and Function	Level of Alteration ¹	Restoration Potential ²	Restoration Goals and Objectives	Restoration Actions	Metrics and Monitoring
<p>Habitat: Connection between upland and aquatic habitats</p>	<p>Moderate</p>	<p>Low</p>	<p>Goal: Create high quality habitat connections between Wapato Lake and surrounding uplands.</p> <p>Objective: Preserve existing and establish new habitat corridors around Wapato Lake.</p>	<p>Remove barriers between Wapato Lake and upland habitat</p>	<p>Number of corridors created</p> <p>Barriers removed</p> <p>Acres of habitat corridor</p>

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5.2 Criteria for Prioritizing Restoration Projects

The State's 2003 Guidelines do not include specific criteria for local jurisdictions to use in prioritizing restoration actions. Ecology has encouraged jurisdictions to use Stanley et al (2005) as a guide in prioritizing actions. In general, Stanley et al (2005) proposes that ecological processes and functions be evaluated at the reach and watershed scale. Functions should be protected where there is low alteration and enhanced in the urban environment where there is high alteration at the reach and watershed scale. Where there is low alteration of a reach within the context of a highly altered watershed (such as S-4, Point Defiance in the lower Chambers-Clover Watershed), Stanley et al (2005) recommends that the focus be on the restoration of broad ecological processes.

Collaborating with adjacent jurisdictions to restore ecological processes operating at the landscape level will help to protect existing functions and set the stage for reach- or site-specific actions. It is generally accepted that controlling factors or ecological processes must be restored to provide the basis for ecological functions. Once processes are intact, restoration of functions can be successful in the long term (Thom et al. 2005). High level guidance on appropriate shoreline enhancement actions from the Commencement Bay Aquatic Ecosystem Assessment (2000) can help guide restoration decisions. See Attachment C for further discussion of the foundation for restoration priorities in this Plan.

The following criteria will be used to prioritize restoration actions and fill the needs identified in Table 2 and Map 1 (in Attachment A).

If a project's priority was identified in previous plans/programs, that ranking is incorporated into this Shoreline Restoration Plan. If a project was not previously ranked and as new projects are proposed, the following criteria can be applied to determine their level of priority. A project may be rated as a low, medium or high priority once it is reviewed according to these criteria. The criteria are not listed in order of importance or priority.

Screening criteria:

- Site can be made available for restoration; sites do not have substantial structures or pavement.
- Site has limited potential for contamination/recontamination.

Prioritization criteria:

- The project meets the goals and objectives for shoreline restoration.
- The project is directly associated with a moderate or high restoration potential/opportunity, according to the Shoreline Inventory and Characterization.
- The project is sustainable and there is a high likelihood of success given the status of ecological processes and functions and larger watershed controls (such as sea level rise associated with climate change, or erosion associated with river/creek flows affected by land uses in the greater watershed).

- The project would increase functional connectivity or link existing habitats.
- The project is cost-effective. For example, enhancement of existing habitat is more cost-effective than creating new habitat (enhancement generally requires less engineering, less earth-moving, less cost).
- Size of area to be protected or restored; greater than 2 acres is preferred.
- Ownership and management does not present access challenges.
- Adjacent land uses are compatible with the site to be protected or restored.
- There is public support for the project.

6.0 EXISTING RESTORATION EFFORTS

Much effort has been dedicated to protecting natural areas and restoring Tacoma's shoreline. Although the Shoreline Inventory and Characterization demonstrated that there is currently a significant degree of alteration to ecological processes, it also illustrated that there are many areas of opportunity for improvement. This section provides an overview of organizations, plans, programs and policies that currently address shoreline restoration. The efforts of both public and private organizations are included. Attachment A, Map 2, show existing restoration sites associated with the existing efforts described in this section.

6.1 Local

Shoreline Master Program (1976) The City of Tacoma first adopted its SMP in 1976 as an element of the City's long-range comprehensive Land Use Management Plan (Comprehensive Plan, see below). The SMP is organized into two major parts. Part I is the Shoreline Plan, providing long-range goals and policies adopted by resolution. Part II establishes shoreline districts, shoreline environment designations, use regulations, and permitting procedures to govern development and other activities in the City's shorelines. The environment designations are to be based on biological and physical capabilities and limitations of the shoreline, existing and planned development patterns, and a community's vision or objectives for its future development. The City's SMP establishes three environment designations: Natural, Conservancy, and Urban. The City's SMP further establishes 14 distinct shoreline districts. Each district has shoreline environment designations, management policies, and use regulations applicable to properties in that district. The Shoreline Master Program is currently implemented by the City of Tacoma Building and Land Use Services (BLUS) division.

Comprehensive Plan (1993) The City of Tacoma's Comprehensive Plan is the official statement adopted by the City that establishes the long-range vision for the city. The Comprehensive Plan anticipates change for the coming 20 years and establishes direction for the future physical growth, development, and improvement of the city. The plan also fulfills the City's responsibilities to manage growth as mandated by the GMA. There are five primary elements mandated by the GMA: land use, transportation, housing, capital facilities, and utilities. These five general elements were initially adopted in 1993. The Shoreline Master Program was

amended and included as a general element of the Plan in 1996. Comprehensive Plan goals for the shoreline include conservation, protection, enhancement, and proper management of natural resources and shorelines, while providing for a balanced pattern of development and the needs of its citizens. Goals, objectives and policies relevant to shoreline restoration are included in the Shoreline Land Use Element, Open Space Habitat and Recreation Element (see discussion below), and Parks and Recreation Element.

Open Space Habitat and Recreation Plan (Comprehensive Plan Amendment; 2008) The City of Tacoma has been planning for and purchasing open space since the early 1970's. Since then, the City and its partnering agencies have acquired hundreds of acres of natural open space areas within the city. However, many areas which are appropriate to remain as open space are still unprotected and declining in habitat quality due to invasive species. Recent studies have shown that without a concerted restoration effort, the City's natural areas will lose significant forested canopy and biodiversity within the next 20 years.

In response, the City of Tacoma, Green Tacoma Partnership and the Metropolitan Park District developed an Open Space Habitat and Recreation Plan. This plan and action program includes strategies for open space acquisition, management and restoration as well as city-wide green strategies. The Plan provides an integrated vision for Tacoma's habitat and recreation lands and facilities. The plan sets forth goals, policies, and implementation plans for Tacoma municipal open spaces and natural areas. The Open Space Habitat Plan was developed to meet goals nine and ten of the GMA. Goal Nine encourages cities and counties to retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water and develop parks and recreation facilities. Goal Ten encourages cities and counties to protect the environment and enhance Washington's high quality of life, including air and water quality, and the availability of water.



Figure 5 This one-acre restoration project, along the Blair Waterway, was developed by the Port of Tacoma. The Port turned a portion of a former Rhone-Poulenc fertilizer plant into a salt marsh and mudflat habitat like those once common along Commencement Bay. Lying between Washington United Terminals and U.S. Oil, this public habitat area now provides food and refuge for young salmon before they enter Puget Sound. Filled with grasses, pussy willows and other native plants and trees, this habitat attracts small mammals and many types of birds.

In developing the Plan, the environmental quality and land use of Tacoma's open spaces and natural areas were analyzed; Natural Corridors and wetland mitigation sites within the identified Natural Corridors were identified; agency and community capacity to manage and restore natural areas were assessed; and recommendations for the restoration and management of Tacoma's

open spaces were developed. This analysis, the Plan and associated maps serve as the basis of information for development of an Open Space Program. The Natural Corridors include public and acquired private lands to provide a city-wide open space management approach. Corridors include the City's significant critical areas, their connection to each other and bordering critical areas within the same watershed. Corridors identify interrupted connections between critical areas, as well as open spaces that support ecological functions. A goal of the Plan is to provide a balance between natural area protection, urban public recreation opportunities and aesthetics.

The Open Space Habitat and Recreation Plan was prepared as an element of the Comprehensive Plan. The Plan is being implemented by the City in cooperation with the Green Tacoma Partnership (see below). The Open Space Habitat and Recreation Plan has a complimentary implementation program under development which will include a programmatic approach to permitting through Habitat Management Plans and mitigation sites identified in advance that are connected to upland natural corridors.

City of Tacoma Land Use Regulatory Code The key regulatory mechanism that implements the Comprehensive Plan is the Land Use Regulatory Code. This code contains the development regulations that govern the manner by which land is used, developed, or redeveloped. This code is found in Title 13 of the Tacoma Municipal Code (TMC) and includes regulations for platting, zoning, shorelines, and critical areas (see critical areas discussion below). The zoning ordinance regulates land use by specifying which uses are appropriate within zoning districts, including the shoreline district. The Land Use Code is implemented by the Tacoma Building and Land Use Services (BLUS) division.

City of Tacoma Critical Areas Regulations The City of Tacoma's critical area regulations Critical Areas Preservation Ordinance (CAPO) were recently updated and are codified in the TMC 13.11. Although critical areas in shoreline jurisdiction are to be identified and designated under the GMA, they must also be protected under SMA. According to Engrossed Senate Bill 1651 passed in 2010, once the Town updates its SMP critical areas within shoreline jurisdiction are protected under the SMA and are no longer subject to the procedural and substantive requirements of the GMA. The SMP must protect those critical areas such that there is "no net loss of shoreline ecological functions necessary to sustain shoreline natural resources" as defined by the SMP Guidelines.

Critical areas include wetlands, aquifer recharge areas, fish and wildlife habitat conservation areas (including rivers, streams and marine shorelines), geologically hazardous areas, and frequently flooded areas (WAC 173.26.201(3)(c)(ii)). In further describing the approach for critical areas, the Guidelines describe standards for "critical saltwater" and "critical freshwater" habitats (WAC 173.26.221(2)(c)). Critical saltwater habitats include kelp beds, eelgrass beds, spawning and holding areas for forage fish, subsistence, commercial, and recreational shellfish beds, mudflats, intertidal habitats with vascular plants, and areas with which priority species have a primary association.

Under the CAPO, buffers on Type S rivers and streams (shorelines of the state) are 150 feet in width from the ordinary high water mark. Minimum marine buffers are 50, 115 or 200 feet in width, depending on location. Tacoma's critical areas regulations are implemented by the Tacoma BLUS division.

Green Tacoma Partnership The Green Tacoma Partnership is a public-private partnership between the City of Tacoma, Metro Parks Tacoma, Tacoma Public Utilities, Cascade Land Conservancy, Tahoma Audubon Society, and the citizens of Tacoma. The Green Tacoma Partnerships' goal is to develop and foster community capacity and support the implementation of the Open Space Habitat Plan. The Green Tacoma Partnership uses the Open Space Program to identify priority projects, allocate project funding, and foster political and community support.

Green Ribbon Task Force Members of the City Council approved a resolution in April 2006 that affirmed the City's efforts to reduce greenhouse gases and curb global warming in accordance with the Kyoto Protocols. A Green Ribbon Climate Action Task Force was established to refine reduction goals and develop specific community and government greenhouse gas reduction measures. The Task Force was appointed by the Tacoma City Council and represents a diverse set of interests and community groups including government agencies, environmental groups, business and trade groups, higher education and the health community. Tacoma's Climate Action Plan recommendations were submitted by the Task Force to the City Council in July 2008. In October 2008, the City Council adopted a resolution creating an Office of Sustainability and the Sustainable Tacoma Commission on Climate Change. The purpose of these entities is to officially begin implementing the Climate Action Plan. The City Council appointed 11 members to the Sustainable Tacoma Commission in April 2009. The commission has had regular meetings since that time.

Tacoma's Climate Action Plan establishes carbon reduction goals for the City and community and offers more than 40 new strategies to achieve those goals. Strategies identified for action include adopting and funding the Open Space Habitat and Recreation Plan (see discussion of that plan in this section).

Commencement Bay Aquatic Ecosystem Assessment – Ecosystem-Scale Restoration for Juvenile Salmon Recovery (2000) This report provides an ecological assessment of the potential contribution of restoration and mitigation to salmon recovery in the Commencement Bay watershed that should be considered under CERCLA clean-up and compensation for contaminated sediments in Commencement Bay. Organized around broad landscape and ecosystem processes, the report identifies criteria that can guide selection of restoration sites and actions in Commencement Bay to benefit juvenile salmon. A list of priority projects and their rankings is provided.

Commencement Bay Natural Resource Restoration Plan (1997) The City of Tacoma has an active and well-established history in nearshore and intertidal restoration, particularly in Commencement Bay. Restoration in the nearshore marine environment of Commencement Bay has occurred over the past 15 to 20 years through the remediation efforts under the Commencement Bay Natural Resource Damage Assessment (CB/NRDA) program. These efforts are part of the implementation of the Commencement Bay Conceptual Restoration Plan (June 1997), which details the restoration components outlined in the preferred alternative – the Integrated Approach – as described in the programmatic Environmental Impact Statement (EIS) prepared for the Commencement Bay cleanup plan.

Restoration options for Commencement Bay cleanup are outlined in detail in Volume II - Restoration Options, Commencement Bay Cumulative Impact Study (see discussion below). The

Integrated Approach outlined in the EIS includes the implementation of a combination of restoration projects that are designed to maximize the benefits to the damaged natural resources in Commencement Bay, and meet the goals and objectives of the Commencement Bay Natural Resource Trustees. Additional detail on restoration activities is included in the Shoreline Inventory and Characterization, particularly in Sections 4 (Nearshore Marine Shoreline Planning Area) and 8 (Assessment of Shoreline Functions and Opportunity Areas).

The CB/NRDA restoration plan focuses on the 25 square miles of Commencement Bay as its primary restoration area, including the mouths of Hylebos Creek, Wapato Creek and the Puyallup River. Identified as the primary area where natural resources have been damaged by past releases of hazardous substances, this area is where remediation efforts are focused and ongoing.

The NRDA Trustees evaluated a number of potential restoration sites in conjunction with the potentially responsible cleanup parties, environmental groups and the public. Broad-based action groups such as Citizens for a Healthy Bay and the Commencement Bay Cleanup Action Committee, along with the City of Tacoma and other partners, have developed visions for the Commencement Bay restoration framework and activities. Site screening and selection criteria were developed through this process and over 100 potential restoration sites were evaluated. SMP restoration activities proposed within the Commencement Bay area should be conducted in coordination with the CB/NRDA restoration plan. As a means of integrating restoration efforts, any project consistent with the CB/NRDA restoration plan are considered consistent with this SMP restoration plan.



Figure 6 Under a plan accepted by the EPA, the Wheeler-Osgood and Thea Foss Waterways were cleaned. Approximately 425,000 cubic yards of contaminated sediments were dredged from the waterways and placed behind a containment berm in the nearby St. Paul Waterway. As part of the cleanup project, habitat restoration sites were constructed. In addition, wherever possible shorelines were enhanced to make them habitat friendly, including four areas along the Thea Foss Waterway. The Wheeler Osgood remains a potential site for further restoration. As shown in this image, native vegetation is lacking. Native plants along the shoreline would improve habitat functions.

The four main objectives of the CB/NRDA restoration plan are:

- Provide a functioning and sustainable ecosystem where selected habitats and species of injured fish and wildlife will be enhanced to provide a net gain in habitat function beyond existing conditions;

- Integrate restoration strategies to increase the likelihood of success;
- Coordinate restoration efforts with other planning and regulatory activities to maximize habitat restoration; and
- Involve the public in restoration planning and implementation.

Six specific habitat areas were selected as the areas of focus for the CB/NRDA restoration plan. These habitat areas are all within the City of Tacoma's shoreline jurisdiction and include the following:

- Puyallup River wetlands and riparian corridor;
- Heads of waterways and river delta;
- The Hylebos Waterway;
- The eastern shoreline of Commencement Bay;
- The western shoreline of Commencement Bay; and
- Hylebos and Wapato Creeks wetlands and riparian corridors.

Commencement Bay Cumulative Impact Study – Vol. II Restoration Options (1993) The Commencement Bay Restoration Options Project involves federal, state, local and tribal efforts to assess cumulative impacts on habitats and resources of Commencement Bay and the Puyallup River estuary, and to identify options to restore, replace or rehabilitate habitats and resources. This comprehensive plan for the area is used to guide restoration and mitigation actions undertaken through the Superfund cleanup effort, navigational dredging operations, the Puyallup Settlement and port development.

Restoration planning in this project emphasized an ecosystem approach and public participation in identifying specialized habitats and their loss over time and technically feasible and cost-effective recovery methods. The list of restoration goals and sites is used by state and federal natural resource trustee agencies, the Puyallup and Muckleshoot Indian Tribes, the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, the Port of Tacoma and the City.

Citizens for a Healthy Bay (2004) Citizens for a Healthy Bay was formed to provide a community voice in the Superfund clean-up process. This report provides an overview of the status of CERCLA clean-up efforts since they were initiated in 1981. Progress at each Superfund site in the Bay is evaluated. The organization undertakes stewardship projects and monitors their success. The Citizens for a Healthy Bay also work to restore habitat with the goal to restore 610 acres of Commencement Bay critical marine habitat to its original functions and values. The organization has restored 260 acres since 1994. The 5 current restoration sites are:

1. Middle Waterway (Simpson side)
2. Mowitch Estuary

3. Squally Beach
4. Skookum Wuldge
5. Yowkwala

Puget Creek Restoration Society The Puget Creek Restoration Society protects, enhances, and restores the Puget Creek Watershed and other streams, wetlands, and green spaces in South Puget Sound. The Society involves the community in restoration and stewardship, research and monitoring, education and advocacy. Puget Creek/Gulch is a 66-acre natural area in Tacoma's North End and one of only three salmon-bearing streams within the city limits.

Titlow Beach Marine Preserve The Metropolitan Park District of Tacoma established Titlow Beach Marine Preserve in March 1994. The Preserve includes all waters and tidal and submerged lands in the area between the southernmost point of the Tacoma Outboard Association leasehold and the old ferry dock at the foot of the 6th Avenue extension, and between the mean high water line and the outer harbor line. The purpose of the Preserve is to:

- Preserve tidelands, beach and the bank;
- Prohibit harvesting of all life forms with the exception of recreational salmon fish subject to State regulations;
- Ensure enhancement projects do not have adverse effects on the natural environment;
- Provide education on the importance of the marine environment; and
- Coordinate education between the Titlow Marine Preserve, Interpretive Center and Education Link.

The Park Board management goals for the Preserve include maintaining and protecting the physical attributes of the park, and enhancing visitors' enjoyment of the park.

Titlow Park Master Plan (2010) Metropolitan Park District of Tacoma developed a master plan for adding park amenities and enhancing natural features at Titlow Park in January 2010. The master plan includes the following habitat enhancements which are generally located within the shoreline area :

- Restore and lengthen perennial stream that drains into the upper lagoon to improve stream health.
- Deepen the bottom of the existing lagoon so its bottom provides standing water on the lowest tides and is connected under the railroad to tidal influences for fish passage. The connection to Tacoma Narrows would be through a free-flowing channel running under a new railway bridge. Reshape and revegetate the edges of the lagoon. Rebuild the connection between the upper and lower lagoons by

replacing the tidal weir with a new outfall and pedestrian bridge, and bank/vegetation restoration.

- Consider the environmental trade-offs from removing existing off-shore piling. Take the cultural/historic perspective and nest boxes and dive sites into account.
- Remove the existing “barge” at North Beach and restore natural beach.
- Work with environmental agencies to explore ways to rebuild the beach profile from pier to Kay’s House, restoring natural functions consistent with lagoon enhancement.
- Establish a beach re-construction and beach feeding program on the water side of the railroad berm. Significant regulatory obstacles preclude this from being accomplished in the near future.

A restoration study is being conducted by the South Puget Sound Salmon Enhancement Group and the People for Puget Sound on the Titlow Park shoreline and estuary lagoon for the purpose of improving habitat for juvenile salmon and other species. The study is being carried out in 2010.

Wapato Park Master Plan (2005) The Metropolitan Park District of Tacoma developed a master plan for Wapato Park in September 2005. The master plan includes lake enhancements to improve water quality. The enhancements proposed include:

- Installation of an aerating fountain and bubblers throughout the lake.
- Reconstruction, as needed, and maintenance of the sediment trap system at the Ainsworth Avenue outfall.
- Establishment of a vegetative edge along the north and west sides of the lake to control soil erosion, introduction of rooted aquatic vegetation to increase nutrient removal, and addition of taller wetland plants for increasing shade along the water’s edge.
- Installation of docks and platforms at the water’s edge to control access and reduce erosion of the shoreline.



Figure 7 Conceptual drawing of Wapato Park from the Wapato Park Master Plan

- Installation of rock outcroppings at strategic locations around the lake to provide additional locations for public access, armoring of the shoreline, and protection for planting of sedges and other rooted aquatic vegetation.
- Increasing the amount of water entering the lake to provide water movement and exchange. Because of limited natural flow of ground water, pumping in fresh water from the Green River conduit at the north end of the lake may be necessary.
- Control of the waterfowl population with a first step of adopting enforceable measures to stop the public from feeding the ducks and geese.
- Work with Ecology and the City of Tacoma Environmental Services to develop a lake management plan. A first step in this process is the development of a base-line water quality measurement program.

6.2 Regional

Salmon Habitat and Protection Strategy – WRIA 10 (Puyallup Watershed) and WRIA 12 (Chambers/Clover Watershed) (2005) The Salmon Habitat Protection and Restoration Strategy for the Puyallup and Chambers/Clover watersheds was developed in response to the listing of Chinook salmon as threatened under the Endangered Species Act. Pierce County, the lead entity for recovery planning in these watersheds, coordinated citizen and technical advisory groups to identify habitat conditions, prioritize habitat areas and near and long-term actions, and provide policy recommendations. The policy recommended for the Puyallup Watershed was to continue the role of hatchery production, but a reform of hatchery management policies. Chambers Creek habitat was identified as important for Chinook spawning and rearing. The policy recommended for Chambers/Clover Watershed was to allow wild Chinook to spawn naturally upstream.

The Strategy supports efforts that protect and restore intertidal and shallow subtidal habitat throughout Commencement Bay. General protection and restoration measures (listed below) and general priorities for shoreline reaches are, though no specific projects are identified.

- Reduce and minimize shoreline armoring wherever feasible and unnecessary to support water-dependant uses.
- Control point and non-point sources of contamination.
- Restore, enhance, or protect viable habitat that provides connective corridors between riverine and estuarine habitats and between estuarine and open water.
- Allow LWD to remain in the shoreline to provide structure for refuge.
- Limit additional bulkheads; promote development of natural shorelines and habitats.
- Include the use of shoreline setbacks for new construction and promote shoreline vegetation buffers.

- Maintain public access to the shoreline.
- Conserve or restore stream mouths.
- Protect and restore intertidal and shallow subtidal habitat throughout Commencement Bay to provide rearing habitat for salmonids.

The Shoreline Inventory and Characterization synthesizes restoration opportunities on Tacoma's shorelines based to some extent on the WRIA 10 and 12 Limiting Factors Reports.

Lower Puyallup Watershed Action Plan (1995) Pierce County coordinated the Lower Puyallup Watershed Management Committee in developing and action plan to address declining water quality and habitat degradation in the river. The Lower Puyallup Watershed Action Plan is based on information developed as part of the Lower Puyallup Watershed Phase 1 Report on nonpoint water pollution issues, goals and objectives. Water quality concerns associated with agriculture, boats and marinas, forest practices, on-site sewage disposal, stormwater and erosion and other sources were evaluated and a list of action items was prepared. Implementation responsibility, a funding source, time frame and potential benefits of each action were identified. An implementation budget and monitoring program were included in the plan as well.

South Puget Sound Salmon Enhancement Group The South Puget Sound Salmon Enhancement Group protects and restores South Puget Sound salmon populations and aquatic habitat through scientifically informed projects, community education, and volunteer involvement. The group works in cooperation with landowners and other organizations to help plan, fund, carry out, and monitor fishery enhancement and habitat restoration projects. Over 100 projects have been completed since the group formed in 1990.

The Washington State Legislature formed salmon enhancement groups in 1990 as a means of directly involving communities, citizen volunteers, and landowners in salmon recovery. Enhancement groups are funded by surcharges on sport and commercial fishing licenses and the sale of eggs and carcasses from state hatcheries.

Puget Sound Nearshore Project The Puget Sound Nearshore Project (PSNP) (also referred to as the Puget Sound Nearshore Ecosystem Restoration Project (PSNERP)) is a large-scale, multi-agency initiative to address habitat restoration needs in the Puget Sound basin. Nearshore Project goals are to identify significant ecosystem problems, evaluate potential solutions, and restore and preserve critical nearshore habitat. PSNP represents a partnership between the U.S. Army Corps of Engineers (Corps); local, state and federal government organizations; Indian tribes; industries and environmental organizations.

A General Investigation Reconnaissance Study (2000) conducted by the U.S. Army Corps of Engineers identified a direct link between healthy nearshore habitat and the physical condition of the shoreline. The study identified several actions that would be central in restoring nearshore processes to a more natural state:

- Providing marshes, mudflats, and beaches with essential sand and gravel materials;

- Removing, moving and modifying artificial structures (bulkheads, rip rap, dikes, tide gates, etc.);
- Using alternative measures to protect shorelines from erosion and flooding; and
- Restoring estuaries and nearshore habitat such as eelgrass beds and kelp beds.

PSNP also provides outreach and guidance materials related to nearshore ecosystem restoration principals, concepts, and methods of implementation.

Puget Sound Salmon Recovery Plan Shared Strategy for Puget Sound (Shared Strategy) is a collaborative effort between local stakeholders and regional leaders to protect and restore salmon runs across Puget Sound that was initiated as a result of Endangered Species Act (ESA) listings of salmonid species in the Puget Sound region. Shared Strategy engaged local citizens, tribes, technical experts and policy makers to build a practical, cost-effective recovery plan endorsed by the people living and working in the watersheds of Puget Sound.

In June 2005, Shared Strategy presented its regional plan for Puget Sound Chinook to the National Oceanic and Atmospheric Administration (NOAA) for approval. The NOAA Northwest Region then prepared a supplement that clarified and expanded on ESA recovery requirements. Following public comment on the proposed plan, NOAA finalized these two documents on January 19, 2007. Together the Shared Strategy plan and NOAA supplement comprise a final recovery plan for Puget Sound completing for the first time ever in the history of the Endangered Species Act a recovery plan developed and endorsed by the community.

Cascade Land Conservancy The Cascade Land Conservancy (CLC) seeks to conserve urban and rural natural spaces within the Central Puget Sound region, including areas throughout King and Pierce Counties. Priority natural areas include lands along streams, rivers, other areas in the cascade foothills, and estuary areas. The CLC conservation strategies have included securing lands through purchase and donation, conservation easements, and ownership agreements. CLC is participating in conservation efforts in Tacoma, such as the Green Tacoma Partnership (described in this section).

Puyallup River

Watershed Council

Formed in 1995, the Puyallup River Watershed Council is an action group made of citizens, local governments, businesses, elected officials, and environmental agency representatives who support strategies to preserve, protect, and improve the Puyallup River watershed. The

Council provides opportunities for collaboration and cooperation between the public and watershed stakeholders, establishes outreach programs to encourage citizens to make a difference in their communities, and creates and submits

grant proposals for watershed improvement projects. The Puyallup River Watershed Council received the Washington State Environmental Excellence Award in 2002 for creating a unique public forum to benefit the watershed.

Pierce County Lower Puyallup River Feasibility Study Pierce County is currently developing a feasibility study to investigate measures to address the potential for levee failure and/or flooding in the Lower Puyallup basin. This work was prompted by the recent significant revisions to the FEMA floodplain as the levees do not provide sufficient freeboard, and have therefore been de-certified. This study will investigate options to reduce the potential for flooding and improve habitat within the Lower Puyallup River. *The Lower Puyallup River Flood Protection Investigation Without-Project Analysis* was developed in June 2009. According to the report, prior to the identification of appropriate flood-protection projects, the physical and social conditions with no new flood-protection measures in place should be studied. The “without-project” analysis is a first step in the process of finding ways to reduce the size of the recently mapped floodplain. The report evaluated flood-related conditions along the river as they are today and will be in 50 years if no new flood-protection project is undertaken.



Figure 8 The Port of Tacoma cleaned up a former city landfill to create the off-channel wetland shown above. Located along the Puyallup River just south of Lincoln Avenue, the site was named Gog-le-hi-te wetlands by the Puyallup Tribe to mean “where the land and waters meet.”

The wetlands support a healthy ecosystem with thousands of plants, more than 100 types of birds and a variety of mammals, fish, reptiles and amphibians. The restored wetland is particularly significant because of its importance to salmon and the scarcity of such, once common, landscape features along the lower Puyallup River.

6.3 State and Federal

Puget Sound Partnership The Puget Sound Partnership was formed in December 2005 by the Governor to focus attention on the overall needs and health of Puget Sound. The Partnership is a community effort of citizens, governments, tribes, scientists and businesses working together to restore and protect Puget Sound.

Puget Sound Partnership is drafting a 2020 Action Agenda that prioritizes cleanup and improvement projects, coordinates federal, state, local, tribal and private resources, and ensures interagency cooperation. Decisions within the Action Agenda are to be based on science, focus on actions that have the biggest impact, and hold people and organizations accountable for results. The Action Agenda will be completed in December 2008.

The Puget Sound Action Team, created by legislature in 1996 as the state's partnership for Puget Sound, became part of the Puget Sound Partnership in 2005.

Salmon Recovery Funding Board In 1999, the Washington State Legislature created the Salmon Recovery Funding Board (SRFB). The Board provides grant funds to protect or restore salmon habitat and assist with related activities. It works closely with local watershed groups (known as lead entities). Composed of five citizens appointed by the Governor and five state agency directors, the Board brings together the experiences and viewpoints of citizens and the major state natural resource agencies.

The Board administers annual grant programs and supports feasibility assessments for future projects and other recovery activities. Eligible applicants include municipal subdivisions (cities, towns, counties, and special districts such as port, conservation, utility, parks and recreation, and schools), tribal governments, state agencies, nonprofit organizations, regional fisheries enhancement groups, and private landowners. SRFB has helped finance over 900 projects.

7.0 IMPLEMENTING THE SHORELINE RESTORATION PLAN

7.1 Implementation Actions

Restoration Demonstration Project

A small demonstration restoration project that includes a variety of techniques could be completed by the City as an example for private landowners, or the City could identify a set demonstration projects and actively solicit entities to implement one or more of them. Additionally, the City could work with existing programs such as the South Puget Sound Salmon Enhancement Group, to leverage funding and efforts where available to implement demonstration projects.

Environmental Education and Volunteer Coordination

The City should create a shoreline restoration initiative the Department of Public Works, Surface Water Management, Education and Involvement Program. Through such an initiative, the City could accomplish restoration projects together with community volunteers. Volunteers could be

provided with shoreline stewardship training, and recruited for project implementation and monitoring. General shoreline stewardship education could be provided through the program. The City would provide equipment and expertise; new staffing and funding may be necessary to implement the initiative.

Regional Coordination

The City should continue to take an active role in the Puget Sound Nearshore Project, Puget Sound Partnership and Commencement Bay restoration efforts and pool resources with regional entities to achieve as much restoration as possible. The City should also look for new opportunities for involvement in regional restoration planning and implementation.

Resource Directory

The City could develop a resource list for property owners that want to be involved in voluntary restoration activities. This resource list could include native plant nurseries, contacts, and other educational information needed by private property owners who desire to restore shoreline habitat within their ownership.

Development Opportunities

When shoreline development occurs, the City should look for opportunities to conduct or encourage restoration in addition



Figure 9 The top image shows a portion of the Thea Foss Waterway in 1998, before restoration activities. The bottom image shows the Thea Foss Waterway today. As shown, creosote pilings have been removed, a seawall was constructed to support the Thea Foss Esplanade and restoration plantings have been established between the wall and the water. This design provides an alternative to traditional shoreline armoring built directly at the shore. The shoreline vegetation between the bulkhead and water provide wave attenuation as well as overhanging native vegetation.

to minimum mitigation requirements. Development may present opportunities for restoration that would not otherwise occur and may not be available in the future. When on-site mitigation opportunities are limited due to site constraints or limited potential ecological gains, the City could direct mitigation to priority off-site restoration needs.

Shoreline Habitat Fee-in-lieu

The City is currently considering a fee in-lieu (FIL) program for mitigating shoreline habitat impacts. This FIL program would allow an applicant to pay fees "in-lieu" of providing on-site mitigation for upland shoreline habitat. The fees would be used to mitigate for shoreline habitat, including wetlands, at an off-site location within the same Shoreline District. The FIL program is in draft form at this time and has been designed to provide mitigation that meets the requirements of the shoreline regulations. The draft FIL program is included as Attachment D. Restoration actions that go above and beyond the mitigation requirements in the shoreline regulations could be incorporated into the FIL program on a voluntary basis.

7.2 Timelines and Benchmarks

In the context of the SMP update, restoration planning is a long-term effort. As stated earlier, the SMP guidelines include the general goal that local master programs "include planning elements that, when implemented, serve to improve the overall condition of habitat and resources within the shoreline area" (WAC 173-26-201(c)). As a long-range policy plan, it is difficult to establish meaningful timelines and measurable benchmarks in the SMP by which to evaluate the effectiveness of restoration planning or actions. Establishing timelines is further complicated by the fact that shoreline restoration is almost entirely dependent on grant funding, which is unpredictable at best. Nonetheless, the legislature has provided an overall timeframe for future amendments to the SMP. In 2003, Substitute Senate Bill 6012 amended the Shoreline Management Act (RCW 90.58.080) to establish an amendment schedule for all jurisdictions in the state. Once Tacoma adopts its updated shoreline management plan, the City is required to review, and amend, if necessary, its SMP once every seven years (RCW 90.58.080(4)). During this review period, the City should document progress toward achieving shoreline restoration goals. The review could include:

- Re-evaluating adopted restoration goals, objectives, and policies;
- Summarizing both planning efforts (including application for and securing grant funds) and on-the-ground actions undertaken in the interim to meet those goals; and
- Revising the SMP restoration planning element to reflect changes in priorities or objectives.

Specific timelines for identified reach and site- specific restoration actions should be developed according to the general priorities described herein, and emphasis should be given to areas with the greatest restoration potential.

7.3 Funding and Partnership Opportunities

Capital Facilities Program

The City should include shoreline restoration as a new section of the 6-year Capital Facilities Program. This would ensure that shoreline restoration projects are considered during the City's budget process.

Development Incentives

The City could provide development incentives for restoration, such as waiving some or all permit fees when shoreline restoration is included in a project and when restoration is voluntary (not required for mitigation). An incentive program could serve to encourage developers to try to be more imaginative or innovative in their development designs.

Stewardship Certification and Tax Incentives

The Shore Stewards program sets up guidelines for shoreline residents to preserve and enhance the shoreline environment. With a verification component, Shore Stewards could provide certification and tracking. This could be implemented as a Shoreline Tax Incentives when someone participates in the WDFW backyard sanctuary program. Since the City recognizes that there are important opportunities to improve shoreline ecological conditions and functions through non-regulatory volunteer actions, it might examine the potential for property tax breaks for shoreline property owners who are actively manage their property for habitat protection or enhancement. The City could participate in the open space tax program pursuant to Chapter 84.43 RCW to provide such benefits to landowners.

A related tax incentive program is the current use assessment. The City of Tacoma can grant current use assessments to incent private landowners to maintain ecologically important areas in an undeveloped condition. Current use assessments are allowed under the State's 1970 Open Space Taxation Act. This act allows property owners to have their open space valued at its current use (i.e. undeveloped) rather than at their highest and best use. Lands eligible for current use classification would include areas identified by this program as important to the maintenance of natural shoreline functions. The program is voluntary, and property owners may remove their property from the program at any time, paying back taxes and a penalty if they do so within 10 years of entering the program.

The City and Pierce County jointly review Current Use Assessment applications within the City. In conducting a review of an application, the City considers its goal of conserving lands that are valuable for the natural, recreational, aesthetic and/or other open space benefits they provide to the public. The City's Comprehensive Plan and Current Use Assessment regulations contained in Tacoma Municipal Code (TMC) Chapter 13.08 guide the City's review. Additionally, the City considers the County's findings as determined through use of a point system called the Public Benefit Rating System (PBRs), contained in Pierce County Code 2.114.060. The PBRs is used by the County to determine how much public benefit is derived from the subject open space site, and therefore how much of a tax reduction to grant.

City and Other Grants

The restoration plan will be implemented via existing city programs. Metro Parks maintains a 6-year comprehensive capital projects list to implement recommendations in the Metro Parks Strategic Plan; this capital program includes restoration as part of larger projects as well as stand

alone projects. Most funding resources for these projects are limited in scope and can only be used to fund specific types of projects or improvements. Metro Parks continues to investigate all available funding options, including maintaining and expanding general fund support, aggressively seeking grants, partnerships and donations, and being prepared to act as opportunities arise. Other funding sources for Metro Parks include bond proceeds, the State Recreation and Conservation Office, the State legislature (through special capital allocations), federal grants, State and local grants, and private partnerships. Via its service contract with Metro Parks, the City of Tacoma will continue to contribute funds to Metro Park’s capital program.

Funding approaches to implement the Shoreline Restoration Plan will take into consideration and be consistent with the funding strategies outlined in the Open Space Habitat and Recreation Plan. These strategies include identifying and pursuing new funding sources and strategies, utilizing City funds to leverage other public, private and non-profit funding sources whenever feasible; and partnering with other local agencies (Pierce County, Port of Tacoma, Tacoma-Pierce County Health Department, Tacoma Public Utilities, Tacoma Housing Authority) and educational institutions.

Other small City grants that may be used to implement the Restoration plan include the City’s Make a Splash Environmental Grant and Neighborhood Innovative Grant programs. The make a splash grant program awards up to \$50,000 a year in environmental grants to help educate residents and protect and restore our surface water resources. Grants may be up to \$4,000 and are open to anyone considering a project within Tacoma city limits. Projects may be educational and should focus on preventing stormwater pollution and protecting or restoring clean surface water. Neighborhood Innovative Grants are derived from Community Development Block Grant (CDBG) funds set aside for to provide matching funds primarily to grassroots neighborhood organizations within the eight Neighborhood Council areas. The grants are meant to assist and support in developing and implementing small-scale neighborhood self-help physical improvement projects that could include beautification activities or cleanups.

In addition to these funding sources, the City will continue to pursue partnership opportunities and grant funds to implement restoration actions and priorities. Table 3 identifies additional funding opportunities.

Table 3. Funding Opportunities

Grant Name	Allocating Entity	Grant Size	Web Site
Acorn Foundation	Acorn Foundation	\$5,000 - 12,000	http://www.commoncounsel.org/Acorn%20Foundation
Aquatic Lands Enhancement Account (ALEA)	Washington Recreation and Conservation Office	\$10,000 – \$500,000	http://www.rco.wa.gov/rcfb/grants/alea.shtml
Audubon Washington			http://wa.audubon.org/
Various programs	U.S. Army Corps of Engineers	varies	http://www.usace.army.mil/

Grant Name	Allocating Entity	Grant Size	Web Site
Various programs	National Fish and Wildlife Foundation	varies	http://www.nfwf.org/AM/Template.cfm?Section=Browse_All_Programs
Bullitt Foundation	Bullitt Foundation	varies	http://www.bullitt.org/
Coastal Grant Program	U.S. Fish & Wildlife Service	\$5,000 - 50,000	http://www.fws.gov/coastal/
Community-Based Restoration Program	National Oceanic and Atmospheric Administration	\$1,000 to 500,000	http://www.nmfs.noaa.gov/habitat/restoration/funding_opportunities/funding_nwr.html
Endangered Species Program	U.S. Fish & Wildlife Service	\$1,000 - 14,000	http://www.fws.gov/endangered/grants/index.html
Doris Duke Charitable Foundation	Doris Duke Charitable Foundation	Multi-year grants that range from \$125,000 - 3.5 million	http://www.ddcf.org/environment
FishAmerica Grant Program	FishAmerica Foundation	varies	http://www.fishamerica.org/grants/
Various	Environmental Protection Agency	varies	http://www.epa.gov/epahome/grants.htm
Forest Legacy Program	U.S. Forest Service, Washington Department of Natural Resources	varies	http://www.dnr.wa.gov/BusinessPermits/Topics/ConservationTransactions/Pages/forest_legacy.aspx
Conservation Grants	U.S. Fish and Wildlife Service Coastal Program	varies	http://www.fws.gov/birdhabitat/Grants/NAWCA/Small/index.shtm http://www.fws.gov/midwest/Fisheries/library/CelebratingHabitat05/The%20National%20Coastal%20Wetlands%20Conservation%20Grant%20Program_2-1.pdf
Water quality grants	Environmental Protection Agency, Washington State Department of Ecology	varies	http://www.ecy.wa.gov/biblio/0810013.html

Grant Name	Allocating Entity	Grant Size	Web Site
Planning/Technical Assistance Program	Bureau of Reclamation	Technical assistance	http://www.usbr.gov/pmts/tech_services/manage/index.html
Wetland Restoration Programs	Washington State Department of Ecology	varies	http://www.ecy.wa.gov/programs/sea/wetlands/stewardship/celcp.html http://www.ecy.wa.gov/programs/sea/wetlands/stewardship/nwcgp.html
Regional Fisheries Enhancement Groups	Washington State Department of Fish and Wildlife	\$10,000 - 40,000	http://wdfw.wa.gov/volunter/index.htm
Salmon Recovery Funding Board	Washington State Recreation and Conservation Office	varies	http://www.rco.wa.gov/
Transportation Environmental Research Program (TERP)	Federal Highway Administration	\$20,000 - \$50,000	http://www.fhwa.dot.gov/terp/
Various programs	Washington Department of Transportation	varies	http://www.wsdot.wa.gov/environment/

7.4 Conservation Easements

Conservation easements are a mechanism by which restoration sites can be protected and managed by City staff. Conservation easements are a legal agreement between a landowner and a land trust or government agency that restricts development in erosion-prone and habitat areas like shorelines. Unlike land acquisition, easements do not limit other land uses and still enable the property to remain in private ownership. Conservation easements can be placed on the entire property or just along the property's shoreline. An easement can be written to prohibit development or designed to restrict the size or density of structures (e.g., only allow small, portable structures near the shore). Easements can also be used to prevent shoreline hardening or specify which types of shoreline stabilization can be used. Finally, easements can prohibit the removal or cutting of natural vegetation within the shoreline buffer and/or restrict any other land use or activity that may either contribute to erosion or impair natural shoreline processes.

Easements are typically placed on property in perpetuity and passed on to the new land owner. Some easements, however, can be written to expire after a certain period of time such as 25 or 50 years. Most easements are placed on individual properties although easements can also be placed on larger waterfront subdivisions or coordinated at a regional scale so that all property owners within a drift cell, shoreline reach or embayment have the same easement on their land. Easements can be donated or sold. Land owners that choose to donate a conservation easement often receive a federal property tax break for placing the easement on their property.

Due to the voluntary nature of erosion control easements, they are often more appealing than other more regulatory approaches to control shoreline erosion and protect shoreline resources. Landowners have the flexibility to choose how restrictive they would like the easement to be. However, for that reason, easements are often not as effective as other, more regulatory approaches such as establishing setback lines, using zoning overlays or regulating development in the shoreline. Therefore easements are typically used in combination with regulations and a strong education and public outreach campaign.

7.5 Adaptive Management and Monitoring

This Shoreline Restoration Plan is based on a synthesis of existing plans, programs and policies and the analysis completed in the Tacoma Shoreline Inventory and Characterization. This plan does not constitute an exhaustive review of restoration opportunities and projects, but will guide the City's restoration efforts. As part of its Shoreline Master Program updates (required at least every seven years; WAC), the City will review project monitoring information and shoreline conditions, and reevaluate restoration goals, priorities and opportunities. The City will seek partnerships with existing local, regional and federal groups working in Tacoma to adaptively manage the shoreline.

The SMP guidelines for restoration planning state that local programs should "...appropriately review the effectiveness of the projects and programs in meeting the overall restoration goals" (WAC 173-26-201(2)(f)). Monitoring of the progress of any restoration plan is an important step in documenting progress and managing change in the shoreline environment.

Under the Shoreline Management Act, the SMP must result in "no net loss" of shoreline ecological resources. If reviews demonstrate that this standard has not been met, the City will be required to take corrective actions. The goal for restoration is to achieve a net improvement of shoreline resources. The cumulative effect of restoration over the time between reviews will be evaluated, along with an assessment of impacts of development that is not fully mitigated to determine effectiveness at achieving a net improvement to shoreline ecological resources.

To conduct a valid reassessment of the shoreline conditions, it is necessary to monitor, record and maintain key environmental metrics to allow a comparison with baseline conditions. The City will track information using the City's GIS and permit system as activities occur (development, conservation, restoration, and mitigation) and compare it to baseline data collected as part of the Shoreline Inventory and Characterization (ESA Adolfson, 2007 – summarized in Attachment B). Indicators collected to date include:

1. Bulkheading
2. Riparian Corridor
3. Intertidal Vegetation
4. Docks and Overwater Structures
5. Large Woody Debris
6. Streets and Roads
7. Water Quality

In addition to the indicators presented and described above, the Washington State Department of Ecology has recently developed guidance on identifying no net loss indicators for use in shoreline Master programs. As the Shoreline Master Program and this restoration plan are implemented, the City may find that currently used indicators are inadequate or that data is lacking. The following is a list of additional indicators that could be used by the City and the functions tracked. These are derived from Ecology's guidance:

1. Acres of permanently protected area – Water Quality/Habitat
2. Shellfish closures - Water Quality
3. Floodplain area (Puyallup) - Water Quality/Habitat
4. Percent cover of invasive species - Habitat
5. Impervious surface area – Water Quality
6. Wetland acreage - Water Quality/Habitat
7. Area of sea grasses - Habitat
8. Wildlife presence (bald eagle & osprey nests and roosts & great blue heron rookeries) - Habitat
9. Unarmored feeder bluffs

8.0 REFERENCES

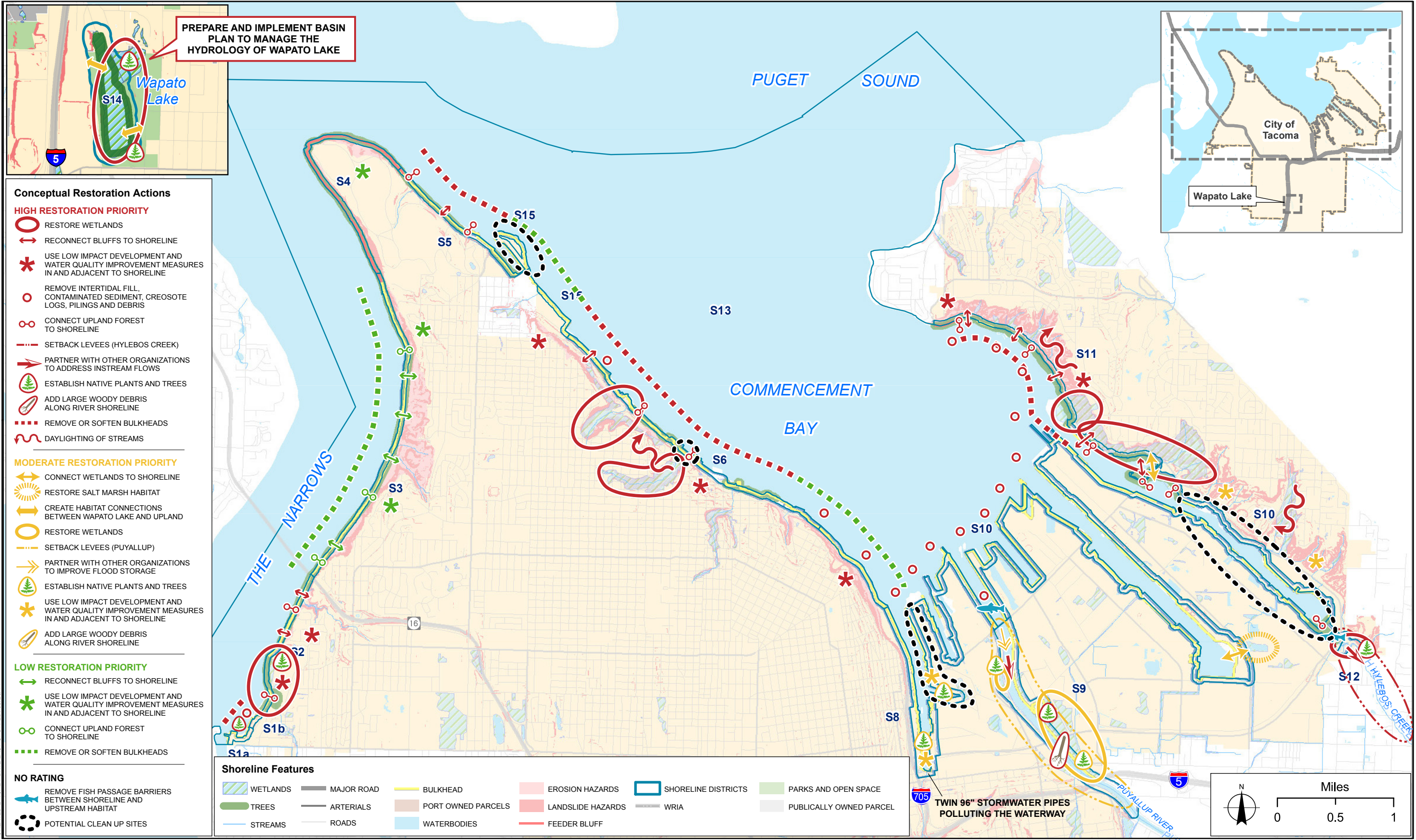
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ATTACHMENT A. Shoreline Restoration Plan Maps

Map 1. Conceptual Restoration Opportunities

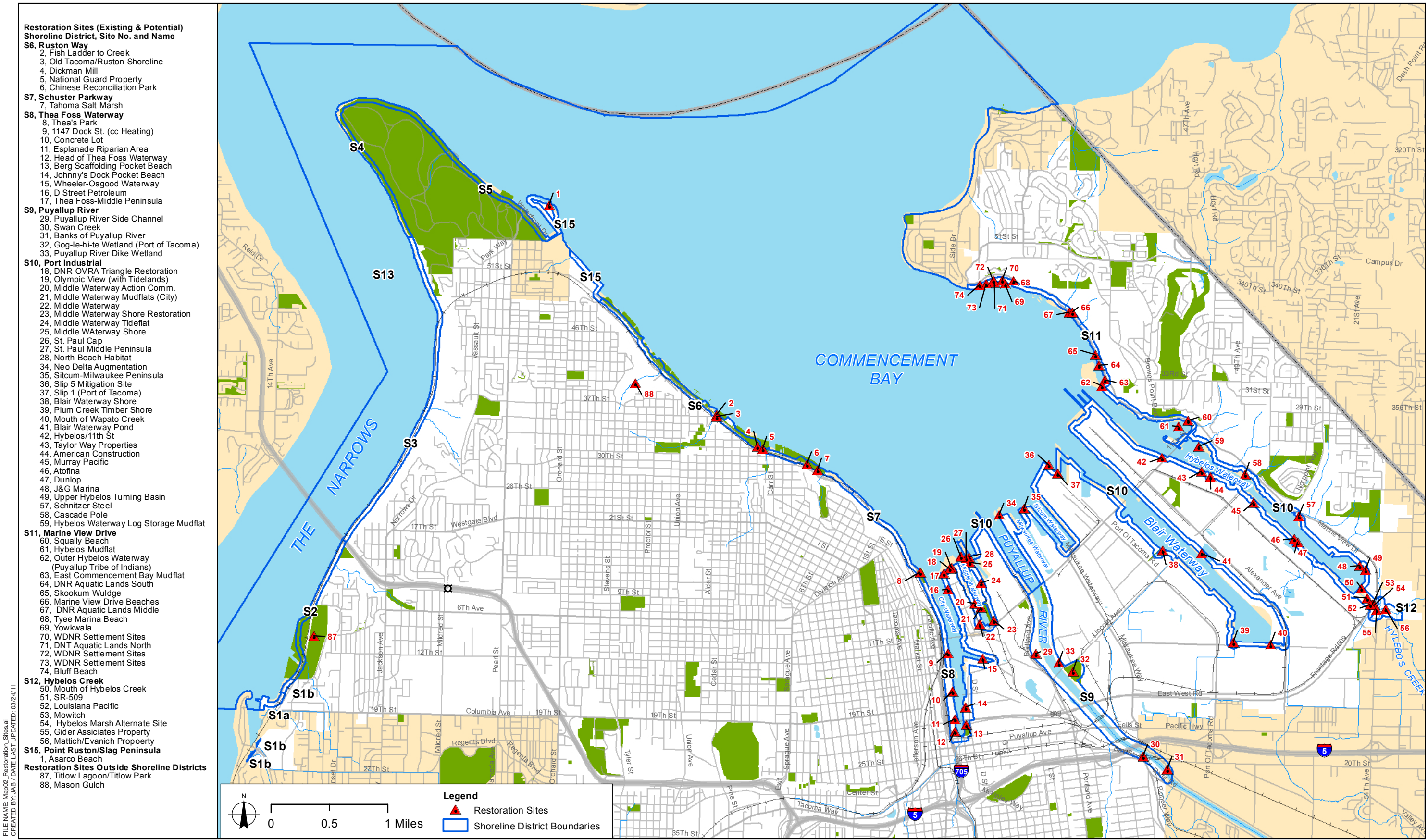
Map 2. Existing Restoration Sites

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 CREATED BY: JAB / DATE LAST UPDATED: 03/23/11

Map data are the property of the sources listed below. Inaccuracies may exist, and ESA Adolfsen implies no warranties or guarantees regarding any aspect of data depiction.
 SOURCE: Beckwith Consulting, 2001; City of Tacoma GIS, 2006; ESA Adolfsen, 2008; Geo Engineers, 2004; King County, 2005; Pierce County, 2005-2008; Port of Tacoma, 2008; TFD, TED, 2008; Wayne Clifford, 2005.



- Restoration Sites (Existing & Potential)**
Shoreline District, Site No. and Name
- S6, Ruston Way**
 2, Fish Ladder to Creek
 3, Old Tacoma/Ruston Shoreline
 4, Dickman Mill
 5, National Guard Property
 6, Chinese Reconciliation Park
- S7, Schuster Parkway**
 7, Tahoma Salt Marsh
- S8, Thea Foss Waterway**
 8, Thea's Park
 9, 1147 Dock St. (cc Heating)
 10, Concrete Lot
 11, Esplanade Riparian Area
 12, Head of Thea Foss Waterway
 13, Berg Scaffolding Pocket Beach
 14, Johnny's Dock Pocket Beach
 15, Wheeler-Osgood Waterway
 16, D Street Petroleum
 17, Thea Foss-Middle Peninsula
- S9, Puyallup River**
 29, Puyallup River Side Channel
 30, Swan Creek
 31, Banks of Puyallup River
 32, Gog-le-hi-te Wetland (Port of Tacoma)
 33, Puyallup River Dike Wetland
- S10, Port Industrial**
 18, DNR OVRA Triangle Restoration
 19, Olympic View (with Tidelands)
 20, Middle Waterway Action Comm.
 21, Middle Waterway Mudflats (City)
 22, Middle Waterway
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ATTACHMENT B. ASSESSMENT OF SHORELINE FUNCTIONS

The Shoreline Inventory and Characterization (2007) provided a comprehensive assessment of ecosystem functions along Tacoma's shoreline. Information from the Inventory on watershed context, shoreline modifications, habitat and species, land use and altered ecosystem processes is summarized below, along with information from newly available technical analyses. Further discussion and references can be found in the Shoreline Inventory and Characterization.

Watershed Context and Shoreline Modifications

The City of Tacoma includes portions of two Water Resource Inventory Areas (WRIAs), the Puyallup River Watershed (WRIA 10) and the Chambers/Clover Creek Watershed (WRIA 12). Much of the marine nearshore areas of Commencement Bay are included in WRIA 10. The nearshore areas of the Tacoma Narrows and a portion of Commencement Bay to just east of Puget Creek in the Ruston Way area are included in WRIA 12. The Puyallup River is the largest watercourse draining WRIA 10, with Swan Creek being the largest tributary stream to the Puyallup River within the city. Hylebos Creek, also located within WRIA 10, is an independent tributary that drains to Commencement Bay within the city. Several other small independent tributaries to Commencement Bay drain WRIA 10, including Wapato Creek and other drainage features (gulches) draining the slopes along the northern plateau above Marine View Drive. Chambers Creek is the largest stream draining WRIA 12; however, this stream lays outside the city limits to the south. Flett Creek is the largest tributary within the city draining to the Chambers Creek basin.

The Puyallup River is a shoreline of statewide significance (WAC 173-18-310) that travels approximately 54 miles from its headwaters on the southwest slopes of Mount Rainier to its mouth at Commencement Bay. The entire Puyallup River basin covers 1,065 square miles and consists of 728 rivers and streams, with the largest tributaries being the White and Carbon Rivers (Kerwin, 1999). The Puyallup River is fed primarily by the Tahoma and Puyallup Glaciers on the southwest slope of Mount Rainier. The Carbon River originates from the Carbon Glacier located on the north slope of Mount Rainier, and the White River is fed primarily by the Emmons Glacier on the northeast slopes of Mount Rainer.

The City of Tacoma lies between River Miles (RM) 0.0 and 2.8 on the Puyallup River in the Lower-Puyallup River basin (Map 2). The city and its urban growth area occupy approximately 27.1 square miles, or 2.5 percent of the land area included in WRIA 10. The portion of the Puyallup River within the city and its Urban Growth Area is approximately 5.2 percent of the total length of the river.

Hylebos Creek enters the Hylebos Waterway in Tacoma and drains to Commencement Bay. Hylebos Creek drains approximately 18,300 acres, and contains 25 miles of stream, 11 named lakes, and 250 acres of wetlands (Kerwin, 1999). There are two major tributaries to Hylebos Creek, referred to as the West and East Forks. The headwaters of the West Fork of the Hylebos are located in the City of Federal Way near South 320th Street (Pierce County, 2005). The East Fork originates in King County near North Lake and Lake Killarney in the Federal Way potential annexation area. The confluence of the two forks lies east of Interstate-5 within the City of Milton. From the confluence of these forks in Milton downstream, the Hylebos Creek itself is

considered a shoreline of the state due to its mean annual flow of greater than 20 cfs (Kresch, 1998). Approximately one-half mile of the Hylebos Creek lies within the City of Tacoma, from about USGS River Mile (RM) 0.00 to RM 0.51.

The south and southeastern portions of the City are located within WRIA 12, which drains an area of approximately 179.5 square miles. The City occupies approximately 43.7 square miles, or 24.3 percent of the land area included in WRIA 12. In addition, WRIA 12 contains many small independent drainages including Crystal Creek, Narrows Creek, Crystal Springs, and 16 smaller drainages (gulches) that drain the western plateau either toward the Tacoma Narrows (west) or toward Commencement Bay (north). The 34-acre Wapato Lake is also located within WRIA 12 and the City of Tacoma. Wapato Lake is made up of three hydrologically connected waterbodies. The northernmost waterbody is essentially an open-water wetland complex. The upper waterbody opens up into a larger, middle waterbody, with wetlands surrounding the fringe. The lower waterbody constitutes the main lake area and contains the majority of development, which is primarily restricted to Wapato Park and its amenities. A stormwater bypass exists at the southwestern end of the middle waterbody. This bypass routes the stormwater flows around the main lake to Ward's Lake and then to the Flett Holding Basins. A dike was constructed in 1981 when the lake was dredged and "restored." The dike was designed to keep sediments in the stormwater from entering the wetlands and the main lake area.

See the Shoreline Use Analysis for specific discussion of existing shoreline modifications.

Habitat and Species

A number of fish and wildlife species use the shorelines in Tacoma for habitat. Critical fish and wildlife habitat conservation areas are those areas identified as being of critical importance to the maintenance of fish and wildlife species, and if altered may reduce the likelihood that the species will survive and reproduce. Species listed under the federal Endangered Species Act that have critical habitat in Tacoma include Chinook salmon and bull trout. The killer whale and Steller sea lion are not documented as occurring in Commencement Bay, but have the potential to occur and have been sighted within this area. Other federal species of concern or State-listed species include the peregrine falcon, purple martin, coho salmon, steelhead, cutthroat trout, and the western pond turtle.

In addition to the above listed species, the State Priority Habitats and Species maps include chum salmon, pink salmon, sockeye salmon, bald eagle, seabird nesting colonies, waterfowl concentrations and harbor seal/California sea lion haul-out sites. Priority habitats shown on the map include riparian areas, urban natural open spaces, wetlands, cliffs and bluffs, estuarine zones and lagoons. See Section 3.1 of the Shoreline Inventory and Characterization for further information on habitat and species in Tacoma.

Land Use

Tacoma is the second largest urban center in the Puget lowlands. Its land uses and cover are similar to other highly urbanized city centers. In general, there have been three key phases of changing land use between 1800 and the present.

Prior to the mid-1800s, the area around Tacoma was characterized by both a significant delta system where the Puyallup River meets Commencement Bay, and dense forestlands on the floodplain and surrounding uplands (Kerwin, 1999, Collins et al., 2003). As populations in western Washington grew, timber harvesting throughout the watershed and establishment of agriculture on floodplains represented the first phase of land use changes. Filling of tidelands within Commencement Bay began as early as 1877 with the initial installation of railroad beds (U.S. Army Corps of Engineers et al, 1993; Kerwin, 1999; Simenstad, 2000).

The presence of a deepwater embayment (Commencement Bay) resulted in the early establishment of a port that influenced the development of the City. A significant channel change occurred in 1906 when the White River moved south to entirely flow into the Puyallup River. This alteration initiated a series of projects intended to manage the size, location, and behavior of the Puyallup River and its tributaries (King County, 1988). Between 1908 and 1917, significant relocation, armoring, and diking of the Puyallup River was completed. Much of the work was completed under the auspices of the Inter-County River Improvement District, which was formed as an organization to share costs between King and Pierce Counties to address river issues surrounding the White River's movement into the Puyallup basin (King County, 1988).

River projects continued through the 1970s, resulting in the channelization and construction of levees along significant portions of the lower Puyallup River. Once the system of channels and levees was completed, river management shifted to the removal of in-channel sediments to preserve the flood-carrying capacity of the system. In the late 1980s, dredging was restricted, and in the late 1990s, further restrictions were imposed following the listing of salmonid species as threatened under the Endangered Species Act (ESA). The carrying capacity of the lower Puyallup River has generally decreased as sediments deposited in the White, Carbon and Puyallup River deltas now build up within the leveed channels (USGS, 1990; Kerwin, 1999). Today, much of the upper watershed of the Puyallup River is in forest land uses, either within the Mt. Rainier National Park, Mt. Baker-Snoqualmie National Forest, or privately held timber operations (Kerwin, 1999). Agricultural land uses dominate the floodplains of the middle and upper portions of the watershed (Kerwin, 1999, Collins and Sheikh, 2005). Urban land uses also exist in the middle and upper portions of the watershed, including the cities of Puyallup, Auburn, Orting, Federal Way, Fife, Sumner, Buckley, Enumclaw and Milton. Urban land uses are typically located on either alluvial valley or on the relatively level surrounding uplands. The City of Tacoma also includes substantial industrial and commercial land uses along the Interstate 5 corridor extending west through the Port of Tacoma. At the end of World War II, the urban population within the cities in the Puyallup watershed increased substantially (Washington Office of Financial Management Historical Data).

See the Shoreline Use Analysis for specific discussion of existing land uses and future demand.

Altered Ecosystem Processes

Sections 3.0 and 4.0 of the Shoreline Inventory and Characterization discuss the status of watershed process controls and shoreline ecosystem processes in detail.

Climate Change

Climate change is a consideration in shoreline management in that it is expected to affect water temperatures, flows and the sea level over time. King County's Shoreline Inventory and Characterization (2007) discussed the potential effects on Puget Sound shorelines and fresh water shorelines; relevant excerpts from that discussion follow:

Casola et al. (2005) summarized the information presented at a conference in 2005 to address predicted effects of climate change on Washington's hydropower, water supplies, forests, fish populations, and agriculture (see <http://dnr.metrokc.gov/dnrp/climate-change/conference-2005-results/plenarysession/background.htm>).

The Intergovernmental Panel on Climate Change (IPCC 2007) predicts that global surface air temperature could increase by 2.5 to 10.4 °F (about 1 to 6 °C), and global sea level could rise from 8 to 18 inches between 2000 and 2100, depending on both the rate of natural changes and the response of the climate system to greenhouse gas emissions both now and into the future. However, the IPCC models do not take polar ice cap melting into account. Rahmstorf (2007) uses another method of estimation and derives a predicted range of sea level increase of 21 to 55 inches by 2100. Neither of these methods take into account the effects of local earth movements into account, and these processes could also impact the relative sea level in the Puget Sound region. Temperature In the Pacific Northwest, Casola et al. (2005) noted that, "The average temperature in the Pacific Northwest (PNW) increased approximately 1.5°F (0.8°C) over the last century; snowpack has been declining over the last 80 years, especially at lower elevations; the onset of snow melt and peak streamflows in snow-fed rivers has moved earlier in the year; and many species of plants are blooming earlier in the year." They also noted that "although direct observations are not available, hydrologic models indicate that spring soil moisture has also been increasing."

In the future, Casola et al. (2005) expect increases in air temperature across all seasons for the Pacific Northwest. Using global climate models, they project that by the year 2020 temperatures will likely increase between 2.5 to 3.7°F (about 1 to 2°C), and by 2040 the increase will be between 3.1 and 5.3°F (about 1.5 to 3°C). At the same time, water temperatures are also expected to increase.

Increases in both water and air temperature will have impacts on many species, but for shorelines in particular, warmer water temperatures will be of major importance. Casola et al. (2005) note that fish will have to respond to changes in habitat caused by responses of vegetation, streamflow, temperature patterns and oxygen to climate change. In some cases, these changes may occur faster or be more extreme than some species can accommodate. For example, although Casola et al. (2005) do not explicitly predict the fate of particular species, it is reasonable to expect that some more temperatures-sensitive species, such as sockeye salmon, may have more difficulty adapting than others, such as coho and Chinook.

Marine plant species, such as eel grass and bull kelp, appear to have a narrow range of water temperature tolerance and extensive stands may also suffer as a result of the projected changes (Snover et al. 2005). Effects on aquatic plants could have a cascading effect of

habitat change, affecting other species that might not have narrow temperature tolerances but do have an important dependence on those plant stands for food, nesting sites, or refuge.

Warmer water temperatures may change seasonal variation in planktonic community structure in both marine and freshwater systems. Longer periods of warm temperatures in shallow waters will likely favor certain groups, including: (1) bluegreen cyanobacteria, some of which make toxic substances that harm pets and people; (2) dinoflagellates, some of which cause red tides, causing toxic accumulations in shellfish; and (3) chlorophyte algae, some of which form large filamentous masses that cover rocks and structures, as well as wash up on shoreline to cover beaches and cause nuisances.

Implications for precipitation and runoff are more difficult to predict, due to uncertainty over the interplay among many factors affecting precipitation. However, the majority of models indicate that an increase in cool season precipitation (October to March) will include a greater portion of the precipitation as rain rather than snow, which will result in reduced residual spring snowpack and earlier snowmelt. Casola et al. (2005) predict that stream flow, stormwater runoff, and water temperature patterns will likely be affected by changes in both air temperature and precipitation.

For marine coastal areas, Rahmstorf (2007) predicts a global sea level rise of 2 to 4.5 ft, while the IPCC is conservative, forecasting a rise of 0.7 to 1.5 ft., but does not include polar ice melt. Casola et al. (2005) report that sea level could rise almost 3 feet by the year 2100 in south Puget Sound (Tacoma), taking into account the net subsidence in crustal elevations in the Puget Sound region, although it is not clear if subsidence should be estimated as a continuous rate (Petersen, in prep). Rising relative sea level is a response to a series of complicated processes that are in turn impacted by factors affecting other parameters on a global as well as local scale, such as temperature, wind patterns, oceanic currents, and precipitation.

Increased sea elevations will make development and infrastructure in low-lying areas more susceptible to flooding due to high tides and storms. Waves will encroach further onto low-lying beaches and cause greater beach erosion and threatening or damaging low-lying structures. At the same time steep slopes may receive increased moisture, due to predicted changes in precipitation patterns, potentially resulting in an increase in landslides that deliver more material to the marine shoreline, but which may cause property destruction and threaten human safety.

Where shorelines are currently armored, a slightly higher sea level may have minimal impacts. Significant rise might begin to allow overtopping of armoring with storms and very high tides. Shoreline reaches, known as transport zones, are composed of mostly stable bluffs and gentle sloping shorelines. A significant rise in sea level will likely cause these areas to become active feeder bluffs, perhaps endangering residences currently considered safe. A rise in sea level also will likely cause current feeder bluffs to become more active and increase erosion rates.

Marshes, estuarine areas, and tributary mouths could experience changes in shape due to changes in accretion and erosion patterns, potential loss of eel grass beds and changes in

plant communities associated with the estuarine and marsh areas, and increased erosion in drainage channels upstream of deltas.

A related impact of sea level rise would be to change the location and amount of land coming under shoreline jurisdiction over time, since a 2-foot vertical rise of the sea can mean a much more substantial incursion inland. This could cause flooding of some beach front properties.

Changes in sea level could affect the Puyallup River's flow regime, river height, and salinity, which have implications for existing habitat quality and the design and ultimate effectiveness of restoration projects.

DRAFT

ATTACHMENT C. SOURCES OF CRITERIA FOR PRIORITIZING RESTORATION PROJECTS

Several existing sources of shoreline restoration prioritization criteria, including the Shoreline Inventory and Characterization (2007), the Commencement Bay Natural Resources Restoration Plan (1997), and the Commencement Bay Aquatic Ecosystem Assessment (2000), were relied upon in this Plan. These criteria, summarized below, were used to inform the criteria ultimately developed to prioritize projects in this Shoreline Restoration Plan.

First, in the assessment of shoreline functions and opportunity areas in the Shoreline Inventory and Characterization (Section 8.0), best professional judgment using a general set of criteria was used to rank restoration potential/opportunities as low, moderate or high. Factors considered in that ranking included: the number of goals that could be achieved by pursuing a restoration opportunity, likelihood of success given the level of ecological alteration, and whether the project was identified as a priority in other restoration planning efforts.

In the Commencement Bay Natural Resources Restoration Plan (1997), required criteria were used to screen out projects that do not attain a minimum level of land availability, source control, or adequately address injured natural resources. The overall goal of the plan was to clean up toxic sites along the Bay. Required criteria were:

- Site is or can be made available for restoration. In general, available sites are those that may not contain substantial structures or pavement.
- Source control is or will be sufficient. In general, source control is sufficient if an environmental audit or similar report demonstrates that the site has limited potential for recontamination.
- Restoration of the site will provide functional benefits to injured natural resources. Site restoration efforts may include restoration and preservation of habitat or enhancement of physical or biological conditions.

Then, preferred criteria were used to rank suitable restoration sites, as follows.

HIGH IMPORTANCE:

- Functional connectivity (to other shoreline areas and upland corridors)
- Location in existing critical habitat areas (for key species)
- Separation from sources of contamination or opportunity to remediate contaminated areas
- Cost-effectiveness or grant applicability
- Sustainability

MEDIUM IMPORTANCE:

- Size of restored habitat
- Ownership and management

- Land use compatibility
- Water quantity and flow (as related to erosion potential) – rivers and streams only

LESSER IMPORTANCE:

- Public access or view of site

The Commencement Bay Aquatic Ecosystem Assessment (2000) includes restoration criteria for juvenile salmon habitat landscapes, given their dependence on landscape features and processes in the delta and Commencement Bay. The overall goal of the assessment was to aid salmon recovery. The following criteria guided analysis and priority setting for restoration opportunities:

- Restore and enhance inter-habitat mosaics and linkages that accommodate refugia, feeding and physiological requirements.
- Promote landscape structure and elements that result in diverse, productive primary- and secondary-producer populations that support juvenile salmon growth and survival.
- Take advantage of existing and restorable geomorphic structure that promotes the extent (opportunity, access) and utility (realized function) of habitat use.
- Preserve and augment fundamental estuarine processes that naturally build and maintain juvenile salmon habitats.
- Plan restoration and remediation that optimally addresses salmon life-history diversity to compensate for climatic variation, energy regimes, and disturbance.

The 2000 Assessment also generally identifies appropriate actions for enhancement of juvenile salmon rearing along five segments of the delta and Bay shoreline.

Tacoma's critical areas mitigation sequencing requirements can also be considered in developing prioritization criteria. TMC 13.11.900.M defines mitigation as:

Avoiding, minimizing, or compensating for adverse critical areas impacts. Mitigation, in the following sequential order of preference, is:

- a. Avoiding the impact altogether by not taking a certain action or parts of an action.
- b. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps such as project redesign, relocation, or timing, to avoid or reduce impacts.
- c. Rectifying the impact to wetlands by repairing, rehabilitation, or restoring the affected environment to the conditions existing at the time of the initiation of the project
- d. Minimizing or eliminating the hazard by restoring or stabilizing the hazard area through engineered or other methods.

- e. Reducing or eliminating the impact or hazard over time by preservation and maintenance operations during the life of the action.
- f. Compensating for the impact to wetlands by replacing, enhancing, or providing substitute resources or environments.
- g. Monitoring the hazard or other required mitigation and taking remedial action when necessary. Mitigation for individual actions may include a combination of the above measures.

DRAFT

ATTACHMENT D. Fee in-lieu Program

DRAFT

Draft

CITY OF TACOMA

Shoreline Habitat Fee-in-Lieu Mitigation Program

Prepared for:

September 2010

City of Tacoma
Community and Economic Development



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1.0 INTRODUCTION

As part of its comprehensive update of the Shoreline Master Program (SMP), the City of Tacoma Community and Economic Development Department is considering establishment of a shoreline mitigation program to allow for off-site mitigation of development impacts to shoreline riparian areas. This report was prepared to specifically address the city's need to explore off-site shoreline mitigation and the feasibility of a fee in-lieu (FIL) program for shoreline habitat.

In 2003, the Department of Ecology (DOE) issued guidelines to assist local governments in meeting the State requirement to conduct a comprehensive review of the City's SMP. The guidelines outline procedural steps and substantive requirements that must be met. The SMP must assure "no net loss" of shoreline ecological functions while providing for appropriate uses within shoreline areas. Tacoma's update to its Shoreline Master Program is a comprehensive update of its existing program requiring the City to re-evaluate all shoreline policies, designations and regulations. An inventory of existing conditions was conducted based upon scientific and technical information. The Tacoma SMP will amend goals, policies and development regulations for all shoreline areas including Commencement Bay and its waterways, the Hylebos Creek, the Puyallup River, Tacoma Narrows and Wapato Lake.

Currently, the Draft Tacoma SMP (TSMP) is in development. The Planning Commission will be overseeing the update of the program and is expected to make a recommendation to the City Council in late 2010. This project is closely coordinated with the Thea Foss Waterway Comprehensive Review, the Critical Areas Preservation Ordinance update, and the Open Space Habitat Management and Plan efforts.

The intent of this technical report is to explore options and alternatives to on-site mitigation for impacts to shoreline functions during development. The information in this report has been prepared to support the shoreline regulations and provide a mechanism for a potential fee in-lieu program for shoreline mitigation.

2.0 OVERVIEW

The Shoreline Management Act (SMA) provides a broad policy framework for protecting the natural resources and ecology of the shoreline environment. The SMP Guidelines adopted in 2003 by Ecology establish the standard of *no net loss* of shoreline ecological functions. The Washington State Administrative Code (WAC) 173-26-186 directs that master programs must "include policies and regulations designed to achieve *no net loss* of those ecological functions."

The *no net loss* standard set by the WAC is designed to halt the introduction of new impacts to shoreline ecological functions resulting from new development within the shoreline jurisdiction. Information related to this standard is provided on the Ecology web page in Chapter 4 of the new SMP Handbook. Chapter 4 of the Handbook is titled No Net Loss of Shoreline Ecological Functions and was last updated on December 16, 2009. Ecology staff are currently developing a list of potential indicators of *no net loss* in order to quantify parameters affecting shoreline functions. The list of indicators includes quantities such as length of shoreline armoring, acreage of riparian vegetation, acres of permanently protected area, etc.

The City of Tacoma seeks to assess the feasibility of a shoreline mitigation program that assists the City and applicant appropriately mitigate for shoreline impacts and achieve the regulatory requirements of *no net loss* during permit compliance.

In addition to mitigation, the State has directed local governments to develop SMP provisions “...to achieve overall improvements in shoreline ecological functions over time when compared to the status upon adoption of the master program.” This overarching goal is accomplished by protection of existing shoreline functions through regulations, and through restoration of ecological functions, including mitigation.

The City of Tacoma has developed the following restoration goals in the Draft Shoreline Restoration Plan (2010a) in order to achieve net gain in shoreline habitat function:

- improve shoreline water quality;
- re-establish and restore natural shoreline processes;
- restore degraded and lost habitat; and
- improve connectivity of shoreline environments.

The Draft Restoration Plan further identifies restoration opportunities for the specific Shoreline Districts (S1 through S-15). Many of these opportunities involve reconnection of bluffs, wetlands, or upland forest to the shoreline. However, the space or location to capitalize on these restoration goals is limited by the existing development of the shoreline. Restoration opportunities, some associated with shoreline habitat, were identified during the development of the Tacoma Open Space Habitat and Recreation Element in the City Comprehensive Plan.

Provision for off-site mitigation would increase mitigation opportunities, and a fee in-lieu program would allow further flexibility and increased success in mitigating shoreline impacts.

A fee-in-lieu program involves the preservation, enhancement, or restoration of habitat and/or aquatic resources through funds paid to a sponsor to satisfy compensatory mitigation requirements; the responsibility for providing and maintaining mitigation is transferred to the program sponsor.

Shoreline habitat fee-in-lieu mitigation occurs when the applicant proposes an activity that impacts shoreline habitat, and on-site mitigation is precluded for reasons of site development or physical constraints. The applicant provides funds to the sponsor instead of completing project-specific mitigation. These funds would then be contributed to off-site mitigation projects.

3.0 LITERATURE SEARCH

Fee in-lieu (or in-lieu fee) programs have been developed for land use application in density transfer, wetlands impacts, and shoreline armoring.

In these programs, the regulating agency allows the permittee to substitute on-site mitigation of impacts through provision of a fee. The agency then applies the fee to mitigation of the impact.

Several examples that provide insight to a shoreline habitat fee in-lieu program are discussed below.

3.1 Federal 404 Mitigation and Fee-in-Lieu Guidance

Discussion of fee in-lieu mitigation for wetland impacts under Section 404 of the Clean Water Act was initiated in the 1990 Memorandum of Agreement between the Corps of Engineers (Corps) and the Environmental Protection Agency (EPA). The program was further defined in 1995, and in 2000, the Corps, EPA, United States Fish and Wildlife Service (USFWS), and the National Oceanic and Atmospheric Association (NOAA) provided additional guidance for fee in-lieu arrangements for mitigation. Fees-in-lieu are described as appropriate for 404 individual and general permits established under the mitigation banking guidance, but as a rule, are to be limited to instances where on-site mitigation is not available or practicable. The fees are to be transferred to the local natural resource management agency for implementation of mitigation. In-kind and in-watershed projects are preferred. The natural resource agency accepting the fees is encouraged to provide information on the identified restoration projects, the implementation schedule, and financial, legal, and technical mechanisms to ensure long-term success.

On April 10, 2008, the Department of the Army (Army) and U.S. Environmental Protection Agency (EPA) published a final rule for compensatory mitigation authorized by Corps permits issued under §404 of the Clean Water Act (33 U.S.C. 1344) and/or §§9 or 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 401, 403). Federal-related fee in-lieu programs are distinguished from mitigation banks and other forms of compensatory mitigation by having all of the following six elements:

- Fee in-lieu program instrument
- Review by interagency review team
- Geographic service area(s)
- Compensation planning framework
- Fee in-lieu program account
- Allocation of advance credits

The Environmental Law Institute has published: *In Lieu Fee Mitigation: Model Instrument Language and Resources* (December 2009) which provides detailed information and sample language on the Federal Section 404 and Section 10 fee-in-lieu process for wetland mitigation.

3.2 Washington State Department of Ecology

The Washington State Department of Ecology (Ecology) is working with the Corps and EPA in the development of a FIL program in Washington State for wetlands mitigation. The guidelines are similar to those described above under the federal program (Ecology, Corps, & EPA, March 2006).

3.3 Puget Sound Partnership

The Puget Sound Partnership (PSP) is establishing a pilot FIL program for compensatory mitigation; Thurston and Pierce Counties were chosen as the locations for the two pilot projects, and is accepting applications for those two programs through April 27, 2010 (PSP, January 2010).

3.4 King County Mitigation Reserves Program

King County is in the process of establishing a Fee In-Lieu Program for wetland and buffer impacts, as part of revisions to the King County Mitigation Reserves Program, established in 2005 (KCNRP, June 2009). The program will allow payment of a fee in-lieu of mitigation for wetlands impacts that cannot be mitigated on site. The fee is based upon a function-based debit and credit system that is in development (Murphy, Personal Communication. 2010.) Marine and estuarine wetlands will be included in the program, and the program will include shoreline buffer mitigation, if Ecology has a role in permitting (Murphy, Personal Communication. 2010). King County has proposed locations, termed “roster sites” in different watersheds where fees would be applied. The program is intended to be certified by the Corps and EPA, so that the fee-in-lieu mitigation will satisfy Section 404 and Section 10 permitting as well as county permits.

3.5 City of Seattle Shoreline Alternative Mitigation Plan

The draft City of Seattle Shoreline Alternative Mitigation Plan (SAMP) (May 2006) identifies a fee-in-lieu program to shoreline impacts to Lake Union and Lake Washington. The plan supports the use of shorelines in these areas for water-dependent uses, while providing mitigation for shoreline impacts that is predictable and effective to achieve no net loss. The framework for assessing impacts is viewed through the lens of impact to Chinook salmon habitat, which also provides habitat for other organisms. The SAMP bases its evaluation of impacts on an On-Site Habitat Unit Equivalency. Habitat Suitability Index (HIS) curves quantify the changes in habitat quantity and quality as part of Habitat Evaluation Procedures (HEP) (Raleigh et. al, 1986). HIS values are typically multiplied by the area they represent to derive a set of weighted habitat areas that can be compared across alternatives (R2, 2006). The concept is that maintaining a comparable balance in habitat before and after project completion, resulting in no adverse impact to Chinook habitat. Use of fee-in-lieu is limited to projects with water-dependent uses (Seattle Municipal Code 23.60.944). Applicants will be required to provide 1.3:1 mitigation credits for off-site mitigation. (Seattle, 2006); this may be modified to higher ratios such as 2:1 (R2, 2006) based solely on a policy decision, not on scientific data, which is lacking. Fees will include the cost of mitigation design, establishment, maintenance, and contingency. The SAMP has identified potential restoration sites, which will be protected by conservation easements.

3.6 Fee In-lieu Programs in Other States

3.6.1 In-Lieu Fee Beach Sand Mitigation Program

An example fee in-lieu program is currently being used in San Diego County, California. This program allows fees to be transferred to offset impacts to beaches and beach sand habitat (California Coastal Commission, 1997).

Section 30235 of the California Coastal Act requires the Coastal Commission to approve seawalls, revetments, cliff retaining walls and other such construction that alters natural shoreline processes to protect existing structures, public beaches and coastal development in danger from erosion. Approved development is designed to eliminate or mitigate the adverse impacts on shoreline sand supply. In addition to avoidance and minimization, the mitigation definition includes: “Compensating for the impact by replacing or providing substitute resources or environments.”

The FIL process in San Diego County has been used to mitigate for armoring of bluff and shoreline habitats, and mitigate for the loss of beach area and the loss of sand denied to the beach cell over the life of the structure. The fee is derived based upon the volume of sand lost, multiplied by the cost of transporting and depositing the sand on the beach in the project vicinity based upon site-specific conditions. The program developed a formula to quantify impacts and calculate fees. The review of a number of permitted projects also includes descriptions of alternatives to fee-in-lieu determined on a case-by-case basis, including, for example, design modifications, or provision of lateral access to the beach.

3.6.2 Virginia Aquatic Resources Trust Fund In-Lieu Fee Program

The Virginia Aquatic Resources Trust Fund In-Lieu Fee Program, established in 1995 and expanded in 2003, provides in-lieu fee mitigation for impacts to waters of the US and the state, including wetlands, streams, and associated buffers. Project-specific credits are determined based upon standard ratios for wetlands, and through the Unified Stream Methodology for streams, and include the expected costs for restoration, establishment, adaptive management, and preservation (VAR, 2003). In-lieu fee sites are designated by “Service Areas” associated with different watersheds. The Nature Conservancy manages the program with oversight from the Virginia Department of Environmental Quality and the Corps.

3.6.3 Virginia Marine Resources Commission Tidal Wetland Mitigation Bank

The Virginia Marine Resources Commission Tidal Wetland Mitigation Bank, established in 1998 and updated in November 2005, provides off-site mitigation for impacts to tidal wetlands. Although the Bank specifically excludes in-lieu fee arrangements, it states that they are some times appropriate, and are permitted on a case-by-case basis. This document includes a function-specific credit calculation methodology for assigning credits to tidal wetlands for the purpose of the bank.

4.0 PROGRAM CONCEPTS

The City of Tacoma has identified restoration goals and actions and potential restoration sites in the Draft Shoreline Restoration Plan (ESA Adolfson, September 2010a). This plan provides a description of existing plans and programs in the City of Tacoma that have identified needs for restoration, including those within the shoreline.

Ecological processes and functions of shoreline areas are identified as:

- Hydrology: Attenuation of wave energy; fresh to salt water transition, channel and floodplain connection, summer low-flow attenuation. Flood-flow retention,
- Sediment Generation and Transport: sediment delivery from coastal bluffs;
- Water quality: water contact-time with the soil; long-term storage of excess nutrients, pathogens, and toxins
- Habitat: maintenance of native plant community; source and delivery of large woody debris (LWD); removal of fish-blockages.

Each shoreline area contains identified restoration opportunities and locations (conceptual). Restoration actions include:

- Reconnection of bluffs to the shoreline
- Restoration of wetlands
- Provision of large woody debris (LWD)
- Removal of contaminated soils and trash
- Implementing Low Impact Development (LID) and water quality improvement measures
- Replace existing bulkheads with soft shoreline armoring
- Removal of structural barriers between feeder-bluffs and shoreline
- Removal of invasive plant species and enhancement of native vegetation
- Setting back levees (Hylebos Creek and Puyallup River)
- Removal of barriers between Lake Wapato and upland habitat

In many circumstances, potential impacts cannot be mitigated on site, due to the level of existing development, and/or the functionality of a small mitigation project in the context of the site.

The City of Tacoma could establish a fee in-lieu program for shoreline habitat impacts that cannot be mitigated on-site. The program could be modeled upon wetland fee in-lieu programs, where impacts are assessed based upon functional criteria and fees based upon those impacts are paid to the City for the performance of mitigation off site.

The program would have the following elements:

- Development of a fee in-lieu program instrument – the guidelines for the program including valuation and a vehicle for fee collection;
- Establishment of a review team which would review proposals on a case-by-case basis and monitor the performance of mitigation sites;
- Assignment of geographic service area, such as the Shoreline Districts identified in the Draft Shoreline Master Program (ESA Adolfson, 2010b) and potential restoration sites identified in the Draft Restoration Plan (ESA Adolfson, 2010a);

- Identification of performance standards; and
- Development of a fee in-lieu program account.

4.1 Program Instrument

The program instrument typically contains the following elements:

Objectives. The objective(s) of the program need to be clearly stated such as: to provide for off-site mitigation for shoreline habitat impacts when on-site compensation is not possible or practical. The fees will be applied to restoration projects identified in the *Shoreline Restoration Plan* (2010a) and located within the same Shoreline District when possible. The fee would be applied to in-kind mitigation when possible. For example, if the proposed impact is related to shoreline armoring, affecting wildlife habitat area, and sediment availability for transport, then mitigation could include both habitat connection and sediment delivery elements.

Need and Technical Feasibility. This section would describe the need for the program and the feasibility of the implementation. Need would be based upon a record of un-mitigated past shoreline impacts due to lack of on-site opportunity. Feasibility would be based upon the existence of opportunities for off-site mitigation and the ability of the City to manage the program.

Establishment and Operation. The program instrument would need to describe, in legal terms, how the fee in-lieu program will be established and operated, and describe the reporting protocols.

Proposed Service Area. The instrument will describe the proposed service area, in this case, the City of Tacoma regulated shoreline. Several mitigation site locations or “roster sites” could be identified based upon the Shoreline District where the impact occurs.

Ownership arrangements and long- term management strategy. The instrument would need to describe who would have ownership of the sites and how the sites would be maintained. The management strategy would need to describe both the financial management and the site-maintenance provided to ensure long-term success of the project. (Note: the City of Seattle specifies that the City would have an access agreement for the sites, though some would remain private). The City may decide that all mitigation would take place at city-owned properties.

Compensation planning framework. The instrument would include a description of the method for determining project-specific credits and fees. The method would be function-based where possible and will equal or exceed an area-based determination. Valuation of wetland impacts would be based upon ratios in the Critical Areas Preservation Ordinance; valuation of other impacts would need to be developed. A workshop on analysis of the City of Seattle Shoreline Alternative Mitigation Plan (documented by R2 Resources, 2006) resolved that there were linear measures of function (e.g. length of shoreline armoring) and areal measures (e.g. area of over-water coverage). These measures would be assessed separately when determining credits.

Areal measures can be valued based upon a 1:1 ratio (simplest) or a larger ratio, that is based upon general findings that mitigation is not always successful, so ratios should be greater than 1:1. Based

upon a review of scientific literature for riparian areas and strategies for management, a standard ratio of 2:1 mitigation is recommended to offset the temporal loss of function and loss of shoreline habitat area (National Research Council, 2003). Impact to wetlands, streams, and their specific buffers can be mitigated at ratios prescribed in the Critical Areas Code (TMC 13.11.350). Upland shoreline habitat loss, however, is hard to quantify, as the character and shape of the habitat, in addition to its acreage, influences its current use by wildlife and effect on water quality. For example, a long, narrow strip of forest extending from the shoreline to the bluff provides shoreline access to many more different species (e.g. urban-adapted) than a short, wide swath of forest would provide (perhaps providing habitat for interior forest species). Quantifying habitat in this case might require selecting a species on which to base habitat analysis, in the way that the City of Seattle has selected Chinook salmon for their Shoreline Alteration Mitigation Plan (2006). Applicants could apply the City of Seattle Shoreline Alternative Mitigation Plan (Seattle, May 2006) method as an alternative to a 2:1 standard replacement ratio. The Seattle method assigns habitat units per square foot to habitat lost: for example grass is valued at 0.27 habitat units per square foot while mature shrubs are valued at 2.77 habitat units per square foot, etc. According to the Seattle method, these habitat units are typically replaced on the receiving site at a 1.3:1 ratio.

Linear impacts related to infrastructure can be mitigated on a 1:1 ratio – one foot of armoring removed for every foot of new armoring proposed for example. Higher ratios would be based upon a policy decision to deter new bank-hardening, absent current scientific data availability.

Description of program account. The instrument will include a description of the financial accounting for the program.

4.2 Review Team

The City could convene a technical review team (TRT) to implement the program. Their duties would include implementing the valuation of impacts and mitigation described in the Instrument. The review team could include only City staff, or include staff from other agencies such as WDFW, Corp, Tacoma Green Partnership, or EPA members.

4.3 Geographic Service Areas

The Draft Tacoma Shoreline Master Program (ESA Adolfson, 2010b) includes the designation of 15 shoreline districts within the city. The FIL program would require that the mitigation for project impacts occur within the same shoreline district as the impact. If no site is available in that specific district, the mitigation site should be within one of five larger shoreline areas that encompasses the impact location. These areas would correspond approximately to 1) the Narrows; 2) Ruston Way; 3) Puyallup River; 4) the Port of Tacoma; and 5) Marine View Drive.

Restoration opportunities have been described for each shoreline district in the Draft *Shoreline Restoration Plan* (2010a), which identified restoration potential based upon information in the *Shoreline Inventory and Characterization* (2007), the *Commencement Bay Natural Resource Restoration Plan* (2007), and the *Commencement Bay Aquatic Ecosystem Assessment* (2000). Sites with high importance for restoration included:

- Functional connectivity;

- Location in existing critical area;
- Separation from sources of contamination;
- Cost-effectiveness; and
- Sustainability.

The Open Space and Recreation Element of the Tacoma Comprehensive Plan includes identification of habitat areas and proposed corridors, some of which are located in the City's shoreline jurisdiction (see Figure 2 of that document). During development of that plan, an inventory of open space included identification of potential sites for restoration based solely upon ecological characteristics, including presence of the target community (e.g. native conifer forest), extent of invasive plant species present, and presence of priority habitats and species. Thirty nine (39) sites were identified, several of which lie on or adjacent to the shoreline. These may provide initial sites for restoration funded by a fee-in-lieu program. Further in-depth analysis will be necessary to determine feasibility. The sites located on or adjacent to the shoreline include the following:

- Wapato Lake: Wapato Park includes lake, wetland, and upland habitats. The Shoreline Restoration Plan (2010a) has identified the restoration of wetlands associated with Wapato Lake as a beneficial action, improving water quality, mitigation flood flows, and providing wildlife habitat. The hydrology of these wetlands has been altered over time through dredging and filling; invasive plant species are present, and are dominant in some areas, and opportunities to improve habitat are many. This area was identified as a high restoration potential in the Draft Shoreline Restoration Plan (20010a).
- Puget Creek: This stream flows down a steep ravine, within Puget Park, although not all of the riparian corridor is publically-owned. Elements of forest habitat remain, but invasive plant species and erosion due to stormwater runoff have degraded habitat. This stream flows beneath roads and railway tracks prior to entering Commencement Bay and Puget Sound. An active community group supports restoration activities at this site. Improving the habitat quality and connections between upland forest, riparian habitat, and marine shoreline would prove valuable to wildlife. This area was identified as a moderate restoration potential in the Shoreline Restoration Plan (2010a).
- Marine View Drive: Bluffs fronting Marine View Drive on the northwest shore of Commencement Bay are substantially intact, due to gradient and slope instability. However, the bluffs have been separated from the shoreline by the roadway and the industrial development of the port/shoreline. Small areas of shoreline (e.g. Squally Beach) have been restored and re-connected to riparian habitat, although Marine View Drive itself impedes connection to the bluff sediments if not to wildlife that can cross the roadway (e.g. birds and small- to medium-sized mammals.) This area was identified as a moderate restoration potential in the Shoreline Restoration Plan (2010a).

4.4 Performance Standards

Performance standards would be developed based upon the habitat functions identified in the valuation process. As in wetlands mitigation projects, a time period would be defined for

mitigation projects to meet their specific goals. The time periods would be variable. For example, removal of shoreline armoring as mitigation for replacement of project shoreline armoring would be accomplished in a short time-frame, equal to the proposed project time-line. In contrast, establishment of a tidal wetland or of a forested connection to bluff areas would take years to mature. Performance standards would be tied to the specific function that was being impacted and replaced.

4.5 Fee-In-Lieu Program Account

A fee-in-lieu program account would be established to house funds collected through the program. The fees would be sufficient to establish mitigation projects and to provide for maintenance and monitoring in the future. The account would track funds accepted from permittees separately from those accepted from other entities and for other purposes (i.e., fees arising out of an enforcement action, “such as supplemental environmental projects,” donations, and grants) (Corps and EPA, 2000). The King County Mitigation Reserve Program Prospectus states that King County will have such an account, and in addition to tracking the fees/credits by project, will also track projects by aquatic resource and jurisdictional authority (e.g. Corps).

The Tacoma Municipal Code does not specifically provide for a fee-in-lieu program for mitigation. Minor revisions to the CAPO would be required for use of the program when project impacts are unavoidable and mitigation cannot be provided on site.

4.6 Example Fee-In-Lieu Scenarios

For the purpose of illustration, two examples of projects that might need off-site mitigation for approval of a Shoreline Permit are described below. Note that these examples are purely theoretical and in-depth analysis would be necessary to determine both the amount of impact to habitat function and the amount and type of appropriate mitigation. Graphics representing these example scenarios are included as Figures 1 and 2.

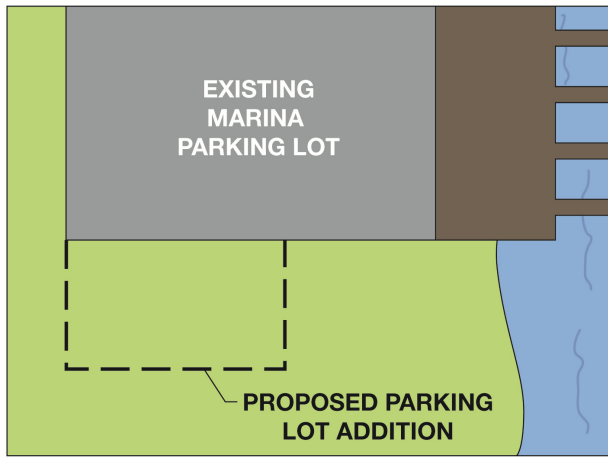
Example 1: Commercial Marina expansion along the Narrows. This commercial landowner would like to expand the marina parking lot to a grass area. Riparian habitat impacts would be determined on an areal basis as described under above. The receiving site (mitigation area) would be within the Geographic Service Area, in this case the Western Slope South Shoreline District, which could be in Titlow Park. Riparian vegetation could be enhanced through plantings of native grass, shrub and tree species and habitat improvements above the tide line in an area that is currently mowed grass edged with logs. Funds assessed for the project impact would be deposited into the fee-in-lieu program account, described above, and would be assigned to a particular location, and to on-going maintenance for attainment of the established Performance Standards.

Example 2: Redevelopment on East Foss Waterway. This landowner would like to redevelop an existing developed site within the shoreline district. “Riparian” habitat impacts would be determined on an areal basis, as described above.

The receiving site (mitigation area) within the Geographic Service Area, in this case the Port Industrial Shoreline District (S-10), could be at the Go-Le-Hi-Ti restoration site. Habitat

restoration activities have been identified for this site and are on-going. Funds assessed for the project impact would be deposited into the Fee-in-Lieu Program Account, described above, and would be assigned to a particular portion of the riparian habitat restoration and the associated on-going maintenance of the restoration in order to meet the established Performance Standards.

Figure 1. Commercial Marina Parking Expansion along the Narrows



Site Design

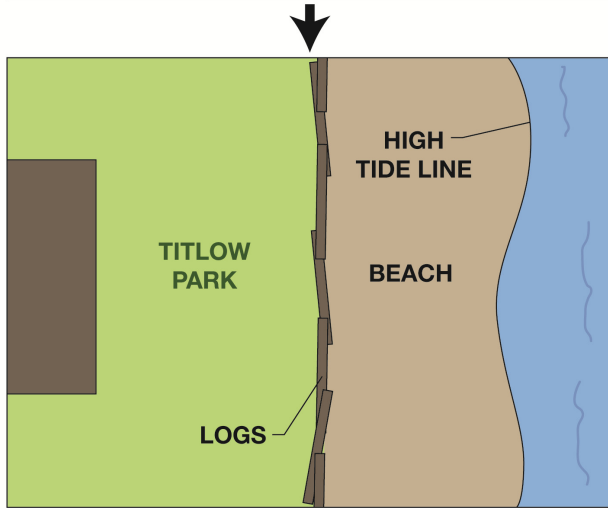
Marina proposes increasing marina parking lot to a grass area

Physical Impact

Riparian habitat impacts would be determined on an areal basis

Functional Impact

Reduction of riparian habitat



Mitigation

Enhance riparian environment at 2:1 ratio to restore riparian vegetative community and wildlife habitat in Titlow Park

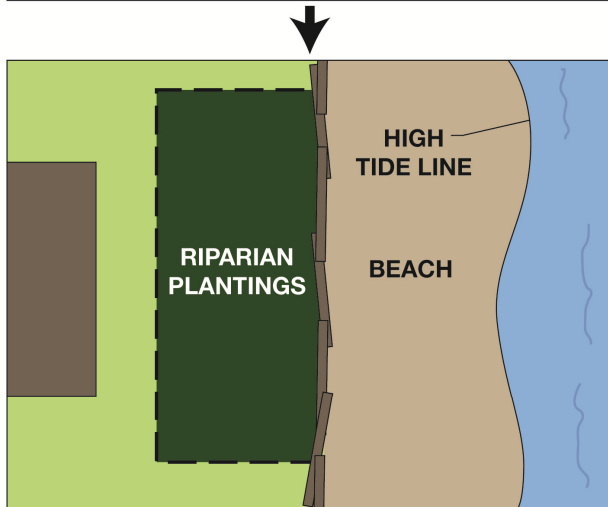
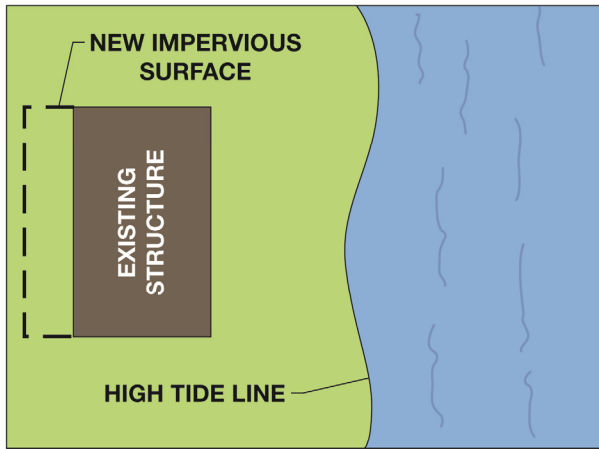


Figure 2. Redevelopment in Shoreline Riparian Area (No in-water work)



Site Design

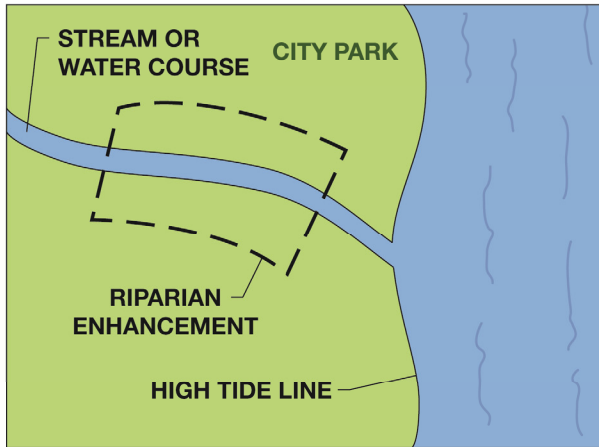
Property owner proposes an expansion (square feet) within the shoreline zone with no direct impact to areas below high tide line

Physical Impact

Increase in impervious surface
Reduction in riparian habitat

Functional Impact

Reduction in water quality
Reduction in riparian habitat



Mitigation

Enhance riparian environment (square feet) within shoreline district at 2:1 ratio

4.7 Restoration Cost Estimates

The costs for performing restoration activities vary widely depending on the necessity for clearing and grading, the amount of vegetation removal or replanting, and the incorporation of habitat features such as dunes, snags, large woody debris, etc.

The following is a rough cost estimate of some restoration elements and actions. Estimated costs for restoration are based upon the King County Bond Quantity Worksheet and the RS Means Guide (2009). These costs are provided for planning purposes only and specific costs would need to be developed based upon a specific site in the City of Tacoma.

Table 1. Estimated Costs for Restoration of Shoreline Habitat

Restoration Element	Cost per Square Foot	Cost per Acre	Notes
Grading	\$8 – 10	\$348,500 – 435,600	Fine grading, with grader
Clearing (Mechanical)	-	\$9,000 – 10,000	
Clearing (Hand Clearing Only)	\$2 – 4	\$87,000 – 174,000	
Upland Planting (Purchase, Installation & Establishment)	\$3 - 7	\$130,000 – 305,000	Highly variable; 1-5 gallon-plants
Upland Inter-planting (native elements remain)	\$2 – 4	\$87,000 – 174,000	Depends upon spacing
Beach Nourishment	\$1 – 2	\$43,500 – 87,000	Variable depending upon site
Dune Creation	\$2 – 3	\$87,000 – 130,000	Assumes dune height about 6 feet
Large Woody Debris (purchase and install)	-	-	\$550 – 750 per piece
Snag (purchase and Installation)	-	-	\$400 – 500 per piece

4.8 Conservation Easements

Following establishment of the receiving sites on City-owned properties, these areas would be protected from future development activities through conservation easements. Conservation easements are a legal agreement between a landowner and a land trust or government agency that restricts development in erosion-prone or habitat areas like shorelines. Unlike land acquisition, easements do not limit other land uses. An easement can be written to prohibit the future development of the receiving site and prohibit the removal or cutting of native vegetation. Easements are typically held in perpetuity and therefore offer future protection of the receiving area for the City's fee in-lieu program.

The City then would become the formal steward for the conservation easement areas and provide long-term maintenance and monitoring of these shoreline habitat areas. This concept is similar to the establishment of protective covenants as required for wetlands, streams and their buffers during site development.

5.0 NEXT STEPS

Based upon this review, the next steps for the establishment of a Shoreline Habitat Fee-in-Lieu Program in Tacoma would be to develop detailed habitat enhancement plans and planting plans for two or three targeted receiving sites. Once detailed plans are developed, implementation and actual construction costs can be accurately calculated for each site. Fees held in-lieu could then be applied by the City to specific phases of the habitat enhancement work based upon actual designs and planning documents for each site.

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CITY OF TACOMA
Shoreline Master Program

Public Access Alternatives Plan

APPENDIX C





DRAFT



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1.0 INTRODUCTION

Public access to the shoreline is one of the three main goals described in the Shoreline Management Act (SMA). The State requires local governments to provide opportunities for shoreline recreational development (WAC 173-26-241(3)(i)) and to increase public access to publicly owned shoreline areas within Shorelines of Statewide Significance (RCW 90.58.020, WAC 173-26-191(1)(b))¹. Local shoreline master programs are to include a public access element and a recreational element. The recreational element is to provide for “the preservation and enlargement of recreational opportunities, including but not limited to parks, tidelands, beaches and recreational areas” (WAC 173-26-191(1)(c)).

Local shoreline master programs are required: “To the greatest extent feasible consistent with the overall best interest of the state and the people generally, protect the public's opportunity to enjoy the physical and aesthetic qualities of shorelines of the state, including views of the water,” (WAC 173-26-221 (4)(iii)).

In addition, the City of Tacoma has historically been a leader in directly acquiring and developing public access to the shoreline. Since before the inception of the Shoreline Management Act the City has envisioned a public access system that takes advantage of the unique setting of the City and its relationship to Commencement Bay, the Tacoma Narrows and Puget Sound. While the scope and scale of this vision has changed over time, it remains a central aspect of the City’s identity and a central strategy in creating a livable, economically vibrant, high quality and attractive place to live, work, and play.

This Shoreline Public Access Alternatives Plan (PAAL) reviews goals and policies for shoreline public access. It provides a summary of existing shoreline public access and identifies potential public access opportunities along Tacoma’s shoreline. The Plan includes criteria for prioritizing public access projects that includes a general review of public access system costs over the planning horizon of this plan. Finally, it includes a strategy for implementation that includes a Public Access Fund contribution program.

What *is* public access?

The State defines public access to the shoreline as “the ability of the general public to reach, touch, and enjoy the water's edge, to travel on the waters of the state, and to view the water and the shoreline from adjacent locations” (WAC 173-26-221(4)(a)). Public access can include:

Viewing the shoreline:

- View points and corridors
- Habitat observation points

Accessing and enjoying the shoreline:

- Piers and docks
- Transient moorage
- Kayak hand launches
- Motor boat facilities
- Boardwalks and natural trails
- Pocket parks
- Swimming beaches
- Scuba diving

¹ All of Tacoma’s shorelines are considered Shorelines of Statewide Significance, with the exception of Wapato Lake.

2.0 PURPOSE AND INTENDED USE OF THE PUBLIC ACCESS ALTERNATIVES PLAN

The state shoreline guidelines provide a general framework and planning process to address public access (WAC 126-73-221(4)(c)). Public access policies and regulations have been developed for the TSMP consistent with the state shoreline guidelines. The City of Tacoma will use this plan to implement those policies and guide the development of new public access opportunities along the shoreline and to increase public access to the shoreline over time. This Plan is also intended to provide alternate mechanisms, in addition to the standard permit requirements, to effectively provide public access to the shoreline and the public waters and to achieve a more efficient use of public and private resources. Implementation of this plan will require coordination among city departments, Metro Parks Tacoma, and other public and private organizations, both locally and regionally. To provide flexibility to adapt to shoreline conditions and pursue unforeseen opportunities, this plan will support implementation of TSMP policies, but will not be part of the TSMP.

The PAAL will be utilized to inform decisions about public access requirements in private developments when required under the City's shoreline regulations. When the standard permit requirements for public access cannot be met on-site as part of a new use or redevelopment of an existing site, this plan will be used to identify alternatives for off-site improvement to public access and recreation. The PAAL will also be used to pursue grant funds and to guide voluntary private and public improvements to public access and recreation within the shoreline.

The City recognizes that the finite waterfront land supply and multiple demands for shoreline space and resources - as a place for wildlife, for recreation, and for employment - has the potential to bring the three primary goals of the Shoreline Management Act into conflict. The City views the PAAL as a means for minimizing future conflict between the priority uses and goals of the SMA by identifying the scope of public access improvements desired by the citizen's of the City of Tacoma, consistent with the Comprehensive Plan, and to identify the location and type of access in order to provide predictability for water-oriented uses and as a means for water-oriented uses to provide access in locations that will avoid future conflicts.

What guidance does the State provide for public access planning?

The State's shoreline guidelines provide a set of principle meant to guide shoreline public access planning by Cities and Towns. The principles found in the guidelines (WAC 173-26-221(4)) include the following:

1. Promote and enhance the public interest with regard to rights to access waters held in public trust by the state while protecting private property rights and public safety.
2. Protect the rights of navigation and space necessary for water-dependent uses.
3. To the greatest extent feasible consistent with the overall best interest of the state and the people generally, protect the public's opportunity to enjoy the physical and aesthetic qualities of shorelines of the state, including views of the water.
4. Regulate the design, construction, and operation of permitted uses in the shorelines of the state to minimize, insofar as practical, interference with the public's use of the water.



The Tacoma Waterfront Land Use Analysis developed an inventory and economic demand forecast for water-dependent uses in the shoreline in order to evaluate what economic uses are likely to locate and expand in Tacoma’s shoreline jurisdiction.

Finally, the Public Access Alternatives Plan is intended to address concerns regarding potential public safety, security, or operational conflicts between uses and public access. The City of Tacoma Shoreline Master Program recognizes that in some circumstances, the provision of public access on site may result in unnecessary safety risks for the public, may violate or jeopardize the security of an existing or proposed use, and may result in harm to the environment that cannot be mitigated. In these circumstances, the PAAL will provide alternative locations for public access to the shoreline where these conditions will be alleviated. The alternative site will be identified and improved as a condition of the permit.

DRAFT

3.0 STATE REGULATORY FRAMEWORK

The Washington Administrative Code (WAC) identifies four primary principles that shall be implemented as part of each local jurisdiction’s shoreline master program. These principles include:

- (i) Promote and enhance the public interest with regard to rights to access waters held in public trust by the state while protecting private property rights and public safety.
- (ii) Protect the rights of navigation and space necessary for water-dependent uses.
- (iii) To the greatest extent feasible consistent with the overall best interest of the state and the people generally, protect the public's opportunity to enjoy the physical and aesthetic qualities of shorelines of the state, including views of the water.
- (iv) Regulate the design, construction, and operation of permitted uses in the shorelines of the state to minimize, insofar as practical, interference with the public's use of the water.

In addition, the WAC suggests that:

“Local governments should plan for an integrated shoreline area public access system that identifies specific public needs and opportunities to provide public access. Such a system can often be more effective and economical than applying uniform public access requirements to all development. This planning should be integrated with other relevant comprehensive plan elements, especially transportation and recreation. The planning process shall also comply with all relevant constitutional and other legal limitations that protect private property rights.”

As part of the Shoreline Master Program update, the City of Tacoma has undertaken a planning effort to develop a Public Access Alternatives Plan that, in conjunction with the permit requirements in TSMP 6.5, fulfills the principles and standards of the WAC. The WAC provides additional flexibility for local jurisdictions when a comprehensive and integrated public access plan is developed. For instance, the WAC states that: “The planning may also justify more

What uses are allowed in the shoreline?

The Shoreline Management Act establishes three primary goals:

- 1) to promote uses that protect and enhance the ecology of the shoreline,
- 2) to promote uses that enhance public access to and enjoyment of the shoreline, and
- 3) to promote uses that are dependent upon a shoreline location.

The SMA prioritizes uses that are unique to or dependant on the use of the state’s shorelines. Water-dependant uses, such as marinas, shipyard dry docks, or ferry terminals take priority. Second are water-related uses, such as vessel parts fabrication or container ship yards. These uses do not require a waterfront location, but are economically dependant on one. Lastly, water-enjoyment uses that promote access and draw large numbers of the general public to the shoreline, such as restaurants or retail use are prioritized.



Soft shore armoring and habitat improvement at Chinese Reconciliation Park

flexible off-site or special area public access provisions in the master program.” In addition, ports and other public entities are eligible to develop their own public access plans as a means of meeting the State’s access requirements while achieving a greater degree of flexibility as to where and how those requirements are met, as opposed to a uniform permit-by-permit requirement.

In addition, the WAC requires that:

“At a minimum, the public access planning should result in public access requirements for shoreline permits, recommended projects, port master plans, and/or actions to be taken to develop public shoreline access to shorelines on public property. The planning should identify a variety of shoreline access opportunities and circulation for pedestrians (including disabled persons), bicycles, and vehicles between shoreline access points, consistent with other comprehensive plan elements.”

This Public Access Alternatives Plan has been developed to satisfy the WAC requirements for shoreline public access for the City of Tacoma, to provide additional flexibility for permit applicants and public agencies to meet their obligations to the general public to provide access to the Shorelines of the State, and to do so in a way that is consistent with the Comprehensive Plan and private property rights.

Lastly, the WAC provides standards for local jurisdictions to incorporate into their master programs. These include:

(i) Based on the public access planning described in (c) of this subsection, establish policies and regulations that protect and enhance both physical and visual public access. The master program shall address public access on public lands. The master program should seek to increase the amount and diversity of public access to the state’s shorelines consistent with the natural shoreline character, property rights, public rights under the Public Trust Doctrine, and public safety.

This standard is implemented in the TSMP by the following policies and development regulations:

TSMP 6.5.1(2), (3), (11) establishes the City’s priority to preserve existing public access.

TSMP 6.5.1(7) provides protection for property rights in the provision of public access.

TSMP 6.5.1(2) seeks to increase the amount and diversity of public access.

TSMP 6.7.1(1) advances the public’s interest in the aesthetic qualities of shorelines of the state, including views of the water.

TSMP 6.5.1(8) requires that public access on private properties be commensurate with the scale of development and to be reasonable, effective, and fair for all parties.

TSMP 6.5.1(9) protects the rights of navigation and the space necessary for water-dependent uses.

TSMP 6.5.2(A)(4) requires that the Land Use Administrator ensure that there is a nexus between a proposed action and public access requirement and that the requirement is roughly proportional to the impacts identified.

(ii) Require that shoreline development by public entities, including local governments, port districts, state agencies, and public utility districts, include public access measures as part of each development project, unless such access is shown to be incompatible due to reasons of safety,

security, or impact to the shoreline environment. Where public access planning as described in WAC 173-26-221(4)(c) demonstrates that a more effective public access system can be achieved through alternate means, such as focusing public access at the most desirable locations, local governments may institute master program provisions for public access based on that approach in lieu of uniform site-by-site public access requirements.

This standard is implemented in the TSMP by the following policies and development regulations:

TSMP 6.5.1(5) requires that any project that receives public funds provide access to the water to the general public.

TSMP 6.5.1(6) provides for innovative means for achieving access off site when there is a conflict or incompatibility on site.

(iii) Provide standards for the dedication and improvement of public access in developments for water-enjoyment, water-related, and non-water-dependent uses and for the subdivision of land into more than four parcels. In these cases, public access should be required except:

(A) Where the local government provides more effective public access through a public access planning process described in WAC 173-26-221 (4)(c).

(B) Where it is demonstrated to be infeasible due to reasons of incompatible uses, safety, security, or impact to the shoreline environment or due to constitutional or other legal limitations that may be applicable.

In determining the infeasibility, undesirability, or incompatibility of public access in a given situation, local governments shall consider alternate methods of providing public access, such as off-site improvements, viewing platforms, separation of uses through site planning and design, and restricting hours of public access.

(C) For individual single-family residences not part of a development planned for more than four parcels.

This standard is implemented in the TSMP by the following policies and development regulations:

TSMP 6.5.1(4) seeks to increase the amount and diversity of public access.

TSMP 6.5.2(A)(3) Establishes the specific permit conditions under which public access shall be required. Single family development is excluded from this list

TSMP 6.5.2(A)(7) provides for situations where access is incompatible on site due to public safety concerns, security requirements, operational conflicts, or due to environmental harm.

(iv) Adopt provisions, such as maximum height limits, setbacks, and view corridors, to minimize the impacts to existing views from public property or substantial numbers of residences. Where there is an irreconcilable conflict between water-dependent shoreline uses or physical public access

and maintenance of views from adjacent properties, the water-dependent uses and physical public access shall have priority, unless there is a compelling reason to the contrary.

This standard is implemented in the TSMP by the following policies and development regulations:

Table 9.2 establishes height, setback, and view corridor standards for all uses in the shoreline.

TSMP 6.2.1(6) directs all uses and development to manage their impacts to other shoreline and upland uses.

TSMP 6.7.1(7) requires that all shoreline uses be designed and operated to minimize obstructions to views and access.

TSMP 7.4.1(A)(11) requires that commercial structures incorporate and protect views and aesthetics.

TSMP 6.7.1(1) protects the public's opportunity to enjoy the aesthetic qualities of shorelines, including views of the water.

TSMP 6.7.1(2) encourages shoreline use and development to take the greatest advantage of shoreline views in their design and location.

TSMP 6.7.2(7) places priority on public access and water-dependent uses when they conflict with views from adjacent properties.

(v) Assure that public access improvements do not result in a net loss of shoreline ecological functions.

This standard is implemented in the TSMP by the following policies and development regulations:

TSMP 6.5.1(1) provides protection for the ecology of the shoreline by requiring all public access to achieve no net loss of ecological functions.

TSMP 6.4 provides protection for shoreline critical areas and mitigation standards for all impacts to the shoreline.

4.0 CONSISTENCY WITH THE COMPREHENSIVE PLAN

This section identifies existing guidance in the City’s proposed Shoreline Master Program, Comprehensive Plan, and Metro Parks Strategic Plan that is relevant to shoreline public access. These plans include comprehensive and specific direction for increasing water-oriented recreational opportunities in the city consistent with State guidelines and City objectives. A primary objective of this plan is to ensure that shoreline public access is integrated with citywide goals and policies.

4.1 Proposed Shoreline Master Program

4.1.1 Master Program for Shoreline Management

The proposed Tacoma Shoreline Master Program (TSMP) provides overall goals for public access and recreation in the city’s shorelines. The goals are articulated in more detail in a series of objectives and will be implemented through policies and implementing regulations. This section summarizes the proposed goals, objectives, and policies in the proposed TSMP update that related directly to public access and recreation in the city’s shorelines.


4.1.1.1 Public Access

The proposed TSMP provides an overarching goal for public access in the shorelines. This goal is meant to provide the framework under which the policy is developed to regulate and manage public access to the shorelines. The TSMP goal for shoreline public access reads as follows:

To increase the ability of the general public to reach, touch, and enjoy the water's edge, to travel on the waters of the state, and/or to view the water and the shoreline from adjacent locations, provided that private rights, the public safety, and shoreline ecological functions and processes are protected consistent with the U.S. and State constitutions, state case law, and state statutes.

The proposed TSMP provides five general objectives that further articulate the shoreline public access goal. The objectives include the following:

- Establish public access to and along the City’s shorelines to the maximum extent feasible
- Develop a system of vistas, view areas, view corridors, scenic drives, trails, and bike paths that capitalize on Tacoma’s unique relationship to Puget Sound.

- 
- Locate, design, manage and maintain public access in a manner that protects shoreline ecological functions and processes and public health and safety.
 - Design and manage public access in a manner that ensures compatibility with water-dependent uses.
 - Encourage cooperation among the City, landowners, developers, other agencies and organizations to enhance and increase public access to shorelines as specific opportunities arise.


Based on the public access goals and objective, the following policies have been proposed in the TSMP to achieve the TSMP goal:

1. Public access to shorelines is required, where feasible, to the fullest extent allowed by law, provided that the provision of the public access results in no net loss of ecological function.
2. Developments, uses, and activities shall be designed and operated to avoid blocking, reducing, or adversely interfering with the public's visual or physical access to the water and the shorelines.
3. Impacts to public access from new development should be mitigated through the provision of on-site visual and physical public access, unless such access is shown to be incompatible due to reasons of safety, security, or impact to the shoreline.
4. Public access should be provided to the shoreline as a primary use in its own right or as a secondary use provided as development or redevelopment occurs, provided that private property rights and public safety are protected. Public access elements may include, but should not be limited to the following:
 - a. Bicycle paths along or adjacent to the shoreline;
 - b. Shoreline parks;
 - c. Beach areas;
 - d. Piers, wharves, docks, and floats;
 - e. Transient moorage;
 - f. Trails, promenades, or other pedestrian ways along or adjacent to the shoreline edge.
5. Publicly funded development projects should be required to incorporate public access features except where access is incompatible with safety, security, or environmental protection.

6. Where public access cannot be provided on-site, the City should consider innovative measures to allow permit applicants to provide public access off site.
7. Public access provisions should be consistent with all relevant constitutional and other limitations that apply to public requirements that are placed on private property, including the constitutional nexus and proportionality requirements
8. Public access should not compromise, in any significant manner, the rights of navigation and space necessary for water-dependent uses.
9. Property owners should use a variety of techniques, including acquisition, leases, easements and design and development innovations, in order to achieve its public access goals and to provide diverse public access opportunities.
10. Preference should be given to provision of on-site public access. Off-site public access is appropriate where it would provide more meaningful public access, prevent or minimize safety or security conflicts, or where off-site public access is consistent with an approved public access plan.
11. Water-enjoyment and non-water-oriented uses that front on the shoreline should provide continuous public access along the water's edge.
12. Public access should be provided as close as possible to the water's edge without significantly adversely affecting a sensitive environment or resulting in significant safety hazards. Improvements should allow physical contact with the water where feasible.
13. Public access improvements should be generally consistent with adopted public access plans, the Open Space Habitat and Recreation Plan and the Mobility Master Plan if the project area is covered by these plans. However, an alternative proposed by the applicant may be approved if it is consistent with the goals, objectives, and policies in this TSMP.
14. Development within shoreline jurisdiction that do not have shoreline frontage should provide public access by providing trails or access corridors through or from their sites, or by contributing to a public access fund for the purpose of implementing planned public access improvement projects.
15. Public access provided by street-ends, utility corridors, and public rights-of-way should be addressed in public access plans and should be preserved, maintained and improved.
16. An applicant may construct public access improvements before site development as a part of an overall site master plan, which may be phased. The applicant would receive credit for those improvements at time of development.
17. Public access sites should be designed to provide continuity of site details to increase the ability of the public to discern public from private spaces.

4.1.1.2 *Recreation*

Consistent with the State's guidelines, the proposed TSMP also includes a planning framework for recreation within the City's shorelines. The following goal for shoreline public access is included in the proposed TSMP:



“To provide opportunities and space for diverse forms of water-oriented recreation.”

The proposed TSMP provides general objectives to achieve the recreation goal. They include the following:

- Locate only water-oriented recreational uses in the shoreline area.
- Locate, design, manage and maintain recreation uses and facilities in a manner that protects shoreline ecological functions and processes and public health and safety.
- Locate, design, and operate recreational development in a manner that minimizes adverse effects on adjacent properties as well as other social, recreational, or economic activities.
- Acquire additional recreation areas and public access areas with a high recreation value prior to demand to assure that sufficient shoreline recreation opportunities are available to serve future recreational needs.
- Encourage cooperation among public agencies, non-profit groups, and private landowners and developers to increase and diversify recreational opportunities through a variety of means including incorporating water-oriented recreational opportunities into mixed use developments and other innovative techniques.
- Recognize and protect the interest of all people of the state by providing increased recreational opportunities within shorelines of statewide significance and associated shorelands.
- Encourage private and public investment in recreation facilities.

Recreation policies in the proposed TSMP that are relevant to shoreline public access include:

1. Priority should be given to commercial or public recreational development that provides access to and use of the water.
2. Only water-oriented recreational uses should be allowed on the shorelines.
3. The City should ensure that any recreational use is consistent with the ability of the shoreline to support that use.
4. Encourage development of marina and boat launch facilities where appropriate, where physical space is available to alleviate unmet needs, and where it can be accommodated with minimal damage to the environment.
5. Recreational developments should be located, designed and operated to be compatible with and minimize adverse effects on environmental quality and valuable natural features, as well as on adjacent and surrounding land and water uses.

6. Public recreation activities such as fishing, clam digging, swimming, boating, wading, and water-related recreation should be allowed provided they do not adversely affect shoreline functions.
7. Shoreline parks and public access points should be linked through a continuous linear route abutting the shoreline. Preference is given to non-motorized uses such as pedestrian easements along tidelands, hiking paths and bicycle trails.
8. Non-water-oriented recreational facilities should be located outside the shoreline area.
9. Additional shoreline recreational lands should be acquired through a variety of means including donations and fee purchase. Acquisition of easements, options and development rights can also provide recreational opportunities.

4.2 City of Tacoma Comprehensive Plan

The Comprehensive Plan recognizes the importance of shoreline public access and retention of the natural environment as growth and development occurs. The Comprehensive Plan includes goals and policies for shoreline public access within several elements, including Generalized Land Use, Recreation and Open Space Facilities Element, Open Space Habitat and Recreation, the Shoreline Trails Plan, and Destination Downtown.

4.2.1 Generalized Land Use Element

The Generalized Land Use Element of the Comprehensive Plan includes a goal regarding the provision of open space and quality of life:

LU-MUD-3 – Open Space: Provide a diverse array of usable open spaces including small parks, plazas, playgrounds, and others within centers to balance higher density development, enhance the quality of the living environment and provide social and recreational opportunities for residents, employees and visitors.

4.2.2 Recreation and Open Space Facilities Element

The current Recreation and Open Space Facilities Element includes the following general policies regarding public access and open space:

ROS-G-3 – Design and Development: Promote design and development of recreation and open space facilities that provide for play that will enhance Tacoma’s natural setting and that complement the ecology and unique features of the site or area.

ROS-G-4 – Scenic View and Vistas: Develop and maintain a system of scenic view sites and vistas in order to take advantage of the natural beauty of Tacoma and its siting in the Puget Sound Region.

ROS-G-7 – Accessible Linkages: Encourage the development of pedestrian, bicycle or equestrian linkages wherever possible, appropriate within and between recreation, and open space sites.

ROS-PB-2 – Trail Corridors: Develop new corridors for bicycles/pedestrian trails and take advantage of available corridors such as existing park trails, greenbelt areas, railroads, pipelines, power lines and street rights-of-way.

4.2.3 Open Space Habitat and Recreation Plan


The Open Space Habitat and Recreation Plan (OSHRP), officially entitled the Open Space Habitat and Recreation Element of the Comprehensive Plan, was adopted by the City Council on December 9, 2008. The OSHRP sets forth goals, policies, and implementation plans for Tacoma municipal open spaces and natural areas. The Plan was prepared to meet Goals Nine and Ten of the GMA. Goal Nine encourages cities and counties to retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water and develop parks and recreation facilities. Goal Ten encourages cities and counties to protect the environment and enhance Washington’s high quality of life, including air and water quality, and the availability of water. The overall purpose of the OSHRP is established in the Plan’s vision statement:

“Create an integrated system of habitat and recreation lands and facilities in Tacoma that defines and enhances the built and natural environment, supports and nurtures plant and wildlife habitat, offers a well-balanced range of recreation opportunities and enriches the lives of Tacoma’s current and future citizens.”

The OSHRP includes policies and other guidance intended to enact and achieve this vision. The OSHRP notes that Tacoma’s shorelines and waterfront areas are a source of economic activity, entertainment and recreation, as well as providing invaluable ecological and cultural functions. It further notes that Tacoma has a legacy of industrial development along its shorelines, which has reduced public access. At the same time, the Port of Tacoma and other industrial areas are major economic assets to the City. The OSHRP notes the importance of reclaiming shoreline areas for public access, recreation, educational and interpretive displays, public art, community events, habitat restoration and other open space purposes. To those ends, the OSHRP includes the following policies specific to shoreline public access:

OS-SH-1 Prioritize Tacoma’s Shorelines and Waters - Recognize the strong community connection to Tacoma’s shorelines and waters as cultural, historic, recreational, educational, economic, natural and aesthetic assets of tremendous value. Work with partners to undertake a broad range of activities that enhance Tacoma’s identity as a waterfront community, including designating and enhancing shoreline areas for public access, recreation, educational and interpretive displays, public art, community events, habitat restoration and other activities.

OS-SH-2 Shoreline and Water Access - Develop opportunities for public access to the Puget Sound for water-oriented recreation and enjoyment of shorelines, including public access to both natural and man-made waterfront features such as beaches, tidelands, wharfs, piers, esplanades, parks, heritage sites, and waterfront trails and paths.



OS-SH-3 Shoreline and Water Activities - Develop and enhance opportunities for swimming, boating including use of Tacoma’s water trails, fishing, SCUBA diving, educational activities, wildlife observation and other shoreline and water-dependent activities.

OS-SH-4 Reconnect Shorelines and Uplands Habitat - Recognize the critical habitat functions and the loss of historic habitat connectivity between shorelines and upland areas and water courses, and seek to re-create these connections through habitat conservation and restoration efforts.

OS-SH-5 Shoreline Trail Connections – Recognizing that many of Tacoma’s existing and planned trails follow the shoreline or connect shoreline and upland areas, partner to develop and maintain trails oriented to the shorelines, slopes and gulches. Development of trails should be coordinated with habitat restoration efforts.

OS-MUC-5 Reconnect the Waterfront – Seek opportunities to re-connect downtown and the Thea Foss Waterway through developing multi-functional open spaces, trails and/or recreational facilities that provide or enhance pedestrian connectivity between downtown and the waterfront.

Lastly, recognizing that implementation of the OSHRP will require multiple methods and funding sources, the Plan recommends developing a fee-in-lieu program aimed at enabling developers to provide required open space and public access at offsite area where it may be more appropriate and where a specific need or project has already been identified through a planning process. The Plan includes the following policy related to fee-in-lieu.

OS-MUC-6 Fee In Lieu Program - Consider adopting a fee-in-lieu program that would allow development to contribute toward open space, park, community garden, or recreation space within a Mixed-use Center rather than providing on-site open space.

4.2.4 Transportation Element and Mobility Master Plan

4.2.4.1 The goal of the Transportation Element is to “Achieve a multimodal transportation system that efficiently moves people and goods with optimum safety and appropriate speed, maximizes the conservation of energy, and minimally disrupts the desirable features of the environment”.

4.2.4.2 The Mobility Master Plan outlines a vision in which:

“Tacoma is a world-class walking and biking community in which pedestrians and bicyclists are top priorities in transportation planning. Tacoma's transportation system is useable and welcoming to people of all abilities. Streets accommodate bicyclists in large numbers, sidewalks are user-friendly, and residents share the road safely and are fully mobile without an automobile.”

4.2.4.3 The goals of the Mobility Master Plan that support the PAAL include:

- Complete a safe and comfortable bicycling system that connects all parts of the city (north to south/east to west) and accommodates all types of cyclists by 2025.
- Create a safer street environment that reduces intermodal crashes involving bicyclists, pedestrians and motor vehicles by at least 10% from 2010 rates by 2015 and work to meet Washington State’s Target Zero goal of eliminating fatal and serious injuries by 2030
- Increase transit use by enhancing pedestrian access and bicycle support facilities through the development of bikeways and walkways that serve transit hubs.
- Promote healthy lifestyles by offering improved opportunities for active living for people of all abilities through the development of a robust non-motorized network, including bikeways, sidewalks, and linear parks.

4.2.4.4 Policies that support public access in the shoreline and the PAAL include:

- **T-MMP-1 Implementation**

Implement the Mobility Master Plan’s recommendations for developing a nonmotorized network that reduces auto travel, increases the number of nonmotorized users of all ages and abilities, and improves the health of our people and local ecology.

- **T-MMP-2 Livability**

Prioritize infrastructure improvements that connect residential areas to local retail, business, and community services, so residents can access more of the services they need close to home by walking, biking, and using assistive devices.

- **T-MMP-3 Environmental Sustainability**

Encourage and improve the appeal of modes of transportation with negligible carbon emissions, such as walking, biking, and using assistive devices, thereby reducing the miles traveled by single occupancy vehicles.

- **T-MMP-12 Funding**

Pursue a dedicated source of funding to implement the expansion and enhancement of walkways and bikeways in Tacoma. Supplement dedicated funds with other funding sources. A comprehensive list of funding opportunities can be found in the *2010 Mobility Master Plan Study*.

4.2.5 Shoreline Trails Plan

The goal of the Shoreline Trails Plan in the Comprehensive Plan is to tie trail segments together into a unified, urban pedestrian network, joining the north and west slopes of the city together.

4.2.6 Downtown Plan

The City adopted an update to its Downtown Plan, known as the Downtown Element, in December of 2008. The updated Downtown Element of the Comprehensive Plan includes specific direction for creating and enhancing the connection between Downtown and the waterfront, particularly the Thea Foss Waterway, capitalizing on its proximity to the downtown area. The element acknowledges that there are impediments to this connection and plots a strategy for removing some of these over time. The Downtown Element states:


“There is also a strong desire from the community to fully integrate the downtown to its waterfront. Physical impediments remain extreme, including railroad rights of way and a freeway. Near term enhanced connections are planned for 15th Street, with hopes for a restored Murray Morgan Bridge, and potential public access from Fireman’s Park tied to future development.”

4.3 Metro Parks Tacoma Strategic Plan

The Metro Parks Tacoma Strategic Plan (2006) includes ten overall goals. The goals specifically relevant to providing shoreline public access are:

- *Provide accessible, convenient, safe, and attractive parks and facilities.* Accessibility, convenience, and safety are essential to a positive recreation experience. Metro Parks Tacoma will provide clean and inviting parks and facilities--including quality signature facilities that foster community pride and are conveniently located for easy access to people of diverse backgrounds.

- *Foster stewardship of community assets and historical/cultural resources.* Tacoma is fortunate to have a wealth of cultural and historical resources that enrich the community. Metro Parks Tacoma will provide opportunities to enhance appreciation of these resources and promote community stewardship.
- *Provide affordable and high-quality recreation and educational experiences for a diverse community.* Metro Parks Tacoma will provide affordable recreation and educational experiences that meet the needs of our diverse community, including residents of all ages, abilities, family compositions, and economic and cultural backgrounds. These experiences will reflect quality and excellence.
- *Partner in responsible economic and community development.* Parks and recreation help fuel the region's economy and make a community more livable. Diverse recreation and cultural opportunities and quality attractions bring residents, businesses, and tourists to the City. For these reasons, Metro Parks Tacoma will be an important partner in promoting economic development throughout the region, by providing services, parks, and open spaces to improve the quality of life for workers in business areas and residents in our neighborhoods.
- *Create diverse, stable, and predictable funding strategies to provide the resources required to build, maintain, and operate our system of parks and programs.* MPT will use a variety of long and short term funding strategies to provide dependable funding for parks and programs. These strategies may include grants, private contributions/donations, foundations (public-private partnerships), bonds, voter approved measures, maintenance and operating levies, property and sales taxes. The District will pursue new or expanded regional funding strategies for both facilities and programs that serve citizens from beyond MPT borders. A fee schedule should be created that balances cost recovery goals with the needs of the community. Some programs and facilities will continue to be subsidized, while others may fully recover costs or even generate revenues that can be used to serve residents with financial needs. New revenue generating and entrepreneurial projects and ventures should also be explored and considered as one funding strategy.
- *Maximize the benefits provided by Tacoma's unique park and recreation resources.* Special facilities, such as Point Defiance and Wright Park, help define Tacoma's unique character. While attracting people from outside the region and contributing to Tacoma's livability, they also generate revenue and enhance the economic vitality of the entire community. Regional parks and signature facilities provide the benefits associated with high quality recreation and educational experiences. Making the most of these parks will be given special attention by the District.
- *Maximize community resources through partnerships to provide a system of parks and recreation opportunities.* Partnerships are a key means the District will use for leveraging community resources, while minimizing duplications in effort. MPT will be a leader in forging and fostering partnerships that forward the District's mission. MPT will move toward formalized partnerships that ensure equity and tangible benefits to both parties.



Actions in the Strategic Plan that pertain to the shoreline are:

Action 1.2.5 Provide public access to the Puget Sound for water-related recreation and trail uses, including boating facilities along Thea Foss Waterway, Ruston Way, Point Defiance Park and other community parks.

Action 1.3.9- Recognize the importance of other regional parks and greenspace not currently owned or maintained by MPT in satisfying overall citywide needs. Some examples include Fireman’s Park, the Chinese Reconciliation Garden (under development), the proposed Thea Foss Esplanade extension, and other greenspace.

Action 2.2.17- Outdoor water-related facilities with Sound access to include kayaking, canoeing, scuba diving, rowing and other non-motorized watercraft/boating. These facilities, which can be developed as part of a Sound-related Nature and Environment Center, should generate revenue.

Action 6.2.2- Collaborate with the City of Tacoma and others to create a connected system of urban parks in the downtown and Thea Foss areas, incorporating landscaped public spaces as developments occur, such as pedestrian linkages, boulevards, public amenities, and art work, to meet recreational needs and support livability.

Action 6.2.5- Provide more public access to waterfront and greenspace, where possible, near dense urban areas to enhance the livability of the City.

Action 6.2.6- Revitalize downtown parks, such as Wright Park and Thea’s Park, for the enjoyment of downtown residents, employees, and visitors.

Action 9.1.1- Continue to work with public and private partners to build and plan other public park spaces along the Thea Foss Waterway to create an integrated and connected esplanade for public enjoyment.

Action 9.1.2 Encourage partners to complete the development of the Chinese Reconciliation Garden so as to enhance the unique waterfront experience at Ruston Way for both the residents and visitors.



5.0 EXISTING AND PLANNED PUBLIC ACCESS

5.1 Existing Public Access

Existing public access to the shorelines of the City of Tacoma includes a mix of parks, trails, boating facilities, view points and public beaches. These facilities were described in the Shoreline Inventory and Characterization Report (ESA, 2007). In addition, public access and future demand for public access were discussed in the Shoreline Use Analysis technical memo (ESA, 2008). The list of sites identified in those documents has been updated and is displayed on Map 1. A breakdown of public access facilities by type and by shoreline district is provided in Table 1.

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Map 1: Existing Public Access Sites

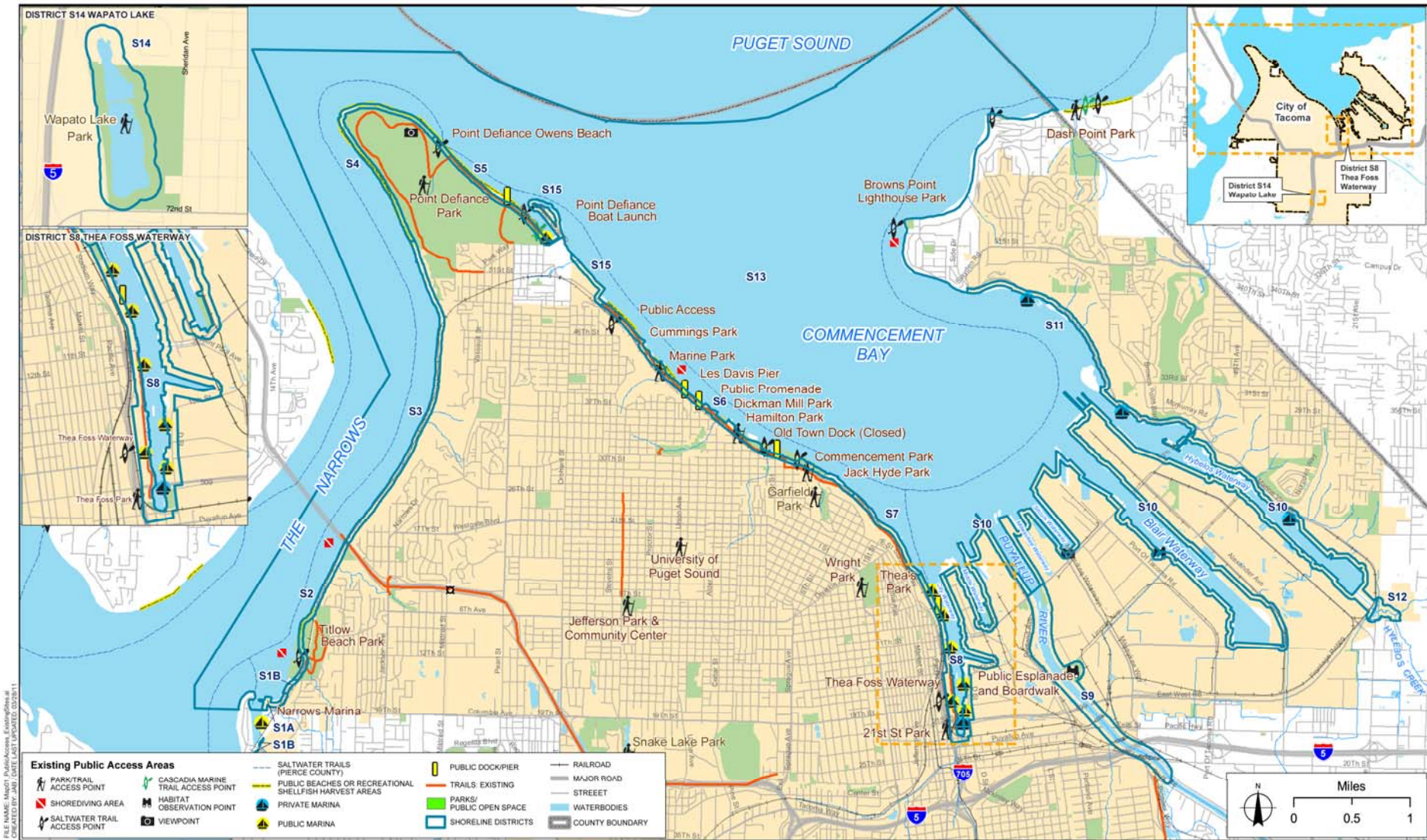












Table 1: Existing Public Access

Shoreline District	EXISTING SHORELINE PUBLIC ACCESS										
	Area (excluding water) (acres)	Saltwater Trail Access Point*	Park/Trail Access Point	Public Beach (approx. miles)	Trails (miles)	Public Marina	View Point	Habitat Observation Point	Shore Diving Area	Public Dock	Park / Open Space (acres)
											
S1a – Western Slope South – HI	9			0.0	0.0	1					0
S1b – Western Slope South – SR	5			0.0	0.0						0
S2 – Western Slope Central	32	1		0.3	0.1				2		14
S3 – Western Slope North	70			< 0.1	0.1						0
S4 – Point Defiance – N	53		1	2.2	0.0						38
S5 – Point Defiance Park – C	34	2		1.3	1.2	1	1			1	31
S6 – Ruston Way	66	2	3	0.6	2.2				1	3	35
S7 – Schuster Parkway	32			0.0	0.2						2
S8 – Thea Foss Waterway	109	1		0.0	0.8	6				4	2
S9 – Puyallup River	111			0.0	0.0			1			7
S10 – Port Industrial	428			0.0	0.0		1	1			2
S11 – Marine View Drive	70			0.0	0.0						2
S12 – Hylebos Creek	28			0.0	0.0						0
S14 – Wapato Lake	74		1	0.0	0.0						60
S15 - Point Ruston/Slag Pen.	33			0.0	0.0						0
Total	1,155	6	5	3.2	4.5	8	2	2	3	5	194



5.2 Planned Public Access System

5.2.1 Overview of Opportunities for New Shoreline Public Access









Opportunities for new public access are also discussed in the Shoreline Inventory and Characterization Report (ESA, 2007) and the Shoreline Use Analysis technical memo (ESA, 2008). The list of opportunities in these documents has been updated to reflect current conditions. Coordination of these opportunities will comprise a shoreline public access system. Map 2, Conceptual Public Access Opportunities, summarize the types and locations of public areas and facilities which could be pursued as part of the public access system over time. Table 2, provides a list of the potential public access sites within each shoreline district.

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Map 2: Potential Public Access Sites



Table 2 Potential Shoreline Public Access

Shoreline District	CONCEPTUAL SHORELINE PUBLIC ACCESS OPPORTUNITIES							
	Parks/ Open Space (acres)	Public Street End	View Points/ Corridors	Habitat Observation Points	Transient Moorage or New Motor Boat Facilities	Hand Boat Launches (may include storage)	Piers/ Docks	Proposed Trails (approx. miles)
								
S1a – Western Slope South – HI		1				1		0.1
S1b – Western Slope South – SR						1		0.2
S2 – Western Slope Central					1			1.6
S3 – Western Slope North			3					2.1
S4 – Point Defiance – Natural			1					0.0
S5 – Point Defiance Park –Conservation								< 0.1
S6 – Ruston Way	4				2			0.4
S7 – Schuster Parkway		1	1					0.2
S8 – Thea Foss Waterway	5	3	2		2	1	1	2.7
S9 – Puyallup River		5	1					2.1
S10 – Port Industrial		5	2	3		1		0.1
S11 – Marine View Drive			3			1		< 0.1
S12 – Hylebos Creek								0.0
S14 – Wapato Lake				1		1		0.0
S15 - Point Ruston/Slag Peninsula	10		1	1	1		1	1.0
Total	19	15	14	5	6	6	2	10.6

5.2.2 Shoreline Public Access Opportunities by District

The following section describes opportunities for improving existing or introducing new public access for each shoreline district. The districts are lumped together by general geographic areas.

5.2.2.1 Western Slope

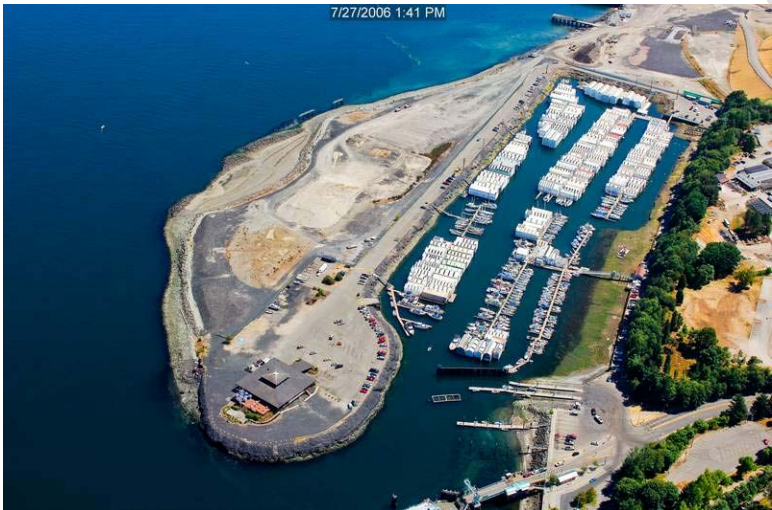
The Western Slope is comprised of four shoreline districts, stretching from 19th Street at Narrows Marina to the community of Salmon Beach, adjacent to Pt. Defiance Park. Access to the water is limited along the Western Slope due to considerable railroad right-of-way, which abuts the shoreline from Titlow Park north to Salmon Beach. There is also considerable overwater and upland residential development that hinders direct access to the shoreline.

Water-oriented recreation is provided at Narrows Marina, which has a public boat launch, and at Titlow Park, which provides public beach access for sunbathing, picnicking, launching kayaks and canoes, scuba diving and other water-oriented recreation. Tacoma Outboard Association leases an additional boat launch at Titlow Park for private use. The planned public access along the Western Slope seeks to off-set the relative lack of direct shoreline access by establishing a connected shoreline trail from University Place in the south and connecting to the Pt. Defiance trail system. In most areas, the trail will need to be developed along the bluffs overlooking the Tacoma Narrows. Trail amenities could include view platforms or view points, interpretive signage, and sheltered seating areas. While much of the bluffs are in public ownership, further land acquisition or easements would be required to develop this trail system in its entirety.



5.2.2.2 Point Defiance

Pt. Defiance Park is a 702 acre recreation and natural area that provides substantial public beach access along the northwest tip of Commencement Bay. Metro Parks has developed a master plan to guide the next 100 years of the Park’s life, use and improvement. The two districts provide approximately 4.5 miles of shoreline access, though a considerable portion of the shoreline is obstructed. Steep bluffs limit the access points to the public beach, and a combination of shoreline vegetation, currents, landslides and high tides makes traversing the Point itself tenuous. As a result, access tends to be limited to the Owens Beach area and promenade connecting Owens beach to the Pt. Defiance boathouse. A drive and trail system atop the bluff provides some view opportunities which could be enhanced. The beach slope makes the area around Owen Beach suitable for kayak hand launch sites and other existing recreational boating opportunities are available at the Pt. Defiance boathouse and marina.



5.2.2.3 Ruston Way Shoreline

The Ruston Way Shoreline includes three shoreline districts, stretching from Pt. Defiance to the Thea Foss Waterway. There is considerable public access throughout this shoreline area and it is well utilized by the public for water-oriented recreation and enjoyment. As the Point Ruston development proceeds, it is expected that trail connections will be established that will create a direct connection between Ruston Way and Point Defiance. Implementing the planned connection across the Point Ruston site is a high priority for developing an integrated system.

The Schuster Parkway shoreline also presents some limitations for a multimodal trail: Due to the closure of the Bayside Trails the only option is a narrow sidewalk adjacent to Schuster Parkway. Residents and recreational users have expressed concerns about the safety and usability of this connection. Improving the Bayside Trails and expanding the sidewalk, while incorporating safety features, would enhance the public’s safety in traversing this shoreline area and promote greater use of the trail system.

In addition, the railroad right-of-way hinders connections from the residential neighborhoods above Ruston Way. Development of trails in the Mason, Puget Creek and Garfield Gulches will enhance system capacity and provide further options for the public to get to the shoreline promenade. Lastly,



existing access tends to be in the form of a linear trail system and could be diversified. Several planned public access projects will provide larger gathering places and activity areas. The Peninsula Park and the Chinese Reconciliation Park will provide significant “bookends” to this shoreline area.



5.2.2.4 Thea Foss Waterway

In 1974, the City adopted the *City Waterway Policy Plan* (the City Waterway is now known as the Thea Foss Waterway) that provided the foundation for activities to transform the former shipping terminal and industrial waterfront into an urban waterfront with a mix of public and private uses emphasizing public access and enjoyment. The 1974 Plan was the first of many studies and plans to follow which were developed over the years by both the City and civic organizations interested in the redevelopment of the blighted and contaminated waterfront. These plans envisioned redevelopment with uses that included marinas, restaurants, public spaces, residential (upland only), hotel/motel and water-oriented commercial uses.

The *City Waterway Policy Plan* was later replaced by the *Thea Foss Waterway Design and Development Plan (The Foss Plan,)* adopted in 1992, which provided policy and design guidelines for all new public and private development in and surrounding both sides of the Thea Foss Waterway. This Plan, in conjunction with development regulations in Tacoma Municipal Code 13.10, guides redevelopment of Thea Foss Waterway. The Foss Plan envisioned a mixed use community, attuned to the intrinsic qualities of its water setting and inseparable from the city around it. The Plan strove to attain the “ABC’s” of waterfront development: *Access, Boating and Character.*

As part of the City of Tacoma Shoreline Master Program update, the policy and regulatory guidance contained in the Foss Plan has been incorporated into the draft Shoreline Master Program. The public access projects identified in the Foss Plan have been updated through the public process and incorporated within the PAAL. The Foss Plan envisioned a Waterway unified through common design and character and linked by a continuous waterfront walkway.

The public access projects identified in the PAAL are aligned with the vision of the Foss Plan: They support the ABC’s of waterfront development, Access, Boating and Character.

The access priorities for the Foss Waterway will primarily be undertaken on public properties, but may also be implemented on private properties as redevelopment occurs.



Historic view of the (then) City Waterway



As it looks today - public esplanade, new mixed use development and public boating facilities. The Murray Morgan Bridge is in the background.

Projects on the west side of the Foss Waterway emphasize completion of the public esplanade and boardwalk with improved linkages to and from Downtown Tacoma. Additional open space is sought along the central waterfront area.

Projects on the east side of the Foss Waterway emphasize boating and recreation. Park development is planned at the south end of the Waterway and the 11th Street right-of-way could be utilized as a public boat launch. Where feasible, and consistent with public safety and private security requirements, a waterfront walkway should be implemented to link uses and public access together to facilitate pedestrian and bicycle access. Improvements to East D Street should be implemented wherever access cannot be provided along the shoreline.





The Shoreline Master Program draft policies highlight the industrial and maritime history of the Waterway. This history could be commemorated as part of the pedestrian walkway, by designating specific locations or walkway segments as a “Heritage Trail” that would provide educational, artistic and cultural learning opportunities for the public.

The Foss Waterway is adjacent to Downtown Tacoma and within walking distance of the University of Washington, Tacoma, the Dome District, the Brewery District and the International Financial Services Area. However, access to the Foss Waterway is impeded by substantial public transportation infrastructure, including the BNSF line and I-705. The recent completion of the D Street overpass improves the Waterway’s connection to the Dome District and the planned Prairie Line Trail would improve access by developing a direct trail connection from the University of Washington Tacoma campus to the 15th Street entry to the Foss Waterway. Improved linkages to the surrounding districts should be sought whenever feasible.

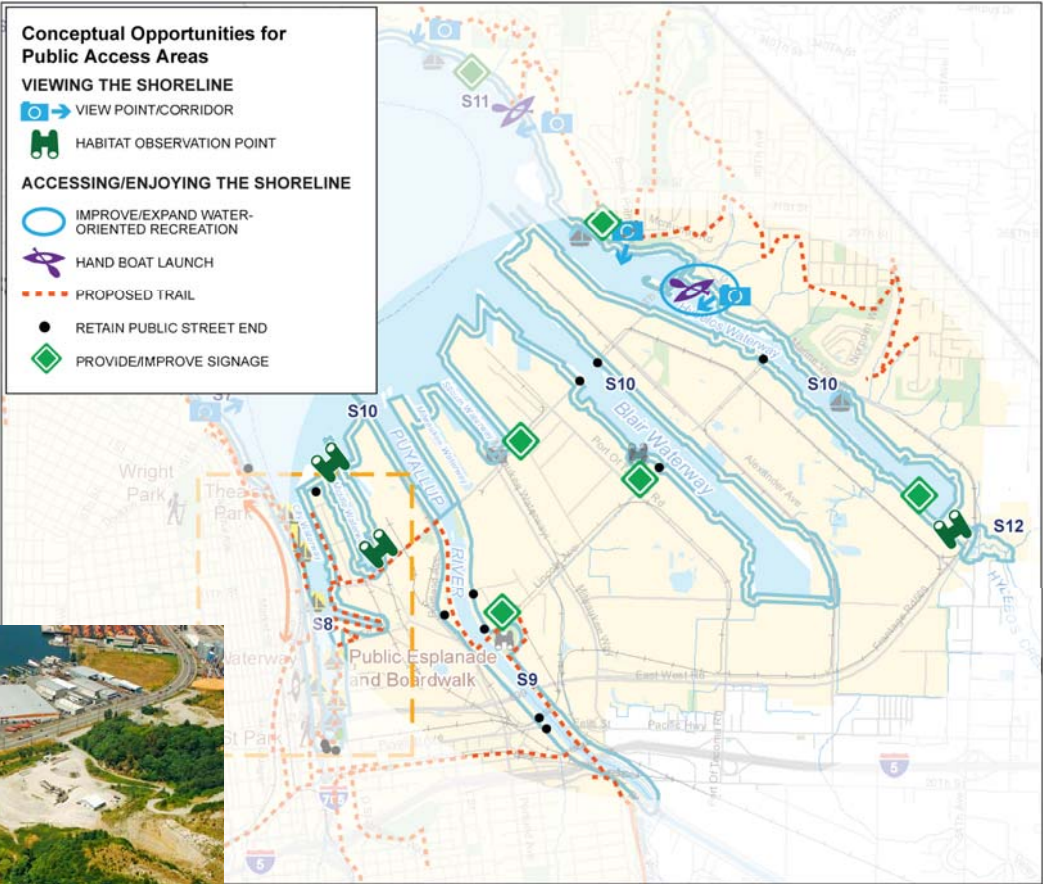
The east side of the Foss Waterway is home to several industrial and water-dependent uses and is adjacent to an industrial area. Public access provided through this area, primarily that segment north of East 11th Street, should be designed and located to avoid impacts to these users. Where these uses are located, access should be routed around rather than through these properties. As improvements to East D Street occur, policy guidance in the Shoreline Master Program directs improvements to provide a separation of recreation and industrial traffic and to protect those businesses and industrial uses that are east of East D Street.

5.2.2.5 Port Industrial Area

The Port Industrial shoreline is predominantly developed with heavy industrial and Port/Terminal related facilities. As a result there is very limited opportunity for the public to reach and touch the water in this area. Safety and security concerns require sensitivity in locating access in this shoreline. The Port of Tacoma office on Sitcum Waterway is an example of the type of access that is appropriate - providing a viewing platform from which the public can observe the day to day operations of the Port from a safe distance.

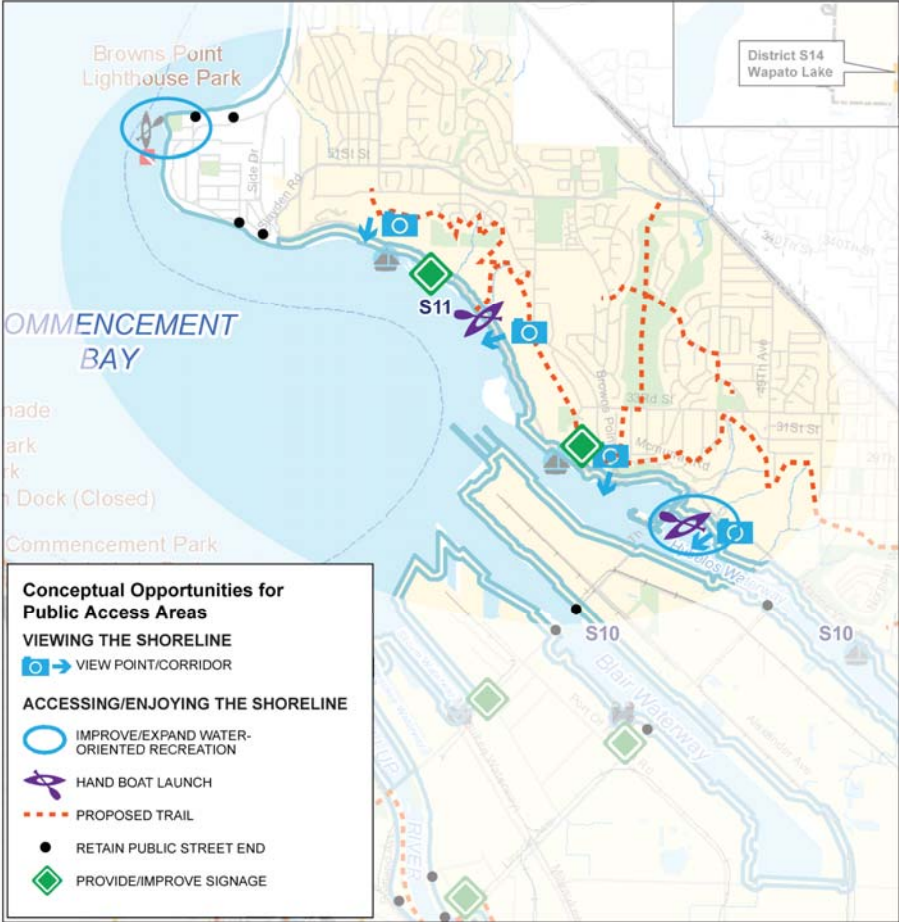
There is also considerable cleanup and restoration activity that has been undertaken in this shoreline area which could accommodate limited access, including natural trails, kayak hand launch sites, or separated habitat viewing platforms. For example, the Port of Tacoma has developed a viewing area at the Rhone Poulenc habitat mitigation site on the Blair Waterway that provides the public with an opportunity to observe one of many habitat restoration projects located in the Port Industrial shoreline area. Access would need to be designed sensitively to prevent damage or harm to natural areas and mitigation sites.

Access is planned in areas that will not interfere with port operations or cause public safety concerns. Where possible, trails are planned that would link recreation and transportation systems, but these are generally located on the periphery of port/industrial operations and along existing publicly owned lands and right-of-ways.

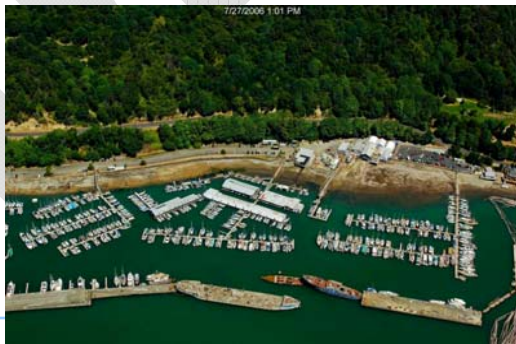


5.2.2.6 Marine View Drive

The Marine View Drive shoreline is currently characterized by a combination of water-oriented recreation uses, overwater residences, and relatively unmodified shoreline. There are large areas of public ownership (City of Tacoma and Port of Tacoma) both along the shoreline and the bluffs, but additional acquisition or easements would be necessary to establish a cohesive trail system. The Puyallup Tribe also owns considerable property along the shoreline. Additional impediments to public access include the relatively constrained land supply along the shoreline as well as the potential for restoration activity. As this shoreline contains large areas of shoreline without structural stabilization (bulkheads), habitat preservation and restoration is a priority. New shoreline public access should be designed and located with sensitivity for the shoreline environment and the existing and potential mitigation sites. As a result, planned access in this area is generally located away from the shoreline, through a trail system that will traverse the bluffs overlooking Commencement Bay. However, there are several opportunities to provide beach access for the public that would facilitate non-motorized recreational boating or beachcombing. These sites should be designed to facilitate access while protecting the ecological functions of the shoreline. In addition, this shoreline area provides unique viewing opportunities looking back across Commencement Bay on Downtown Tacoma and Port of Tacoma tide flats.



LEA Robinson April 2011



5.2.2.7 Wapato Lake

The Wapato Lake shoreline is situated within a single family residential area and adjacent to a commercial area in south Tacoma. The lake shoreline is approximately 1 mile long but there are additional wetlands associated with the Lake - the Park itself encompasses 88 acres in and around the lake. Wapato Park is a family oriented, resort style park reminiscent of its founding in the late 1800's. A Parks Improvement Bond Measure was approved in 2005 to fund infrastructure and water quality improvements. The Metro Parks Master Plan is proceeding through several phases:

- Bathhouse Reconstruction (completed)
- Demolition of Existing Residences - (completed)
- Phase 1a: Lake Water Quality Treatment
- Phase 1b: Initial Lakeshore Development
- Phase 2: Park Capital Improvements

Planned public access projects include new and upgraded trails and viewpoints, picnic shelters, and paddle boat dock.



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5.2.3 Assessment of Direct Shoreline Accessibility

Physical accessibility to the City’s shorelines was examined as part of developing the overall public access plan. The State’s Guidelines note that public access includes the ability of the public to “Reach, touch and enjoy the water’s edge.” (WAC 173-26-221(4)(a)). While trails along the top of bluffs, view points behind private property, or along city-owned rights-of-way may provide visual access to the shoreline, they do not allow direct interaction with the shoreline; the opportunity to walk on the beach and touch the water. The City believes it is important to maintain a high level of physical access. To date, a measure of physically accessible shorelines had not been conducted.

Previous work prepared by the City has touched on the subject of demand for shoreline accessibility, but has primarily focused on commercial or industrial uses or lacked quantitative measurements. The Tacoma Waterfront Lands Analysis, prepared by BST Associates in 2008, analyzed the demand for recreational moorage. The study found that there was demand for additional transient and wet moorage, but did not directly address physical access to the shoreline. The Open Space, Habitat and Recreation Plan recognizes the need for direct shoreline access, but does not quantify the supply or demand.

To fill this gap in understanding shoreline access, the City prepared a broad assessment of the length of physically accessible shorelines under existing conditions and the length of shoreline that would be physically accessible if the conceptual public access plan were fully implemented. The assessment included trails along low bank shorelines, parks, and public beaches. It excluded shorelines that are blocked by private property and recreational uses that are private in nature. The results of the assessment indicate that under current conditions approximately 9.9 miles of shoreline (21.5 percent of all City shorelines) are currently physically accessible to the public. Full implementation of the public access plan would increase this to 15.8 miles of shoreline, representing 34 percent of the City’s shorelines. The results of this analysis are shown in Table 2 and Figure 3.

Does the City have enough access?

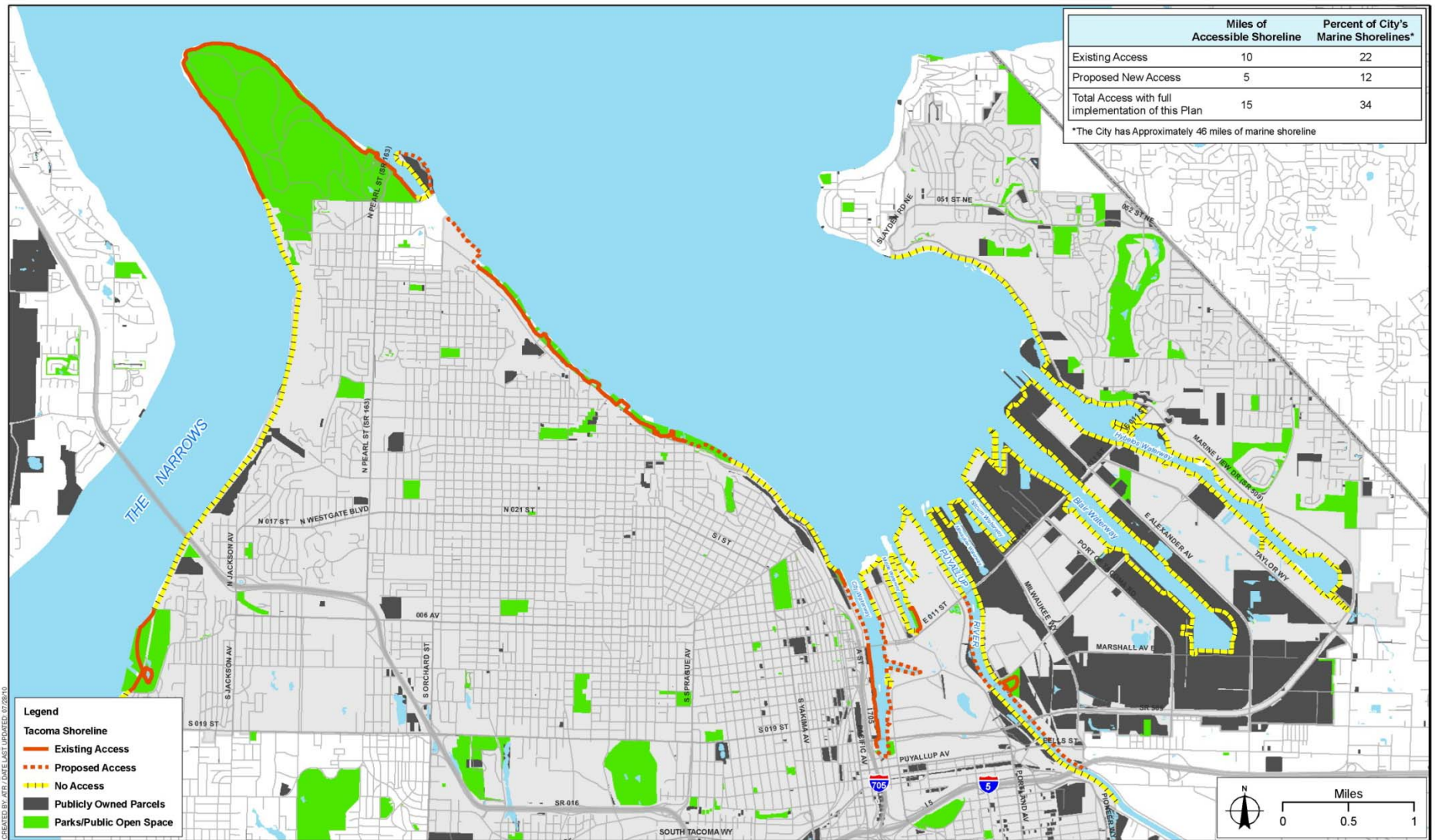
Providing public access to the shoreline is one of the three primary goals of the Shoreline Management Act. The WAC requires that cities increase both the amount and diversity of access for the public. However, accessibility is not simply a State issue, it is also regional, and especially, local.

The Puget Sound Regional Council expects that up to five million people will call Puget Sound home by 2040. The City of Tacoma is planning for 127,000 additional residents within that time period. This growth will place additional pressure on the shoreline for use as both recreation and employment.

The right amount and the right kinds of access can change with time and with the goals and vision of our community. At the same time, Tacoma’s shoreline attracts people from throughout the region and growth outside the City of Tacoma will also shape the amount of use our shorelines receives in the future.

Public access to the shoreline has been a central aspect of the City’s vision since the 1970’s (and even before). Many access projects also intersect with other City efforts, for example, the Open Space, Habitat and Recreation Plan identifies a trail system in the gulches along Ruston Way. The Mobility Master Plan also identifies projects that provide access to the City’s shore. These projects have been adopted through public process and are represented here as part of this community’s vision for its shorelines.

Map 3: Generalized Shoreline Accessibility



6.0 PRIORITIES FOR PROVIDING NEW SHORELINE PUBLIC ACCESS

Priorities for providing new shoreline public access in Tacoma are derived from existing goals and policies. Common themes from the Comprehensive Plan and Metro Parks Strategic Plan are emphasized, including:

- Connecting existing public lands and facilities to and along the shoreline;
- Balancing shoreline restoration and public access;
- Improving views;
- Meeting demonstrated demand for new shoreline access and providing a variety of water-oriented types of access; and
- Maximizing public access funds.

Public access prioritization criteria below are organized according to the five themes; they are not listed in order of importance. Implementation criteria from the 2006 Metro Parks Strategic Plan were used as the basis for this guidance.

6.1 Connecting existing public lands and facilities to and along the shoreline

- Does the project facilitate additional access to existing parks?
- Is the project appropriately located and accessible to residents?
- Does the project promote an interconnected system of parks, greenspaces, trails, and community facilities?
- Does the project improve access to Tacoma’s valued water resources?
- Is public transportation available?
- Is the project connected to pedestrian and non-motorized transportation?





6.2 Balancing shoreline restoration and public access

- Would the project inhibit a moderate or high priority restoration action?
- Would the project incorporate shoreline protection or restoration elements?
- Does the project include a management plan to protect or restore shoreline resources?

6.3 Improving views

- Does the project provide a new view point of the shoreline?
- Would the project enhance an existing view point or view corridor?

6.4 Meet demonstrated demand for new shoreline access and providing a variety of water-oriented types of access

- Is the project consistent with identified shoreline use demands?
- Does the project add capacity to the existing public access system?
- Is the project accessible to diverse community members, including diverse cultures, ages, abilities, income levels, and individuals and families?
- Would the project provide recreation opportunities that would bring residents, businesses, and tourists to the City?
- Would the project increase the diversity of public access opportunities in the given shoreline district or shoreline reach?



6.5 Maximizing public access funds

- Is the site already in public ownership and underutilized (such as a public street end)?
- Does the project include improvements to an existing park or facility such that its lifecycle is extended or its recreation value is increased?
- Does the project add recreational or educational value to other projects underway or planned?
- Does the project expand fiscal resources by leveraging other funding resources? Would funding this project attract additional funds, such as matching grant funds or special donations?
- Are funds identified for the maintenance and operations of the park or facility?
- Does the project provide opportunities for community sponsorship, education and/or volunteerism?

7.0 IMPLEMENTATION STRATEGY

This section discusses strategies for implementing the priority projects identified in the City of Tacoma Shoreline *Public Access Alternatives Plan (PAAL)*, an implementation timeline, and performance measures.

7.1 Implementation

The Shoreline Public Access Alternatives Plan (PAAL), including the guiding policies and proposed access projects, will be implemented through three primary methods. These are: 1) public funds and grants; 2) standard permit requirements; and 3) a Public Access Fund alternative. The following section describes each of these three implementation methods.

Three Methods of Implementation

1. Public Funds and Grants
2. Permit Requirements
3. Public Access Fund Alternative

7.1.1 Public Funds and Grants

Funding the Shoreline Public Access Alternatives Plan will likely require funding from multiple sources. Some elements of the Shoreline Public Access Alternatives Plan may compete very well for some funding sources, but not be competitive, or eligible, for other funding sources. Also, some funding sources can be used for both capital improvement and maintenance needs while others are restricted for capital projects only. Generally, the PAAL will be implemented via existing park and recreation programs. The following is a brief description of potential funding sources.

General Fund – Available for both capital improvement and maintenance

Typically the General Fund has been used to fund operational expenses such as maintenance. The City's operational expenses for enhancement programs, such as the non-motorized plan, urban forestry, and traffic calming are funded from the General Fund. However, the General Fund could also be used as a source of funding for public access projects if desired by the City Council.

Real Estate Excise Tax (REET) – Available for capital improvement

Real Estate Excise Tax has been used to help fund a limited number of transportation and recreation projects in Tacoma, such as some of the Foss Waterway development projects and repairs on both the Puyallup and Lincoln Avenue Bridges.



Grants – Available for capital improvement

There are a variety of grant funds which could be used for elements of shoreline public access projects. The City has been successful in the past securing grant funding for trails, including the Foss Waterway esplanade, boating facilities, park acquisition and development, and other transportation projects. Funding has been secured in the past from PSRC, Conservation Futures, WSDOT, RCO, and Congressional earmarks. Typically the various grant programs target particular access elements, which requires partial funding from a number of these sources to assemble full funding for a public access project.

Bond issue – Available for capital improvement

The City has utilized internal bonding capacity, as well as voter approved bonds, for public improvements. Build Tacoma Together is a good example of the use of voter approved bonds for major capital improvements. A similar bond issue could be used to fund, or partially fund, public access to the shoreline.

Metro Parks bond issue – Available for capital improvement

Many of the City of Tacoma shoreline parks and recreation facilities are owned or maintained by Metro Parks Tacoma. Metro Parks maintains a 6-year comprehensive capital projects list to implement recommendations in the Metro Parks Strategic Plan; this capital program includes public access projects located along the shoreline. Most funding resources for these projects are limited in scope and can only be used to fund specific types of projects or improvements. Metro Parks continues to investigate all available funding options, including maintaining and expanding general fund support, aggressively seeking grants, partnerships and donations, and being prepared to act as opportunities arise.


Open Space Fund

The City Open Space Fund is utilized for the acquisition, restoration and management of open space lands and facilities. The fund is primarily generated from the sale of vacated City rights-of-way, as directed by Ordinance 20606 adopted in 1975. The Open Space Fund is utilized principally for habitat-related purposes. Property acquired vis-à-vis the Open Space Fund may also provide a low impact public access function.

7.1.2 Standard Permit Requirements

The Shoreline Public Access Alternatives Plan (PAAL) will also be implemented on a project-by-project basis through standard shoreline permit requirements. The proposed TSMP requires public access for the following five types of projects:

1. Projects that increase or create public demand for access;
2. Projects that interfere with existing access by blocking or discouraging use of existing access;

- 
3. Project that interfere with public use of waters subject to the Public Trust Doctrine;
 4. Projects that are a non-water –dependent use, or a non-preferred use under the SMA; or
 5. Projects that are publicly funded or on public lands.

The type, amount and location of public access would be determined on a case-by-case basis during review of shoreline permit applications (including land division). The public access requirement for any proposed shoreline development or use would be determined by the Land Use Administrator based on a review of the specific proposal. The Land Use Administrator would review the proposed uses and developments and make specific findings demonstrating the essential nexus between the use or development and the permit conditions requiring public access. The findings will also include a determination that the permit conditions requiring public access are roughly proportional to the impacts caused by the proposed use or development. The public access requirement may be satisfied through the preservation of shoreline views, the establishment of public access easements to and along the shoreline, enhancement of an adjacent street-end or park or other consideration commensurate with the degree of impact caused by the development.

In addition to the standard permit requirement for providing public access as part of new shoreline substantial development and conditional-use permits, the Shoreline Master Program contains provisions to address circumstances where access is infeasible or incompatible on site. In the following circumstances, additional alternatives to the standard access requirement are provided in Section 7.1.3 of this plan. According to the proposed TSMP (TSMP 6.5.2(A)(7)), public access would have to be provided on site, except for projects which meet one of the following criteria:

- Unavoidable health or safety hazards to the public exist which cannot be prevented by any practical means;
- Access is not feasible due to the configuration of existing parcels and structures, such that access areas are blocked in such a way that cannot be reasonably remedied by the proposed development;
- Inherent security requirements of the proposed development or use cannot be satisfied through the application of alternative design features or other solutions;
- The cost of providing on-site access, easement, or an alternative amenity is unreasonably disproportionate to the total long-term cost of the proposed development;
- Unacceptable environmental harm which cannot be mitigated, such as damage to spawning areas or nesting areas, will result from the public access; or
- Significant undue and unavoidable conflict between the proposed access and adjacent uses would occur and cannot be mitigated.

When a permit applicant meets one of the above criteria, the applicant must construct off-site public access improvements of comparable function and value. Where no reasonable off site alternatives are available or all reasonable off site alternatives have been exhausted, new uses and development may be permitted without providing public access. In determining whether the proposed use or development meets one or more of

the criteria in 6.5.2(A)(7) above, the City will require substantial, credible evidence furnished by the applicant demonstrating how the proposal meets the criteria.

7.1.3 Alternatives to Standard Permit Requirements

7.1.3.1 *Impact Fee – Parks*

The Growth Management Act (“GMA”) provides a mechanism for local governments to impose impact fees on all new development to defray a portion of the costs arising from “new growth and development” for certain types of system improvements. Case law indicates that the nexus and rough proportionality requirements do not apply if local governments use this type of mechanism to collect incremental impact fees (as opposed to requiring dedications of land or easements). However, the statutory authorization for these fee programs imposes several limitations that are similarly designed to match required contributions with project impacts.

If the City decided to pursue this option, it would need to follow the process outlined in the GMA impact fee statutes to make sure that any fee imposed satisfies the statutory limitations and protections.

Because this type of fee program would have to be based on a determination that new development imposes new demands for public shoreline access, and because it would likely be difficult to distinguish the public shoreline access generated by new shoreline development as distinguished from new non-shoreline development, it is likely that any such shoreline access impact fee program would have to be applied to new development throughout the City and not just to new shoreline development.

7.1.3.2 *Fee-in-lieu*

Recent guidance from the Department of Ecology, Shoreline Planner’s Handbook Chapter 9, suggests that a fee-in-lieu option may be appropriate for meeting permit requirements under certain circumstances. Fee-in-lieu would be a voluntary option that a permit applicant could utilize when on-site public access is determined to be infeasible or incompatible with the existing use and operations. Fees could be based on several methodologies, including project cost or through a determination of ‘comparable value’ to the on or off site access mitigation. Fee-in-lieu would still be subject to nexus and proportionality tests but may be an appropriate option in situations where the strict application of on or off site access would be disproportionate to the cost of the development.

Such a program could facilitate a more efficient use of funds on projects that have been identified by the public as priorities. Funds could be spent anywhere within the City, consistent with the Shoreline Master Program and Public Access Alternatives Plan. In order to implement such a program, the City would have to set up a Public Access Fund, similar to the Open Space Fund, with procedures for deposit of funds and expenditures, including applicable types of projects and timeframes. Funds could accrue on a permit by permit basis and be used to fund projects that increase public access capacity, including property acquisition, or enhancement of existing access in a way that improves function or adds diverse recreational opportunities. Funds could also be used for match requirements in grant applications.

7.1.3.3 *Public Access Master Plan – Limited to public agencies*

The Washington Administrative Code provides additional flexibility for public agencies to plan for and incorporate public access and recreation as part of an agency master plan.

WAC 173-26-221(4)(c) states that “Where a port district or other public entity has incorporated public access planning into its master plan through an open public process, that plan may serve as a portion of the local government's public access planning, provided it meets the provisions of this chapter.” Such a plan can be used to justify more flexible off-site public access requirements as well as improve efficiencies in permitting, costs of providing access, and location. The WAC goes on to say that “The planning should identify a variety of shoreline access opportunities and circulation for pedestrians-including disabled persons-bicycles, and vehicles between shoreline access points, consistent with other comprehensive plan elements.” Public agencies’ public access plans should be reviewed against both the policies and regulations of the Shoreline Master Program and the goals, objectives, and opportunities identified in the Public Access Alternatives Plan. The PAAL identifies two paths for adopting such a plan:

1. **Shoreline Amendment:** A public agency can apply to the City of Tacoma seeking to amend the Shoreline Master Program and Public Access Alternatives Plan to incorporate said agencies public access master plan, either in its entirety or via reference. This option shall be processed according to the requirements outlined in the Shoreline Master Program, Chapter 1.5
2. **Inter-local Agreement:** Consistent with RCW 39.34, a public agency could enter into an inter-local agreement with the City of Tacoma to adopt a public access master plan. Unlike a shoreline amendment, the inter-local agreement process does not require Planning Commission review or approval by Department of Ecology. In addition to the joint powers identified in RCW 39.34.030, the agreement should identify anticipated levels of future use and development of the shoreline including the scope, scale, location and intensity of use and development, potential impacts to existing and proposed public access, proposed public access and recreation projects that are commensurate with the anticipated use and development of the shoreline under the duration of the agreement, procedural requirements for monitoring and reporting, and a review and finding by City staff that the proposed agreement is consistent with the City of Tacoma Shoreline Master Program and TMC 13.10.

7.2 **Timeline**

Tacoma’s Shoreline Public Access Alternatives Plan will be formally reviewed and updated every 7 years, along with the full Shoreline Master Program. Further, shoreline public access plan goals and priorities will be shared with Metro Parks Tacoma for consideration in the District’s 6-year capital facilities planning process. Open Space Habitat and Recreation Plan actions along the shoreline, such as new trails, will be phased over that plan’s 20 year planning horizon and reviewed on a biennial basis. The Public Access Alternatives Plan could also be consulted during the City’s biennial budget process and annual update of the Capital Facilities Program and the Transportation Improvement Program.



7.3 Measuring Performance and Success

To gain an understanding of its effectiveness, the PAAL calls for ongoing monitoring and reporting of progress towards goals, in coordination with the Open Space Habitat and Recreation Plan. This practice will provide information to be used to refine the plan and improve results. In addition, monitoring will increase the accountability of the City and its partner agencies and help build public understanding of issues, goals and challenges.

Data used to measure success is organized according to these goals. In general, the types of data to be used include public participation in or use of shoreline recreational resources, revenue/costs, facility and property type and condition, customer satisfaction and staff assessment. Measuring the City's performance in implementing the PAAL will be coordinated with the Metro Parks Open Space Habitat and Recreation survey and monitoring efforts.

Provide accessible, convenient, safe, and attractive parks and facilities

- Percentage of community members and customers who rate shoreline park/facility safety, cleanliness and maintenance as good or excellent on customer satisfaction surveys.
- Percentage of shoreline parks and facilities with a staff condition assessment rating of good or excellent.
- Percentage of shoreline parks accessible via pathways, sidewalks and bike lanes.

Foster stewardship of community assets and historical/cultural resources

- Number of shoreline recreation opportunities that promote awareness, appreciation or stewardship of historical or cultural resources.
- Number of participants attending shoreline events or programs that promote or celebrate customs, traditions, arts/culture and history.
- Number of interpretive signs and facilities provided to inform residents about shoreline cultural and historical resources.

Provide affordable and high-quality recreation and educational experiences for a diverse community

- Percentage of customers or program participants reporting that they are “satisfied” or “very satisfied” with shoreline recreation opportunities in customer satisfaction surveys.
- Numbers of seniors, youth, members of diverse ethnic groups and people with disabilities participating in shoreline recreation programs and activities.

Partner in responsible economic and community development

- Number of total visitors visiting shoreline parks and recreational sites.

- Percentage of visitors who rate visits, services and programs at shoreline parks as good or excellent on customer satisfaction surveys.

8.0 SITE DESIGN CONSIDERATIONS AND FURNISHINGS

Establishing an effective public access system that is useable and welcoming for the general public also requires attention to site design and furnishings during project implementation. Design elements can reduce conflicts between public access sites and adjacent uses and operations by delineating public and private spaces, routes of travel and use, and the types of appropriate uses. New uses and development in the S-8 Thea Foss Waterway are subject to the Thea Foss Waterway Design Guidelines and Standards. For uses in other shoreline districts, policies and regulations in Chapter 6.5 and 6.7 also address site design elements that permit applicants should consider when planning public access improvements. Specifically:

TSMP Public Access Policy 6.5.2(21):

Public spaces should be designed to be recognizable as ‘public’ areas and to promote a unified access system, including the design and location of site details and amenities, and to provide a safe and welcoming experience for the public.

TSMP Development Regulation 6.5.2(A)(22):

All public access sites city wide shall provide site furnishings appropriate for the intended use of the access site, the estimated demand, site context and hours of use.

When planning public access improvements applicants should consider the availability and location of parking facilities necessary to support the project; transportation connections and routes; and the relationship between the access site and proposed uses of the site. Applicants should also consider adjacent uses and their operations, public views, and public safety.

In addition, public access projects should consider the following site furnishings, as appropriate, to ensure that the access site has the supportive amenities required to make it an effective and useable site for the public:

- Benches
- Bollards



- Drinking Fountains
- Picnic Tables
- Bike Racks
- Waste Receptacles
- Restrooms
- Lighting
- Signage such as:
 - State or other logos
 - Directional Signage
 - Educational/interpretive

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9.0 MANAGEMENT ISSUES

Most shoreline substantial development permits (SSDP) usually contain “special conditions” that ensure development complies with the TSMP and other regulations. One of the common conditions is that the authorized public access areas will be used properly, managed for the public’s safety and enjoyment, and reasonably maintained. The following are some common requirements for managing public access areas along the shoreline:

Reasonable Rules and Restrictions

Reasonable rules and restrictions may be imposed on the use of the public access areas to correct particular problems that may arise, such as lack of public safety protections or increased vandalism. Rules may include restricting hours of use and delineating appropriate behavior. Such limitations, rules and restrictions typically have to be approved by the Land Use Administrator upon a finding that the proposed rules would not significantly affect the public nature of the area, would not unduly interfere with reasonable public use of the area, and would tend to correct a specific problem that has been both identified and substantiated.

Responsibility for Public Access Areas

Once a SSDP is issued, the permittee is typically responsible for ensuring that the public access area and associated improvements are installed, used and maintained in accordance with the permit. Public access areas are required to be permanently guaranteed, usually through a legal instrument, for use by the public.

Uses within Public Access Areas

Shoreline spaces that are dedicated as public access areas are typically made available to the public for uses, such as walking, bicycling, sitting, viewing, fishing, picnicking, kayaking and windsurfing. If someone wishes to use the public access area for uses other than those specified by the SSDP, prior written approval by the Land Use Administrator is usually required.

Maintenance of Public Access Areas

Public access areas and improvements along the shoreline are required of to be maintained by and at the expense of the permittee(s) Exceptions may include situations where the off-site mitigation for public access is accomplished on publicly-owned lands or at existing publicly owned access areas. In such cases, the responsibility for ongoing maintenance may be assumed, by authorized agreement, by the appropriate public agency. Such maintenance usually includes: repairs to all path surfaces; replacement of any landscaping that dies or becomes unkempt; repairs or



replacement of any public access amenities such as seating areas, restrooms, drinking fountains, trash containers and lights; periodic cleanup of litter and other materials deposited within the access areas; removal of any hazards in or encroachments into the access areas and assuring that public access signage remains in place and is clearly visible. To reduce on- going maintenance requirements, public access areas should be built with durable materials using high-quality construction methods.

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10.0 REFERENCES

ESA Adolfson. 2007. Tacoma Shoreline Inventory and Characterization. Prepared for the City of Tacoma. July 2007.

ESA Adolfson. 2008. Tacoma Shoreline Use Analysis. Prepared for the City of Tacoma. December 2008.

BST Associates. 2008. Tacoma Waterfront Lands Analysis Final Draft Report. Prepared for the City of Tacoma. November 2008.

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ATTACHMENT 1. INVENTORY OF PLANNED PUBLIC ACCESS PROJECTS

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Inventory of Planned Public Access Projects

#	Name	Access Type	Description	Lead Agency	Cost/Funding	Timeline
S-1a Shoreline District: Western Slope South						
7.1.1	Blue Trail Access Point	Boating - nonmotorized	Develop a blue trail access point where beach grade is conducive for kayak and hand launch craft.	City of Tacoma	None identified at this time	Near-term priority
7.1.2	West Slope Trail - Crystal Springs Creek Segment	Linear Trail/View	From City's southern boundary at Lemons Beach Road and West 27 th Street north to Titlow Park at Sixth Avenue. Trail will use City of Tacoma property along Seashore Drive and will require use of Burlington Northern Railroad ROW.	City of Tacoma	West Slope Trail is estimated to cost \$1,616,000 for the entire 6 mile trail. Funding has not been identified at this time.	Long-term priority
S-1b Shoreline District: Western Slope South						
7.2.1	West Slope Trail - Crystal Springs Creek Segment	Linear Trail/View	From City's southern boundary at Lemons Beach Road and West 27 th Street north to Titlow Park at Sixth Avenue. The trail will use City of Tacoma property along Seashore Drive and will require use of Burlington Northern Railroad ROW,	City of Tacoma	The West Slope Trail is estimated to cost \$1,616,000 for the entire 6 mile trail. Funding has not been identified at this time.	Long-term priority
S-2 Shoreline District: Western Slope Central						
7.3.2	Public Boat Launch	Boating - motorized	If the Tacoma Outboard Association site transitions to other uses, seek opportunities to improve existing launch ramp for public use.	A lead agency has not been identified at this time.	None identified at this time	Long-term priority
7.3.3	West Slope Trail - Titlow Park Segment	Linear Trail/View	The trail will use the Burlington Northern Railroad right-of-way and the Titlow Park trail system to the War Memorial trail near Hwy 16.	City of Tacoma/Metro Parks Tacoma	The West Slope Trail is estimated to cost \$1,616,000 for the entire 6 mile trail. Funding has not been identified at this time.	Long-term priority

#	Name	Access Type	Description	Lead Agency	Cost/Funding	Timeline
7.3.4	West Slope Trail - War Memorial Park Segment	Linear Trail/View	The trail will require use of the Burlington Northern Railroad right-of-way and traverse the steep slopes above. In addition, the trail will extend to a trailhead at War Memorial Park.	City of Tacoma	The West Slope Trail is estimated to cost \$1,616,000 for the entire 6 mile trail. Funding has not been identified at this time.	Long-term priority
S-3 Shoreline District: Western Slope North						
7.4.1	West Slope Trail - War Memorial Park Segment	Linear Trail/View	The trail will require use of the Burlington Northern Railroad right-of-way and traverse the steep slopes above.	City of Tacoma	The West Slope Trail is estimated to cost \$1,616,000 for the entire 6 mile trail. Funding has not been identified at this time.	Long-term priority
7.4.2	West Slope Trail - Gold Creek Gulch Segment	Linear Trail/View	This trail segment will extend from the boundaries of Point Defiance Park to the Tacoma-Lake Cushman Transmission Line south of Gold Creek Gulch. The proposed trail will form a loop by using a portion of the Burlington Northern Railroad right-of-way and traversing the steep slopes above. In order to accomplish this, a public access easement or dedication for the purpose of trail right-of-way needs to be pursued with Burlington Northern. In addition, the corridor trail will follow Gold Creek through the gulch to a trailhead at Narrows Drive.	City of Tacoma	The West Slope Trail is estimated to cost \$1,616,000 for the entire 6 mile trail. Funding has not been identified at this time.	Long-term priority
7.4.3	View Platforms	View	In conjunction or in advance of trail development, provide viewing platforms along the West Slope that will facilitate public views of the Tacoma Narrows.	City of Tacoma	Funding has not been identified at this time.	Long-term priority



#	Name	Access Type	Description	Lead Agency	Cost/Funding	Timeline
S-4 Shoreline District: Pt. Defiance						
7.5.1	Point Defiance Trail System	Trail/View	Public access to/within the park—the City will strive to coordinate/leverage resources with Metro Parks Tacoma	Metro Parks Tacoma	Funding has not been identified at this time.	Mid-term priority
S-5 Shoreline District: Pt. Defiance						
7.6.1	Point Defiance Trail System	Trail/View/ Beachcombing	Public access to/within the park—the City will strive to coordinate/leverage resources with Metro Parks Tacoma	Metro Parks Tacoma	Funding has not been identified at this time.	Mid-term priority
7.6.2	Passenger Only Ferry Terminal/Water Taxi	Nonmotorized Transportation	Develop a low impact terminal for water taxi or passenger only ferry access that could connect Point Defiance to other shoreline areas, including the Foss Waterway.	Metro Parks Tacoma	Funding has not been identified at this time.	Long-term priority
7.6.3	Guest Moorage	Boating - Motorized	Provide additional capacity for guest moorage to serve the needs of recreational boaters.	Metro Parks Tacoma	Funding has not been identified at this time.	Long-term priority
S-15 Shoreline District: Point Ruston/Slag Peninsula						
7.7.1	Peninsula Park	Trail/View/Gathering Space	Construct a public park on Slag Peninsula that will take advantage of the unique viewing opportunities and provide a large gathering and recreation area for the public. The park could include an amphitheater to promote outdoor events.	A lead agency has not been identified at this time.	Funding has not been identified at this time.	Mid-term priority
7.7.2	Transient Moorage	Boating - Motorized	Expand capacity for transient/guest moorage. Moorage should be clearly signed and identified for water-craft.	A lead agency has not been identified at this time.	Funding has not been identified at this time.	Long-term priority

#	Name	Access Type	Description	Lead Agency	Cost/Funding	Timeline
7.7.3	Point Ruston Promenade	Linear Trail/View/Gathering Places	Construct a public promenade averaging 100' in width, the length of the Point Ruston development site, connecting the Ruston Way promenade to Slag Peninsula and Point Defiance.	City of Tacoma	Funding has not been identified at this time.	Near-term priority
S-6 Shoreline District: Ruston Way						
7.8.1	Old Town Dock	Fishing/View	Replace the pilings, structural elements, dock surface, ramps, and floats. Improve the landscaping around the dock and accessibility of the dock.	City of Tacoma/Metro Parks Tacoma	\$2,000,000 – Funds have been allocated by Metro Parks and City of Tacoma	Near-term priority
7.8.2	Mason Gulch Trail	Pedestrian Trail	Trail or viewpoints providing visual and/or pedestrian access to portions of the gulch and from the gulch to the Ruston Way shoreline.	City of Tacoma	Funding has not been identified at this time.	Mid-term priority
7.8.3	Puget Gulch Trail	Pedestrian Trail	Provide pedestrian access to the gulch and from residential areas and Puget Park to Ruston Way.	City of Tacoma	Funding has not been identified at this time.	Mid-term priority
7.8.4	Garfield Gulch Trail	Pedestrian Trail	Provide pedestrian access to the gulch and from residential area at the top of the slope to the Schuster Parkway	City of Tacoma	Funding has not been identified at this time.	Mid-term priority
7.8.5	Buckley Gulch Trail	Pedestrian Trail	Provide visual and/or pedestrian access to portions of the gulch and from the gulch to the Ruston Way shoreline.	City of Tacoma	Funding has not been identified at this time.	Long-term priority
7.8.6	Transient Moorage	Boating - Motorized	Expand capacity for transient/guest moorage along the Ruston Way shoreline. Moorage should be clearly signed and identified for water-craft.	City of Tacoma	Funding has not been identified at this time.	Long-term priority

#	Name	Access Type	Description	Lead Agency	Cost/Funding	Timeline
7.8.7	Underwater Park	Scuba Diving	Enhance existing in-water area for scuba diving and underwater recreation. Include signage and provide amenities necessary to support scuba diving, such as a facility to rinse equipment. Could include underwater trail system.	Metro Parks Tacoma	Funding has not been identified at this time.	Long-term priority
7.8.8	Chinese Reconciliation Park	Gathering Space/Educational	The Chinese Reconciliation Park is a planned 3.9 acre park that is located at the southern end of the 1.5-mile Ruston Way waterfront along Commencement Bay, and is in the proximity of the early Chinese settlement that was burned down during the tragic expulsion. The park design is a mixture of traditional Chinese scholar's style gardens and beautiful natural waterfront setting. Construction of the park will proceed through IV Phases. Two phases are nearing completion.	City of Tacoma and the Chinese Reconciliation Park Foundation	Project is estimated to cost \$12,000,000. \$5,000,000 in funding has been secured. Additional funds have not been identified at this time.	Near-term priority
S-7 Shoreline District: Schuster Parkway						
7.9.1	Bayside Trail	Linear Trail/Connector	Improve the Bayside Trails to provide a natural trail parallel to the shoreline with connecting access from upland residential areas to shoreline paths.	City of Tacoma	\$60,000 has been allocated for a feasibility study for the Bayside Trail and sidewalk. Design and construction has not been funded at this time.	Long-term priority
7.9.2	Schuster Parkway Multi-modal Trail	Transportation non-motorized	Construct a 10-12' multi-use path to replace existing sidewalk. Path will require slope stability measures as well as design treatments such as bollards, rest areas, wayfinding signage, and lighting.	City of Tacoma	\$60,000 has been allocated for a feasibility study for the Bayside Trail and sidewalk. Design and construction has not been funded at this time.	Near-term priority

#	Name	Access Type	Description	Lead Agency	Cost/Funding	Timeline
7.9.3	Garfield Gulch Viewpoint	View	Construct a viewpoint/overlook at the top of the bluff in Garfield Gulch, connecting to the Bayside Trail and Garfield Gulch trail systems.	City of Tacoma	Funding has not been identified at this time.	Near-term priority
7.9.4	Schuster Parkway Overlook	View	Develop pedestrian overpass linking the improved trail to the waterside of Schuster Parkway and a scenic viewpoint overlooking Commencement Bay and with views of existing industrial users.	City of Tacoma	Funding has not been identified at this time.	Long-term priority
S-8 Shoreline District: Thea Foss Waterway						
West Foss Shoreline						
7.10.1	Extend Esplanade	Linear Walkway/Views	Construct public esplanade that will serve pedestrians, roller skaters, bicyclists and provide lighting, street furniture, landscaping and supporting utilities.	City of Tacoma/FWDA	Funding has not been identified at this time.	Near-term priority
7.10.2	Repair Esplanade	Linear Walkway/Views	Repair and replace deteriorated public esplanade to serve pedestrians, roller skaters, bicyclists and provide lighting, street furniture, landscaping and supporting utilities.	City of Tacoma/FWDA	Funding has not been identified at this time.	Near-term priority
7.10.3	West Foss Central Park	Gathering Space	Acquire and develop a 1 acre park and recreation area for large events on the central Foss Waterway.	City of Tacoma/FWDA	Funding has not been identified at this time.	Mid-term priority
7.10.4	21 st Street Park Boat Launch and Public Float	Boating - nonmotorized	This project will construct a kayak float on the west side of the Thea Foss Waterway, south of the State Highway 509 bridge and includes an aluminum gangway, upland concrete work, gates and landscaping	City of Tacoma/FWDA	Project is estimated to cost \$300,000. Funding has not been identified at this time.	Near-term priority



#	Name	Access Type	Description	Lead Agency	Cost/Funding	Timeline
7.10.5	15 th Street Gateway – Prairie Line Trail	Connector	This project will design and construct a Class 1 trail along the BNSF railroad track through downtown Tacoma. The new trail segment will connect the Foss Waterway to the Water Ditch Trail project along South Tacoma Way.	City of Tacoma	\$2,700,000. Funds have not been appropriated at this time.	Near-term priority
7.10.6	11 th Street Gateway – Murray Morgan Bridge	Connector	This project will improve wayfinding and install design details to create a gateway from 11 th street to the Foss Waterway, including improvements to the Murray Morgan Bridge.	City of Tacoma	Funding has not been identified at this time.	Near-term priority
7.10.7	Fireman's Park Hill Climb	Nonmotorized access.	Walkway, stair connection from Fireman's Park to Dock Street.	City of Tacoma	Funding has not been identified at this time.	Near-term priority
7.10.8	Passenger Only Ferry Terminal/Water Taxi	Non-motorized Transportation	Improve the Municipal Dock site to accommodate the necessary infrastructure for a passenger-only-ferry that could serve both local water taxi and regional POF service.	City of Tacoma/FWDA	Funding has not been identified at this time.	Near-term priority
East Foss Shoreline						
7.10.9	Waterway Park	Gathering Space	Develop a park and recreation area at the 3.7 acre Berg Scaffolding site.	A lead agency has not been identified at this time.	Funding has not been identified at this time.	Near-term priority
7.10.10	Delin Docks View Platforms	View	Improve signage, design elements and capacity of the Delin Docks access view point. Investigate potential for incorporation of Heritage Trail element.	City of Tacoma	Funding has not been identified at this time.	Near-term priority
7.10.11	11 th Street ROW Boat Launch	Boating – motorized and nonmotorized	Improve existing public right-of-way to accommodate a recreational and/or commercial boat launch.	A lead agency has not been identified at this time.	Funding has not been identified at this time.	Mid-term priority



#	Name	Access Type	Description	Lead Agency	Cost/Funding	Timeline
7.10.12	Pedestrian Bridge	Linear walkway/ connector	Explore opportunities to develop a pedestrian and bicycle bridge across the Wheeler-Osgood that would connect future walkway improvements and create a more direct route across the waterway and a scenic viewpoint.	A lead agency has not been identified at this time.	Funding has not been identified at this time.	Long-term priority
7.10.13	Johnny's Dock Waterfront Walkway	Linear walkway/ pedestrian improvements	If Johnny's Dock redevelops, pursue an easement for a waterfront walkway that will enhance pedestrian access and views of downtown Tacoma.	City of Tacoma	Funding has not been identified at this time.	Long-term priority
7.10.14	Waterfront Walkway	Linear walkway/ pedestrian improvements	As an alternative to the Wheeler-Osgood pedestrian bridge, establish a walkway adjacent to the waterway, connecting the north and south ends of the Foss Waterway. Walkway would connect the Wheeler-Osgood Waterway to the Murray Morgan Bridge and north to the Youth Marine Center. Investigate opportunities to incorporate Heritage Trail elements.	A lead agency has not been identified at this time.	Funding has not been identified at this time.	Mid-term priority
7.10.15	Transient Moorage	Boating - motorized	Construct and install transient/guest moorage on the east side of the Foss Waterway to attract recreational boaters and support the redevelopment of the east Foss.	City of Tacoma	Funding has not been identified at this time.	Mid-term priority
7.10.16	Urban Waters - Complete Streets	Shared Use Path	Bicycle and pedestrian improvements on East D Street from Murray Morgan Bridge to Center for Urban Waters	City of Tacoma	Construction cost estimate is \$113,000. Funding has not been identified at this time.	Near-term priority
7.10.17	Sea Plane Float	Guest Moorage	Construct a moorage float designed to accommodate sea planes, to support diverse forms of transportation and recreation.	City of Tacoma	Funding has not been identified at this time.	Long-term priority

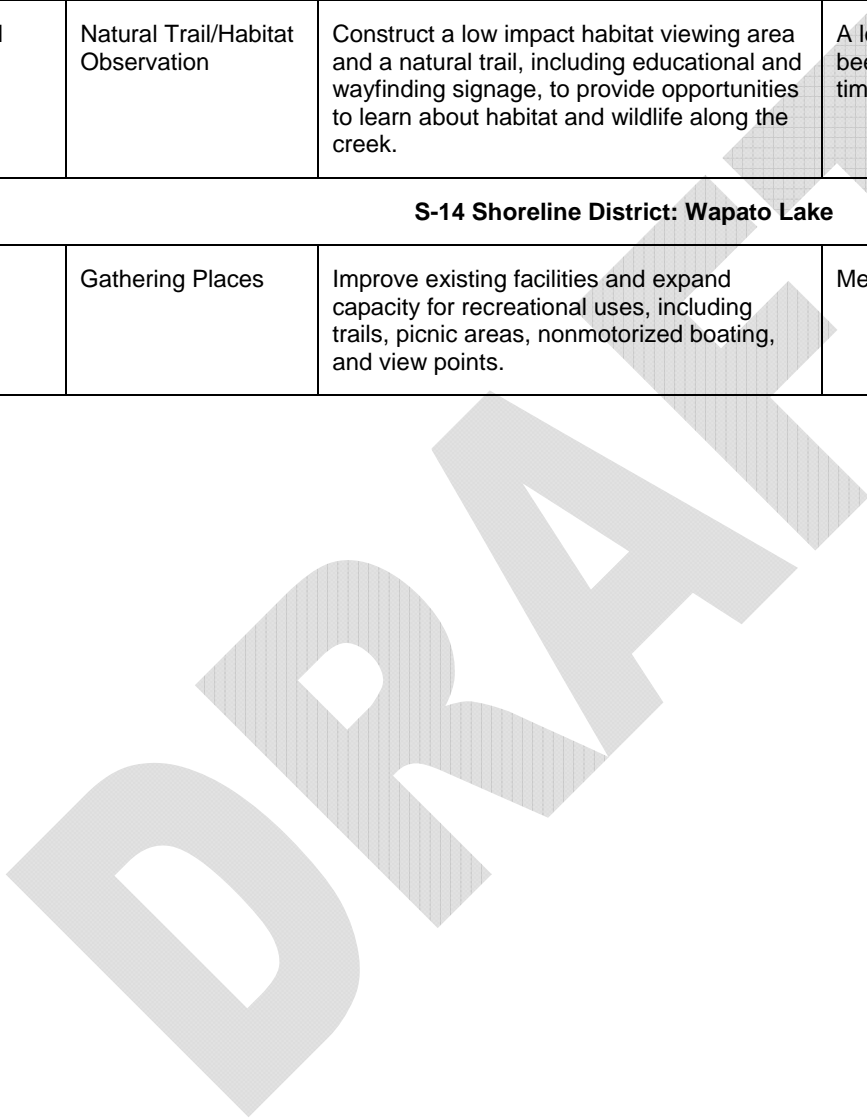
#	Name	Access Type	Description	Lead Agency	Cost/Funding	Timeline
7.10.18	East Foss Central Park	Gathering Space	Seek acquisition of BNSF property at the mouth of the Wheeler-Osgood for development of a nature park and open space.	City of Tacoma	Funding has not been identified at this time.	Long-term priority
S-9 Shoreline District: Puyallup River						
7.11.1	Puyallup River Levee Trail	Linear Trail/Habitat Observation	Construct 2.5 mile trail along the Puyallup River levee, from the City limits with Fife to 11 th Street.	City of Tacoma	Construction cost estimate is \$670,000. Funding has not been identified at this time.	Long-term priority
S-10 Shoreline District: Port Industrial Area						
7.12.1	NE Tacoma Trail Network – Segment 1	Natural Trail/View	Construct 6 mile trail along the slope top of Marine View Dr. from Slayden Rd. to Norpoint Way, with an extension from Browns Pt. Blvd. to Northshore Parkway and a connector between Crescent Heights and Alderwood Parks.	City of Tacoma	Project cost is estimated to be \$1,631,000. Funding has not been identified at this time.	Long-term priority
7.12.2	East Peninsula Viewpoint	View	Provide viewpoint on City of Tacoma property at the head of the Foss Peninsula, as well as public amenities, including seating, waste bins, and signage.	City of Tacoma	Funding has not been identified at this time.	Mid-term priority
7.12.3	Blue Trail Access Point	Beach Access/Boating - nonmotorized	Develop a blue trail access point where beach grade is conducive, for kayak and hand launch craft.	A lead agency has not been identified at this time.	Funding has not been identified at this time.	Mid-term priority



#	Name	Access Type	Description	Lead Agency	Cost/Funding	Timeline
7.12.4	Middle Waterway	Habitat Observation	Construct a habitat viewing platform with associated educational signage and seating area. Site could be located at head of Middle Waterway on publicly owned properties near the Fire Station or along Middle Waterway Road.	City of Tacoma	Funding has not been identified at this time.	Near-term priority
S-11 Shoreline District: Marine View Drive						
7.13.1	Blue Trail Access Point	Beach Access/Boating - nonmotorized	Develop a blue trail access point where beach grade is conducive, for kayak and hand launch craft.	A lead agency has not been identified at this time.	Funding has not been identified at this time.	Near-term priority
7.13.2	Marine View Drive Viewpoint	View/Turnout	Improve a turnout and scenic viewpoint for automobiles along Marine View Drive. Provide signage and public amenities.	City of Tacoma	Funding has not been identified at this time.	Mid-term priority
7.13.3	NE Tacoma Trail – Segment 2	Natural Trail/View	Construct 6 mile trail along the slope top of Marine View Dr. from Slayden Rd. to Norpoint Way, with an extension from Browns Pt. Blvd. to Northshore Parkway and a connector between Crescent Heights and Alderwood Parks.	City of Tacoma	Project cost is estimated to be \$1,631,000. Funding has not been identified at this time.	Long-term priority
7.13.4	View Platform	View	In conjunction or in advance of trail development, provide view platforms along the top of the bluff and along the shoreline where possible to facilitate public views of the water. Provide wayfinding and educational signage where appropriate.	City of Tacoma	Funding has not been identified at this time.	Mid-term priority
S-12 Shoreline District: Hylebos Creek						



#	Name	Access Type	Description	Lead Agency	Cost/Funding	Timeline
7.14.1	Hylebos Creek Trail	Natural Trail/Habitat Observation	Construct a low impact habitat viewing area and a natural trail, including educational and wayfinding signage, to provide opportunities to learn about habitat and wildlife along the creek.	A lead agency has not been identified at this time.	Funding has not been identified at this time.	Near-term priority
S-14 Shoreline District: Wapato Lake						
7.15.1	Wapato Park	Gathering Places	Improve existing facilities and expand capacity for recreational uses, including trails, picnic areas, nonmotorized boating, and view points.	Metro Parks Tacoma	Funding has not been identified at this time.	Near-term priority





APPENDIX D: THEA FOSS WATERWAY DESIGN GUIDELINES

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INTRODUCTION

For many years, the Thea Foss Waterway bustled as a hub of industry and maritime activities. As time has moved on and circumstances have changed, the City of Tacoma, with extensive collaboration from its citizens, has aimed to create a vibrant and viable future for the Foss. While recognizing its past, this document serves to help implement the design aspirations for the future Foss.

Background

Design guidelines are broad statements that point the way to how development in an area should take place. Design guidelines are intentionally broad: they are meant to allow designers considerable creative latitude when designing projects.

In contrast, design standards are statements that indicate when a specific design approach should be used. For example, a design standard might indicate that a specific streetlight model should be installed along area streets. Design standards are particularly beneficial for establishing the identity and continuity of an area.

Communities throughout the nation have used design guidelines and standards to promote the historic, scenic, architectural, and/or cultural values of a particular area.

Intent

The intent of the design guidelines and standards contained in this document is to further implement the design objectives originally laid out in the Thea Foss Waterway Design and Development Plan. These guidelines help implement the vision for the Foss Waterway as articulated in the Shoreline Master Program (SMP). They are not, however, a part of the SMP. They function as an appendix that will be adopted separately by the City of Tacoma.

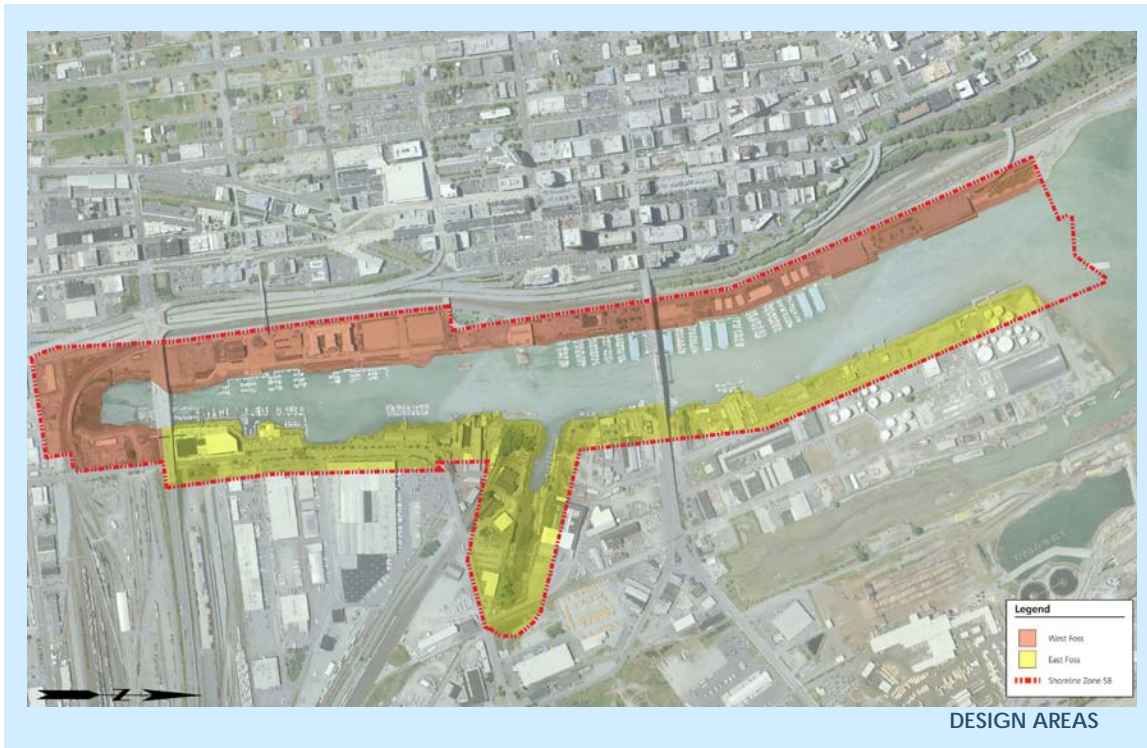
The design guidelines and standards contained in this document have been reviewed to ensure that they interact logically with other City of Tacoma regulatory processes.

The design guidelines and standards are not static and will likely need to change over time to further clarify issues, provide additional specificity, or address unanticipated situations.

Applicability

The design guidelines and standards contained in this document apply to the City of Tacoma “S-8” Shoreline District—Thea Foss Waterway.

However, the guidelines and standards do not all apply uniformly across the “S-8” Shoreline District. For the purposes of this document, the Thea Foss Waterway has been divided into two design areas: West Foss and East Foss. While some guidelines and standards apply to



the entire “S-8” Shoreline District, others only apply in either the West Foss or East Foss. See map below.

Use

These design guidelines and standards have two primary uses. First, project developers and designers should use the guidelines to better understand what design features are desired in projects in the “S-8” Shoreline District. Second, a design review body designated by the City of Tacoma will use the document as a reference when evaluating projects subject to design review.

Project developers and designers should be aware that, while this document covers issues dealt with in other City of Tacoma regulatory documents, this document is a supplement to—and not a replacement of—those other documents. Therefore, **project developers and designers are responsible for complying with all other applicable regulatory documents**, such as the Tacoma Municipal Code.

FORMAT

The design guidelines and standards contained in this document are presented in a consistent fashion, according to the model shown below.



VISUAL →



TRANSITION AREA

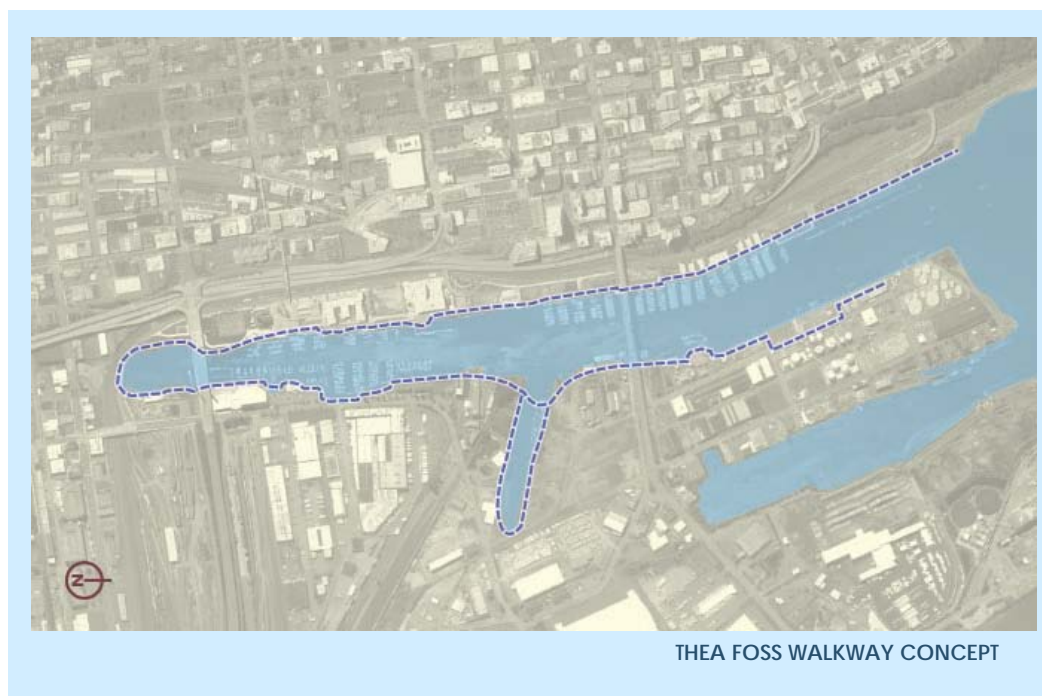
1. PUBLIC SPACES

Public spaces around the Thea Foss Waterway must serve a variety of purposes. Besides providing public shoreline access and circulation, public spaces are needed for recreation, contemplation, and inspiration—not to mention a nice spot for lunch!

Public spaces should have some design features in common to provide identity and continuity. Continuity may also be expressed through the regular placement of site details.

1.1 Thea Foss Walkway

The term “Thea Foss Walkway” refers to the trail that is envisioned to encircle the entire Thea Foss Waterway. See concept map below.



The primary intent of the Thea Foss Walkway is to provide public shoreline access, with opportunities for active and passive public recreation. The design of the Walkway should create a linear shoreline park that unifies the Thea Foss Waterway, join larger public spaces, and relate to the designs and activities of upland and in-water facilities. The Walkway should be an inviting, lively, and safe public space that is enjoyable all year, in all kinds of weather.

The Thea Foss Walkway, particularly on the east side of the Thea Foss Waterway, might not always run immediately adjacent to the shoreline due to certain constraints. Indeed, the Walkway may at times need to be located adjacent to a street some distance away from the shoreline. Therefore, a distinction should be made between the Thea Foss Walkway and the terms “esplanade” and “boardwalk,” which only refer to sections of the Walkway that front directly along the shoreline edge.

1.1.1 The Thea Foss Walkway should be compliant with the Americans with Disabilities Act (ADA) and designed to safely accommodate a variety of users, including walkers, joggers, and bicyclists.



- For required Walkway widths, see the Tacoma Municipal Code.
- Where space constraints only allow for sub-optimal trail width, the primary trail should be designated for foot traffic and remain ADA compliant, while bicyclists and other wheeled users should be diverted to a secondary route (such as a route along an adjacent street).

1.1.2 Along the Thea Foss Walkway, similar site details should be provided.



- To bring continuity and make the Walkway easy to follow, the Walkway should typically consist of the active-use surfacing specified in the Surfacing Materials section of Chapter 3, Site Details.
- Site details may be adapted adjacent to a specific development where it can be demonstrated that they continue the design theme of the development and are compatible with the site details provided along the Walkway on the other sides of the development site.

1.1.3 The Thea Foss Walkway should incorporate the minimum amount of lighting necessary for safe nighttime use.



- Please see the Lighting section of Chapter 3, Site Details.

1.1.4 Where space allows, a landscaped strip or area immediately adjacent to the waterward side of Thea Foss Walkway is desirable to filter stormwater runoff before it enters the Thea Foss Waterway.



1.1.5 Public restroom facilities should be provided in buildings on building sites, rather than in separate structures along the Thea Foss Walkway.



1.1.6 Public signage should identify the presence of the Thea Foss Walkway, direct the public to the Walkway, and indicate the intended route of the Walkway where the route may be unclear.



- Please see the Signage—Public section of Chapter 3, Site Details.

1.2 Community Gathering Places

Community gathering places are areas along the Thea Foss Walkway intended for public assembly. Community gathering places should be flexible spaces that can be used either casually or for formal public events. Plazas, open-air amphitheaters, concert stages, and similar amenities are encouraged at community gathering places.



COMMUNITY GATHERING PLACE

1.2.1 The intersection of view/access corridors with the Thea Foss Walkway and pier heads are the preferred locations for community gathering places.



- These locations provide increased depth and width, receive ample natural light, are highly visible, and offer views of the Thea Foss Waterway, downtown Tacoma, Mount Rainier, or Commencement Bay.
- Community gathering places may also be developed on the waterward side of building sites.
- Community gathering places can utilize the full length of view/access corridors.

1.2.2 Community gathering places should be identifiable.



- The design of community gathering places should include features such as art, fountains, unique paving materials, and grade changes.



IDENTIFIABLE COMMUNITY GATHERING PLACE

- The construction of significant visual structures (such as art, fountains, or viewing towers) is encouraged at community gathering places, particularly when in primary view/access corridors where such structures would not obstruct public access and might be visible from downtown Tacoma.
- Community gathering places should be compatible with the Thea Foss Walkway in site details and design. See Chapter 3, Site Details.

1.2.3 Community gathering places should be designed for a variety of active and passive activities.



1.2.4 The design of community gathering places should allow for unobstructed circulation along the Thea Foss Walkway.



1.2.5 The designs of community gathering places should include any required utilities, such as water and power.



1.2.6 Taller, evergreen trees are highly encouraged at community gathering places where appropriate.



- Such trees can help to spatially define a community gathering place, buffer a community gathering space from adjacent uses, and provide shade for users.

1.3 View/Access Corridors

On the west side of the Thea Foss Waterway, fourteen view/access corridors run between Dock Street and the inner harbor line. These corridors are intended to provide visual and physical access to and from the Foss, as well as additional natural light to the west side of the Foss. While view/access corridors may in limited circumstances be the only feasible option for other functions (such as providing access to temporary marina loading and unloading areas), such functions should be accommodated in other locations when practical.

1.3.1 The entire width of view/access corridors should be improved with appropriate site details and amenities, such as landscaping.

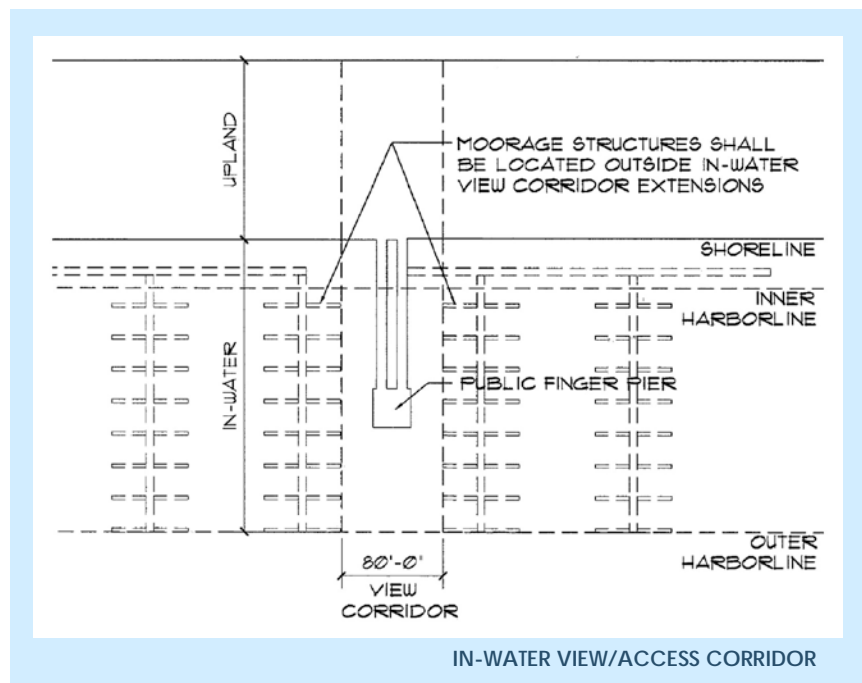


1.3.2 View/access corridors should provide internally consistent site details that complement those of adjacent public spaces in materials, colors, and design.



- Site details might include lighting, special surfacing materials, landscaping, and waste receptacles. See Chapter 3, Site Details.
- Linear lighting configurations utilizing the design standard walkway light are appropriate.

1.3.3 The in-water portion of a view/access corridor may be improved with public facilities, including piers, viewing platforms, and other like structures.



1.4 Side Yard/View Corridors

Side yard/view corridors on the east side of the Thea Foss Waterway are primarily intended to provide physical access, but also provide visual access to the waterway. These corridors either terminate in an outlook or connect segments of the Thea Foss Walkway that run north-south in different upland alignments (such as a segment running along the shoreline and another running along the street).

1.4.1 Side yard/view corridors should feature consistent site details.



- A design standard lighted bollard should be located where a side yard/view corridor connects with the street and along the corridor as needed to provide sufficient lighting. Please see the Bollards section of Chapter 3, Site Details.
- Side yard/view corridors that terminate in an outlook (and therefore constitute a branch off the main Thea Foss Walkway) should incorporate special surfacing materials the entire length of the corridor. Please see the Surfacing Materials section of Chapter 3, Site Details.
- Please see the Fences section of Chapter 3, Site Details.

1.4.2 Outlooks at the end of a side yard/view corridor should feature a walkway light, at least one bench or picnic table, a waste receptacle, a bike rack, and the design standard railing (if necessary).



- See Chapter 3, Site Details.

1.4.3 Outlooks should be situated as close as possible to the shoreline ordinary high water mark to maximize views of the waterway.











- In habitat mitigation areas, habitat considerations should prevail.

1.5 Streetscapes

Streetscapes around the Thea Foss Waterway should do more than just transport vehicles. Typically, streets occupy approximately 25 to 35 percent of any dense urban environment. Being publicly owned, streets are one of the major areas that a city has to implement the design vision for a given area, such as the Foss. As the Foss is intended to be inviting to the public and open to pedestrian and bicycle use (as well as other forms of non-motorized transportation), the streets in the Foss are intended to be a place for people. Of course, this needs to be balanced with the vehicular function of the street, but it is important that the street be seen as a vehicle for moving people, in all forms of transportation, be it people in cars, people on foot, people on bicycles, people in trucks, or people on skateboards. Good street design on the Foss accommodates all forms of moving people.

Specifically, it is desirable that the streetscapes around the Foss be improved with a sidewalk that adjoins properties on the Foss, which in some cases will become the Thea Foss Walkway, where the Walkway cannot be accommodated on private property due to constraints such as hazardous material use or high security needs. Standards for the sidewalk in this case will need to be adjusted to accommodate the City of Tacoma street standards, the desire to give the Walkway design continuity, and safety and clarity for the public user. Design standards and amenities, as outlined in this document, should be incorporated wherever possible.

- 1.5.1 Reconfigure the street where necessary to allow for a continuous Thea Foss Walkway. 
- Coordinate this with the appropriate City of Tacoma departments.
- 1.5.2 Where the Thea Foss Walkway runs adjacent to the street, the street should feature a curbed sidewalk with landscaping at its edge, to buffer Walkway users from vehicle traffic. 
- To bring continuity and make the Walkway easy to follow, the Walkway should typically consist of the active-use surfacing specified in the Surfacing Materials section of Chapter 3, Site Details.
- 1.5.3 Where the public sidewalk is identified as the Thea Foss Walkway, where appropriate and where space permits, design amenities such as waste receptacles, bike racks, and walkway lights should be located on the public sidewalk. 
- 1.5.4 Where there is no practical alternative to having the Thea Foss Walkway cross a street, the street should feature a crosswalk. 
- 1.5.5 Provide for safe, well-lit bicycle and pedestrian traffic in both directions. 
- 1.5.6 Connect pedestrian and bicycle circulation routes with other like routes. 
- 1.5.7 Create pleasant, publicly accessible street ends. 
- Strategies to do this include providing a trail, adding landscaping, creating a sitting area, and limiting parking.
- 1.5.8 Locate utilities underground where feasible to remove visual clutter. 
- Coordinate this with the appropriate City of Tacoma departments.

2. BUILDING SITES

Building sites, whether publicly or privately owned, should be developed in such a way as to take into consideration the special nature of the Thea Foss Waterway. Design teams for a site located in the Foss must recognize that a successful building will not only account for patterns of development on the actual site, but will also successfully implement and contribute to the larger goals of the Foss as a whole. It is desirable that the sites that surround the Foss acknowledge the larger patterns of development on both sides of the Foss, public access goals (as exemplified by the Thea Foss Walkway), and view considerations (such as the view/access corridors and side yard/ view corridors). Public spaces should be prioritized in terms of minimizing shadow impacts, and building massing and form should seek to strengthen the existing public rights of way, including streetscapes and the Walkway.

2.1 View Considerations

The topography and structures in and around the Thea Foss Waterway provide numerous view opportunities. While numerous views are available, the most critical views are of Mount Rainier, the Thea Foss Waterway, Commencement Bay, Union Station and the Washington State Historical Museum, the Port of Tacoma industrial area, and downtown Tacoma. While City of Tacoma regulations are in place to mitigate view impacts, the guidelines below are intended to further maximize views to and from the Thea Foss Waterway.

2.1.1 New buildings should be oriented to maximize view opportunities.



2.1.2 New buildings should identify view impacts to surrounding locations and structures and minimize adverse impacts as much as possible.



- Impacts to potential future surrounding locations and structures should also be identified and minimized.
- All buildings must comply with all applicable provisions of the Tacoma Municipal Code.

2.2 Shading Considerations

The intent of the guidelines in this section is to minimize the shading of public spaces. The shading of public spaces is of particular concern on the west side of the Foss, because its location, topography, and north-south orientation result in early afternoon shadow conditions nearly year-round.

2.2.1 Development projects should minimize the shading of public spaces as much as practical.



- **Techniques to minimize shading include the manipulation of building orientation, location, and shape.**

2.2.2 In public spaces subject to early shading, sufficient artificial lighting should be provided.



2.3 Site Layout

Buildings should be thoughtfully positioned, programmed, and detailed to maximize the impact of the Thea Foss Waterway public experience. Considerations include, but are not limited to: strengthening the profile of streetscapes (that is, locating the building closer to the street), especially on streets paralleling the Foss; providing more open space on the water side of a building; locating uses with the most public access on the streetscape or Thea Foss Walkway sides of a building; and accentuating the pedestrian-friendly nature of a building at ground-level sides facing the streetscape and the Walkway.

2.3.1 Buildings should be located and designed to give the appearance of being a similar distance from the street.



- **This does not mean that the entire building façade must be the same distance from the street. To the contrary, awnings, landscaping, entrance markers, modulation, and other design elements are encouraged.**
- **Surface parking between the building and street is discouraged.**

2.3.2 Location of activities within a building should consider surrounding uses and activities (both inside and outside the building). Potential conflicts arising from light, glare, noise, odors, or hours of operation should be avoided as much as possible by separating uses and activities (vertically and/or horizontally) or by providing physical screening between uses and activities.



- **Physical screening can be accomplished through landscaping, building construction, or other techniques.**

2.3.3 The preferred location for open space is the waterward side of a building site.



2.3.4 The number and size of vehicular access points should be minimized.



- **This minimizes the interruption of pedestrian traffic and adverse visual impacts.**

- 2.3.5 No parts of buildings should protrude into public spaces; however, weather protection features benefiting the public, art visible from public spaces, or building areas provided primarily for public access (such as viewing towers) may be located in or over these areas.



2.4 Exterior Appearance

Buildings around the Thea Foss Waterway are intended to feature design individuality, not to be designed with a strong unifying theme. Design continuity should primarily be established by the cohesive linear design of the Thea Foss Walkway and streetscapes.

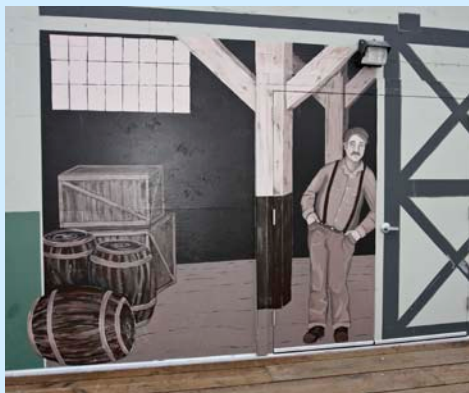
At the same time, the Foss has a rich maritime heritage and is considered the hub connecting surrounding districts. To provide compatibility, design elements from public spaces, existing structures, and surrounding districts should be incorporated into all new developments. It is not intended that portions of existing buildings be replicated; instead, the creative, subtle integration of these elements is the objective.

Additionally, the exterior appearance of buildings and building sites should incorporate treatments that make for a comfortable and interesting pedestrian environment.

- 2.4.1 Buildings should feature an individual design, but designs should incorporate characteristics of the waterfront environment and surrounding districts to foster compatibility. Compatibility can be achieved by the integration of design themes (such as materials, shapes, or colors) from existing buildings into building design; by continuity or a logical transition in building bulk, shape, and height; or by significant physical separation.



- 2.4.2 Retain a maritime design theme and working waterfront character wherever possible.



WORKING WATERFRONT CHARACTER

2.4.3 When several buildings are proposed for a single development, the buildings should demonstrate internal compatibility. While buildings are not required to look identical, they should maintain a common design theme and provide continuity or a logical transition in building bulk, shape, and height.



- **Common design themes should be demonstrated in materials, roof pitches, colors, building separation, and orientation of buildings to each other.**

2.4.4 Buildings, particularly those with ground-level sides facing public circulation corridors, should be designed to create an exciting pedestrian environment.



- **Maximize transparency, or the appearance of transparency, at the ground level of buildings facing public circulation corridors.**
- **Ground-level retail should be oriented toward the exterior of buildings.**
- **The street sides of buildings should focus on providing interest by providing features such as landscaping of varying heights, movable landscaping elements (such as container gardens or window boxes), awnings, exterior wall treatments, building modulation, and the provision of depth in building wall design details.**



2.4.5 Architectural detailing, artistic embellishments, and/or murals are encouraged in new projects.



2.4.6 Modulation (horizontal and vertical) and other relief features are encouraged to create interest and avoid long, flat facades.



2.4.7 Creative approaches to the exterior appearance of industrial facilities are encouraged, particularly when such facilities are in areas commonly seen by the public.



- **This could include the creative use of materials, paint, texture, landscaping, lighting, or screening.**



CREATIVE APPROACH TO INDUSTRIAL FACILITY
PHOTOS COURTESY OF HMFH ARCHITECTS, INC & PETER VANDERWALKER

2.5 Transition Areas

Transition areas are the spaces between buildings and public spaces. Highly visible to passersby, transition areas should foster a lively, pedestrian-oriented atmosphere. The design of these areas should provide a seamless transition between public and private areas.

2.5.1 Transition areas should extend the design features of public spaces to the edges of buildings.



- Transition areas should use landscaping, surfacing materials, lighting, and other site details that are compatible with that used in adjacent public spaces, but may demarcate the transition area with different design features.
- Not applicable to industrial properties.



2.5.2 Transition areas are encouraged to be enhanced with artwork, fountains, landscaping, plazas (for public or private use), or other features promoting public enjoyment (active or visual).



2.5.3 Transition areas are the preferred location for activities such as outdoor dining or outdoor display.



- This minimizes interference with public circulation.

3. SITE DETAILS

Site details bring continuity and identity to the Thea Foss Waterway.

Site details should have a clear function and exhibit a simple utilitarian design. Site details are encouraged to reflect the maritime character of the waterfront. Historic site details may be appropriate when related to historic structures. Exceptional care should be taken in the design, construction, and installation of all site details.



3.1 Art

The Thea Foss Waterway vision embraces public art projects, particularly at view/access corridors, community gathering places, and outlooks, as well as along the Thea Foss Walkway. As many of the nation's most successful public art programs have demonstrated over the past decades, public spaces that bring people together are greatly enhanced by the introduction of art. The Foss seeks to integrate art that is clearly discernable as art, yet may also have a variety of other qualities, that may include:

- **FUNCTION**, such as shelter, safety, or lighting. Examples include canopy shelters, railings, lighted bollards, tree grates, and special surfacing materials.
- **PLAY**, such as playground equipment, skateboard areas, bicycle racks, and objects for pets or children to interact with.
- **EDUCATIONAL**, engaging the history of the Foss, its environmental state (both past and present), or the evolving functions of the Foss.
- **ENVIRONMENTAL**, engaging sustainable materials/systems, such as bioswales, permeable paving, cisterns, solar, or wind.

- **SENSORY/ACTIVE**, engaging all or as many of the senses as possible of those interacting with the artwork. An active, rather than passive, relationship between the work of art and the viewer is highly encouraged.

An important value for the Foss is to strive to incorporate deeper levels of meaning into the art pieces that may or may not be discernable upon first glance. Of particular importance is to engage deeper levels of meaning existent in the Foss, including, but not limited to:

- **HISTORY**, especially maritime history.
- **TRANSPORTATION**, multi-modal and evolving.
- **KINETICISM**, especially regarding the rich marine movements of both natural and human systems.
- **EXCHANGE and TRADE**, as an international port.
- **ENVIRONMENT**, especially the rich and varied marine life present in the Foss.

3.1.1 The use of public art is highly encouraged, particularly at view/access corridors, community gathering places, and outlooks, as well as along the Thea Foss Walkway.



3.1.2 Where applicable, public art should be reviewed by the Tacoma Art Commission.



- **The office of the Tacoma Art Commission offers a variety of art information. Please contact the office with any art-related questions you may have.**

3.1.3 Art, particularly when interactive or kinetic, should be sited at a location appropriate for its functioning and expected active and visual use.



3.2 Benches

3.2.1 Benches should be considered for view/access corridors, community gathering places, parks, and at various locations along the Thea Foss Walkway.

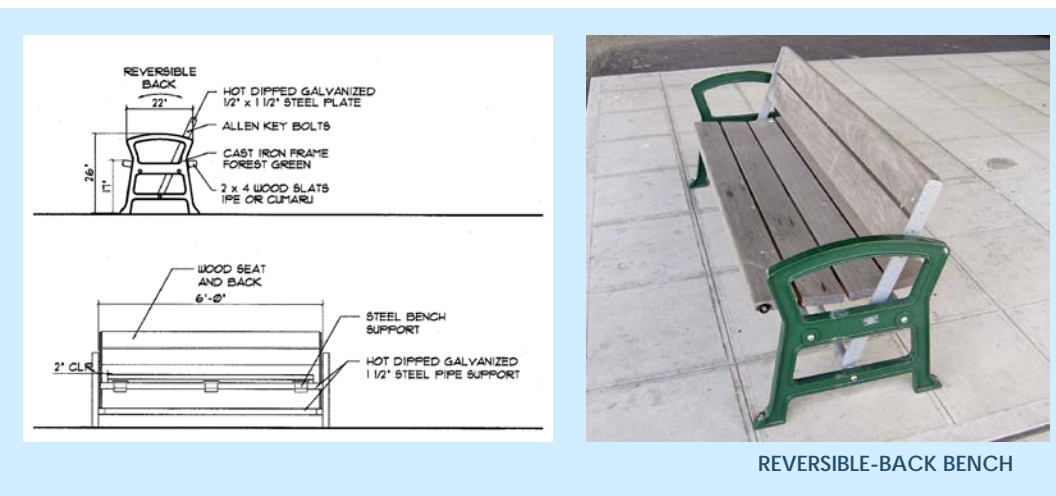


- At certain locations, benches are required. Please see the Tacoma Municipal Code.

3.2.2 One of the two design standard benches specified below shall be used.



- The design standard reversible-back bench is FairWeather model TF-3.
- The design standard backless bench is FairWeather model TF-1.3.
- For both design standard benches, arms shall be forest green and galvanized. All other metal surfaces shall be galvanized steel. Wood slats shall be sustainably harvested ipe or cumaru, or other sustainably harvested wood.
- East Foss benches should be four feet in length.



REVERSIBLE-BACK BENCH

3.3 Bike Racks

3.3.1 The design standard bike rack shown shall be used.



- Hess Tendo, galvanized steel.



HESS TENDO BIKE RACK

3.4 Bollards

Use bollards where they would facilitate the safe and efficient movement of vehicles and pedestrians.

3.4.1 The design standard bollard specified below shall be used for typical applications.



- The design standard is a 36-inch-tall, 8-inch-diameter, steel-pipe bollard with a conical steel top. All painted forest green (Pantone #5605C).
- Removable bollards are encouraged where appropriate.



WEST FOSS DESIGN STANDARD BOLLARD

3.4.2 For side yard/view corridors or for special applications, the design standard lighted bollard specified below shall be used.



- Louis Poulsen DOCK-B, natural aluminum.



LOUIS POULSEN BOLLARD

3.5 Drinking Fountains

3.5.1 Public drinking fountains are encouraged to be adjacent to or integrated with buildings.



3.5.2 Where applicable, the design standard drinking fountain specified below shall be used.



- **Haws 3500D, green.**



3.6 Fences

3.6.1 Permanent fences erected to separate public from private areas should be a maximum of four feet high, and made of concrete, brick, metal, or other approved materials (not chain link).



- **Any portion of a fence above four feet in height should provide visual transparency.**
- **Green (vegetated) fences are highly encouraged.**
- **Not applicable to industrial properties.**

3.6.2 At industrial properties, permanent fences erected to separate public from private areas should be the minimum height necessary to ensure safety and security.



3.6.3 At industrial properties, the creative treatment or screening of chain-link fences and alternatives to chain-link fences are encouraged.



3.6.4 Permanent refuse, utility, or service installations should be screened with fences of wood, iron, concrete, landscaping, or other approved materials (not chain link) to the minimum height necessary.



- These installations should be located away from public spaces, particularly the Thea Foss Walkway.
- Not applicable to industrial properties.



SCREENING WITH LANDSCAPING

3.7 Landscaping

Landscaping is highly desirable in the Thea Foss Waterway. Landscaping, besides just pleasing the senses, can perform many other functions. It can buffer pedestrians from passing vehicles, offer shade, provide wildlife habitat, and filter stormwater, to name but a few.



LANDSCAPING

3.7.1 Native, drought-tolerant plantings are preferred.



3.7.2 Existing trees in healthy condition and of appropriate species are encouraged to remain.



3.7.3 To buffer pedestrians from passing vehicles, streets should have landscaped strips adjacent to the curb containing trees and low-growing landscaping or groundcover.



- **A more naturalistic landscape may be appropriate at the south end of the Thea Foss Waterway.**

3.7.4 Landscaping should be balanced against views.



- **Consider low-growing landscaping where views are of concern.**
- **Contemplate planting trees that will have canopies that begin above pedestrian sight lines and will not significantly obstruct views from buildings (unless used for screening).**
- **Consider trimming trees with high canopies to reduce view blockage.**



3.7.5 Taller, evergreen trees are highly encouraged where appropriate.



3.7.6 Tree roots should be protected where they may be subject to damage.



- **Tree wells should be flush with the paving and a minimum of 4 feet by 4 feet to allow adequate space for root growth.**
- **Structural soil should be installed under paving to allow tree roots to grow out of the tree well under the adjacent walkway without causing the pavement to heave or buckle.**
- **Tree grates are discouraged.**



TREE WELL

3.8 Lighting

In times of limited visibility, artificial lighting has a tremendous influence on visual character and human activity. The lighting guidelines are intended to:

- Provide safe, well-lit pedestrian surfaces.
- Create a continuous ring of soft, visible light sources around the shoreline edge that will generate reflections and a lively, unified ambience.
- Reduce light pollution.
- Reinforce the marine industrial history and character of the waterfront.

3.8.1 Areas specified below should provide the corresponding minimum average light level.



- Thea Foss Walkway: 1 foot candle
- Commercial areas: 1 foot candle
- High-volume pedestrian areas (such as bus stops): 2 foot candles
- Parking areas, entries: 2 foot candles
- Parking areas, internal: .5 foot candles

3.8.2 Lighting should be shielded to reduce impacts on residential units.



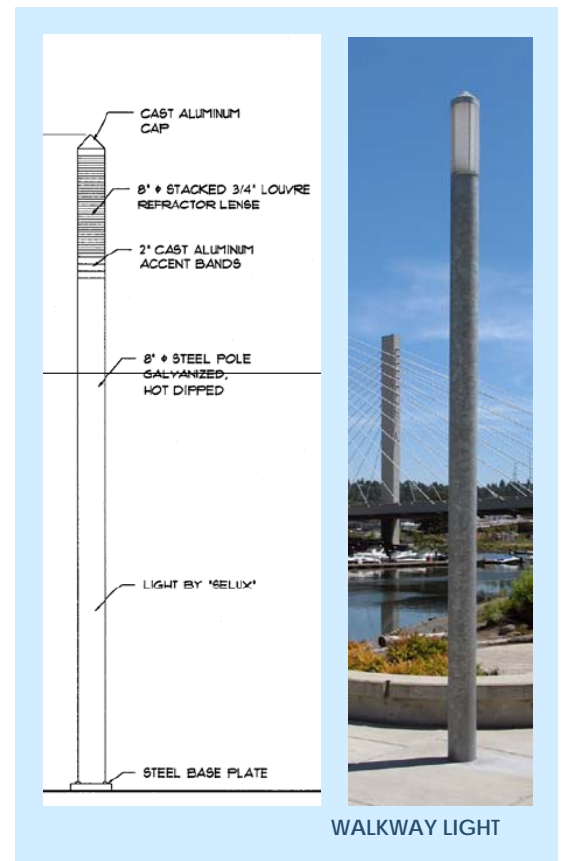
3.8.3 Lighting should minimize adverse impacts to the shoreline environment.



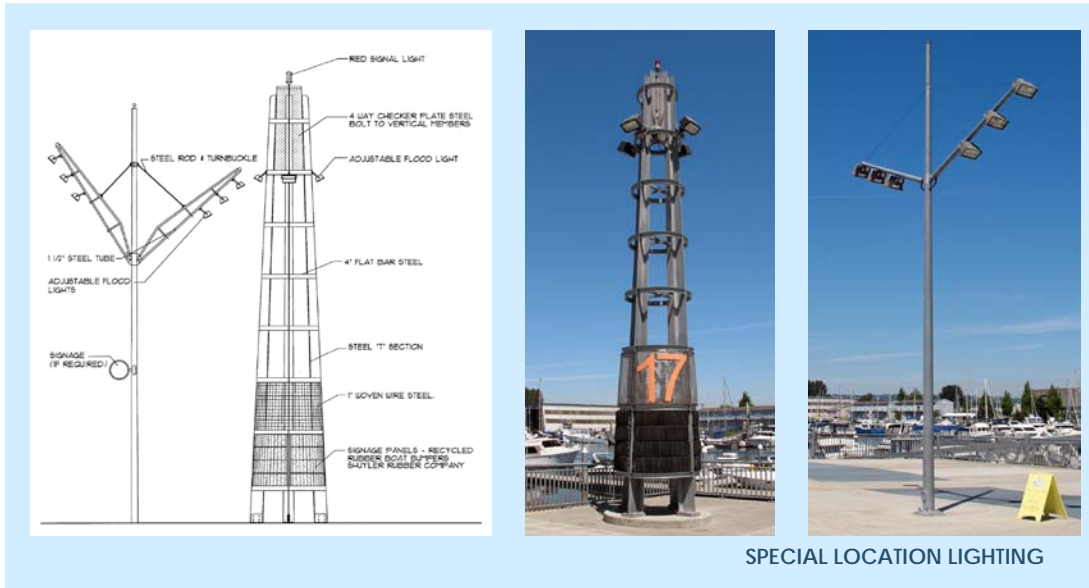
3.8.4 Along the Thea Foss Walkway, view/access corridors, and outlooks, the design standard walkway light specified below shall be used.



- se'lux MRTC-17-GV
- In portions of the trail designated as esplanade, lights should be located on the waterward side of the esplanade, at a maximum spacing of 60 feet on center.
- Walkway lights are not required at view/access corridors or other public spaces where special location lighting may be provided.



3.8.5 Special location lighting should be considered where the Thea Foss Walkway intersects view/access corridors and at community gathering places.



SPECIAL LOCATION LIGHTING

3.8.6 The design standard pedestrian streetlight specified below shall be used.



- se'lux MRTC-19-GV
- Pedestrian streetlights should be located on the waterward side of the street, at a maximum spacing of 80 feet on center.



PEDESTRIAN STREETLIGHT

3.8.7 Vehicular street lighting should be consistent, per city standards.



3.8.8 In parking areas, lighting should be provided by non-glare, full cutoff, controlled-source fixtures, per city standards.



3.9 Logo

3.9.1 The design standard logo should be used on area signage, bike racks, waste receptacles, benches, and other Thea Foss Walkway site details.



3.9.2 Where applicable, the design standard logo shown below shall be used.



3.10 Low Impact Development

Low impact development (LID) is an approach to stormwater management that emphasizes the conservation and use of existing natural site features integrated with distributed, small-scale stormwater control features in order to more closely mimic natural hydrologic conditions. The use of LID techniques is highly encouraged in the Thea Foss Waterway, where feasible. Due to environmental constraints, however, LID will not be practicable for various sites along the Foss. Please consult with the City of Tacoma Public Works Department before embarking on a LID project.

3.10.1 Minimize the amount of impervious surfacing (including the building footprint coverage) on a site through site planning and design.



3.10.2 Preserve existing and provide new vegetated areas to the maximum extent possible.



3.10.3 Maintain natural drainage patterns.



3.10.4 Seek to direct stormwater runoff from impervious areas into vegetated or pervious areas on the site rather than into the city stormwater system.



3.10.5 Stormwater control features, if required, should be located in close proximity to the impervious surfacing impact.



3.10.6 Small-scale stormwater control features that use natural systems, processes, and materials are preferred.



- Such features include, but are not limited to: dry wells, filter strips, swales, infiltration trenches, permeable pavements, soil amendments, tree-box filters, vegetated buffers, and green roofs.



TREE-BOX FILTER

3.10.7 Site grading should encourage the sheet flow of stormwater runoff and lengthen runoff flow paths over permeable areas.



3.10.8 Ensure soils are appropriate for the intended stormwater control feature functions (such as runoff infiltration, flow control, and water quality treatment).



3.10.9 Green (vegetated) roofs and green walls are highly encouraged in the Thea Foss Waterway.



GREEN WALLS

3.11 Marina Gates

3.11.1 Marina security gates should be located on access ramps or other locations where they do not impede public circulation, particularly circulation on the Thea Foss Walkway.



3.11.2 Marina security gates should be transparent.



3.11.3 Provide safety and security without the use of industrial materials, such as razor wire, barbed wire, and chain-link fences.



TRANSPARENT MARINA SECURITY GATE

3.12 Picnic Tables

3.12.1 Where applicable, the design standard picnic table specified below shall be used.



- **FairWeather model F-4**



3.13 Railings

3.13.1 The design standard railing shown at right should typically be used on all sections of the Thea Foss Walkway and other publicly accessible areas requiring a handrail.



RAILING

3.14 Signage—Public

Clear and consistent signs should direct the public to locations of interest in and around the Thea Foss Waterway.

3.14.1 Signs should be located, oriented, and scaled primarily for pedestrians.



3.14.2 Directional and location signs should identify civic buildings, community gathering places, public parks, and other locations of public interest.



- **In addition, vehicular signs should provide direction to public parking facilities.**

3.14.3 Directional and location signs should identify the Thea Foss Walkway. Such signs should use the city-approved Walkway signage.



- A directional sign should be posted where a public access corridor leading to the Walkway intersects a public street.
- A location sign should be posted where a public access corridor leading to the Walkway intersects the Walkway, and at any other locations along the Walkway where a sign would assist the public in understanding the intended Walkway route.

3.14.4 Directional and location signs should identify shoreline public access locations not associated with the Thea Foss Walkway. Such signs should use the state-approved shoreline public access signage shown at right.



3.14.5 Where appropriate, informational, educational, and interpretive signs relating to the history of the Thea Foss Waterway and Tacoma's maritime history are encouraged.



- Such signs should be kept small and simple.



EDUCATIONAL AND INTERPRETIVE SIGNS

3.15 Signage—Building Sites

3.15.1 Signs should be similar to the building and/or building site in design, color, materials, and appearance.



3.15.2 Corporate logo signs are preferred.



BUILDING SITE SIGNAGE

3.16 Surfacing Materials

Surfacing materials provide both continuity and variety for the Thea Foss Waterway. In general, surfacing should feature a higher design and construction quality than more typical projects. Special surfacing materials (such as cobblestones and gravel) are encouraged, with consideration for color and low impact development techniques (please see the Low Impact Development section of this chapter).

Regarding the Thea Foss Walkway, surfacing materials are one of the primary ways that the Walkway distinguishes itself as a unique amenity for the public to use and enjoy. Surfacing materials clarify the direction and continuity of the Walkway and distinguish the Walkway from surrounding properties (whether surrounding properties are typical public rights-of-way, public properties, or private properties). While the Walkway surfacing material may need to change around the Foss in order to adapt to different circumstances, the surfacing material should always be visually distinct relative to its surroundings. Walkway surfacing materials should also account for the different users of the Walkway. Pedestrian and bike users are common, and all Walkway sections should be compliant with the Americans with Disabilities Act.

3.16.1 Active-use areas (such as the Thea Foss Walkway and sidewalks) should typically use the design standard surfacing specified below.



- **Cast-in-place concrete with broom finish, hard-screed joints, in a 4-foot by 4-foot grid pattern.**



ACTIVE-USE SURFACING

3.16.2 For boardwalks, the design standard surfacing materials specified below are preferred.



- **Six-inch-wide planks made of ipe or cumaru, or other sustainably harvested wood.**

3.16.3 Special surfacing materials (such as granite, cobblestones, and gravel) may be used where the materials are demonstrated to be appropriate for the intended use.



SPECIAL SURFACING MATERIALS

3.16.4 Consider pervious surface materials.



- **Due to environmental constraints, pervious surface materials may not be practicable for various sites along the Foss. Please consult with the City of Tacoma Public Works Department before installing pervious surfacing materials.**



PERVIOUS PAVING

3.17 Waste Receptacles

3.17.1 The design standard recycling container shall be used.



3.17.2 The design standard waste receptacle specified below shall be used.



- **TimberForm Profile Series model 2894-P, with evergreen powder coat.**

3.17.3 The design standard waste receptacle specified below shall be used.



- **TimberForm Profile Series model 2891-P, galvanized.**



WEST FOSS WASTE RECEPTACLE



WEST FOSS WASTE RECEPTACLE

DRAFT
CUMULATIVE IMPACTS ANALYSIS
Shoreline Master Program Update

April 2011
City of Tacoma, Washington

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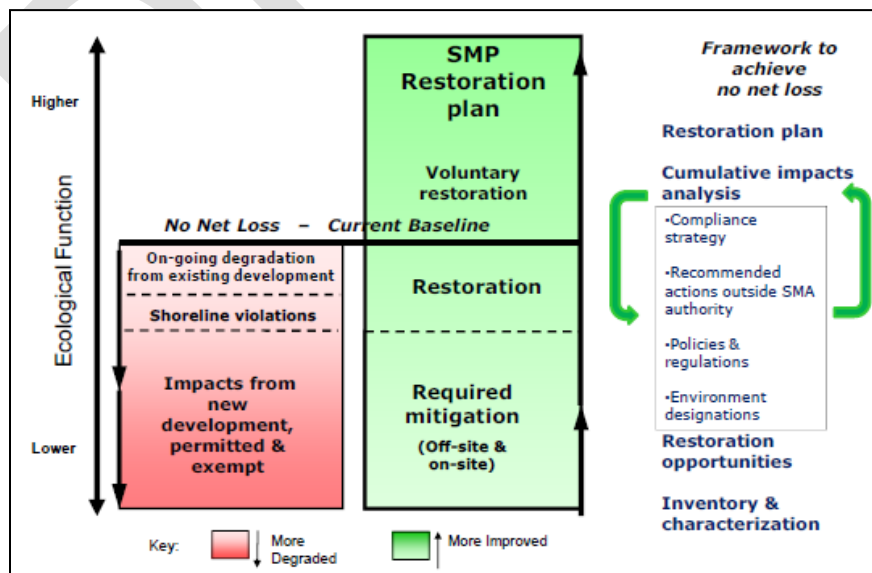
INTRODUCTION

With the assistance of a grant from the State Department of Ecology, the City of Tacoma is updating its Shoreline Master Program (SMP) consistent with state guidelines (WAC Chapter 173-26). Under the shoreline guidelines, local jurisdictions are required to evaluate and consider cumulative impacts of reasonably foreseeable future development in the shorelines of the state (WAC 173-26-186(8)(d)). This report assesses the cumulative impacts of development in the shoreline that would result from development and activities over time under the provisions contained in the proposed Draft Tacoma Shoreline Master Program (TSMP), dated September 2010.

The City of Tacoma is located between Seattle and Olympia on the Puget Sound in the Puyallup River Watershed (Water Resource Inventory Area [WRIA 10]) and the Chambers/Clover Creek Watershed (WRIA 12). There are approximately 36.6 miles of marine shoreline, 3.2 miles of freshwater streams, and a 34-acre lake representing designated shorelines of the state (shorelines) in the City’s planning area. Shorelines include portions of the Puget Sound, Commencement Bay, portions of the Puyallup River, Wapato Lake, and portions of the Hylebos Creek.

The purpose of evaluating cumulative impacts is to ensure that, when implemented over time, the proposed SMP goals, policies and regulations will achieve no net loss of shoreline ecological functions from current “baseline” conditions. Baseline conditions are established and described in the City of Tacoma Shoreline Inventory and Characterization Report (ESA Adolfson, 2007). The proposed draft TSMP (City of Tacoma, 2010) provides standards and procedures to evaluate individual uses or developments for their potential to impact shoreline resources on a case-by-case basis through the permitting process. The purpose of this report is to determine if impacts to shoreline ecological functions are likely to result from the aggregate of activities and developments in the shoreline that take place over time and result in a net loss of ecological functions. The following graphic provides a visual description of the role of the SMP update in achieving no net loss.

Figure 1. Achieving No Net Loss of Ecological Functions



Source: Washington State Department of Ecology

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The guidelines state that, “to ensure no net loss of ecological functions and protection of other shoreline functions and/or uses, master programs shall contain policies, programs, and regulations that address adverse cumulative impacts and fairly allocate the burden of addressing cumulative impacts among development opportunities. Evaluation of such cumulative impacts should consider:

1. Current circumstances affecting the shorelines and relevant natural processes;
2. Reasonably foreseeable future development and use of the shoreline; and
3. Beneficial effects of any established regulatory programs under other local, state, and federal laws.”¹

This cumulative impacts assessment uses these three considerations as a framework for evaluating the potential long-term impacts on shoreline ecological functions and processes that may result from development or activities under the proposed SMP over time. This assessment considers current circumstances; reasonably foreseeable future development and use; potential effects of development under the new SMP provisions; restoration planning and other federal, state, and local programs. Based on this information, an assessment is made as to whether the conditions of ecological functions in the shoreline are likely to remain at current levels, improve or be degraded. If conditions are likely to remain or improve, “no net loss” is likely to be achieved.

EXISTING CONDITIONS

As part of the City’s SMP update process, a shoreline inventory and characterization and map folio was prepared that identifies existing conditions and evaluates the ecological functions and processes in the City’s shoreline jurisdiction. The revised Shoreline Inventory and Characterization (ESA Adolfson, 2007) included all shoreline areas within the City of Tacoma. Baseline conditions are summarized very briefly below. For additional discussion and detail please refer to the Inventory and Characterization Report.

Physical Processes

Processes Affecting Marine Shorelines

Coastal and upland processes influence the morphology and ecological functioning of the city’s marine shorelines. The primary coastal circulation processes that occur in this portion of Puget Sound are tides and wind-driven waves. Tides are the dominant influence on coastal circulation and water quality processes in this portion of Puget Sound. In addition, wind-driven waves generated by storms can play a significant role in surface layer direction and speed, thereby influencing local sediment transport and beach morphology.

On the Tacoma Narrows side there are significant flow velocities that impact the character of the shoreline. Within Commencement Bay flow velocities are generally lower than those measured in the Narrows. Circulation within the surface layer of Commencement Bay is typically driven by tides, wind-driven waves, and fluvial input from the Puyallup River and Hylebos Creek.

Wind-driven waves in Puget Sound are typically associated with storm events and can determine surface layer direction and velocity. Waves have the potential to induce water velocities that are sufficient to mobilize and transport sand to cobble sized particles. Waves have the potential to both: (1) build accretionary landforms (e.g.,

¹ WAC 173-26-286(8)(d)

beaches, berms), and/or (2) erode existing landforms (e.g., beaches, bluffs). The magnitude and direction of wind-driven waves is determined by climatic processes that can vary by season, and by local conditions including length of fetch and presence of local flow constraints. In general, surface circulation patterns, including waves, are more important in Commencement Bay than in the Narrows.

Coastal bluffs and hillslopes that line much of Tacoma's shoreline are a key factor in the development of coastal morphology and ecosystem functioning. The geology, stratigraphy, and surface and groundwater patterns within the coastal bluffs typically determine the slope and potential for sediment delivery to the coastline. The prevalence of bluffs comprised of glacially overridden soils and protective gravel beaches combine to result in relatively slow rates of bluff retreat within Puget Sound. However, large-scale failures do occur, delivering significant volumes of sediment to the shoreline.

Processes Affecting Riverine Shorelines

The Puyallup River is the dominant source of surface water to Commencement Bay, draining approximately 950 square miles from the slopes of Mount Rainier west to Puget Sound. Hybelos Creek drains approximately 29 square miles of the lower Puyallup Valley and the Federal Way Highlands, and is the second largest input of freshwater to Commencement Bay.

Both the Puyallup River and Hybelos Creek are tidal riverine systems within the city of Tacoma's shoreline. Sediment dynamics are complicated by the interaction of freshwater flows and the ebb and flow of the tides within the delta environment. Sediment that is generated in the upper watershed of both fluvial systems is transported downstream to eventually form a delta at the mouth of each channel. Wash load and suspended sediment are flushed into Commencement Bay, while coarser materials (generally sand and larger particles) are retained within the delta. The Puyallup River transports significant sediment to Commencement Bay from glacial sources and yields an estimated 300,000 cubic yards of sediment per year. This sediment is primarily sand and finer material at the mouth of the Puyallup River.

Processes Affecting Lake Shorelines

The surface and groundwater hydrology of Wapato Lake are tightly linked. Due to the relatively permeable soils located in the basin, surface waters move rapidly from the basin area to the lake. Water levels within the lake are highly dependent on climatic conditions and land use within the contributing basin. The input of groundwater to the lake is limited, as the lake bottom does not intersect a significant aquifer beyond the surface-driven aquifer.

There are two primary sediment generation and transport processes within the Wapato Lake basin: (1) sediment build up and wash off from developed areas, and (2) shoreline erosion during storms. Urbanization results in soil disturbances, and vehicle traffic results in deposition of fine sediment on roadways. This sediment is washed into the storm drain system during precipitation events. The shoreline of Wapato Lake is un-vegetated, and appears to be prone to erosion from foot traffic, surface runoff, and small wind-driven waves

Habitat and Species

The summary of habitat and species provided here is taken from information provided in the Tacoma Shoreline Inventory and Characterization report (ESA Adolfs, 2007). The reaches referred to are shown in Map 1 of that document.

The presence of various species and habitats in a particular location in the City is dependent on larger ecosystem processes. Ecosystem processes are the physical and chemical interactions that form and maintain shoreline functions such as salmon habitat and riparian vegetation. These processes include the movement of water sediment, nutrients, and wood as they enter into, pass through and eventually leave a watershed. It is the interaction of these processes with landscape features, climate and each other that create the shoreline functions, present in the City's shorelines. While inventorying the presence of individual species and habitats is valuable, it is important to also focus on the processes that will create the conditions for intact shoreline functions that will attract and maintain populations of native species.

A number of fish and wildlife species use the shorelines in Tacoma for habitat. Critical fish and wildlife habitat conservation areas are those areas identified as being of critical importance to the maintenance of fish and wildlife species, and if altered may reduce the likelihood that the species will survive and reproduce. Priority Habitats identified on WDFW maps along Tacoma's marine shorelines include cliffs/bluffs in Reaches 1-3 7; 1-UGA, and 2-UGA; urban natural open space in Reaches 1-4; lagoons in Reach 1; estuarine zones in Reaches 3, 4, and 7; and wetlands in Reaches 4 and 7. Priority species found along the marine shoreline include purple martin (*Progne subis*) in Reaches 1 and 7, nesting bald eagles (*Haliaeetus leucocephalus*) in Reach 2, and a seabird colony near Old Town in Reach 3. Within Reach 4, priority species include nesting peregrine falcons on the 11th Street Bridge, a western pond turtle (*Clemmys marmorata*) within the Thea Foss Waterway, alcid seabird colonies near the mouths of Middle and Milwaukee Waterways, and a great blue heron (*Ardea herodias*) colony along the Hylebos Waterway. A seabird colony was also identified in Reach 7.

Shellfish

Documented shellfish resources in the Tacoma shorelines include crabs and geoducks clams (*Panopea generosa*). Crab resources are found throughout inner Commencement Bay, in Reaches 3, 4, and 7, as well as the deep waters off of the Puyallup River delta. Two geoducks beds are documented in subtidal areas adjacent to the shoreline in Reach 1, south of the Tacoma Narrows Bridge. A scallop bed is reported to be located near the upper end of the Arsarco slag peninsula.

Salmonids

The lower Puyallup River provides migration and rearing habitat for Chinook, pink, chum, and coho salmon, steelhead and bull trout. Adult salmonids are typically found in Commencement Bay between August and November. Nearshore habitat is an important environment for juvenile salmonids, where the shallow water depth obstructs the presence of larger predator species. Juvenile Chinook salmon use the areas of Commencement Bay within 500 to 1,000 feet of the shoreline and in the Waterways. All shoreline segments within the City's shoreline jurisdiction are known or expected to contain juvenile salmonids including bull trout, cutthroat, Chinook, chum, coho, pink, and sockeye salmon.

Critical habitat has been designated for Pacific salmon and steelhead in Washington, Oregon, and Idaho, including the Puget Sound Evolutionarily Significant Unit (ESU) Chinook salmon. Designated Chinook Critical Habitat in Tacoma includes nearshore marine areas of both Commencement Bay and the Tacoma Narrows from the extreme high tide line to a depth of 30 meters relative to Mean Lower Low Water (MLLW). Critical Habitat

has also been designated for bull trout, which may be present in the nearshore areas of Tacoma. Designated Critical Habitat for bull trout includes marine waters of Commencement Bay and the Tacoma Narrows to a depth of 33 feet (10 meters) relative to MLLW.

Forage Fish

Forage fish include species that as adults breed prolifically and are small enough to be prey for larger species. The three forage fish species most likely to occur in the City's shoreline jurisdiction include surf smelt, sand lance, and Pacific herring. No Pacific herring spawning areas are currently documented in the shoreline inventory area. Anecdotal information indicates that herring spawning may occur at the Puget Creek nearshore. Sand lance spawning areas are also documented in Reach 1 near Titlow, along the eastern shore of Reach 2 from the tip of Point Defiance to Owen Beach, and in small pocket beaches along Reach 3. Surf smelt spawning areas have been documented only in a small stretch on the north/northwest shore of Browns Point.

Marine Mammals

Seal and sea lion haul-outs have been documented along Tacoma's marine shoreline on buoys, floats, and logbooms in northeast Commencement Bay. The closest documented pupping ground is on Gertrude Island, south of the Tacoma Narrows. Transient killer whales occur in southern Puget Sound, particularly during winter months. Killer whales have not been documented in Commencement Bay. Winter movements and distribution are poorly understood for the population. Critical Habitat has been proposed for killer whales, including Puget Sound marine waters deeper than 20 feet (6.1 meters).

Shorebirds and Upland Birds

Adjacent to the open waters of Puget Sound, the nearshore marine shoreline environment provides habitat for birds and their prey. A variety of shorebirds utilize the nearshore environment for wintering and breeding. A total of 203 bird species have been recorded in the Commencement Bay area. Of these species, 162 are found regularly, and 36 breed within the area.

Marine Riparian and Intertidal Habitats

Riparian areas are transitional zones between terrestrial and aquatic ecosystems. Riparian habitats include those portions of terrestrial ecosystems that significantly influence exchanges of energy and matter with aquatic ecosystems. Marine riparian vegetation is defined as vegetation overhanging the intertidal zone. Marine riparian zones function by protecting water quality; providing wildlife habitat; regulating microclimate; providing shade, nutrient and sources of food; stabilizing banks; and providing large woody debris. Historically, tidal marshes formed the dominant habitat type in Commencement Bay. By 1988 only approximately 57 acres, or approximately one (1) percent, of the original tidal marshes remained.

Throughout the planning area, the dominant intertidal habitats include flats, eelgrass beds, backshore lagoons, saltmarsh, sand and gravel beaches, and kelp beds. It has been estimated that of the original 2,100 acres of historical intertidal mudflat, approximately 180 acres remain today. Extensive anthropogenic activity such as dredging and filling is responsible for the decline of these habitats.

Eelgrass beds are found in shallow subtidal areas and provide feeding and rearing habitat for a large number of marine organisms. Eelgrass beds are reported within shallow subtidal habitats along the Ruston shoreline, most notably at the Puget Creek nearshore area, approximately 1.5 km south of the ASARCO facility. Eelgrass beds have also been reported at Point Defiance as well as within Reach 1 south of the Narrows bridge, in Reach 3 from just south of the ASARCO facility to just south of Puget Gulch and at the Olympic View restoration site in Reach 4.

Kelp provides habitat for many fish species, including rockfish and salmonids, potential spawning substrate for herring, and act to buffer the shoreline from waves and currents, among other functions. Kelp is the major source of primary production in the benthic zone – providing direct food, detritus and dissolved organic material. Kelp beds were previously reported only in a small area of the Ruston shoreline immediately below the ASARCO facility. Based on recent anecdotal information, kelp has been more recently reported in the Puget Creek nearshore area. WDNR ShoreZone Inventory data documents kelp in most of Reach 1, Reach 2 on Point Defiance, and in Reach 3 from the north end of the reach to Mason Gulch, and a small segment near Old Town dock.

Wapato Lake does not contain any documented use by federally or state listed species, but does contain fish, and a very large concentration of waterfowl, which are important to many species as a food source including the bald eagle. Although there has been no documented use of the area by bald eagles, Wapato Lake likely provides a foraging area for eagles due to the presence of waterfowl concentrations and other fish species (rainbow trout). Osprey, a current state monitor species, has been observed foraging over Wapato Lake. Also, the lake likely provides habitat conducive to supporting western pond turtles, a state endangered and federal candidate species, although none have been documented there.

An assessment of the conditions of shoreline functions is provided in Chapter eight of the Inventory and Characterization Report (ESA Adolfson, 2007). It identifies and discusses ecosystem processes in light of significant changes in land use in the city and the upper watershed. It presents a summary of key shoreline functions, including wildlife habitats, and their level of alternation and impairment.

Land Use and Public Access

Current land and shoreline use in Tacoma is a mix of residential, waterfront commercial, industrial/port maritime, and open space and recreation. Along Tacoma Narrows, uses are a mix of overwater residential, commercial, recreational and transportation. Land use in Point Defiance Park is entirely park and open space. Along Ruston Way, land uses north of the Town of Ruston include a yacht club, public boating facilities, and a ferry terminal. Land uses south of the town are a mix of commercial water-related activities, parks and the railroad. Shipping facilities are located downshore closer to the Thea Foss Waterway. The waterways in Commencement Bay have been heavily modified by industrial use as a port terminal. The Thea Foss Waterway was recently redeveloped as a mixed-use waterfront neighborhood. Land uses along Marine View Drive are a mix of marinas and residential development. The Brown's Point urban growth area (UGA) is dominated by residential development along with parks and open space. Land use surrounding Wapato Lake is predominately park and open space. There is some residential development as well.

The City of Tacoma has a variety of parks, open space, and public facilities, many of which provide shoreline access. Approximately 7 percent of the marine shoreline planning area is developed as park or designated open space. There are nine parks that provide shoreline public access to the marine shoreline in the city and UGA. Concrete board walks and public plazas in the Thea Foss Waterway also provide public access to the shoreline. There are no parks in the Puyallup River and Hylebos Creek planning areas. Wapato Park provides shoreline public access to the lake.

Shoreline Alterations

Nearshore ecological processes in Tacoma's nearshore planning area have been altered primarily by "shoreline modifications" related to waterfront development. Shoreline modifications refer to structural alterations of the shoreline's natural bank, including riprap, bulkheads, docks, piers or other in-water and overwater structures. Artificial structures modify natural coastal sediment generation, storage, and transport processes. Bulkheads are generally intended to protect upland development from shoreline erosion. However, bulkheads are typically ineffective at preventing large mass wasting or landslide events that are triggered by significant rainfall and/or tectonic events. When a bulkhead armors the toe of a slope: (1) wave energy is being increased, and (2) the upland sediment source is being partially or temporarily blocked. The level of disturbance to these coastal processes within the shoreline of Tacoma is generally tied to the intensity of development. The level of disturbance varies from low along Point Defiance to medium along the Narrows, and high within Commencement Bay.

Nearshore vegetation and habitats are also impacted by the presence of artificial shoreline structures. Shoreline armoring increases wave energy that mobilizes fine substrates which would otherwise be available for colonization by eelgrass or nearshore algal colonies. Docks and log rafts result in physical impacts in shallow areas and mudflats, by causing the removal of typical nearshore vegetation. Bulkheads can result in disconnection of upland sediment sources from providing the materials to build mudflats, which in turn provide the substrate for nearshore vegetation and algal environments.

Shoreline alterations to Wapato Lake that have caused the most impact have been removal of shoreline vegetation which in turn has caused erosion along portions of the lower lake banks. Shoreline modifications to Wapato Lake include a causeway separating the upper two lakes from the lowest and largest section of the lake. Residential bulkheading is located in both the upper lakes and the lower section of the lake.

FUTURE DEVELOPMENT

Reasonably Foreseeable Future Development and Use

The following section provides a summary of reasonably foreseeable future development in the shorelines. This section considers new development and redevelopment. The planning horizon for the proposed TSMP is 20 years. Future development is generally estimated for this time period.

This general analysis of reasonable foreseeable future development was conducted using several sources of information. An assessment of vacant lands within each shoreline districts was conducted. It is assumed that vacancy is an indicator of potential development, although vacancy may also be an indicator of other constraints to development, such as the presence of critical areas. Vacancy was identified using 2009 Pierce County assessors' data.

Previous reports and documents were referenced. The Tacoma Waterfront Lands Analysis prepared by BST Associates (2008) provides information on current and potential future land uses and in each (existing) shoreline district. The Shoreline Land Use Analysis (ESA Adolphson, 2007) provides additional information on plans and trends in land use along the shoreline. The Tacoma Shoreline Inventory and Characterization Report (ICR) (ESA, 2007) included an assessment "rapidly developing shorelines", which reviewed the quantity of building permit

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applications submitted for each shoreline district in recent years. It was assumed that areas in which high numbers of permit applications were submitted would experience a rapid rate of growth. The level of permit submittal activity for each district was identified as “none”, “minimal” or “rapid”. All of this information was augmented with information provided by city staff in November and December of 2010. It is assumed that staff would have the most current information on the status and progress of current and ongoing development plans and projects. Lastly, Metro Parks Master Plans for Titlow, Point Defiance, and Wapato Parks were reviewed for potential recreational development in the shorelines.

Table 2 shows the number of vacant properties, the area within each shoreline district that is vacant and the percent of each shoreline district that is vacant. The table also includes a general description of the types of uses built and allowed in each district. It is assumed that future growth would, generally, be consistent with the existing land use pattern. The table includes the results of the assessment of “rapidly developing shorelines.” Lastly, the table provides descriptions of reasonably foreseeable future development that would be expected in each district. The sources of the information in this column are provided as footnotes.

As shown, the Tacoma shorelines are largely developed. The number of vacant parcels is relatively low. Most major new construction in the shoreline is likely to be redevelopment. Figures 1 and 2 show vacant properties and areas that have been identified as reasonably likely to develop. Figure 3 shows the identification of “rapidly developing shorelines” as assessed on the Shoreline Inventory and Characterization Report.

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Table 1. Redevelopment Potential in the Shoreline

Shoreline District	Proposed SED	No. of Vacant Parcels (area)	Percent of district Vacant	Existing conditions	Rate of Development ¹	Known and expected reasonably foreseeable development
S-1a Western Slope South (HI)	High Intensity	0 (0 acres)	0%	<p>S-1 is Nearly all developed. Shorelines are completely armored. Major uses include a variety of commercial uses, limited multi-family development, two marinas and the BNSF railroad.</p> <p>Additional commercial uses and multi-family uses are allowed. Single family development is prohibited.</p> <p>Narrows Marina is the major water-dependent use, providing wet and dry moorage, a fuel dock and other amenities. The district also has a public boat launch.</p>	Minimal	<p>There are limited redevelopment opportunities in upland portions of the narrows marina (mixed-use development), which could include water-related services for boaters or restaurants or retail.²</p> <p>There is the potential for changes to uses on overwater structures.³</p>
S-1b Western Slope South (SR)	Shoreline Residential	4 (0.25 acres)	5%	<p>This district includes a small pocket of residential uses south of S-1a that is separated from the shoreline by the City of University Place boundary.</p> <p>It also includes a small area of single-family residential development, both overwater and upland north of the marinas.</p>	Minimal	<p>Redevelopment of the residential properties north of the marinas is not likely. Additional future development is not expected.³</p>
S-2 Western Slope Central (UC)	Urban Conservancy	7 (1 acre)	3%	<p>This area extends from 6th Avenue to the Narrows Bridge. It includes Titlow Park. The BNFS railroad runs along the shoreline north of the park. High bluffs are located landward of the railroad. Residential development is located on the top of the bluff.</p> <p>The district has publically accessible beaches within the park and the city owns a wastewater treatment facility near the Narrows Bridge.</p>	Minimal	<p>A Master Plan for Titlow Park includes natural resource enhancement projects. The Titlow Lodge, private boating club, and the extensive trail system will be preserved or enhanced. New public amenities will include playgrounds and spraygrounds in place of the swimming pool.⁴</p>

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Shoreline District	Proposed SED	No. of Vacant Parcels (area)	Percent of district Vacant	Existing conditions	Rate of Development ¹	Known and expected reasonably foreseeable development
S-3 Western Slope	Urban Conservancy	4 (8 acres)	12%	<p>Most of the shoreline in the district is armored with riprap associated with the BNSF Railroad. The railroad enters a tunnel and moves east away from the shoreline.</p> <p>North of the tunnel, is the Salmon Beach community, approximately 75 overwater homes located at the base of a steep bluff.</p> <p>Single-family and water-oriented recreational uses will continue to be allowed.</p>	Minimal/ Rapid	<p>The ICR identifies the Salmon Beach area as rapidly developing because permits are processed on a regular basis. This is presumably associated with remodeling activity.¹</p> <p>The proposed TSMP would prohibit new overwater homes, some minor expansions to existing overwater homes are likely.</p> <p>There are large vacant parcels identified on the steep slopes along the bluff. These areas have limited access and there is likely no safely developable area within the shoreline. New development in the S-3 is unlikely.²</p>
S-4 Point Defiance Natural	Natural	0 (0 acres)	0%	<p>Land use within the S-4 is park, with many activities associated with a regional facility.</p> <p>Shoreline use is well established for passive recreation. Point Defiance Park serves a local and regional need for a unique, near-intact shoreline environment coupled with passive water-enjoyment recreational use.</p>	None	Significant changes to the shoreline are not anticipated ²

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Shoreline District	Proposed SED	No. of Vacant Parcels (area)	Percent of district Vacant	Existing conditions	Rate of Development¹	Known and expected reasonably foreseeable development
S-5 Point Defiance UC	Urban Conservancy	0 (0 acres)	0%	Point Defiance Park is located in a portion of S-5. The remaining portion of S-5 is a Washington State ferry terminal, a marina and a yacht club. Land and shoreline use in this reach is predominately recreational. Point Defiance Park serves a local and regional need for a unique, near-intact shoreline environment coupled with passive water- enjoyment recreational use.	None/ Minimal	As part of the Point Defiance Master Plan, Metro Parks is considering creating a “maritime village” with retail and restaurant opportunities.” The concept also includes additional boat moorage and expanding boat ramp facilities. ⁵ Development of a location for launching hand-powered watercraft like kayaks could be accommodated, likely in an already developed part of the park in S-5. ³ Ferry operations are assumed to continue. There is a reasonable expectation for some redevelopment of office space at the terminal. ³
S-6 Ruston Way	Urban Conservancy	18 (12 acres)	17%	Half of the shoreline is in public ownership (Metro Parks). Major land uses include interconnected parks and trails, water-oriented and non-water dependent commercial development (motel/hotel, restaurants, office space, retail shops). Residential uses are located upland of Ruston Way and the railroad.	Minimal	A repair and redevelopment project for the Old Town Dock is underway and is expected to be completed by 2013. ² Chinese Reconciliation Park is identified as vacant. Once completed, no further development is expected. ³ Several parking lots along Ruston Way are identified as vacant. They represent potential future development over the long-term. ³
S-7 Schuster Parkway	High-intensity	8 (11 acres)	36%	The shoreline’s major uses are parks, city streets, railroad, industrial shipping terminal facilities, Sperry dock, Port of Tacoma grain terminal.	Minimal	Parcels identified as vacant include the Bayside trail and tidelands waterward of the BNSF railroad, where development is not expected. ³ Other than expansion of existing uses, It is unlikely that upland uses will change significantly in this area. ²

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Shoreline District	Proposed SED	No. of Vacant Parcels (area)	Percent of district Vacant	Existing conditions	Rate of Development ¹	Known and expected reasonably foreseeable development
S-8 Thea Foss Waterway	Downtown Waterfront	11 (9 acres)	9%	<p>There are a diversity of uses along either side of the Thea Foss Waterway. Major uses along the west side include parks, warehouses, boat marinas, wholesale outlets, mixed use developments and water-oriented uses.</p> <p>The east side is characterized by shipbuilding, petroleum storage, some water-oriented commercial uses including marinas, a restaurant and the Center for Urban Waters - a 51,000 square-foot office and laboratory building, housing Tacoma's Environmental Services analytical labs and engineering offices, University of Washington Tacoma research labs, and offices for the Puget Sound Partnership.</p>	Rapid	<p>The ICR indicates that all of S-8 is considered a rapidly developing shoreline.¹</p> <p><u>West Side</u></p> <p>165 feet of permanent floats for transient boaters, two ADA ramps and a pumpout facility are planned for the Foss Waterway Seaport.²</p> <p>Future development immediately south of S-7 along the west side of the Thea Foss waterway could include new commercial and residential mixed-use buildings³</p> <p>Mid-way down the west side of the waterway, the Esplanade building is complete, but there is potential for new hotel/office development.³</p> <p>Further down the waterway, there are vacant parcels that are reasonable expected to develop as high-density residential and commercial mix-use buildings.³</p> <p>Several properties identified as redevelopable are unlikely to redevelop because they are historic structures.</p> <p><u>East Side</u></p> <p>Redevelopable parcels identified at the south end of waterway will be developed as the Waterway Park.³</p> <p>There is the potential for multi-family residential and restaurant development at the Johnny's Dock property.³</p> <p>The Port owns Waddell property and has plans to develop for industrial and commercial use.²</p> <p>There is potential for expansion at the Nu Star property at the head of the waterway.³</p> <p>Expected redevelopment of Commencement Bay Marine Services to Youth Marine Center.³</p>

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Shoreline District	Proposed SED	No. of Vacant Parcels (area)	Percent of district Vacant	Existing conditions	Rate of Development ¹	Known and expected reasonably foreseeable development
S-9 Puyallup River	Urban Conservancy	21 (19 acres)	9%	<p>Land use along the River is predominately port/maritime related industrial. No water-dependent industrial uses exist because the channel is not maintained for navigation and the series of fixed span bridges crossing the river make it unsuitable for ship or barge traffic.</p> <p>There are several environmental remediation, and habitat and wetland restoration sites. Ownership is a mix of federal (USACOE) tribal (Puyallup Tribe) and City of Tacoma.</p>	Rapid	<p>The ICR identifies the Puyallup River shorelines as rapidly developing shorelines.¹ Although, current data suggests that future foreseeable development is limited.</p> <p>There are no water-dependent industrial uses in the S-9 and new water-dependent facilities are unlikely²</p> <p>Much of the shoreline is targeted for habitat and restoration actions such as creation of off-channel habitat and reconnecting wetlands.⁶</p> <p>The properties identified as vacant on the east and west sides of the River are primarily restoration sites. There is no likely development expected at these sites.³</p>
S-10 Port Industrial	High Intensity	11 (8 acres)	2%	<p>Water-dependent industrial uses include container, bulk, breakbulk and auto terminals; boat builders, repairs, and shipyards; and moorage.</p> <p>Water-related industrial uses include marine terminals that handle petroleum and forest products. Transportation infrastructure to serve industrial uses. Restoration and remediation sites.</p> <p>Vacant lands include the 30-acre Pony Lumber site and 5.9-acre Puyallup Tribe property along on the Blair-Hylebos Peninsula.</p>	Rapid	<p>The ICR identifies all of the S-10 shorelines as rapidly developing shorelines.¹</p> <p>Within S-10, there are several development projects in various stages of planning and permitting. From west to east, these projects include:</p> <p><u>Blair Waterway:</u></p> <p>The Port and Washington United Terminals (WUT) are in the permitting process to extend the 2000 foot berth at the WUT terminal to 2,600 feet.²</p> <p>The Port of Tacoma, The Puyallup Tribe of Indians, and SSA Marine have agreed to cooperate on development of a 180-acre, two-berth container terminal to be completed around 2014 or 2015.²</p> <p>The Port of Tacoma is planning to construct a new terminal which will be leased to Yussen Terminal Tacoma Inc. (YTTI). It would be a 168-acre terminal with a 24-acre intermodal rail</p>

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Shoreline District	Proposed SED	No. of Vacant Parcels (area)	Percent of district Vacant	Existing conditions	Rate of Development ¹	Known and expected reasonably foreseeable development
						<p>yard and two berths that could serve vessels of 1,050 and 1,150 feet.²</p> <p>The port will develop a 72-acre terminal for TOTE after its existing terminal is displaced by the YTTI.²</p> <p>There are several properties along the Southern west side of the Blair Waterway that are Port Owned or vacant. Redevelopment of these properties in reasonable foreseeable.²</p> <p><u>Hylebos Waterway</u></p> <p>Components of the YTTI terminal will be constructed along the west side of the Waterway.²</p>
S-11 Marine View Drive	Urban Conservancy	26 (17 acres)	25%	<p>Primary uses include full service commercial marinas that provide water-dependent recreational boating and associated supporting uses, commercial and a few waterfront residential properties. Several of the residential properties are leased from the Port.</p> <p>The shorelines are also characterized by several large mitigation and restoration projects.</p>	Rapid/ None/ Minimal	<p>Areas along the waterward side of Marine View Drive are tribally-owned and consists of mitigation and restoration projects. No development is likely.³</p> <p>There are two marinas. Chinook Landing Marina has plans for a new fuel dock. Other Redevelopment or enhancement of marinas could occur as well.²</p> <p>Over 50 acres are identified as vacant. However little of this land is available for development. Land on the waterward side of Marine View Drive is largely port-owned and used as mitigation. No new development is likely.²</p> <p>Lands landward of Marine View Drive include undevelopable steep slopes. There is some privately owned land here and limited development of low-density single family homes is possible.²³</p> <p>The Port plans not to re-new residential leases on existing homes and plans to remove structures when leases expire.³</p>

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Shoreline District	Proposed SED	No. of Vacant Parcels (area)	Percent of district Vacant	Existing conditions	Rate of Development¹	Known and expected reasonably foreseeable development
S-12 Hylebos Creek	Natural	2 (<1 acre)	<1%	Includes lands around and waters of Hylebos Creek east of SR 509. Primarily restoration sites. .	None	Primarily restoration sites. No development is expected.
S-13 Waters of the State	Aquatic	n/a	n/a	Waters of the State includes all water below the ordinary high water mark. Currently overwater structures in the S-13 include marinas, docks, piers and wharfs, industrial terminals and residences.	n/a	Because the proposed TSMP, limits new overwater structures, very little new overwater development is expected outside S-10. Within S-10, water-dependent docks and/or piers are possible as part of new terminal development. Redevelopment of existing docks, and piers would be reasonably likely in the mid- to long-term.
S-14 Wapato Lake	Urban Conservancy	0 (0 acres)	0%	Much of the area surrounding Wapato Lake is in park uses. Other types of development are limited. Urban residential and commercial development and a major transportation facility (I-5) surround Wapato Lake on all sides.	n/a	According to the Wapato Lake Park Master Plan, the following facilities are planned for the park and could occupy parts of the shoreline: <ul style="list-style-type: none"> • Renovation of the 1936 bathhouse • Expanded parking facilities • New picnic shelters and restrooms • Lake enhancements including vegetated shorelines • Improved dock structure for boat rental and fishing access⁷ <p>The area along the southwest shoreline of the lake, west of Alaska Street has some potential for redevelopment to commercial retail uses.³</p>

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Shoreline District	Proposed SED	No. of Vacant Parcels (area)	Percent of district Vacant	Existing conditions	Rate of Development ¹	Known and expected reasonably foreseeable development
S-15 Point Ruston/Slag Peninsula	High Intensity	3 (2 acres)	5%	District extends from N Waterfront Drive and includes Slag Peninsula. Slag Peninsula is a part of the Asarco Superfund cleanup site.	Minimal	As part of the Point Defiance Master Plan, Metro Parks is considering development of a Peninsula Park on Slag Peninsula, which would offer a pedestrian promenade and venues for outside concerts. There is no potential for residential or commercial development. ⁵ Point Ruston development has vested permits for high density residential, commercial, and recreational development. Under current plans, most development would be setback from the shoreline 100 to 150 feet. ^{2,3}

Sources:

¹ Shoreline Inventory and Characterization report (ESA Adolphson, 2007)

² Tacoma Waterfront Lands Analysis (BST, 2008)

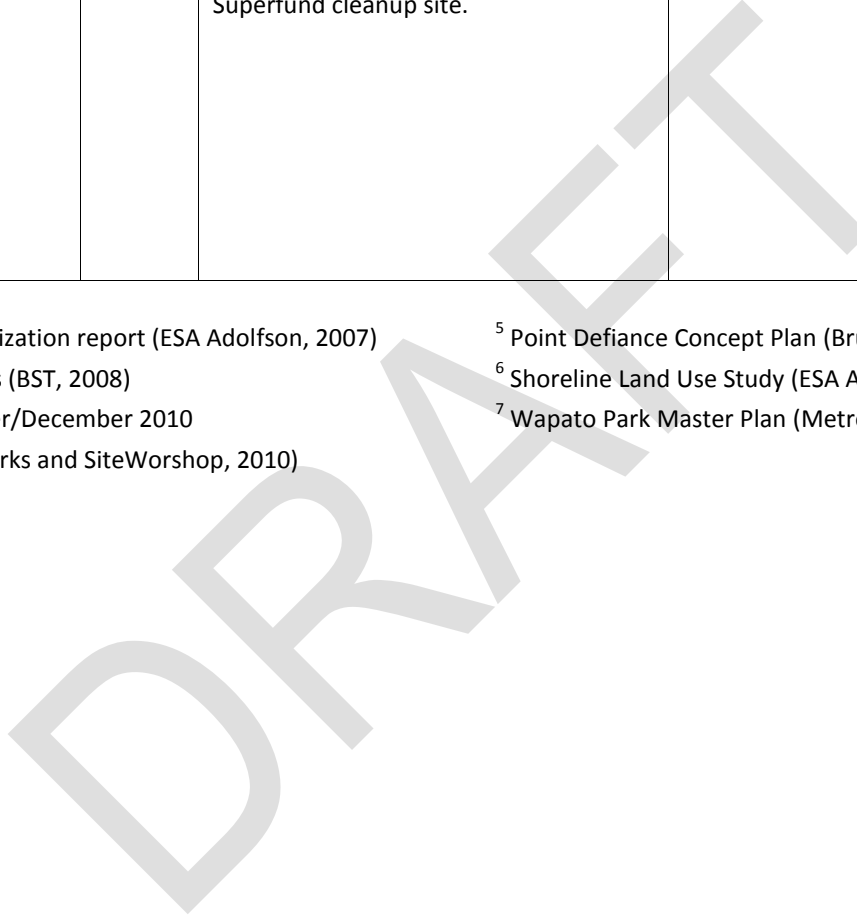
³ Staff comment obtained November/December 2010

⁴ Titlow Park Master Plan (Metro Parks and SiteWorshop, 2010)

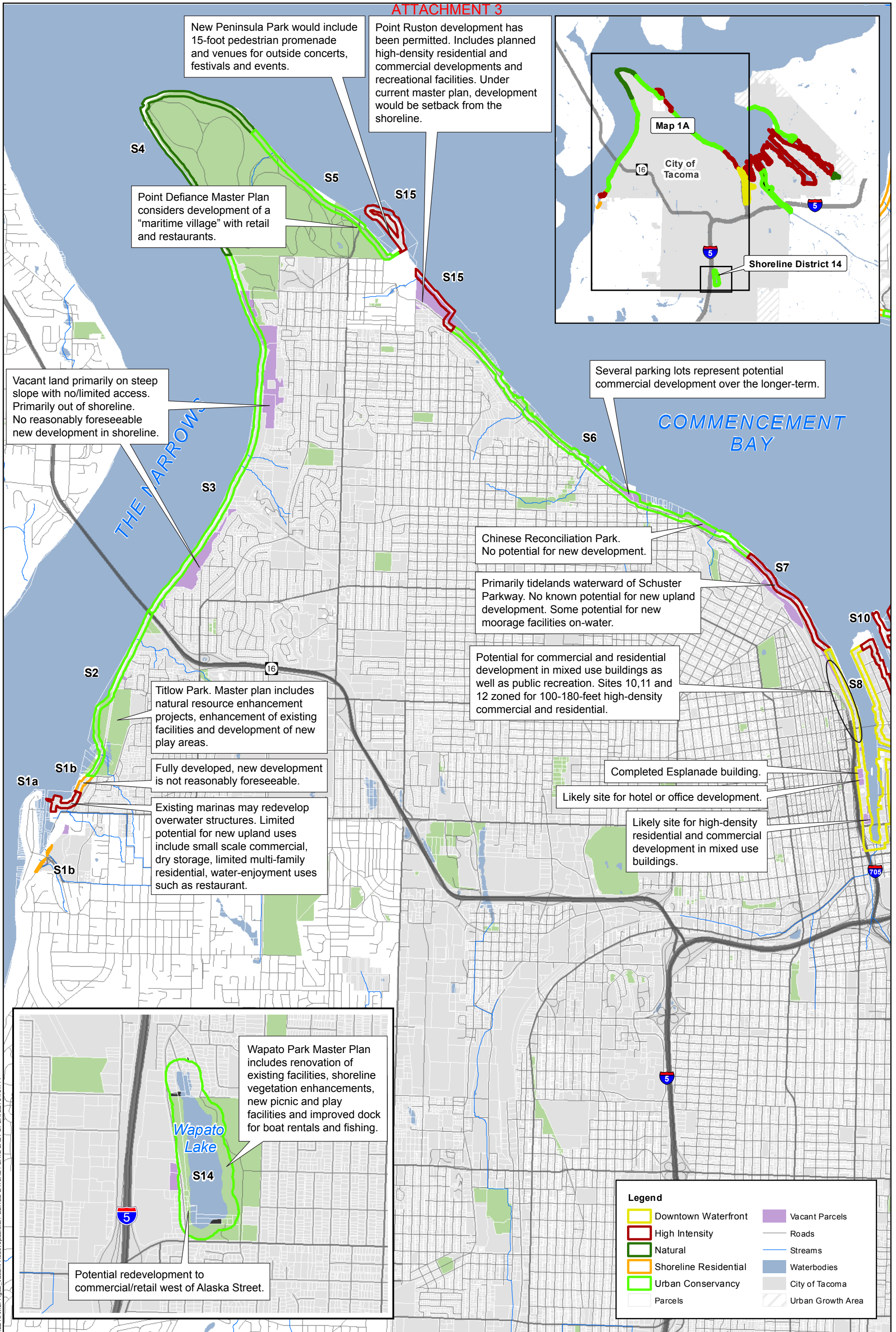
⁵ Point Defiance Concept Plan (Bruce Dees and Associates, 2007)

⁶ Shoreline Land Use Study (ESA Adolphson, 2007)

⁷ Wapato Park Master Plan (Metro Parks, 2005)



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Legend

	Downtown Waterfront		Vacant Parcels
	High Intensity		Roads
	Natural		Streams
	Shoreline Residential		Waterbodies
	Urban Conservancy		City of Tacoma
	Parcels		Urban Growth Area

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ESA Adolfson

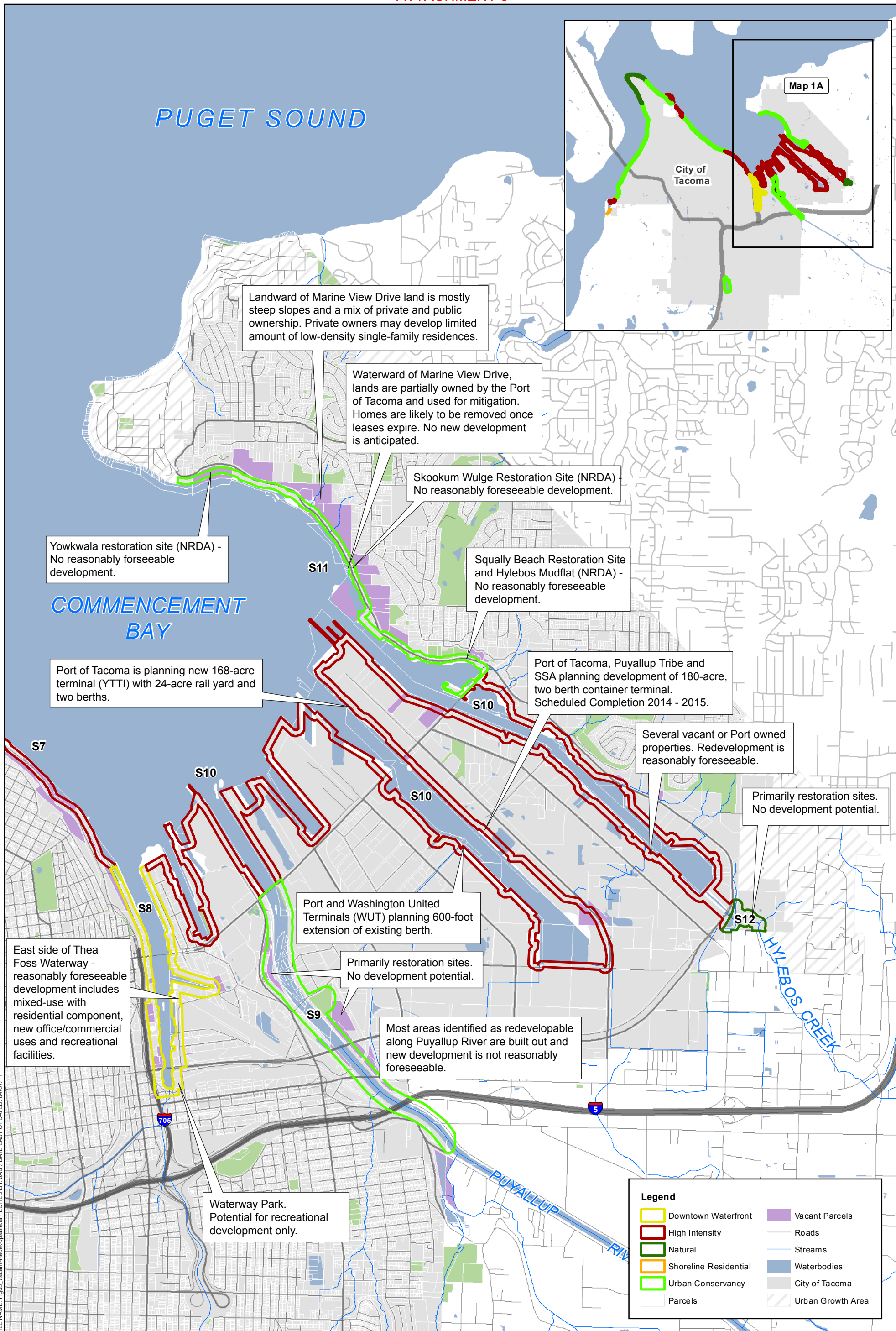
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Map data are the property of the sources listed below. Inaccuracies may exist, and Adolfson Associates, Inc. implies no warranties or guarantees regarding any aspect of data depiction. SOURCE: City of Tacoma GIS, 2006; King County, 2005; Pierce County, 2005-2007

Scale: 0 0.25 0.5 Miles

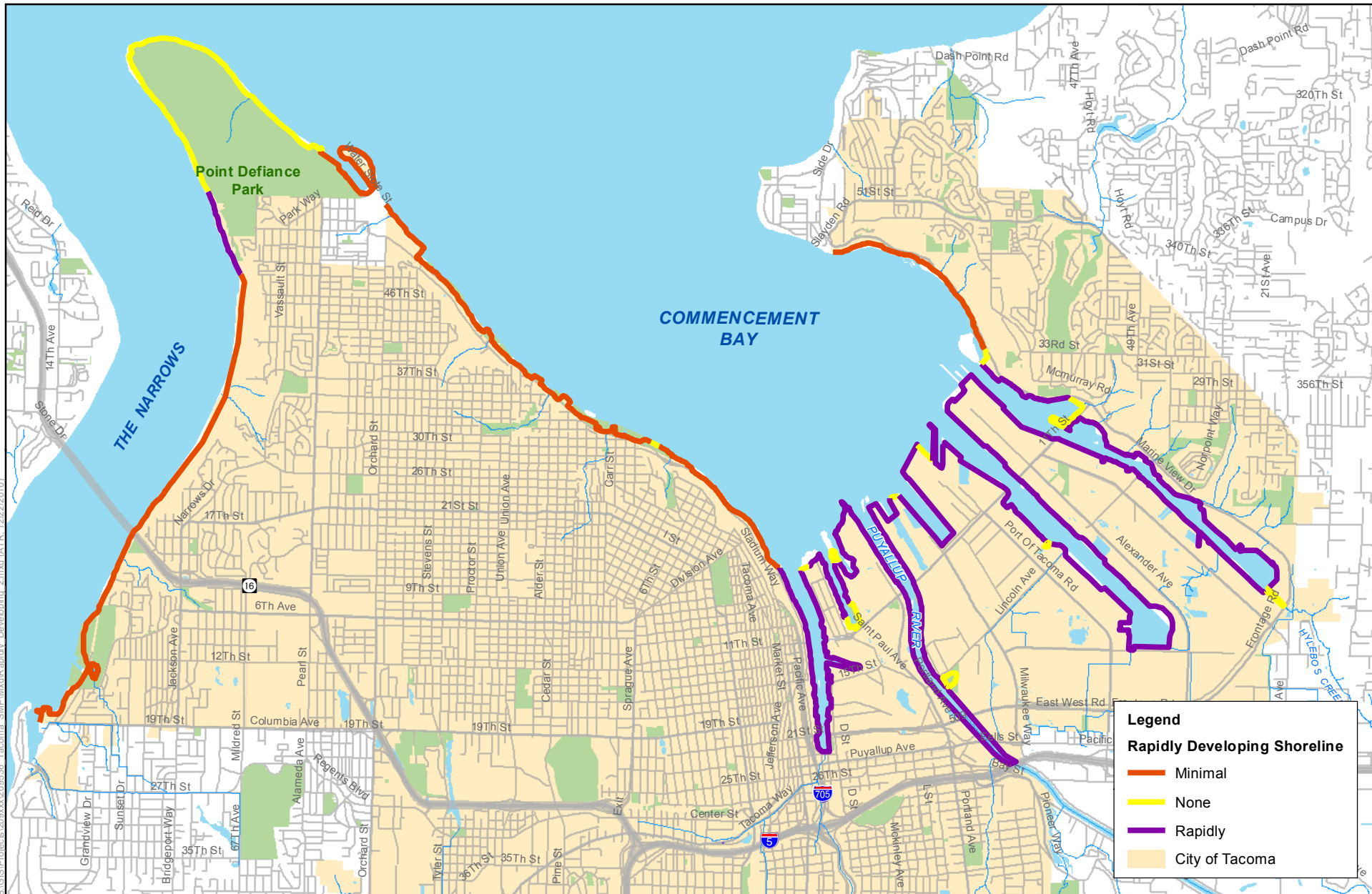
FIGURE 2
 Vacant and Redevelopable Parcels
 TACOMA SHORELINE MASTER PROGRAM UPDATE
 TACOMA, WASHINGTON

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FILE NAME: Fig03_Vacant-Redevelopable.ai / EDITED BY: JAB / DATE LAST UPDATED: 04/07/11

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Legend

- Rapidly Developing Shoreline Minimal
- None
- Rapidly
- City of Tacoma



File Name: S:\209536\RapidlyDeveloping (ATR, 12/17/2010)

Map data are the property of the sources listed below. Inaccuracies may exist, and Adolfson Associates, Inc. implies no warranties or guarantees regarding any aspect of data depiction.
 SOURCE: City of Tacoma GIS, 2006; King County, 2005; GeoEngineers, 2003; Pierce County, 2005-2007

Figure 4
 Rapidly Developing Shoreline
 TACOMA SHORELINE MASTER PROGRAM UPDATE
 TACOMA, WASHINGTON

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Population and Employment Growth and Expected Land Use Change

According to the 2000 census, the population of the City of Tacoma was 193,556 and has been growing steadily since 1950. The population of the City is projected to increase at a slightly higher rate in the future. The estimated population and employment forecasted by 2040 in the Puget Sound Regional Council's Vision 2040 are 127,000 new Tacoma residents and 97,000 new jobs. This growth will be accommodated within the City and will be planned for through City's Comprehensive Plan. The increase in population and employment will increase the number of people who want to use the shoreline for recreational and commercial purposes.

The City's comprehensive Plan establishes an overall growth strategy that places emphasis on concentrating that expected growth toward compact mixed-use centers and in nodes along major transportation corridors. The concept directs new development to occur in these types of areas:

1. **Mixed-use Centers.** Mixed-use centers are compact, self-sufficient areas, identifiable as the focus of the surrounding area. The mixed-use center is a dense, well-integrated variety of development types, combined in such a way that it is pedestrian-oriented and transit supportive.
2. **Manufacturing/Industrial Centers.** Manufacturing/industrial centers are concentrations of manufacturing, industrial and related uses and are major employment areas. These areas need good access to local and regional transportation systems. The port industrial area (S-10) is the City's primary manufacturing and industrial center.
3. **Concentrations.** Concentrations are broad areas of moderate to high levels of development. Various housing types, employment opportunities or commercial and industrial development may be included within these areas.
4. **Corridors.** Corridors are major transportation routes consisting of freeways, highways, principal arterial streets and transit routes that provide access into and out of the city, act as travel ways between designated centers and concentrations and/or support high levels of transit service.

The Thea Foss Waterway (S-8) and Port/Industrial District (S-10) are both identified as high-intensity use areas. As stated in the Comprehensive Plan: "High intensity development generates high activity patterns and high traffic generation. High-density residential development, major employment centers and commercial and industrial developments of regional significance are all examples of high intensity development."

In general, the underlying development pattern for the city has been established and particularly in the shorelines. The land use pattern in the shorelines has gone through dramatic changes in the last 20 years, mostly along the west side of Commencement Bay. Smaller changes will continue. The residential uses along Marine View Drive will convert to open space and restoration; the Thea Foss Waterway will continue to develop as a mixed-use center; Hylebos Creek will continue to convert to a restoration site; and areas of Schuster Parkway and Ruston Way will continue to develop as public access and recreational sites. In the rest of the shoreline, current patterns will remain relatively stable.

There are very few undeveloped and buildable properties. Future development in the City's shoreline will be redevelopment. As noted above, redevelopment activities will be focused along the west side of Commencement Bay and the Port/Industrial area.

PROTECTIVE PROVISIONS OF THE PROPOSED SMP

Shoreline Environment Designations

The assignment of Shoreline Environmental Designations (SEDs) is the primary tool in regulating shoreline uses to achieve the policy goals of the proposed TSMP and the Act. Local SMPs establish a system to classify shoreline areas into specific SEDs. The purpose of shoreline environment designation system is to provide a uniform basis for applying policies and use regulations within distinctly different shoreline areas. Generally, environment designations are based on biological and physical capabilities and limitations of the shoreline, existing and planned development patterns, and a community's vision or objectives for its future development.

SEDs typically act as a zoning overlay; providing an additional layer of policy and regulations that apply to land within the SMP jurisdiction. The City of Tacoma is unique in that the shoreline jurisdiction is further divided into shoreline districts which are zoning districts themselves. Each shoreline district carries a shoreline environment designation. While standards and regulations within each designation are generally similar, they do differ slightly by district.

Tacoma's existing SMP includes four SEDs, but applies only three of them in practice. The existing system of environment designation included: 1) Natural; 2) Conservancy; 3) Rural; and 4) Urban. Although noted in the SMP, the "Rural" designation was not assigned to any geographical areas within the city. These three SEDs are currently assigned to the 14 (S-1 through S-14) shoreline districts. The existing SMP does not include management policies for each SED, which conflicts with current state requirements.

The proposed changes to environment designations are described in Figure 4. The new system applies designation management policies across areas with similar current and planned land uses and resource characteristics. The proposed designations are consistent with both the existing land use pattern and the city's Comprehensive Plan future land use designations. The proposed SEDs also reflect changes in land use and resource protection priorities from the existing SMP.

Regulation of uses and shoreline modifications associated with each designation is generally most restrictive or protective for "Natural" areas, followed by "Urban Conservancy", "Shoreline Residential". The High-intensity designation is the least protective in terms of ecological functions, but is assigned to locations that are heavily developed, have altered ecological functions and are dominated by industrial water-dependent and water-related uses. The new designation, "Downtown Waterfront" applies specifically to the Thea Foss Waterway and allows for the waterway's unique combination of mixed-use residential/commercial, maritime, recreational, and industrial uses. The new "Aquatic" environment applies to the marine in-water areas of Commencement Bay and the Tacoma Narrows.

As shown in Figure 4, the amount of shoreline length previously classified as Conservancy and proposed as Urban Conservancy has increased by approximately 18 miles of shorelines. Most of this more protective designation was previously designated Urban, which decreased by 17 miles. The length of Natural shorelines

remains intact. Figure 4 shows estimates of lineal miles of each existing and proposed shoreline designation and how the existing designation are being modified in the Draft TSMP.

Figure 5. Comparison of Current and Proposed Shoreline Designation Systems

CURRENT CITY DESIGNATIONS	MILES	→ PROPOSED DESIGNATIONS	MILES	DESIGNATION CRITERIA
Conservancy	6.60	→ <i>Urban Conservancy</i>	17.15	<ul style="list-style-type: none"> • Planned for maintaining or restoring shoreline functions • Planned uses are publically beneficial
Urban	37.30	→ <i>High Intensity</i>	20.62	<ul style="list-style-type: none"> • High-intensity water-oriented commercial, transportation, industrial uses
Natural	2.20	→ <i>Natural</i>	2.92	<ul style="list-style-type: none"> • Free of human influence • Intact shoreline functions
New Designations		→ <i>Shoreline Residential</i>	1.82	<ul style="list-style-type: none"> • Primary zoned single-family residential
		→ <i>Downtown Waterfront</i>	3.74	<ul style="list-style-type: none"> • Thea Foss Waterway
		→ <i>Aquatic</i>		<ul style="list-style-type: none"> • Marine Waters

In addition to updating the designation system, the proposed SMP includes several changes in the districts. Some of these are the result of applying a different designation to a district and some are the result of changing district boundaries. In general, these changes apply more protective designations to areas with sensitive and/or intact functions, while continue to allow more intense uses in appropriate areas, such as the port. Figure 5 highlights the major changes in districts from the existing SMP.

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Figure 6. Comparison of Existing and Proposed Shoreline Districts

EXISTING DISTRICT	EXISTING SED	→	NEW DISTRICT	NEW SED	NOTES
S1	Urban	→	<i>S1a</i>	<i>High Intensity</i>	• Split out marinas from residential areas
		→	<i>S1b</i>	<i>Shoreline Residential</i>	
S2	Conservancy	→	<i>S2</i>	<i>Urban Conservancy</i>	
S3	Conservancy	→	<i>S3</i>	<i>Urban Conservancy</i>	
S4	Natural	→	<i>S4</i>	<i>Natural</i>	
S5	Conservancy	→	<i>S5</i>	<i>Urban Conservancy</i>	
S6	Urban	→	<i>S6</i>	<i>Urban Conservancy</i>	<ul style="list-style-type: none"> • Changed to Urban Conservancy • Created new district for Point Ruston and Slag Peninsula • S-6 extended south to include Jack Hyde Park, Chinese Reconciliation Park and the Sperry Ocean Dock site (Parcel #8950002312)
		→	<i>S15</i>	<i>High Intensity</i>	
S7	Urban	→	<i>S7</i>	<i>High Intensity</i>	
S8	Urban	→	<i>S8</i>	<i>Downtown Waterfront</i>	• Applied new designation, Downtown Waterfront
S9	Urban	→	<i>S9</i>	<i>Urban Conservancy</i>	• Changed to Urban Conservancy
S10	Urban	→	<i>S10</i>	<i>High Intensity</i>	• New S-12: Hylebos Creek east of SR 509
		→	<i>S12</i>	<i>Urban Conservancy</i>	
S11	Urban	} →	<i>S11</i>	<i>Urban Conservancy</i>	• Combined to one district and changed designation to Urban Conservancy
S12	Urban				
S13		→	<i>S13</i>	<i>Aquatic</i>	• Open waters of Commencement Bay designated Aquatic
S14	Urban	→	<i>S14</i>	<i>Urban Conservancy</i>	

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As shown above, the S-1 district has been spilt, so that the residential area north of the Marina now carries the more protective Shoreline Residential -designation. Similarly, the S-6 district has been split. Under the proposed SMP, the S-6 district has been changed from Urban to the more protective Urban Conservancy and Slag Peninsula and Ruston Point have been split out and assigned a High Intensity designation, this is appropriate as the Point Ruston development is currently permitted for relatively high-intensity commercial and residential uses. S-6 has been expanded south so that the Sperry Ocean Dock (Parcel #8950002312) is now in the S-6 district.

The Thea Foss Waterway has been re-designated as Downtown Waterfront from Urban. The purpose of this designation is to foster the continued cleanup and redevelopment of the Waterway and to accommodate its unique mix of pedestrian-oriented development, water-oriented commercial uses, restoration, cultural facilities, recreational, maritime and industrial uses.

The Puyallup River shorelines (S-9) have been changed to Urban Conservancy from Urban to reflect the City's greater focus on habitat protection and salmon recovery. The Marine View Drive shorelines north of East 11th Street have been consolidated into one district, S-11, and changed from Urban to Urban Conservancy. This more protective designation is reflective of the area's changed character to fewer industrial (such as log storage) and residential uses to an area characterized by accessible beaches, restored tidelands and mitigation projects.

The last major change is the introduction of a new district for Hylebos Creek, S-12, extending from SR 509 to the city boundary. The new district is designated Natural. Under the current SMP, this area is designated Urban. The more protective designation reflects the city's efforts to enhance ecological functions, in areas that are not appropriate for urban development..

Development Standards and Use Regulations

The proposed TSMP identifies allowed and prohibited uses and modifications in each of the shoreline environments and provides policies and regulations intended to protect shoreline functions from potential impacts of those uses. Some uses which carry a greater potential for impact to shoreline functions would require a conditional use permit in order to conduct project-specific review and conditioning. Shoreline conditional use permits require local and state approval. Because all future uses cannot be predicted, uses not listed in these tables will require a conditional use permit. Table 2, presents allowed and prohibited uses by district as well as those uses, which are considered conditional uses.

Table 2 also identifies general development standards, such as setbacks and height limitations, for each district. The table is also coded to show where regulations have changed from the existing SMP. Green indicates a more protective change (e.g. a use previously allowed is now a conditional use), red indicates a less protective change (e.g. a use previously prohibited is now allowed), and black indicates no change. Blue indicates a use that was not addressed specifically in the existing SMP. Under the existing SMP, these unlisted uses would require a conditional use approval. The color coding provides a cursory way to summarize the proposed changes; it is not an exhaustive list. There are several uses that were allowed under the current SMP that may still be allowed, but more protective conditions have been proposed. Many of these are described elsewhere in this document. Also, district boundaries have changed, which may result in regulatory changes on affected properties. Lastly, the allowance of a use previously not allowed does not necessarily represent less resource protection. For example,

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the allowance of high occupancy vehicle (HOV) or transit facilities in areas where they were previously prohibited may have long-term beneficial effects if fewer cars are on the roadways.

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Table 2. Shoreline Use and Modification Table

GENERAL SHORELINE USE, MODIFICATION & DEVELOPMENT STANDARDS TABLE																
District	S-1a	S-1b	S-2	S-3	S-4	S-5	S-6	S-7	S-8	S-9	S-10	S-11	S-12	S-13	S-14	S-15
District Name	Western Slope South	Western Slope South	Western Slope Central	Western Slope North	Point Defiance	Point Defiance	Ruston Way	Schuster Parkway	Thea Foss Waterway	Puyallup River	Port Industrial	Marine View Drive	Hylebos Creek	Waters of the State	Wapato Lake	Point Ruston / Slag Pen.
Shoreline Designation	HI	SR	UC	UC	N	UC	UC	HI	DW	UC	HI	UC	N	A	UC	HI
Shoreline Uses																
Agriculture																
Agriculture	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Aquaculture																
Aquaculture, general	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Artwork																
Artwork	P	P	P	P	P	P	P	P	P	P	P	P	P	CU	P	P
Boating Facilities																
Marinas	P	N	N	N	N	P	N	P	P	N	P	P	N	P/CU ¹	N	P
Launch Ramps and Lifts	P	N	CU	N	N	P	N	N	P ²	N	P	P	N	P	N	P
Non-motorized Boat Launch	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Commercial Development																
Water-dependent	P	N	P	N	N	P	P	P	P	P	P	P	N	P	N	P
Water-related	P	N	P	N	N	P	P	P	P	P	N	P	N	N/P ³	N	P
Water-enjoyment	P	P	P	N	N	P ³	P	P	P	P	N	P	N	N/P ³	N	P
Non Water-oriented ⁴	CU ⁴	N	N	N	N	CU	CU ⁴	CU	CU ⁵	CU/P ⁴	CU ⁴	CU ⁴	N	N/P	N	CU ⁶
Educational, Cultural and Scientific																
Educational, Cultural and Scientific	P	CU	P	P	P	P	P	P	P	P	P	P	P	P/N ⁷	P	P
Forest Practices																
Forest Practices	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Port, Terminal, and Industrial Development																
Water-dependent	CU ⁸	N	N	N	N	N	N	P	P ⁹	P	P	N	N	P	N	N
Water-related	CU ⁸	N	N	N	N	N	N	P	P ⁹	P	P	N	N	N	N	N
Non water-oriented ¹⁰	N	N	N	N	N	N	N	N	CU	CU	CU	N	N	N	N	N
Log Rafting and Storage	N	N	N	N	N	N	N	N	N	N	P	N	N	P	N	N
Mining																
Mining	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Parking																
Associated with an Approved Use	P	P	P	P	P	P	P	P	P	P	P	P	P	N	P	P
As a Primary Use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Recreational Development																
Water-oriented (including public and private facilities and off-street bicycle and pedestrian paths and trails)	P	P	P	P	P	P	P	P	P	P	P	P	P	CU	P	P
Non-Water oriented	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Residential Development																
Single-family ¹¹	N	P	P	P	N	N	N	N	N	N	N	P	N	N	P	N ¹²
Multifamily – stand alone	N/CU ¹³	N	N	N	N	N	N	N	N/CU ¹⁴	N	N	N/CU ¹³	N	N	N	P ¹⁵ /CU ¹⁶
Multifamily as part of a mix-use development	P	N	N	N	N	N	N	N	P ¹⁴	N	N	P	N	N	N	P ¹⁵
Home Occupation	P	P	P	P	N	N	N	N	P	N	N	P	N	N	N	P
Signs																
Interpretive/Educational	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Other	P	P	P	N	N	P	P	P	P	P	P	P	N	CU	P	P

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GENERAL SHORELINE USE, MODIFICATION & DEVELOPMENT STANDARDS TABLE																
District	S-1a	S-1b	S-2	S-3	S-4	S-5	S-6	S-7	S-8	S-9	S-10	S-11	S-12	S-13	S-14	S-15
District Name	Western Slope South	Western Slope South	Western Slope Central	Western Slope North	Point Defiance	Point Defiance	Ruston Way	Schuster Parkway	Thea Foss Waterway	Puyallup River	Port Industrial	Marine View Drive	Hylebos Creek	Waters of the State	Wapato Lake	Point Ruston / Slag Pen.
Shoreline Designation	HI	SR	UC	UC	N	UC	UC	HI	DW	UC	HI	UC	N	A	UC	HI
Solid Waste Disposal																
Solid Waste Disposal	N	N	N	N	N	N	N	N	N	N	CU	N	N	N	N	N
Transportation																
New SOV-oriented Facilities	N	N	N	N	N	N	N	N	CU	P	P	N	N	N	N	P
New HOV or Transit-oriented Facilities	P	N	P	N	N	P	P	P	P	P	P	N	N	N	P	P
New Railways	N	N	N	N	N	N	N	N	N	P	P	N	N	N	N	N
Expansion of Existing Facilities	P	CU	P	P	N	P	P	P	CU	P	P	P	CU	CU	P	P
Passenger only ferry- and water taxi-related Facilities	CU	N	CU	N	N	P	P	P	P	N	N	P	N	P	N	CU
Fixed-wing landing areas	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Helicopter landing pads	N	N	N	N	N	N	N	N	N	N	CU	N	N	N	N	N
Seaplane Floats	CU	N	N	N	N	N	CU	N	P	N	N	CU	N	P	N	N
Non-motorized facilities, new or expansion (on-street)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities¹⁷																
Primary	P	P	P	P	N	P	P	P	P	P	P	P	N	CU	P	P
Accessory,	P	P	P	P	CU	P	P	P	P	P	P	P	CU	CU	P	P
Wireless Communications Facility	N	N	N	N	N	N	N	N	N	N	P	N	N	N	N	N
Shoreline Modification																
Shoreline Stabilization																
For water-dependent uses ¹⁸	P	P	P	P	N	P	P	P	P	P	P	P	P	P	P	P
For Non-water-dependent uses	CU	CU	CU	CU	N	CU	CU	CU	CU	CU	CU	CU	N	CU	CU	CU
Breakwaters, Jetties, Groins and Weirs																
Associated with marinas and boating facilities	CU	N	N	N	N	CU	N	N	CU	N	CU	CU	N	CU	N	N
For shoreline erosion control	CU	N	N	N	N	CU	N	N	CU	N	CU	CU	N	CU	N	N
For Navigational purposes	CU	N	CU	N	N	CU	N	N	CU	N	CU	CU	N	CU	N	N
As part of Ecological Restoration and Enhancement	P	N	P	P	N	P	P	P	P	P	P	P	P	P	N	P
Dredging and Dredge Material Disposal																
Non-maintenance dredging	CU	N	N	N	N	N	CU	N	CU	CU	CU	CU	N	CU	N	CU
Maintenance dredging	P	N	N	N	N	P	P	P	P	P	P	P	N	P	P	P
As Part of Ecological Restoration / Enhancement	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Fill and Excavation																
Fill and Excavation, Below OHWM	CU	CU	N	N	CU	CU	CU	CU	CU	N	CU	N	CU	N	N	CU
Below OHWM for Ecological Restoration and Enhancement	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Above OHWM	P	P	P	N	P	P	P	CU	P	CU	P	CU	CU	N/A	N	P
Flood Control Works and In-stream Structures	N	N	N	N	N	N	N	N	N	CU	CU	N	CU	CU	N	N
Ecological Restoration / Enhancement / Mitigation																
Ecological Restoration / Enhancement / Mitigation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Mooring Facilities																
Piers, Wharves, Docks and Floats																
Associated with Residential Uses	N	P	P	P	N	N	N	N	N	N	N	N	N	P	N	N

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GENERAL SHORELINE USE, MODIFICATION & DEVELOPMENT STANDARDS TABLE

District	S-1a	S-1b	S-2	S-3	S-4	S-5	S-6	S-7	S-8	S-9	S-10	S-11	S-12	S-13	S-14	S-15	
District Name	Western Slope South	Western Slope South	Western Slope Central	Western Slope North	Point Defiance	Point Defiance	Ruston Way	Schuster Parkway	Thea Foss Waterway	Puyallup River	Port Industrial	Marine View Drive	Hylebos Creek	Waters of the State	Wapato Lake	Point Ruston / Slag Pen.	
Shoreline Designation	HI	SR	UC	UC	N	UC	UC	HI	DW	UC	HI	UC	N	A	UC	HI	
Associated Public Access Uses	P	P	P	P	N	P	P	P	P	N	P	P	N	P	P	CU	
Associated with Water Dependent Uses	P	N	P	P	N	P	P	P	P	N	P	P	N	P	N	N	
Mooring Buoy	P	P	P	P	P	P	P	P	N	N	P	P	N	P	N	P	
Mooring Buoy Field	P	N	N	N	N	P	CU	P	N	N	P	P	N	CU	N	P	
Navigational Aids	P	P	P	P	P	P	P	P	P	N	P	P	N	P	N	P	
Covered Moorages/Boat Houses ³	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
General Minimum Development Standards																	
Critical Areas Buffers, per TSMP Chapter 6 ¹⁹	50 ft. from OHWM	50 ft. from OHWM	115 ft. from OHWM	200 ft. from OHWM	200 ft. from OHWM	115 ft. from OHWM	115 ft. from OHWM	115 ft. from OHWM	50 ft. from OHWM	150 ft. from OHWM	50 ft. from OHWM	115 ft. from OHWM	150 ft. from OHWM	N/A	200 ft. from OHWM ²⁰	50 ft. from OHWM	
Height Limit ²¹	35 ft within marine buffer; 75 ft upland and outside marine buffer with view study	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft	100 ft for deep water facilities ²² otherwise 35 ft ²³	Refer to S-8 Shoreline Regulations	35 ft	100 ft ²³	35 ft	35 ft	35 ft, unless associated with Port/Industrial or transportation facilities.	35 ft	35 ft within 100 ft of OHWM; 50 ft from 100 – 200 ft.
Side Yard/View Corridor ²⁴	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage	30% of shoreline frontage	0 ft ²³	30% of shoreline frontage	30% of shoreline frontage	N/A	30% of shoreline frontage	30% of shoreline frontage	
Front Yard Setback	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft ²³	20 ft	50 ft from centerline of Puyallup river Dike	0 ft ²³	20 ft	20 ft	N/A	20 ft	20 ft	
Rear Yard Setback (from edge of applicable buffer)	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft ²³	10 ft	10 ft	0 ft ²³	10 ft	10 ft	N/A	10 ft	10 ft	
Lot Area																	
Minimum Ave. Width	50 ft	50 ft	50 ft	50 ft		50 ft	50 ft			50 ft		50 ft	50 ft	N/A	50 ft		
Minimum Lot Frontage	25 ft	25 ft	25 ft	25 ft		25 ft	25 ft			25 ft		25 ft	25 ft	N/A	25 ft		
Minimum Lot Area for SF Dwelling	5,000 sq ft	5,000 sq ft	5,000 sq ft	5,000 sq ft		5,000 sq ft	5,000 sq ft			5,000 sq ft		5,000 sq ft	5,000 sq ft	N/A	5,000 sq ft		
Minimum Lot Area for MF Dwelling	6,000 sq ft	6,000 sq ft	6,000 sq ft	6,000 sq ft		6,000 sq ft	6,000 sq ft			6,000 sq ft		6,000 sq ft	6,000 sq ft	N/A	6,000 sq ft		

Key:
 P Permitted
 N Prohibited
 CU Conditional Use

GREEN: More Protective
RED: Less Protective
BLUE: Use Not Specifically Addressed in Existing SMP
BLACK: Unchanged

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Notes

- 1 Expansion of an existing marina shall be permitted consistent with the provisions of this Program, new marina development shall be a conditional use.
- 2 Boat ramps shall be permitted only in that area on the east side of the Foss Waterway north of the Centerline of 15th Street.
- 3 Water-enjoyment and -related commercial uses shall be permitted over-water only as a reuse of an existing structure or when located within a mixed-use structure.
- 4 Non-water-oriented commercial uses shall only be permitted in accordance with the regulations in TSMP section 7.4.2 and only as a conditional use.
- 5 Non-water-oriented commercial uses shall be permitted outright as part of a mixed-use development with a water-oriented component; Non-water-oriented commercial uses in a mixed use development without a water-oriented component shall be permitted as a conditional use consistent with TSMP 9.9(D).
- 6 Non-water-oriented commercial uses shall be permitted outside 150' of OHWM only, except as specified in note 16
- 7 New educational, historic, and scientific uses are permitted over-water or in the S-13 Shoreline District (Waters of the State) only when water-dependent or as a reuse of an existing structure.
- 8 Water-dependent and -related port, terminal and industrial uses shall be permitted only in existing structures.
- 9 Water-dependent and -related port, terminal and industrial uses shall only be permitted on the east side of the Foss Waterway north of 15th Street.
- 10 Non-water-oriented industrial uses shall only be permitted in accordance with the regulations in TSMP section 7.5.2.
- 11 New single-family residential development shall only be permitted in upland locations.
- 12 Detached single-family residential use and development is allowed in the S-15 shoreline district outside of shoreline jurisdiction.
- 13 New stand alone multi-family residential uses may be permitted as a conditional use in accordance with the regulations in TSMP section 7.7.2.
- 14 Multifamily residential development shall only be permitted on the west side of the Foss Waterway, and on the east side of the Foss Waterway south of the centerline of E. 11th Street.
- 15 Multifamily residential uses shall be permitted in upland locations, outside 150' of OHWM.
- 16 Townhouses may be permitted in upland locations up to 100' from OHWM as a conditional use and may include an office use on the ground floor.
- 17 Above ground utilities are only allowed consistent with TSMP 7.12.2,
- 18 Structural shoreline stabilization shall be permitted only when necessity has been demonstrated as described in TSMP section 8.2.2.
- 19 Buffer reductions allowed for water-dependent uses per TSMP 6.4.3(c).
- 20 Except that the buffer shall not extend beyond the centerline of Alaska street.
- 21 District specific height limitations shall not apply to bridges in the shoreline. Bridges should be kept to the minimum height necessary and shall provide a view study to determine whether the structure will cause any significant impacts to public views of the shoreline.
- 22 The maximum height standard excludes equipment used for the movement of waterborne cargo between storage and vessel or vessel and storage.
- 23 Any building, structure, or portion thereof hereafter erected (excluding equipment for the movement of waterborne cargo between storage and vessel, vessel and storage) shall not exceed a height of 100 feet, Unless such building or structure is set back on all sides one foot for each four feet such building or structure exceeds 100 feet in height.
- 24 The side/yard corridor may be distributed between the two sides at the discretion of the proponent, provided a minimum 5 foot set back is maintained from either lot line.

The table shows that the proposed TSMP establishes a hierarchy of uses, in which more intensive and potentially impacting uses and modifications are allowed in more altered shoreline environments and those that are zoned for higher-intensity industrial and commercial uses. Uses which could potentially have negative impacts are more limited in the less developed areas or areas in which development is less-intense. This overall strategy is similar to the strategy used for the existing SMP, but increases protection by differentiating geographies and SEDs, such as in the S1 district. The strategy also reflects changes in use and priority of the city's shoreline by changing the Puyallup River and Marine View Drive to Urban Conservancy; and the Hylebos Creek shoreline to Natural.

In general the proposed TSMP improves the City's established goal to minimize cumulative impacts by concentrating development activity in already-impaired or lower functioning areas that are reserved for water-oriented uses and that are not likely to experience degradation of shoreline functions with incremental increases in new development.

Major Changes to Use Regulations in the Proposed SMP

The proposed SMP includes policies and regulations that require allowed uses to achieve "no net loss" of shoreline functions. This is achieved through implementation of development standards, mitigation requirements and other regulatory provisions. The proposed SMP proposes several changes to the shoreline policies and development regulations that encourage shoreline conservation and prohibit development activities that would cause adverse impact to shoreline functions and processes. The most significant changes proposed are in critical areas protection, over-water structures, and shoreline modifications. These changes are discussed in the sections that follow:

Critical Areas Protection and Restoration

Critical area will be regulated under the provisions of the proposed TSMP. Critical areas regulations have been added to the TSMP and modified for consistency with the City's shoreline goals and policies.

- According to Engrossed Senate Bill 1651 passed in 2010, critical areas in the shoreline will be regulated by the TSMP, once adopted. The proposed TSMP now includes policies, regulations and standards for activities in the marine shoreline and critical areas. TSMP 6.4
- Within shorelines, the standard for protection of critical areas is "no net loss" of ecological functions. TSMP 6.4.2(A)(1)
- The TSMP established buffers for the marine shoreline, wetlands, streams, and geological hazards. It also establishes standards for identifying and protecting fish and wildlife habitat conservation areas. TSMP 6.4
- The proposed TSMP establishes a fee-in-lieu program that can be substituted where on site mitigation of habitat impacts is not possible. The program is fully described in the Restoration Plan. The program is summarized as follows (TSMP 6.4.2(C)(4)):
 - A fee-in-lieu program would allow applicants to pay a fee in lieu of providing required on-site mitigation;
 - The program would be available in instances where on-site mitigation is not possible or would not markedly improve ecological conditions;
 - The program would be a mechanism to pool dollars that would be used to fund larger restoration projects that may have a more beneficial effect than individual on-site projects.

Overwater Structures

The proposed new TSMP strengthens the protections of the shoreline environment by limiting the types of uses allowed overwater, limiting new overwater coverage and introducing standards for light penetrating materials.

- New marinas and boating facilities must demonstrate no loss of ecological functions. TSMP 7.3.2(A)(3) -.
- New covered moorage and overwater boat houses are prohibited, with exceptions for some industrial uses. TSMP 8.6.2(D)(2)
- Existing covered moorage and boat houses may continue, but may not expand. TSMP 8.6.2(D)(1)
- New piers, wharfs, docks and floats are only allowed for water-dependent uses and are size restricted. TSMP 8.6.2(C)(1)
- New overwater residential development is prohibited and the size and number of accessory piers and docks is limited. TSMP 7.7.2(A)(3) and 8.6.2(E)
- Existing overwater residential structures are allowed a one-time expansion of 10%, provided overwater coverage and overall height do not increase. TSMP 2.5(B)(2)(a)

Shoreline Modifications

The proposed TSMP increases the protection of nearshore habitats, while allowing for protection of existing structure. The proposed TSMP encourages non-structural and softshore shoreline protection measures.

- Non-structural or soft-shore bank stabilization techniques are preferred. TSMP 8.2.1(1)
- New, repaired, or replaced shoreline stabilization must result in “no net loss” of ecological functions. TSMP 8.2.2(A)(1)
- Stabilization for water-dependent uses is allowed. Stabilization for non-water-dependent uses requires a conditional use permit. Structural stabilization is prohibited in the Natural Shoreline Environment (S-4 – Point Defiance). TSMP Table 9-2
- Before permitting structural shoreline stabilization, proposals for new, expanded, or replaced structural shoreline measures must evaluate – in order of preference (TSMP 8.2.2(A)(9)):
 1. No-action
 2. Non-structural measures – setbacks or relocating structures
 3. Soft-shore armoring
- New or replaced bulkheads may not be placed waterward of the OHWM or existing structures. TSMP 8.2.2(A)(11)

The proposed changes to development standards and use regulations are, in general, more protective than the existing SMP. New development would be required to meet marine shoreline and critical areas standards contained in the TSMP. As redevelopment occurs, the policies and regulations in the proposed TSMP require that development be located and designed in a manner that avoids impacts to ecological functions and/or enhances functions where they have been degraded.

Restoration Opportunities

In addition to the application of shoreline environment designation and use regulations, the SMP update includes a Shoreline Restoration Plan (ESA Adolfson, 2010). Key restoration actions were identified in the plan for each shoreline district. Restoration will both address ongoing cumulative impacts to shoreline functions from existing development and improve functions overtime above what would be accomplished through project mitigation. Table 3, below shows proposed restoration actions for each shoreline district. In addition Map 1 in

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the Shoreline Restoration Plan (ESA Adolfson, shows the location of conceptual restoration opportunities in the City's shorelines.

Table 3 Proposed Restoration Actions in the Tacoma Shoreline

Ecologic Processes	Shoreline Function	Proposed Restoration Action
S-1a and S-1b		
Habitat:	Maintenance of typical native plant community	Implement LID measures in and adjacent to shoreline.
Water Quality:	Long-term storage of excess nutrients, pathogens, and toxins	Restore shoreline vegetation and salt water connections. Replant eelgrass where degraded.
S-2		
Hydrology:	Attenuation of wave energy	Restore historic wetlands and/or enhance existing wetlands.
Sediment Generation and Transport:	Sediment delivery from coastal bluffs	Remove barriers to sediment delivery from bluffs.
Water Quality:	Water contact time with soil Long-term storage of excess nutrients, pathogens, and toxins	Restore historic wetlands and/or enhance existing wetlands. Use LID and water quality improvement measures in and adjacent to shoreline. Remove creosote contaminated pilings and debris. Limit wetland fill in or adjacent to shoreline districts.
Habitat:	Maintenance of typical native plant community Source and delivery of LWD	Restore salt marsh and tidal wetlands Remove structural barriers between shoreline forests and nearshore habitats. Enhance existing forests with native plants and trees.
S-3		
Hydrology	Attenuation of wave energy	Replace existing bulkheads with soft shoreline armoring.
Sediment Generation and Transport	Sediment delivery from coastal bluffs	Remove barriers to sediment delivery from bluffs.
Water Quality	Long-term storage of excess nutrients, pathogens, and toxins	Use LID and water quality improvement measures in and adjacent to shoreline.
Habitat	Source and delivery of LWD	Remove structural barriers between shoreline forests and nearshore habitats. Enhance existing forests with native plants and trees.

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Ecologic Processes	Shoreline Function	Proposed Restoration Action
S-4 and S-5		
Hydrology	Attenuation of wave energy	Replace existing bulkheads with soft shoreline armoring.
Sediment Generation and Transport:	Sediment delivery from coastal bluffs	Remove barriers to sediment delivery from bluffs.
Water Quality	Long-term storage of excess nutrients, pathogens, and toxins	Use LID and water quality improvement measures in and adjacent to shoreline. Limit wetland fill in or adjacent to shoreline districts.
Habitat	Source and delivery of LWD	Remove structural barriers between shoreline forests and nearshore habitats. Enhance existing forests with native plants and trees.
S-6		
Hydrology	Attenuation of wave energy	Restore historic wetlands and/or enhance existing wetlands. Replace existing bulkheads with soft shoreline armoring.
Sediment Generation and Transport	Sediment delivery from coastal bluffs	Remove barriers to sediment delivery from bluffs.
Water Quality	Water contact time with soil	Restore historic wetlands and/or enhance existing wetlands.
Water Quality	Long-term storage of excess nutrients, pathogens, and toxins	Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris. Use LID and water quality improvement measures in and adjacent to shoreline. Enhance shoreline vegetation. Limit wetland fill in or adjacent to shoreline districts. Avoid loss of vegetation along shoreline.
Habitat	Source and delivery of LWD	Remove structural barriers between shoreline forests and nearshore habitats. Enhance existing forests with native plants and trees. Daylight culverted portions of streams and drainages, where possible.
S-7		
Hydrology	Attenuation of wave energy	Replace existing bulkheads with soft shoreline armoring.
Sediment Generation and Transport	Sediment delivery from coastal bluffs	Remove barriers to sediment delivery from bluffs.

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Ecologic Processes	Shoreline Function	Proposed Restoration Action
Water Quality	Long-term storage of excess nutrients, pathogens, and toxins	Use LID and water quality improvement measures in and adjacent to shoreline. Limit wetland fill in or adjacent to shoreline districts. Enhance shoreline vegetation where possible. Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris.
S-8		
Water Quality	Long-term storage of excess nutrients, pathogens, and toxins	Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris. Use LID and water quality improvement measures in and adjacent to shoreline. Limit wetland fill in or adjacent to shoreline districts.
S-9		
Hydrology	Channel and floodplain connection	Restore historic wetlands and/or enhance existing wetlands. Set back levees.
Hydrology	Summer low flows	Continue coordination with regional entities including Pierce County and the City of Federal Way.
Hydrology	Flood flow retention	Continue coordination with regional entities including Pierce County and the City of Federal Way.
Sediment Generation and Transport	Upland sediment generation	Use water quality improvement measures in and adjacent to shoreline.
Water Quality	Water contact time with soil	Restore historic wetlands and/or enhance existing wetlands.
Water Quality	Long-term storage of excess nutrients, pathogens, and toxins	Use LID and water quality improvement measures in and adjacent to shoreline. Restore historic wetlands and/or enhance existing wetlands Remove creosote contaminated logs, pilings and debris.
Habitat	Maintenance of typical native plant community	Restore native shoreline vegetation and wetland connections. Remove fish passage barriers.
Habitat	Source and delivery of LWD	Remove structural barriers between shoreline vegetation and river. Enhance existing shoreline vegetation with native plants and trees.
S-10		
Hydrology	Fresh to Salt Water Transition	Excavate and revegetate connections between seeps/wetlands and shorelines.
Hydrology	Attenuation of wave energy	Restore historic wetlands and/or enhance existing wetlands.
Water Quality	Water contact time with soil	Restore historic wetlands and/or enhance existing wetlands.

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Ecologic Processes	Shoreline Function	Proposed Restoration Action
Water Quality	Long-term storage of excess nutrients, pathogens, and toxins	Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris. Use LID and water quality improvement measures in and adjacent to shoreline. Do not allow wetland fill in or adjacent to shoreline districts.
Habitat	Maintenance of typical native plant community	Restore salt marsh and tidal wetlands.
Habitat	Source and delivery of LWD	Remove structural barriers between shoreline forests and nearshore habitats. Enhance existing shoreline vegetation with native plants and trees.
S-11		
Hydrology	Fresh to Salt Water Transition	Excavate and revegetate connections between seeps/wetlands and shorelines.
Hydrology	Attenuation of wave energy	Restore existing wetlands. Replace existing bulkheads with soft shoreline armoring.
Sediment Generation and Transport	Sediment delivery from coastal bluffs	Remove barriers to sediment delivery from bluffs.
Water Quality	Water contact time with soil	Restore existing wetlands.
Water Quality	Long-term storage of excess nutrients, pathogens, and toxins	Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris. Use LID and water quality improvement measures in and adjacent to shoreline. Do not allow wetland fill in or adjacent to shoreline districts.
Habitat	Source and delivery of LWD	Remove structural barriers between shoreline forests and nearshore habitats. Enhance existing forests with native plants and trees.
S-12		
Hydrology	Fresh to Salt Water Transition	Restore historic wetlands and/or enhance existing wetlands.
Hydrology	Channel and floodplain connection	Restore historic wetlands and/or enhance existing wetlands.
Sediment Generation and Transport	Upland sediment generation	Use water quality improvement measures in and adjacent to shoreline.
Water Quality	Water contact time with soil	Restore historic wetlands and/or enhance existing wetlands
Water Quality	Long-term storage of excess nutrients, pathogens, and toxins	Restore historic wetlands and/or enhance existing wetlands
Habitat	Maintenance of typical plant	Establish native plants and trees along creek.

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Ecologic Processes	Shoreline Function	Proposed Restoration Action
	community	
Habitat	Source and delivery of LWD	Establish native plants and trees along creek.
Habitat	Barriers to fish passage	Remove barriers between shoreline and upstream habitat.
S-13		
Hydrology	Water storage	Prepare and implement basin plan to manage Wapato Lake hydrology.
Sediment Generation and Transport	Sediment Sink	Use LID and water quality improvement measures in and adjacent to shoreline.
Water Quality	Maintain trophic level	Restore existing wetlands. Use LID and water quality improvement measures in and adjacent to shoreline.
Habitat	Maintenance of native plant community	Establish native plants and trees in passive recreation areas in park.
Habitat	Source and delivery of LWD	Establish native plants and trees in passive recreation areas in park.
Habitat	Connection between upland and aquatic habitats	Remove barriers between Wapato Lake and upland habitat.

General Assessment of Cumulative Impacts

Table 4 describes the existing performance of shoreline ecological functions along Tacoma’s shorelines as described in the Shoreline Inventory and Characterization Report (ESA Adolfson, 2007). The table summarizes existing conditions and future potential development. Policies and regulations from the proposed TSMP (City of Tacoma, 2010) that protect ecological functions are identified along with provisions of the Draft Shoreline Restoration Plan (ESA Adolfson, 2010) that would enhance functions over time. The future performance is then assessed based on the type and amount of reasonably foreseeable development in the shoreline, the level of protection the proposed TSMP regulations provide, and restoration policies and opportunities.

Table 4. General Cumulative Impacts Assessment

Current Conditions	Foreseeable Development	Current Performance of Shoreline Processes Potentially Affected by Development	SMP Provisions to <u>Protect</u> Shoreline Processes <i>Symbols Indicate Shoreline Processes Managed: + = Hydrology, @ = Water Quality, # = LWD & Organic Contributions</i> SMP Goals and Policies to <u>Restore</u> Shoreline Processes	Future performance
S-1a (High Intensity) and S-1b (Shoreline Residential), Western Slope South				
<p>S-1 is Nearly all developed. Shorelines are completely armored. Major uses include a variety of commercial uses, limited multi-family development, two marinas and the BNSF railroad. Some single family residential,, overwater and upland</p>	<p>There is the potential for changes to uses on overwater structures. Additional uses could include commercial. The proposed SMP prohibit most new overwater coverage.</p> <p>There are limited redevelopment opportunities in upland portions of the Narrows Marina, which provide water-related services for recreational boaters.</p> <p>Potential new development could include dry boat storage, multi-family residential development, water-enjoyment commercial uses, such as a restaurant.</p> <p>Redevelopment of the residential properties north of the marina is not likely to occur. There is no additional future development that would be reasonably expected.</p>	<p>Hydrology – LOW. Bluff erosion processes have been modified as the railroad and other structures at the toe have limited the potential for tidal and wave interaction with the bluff. The lack of interaction has likely reduced smaller-scale erosion; however larger-scale erosion events (e.g., landslides due to seismic events) do still have the potential to contribute significant quantities of sediment to the nearshore.</p> <p>Water Quality – LOW. Reduction in wetland area has reduced contact time of water with soil. This lowers the potential for filtering, cycling, and removal of pollutants.</p> <p>Storage, filtering, and cycling of pollutants has been reduced through wetland loss and installation of impervious surfaces.</p> <p>LWD and Organic Contributions – LOW TO MODERATE. Removal of mature trees from riparian areas and from surrounding bluffs has reduced the source and pathways of LWD to the nearshore system.</p>	<p>Protection:</p> <p>+<u>Replacement of existing stabilization</u> structures must be based on geotechnical reports demonstrating need. The reports must include estimates of the rate of erosion and urgency (damage within three years) and an evaluation of alternative solutions (SMP, 8.2.2 (A))</p> <p>+<u>Marinas and launch ramps</u> are prohibited in S-1b (SMP, Table 9-2).</p> <p>+Marinas and launch ramps are additionally prohibited within marine accretion shoreforms unless no alternative location is feasible and the project would result in a net enhancement of shoreline ecological functions (SMP 7.3.2 (B).)</p> <p>+New or expanding marinas with dredged entrances that adversely affect littoral drift to the detriment of other shores and their users shall be required to periodically replenish such shores with the requisite quantity and quality of aggregate as determined by professional coastal geologic engineering studies (SMP, 7.3.2 (B)).</p> <p>+<u>New piers, wharves, docks and floats</u> are allowed only for residential uses (S-1b only), water-dependent uses (S-1a only) or public access (both districts) (SMP, Table 9-2). Overwater residential cannot expand and cannot add additional overwater coverage, including docks.</p> <p>+<u>New covered moorages / boat ramps</u> are prohibited (SMP, Table 9-2). Existing covers may be repaired and maintained provided all work and materials are consistent with BMPs and the over water coverage does not increase and light transmission is improved (SMP 8.6.2 (D)).</p> <p>+<u>Dredging</u> is allowed for ecological restoration/enhancement in S-1b (SMP Table 9.2). In S-1a, dredging to establish, expand, relocate or reconfigure navigation channels is allowed where needed to accommodate existing navigational uses (SMP 8.3.2(B)).</p> <p>+Landfills shall address methods which will be used to minimize damage to: Alteration of local current; wave damage; total water surface reduction; impediment to water flow and circulation; elimination of accretional beaches; erosion (SMP 8.3.2.2 A. 7).</p> <p>+Non-conforming uses may continue, but may not expand their non-conformity. Non-conforming structures may not expand waterward of foundation walls and may not increase overwater coverage (SMP, 2.5).</p> <p>@<u>Mimic the natural infiltration</u> and ground water interflow processes through stormwater systems where appropriate (SMP, 6.2.28).</p> <p>@<u>Wetland buffers, standards, and mitigation</u> requirements are intended to ensure no net loss in wetland functions (SMP, 6.4.5 B).</p> <p>@<u>Stormwater management facilities</u> in new development shall be designed, constructed, and maintained in accordance with the current stormwater management standards (SMP, 6.8.2.2). BMPs for control of erosion and sedimentation shall be implemented for all development in shorelines through an approved TESC plan, or administrative conditions (SMP, 6.8.2.3). All materials that may come in contact with water shall be constructed of materials, such as untreated wood, concrete, approved plastic composites or steel, that will not adversely affect water quality or aquatic plants or animals (SMP, 6.8.2.4). All proposed developments shall provide facilities or appurtenances for disposal of sanitary waste and shall manage monitor the use of chemicals, fertilizers and other pollutants in such a manner so as to not degrade existing levels of water quality (SMP, 6.8.2.8 and 6.8.2.9).</p> <p>@<u>Commercial aquaculture</u> is prohibited in all shoreline districts (SMP, Table 9-2).</p> <p>@<u>Marinas</u> shall provide pump out, holding, and/or treatment facilities for sewage contained on boats or vessels (SMP, 7.3.2 F and K). Discharge of solid waste or sewage into a water body is prohibited. Marinas and boat launch ramps shall provide adequate restroom and sewage disposal facilities in compliance with applicable health regulations (SMP, 7.3.2 F). Disposal or discarding of fish or shellfish cleaning wastes, scrap fish, viscera, or unused bait into water or in other than designated garbage receptacles is prohibited (SMP, 7.3.2 F).</p> <p>@Fail safe facilities and procedures for receiving, storing, dispensing, and disposing of oil or hazardous products, as well as a spill response plan for oil and other products is required at marinas (SMP, 7.3.2 G).</p>	<p>No Change of Hydrologic Processes: Existing development including overwater residential structures and the railroad corridor limit opportunities to reconnect bluff areas to the shoreline. The presence of hard armoring will likely continue to impede natural nearshore processes.</p> <p>No Change or Potential Improvement of Water Quality Processes: Regulations would limit any additional impacts to wetlands, and impacts would be mitigated.</p> <p>Development and redevelopment in the Narrows Marina would be accompanied by mitigation which would include replacement of styrofoam docks and existing pilings. This would result in a net improvement over time. A project e is feasible in the near future.</p> <p>Improvement in LWD & Organics Contributions: Installation of additional native vegetation would occur in limited circumstances in buffer areas as required for new development or redevelopment. The railroad and overwater structures preclude vegetation overhanging the intertidal zone.</p> <p>Vegetated buffers installed for new development or as part of redevelopment would increase native vegetation along the shorelines.</p>

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			<p><u>@Industrial Facilities</u> are prohibited except for water-dependent and –related uses in existing overwater structures and only through a conditional use permit (SMP 9.2) All developments shall include the capability to contain and clean up spills, discharges, or pollutants, and shall be responsible for any water pollution which they cause (SMP, 7.5.2 A.7).</p> <p><u>@Pilings</u> for newly constructed piers, wharves, docks, and floats shall be of materials other than treated wood (SMP, 8.6.2 C).</p> <p><u>@Surface parking areas</u> must implement low impact development techniques for stormwater management and provide for the disposal of any increased surface runoff without damage to surrounding waters, wetlands, or waterfront areas (SMP, 7.9.2 .9).</p> <p><u>@Vehicle and pedestrian circulation systems</u> shall be designed to minimize clearing, grading and alteration of topography and natural features. Roadway and driveway alignment shall follow the natural contours of the site and minimize width to the maximum extent feasible. Elevated walkways should be utilized to cross wetlands (SMP, 7.10.2 A.4).</p> <p><u>@When allowed in the shoreline district, landfill waterward of the OHWM</u> is allowed only for the following activities:</p> <ul style="list-style-type: none"> • Water-dependent use; • Public access • Clean-up and disposal of contaminated sediments • Disposal of dredged material in accordance with DNR • Expansion or alteration of transportation facilities of statewide significance currently located in the shoreline • Mitigation action, restoration, beach nourishment or enhancement project (SMP, 8.3.2). • Applications for landfills shall address methods which will be used to minimize damage to water quality (SMP, 8.3.2 A.6). <p><u>#Buffers, standards, and mitigation requirements</u> for marine shorelines and critical areas are intended to ensure no net loss in shoreline and critical area functions and processes (SMP, 6.4.2 A.1.).</p> <p><u>#Table 6-1 and Table 9-2</u> establishes a <u>minimum marine buffer width</u> of 50 feet for all S-1 areas (SMP, Tables 6-1 and 9-2). Marine buffers must be increased beyond the minimum if the Administrator determines that the minimum width is insufficient to prevent loss of shoreline functions or if the proposed modification would result in an adverse impact to critical saltwater habitats (SMP, 6.4.3 B.3.). Tables 6-2 and 6-3 establish buffer widths for wetlands (SMP, 6.4.5 B.2.). Table 6-5 establishes buffer widths for streams (SMP, Table 6-5). A fifty-foot buffer from erosion hazard areas and landslide hazard areas is required (SMP, 6.4.7(C)(1) and (D)(1)).</p> <p><u>#Modification to a marine shoreline buffer</u> is allowed under the following circumstances:</p> <ul style="list-style-type: none"> • Modification is necessary to accommodate an approved water-dependent or public access use; • Modification is necessary to accommodate a water-related or water-enjoyment and reduction is no less than 25 feet from OHWM. <p><u>#Modifications to marine shoreline buffers</u> must be mitigated pursuant to SMP 6.4.3 D - E.</p> <p><u>#Modifications to wetland and stream buffers</u> are permitted under certain circumstances; mitigation is required pursuant to SMP 6.4.5 C and 6.4.6 D.</p> <p><u>#For all development activities, existing native shoreline vegetation</u> is to be maintained to the maximum extent practicable (SMP 6.6.2 2). Removal of native vegetation within shoreline jurisdiction shall only be permitted upon approval of a detailed vegetation management plan. Vegetation management plan must meet detailed criteria requiring a planting plan, schedule, and maintenance plan requiring vegetation maintenance and replacement (when necessary) over a three year period (SMP 6.6.2 3. and 4.). Removal of vegetation within buffers (detailed above) must additionally meet marine shoreline and critical areas mitigation requirements (SMP 6.4.2 C). Selective vegetation trimming and pruning (not impacting critical areas or buffers, not including topping, stripping, or imbalances) is allowed (SMP 6.6.2 5).</p> <p><u>#Flood control structures</u> must be shaped and planted with native vegetation suitable for wildlife habitat (SMP, 8.2.2 C.2.c.). Materials capable of supporting growth used in construction of shoreline protection structures shall be revegetated with plants native to the area (SMP, 8.2.2 C.2.d.).</p> <p><u>#Any new development or redevelopment</u> must install a minimum ten-foot wide planting bed(s) of native riparian vegetation</p>	

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			<p>within or along portions of the 15-foot wide strip of land lying immediately landward of the OHWM (SMP 6.7.2 b).</p> <p>Restoration:</p> <p><u>Wave energy attenuation</u> should be improved within the City’s nearshore (Goal). Restore estuarine and freshwater wetlands, encourage removal of bulkheads and use of soft armoring (Objectives).</p> <p><u>Saltwater/freshwater transition</u> areas need to be increased. (Goal). Restore wetlands and setback levees wherever feasible in the fresh to salt water transition area and where reconnection to the floodplain could be accomplished (Objective).</p> <p><u>Reconnect floodplains</u> to the Puyallup River and Hylebos Creek channels, and generally increase flood storage along the Puyallup River (Goal). Restore wetlands and setback levees wherever feasible in the fresh to salt water transition area and where reconnection to the floodplain could be accomplished (Objective). Partner with watershed entities and Pierce County to improve flood storage along the Puyallup River (Objective).</p> <p>Increase summer flows in the Puyallup River and Hylebos Creek (Goal) Partner with regional and upstream entities to address minimum instream flows in the Puyallup River and Hylebos Creek (Objective).</p> <p><u>Improve hydrologic functions</u> in the fresh to salt water transition areas (Goal). Restore estuarine and freshwater wetlands (Objective). Connect freshwater seeps and wetlands to the shoreline (Objective).</p> <p><u>Improve Sediment delivery</u> to support nearshore processes (Goal). Reconnect feeder bluff functions (Objective).</p> <p><u>Improve water contact time</u> with soil in wetlands to improve the filtering and cycling of pollutants (Goal). Restore estuarine and freshwater wetlands (Objective).</p> <p><u>Remove and avoid pollutant discharges</u> to the shoreline (Goal). Prevent further loss of wetland area (Objective). Restore estuarine and freshwater wetlands (Objective). Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris (Objective). Decrease pollutant loading through low impact development and water quality improvement techniques (Objective).</p> <p><u>Preserve and restore existing shoreline forests</u>, and reconnect forests and the nearshore (Goal). Remove barriers between shoreline forest and nearshore habitats and enhance existing forests (Objective).</p> <p><u>Establish native riparian vegetation communities</u> along the shoreline (Goal).</p> <p><u>Long term sources of LWD</u> need to be established to support shoreline habitat (Goal).</p>	

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S-2 Western Slope Central (Urban Conservancy)				
<p>This area extends from 6th Avenue to the Narrows Bridge. It includes Titlow Park. The BNFS railroad runs along the shoreline north of the park. High bluffs are located landward of the railroad. Residential development is located on the top of the bluff.</p> <p>The district has publicly accessible beaches within the park and the city owns a wastewater treatment facility near the Narrows Bridge.</p>	<p>Additional water-oriented recreational uses may be developed within Titlow Park.</p> <p>No additional development is reasonably foreseeable.</p>	<p>Hydrology – MODERATE. Bluff erosion processes have been modified as the railroad at the toe has limited the potential for tidal and wave interaction with the bluff. The lack of interaction has likely reduced smaller-scale erosion; however larger-scale erosion events (e.g., landslides due to seismic events) do still have the potential to contribute significant quantities of sediment to the nearshore.</p> <p>Hydrology further modified by residential development between Titlow Beach Park and Tacoma Narrows Bridge immediately landward of the railroad ROW.</p> <p>Water Quality – LOW. Storage, filtering, and cycling of pollutants has been reduced through wetland loss and installation of impervious surfaces, although significant areas of S-2 retain forest vegetation including areas within Titlow Beach Park on the waterward side of the railroad.</p> <p>LWD and Organic Contributions – LOW TO MODERATE. Removal of mature trees from riparian areas and from surrounding bluffs has reduced the source and pathways of LWD to the nearshore system. However, portions of S-2 do retain mature vegetation on the waterward side of the railroad grade.</p>	<p>Protection:</p> <p>+<u>New structural stabilization</u> is only allowed when it has been demonstrated that it is necessary. New structural stabilization allowed for water dependent uses and allowed only with a conditional use permit for existing primary structures, new non-water dependent development, and for ecological restoration or remediation (SMP, 8.2.2 A.)</p> <p>+In the Hidden Beach Rocky Point area, only recreational use to be permitted requiring structural modification of the shoreline shall be the construction and maintenance of walkways, trails and adjacent seating (SMP, 7.6.2 B.1.)</p> <p>+<u>Replacement of existing stabilization</u> structures must be based on geotechnical reports demonstrating need. The reports must include estimates of the rate of erosion and urgency (damage within three years) and an evaluation of alternative solutions (SMP, 8.2.2 A.)</p> <p>+<u>Marinas</u> are prohibited in S-2 (SMP Table 9-2).</p> <p>+<u>Boat ramps</u> are a Conditional Use in S-2 (SMP Table 9-2).</p> <p>+<u>New piers, wharves, docks and floats</u> are allowed for residential use, water-dependent uses or public access (SMP, Table 9-2)</p> <p>+<u>New covered moorages / boat houses</u> are prohibited (SMP, Table 9-2).</p> <p>+<u>Dredging</u> is limited to ecological restoration/enhancement in S-2 (SMP Table 9.2).</p> <p>+<u>Fill and excavation</u> is limited to ecological restoration and enhancement in S-2 (SMP Table 9-2). <u>Fills</u> (when allowed for ecological restoration and enhancement) shall address methods which will be used to minimize damage to: Alteration of local current; wave damage; total water surface reduction; impediment to water flow and circulation; elimination of accretional beaches; erosion (SMP 8.3.2.2(A)(7)).</p> <p>@<u>Mimic the natural infiltration</u> and ground water interflow processes through stormwater systems where appropriate (SMP, 6.2.2 8).</p> <p>@<u>Wetland buffers, standards, and mitigation</u> requirements are intended to ensure no net loss in wetland functions (SMP, 6.4.5 B).</p> <p>@<u>Stormwater management facilities</u> in new development shall be designed, constructed, and maintained in accordance with the current stormwater management standards (SMP, 6.8.2.2). BMPs for control of erosion and sedimentation shall be implemented for all development in shorelines through an approved TESC plan, or administrative conditions (SMP, 6.8.2.3). All materials that may come in contact with water shall be constructed of materials, such as untreated wood, concrete, approved plastic composites or steel, that will not adversely affect water quality or aquatic plants or animals (SMP, 6.8.2.4). All proposed developments shall provide facilities or appurtenances for disposal of sanitary waste and shall manage monitor the use of chemicals, fertilizers and other pollutants in such a manner so as to not degrade existing levels of water quality (SMP, 6.8.2.8 and 6.8.2.9).</p> <p>@<u>Commercial aquaculture</u> is prohibited in all shoreline districts (SMP, Table 9-2).</p> <p>@<u>Marinas</u> are prohibited (SMP, Table 9-2).</p> <p>@<u>Industrial Facilities are prohibited</u> (SMP, Table 9-2).</p> <p>@<u>Pilings</u> for newly constructed piers, wharves, docks, and floats shall be of materials other than treated wood (SMP, 8.6.2 C).</p> <p>@<u>Surface parking areas</u> must implement low impact development techniques for stormwater management and provide for the disposal of any increased surface runoff without damage to surrounding waters, wetlands, or waterfront areas (SMP, 7.9.2 9.b.).</p> <p>@<u>Vehicle and pedestrian circulation systems</u> shall be designed to minimize clearing, grading and alteration of topography and natural features. Roadway and driveway alignment shall follow the natural contours of the site and minimize width to the maximum extent feasible. Elevated walkways should be utilized to cross wetlands (SMP, 7.10.2 A.4.).</p> <p>@<u>When allowed in the shoreline district, landfill waterward of the OHWM</u> is allowed only for the following activities:</p> <ul style="list-style-type: none"> • Water-dependent use; 	<p>No Change of Hydrologic Processes: Existing development including the railroad corridor and residential development immediately landward of the railroad limit opportunities to reconnect bluff areas to the shoreline. The presence of hard armoring will continue to impede natural nearshore processes.</p> <p>No Change or Potential Improvement of Water Quality Processes: Regulations would limit any additional impacts to wetlands, and impacts would be mitigated. Any further development activity within Titlow Beach Park would be required to meet water quality standards, potentially leading to improvement in the park area.</p> <p>Potential Improvement in LWD & Organics Contributions: Impacts to vegetation functions must be mitigated.</p> <p>Vegetated buffers installed for new development or as part of redevelopment would increase native vegetation along the shorelines.</p> <p>Enhancement of vegetation on the waterward side of the railroad within Titlow Beach Park is a key area targeted for improving riparian functions.</p>

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			<ul style="list-style-type: none"> • Public access • Clean-up and disposal of contaminated sediments • Disposal of dredged material in accordance with DNR • Expansion or alteration of transportation facilities of statewide significance currently located in the shoreline • Mitigation action, restoration, beach nourishment or enhancement project (SMP, 8.3.2). • Applications for landfills shall address methods which will be used to minimize damage to water quality (SMP, 8.3.2 A.6). <p>#<u>Buffers, standards, and mitigation requirements</u> for marine shorelines and critical areas are intended to ensure no net loss in shoreline and critical area functions and processes (SMP, 6.4.2 A.1.).</p> <p>#<u>Table 6-1 and Table 9-2 establish a minimum marine buffer width</u> of 115 feet for S-2 (SMP, Tables 6-1 and 9-2). Marine buffers must be increased beyond the minimum if the Administrator determines that the minimum width is insufficient to prevent loss of shoreline functions or if the proposed modification would result in an adverse impact to critical saltwater habitats (SMP, 6.4.3 B.3.). Tables 6-2 and 6-3 establish buffer widths for wetlands (SMP, 6.4.5 B.2.). Table 6-5 establishes buffer widths for streams (SMP, Table 6-5). A fifty-foot buffer from erosion hazard areas and landslide hazard areas is required (SMP, 6.4.7(C)(1) and (D)(1)).</p> <p>#<u>Modification to a marine shoreline buffer is allowed under the following circumstances:</u></p> <ul style="list-style-type: none"> • Modification is necessary to accommodate an approved water-dependent or public access use; • Modification is necessary to accommodate a water-related or water-enjoyment use and reduction is no less than 25 feet from OHWM. • <p>#<u>Modifications to marine shoreline buffers must be mitigated pursuant to SMP 6.4.3 D - EE.</u></p> <p>#<u>Modifications to wetland and stream buffers are permitted under certain circumstances; mitigation is required pursuant to SMP 6.4.5 C and 6.4.6 D.</u></p> <p>#<u>For all development activities, existing native shoreline vegetation is to be maintained to the maximum extent practicable</u> (SMP 6.6.2 2). Removal of native vegetation within shoreline jurisdiction shall only be permitted upon approval of a detailed vegetation management plan. Vegetation management plan must meet detailed criteria requiring a planting plan, schedule, and maintenance plan requiring vegetation maintenance and replacement (when necessary) over a three year period (SMP 6.6.2 3. and 4.). Removal of vegetation within buffers (detailed above) must additionally meet marine shoreline and critical areas mitigation requirements (SMP 6.4.2 C). Selective vegetation trimming and pruning (not impacting critical areas or buffers, not including topping, stripping, or imbalances) is allowed (SMP 6.6.2 5).</p> <p>#<u>All new development or redevelopment must install a minimum ten-foot wide planting bed(s) of native riparian vegetation within or along portions of the 15-foot wide strip of land lying immediately landward of the OHWM</u> (SMP 6.7.2 B).</p> <p>#<u>Flood control structures must be shaped and planted with native vegetation suitable for wildlife habitat</u> (SMP, 8.2.2 C.2.c.). Materials capable of supporting growth used in construction of shoreline protection structures shall be revegetated with plants native to the area (SMP, 8.2.2 C.2.d.).</p> <p>Restoration:</p> <p><u>Wave energy attenuation</u> should be improved within the City’s nearshore (Goal). Restore estuarine and freshwater wetlands, encourage removal of bulkheads and use of soft armoring (Objectives).</p> <p><u>Saltwater/freshwater transition areas</u> need to be increased. (Goal). Restore wetlands and setback levees wherever feasible in the fresh to salt water transition area and where reconnection to the floodplain could be accomplished (Objective).</p> <p><u>Improve hydrologic functions</u> in the fresh to salt water transition areas (Goal). Restore estuarine and freshwater wetlands (Objective). Connect freshwater seeps and wetlands to the shoreline (Objective).</p> <p><u>Improve Sediment delivery</u> to support nearshore processes (Goal). Reconnect feeder bluff functions (Objective).</p> <p><u>Improve water contact time</u> with soil in wetlands to improve the filtering and cycling of pollutants (Goal). Restore estuarine and freshwater wetlands (Objective).</p> <p><u>Remove and avoid pollutant discharges</u> to the shoreline (Goal). Prevent further loss of wetland area (Objective). Restore estuarine</p>	

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			and freshwater wetlands (Objective). Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris (Objective). Decrease pollutant loading through low impact development and water quality improvement techniques (Objective). <u>Preserve and restore existing shoreline forests</u> , and reconnect forests and the nearshore (Goal). Remove barriers between shoreline forest and nearshore habitats and enhance existing forests (Objective). <u>Establish native riparian vegetation communities</u> along the shoreline (Goal). <u>Long term sources of LWD</u> need to be established to support shoreline habitat (Goal).	
S-3 Western Slope North (Urban Conservancy)				
Most of the shoreline in the district is armored with riprap associated with the BNSF Railroad. The railroad enters a tunnel and moves east away from the shoreline. However, much of the shoreline has vegetation between the railroad and the OHWM North of the tunnel, is the Salmon Beach community, approximately 75 overwater homes located at the base of a steep bluff.	The proposed TSMP would prohibit new overwater homes, some minor expansions to existing overwater homes are likely. There are large vacant parcels identified on the steep slopes along the bluff. These areas have limited access and there is likely no safely developable area within the shoreline. New development in the S-3 is unlikely.	<p>Hydrology - LOW. Bluff erosion processes have been modified as the railroad at the toe has limited the potential for tidal and wave interaction with the bluff. Beach / bluff toe interactions less impaired along Salmon Beach shoreline (northern extent), however fill and hardening associated with structures limit connect. The lack of interaction has likely reduced smaller-scale erosion; however larger-scale erosion events (e.g., landslides due to seismic events) do still have the potential to contribute significant quantities of sediment to the nearshore.</p> <p>Water Quality – LOW. Primary impairments to water quality associated with S-3 associated with potential incidental non-point pollution from residential overwater structures. BNSF railroad and other modifications has reduced and simplified contact time of water with soil on slopes draining to shoreline.</p> <p>LWD and Organic Contributions – LOW TO MODERATE. Removal of mature trees from riparian areas and from surrounding bluffs has reduced the source and pathways of LWD to the nearshore system. However, portions of S-2 do retain mature vegetation on the waterward side of the railroad grade.</p>	<p>Protection: S-3 is entirely stabilized.</p> <p>+<u>Replacement of existing stabilization</u> structures must be based on geotechnical reports demonstrating need. The reports must include estimates of the rate of erosion and urgency (damage within three years) and an evaluation of alternative solutions (SMP, 8.2.2 A.)</p> <p>+<u>Marinas, Covered moorages, Boat Houses, and Boat Ramps</u> are prohibited in S-3 (SMP Table 9-2).</p> <p>+<u>Non-conforming</u> uses may continue, but may not expand their non-conformity. Non-conforming structures may not expand waterward of foundation walls and may not increase overwater coverage (SMP, 2.5). Existing residential in S-3 is over water, cannot expand overwater coverage. New docks are prohibited.</p> <p>+<u>Dredging</u> is limited to ecological restoration/enhancement in S-3 (SMP Table 9.2).</p> <p>+<u>Fill and excavation</u> is limited to ecological restoration and enhancement in S-2 (SMP Table 9-2). <u>Fills</u> (when allowed for ecological restoration and enhancement) shall address methods which will be used to minimize damage to: Alteration of local current; wave damage; total water surface reduction; impediment to water flow and circulation; elimination of accretional beaches; erosion (SMP 8.3.2.2(A)(7)).</p> <p>@<u>Mimic the natural infiltration</u> and ground water interflow processes through stormwater systems where appropriate (SMP, 6.2.2 8).</p> <p>@<u>Wetland buffers, standards, and mitigation</u> requirements are intended to ensure no net loss in wetland functions (SMP, 6.4.5 B).</p> <p>@<u>Stormwater management facilities</u> in new development shall be designed, constructed, and maintained in accordance with the current stormwater management standards (SMP, 6.8.2.2). BMPs for control of erosion and sedimentation shall be implemented for all development in shorelines through an approved TESC plan, or administrative conditions (SMP, 6.8.2.3). All materials that may come in contact with water shall be constructed of materials, such as untreated wood, concrete, approved plastic composites or steel, that will not adversely affect water quality or aquatic plants or animals (SMP, 6.8.2.4). All proposed developments shall provide facilities or appurtenances for disposal of sanitary waste and shall manage monitor the use of chemicals, fertilizers and other pollutants in such a manner so as to not degrade existing levels of water quality (SMP, 6.8.2.8 and 6.8.2.9).</p> <p>@<u>Commercial aquaculture</u> is prohibited in all shoreline districts (SMP, Table 9-2).</p> <p>@<u>Industrial Facilities are prohibited</u> (SMP, Table 9-2) @<u>Pilings</u> for newly constructed piers, wharves, docks, and floats shall be of materials other than treated wood (SMP, 8.6.2 C).</p> <p>@<u>Surface parking areas</u> must implement low impact development techniques for stormwater management and provide for the disposal of any increased surface runoff without damage to surrounding waters, wetlands, or waterfront areas (SMP, 7.9.2 9.b.).</p> <p>@<u>Vehicle and pedestrian circulation systems</u> shall be designed to minimize clearing, grading and alteration of topography and natural features. Roadway and driveway alignment shall follow the natural contours of the site and minimize width to the maximum extent feasible. Elevated walkways should be utilized to cross wetlands (SMP, 7.10.2 A.4.).</p> <p>@<u>When allowed in the shoreline district, landfill waterward of the OHWM</u> is allowed only for the following activities:</p>	<p>No Change of Hydrologic Processes: Existing development including overwater residential structures and the railroad corridor limit opportunities to reconnect bluff areas to the shoreline. The presence of hard armoring will continue to impede natural nearshore processes.</p> <p>No Change or Potential Improvement of Water Quality Processes: Regulations would limit additional impacts to wetlands, and impacts would be mitigated. Reconstruction of overwater structures would ensure use of materials and BMPs minimizing water quality impacts.</p> <p>Limited Potential Improvement in LWD & Organics Contributions: Installation of additional native vegetation would occur in limited circumstances in buffer areas as required for new development or redevelopment. The railroad and overwater structures preclude vegetation overhanging the intertidal zone.</p>

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			<ul style="list-style-type: none"> • Water-dependent use; • Public access • Clean-up and disposal of contaminated sediments • Disposal of dredged material in accordance with DNR • Expansion or alteration of transportation facilities of statewide significance currently located in the shoreline • Mitigation action, restoration, beach nourishment or enhancement project (SMP, 8.3.2). • Applications for landfills shall address methods which will be used to minimize damage to water quality (SMP, 8.3.2 A.6). <p>#<u>Buffers, standards, and mitigation requirements</u> for marine shorelines and critical areas are intended to ensure no net loss in shoreline and critical area functions and processes (SMP, 6.4.2 A.1.).</p> <p>#<u>Table 6-1 and Table 9-2 establish a minimum marine buffer width</u> of 200 feet for all S-3 areas (SMP, Tables 6-1 and 9-2). Marine buffers must be increased beyond the minimum if the Administrator determines that the minimum width is insufficient to prevent loss of shoreline functions or if the proposed modification would result in an adverse impact to critical saltwater habitats (SMP, 6.4.3 B.3.). Tables 6-2 and 6-3 establish buffer widths for wetlands (SMP, 6.4.5 B.2.). Table 6-5 establishes buffer widths for streams (SMP, Table 6-5). A fifty-foot buffer from erosion hazard areas and landslide hazard areas is required (SMP, 6.4.7(C)(1) and (D)(1)).</p> <p>#<u>Modification to a marine shoreline buffer is allowed under the following circumstances:</u></p> <ul style="list-style-type: none"> • Modification is necessary to accommodate an approved water-dependent or public access use; • Modification is necessary to accommodate a water-related or water-enjoyment use and reduction is no less than 25 feet from OHWM • <p>#<u>Modifications to marine shoreline buffers must be mitigated pursuant to SMP 6.4.3 D - E.</u></p> <p>#<u>Modifications to wetland and stream buffers are permitted under certain circumstances; mitigation is required pursuant to SMP 6.4.5 C and 6.4.7 D.</u></p> <p>#<u>For all development activities, existing native shoreline vegetation is to be maintained to the maximum extent practicable</u> (SMP 6.6.2 2). Removal of native vegetation within shoreline jurisdiction shall only be permitted upon approval of a detailed vegetation management plan. Vegetation management plan must meet detailed criteria requiring a planting plan, schedule, and maintenance plan requiring vegetation maintenance and replacement (when necessary) over a three year period (SMP 6.6.2 3. and 4.). Removal of vegetation within buffers (detailed above) must additionally meet marine shoreline and critical areas mitigation requirements (SMP 6.4.2 C). Selective vegetation trimming and pruning (not impacting critical areas or buffers, not including topping, stripping, or imbalances) is allowed (SMP 6.6.2 5).</p> <p>#<u>All new development or redevelopment must install a minimum ten-foot wide planting bed(s) of native riparian vegetation within or along portions of the 15-foot wide strip of land lying immediately landward of the OHWM</u> (SMP 6.7.2 B).</p> <p>#<u>Flood control structures must be shaped and planted with native vegetation suitable for wildlife habitat</u> (SMP, 8.2.2 C.2.c.). Materials capable of supporting growth used in construction of shoreline protection structures shall be revegetated with plants native to the area (SMP, 8.2.2 C.2.d.).</p> <p>Restoration:</p> <p><u>Wave energy attenuation</u> should be improved within the City’s nearshore (Goal). Restore estuarine and freshwater wetlands, encourage removal of bulkheads and use of soft armoring (Objectives).</p> <p><u>Saltwater/freshwater transition</u> areas need to be increased. (Goal). Restore wetlands and setback levees wherever feasible in the fresh to salt water transition area and where reconnection to the floodplain could be accomplished (Objective).</p> <p><u>Improve hydrologic functions</u> in the fresh to salt water transition areas (Goal). Restore estuarine and freshwater wetlands (Objective). Connect freshwater seeps and wetlands to the shoreline (Objective).</p> <p><u>Improve Sediment delivery</u> to support nearshore processes (Goal). Reconnect feeder bluff functions (Objective).</p> <p><u>Improve water contact time</u> with soil in wetlands to improve the filtering and cycling of pollutants (Goal). Restore estuarine and</p>	

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			freshwater wetlands (Objective). Remove and avoid pollutant discharges to the shoreline (Goal). Prevent further loss of wetland area (Objective). Restore estuarine and freshwater wetlands (Objective). Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris (Objective). Decrease pollutant loading through low impact development and water quality improvement techniques (Objective). Preserve and restore existing shoreline forests, and reconnect forests and the nearshore (Goal). Remove barriers between shoreline forest and nearshore habitats and enhance existing forests (Objective). Establish native riparian vegetation communities along the shoreline (Goal). Long term sources of LWD need to be established to support shoreline habitat (Goal).	
S-4 Point Defiance (Natural)				
Land use in S-4 includes the majority of the Point Defiance Park shoreline. Area is entirely park and open space, with minimal modification providing passive water-enjoyment related use.	There is no potential for future development in S-4.	<p>Hydrology - HIGH. Active feeder bluff erosion processes are generally intact except in areas where bulkheads have been constructed for shoreline roadways and trails.</p> <p>Water Quality – MODERATE TO LOW. Pollution and biotoxins have affected populations of shellfish within the nearshore environment. Although significant point pollution sources are not documented as entering the shoreline environment within S-4, pollution occurring to and in nearby shorelines is affecting resources within this area.</p> <p>LWD and Organic Contributions – HIGH. Existing conditions include native forested habitat located near the shoreline. Point Defiance Park currently contains mature forest within 100 to 200 feet of the marine ordinary high water mark.</p>	<p>Protection:</p> <p>+New <u>Shoreline stabilization</u> is prohibited in Natural environment designation (S-4) (SMP Table 9-2).</p> <p>+<u>Replacement of existing stabilization</u> structures must be based on geotechnical reports demonstrating need. The reports must include estimates of the rate of erosion and urgency (damage within three years) and an evaluation of alternative solutions (SMP, 8.2.2 A.)</p> <p>+<u>Marinas and boat ramps</u> are prohibited in S-4 (SMP Table 9-2).</p> <p>+<u>New piers, wharves, docks and floats</u> are prohibited in S-4 (SMP Table 9-2).</p> <p>+<u>New covered moorages / boat house</u> are prohibited (SMP, Table 9-2).</p> <p>+<u>Commercial, Residential, Port / Terminal / Industrial Development, Forest practices, mining, aquaculture, agriculture, and almost all Transportation</u> uses are prohibited in S-4 (SMP Table 9-2).</p> <p>+<u>All types of shoreline modification</u> (except for specific activities as part of ecological restoration and enhancement projects) are prohibited in S-4.</p> <p>@<u>Mimic the natural infiltration</u> and ground water interflow processes through stormwater systems where appropriate (SMP, 6.2.2.8).</p> <p>@<u>Wetland buffers, standards, and mitigation</u> requirements are intended to ensure no net loss in wetland functions (SMP, 6.4.5 B).</p> <p>@<u>Stormwater management facilities</u> in new development shall be designed, constructed, and maintained in accordance with the current stormwater management standards (SMP, 6.8.2.2). BMPs for control of erosion and sedimentation shall be implemented for all development in shorelines through an approved TESC plan, or administrative conditions (SMP, 6.8.2.3). All materials that may come in contact with water shall be constructed of materials, such as untreated wood, concrete, approved plastic composites or steel, that will not adversely affect water quality or aquatic plants or animals (SMP, 6.8.2.4). All proposed developments shall provide facilities or appurtenances for disposal of sanitary waste and shall manage monitor the use of chemicals, fertilizers and other pollutants in such a manner so as to not degrade existing levels of water quality (SMP, 6.8.2.8 and 6.8.2.9).</p> <p>@<u>Surface parking areas</u> must implement low impact development techniques for stormwater management and provide for the disposal of any increased surface runoff without damage to surrounding waters, wetlands, or waterfront areas (SMP, 7.9.2 9.b.).</p> <p>@<u>Vehicle and pedestrian circulation systems</u> shall be designed to minimize clearing, grading and alteration of topography and natural features. Roadway and driveway alignment shall follow the natural contours of the site and minimize width to the maximum extent feasible. Elevated walkways should be utilized to cross wetlands (SMP, 7.10.2 A.4.).</p> <p>@<u>When allowed in the shoreline district, landfill waterward of the OHWM</u> is allowed only for the following activities:</p> <ul style="list-style-type: none"> • Water-dependent use; • Public access • Clean-up and disposal of contaminated sediments • Disposal of dredged material in accordance with DNR 	<p>No Change or Potential Improvement of Hydrologic Processes: Due to the limitations on uses and activities in S-4, existing functions and processes would be protected. Hydrologic shoreline processes would remain high.</p> <p>No Change or Potential Improvement of Water Quality Processes: Since water quality impacts in these districts are not associated with Point Defiance Park, improvement to water quality would need to occur in other areas of the shoreline. Potential improvements elsewhere along the Tacoma and Pierce County shorelines are anticipated due to ongoing Puget Sound restoration and management activities, which could result in improved water quality in S-4.</p> <p>No Change or Limited Potential Improvement in LWD & Organics Contributions: Any vegetation removed for park facilities would have to meet mitigation requirements.</p>

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			<ul style="list-style-type: none"> • Mitigation action, restoration, beach nourishment or enhancement project (SMP, 8.3.2). • Applications for landfills shall address methods which will be used to minimize damage to water quality (SMP, 8.3.2 A.6). <p>#<u>Buffers, standards, and mitigation requirements</u> for marine shorelines and critical areas are intended to ensure no net loss in shoreline and critical area functions and processes (SMP, 6.4.2 A.1.).</p> <p>#Table 6-1 and Table 9-2 establish a <u>minimum marine buffer width</u> of 200 feet for all S-4 areas (SMP, Tables 6-1 and 9-2). Marine buffers must be increased beyond the minimum if the Administrator determines that the minimum width is insufficient to prevent loss of shoreline functions or if the proposed modification would result in an adverse impact to critical saltwater habitats (SMP, 6.4.3 B.3.). Tables 6-2 and 6-3 establish buffer widths for wetlands (SMP, 6.4.5 B.2.). Table 6-5 establishes buffer widths for streams (SMP, Table 6-5). A fifty-foot buffer from erosion hazard areas and landslide hazard areas is required (SMP, 6.4.7(C)(1) and (D)(1)).</p> <p>#Modification to a marine shoreline buffer is allowed under the following circumstances:</p> <ul style="list-style-type: none"> • Modification is necessary to accommodate an approved public access use; • Modification is necessary to accommodate a water-related or water-enjoyment use and reduction is no less than 25 feet from OHWM • <p>#Modifications to marine shoreline buffers must be mitigated pursuant to SMP 6.4.3 D - E.</p> <p>#Modifications to wetland and stream buffers are permitted under certain circumstances; mitigation is required pursuant to SMP 6.4.5 C and 6.4.6 D.</p> <p>#For all development activities, <u>existing native shoreline vegetation</u> is to be maintained to the maximum extent practicable (SMP 6.6.2 2). Removal of native vegetation within shoreline jurisdiction shall only be permitted upon approval of a detailed vegetation management plan. Vegetation management plan must meet detailed criteria requiring a planting plan, schedule, and maintenance plan requiring vegetation maintenance and replacement (when necessary) over a three year period (SMP 6.6.2 3. and 4.). Removal of vegetation within buffers (detailed above) must additionally meet marine shoreline and critical areas mitigation requirements (SMP 6.4.2 C). Selective vegetation trimming and pruning (not impacting critical areas or buffers, not including topping, stripping, or imbalances) is allowed (SMP 6.6.2 5).</p> <p># All new development or redevelopment must install a minimum ten-foot wide planting bed(s) of native riparian vegetation within or along portions of the 15-foot wide strip of land lying immediately landward of the OHWM (SMP 6.7.2(4)).</p> <p>#Flood control structures must be shaped and planted with native vegetation suitable for wildlife habitat (SMP, 8.2.2 C.2.c.). Materials capable of supporting growth used in construction of shoreline protection structures shall be revegetated with plants native to the area (SMP, 8.2.2 C.2.d.).</p> <p>Restoration:</p> <p><u>Wave energy attenuation</u> should be improved within the City’s nearshore (Goal). Restore estuarine and freshwater wetlands, encourage removal of bulkheads and use of soft armoring (Objectives).</p> <p><u>Saltwater/freshwater transition</u> areas need to be increased. (Goal). Restore wetlands and setback levees wherever feasible in the fresh to salt water transition area and where reconnection to the floodplain could be accomplished (Objective).</p> <p><u>Improve hydrologic functions</u> in the fresh to salt water transition areas (Goal). Restore estuarine and freshwater wetlands (Objective). Connect freshwater seeps and wetlands to the shoreline (Objective).</p> <p><u>Improve Sediment delivery</u> to support nearshore processes (Goal). Reconnect feeder bluff functions (Objective).</p> <p><u>Establish native riparian vegetation communities</u> along the shoreline (Goal).</p> <p><u>Improve sediment delivery</u> to support nearshore processes (Goal). Reconnect feeder bluff functions (Objective).</p> <p><u>Improve water contact time</u> with soil in wetlands to improve the filtering and cycling of pollutants (Goal). Restore estuarine and freshwater wetlands (Objective).</p> <p><u>Remove and avoid pollutant discharges</u> to the shoreline (Goal). Prevent further loss of wetland area (Objective). Restore estuarine</p>	

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			<p>and freshwater wetlands (Objective). Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris (Objective). Decrease pollutant loading through low impact development and water quality improvement techniques (Objective).</p> <p><u>Preserve and restore existing shoreline forests</u>, and reconnect forests and the nearshore (Goal). Remove barriers between shoreline forest and nearshore habitats and enhance existing forests (Objective).</p> <p><u>Establish native riparian vegetation communities</u> along the shoreline (Goal).</p> <p><u>Long term sources of LWD</u> need to be established to support shoreline habitat (Goal).</p>	
S-5 Point Defiance (Urban Conservancy)				
<p>Point Defiance Park is located in a portion of S-5 (minimally modified shoreline area). The remaining portion of S-5 is a Washington State ferry terminal, a marina and a yacht club.</p>	<p>Ferry operations are assumed to continue. There is a reasonable potential for some redevelopment of office space at the terminal.</p> <p>Development of a location for launching hand-powered watercraft like kayaks could be accommodated, likely in an already developed part of the park in S-5.</p> <p>No residential or commercial development is anticipated.</p>	<p>Hydrology –LOW TO MODERATE. Active feeder bluff erosion processes have been modified as bulkheads along the Point Defiance Park trail / promenade have reduced the frequency of tidal and wave interaction with the bluff.</p> <p>Water Quality – LOW. Pollution and biotoxins have affected populations of shellfish within the nearshore environment. Although significant point pollution sources are not documented as entering the shoreline environment within S-5, pollution occurring to and in nearby shorelines is affecting resources within this area.</p> <p>LWD and Organic Contributions – HIGH. Point Defiance Park within S-5 contains mature forest within significant portions of the shoreline area, however vegetation is separated from the backshore and beach by the waterfront trail / promenade.</p>	<p>Protection:</p> <p>+<u>#Replacement of existing stabilization</u> structures must be based on geotechnical reports demonstrating need. The reports must include estimates of the rate of erosion and urgency (damage within three years) and an evaluation of alternative solutions (SMP, 8.2.2 A.)</p> <p>+<u>Boating Facilities</u> (including marinas and boat launches) are permitted within S-5, provided that the following standards are met:</p> <ul style="list-style-type: none"> • The proposed site has the flushing capacity required to maintain water quality; • That adequate facilities for the prevention and control of fuel spillage are incorporated into the marina proposal; • That there shall be no net loss of ecological functions as a result of the development of boating facilities and associated recreational opportunities; • The proposed design will minimize impediments to fish migration. <p>+<u>Marinas or launch ramps shall not be permitted</u> within the following areas unless it can be demonstrated that interference with shoreline processes and ecological functions can be avoided and / or that no other alternative location exists:</p> <ul style="list-style-type: none"> • Feeder bluffs exceptional; • High energy input driftways; • Marshes, estuaries and other wetlands; • Kelp beds, eelgrass beds, spawning and holding areas for forage fish (such as herring, surf smelt and sandlance); • Other critical saltwater habitats. (SMP 7.3.2 B) <p>+<u>New piers, wharves, docks and floats</u> are allowed only when associated with water-dependent uses or public access (SMP, Table 9-2)</p> <p>+<u>New covered moorages / boat houses</u> are prohibited (SMP, Table 9-2). Existing covers may be repaired and maintained provided all work and materials are consistent with BMPs and the over water coverage does not increase and light transmission is improved (SMP 8.6.2 D).</p> <p>+<u>Non water oriented commercial uses, residential, Port / Terminal / Industrial Development, Forest practices, mining, aquaculture, agriculture, and almost all Transportation</u> uses are prohibited in S-5 (SMP Table 9-2).</p> <p>+<u>New commercial development</u> shall be limited to upland locations only. Existing water oriented commercial uses at the Pavilion Boathouse complex may be continued and be modified provided modifications do not adversely affect ecological conditions and comply with all other provisions of this Program (SMP 7.4.2 B.)</p> <p>+Non-conforming uses may continue, but may not expand their non-conformity. Non-conforming structures may not expand waterward of foundation walls and may not increase overwater coverage (SMP, 2.5).</p> <p>@<u>Mimic the natural infiltration</u> and ground water interflow processes through stormwater systems where appropriate (SMP, 6.2.2 8).</p> <p>@<u>Wetland buffers, standards, and mitigation</u> requirements are intended to ensure no net loss in wetland functions (SMP, 6.4.5 B).</p> <p>@<u>Stormwater management facilities</u> in new development shall be designed, constructed, and maintained in accordance with the current stormwater management standards (SMP, 6.8.2.2). BMPs for control of erosion and sedimentation shall be implemented for all development in shorelines through an approved TESC plan, or administrative conditions (SMP, 6.8.2.3). All materials that</p>	<p>No Change or Potential Improvement of Hydrologic Processes: Existing development – primarily the waterfront trail / promenade – limit opportunities to reconnect bluff areas to the shoreline. The presence of hard armoring will continue to impede natural nearshore processes. Some potential for restoration and use of soft shore armoring along shoreline.</p> <p>No Change or Potential Improvement of Water Quality Processes: Since water quality impacts in these districts are not associated with Point Defiance Park, improvement to water quality would need to occur in other areas of the shoreline. Potential improvements elsewhere along the Tacoma and Pierce County shorelines are anticipated due to ongoing Puget Sound restoration and management activities, which could result in improved water quality in S-5.</p> <p>No Change or Limited Potential Improvement in LWD & Organics Contributions: Any vegetation removed for park facilities would have to meet mitigation requirements.</p>

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			<p>may come in contact with water shall be constructed of materials, such as untreated wood, concrete, approved plastic composites or steel, that will not adversely affect water quality or aquatic plants or animals (SMP, 6.8.2.4). All proposed developments shall provide facilities or appurtenances for disposal of sanitary waste and shall manage monitor the use of chemicals, fertilizers and other pollutants in such a manner so as to not degrade existing levels of water quality (SMP, 6.8.2.8 and 6.8.2.9).</p> <p>@<u>Commercial aquaculture</u> is prohibited in all shoreline districts (SMP, Table 9-2).</p> <p>@<u>Marinas</u> shall provide pump out, holding, and/or treatment facilities for sewage contained on boats or vessels (SMP, 7.3.2 F and K). Discharge of solid waste or sewage into a water body is prohibited. Marinas and boat launch ramps shall provide adequate restroom and sewage disposal facilities in compliance with applicable health regulations (SMP, 7.3.2 F). Disposal or discarding of fish or shellfish cleaning wastes, scrap fish, viscera, or unused bait into water or in other than designated garbage receptacles is prohibited (SMP, 7.3.2 F).</p> <p>@Fail safe facilities and procedures for receiving, storing, dispensing, and disposing of oil or hazardous products, as well as a spill response plan for oil and other products is required at marinas (SMP, 7.3.2 G).</p> <p>@<u>Surface parking areas</u> must implement low impact development techniques for stormwater management and provide for the disposal of any increased surface runoff without damage to surrounding waters, wetlands, or waterfront areas (SMP, 7.9.2 9.b.).</p> <p>@<u>Vehicle and pedestrian circulation systems</u> shall be designed to minimize clearing, grading and alteration of topography and natural features. Roadway and driveway alignment shall follow the natural contours of the site and minimize width to the maximum extent feasible. Elevated walkways should be utilized to cross wetlands (SMP, 7.10.2 A.4.).</p> <p>@<u>When allowed in the shoreline district, landfill waterward of the OHWM is allowed only for the following activities:</u></p> <ul style="list-style-type: none"> • Water-dependent use; • Public access • Clean-up and disposal of contaminated sediments • Disposal of dredged material in accordance with DNR • Expansion or alteration of transportation facilities of statewide significance currently located in the shoreline • Mitigation action, restoration, beach nourishment or enhancement project (SMP, 8.3.2). • Applications for landfills shall address methods which will be used to minimize damage to water quality (SMP, 8.3.2 A.6). <p>#<u>Buffers, standards, and mitigation requirements</u> for marine shorelines and critical areas are intended to ensure no net loss in shoreline and critical area functions and processes (SMP, 6.4.2 A.1.).</p> <p>#<u>Table 6-1 and Table 9-2 establish a minimum marine buffer width</u> of 115 feet for all S-5 areas (SMP, Tables 6-1 and 9-2). Marine buffers must be increased beyond the minimum if the Administrator determines that the minimum width is insufficient to prevent loss of shoreline functions or if the proposed modification would result in an adverse impact to critical saltwater habitats (SMP, 6.4.3 B.3.). Tables 6-2 and 6-3 establish buffer widths for wetlands (SMP, 6.4.5 B.2.). Table 6-5 establishes buffer widths for streams (SMP, Table 6-5). A fifty-foot buffer from erosion hazard areas and landslide hazard areas is required (SMP, 6.4.7(C)(1) and (D)(1)).</p> <p>#<u>Modification to a marine shoreline buffer is allowed under the following circumstances:</u></p> <ul style="list-style-type: none"> • Modification is necessary to accommodate an approved water-dependent or public access use; • Modification is necessary to accommodate a water-related or water-enjoyment use and reduction is no less than 25 feet from OHWM. <p>#<u>Modifications to marine shoreline buffers must be mitigated pursuant to SMP 6.4.3 D - EC - E.</u></p> <p>#<u>Modifications to wetland and stream buffers are permitted under certain circumstances; mitigation is required pursuant to SMP 6.4.5 C and 6.4.6 D.</u></p> <p>#<u>For all development activities, existing native shoreline vegetation is to be maintained to the maximum extent practicable</u> (SMP 6.6.2 2). Removal of native vegetation within shoreline jurisdiction shall only be permitted upon approval of a detailed vegetation management plan. Vegetation management plan must meet detailed criteria requiring a planting plan, schedule, and maintenance plan requiring vegetation maintenance and replacement (when necessary) over a three year period (SMP 6.6.2 3).</p>	

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			<p>and 4.). Removal of vegetation within buffers (detailed above) must additionally meet marine shoreline and critical areas mitigation requirements (SMP 6.4.2 C). Selective vegetation trimming and pruning (not impacting critical areas or buffers, not including topping, stripping, or imbalances) is allowed (SMP 6.6.2 5).</p> <p># All new development or redevelopment must install a minimum ten-foot wide planting bed(s) of native riparian vegetation within or along portions of the 15-foot wide strip of land lying immediately landward of the OHWM (SMP 6.7.2 B).</p> <p>#Flood control structures must be shaped and planted with native vegetation suitable for wildlife habitat (SMP, 8.2.2 C.2.c.). Materials capable of supporting growth used in construction of shoreline protection structures shall be revegetated with plants native to the area (SMP, 8.2.2 C.2.d.).</p> <p>Restoration:</p> <p><u>Wave energy attenuation</u> should be improved within the City’s nearshore (Goal). Restore estuarine and freshwater wetlands, encourage removal of bulkheads and use of soft armoring (Objectives).</p> <p><u>Saltwater/freshwater transition</u> areas need to be increased. (Goal). Restore wetlands and setback levees wherever feasible in the fresh to salt water transition area and where reconnection to the floodplain could be accomplished (Objective).</p> <p><u>Improve hydrologic functions</u> in the fresh to salt water transition areas (Goal). Restore estuarine and freshwater wetlands (Objective). Connect freshwater seeps and wetlands to the shoreline (Objective).</p> <p><u>Improve sediment delivery</u> to support nearshore processes (Goal). Reconnect feeder bluff functions (Objective).</p> <p><u>Improve water contact time</u> with soil in wetlands to improve the filtering and cycling of pollutants (Goal). Restore estuarine and freshwater wetlands (Objective).</p> <p><u>Remove and avoid pollutant discharges</u> to the shoreline (Goal). Prevent further loss of wetland area (Objective). Restore estuarine and freshwater wetlands (Objective). Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris (Objective). Decrease pollutant loading through low impact development and water quality improvement techniques (Objective).</p> <p><u>Preserve and restore existing shoreline forests</u>, and reconnect forests and the nearshore (Goal). Remove barriers between shoreline forest and nearshore habitats and enhance existing forests (Objective).</p> <p><u>Establish native riparian vegetation communities</u> along the shoreline (Goal).</p> <p><u>Long term sources of LWD</u> need to be established to support shoreline habitat (Goal).</p>	
S-6 Ruston Way (Urban Conservancy)				
<p>Half of the shoreline is in public ownership (metro parks). Major land uses include interconnected parks and trails, water-oriented and non-water dependent commercial development (Silver Cloud inn, restaurants, office space, retail shops).</p>	<p>A repair and redevelopment project for the Old Town Dock is underway and is expected to be completed by 2013.</p> <p>Chinese Reconciliation Park is identified as vacant. Once completed, no further development is expected.</p> <p>Several parking lots along Ruston Way are identified as vacant. They represent potential future development over the long-term.</p> <p>Land may develop on the landward side of Ruston Way ROW</p>	<p>Hydrology – LOW. Bluff erosion processes have been modified as roads, railways, bulkheads and other structures at the toe of the slope have reduced the frequency of tidal and wave interaction with the bluff.</p> <p>Water Quality – LOW. Pollution and biotoxins have affected populations of shellfish within the nearshore environment. Although significant point pollution sources are not documented as entering the shoreline environment within the Ruston Way area, pollution occurring to and in nearby</p>	<p>Protection:</p> <p>+<u>New structural stabilization</u> is only allowed when it has been demonstrated that it is necessary for water-dependent uses. New structural stabilization allowed for water dependent uses and allowed only with a conditional use permit for existing primary structures, new non-water dependent development, and for ecological restoration or remediation (SMP, 8.2.2 A.)</p> <p>+<u>Replacement of existing stabilization</u> structures must be based on geotechnical reports demonstrating need. The reports must include estimates of the rate of erosion and urgency (damage within three years) and an evaluation of alternative solutions (SMP, 8.2.2 A.)</p> <p>+<u>Breakwaters, jetties, groins, and weirs</u> are generally prohibited in S-6, except when as a part of ecological restoration / enhancement projects (SMP Table 9-2).</p> <p>+<u>Marinas and boat ramps</u> are prohibited within S-6 (SMP Table 9-2)</p> <p>+<u>New piers, wharves, docks and floats</u> are allowed only when associated with water-dependent uses or public access (SMP, Table 9-2).</p> <p>+<u>New covered moorages / boat houses</u> are prohibited (SMP, Table 9-2).</p> <p>+<u>Non water-oriented commercial uses, residential, Port / Terminal / Industrial Development, Forest practices, mining,</u></p>	<p>No Change or Potential Degradation of Hydrologic Processes: Existing arterial and railroad corridor limits opportunities to reconnect bluff areas to the shoreline. The presence of hard armoring will continue to impede natural nearshore processes.</p> <p>No Change or Potential Improvement of Water Quality Processes: Environmental remediation of the Asarco Tacoma Smelter Site would dramatically reduce water quality impacts associated with this site. Additional impacts to wetlands would be mitigated. Redevelopment would have stormwater facilities to retain and treat runoff, potentially improving the quality and temperature of the runoff from existing conditions. Redevelopment of docks with non-</p>

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		<p>shorelines is affecting resources within this area.</p> <p>Water quality issues relate to changes in the equation for excess nutrients, pathogens, and toxins. Sources of these pollutants have increased significantly as a result of urban and industrial land uses near the shoreline.</p> <p>Storage, filtering, and cycling of pollutants has been reduced through wetland loss and installation of impervious surfaces.</p> <p>LWD and Organic Contributions – LOW. Ruston Way (a major arterial) and the BNSF railroad tracks are adjacent to the shoreline throughout this reach, thereby reducing natural shoreline riparian vegetation and limiting connectivity between the beach and adjacent uplands.</p>	<p><u>aquaculture, agriculture, and almost all Transportation</u> uses are prohibited in S-6 (SMP Table 9-2).</p> <p>+Non-conforming uses may continue, but may not expand their non-conformity. Non-conforming structures may not expand waterward of foundation walls and may not increase overwater coverage (SMP, 2.5).</p> <p>@<u>Mimic the natural infiltration</u> and ground water interflow processes through stormwater systems where appropriate (SMP, 6.2.2.8).</p> <p>@<u>Wetland buffers, standards, and mitigation</u> requirements are intended to ensure no net loss in wetland functions (SMP, 6.4.5 B).</p> <p>@<u>Stormwater management facilities</u> in new development shall be designed, constructed, and maintained in accordance with the current stormwater management standards (SMP, 6.8.2.2). BMPs for control of erosion and sedimentation shall be implemented for all development in shorelines through an approved TESC plan, or administrative conditions (SMP, 6.8.2.3). All materials that may come in contact with water shall be constructed of materials, such as untreated wood, concrete, approved plastic composites or steel, that will not adversely affect water quality or aquatic plants or animals (SMP, 6.8.2.4). All proposed developments shall provide facilities or appurtenances for disposal of sanitary waste and shall manage monitor the use of chemicals, fertilizers and other pollutants in such a manner so as to not degrade existing levels of water quality (SMP, 6.8.2.8 and 6.8.2.9).</p> <p>@<u>Pilings</u> for newly constructed piers, wharves, docks, and floats shall be of materials other than treated wood (SMP, 8.6.2 C).</p> <p>@<u>Surface parking areas</u> must implement low impact development techniques for stormwater management and provide for the disposal of any increased surface runoff without damage to surrounding waters, wetlands, or waterfront areas (SMP, 7.9.2 9.b.).</p> <p>@<u>Vehicle and pedestrian circulation systems</u> shall be designed to minimize clearing, grading and alteration of topography and natural features. Roadway and driveway alignment shall follow the natural contours of the site and minimize width to the maximum extent feasible. Elevated walkways should be utilized to cross wetlands (SMP, 7.10.2 A.4.).</p> <p>@<u>When allowed in the shoreline district, landfill waterward of the OHWM</u> is allowed only for the following activities:</p> <ul style="list-style-type: none"> • Water-dependent use; • Public access • Clean-up and disposal of contaminated sediments • Disposal of dredged material in accordance with DNR • Expansion or alteration of transportation facilities of statewide significance currently located in the shoreline • Mitigation action, restoration, beach nourishment or enhancement project (SMP, 8.3.2). • Applications for landfills shall address methods which will be used to minimize damage to water quality (SMP, 8.3.2 A.6). <p>#<u>Buffers, standards, and mitigation requirements</u> for marine shorelines and critical areas are intended to ensure no net loss in shoreline and critical area functions and processes (SMP, 6.4.2 A.1.).</p> <p>#Table 6-1 and Table 9-2 establishes a <u>minimum marine buffer width</u> of 115 feet for all S-6 areas (SMP, Tables 6-1 and 9-2). Marine buffers must be increased beyond the minimum if the Administrator determines that the minimum width is insufficient to prevent loss of shoreline functions or if the proposed modification would result in an adverse impact to critical saltwater habitats (SMP, 6.4.3 B.3.). Tables 6-2 and 6-3 establish buffer widths for wetlands, including Lake Wapato (SMP, 6.4.5 B.2.). Table 6-5 establishes buffer widths for streams (SMP, Table 6-5). A fifty-foot buffer from erosion hazard areas and landslide hazard areas is required (SMP, 6.4.7(C)(1) and (D)(1)).</p> <p>#Modification to a marine shoreline buffer is allowed under the following circumstances:</p> <ul style="list-style-type: none"> • Modification is necessary to accommodate an approved water-dependent or public access use; • Modification is necessary to accommodate a water-related or water-enjoyment and reduction is no less than 25 feet from OHWM.. • <p>#Modifications to marine shoreline buffers must be mitigated pursuant to SMP 6.4.3 D- E.</p> <p>#Modifications to wetland and stream buffers are permitted under certain circumstances; mitigation is required pursuant to SMP 6.4.5 C and 6.4.6 D.</p> <p>#For all development activities, <u>existing native shoreline vegetation</u> is to be maintained to the maximum extent practicable (SMP</p>	<p>toxic materials would improve water quality.</p> <p>No Change or Limited Potential Improvement in LWD & Organics Contributions: Installation of additional native vegetation would occur in limited circumstances in buffer areas as required for new development or redevelopment. Installation of native vegetation could occur in park and open space areas.</p>

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			<p>6.6.2 2). Removal of native vegetation within shoreline jurisdiction shall only be permitted upon approval of a detailed vegetation management plan. Vegetation management plan must meet detailed criteria requiring a planting plan, schedule, and maintenance plan requiring vegetation maintenance and replacement (when necessary) over a three year period (SMP 6.6.2 3. and 4.). Removal of vegetation within buffers (detailed above) must additionally meet marine shoreline and critical areas mitigation requirements (SMP 6.4.2 C). Selective vegetation trimming and pruning (not impacting critical areas or buffers, not including topping, stripping, or imbalances) is allowed (SMP 6.6.2 5).</p> <p># All new development or redevelopment must install a minimum ten-foot wide planting bed(s) of native riparian vegetation within or along portions of the 15-foot wide strip of land lying immediately landward of the OHWM (SMP 6.7.2(4)).</p> <p>#Flood control structures must be shaped and planted with native vegetation suitable for wildlife habitat (SMP, 8.2.2 C.2.c.). Materials capable of supporting growth used in construction of shoreline protection structures shall be revegetated with plants native to the area (SMP, 8.2.2 C.2.d.).</p> <p>Restoration:</p> <p><u>Wave energy attenuation</u> should be improved within the City’s nearshore (Goal). Restore estuarine and freshwater wetlands, encourage removal of bulkheads and use of soft armoring (Objectives).</p> <p><u>Saltwater/freshwater transition</u> areas need to be increased. (Goal). Restore wetlands and setback levees wherever feasible in the fresh to salt water transition area and where reconnection to the floodplain could be accomplished (Objective).</p> <p><u>Improve hydrologic functions</u> in the fresh to salt water transition areas (Goal). Restore estuarine and freshwater wetlands (Objective). Connect freshwater seeps and wetlands to the shoreline (Objective).</p> <p><u>Improve sediment delivery</u> to support nearshore processes (Goal). Reconnect feeder bluff functions (Objective).</p> <p><u>Improve water contact time</u> with soil in wetlands to improve the filtering and cycling of pollutants (Goal). Restore estuarine and freshwater wetlands (Objective).</p> <p><u>Remove and avoid pollutant discharges</u> to the shoreline (Goal). Prevent further loss of wetland area (Objective). Restore estuarine and freshwater wetlands (Objective). Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris (Objective). Decrease pollutant loading through low impact development and water quality improvement techniques (Objective).</p> <p><u>Preserve and restore existing shoreline forests</u>, and reconnect forests and the nearshore (Goal). Remove barriers between shoreline forest and nearshore habitats and enhance existing forests (Objective).</p> <p><u>Establish native riparian vegetation communities</u> along the shoreline (Goal).</p> <p><u>Long term sources of LWD</u> need to be established to support shoreline habitat (Goal).</p>	

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S-7 Schuster Parkway (High Intensity)				
<p>The shoreline's major uses are parks, city streets, railroad, industrial shipping terminal facilities (Sperry dock, Port of Tacoma grain terminal).</p>	<p>Parcels identified as vacant include the Bayside trail and tidelands waterward of the BNSF railroad, where development is not expected.</p> <p>Other than expansion of existing uses, It is unlikely that upland uses will change significantly in this area.</p>	<p>Hydrology – LOW. Bluff erosion processes have been modified as roads, railways, bulkheads and other structures at the toe of the slope have reduced the frequency of tidal and wave interaction with the bluff.</p> <p>Water Quality – LOW. Pollution and biotoxins have affected populations of shellfish within the nearshore environment. Although significant point pollution sources are not documented as entering the shoreline environment within the Ruston Way area, pollution occurring to and in nearby shorelines is affecting resources within this area.</p> <p>Water quality issues relate to changes in the equation for excess nutrients, pathogens, and toxins. Sources of these pollutants have increased significantly as a result of urban and industrial land uses near the shoreline.</p> <p>Storage, filtering, and cycling of pollutants has been reduced through wetland loss and installation of impervious surfaces.</p> <p>LWD and Organic Contributions – LOW. Schuster Parkway (a major arterial) and the BNSF railroad tracks are adjacent to the shoreline throughout this reach, thereby reducing natural shoreline riparian vegetation and limiting connectivity between the beach and adjacent uplands.</p>	<p>Protection:</p> <p>+#New structural stabilization is only allowed when it has been demonstrated that it is necessary for water-dependent uses. New structural stabilization allowed for water dependent uses and allowed only with a conditional use permit for existing primary structures, new non-water dependent development, and for ecological restoration or remediation (SMP, 8.2.2 A.)</p> <p>+#Replacement of existing stabilization structures must be based on geotechnical reports demonstrating need. The reports must include estimates of the rate of erosion and urgency (damage within three years) and an evaluation of alternative solutions (SMP, 8.2.2 A.)</p> <p>+Breakwaters, jetties, groins, and weirs are generally prohibited in S-7, except when as a part of ecological restoration / enhancement projects (SMP Table 9-2).</p> <p>+Boat ramps are prohibited within S-7 (SMP Table 9-2).</p> <p>+Marinas are permitted within S-7, provided that the following standards are met:</p> <ul style="list-style-type: none"> • The proposed site has the flushing capacity required to maintain water quality; • That adequate facilities for the prevention and control of fuel spillage are incorporated into the marina proposal; • That there shall be no net loss of ecological functions as a result of the development of boating facilities and associated recreational opportunities; • The proposed design will minimize impediments to fish migration. <p>+Marinas shall not be permitted within the following areas unless it can be demonstrated that interference with shoreline processes and ecological functions can be avoided and / or that no other alternative location exists:</p> <ul style="list-style-type: none"> • Feeder bluffs exceptional; • High energy input driftways; • Marshes, estuaries and other wetlands; • Kelp beds, eelgrass beds, spawning and holding areas for forage fish (such as herring, surf smelt and sandlance); • Other critical saltwater habitats. (SMP 7.3.2 B) <p>+New piers, wharves, docks and floats are allowed only when associated with water-dependent uses or public access (SMP, Table 9-2).</p> <p>+New covered moorages / boat houses are prohibited (SMP, Table 9-2).</p> <p>+Non water-oriented commercial uses, non water-oriented industrial uses, residential, forest practices, mining, aquaculture, agriculture, and SOV-oriented transportation uses are prohibited in S-7 (SMP Table 9-2).</p> <p>+Non-conforming uses may continue, but may not expand their non-conformity. Non-conforming structures may not expand waterward of foundation walls and may not increase overwater coverage (SMP, 2.5).</p> <p>@Mimic the natural infiltration and ground water interflow processes through stormwater systems where appropriate (SMP, 6.2.2.8).</p> <p>@Wetland buffers, standards, and mitigation requirements are intended to ensure no net loss in wetland functions (SMP, 6.4.5 B).</p> <p>@Stormwater management facilities in new development shall be designed, constructed, and maintained in accordance with the current stormwater management standards (SMP, 6.8.2.2). BMPs for control of erosion and sedimentation shall be implemented for all development in shorelines through an approved TESC plan, or administrative conditions (SMP, 6.8.2.3). All materials that may come in contact with water shall be constructed of materials, such as untreated wood, concrete, approved plastic composites or steel, that will not adversely affect water quality or aquatic plants or animals (SMP, 6.8.2.4). All proposed developments shall provide facilities or appurtenances for disposal of sanitary waste and shall manage monitor the use of chemicals, fertilizers and other pollutants in such a manner so as to not degrade existing levels of water quality (SMP, 6.8.2.8 and 6.8.2.9).</p> <p>@Marinas shall provide pump out, holding, and/or treatment facilities for sewage contained on boats or vessels (SMP, 7.3.2 F and K). Discharge of solid waste or sewage into a water body is prohibited. Marinas and boat launch ramps shall provide adequate restroom and sewage disposal facilities in compliance with applicable health regulations (SMP, 7.3.2 F). Disposal or discarding of fish or shellfish cleaning wastes, scrap fish, viscera, or unused bait into water or in other than designated garbage receptacles is prohibited (SMP, 7.3.2 F).</p> <p>@Fail safe facilities and procedures for receiving, storing, dispensing, and disposing of oil or hazardous products, as well as a spill</p>	<p>No Change of Hydrologic Processes: Existing arterial and railroad corridor limits opportunities to reconnect bluff areas to the shoreline. The presence of hard armoring will continue to impede natural nearshore processes.</p> <p>No Change or Potential Improvement of Water Quality Processes: Redevelopment or expansion of existing uses in S-7 could result in measures that improve stormwater runoff. Redevelopment of docks with non-toxic materials would improve water quality. There are opportunities to remove pilings and intertidal fill.</p> <p>No Change or Limited Potential Improvement in LWD & Organics Contributions: Installation of additional native vegetation would occur in limited circumstances in park and open space areas. The railroad and overwater structures preclude vegetation overhanging the intertidal zone.</p>

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			<p>response plan for oil and other products is required at marinas (SMP, 7.3.2 G).</p> <p><u>@Industrial Facilities</u>: Best management practices shall be strictly adhered to as to facilities, vessels, and products used in association with these facilities and vessels (SMP, 7.5.2 A.6). All developments shall include the capability to contain and clean up spills, discharges, or pollutants, and shall be responsible for any water pollution which they cause (SMP, 7.5.2 A.7). Accumulations of bark and wood debris on the land and docks around upland storage sites shall be kept out of the water. After cleanup, disposal shall be at an upland site where leachate will not enter surface or ground waters (SMP, 7.5.2 B.3.).</p> <p><u>@Pilings</u> for newly constructed piers, wharves, docks, and floats shall be of materials other than treated wood (SMP, 8.6.2 C).</p> <p><u>@Surface parking areas</u> must implement low impact development techniques for stormwater management and provide for the disposal of any increased surface runoff without damage to surrounding waters, wetlands, or waterfront areas (SMP, 7.9.2 9.b.).</p> <p><u>@Vehicle and pedestrian circulation systems</u> shall be designed to minimize clearing, grading and alteration of topography and natural features. Roadway and driveway alignment shall follow the natural contours of the site and minimize width to the maximum extent feasible. Elevated walkways should be utilized to cross wetlands (SMP, 7.10.2 A.4.).</p> <p><u>@When allowed in the shoreline district, landfill waterward of the OHWM</u> is allowed only for the following activities:</p> <ul style="list-style-type: none"> • Water-dependent use; • Public access • Clean-up and disposal of contaminated sediments • Disposal of dredged material in accordance with DNR • Expansion or alteration of transportation facilities of statewide significance currently located in the shoreline • Mitigation action, restoration, beach nourishment or enhancement project (SMP, 8.3.2). • Applications for landfills shall address methods which will be used to minimize damage to water quality (SMP, 8.3.2 A.6). <p><u>#Buffers, standards, and mitigation requirements</u> for marine shorelines and critical areas are intended to ensure no net loss in shoreline and critical area functions and processes (SMP, 6.4.2 A.1.).</p> <p><u>#Table 6-1 and Table 9-2</u> establish a <u>minimum marine buffer width</u> of 115 feet for all S-7 areas (SMP, Tables 6-1 and 9-2). Marine buffers must be increased beyond the minimum if the Administrator determines that the minimum width is insufficient to prevent loss of shoreline functions or if the proposed modification would result in an adverse impact to critical saltwater habitats (SMP, 6.4.3 B.3.). Tables 6-2 and 6-3 establish buffer widths for wetlands (SMP, 6.4.5 B.2.). Table 6-5 establishes buffer widths for streams (SMP, Table 6-5). A fifty-foot buffer from erosion hazard areas and landslide hazard areas is required (SMP, 6.4.7(C)(1) and (D)(1)).</p> <p><u>#Modification to a marine shoreline buffer</u> is allowed under the following circumstances:</p> <ul style="list-style-type: none"> • Modification is necessary to accommodate an approved water-dependent or public access use; • Modification is necessary to accommodate a water-related or water-enjoyment use and reduction is no less than 25 feet from OHWM. <p><u>#Modifications to marine shoreline buffers</u> must be mitigated pursuant to SMP 6.4.3 D - E.</p> <p><u>#Modifications to wetland and stream buffers</u> are permitted under certain circumstances; mitigation is required pursuant to SMP 6.4.5 C and 6.4.6 D.</p> <p><u>#For all development activities, existing native shoreline vegetation</u> is to be maintained to the maximum extent practicable (SMP 6.6.2 2). Removal of native vegetation within shoreline jurisdiction shall only be permitted upon approval of a detailed vegetation management plan. Vegetation management plan must meet detailed criteria requiring a planting plan, schedule, and maintenance plan requiring vegetation maintenance and replacement (when necessary) over a three year period (SMP 6.6.2 3. and 4.). Removal of vegetation within buffers (detailed above) must additionally meet marine shoreline and critical areas mitigation requirements (SMP 6.4.2 C). Selective vegetation trimming and pruning (not impacting critical areas or buffers, not including topping, stripping, or imbalances) is allowed (SMP 6.6.2 5).</p> <p><u># All new development or redevelopment</u> must install a minimum ten-foot wide planting bed(s) of native riparian vegetation within or along portions of the 15-foot wide strip of land lying immediately landward of the OHWM (SMP 6.7.2 B).</p> <p><u>#Flood control structures</u> must be shaped and planted with native vegetation suitable for wildlife habitat (SMP, 8.2.2 C.2.c.).</p>	

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			<p>Materials capable of supporting growth used in construction of shoreline protection structures shall be revegetated with plants native to the area (SMP, 8.2.2 C.2.d.).</p> <p>Restoration:</p> <p><u>Wave energy attenuation</u> should be improved within the City’s nearshore (Goal). Restore estuarine and freshwater wetlands, encourage removal of bulkheads and use of soft armoring (Objectives).</p> <p><u>Saltwater/freshwater transition</u> areas need to be increased. (Goal). Restore wetlands and setback levees wherever feasible in the fresh to salt water transition area and where reconnection to the floodplain could be accomplished (Objective).</p> <p><u>Improve hydrologic functions</u> in the fresh to salt water transition areas (Goal). Restore estuarine and freshwater wetlands (Objective). Connect freshwater seeps and wetlands to the shoreline (Objective).</p> <p><u>Improve sediment delivery</u> to support nearshore processes (Goal). Reconnect feeder bluff functions (Objective).</p> <p><u>Improve water contact time</u> with soil in wetlands to improve the filtering and cycling of pollutants (Goal). Restore estuarine and freshwater wetlands (Objective).</p> <p><u>Remove and avoid pollutant discharges</u> to the shoreline (Goal). Prevent further loss of wetland area (Objective). Restore estuarine and freshwater wetlands (Objective). Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris (Objective). Decrease pollutant loading through low impact development and water quality improvement techniques (Objective).</p> <p><u>Preserve and restore existing shoreline forests</u>, and reconnect forests and the nearshore (Goal). Remove barriers between shoreline forest and nearshore habitats and enhance existing forests (Objective).</p> <p><u>Establish native riparian vegetation communities</u> along the shoreline (Goal).</p> <p><u>Long term sources of LWD</u> need to be established to support shoreline habitat (Goal).</p>	
S-8 Thea Foss Waterway (Downtown Waterfront)				
<p>Major uses along the west side include parks, warehouses, boat marinas, wholesale outlets, mixed use developments and water-oriented uses.</p> <p>The east side is characterized by shipbuilding, petroleum storage, some water-oriented commercial uses including marinas, a restaurant and the Center for Urban Waters.</p>	<p><u>West Side</u></p> <p>165 feet of permanent floats for transient boaters, two ADA ramps and a pumpout facility are planned for the Foss Waterway Seaport.</p> <p>Future development immediately south of S-7 along the west side of the Thea Foss waterway could include new commercial and residential mixed-use buildings and is reasonably foreseeable</p> <p>Mid-way down the west side of the waterway, the Esplanade building is complete, but there is potential for new hotel/office development.</p> <p>Further down the waterway, there are vacant parcels that are reasonably expected to</p>	<p>Hydrology – LOW TO MODERATE. The nearshore environment is intensely developed and highly altered. Shoreline modifications include numerous docks and bulkhead structures as well as large overwater piers and structures that are supported by pilings. This hardened shoreline has resulted in less overall wave attenuation than in the pre-disturbance condition. Limited areas of shoreline restoration have occurred recently along the Waterway associated with redevelopment primarily on the west side.</p> <p>Water Quality: Pollution and biotoxins have effected populations of shellfish within the nearshore environment.</p> <p>Reduction in wetland area has reduced water contact time of</p>	<p>Protection:</p> <p>+<u>New structural stabilization</u> is only allowed when it has been demonstrated that it is necessary for water-dependent uses. New structural stabilization allowed for water dependent uses and allowed only with a conditional use permit for existing primary structures, new non-water dependent development, and for ecological restoration or remediation (SMP, 8.2.2 A.)</p> <p>+<u>Replacement of existing stabilization</u> structures must be based on geotechnical reports demonstrating need. The reports must include estimates of the rate of erosion and urgency (damage within three years) and an evaluation of alternative solutions (SMP, 8.2.2 A.)</p> <p>+<u>Breakwaters, jetties, groins, and weirs</u> require a conditional use permit, except when as a part of ecological restoration / enhancement projects (SMP Table 9-2).</p> <p>+<u>Marinas and boat ramps (northeast portion of shoreline only)</u> are permitted within S-8, provided that the following standards are met:</p> <ul style="list-style-type: none"> • The proposed site has the flushing capacity required to maintain water quality; • That adequate facilities for the prevention and control of fuel spillage are incorporated into the marina proposal; • That there shall be no net loss of ecological functions as a result of the development of boating facilities and associated recreational opportunities; • The proposed design will minimize impediments to fish migration. <p>+<u>Marinas and boat ramps shall not be permitted</u> in the following areas unless it can be demonstrated that interference with shoreline processes and ecological functions can be avoided and / or that no other alternative location exists:</p> <ul style="list-style-type: none"> • Feeder bluffs exceptional; • High energy input driftways; • Marshes, estuaries and other wetlands; 	<p>No Change or Potential Improvement of Hydrologic Processes: Existing intense development limits opportunities to reconnect shoreline areas to the shoreline. The presence of hard armoring will continue to impede natural nearshore processes throughout significant portions of S-8.</p> <p>Some opportunity for additional restoration of shoreline as part of development, potentially resulting in areas of soft-shore stabilization and / or improvements in overwater structures.</p> <p>No Change or Potential Improvement of Water Quality Processes: As properties redevelop along the Thea Foss Waterway current local, state and federal requirements related to water quality would result in an overall improvement.</p> <p>No Change or Potential Improvement in LWD & Organics Contributions: Native vegetation would likely be installed as part of restoration projects. Minimal improvement is expected on a site by site basis.</p>

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	<p>develop as high-density residential and commercial mix-use buildings.</p> <p>Several properties identified as redevelopable are unlikely to redevelop because they are historic structures.</p> <p><u>East Side</u></p> <p>Redevelopable parcels identified at the south end of waterway will be developed as the Waterway Park. No additional development is likely.</p> <p>There is the potential for multi-family residential and restaurant development at the Johnny's dock property.</p> <p>The Port owns Waddell property and has plans to develop for industrial and commercial use.</p> <p>There is potential for expansion at the Nu Star property at the head of the waterway.</p>	<p>water with soil. This lowers the potential for filtering, cycling, and removal of pollutants.</p> <p>The equation for excess nutrients, pathogens, and toxins is significantly altered from the pre-disturbance condition. Sources of these pollutants have increased significantly as a result of urban and industrial land uses near the shoreline. Potential pollutant storage has decreased through wetland loss and installation of impervious surfaces.</p> <p>LWD and Organic Contributions – LOW. The nearshore environment is intensely developed and highly altered, with minimal vegetated areas remaining.</p>	<ul style="list-style-type: none"> • Kelp beds, eelgrass beds, spawning and holding areas for forage fish (such as herring, surf smelt and sandlance); • Other critical saltwater habitats. (SMP 7.3.2 B) <p>+<u>New piers, wharves, docks and floats</u> are allowed only when associated with water-dependent uses or public access (SMP, Table 9-2).</p> <p>+<u>New covered moorages / boat houses</u> are prohibited (SMP, Table 9-2). Existing covers may be repaired and maintained provided all work and materials are consistent with BMPs and the over water coverage does not increase and light transmission is improved (SMP 8.6.2 D).</p> <p>+ <u>Forest practices, mining, aquaculture, and agriculture</u> uses are prohibited in S-8 (SMP Table 9-2).</p> <p>+Non-conforming uses may continue, but may not expand their non-conformity. Non-conforming structures may not expand waterward of foundation walls and may not increase overwater coverage (SMP, 2.5).</p> <p>@<u>Mimic the natural infiltration</u> and ground water interflow processes through stormwater systems where appropriate (SMP, 6.2.2 8).</p> <p>@<u>Wetland buffers, standards, and mitigation</u> requirements are intended to ensure no net loss in wetland functions (SMP, 6.4.5 B).</p> <p>@<u>Stormwater management facilities</u> in new development shall be designed, constructed, and maintained in accordance with the current stormwater management standards (SMP, 6.8.2.2). BMPs for control of erosion and sedimentation shall be implemented for all development in shorelines through an approved TESC plan, or administrative conditions (SMP, 6.8.2.3). All materials that may come in contact with water shall be constructed of materials, such as untreated wood, concrete, approved plastic composites or steel, that will not adversely affect water quality or aquatic plants or animals (SMP, 6.8.2.4). All proposed developments shall provide facilities or appurtenances for disposal of sanitary waste and shall manage monitor the use of chemicals, fertilizers and other pollutants in such a manner so as to not degrade existing levels of water quality (SMP, 6.8.2.8 and 6.8.2.9).</p> <p>@<u>Marinas</u> shall provide pump out, holding, and/or treatment facilities for sewage contained on boats or vessels (SMP, 7.3.2 F and K). Discharge of solid waste or sewage into a water body is prohibited. Marinas and boat launch ramps shall provide adequate restroom and sewage disposal facilities in compliance with applicable health regulations (SMP, 7.3.2 F). Disposal or discarding of fish or shellfish cleaning wastes, scrap fish, viscera, or unused bait into water or in other than designated garbage receptacles is prohibited (SMP, 7.3.2 F).</p> <p>@Fail safe facilities and procedures for receiving, storing, dispensing, and disposing of oil or hazardous products, as well as a spill response plan for oil and other products is required at marinas (SMP, 7.3.2 G).</p> <p>@<u>Industrial Facilities</u>: Best management practices shall be strictly adhered to as to facilities, vessels, and products used in association with these facilities and vessels (SMP, 7.5.2 A.6). All developments shall include the capability to contain and clean up spills, discharges, or pollutants, and shall be responsible for any water pollution which they cause (SMP, 7.5.2 A.7). Accumulations of bark and wood debris on the land and docks around upland storage sites shall be kept out of the water. After cleanup, disposal shall be at an upland site where leachate will not enter surface or ground waters (SMP, 7.5.2 B.3.).</p> <p>@<u>Pilings</u> for newly constructed piers, wharves, docks, and floats shall be of materials other than treated wood (SMP, 8.6.2 C).</p> <p>@<u>Surface parking areas</u> must implement low impact development techniques for stormwater management and provide for the disposal of any increased surface runoff without damage to surrounding waters, wetlands, or waterfront areas (SMP, 7.9.2 9.b.).</p> <p>@<u>Vehicle and pedestrian circulation systems</u> shall be designed to minimize clearing, grading and alteration of topography and natural features. Roadway and driveway alignment shall follow the natural contours of the site and minimize width to the maximum extent feasible. Elevated walkways should be utilized to cross wetlands (SMP, 7.10.2 A.4.).</p> <p>@<u>When allowed in the shoreline district, landfill waterward of the OHWM</u> is allowed only for the following activities:</p> <ul style="list-style-type: none"> • Water-dependent use; • Public access • Clean-up and disposal of contaminated sediments • Disposal of dredged material in accordance with DNR • Expansion or alteration of transportation facilities of statewide significance currently located in the shoreline 	

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			<ul style="list-style-type: none"> • Mitigation action, restoration, beach nourishment or enhancement project (SMP, 8.3.2). • Applications for landfills shall address methods which will be used to minimize damage to water quality (SMP, 8.3.2 A.6). <p>#<u>Buffers, standards, and mitigation requirements</u> for marine shorelines and critical areas are intended to ensure no net loss in shoreline and critical area functions and processes (SMP, 6.4.2 A.1.).</p> <p>#Table 6-1 and Table 9-2 establishes a <u>minimum marine buffer width</u> of 50 feet for all S-8 areas (SMP, Tables 6-1 and 9-2). Marine buffers must be increased beyond the minimum if the Administrator determines that the minimum width is insufficient to prevent loss of shoreline functions or if the proposed modification would result in an adverse impact to critical saltwater habitats (SMP, 6.4.3 B.3.). Tables 6-2 and 6-3 establish buffer widths for wetlands, including Lake Wapato (SMP, 6.4.5 B.2.). Table 6-5 establishes buffer widths for streams (SMP, Table 6-5). A fifty-foot buffer from erosion hazard areas and landslide hazard areas is required (SMP, 6.4.7(C)(1) and (D)(1)).</p> <p>#Modification to a marine shoreline buffer is allowed under the following circumstances:</p> <ul style="list-style-type: none"> • Modification is necessary to accommodate an approved water-dependent or public access use; • Modification is necessary to accommodate a water-related or water-enjoyment use and reduction is no less than 25 feet from OHWM. <p>#Modifications to marine shoreline buffers must be mitigated pursuant to SMP 6.4.3 D-E.</p> <p>#Modifications to wetland and stream buffers are permitted under certain circumstances; mitigation is required pursuant to SMP 6.4.5 C and 6.4.6 D.</p> <p>#For all development activities, <u>existing native shoreline vegetation</u> is to be maintained to the maximum extent practicable (SMP 6.6.2 2). Removal of native vegetation within shoreline jurisdiction shall only be permitted upon approval of a detailed vegetation management plan. Vegetation management plan must meet detailed criteria requiring a planting plan, schedule, and maintenance plan requiring vegetation maintenance and replacement (when necessary) over a three year period (SMP 6.6.2 3. and 4.). Removal of vegetation within buffers (detailed above) must additionally meet marine shoreline and critical areas mitigation requirements (SMP 6.4.2 C). Selective vegetation trimming and pruning (not impacting critical areas or buffers, not including topping, stripping, or imbalances) is allowed (SMP 6.6.2 5).</p> <p># All new development or redevelopment must install a minimum ten-foot wide planting bed(s) of native riparian vegetation within or along portions of the 15-foot wide strip of land lying immediately landward of the OHWM (SMP 6.7.2 B).</p> <p>#Flood control structures must be shaped and planted with native vegetation suitable for wildlife habitat (SMP, 8.2.2 C.2.c.). Materials capable of supporting growth used in construction of shoreline protection structures shall be revegetated with plants native to the area (SMP, 8.2.2 C.2.d.).</p> <p>Restoration:</p> <p><u>Wave energy attenuation</u> should be improved within the City's nearshore (Goal). Restore estuarine and freshwater wetlands, encourage removal of bulkheads and use of soft armoring (Objectives).</p> <p><u>Saltwater/freshwater transition</u> areas need to be increased. (Goal). Restore wetlands and setback levees wherever feasible in the fresh to salt water transition area and where reconnection to the floodplain could be accomplished (Objective).</p> <p><u>Improve water contact time</u> with soil in wetlands to improve the filtering and cycling of pollutants (Goal). Restore estuarine and freshwater wetlands (in limited areas of S-8 where they occur) (Objective).</p> <p><u>Remove and avoid pollutant discharges</u> to the shoreline (Goal). Prevent further loss of wetland area (Objective). Restore estuarine and freshwater wetlands (Objective). Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris (Objective).</p> <p><u>Decrease pollutant loading</u> through low impact development and water quality improvement techniques (Objective).</p> <p><u>Preserve and restore existing shoreline forests</u>, and reconnect forests and the nearshore (Goal). Remove barriers between shoreline forest and nearshore habitats and enhance existing forests (Objective).</p> <p><u>Establish native riparian vegetation communities</u> along the shoreline (in limited restoration areas within S-8) (Goal).</p>	

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<p align="center"><u>Preserve and restore existing shoreline forests</u>, and reconnect forests and the nearshore (Goal). Remove barriers between shoreline forest and nearshore habitats and enhance existing forests (Objective).</p>				
<p>S-9 Puyallup River (Urban Conservancy)</p>				
<p>Land use along the River is predominately port/maritime related industrial. No water-dependent industrial uses exist because the channel is not maintained for navigation and the series of fixed span bridges crossing the river make it unsuitable for ship or barge traffic. Several environmental remediation and shoreline habitat restoration sites are located within the shoreline.</p>	<p>There are no water-dependent industrial uses in the S-9 and new water-dependent facilities are unlikely. Much of the shoreline is targeted for habitat and restoration actions such as creation of off-channel habitat and reconnecting wetlands. The properties identified as vacant on the east and west sides of the River are primarily restoration sites. There is no likely development expected at these sites.</p>	<p>Hydrology – LOW. The nearshore environment is intensely developed and highly altered. Shoreline modifications include shoreline armoring and bulkheading as well as pilings supporting railroad and road bridge crossings. This hardened shoreline has resulted in a simplified channel form from pre-disturbance condition. The installation of levees and revetments along the Puyallup River has disconnected the river from the significant delta that the river had formed historically at the head of Commencement Bay. Armoring also limits the potential for channel migration.</p> <p>Water Quality – LOW. Reduction in wetland area has reduced water contact time of water with soil. This lowers the potential for filtering, cycling, and removal of pollutants. The equation for excess nutrients, pathogens, and toxins is significantly altered from the pre-disturbance condition. Sources of these pollutants have increased significantly as a result of urban and industrial land uses near the shoreline. Potential pollutant storage has decreased through wetland loss and installation of impervious surfaces.</p> <p>LWD and Organic Contributions – LOW. The shoreline environment is intensely developed and highly altered, with minimal vegetated areas remaining. There are no trees or native riparian vegetation along the Puyallup River because of</p>	<p>Protection:</p> <p>+<u>New structural stabilization</u> is only allowed when it has been demonstrated that it is necessary for water-dependent uses (conditional use for non-water dependent uses) (SMP, 8.2.2 A.)</p> <p>+<u>Replacement of existing stabilization</u> structures must be based on geotechnical reports demonstrating need. The reports must include estimates of the rate of erosion and urgency (damage within three years) and an evaluation of alternative solutions (SMP, 8.2.2 A.)</p> <p>+<u>Breakwaters, jetties, groins, and weirs</u> are generally prohibited in S-9, except when as a part of ecological restoration / enhancement projects (SMP Table 9-2).</p> <p>+<u>Marinas and boat ramps (and all other boating facilities outside of non-motorized launches)</u> are prohibited within S-8 (SMP Table 9-2).</p> <p>+<u>New piers, wharves, docks and floats</u> are prohibited (SMP, Table 9-2).</p> <p>+<u>New covered moorages / boat houses</u> are prohibited (SMP, Table 9-2).</p> <p>+<u>Non water oriented commercial uses, residential, forest practices, mining, aquaculture, and agriculture</u> uses are prohibited in S-9. New motorized- or rail- oriented transportation uses require a conditional use permit – only non-motorized facilities and expansion of existing facilities is permitted (SMP Table 9-2).</p> <p>+Non-conforming uses may continue, but may not expand their non-conformity. Non-conforming structures may not expand waterward of foundation walls and may not increase overwater coverage (SMP, 2.5).</p> <p>@<u>Mimic the natural infiltration</u> and ground water interflow processes through stormwater systems where appropriate (SMP, 6.2.2.8).</p> <p>@<u>Wetland buffers, standards, and mitigation</u> requirements are intended to ensure no net loss in wetland functions (SMP, 6.4.5 B).</p> <p>@<u>Stormwater management facilities</u> in new development shall be designed, constructed, and maintained in accordance with the current stormwater management standards (SMP, 6.8.2.2). BMPs for control of erosion and sedimentation shall be implemented for all development in shorelines through an approved TESC plan, or administrative conditions (SMP, 6.8.2.3). All materials that may come in contact with water shall be constructed of materials, such as untreated wood, concrete, approved plastic composites or steel, that will not adversely affect water quality or aquatic plants or animals (SMP, 6.8.2.4). All proposed developments shall provide facilities or appurtenances for disposal of sanitary waste and shall manage monitor the use of chemicals, fertilizers and other pollutants in such a manner so as to not degrade existing levels of water quality (SMP, 6.8.2.8 and 6.8.2.9).</p> <p>@Fail safe facilities and procedures for receiving, storing, dispensing, and disposing of oil or hazardous products, as well as a spill response plan for oil and other products is required at marinas (SMP, 7.3.2 G).</p> <p>@<u>Industrial Facilities:</u> Best management practices shall be strictly adhered to as to facilities, vessels, and products used in association with these facilities and vessels (SMP, 7.5.2 A.6). All developments shall include the capability to contain and clean up spills, discharges, or pollutants, and shall be responsible for any water pollution which they cause (SMP, 7.5.2 A.7). Accumulations of bark and wood debris on the land and docks around upland storage sites shall be kept out of the water. After cleanup, disposal shall be at an upland site where leachate will not enter surface or ground waters (SMP, 7.5.2 B.3.).</p> <p>@<u>Surface parking areas</u> must implement low impact development techniques for stormwater management and provide for the disposal of any increased surface runoff without damage to surrounding waters, wetlands, or waterfront areas (SMP, 7.9.2 9.b.).</p> <p>@<u>Vehicle and pedestrian circulation systems</u> shall be designed to minimize clearing, grading and alteration of topography and natural features. Roadway and driveway alignment shall follow the natural contours of the site and minimize width to the maximum extent feasible. Elevated walkways should be utilized to cross wetlands (SMP, 7.10.2 A.4.).</p>	<p>No Change or Potential Limited Improvement of Hydrologic Processes: Existing intense development limits opportunities to reconnect shoreline areas to the shoreline. The presence of hard armoring will continue to impede natural nearshore processes throughout significant portions of S-9. Improvements in hydrology-related functions and processes are expected to improve as part of restoration actions, such as setback levees and soft-shore stabilization.</p> <p>No Change or Potential Improvement of Water Quality Processes: Regulations would limit any additional impacts to wetlands, and any impacts would be mitigated. As properties redevelop along the Puyallup River current local, state and federal requirements related to water quality would result in an overall improvement. Levy setback and/or restoration activities along the river’s shoreline have the potential to improve contact time between surface waters and soils.</p> <p>No Change or Potential Improvement in LWD & Organics Contributions: Native vegetation would likely be installed as part of restoration projects. Minimal improvement is expected on a site by site basis.</p>

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		the levees.	<p>@When allowed in the shoreline district, landfill waterward of the OHWM is allowed only for the following activities:</p> <ul style="list-style-type: none"> • Water-dependent use; • Public access • Clean-up and disposal of contaminated sediments • Disposal of dredged material in accordance with DNR • Expansion or alteration of transportation facilities of statewide significance currently located in the shoreline • Mitigation action, restoration, beach nourishment or enhancement project (SMP, 8.3.2). • Applications for landfills shall address methods which will be used to minimize damage to water quality (SMP, 8.3.2 A.6). <p>#<u>Buffers, standards, and mitigation requirements</u> for marine shorelines and critical areas are intended to ensure no net loss in shoreline and critical area functions and processes (SMP, 6.4.2 A.1.).</p> <p>#Table 6-6 and Table 9-2 establish a <u>minimum buffer width</u> of 150 feet from the Puyallup River (SMP, Tables 6-1 and 9-2). Stream buffers must be increased beyond the minimum if the Administrator determines that the minimum width is insufficient to prevent loss of shoreline functions or if the proposed modification would result in an adverse impact to shoreline habitats (SMP, 6.4.6 C.1.). Tables 6-2 and 6-3 establish buffer widths for wetlands, including Lake Wapato (SMP, 6.4.5 B.2.). Tables 6-5 and 6-6 establish buffer widths for streams, including a 150 foot buffer for Swan Creek as it drains to the lower Puyallup River (SMP, Tables 6-5 and 6-6). A fifty-foot buffer from erosion hazard areas and landslide hazard areas is required (SMP, 6.4.7(C)(1) and (D)(1)).</p> <p>#Modification to a marine shoreline buffer is allowed under the following circumstances:</p> <ul style="list-style-type: none"> • Modification is necessary to accommodate an approved water-dependent or public access use; • Modification is necessary to accommodate a water-related or water-enjoyment use and reduction is no less than 25 feet from OHWM. <p>#Modifications to marine shoreline buffers must be mitigated pursuant to SMP 6.4.3 D - E.</p> <p>#Modifications to wetland and stream buffers are permitted under certain circumstances; mitigation is required pursuant to SMP 6.4.5 C and 6.4.6 D.</p> <p>#For all development activities, <u>existing native shoreline vegetation</u> is to be maintained to the maximum extent practicable (SMP 6.6.2 2). Removal of native vegetation within shoreline jurisdiction shall only be permitted upon approval of a detailed vegetation management plan. Vegetation management plan must meet detailed criteria requiring a planting plan, schedule, and maintenance plan requiring vegetation maintenance and replacement (when necessary) over a three year period (SMP 6.6.2 3. and 4.). Removal of vegetation within buffers (detailed above) must additionally meet marine shoreline and critical areas mitigation requirements (SMP 6.4.2 C). Selective vegetation trimming and pruning (not impacting critical areas or buffers, not including topping, stripping, or imbalances) is allowed (SMP 6.6.2 5).</p> <p># All new development or redevelopment must install a minimum ten-foot wide planting bed(s) of native riparian vegetation within or along portions of the 15-foot wide strip of land lying immediately landward of the OHWM (SMP 6.7.2 B).</p> <p>#Flood control structures must be shaped and planted with native vegetation suitable for wildlife habitat (SMP, 8.2.2 C.2.c.). Materials capable of supporting growth used in construction of shoreline protection structures shall be revegetated with plants native to the area (SMP, 8.2.2 C.2.d.).</p> <p>Restoration:</p> <p><u>Saltwater/freshwater transition</u> areas need to be increased. (Goal). Restore wetlands and setback levees wherever feasible in the fresh to salt water transition area and where reconnection to the floodplain could be accomplished (Objective).</p> <p><u>Improve water contact time</u> with soil in wetlands to improve the filtering and cycling of pollutants (Goal). Restore estuarine and freshwater wetlands (in limited areas of S-9 where feasible) (Objective).</p> <p><u>Reconnect floodplains</u> to the Puyallup River channel, and generally increase flood storage along the Puyallup River (Goal). Restore wetlands and setback levees wherever feasible in the fresh to salt water transition area and where reconnection to the floodplain could be accomplished (Objective). Partner with watershed entities and Pierce County to improve flood storage along the</p>	

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			<p>Puyallup River (Objective).</p> <p><u>Increase summer flows in the Puyallup River</u> (Goal) Partner with regional and upstream entities to address minimum Instream flows in the Puyallup River (Objective).</p> <p><u>Remove and avoid pollutant discharges</u> to the shoreline (Goal). Prevent further loss of wetland area (Objective). Restore estuarine and freshwater wetlands (Objective).</p> <p><u>Decrease pollutant loading</u> through low impact development and water quality improvement techniques (Objective).</p> <p><u>Establish native riparian vegetation</u> communities along the shoreline (Goal). Plant native vegetation along Puyallup River levees whenever possible as consistent with levee management standards (Objective).</p> <p><u>Long term sources of LWD</u> need to be established to support shoreline habitat (Goal). Reintroduce LWD along the Puyallup River through plantings and wood placement as consistent with levee management standards (Objective).</p>	
S-10 Port Industrial (High Intensity)				
<p>Water-dependent industrial uses include container, bulk, breakbulk and auto terminals; boat builders, repairs, and shipyards; and moorage. Water-related industrial uses include marine terminals that handle petroleum and forest products.</p> <p>Transportation infrastructure to serve industrial uses. Restoration and remediation sites. There are no recreational areas and limited vacant land.</p>	<p>Reasonably Foreseeable Development in S-10 includes:</p> <p><u>Middle Waterway</u></p> <p>Simpson is planning to build a co-generation plant at its paper mill.²</p> <p><u>Blair Waterway:</u></p> <p>The Port and Washington United Terminals (WUT) are in the permitting process to extend the 2000 foot berth at the WUT terminal to 2,600 feet.²</p> <p>The Port of Tacoma, The Puyallup Tribe of Indians, and SSA Marine have agreed to cooperate on development of a 180-acre, two-berth container terminal to be completed around 2014 or 2015.²</p> <p>The Port of Tacoma is planning to construct a new terminal which will be leased to Yussen Terminal Tacoma Inc. (YTTI). It would be a 168-acre terminal with a 24-acre intermodal rail yard and two berths that could serve vessels of 1,050 and 1,150 feet.²</p> <p>The port will develop a 72-acre terminal for TOTE after its existing terminal is</p>	<p>Hydrology – LOW. The nearshore environment is intensely developed and highly altered. Shoreline modifications include numerous docks and bulkhead structures as well as large overwater piers and structures that are supported by pilings. This hardened shoreline has resulted in less overall wave attenuation than in the pre-disturbance condition.</p> <p>The installation of levees and revetments along the Puyallup River has disconnected the river from the significant delta that the river had formed historically at the head of Commencement Bay. Armoring also limits the potential for channel migration.</p> <p>The installation of levees and revetments has significantly reduced connections between the Hylebos channel and the floodplain. There is potential for channel migration at the Mowich Restoration site.</p> <p>Water Quality - LOW Pollution and biotoxins have effected populations of shellfish within the nearshore environment.</p> <p>Reduction in wetland area has reduced water contact time of water with soil. This lowers the potential for filtering, cycling,</p>	<p>Protection:</p> <p>+<u>New structural stabilization</u> is only allowed when it has been demonstrated that it is necessary for water-dependent uses. New structural stabilization allowed for water dependent uses and allowed only with a conditional use permit for existing primary structures, new non-water dependent development, and for ecological restoration or remediation (SMP, 8.2.2 A.)</p> <p>+<u>Replacement of existing stabilization</u> structures must be based on geotechnical reports demonstrating need. The reports must include estimates of the rate of erosion and urgency (damage within three years) and an evaluation of alternative solutions (SMP, 8.2.2 A.)</p> <p>+<u>Breakwaters, jetties, groins, and weirs</u> require a conditional use permit, except when as a part of ecological restoration / enhancement projects (SMP Table 9-2).</p> <p>+<u>Marinas and boat ramps</u> are permitted within S-10, provided that the following standards are met:</p> <ul style="list-style-type: none"> • The proposed site has the flushing capacity required to maintain water quality; • That adequate facilities for the prevention and control of fuel spillage are incorporated into the marina proposal; • That there shall be no net loss of ecological functions as a result of the development of boating facilities and associated recreational opportunities; • The proposed design will minimize impediments to fish migration. <p>+<u>Marinas and boat ramps shall not be permitted</u> in the following areas unless it can be demonstrated that interference with shoreline processes and ecological functions can be avoided and / or that no other alternative location exists:</p> <ul style="list-style-type: none"> • Feeder bluffs exceptional; • High energy input driftways; • Marshes, estuaries and other wetlands; • Kelp beds, eelgrass beds, spawning and holding areas for forage fish (such as herring, surf smelt and sandlance); • Other critical saltwater habitats. (SMP 7.3.2 B) <p>+<u>New piers, wharves, docks and floats</u> are allowed only when associated with water-dependent uses or public access (SMP, Table 9-2).</p> <p>+<u>New covered moorages / boat houses</u> are prohibited (SMP, Table 9-2). Existing covers may be repaired and maintained provided all work and materials are consistent with BMPs and the over water coverage does not increase and light transmission is improved (SMP 8.6.2 D).</p> <p>+<u>Non water oriented commercial uses, residential, forest practices, mining, aquaculture, and agriculture</u> uses are prohibited in S-10 (SMP Table 9-2).</p> <p>+Port, Terminal, and Industrial Development uses are restricted to water-dependent and water-related uses (SMP Table 9-2).</p> <p>+Non-conforming uses may continue, but may not expand their non-conformity. Non-conforming structures may not expand</p>	<p>No Change or Potential Limited Improvement of Hydrologic Processes: Existing intense development limits opportunities to reconnect shoreline areas to the shoreline. The presence of hard armoring will continue to impede natural nearshore processes throughout significant portions of S-10.</p> <p>Improvements in hydrology-related functions and processes are expected to improve as part of restoration actions, such as soft-shore stabilization and limited re-establishment of tidal wetlands.</p> <p>No Change or Potential Improvement of Water Quality Processes: As properties redevelop in Commencement Bay current local, state and federal requirements related to water quality would result in an overall improvement.</p> <p>No Change or Limited Potential Improvement in LWD & Organics Contributions: Native vegetation would likely be installed as part of restoration projects. Minimal improvement is expected on a site by site basis.</p>

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	<p>displaced by the YTTI.²</p> <p>There are several properties along the Southern west side of the Blair Waterway that are Port Owned or vacant. Redevelopment of these properties in reasonable foreseeable.²</p> <p><u>Hylebos Waterway</u></p> <p>Components of the YTTI terminal will be constructed along the west side of the Waterway.²</p>	<p>and removal of pollutants.</p> <p>The equation for excess nutrients, pathogens, and toxins is significantly altered from the pre-disturbance condition. Sources of these pollutants have increased significantly as a result of urban and industrial land uses near the shoreline. Potential pollutant storage has decreased through wetland loss and installation of impervious surfaces.</p> <p>LWD and Organic Contributions – LOW. The nearshore environment is intensely developed and highly altered, with minimal vegetated areas remaining.</p>	<p>waterward of foundation walls and may not increase overwater coverage (SMP, 2.5).</p> <p>@Mimic the natural infiltration and ground water interflow processes through stormwater systems where appropriate (SMP, 6.2.2 8).</p> <p>@Wetland buffers, standards, and mitigation requirements are intended to ensure no net loss in wetland functions (SMP, 6.4.5 B).</p> <p>@Stormwater management facilities in new development shall be designed, constructed, and maintained in accordance with the current stormwater management standards (SMP, 6.8.2.2). BMPs for control of erosion and sedimentation shall be implemented for all development in shorelines through an approved TESC plan, or administrative conditions (SMP, 6.8.2.3). All materials that may come in contact with water shall be constructed of materials, such as untreated wood, concrete, approved plastic composites or steel, that will not adversely affect water quality or aquatic plants or animals (SMP, 6.8.2.4). All proposed developments shall provide facilities or appurtenances for disposal of sanitary waste and shall manage monitor the use of chemicals, fertilizers and other pollutants in such a manner so as to not degrade existing levels of water quality (SMP, 6.8.2.8 and 6.8.2.9).</p> <p>@Commercial aquaculture, forest practices, mining, and agriculture uses are prohibited in S-10 (SMP, Table 9-2).</p> <p>@Marinas shall provide pump out, holding, and/or treatment facilities for sewage contained on boats or vessels (SMP, 7.3.2 F and K). Discharge of solid waste or sewage into a water body is prohibited. Marinas and boat launch ramps shall provide adequate restroom and sewage disposal facilities in compliance with applicable health regulations (SMP, 7.3.2 F). Disposal or discarding of fish or shellfish cleaning wastes, scrap fish, viscera, or unused bait into water or in other than designated garbage receptacles is prohibited (SMP, 7.3.2 F).</p> <p>@Fail safe facilities and procedures for receiving, storing, dispensing, and disposing of oil or hazardous products, as well as a spill response plan for oil and other products is required at marinas (SMP, 7.3.2 G).</p> <p>@Industrial Facilities: Best management practices shall be strictly adhered to as to facilities, vessels, and products used in association with these facilities and vessels (SMP, 7.5.2 A.6). All developments shall include the capability to contain and clean up spills, discharges, or pollutants, and shall be responsible for any water pollution which they cause (SMP, 7.5.2 A.7). Accumulations of bark and wood debris on the land and docks around upland storage sites shall be kept out of the water. After cleanup, disposal shall be at an upland site where leachate will not enter surface or ground waters (SMP, 7.5.2 B.3.).</p> <p>@Pilings for newly constructed piers, wharves, docks, and floats shall be of materials other than treated wood (SMP, 8.6.2 C).</p> <p>@Surface parking areas must implement low impact development techniques for stormwater management and provide for the disposal of any increased surface runoff without damage to surrounding waters, wetlands, or waterfront areas (SMP, 7.9.2 9.b.).</p> <p>@Vehicle and pedestrian circulation systems shall be designed to minimize clearing, grading and alteration of topography and natural features. Roadway and driveway alignment shall follow the natural contours of the site and minimize width to the maximum extent feasible. Elevated walkways should be utilized to cross wetlands (SMP, 7.10.2 A.4.).</p> <p>@When allowed in the shoreline district, landfill waterward of the OHWM is allowed only for the following activities:</p> <ul style="list-style-type: none"> • Water-dependent use; • Public access • Clean-up and disposal of contaminated sediments • Disposal of dredged material in accordance with DNR • Expansion or alteration of transportation facilities of statewide significance currently located in the shoreline • Mitigation action, restoration, beach nourishment or enhancement project (SMP, 8.3.2). • Applications for landfills shall address methods which will be used to minimize damage to water quality (SMP, 8.3.2 A.6). <p>#Buffers, standards, and mitigation requirements for marine shorelines and critical areas are intended to ensure no net loss in shoreline and critical area functions and processes (SMP, 6.4.2 A.1.).</p> <p>#Table 6-1 and Table 9-2 establish a <u>minimum marine buffer width</u> of 50 feet for S-10 (SMP, Tables 6-1 and 9-2). Marine buffers must be increased beyond the minimum if the Administrator determines that the minimum width is insufficient to prevent loss of shoreline functions or if the proposed modification would result in an adverse impact to critical saltwater habitats (SMP, 6.4.3 B.3.). Tables 6-2 and 6-3 establish buffer widths for wetlands (SMP, 6.4.5 B.2.). Table 6-5 establishes buffer widths for streams</p>	

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			<p>(SMP, Table 6-5). A fifty-foot buffer from erosion hazard areas and landslide hazard areas is required (SMP, 6.4.7(C)(1) and (D)(1)).</p> <p>#Modification to a marine shoreline buffer is allowed under the following circumstances:</p> <ul style="list-style-type: none"> • Modification is necessary to accommodate an approved water-dependent or public access use; • Modification is necessary to accommodate a water-related or water-enjoyment and reduction is no less than 25 feet from OHWM. • <p>#Modifications to marine shoreline buffers must be mitigated pursuant to SMP 6.4.3 D- E.</p> <p>#Modifications to wetland and stream buffers are permitted under certain circumstances; mitigation is required pursuant to SMP 6.4.5 C and 6.4.6 D.</p> <p>#For all development activities, <u>existing native shoreline vegetation</u> is to be maintained to the maximum extent practicable (SMP 6.6.2 2). Removal of native vegetation within shoreline jurisdiction shall only be permitted upon approval of a detailed vegetation management plan. Vegetation management plan must meet detailed criteria requiring a planting plan, schedule, and maintenance plan requiring vegetation maintenance and replacement (when necessary) over a three year period (SMP 6.6.2 3. and 4.). Removal of vegetation within buffers (detailed above) must additionally meet marine shoreline and critical areas mitigation requirements (SMP 6.4.2 C). Selective vegetation trimming and pruning (not impacting critical areas or buffers, not including topping, stripping, or imbalances) is allowed (SMP 6.6.2 5).</p> <p># All new development or redevelopment must install a minimum ten-foot wide planting bed(s) of native riparian vegetation within or along portions of the 15-foot wide strip of land lying immediately landward of the OHWM (SMP 6.7.2 B).</p> <p>#Flood control structures must be shaped and planted with native vegetation suitable for wildlife habitat (SMP, 8.2.2 C.2.c.). Materials capable of supporting growth used in construction of shoreline protection structures shall be revegetated with plants native to the area (SMP, 8.2.2 C.2.d.).</p> <p>Restoration:</p> <p><u>Wave energy attenuation</u> should be improved within the City’s nearshore (Goal). Restore estuarine and freshwater wetlands, encourage removal of bulkheads and use of soft armoring (Objectives).</p> <p><u>Saltwater/freshwater transition</u> areas need to be increased. (Goal). Restore wetlands and setback levees wherever feasible in the fresh to salt water transition area and where reconnection to the floodplain could be accomplished (Objective).</p> <p><u>Improve water contact time</u> with soil in wetlands to improve the filtering and cycling of pollutants (Goal). Restore estuarine and freshwater wetlands (in limited areas of S-8 where they occur) (Objective).</p> <p><u>Remove and avoid pollutant discharges</u> to the shoreline (Goal). Prevent further loss of wetland area (Objective). Restore estuarine and freshwater wetlands (Objective). Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris (Objective).</p> <p><u>Decrease pollutant loading</u> through low impact development and water quality improvement techniques (Objective).</p> <p><u>Preserve and restore existing shoreline forests</u>, and reconnect forests and the nearshore (Goal). Remove barriers between shoreline forest and nearshore habitats and enhance existing forests (Objective).</p> <p><u>Establish native riparian vegetation communities</u> along the shoreline (in limited restoration areas within S-8) (Goal).</p> <p><u>Preserve and restore existing shoreline forests</u>, and reconnect forests and the nearshore (Goal). Remove barriers between shoreline forest and nearshore habitats and enhance existing forests (Objective).</p>	
S-11 Marine View Drive (Urban Conservancy)				
Primary uses include full service commercial marinas that provide water-	Areas along the waterward side of Marine View Drive are tribally-owned and consist of mitigation and restoration projects. No development is	Hydrology – LOW TO MODERATE. Bluff erosion processes have been modified as the roadway and other structures at the tow	Protection: + <u>New structural stabilization</u> is only allowed when it has been demonstrated that it is necessary for water-dependent uses. New structural stabilization allowed for water dependent uses and allowed only with a conditional use permit for existing primary structures, new non-water dependent development, and for ecological restoration or remediation (SMP, 8.2.2 A.)	No Change or Potential Limited Improvement of Hydrologic Processes: Existing arterial limits opportunities to reconnect bluff areas to the shoreline.

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<p>dependent recreational boating and associated supporting uses, commercial and a few waterfront residential properties.</p> <p>Several large mitigation and restoration projects.</p>	<p>likely.</p> <p>There are two marinas. Chinook Landing Marina has plans for a new fuel dock. Other Redevelopment or enhancement of marinas could occur as well.</p> <p>Over 50 acres are identified as vacant. However little of this land is available for development. Land on the waterward side of Marine View Drive is largely port-owned and used as mitigation. No new development is likely.</p> <p>Lands landward of Marine View Drive include undevelopable steep slopes. There is some privately owned land here and limited development of low-density single family homes is possible.</p> <p>The Port plans not to re-new residential leases on existing homes and plans to remove structures when leases expire.</p>	<p>(bulkheads, 159 docks and piers, breakwaters associated with marinas) have reduced the frequency of tidal and wave interaction with the bluff. The lack of interaction has likely reduced smaller-scale erosion, however larger-scale erosion events (e.g., landslides due to seismic events) do still have the potential to contribute significant quantities of sediment to the nearshore.</p> <p>Water Quality – LOW. Pollution and biotoxins have affected populations of shellfish within the nearshore environment. Although significant point pollution sources are not documented as entering the shoreline environment within the Marine View Drive Shoreline Planning Area, pollution occurring to and in nearby shorelines is affecting resources within this area.</p> <p>LWD and Organic Contributions – LOW TO MODERATE. While the upland bluffs are well vegetated with mature forest cover, Marine View Drive has resulted in the reduction of vegetated areas waterward of the road.</p>	<p>+Replacement of existing stabilization structures must be based on geotechnical reports demonstrating need. The reports must include estimates of the rate of erosion and urgency (damage within three years) and an evaluation of alternative solutions (SMP, 8.2.2 A.)</p> <p>+Breakwaters, jetties, groins, and weirs are generally allowed only as conditional uses in S-11, except when as a part of ecological restoration / enhancement projects (SMP Table 9-2).</p> <p>+Boating Facilities (including marinas and boat launches) are permitted within S-11, provided that the following standards are met:</p> <ul style="list-style-type: none"> • The proposed site has the flushing capacity required to maintain water quality; • That adequate facilities for the prevention and control of fuel spillage are incorporated into the marina proposal; • That there shall be no net loss of ecological functions as a result of the development of boating facilities and associated recreational opportunities; • The proposed design will minimize impediments to fish migration. <p>+Marinas or launch ramps shall not be permitted within the following areas unless it can be demonstrated that interference with shoreline processes and ecological functions can be avoided and / or that no other alternative location exists:</p> <ul style="list-style-type: none"> • Feeder bluffs exceptional; • High energy input driftways; • Marshes, estuaries and other wetlands; • Kelp beds, eelgrass beds, spawning and holding areas for forage fish (such as herring, surf smelt and sandlance); • Other critical saltwater habitats. (SMP 7.3.2 B) <p>+New piers, wharves, docks and floats are allowed only when associated with water-dependent uses or public access (SMP, Table 9-2).</p> <p>+New covered moorages / boat houses are prohibited (SMP, Table 9-2). Existing covers may be repaired and maintained provided all work and materials are consistent with BMPs and the over water coverage does not increase and light transmission is improved (SMP 8.6.2 D).</p> <p>+Non water-oriented commercial uses, Port / Terminal / Industrial Development, Forest practices, mining, aquaculture, and agriculture uses are prohibited in S-11 (SMP Table 9-2).</p> <p>+Non-conforming uses may continue, but may not expand their non-conformity. Non-conforming structures may not expand waterward of foundation walls and may not increase overwater coverage (SMP, 2.5).</p> <p>@Mimic the natural infiltration and ground water interflow processes through stormwater systems where appropriate (SMP, 6.2.2.8).</p> <p>@Wetland buffers, standards, and mitigation requirements are intended to ensure no net loss in wetland functions (SMP, 6.4.5 B).</p> <p>@Stormwater management facilities in new development shall be designed, constructed, and maintained in accordance with the current stormwater management standards (SMP, 6.8.2.2). BMPs for control of erosion and sedimentation shall be implemented for all development in shorelines through an approved TESC plan, or administrative conditions (SMP, 6.8.2.3). All materials that may come in contact with water shall be constructed of materials, such as untreated wood, concrete, approved plastic composites or steel, that will not adversely affect water quality or aquatic plants or animals (SMP, 6.8.2.4). All proposed developments shall provide facilities or appurtenances for disposal of sanitary waste and shall manage monitor the use of chemicals, fertilizers and other pollutants in such a manner so as to not degrade existing levels of water quality (SMP, 6.8.2.8 and 6.8.2.9).</p> <p>@Marinas shall provide pump out, holding, and/or treatment facilities for sewage contained on boats or vessels (SMP, 7.3.2 F and K). Discharge of solid waste or sewage into a water body is prohibited. Marinas and boat launch ramps shall provide adequate restroom and sewage disposal facilities in compliance with applicable health regulations (SMP, 7.3.2 F). Disposal or discarding of fish or shellfish cleaning wastes, scrap fish, viscera, or unused bait into water or in other than designated garbage receptacles is prohibited (SMP, 7.3.2 F).</p> <p>@Fail safe facilities and procedures for receiving, storing, dispensing, and disposing of oil or hazardous products, as well as a spill</p>	<p>The port of Tacoma has preliminary plans to remove nine overwater homes when leases are up.</p> <p>No Change or Potential Improvement of Water Quality Processes: Additional impacts to wetlands would be mitigated. Prohibition of log storage in the water removes the likelihood of redevelopment or expansion of this use.</p> <p>No Change or Limited Potential Improvement in LWD & Organics Contributions: Installation of additional native vegetation would occur in limited circumstances in buffer areas as required for new development or redevelopment. Minimal improvement is expected on a site by site basis as properties redevelop.</p>

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			<p>response plan for oil and other products is required at marinas (SMP, 7.3.2 G).</p> <p>@<u>Pilings</u> for newly constructed piers, wharves, docks, and floats shall be of materials other than treated wood (SMP, 8.6.2 C).</p> <p>@<u>Surface parking areas</u> must implement low impact development techniques for stormwater management and provide for the disposal of any increased surface runoff without damage to surrounding waters, wetlands, or waterfront areas (SMP, 7.9.2 9.b.).</p> <p>@<u>Vehicle and pedestrian circulation systems</u> shall be designed to minimize clearing, grading and alteration of topography and natural features. Roadway and driveway alignment shall follow the natural contours of the site and minimize width to the maximum extent feasible. Elevated walkways should be utilized to cross wetlands (SMP, 7.10.2 A.4.).</p> <p>@<u>When allowed in the shoreline district, landfill waterward of the OHWM</u> is allowed only for the following activities:</p> <ul style="list-style-type: none"> • Water-dependent use; • Public access • Clean-up and disposal of contaminated sediments • Disposal of dredged material in accordance with DNR • Expansion or alteration of transportation facilities of statewide significance currently located in the shoreline • Mitigation action, restoration, beach nourishment or enhancement project (SMP, 8.3.2). • Applications for landfills shall address methods which will be used to minimize damage to water quality (SMP, 8.3.2 A.6). <p>#<u>Buffers, standards, and mitigation requirements</u> for marine shorelines and critical areas are intended to ensure no net loss in shoreline and critical area functions and processes (SMP, 6.4.2 A.1.).</p> <p>#<u>Table 6-1 and Table 9-2 establish a minimum marine buffer width</u> of 115 feet for S-11 (SMP, Tables 6-1 and 9-2). Marine buffers must be increased beyond the minimum if the Administrator determines that the minimum width is insufficient to prevent loss of shoreline functions or if the proposed modification would result in an adverse impact to critical saltwater habitats (SMP, 6.4.3 B.3.). Tables 6-2 and 6-3 establish buffer widths for wetlands (SMP, 6.4.5 B.2.). Table 6-5 establishes buffer widths for streams (SMP, Table 6-5). A fifty-foot buffer from erosion hazard areas and landslide hazard areas is required (SMP, 6.4.7(C)(1) and (D)(1)).</p> <p>#<u>Modification to a marine shoreline buffer</u> is allowed under the following circumstances:</p> <ul style="list-style-type: none"> • Modification is necessary to accommodate an approved water-dependent or public access use; • Modification is necessary to accommodate a water-related or water-enjoyment use and reduction is no less than 25 feet from OHWM. <p>#<u>Modifications to marine shoreline buffers</u> must be mitigated pursuant to SMP 6.4.3 D - E.</p> <p>#<u>Modifications to wetland and stream buffers</u> are permitted under certain circumstances; mitigation is required pursuant to SMP 6.4.5 C and 6.4.6 D.</p> <p>#<u>For all development activities, existing native shoreline vegetation</u> is to be maintained to the maximum extent practicable (SMP 6.6.2 2). Removal of native vegetation within shoreline jurisdiction shall only be permitted upon approval of a detailed vegetation management plan. Vegetation management plan must meet detailed criteria requiring a planting plan, schedule, and maintenance plan requiring vegetation maintenance and replacement (when necessary) over a three year period (SMP 6.6.2 3. and 4.). Removal of vegetation within buffers (detailed above) must additionally meet marine shoreline and critical areas mitigation requirements (SMP 6.4.2 C). Selective vegetation trimming and pruning (not impacting critical areas or buffers, not including topping, stripping, or imbalances) is allowed (SMP 6.6.2 5).</p> <p># <u>All new development or redevelopment</u> must install a minimum ten-foot wide planting bed(s) of native riparian vegetation within or along portions of the 15-foot wide strip of land lying immediately landward of the OHWM (SMP 6.7.2 B).</p> <p>#<u>Flood control structures</u> must be shaped and planted with native vegetation suitable for wildlife habitat (SMP, 8.2.2 C.2.c.). Materials capable of supporting growth used in construction of shoreline protection structures shall be revegetated with plants native to the area (SMP, 8.2.2 C.2.d.).</p> <p>Restoration:</p> <p><u>Wave energy attenuation</u> should be improved within the City's nearshore (Goal). Restore estuarine and freshwater wetlands,</p>	

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			<p>encourage removal of bulkheads and use of soft armoring (Objectives).</p> <p><u>Saltwater/freshwater transition</u> areas need to be increased. (Goal). Restore wetlands and setback levees wherever feasible in the fresh to salt water transition area and where reconnection to the floodplain could be accomplished (Objective).</p> <p><u>Improve hydrologic functions</u> in the fresh to salt water transition areas (Goal). Restore estuarine and freshwater wetlands (Objective). Connect freshwater seeps and wetlands to the shoreline (Objective).</p> <p><u>Improve sediment delivery</u> to support nearshore processes (Goal). Reconnect feeder bluff functions (Objective).</p> <p><u>Improve water contact time</u> with soil in wetlands to improve the filtering and cycling of pollutants (Goal). Restore estuarine and freshwater wetlands (Objective).</p> <p><u>Remove and avoid pollutant discharges</u> to the shoreline (Goal). Prevent further loss of wetland area (Objective). Restore estuarine and freshwater wetlands (Objective). Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris (Objective). Decrease pollutant loading through low impact development and water quality improvement techniques (Objective).</p> <p><u>Preserve and restore existing shoreline forests</u>, and reconnect forests and the nearshore (Goal). Remove barriers between shoreline forest and nearshore habitats and enhance existing forests (Objective).</p> <p><u>Establish native riparian vegetation communities</u> along the shoreline (Goal).</p> <p><u>Long term sources of LWD</u> need to be established to support shoreline habitat (Goal).</p>	
S-12 Hylebos Creek (Urban Conservancy)				
Includes natural open space areas (restoration projects) around the creek.	Shorelines in this area are primarily part of restoration sites and no development is expected.	<p>Hydrology – LOW TO MODERATE. The installation of levees and revetments has significantly reduced connections between the Hylebos channel and the floodplain. There is potential for channel migration at the Mowich Restoration site.</p> <p>Water Quality: Reduction in wetland area has reduced water contact time of water with soil. This lowers the potential for filtering, cycling, and removal of pollutants.</p> <p>The equation for excess nutrients, pathogens, and toxins is significantly altered from the pre-disturbance condition. Sources of these pollutants have increased significantly as a result of urban and industrial land uses near the shoreline. Potential pollutant storage has decreased through wetland loss and installation of impervious surfaces.</p> <p>LWD and Organic Contributions</p>	<p>Protection:</p> <p>+New <u>Shoreline stabilization</u> is prohibited in Natural environment designation (S-12) (SMP Table 9-2).</p> <p>+<u>Replacement of existing stabilization</u> structures must be based on geotechnical reports demonstrating need. The reports must include estimates of the rate of erosion and urgency (damage within three years) and an evaluation of alternative solutions (SMP, 8.2.2 A.)</p> <p>+ <u>Boat ramps</u> are prohibited in S-12 (SMP Table 9-2).</p> <p>+<u>Commercial, Residential, Port / Terminal / Industrial Development, Forest practices, mining, aquaculture, agriculture, and almost all Transportation</u> uses are prohibited in S-12 (SMP Table 9-2).</p> <p>+<u>All types of shoreline modification (except for specific activities as part of ecological restoration and enhancement projects) are prohibited in S-12.</u></p> <p>@<u>Mimic the natural infiltration and ground water interflow processes through stormwater systems where appropriate (SMP, 6.2.2.8).</u></p> <p>@<u>Wetland buffers, standards, and mitigation requirements are intended to ensure no net loss in wetland functions (SMP, 6.4.5 B).</u></p> <p>@<u>Stormwater management facilities</u> in new development shall be designed, constructed, and maintained in accordance with the current stormwater management standards (SMP, 6.8.2.2). BMPs for control of erosion and sedimentation shall be implemented for all development in shorelines through an approved TESC plan, or administrative conditions (SMP, 6.8.2.3). All materials that may come in contact with water shall be constructed of materials, such as untreated wood, concrete, approved plastic composites or steel, that will not adversely affect water quality or aquatic plants or animals (SMP, 6.8.2.4). All proposed developments shall provide facilities or appurtenances for disposal of sanitary waste and shall manage monitor the use of chemicals, fertilizers and other pollutants in such a manner so as to not degrade existing levels of water quality (SMP, 6.8.2.8 and 6.8.2.9).</p> <p>@<u>Surface parking areas</u> must implement low impact development techniques for stormwater management and provide for the disposal of any increased surface runoff without damage to surrounding waters, wetlands, or waterfront areas (SMP, 7.9.2 9.b.).</p> <p>@<u>Vehicle and pedestrian circulation systems</u> shall be designed to minimize clearing, grading and alteration of topography and natural features. Roadway and driveway alignment shall follow the natural contours of the site and minimize width to the maximum extent feasible. Elevated walkways should be utilized to cross wetlands (SMP, 7.10.2 A.4.).</p>	<p>Potential Improvement of Hydrologic Processes: Improvements in hydrology-related functions and processes are expected to improve as part of restoration actions, such as setback levees and soft-shore stabilization. Surrounding land uses and infrastructure somewhat limit scope of potential restoration.</p> <p>No Change or Potential Improvement of Water Quality Processes: Regulations would limit any additional impacts to wetlands, and any impacts would be mitigated. As properties redevelop along the Hylebos current local, state and federal requirements related to water quality would result in an overall improvement. Previous and future levy setback and/or restoration activities along the river’s shoreline have the potential to improve contact time between surface waters and soils.</p> <p>No Change or Limited Potential Improvement in LWD & Organics Contributions: Native vegetation would likely be installed as part of future restoration projects. Vegetation at existing restoration sites will mature, enhancing riparian functions in those areas. Minimal improvement is expected on a site by site basis.</p>

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		<p>– LOW TO MODERATE. The installation of levees and revetments has significantly reduced connections between the Hylebos channel and the floodplain. There is potential for channel migration at the Mowich Restoration site.</p>	<p>@When allowed in the shoreline district, landfill waterward of the OHWM is allowed only for the following activities:</p> <ul style="list-style-type: none"> • Public access • Clean-up and disposal of contaminated sediments • Disposal of dredged material in accordance with DNR • Mitigation action, restoration, beach nourishment or enhancement project (SMP, 8.3.2). • Applications for landfills shall address methods which will be used to minimize damage to water quality (SMP, 8.3.2 A.6). <p>#Buffers, standards, and mitigation requirements for critical areas are intended to ensure no net loss in shoreline and critical area functions and processes (SMP, 6.4.2 A.1.).</p> <p>#Tables 6-2 and 6-3 establish buffer widths for wetlands (SMP, 6.4.5 B.2.). Table 6-5 establishes buffer widths for streams (SMP, Table 6-5). A fifty-foot buffer from erosion hazard areas and landslide hazard areas is required (SMP, 6.4.7(C)(1) and (D)(1)).</p> <p>#Modifications to wetland and stream buffers are permitted under certain circumstances; mitigation is required pursuant to SMP 6.4.5 C and 6.4.6 D.</p> <p>#For all development activities, <u>existing native shoreline vegetation</u> is to be maintained to the maximum extent practicable (SMP 6.6.2 2). Removal of native vegetation within shoreline jurisdiction shall only be permitted upon approval of a detailed vegetation management plan. Vegetation management plan must meet detailed criteria requiring a planting plan, schedule, and maintenance plan requiring vegetation maintenance and replacement (when necessary) over a three year period (SMP 6.6.2 3. and 4.). Removal of vegetation within buffers (detailed above) must additionally meet marine shoreline and critical areas mitigation requirements (SMP 6.4.2 C). Selective vegetation trimming and pruning (not impacting critical areas or buffers, not including topping, stripping, or imbalances) is allowed (SMP 6.6.2 5).</p> <p># All new development or redevelopment must install a minimum ten-foot wide planting bed(s) of native riparian vegetation within or along portions of the 15-foot wide strip of land lying immediately landward of the OHWM (SMP 6.7.2 B).</p> <p>#Flood control structures must be shaped and planted with native vegetation suitable for wildlife habitat (SMP, 8.2.2 C.2.c.). Materials capable of supporting growth used in construction of shoreline protection structures shall be revegetated with plants native to the area (SMP, 8.2.2 C.2.d.).</p> <p>Restoration:</p> <p><u>Improve water contact time</u> with soil in wetlands to improve the filtering and cycling of pollutants (Goal). Restore estuarine and freshwater wetlands (in limited areas of S-9 where feasible) (Objective).</p> <p><u>Remove and avoid pollutant discharges</u> to the shoreline (Goal). Prevent further loss of wetland area (Objective). Restore estuarine and freshwater wetlands (Objective).</p> <p><u>Decrease pollutant loading</u> through low impact development and water quality improvement techniques (Objective).</p> <p><u>Establish native riparian vegetation</u> communities along the shoreline (Goal). Plant native vegetation along Puyallup River levees whenever possible as consistent with levee management standards (Objective).</p> <p><u>Long term sources of LWD</u> need to be established to support shoreline habitat (Goal). Reintroduce LWD along the Puyallup River through plantings and wood placement as consistent with levee management standards (Objective).</p>	
S-15 Point Ruston / Slag Peninsula (High Intensity)				
<p>District extends form N waterfront Drive and includes Slag Peninsula. Slag Peninsula is a part of the Asarco Superfund cleanup.</p>	<p>As part of the Point Defiance Master Plan, Metro Parks is considering development of a Peninsula Park on Slag Peninsula, which would offer a pedestrian promenade and venues for outside concerts. There is no potential for residential or commercial</p>	<p>Hydrology – LOW. Shoreline erosion processes have been modified as roads, railways, bulkheads and other structures at the toe of the slope have reduced the frequency of tidal and wave interaction with the bluff.</p> <p>Water Quality – LOW. Pollution</p>	<p>Protection:</p> <p>+<u>New structural stabilization</u> is only allowed when it has been demonstrated that it is necessary for water-dependent uses. New structural stabilization allowed for water dependent uses and allowed only with a conditional use permit for existing primary structures, new non-water dependent development, and for ecological restoration or remediation (SMP, 8.2.2 A.)</p> <p>+<u>Replacement of existing stabilization</u> structures must be based on geotechnical reports demonstrating need. The reports must include estimates of the rate of erosion and urgency (damage within three years) and an evaluation of alternative solutions (SMP, 8.2.2 A.)</p> <p>+<u>Breakwaters, jetties, groins, and weirs</u> are generally prohibited in S-15, except when as a part of ecological restoration /</p>	<p>Potential Improvement of Hydrologic Processes:</p> <p>Existing infrastructure and railroad line limits opportunities to reconnect shorelands to the backshore and shoreline in portions of the reach. The presence of hard armoring will continue to impede natural nearshore processes. Along the Slag Peninsula shoreline, some potential for shoreline restoration and improvement of hydrologic functions exist if recreation-oriented</p>

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	<p>development.</p> <p>Point Ruston development has vested permits for high density residential, commercial, and recreational development. Under current plans, most development would be setback from the shoreline at least 150 feet from the shoreline.</p>	<p>and biotoxins have affected populations of shellfish within the nearshore environment. Although significant point pollution sources are not documented as entering the shoreline environment within the Ruston Way area, pollution occurring to and in nearby shorelines is affecting resources within this area.</p> <p>Water quality issues relate to changes in the equation for excess nutrients, pathogens, and toxins. Sources of these pollutants have increased significantly as a result of urban and industrial land uses near the shoreline.</p> <p>Storage, filtering, and cycling of pollutants has been reduced through wetland loss and installation of impervious surfaces.</p> <p>LWD and Organic Contributions – LOW. Ruston Way (a major arterial) and the BNSF railroad tracks are adjacent to the shoreline throughout this reach, thereby reducing natural shoreline riparian vegetation and limiting connectivity between the beach and adjacent uplands.</p>	<p>enhancement projects (SMP Table 9-2).</p> <p>+<u>Boating Facilities</u> (including marinas and boat launches) are permitted within S-15, provided that the following standards are met:</p> <ul style="list-style-type: none"> • The proposed site has the flushing capacity required to maintain water quality; • That adequate facilities for the prevention and control of fuel spillage are incorporated into the marina proposal; • That there shall be no net loss of ecological functions as a result of the development of boating facilities and associated recreational opportunities; • The proposed design will minimize impediments to fish migration. <p>+<u>Marinas or launch ramps shall not be permitted</u> within the following areas unless it can be demonstrated that interference with shoreline processes and ecological functions can be avoided and / or that no other alternative location exists:</p> <ul style="list-style-type: none"> • Feeder bluffs exceptional; • High energy input driftways; • Marshes, estuaries and other wetlands; • Kelp beds, eelgrass beds, spawning and holding areas for forage fish (such as herring, surf smelt and sandlance); <p>Other critical saltwater habitats. (SMP 7.3.2 B)</p> <p>+<u>New piers, wharves, docks and floats</u> are prohibited except as a conditional use when associated with a public access use (SMP, Table 9-2).</p> <p>+<u>New covered moorages / boat houses</u> are prohibited (SMP, Table 9-2).</p> <p>+<u>Residential uses are only permitted in upland locations, outside 150’ of OHWM. Within 100’ to 150’ of OHWM, single family townhomes shall be permitted as a conditional use</u> (SMP, Table 9-2).</p> <p>+<u>Port / Terminal / Industrial development, forest practices, mining, aquaculture, and agricultural uses</u> are prohibited in S-15 (SMP Table 9-2).</p> <p>+Non-conforming uses may continue, but may not expand their non-conformity. Non-conforming structures may not expand waterward of foundation walls and may not increase overwater coverage (SMP, 2.5).</p> <p>@<u>Mimic the natural infiltration</u> and ground water interflow processes through stormwater systems where appropriate (SMP, 6.2.2.8).</p> <p>@<u>Wetland buffers, standards, and mitigation</u> requirements are intended to ensure no net loss in wetland functions (SMP, 6.4.5 B).</p> <p>@<u>Stormwater management facilities</u> in new development shall be designed, constructed, and maintained in accordance with the current stormwater management standards (SMP, 6.8.2.2). BMPs for control of erosion and sedimentation shall be implemented for all development in shorelines through an approved TESC plan, or administrative conditions (SMP, 6.8.2.3). All materials that may come in contact with water shall be constructed of materials, such as untreated wood, concrete, approved plastic composites or steel, that will not adversely affect water quality or aquatic plants or animals (SMP, 6.8.2.4). All proposed developments shall provide facilities or appurtenances for disposal of sanitary waste and shall manage monitor the use of chemicals, fertilizers and other pollutants in such a manner so as to not degrade existing levels of water quality (SMP, 6.8.2.8 and 6.8.2.9).</p> <p>@<u>Marinas</u> shall provide pump out, holding, and/or treatment facilities for sewage contained on boats or vessels (SMP, 7.3.2 F and K). Discharge of solid waste or sewage into a water body is prohibited. Marinas and boat launch ramps shall provide adequate restroom and sewage disposal facilities in compliance with applicable health regulations (SMP, 7.3.2 F). Disposal or discarding of fish or shellfish cleaning wastes, scrap fish, viscera, or unused bait into water or in other than designated garbage receptacles is prohibited (SMP, 7.3.2 F).</p> <p>@Fail safe facilities and procedures for receiving, storing, dispensing, and disposing of oil or hazardous products, as well as a spill response plan for oil and other products is required at marinas (SMP, 7.3.2 G).</p> <p>@<u>Surface parking areas</u> must implement low impact development techniques for stormwater management and provide for the disposal of any increased surface runoff without damage to surrounding waters, wetlands, or waterfront areas (SMP, 7.9.2 9.b.).</p>	<p>redevelopment were to occur.</p> <p>Potential Improvement of Water Quality Processes: Environmental remediation of the Asarco Tacoma Smelter Site would dramatically reduce water quality impacts associated with this site. Additional impacts to wetlands would be mitigated. Point Ruston development would have stormwater facilities to retain and treat runoff, potentially improving the quality and temperature of the runoff from existing conditions. Redevelopment of docks with non-toxic materials would improve water quality.</p> <p>Improvement in LWD & Organics Contributions: Installation of additional native vegetation would occur in buffer areas as required for new development or redevelopment, including development of park areas. The railroad and overwater structures preclude vegetation overhanging the intertidal zone in some portions of the shoreline area.</p>

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			<p><u>@Vehicle and pedestrian circulation systems</u> shall be designed to minimize clearing, grading and alteration of topography and natural features. Roadway and driveway alignment shall follow the natural contours of the site and minimize width to the maximum extent feasible. Elevated walkways should be utilized to cross wetlands (SMP, 7.10.2 A.4.).</p> <p><u>@When allowed in the shoreline district, landfill waterward of the OHWM is allowed only for the following activities:</u></p> <ul style="list-style-type: none"> • Water-dependent use; • Public access • Clean-up and disposal of contaminated sediments • Disposal of dredged material in accordance with DNR • Expansion or alteration of transportation facilities of statewide significance currently located in the shoreline • Mitigation action, restoration, beach nourishment or enhancement project (SMP, 8.3.2). • Applications for landfills shall address methods which will be used to minimize damage to water quality (SMP, 8.3.2 A.6). <p><u>#Buffers, standards, and mitigation requirements</u> for marine shorelines and critical areas are intended to ensure no net loss in shoreline and critical area functions and processes (SMP, 6.4.2 A.1.).</p> <p><u>#Table 6-1 and Table 9-2</u> establishes a <u>minimum marine buffer width</u> of 50 feet for all S-15 areas (SMP, Tables 6-1 and 9-2). Marine buffers must be increased beyond the minimum if the Administrator determines that the minimum width is insufficient to prevent loss of shoreline functions or if the proposed modification would result in an adverse impact to critical saltwater habitats (SMP, 6.4.3 B.3.). Tables 6-2 and 6-3 establish buffer widths for wetlands, including Lake Wapato (SMP, 6.4.5 B.2.). Table 6-5 establishes buffer widths for streams (SMP, Table 6-5). A fifty-foot buffer from erosion hazard areas and landslide hazard areas is required (SMP, 6.4.7(C)(1) and (D)(1)).</p> <p><u>#Modification to a marine shoreline buffer is allowed under the following circumstances:</u></p> <ul style="list-style-type: none"> • Modification is necessary to accommodate an approved water-dependent or public access use; • Modification is necessary to accommodate a water-related or water-enjoyment and reduction is no less than 25 feet from OHWM. <p><u>#Modifications to marine shoreline buffers must be mitigated pursuant to SMP 6.4.3 C - E.</u></p> <p><u>#Modifications to wetland and stream buffers are permitted under certain circumstances; mitigation is required pursuant to SMP 6.4.5 C and 6.4.6 D.</u></p> <p><u>#For all development activities, existing native shoreline vegetation is to be maintained to the maximum extent practicable (SMP 6.6.2 2).</u> Removal of native vegetation within shoreline jurisdiction shall only be permitted upon approval of a detailed vegetation management plan. Vegetation management plan must meet detailed criteria requiring a planting plan, schedule, and maintenance plan requiring vegetation maintenance and replacement (when necessary) over a three year period (SMP 6.6.2 3. and 4.). Removal of vegetation within buffers (detailed above) must additionally meet marine shoreline and critical areas mitigation requirements (SMP 6.4.2 C). Selective vegetation trimming and pruning (not impacting critical areas or buffers, not including topping, stripping, or imbalances) is allowed (SMP 6.6.2 5).</p> <p><u># All new development or redevelopment must install a minimum ten-foot wide planting bed(s) of native riparian vegetation within or along portions of the 15-foot wide strip of land lying immediately landward of the OHWM (SMP 6.7.2 B).</u></p> <p><u>#Flood control structures must be shaped and planted with native vegetation suitable for wildlife habitat (SMP, 8.2.2 C.2.c.).</u> Materials capable of supporting growth used in construction of shoreline protection structures shall be revegetated with plants native to the area (SMP, 8.2.2 C.2.d.).</p> <p>Restoration:</p> <p><u>Wave energy attenuation</u> should be improved within the City’s nearshore (Goal). Restore estuarine and freshwater wetlands, encourage removal of bulkheads and use of soft armoring (Objectives).</p> <p><u>Saltwater/freshwater transition</u> areas need to be increased. (Goal). Restore wetlands and setback levees wherever feasible in the fresh to salt water transition area and where reconnection to the floodplain could be accomplished (Objective).</p> <p><u>Improve hydrologic functions</u> in the fresh to salt water transition areas (Goal). Restore estuarine and freshwater wetlands</p>	

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			<p>(Objective). Connect freshwater seeps and wetlands to the shoreline (Objective).</p> <p><u>Improve sediment delivery</u> to support nearshore processes (Goal). Reconnect feeder bluff functions (Objective).</p> <p><u>Improve water contact time</u> with soil in wetlands to improve the filtering and cycling of pollutants (Goal). Restore estuarine and freshwater wetlands (Objective).</p> <p><u>Remove and avoid pollutant discharges</u> to the shoreline (Goal). Prevent further loss of wetland area (Objective). Restore estuarine and freshwater wetlands (Objective). Remove intertidal fill, contaminated sediments, creosote contaminated logs, pilings and debris (Objective). Decrease pollutant loading through low impact development and water quality improvement techniques (Objective).</p> <p><u>Preserve and restore existing shoreline forests</u>, and reconnect forests and the nearshore (Goal). Remove barriers between shoreline forest and nearshore habitats and enhance existing forests (Objective).</p> <p><u>Establish native riparian vegetation communities</u> along the shoreline (Goal).</p> <p><u>Long term sources of LWD</u> need to be established to support shoreline habitat (Goal).</p>	

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PROTECTIVE BENEFICIAL EFFECTS OF ANY ESTABLISHED REGULATORY PROGRAMS UNDER OTHER LOCAL, STATE, AND FEDERAL LAWS

A variety of other regulatory programs, plans, and policies work in concert with the City's SMP to manage shoreline resources and regulate development near the shoreline (see Section 1.3.4 of the Inventory and Characterization Report). The City's Comprehensive Plan establishes the general land use pattern and vision of growth and development the City has adopted for areas both inside and outside the shoreline jurisdiction. Various sections of the Tacoma Municipal Code (TMC) are relevant to shoreline management, such as zoning (TMC Chapter 13.06), stormwater management (Chapter 12.08), Flood Hazards and Coastal High Hazard Areas (Chapter 2.12), and SEPA (Chapter 13.12). The City's development standards and use regulations for environmentally critical areas (Chapter 13.11) are particularly relevant to the City's SMP. Designated environmentally critical areas are found throughout the City's shoreline jurisdiction, including streams, wetlands, fish and wildlife habitat conservation areas and bluffs and other geologic hazard areas. Standards and regulations of the critical areas regulations are now integrated in the Draft SMP (City of Tacoma, 2010).

A number of state and federal agencies have jurisdiction over land or natural elements in the City's shoreline jurisdiction. Local development proposals most commonly trigger requirements for state or federal permits when they include work in or over waters of the state; impact wetlands or streams; potentially affect fish and wildlife listed under the federal Endangered Species Act (ESA); result in over one acre of clearing and grading; or affect the floodplain or floodway. As with local requirements, state and federal regulations may apply throughout the city, but regulated resources are common within the City's shoreline jurisdiction. The major state and federal regulations affecting shoreline-related resources are briefly discussed in the sections that follow.

Endangered Species Act (ESA)

The federal ESA addresses the protection and recovery of federally listed species. The ESA is jointly administered by the National Oceanic and Atmospheric Administration (NOAA) Fisheries (formerly referred to as the National Marine Fisheries Service), and the United States Fish and Wildlife Service (USFWS) for any projects requiring federal permit approval or receive federal funding.

Clean Water Act (CWA)

The federal CWA requires states to set standards for the protection of water quality for various parameters, and it regulates excavation and dredging in waters of the U.S., including wetlands. Certain activities affecting wetlands in the City's shoreline jurisdiction or work in the adjacent rivers may require a permit from the U.S. Army Corps of Engineers and/or Washington State Department of Ecology under Section 404 and Section 401 of the CWA, respectively.

Federal Emergency Management Agency (FEMA) National Flood Insurance Program

Communities that participate in the National Flood Insurance Program receive federally backed flood insurance. In order to participate, the community must adopt and enforce floodplain management ordinances which reduce future flood damage. The National Flood Insurance Program is also responsible for mapping the country's flood hazard areas.

Rivers and Harbors Act

Any work or project that may affect or obstruct navigable waters requires a Section 10 permit under the Rivers and Harbors Appropriation Act of 1899. The U.S. Army Corps of Engineers reviews and authorizes projects under this act with either a standard individual permit, letter-of-permission, nationwide permit, or regional permit associated with the Clean Water Act.

National Pollutant Discharge Elimination System (NPDES)

Ecology regulates activities that result in wastewater discharges to surface water from industrial facilities or municipal wastewater treatment plants. NPDES permits are also required for stormwater discharges from industrial facilities, construction sites of one or more acres, and municipal stormwater systems, such as Tacoma's, that serve census-defined Urbanized Areas, which include any urbanized areas with more than 50,000 people and densities greater than 1,000 people per square mile.

Hydraulic Project Approval (HPA)

The Washington Department of Fish and Wildlife (WDFW) regulates activities that use, divert, obstruct, or change the natural flow of the beds or banks of waters of the state and which may affect fish habitat. Projects in the shoreline jurisdiction requiring construction below the ordinary high water mark of Puget Sound, streams or lakes in the city could require an HPA from WDFW. Projects creating new impervious surface that could substantially increase stormwater runoff to waters of the state may also require approval.

CONCLUSIONS

As shown in the analysis in Table 4, when the anticipated uses in the shoreline are considered together with the regulations that would apply, in most cases there would be no change from the existing level of ecological functions. The cumulative actions taken over time in accordance with the City's proposed TSMP are not likely to result in a net loss of shoreline ecological functions from existing baseline conditions. Conclusions on the future performance of key shoreline functions are summarized as follows:

Hydrology: Hydrology is likely to be unchanged and has the potential for improvement in most of the shoreline districts. Because of the presence of the railroad along districts S-1 through S-3, the coastal bluffs have been disconnected from the shoreline and hydrologic processes have been altered. The railroad is unlikely to be removed during the planning horizon of this plan (20 years) and this condition is unlikely to change.

Water Quality: Water quality is likely to remain unchanged or improved in all shoreline districts. Regulations would limit any additional impacts to wetlands, and any impacts would be mitigated. SMP policies and regulations encourage the use of LID techniques, addressing non-point source pollution. Past and future restoration activities are addressing ongoing point source contributors to water quality degradation.

Large Woody Debris and Organic Contributions: These elements comprise shoreline habitats and have been altered in most of the City's shoreline (S-4 and S-5, Point Defiance - is the exception). This function is expected to remain unchanged or improve overtime under the proposed TSMP. Provisions of the proposed TSMP require that impacts to vegetation functions be mitigated to achieve no net loss; vegetated buffers are established for new development or as part of redevelopment; and the restoration plan includes a fee-in-lieu program that will allow mitigation to be conducted off site – in larger projects and in locations with potentially more benefit than smaller, individual, dispersed projects.

As described in the shoreline inventory and characterization report, past and ongoing uses along Tacoma's shorelines have lead to degraded shoreline functions. Past industrial uses have lead to water quality degradation, the railroad along the Narrows has altered natural hydrological processes, and overwater structures have altered habitats. However, as described above, updates to shoreline environment designations, use regulations and development standards, and implementation of the shoreline restoration plan provide substantially improved protection of shoreline functions.

In concert with implementation of restoration actions in the city and other on-going state and federal programs, the regulatory provisions of the proposed TSMP would serve to maintain the overall condition of shoreline resources in the city and in certain circumstances improve the overall condition.

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- City of Tacoma. 2010. Preliminary Draft Shoreline Master Program Update. Prepared in January 2010.
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Chapter 13.11
CRITICAL AREAS PRESERVATION

Sections:

13.11.100	General Provisions.
13.11.110	Purpose.
13.11.120	Intent.
13.11.130	Scope and Applicability.
13.11.140	Exempted Activities.
13.11.150	<i>Repealed.</i>
13.11.160	Pre-existing Uses/Structures.
13.11.170	Critical Area Designation and SEPA.
13.11.180	Abrogation and Greater Restrictions.
13.11.190	Severability.
13.11.200	Notice on Title.
13.11.210	Residential Density Credits.
13.11.220	Regulated Uses/Activities.
13.11.230	Application Types.
13.11.240	Legal Test(s).
13.11.250	Review Process.
13.11.260	General Mitigation Requirements.
13.11.270	Sureties.
13.11.280	Conditions and Appeals.
13.11.300	Wetlands.
13.11.310	Wetland Classification.
13.11.320	Wetland Buffers.
13.11.330	Wetland Buffer Modifications.
13.11.340	Wetland Standards.
13.11.350	Wetland Mitigation Requirements.
13.11.360	<i>Repealed.</i>
13.11.400	Streams and Riparian Habitats.
13.11.410	Stream Classification.
13.11.420	Stream Buffers.
13.11.430	Stream Buffer Modification.
13.11.440	Stream Crossing Standards.
13.11.450	Stream Mitigation Requirements.
13.11.500	Fish and Wildlife Habitat Conservation Areas (FWHCAs).
13.11.510	Classification.
13.11.520	Standards.
13.11.530	FWHCA's Shoreline – Marine Buffers.
13.11.540	FWHCA's Marine Buffer Modifications.
13.11.550	FWHCA's Mitigation Requirements.
13.11.560	FWHCA's Management Areas.
13.11.580	Habitat Zones.
13.11.600	Flood Hazard Areas.
13.11.610	Classification.
13.11.620	Standards.
13.11.700	Geologic Hazardous Areas.
13.11.710	Designation.
13.11.720	Classification.
13.11.730	General Development Standards.
13.11.800	Aquifer Recharge Areas.
13.11.810	Classification.
13.11.820	Standards.
13.11.900	Definitions.

13.11.100 General Provisions

The 100 and 200 sections contain the general provisions, including the following:

13.11.110	Purpose.
13.11.120	Intent.
13.11.130	Scope and Applicability.
13.11.140	Exempted Activities.
13.11.150	<i>Repealed.</i>
13.11.160	Pre-existing Uses/Structures.
13.11.170	Critical Area Designation and SEPA.
13.11.180	Abrogation and Greater Restrictions.
13.11.190	Severability.
13.11.200	Notice on Title.
13.11.210	Residential Density Credits.
13.11.220	Regulated Uses/Activities.
13.11.230	Application Types.
13.11.240	Legal Test(s).
13.11.250	Review Process.
13.11.260	General Mitigation Requirements.
13.11.270	Sureties.
13.11.280	Conditions and Appeals.

(Ord. 27912 Ex. A; passed Aug. 10, 2010; Ord. 27893 Ex. A; passed Jun. 15, 2010)

13.11.110 Purpose.

The purpose of this chapter is to protect the public health, safety, and welfare by establishing a regulatory scheme based on Best Available Science that classifies, protects, and preserves Tacoma's critical areas; by providing standards to manage development in association with these areas; and by designating some of these areas as environmentally sensitive in accordance with the State Environmental Policy Act (SEPA). Many critical areas provide a variety of valuable and beneficial biological and physical functions that benefit the City and its residents, while others may pose a threat to human safety, or to public and private property. (Ord. 27431 § 13; passed Nov. 15, 2005; Ord. 27294 § 2; passed Nov. 16, 2004)

13.11.120 Intent.

A. Critical areas include critical aquifer recharge areas, fish and wildlife habitat conservation areas (FWHCAs), flood hazard areas, geologically hazardous areas, stream corridors, wetlands, and any buffer zones. These critical areas serve many important ecological functions. Many of the critical areas in Tacoma have been lost or degraded through past development. Tacoma, as an urban growth area, is experiencing increasing growth and its land resource is diminishing. This increasing growth and diminishing land resource is creating pressure for the development of critical areas. New construction technology is also creating pressure on these sites by making development feasible on sites where it was formerly impractical to build.

B. Because of the ecological benefits of critical areas, their past destruction, and the increasing pressure to develop them, the intent of this chapter is to ensure that the City's remaining critical areas are preserved and protected and that development in or adjacent to these areas is managed. The preservation standards are provisions designed to protect critical areas from degradation caused by improper development. These criteria and standards will secure the public health, safety, and welfare by:

1. Protecting members of the public and public resources and facilities from injury, loss of life, or property damage due to landslides and steep slope failures, erosion, seismic events, volcanic eruptions, flooding or similar events;
2. Maintaining healthy, functioning ecosystems through the protection of ground and surface waters, wetlands, and fish and wildlife and their habitats, and to conserve biodiversity of plant and animal species;
3. Preventing cumulative adverse impacts to water quality, streams, FWHCAs, and wetlands including the prevention of net loss of wetlands.

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4. Providing open space and aesthetic value;
5. Providing migratory pathways for fish and birds;
6. Giving special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries;
7. Providing unique urban wilds that serve as natural laboratories for schools and the general public;
8. Avoiding public expenditures to correct damaged or degraded critical ecosystems;
9. Alerting appraisers, assessors, owners, potential buyers, or lessees to the potential presence of a critical ecosystem and possible development limitations; and
10. Providing City officials with information, direction, and authority to protect ecosystems when evaluating development proposals. (Ord. 27728 Ex. A; passed Jul. 1, 2008; Ord. 27431 § 14; passed Nov. 15, 2005; Ord. 27294 § 2; passed Nov. 16, 2004)

13.11.130 Scope and Applicability.

A. The provisions of this chapter apply to all lands, all land uses and development activities, and all structures and facilities in the City, whether or not a permit or authorization is required, and shall apply to every person, firm, partnership, corporation, group, governmental agency, or other entity that owns, leases, or administers land within the City. Upon Department of Ecology approval of an updated City of Tacoma Shoreline Master Program, this chapter will no longer apply to lands and waters subject to the Shoreline Management Act and the Tacoma Shoreline Master Program. Until such time, critical areas within or associated with Shorelines of the State will continue to be subject to the requirements and standards of this chapter. This chapter specifically applies to any activity which would destroy the natural vegetation; result in a significant change in critical habitat, water temperature, physical, or chemical characteristics; or alter natural contours and/or substantially alter existing patterns of tidal, sediment, or storm water flow on any land which meets the classification standards for any critical area defined herein. Such activities include excavation, grading, filling, the removal of vegetation, and the construction, exterior alteration, or enlargement of any building or structure. In addition, this chapter applies to all public or private actions, permits, and approvals in or adjacent to a critical area and its buffer, including, but not limited to, the following:

1. Building, demolition, clearing and grading, filling, special, storm water, and sanitary sewer permits, and local improvement districts;
2. Subdivisions and short plats;
3. Reclassifications, site plan approvals, shoreline substantial development permits, and special and conditional use permits and variances.

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13.06.520 Signs.

C. Definitions.

Directional sign. A sign that is an attached or freestanding railroad, highway, road, or traffic signs or signals erected, constructed, or maintained for the purpose of providing safety and directional information within public and private properties or rights-of-way for the movement of pedestrian and vehicular traffic.

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

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

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

Frontage.

1. **Freestanding sign.** For the purpose of computing the size of a freestanding sign, frontage shall be the length of the property line parallel to and abutting each public right-of-way bordered.

2. **Building mounted sign.** For the purpose of computing the size of building mounted signs, frontage shall be the length of that portion of the building containing the business oriented onto a right-of-way or parking lot. For a business with more than one frontage, the largest frontage with a public entrance shall be used.

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

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

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

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

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

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

13.06.521 General sign regulations.

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

13.06.522 District sign regulations.

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13.06.522.L	T, NCX, URX, Non-Residential Districts with VSD	HM, HMX
Signage Allocation		
Maximum total sign area	1-1/2 square feet per 1 linear feet of building frontage abutting a street frontage, applies to the first 50 feet, with 1/2 square foot per 1 linear foot of building frontage over 50 feet.	HM and HMX sign regulations for use by hospitals only, all other uses in HM and HMX to follow T sign regulations.
Signs Attached to Buildings		
Maximum number	2 per primary frontage (1 may be ground sign), 1 per perpendicular frontage(s), 1 per alley frontage with a public entrance.	One per elevation.
Maximum area per sign	Shall not exceed size allocation on primary frontage, 50 square feet on perpendicular frontage(s), 25 square feet on alley frontage, 10 square feet on upper story or basement uses.	Identification signs at 75 square feet. Directional signs at 25 square feet.
Minimum sign area	30 square feet, except for upper story or basement uses.	
Wall	Provisions of Section 13.06.521.E shall apply.	Same as T.
Awning, canopy	Provisions of Section 13.06.521.J shall apply.	Same as T.
Marquee, under-marquee	Provisions of Section 13.06.521.H and I shall apply.	Same as T.
Projecting	40 square feet with frontage of at least 25 feet and not allowed on alleys, provisions of Section 13.06.521.F shall apply.	Provisions of Section 13.06.521.G shall apply.
Roof signs	Prohibited.	Same as T.
Billboards	Prohibited.	Same as T.
Freestanding Signs		
Maximum number	1 per site, sign area shared with building sign allocation (not allowed on an alley).	1 per right-of-way frontage or 1 per access, regardless the number of major accesses on one right-of-way frontage.
Maximum area per sign	30 square feet.	Identification or directory signs at 50 square feet. Directional signs at 25 square feet.
When not allowed	When the building signage has utilized the allowed sign area for wall signage or when a projection sign exists on the site.	N/A.
Maximum height	6 feet.	Identification or directory signs at 15 feet.
Directionals	Shall be limited to 4 feet in height.	Shall be limited to 6 feet in height.
Setback	None, but signs shall be on private property.	Same as T.
Billboards	Prohibited.	Same as T.

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13.06.522.L	T, NCX, URX, Non-Residential Districts with VSD	HM, HMX
Sign Features		
Lighting	Indirect, flood lighting, or internal illumination allowed. No bare bulb illumination allowed. All external lighting to be directed away from adjacent properties to minimize effects of light and glare upon adjacent uses.	Same as T.
Rotating, animated	Prohibited.	Same as T.
Flashing	Prohibited.	Same as T.
Changing message center	Allowed.	Same as T.
Temporary Signs		
A-boards	1 per business, on private property, 12 square feet per side, 4 feet height.	Prohibited.
Banners, pennants	Prohibited.	Banners allowed at 30 square feet.
Flags	Prohibited, except for the national flag, state flag, flags of other political subdivisions.	Same as T.
Window signs	Exempt, but shall not exceed 25 percent of the window area.	Same as T.
Incidental public service signs	Less than 4 square feet, contains no advertising, intended to provide messages such as "no parking," "exit," "entrance," etc.	Same as T.
Searchlights, beacons	Prohibited.	Same as T.

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Section 13.06.522.N. Sign regulations specific to signage within the Shoreline Districts

The following are regulations concerning the size limitations of signs which apply to all proposed and existing developments on the shoreline and associated wetlands or wetland areas of the City:

1. Multiple-Family Residential:

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

2. Commercial:

	S-7, S-9, and S-10 Districts	S-8 District	S-1a, S-1b, S-5, S-6, S-11 and S-15 Districts
Sign Allocation			
Total Sign Area Allocation for signs	1 <u>building or 1 freestanding</u> per development site	2 <u>building</u> signs, on separate building <u>faces-elevations or 1 building and 1</u>	1 <u>building or 1 freestanding</u> per development site

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attached to buildings and freestanding signs	Signs having both land and water access may have one sign facing landward and one facing waterward.	<u>freestanding sign</u> Signs having both land and water access may have one sign facing landward and one facing waterward. <u>Freestanding signs must be oriented landward.</u>	Signs having both land and water access may have one sign facing landward and one facing waterward.
<u>Maximum total sign area</u>		<u>Buildings containing one business are allowed .75 square-foot of sign area per lineal foot of building frontage.</u> <u>Buildings on development sites containing multiple buildings may calculate their sign area based on .75 square feet of sign area per lineal street frontage.</u>	
Signs Attached to Buildings			
Max <u>Maximum</u> N <u>number</u>	1 per development site For development sites that contain multiple tenants, each tenant may have an additional single building face sign which shall be limited to a maximum total area of 6 square feet. This sign area is not included in the total sign area.	2 signs, on separate building faces For b <u>Buildings containing multiple businesses are allowed one additional non-freestanding sign for a total of 3 signs.</u> , each tenant may have an additional single building face sign which shall be limited to a maximum total area of 10 square feet. This sign area is not included in the total sign area.	1 per development site For development sites that contain multiple tenants, each tenant may have an additional single building face sign which shall be limited to a maximum total area of 6 square feet. This sign area is not included in the total sign area.
Max <u>Maximum</u> N <u>area per S</u> <u>sign area</u>	60 <u>sqsquare</u> feet	Buildings containing one business are allowed .75 square foot of sign area per lineal foot of building frontage. Buildings on development sites containing multiple buildings may calculate their sign area based on .75 square feet of sign area per lineal street frontage.	60 <u>sqsquare</u> feet

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		The maximum area for any sign is 75 square feet.	
<u>Minimum sign area</u>	<u>One additional sign per tenant up to 6 square feet in area. This sign area is not included in the maximum sign area.</u>	<u>One additional sign per tenant up to 10 square feet in area. This sign area is not included in the maximum sign area.</u>	<u>One additional sign per tenant up to 6 square feet in area. This sign area is not included in the maximum sign area.</u>
Freestanding Signs			
Max <u>Maximum Number</u>	1 per development site	1 per development site, <u>oriented landward</u> Buildings containing multiple businesses may provide one additional non-freestanding sign (for a total of three).	1 per development site
Max <u>Maximum Area per Sign area</u>	45 <u>sqsquare</u> feet <u>per face</u> ;	Buildings containing one business are allowed .75 square foot of sign area per lineal foot of building frontage. Buildings on development sites containing multiple buildings may calculate their sign area based on .75 square feet of sign area per lineal street frontage. The maximum area for any sign is 75 square feet.	30 <u>sqsquare</u> feet <u>per face</u>
Maximum H <u>Height</u>	15 <u>feet</u> ;	20 feet and oriented landward	8 <u>feet</u>
Location	A freestanding sign may not be placed anywhere on a site where it significantly degrades a vista, viewpoint, or view shed presently available to the public, or impairs the visual access to the water from such view areas.		
A- <u>B</u> board		One non-illuminated A-board sign limited to a maximum total area of up to 10 square feet in total area is allowed for each use is allowed ; provided, that the sign area provided is included in the total allowable sign area and does not obstruct designated public or vehicular access routes. <u>This sign area is not included in the maximum sign area.</u>	

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Lighting			
<p>Lighting and Illumination Restrictions for signs attached to buildings and freestanding signs</p>	<p>Indirect illumination and floodlighting shall be the only allowable means of illumination of signs. All external lighting shall be directed away from the water and adjacent properties to minimize the effects of light and glare upon adjacent uses. No external bare bulb illumination of signs shall be allowed. No flashing, revolving, fluttering, undulating, animated, or otherwise moving signs shall be allowed.</p>	<p>Neon signs shall be allowed in the "S-8" Shoreline District. No other external bare bulb illumination of signs shall be allowed.</p> <p>Indirect illumination and floodlighting shall be the only allowable means of illumination of signs. All external lighting shall be directed away from the water and adjacent properties to minimize the effects of light and glare upon adjacent uses. No flashing, revolving, fluttering, undulating, animated, or otherwise moving signs shall be allowed.</p>	<p>Indirect illumination and floodlighting shall be the only allowable means of illumination of signs. All external lighting shall be directed away from the water and adjacent properties to minimize the effects of light and glare upon adjacent uses. No external bare bulb illumination of signs shall be allowed. No flashing, revolving, fluttering, undulating, animated, or otherwise moving signs shall be allowed.</p>

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3. Industrial:

	S-1a, S-7, S-8, S-9, and S-10 Districts
Sign Allocation	
Total S ign Area Allocation for signs attached to buildings and freestanding signs	1 <u>building or one freestanding</u> per development site Signs having both land and water access may have one sign facing landward and one facing waterward.
Signs Attached to Buildings	
Max Maximum Number	1 per development site In addition, where a development site contains one or more tenants, each tenant may have a single building face sign which shall be limited to a maximum total area of 12 square feet.
Max Maximum area per S ign area	100 <u>square feet</u>
Minimum sign area	<u>One additional sign per tenant up to 12 square feet in area. This sign area is not included in the maximum sign area.</u>
Freestanding Signs	
Max Maximum Number	1 per development site
Max Maximum Area per S ign	75 s quare ft <u>per face</u>
Maximum H height	20 <u>feet</u>
Location	A freestanding sign may not be placed anywhere on a site where it significantly degrades a vista, viewpoint, or view shed presently available to the public, or impairs the visual access to the water from such view areas.
Lighting	
Lighting and I llumination R estrictions for signs attached to buildings and freestanding signs	Indirect illumination and floodlighting shall be the only allowable means of illumination of signs. All external lighting shall be directed away from the water and adjacent properties to minimize the effects of light and glare upon adjacent uses. No external bare bulb illumination of signs shall be allowed, except that neon signs shall be allowed in the "S-8" Shoreline District. No flashing, revolving, fluttering, undulating, animated, or otherwise moving signs shall be allowed.

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4. Park/Recreational

	All Shoreline Districts
Sign Allocation	
Total Sign Area Allocation for signs attached to buildings and freestanding signs	1 <u>freestanding sign</u> per development site
Freestanding Signs	
Maximum Number	1 per development site
Maximum Area per Sign area	30 <u>square feet per face</u>
Maximum H height	8 <u>feet</u>
Location	A freestanding sign may not be placed anywhere on a site where it significantly degrades a vista, viewpoint, or view shed presently available to the public, or impairs the visual access to the water from such view areas.
Lighting	
Lighting and I llumination R estrictions for signs attached to buildings and freestanding signs	<p>Indirect illumination and floodlighting shall be the only allowable means of illumination of signs. All external lighting shall be directed away from the water and adjacent properties to minimize the effects of light and glare upon adjacent uses.</p> <p>No external bare bulb illumination of signs shall be allowed, except that neon signs shall be allowed in the "S-8" Shoreline District. No flashing, revolving, fluttering, undulating, animated, or otherwise moving signs shall be allowed.</p>

Chapter 13.05

LAND USE PERMIT PROCEDURES

Sections:

- 13.05.005 Definitions.
- 13.05.010 Application requirements for land use permits.
- 13.05.020 Notice process.
- 13.05.030 Land Use Administrator – Creation and purpose – Appointment – Authority.
- 13.05.040 Decision of the Land Use Administrator.
- 13.05.050 Appeals of administrative decisions.
- 13.05.060 Applications considered by the Hearing Examiner.
- 13.05.070 Expiration of permits.
- 13.05.080 Modification/revision to permits.
- 13.05.090 Land Use Administrator approval authority.
- 13.05.095 Development Regulation Agreements.
- 13.05.100 Enforcement.
- 13.05.105 *Repealed.*
- 13.05.110 *Repealed.*

13.05.005 Definitions.

As used in this chapter, the following terms are defined as:

A. Abate: To repair, replace, remove, destroy, or otherwise remedy a condition which constitutes a violation of this title by such means and in such a manner and to such an extent as the Land Use Administrator determines is necessary in the interest of the public health, safety, and welfare of the community

B. Aggrieved Person: In an appeal, an “aggrieved person” shall be defined as a person who is suffering from an infringement or denial of legal rights or claims.

C. Appeal, for Standing: An aggrieved person or entity has “standing” when such person or entity is entitled to notice under the applicable provision of the Tacoma Municipal Code, or when such person or entity can demonstrate that such person or entity is within the zone of interest to be protected or regulated by the City law and will suffer direct and substantial impacts by the governmental action of which the complaint is made, different from that which would be experienced by the public in general.

D. Application, Complete: An application which meets the procedural requirements outlined in Section 13.05.010.C.

E. Department: As used in this chapter, “Department” refers to the Community and Economic Development Department.

F. Open Record Hearing: A hearing, conducted by a single hearing body or officer authorized to conduct such hearings that create a record through testimony and submission of evidence and information.

G. Owner: Any person having any interest in the real estate in question as indicated in the records of the office of the Pierce County Assessor, or who establishes, under this chapter, his or her ownership interest therein.

H. Person in Control of Property: Any person, in actual or constructive possession of a property, including, but not limited to, an owner, occupant, agent, or property manager of a property under his or her control.

I. Premises and property: Used by this chapter interchangeably and means any building, lot, parcel, dwelling, rental unit, real estate, or land, or portion thereof.

J. Project Permit or Project Permit Application: Any land use or environmental permit or license required for a project action, including, but not limited to, subdivisions, binding site plans, planned developments, conditional uses, shoreline substantial development permits, site plan review, permits or approvals required by the critical area preservation ordinance, site-specific rezones authorized by a Comprehensive Plan or sub area plan, but excluding the adoption or amendment of a Comprehensive Plan, sub area plan, or development regulations, except as otherwise specifically included in this subsection. This chapter does not apply to Exempted Activities under Section 13.11.140.

K. Public Meeting: An informal meeting, hearing, workshop, or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to the decision. A public meeting does not constitute an open record hearing. The proceedings at a public meeting may be recorded and a report or recommendation shall be included in the project permit application file.

L. Violation: Any act which results in non-compliance with any of the standards outlined within this title or conditions imposed from land use permits granted by the City.

M. Work Plan: Any document containing information detailing all of the required approvals, processes, timelines, actions, reports, etc., that are necessary to remedy a violation of this title and that said approvals, processes, timelines, actions, reports, etc. will be undertaken in order to gain compliance with this title. (Ord. 27912 Ex A; passed Aug. 10, 2010:

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Ord. 27728 Ex A; passed Jul. 1, 2008: Ord. 27431 § 4; passed Nov. 15, 2005: Ord. 25852 § 1; passed Feb. 27, 1996)

13.05.010 Application requirements for land use permits.

H. Limitations on Refiling of Application.

1. Applications for a land use permit pursuant to Title 13 on a specific site shall not be accepted if a similar permit has been denied on the site within the 12 months prior to the date of submittal of the application. The date of denial shall be considered the date the decision was made on an appeal, if an appeal was filed, or the date of the original decision if no appeal was filed.

2. The 12-month time period may be waived or modified if the Land Use Administrator finds that special circumstances warrant earlier reapplication. The Land Use Administrator shall consider the following in determining whether an application for permit is similar to, or substantially the same as, a previously denied application:

a. An application for a permit shall be deemed similar if the proposed use of the property is the same, or substantially the same, as that which was considered and disallowed in the earlier decision;

b. An application for a permit shall be deemed similar if the proposed application form and site plan (i.e., building layout, lot configuration, dimensions) are the same, or substantially the same, as that which was considered and disallowed in the earlier decision; and

c. An application for a variance ~~or waiver~~ shall be deemed similar if the special circumstances which the applicant alleges as a basis for the request are the same, or substantially the same, as those considered and rejected in the earlier decision.

In every instance, the burden of proving that an application is not similar shall be upon the applicant.

13.05.020 Notice process.

A. Purpose. The purpose of this section is to provide notice requirements for land use applications.

B. Process I – Minor Land Use Decisions.

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.E. ~~A variance is an e~~Examples of ~~a~~ minor land use decisions ~~s~~ are waivers and variances.

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
Interpretation/determination of code	Recommended	100 feet for site specific	For general application	Yes	14 days	LUA	No	No	None
Uses not specifically classified	Recommended	400 feet	Yes	Yes	30 days	LUA	No	No	None
Boundary line adjustment	Required	No	No	No	No	LUA	No	No	5 years***
Binding site plan	Required	No	No	No	No	LUA	No	No	5 years***
Environmental SEPA DNS/EIS	Optional	Same as case type	Yes if no hearing required	Yes for EIS	Same as case type	Dept. Director	No	No	None
Variance , height of main structure	Required	400 feet	No	Yes	30 days	LUA	No*	No	5 years

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Open space classification	Required	400 feet	No	Yes	**	Hearing Examiner	Yes	Yes	None
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***
Rezoning	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****
Variance	Optional	100 feet	No	Yes	14 days	LUA	No*	No	5 years
Waiver	Optional	100 feet	No	Yes	14 days	LUA	No*	No	Condition of permit
Wetland/Stream/ FWHCA development permits	Required	400 feet	No	Yes	30 days	LUA	No*	No	5 years
Wetland/stream/ FWHCA assessment	Required	400 feet	No	Yes	14 days	LUA	No	No	5 years
Wetland delineation verification	Required	400 feet	No	Yes	30 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.

(Ord. 27893 Ex. A; passed Jun. 15, 2010; Ord. 27813 Ex. C; passed Jun. 30, 2009; Ord. 27771 Ex. B; passed Dec. 9, 2008; Ord. 27728 Ex. A; passed Jul. 1, 2008; Ord. 27631 Ex. A; passed Jul. 10, 2007; Ord. 27431 § 6; passed Nov. 15, 2005; Ord. 27245 § 2; passed Jun. 22, 2004; Ord. 27158 § 1; passed Nov. 4, 2003; Ord. 26195 § 1; passed Jan. 27, 1998; Ord. 25852 § 1; passed Feb. 27, 1996)

13.05.030 Land Use Administrator – Creation and purpose – Appointment – Authority.

A. Creation and Purpose. The position of Land Use Administrator is hereby created. The Land Use Administrator shall act upon land use regulatory permits as specified in this chapter. In order to ensure that the Land Use Administrator is free from improper influence, no individual, City employee, and member of the City Council, or other City board, commission or committee shall interfere with the exercise of the Land Use Administrator's duties and responsibilities set forth herein.

B. Appointment. The Land Use Administrator shall be appointed by the Director of the Community and Economic Development Department, upon advice of the Director of Public Works and the City Attorney. The Director of the Community and Economic Development Department may also designate an Acting Land Use Administrator who shall, in the event of the absence or the inability of the Land Use Administrator to act, have all the duties and powers of the Land Use Administrator.

C. Authority. The Land Use Administrator shall have the authority to act upon the following matters:

1. Interpretation, enforcement, and administration of the City's land use regulatory codes as prescribed in this title;
2. Applications for conditional use permits;
3. Applications for site plan approvals;
4. Applications for variances;
- ~~5. Applications for waivers;~~
6. Applications for preliminary and final plats as outlined in Chapter 13.04, Platting;
7. Applications for Wetland/Stream/FWHCA Development Permits, Wetland Delineation Verifications, Wetland/Stream/FWHCA Assessments as outlined in Chapter 13.11;
8. Applications for Shoreline Management Substantial Development Permits/conditional use/ variances as outlined in Chapter 13.10;
9. Modifications or revisions to any of the above approvals;
10. Approval of landscape plans;
11. Extension of time limitations;
12. Application for permitted use classification for those uses not specifically classified.
13. Boundary line adjustments, binding site plans, and short plats;
14. Approval of building or development permits requiring Land Use Code and Environmental Code compliance.

D. Interpretation and Application of Land Use Regulatory Code. In interpreting and applying the provisions of the Land Use Regulatory Code, the provisions shall be held to be the minimum requirements for the promotion of the public safety, health, morals or general welfare. It is not intended by this code to interfere with or abrogate or annul any easements, covenants or agreements between parties. Where this code imposes a greater restriction upon the use of buildings or premises or upon the heights of buildings or requires larger yards or setbacks and open spaces than are required in other ordinances, codes, regulations, easements, covenants or agreements, the provisions of this code shall govern. An interpretation shall be utilized where the factual basis to make a determination is unusually complex or there is some problem with the veracity of the facts; where the applicable code provision(s) is ambiguous or its application to the facts unclear; or in those instances where a person applying for a license or permit disagrees with a staff determination made on the application. Requests for interpretation of the provisions of the Land Use Regulatory Code shall be processed in accordance with the requirements of Section 13.05.040.

E. Permitted Uses – Uses Not Specifically Classified. In addition to the authorized permitted uses for the districts as set forth in this title, any other use not elsewhere specifically classified may be permitted upon a finding by the Land Use Administrator that such use will be in conformity with the authorized permitted

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uses of the district in which the use is requested. Notification of the decision shall be made by publication in a newspaper of general circulation.

F. Reasonable Accommodation. Any person claiming to have a handicap, or someone acting on his or her behalf, who wishes to be excused from an otherwise applicable requirement of this Land Use Code under the Fair Housing Amendments Act of 1988, 42 USC § 3604(f)(3)(b), or the Washington Law Against Discrimination, Chapter 49.60 RCW, must provide the Land Use Administrator with verifiable documentation of handicap eligibility and need for accommodation. The Administrator shall act promptly on the request for accommodation. If handicap eligibility and need for accommodation are demonstrated, the Administrator shall approve an accommodation, which may include granting an exception to the provisions of this Code. The City shall not charge any fee for responding to such a request. (Ord. 27893 Ex. A; passed Jun. 15, 2010; Ord. 27813 Ex. C; passed Jun. 30, 2009; Ord. 27728 Ex. A; passed Jul. 1, 2008; Ord. 27539 § 1; passed Oct. 31, 2006; Ord. 27466 § 35; passed Jan. 17, 2006; Ord. 27431 § 7; passed Nov. 15, 2005; Ord. 27245 § 3; passed Jun. 22, 2004; Ord. 27017 § 5; passed Dec. 3, 2002; Ord. 26195 § 2; passed Jan. 27, 1998; Ord. 25852 § 1; passed Feb. 27, 1996)

13.05.050 Appeals of administrative decisions.

A. Purpose. The purpose of this section is to cross-reference the procedures for appealing administrative decisions on land use proposals.

B. Applicability. The provisions of this section shall apply to any order, requirement, permit, decision, or determination on land use proposals made by the Land Use Administrator. These may include, but are not limited to, variances, ~~shoreline~~, short plat, wetland/stream development, site approval, and conditional use permits, modifications to permits, interpretations of land use regulatory codes, and decisions for the imposition of fines. ~~These provisions do not apply to decisions of the Land Use Administrator for revised shoreline permits (refer to Section 13.10.200). Appeals of shoreline permit decisions shall be subject to the appeals process in the Shoreline Master Program and TMC 13.10.~~ These provisions also do not apply to exemptions under TMC Chapter 13.11.

C. Appeal to the Hearing Examiner. The Examiner shall have the authority to hear and decide appeals from any written order, requirement, permit, decision, or determination on land use proposals, except for appeals of decisions identified in Chapter 13.04, made by the Land Use Administrator. The Examiner shall consider the appeal in accordance with procedures set forth in Chapter 1.23 and the Hearing Examiner's rules of procedure.

D. Who May Appeal. Any decision or ruling of the Land Use Administrator may be appealed by any aggrieved person or entity having standing under the ordinance of the Land Use Administrator's written order. In this context, an "aggrieved person" shall be defined as a person who is suffering from an infringement or denial of legal rights or claims. An aggrieved person has "standing" when it is determined that the person or entity can demonstrate that such person or entity is within the zone of interest to be protected or regulated by the City law and will suffer direct and substantial impacts by the governmental action of which the complaint is made, different from that which would be experienced by the public in general.

E. Time Limit for Appealing. Appeals from decisions or rulings of the Land Use Administrator shall be made within 14 calendar days of the date of the written order or within seven calendar days of the date of issuance of the decision on a request for reconsideration, not counting the day of issuance of the decision. If the last day for filing an appeal falls on a weekend day or a holiday, the last day for filing shall be the next working day.

F. Form of Appeal. An appeal of the Land Use Administrator shall take the form of a written statement of the alleged reason(s) the decision was in error, or specifying the grounds for appeal. The following information, accompanied by an appeal fee as specified in Section 2.09.500, of the Tacoma Municipal Code, shall be submitted:

1. An indication of facts that establish the appellant's right to appeal.
2. An identification of explicit exceptions and objections to the decision being appealed, or an identification of specific errors in fact or conclusion.

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3. The requested relief from the decision being appealed.
4. Any other information reasonably necessary to make a decision on the appeal.

NOTE: Failure to set forth specific errors or grounds for appeal shall result in summary dismissal of the appeal.

13.05.070 Expiration of permits.

(Refer to Table G in Section 13.05.020).

A. Expiration Schedule. The following schedule indicates the expiration provisions for land use permits within the City of Tacoma.

	Type of Permit	Maximum Duration
1.	Conditional Use Permit	5 years
2.	Variance	5 years
3.	Site Approval	5 years
4.	Waiver	5 years
5.	Wetland/Stream/FWHCA Development Permits and Wetland/Stream/FWHCA Assessments	5 years
6.	Wetland Delineation Verifications	5 years
7.	Preliminary Plats, Binding Site Plans, Short Plats, Boundary Line Adjustments	5 years to record with Pierce County Auditor
8.	Shoreline Permits	2 years to commence construction; 5 years maximum, possible one- year extension



City of Tacoma
Community and Economic Development Department

Agenda Item
GB-3

TO: Planning Commission
FROM: Donna Stenger, Manager, Long-Range Planning Division
SUBJECT: 2011 Annual Amendment – Recommendation
DATE: April 13, 2011

The Planning Commission is scheduled to make its recommendations to the City Council at the meeting on April 20, 2011, concerning the proposed amendments to the Comprehensive Plan and Land Use Regulatory Code for 2011, which consist of the following:

- #2011-01 – 49th and Pine Intensity and Zoning Change
- #2011-02 – Historic Preservation Plan and Code Revisions
- #2011-04 – Water Level of Service Standard
- #2011-05 – Transportation Element
- #2011-06 – Regional Centers & Safety-Oriented Design
- #2011-07 – Park Zoning and Permitting
- #2011-08 – Regulatory Code Refinements
- #2011-09 – SEPA Regulations Amendment

As discussed at your last meeting, attached for your consideration are proposed revisions to the draft Historic Preservation Plan and Regulatory Code in response to public testimony and further staff analysis. These changes will be incorporated into the recommended documents if the Commission concurs. Also attached for your review and approval is a copy of the draft letter from the Commission to the City Council forwarding the recommendations and the draft “Planning Commission’s Findings and Recommendations.”

The City Council is scheduled to review the Commission’s recommendations at a study session on May 3, hold a public hearing on May 24 to receive public testimony, consider first reading of ordinances for adopting the proposed amendments on June 7, and consider final reading of said ordinances on June 14. The effective date of the adopted amendments will be August 1, 2011.

If you have any questions, please contact Donna Stenger at 591-5210 or dstenger@cityoftacoma.org.

DS:lw

c. Peter Huffman, Assistant Director

Attachments (4)



**2011 PROPOSED AMENDMENTS
TO THE
COMPREHENSIVE PLAN AND LAND USE REGULATORY CODE**

TACOMA PLANNING COMMISSION
FINDINGS AND RECOMMENDATIONS
APRIL 20, 2011

A. SUBJECT:

Proposed amendments to the City of Tacoma’s Comprehensive Plan and modifications to the Land Use Regulatory Code, including an area-wide zoning reclassification, for 2011.

B. SUMMARY OF PROPOSED AMENDMENTS:

Nine (9) applications were submitted for consideration as part of the 2011 Annual Amendment. Application #2011-03 concerning the development of a new Container Port Element in the Comprehensive Plan was subsequently considered an independent proposal and is being reviewed separately and on a different timeline from the annual amendment.

Following is a brief summary of the proposed revisions for 2011. Of the eight (8) applications, #2011-01 was submitted by the Westmall Court Pine Street LLC, #2011-04 was submitted by Tacoma Water, and all others were submitted by the Community and Economic Development Department. Of note, #2011-02 is in response to one of the City Council’s adopted priority planning projects; a portion of #2011-05 was included based on an adopted motion of City Council; and #2011-07 was requested by Metro Parks Tacoma.

APPLICATION	DESCRIPTION OF AMENDMENT
#2011-01: 49th & Pine Intensity and Zoning Change	Change the Comprehensive Plan Intensity designation at South 49 th & Pine Streets (4910 & 4924 South Pine Street) from Low and Single-family to Medium, and change the zoning classification from R-2 and C-1 to R-4L (Low-Density Multiple-Family Dwelling District), to allow for construction of up to 145 multi-family dwelling units on the 5-acre site.
#2011-02: Historic Preservation Plan and Code Update	Creation of a new Historic Preservation Element of the Comprehensive Plan and amendments to the Land Use Regulatory Code to provide updated and improved guidance regarding historic preservation and the City’s preservation program.
#2011-04: Water Level of Service Standard	Revisions to the existing level of service standard (LOS) for “Water (Potable)” as contained in the Capital Facilities Element of the Comprehensive Plan from “562 gallons per day per Equivalent Residential Unit (ERU)” to “442 gallons per day per Equivalent Residential Unit (ERU)” and/or as contained in Tacoma Water’s current Washington State Department of Health approved water system plan”.
#2011-05: Transportation Element	Amendments to the Transportation Element of the Comprehensive Plan to: Address alternative transportation modes such as skateboards, electric personal assistive mobility devices and low speed vehicles; revisions and addition of new projects to the Unfunded Project List; and updates to the Classification of Arterials Map.

APPLICATION	DESCRIPTION OF AMENDMENT
#2011-06: Regional Center Update and Safety-Oriented Design	Updates to the Comprehensive Plan to reflect changed circumstances including the countywide and regional planning context, to align regional growth center boundaries, and to refine policy direction for safety-oriented design considerations.
#2011-07: Park Zoning and Permitting	Revisions to the development regulations for parks, recreation and open space land uses in order to streamline the permit process in residential zoning districts, while ensuring appropriate compatibility with residential neighborhoods.
#2011-08: Regulatory Code Refinements	Various amendments to the Land Use Regulatory Code to address inconsistencies, correct minor errors, and provide additional clarity.
#2011-09: SEPA Regulations	Updates to, and simplification of, the existing regulatory procedures used to administer the State Environmental Policy Act (SEPA) to ensure consistency with other codes, including the Critical Areas Protection Ordinance, and with current statutes and the State administrative code. The amendment also includes changes to the <i>Comprehensive Plan</i> to clarify the City’s “substantive authority” under SEPA to condition, modify, or deny a permit based on environmental impacts.

C. FINDINGS OF FACT:

1. The Comprehensive Plan, adopted in 1993 by Ordinance No. 25360 and amended by ordinance once every year thereafter, is Tacoma’s comprehensive plan as required by the Growth Management Act (GMA) and consists of several plan and program elements.
2. The GMA requires that any amendments to the Comprehensive Plan and/or development regulations conform to the requirements of the Act.
3. The GMA allows counties and cities to amend their comprehensive land use plans generally only once each year except that amendments may be considered more frequently for a limited set of circumstances. All proposals to amend the Comprehensive Plan shall be considered concurrently so that the cumulative effect of the various changes can be ascertained.
4. The Countywide Planning Policies for Pierce County are required by the GMA and were developed in cooperation with the cities and towns located within the County. The Policies establish a countywide framework that guides the development of town, city, and County comprehensive plans being prepared and amended under GMA.
5. Multicounty planning policies for the Central Puget Sound Region are required by the GMA and are to be used by local jurisdictions to guide growth management and transportation planning. The multicounty planning policies are included within VISION 2040, the Growth Management, Environmental, Economic, and Transportation Strategy for the Central Puget Sound Region, as adopted in April 24, 2008 and amended on May 28, 2009.
6. Multicounty policies contained in VISION 2040 provide direction for transportation planning and investment decisions and form the policy framework for development of Transportation 2040, which was adopted on May 20, 2010 and is an action plan for transportation in the Central Puget Sound Region for the next 30 years.

7. The GMA requires that any change to development regulations shall be consistent with and implement the Comprehensive Plan. Development regulations, as defined by GMA, include, but are not limited to, zoning controls, critical area ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances.
8. Proposed amendments to the Land Use Regulatory Code, Title 13 Tacoma Municipal Code, and area-wide zoning reclassifications fall within the GMA definition of development regulations.
9. Chapter 13.02 of the Tacoma Municipal Code sets forth the procedures and criteria for amending the Comprehensive Plan and development regulations and for area-wide zoning reclassifications.
10. The City Council adopted Resolution No. 37070 on December 19, 2006, approving the four guiding principles for planning the future growth of the City of Tacoma: (1) to protect neighborhoods, (2) to protect critical areas, (3) to protect port, industrial and manufacturing uses, and (4) to increase densities in the downtown and neighborhood business districts.
11. The deadline for submitting an application to the Planning Commission for an amendment to the Comprehensive Plan, development regulations or an area-wide zoning reclassification for consideration in 2011 was June 30, 2010 (Tacoma Municipal Code, Section 13.02.045.D).
12. Nine applications were submitted by the deadline to the Planning Commission for consideration as part of the 2011 annual amendments, of which a summary is provided above.
13. Staff of the Long-Range Planning Division, in accordance with the adoption and amendment procedures and criteria in TMC 13.02.045, conducted an assessment of the proposed amendments. The purpose of the assessment is to determine whether the proposed amendments should be considered in the current amendment cycle, if the proposed amendments should be modified, and whether the amendments can be incorporated into other planned work activities.
14. The Planning Commission reviewed the assessment reports for the nine applications on July 21 and August 4, 2010.
15. Regarding Application #2011-01 (49th & Pine Intensity and Zoning Change), the Commission's initial review included consideration of expanding the scope of review to include the two blocks east of and adjacent to this site. However, after reviewing additional analysis relative to the condition of the properties on these two adjacent blocks the Commission elected not to expand the review area for this application.
16. Regarding Application #2011-07 (Park Zoning and Permitting), the Commission initial review included consideration of expanding the scope of the project to include other common institutional/public/quasi-public uses in residential areas, such as schools, churches, and recreational and community services and clubs. These discussions included the concern that opening this application up to all of these other uses would significantly complicate this review and could impact its potential to accurately address the issues raised by MetroParks, who is the applicant in this case. The Commission decided to accept the application and proceed generally with the scope submitted, with the understanding that the project could include some limited analysis and potential changes that may affect and/or be appropriate to apply other agencies, particularly the school district.
17. On July 21, the Commission accepted three applications, as submitted, for inclusion in the 2011 amendment cycle, and approved the respective assessment reports. The three applications were #2011-02 (Historic Preservation Plan and Code Update), #2011-03 (Container Port Element), and #2011-05 (Transportation Element).
18. On August 4, the Commission accepted six applications, as submitted, for inclusion in the 2011 amendment cycle, and approved the respective assessment reports. The five applications were

#2011-01 (49th & Pine Intensity and Zoning Change), #2011-04 (Water Level of Service Standard), #2011-06 (Regional Center Update and Safety-Oriented Design), #2011-07 (Parks Permitting and Zoning), #2011-08 (Regulatory Code Refinements), and #2011-09 (SEPA Regulations).

19. The Planning Commission reviewed technical analyses of all applications at 11 subsequent meetings (September 1 & 15, October 6 & 20, November 3 & 17, and December 1 & 15 of 2010, and January 5 & 19, and February 2 of 2011).
20. On September 1, 2010, the Planning Commission toured the general areas associated with two of the applications, i.e., the Port of Tacoma and Tidelands area associated with Application #2011-03 (Container Port Element), and the area associated with Application #2011-01 (49th & Pine Intensity and Zoning Change).
21. In January 2011 Application #2011-03 (Container Port Element) was removed from the package of applications being considered as part of this annual amendment due to the need for additional coordination and discussions among all the affected parties, which could not be completed before the annual amendments were scheduled for public review.
22. A staff analysis report was prepared by the Long-Range Planning Division for each of the remaining applications. The reports provided a general description of the proposed amendments and identified applicable provisions of the Growth Management Act, Comprehensive Plan and the Land Use Regulatory Code. Each amendment was analyzed using the ten criteria found in Chapter 13.02 of the Tacoma Municipal Code pertaining to proposed amendments to the Comprehensive Plan or development regulations. Area-wide zoning reclassifications were also reviewed using the six additional criteria found in Chapter 13.02. An economic impact assessment of each amendment was also provided. Other information used during the review of the proposed amendments included, but was not limited to, state laws, City ordinances, similar provisions used by other municipalities, and City Council direction.
23. Chapter 13.02 of the Tacoma Municipal Code defines an area-wide zoning reclassification as a legislative action to change zoning classifications on an area-wide basis in order to implement and maintain consistency with the Comprehensive Plan. The Planning Commission may consider area-wide zoning reclassifications in association with, or independent of, proposed amendments to the Comprehensive Plan
24. Area-wide zoning reclassifications are proposed as part of Application #2011-01 (49th & Pine Intensity and Zoning Change) and Application #2011-06 (Regional Centers and Safety-Oriented Design).
25. All of the proposed amendments were presented to and discussed by the Planning Commission during their regular and/or special meetings, all of which are open to the public.
26. Staff conducted additional public outreach efforts for #2011-01 (49th & Pine Intensity and Zoning Change) including:
 - a. Community meeting: September 28, 2010
 - b. The Planning Commission's site visit to view the area: September 1, 2010 (approximately 10 community members also joined the tour)
 - c. The South Tacoma Neighborhood Council meeting: November 17, 2010.
27. Staff conducted additional public outreach efforts for #2011-02 (Historic Preservation Plan and Code Revisions). In addition to ongoing feedback as well as periodic updates to the Landmarks Preservation Commission, presentations were also made to:
 - a. City Council Study Session: February 3, 2009
 - b. Stakeholders informational meeting: July 29, 2009

- c. Community Workshop: September 23, 2009
- d. Master Builders Association: October 8, 2009
- e. City Council – Neighborhoods and Housing Committee: November 16, 2009
- f. Hillside Development Council: November 18, 2009
- g. Public lecture on historic preservation and economic development: December 7, 2009
- h. Sustainable Tacoma Commission: December 14, 2010

In addition, staff met with representatives of the Port of Tacoma, Tacoma School District, Metro Parks and made presentations to the Council’s Environment and Public Works Committee and Joint Municipal Action Committee.

28. Staff conducted additional public outreach efforts for #2011-05 (Transportation Element), including presentation to the following groups to explain the proposed policy revisions and discuss issues pertaining to skateboards:
 - a. Business Improvement Area Board: November 15, 2010
 - b. Downtown Merchants Group: December 2, 2010
29. Staff conducted additional public outreach efforts for #2011-06 (Regional Centers and Safety-Oriented Design), including presentations to:
 - a. New Tacoma Neighborhood Council: January 12, 2011
 - b. Central Neighborhood Council: January 6 and February 3, 2011
 - c. Tacoma Dome Business District Association: January 13, 2011
 - d. Stadium Business District Association: January 19, 2011
 - e. Upper Tacoma Business District Association: January 20, 2011
 - f. North End Neighborhood Council: February 7, 2011
 - g. Hilltop Public Advisory Committee: February 17, 2011
 - h. Hillside Development Council: March 23, 2011
30. Staff conducted additional public outreach efforts for #2011-07 (Parks Permitting and Zoning), including a presentation to the Metro Parks Tacoma’s Board of Commissioners at its Study Session on January 10, 2011.
31. After completing a review of the amendment proposals and staff reports and modifying the proposals as warranted, the Planning Commission, on February 2, 2011, authorized the eight proposed amendments for distribution for public review and comment and set a public hearing date for March 2, 2011.
32. Written and/or electronic notice of the Planning Commission’s public hearing was distributed to Neighborhood Council board members, other neighborhood groups, business district associations, civic organizations, environmental groups, development interests, adjacent jurisdictions, Puyallup Tribe, major employers and institutions, City and State departments, and other known interested individuals or groups. In addition, the notice could also be viewed and downloaded at the Long-Range Planning Division’s website (www.cityoftacoma.org/planning). The notice also was posted on the public information bulletin boards on the first and second floors of the Tacoma Municipal Building.
33. The notice stated the time and place of the public hearing, the purpose of the public hearing, information pertaining to the environmental determination, where and how additional information could be obtained, and how to provide comments. Advertisement of the public hearing and community informational session was published in *The News Tribune* on February 18, 2011.

34. The public hearing notice indicated that written comments were welcome and must be submitted by 5:00 p.m., Friday, March 11 to the Tacoma Planning Commission, 747 Market St., Rm. 1036, Tacoma, WA 98402, or faxed to (253) 591-2002, or e-mailed to planning@cityoftacoma.org.
35. A 24-hour planning inquiry phone line was established (573-2529) where citizens could call in to receive more information about the proposed amendments and leave messages. Staff responded to the messages providing individualized information depending on the request or question.
36. Notice was also provided to taxpayers, as listed in the records of the Pierce County Assessor, for properties involved in and within 400 feet of the site of the South 49th & Pine Intensity Change and Rezone (Application #2011-01), and for properties within and within 400 feet of the boundaries of the proposed zoning, center and land use intensity changes near Center Street (Application #2011-06). In addition, one public notice sign was posted adjacent to the South 49th & Pine Street site, and three were posted at sites proposed for zoning, land use intensity and/or center boundary changes near Center Street.
37. Pursuant to WAC 197-11 and Tacoma's SEPA procedures, a Preliminary Determination of Environmental Nonsignificance (DNS) was issued on February 9, 2011. This preliminary DNS, SEPA File Number: SEP2011-40000157940, was made based upon a review of a completed environmental checklist. The preliminary determination became final on March 11, 2011.
38. The environmental checklist and Preliminary Determination of Nonsignificance were provided to the Planning Commission, Department of Ecology, Tacoma's Neighborhood Councils, City departments, adjacent jurisdictions, State and federal agencies, the Puyallup Tribe, and other appropriate entities. Legal notice announcing the availability of the checklist for review was placed in the City of Tacoma's official newspaper, the *Tacoma Daily Index*, on February 9, 2011.
39. The proposed amendments, including the complete text of proposed changes (in strikeout and underscored format), maps depicting boundary and zoning changes and the staff reports which analyze the proposed amendments for consistency with the amendment criteria, were compiled into a single document (the "Green Book"). The document also included a copy of the preliminary environmental determination and completed checklist. This document was made available for public review at all branches of the Tacoma Public Library and at the office of the Community and Economic Development Department. The document was also posted on the City's website (www.cityoftacoma.org/planning) and made available on CD-ROM upon request.
40. Pursuant to RCW 36.70A.530(4), the Community and Economic Development Department notified the Commander of Joint Base Lewis-McChord on February 9, 2011 of the City's intent to amend its Comprehensive Plan and Land Use Regulatory Code. No response from the Commander was received within the 60 days required by law, which indicates the Commander has no objections to the proposed amendments.
41. In accordance with RCW 36.70A.106, the Community and Economic Development Department, on February 14, 2011, notified the State Department of Commerce and other required State agencies of its intent to adopt amendments to its Comprehensive Plan and development regulations. No comments were received from the Department of Commerce or other state agencies.
42. Pursuant to RCW 36.70A.370 and following the guidelines prepared by the Washington State Attorney General pursuant to RCW 36.70A.370, the draft amendments were reviewed by the City Attorney to assure that adoption of the changes will not result in an unconstitutional taking of property.
43. A public question and answer session was held on February 24, 2011. The purpose of the meeting was for staff to provide a more detailed explanation of the proposed amendments and to answer

questions about the proposed changes. Notice of this meeting was included in the public hearing notice and advertised in *The News Tribune*.

44. The Planning Commission held a public hearing on the draft amendments to the Comprehensive Plan and Land Use Regulatory Code on Wednesday, March 2, 2011, at 5:00 p.m.
45. Twenty people testified at the March 2, 2011 public hearing and twenty-five written comments were submitted by the close of the comment deadline of March 11, 2011.
46. The majority of the comments were related to Applications #2011-01 (49th & Pine Intensity and Zoning Change), #2011-02 (Historic Preservation Plan and Code Revisions), and #2011-06 (Regional Centers and Safety-Oriented Design). Comments received on #2011-01 included some concerns about the potential for increased traffic in the area and the lack of recreational facilities serving the new growth in the general West Mall area. Testimony regarding #2011-02 was mostly supportive of adopting the new Historic Preservation Plan and continuing to expand the City's historic preservation program. Regarding #2011-06, comments were generally supportive of the proposed safety-oriented design policies but mixed regarding the proposal to adopt the Downtown Regional Growth Center as part of the Comprehensive Plan.
47. The Planning Commission reviewed all testimony from the public hearing and written testimony received during the comment period at their meetings on March 16, April 6, and April 20, 2011. In support of that review, staff provided a Summary of Public Comments and Staff Responses Report detailing all of the public testimony and providing comments, additional analysis, and suggestions for the Commission's consideration. After review and discussion of the public testimony and additional staff analysis, the Commission incorporated a number of changes into the proposed amendments and moved to recommend to the City Council for adoption all of the 2011 annual amendment package, as modified.

D. CONCLUSIONS:

The Planning Commission concludes that:

Amendment Application #2011-01 (49th & Pine Intensity and Zoning Change):

The proposed amendment will support redevelopment of this property while ensuring that its redevelopment is compatible with and serves as a reasonable transition between the abutting high intensity growth area around the Tacoma Mall and the adjacent single-family neighborhood to the south. This proposed amendment will allow for construction of a low-density multi-family project on a vacant property that has long been classified for non-single-family development. In addition, the proposed change in zoning will not only ensure consistency between the proposed Comprehensive Plan designation for the area and the applicable zoning and eliminate the existing split intensity and zoning on the site, but will also proactively guide future development and better ensure that it does not include commercial or industrial uses which would likely be inappropriate for this location.

[Recommended]

Amendment Application #2011-02 (Historic Preservation Plan and Code Revisions):

This proposed amendment comes in response to increasing public interest in historic preservation and related issues, including the development of new historic and conservation districts, enhanced demolition protections for historic buildings, improved planning and economic development tools to encourage the reuse of existing buildings, and sustainable development. The Preservation Plan, if adopted, will consolidate, revise and add historic preservation policies into a new Historic Preservation Element to provide updated guidance on the importance of historic preservation and direction for program administration, education and outreach; and revise the Land Use Regulatory Code for initial implementation of the new and revised policy guidance. The Preservation Plan will

provide the City with a policy foundation that is consistent with overall City policy while utilizing up-to-date historic preservation best practices and the addition of appropriate standards, guidelines and regulations. The plan element provides a vision and direction for the preservation program, a policy platform for the development of additional land use tools and incentives, defines the roles of various stakeholders in historic preservation in Tacoma, and identifies priorities for the City and community for future preservation initiatives. *[Recommended]*

Amendment Application #2011-04 (Water Level of Service):

Modifying the level of service standard (LOS) for potable water in the Capital Facilities Element of the Comprehensive Plan, as proposed, will better ensure consistency between the Comprehensive Plan and Tacoma Water’s required water system plan, allow for flexibility to provide timely and reasonable water service reflecting the current water use patterns, and help achieve the community’s water conservation goals. *[Recommended]*

Amendment Application #2011-05 (Transportation Element):

This proposed amendment is comprised of two components – policy additions for unconventional vehicles and devices, and technical updates to the arterials map and unfunded project lists. The proposed policy additions regarding unconventional transportation modes, such as skateboards, electric personal assistive mobility devices (Segways) and low-speed electric vehicles, will make the Transportation Element more consistent with the City’s goals to reduce carbon emissions from transportation, strengthen active transportation options in Tacoma, support regional consistency regarding electric vehicle infrastructure, and satisfy the City’s obligations to address electric vehicles as mandated by Washington State law. The revisions to the Unfunded Project List represent the addition of project ideas submitted by various Neighborhood Councils and individuals in response to the Public Works Department’s community outreach efforts. The proposed modifications to the Classification of Arterials Map in the Transportation Element will update the Comprehensive Plan to reflect recent Council actions to classify and declassify certain street segments as arterials.

[Recommended]

Amendment Application #2011-06 (Regional Centers and Safety-Oriented Design):

This proposed amendment addressed multiple topics that were combined together because they relate to the same elements of the Comprehensive Plan. The amendment includes changes to ensure consistency between the Comprehensive Plan and state, regional and countywide planning policies, minor text and map amendments to reflect the recent administrative reorganization of the City’s planning functions and correct certain district boundaries, and new discussion and maps that acknowledge the regional growth and manufacturing/industrial centers designated by the Puget Sound Regional Council. The proposal will also affirm that the Downtown Regional Growth Center replaces the “working definition” of downtown previously adopted by the City Council. This amendment also includes significant enhancements to the Comprehensive Plan’s discussion of safety-oriented design and explicitly establishes a long-range goal of improving design, particularly public improvements, to create active, attractive, functional and pleasing “people-oriented” spaces while better ensuring the safety and security of their users. While the City currently uses many of these principles, this additional guidance will supplement these past and ongoing efforts and further one of the City Council’s priorities. *[Recommended]*

Amendment Application #2011-07 (Parks Permitting and Zoning):

The proposed amendments, developed collaboratively with Metro Parks Tacoma staff, will revise development regulations for parks, recreation and open space land uses in order to streamline the permit process in residential zoning districts while ensuring appropriate compatibility with residential neighborhoods. In summary, the changes will make many parks, recreation and open space uses “permitted outright” in residential zoning districts, designate more intensive parks and recreation

features and facilities as Conditional uses, and modify development standards for parks, recreation and open space uses. These types of uses are strongly supported by the Comprehensive Plan, Growth Management Act and other policy guidance and contribute to Tacoma residents' quality of life in many ways. The Comprehensive Plan places equal emphasis on protecting and enhancing residential neighborhoods. The proposed code changes are intended to modify current permit processes to better achieve both of these policy intents and appropriately balance the desires for efficient permitting and the ability and desire for City review and public input for larger facilities in residential areas. In addition, one proposed change clarifies the permit process for both parks and schools, benefitting both types of institutions. By streamlining the development and enhancement of parks, recreation and open space, and by protecting and enhancing residential neighborhoods, the proposal supports Tacoma's quality of life and environment. **[Recommended]**

Amendment Application #2011-08 (Regulatory Code Refinements):

The proposed clarifications and refinements to the Land Use Regulatory Code and the Comprehensive Plan will address inconsistencies, correct minor errors, and improve provisions that, through administration and application of the Code and the Plan, have been found to be unclear or not fully meeting their intent. The proposed amendments will improve consistency and compatibility within the development regulations and between the Comprehensive Plan, zoning classifications and development regulations. **[Recommended]**

Amendment Application #2011-09 (SEPA Code Changes):

The proposed amendments to the City's Environmental Code would update and simplify the existing procedures and ensure consistency with other codes, including the Critical Areas Protection Ordinance. The proposed amendments include reorganization and reformatting to simplify and assist in the use and administration of the code requirements by staff and the public. In addition, the proposed amendment clarifies the application of State Environmental Policy Act (SEPA) requirements when a project is otherwise exempt from review for a Critical Areas permit, incorporates recent State legislation regarding the support for infill development and environmental review in conjunction with planning activities, and clarifies the City's authority to condition, modify, or deny permits based on environmental impacts. These changes will ensure consistency between the City's environmental regulations and review processes while supporting the City's efforts to encourage growth and redevelopment in designated areas by facilitating area-wide environmental review during the planning stage instead of at the individual project level. **[Recommended]**

The Planning Commission further concludes that the proposed amendments to the Comprehensive Plan and Land Use Regulatory Code, as described above, are consistent with the Growth Management Act, will benefit the City as a whole, will not adversely affect the City's public facilities and services, and are in the best interests of the public health, safety and welfare of the citizens of Tacoma.

E. RECOMMENDATIONS:

The Planning Commission recommends that the City Council adopt the proposed amendments as described above and as set forth in the document entitled *Comprehensive Plan and Land Use Regulatory Code, Proposed Amendments for 2011*, Planning Commission Recommendation, April 20, 2011.

The Planning Commission further recommends that the City Council amend the official zoning map to reflect the proposed area-wide zoning reclassifications recommended by the Planning Commission on April 20, 2011.



**City of Tacoma
Planning Commission**

April 20, 2011

HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL,

On behalf of the Planning Commission, I am forwarding our recommendations to amend Tacoma's Comprehensive Plan and Land Use Regulatory Code for 2011. Enclosed you will find our "Findings and Recommendations" that summarizes the proposed amendments, the public review process, and the Commission's actions, as well as the recommended policy, code and map revisions.

This year's amendments, as usual, touch on a variety of subjects and each is important on its own merits. Notwithstanding, I would like to call your attention to two of the proposed amendments. The first is an exceptional addition to the Comprehensive Plan to address our historic resources and their noteworthy contribution to the City's character and quality. The Historic Preservation Plan and associated regulatory provisions fulfill one of the City Council's strategic priorities. The Plan was well received by the public and was enthusiastically supported by many organizations and individuals. This Plan not only provides guidance on how best to attend to historic and cultural resources but lays out a broad implementation scheme that includes components for education, outreach, programs and administrative actions which taken together would significantly enhance the City's efforts to safeguard our historic buildings, sites, and artifacts.

One of the other amendments worth mentioning is the result of a very successful partnership between the City and the Metropolitan Parks district to enhance the way that park and recreation improvements are permitted within residential neighborhoods. Although park facilities generally are considered positive attributes of a community, some facilities and activities, such as sports fields and other large amenities, can affect neighboring residences. Permitting requirements intended to provide a means to deal with potential harmful effects have, in some cases, caused unnecessary delays and added expense to park improvement projects. The proposed amendment sets forth a permitting approach that simplifies the permit requirements for the majority of park facilities but maintains a review process for those activities and facilities that may cause neighborhood concern. The new permitting requirements should substantially reduce the requirements for Metro Parks and provide the necessary protections for adjacent residences.

Briefly, the other remaining amendments add new policy and intent language supporting the use of alternative transportation modes such as skateboards (including longboards) and neighborhood electric vehicles. This amendment is in response to a motion adopted by the City Council last year. The amendments also include a proposal to change the Comprehensive Plan's Land Use Intensity designation and a companion area-wide rezone for a site located at South 49th and Pine Street. This amendment was initiated by the owner of the site. The Commission notes that, in this case, consideration of the zoning change at the same time as the Comprehensive Plan change not only reduces administrative processing but will better ensure that the future project proposed for the property is of a scale that appropriately transitions from the more intense development to the north and the adjacent single-family neighborhood to the south.

Honorable Mayor and Members of the City Council

April 20, 2011

Page 2

In addition, the recommended amendments include new strong policy support for incorporating personal safety considerations into the design and improvement of public developments and spaces. The purpose of the new language is to establish the City as a leader in making public spaces attractive and safe for all users and to encourage private development to do the same. Other amendments will achieve consistency between the Comprehensive Plan and the City's development regulations, affirm the Downtown Regional Growth Center and consistency with Vision 2040, increase the accuracy of our zoning maps, and clarify and improve the City's land use code. Included in the recommended amendments is a change to a level of service standard for potable water to match what is approved by the State Department of Health in the City's Water Systems Plan. Finally, the recommended amendments include adjustments to the procedures for administering the State Environmental Policy Act including adding procedures for implementing planned action environmental reviews.

Detailed descriptions of all of the recommended amendments can be found in the enclosed document (the "yellow book"). These include the proposed revisions to text, maps and policies of the Comprehensive Plan and text revisions to the Land Use Regulatory Code. The document also includes maps depicting the proposed area-wide zoning reclassifications.

The Commission believes the proposed amendments support the City's strategic goals for a safe, clean, attractive, and environmentally sustainable city and foster economic diversity and growth. We respectfully request the City Council adopt the enclosed amendments, as recommended by the Planning Commission, and commit to their full implementation.

Sincerely,

JEREMY DOTY
Chair

JD:ds

Enclosures



**2011 Annual Amendment Application # 2011-02
Historic Preservation Plan and Regulatory Code Amendments**

April 20, 2011

Summary of Additional Historic Preservation Plan Changes

In response to public testimony, additional staff review, and Planning Commission comments, the following minor changes to the Draft Historic Preservation Plan are also recommended:

Description of Change	Page #	Text Amendment
<p>Policy HP-5</p> <ul style="list-style-type: none"> Re-wrote the policy to better reflect the general range of actions that follow. 	3-10	<p>Support sustainability through efficient administration of the historic preservation program. Use the City's programs to promote the link between preservation and sustainability.</p>
<p>Action HP-5C</p> <ul style="list-style-type: none"> Re-phrased the action to address both the calculation of embodied energy/landfill waste and potential credit for embodied energy preservation/waste diversion. 	3-10	<p>Develop a system for calculating the environmental impacts of demolishing a historic building. Consider providing credit for preservation of embodied energy and diversion of potential landfill waste.</p> <p>Explore the potential programs to calculate embodied energy and require a calculation of full-landfill costs to support credits for projects that preserve existing buildings and reduce landmarks waste associated with demolition. Potential City-sponsored sustainability initiatives (such as an incentive or requirement for LEED certification) should provide such credit to preservation projects. and the loss of embodied energy as a part of issuing a demolition permit.</p>
<p>Action HP-21A</p> <ul style="list-style-type: none"> Added a bullet point indicating that demolition review procedures may allow time to consider potential economic hardship. Added a cross reference to Action HP-25A. 	3-27	<p>Consideration should be given to expanding demolition review to include evaluation of all properties within a historic or conservation district as well as non-single family residential properties that are 50 or more years old meet a specific age threshold and also appear on a historic register or have a high probability for historic significance are likely to be historically significant based on a predictive model. <u>See Demolition Consideration Period on page 3-28 for more information.</u></p> <p>A demolition review process may be used to explore:</p> <ul style="list-style-type: none"> Options for reuse by the current owner Options for addressing potential economic hardship Options for sale of the property to another owner The merits of considering landmark designation proceedings (as a means of making other demolition prevention tools available) Other options including relocation or deconstruction <p>A demolition consideration period may be necessary to provide adequate time for consideration of the options listed above before a demolition permit is granted. Demolition consideration periods are described in more detail in the sidebar on the next page.</p> <p>See also:</p> <ul style="list-style-type: none"> Action HP-22E Develop criteria for relocating a threatened resource. <u>Action HP-25A Clarify and clean up the existing preservation ordinance.</u>

Description of Change	Page #	Text Amendment
<p>Action HP-22C</p> <ul style="list-style-type: none"> Added cross reference to background sidebar/callout box on PDAs. 	3-29	<p><i>Establish an emergency preservation fund.</i></p> <p>A revolving fund administered by the City, a Public Development Authority (PDA) or a local non-profit, should be established to address preservation emergencies. The fund may be used to acquire threatened properties for rehabilitation and/or transfer to a responsible buyer. Proceeds from the re-sale of properties would be used to replenish the fund, but consideration should also be given to establishing a permanent funding source such as a percentage added to permit fees. <u>See Public Development Authorities on the next page for more information.</u></p> <p>Some preservation emergencies that the fund could address include:</p> <ul style="list-style-type: none"> Threats to historic resources due to owners who are unwilling or unable to make repairs under a minimum maintenance provision Threats to historic resources caused by disaster or other damage The fund could be applied to projects involving one or more of the following property types: <ul style="list-style-type: none"> All properties designated as national state or local historic landmarks Properties that may be eligible for national, state or local historic landmark designation Other properties that may be considered to have historic value <p><u>See also see:</u></p> <ul style="list-style-type: none"> Action HP-22D Explore creating a Public Development Authority (PDA) or other public corporation to address preservation emergencies. <u>Action HP-32E Extend the use of grant and loan programs.</u>
<p>Action HP-22D</p> <ul style="list-style-type: none"> Added sidebar/callout box to provide general information regarding the formation and uses of PDAs. 	3-30	<p><u>The State of Washington enables cities to form Public Development Authorities (PDAs) to establish and administer special programs and projects. PDAs are government-owned corporations that are legally separate from their parent-city. This separation limits a city's liability and may allow a PDA to operate with greater speed and efficiency.</u></p> <p><u>An individual PDA is created by city ordinance, which includes a charter specifying the purpose of the PDA and composition of its governing board. PDAs are most often used to engage in quasi-public activities that promote community objectives, such as development of affordable housing or management of city-owned commercial properties.</u></p> <p><u>In a preservation context, PDAs may be used to manage city-owned historic resources or buy and hold real estate to promote preservation objectives and address emergencies.</u></p> <p><u>PDAs operating in Tacoma as of 2011 include the Tacoma Community Redevelopment Authority, which administers loan programs for a variety of public purposes, and the Thea Foss Development Authority, which sells or leases land to promote the master plan for the Thea Foss waterfront.</u></p>

Description of Change	Page #	Text Amendment
<p>Action HP-23A</p> <ul style="list-style-type: none"> Added sidebar/callout box defining TDR and providing background on conditions necessary for successful implementation. 	3-31	<p><u>A transfer of development rights (TDR) program allows the voluntary transfer of development rights from one property to another. TDR has been used across the country to help relieve the pressure to replace historic buildings in redeveloping areas where current regulations may allow larger or taller structures. For example, a TDR program might allow a historic church located in a redeveloping area zoned for higher commercial uses to receive compensation for unused development rights.</u></p> <p><u>TDR allows some or all development rights to be sold or conveyed from a “sending site” (a historic property) to a “receiving site. Receiving sites must generally be in areas where there is demand for larger buildings than are currently permitted and community support for increased density. Both sending and receiving sites must be subject to regulations that make it possible to calculate development rights, such as downtown or commercial areas with maximum floor area ratio and height standards. Setback and building coverage regulations that may exist in residential areas often make absolute development rights more difficult to calculate.</u></p>
<ul style="list-style-type: none"> Added mention of potential partnerships to assist with TDR programs. 	3-31	<p><i>Consider establishing a transfer of development rights (TDR) program for historic properties.</i></p> <p><u>A transfer of development rights (TDR) program allows the voluntary transfer of development rights from one property to another</u> for historic properties would encourage the preservation of historic structures while enabling increased density in other parts of the city. <u>A demonstration project could be used to test the feasibility of using TDR as an incentive for historic preservation. See Transfer of Development Rights at right for additional information.</u></p> <p><u>The program would:</u></p> <ul style="list-style-type: none"> <u>The program would</u> allow owners of historic properties to sell development rights <u>on their property.</u> Allow The purchaser of the development rights would then be able to develop at a greater density or height than would otherwise be allowed. <u>This may</u> be particularly useful in mixed-use corridors and for special property types, such as institutional facilities. <u>Use partnerships with other preservation and conservation organizations, such as the Cascade Land Conservancy, to hold development rights for later transfer.</u>

Description of Change	Page #	Text Amendment
<p>Action HP-24A</p> <ul style="list-style-type: none"> Added a bullet point indicating that the City should make property owners aware of any programs that may be able to assist those with financial need. Added a cross-reference to Action HP-32E. 	3-32	<p><i>Expand minimum maintenance code requirements.</i></p> <p>A minimum maintenance clause in the preservation ordinance should require an owner to keep the building in a sufficient state of repair such that key features are preserved.</p> <ul style="list-style-type: none"> The clause should include provisions to notify the owner that the City is concerned about the condition of the property and indicate that the owner should take appropriate measures. <u>This The</u> clause empowers the city to make repairs if the owner fails to do so and includes a mechanism for recovering City funds that may be spent in stabilizing the property. <u>The City should ensure that property owners are aware of incentive and benefit programs that may be available to assist those who do not have the financial ability to maintain their property.</u>
<p>Action HP-25A</p> <ul style="list-style-type: none"> Adjusted bullet point to indicate that the preservation ordinance should provide clearly defined criteria for economic hardship as it relates to demolition review. 	3-33	<p><i>Clarify and clean up the existing preservation ordinance.</i></p> <p>A technical clean up of the existing preservation code is needed to ensure usability and consistency with preservation goals and policies.</p> <p>Include these changes:</p> <ul style="list-style-type: none"> Consolidate and clean up definitions. Revise the structure <u>and purpose of</u> the conservation district <u>tool</u>. Address a tiered survey system. Address demolition by neglect. Include Updated criteria for a determination of economic hardship criteria as it relates to design review.
<p>Policy HP-30</p> <ul style="list-style-type: none"> Added text to indicate that design guidelines should allow sufficient flexibility for property owners with limited financial ability. 	3-45	<p><i>Provide design guidelines that promote compatible development.</i></p> <p>Clear, well-illustrated design guidelines specific to Tacoma's resources should guide <u>historic</u> rehabilitation as well as infrastructure maintenance and new construction <u>in historic or conservation districts</u>. Citywide design guidelines should address the general treatment of historic resources <u>while more specific guidelines address the unique character of individual historic districts</u>. In addition, guidelines specific to the character of Tacoma's individual historic districts should be adopted. <u>All of these design guidelines should be available and easily accessible to the public and provide flexibility for property owners with differing financial resources. See Action HP-32E for more information on potential programs to assist owners with limited financial resources.</u></p>
<p>Action HP-32E</p> <ul style="list-style-type: none"> Added text to suggest that financial assistance be available for property owners who are not financially able to maintain or rehabilitate their properties. 	3-48	<p><i>Extend the use of grant and loan programs.</i></p> <p><u>Grant and loan programs should be available to promote projects that meet preservation objectives and assist property owners that do not have the financial ability to adequately maintain or rehabilitate their property. Criteria for potential financial assistance should be administered separately from the design review process.</u></p>

Description of Change	Page #	Text Amendment
<p>Action HP-40F</p> <ul style="list-style-type: none"> Added additional cross references to support the link between preservation and sustainability. 	3-58	<p><i>Expand partnerships with sustainability organizations and programs. Create relationships with sustainability organizations and programs to promote the benefits of historic preservation. Preservation of historic structures saves their conservation of embodied energy and reduces reduction of construction waste. Because many historic structures were built to be energy efficient and are part of pedestrian-friendly neighborhoods, their preservation also supports walkability and lowered energy use. Therefore, a As sustainability programs and initiatives continue to develop, it will be important to educate and collaborate with sustainability organizations and programs to emphasize the overlap between goals for with preservation and sustainability objectives. See the <u>Environmental Component of Sustainability</u> on page IN-6 for more information.</i></p> <p><u>Also see:</u></p> <ul style="list-style-type: none"> <u>Action HP-3A Provide tools to encourage cooperation between advocates for historic preservation and sustainability.</u> <u>Action HP-3B Provide information about the environmental benefits of preservation of existing buildings as part of the citywide sustainability program.</u> <u>Action HP-41A Assist in the City's efforts to promote sustainability.</u>



**2011 Annual Amendment Application # 2011-02
Historic Preservation Plan and Regulatory Code Amendments**

April 20, 2011

Chapter 13.07 (Landmarks and Historic Special Review Districts)

*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 ~~strike through~~. **Highlighted text reflects most recent amendments.**

Chapter 13.07		
LANDMARKS AND HISTORIC SPECIAL REVIEW DISTRICTS		
Sections:		
13.07.010	Short title.	13.07.130 Demolition of City landmarks – Automatic conditions.
13.07.020	Landmarks and Historic Districts – Declaration of purpose and declaration of policy.	13.07. 140-110 Demolition of City landmarks – Standards and criteria for review.
13.07.030	Definitions.	13.07.150 Demolition of City landmarks – Specific exemptions.
13.07.040	Tacoma Register of Historic Places – Establishment and criteria.	13.07.160 Appeals to the Hearing Examiner.
13.07.050	Tacoma Register of Historic Places – Nomination and designation process for individual properties.	13.07.165 Appeals to the Hearing Examiner – Factors to be considered.
<u>13.07.055</u>	<u>Rescission of Landmarks Designation</u>	13.07.170 Ordinary maintenance or repairs.
13.07.060	Tacoma Register of Historic Places – Nomination and designation process for Historic Special Review and Conservation Districts.	13.07.180 Minimum buildings standards.
13.07.070	District and landmarks regulation.	<u>13.07.120</u> <u>Historic Special Review and Conservation Districts – Generally</u>
13.07.070	Commission rules of procedure and administrative guidelines	13.07. 190-130 Designation of Old City Hall Historic Special Review District – Declaration of purpose.
13.07.080	Special tax valuation – Local Review Board.	13.07. 200,140 Designation of Old City Hall Historic Special Review District – Findings.
13.07.085	Property eligible for special tax valuation.	13.07. 210-150 Old City Hall Historic Special Review District – Boundary description.
13.07.090	Certificates of approval.	<u>13.07.155</u> <u>Guidelines for building design and streetscape improvement review of the Old City Hall Historic District.</u>
13.07.095	Certificates of approval – Process and standards for review.	13.07. 220-160 Old City Hall Special Review District – Specific Exemptions.
13.07.100	Demolition of City landmarks – Declaration of purpose. Criteria for the Relocation of a City Landmark	13.07. 230-170 Designation of Union Depot/Warehouse Historic Special Review District – Declaration of purpose.
13.07.110	Demolition of City landmarks – Application process.	13.07. 240-180 Designation of the Union Depot/Warehouse Historic Special Review District – Findings.
13.07.120	Demolition of City landmarks – Application requirements.	

- 13.07.~~250-190~~ Union Depot/Warehouse Historic Special Review District – Boundary description.
- 13.07.~~260-200~~ Designation of Union Station Conservation District.
- 13.07.~~270-210~~ Guidelines for building design and streetscape improvement review of the Union Depot/Warehouse Historic District and Union Station Conservation District.
- ~~13.07.280 — Union Depot/Warehouse Historic Special Review and Union Station Conservation Districts — Specific exemptions.~~
- 13.07.~~290-220~~ Designation of North Slope Historic Special Review District – Purpose.
- 13.07.~~300-230~~ Designation of North Slope Historic Special Review District – Findings.
- 13.07.~~310-240~~ North Slope Historic Special Review District – Boundary description.
- 13.07.~~320-250~~ Guidelines for building design and streetscape improvement review of the North Slope Historic Special Review District.
- 13.07.~~330-260~~ North Slope Historic Special Review District – Specific exemptions.
- 13.07.~~340-270~~ Severability.

13.07.010 Short title.

This chapter may be cited as the “Tacoma Landmarks and Historic Special Review Districts Code.”

13.07.020 Landmarks and Historic Districts – Declaration of purpose and declaration of policy.

The City finds that the protection, enhancement, perpetuation, and continued use of landmarks, districts, and elements of historic, cultural, architectural, archeological, engineering, or geographic significance located within the City are required in the interests of the prosperity, civic pride, ecological, and general welfare of its citizens. The City further finds that the economic, cultural, and aesthetic standing of the City cannot be maintained or enhanced by disregarding the heritage of the City or by allowing the destruction or defacement of historic and cultural assets.

The purpose of this chapter is to:

A. Preserve and protect historic resources, including both designated City landmarks and historic resources which are eligible for state, local, or national listing;

B. Establish and maintain an open and public process for the designation and maintenance of City landmarks and other historic resources which represent the history of architecture and culture of the City and the nation, and to apply historic preservation standards and guidelines to individual projects fairly and equitably;

C. Promote economic development in the City through the adaptive reuse of historic buildings, structures, and districts;

D. Conserve and enhance the physical and natural beauty of Tacoma through the development of policies that protect historically compatible settings for such buildings, places, and districts;

E. Comply with the state Environmental Policy Act by preserving important historic, cultural, and natural aspects of our national heritage; ~~and~~

F. To promote preservation compatible practices related to cultural, economic and environmental sustainability, including: conservation of resources through retention and enhancement of existing building stock, reduction of impacts to the waste stream resulting from construction activities, promotion of energy conservation, stimulation of job growth in rehabilitation industries, and promotion of Heritage Tourism;

G. To contribute to a healthy population by encouraging human scale development and preservation activities, including walkable neighborhoods; and

F. Integrate the historic preservation goals of the state Growth Management Act and the goals and objectives set forth in the City’s Comprehensive Plan and regulatory language.

13.07.030 Definitions.

For purposes of this chapter, certain terms and words are hereby defined as follows:

~~“Accessory structure” means any structure which is incidental or subordinate to the main building(s) and is located on the same property as the main building.~~

~~“Administrative Approval” means an approval that may be granted by the City Historic Preservation Officer for an alteration to a City landmark, without Landmarks Preservation Commission (also referred to herein as “Commission”) review, based on authority that may be granted by the Commission pursuant to Chapter 1.42 of the Tacoma Municipal Code (“TMC”).~~

~~“Alteration” means any act or process which changes materially, visually, or physically one or more of the exterior architectural features or~~

~~significant interior features of a property, including, but not limited to, the construction, reconstruction, or removal of any structure.~~

~~“Building” means any structure that is used or intended for supporting or sheltering any use or occupancy. For the purposes of this chapter, the term “building” includes accessory structures.~~

~~“Certificate of Approval” means the written record of formal action by the Commission indicating its approval of plans for alteration of a City landmark.~~

~~“Certified Local Government” or “CLG” means the designation reflecting that the local government has been jointly certified by the State Historic Preservation Officer and the National Park Service as having established a historic preservation commission and a historic preservation program meeting Federal and State standards.~~

~~“City landmark” means a property that has been individually listed on the Tacoma Register of Historic Places, or is that is a contributing property within a Historic Special Review District or Conservation District as defined by this chapter.~~

~~“Conservation District” means an area warranting the designation for the preservation and protection of historic character and properties contained therein, without meeting the same higher standard for designation as a Historic Special Review District. Conservation Districts are normally established surrounding or adjacent to an established or proposed historic district or place, resources and overall characteristics of traditional development patterns, and that meets the criteria for such designation as described in Section 13.07.040.C of this code.~~

~~“Construction” means the act of adding to an existing structure or erecting a new principal or accessory structure on a property.~~

~~“Contributing property” means any property within a Historic Special Review District which is documented in the district’s nomination to the Tacoma Register of Historic Places to contribute architecturally, historically, and/or culturally to the historic character of the district, and properties that date from the historic period of significance for the Historic Special Review District and retain integrity of materials, place, or setting which have not previously been identified during architectural surveys.~~

~~“Deconstruction” The disassembly of a building, or a portion thereof, in a manner that keeps individual components and materials intact. These may then be~~

~~reassembled to the original design, or may be made available for reuse in other improvement projects.~~

~~“Demolition” means any act or process which destroys, in part or in whole, a City landmark, including neglect or lack of maintenance that results in the destruction of a historic property. For the purposes of this chapter, demolition does not include nonhistoric or noncontributing additions to historic buildings if so determined by the Landmarks Preservation Commission or Historic Preservation Officer, or so indicated in the nomination documentation for a building.~~

~~“Design guideline” means a standard of appropriate activity which will preserve or enhance the historic and architectural character of a structure or area, and which is used by the Commission and the City Historic Preservation Officer to determine the appropriateness of proposals involving property within Historic Special Review and Conservation Districts.~~

~~“Embodied Energy” means the energy consumed to construct a building, including that required to create materials for it, transport them to the site, and then assemble them.~~

~~“District” means a geographically definable area possessing a significant concentration, linkage, or continuity of sites buildings, structures, and/or objects united by past events or aesthetically by plan or physical development.~~

~~“Exterior architectural appearance” means the architectural character and general composition of the exterior of a property including, but not limited to, the type, color, and texture of a building material and the type, design, and character of all windows, doors, light fixtures, signs, and appurtenant elements.~~

~~“Historic resource” means any property that has been determined to be eligible by the City Historic Preservation Officer or Washington State Department of Archaeology and Historic Preservation staff for listing in the Tacoma Register of Historic Places, the Washington State Heritage Register, or the National Register of Historic Places, or any property that appears to be eligible for such listing by virtue of its age, exterior condition, or known historical associations.~~

~~“Historic Special Review District” means an area Overlay Zone with a concentration of historic resources that has been found to meet the criteria for designation as a Historic Special Review District under the provisions of this chapter, ~~which the City finds should be protected from adverse effects to its cultural and historic character resulting from~~~~

development activities, and has been so designated by City Council.

~~“Interested party of record” means any individual, corporation, partnership, or association which notifies the Commission, in writing, of its interest in a matter before the Commission prior to Commission action on the matter.~~

~~“Noncontributing property” means a property within a Historic Special Review District which is documented in the district’s nomination to the Tacoma Register of Historic Places as not contributing architecturally, historically, and/or culturally to the historic character of the district; or which has been so designated in a Historic Special Review District Inventory drafted and adopted by the Commission.~~

“Property” means any building, object, site, structure, improvement, public amenity, space, streetscapes and rights-of-way, or area.

“Reconstruction” means the act of structurally rebuilding a historic resource structure or portion thereof, wherein the visible architectural elements are replaced in kind with materials and finishes that match that accurately convey the character of the original elements.

“Removal” means any relocation of a structure on its site or to another site.

~~“Repair” means any change that is not construction, removal, or alteration.~~

“Rehabilitation” means the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient, contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values; the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

“Restoration” means the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

“Significant interior features” means architectural features, spaces, and ornamentations which are specifically identified in the landmark nomination and which are located in public areas of buildings such as lobbies, corridors, or other assembly spaces.

“Streetscape” means the total visual environment of a street as determined by various elements including, but not limited to, street furniture, landscaping, lighting, paving, buildings, activities, traffic, open space, and view.

“Structure” means anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground.

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: ~~A property may be included in 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; ~~and~~

~~c. Meets one or more of the designation criteria listed in the section below.~~

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~~ Is part of, adjacent to, or related to an existing or proposed historic district, square, park, or other distinctive area which should be redeveloped or preserved according to a plan based on a historic, cultural, or architectural motif; or

f. Owing to its unique location or singular physical characteristics, represents an established and familiar visual feature of the neighborhood or City.

C. Special Criteria for the Designation of Historic Special Review Districts ~~and Conservation Districts.~~ The City Council may find it appropriate to create Historic Special Review or Conservation Districts for the purposes of encouraging preservation of character within established neighborhoods and districts, protecting such areas from adverse effects to their cultural and historic assets resulting from unsympathetic development activities, and for the purposes of promoting economic development and neighborhood identity. When determining the appropriateness of the designation of a Historic Special Review District, in addition to the criteria above, the Landmarks Preservation Commission shall consider the following:

1. Historic Special Review Districts. Historic Special Review Districts are areas that possess a high level of historic integrity in existing architecture, development patterns and setting, in which these characteristics should be preserved. In addition to the threshold criteria listed at TMC 13.07.040.B.1., a proposed Historic Special Review District should meet the following specific criteria:

a. It is associated with events or trends that have made a significant contribution to the broad patterns of our history; and

b. It is an area that represents a significant and distinguishable entity but some of whose individual components may lack distinction;

c. It possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

~~The area shall contain a concentration of structures having a special character or special historic, cultural, architectural, engineering, or geographic interest or value as defined by the six criteria above; and~~

~~2. The area shall constitute a distinct section of the City.~~

D2. Special Criteria for the Designation of Conservation Districts. Conservation Districts should be established in areas in which there is a clearly established existing character related to historical development patterns and/or the overall appearance of building types that were constructed in a defined period of time, generally prior to 50 years before the present. In conjunction with or independent of the establishment of a historic district ~~as set forth in Section 13.07.040,~~ it may be warranted, ~~from time to time,~~ to consider the establishment of a Conservation District. ~~When considering the appropriateness of a Conservation District, the Landmarks Preservation Commission shall consider:~~ A proposed Conservation District should meet one of the following specific criteria:

~~1. A potential Conservation District should normally be established surrounding an established or proposed historic district and shall possess special historic, architectural, or cultural significance that is a part of the heritage of the City.~~

a. The area is part of, adjacent to, or related to an existing or proposed historic district or other distinctive area which should be redeveloped or preserved according to a plan based on a historic, cultural, or architectural motif; or

b. It possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

~~2c. Although it shall possess historic character based upon an intact development pattern and a prevailing historic architectural character expressed through its assemblage of buildings, which shares or is sympathetic to the development patterns and period of significance of the adjacent historic district, a Conservation District is not required to meet the criteria for landmark designation as outlined above.~~

3. The boundaries of Historic Special Review Districts and Conservation Districts should be based upon a definable geographic area that can be distinguished from surrounding properties by changes such as density, scale, type, age, style of sites, buildings, structures, and objects or by documented differences in patterns of historic development or

associations. Although recommended boundaries may be affected by other concerns, including underlying zoning, political or jurisdictional boundaries and property owner sentiment, to the extent feasible, the boundaries should be based upon a shared historical or architectural relationship among the properties constituting the district.

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. 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
- d. A complete legal description; and
- e. A description of the character-defining features and architectural elements that are worthy of preservation.

f. For nominations that are not sponsored by the property owner, the nomination sponsor must provide evidence that attempts to contact the property owner have been made prior to submittal, and provide contact information for the owner.

3. The Historic Preservation Officer or staff may amend, edit, or complete a nomination form submitted to the City for the purposes of clarity, but may not expand the boundaries of the legal

description in the nomination without the consent of the nominating individual, unless such a change is required to correct an error or inconsistency within the nomination.

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 13.07.090.

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.

4. If the Landmarks Preservation Commission finds that the nomination appears to meet the threshold criteria, the Commission shall:

a. Schedule the nomination for consideration and public comment at a subsequent public meeting at a specified time, date, and place not more than 90 days from the date of the preliminary meeting.

b. Give written notice, by ~~first-class~~ mail, of the time, date, place, and subject of the Commission's meeting to consider designation of the property as a City landmark.

c. This notice shall be given not less than 14 days prior to the meeting to all taxpayers of record of the subject property, as indicated by the records of the Pierce County Assessor, and taxpayers of record of properties within 400 feet of the subject property.

5. If the Commission finds that the property does not meet the threshold criteria, the application is rejected and the Commission may not consider the property for designation for a period of one calendar year. Once a calendar year passes, the process may be restarted.

6. If the Commission, following the preliminary meeting, fails to act on the nomination or schedule it for further consideration within 45 days or by its next meeting, whichever is longer, the application is rejected as above.

C. Landmarks Preservation Commission Meeting on Nomination.

1. At the meeting to consider approval of a nomination to the Register of Historic Places, the Commission shall receive information and hear public comments on whether the property meets the criteria for designation.

2. The Commission may, by a vote of a majority of the quorum, find that the property meets one or more of the criteria for designation and recommend the property for designation as a City landmark, find that the property does not meet any of the criteria and reject the nomination, or it may defer the decision if additional information is required. The Commission shall set forth findings of fact for its decision.

3. If the Commission finds that the property appears to meet the criteria for designation and recommends the property for designation as a City landmark, the Historic Preservation Officer shall transmit the Commission's recommendation to the City Council for its consideration within 30 days of the decision.

4. No proposed nomination may be extended beyond the boundaries of the land described in the original proposal unless the procedures set forth above are repeated for the enlarged boundaries.

5. If the Commission fails to act within a 45-day period or by its next meeting, whichever is longer, the designation shall be deemed to have been rejected and the designation procedure terminated.

6. If a nomination is rejected, the subject property shall not be considered again for historic designation for a period of at least one calendar year from the date of rejection. Once a calendar year passes, the process may be restarted.

D. City Council Review of Designation.

1. Upon receipt of a recommendation from the Commission, the City Council may approve the same by adoption of a resolution designating the structure 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 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 jurisdiction.

13.07.055 Rescission of Landmarks Designation

A. The City Council, Landmarks Preservation Commission, or the owner of property listed on the Tacoma Register of Historic Places may request removal of said property from the Register.

B. Such a request shall be made in writing to the Landmarks Preservation Commission, and shall include a statement of the basis for removal from the Register, based on the following criteria:

1. Economic hardship. The property cannot be maintained as a City Landmark without causing undue economic hardship to the owner.

a. This criterion shall only apply if a determination of economic hardship has been made by the Commission. See Economic Hardship, TMC 13.05.046.

b. This criterion shall not apply in the case of proposed demolitions that have not been before the Commission through the normal Demolition Review process.

2. Catastrophic Loss. Due to circumstances beyond the control of the owner, such as fire, earthquake, or other catastrophic occurrence, the property has been damaged to the extent that its historic character has been irrecoverably lost.

3. Procedural Error. A property may be removed from the Historic Register if there is clear evidence that the Landmarks Preservation Commission or City Council committed any procedural errors during the consideration of the designation. This criterion does not include dissenting opinions regarding the findings

or interpretations of the Commission during the designation process or the Commission's application of the Criteria for Designation.

C. The Landmarks Preservation Commission may itself also request removal of a property from the Historic Register in instances where:

1. The significant structure on the property no longer exists, due to a previous demolition.

2. The Commission finds that retaining the property on the Historic Register does not further the goals and objectives of this Chapter and the Preservation Plan.

D. When a request for removal from the Historic Register is received, or when the Landmarks Preservation Commission resolves to request removal of a property from the Historic Register, the Commission shall:

1. Set a date for Public Hearing within 60 days.

2. Send written notice via mail of the date, time and location of the Public Hearing. This notice shall be given not less than 14 days prior to the meeting to all taxpayers of record of the subject property, as indicated by the records of the Pierce County Assessor, and taxpayers of record of properties within 400 feet of the subject property. For properties proposed for removal under Criterion C1, a public hearing is not required.

3. Following the public hearing, the Commission may leave the comment period open for up to 10 days.

4. At its next meeting, following the close of the comment period, the Commission may, by a vote of a majority of the quorum, find that the property meets one or more of the criteria for removal from the historic register and recommend the same to City Council, find that the property does not meet any of the criteria and reject the request, or it may defer the decision if additional information is required. The Commission shall set forth findings of fact for its decision.

5. If the Commission finds that the property appears to meet the criteria for removal from the Historic Register, and recommends the property for removal from the Historic Register, the Historic Preservation Officer shall transmit the Commission's recommendation to the City Council for its consideration within 30 days of the decision.

13.07.060 Tacoma Register of Historic Places – Nomination and designation process for Historic

Special Review and Conservation Districts.

A. Members of the City Council or Landmarks Preservation Commission may propose consideration of a Historic Special Review or Conservation District. A proposal may come in response to a request made by residents or community groups. Such requests should be prioritized using the following criteria:

1. Appropriate documentation of eligibility is readily available. Survey documentation is already prepared or could be easily prepared by an outside party in a timely manner; and

2. For proposed historic districts, the area appears to possess a high level of significance, based upon existing documentation or survey data; or

3. For proposed conservation districts, preliminary analysis indicates that the area appears to have a distinctive character that is desirable to maintain; and

4. A demonstrated substantial number of property owners appear to support such a designation, as evidenced by letters, petitions or feedback from public workshops; and

5. Creation of the district is compatible with and supports community and neighborhood plans; or

6. The area abuts another area already listed as a historic district or conservation district; or

7. The objectives of the community cannot be adequately achieved using other land use tools.

B. District Designation – Landmarks Preservation Commission.

1. Public Hearing. Following a request by the City Council or by a quorum vote of the members of the Landmarks Preservation Commission regarding such a request, Building and Land Use Services staff shall:

a. Notify other City Departments and Divisions, as appropriate, of the proposed designation.

b. Schedule a public hearing.

c. Give written notice, by first-class mail, of the time, date, place, and subject of the Commission's meeting to consider designation of the district as a Historic Special Review District.

d. This notice shall be given not less than 14 days prior to the meeting to all taxpayers of record of the subject property, as indicated by the records of the Pierce County Assessor, taxpayers of record of properties within 400 feet of the subject property, and to the Neighborhood Council of the affected area.

Notice shall also be submitted for publication to the newspaper of record.

e. Conduct the public hearing in accordance with the notice given, at which the owner or owners of the property involved, the owners of all abutting property, and other interested citizens or public officials shall be entitled to be heard.

2. The Landmarks Preservation Commission shall, by a majority vote of quorum, recommend to the Planning Commission approval, disapproval, or approval with modification of a proposed Historic Special Review or Conservation District based upon the criteria for designation listed in this chapter, ~~and~~ the goals and purposes of this chapter and the goals and policies contained within the Preservation Plan element of the Comprehensive Plan.

C. District Designation – Planning Commission.

1. Each proposal for a new Historic Special Review District or Conservation District and the respective Landmarks Preservation Commission recommendation shall then be considered by the Planning Commission of the City pursuant to the procedures for area-wide zoning in TMC 13.02.053.

2. Notice of the time, place, and purpose of such hearing shall be given by Building and Land Use Services as provided in the aforementioned section. In addition, each taxpayer of record in a proposed Historic Special Review or Conservation District and within 400 feet of the proposed district shall be notified by mail.

3. In making a recommendation to the City Council, the Planning Commission shall consider the conformance or lack of conformance of the proposed designation with the Comprehensive Plan of the City. The Planning Commission may recommend approval of, or approval of with modifications, or deny outright the proposal, and shall promptly notify the Landmarks Preservation Commission of the action taken.

4. If the Planning Commission recommends approval or approval with modifications of the proposed designation, in whole or in part, it shall transmit the proposal, together with a copy of its recommendation, to the City Council.

5. If the Planning Commission denies the proposed designation, such action shall be final; provided, that the owners or authorized agents of at least 80 percent of the property proposed to be designated, measured by assessed valuation of said property at the time of the Commission's decision, may appeal such disapproval to the City Council within 14 days. For owners of multiple properties, property ownership for

the purpose of appeal is calculated as the sum total of the assessed valuation of all affected property.

6. If the proposal is initiated by the City Council, the matter shall be transmitted to the City Council for final determination regardless of the recommendation of the Planning Commission.

D. District Designation – City Council.

1. The City Council shall have final authority concerning the creation of Historic Special Review or Conservation Districts in the same manner as provided by the City Council in TMC 13.02.053.

2. Pursuant to the aforementioned procedures, the Council may, by ordinance, designate a certain area as a Historic Special Review District and/or Conservation District. Each such designating ordinance shall include a description of the characteristics of the Historic Special Review or Conservation District which justifies its designation, and shall include the legal description of the Historic Special Review District.

3. Within ten days of the effective date of an ordinance designating an area as a Historic Special Review or Conservation District, the Historic Preservation Officer shall send to the owner of record of each property within said district, and to Building and Land Use Services, a copy of the ordinance and a letter outlining the basis for such designation, and the obligations and restrictions which result from such designation, in addition to the requirements of the building and zoning codes to which the property is otherwise subject.

4. Historic District property inventories, identifying contributing and noncontributing properties, shall be adopted upon designation of each historic district and maintained and reviewed annually by the Commission. Such inventories shall be kept on file and available to the public at the Historic Preservation Office.

E. The City Council may, ~~by ordinance,~~ request to amend or rescind the designation of a Historic Special Review District or Conservation District at any time pursuant to the same procedure as set forth in this chapter and TMC 13.02.053 for original designation and area-wide rezones. Amendments or de-designations that are requested by Council shall be transmitted to Council for final determination, regardless of the recommendations of the Planning Commission or Landmarks Preservation Commission.

13.07.070—District and landmarks regulation:

A. All property designated as a City landmark or that is located within a Historic Special Review District or Conservation District, according to the procedures set forth in this chapter, shall be subject to the controls, standards, and procedures set forth herein, as well as the bulk, use, setback, zoning, and other controls of the area in which it is presently located, and the owners of the property shall comply with the mandates of this chapter in addition to the land use and zoning requirements of the area in which such property is presently or may later be located. In the event of a conflict between the application of this chapter and other codes and ordinances of the City, the more restrictive shall govern, except where otherwise indicated.

B. Neighborhood compatibility. In certain cases, application of the development standards in the HMR SRD zoning district, as defined under TMC 13.06.118, including those for height, bulk, scale, and setbacks, may conflict with historic preservation standards or criteria and result in adverse effects to historic properties. For the purposes of TMC 13.06.118, properties subject to design review and approval by the Landmarks Preservation Commission shall be exempted from the standards that conflict with the Landmarks Commission's application of historic preservation standards adopted pursuant to this chapter, including the Secretary of the Interior's Standards for the Rehabilitation and Guidelines for Rehabilitation of Historic Buildings and applicable Historic Special Review District Design Guidelines. The issuance of a Certificate of Approval for final design by the Landmarks Preservation Commission shall include specific references to any conflicts between the standards in this chapter and those in TMC 13.06.118F, and specifically request the appropriate exemptions.

C. Compatibility with downtown design standards. In certain cases, the application of design standards in downtown zones may conflict with historic preservation standards or criteria and result in adverse effects to historic properties. For the purposes of TMC 13.06A.070B, properties subject to design review and approval by the Landmarks Preservation Commission shall be exempted from the basic design standards that conflict with the Landmarks Commission's application of historic preservation standards adopted pursuant to this chapter, including the Secretary of the Interior's Standards for the Rehabilitation and Guidelines for Rehabilitation of Historic Buildings and applicable Historic Special Review District Design Guidelines.

The issuance of a Certificate of Approval for final design by the Landmarks Preservation Commission shall serve as the Commission's findings as required in TMC 13.06A.070B.

D. Upon adoption of this ordinance, and for successive Historic and Conservation District designations, the Landmarks Preservation Commission shall adopt an official inventory of the historic properties that are within and found to contribute to the historic and architectural character of the respective district, as defined by the criteria and purposes contained within this chapter.

E. Architectural integrity, as it relates to materials, space, and composition in various periods of architecture, shall be respected and, to the extent possible, maintained in contributing properties. Historic District property inventories shall be maintained and reviewed annually by the Commission and shall be kept on file and available to the public at the Historic Preservation Office. The absence of a property on a historic inventory shall not preclude the Landmarks Preservation Commission's authority to review changes to such a property. If a property is not listed on the historic inventory for the district, the property shall be assumed to be contributing.

13.07.070 Commission rules of procedure and administrative guidelines

A. The Commission shall adopt and maintain a Rules of Procedure document that provides for the following:

1. Application submittal requirements for nominations to the historic register.
2. Design guidelines for historic special review and conservation districts.
3. The above shall be amended per TMC 13.07.120.B.

B. Historic District Inventories. The Commission shall adopt and maintain historic building inventories for buildings within Historic Special Review Districts that identify "Contributing" and "Non Contributing" properties. Architectural integrity, as it relates to materials, space, and composition in various periods of architecture, shall be respected and, to the extent possible, maintained in contributing properties. Historic. The absence of a property on a historic inventory shall not preclude the Landmarks Preservation Commission's authority to review changes to such a property. If a property is not listed on the historic inventory for the district, the property shall be assumed to be contributing.

13.07.080 Special tax valuation – Local Review Board.

Pursuant to TMC 1.42 and authorized pursuant to WAC 254-20 (hereinafter referred to as the “State Act”), the Landmarks Preservation Commission is hereby designated as the Local Review Board to exercise the functions and duties of a local review board as defined and until such time as the City Council may either amend or repeal this provision or designate some other local body or committee as the Local Review Board to carry out such functions and duties.

13.07.085 Property eligible for special tax valuation.

The class of historic property which shall be eligible for special valuation in accordance with the State Act shall be property which is a historic property meeting the criteria or requirements as set forth and defined in the State Act, and which is designated as a City landmark by resolution of the City Council in accordance with the provisions of this chapter, or is a contributing property within a locally administered Historic Special Review District. Landmarks Preservation Commission shall act as the Local Review Board and enter into the The covenants or agreements referred to in Section 3(2)-WAC 254-20 of the State Act and amendments thereto shall be subject to approval by resolution of the City Council and may be executed on behalf of the City and the Local Review Board by the appropriate officers of the City and the Local Review Board, as designated by the resolution approving such covenants or agreements.

13.07.090 – Certificates of approval.

~~A. Certificate of Approval Required. Except where specifically exempted by this chapter, no person shall carry out or cause to be carried out any alteration of any City landmark, any building, site, structure or object proposed for designation as a City Landmark pursuant to TMC 13.07.050, or alteration or construction of any new or existing structures, buildings, public rights of way, or other public spaces in any Historic Special Review or Conservation District, and no one shall remove or alter any sign or erect or place any new sign, and no permit for such activity shall be issued unless a Certificate of Approval has been issued by the Landmarks Preservation Commission or, subject to the limitations imposed by the Landmarks Preservation Commission pursuant to TMC 1.42, administrative approval has been granted by the Historic Preservation Officer.~~

~~B. When a permit application is filed with Building and Land Use Services that requires a Certificate of Approval, the applicant shall be referred to the Historic Preservation Officer.~~

~~C. Application Requirements.~~

~~1. Applications for a Certificate of Approval shall be filed with the Historic Preservation Officer.~~

~~2. The following information must be provided in order for the application to be complete, unless the Historic Preservation Officer indicates in writing that specific information is not necessary for a particular application:~~

~~a. Property name and building address;~~

~~b. Applicant’s name and address;~~

~~c. Property owner’s name and address;~~

~~d. Applicant’s telephone and e-mail address, if available;~~

~~e. The building owner’s signature on the application or, if the applicant is not the owner, a signed letter from the owners designating the applicant as the owner’s representative;~~

~~f. Confirmation that the fee required by the General Services Fee Schedule has been paid;~~

~~g. Written confirmation that the proposed work has been reviewed by Building and Land Use Services, appears to meet applicable codes and regulations, and will not require a variance;~~

~~h. A detailed description of the proposed work, including:~~

~~(1) Any changes that will be made to the building or the site;~~

~~(2) Any effect that the work would have on the public right of way or public spaces;~~

~~(3) Any new construction;~~

~~i. Twenty sets of scale plans, with all dimensions shown, of:~~

~~(1) A site plan of all existing conditions, showing adjacent streets and buildings, and, if the project includes any work in the public right of way, the existing street uses, such as street trees and sidewalk displays, and another site plan showing proposed changes to the existing conditions;~~

~~(2) A floor plan showing the existing features and a floor plan showing proposed new features;~~

~~(3) Elevations and sections of both the proposed new features and the existing features;~~

~~(4) Construction details, where appropriate;~~

~~(5) A landscape plan showing existing features and plantings and a landscape plan showing proposed site features and plantings;~~

~~j. Photographs of any existing features that would be altered and photographs showing the context of those features, such as the building facade where they are located;~~

~~k. If the proposal includes new finishes or paint, one sample of proposed colors and an elevation drawing or photograph showing the proposed location of proposed new finishes or paint;~~

~~l. If the proposal includes new signs, canopies, awnings, or exterior lighting:~~

~~(1) Twenty sets of scale drawings of the proposed signs, awnings, canopies, or lighting showing the overall dimensions, materials, design graphics, typeface, letter size, and colors;~~

~~(2) Twenty copies of details showing the proposed methods of attachment for the new signs, canopies, awnings, or exterior lighting;~~

~~(3) For lighting, detail of the fixture(s) with specifications, including wattage and illumination color(s);~~

~~(4) One sample of the proposed colors and materials;~~

~~m. If the proposal includes the removal or replacement of existing architectural elements, a survey of the existing conditions of the features that would be removed or replaced.~~

~~D. Applications for Preliminary Approval:~~

~~1. An applicant may make a written request to submit an application for a Certificate of Approval for a preliminary design of a project if the applicant waives, in writing, the deadline for a Commission decision on the subsequent design phase or phases of the project and agrees, in writing, that the decision of the Commission is immediately appealable by the applicant or any interested person(s).~~

~~2. The Historic Preservation Officer may reject the request if it appears that the review of a preliminary design would not be an efficient use of staff or Commission time and resources, or would not further the goals and objectives of this chapter.~~

~~3. To be complete, an application for a Certificate of Approval for a preliminary design must include the following:~~

~~a. Building name and building address;~~

~~b. Applicant's name and address;~~

~~c. Building owner's name and address;~~

~~d. Applicant's telephone and e-mail address;~~

~~e. The building owner's signature on the application or a signed letter from the owners designating the applicant as the owner's representative, if the applicant is not the owner;~~

~~f. Confirmation that the fee required by the General Services Fee Schedule has been paid;~~

~~g. Written confirmation that the proposed work has been reviewed by Building and Land Use Services, appears to meet applicable codes and regulations, and will not require a Land Use variance;~~

~~h. A description of the proposed work, including:~~

~~(1) General overview of any changes that will be made to the building or the site;~~

~~(2) General effects that the work would have on the public right of way or public spaces;~~

~~i. Twenty sets of scale plans, as applicable, with all dimensions shown of:~~

~~(1) A conceptual site plan of all existing conditions showing adjacent streets and buildings and, if the project includes any work in the public right of way, the existing street uses, such as street trees and sidewalk displays, and another site plan showing proposed changes to the existing conditions;~~

~~(2) Elevations of both the proposed new features and the existing features;~~

~~j. Photographs of any existing features that would be altered and photographs showing the context of those features, such as the building facade where they are located;~~

~~k. If the proposal includes the removal or replacement of existing architectural elements, a survey of the existing conditions of the features that would be removed or replaced.~~

~~4. A Certificate of Approval of a preliminary design shall be conditioned automatically upon the subsequent submittal of the final design and all of the information listed in Subsection C.2. above, and upon Commission approval prior to the issuance of any permits for work affecting the property.~~

13.07.095—Certificates of Approval—Process and standards for review.

~~A. The Landmarks Preservation Commission is the designated body that reviews and approves or denies applications for Certificates of Approval.~~

~~B. Review Process.~~

~~1. When an application for Certificate of Approval is received, the Historic Preservation Officer shall review the application and shall notify the applicant in writing within 28 days whether the application is complete or that the application is incomplete and what additional information is required before the application will be complete.~~

~~2. Within 14 days of receiving the additional information, the Historic Preservation Officer shall notify the applicant in writing whether the application is now complete or what additional information is necessary.~~

~~3. An application shall be deemed to be complete if the Historic Preservation Officer does not notify the applicant in writing, by the deadlines provided in this section, that the application is incomplete. A determination that the application is complete is not a determination that an application is vested.~~

~~4. The determination that an application is complete does not preclude the Historic Preservation Officer or the Landmarks Preservation Commission from requiring additional information during the review process if more information is needed to evaluate the application according to the criteria in this chapter and any rules adopted by the Commission.~~

~~5. Within 30 days after an application for a Certificate of Approval has been determined complete or at its next regularly scheduled meeting, whichever is longer, the Commission shall review the application to consider the application and to receive comments.~~

~~6. Notice of the Commission's meeting shall be served to the applicant and distributed to an established mailing list no less than three days prior to the time of the meeting.~~

~~7. The absence of the owner or applicant shall not impair the Commission's authority to make a decision regarding the application.~~

~~8. Within 45 days after the application for a Certificate of Approval has been determined complete, the Landmarks Preservation Commission shall issue a written decision granting, or granting with conditions, or denying a Certificate of Approval, or if the Commission elects to defer its decision, a written description of any additional information the Commission will need to arrive at a decision, and shall provide a copy of its decision to the applicant and Building and Land Use Services.~~

~~9. A Certificate of Approval shall be valid for 18 months from the date of issuance of the Commission's decision granting it unless the Commission grants an extension; provided, however,~~

~~that a Certificate of Approval for actions subject to a permit issued by Building and Land Use Services shall be valid for the life of the permit, including any extensions granted in writing by Building and Land Use Services.~~

13.07.095 C- Certificates of Approval - Standards for Review.

~~1A. In addition to any district rules, policies, or design guidelines for Historic Districts described elsewhere in this chapter, the Landmarks Preservation Commission shall use the following as guidelines when evaluating the appropriateness of alterations to properties listed on the Tacoma Register of Historic Places, a City landmark, excepting applications for demolition:~~

~~1. a- For properties listed individually on the Tacoma Register of Historic Places, The the most current version of the Secretary of the Interior's Guidelines for the Treatment of Historic Properties published and maintained by the United States National Park Service, including, but not limited to, Standards for Rehabilitation, Restoration, Preservation, and Reconstruction, as appropriate to the proposed project is the primary resource for evaluating appropriateness of rehabilitation projects. The Standards pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility. The basic standards are:~~

~~a. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.~~

~~b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.~~

~~c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.~~

~~d. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.~~

e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

2. For specific projects that involve Restoration, Preservation, or Reconstruction, the Secretary of the Interior's Standards for Rehabilitation, Restoration, Preservation, and Reconstruction, may be applied as appropriate to the proposed project.

3. For properties located within a Historic or Conservation District, the Commission shall base decisions on the district rules, policies, or design guidelines for Historic or Conservation Districts as described in this chapter.

b. For technical preservation and conservation matters, the Commission may refer to Preservation briefs, and professional technical reports published by the National Park Service on various conservation and preservation practices.

B. Intent and Applicability

1. With regard to individually designated City Landmarks, the Standards are to be applied to ensure that any proposed development will neither adversely affect the exterior architectural features of the resource nor adversely affect the character or

historical, architectural, or aesthetic interest or value of such resource and its site.

2. With regard to any property located within a historic district, Design Guidelines are to be applied to ensure that the proposed development conforms to the prescriptive standards for the district adopted by the commission and does not adversely affect the character of the district.

2-3. These standards shall be filed and made available to any property owner and the public at the Historic Preservation Office of the City.

13.07.100 Criteria for the Relocation of a City Landmark.

Relocating a historic structure usually diminishes its integrity, because the association with the original site is a key feature, and therefore it is not permitted in most cases. However, there may be extreme circumstances, in which a building is threatened in its present location and alternatives for preservation on site do not exist. In such a case, the following criteria should apply:

A. The structure is threatened by further deterioration or loss in its present location.

B. All alternatives to relocation have been reasonably considered.

C. The original building and site condition will be accurately recorded before removing the structure from the existing site.

D. Moving procedures are sufficiently planned to protect the key features of the structure.

E. The relocation site provides an appropriate context similar to that of the original.

F. A commitment is in place to complete the relocation and subsequent rehabilitation of the building.

G. There is adequate protection to assure continued preservation of the building at its relocated site.

13.07.100 Demolition of City landmarks— Declaration of purpose.

A. Historic resources in the City contribute to the general public welfare by fostering civic identity and pride, promoting a sense of local history and place, by encouraging public and private capital investment in underutilized buildings and infrastructure, and by

educating the public about past ways of life, individuals, events, and architectural styles.

B. Properties that are placed on the Tacoma Register of Historic Places, either as individual properties or as part of districts, have been determined, through a public process, to represent exceptional examples of a type of architecture, design, engineering, as exceptional examples of the environment at a particular point in history, as representative of historical patterns or events, or because of their exceptional educational or scholarly importance.

C. It is the policy of the City to prevent unnecessary demolition of its City landmarks and to encourage investment in and adaptive reuse of underutilized historic resources. Approval of demolitions of City landmarks shall be granted only in special circumstances where it has been determined by the Landmarks Preservation Commission that the property owner has satisfactorily met the conditions and criteria imposed by this section.

13.07.110 — Demolition of City landmarks — Application process.

A. Permitting Timelines. Any City landmark for which a demolition permit application has been received is excluded from City permit timelines imposed by TMC 13.05.010.J.

B. Certificate of Approval for Demolition of City Landmark Required. No person shall carry out or cause to be carried out demolition of a City landmark, and no demolition permit shall be issued for the same unless a Certificate of Approval for Demolition of a City Landmark has been issued by the Landmarks Preservation Commission, and all special and automatic conditions imposed on such approval have been determined satisfied by the Historic Preservation Officer.

1. An application for a Certificate of Approval for Demolition of a City Landmark shall be filed with the Historic Preservation Officer. When a demolition permit application is filed with Building and Land Use Services, the applicant shall be referred to the Historic Preservation Officer.

2. Determination of Complete Application.

a. The Historic Preservation Officer shall determine whether an application for historic building demolition is complete and shall notify the applicant in writing within 30 days of the application being filed, whether the application is complete or that the application is incomplete and what additional information is required before the application will be complete.

b. Within 14 days of receiving the additional information, the Historic Preservation Officer shall notify the applicant in writing, whether the application is now complete or what additional information is necessary.

c. An application shall be deemed to be complete if the Historic Preservation Officer does not notify the applicant in writing, by the deadlines in this section, that the application is incomplete. A determination that the application is complete is not a determination that an application is vested.

d. The determination that an application is complete does not preclude the Historic Preservation Officer or the Landmarks Preservation Commission from requiring additional information during the review process if more information is needed to evaluate the application according to the criteria in this chapter and in any rules adopted by the Commission.

3. Application Review.

a. Preliminary Meeting.

(1) Once the application for historic building demolition has been determined to be complete, excepting the demolition fee, the Historic Preservation Officer shall schedule a preliminary briefing at the next available regularly scheduled meeting of the Landmark Preservation Commission.

(2) The purpose of this meeting is for the applicant and the Commission to discuss the project background and possible alternative outcomes, and to schedule a hearing date.

(3) To proceed with the application, the applicant shall request a public hearing, in writing, to consider the demolition application at the preliminary meeting.

(4) At this meeting, the Landmarks Preservation Commission may grant the request for public hearing, or may request an additional 30 days from this meeting to distribute the application for peer review, especially as the material pertains to the rationale contained in the application that involves professional expertise in, but not limited to, engineering, finance, architecture or architectural history, and law, or, finding that the property in question is not contributing to the Historic District, may conditionally waive the procedural requirements of this section, provided that subparagraphs A and B, of Section 13.07.130, "Demolition of City Landmarks — Automatic conditions," are met.

(5) If a 30-day peer review is requested, the request for public hearing shall again be considered at the next regular meeting following the conclusion of the peer review period.

b. Public Hearing.

(1) Upon receiving such direction from the Landmarks Preservation Commission, and once the application fee has been paid by the applicant, the Historic Preservation Officer shall schedule the application for a public hearing within 90 days.

(2) The Historic Preservation Officer shall give written notice, by first class mail, of the time, date, place, and subject of the meeting to consider the application for historic building demolition not less than 30 days prior to the meeting to all owners of record of the subject property, as indicated by the records of the Pierce County Assessor, and taxpayers of record of properties within 400 feet of the subject property.

(3) The Commission shall consider the merits of the application, comments received during peer review, and any public comment received in writing or during public testimony.

(4) Following the public hearing, there shall be an automatic 60 day comment period during which the Commission may request additional information from the applicant in response to any commentary received.

(5) At its next meeting following the public comment period, the Landmarks Preservation Commission shall make Findings of Fact regarding the application based on the criteria for consideration contained in this subsection. The Landmarks Preservation Commission may approve, subject to automatic conditions imposed by this subsection, the application or may deny the application based upon its findings of fact. This decision will instruct the Historic Preservation Officer whether or not he or she may issue written approval for a historic building demolition.

13.07.120 — Demolition of City landmarks — Application requirements.

A. The following information must be provided in order for the application to be complete, unless the Historic Preservation Officer indicates in writing that specific information is not necessary for a particular application:

1. Building name and building address;
2. Applicant's name and address;
3. Building owner's name and address;
4. Applicant's telephone and e-mail address, if available;

5. The building owner's signature on the application, or a signed letter from the owners designating the applicant as the owner's representative if the applicant is not the owner;

6. Confirmation that the fee required by the City of Tacoma Fee Schedule has been paid;

7. Written confirmation that the demolition has been reviewed by Building and Land Use Services, appears to meet applicable codes and regulations, and will not require a land use variance or code waiver;

8. A detailed, professional architectural and physical description of the property in the form of a narrative report, to cover the following:

a. Physical description of all significant architectural elements of the building;

b. A historical overview;

c. Elevation drawings of all sides;

d. Site plan of all existing conditions showing adjacent streets and buildings and, if the project includes any work in the public right of way, the existing street uses, such as street trees and sidewalk displays;

e. Photographs of all significant architectural elements of the building; and

f. Context photographs, including surrounding streetscape and major sightlines.

9. A narrative statement addressing the criteria in this subsection for Applications for Historic Building Demolitions, to include the following areas, as applicable:

a. Architectural/historical/cultural significance of the building;

b. Physical condition of the building;

c. Future development plans for the site, including conceptual drawings, sketches, renderings, and plans.

10. Written proof, acceptable to the Landmarks Preservation Commission, of valid and binding financial commitments for the replacement structure is required before the permit can be issued, and should be submitted with the demolition request. This may include project budgets, funding sources, and written letters of credit.

11. A complete construction timeline for the replacement structure to be completed within two years, or a written explanation of why this is not possible.

12. Reports by professionally qualified experts in the fields of engineering, architecture, and architectural

~~history or real estate finance, as applicable, addressing the arguments made by the applicant.~~

~~13.07.130 — Demolition of City landmarks— Automatic conditions.~~

~~Following a demolition approval pursuant to this section, the following conditions are automatically imposed, except where exempted per TMC 13.07.110.B.3.a(4) and 13.07.150.C, and must be satisfied before the Historic Preservation Officer shall issue a written decision:~~

~~A. For properties within a Historic Special Review or Conservation District, the design for a replacement structure is presented to and approved by the Landmarks Preservation Commission pursuant to the regular design review process as defined in this chapter; or, if no replacement structure is proposed for a noncontributing structure, the Commission may, at its discretion, waive this condition and 13.07.130.B and D;~~

~~B. Acceptable proof of financing commitments and construction timeline is submitted to the Historic Preservation Officer;~~

~~C. Documentation of the building proposed for demolition that meets Historic American Building Survey (“HABS”) standards or mitigation requirements of the Washington State Department of Archaeology and Historic Preservation (“DAHP”), as appropriate, is submitted to the Historic Preservation Office and the Northwest Room of the Tacoma Public Library;~~

~~D. Building and Land Use Service permits for the replacement are ready for issue by Building and Land Use Services, and there are no variance or conditional use permit applications outstanding;~~

~~E. Any mitigation agreement proposed by the applicant is signed and binding by City representatives and the applicant, and approved, if necessary, by the City Council; and~~

~~F. Any conditions imposed on the demolition have been accepted in writing (such as salvage requirements or archaeological requirements).~~

13.07.140110 Demolition of City landmarks – Standards and criteria for review.

In addition to the stated purposes and findings located in this chapter, the Landmarks Preservation Commission shall address the following issues when considering an application for historic building demolition:

A. The reasonableness of any alternatives to demolition that have been considered and rejected, that may meet the stated objectives of the applicant;

B. The physical, architectural, or historic integrity of the structure in terms of its ability to convey its significance, but not including any damage or loss of integrity that may be attributable to willful neglect;

C. The importance of the building to the character and integrity of the surrounding district; and

D. Any public or expert commentary received during the course of the public comment and peer review periods.

E. Economic Hardship: A City Landmark be demolished if the Landmarks Preservation Commission finds, pursuant to the Criteria for Economic Hardship located in Chapter 13.05.046, that maintenance, use and/or alteration of the resource in accordance with the requirements of this chapter would cause immediate and substantial hardship on the property owner(s) because of rehabilitation in a manner which preserves the historic integrity of the resource:

1. Is infeasible from a technical, mechanical, or structural standpoint, and/or
2. Would leave the property with no reasonable economic value because it would require an unreasonable expenditure taking into account such factors as current market value, permitted uses of the property, the value of transferable development rights and the cost of compliance with applicable local, state, and federal codes.

13.07.150 — Demolition of City Landmarks— Specific exemptions.

~~The following are excluded from the requirements imposed by this chapter but are still subject to Landmarks Preservation Commission approval for exterior changes as outlined elsewhere in this chapter.~~

~~A. Demolition of accessory structures, including garages and other outbuildings, and noncontributing later additions to historic buildings, where the primary structure will not be affected materially or physically by the demolition and where the accessory or addition is not specifically designated as a historic structure of its own merit;~~

~~B. Demolition work on the interior of a City landmark or object, site, or improvement within a Historic Special Review or Conservation District, where the proposed demolition will not affect the exterior of the building and where no character-~~

defining architectural elements specifically defined by the nomination will be removed or altered; and

C. Objects, sites, and improvements that have been identified by the Landmarks Preservation Commission specifically as noncontributing within their respective Historic Special Review or Conservation District buildings inventory at the preliminary meeting, provided that a timeline, financing, and design for a suitable replacement structure have been approved by the Landmarks Preservation Commission pursuant to Section 13.07.095 of this chapter, or such requirements have been waived pursuant to TMC 13.07.130.A.

13.07.160—Appeals to the Hearing Examiner.

A. Referral to the Hearing Examiner. The Landmarks Preservation Commission shall refer to the Hearing Examiner for public hearing all final decisions regarding applications for certificates of approval where the property owners, any interested parties of record, or applicants file with the Landmarks Preservation Commission, within 10 days of the date on the decision, written notice of appeal of the decision or attached conditions.

B. Form of Appeal. An appeal of the Landmarks Preservation Commission shall take the form of a written statement of the alleged reason(s) the decision was in error, or specifying the grounds for appeal. The following information shall be submitted:

1. An indication of facts that establish the appellant's standing;
2. An identification of explicit exceptions and objections to the decision being appealed, or an identification of specific errors in fact or conclusion;
3. The requested relief from the decision being appealed;
4. Any other information reasonably necessary to make a decision on appeal.

Failure to set forth specific errors or grounds for appeal shall result in a summary dismissal of the appeal.

C. The Hearing Examiner shall conduct a hearing in the same manner and subject to the same rules as set forth in TMC 1.23.

D. The Hearing Examiner's decision shall be final. Any petition for judicial review must be commenced within 21 days of issuance of the Hearing Examiner's Decision, as provided for by TMC 1.23.060 and RCW 36.70C.040.

13.07.165—Appeals to the Hearing Examiner—Factors to be considered.

A. The Hearing Examiner, in considering the appropriateness of any exterior alteration of any City landmark, shall give weight to the determination and testimony of the consensus of the Landmarks Preservation Commission and shall consider:

1. The purposes, guidelines, and standards for the treatment of historic properties contained in this chapter, and the goals and policies contained in the Culture and History Element of the Comprehensive Plan;
2. The purpose of the ordinance under which each Historic Special Review or Conservation District is created;
3. For individual City landmarks, the extent to which the proposal contained in the application for Certificate of Approval would adversely affect the specific features or characteristics specified in the nomination to the Tacoma Register of Historic Places;
4. The reasonableness, or lack thereof, of the proposal contained in the application in light of other alternatives available to achieve the objectives of the owner and the applicant; and
5. The extent to which the proposal contained in the application may be necessary to meet the requirements of any other law, statute, regulation, code, or ordinance.

B. When considering appeals of applications for demolition decisions, in addition to the above, the Hearing Examiner shall refer to the Findings of Fact made by the Landmarks Preservation Commission in addition to the demolition criteria for review and other pertinent statements of purpose and findings in this chapter.

C. The Examiner may attach any reasonable conditions necessary to make the application compatible and consistent with the purposes and standards contained in this chapter.

13.07.170—Ordinary maintenance or repairs.

Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of any City landmark, which maintenance or repair does not involve a change in design, material, or the outward appearance thereof.

13.07.180—Minimum buildings standards.

~~A. Prevention of Demolition by Neglect.—The Landmarks Preservation Commission shall make a reasonable effort to notify the Building Official of historic properties that appear to meet the criteria for substandard buildings or property under TMC 2.01.060.~~

~~B. For buildings listed on the Tacoma Register of Historic Places which are found to be Substandard, Derelict, or Dangerous according to the Building Official, under the Minimum Building provisions of TMC 2.01, the following shall apply:~~

~~1. Because City landmarks are culturally, architecturally, and historically significant to the City and community, the historic status of a Substandard, Derelict, or Dangerous Building may constitute a “sufficient reason” for acceptance of alternate timelines and extensions upon agreed timelines; and,~~

~~2. Any timelines and plans for the remediation of a dangerous City landmark, including for repair or demolition, shall not be accepted by the Building Official until the applicable procedures as set forth in this chapter for review of design or demolition by the Landmarks Preservation Commission have been satisfied, pursuant to TMC 2.01.040.F.~~

~~3. The Building Official may consider the Landmarks Preservation Commission to be an interested party as defined in TMC 2.01, and shall make a reasonable effort to keep the Commission notified of enforcement complaints and proceedings involving City Landmarks.~~

~~C. Nothing in this chapter shall be construed to prevent the alteration of any feature which the Building Official shall certify represents an immediate and urgent threat to life safety. The Building Official shall make a reasonable effort to keep the Historic Preservation Officer informed of alterations required to remove an unsafe condition involving a City Landmark.~~

~~D. The Historic Preservation Officer shall have the authority to administratively approve changes without prior Landmarks Preservation Commission review per TMC 13.07.095, if, upon consultation with the Building Official and appropriate City Engineering staff, it is determined such changes are necessary to mitigate an immediate and urgent threat of structural failure or significant damage to a City landmark. The circumstances and rationale for such an alteration shall be provided in a report to the Commission at its next regular meeting.~~

13.07.120 Historic Special Review and Conservation Districts – Generally

A. Design Guidelines.

1. The Landmarks Preservation Commission shall adopt and maintain Guidelines for Building Design and Streetscape Review for historic special review districts and conservation districts, to be used as the basis for design review for rehabilitation, new development, and public amenities within the districts. Such guidelines are intended to ensure a certainty of design quality within each district, protect the historic fabric of the districts, enhance the economic viability of the districts through the promotion of their architectural character, and provide a clear set of physical design parameters for property owners, developers, designers, and public agencies.

2. Guidelines at a minimum should address the following subjects: height, scale, massing, exterior cladding and materials, building form and shape, roof shape, fenestration patterns and window materials, architectural details, storefronts (within commercial areas), awnings and signs, additions, parking, main entrances, rhythm of openings, accessory structures, mechanical equipment, streetscape and sustainable design.

3. In instances where design guidelines have not yet been adopted for historic special review or conservation districts, the Secretary of the Interior’s Standards for Rehabilitation may be used.

4. For certain common types of City-managed projects, and for certain projects within the City right-of-way, including streetlighting, sidewalk repair and similar alterations within the right-of-way, the City Public Works Department may propose “standard specifications” for programmatic review and adoption by the Commission, in lieu of case-by-case reviews. Any such standards, rules or policies shall be adopted by quorum vote and, once adopted, shall be made available to the public in electronic and printed formats.

5. Design guidelines as adopted and maintained by the Commission shall not supersede the scope of authority defined by this chapter, TMC 1.42 and TMC 13.05.047 and 13.07.048.

B. Amending the Design Guidelines.

1. The Landmarks Preservation Commission shall possess the authority to review and approve changes to historic district design guidelines.

2. District design guidelines shall be amended not more than once annually, concurrent with the Commission's review of its Administrative Bylaws.

3. When proposed changes have been drafted, the Commission shall approve the draft and conduct a public hearing to receive comment on the proposed changes.

4. The Commission shall notify property owners within 400' of the historic district for which the guidelines are being amended, not less than 14 days prior to the date of the hearing. The notice shall indicate the date, time and location of the hearing.

5. Following the close of the Public Hearing, the Commission shall review public testimony and take action to approve, amend, or deny the proposed changes no sooner than its next regularly scheduled meeting.

C. District exemptions. The following actions within historic districts are exempt from the requirements imposed pursuant to this chapter:

1. Any alterations to non-contributing properties as defined by the District Inventory adopted by the Commission and kept on file at the Historic Preservation Office; provided, that the demolition of such structures is not exempt from the provisions of this chapter; and

2. Interior alterations to existing properties, unless those modifications affect the exterior appearance of the property. (Ord. 27429 § 3; passed Nov. 15, 2005)

13.07.190130 Designation of Old City Hall Historic Special Review District – Declaration of purpose.

A. In order that the Old City Hall area and buildings within the area may not be injuriously affected; to promote the public welfare; and to provide for the enhancement of this area and its structures, thereby contributing to the social, cultural, and economic welfare of the citizens of Tacoma by developing an awareness of its historic heritage, returning unproductive structures to useful purposes, and attracting visitors to the City; and in order that a reasonable degree of control may be exercised over the site, development, and architecture of the private and public buildings erected therein, there is hereby created the Old City Hall Historic Special Review District, the boundaries of which are more particularly described in Section 13.07.120 hereof.

B. Said district and the buildings and structures therein possess significant aspects of early Tacoma history, architecture, and culture. Historic, cultural,

and architectural significance is reflected in the architectural cohesiveness of the area. For the foregoing reasons, many of the features contained in the buildings and structures in said district should be maintained and preserved.

13.07.200140 Designation of Old City Hall Historic Special Review District – Findings.

A. The area encompassed by the Old City Hall Historic Special Review District has played a significant role in the development of the City of Tacoma, the Puget Sound region, and the state of Washington. The district was the location of the early governmental and commercial center of the City. The focus of commerce and transportation was located in this district.

B. The Old City Hall Historic Special Review District is associated with the lives of many Tacoma pioneers through property, business, and commercial activities which were concentrated in the area.

C. Many buildings within the Old City Hall Historic Special Review District embody distinctive characteristics of late 19th Century Eclectic architecture, which reflects Greco-Roman and Renaissance architectural influences. For these and other reasons, the buildings and structures combine to create an outstanding example of an area of Tacoma which is significant and distinguishable in style, form, character, and construction representative of its era.

D. The restoration and preservation of objects, sites, buildings, and structures within the Old City Hall Historic Special Review District will yield information of educational significance regarding the way of life and the architecture of the late 19th century, as well as add interest and color to the City. Restoration of the Old City Hall Historic Special Review District will preserve the environment which was characteristic of an important era of Tacoma's history, and will be considerably more meaningful and significant educationally than if done on the basis of individual isolated buildings and structures.

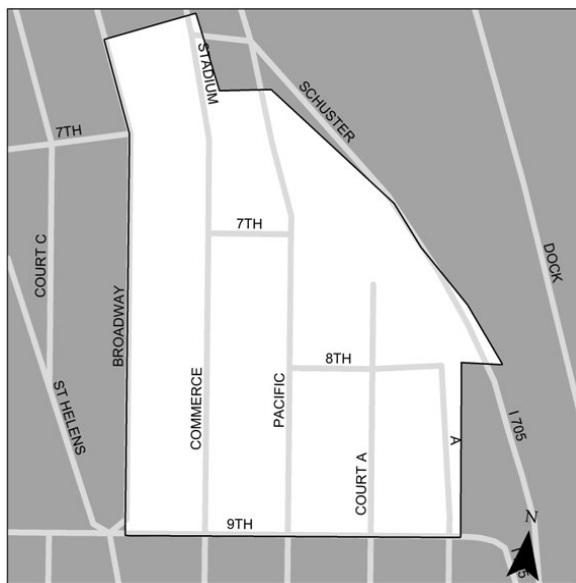
13.07.210150 Old City Hall Historic Special Review District – Boundary description.

The legal description for the Old City Hall Historic Special Review District is described in Ordinance No. 24877, and shall be kept on file in the City Clerk's Office. The approximate boundaries are described in Map A below.

13.07.155 Guidelines for building design and streetscape improvement review of the Old City Hall Historic District.

Pursuant to TMC 13.07.120, the Landmarks Preservation Commission shall adopt and maintain Guidelines for building design and streetscape improvement to ensure a certainty of design quality within the Old City Hall Historic District, protect the historic fabric of the district, enhance the economic vitality of the district through promotion of its architectural character, and provide a clear set of physical design parameters for property owners, developers, designers, and public agencies. These guidelines shall be made available to the public in electronic and printed formats.

Map A: Approximate Boundaries of the Old City Hall Historic Special Review District



13.07.220160 Old City Hall Special Review District – Specific Exemptions.

The following actions are exempt from the requirements imposed pursuant to this chapter:

A. Any alterations to non-contributing properties as defined by the District Inventory adopted by the Commission and kept on file at the Historic Preservation Office; provided, that the demolition of such structures is not exempt from the provisions of this chapter; and

B. Interior alterations to existing properties, unless those modifications affect the exterior appearance of the property.

13.07.230170 Designation of Union Depot/Warehouse Historic Special Review District – Declaration of purpose.

In order that the area and buildings within the area may not be injuriously affected, to promote the public welfare, and to provide for the enhancement of the area and its structures, thereby contributing to the social, cultural, and economic welfare of the citizens of Tacoma by developing an awareness of its historic and architectural heritage, returning unproductive structures to useful purposes, and attracting visitors to the City, and in order that a reasonable degree of control may be exercised over the site, development, and architecture of the private and public buildings erected therein, including certain infrastructure, there is hereby created the Union Depot/Warehouse Historic Special Review District.

13.07.240180 Designation of the Union Depot/Warehouse Historic Special Review District – Findings.

A. The area encompassed by the Union Depot/Warehouse Historic Special Review District has played a significant role in the development of the City of Tacoma, the Puget Sound region, and the state of Washington. The district was the location of the early railroad, industrial, and commercial center of the City. The focus of early manufacture and commerce was identified with this district.

B. The Union Depot/Warehouse Historic Special Review District is associated with the lives of many Tacoma pioneers through property, railroad, and commercial activities which were concentrated in the area. Many of the buildings within the Union Depot/Warehouse Historic Special Review District embody the distinctive characteristics of the late 19th and early 20th century Eclectic architecture, which reflects Greco-Roman, Renaissance, and Baroque architectural influences. For these and other reasons, the buildings and structures combine to create an outstanding example of a historic district in Tacoma dating from circa 1887–1930, which is significant and distinguishable in style, form, character, and construction representative of its era.

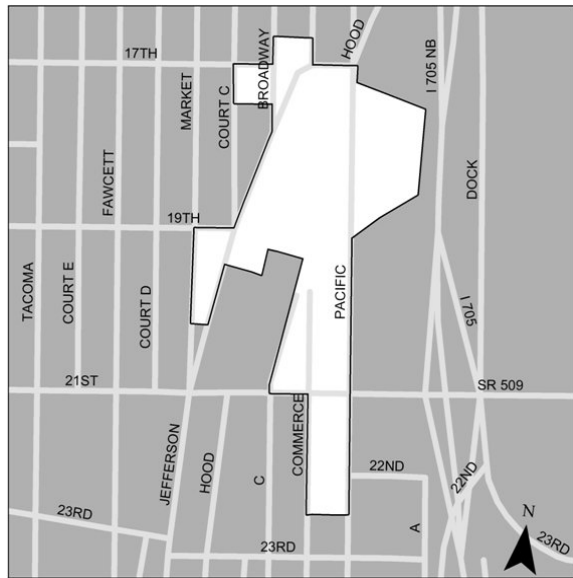
C. Restoration and preservation of objects, sites, buildings, and structures within the Union Depot/Warehouse Historic Special Review District will yield information of educational significance regarding the way of life and the architecture of the

late 19th and early 20th centuries, as well as add interest and color to the City. Restoration of the Union Depot/Warehouse Historic Special Review District will preserve the sense of place and time and the environment which was characteristic of an important era of Tacoma's history, and such district planning will be considerably more meaningful and significant educationally than if done on the basis of individual isolated buildings and structures.

13.07.250190 Union Depot/Warehouse Historic Special Review District – Boundary description.

The legal description for the Union Depot/Warehouse Historic Special Review District is described in Ordinance No. 24505, and shall be kept on file in the City Clerk's Office. The approximate boundaries are described in Map B below.

Map B: Approximate Boundaries of the Union Depot/Warehouse Historic Special Review District



13.07.260200 Designation of Union Station Conservation District.

There is hereby created the Union Station Conservation District, the physical boundaries of which are described in Ordinance No. 24877, and kept on file in the City Clerk's Office. The approximate boundaries are described in Map C below.

Map C: Approximate Boundaries of the Union Station Conservation District



13.07.210 Guidelines for building design and streetscape improvement review of the Union Depot/Warehouse Historic District and Union Station Conservation District.

Pursuant to TMC 13.07.120, the Landmarks Preservation Commission shall adopt and maintain Guidelines for building design and streetscape improvement to ensure a certainty of design quality within the Union Depot/Warehouse Historic District and Union Station Conservation District, protect the historic fabric of the district, enhance the economic vitality of the district through promotion of its architectural character, and provide a clear set of physical design parameters for property owners, developers, designers, and public agencies. These guidelines shall be made available to the public in electronic and printed formats.

13.07.270—Guidelines for building design and streetscape improvement review.

A. Intent. The following are hereby established as the design review guidelines for rehabilitation, new

construction, and public amenities. These guidelines are intended to ensure a certainty of design quality within the Historic Special Review District and Union Station Conservation District, protect the historic fabric of the districts, enhance the economic viability of the districts through the promotion of their architectural character, and provide a clear set of physical design parameters for property owners, developers, designers, and public agencies.

B. The following guidelines are intended to provide a set of basic standards for architectural and physical design within the Union Station districts. The guidelines will be used by the Landmarks Preservation Commission as a baseline for the design review process, but will not supersede the authority of the Commission to exercise its judgment and discretion on a case-by-case basis. The guidelines are also set forth to provide assistance to owners, developers, and designers involved in project planning by providing general design and technical recommendations.

C. From time to time, the Landmarks Preservation Commission may adopt policies and administrative rules for the purpose of clarifying and assisting property owners in interpreting these guidelines. Any such rules or policies shall be adopted by quorum vote and, once adopted, shall be made available to the public in electronic and printed formats.

D. Design Guidelines. The following predominant historic building elements shall be recognized as essential to the districts' historic image and used as the basis for design review of proposals for rehabilitation of existing buildings and review of new construction within the districts:

1. Height. The centerpiece and height benchmark for the districts is the Union Station, with its dome cap height of approximately 96 feet above Pacific Avenue. Wing parapet walls are 30 feet in height above Pacific Avenue. No new buildings constructed in the districts shall exceed 85 feet in height.

In the rehabilitation of existing buildings, their existing height should be maintained and the parapets and cornices should be kept intact. Any rooftop additions, penthouses, building systems equipment, or roof-mounted structures should be set back from existing parapet walls sufficiently to conceal them from view from street level.

2. Scale. Scale refers to a building's comparative relationship to neighboring buildings and its fit within the districts. The typical four-story building in the districts is 50 feet wide and 100 feet deep. Two such "basic blocks" side-by-side are proportionally

similar to the main section of Union Station and illustrate the scale and size of structural components in the districts.

Scale is also determined by the proportions of the architectural elements within the composition of the individual building facades. Exterior building facades shall be of a scale compatible with surrounding buildings and shall maintain a zero setback from the sidewalk. Window and door proportions, including the size and design of the wood sash and frame floor height, floor shapes, street elevations, and other elements of the building facades, shall relate to the scale of the surrounding buildings.

3. Materials. The predominant building material within the districts is masonry, including brick, granite, and terra cotta. Rehabilitation of existing buildings and construction of infill buildings shall utilize masonry as the predominant building material.

4. Minimum Maintenance. All contributing historic buildings in the districts shall be maintained against decay and deterioration caused by neglect or defective or inadequate weather protection.

5. Storefront Design. A major character-defining feature of the buildings within the districts is the storefront. The composition of the storefronts is consistent from one building to the next, and serves as a unifying feature of the districts by forming a continuity along the street. Preservation of the storefront is essential to the maintenance of the districts' image and character. Rehabilitation of an existing building shall include preservation of the existing storefront or reconstruction of a new storefront which is compatible with the original in scale, size, and material. New construction shall also include storefronts. Street-level retail sales and service uses, as described and defined in TMC 13.06, should be strongly considered for ground-floor use along Pacific Avenue in order to more effectively implement storefront design.

6. Awnings. Awnings have been a traditional addition to the facades of buildings within the districts and shall be encouraged within the districts as a functional exterior feature. All awnings shall be compatible with the historic character of the buildings and shall be based in design upon historic counterparts. They shall also:

a. Reflect the shape and character of the window openings;

b. Be, or appear to be, retractable in the form of historic awnings;

~~c. Constructed with canvas-like fabric rather than high-gloss in texture;~~

~~d. Not be back-lit or translucent;~~

~~e. Be in colors and/or patterns which complement the building and have basis in the historic record;~~

~~f. Be attached to the buildings in a manner which does not permanently damage the structure or obscure significant architectural features.~~

~~7. Signs.~~

~~a. General.~~

~~(1) All new exterior signs and all changes in the appearance of existing exterior signs require Landmarks Preservation Commission approval. This includes changes in message or colors on pre-existing signs.~~

~~(2) If there is a conflict between these standards and the requirements in the City's Sign Code, the more strict requirement shall apply.~~

~~b. Location and Size of Signs.~~

~~(1) Signs shall not dominate the building facades or obscure their architectural features (arches, transom panels, sills, moldings, cornices, windows, etc.).~~

~~(2) The size of signs and individual letters shall be of appropriate scale for pedestrians and slow-moving traffic. Projecting signs shall generally not exceed nine square feet on first floor level.~~

~~(3) Signs on adjacent storefronts shall be coordinated in height and proportion. Use of a continuous sign band extending over adjacent shops within the same building is encouraged as a unifying element.~~

~~(4) Portable reader board signs located on sidewalks, driveways, or in parking lots are prohibited.~~

~~(5) Existing historic wall signs are a contributing element within the district and should be restored or preserved in place. New wall signs shall generally be discouraged.~~

~~c. Messages and Lettering Signs.~~

~~(1) Messages shall be simple and brief. The use of pictorial symbols or logos is encouraged.~~

~~(2) Lettering should be of a traditional block or curvilinear style which is easy to read and compatible with the style of the building. No more than two different styles should be used on the same sign.~~

~~(3) Letters shall be carefully formed and properly spaced so as to be neat and uncluttered. Generally, no more than 60 percent of the total sign area shall be occupied by lettering.~~

~~(4) Lettering shall be generally flat or raised.~~

~~d. Color.~~

~~(1) Light-colored letters on a dark-colored background are generally required as being more traditional and visually less intrusive in the context of the Union Station District's predominantly red-brick streetscapes.~~

~~(2) Colors shall be chosen to complement, not clash with, the facade color of the building. Signs should normally contain not more than three different colors.~~

~~e. Materials and Illumination~~

~~(1) Use of durable and traditional materials (metal and wood) is strongly encouraged. All new signs shall be prepared in a professional manner.~~

~~(2) In general, illumination shall be external, non-flashing, and non-glare.~~

~~(3) Internal illumination is generally discouraged, but may be appropriate in certain circumstances, such as:~~

~~(i) Individual back-lit letters silhouetted against a softly illuminated wall.~~

~~(ii) Individual letters with translucent faces, containing soft lighting elements inside each letter.~~

~~(iii) Metal-faced box signs with cut-out letters and soft-glow fluorescent tubes.~~

~~However, such signs are generally suitable only on contemporary buildings.~~

~~(4) Neon signs may be permitted in exceptional cases where they are custom-designed to be compatible with the building's historic and architectural character.~~

~~f. Other Stylistic Points~~

~~(1) The shape of a projecting sign shall be compatible with the period of the building to which it is affixed, and shall harmonize with the lettering and symbols chosen for it.~~

~~(2) Supporting brackets for projecting signs should complement the sign design, and not overwhelm or clash with it. They must be adequately engineered to support the intended load, and generally should conform to a 2:3 vertical-horizontal proportion. Screw holes must be drilled at points where the fasteners will enter masonry joints to avoid damaging bricks, etc.~~

~~8. Color. Building colors should contribute to the distinct character of the historic building. Original building colors should be researched and considered in any new color scheme. Whether contrasting or complementary, the colors should reflect the design of the building. Building colors should utilize a~~

limited palette. Colors should be selected to emphasize building form and highlight major features of the building. Color schemes using several colors should be avoided and surfaces which are not historically painted should not be painted.

9. Views.—All new construction in the Union Station District should be designed to preserve existing views and vistas. Of particular importance are views of Commencement Bay, Mount Rainier, and Union Station.

E. Streetscape Guidelines.— Streetscaping is essential in the development of the districts in order to create value and enhance private development efforts. Proper design of streetscapes and public open spaces provides a unifying theme and unique identity for the districts, complements and extends the presence of Union Station, encourages pedestrian circulation, and creates a gateway to downtown and the waterway. The pattern of traffic routes and open space is based upon the historic function of the district and has a direct relation to such physical features as views from the upper floors of the building, sunlight, facade visibility, and streetscape appearance. Any significant loss or reconfiguration of existing open space and street corridors is discouraged.

The following improvements are to be encouraged:

1. Sidewalk paving.— Paving should be of brick or brick and brushed concrete. Existing granite curbs should be maintained or reconstructed, where possible.

2. Street paving.— Where feasible, historic street paving and gutters, either brick or cobblestone, should be preserved and restored.

Where feasible, existing railroad or streetcar rails should be preserved in place.

3. Streetlights.— Historic streetlights should be used throughout the district as unifying elements.

G. The Landmarks Preservation Commission may, at its discretion, waive mandatory requirements imposed by Section 13.07.290 of this chapter. In determining whether a waiver is appropriate, the Landmarks Preservation Commission shall require an applicant to demonstrate by clear and convincing evidence that, because of special circumstances not generally applicable to other property or facilities, including size, shape, design, topography, location, or surroundings, the strict application of those mandatory requirements of Section 13.07.290 would be unnecessary to further the purposes of this chapter. Such waiver shall not exceed the requirements set forth in the underlying zoning district, except where specifically provided for in TMC 13.06A.070.B.

13.07.280—Union Depot/Warehouse Historic Special Review and Union Station Conservation Districts—Specific exemptions.

The following actions are exempt from the requirements imposed pursuant to this chapter:

A. Any alterations to non-contributing properties, as defined by the District Inventory adopted by the Commission and kept on file at the Historic Preservation Office; provided, that the demolition of such structures is not exempt from the provisions of this chapter; and

B. Interior alterations to existing properties, unless those modifications affect the exterior appearance of the structure.

13.07.290²²⁰ Designation of the North Slope Historic Special Review District – Purpose.

A. In order that the North Slope Neighborhood and buildings within the Neighborhood may not be injuriously affected; to promote the public welfare; to provide for the enhancement of the North Slope Neighborhood and its structures, thereby contributing to the social, cultural, and economic welfare of the citizens of Tacoma by developing an awareness of Tacoma's historic heritage, maintaining productive and useful structures, and attracting visitors to the City; and in order that a reasonable degree of control may be exercised over the siting, development and architecture of public and private buildings erected in the North Slope Neighborhood so that the goals set forth in this section and in this chapter may be realized, there is hereby created the North Slope Historic Special Review District, the boundaries of which are more particularly described in Section 13.07.340 hereof.

B. The North Slope Neighborhood and the buildings therein reflect significant aspects of Tacoma's early history, architecture, and culture. Such historic, architectural, and cultural significance is also reflected in the architectural cohesiveness of the neighborhood. For the foregoing reasons, many of the features contained in the buildings and structures in the Neighborhood should be maintained and preserved.

C. Except where specifically exempted by TMC 13.07.095 and TMC 13.07.330, all visible alterations and construction within the historic district boundaries, including alterations to elements and spaces within the public rights-of-way, are subject to the review and approval of the Landmarks

Preservation Commission prior to the initiation of work.

13.07.300230 Designation of the North Slope Historic Special Review District – Findings.

The architectural, cultural, historical, and educational value of the North Slope Neighborhood is such that the protection and enhancement of its built environment and streetscape is important to the public welfare. In particular, the District is important for its association with the follow themes:

A. Role in the Development of Tacoma. The area north of Division Avenue from the bluff to Sprague Street was one of several residential neighborhoods that developed after Tacoma was selected to be the terminus of the Northern Pacific Railroad. New Tacoma and the North End were considered to be a desirable place to live, near downtown Tacoma. The community was settled irregularly over its history in a fairly dense residential pattern, and it is common to find structures from the late 1800s next to houses built in the 1930s.

B. Association with Tacoma Pioneers, Property, Business and Commercial Activities. The New Tacoma and North End community is predominantly residential, although there are scattered pockets of small commercial buildings that served the community. These commercial buildings are concentrated mostly along Division Avenue and K Street. The residents of the community represented a complete cross-section of different classes and occupations, from a United States ambassador to France to a Slovakian boat builder.

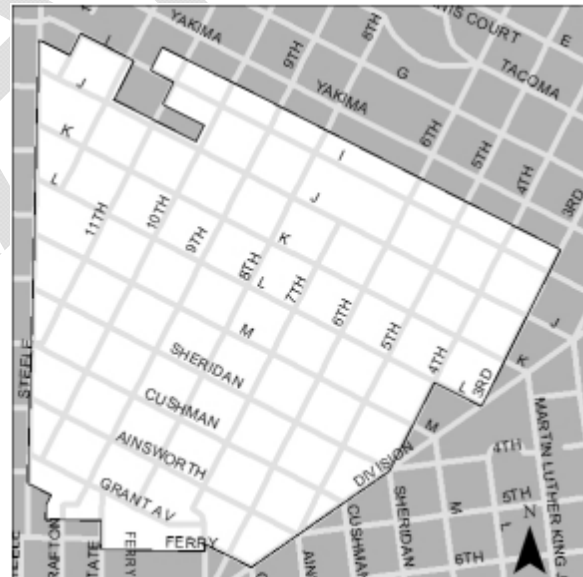
C. Architectural Characteristics. The architectural characteristics of the New Tacoma and North End community are variable, although there is a remarkable number of architect-designed houses in the neighborhood. Most homes built in the earliest period of growth from 1880 to the crash in 1893 were Queen Anne and Stick style houses, of both modest and grand proportions. After the turn of the century, more Craftsman and bungalow-style houses were built, as well as a few Colonial Revival structures. Those homes built after the turn of the century tended to be larger and more impressive, until the late 1920s when many one-story bungalows were built. After the Great Depression, another building boom took place in the neighborhood, with considerably smaller single-family brick residences constructed in simple forms, and two- or three-story multi-family apartment complexes.

D. Educational Uses and Preservation of the Area’s Heritage. Restoration and preservation of objects, sites, buildings, and structures within the North Slope Neighborhood will yield information of educational significance about the way of life of Tacoma’s citizens, and the architecture of the late 19th and early 20th centuries, and will add interest and color to the City. Maintaining this neighborhood as a whole will preserve the sense of time, place, and the environment which formed an important characteristic of Tacoma’s history. District-wide planning will be considerably more meaningful and educationally significant than if done on the basis of individual, isolated buildings

13.07.310240 North Slope Historic Special Review District – Boundary description.

The legal description for the North Slope Historic Special Review District is described in Ordinance No. 26611, and shall be kept on file in the City Clerk’s Office. The approximate boundaries are described in Map D below.

Map D: Approximate Boundaries of the North Slope Historic Special Review District



13.07.32013.07.250 Guidelines for building design and streetscape improvement review of the North Slope Historic Special Review District.

Pursuant to TMC 13.07.120, the Landmarks Preservation Commission shall adopt and maintain

Guidelines for building design and streetscape improvement A. Intent. These guidelines are intended to ensure a certainty of design quality within the North Slope Historic Special Review District, protect the historic fabric of the district, enhance the economic vitality of the district through promotion of its architectural character, and provide a clear set of physical design parameters for property owners, developers, designers, and public agencies. These guidelines are hereby established as the design review guidelines for rehabilitation, new construction, and public amenities, including street furniture, streetlighting, paving and sidewalks, and street trees and planting strips. These guidelines shall be made available to the public in electronic and printed formats.

B. Architectural integrity, as it relates to scale, proportion, texture, color, compatible materials, space, and composition in various periods of architecture, should be respected and, to the extent possible, maintained in contributing properties.

C. The following guidelines are also intended to provide a basic set of standards for architectural and physical design within the North Slope Historic Special Review District. These guidelines will be used by the Tacoma Landmarks Preservation Commission as a base line for the design review process. These guidelines will also assist owners, developers, and designers involved in project planning by providing general design and technical recommendations. When applying the guidelines, the Commission will be considerate of clearly documented cases of economic hardship or deprivation of the owner's reasonable use of the property.

D. From time to time, the Landmarks Preservation Commission may adopt policies and administrative rules for the purpose of clarifying and assisting property owners in interpreting these guidelines. Any such rules or policies shall be adopted by quorum vote and, once adopted, shall be made available to the public in electronic and printed formats.

E. For certain common types of City managed projects, and for certain projects within the City right of way, including streetlighting, sidewalk repair and similar alterations within the right of way, the City Public Works Department may propose "standard specifications" for programmatic review and adoption by the Commission, in lieu of case-by-case reviews. Any such standards, rules or policies shall be adopted by quorum vote and, once adopted, shall be made available to the public in electronic and printed formats.

F. Design Guidelines. The following predominant building elements in the district shall be recognized as essential to the historic image of the neighborhood, and shall, along with the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings, be utilized as the basis for design review of proposals for rehabilitation and new construction within the district.

1. Height. Goal: Balance the overall height of new construction with that of nearby structures. In the rehabilitation of existing buildings, the present height of the structure should remain intact. New buildings should step down to be comparable in height to adjacent structures.

2. Scale. Goal: Relate the size and proportion of new buildings to those of the neighborhood. Scale refers to a building's comparative relationship to neighboring structures, and its fit within the district. Building facades should be of a scale compatible with surrounding buildings, and maintain a comparable setback from the property line to adjacent buildings as permitted by applicable zoning regulations.

Scale is also determined by the proportions of the architectural elements within the composition of the individual building facades. Window and door proportions (including the design of sash and frames), floor heights, floor shapes, roof shapes and pitches, and other elements of the building exterior should relate to the scale of the neighborhood.

3. Massing. Goal: Break up the facades of buildings into smaller varied masses, comparable to those contributing buildings in the neighborhood. Variety of forms is a distinguishing characteristic of the North Slope residential community. Smaller massing—the arrangement of facade details, such as projections and recesses—and porches all help to articulate the exterior of the structure and help the structure fit into the neighborhood.

4. Sense of Entry. Goal: Emphasize entrances to structures. Entrances should be located on the front facade of the building and highlighted with architectural details such as raised platforms, porches, or porticos to draw attention to the entry. Entrances not located on the front facade should be easily recognizable from the street.

5. Roof Shapes and Materials. Goal: Utilize traditional roof shapes, pitches, and compatible finish materials on all new structures, porches, additions, and detached outbuildings wherever such elements are visible from the street. Maintain the present roof pitches of existing pivotal, primary, and secondary

buildings where such elements are visible from the street.

Typically, the existing historic buildings in the neighborhood either have gable roofs with the slopes of the roofs between 5:12 to 12:12 or more, and with the pitch oriented either parallel to or perpendicular to the public right of way, or have hipped roofs with roof slopes somewhat lower. Most roofs also have architectural details such as cross gables, dormers, and/or widow's walks to break up the large sloped planes of the roof. Wide roof overhangs, decorative eaves or brackets, and cornices can be creatively used to enhance the appearance of the roof.

6. Exterior Materials. Goals: Use compatible materials that respect the visual appearance of the surrounding buildings. Buildings in the North Slope Neighborhood were sided with shingles or with lapped, horizontal wood siding of various widths. Subsequently, a few compatible brick or stucco-covered structures were constructed, although many later uses of these two materials do not fit the character of the neighborhood. Additions to existing buildings should be sided with a material to match, or be compatible with, the original or existing materials. New structures should utilize exterior materials similar to those typically found in the neighborhood.

7. Rhythm of Openings. Goals: Respect the patterns and orientations of door and window openings as represented in the neighboring buildings. Typically, older buildings have doors and transoms that matched the head height of the adjacent windows. Doors also tend to be paneled or contain glazed openings. Windows are vertically oriented. Large horizontal expanses of glass are created by ganging two or more windows into a series. Most windows are either single or double hung, with a few casement windows being incorporated into the designs. Many of the buildings had the upper sash articulated into smaller panels, either with muntin bars, leaded glazing, or arches. Most older windows were also surrounded with substantial trim pieces or window head trim.

8. Additional Construction. Goal: Sensitively locate additions, penthouses, buildings systems equipment, or roof mounted structures to allow the architectural and historical qualities of the contributing building to be dominant. While additions to contributing buildings in historic districts are not discouraged, they should be located to conceal them from view from the public right of way. Some new additions, such as the reconstruction of missing porches or the addition of dormers in the roof, may need to be located on the front facade of the building. When an addition is proposed for the front of the building, appropriate and sensitive designs for such

modifications should follow the guidelines for scale, massing, rhythm, and materials.

9. Parking. Goal: Minimize views of parking and garages from the public right of way. Most early houses provided space for storing various means of transportation, from horses and carriages to automobiles; however, these structures were nearly always entered from the alley rather than from the street. Parking lots and banks of garage doors along the front facade of a building do not conform to the character of the neighborhood. Off street parking lots have no historic precedent in this neighborhood, and should be located behind the building and away from the street. Proposed residential driveway approaches requiring curbeuts off a street or arterial are generally prohibited, unless the applicant can demonstrate by clear and convincing evidence that, because of special circumstances not generally applicable to other property or facilities, including size, shape, design, topography, location, or surroundings, the strict application of this standard prevents alley-accessed parking. If approved, such curbeuts and approaches shall be consistent with the standards approved for the historic district and on file in the Public Works Department. Setting garages and carport structures back from the front of the building reduces their visual importance.

10. Signage. Goal: New signs for existing and new buildings shall complement the architecture and style of the residential neighborhood. Signs should not dominate the building facades or obscure the structure's architectural features. Colors, materials, and lettering should be appropriate to the character of the surroundings and be compatible with the building's period and style. Care should be taken not to damage historic building materials in the installation process.

G. Street Improvements. The architectural character of the district is significantly enhanced by the complementary residential nature of existing street amenities, including brick and cobblestone street paving, historic streetlights, planting strips, sidewalks, historic scoring patterns in walks and driveways, healthy trees, and a restrained use of signage. These elements should be retained or enhanced. Installation, repair, or replacement of streetlights, curbs, alley approaches, sidewalks, and street surfaces shall be consistent with the standards approved for the historic district and kept on file with the Public Works Department.

13.07.330260 North Slope Historic Special Review District – Specific Exemptions.

The following actions are exempt from the requirements imposed pursuant to this chapter:

- A. Any alterations to non-contributing properties as defined by the District Inventory adopted by the Commission and kept on file at the Historic Preservation Office; provided, that modifications to accessory structures and the demolition of noncontributing or accessory structures are not exempt from the provisions of this chapter;
- B. Interior modifications to existing structures, unless those modifications affect the exterior appearance of the structure;
- C. Any alterations to private residential structures that are specifically exempted from permit requirements in the Residential Building Code as adopted by the City (such as painting and minor repairs such as caulking or weather-stripping);
- D. The installation, alteration, or repair of public and private plumbing, sewer, water, and gas piping systems, where no Right-of-Way restoration is required;
- E. The installation, alteration, or repair of public and private electrical, telephone, and cable television wiring systems, provided that the installation of solar panels, wind generators, and cellular antenna towers is not exempt;
- F. The landscaping of private residences;
- G. The maintenance of existing parking conditions and configurations, including curb cuts, driveways, alleys, and parking lots (new installations are subject to review by the Commission per TMC 13.07.320.F(9));
- H. Signs not exceeding the limitations for a home occupation permit and those installed by the City for directional and locational purposes.
- I. The following types of projects within the public rights-of-way: ADA accessibility ramps and installations, in-road work, traffic signaling equipment, utility markers, and equipment required by the United States Postal Service.

13.07.340270 Severability.

In the event that any section, paragraph, or part of this chapter is for any reason declared invalid or held unconstitutional by any court of last resort, every other section, paragraph, or part shall continue in full force and effect.



2011 Annual Amendment Application # 2011-02
Historic Preservation Plan and Regulatory Code Amendments

April 20, 2011

Chapter 13.05 (Land Use Permit Procedures)

*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 ~~strike~~through. **Highlighted text reflects most recent amendments.**

Chapter 13.05

LAND USE PERMIT PROCEDURES

Sections:

- 13.05.005 Definitions.
- 13.05.010 Application requirements for land use permits.
- 13.05.020 Notice process.
- 13.05.030 Land Use Administrator – Creation and purpose – Appointment – Authority.
- 13.05.040 Decision of the Land Use Administrator.
- 13.05.045 Historic Preservation Land Use Decisions
- 13.05.046 Compatibility of historic standards with zoning development standards
- 13.05.047 Certificates of approval, historic
- 13.05.048 Demolition of City Landmarks
- 13.07.049 Minimum buildings standards, historic
- 13.05.050 Appeals of administrative decisions.
- 13.05.060 Applications considered by the Hearing Examiner.
- 13.05.070 Expiration of permits.
- 13.05.080 Modification/revision to permits.
- 13.05.090 Land Use Administrator approval authority.
- 13.05.095 Development Regulation Agreements.
- 13.05.100 Enforcement.
- 13.05.105 *Repealed.*
- 13.05.110 *Repealed.*

13.05.005 Definitions.

As used in this chapter, the following terms are defined as:

A. Abate: To repair, replace, remove, destroy, or otherwise remedy a condition which constitutes a violation of this title by such means and in such a manner and to such an extent as the Land Use Administrator determines is necessary in the interest of the public health, safety, and welfare of the community

B. Administrative Approval, Historic: An approval that may be granted by the City Historic Preservation Officer for an alteration to a City landmark, without Landmarks Preservation Commission review, based on authority that may be granted by the Commission pursuant to Chapter 1.42 of the Tacoma Municipal Code (“TMC”).

BC. Aggrieved Person: In an appeal, an “aggrieved person” shall be defined as a person who is suffering from an infringement or denial of legal rights or claims.

D. Alteration of a City Landmark: Any act or process which changes materially, visually, or physically one or more of the exterior architectural features or significant interior features of a property listed on the Tacoma Register of Historic Places individually or as a part of a district, including, but not limited to, the development, reconstruction, or removal of any structure.

CE. Appeal, for Standing: An aggrieved person or entity has “standing” when such person or entity is entitled to notice under the applicable provision of the Tacoma Municipal Code, or when such person or entity can demonstrate that such person or entity is within the zone of interest to be protected or regulated by the City law and will suffer direct and

substantial impacts by the governmental action of which the complaint is made, different from that which would be experienced by the public in general.

DF. Application, Complete: An application which meets the procedural requirements outlined in Section 13.05.010.C, or for development activities that require a Certificate of Approval, per 13.05.047.

G. Certificate of Approval, Historic: The written record of formal action by the Commission indicating its approval of plans for alteration of a City landmark.

H. City landmark: A property that has been individually listed on the Tacoma Register of Historic Places, or that is a contributing property within a Historic Special Review District or Conservation District as defined by this chapter.

I. Conservation District means an area designated for the preservation and protection of historic resources and overall characteristics of traditional development patterns, and that meets the criteria for such designation as described in Section 13.07.040.C of this code.

J. Contributing property, Historic: Any property within a Historic Special Review District or Conservation District which helps to convey the historic significance and traditional character of the area and that meets the criteria for determining significance, as set forth in Chapter 13.07.040 (C) of this code. This status may be documented in the district's nomination or in other findings adopted by the Landmarks Preservation Commission. Note that within this designation, the City may assign subordinate categories of significance.

K. Demolition of a City Landmark: Any act or process which destroys, in part or in whole, a City landmark, including neglect or lack of maintenance that results in the destruction of a historic property, except where otherwise indicated by this chapter.

LE. Department: As used in this chapter, "Department" refers to the Community and Economic Development Department.

M. Design guideline, Historic: A standard of appropriate activity which will preserve or enhance the historic and architectural character of a structure or area, and which is used by the Landmarks Preservation Commission and the City Historic Preservation Officer to determine the appropriateness of proposals involving property within Historic Special Review and Conservation Districts.

N. Exterior appearance of a City Landmark: the architectural character and general composition of

the exterior of a property as experienced from the outside, including, but not limited to, the type, color, and texture of a building material and the type, design, and character of all windows, doors, fixtures, signs, and appurtenant elements.

O. Historic resource: any property that has been determined to be eligible by the City Historic Preservation Officer or Washington State Department of Archaeology and Historic Preservation staff for listing in the Tacoma Register of Historic Places, the Washington State Heritage Register, or the National Register of Historic Places, or any property that appears to be eligible for such listing by virtue of its age, exterior condition, or known historical associations.

P. Historic Special Review District: An Overlay Zone with a concentration of historic resources that has been found to meet the criteria for designation as a Historic Special Review District under the provisions of TMC 13.07 and has been so designated by City Council.

Q. Landmarks Preservation Commission: the volunteer citizen body appointed by City Council whose primary responsibility is the oversight of the City's historic resources, including the designation of historic resources and districts to the Tacoma Register of Historic Places, reviewing proposed developments and alterations affecting to the properties on the Register and authorizing Certificates of Approval; raising community awareness of the City's history and historic resources, and serving as the City's primary subject matter resource in the areas of history, historic planning, and preservation, as provided for in this chapter and TMC 1.42 and 13.07.

R. Noncontributing property, Historic: A property within a Historic Special Review District or Conservation District which is documented in the district's nomination as not contributing architecturally, historically, and/or culturally to the historic character of the district, or which has been so designated in a Historic Special Review District Inventory drafted and adopted by the Landmarks Preservation Commission, or which has been specifically found to be noncontributing by a vote of the Commission.

FS. Open Record Hearing: A hearing, conducted by a single hearing body or officer authorized to conduct such hearings that create a record through testimony and submission of evidence and information.

GT. Owner: Any person having any interest in the real estate in question as indicated in the records of the office of the Pierce County Assessor, or who

establishes, under this chapter, his or her ownership interest therein.

~~HU~~. Person in Control of Property: Any person, in actual or constructive possession of a property, including, but not limited to, an owner, occupant, agent, or property manager of a property under his or her control.

~~IV~~. Premises and property: Used by this chapter interchangeably and means any building, lot, parcel, dwelling, rental unit, real estate, or land, or portion thereof.

~~IW~~. Project Permit or Project Permit Application: Any land use or environmental permit or license required for a project action, including, but not limited to, subdivisions, binding site plans, planned developments, conditional uses, shoreline substantial development permits, site plan review, permits or approvals required by the critical area preservation ordinance, site-specific rezones authorized by a Comprehensive Plan or sub area plan, but excluding the adoption or amendment of a Comprehensive Plan, sub area plan, or development regulations, except as otherwise specifically included in this subsection. This chapter does not apply to Exempted Activities under Section 13.11.140.

~~KX~~. Public Meeting: An informal meeting, hearing, workshop, or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to the decision. A public meeting does not constitute an open record hearing. The proceedings at a public meeting may be recorded and a report or recommendation shall be included in the project permit application file.

~~Y~~. Repair of a City Landmark: to fix or mend features of a property without any change in character, new construction, removal, or alteration.

~~LZ~~. Violation: Any act which results in non-compliance with any of the standards outlined within this title or conditions imposed from land use permits granted by the City.

~~MAA~~. Work Plan: Any document containing information detailing all of the required approvals, processes, timelines, actions, reports, etc., that are necessary to remedy a violation of this title and that said approvals, processes, timelines, actions, reports, etc. will be undertaken in order to gain compliance with this title.

13.05.045 Historic preservation land use decisions.

A. The City finds that the protection, enhancement, perpetuation, and continued use of landmarks, districts, and elements of historic, cultural, architectural, archeological, engineering, or geographic significance located within the City are required in the interests of the prosperity, civic pride, ecological, and general welfare of its citizens. The City further finds that the economic, cultural, and aesthetic standing of the City cannot be maintained or enhanced by disregarding the heritage of the City or by allowing the destruction or defacement of historic and cultural assets.

The purpose of this section is to provide regulatory procedures for historic preservation decision making bodies.

B. Authority and Responsibilities.

1. Landmarks Preservation Commission. Pursuant to TMC 1.42, and for the purposes of this chapter, the Landmarks Preservation Commission shall have the authority to:

a. Approve or deny proposals to alter individual properties or contributing properties within historic and conservation districts that are listed on the Tacoma Register of Historic Places, as provided in TMC 13.07, and authorize the issuance of Certificates of Approval for the same, and adopt standards, design guidelines, and district rules to be used to guide this review

b. Where appropriate, encourage the conservation of historic materials and make recommendations regarding mitigation measures for projects adversely affecting historic resources.

2. Historic Preservation Officer. Pursuant to TMC 1.42, and for the purposes of this chapter, the Historic Preservation Officer shall have the authority to:

a. Grant administrative Certificates of Approval, subject to such limitations and within such standards as the Commission may establish.

b. On behalf of the Landmarks Preservation Commission, draft and issue Certificates of Approval or other written decisions on matters on which the Commission has taken formal action.

c. Upon request by other City entities, review permit applications and other project actions for appropriateness and consistency with the purposes of this chapter, TMC 13.07, and the Preservation Plan element of the Comprehensive Plan.

d. With respect to the goals and policies contained within this chapter and the Comprehensive Plan, represent the Historic Preservation Certified Local Government program for Tacoma and review, advise, and comment upon environmental analyses performed by other agencies and mitigation proposed, including NEPA and SEPA, Section 106, and other similar duties.

e. Advise property owners and the public of historic preservation code requirements.

f. Assist the Land Use Administrator, as needed, with requests for interpretations of codes relating to landmarks and to historic districts, as provided in those codes.

13.05.046 Compatibility of historic standards with zoning development standards

A. All property designated as a City landmark or that is located within a Historic Special Review District or Conservation District, according to the procedures set forth in TMC 13.07, shall be subject to the controls, standards, and procedures set forth herein, as well as in Title 13 Land Use Regulatory Code and other controls of the area in which it is presently located, and the owners of the property shall comply with the mandates of this chapter in addition to all other applicable Tacoma Municipal Code requirements for -the area in which such property is presently or may later be located. In the event of a conflict between the application of this chapter and other codes and ordinances of the City, the more restrictive shall govern, except where otherwise indicated.

B. Coordination with Residential Zoning Code. In certain cases, application of the development standards in the residential zones, as defined under TMC 13.06.100, including those for height, bulk, scale, and setbacks, may conflict with historic preservation standards or criteria and result in adverse effects to City Landmark properties. For the purposes of TMC 13.06.100(B), properties subject to design review and approval by the Landmarks Preservation Commission shall be exempted from the standards that conflict with the Landmarks Commission's application of historic preservation standards adopted pursuant to this chapter, including the Secretary of the Interior's Standards for the Rehabilitation and Guidelines for Rehabilitation of Historic Buildings and applicable Historic Special Review District Design Guidelines. The issuance of a Certificate of Approval for final design by the Landmarks Preservation Commission shall include specific references to any conflicts between the

standards in this chapter and those in TMC 13.06.100, and specifically request the appropriate exemptions.

C. Coordination with Downtown Zoning. In certain cases, the application of design standards in Downtown Tacoma zoning districts, as defined by TMC 13.06A, may conflict with historic preservation standards or criteria and result in adverse effects to historic properties. For the purposes of TMC 13.06A.070B, properties subject to design review and approval by the Landmarks Preservation Commission shall be exempted from the basic design standards that conflict with the Landmarks Commission's application of historic preservation standards adopted pursuant to this chapter, including the Secretary of the Interior's Standards for the Rehabilitation and Guidelines for Rehabilitation of Historic Buildings and applicable Historic Special Review District Design Guidelines. The issuance of a Certificate of Approval for final design by the Landmarks Preservation Commission shall serve as the Commission's findings as required in TMC 13.06A.070B.

13.05.047 Certificates of approval, historic.

A. Certificate of Approval Required. Except where specifically exempted by this chapter, a Certificate of Approval is required before any of the following actions may be undertaken:

1. Alteration to the exterior appearance of any City landmark, or any building, site, structure or object proposed for designation as a City Landmark pursuant to TMC 13.07.050;

2. Alterations to the exterior appearance of any existing buildings, public rights-of-way, or other public spaces, or development or construction of any new structures, in any Historic Special Review District.

3. Except where otherwise specified, construction of new structures or site improvements, and changes to floor plans of existing buildings, within Conservation Districts. **This authority is limited to the exterior appearance of new buildings and additions.**

4. Removal or alteration of any existing sign, or installation or placement any new sign, on a City Landmark or property within a Historic Special Review or Conservation District.

5. Demolition of any structure or building listed on the Tacoma Register of Historic Places, or that is located within a Historic Special Review or Conservation District.

6. No City permits for the above activities shall be issued by the City until a Certificate of Approval has been issued by the Landmarks Preservation Commission or administrative approval has been granted by the Historic Preservation Officer.

7. When a development permit application is filed with Building and Land Use Services that requires a Certificate of Approval, the applicant shall be directed to complete an application for Certificate of Approval for review by the Landmarks Preservation Commission or by the Historic Preservation Officer.

B. Application Requirements. The following information must be provided in order for the application to be complete, unless the Historic Preservation Officer indicates in writing that specific information is not necessary for a particular application:

1. Property name and building address;
2. Applicant's name and address;
3. Property owner's name and address;
4. Applicant's telephone and e-mail address, if available;
5. The building owner's signature on the application or, if the applicant is not the owner, a signed letter from the owners designating the applicant as the owner's representative;
6. Confirmation that the fee required by the General Services Fee Schedule has been paid;
7. Written confirmation that the proposed work has been reviewed by Building and Land Use Services, appears to meet applicable codes and regulations, and will not require a variance;
8. A detailed description of the proposed work, including:
 - a. Any changes that will be made to the building or the site;
 - b. Any effect that the work would have on the public right-of-way or public spaces;
 - c. Any new development or construction;
9. 5 sets of scale plans, or a single legible electronic copy in a format approved by CEDD staff, with all dimensions shown, of:
 10. A site plan of all existing conditions, showing adjacent streets and buildings, and, if the project includes any work in the public right-of-way, the existing street uses, such as street trees and sidewalk displays, and another site plan showing proposed changes to the existing conditions;

11. A floor plan showing the existing features and a floor plan showing proposed new features;

12. Elevations and sections of both the proposed new features and the existing features;

13. Construction details, where appropriate;

14. A landscape plan showing existing features and plantings and a landscape plan showing proposed site features and plantings;

15. Photographs of any existing features that would be altered and photographs showing the context of those features, such as the building facade where they are located;

16. If the proposal includes new finishes or paint, one sample of proposed colors and an elevation drawing or photograph showing the proposed location of proposed new finishes or paint;

17. If the proposal includes new signs, canopies, awnings, or exterior lighting:

a. 5 sets of scale plans, or a single legible electronic copy of the proposed signs, awnings, canopies, or lighting showing the overall dimensions, materials, design graphics, typeface, letter size, and colors;

b. 5 copies or a single electronic copy of details showing the proposed methods of attachment for the new signs, canopies, awnings, or exterior lighting;

c. For lighting, detail of the fixture(s) with specifications, including wattage and illumination color(s);

d. One sample of the proposed colors and materials;

18. If the proposal includes the removal or replacement of existing architectural elements, a survey of the existing conditions of the features that would be removed or replaced.

C. Applications for Preliminary Approval.

1. An applicant may make a written request to submit an application for a Certificate of Approval for a preliminary design of a project if the applicant waives, in writing, the deadline for a Commission decision on the subsequent design phase or phases of the project and agrees, in writing, that the decision of the Commission is immediately appealable by the applicant or any interested person(s).

2. The Historic Preservation Officer may reject the request if it appears that the review of a preliminary design would not be an efficient use of staff or Commission time and resources, or would not further the goals and objectives of this chapter.

3. The Historic Preservation Officer may waive portions of the above application requirements in writing that are determined to be unnecessary for the Commission to approve a preliminary design.

4. A Certificate of Approval of a preliminary design shall be conditioned automatically upon the subsequent submittal of the final design and all of the information listed in Subsection B above, and upon Commission approval prior to the issuance of any permits for work affecting the property.

D. Applications for a Certificate of Approval shall be filed with the Permit Center.

E. Process and standards for review.

1. When an application for Certificate of Approval is received, the Historic Preservation Officer shall:

a. Review the application and determine whether the application requires review by the Landmarks Preservation Commission, or, subject to the limitations imposed by the Landmarks Preservation Commission pursuant to TMC 1.42, without prejudice to the right of the owner at any time to apply directly to the Commission for its consideration and action on such matters, whether the application is appropriate for administrative review.

b. If the application is determined appropriate for administrative review, the Historic Preservation Officer shall proceed according to the Administrative Bylaws of the Commission.

2. If the Application requires review by the full Commission, the Historic Preservation Officer shall notify the applicant in writing within 28 days whether the application is complete or that the application is incomplete and what additional information is required before the application will be complete.

3. Within 14 days of receiving the additional information, the Historic Preservation Officer shall notify the applicant in writing whether the application is now complete or what additional information is necessary.

4. An application shall be deemed to be complete if the Historic Preservation Officer does not notify the applicant in writing, by the deadlines provided in this section, that the application is incomplete. A determination that the application is complete is not a determination that an application is vested.

5. The determination that an application is complete does not preclude the Historic Preservation Officer or the Landmarks Preservation Commission from requiring additional information during the review process if more information is needed to evaluate the

application according to the criteria in this chapter and any rules adopted by the Commission.

6. Within 30 days after an application for a Certificate of Approval has been determined complete or at its next regularly scheduled meeting, whichever is longer, the Commission shall review the application to consider the application and to receive comments.

7. Notice of the Commission's meeting shall be served to the applicant and distributed to an established mailing list no less than three days prior to the time of the meeting.

8. The absence of the owner or applicant shall not impair the Commission's authority to make a decision regarding the application.

9. Within 45 days after the application for a Certificate of Approval has been determined complete, the Landmarks Preservation Commission shall issue a written decision granting, or granting with conditions, or denying a Certificate of Approval, or if the Commission elects to defer its decision, a written description of any additional information the Commission will need to arrive at a decision, and shall provide a copy of its decision to the applicant and Building and Land Use Services.

10. A Certificate of Approval shall be valid for 18 months from the date of issuance of the Commission's decision granting it unless the Commission grants an extension; provided, however, that a Certificate of Approval for actions subject to a permit issued by Building and Land Use Services shall be valid for the life of the permit, including any extensions granted in writing by Building and Land Use Services.

F. Economic Hardship

1. After receiving written notification from the Commission of the denial of Certificate of Approval, an applicant may commence the hardship process. No building permit or demolition permit shall be issued unless the Commission makes a finding that hardship exists.

2. When a claim of economic hardship is made due to the effect of this ordinance, the owner must prove that:

a. the property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;

b. the property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and

c. efforts to find a purchaser interested in acquiring the property and preserving it have failed.

3. The applicant shall consult in good faith with the Commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property. Such efforts must be shown to the Commission.

4. The Commission shall hold a public hearing on the application within sixty (60) days from the date the complete application is received by the Historic Preservation Officer. Following the hearing, the Commission has thirty (30) days in which to act on the application. Failure to act on the hardship application within the (30) day timeframe will waive the Certificate of Approval requirement for permitting.

5. All decisions of the Commission shall be in writing.

6. The Commission's decision shall state the reasons for granting or denying the hardship application.

7. Denial of a hardship application may be appealed by the applicant within (14) business days to the Hearing Examiner after receipt of notification of such action.

8. Economic Evidence. The following shall be required for an application for economic hardship to be considered complete:

a. For all property:

i. The amount paid for the property;

ii. The date of purchase, the party from whom purchased, and a description of the business or family relationship, if any, between the owner and the person from whom the property was purchased;

iii. The cost of any improvements since purchase by the applicant and date incurred;

iv. The assessed value of the land, and improvements thereon, according to the most recent assessments;

v. Real estate taxes for the previous two years;

vi. Annual debt service, if any, for the previous two years;

vii. All appraisals obtained within the previous five years by the owner or applicant in connection with his or her purchase, financing or ownership of the property;

viii. Any listing of the property for sale or rent, price asked and offers received, if any;

ix. Any consideration by the owner for profitable and adaptive uses for the property, including

renovation studies, plans, and bids, if any; and

b. For income-producing property:

i. Annual gross income from the property for the previous four years;

ii. Itemized operating and maintenance expenses for the previous four years;

iii. Annual cash flow for the previous four years.

G. Appeals to the Hearing Examiner. The Landmarks Preservation Commission shall refer to the Hearing Examiner for public hearing all final decisions regarding applications for certificates of approval and applications for demolition where the property owners, any interested parties of record, or applicants file with the Landmarks Preservation Commission, within 10 days of the date on the decision, written notice of appeal of the decision or attached conditions.

1. Form of Appeal. An appeal of the Landmarks Preservation Commission shall take the form of a written statement of the alleged reason(s) the decision was in error, or specifying the grounds for appeal. The following information shall be submitted:

a. An indication of facts that establish the appellant's standing;

b. An identification of explicit exceptions and objections to the decision being appealed, or an identification of specific errors in fact or conclusion;

c. The requested relief from the decision being appealed;

d. Any other information reasonably necessary to make a decision on appeal. Failure to set forth specific errors or grounds for appeal shall result in a summary dismissal of the appeal.

2. The Hearing Examiner shall conduct a hearing in the same manner and subject to the same rules as set forth in TMC 1.23.

3. The Hearing Examiner's decision shall be final. Any petition for judicial review must be commenced within 21 days of issuance of the Hearing Examiner's Decision, as provided for by TMC 1.23.060 and RCW 36.70C.040.

4. The Hearing Examiner, in considering the appropriateness of any exterior alteration of any City landmark, shall give weight to the determination and testimony of the consensus of the Landmarks Preservation Commission and shall consider:

a. The purposes, guidelines, and standards for the treatment of historic properties contained in this

chapter, and the goals and policies contained in the Preservation Element of the Comprehensive Plan;

b. The purpose of the ordinance under which each Historic Special Review or Conservation District is created;

c. For individual City landmarks, the extent to which the proposal contained in the application for Certificate of Approval would adversely affect the specific features or characteristics specified in the nomination to the Tacoma Register of Historic Places;

d. The reasonableness, or lack thereof, of the proposal contained in the application in light of other alternatives available to achieve the objectives of the owner and the applicant; and

e. The extent to which the proposal contained in the application may be necessary to meet the requirements of any other law, statute, regulation, code, or ordinance.

5. When considering appeals of applications for demolition decisions, in addition to the above, the Hearing Examiner shall refer to the Findings of Fact made by the Landmarks Preservation Commission in addition to the demolition criteria for review and other pertinent statements of purpose and findings in this chapter.

6. The Examiner may attach any reasonable conditions necessary to make the application compatible and consistent with the purposes and standards contained in this chapter.

H. Ordinary Maintenance and Repairs. Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of any City landmark, which maintenance or repair does not involve a change in design, material, or the outward appearance thereof.

13.05.048 Demolition of City Landmarks

A. Application requirements. In addition to the application requirements listed in 13.05.047, the following information must be provided in order for the application to be complete, unless the Historic Preservation Officer indicates in writing that specific information is not necessary for a particular application:

1. A detailed, professional architectural and physical description of the property in the form of a narrative report, to cover the following:

a. Physical description of all significant architectural elements of the building;

b. A historical overview;

c. Elevation drawings of all sides;

d. Site plan of all existing conditions showing adjacent streets and buildings and, if the project includes any work in the public right-of-way, the existing street uses, such as street trees and sidewalk displays;

e. Photographs of all significant architectural elements of the building; and

f. Context photographs, including surrounding streetscape and major sightlines.

2. A narrative statement addressing the criteria in this subsection for Applications for Historic Building Demolitions, to include the following areas, as applicable:

a. Architectural/historical/cultural significance of the building;

b. Physical condition of the building;

c. Narrative describing future development plans for the site, including:

d. Description of immediate plans for the site following demolition.

3. For replacement construction/redevelopment of the site, the following information is required:

a. A complete construction timeline for the replacement structure to be completed within two years, or a written explanation of why this is not possible.

b. Conceptual drawings, sketches, renderings, and plans.

c. Written proof, acceptable to the Landmarks Preservation Commission, of valid and binding financial commitments for the replacement structure is required before the permit can be issued, and should be submitted with the demolition request. This may include project budgets, funding sources, and written letters of credit.

4. If a new structure is not planned for the site, the application shall contain a narrative describing the rationale for demolition, a written request for waiver of TMC 13.05.050.B.2 and B.4.

5. If a new structure is not planned for the site, the application requirements in this section and 13.05.047 relating to new construction are not required in order for an application to be complete.

6. Reports by professionally qualified experts in the fields of engineering, architecture, and architectural history or real estate finance, as applicable, addressing the arguments made by the applicant.

B. Permitting Timelines.

1. Any City landmark for which a demolition permit application has been received is excluded from City permit timelines imposed by TMC 13.05.010.J.

2. An application for a Certificate of Approval for Demolition of a City Landmark shall be filed with the Building and Land Use Services Permit Intake Center. When a demolition application is filed, the application shall be routed to the Historic Preservation Officer.

3. Determination of Complete Application. The Historic Preservation Officer shall determine whether an application for demolition is complete consistent with the timelines and procedures outlined in TMC 13.05.047.E.1 through E.5.

3. Application Review.

a. Preliminary Meeting. Once the application for historic building demolition has been determined to be complete, excepting the demolition fee, the Historic Preservation Officer shall schedule a preliminary briefing at the next available regularly scheduled meeting of the Landmark Preservation Commission.

i. The purpose of this meeting is for the applicant and the Commission to discuss the historic significance of the building, project background and possible alternative outcomes, and to schedule a hearing date, if necessary.

ii. To proceed with the application, the applicant shall request a public hearing, in writing, to consider the demolition application at the preliminary meeting.

iii. At this meeting, the Landmarks Preservation Commission may grant the request for public hearing, or may request an additional 30 days from this meeting to distribute the application for peer review, especially as the material pertains to the rationale contained in the application that involves professional expertise in, but not limited to, engineering, finance, architecture or architectural history, and law, or, finding that the property in question is not contributing to the Historic District, may conditionally waive the procedural requirements of this section, provided that subparagraphs A and B, of Section 13.05.048.C, "Demolition of City Landmarks – Automatic conditions," are met.

iv. If a 30-day peer review is requested, the request for public hearing shall again be considered at the next regular meeting following the conclusion of the peer review period.

b. Public Hearing. Upon receiving such direction from the Landmarks Preservation Commission, and

once the application fee has been paid by the applicant, the Historic Preservation Officer shall schedule the application for a public hearing within 90 days.

i. The Historic Preservation Officer shall give written notice, by first-class mail, of the time, date, place, and subject of the meeting to consider the application for historic building demolition not less than 30 days prior to the meeting to all owners of record of the subject property, as indicated by the records of the Pierce County Assessor, and taxpayers of record of properties within 400 feet of the subject property.

ii. The Commission shall consider the merits of the application, comments received during peer review, and any public comment received in writing or during public testimony.

iii. Following the public hearing, there shall be an automatic 60-day comment period during which the Commission may request additional information from the applicant in response to any commentary received.

iv. At its next meeting following the public comment period, the Landmarks Preservation Commission shall make Findings of Fact regarding the application based on the criteria for consideration contained in this subsection. The Landmarks Preservation Commission may approve, subject to automatic conditions imposed by this subsection, the application or may deny the application based upon its findings of fact. This decision will instruct the Historic Preservation Officer whether or not he or she may issue written approval for a historic building demolition.

C. Automatic Conditions. Following a demolition approval pursuant to this section, the following conditions are automatically imposed, except where exempted per TMC 13.05.048.B or elsewhere in this chapter, and must be satisfied before the Historic Preservation Officer shall issue a written decision:

1. For properties within a Historic Special Review or Conservation District, the design for a replacement structure is presented to and approved by the Landmarks Preservation Commission pursuant to the regular design review process as defined in this chapter; or, if no replacement structure is proposed for a noncontributing structure, the Commission may, at its discretion, waive this condition and 13.05.050.B.2 and 13.05.050.B.4;

2. Acceptable proof of financing commitments and construction timeline is submitted to the Historic Preservation Officer;

3. Documentation of the building proposed for demolition that meets Historic American Building Survey (“HABS”) standards or mitigation requirements of the Washington State Department of Archaeology and Historic Preservation (“DAHP”), as appropriate, is submitted to the Historic Preservation Office and the Northwest Room of the Tacoma Public Library;

4. Building and Land Use Service permits for the replacement are ready for issue by Building and Land Use Services, and there are no variance or conditional use permit applications outstanding;

5. Any additional mitigation agreement, such as relocation, salvage of architectural features, interpretation, or deconstruction, proposed by the applicant is signed and binding by City representatives and the applicant, and approved, if necessary, by the City Council; and

6. Any conditions imposed on the demolition have been accepted in writing (such as salvage requirements or archaeological requirements).

D. Specific exemptions. The following are excluded from the requirements imposed by this chapter but are still subject to Landmarks Preservation Commission approval for exterior changes as outlined elsewhere in this chapter.

1. Demolition of accessory buildings, including garages and other outbuildings, and noncontributing later additions to historic buildings, where the primary structure will not be affected materially or physically by the demolition and where the accessory or addition is not specifically designated as a historic structure of its own merit;

2. Demolition work on the interior of a City landmark or object, site, or improvement within a Historic Special Review or Conservation District, where the proposed demolition will not affect the exterior of the building and where no character defining architectural elements specifically defined by the nomination will be removed or altered; and

3. Objects, sites, and improvements that have been identified by the Landmarks Preservation Commission specifically as noncontributing within their respective Historic Special Review or Conservation District buildings inventory at the preliminary meeting, provided that a timeline, financing, and design for a suitable replacement structure have been approved by the Landmarks Preservation Commission, or such requirements have been waived, pursuant to Section 13.05.048.

13.05.049 Minimum buildings standards, historic.

A. Prevention of Demolition by Neglect. The Landmarks Preservation Commission shall make a reasonable effort to notify the Building Official of historic properties that appear to meet the criteria for substandard buildings or property under TMC 2.01.060.

B. For buildings listed on the Tacoma Register of Historic Places which are found to be Substandard, Derelict, or Dangerous according to the Building Official, under the Minimum Building provisions of TMC 2.01, the following shall apply:

1. Because City landmarks are culturally, architecturally, and historically significant to the City and community, the historic status of a Substandard, Derelict, or Dangerous Building may constitute a “sufficient reason” for acceptance of alternate timelines and extensions upon agreed timelines; and,

2. Any timelines and plans for the remediation of a dangerous City landmark, including for repair or demolition, shall not be accepted by the Building Official until the applicable procedures as set forth in this chapter for review of design or demolition by the Landmarks Preservation Commission have been satisfied, pursuant to TMC 2.01.040.F.

3. The Building Official may consider the Landmarks Preservation Commission to be an interested party as defined in TMC 2.01, and shall make a reasonable effort to keep the Commission notified of enforcement complaints and proceedings involving City Landmarks.

4. Nothing in this chapter shall be construed to prevent the alteration of any feature which the Building Official shall certify represents an immediate and urgent threat to life safety. The Building Official shall make a reasonable effort to keep the Historic Preservation Officer informed of alterations required to remove an unsafe condition involving a City Landmark.

C. The Historic Preservation Officer shall have the authority to administratively approve changes without prior Landmarks Preservation Commission review per TMC 13.05.048, if, upon consultation with the Building Official and appropriate City Engineering staff, it is determined such changes are necessary to mitigate an immediate and urgent threat of structural failure or significant damage to a City landmark. The circumstances and rationale for such an alteration shall be provided in a report to the Commission at its next regular meeting.



2011 Annual Amendment Application # 2011-02
Historic Preservation Plan and Regulatory Code Amendments

April 20, 2011

Chapter 13.06 and 13.06A (Zoning)

*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~~. **Highlighted text reflects most recent amendments.**

13.06.100 Residential Districts.

The 100 series will contain regulations for all residential classifications, including the following:

- R-1 Single-Family Dwelling District
- R-2 Single-Family Dwelling District
- R-2SRD Residential Special Review District
- HMR-SRD Historic Mixed Residential Special Review District
- R-3 Two-Family Dwelling District
- R-4 Multiple-Family Dwelling District
- R-4-L Low-Density Multiple-Family Dwelling District
- R-5 Multiple-Family Dwelling District
- PRD Planned Residential Development District (see Section 13.06.140)

A. District purposes. The specific purposes of the Residential Districts are to:

1. Implement the goals and policies of the City’s Comprehensive Plan.
2. Implement the Growth Management Act’s goals and county-wide and multi-county planning policies.
3. Provide a fair and equitable distribution of a variety of housing types and living areas.
4. Protect and enhance established neighborhoods.
5. Provide for predictability in expectations for development projects.
6. Allow for creative designs while ensuring desired community design objectives are met.

7. Strengthen the viability of residential areas by eliminating incompatible land uses, protecting natural physical features, promoting quality design, and encouraging repair and rehabilitation of existing residential structures.

B. Districts established.

1. R-1 Single-Family Dwelling District. This district is intended for low-density, single-family detached housing. Other compatible uses such as residential care homes and shelters are also appropriate. The district is characterized by low residential traffic volumes and properties located within the View Sensitive Overlay district. It is most appropriate in established areas with a relatively quiet and stable neighborhood environment.

2. R-2 Single-Family Dwelling District. This district is intended primarily for low-density, single-family detached housing but may also allow limited lodging uses and uses such as limited holiday sales for Christmas and Halloween. The district is characterized by low residential traffic volumes and generally abuts more intense residential and commercial districts.

3. R-2SRD Residential Special Review District. This district is intended primarily for low-density, single-family detached housing, but it also may allow a limited number of two- and three-family dwellings by conditional use permit where the location, amount, and quality of such development would be compatible with the single-family character of the area and enhance the area’s overall quality.

4. HMR-SRD Historic Mixed Residential Special Review District. This district is designed to apply to existing neighborhood areas or portions of existing neighborhood areas which have been designated as an historic special review district because the

buildings within reflect significant aspects of Tacoma’s early history, architecture, and culture as set forth and according to the procedures in Chapter 13.07, and which are characterized by a mix of residential buildings, including single family residential dwellings and multiple family dwellings, and where it is desirable to protect, preserve, and maintain the historic buildings. Single-family dwellings will continue to be the predominant land use within the HMR-SRD district. Conversion of existing multiple-family uses to single-family uses will be encouraged, but not required.

~~If any conflict is found between the regulations of this chapter and the guidelines and criteria of the Historic Special Review Districts found in Chapter 13.07, the guidelines and criteria shall prevail.~~

5. R-3 Two-Family Dwelling District. This district is intended primarily for two-family housing development. Uses such as single-family dwellings, three-family dwellings, and some lodging and boarding homes may also be appropriate. The district is characterized by low residential traffic volumes and generally abuts more intense residential and commercial districts.

6. R-4-L Low-Density Multiple-Family Dwelling District. This district is intended for low-density multiple-family housing, mobile home parks, retirement homes and group living facilities. It is similar to the R-4 Multiple-Family Dwelling District, but more restrictive site development standards are intended to minimize adverse impacts of permitted and conditional uses on adjoining land. The district is characterized by amenities and services associated with single- and two-family residential districts, and it is located generally along major transportation corridors and between higher and lower intensity uses.

7. R-4 Multiple-Family Dwelling District. This district is intended primarily for medium density multiple-family housing. Other appropriate uses may include day care centers, and certain types of special needs housing. The district is characterized by a more active living environment and is located generally along major transportation corridors and between higher and lower intensity uses.

8. R-5 Multiple-Family Dwelling District. This district is intended for high-density multiple family housing, as well as residential hotels, retirement homes, and limited mixed-use buildings. The district is generally located in the center of the city in close proximity to employment centers, conveniences,

services, major transportation corridors, and public transportation facilities.

C. Land use requirements.

1. Applicability. The following tables compose the land use regulations for all districts of Section 13.06.100. All portions of 13.06.100 and applicable portions of 13.06.500 apply to all new development of any land use variety, including additions, and remodels, in all districts in Section 13.06.100, unless explicit exceptions or modifications are noted. The requirements of Section 13.06.100.A through Section 13.06.100.C are not eligible for variances. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply. For individually designated properties listed on the Tacoma Register of Historic Places, and for contributing buildings within Historic Special Review Districts, where there is a conflict between the regulations of this chapter and historic guidelines and standards, the historic guidelines and standards shall prevail pursuant TMC 13.05.046.

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

4. District use table. (see next page for table)

13.06.510 Off-street parking and storage areas.

A. Purpose. To ensure the safe and adequate flow of traffic in public right-of-way, it is deemed in the interest of the public health, safety, and general welfare that off-street parking areas be required as a necessary part of the development and use of land,

and to ensure that required parking areas are designed to perform in a safe and efficient manner.

Minimum parking requirements are particularly important in order to ensure resident, visitor, customer, and employee parking within reasonable distance to the uses served, reduce congestion on adjacent streets; and to minimize, to the extent possible, spillover parking into adjacent residential areas. The requirements herein set forth are also established to discourage under-used parking facilities and to minimize the amount of land dedicated to parking, consistent with the Comprehensive Plan, that encourages economic development, transit use, carpooling, energy conservation, and air quality improvement by providing for: only the minimum number of stalls necessary, compact stalls, shared parking between uses, transportation demand management, and incentives for reducing the size of parking areas.

Applicability. Buildings, structures, or uses hereafter established, built, enlarged, increased in capacity, or changed in principal use in all districts shall provide the following off-street parking areas:

1. Off-street parking spaces - quantity. The quantity of off-street parking shall be provided in accordance with the standards of the tables below.

a. Fractions. Fractions resulting from required parking calculations will be rounded up or down to the nearest whole number.

b. Multiple uses. Where an establishment on a lot contains multiple types of uses, the required parking spaces shall be equal to the total spaces determined by computing each use type separately, except where specifically stated otherwise herein.

c. Use not listed. In the case of a use not specifically mentioned in this section, the requirements for off-street parking facilities shall be determined by the City Traffic Engineer. Such determination shall be based upon the requirements for the use specified in this section that is most nearly comparable to the unspecified use and traffic engineering principles and studies.

d. Historic buildings and sites. Structures and sites that are individually listed on the Tacoma Register of Historic Places shall be exempt from all parking quantity requirements. This provision does not apply to Historic Special Review District overlay zones.

13.06A.060 Development standards.

Development Standards Table.

Districts	Maximum Allowable Floor Area Ratio (FAR) ¹						Height Limits	Non-Res Parking ^{2, 3, 4, 6}	
	"As of Right"		With Design Standards		With Special Features			Min	Max
	Non-Res	Res	Non-Res	Res	Non-Res	Res		(stalls/floor area sf) ⁵	
DCC	3	3	6	6	12	12	400'	2.4/1000	3.6/1000
DMU	2	3	4	5	6	7	100'	2.4/1000	3.6/1000
DR	1	2	2	4	4	6	90'	1.2/1000	3.6/1000
WR	3	4	4	5	6	7	100'	1.2/1000	3.6/1000

Notes:

- The FAR for non-residential and residential uses within a given development are individually calculated and may be added together for a cumulative total, provided that the respective maximum FAR for each use is not exceeded. For example, in the DCC, an "as-of-right" development may have a total FAR of 6, with a FAR of 3 in non-residential use and a FAR of 3 in residential use in a single development.
- For the purposes of calculating maximum allowable FAR, hotels shall be considered a residential use.
- A minimum FAR of 1 shall be achieved for structures within the Downtown Commercial Core district. The gross floor area shall be used to calculate the minimum FAR.
- Building Height will be measured consistent with the applicable Building Code, Height of Building and excludes parapets, mechanical penthouses, elevator overruns and machine rooms, and decorative architectural features (e.g., spires, towers, pergolas, pyramids, pitched roofs) not intended for residential, office or retail space.
- Maximum Building Height within 150' east of the centerline of the right-of-way of Yakima Avenue shall be 60 feet, in order to create a transition to lower-rise residential development to the west.
- Minimum parking ratios for non-residential development located east of Market Street, or located east of Jefferson Avenue from South 21st to South 28th streets shall be reduced by 50 percent in recognition of the availability of transit.
- The first 3,000 square feet of each street level establishment, whether inside or outside the IFSA, is exempt from parking requirements.
- Maximum parking ratios may be exceeded for providing parking available to the public and which is not dedicated to individual owners, tenants and lessees of the building.
- Tandem parking is permitted only for residential development subject to approval of the Traffic Engineer.
- Development shall also comply with the requirements of 13.06.510(C) Loading Spaces.
- No variances shall be granted to these development standards unless otherwise indicated.
- Buildings lawfully in existence on January 10, 2000, the time of reclassification to the above districts, including buildings within the IFSA, do not need to conform to these standards; however, additions will need to conform. No addition can increase nonconformity to these standards or create new nonconformity.
- Unless otherwise specified herein, the off-street parking area development standards contained in TMC 13.06.510, which include minimum stall size and height, aisle width, paving and access requirements, but not including minimum quantity requirements, shall apply to all new off-street parking provided.
- For buildings that contain multiple types of uses, the required number of parking spaces shall be equal to the total number of spaces determined by computing each use types separately, except where specifically stated otherwise herein.
- Structures and sites that are individually listed on the Tacoma Register of Historic Places shall be exempt from all parking quantity requirements. This provision does not apply to Historic Special Review District overlay zones.

May is BikeMonth!



TACOMA-PIERCE COUNTY EVENTS

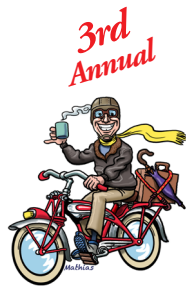
Saturday, APRIL 30 10AM-2PM

Tacoma Bike Swap

University of Puget Sound Fieldhouse
N 11th Ave & Union

Dozens of vendors will be selling new and used bikes, parts and accessories inside the Fieldhouse, as well as in the parking lot. Have a bike to sell? Bring it to our Bike Corral. \$7 helmets and free helmet fittings, flat repairs, and REI bike clinics!

Sponsored by University of Puget Sound and Tacoma Wheelmen's Bicycle Club.



FREE BIKE FILM!

Saturday, APRIL 30 7PM

"E.T.: The Extra Terrestrial"

University of Puget Sound Fieldhouse
N 11th Ave & Union

Sponsored by Click! and the Grand Cinema.

ALL MONTH! MAY 1 - 31

Bike to Work Commuter Challenge

Register, Ride and Win!
Bike 5 or more days to be eligible to win great prizes! Log your trips at PierceTrips.com
Sponsored by REI.

Free Flat Repairs ALL MAY!

Tacoma Bike, 309 Puyallup Ave, Tacoma
Includes tubes and labor!

Wednesday, MAY 4 6:30-8PM

Bike Maintenance for Women & Girls

Playback Sports, 1306 N I St, Tacoma
Learn how to keep your bike in top shape!



Thursday, MAY 5 10:30AM-4PM

Bike to Market Day

Tacoma Farmers Market
Broadway between S 9th & 11th, Tacoma
Bike to Opening Day! \$7 helmets and free helmet fittings by MultiCare Mary Bridge Center for Childhood Safety.

Sponsored by MultiCare Health System.



FREE BIKE FILM!

Thursday, MAY 12 8PM

"Rad"

The Red Hot (age 21+) 2914 6th Ave
ReCYCLE The Bike Night with Schooner EXACT!
Festivities begin at 6pm, movie starts at 8pm.

Monday, MAY 16 5-7PM

Bike to a Better Tacoma

The Hub, 203 Tacoma Ave S
Join fellow cyclists and City staff to discuss hopes and plans for a more bikeable Tacoma. Bike to the Hub for a free slice of pizza and valet bike parking!

Thursday, MAY 19 5-8PM

Zeit Bike: Bike Racket

Tacoma Art Museum, 1701 Pacific Ave
Innovative bike racks by artist/metalsmith Jennifer Weddermann-Hay. Free admission.

Friday, MAY 20 11:30AM-1PM

Bike Commuter Picnic & Fashion Show

Pierce Transit Theater Square
Broadway St, between S 9th & 11th
Cheer local cyclists as they strut their fashions and flair on the catwalk. RSVP to bikeswap@cityoftacoma.org for lunch.

Sponsored by Downtown On the Go.



BikeMonth
May 2011
TACOMA-PIERCE COUNTY



For details and additional events visit
PierceTrips.com