

Members

Jeremy C. Doty, Chair
Thomas C. O'Connor, Vice-Chair
Chris Beale
Peter Elswick
Donald Erickson
Sean Gaffney
Scott Morris
Ian Morrison
Matthew Nutsch

Community and Economic Development Department

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

Public Works and Utilities Representatives

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



Agenda

Tacoma Planning Commission

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

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

MEETING: Regular Meeting

TIME: Wednesday, June 15, 2011, 4:00 p.m.

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

A. CALL TO ORDER

B. QUORUM CALL

C. APPROVAL OF MINUTES – Regular Meeting of May 18, 2011

D. GENERAL BUSINESS

(4:03 p.m.) 1. Election of Officers for 2011-2012

Description: Elect officers of the Planning Commission for July 2011 – June 2012
(Candidates: Jeremy Doty, Chair and Donald Erickson, Vice-Chair)

Actions Requested: Election

Support Information: None

Staff Contact: Lihuang Wung, 591-5682, lwung@cityoftacoma.org

(4:05 p.m.) 2. Master Program for Shoreline Development

Description: Overview of testimony received at the June 1, 2011 public hearing and through the comment period ending on June 10, concerning the update to the Master Program for Shoreline Development.

Actions Requested: Review; Discussion; Direction

Support Information: To be distributed at the meeting

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



(4:30 p.m.) 3. Critical Areas Preservation Ordinance (CAPO) Update

Description: Continue to discuss proposed revisions to CAPO, focusing on issues relating to voluntary restoration; and to review feedback from Focus Group meetings concerning said issues.

Actions Requested: Review; Discussion; Direction

Support Information: See "Agenda Item GB-3"

Staff Contact: Karla Kluge, 591-5773, kkluge@cityoftacoma.org

(5:00 p.m.) 4. Downtown Parking Requirements

Description: Review the proposed code revisions regarding the elimination of off-street parking requirements in the Downtown Commercial Core zone and historic districts

Actions Requested: Review; Discussion; Direction

Support Information: See "Agenda Item GB-4"

Staff Contact: Chelsea Levy, 591-5393, clevy@cityoftacoma.org

(5:30 p.m.) 5. 2010-2011 Accomplishments and 2011-2012 Planning Activities

Description: Review the Commission's accomplishments over the last year and discuss planning activities proposed for the next year.

Actions Requested: Review, Comment

Support Information: See "Agenda Item GB-5"

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

E. COMMUNICATION ITEMS

1. Joint Study Session of City Council and Planning Commission regarding Billboards, Tuesday, June 14, 2011, 12:00 noon, Room 16, Tacoma Municipal Building North
2. 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

Members

Jeremy C. Doty, Chair
 Thomas C. O'Connor, Vice-Chair
 Chris Beale
 Peter Elswick
 Donald Erickson
 Sean Gaffney
 Scott Morris
 Ian Morrison
 Matthew Nutsch



Minutes

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(For Review/Approval on June 15, 2011)

MEETING: Regular Meeting

TIME: Wednesday, May 18, 2011 4:00 p.m.

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

Members Present: Jeremy Doty (Chair), Chris Beale, Peter Elswick, Donald Erickson, Sean Gaffney, Scott Morris, Ian Morrison, Matthew Nutsch

Members Absent: Thomas O'Connor

Staff Present: Donna Stenger, Brian Boudet, Shirley Schultz, Cheri Gibbons, Chelsea Levy, Jana Magoon, Noah Yacker (Building and Land Use Services); Josh Diekmann (Public Works); Shelley Kerlake (legal counsel)

Chair Doty called the meeting to order at 4:04 p.m. The minutes for the meetings of April 6, 2011 (as amended per Commissioners' suggestion at the May 4th meeting), April 20, 2011, and May 4, 2011 were approved as submitted.

GENERAL BUSINESS

Chair Doty suspended the rules to consider the second discussion item first.

1. Downtown Parking Requirements

Ms. Chelsea Levy stated that the Economic Development and Environment and Public Works Committees of the City Council have instructed the Planning Commission to assess parking-related barriers to new development. This direction supports a policy goal of the Downtown Element of Comprehensive Plan to move toward a market-based approach to parking in downtown. Ms. Levy outlined a proposal to eliminate the minimum and maximum off-street parking requirements for new development in the area of downtown zoned DCC – Downtown Commercial Core and within the designated Historic and Conservation overlay districts (generally between 6th Ave. and S. 23rd St.). This proposal builds on the 2009 International Financial Services Area (IFSA) parking amendment (Ordinance No. 27825) which eliminated parking requirements in the designated IFSA.



The Commissioners discussed opportunities to balance the Council's interest to establish a market-based approach to parking with a desire to minimize negative externalities that too much parking may create in urban environments, like pollution, a disconnected unwalkable urban form, high proportion of single occupancy vehicle use, etc. Some Commissioners expressed interest in retaining the maximums in an effort to address the City's environmental, urban design and multimodal goals. Commissioners discussed some potential circumstances under which allowing a developer to build parking above the maximum (if the maximums are retained) may be appropriate. The Commission also expressed interest in making permanent the expiring provision that allows for flexibility in locating required accessible parking. The Commission requested that Ms. Levy include in her next presentation benchmarking information on downtown parking regulations in peer cities and preliminary feedback from the community on this proposal. The Commission also requested for the Commission's review before the next meeting on June 15, 2011, the 2007 Parking and Mobility Strategy and the 2008 Downtown Economic Development Strategy prepared for the City by Angelou Economics.

2. Billboard Regulations

Ms. Shelley Kerslake, the City's legal counsel, explained to the Commissioners the expectations from the City Council in light of the passage of the City's Moratorium on applications for new billboards. The Commissioners are tasked with developing findings on the need for and the duration of the moratorium and to provide a recommendation by June 1. The Municipal Code requires that the Commission conduct a public hearing before making this recommendation. Commissioner Erickson attended the Council meeting on May 17, 2011 when the moratorium was enacted and stated he thought it was clear that the Council expected the Commission to spend additional time to re-visit the billboard regulations. Ms. Kerslake responded that the Council was interested in using the six-month Moratorium to study the issues further and it would be up to the Council if further review by the Commission is needed. Ms. Donna Stenger commented that some revisions to the billboard code were recommended for approval by the Commission as part of the recommendation to the Council to ban digital billboards. The parts of the code that the Commissioners felt still needed additional work were not recommended, but some of those changes were possible options that the Council may consider. After discussion, the Commission set a public hearing date of June 1, 2011 to consider the need for and the duration of the moratorium.

The Commission discussed whether to amend the findings and recommendations on the proposed code changes to ban digital billboards because of the passage of the moratorium. The Commission asked that the letter of recommendation be revised to insert the phrase "at this time" where the letter states that digital billboards be banned. The Commissioners felt that if the Council directed further study on digital billboards and emerging technology, it may be possible to develop code revisions if given additional time to allow such boards in limited instances. Ms. Shirley Schultz reviewed the code revisions proposed for adoption including changing definitions, explicitly stating that digital billboards are prohibited in all zoning districts, adding landscaping standards, and revising the non-conforming provisions consistent with how the code addresses other non-conforming structures. Commissioner Morrison asked that the language describing schools as one of the buffered uses be reworded for clarity. After further discussion, the Commission unanimously approved the letter of recommendation to the City Council as modified, the findings and recommendations report and the billboard code revisions and further recommended all pertinent documentation be forwarded to the City Council.

COMMUNICATION ITEMS

Chair Doty acknowledged receipt of the following announcements:

1. "A Regional Short Course on Local Planning", June 13, 2011, Department of Commerce
2. City Council Public Hearing on May 24, 2011, concerning the Planning Commission's recommendations on the Proposed Amendments to the Comprehensive Plan and Land Use Regulatory Code for 2011.
3. The City Council is seeking 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.
4. 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.

COMMENTS BY LONG-RANGE PLANNING DIVISION

Ms. Stenger reported that the City Council at the first reading of the ordinance to adopt the Wedge Neighborhood Historic District on May 17, 2011, introduced a substitute Ordinance that modifies the boundary lines of the Historic District and Conservation District that were recommended by the Planning Commission. The changes increase the size of the Conservation District and create a smaller historic district. Councilman David Boe gave a brief explanation of how the revised boundaries were developed. He noted that he personally supported the Commission's recommendation but lacked support from the majority of Council members. He indicated it was his intent to preserve the majority of what the neighborhood had requested several years ago. The Council and other stakeholders support the proposed boundary revisions.

COMMENTS BY PLANNING COMMISSION

Commissioners commended the staff for all the hard work that was done on the letter to the City Council regarding their thoughts, recommendations and opinions on the Billboard Code Revisions.

Commissioner Beale disclosed that he had talked with Jill Jensen regarding billboards. Commissioner Gaffney asked to be excused from July meetings. Commissioner Morris asked to be excused from the June 15th meeting. Commissioner Erickson disclosed that he had met with Doug Schafer regarding billboards, and that he had toured the Old City Hall with Historic Tacoma.

ADJOURNMENT

The meeting adjourned at 5:25 p.m.



City of Tacoma
Community and Economic Development Department

Agenda Item
GB-3

TO: Planning Commission
FROM: Donna Stenger, Manager, Long-Range Planning Division
SUBJECT: Critical Areas Preservation Ordinance Update
DATE: June 9, 2011

The Community & Economic Development Department is proceeding with the Critical Areas Preservation Ordinance (CAPO) Revision process and has continued to meet with the Focus Group as indicated in the proposed schedule approved by the Planning Commission.

The CAPO revision process includes minor changes needed in the code to clean up and clarify existing code language, as well as addressing limited topics that will further update, clarify and streamline the existing code.

Staff will meet with the members of the Focus Group on June 9, 2011 to complete the discussion on the focus topics including new approaches to review, approve and permit voluntary restoration projects on public and private property. Remaining clean up items requiring discussion are also intended to be discussed with the group.

At the meeting on June 15, 2011, staff will provide an overview of the meeting, including a summary of the comments. Attached, for the Planning Commission's information and discussion are two handouts on the proposed revisions to the critical areas code sections addressing Voluntary Restoration. These handouts will be provided to the Focus Group at the meeting. Staff is seeking direction from the Planning Commission on whether there are any additional items to consider based on the current discussions.

Staff intends to return to the Commission in July to review a complete draft of proposed revisions to the Critical Areas code and set the Public Hearing date for August 17, 2011.

If you have any questions, please contact Karla Kluge at 591-5773 or kkluge@cityoftacoma.org.

DS:kk

c. Peter Huffman, Assistant Director

Attachments (2)

13.11.XXX Allowed Activities.

A. Purpose. The purpose of this section is to allow certain activities that are unlikely to result in critical area impacts. The activities must comply with the protective standards of this chapter and provisions of other local, state, and federal laws. All activities shall use reasonable methods to avoid and minimize impacts. Any incidental damage to, or alteration of, a critical area, or buffer, shall be restored or replaced at the responsible party's expense.

B. The following activities may occur without City review or approval in compliance with the purpose stated above.

1. The maintenance and repair of legally existing utilities, roads, structures, or facilities used in the service of the public provided such work does not expand the footprint of the facility or right-of-way or alter any regulated critical area or buffer. Activities must be in compliance with the current City Surface Water Management Manual and Regional Road Maintenance Manual and provide all known and reasonable protection methods for the critical area.

2. Holding basins and detention ponds that are part of the municipality's storm water system are exempt from the permit provisions of this chapter when such holding basin and detention pond is controlled by an engineered outlet. Known holding basins currently include, but are not limited to, Hosmer holding basin, Leach Creek holding basin, and Flett Creek holding basin.

3. Maintenance of legally existing structures, accessways, trails, promenades, stairways, parking lots, and landscaping provided such work does not expand the footprint of the structure or right-of-way or does not alter any regulated critical area or buffer.

4. Passive recreational activities, educational activities and scientific research including, but not limited to, fishing, bird watching, walking or hiking and non-motorized boating.

5. The following can be removed by hand or with light equipment provided that appropriate methods are used to protect native vegetation.

a. English Ivy may be removed from plants on which it is adhered.

b. Regulated noxious weeds as listed on the Pierce County noxious weed list that are required to be eradicated as specified by the Pierce County Noxious Weed Board.

c. Refuse and debris

d. Invasive species removal in a critical area buffer when the total area is 1,000 square feet or less and slopes are less than 15%.

6. Native vegetation planting in a critical area buffer when the total area is 1,000 square feet or less, slopes are less than 15% and a City approved planting plan is utilized.

7. On-site response, removal or remedial action undertaken pursuant to the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), or remedial actions undertaken pursuant to a state Model Toxics Control Act (MTCA) order, agreed order or consent decree, or a Department of Homeland Security order that preempt local regulations in the findings of the order. Any subsequent use or redevelopment of the property may be eligible for modification of requirements in this chapter when they are in conflict with the order, such as re-vegetation that would disturb a protective cap placed to contain contaminated soils.

13.11.XXX Activities Allowed with Staff Review

A. Purpose. The purpose of this section is to allow a level of City staff review without requiring a critical area permit. The staff review will ensure the activity meets the specific criteria below.

B. The following activities require review by City staff. Review and authorization may occur over-the-counter or staff may issue a letter of approval with conditions. Additional information and studies may be requested. Activities must comply with the protective standards of this chapter and provisions of other local, state, and federal laws. Any incidental damage to, or alteration of, a critical area shall be restored or replaced at the responsible party's expense.

1. Emergencies. Those activities necessary to prevent an immediate threat to public health, safety, or welfare or pose an immediate risk of damage to private property and that require remedial or preventative action in a timeframe too short to allow for normal processing. Emergency actions that create an impact to a critical area or its buffer shall use best management practices to address the emergency and, in addition, the action must have the least possible impact to the critical area or its buffer.

The person or agency undertaking such action shall notify the City within one (1) working day following the commencement of the emergency activity. The City shall determine if the action taken was within the scope of an emergency action and following that

determination, may require the action to be processed in accordance with all provisions of this chapter including the application of appropriate permits within thirty (30) days of the impact. The emergency approval may be rescinded at any time upon the determination by the City that the action was not, or is no longer necessary.

After the emergency, the person or agency undertaking the action shall fully fund and conduct necessary mitigative actions including, but not limited to, restoration and rehabilitation or other appropriate mitigation for any impacts to the critical area and buffers resulting from the emergency action in accordance with an approved mitigation plan. All mitigation activities must take place within one (1) year following the emergency action and impact to the critical area, or within a timeframe approved by the City and reflected within an approved schedule. Monitoring will be required as specified in the General Mitigation Requirements (Section 13.11.260).

2. The maintenance and repair of legally existing utilities, roads, structures, or facilities used in the service of the public may occur following review where alteration of the critical area or buffer is unavoidable. All activities must be in compliance with the current City Surface Water Management Manual and Regional Road Maintenance Manual and provide all known and reasonable protection methods for the critical area. The maintenance and repair of public storm water services may occur without additional review and approval provided there is no expansion into the critical area or buffer.

3. Isolated Category III or Category IV wetlands, which have been classified and identified as having a total cumulative area of less than 1,000 square feet, regardless of property lines are exempt from the provision of this Chapter provided they:

- a. Are of low habitat function (less than 20 points in the Washington Wetlands Rating System for Western Washington).
- b. Are hydrologically isolated and are not part of a mosaic wetland system.
- c. Are not associated with a Shoreline of the state or wetland that is part of a riparian habitat area, and
- d. Are not critical habitat to local populations of priority species.

4. Geotechnical investigation activities may be performed, provided that an access plan, protection measures, best management practices, and restoration are utilized to protect and maintain the critical area

where possible. These items must be included with the review materials.

5. Reconstruction or exterior remodeling, of existing structures and accessory structures provided that disturbance of native vegetation is kept to a minimum and any vegetation that is disturbed shall be replaced. Activities must comply with WDFW management recommendations where applicable. This shall not apply to reconstruction which is proposed as a result of structural damage associated with a critical area, such as slope failure in a landslide hazard area or flooding in a flood hazard area.

6. One-time expansion of existing structures and accessory structures, provided that expansion of the developed footprint within the critical area or buffer does not increase by more than 25 percent and that the new construction or related use extends away from the critical area; keeps disturbance of native vegetation to a minimum; and replaces native vegetation that may be disturbed. This expansion may also occur in a direction parallel to the critical area if the expansion takes place upon existing impervious surfaces. Activities must comply with WDFW management recommendations where applicable. A Notice on Title must be recorded to be eligible for staff review and approval.

7. Interrupted wetland, stream, and FWHCA buffers.

- a. Where a legally established, pre-existing use of the buffer exists, those proposed activities that are within the buffer, but are separated from the critical area by or are located in an existing permanent substantial improvement, which serves to eliminate or greatly reduce the impact of the proposed activity upon the critical area may be allowed provided that the detrimental impact to the critical area does not increase. However, if the impacts do increase, the City shall determine if additional buffer may be required along the impact area of the interruption. Substantial improvements may include developed public infrastructure (roads, railroads, dikes, and levees) and buildings. Substantial improvements may not include paved trails, sidewalks, parking areas, or bulkheads. Review of an interrupted buffer may require a functional analysis report for the type of critical area buffer that is affected. In determining whether a functional analysis is necessary, the City shall consider the hydrologic, geologic, and/or biological habitat connection potential and the extent and permanence of the interruption.

b. Where a legally established, pre-existing structure or use is located within a regulated wetland or stream buffer area and where the regulated buffer is fully paved, the buffer will end at the edge of pavement, adjacent to the wetland or stream.

8. Construction of pedestrian trails, subject to the following criteria:

- a. The trail is constructed of pervious material.
- b. The trail does not cross or alter any regulated drainage features or waters of the state.
- c. The trail shall be located within or near the outer ¼ edge of the buffer, except for limited viewing vistas.
- d. The trail system discourages pedestrians from using informal trails that are not part of the designated trail system.
- e. The trail is designed to avoid human disturbance to priority species and priority habitat.
- f. Low impact trails shall not be later widened or upgraded to impervious trails that encourage activities with greater impacts without additional review and required permitting.

9. Voluntary enhancement of a critical area or buffer that exceeds the provisions above in 13.11.XXX may be allowed if the activity meets the requirements of this section.

a. Single Family Residential

- 1) Enhancement activities shall be limited to planting native vegetation, controlling noxious and invasive species and providing minor habitat structures such as nest boxes.
- 2) Activities shall not include grading or water control structures,
- 3) Planting plan shall contains, at a minimum, vegetation species, quantities, and general location of planting areas including the identification of wetlands and streams and their buffers.
- 4) Proper erosion control measures are provided.

5) If mechanical equipment is utilized list the type of equipment, methods and best management practices to prevent unnecessary impacts.

b. Community Projects in designated Habitat Corridors or Open Space Areas. The project shall not include new destination facilities or high-intensity recreation facilities as described in 13.06.560. A City approved habitat management template or equivalent must be provided that has been reviewed and approved by all property owners. In addition, the project is subject to the following:

- 1) The primary focus is preservation and increase in biological functions through the preservation and improvement of habitat, species diversity and natural features.
- 2) Preserves and connects habitat corridors.
- 3) Includes goals, objectives and measurable performance standards
- 4) Includes a monitoring plan and contingency plan.
- 5) Trails shall comply with the provisions in Section 13.11.190. B.8.
- 6) Buildings and paved surfaces shall be located outside of the critical area and buffer.
- 7) Picnic tables, benches and signage are allowed when they are located to avoid and minimize impacts.
- 8) A maintenance plan that describes the proper techniques and methods used for on-going maintenance and preservation.
- 9) The identification of a qualified, habitat steward who will be responsible for overseeing volunteers, employees, and/or contractors for all aspects of the project.

10. Hazard trees. The pruning or removal of hazard trees from the critical area or critical area buffer that are hazardous, posing a threat to public safety, or posing an imminent risk of damage to an existing structure, public or private road or sidewalk, or other permanent improvement is allowed following City staff review or provided that a report from a certified arborist, landscape architect or professional forester is submitted to the City for review and approval. The report must include removal techniques, procedures for protecting the surrounding critical area and the replacement of native trees. Where possible, the hazard tree shall remain as a standing snag and the cut portions shall be left within the critical area as a habitat unless removal is warranted due to fire hazard, disease or pest control.

11. Within Shorelines of the State, as defined by RCW 90.58.030, activities exempt under WAC 173-27-040, with the exception of WAC 173-27-040 (2) (c), (g) and (h). This shall not include activities within wetlands, streams, or their associated buffers, and also shall not include activities within associated wetlands or streams as established in RCW 90.58.030(2)(d).

12. Watershed restoration projects that conform to the provisions of RCW 89.08.460 shall be reviewed without fee and approved within 45 days per RCW 89.08.490.

13. Fish habitat enhancement projects that conform to the provision of RCW 77.55.181 shall be reviewed without fee and comments provided as specified in RCW 77.55.181.

14. Maintenance and repair of existing bulkheads, stream bank armoring and bioengineered stabilization measures designed to protect property from erosion or slope failure.

13.11.230 Application Types

- A. This chapter allows four types of wetland/stream/fish and wildlife habitat conservation area (FWHCA) applications, which result in the issuance of an administratively appealable decision consistent with Chapter 13.05. After the appeal period expires, the Land Use Administrator's approved decision becomes the official permit.
- B. The four types of permit applications are as follows:
1. Wetland Delineation, Stream OHWM, or FWHCA Verification. An applicant may request boundary verification and/or jurisdictional status of a wetland, or stream, or FWHCA without submitting plans for a specific project. A boundary request includes a wetland delineation boundary verification, or the Ordinary High Water Mark determination for a stream.
 2. Minor Development Permit. A Minor Development permit may be issued when an applicant cannot meet the minimum buffer requirements and where, in the opinion of the Land Use Administrator, the proposal will result in temporary or minor impacts to the buffer. The applicant must demonstrate the following:
 - a. The project will not encroach into or result in a permanent impact to the critical area; and
 - b. Mitigation will only require standard enhancement techniques or maintenance of pre-development hydrological conditions; and
 - c. The project meets one of the following:
 - 1) Buffer averaging as allowed within Section 13.11.XXX; or
 - 2) Buffer reduction as allowed within Section 13.11.XXX or
 - 3) The area of impact to the buffer is de-minimis as determined by the Land Use Administrator. The Land Use Administrator will consider the sensitivity of the critical area and/or presence of priority species and habitat when determining whether the impact is de-minimis.
 3. Development Permit. A decision will be issued where, in the opinion of the Land Use Administrator, avoidance and minimization have not eliminated all impacts and

compensatory mitigation will be required as a result of the proposal.

- a. The applicant must meet the requirements of one of three legal tests; No Practicable Alternatives, Public Interest or Reasonable Use, and
- b. Demonstrate Mitigation Sequencing, and
- c. Provide mitigation as required in accordance with this Chapter.

4. Programmatic Development Permit. An applicant may request a programmatic permit where voluntary enhancement and restoration activities are included with the proposal in addition to compensatory mitigation requirements of this chapter. The intent is to encourage advance mitigation, greater project flexibility and phased development. Proposals may include new destination facilities or high-intensity recreation facilities as described in 13.06.560.

- a. The applicant must meet the requirements of one of three legal tests; No Practicable Alternatives, Public Interest or Reasonable Use, and
- b. Demonstrate Mitigation Sequencing, and
- c. Provide mitigation as required in accordance with this Chapter.

13.11.XXX. Application Submittal Requirements:

A. The purpose of information submittal and review is to require a level of study sufficient to protect critical areas and/or the public from hazards. All information submitted shall be reviewed as to its validity and may be rejected as incomplete or incorrect. Additional information or electronic copies of all information may be requested for review and to ensure compliance. In the event of conflicts regarding information submitted, the Land Use Administrator may, at the applicant's expense, obtain expert services to verify information.

B. The following items are required for permit review and approval, where applicable depending upon the project and permit type, and as determined necessary by City staff.

1. A Joint Aquatic Resource Permit Application and vicinity map for the project.
2. A surveyed site plan that includes the following:

a. Parcel line(s), north arrow, scale and two foot contours.

b. Location and square footage for existing and proposed site improvements including, utilities, stormwater and drainage facilities, construction and clearing limits, and off-site improvements; Include the amounts and specifications for all draining, excavation, filling, grading or dredging

c. The location and specifications of barrier fencing, and erosion control measures.

d. Flood plain, if any

e. Critical Areas including all surveyed, delineated wetland boundaries, and the ordinary high water mark of any stream and their buffers, and all Fish and Wildlife Conservation Areas (FWHCA), marine buffers and any FWHCA Management Areas.

f. The square footage of the existing critical areas and buffers located on-site and the location and square footage of any impacted areas.

g. Locations of all data collection points used for the field delineation and general location of off-site critical areas and any buffer that extends onto the project site. Location and dominant species for significantly vegetated areas.

h. The location and square footage of impact areas, mitigation areas and remaining critical areas and buffers; including areas proposed for buffer modification.

3. Critical Area report prepared by a qualified professional as defined in 13.11.900 Q. The analysis shall be commensurate with the sensitivity of the critical area, relative to the scale of potential impacts and consistent with best available science. The report must include the following where appropriate:

a. Delineation, characterization and square footage for critical areas on or within 300 feet of the project area and proposed buffer(s). Delineation and characterization is based on the entire critical area. When a critical area is located or extends off-site and cannot be accessed, estimate off-site conditions using the best available information and appropriate methodologies.

1) Wetland Delineations will be conducted in accordance with the current manual designated by the Department of Ecology,

including federally approved manuals and supplements.

2) The wetland characterization shall include physical, chemical, and biological processes performed as well as aesthetic, and economic values and must use a method recognized by local or state agencies. Include hydrogeomorphic and Cowardin type.

3) Ordinary high water mark determination shall be in accordance with methodology from the Department of Ecology.

4) Priority species and habitat identification shall be prepared according to professional standards and guidance from the Washington Department of Fish and Wildlife. Depending on the type of priority species, the review area may extend beyond 300 feet.

b. Field data sheets for all fieldwork performed on the site. The field assessment shall identify habitat elements, rare plant species, hydrologic information including inlet/outlets, water depths, and hydro-period patterns based on visual cues, and/or staff/crest gage data.

c. Provide a detailed description of the project proposal including off-site improvements. Include alterations of ground or surface water flow, clearing and grading, construction techniques, materials and equipment, and best management practices to reduce temporary impacts.

c. Assess potential direct and indirect physical, biological, and chemical impacts as a result of the proposal. Provide the square footage for the area of impact with the analysis. The evaluation must consider cumulative impacts.

d. Identification of priority species/habitats and any potential impacts. Incorporate Washington State Department of Fish and Wildlife and/or US Department of Fish and Wildlife management recommendations where applicable. When required, plan shall include at a minimum the following:

1) Special management recommendations which have been incorporated and any other mitigation measures to minimize or avoid impacts, including design considerations such as reducing impacts from noise and light.

2) Ongoing management practices which will protect the priority species and/or habitat after development, including monitoring and maintenance programs.

e. A hydrologic report or narrative demonstrating that pre and post development flows to wetlands and streams will be maintained.

f. Runoff from pollution generating surfaces proposed to be discharged to a critical area shall receive water quality treatment in accordance with the current City's Surface Water Management Manual, where applicable. Water quality treatment and monitoring may be required irrespective of the thresholds established in the manual. Water quality treatment shall be required for pollution generating surfaces using all known, available and reasonable methods of prevention, control and treatment.

g. Studies of potential flood, erosion, geological or any other hazards on the site and measures to eliminate or reduce the hazard.

4. A Compensatory mitigation plan shall be provided for all permanent impacts and will conform to the general mitigation requirements listed under Section 13.11.260 and any specific requirements identified in this chapter for the critical area. The plan shall include the following:

a. The applicant must demonstrate that they meet one of three legal tests provided in 13.11.240.

b. Mitigation sequencing. The applicant shall demonstrate that an alternative design could not avoid or reduce impacts and shall provide a description of the specific steps taken to minimize impacts.

c. Assessment of impacts including the amount, existing condition and anticipated functional loss. Include probable cumulative impacts.

d. The amount and type of mitigation. Include goals, objectives, and clearly defined and measurable performance standards. Include contingency plans that define the specific course of action if mitigation fails. The Land Use Administrator may waive the requirement that a mitigation plan be prepared by a qualified professional when mitigation is limited to standard planting or enhancement activities. The waiver shall not be granted for creation or restoration activities.

e. A description of the existing conditions and anticipated future conditions for the proposed mitigation area(s) including future successional community types for years 1,5,10 and 25, future wildlife habitat potential, water quality and hydrologic conditions. Compare this to the future conditions if no mitigation actions are undertaken.

f. Specifications of the mitigation design and installation including construction techniques, equipment, timing, sequencing, and best management practices to reduce temporary impacts.

g. A plant schedule including number, spacing, species, size and type, source of plant material, watering schedule and measures to protect plants from destruction;

h. Monitoring methods and schedule for a minimum of five years.

i. A maintenance schedule to include ongoing maintenance and responsibility for removal of non-native, invasive vegetation and debris after monitoring is complete;

j. A hydrologic report including any mitigative measures for alterations of the hydroperiod. The City may require additional pre- and post-development field studies and/or monitoring to establish water levels, hydroperiods, and water quality. Water quality shall be required for pollution generating surfaces using all known, available, and reasonable methods of prevention, control, and treatment.

k. When mitigation includes creation or restoration of critical areas, surface and subsurface hydrologic conditions including existing and proposed hydrologic regimes shall be provided. Describe the anticipated hydrogeomorphic class and illustrate how data for existing hydrologic conditions were utilized to form the estimates of future hydrologic conditions

l. Existing topography must be ground-proofed at two foot contour intervals in the zone of any proposed creation or rehabilitation actions. Provide cross-sections of existing wetland and/or streams that are proposed to be impacted and cross-section(s) (estimated one-foot intervals) for the proposed areas of creation and/or rehabilitation.

m. A bond estimate for the compensatory mitigation using a bond quantity sheet provided by the City, or a minimum of three bond estimates.

n. An evaluation of potential adverse impacts on adjacent property owners resulting from the proposed mitigation and measures to address such impacts.

5. Programmatic Development Permit. In addition to the requirements above an application shall also include a Management Plan for the area using an approved template format or equivalent. The following information shall be included in the document;

a. Explanation of the voluntary restoration and enhancement components including phasing.

b. Identification of the qualified habitat steward who will be responsible for overseeing restoration and enhancement activities.

c. Explanation of training provided to individuals involved in activities to ensure an understanding of how to perform in accordance with the terms of the permit.

DRAFT



City of Tacoma
Community and Economic Development Department

Agenda Item
GB-4

TO: Planning Commission

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

SUBJECT: Amendment to the Downtown Parking Requirements

DATE: June 9, 2011

At the next meeting on June 15, 2011 the Planning Commission will continue their review of a request from the City Council's Economic Development and Environment and Public Works Committees to eliminate the minimum and maximum off-street parking requirements for new development in the area of downtown zoned DCC – Downtown Commercial Core and within the designated Historic and Conservation overlay districts (generally between S. 6th St. and S. 23rd St.).

At this meeting staff will provide additional information on the following topics:

Parking regulations in peer cities

Staff has developed the attached table (Attachment 1) comparing downtown parking regulations in eleven Northwest cities. Three of the cities surveyed (Bellingham, Boise and Spokane) have eliminated parking minimums and maximums in a high intensity use area of their downtowns, similar to Tacoma's International Financial Services Area. One additional city, Everett eliminated parking requirements in the entire downtown zone. Of the eleven cities reviewed, two (Seattle and Portland) have eliminated minimum parking requirements while instituting parking maximums. Seattle's maximum, at one stall per 1,000 sq. ft., has the most restrictive maximum of all the cities surveyed. Redmond and Bellevue's parking requirements most closely approximate Tacoma's existing parking requirements in downtown outside of the IFSA. These three cities have the most generous parking minimums and maximums of the cities surveyed.

Recent local applications of existing parking regulations

In an effort to understand how much parking is being built under the current parking regulations staff developed the attached table (Attachment 2) summarizing parking quantities provided in seven recently constructed buildings. The survey includes three residential buildings (The Roberson, The Marcato and The Metropolitan) and four commercial developments (Columbia Bank Building, Rainier Pacific Bank Building, Frank Russell Building and the proposed Elks on Broadway project). All of the developments built or propose to build parking above the minimum required. Of the commercial buildings surveyed only Elks on Broadway is proposing to build above the maximum amount of parking allowed, the proportion of parking above the maximum is proposed to be public parking. There are not maximum limits for the amount of public or residential parking that can be provided. Five of the seven developments are located in areas of downtown with existing parking minimums and maximums. Four of these five developments built parking over the minimum requirement by at least 40%. The two developments built in areas where no parking was required (the "B" Business District, which is no longer a planning boundary) provided parking above the minimum requirement and below the maximum allowed, if the parking regulations had been applicable in this area.

Preliminary community feedback on the proposal

At the request of the Commission, staff sought preliminary public feedback on the proposal and met with the following groups:

Hillside Development Council

- Supports original proposal eliminating minimum and maximum parking regulations.

Tacoma Area Commission on Disabilities

- Supports original proposal eliminating minimum and maximum parking regulations as long as accessible parking stalls are provided.
- Supports making permanent the flexibility provision regarding locating accessible stalls.

University of Washington Tacoma

- Supports eliminating the minimum and maximum parking regulations.
- Would like the proposed Downtown Market-Based Off-Street Parking Area boundary to be expanded to Tacoma Ave. between S. 17th and S. 21st streets in order to include the entire University of Washington Tacoma campus footprint within the boundary.

Sustainable Tacoma Commission

- Supports eliminating parking minimums.
- Favors parking maximums. The Climate Action Plan recommends parking maximums as one of the strategies to reduce single-occupancy vehicle use.

Landmarks Preservation Commission

- Supports original proposal eliminating minimum and maximum parking regulations.

Staff will further discuss these findings at the Commission meeting and is seeking direction from the Commission on the original proposed project scope.

If you have any questions, please contact Chelsea Levy at (253) 591-5393 or clevy@cityoftacoma.org.

DS:cl

c: Peter Huffman, Assistant Director

Attachments (2)

Parking Regulations in Peer Cities

City	High-Intensity Area	Minimum # of Stalls	Maximum # of Stalls	Description of Parking Details
Market-Based Parking (no requirements in designated downtown core)				
Tacoma	IFSA	Residential – 1/unit Office - 2/1,000 sq ft Retail - 2/1,000 sq ft	Residential – No Maximum Office – 3/1,000 sq ft Retail – 3/1,000 sq ft	Maximum parking regulations apply to non-residential uses and minimums do not apply within the IFSA
Bellingham	Yes	Residential – 1/unit Office – 3/1,000 sq ft Retail – 4/1,000 sq ft	No Maximums	No minimum parking required in core area of the Central Business District except hotels
Boise	Yes	Residential – .8/unit Office – .83 to 2.2/1,000 sq ft Retail – 1.1/1,000 sq ft	1.5 to 1.75 times the required parking	The downtown area consists of 3 concentric parking areas; the core parking area(P1) has no minimum parking requirement
Everett	N/A*	Residential –1/unit Office – No Minimum Retail – No Minimum	No Maximums	*Market based parking (for nonresidential) applies to entire downtown district (B-3)
Spokane	Yes	Residential – 1/unit Office – 1/1,000 sq ft Retail – 1/1,000 sq ft	Residential – 3/1,000* Office – 3/1,000 sq ft* Retail – 3/1,000 sq ft*	Core downtown area, covers several zoning districts, is exempt from min. parking; *max. applies to surface parking only (parking within a building or parking structure not counted toward max.)
Regulated Parking in downtown zoning district				
Bellevue		Residential – No Minimum Office – 2.5/1,000 sq ft Retail – 3.3/1,000 sq ft	Residential – 2/unit Office – 2.5/1,000 sq ft Retail – 3.3/1,000 sq ft	Stand-alone parking facilities (not associated with a use) require approval from the Planning Director
Federal Way		Residential –1.7/unit Office – 3.3/1,000 sq ft Retail – 3.3/1,000 sq ft	No Maximums	Core downtown districts have some exceptions and reduced parking is available but requires parking studies, shared parking, or contribution to city fund for on-street parking
Olympia		Residential – 1.5/unit Office – 2.5 to 4/1,000 sq ft Retail – 3.5/1,000 sq ft	10% more than what is required	In order to increase or decrease parking, a Site Plan Review Committee can require documentation showing shared parking is infeasible; parking reductions are incentivized
Portland		No Minimums	Residential – No Maximum Office – 3.4/1,000 sq ft Retail – 5.1/1,000 sq ft	Some districts have exceptions to maximums (site is at least 8 acres, far from transit, parking mostly in a structure); surface parking can exceed maximum if site is not well served by transit
Redmond		Residential – 1/unit Office – 2/1,000 sq ft Retail – 2/1,000 sq ft	Residential – 2.25/unit Office – 3.5/1,000 sq ft Retail – 3.5/1,000 sq ft	Parking for guests required for multi-family; maximums can be increased for public parking
Seattle		No Minimums	Residential – No Maximum Office – 1/1,000 sq ft Retail – 1/1,000 sq ft	No parking is required in downtown zoning district; parking maximum can be exceeded if certain criteria are met (e.g., proximity to transit); surface parking is prohibited
Vancouver, WA		Residential – 1/unit Office – 1/1,000 sq ft Retail – 1/1,000 sq ft	No Maximums	

Attachment 2

Recent local applications of existing parking regulations in Downtown Tacoma

Name	Address	Zoning District	Required parking ?	Use	Minimum	Maximum	Amount Built	% Over Minimum	Public parking?
Columbia Bank	1301 A Street	"B" Business District	No	Non-residential	177	265	255	44%	No
Elks on Broadway	561 Broadway	DCC	Yes	Non-residential	133	141	260	95%	Yes
Frank Russell Building	909 A Street	"B" Business District	No	Non-residential	218	327	240	10%	No
Rainier Pacific Bank	1498 Pacific Avenue	DCC	Yes	Non-residential	144	216	201	40%	Yes
The Marcato	1501 Tacoma Avenue South	DMU	Yes	Residential	93	0	148	59%	No
The Metropolitan Phases I and II	233 and 245 St Helens Avenue	DR	Yes	Residential	149	0	189	27%	No
The Roberson	708 Market Street	DCC	Yes	Residential	58	0	113	95%	No



City of Tacoma
Community and Economic Development Department

Agenda Item
GB-5

TO: Planning Commission

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

SUBJECT: Planning Commission 2010-2011 Accomplishments and Planning Activities for 2011-2012

DATE: June 9, 2011

The Tacoma Municipal Code requires the Planning Commission to report annually to the City Council its accomplishments and the status of planning activities. Attached is a draft report summarizing the activities of the Commission from July 1, 2010 to June 30, 2011. Looking back over the past twelve months, the Commission should be pleased with the number of accomplishments and achievements. The completed planning actions will better the city in years to come. Of note, Tacoma's quality planning work was recognized by state and national organizations. The City received two planning awards and was singled out for its work on complete street guidelines.

The proposed planning activities for 2011-2012 sets forth another ambitious workload for the Commission to undertake. Attached is a draft matrix that identifies activities in progress as well as those that are anticipated to begin in the coming months. The matrix also includes the 2012 annual amendment package as currently proposed. The deadline for submitting applications for the 2012 amendment is June 30 and the list of potential amendments may be revised. As always, the Commission should also be aware that although these are the planning activities anticipated to be discussed by the Commission over the next twelve months, circumstances may require adjustments to be made.

Staff will review the accomplishments and upcoming planning activities at your next meeting. Once finalized, it is intended that the attached information be forwarded to the City Council to fully inform council members of completed planning activities as well as those planning proposals under review and consideration over the next year.

If you have any questions, please contact Donna Stenger at 591-5210 or dstenger@cityoftacoma.org.

DS

c. Peter Huffman, Assistant Director

Attachments (2)

Planning Commission Accomplishments (July 2010 – June 2011)

June 9, 2011

Activities	Notes
A. Meetings Conducted / Attended:	
1. Regular Meetings: 23	Attendance at regular meetings and public hearings is required of all Commissioners. Attendance at pre-hearing informational sessions, community workshops and other functions is optional and on a voluntary basis.
2. Public Hearings: 5	
3. Pre-hearing Informational Sessions: 3	
4. Community Workshops and Special Functions: various	
B. Projects Reviewed and Recommended to the City Council for Consideration:	
1. 2011 Annual Amendment to the Comprehensive Plan and Land Use Regulatory Code: <ul style="list-style-type: none"> • #2011-01: 49th and Pine Intensity and Zoning Change • #2011-02: Historic Preservation Plan & 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 	The Commission reviewed the eight applications, individually or collectively, at all but one meeting between July 2010 and April 2011 (including 15 regular meetings, a field trip, and a public hearing), and made its recommendation to the City Council on April 20, 2011. The Council conducted a study session on May 3 and a public hearing on May 24, considered first reading of ordinances on June 7, and is scheduled to adopt the amendments on June 14. <i>(Note: There was an Application #2011-03 Container Port Element that was subsequently separated from the annual amendment process.)</i>
2. Billboard Regulations	Reviewed December 2010 through May 2011 (9 meetings and a public hearing); recommended to the City Council on May 18, 2011.
3. Billboard Moratorium	Conducted a public hearing and made a recommendation to the City Council on June 1, 2011, as mandated by Council Ordinance 27982, which enacted said emergency moratorium.

Activities	Notes
4. Wedge Neighborhood Historic Special Review Overlay District and Conservation District	Reviewed between August 2009 and June 2010 (10 meetings and a public hearing); recommended to the City Council on June 2, 2010; adopted, with modifications, by the Council on May 24, 2011, per Substitute Ordinance 27981.
5. Capital Facilities Program 2011-2016	Reviewed in October 2010 (including a public hearing); recommended to the City Council on October 20, 2010 and adopted by the City Council on December 14, 2010 (Ordinance 27955).
6. Six-Year Comprehensive Transportation Program 2011-2016	Reviewed along with the Capital Facilities Program 2011-2016; adopted by the City Council on December 14, 2010 (Ordinance 27954).
C. Projects Reviewed and Discussed:	
1. Shoreline Master Program (SMP) Update	Under review since 2006; a preliminary draft released in September 2010 for public review and comment; reviewed public comments between November 2010 and April 2011 (11 meetings); released public review draft in April, conducted a public hearing on June 1, 2011 and began review of testimony on June 15, 2011.
2. Container Port Element	Reviewed on February 17, July 21, and November 17, 2010; will continue to review.
3. Critical Areas Preservation Ordinance (CAPO) Update	Reviewed in September 2010 through June 2011 (4 meetings); will continue to review.
4. Development and Permitting Activities Reports	Reviewed on August 18, 2010 and March 2, 2011; will continue to review on a periodic basis.
5. Downtown Parking Requirements	Reviewed in May-June 2011; will continue to review.
6. Appearance of Fairness Doctrine	Reviewed on December 15, 2010
7. Commute Trip Reduction Program Update	Reviewed on August 4, 2010.
8. Planning Commission Rules and Regulations (By-laws)	Reviewed and revised on December 1, 2010.

Activities	Notes
D. Public Hearings:	
1. Capital Facilities Program 2011-2016	October 20, 2010
2. 2011 Annual Amendment Package	March 2, 2011
3. Billboard Regulations	March 16, 2011
4. Billboard Moratorium	June 1, 2011
5. Shoreline Master Program Update	June 1, 2011
E. Community Workshops and Special Functions:	
1. Community Workshop on Container Port Element	July 29, 2010
2. Touring of Portland's Bikeways and Complete Streets Implementation, sponsored by the Design Integration Review Team (DIRT) of Tacoma City staff	August 12, 2010
3. Field trip to Ruston Way, Schuster Parkway, Thea Foss Waterway, and Tideflats (for SMP Update), as well as the S. 49th and S. Pine streets area (for Annual Amendment Application #2011-01)	September 1, 2010
4. Joint Session with Landmarks Preservation Commission	Conducted on September 15, 2010, as part of the review of Application #2011-02 Historic Preservation Plan & Code Revisions of the 2011 Annual Amendment.
5. <i>Conversations Re: Tacoma</i> – Urban Design Lecture Series	September 23 – Density, Gentrification & Other Dirty Words, The Value of Vision October 21 – Sustainable Transportation, The Future is in the Past November 18, 2010 – A Model for Sustainability, Adapting Old Buildings to New Uses
6. The Government Leadership Institute, a cooperative effort of the Neighborhood Council Office and the University of Washington Tacoma's Urban Studies Program	January-March 2011

Activities	Notes
7. Pierce Transit Open Houses on Proposition 1	January 12-26, 2011
8. Sound Transit Open Houses on Sounder Station Access Planning Study	January 18-26, 2011
9. Community Workshop on Billboards	January 31, 2011
10. "Urban Studies Forum: The Urban University"	February 3, 2011
11. Pierce Transit Reduction Plan and Public Hearings	April 2011
12. <i>"May is Bike Month!"</i>	May 2011
13. SMP workshops	October 2010
14. Bayside trails workshop	March 31, 2011
F. Awards / Recognitions Received:	
1. Mixed-Use Centers Update Project	Received the 2010 Governor's Smart Communities Awards in the category of "Smart Choices Award – Implementation of a Comprehensive Plan"; June 4, 2010
2. Complete Streets Design Guidelines	Received the 2010 APA/PAW Joint Awards in the category of "Transportation Plans", (APA – American Planning Association; PAW – Planning Association of Washington); August 10, 2010
3. Complete Streets Design Guidelines	The National Complete Streets Coalition rated more than 200 state and local policies, and ranked Tacoma's guidelines among the top 15 in the nation. (NCSC Report: "Complete Streets Policy Analysis 2010: A story of growing strength", May 2011)

Project	Source	2011				2012			
		1 st Qtr	2 nd Qtr	3 rd Qtr	4 th Qtr	1 st Qtr	2 nd Qtr	3 rd Qtr	4 th Qtr
Parking Requirements – Commercial Districts Citywide	City Council								
Add incentives and revise code to reduce parking requirements									
2013 Annual Amendment	Municipal Code								▶
• Private Applications	Private								
• Council/Commission/Staff applications	Various								
• Plan and Regulatory Code Refinements	Staff								
Other Potential Projects Being Discussed									
Affordable Housing Strategies	City Council								
Plan and code revisions to increase availability of affordable housing									
Implement Sustainable Tacoma Commission Priorities	Sustainable Commission/EPW								
Establish policies for green house gas emissions review under SEPA									
Old Town Historic District	Neighborhood request								
Establish new residential historic overlay zoning district									

KEY:

- Green Mandated projects
- Blue Grant obligations
- Tan Projects committed and underway
- Yellow Planned for initiation
- Pink Projects under consideration