

**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



# Minutes

## Tacoma Planning Commission

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**(Approved as Amended on 2-16-11)**

MEETING: Regular Meeting

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

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

Members Present: Thomas O'Connor (Vice-Chair), Chris Beale, Peter Elswick, Donald Erickson, Sean Gaffney, Scott Morris, Matthew Nutsch, Ian Morrison

Members Absent: Jeremy Doty (Chair)

Staff and Others Present: Donna Stenger, Jana Magoon, Steve Atkinson, Elliott Barnett, Brian Boudet, Philip Kao, Reuben McKnight, Ian Munce, Shirley Schultz, Barbara Serry, Jennifer Ward, Lihuang Wung, Noah Yacker (BLUS); Joshua Diekmann (Public Works); Kim Van Zwalenburg (DOE); Lois Stark (Metro Parks)

Vice Chair Thomas O'Connor called the meeting to order at 4:05 p.m. The minutes for the December 19, 2010 meeting were reviewed. Commissioner Erickson pointed out that a statement in "Appearance of Fairness Doctrine" that indicated that he disagreed with Mr. Capell (the presenter) was inaccurate. He suggested a correction be made to clarify that he was asking Mr. Capell whether disclosure of all forms of communication would always be needed for all ex parte contacts. The minutes were approved as amended.

### **GENERAL BUSINESS**

#### **1. Master Program for Shoreline Development**

Mr. Steve Atkinson continued to facilitate the Planning Commission's review and discussion of the public comments received on the preliminary draft Shoreline Master Program released in September 2010. The discussion focused on the proposed policies and development regulations pertaining to the S-7 Schuster Parkway Shoreline District.



Mr. Atkinson indicated that the public comments on the S-7 district were primarily concerning the issues relating to environment designation, intent statement, district boundary, uses, and public access. He highlighted the existing conditions and the public access requirements in S-7, as well as explaining the Dome to Defiance Study of 1988 that had been mentioned repeatedly in the public comments. Mr. Atkinson then presented three policy options developed in response to the public comments and sought the Commissioners' feedback. The three options were:

Option 1 – This option would maintain the High Intensity designation from Sperry to TEMCO, and rezone the Chinese Reconciliation Park to S-6 Ruston Way. This option would carryover the intent for S-7 from the current code. The intent is to prioritize light industrial deep water uses, but also require preservation of the quality of life for the adjacent neighborhood. Water-dependent industrial uses and recreation, water-enjoyment uses would be allowed.

Option 2 – This option would maintain the High Intensity designation from Sperry to TEMCO, and rezone the Chinese Reconciliation Park to S-6 Ruston Way, same as Option 1, but would put greater emphasis in the S-7 district on promoting industrial uses and deep water moorage, while minimizing impacts to surrounding areas. This option would permit specific shoreline modifications and uses that would enable expansion of industrial uses.

Option 3 – This option has two sub-options. Option 3a would establish the Urban Conservancy designation and rezone the Chinese Reconciliation Park and Sperry Ocean Dock sites into S-6 Ruston Way. Option 3b would establish the Urban Conservancy designation and rezone the entire S-7 district either into S-6 or something consistent with S-6. Both Options 3a and 3b would prioritize water-enjoyment uses and recreation/open space. The main idea under this option is to prohibit new development of industry, lower height limits, and make Schuster Parkway development resemble activities that occur along Ruston Way.

The Commissioners were divided in their approval of the three options. The Commission asked if the public review draft to be released in spring 2011 could have two zoning alternatives for Sperry Dock site for the purpose of seeking public comment. One option would have the Sperry site remain in the S-7 district and the other option would include the site within the S-6 designation. Mr. Atkinson indicated he would return with options for the Commission's consideration.

## **2. Billboard Regulations**

Ms. Shirley Schultz suggested several decision points in developing the proposed code revisions. She asked that the Commissioners consider the following questions regarding the permitting of digital billboards:

- a. Where will digital billboards be allowed?
- b. How many will be allowed in a specific area and how will they be limited?
- c. What will be the height restrictions?
- d. What areas will they allowed in?
- e. What will be the dispersal standards?

Mr. Josh Diekmann, Public Works Engineering, gave a brief summary of the issues for putting up billboards from a traffic engineering viewpoint. Some points that he stressed were making

sure that billboards had static images and not be overly bright to avoid acting as a distraction to drivers. There are no clear cut engineering standards to follow; therefore federal regulations are the standards followed by the Engineering Division. The main standard enforced that would be applicable to billboards (regular and digital) is not to obstruct the ability to see traffic signals or act as a distraction to drivers.

Ms. Schultz will return after researching the concerns regarding transition time, address the concerns of Traffic Engineering, research what other cities are doing, research dispersal standards, and bring back the comments from the public meeting (scheduled for January 31). Mr. Diekmann will also do further research on safety concerns that other jurisdictions may have experienced and bring that information back for discussion.

### **3. Annual Amendment #2011-07 – Parks Zoning and Permitting**

Mr. Elliott Barnett facilitated the Commissioners' review of the proposed text changes as contained in the staff report. He pointed out that the new objective of streamlining the requirements for parks would mean that parks would be allowed either as an outright permitted use in residential zones or if the park had specific features that could impact residential uses would be allowed under a Conditional Use Permit.

The Commissioners were interested in how signs are approved or allowed in parks. They would like to see signs not be automatically allowed, but have City have some measure of control within the Code to govern them as to placement, size, and type. Mr. Barnett provided examples of what type of signs would be permitted outright and under what conditions different types of signs are allowed. The Commissioners asked that Mr. Barnett bring back some examples of what other cities have enacted in permitting signage for parks. There was also some concern expressed from Commissioners about informing neighbors of when parks are going to expand and how the City plans on assuring that the Code addresses this point.

### **4. Annual Amendment #2011-02 – Historic Preservation Plan and Code**

Mr. Reuben McKnight, Historic Preservation Officer, reviewed some key items – Conservation District and demolition section – that have been changed in the draft Code. He pointed out that the purpose of the proposed amendment is to streamline the Code, remove antiquated language contained therein, and make it more compatible with other sections of the Land Use Code.

The Commissioners asked if owner consent was required when property is submitted for historic designation. Mr. McKnight explained the nomination process for informing property owners when their property was under consideration for being designated as a landmark or when included as part of a proposed Historic District. He indicated that owner consent is not required and this is a national standard practice for designating landmark buildings. The Commissioners also were concerned that the lead time to inform property owners and to respond was not long enough. Mr. McKnight indicated that he would review this section to provide notice to the property owner and to allow adequate time for a response to the nomination. The Commissioners had additional inquiry as to what the section on "economic hardship" meant and Mr. McKnight explained what the rationale was for adding this section to the Code. There was also debate on establishing the criteria for determining how old a building should be for consideration to be placed on the registry.

## **5. Annual Amendment #2011-06 – Regional Centers & Safety-Oriented Design**

Ms. Donna Stenger explained that one component of the proposed plan changes included in this amendment is to update and clarify existing explanatory language concerning the Growth Management Act and other State planning laws. New text is proposed concerning the Shoreline Management Act and the State Environmental Policy Act. She indicated other revisions will achieve consistency and better articulate the use of the Generalized Land Use Intensity Map and Plan policies. The Commissioners concurred with the proposed revisions as presented.

## **6. Annual Amendment #2011-08 – Regulatory Code Refinements**

Mr. Brian Boudet provided an overview of the process and practice that are done annually to make refinements and modifications to the regulatory code. He also reviewed the proposed changes concerning the Transparency Requirements for industrial uses and parking garages.

Mr. Philip Kao reviewed the landscaping requirements for development that are to be added to the Code. He focused on applicability standards for landscaping requirements during development. The Commission wanted to know if a substantial interior or exterior remodel of a commercial building would have an impact as to whether or not landscaping plans should be a requirement under the development standards. The Commissioners had some concerns about planting of street trees and it was noted that there are options in the amendment that address this issue and Mr. Kao addressed their concerns.

Ms. Barbara Serry reviewed the changes for accessory structures on residential lots. The proposal is to limit the size of accessory structures to 75% of the floor area of main dwelling. Since the adoption of this provision, some questions as to what counts as floor area have been raised, such as square footage of finished basements or attic spaces. In order to better apply the intent of creating a visual distinction between the smaller accessory structures and the larger main dwellings, a new proposal is being made to limit accessory structures by building footprint, rather than floor area. Staff would also propose to increase the allowance from 75% to 85% of the main dwelling footprint, to account for larger lots where the footprint may be much smaller than the size of the lot.

Ms. Serry also addressed the “Eating and Drinking” uses within the C-1 Districts. The C-1 Currently, restaurants are allowed in C-1, but a Conditional Use Permit is required for restaurants that also serve alcohol, which has deterred businesses in the past. Staff is proposing to allow restaurants outright while further differentiating restaurant-type uses from primary drinking uses, such as bars or taverns, which would continue to require an issuance of a Conditional Use Permit.

Mr. Noah Yacker reviewed the proposed changes to the Land Use Code concerning (a) Pipe-stem lots; (b) Accessory Dwelling Units; (c) Solar-Panels, and (d) Definitions. He summarized these points in the following manner:

- Pipe-stem Lots – They are not currently prohibited although they are typically achieved by using easements rather than extending the property to the right-of-way. The code change being proposed would more clearly define what a pipe-stem lot is, state when it is allowed and encouraged, and provide setback and lot frontage exemptions for pipe-

stem lots. The Commissioners expressed the concern about limiting the creation of these lots to a greater degree than is currently allowed. The Commissioners supported infill development and would like to see the proposed language and diagrams modified to better illustrate when pipe-stem lots are appropriate and when they are not allowed.

- Accessory Dwelling Units (ADUs) – The proposed Code changes would make the ADU permitting process clearer and more predictable by replacing the Concomitant Agreement with a Notice on Title and removing the public notice process. No objections were raised.
- Solar Panels – This would allow solar panels to be exempt from the height requirements provided they only extend 12 inches above the roof and do not extend above the ridge line. No objections were raised.
- Definitions – Combining the definitions sections in TMC 13.06 and 13.06A. No objections were raised.

### **COMMUNICATION ITEMS**

Vice-Chair O'Connor acknowledged receipt of the announcements for the following events:

1. Community Workshop on Billboards, January 31, 2011
2. Pierce Transit Open Houses on Proposition 1, January 12-26, 2011
3. Sound Transit Open Houses on Sounder Station Access Planning Study, January 18-26, 2011
4. The Government Leadership Institute, January-March 2011

### **COMMENTS BY LONG-RANGE PLANNING DIVISION**

None.

### **COMMENTS BY PLANNING COMMISSION**

Commissioners Beale and Morrison disclosed that they met with David Schroedel today regarding the Shoreline Master Program Update. Commissioner Erickson disclosed that he met with Sharon Winters of Historic Tacoma, on January 4, 2011.

Vice-Chair O'Connor distributed, for Commissioners' information, a pamphlet published by the National Association of Home Builders: "Climate Change, Density and Development – Better Understanding the Effects of Our Choices."

### **ADJOURNMENT**

The meeting adjourned at 7:45 p.m.