

**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

## Tacoma Planning Commission

**Community and Economic Development Department**

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

**Public Works and Utilities Representatives**

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

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

**(Approved as Amended on 5-18-11)**

MEETING: Regular Meeting

TIME: Wednesday, April 6, 2011, 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, Matthew Nutsch, Ian Morrison

Members Absent: Thomas O'Connor (Vice-Chair), Scott Morris

Staff Present: Steve Atkinson, Elliott Barnett, Brian Boudet, Jana Magoon, Shirley Schultz, Reuben McKnight, Lihuang Wung, Chelsea Levy, Cheri Gibbons, Karla Kluge, Lisa Spadoni, Noah Yacker (Building and Land Use Services); Joshua Diekmann (Public Works); Tadas Kisielius (Gordon Derr, LLP); Kim Van Zwalenburg (DOE)

Chair Doty called the meeting to order at 4:02 p.m. The minutes for the meeting on February 2, 2011 and for the meeting and public hearing on March 2, 2011 were approved as submitted.

### **GENERAL BUSINESS**

#### **1. Billboard Regulations**

Ms. Shirley Schultz provided an overview of testimony received at the March 16, 2011 public hearing and through the comment period ending on March 25, concerning the proposed code revisions for billboards. She distributed to the Commissioners the public comments that were compiled in two volumes. She stated that there were over 350 people that had some type of input on this amendment and that the public is overwhelmingly (approximately 95%) opposed to having digital billboards in the City.

The Commissioners voiced questions and concerns about what were the expectations of the City Council and the Mayor in finalizing this proposed amendment to the billboard regulations. The main concern asked was "what role does the Council see the Commissioners performing in reaching a final recommendation?" There was strong concern that the Council has asked the



Commission to review the proposed regulations that are inconsistent with the City's adopted policies pertaining to prohibition of billboards, and that the Commission should perhaps recommend "no" to the Council. There was also some concern expressed as to not having enough information on how other cities addressed the issue of digital billboards for the Commission to make a determination. A number of Commissioners stated that the digital billboard question is such new technology that there needs to be more investigation made before making any recommendations. Others expressed concerns that the settlement agreement with Clear Channel is still a sticking point. Mr. Brian Boudet explained that all the facets involved in changing the existing billboard regulations and eventually giving a final recommendation to the Council could be considered by the Commissioners. He stressed that all of the issues the Commissioners had expressed concerns about were valid responses that could be conveyed to the Council.

Ms. Schultz indicated that the Commission is scheduled on April 20 to review the public comments in greater detail as well as staff responses to the comments. The Commission will continue the review on May 4 and is scheduled to make a recommendation to the City Council at the May 18 meeting.

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

Mr. Stephen Atkinson, Long Range Planner, and Tadas Kisielius, a Partner in the firm of GordonDerr, LLP, presented the changes that have been made to public access requirements in the draft Tacoma Shoreline Master Program (TSMP) that was released in September 2010.

Mr. Atkinson reviewed the additions that were made as a result of past comments and queries from the Commission. Most of the discussion focused on the constitutionality issues that need to be included in the amendment. He also went over the permitting process for a Shoreline Development Permit and the appeal process and the City staff that are involved in this process. He is proposing that the process be more streamlined. Mr. Atkinson noted that the Hearings Examiner and Shoreline Hearings Board (SHB) appeals are duplicative. By appealing directly to the SHB, the appeal process would proceed more quickly to Superior Court where appeals on constitutionality grounds can be directly addressed. Mr. Atkinson covered additions that have made in regard to restoration process and buffer regulation for some of the City's waterways to provide flexibility for site specific buffers where restoration projects might inadvertently cause harm to adjacent properties. Some new language was added to the draft to address mitigation banks. He stated that there really are no major changes, but only moving of Code language in to groups that are more related.

The Commissioners questioned why the fee-in-lieu provision for public access was deleted from the draft. Discussion ensued, and the Commissioners felt that the fee-in-lieu should be added to the draft but reframed so that it would only be an option where on site access could not be provided. Mr. Atkinson concluded with some additional changes that he had made as far as elimination of sign code standards in the shoreline, moorage facilities, district boundaries, use and development table, changes for permitted uses to Hylebos Creek, and other types of transportation facilities.

The Commissioners asked questions regarding inclusion of a section of natural designations. Mr. Atkinson explained the "why and wherefores" for inclusion or exclusion of natural designations. There were also questions regarding over-water residences. Ms. Kim Van Zwalenburg from the Department of Ecology discussed the impacts associated with over-water

residential uses. The Commissioners asked for clarification on language that says “should” and “shall” in certain instances. Mr. Atkinson explained that the definitions are consistent with the Washington Administrative Code and that in some cases the definitions are different than are otherwise used under the Growth Management Act (GMA) or under Tacoma Municipal Code 13.06. There were also questions regarding the preference given to single-family residential development under GMA and whether that could also be granted to multifamily residential development.

Mr. Atkinson concluded by stating that staff will present a final draft TSMP at the next meeting on April 20 for the Commissioners’ review and the Commission will be requested to authorize the public distribution of the document and set a date for a public hearing.

### **3. 2011 Annual Amendment**

Mr. Brian Boudet presented the Summary of Public Comments and Staff Responses Report which summarized the public comments received in March 2011 and provided a staff response or recommendation as appropriate, concerning the Proposed Amendments to the Comprehensive Plan and Land Use Regulatory Code for 2011. He indicated that, of the 8 applications in the Annual Amendment Package, #2011-04 (Water Level of Service), #2011-05 (Transportation Element), #2011-08 (Regulatory Code Refinements) and #2011-09 (SEPA Regulations) did not receive any comment. No changes are proposed to these applications as submitted for public review during the public hearing process, except that #2011-08 will incorporate supplemental clarifications as presented in the Commission’s agenda packet, Mr. Boudet stated. The Commissioners concurred.

For #2011-01 (49<sup>th</sup> Street & Pine Intensity and Zoning Change), Mr. Boudet indicated that public comments were primarily concerning the potential for increased traffic and the lack of recreational facilities serving the new growth in the area. He reviewed the corresponding staff responses and analysis as documented in the report and facilitated the Commissioners’ discussion. Mr. Boudet stated that staff would not recommend any change to the application, to which the Commissioners had no objection.

For #2011-06 (Regional Centers and Safety-Oriented Design), Mr. Boudet noted that 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. Staff proposed no change to the application. The Commissioners concurred.

For #2011-07 (Parks Zoning and Permitting), Mr. Elliott Barnett reported that public comments were supportive, with some concerns and suggestions relating to landscaping exemptions for school playgrounds, readerboard signs for schools and churches, and siting of portables on school properties. Staff recommends extending, to schools and churches, the proposed change to allow parks one additional free-standing sign, 30 square feet in area, on each additional street frontage. Staff also recommends several technical and minor policy changes, as documented in the report. The Commissioners concurred.

For #2011-02 (Historic Preservation Plan and Code revisions), Mr. Reuben McKnight, Historic Preservation Officer, stated that public comments were mostly supportive of adopting the new Historic Preservation Plan and continuing to expand the City’s historic preservation program. A lot of comments were pertaining to conservation districts and were provided by residents from the West Slope neighborhood. The issues reflected in public comments ranged from design

review trumping the zoning code, administrative design guidelines, and determination of economic hardship, to the applicability of parking exemption, transfer of development rights, and the creation of a “West Slope Conservation District.” Mr. McKnight noted that at this time, the merits of a “West Slope Conservation District” are not under consideration by the Planning Commission. He also indicated that, in response to the various comments, staff is recommending some changes, as documented in the report, which will be incorporated in the final versions of the proposed Historic Preservation Plan and the proposed Code Revisions for the Commissioners’ review at the next meeting on April 20. The Commissioners concurred.

### **COMMUNICATION ITEMS**

Chair Doty acknowledged receipt of the following:

1. E-mail from Heidi Stephens, March 24, 2011, regarding Gray Middle School and Barlow Annex in South Tacoma
2. Petitions in Opposition to Old Tacoma Residential Historic District Designation, from Homeowners Committee Opposed to Historic Designation, March 25, 2011
3. E-mail from Pierce Transit, March 29, 2011, regarding Pierce Transit Reduction Plan and Public Hearings in April

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

Mr. Barnett reported on the well-attended public workshop held on March 31, 2011, regarding the future of the Bayside Trails and Schuster Parkway slope open space area. He described the scope of work and the project timeline for the Bayside Trails, and facilitated the Commissioners’ discussion. The Commissioners showed enthusiasm for developing and improving the trails and had many suggestions and comments for Mr. Barnett.

Mr. Boudet reported on a community meeting held on April 5, 2011, regarding Traffic Calming on Park Avenue. Facilitated by City staff, the meeting was to solicit citizens’ comments on the proposed prioritization of S. Park Avenue from 96<sup>th</sup> to 40<sup>th</sup> for future funding, as part of the implementation of the Mobility Master Plan.

Mr. Boudet provided a status report of the proposed Wedge Neighborhood Historic Special Review Overlay District, for which the City Council held a public hearing in July 2010 based on the Planning Commission’s recommendations. The Council held a study session on April 5, 2011 and is in the process of developing an ordinance to be considered for adoption in May 2011.

### **COMMENTS BY PLANNING COMMISSION**

None.

### **ADJOURNMENT**

The meeting adjourned at 6:51 p.m.