

Members

Jeremy C. Doty, Chair
 Donald Erickson, Vice-Chair
 Chris Beale
 Peter Elswick
 Thomas C. O'Connor
 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

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(Approved on 8-17-11)

MEETING: Regular Meeting

TIME: Wednesday, July 20, 2011, 4:00 p.m.

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

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

Members Absent: Sean Gaffney

Staff Present: Donna Stenger, Jana Magoon, Steve Atkinson, Brian Boudet, Karla Kluge, Chelsea Levy, Shanta Frantz, Lihuang Wung (Building and Land Use Services); Kim Van Zwalenburg (DOE); Mike Wark (University of Washington Tacoma)

Vice-Chair Erickson called the meeting to order at 4:06 p.m., and presided over the meeting until 4:20 p.m. when Chair Doty arrived.

GENERAL BUSINESS

1. Downtown Parking Requirements

Ms. Chelsea Levy, Long-Range Planning, presented some key issues and questions related to the proposed changes to downtown off-street parking requirements for the Commission to address.

The first question was relating to expanding the boundary of the proposed Reduced Parking Area (RPA) to include the entire University of Washington Tacoma (UWT) campus footprint. The expansion was requested by UWT to facilitate planning future campus developments under one set of planning requirements. Mr. Mike Wark, Director of External Relations, spoke on behalf of UWT. The Commissioners supported expanding the proposed boundary.



The second issue was a request from the City Council's Environment and Public Works Committee for restricting surface parking lots on designated Primary Pedestrian Streets within the proposed RPA. Ms. Levy commented that the Comprehensive Plan repeatedly directs the City to minimize the amount of land dedicated to parking by encouraging structured and on-street parking. Additionally, Ms. Levy compared Tacoma's surface parking lot regulations to 11 peer cities in the Northwest and concluded that Tacoma's regulations allow for more surface parking than most of the cities surveyed. Commissioners agreed to release a proposal for public comment that includes limiting surface parking lots on Primary Pedestrian Streets within the RPA boundary; specifically, prohibiting standalone surface parking lots; requiring on-site surface parking to be located to the side, rear, within or under a structure; limiting the maximum width of on-site surface parking to 60 feet; and prohibiting surface parking lot expansions.

Last, the Commissioners discussed what they would like to achieve from the off-street parking regulations. Commissioners identifying multiple goals including: economic development, compact urban form, encouraging transportation alternatives and controlling parking supply. Given these competing goals, the Commission would like public feedback on the proposal to retain and reduce the parking maximums to 2.5 stalls per 1,000 square feet in the RPA.

2. Critical Areas Preservation Ordinance (CAPO) Update

Ms. Karla Kluge, Building and Land Use Services, reviewed the first half of the proposed amendments to the Tacoma Municipal Code Chapter 13.11 Critical Areas Preservation Ordinance, as well as related revisions proposed to Chapter 13.05 Land Use Permit Procedures. She summarized the changes for voluntary restoration; small development projects; wetland buffer refinement, and mitigation revisions including wetland mitigation banks and in-lieu fee programs. She also summarized the stakeholder outreach plan including the Focus Group, City Departmental staff and wetland consultant input.

Ms. Kluge described a section of the proposed amendment that addresses routine maintenance and repair within "Allowed Activities" or "Activities Allowed with Staff Review" dependent upon the level of impact. She mentioned that concerns were raised regarding the language for storm water systems, primarily Holding Basins. She indicated that discussions will continue and she will touch on the resolution from those discussions at the next meeting. The proposed amendment provides new ways to review and allow voluntary restoration and enhancement. The new process may or may not require a written approval. However, Ms. Kluge also described how review and approval for a project will be tracked in SAP. Ms. Kluge reviewed in detail each new provision in the Allowed Activities and Activities Allowed with Staff Review, especially those that dealt with voluntary restoration and enhancement projects. The language under Hazard trees was modified to require tree stabilization recommendations, and tree pruning was separated from Hazard tree only to allow limited pruning when there is no impact to the tree or the critical area.

In response to the Commission's question regarding the reason for allowing for more qualified specialists outside of consulting an arborist, Ms. Kluge explained that the "qualified specialist" referred to a wetland or stream specialist which would be required for additional review in addition to the "tree" specialist. However, she said that she would take another look at the way this was written after the Commission brought this to her attention.

Ms. Kluge also reviewed the current and proposed permit processes, including the concept of identifying impacts through a Wetland Assessment and how sometimes a customer would have

to go through a permit process to demonstrate “no impact”. Under the proposed amendment, these same types of projects may now be assessed as a minor development permit, which is a streamlined process. She also commented that incentives for voluntary restoration through a programmatic permit are intended to promote a healthier, higher functioning, greener Tacoma. Incentives include an extended timeline for an additional 5 years and a template that may be used to simplify the permitting process.

Commissioners ask if there had been any changes with regard to the new requirements for Flood Plain compliance and Ms. Kluge acknowledged that there had been a change per consultation with Scott Beard of Building & Land Use staff and that she would cover that change in the second half of the presentation of the proposed amendment on August 3, 2011. Commissioners commended Ms. Kluge on a job well done.

3. Master Program for Shoreline Development

Mr. Stephen Atkinson, Long-Range Planning, distributed materials he would be reviewing: a copy of the PowerPoint presentation, copies of maps of the S-7 and S-8 shoreline districts which show existing parcels and ownership; and a letter from Gary Brackett, Chamber of Commerce, in reference to Council Resolution No. 36702. In addition, he referred to a letter included in the agenda packet as a communication item from Gary Coy which included recent pictures of Sperry Ocean Dock.

Mr. Atkinson discussed options for district boundaries in the S-7 and S-8 Districts. He pointed out that most of the comments received were in regard to these two distinct areas. In the case of S-7, water depth has been raised as an issue and he reviewed what water depths were needed for different types of ships and where these depths could be found in the shoreline.

Mr. Atkinson spoke about four options for setting the boundary between the S-7 shoreline district and the S-6 shoreline district: (1) retain existing zoning, (2) extend S-6 south up to Sperry site, (3) extend S-6 south to include Sperry site, and (4) extend S-6 to S-8 thus eliminating the S-7 district in its entirety. In addition, Mr. Atkinson discussed some of the relevant guidance in the WAC related to the prioritization of uses in shoreline jurisdiction. Discussion ensued among the Commissioners about the options; some felt that Sperry Ocean is appropriately zoned and should remain S-7 but others felt that the site should be included in the S-6 district. Discussion points included how the rezone of Sperry would make the existing use non-conforming and the effects of non-conforming status on the current use; the need to preserve shorelines for water-dependent uses; utilization of the deep water; economic impacts; impacts to the neighborhood from current operations; providing public access; other uses that could develop on the Sperry site under current zoning and proposed zoning; the misperception that a rezone would result in the current use being discontinued; and future vision for this waterfront area. By a vote of 5-3, the Commission recommended that S-6 be extended south to include Jack Hyde Park, Chinese Reconciliation Park, the Tahoma Salt Marsh and the Sperry properties and to add provisions that would encourage commercial uses that could utilize the deep water. (Commissioners Elswick, Doty and O’Connor opposed.)

The Commissioners next discussed the proposal to rezone the NuStar site on the east side of the Thea Foss to S-10 as requested by the property owner and testimony received to rezone the area north of East 11th to S-10. The Commissioners discussed rezoning that area north of East 7th Street as S-10 and including the Center for Urban Waters. The rationale was that the tank farms have been in place for some time and did not appear that they would discontinue in

the near future. Vice-Chair Erickson disagreed and noted the need to look beyond the existing uses and consider all of the uses that could be permitted in S-10. Mr. Atkinson clarified the allowed uses and requirements for S-10 and S-8 zoning. Ms. Donna Stenger brought out that there are limitations including narrow sites that may affect the desirability for some industrial users along the Foss Waterway. After discussion, the vote was 5-3 to expand the S-10 boundary to the south end of the NuStar property at approximately East 3rd Street just north of Urban Waters. (Commissioners Elswick, Morris and O'Conner opposed.)

Next the discussion centered on the existing provision that restricts industrial uses that existed in 1996 on the east side of the Foss from expanding beyond their property boundaries in the S-8 shoreline district. Considerable testimony was received asking for the restriction to be lifted. Ms. Stenger provided a map of S-8 zoning district and pointed out the affected properties. She noted that expansion was also affected by existing uses and rights-of-way. Many of the affected industries own property in other zoning districts where they could expand. The Commission concurred with the testimony and directed staff to remove this restriction from the code.

Ms. Stenger provided background information on City Council Resolution No. 36702 adopted in 2005. The resolution identifies actions that the City and others would take including actions to discourage the encroachment of incompatible uses in the industrial area lying eastward of the Foss Waterway shoreline district. A copy of the Resolution and a recent memo to the City Manager concerning the status of carrying out the City's actions was provided to the Commission. She noted that testimony received stated that the design standards to discourage non-industrial uses on the eastside of East 'D' Street called for in the Resolution have not been accomplished in the SMP update. Chair Doty expressed in his opinion that fulfillment of the Resolution's actions was outside the purview of the Commission. He said he did not see the connection of the testimony with the Commission's work. The Commission concurred.

Mr. Atkinson discussed two comments received by the Department of Ecology and staff's proposals on how to address the issues. The first concerned shoreline jurisdiction which extends 200 feet landward of the ordinary high water mark. In some cases, the shoreline zoning districts extend beyond 200 feet and the State requirements for oversight of permitting cannot apply. He indicated that additional text would be added to the Master Program code as well as the zoning code to address applicability of regulations outside of the 200 feet boundary. The second concern was clarification for those areas in the S-13 district for non-conforming uses. During the August 3, 2011 meeting, staff will be providing draft findings and recommendations including direction given by the Commission today. Ms. Stenger suggested that August 17th meeting should have a complete draft SMP for the Commission's final review and recommendation. Chair Doty expressed concern in having new Commissioners vote on the SMP and would like to see a delay in their appointment to allow the current Commissioners make the recommendation. Staff indicated that they would forward that request to the City Council's Appointments Committee.

COMMUNICATION ITEMS

Chair Doty acknowledged receipt of the following:

1. Letter and Photos from Gary Coy, Sperry Ocean Dock, July 11, 2011

COMMENTS BY LONG-RANGE PLANNING DIVISION

Ms. Stenger reported that on July 19, the City Council adopted the findings of fact, based on the Planning Commission's recommendations, to justify the retention of the emergency moratorium adopted in May 2011 concerning billboards. The Council made two amendments pertaining to maintenance and repair of billboards and to indicate that the banked credits for billboards that have been removed are not affected by the moratorium. The City Council also conducted a public hearing on July 19 on the Planning Commission's recommended amendments to the Land Use Regulatory Code relating to billboards in all zoning districts. Citizens who commented on the moratorium or testified at the public hearing highly commended the work that the Planning Commissioners have done. It was very rewarding to hear the testimony, Ms. Stenger stated.

ADJOURNMENT

The meeting adjourned at 7:47 p.m.