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 Donald Erickson, Vice-Chair
 Chris Beale
 Peter Elswick
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 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 August 3, 2011)

5MEETING: Regular Meeting

TIME: Wednesday, July 6, 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, Scott Morris, Ian Morrison, Matthew Nutsch, Thomas O'Connor

Members Absent: Peter Elswick, Sean Gaffney

Staff Present: Donna Stenger, Jana Magoon, Steve Atkinson, Karla Kluge, Shirley Schultz, Lihuang Wung (Building and Land Use Services); Betty Renkor, Kathy Taylor, Kim Van Zwalenburg (DOE); Tadas Kisielius (Gordon Derr, LLP)

Chair Doty called the meeting to order at 4:05 p.m. The minutes for the Regular Meeting and Public Hearing on June 1, 2011 and the Regular Meeting on June 15, 2011 were approved as submitted.

GENERAL BUSINESS

1. Master Program for Shoreline Development

Mr. Stephen Atkinson, Long-Range Planning, provided a review of the public comments submitted on the draft Tacoma Shoreline Master Program (TSMP) and presented staff responses to comments on the general public access provisions and those related to critical areas standards. Tadas Kisielius, a Principal in the firm of GordonDerr, was on hand to answer questions as well as staff from the Department of Ecology, including Betty Renkor, Kathy Taylor and Kim Van Zwalenburg.

Mr. Atkinson reiterated the ways in which the draft addresses nexus and proportionality in the permit review process and presented to the Commission a flow chart depicting how the public



access standards would be applied during permit review. He highlighted specific determinations that would need to be made and by whom and explained to the Commission that the City bears the burden of demonstrating nexus while the applicant bears the burden of demonstrating that the permit qualifies for an on-site waiver. Mr. Atkinson also distinguished between public and private properties in the review of public access standards. He recommended only minor revisions to the organization of the public access policies and standards in response to the public comments. The Commission concurred that in the application of the public access standards, access should typically be preferred on-site first and foremost. The Commission discussed one exception and recommended that in the S-10 Port Industrial Area, when public access is required, the use and development should not be subject to on-site preferences, but rather, should have the most flexibility to identify where and how access is most appropriate. Mr. Atkinson provided further discussion about the comments related to the public access fund and fee-in-lieu. He explained that a review of proportionality and an appropriate mitigation fee is contingent upon many factors including the scale and scope of the project, type of use, its location in the shoreline, and its impacts and the established nexus. Therefore, the appropriate off-site mitigation and fee-in-lieu would be a project by project determination.

Mr. Atkinson next went on to summarize comments related to the Bayside Trail and the other identified options for providing public access along Schuster Parkway. The Commissioners were of the opinion it was not feasible to improve the Bayside Trail and that the expansion of the Schuster Parkway walkway would be more feasible. Ms. Donna Stenger explained that the City was looking at several alternatives. A lively discussion occurred. Ms. Stenger explained the public opinion on the Bayside Trail was divided and that there were numerous issues still to be resolved over the long term improvement and maintenance of the trail system and the slopes. Ms. Stenger briefed the Commission on the historic funding of the Bayside Trail and the City's ongoing obligations to the Recreation and Conservation Office for those funds. The Commissioners had questions about how the City could fulfill those obligations and whether other trail improvements would suffice. The Commissioners concluded that more studies would need to be done before the Commission can see clearly whether the Bayside Trail is a viable public access option. The Commission recommended that staff continue to maintain multiple public access options for the area along Schuster Parkway, including the Bayside Trail, a waterfront walkway, and Schuster Parkway right of way improvements.

The discussion next went into the subject of Critical Areas and Shoreline Master Program Updates. Mr. Atkinson provided background information on the State legislation directing local jurisdictions to regulate critical areas within shoreline jurisdiction under the purview of the Shoreline Management Act and the local SMP. Mr. Atkinson explained that the bottom line standards had shifted from achieving equal protection to no net loss for critical areas under the Master Program. Mr. Atkinson explained that the Washington Administrative Code (WAC) guidelines for shoreline master program updates were developed in a mediated process with many local and state-wide interests. The standards for protection of ecological functions have been interwoven throughout the entirety of the Shoreline Master Program versus just the chapter on Critical Areas standards. In addition, the critical area standards have been modified in the TSMP in order to achieve consistency with the preferred uses under the Act and as expressed in the WAC.

Mr. Atkinson presented the comments that were submitted on the critical areas protection standards in the draft TSMP and provided the Commission additional context for those comments as well as the staff responses. He pointed out that there was a broad range of comments requesting very different changes – some requesting more relaxation in the standards and others suggesting that specific standards were already too generous.

Mr. Atkinson provided an overview of the comments from the Department of Ecology on the buffer issues as well as those from Futurewise. Staff discussed options for addressing the various comments and suggested that the Commission consider them in relation to each other. The Commission concurred with staff recommendations and gave direction to modify the draft TSMP. The modifications included designating the S-3 Western Slope South to a 'natural' environment, utilizing a percentage or ratio based marine buffer reduction rather than a minimum buffer width, and basing the marine buffer reduction provisions on the environment designation.

COMMUNICATION ITEMS

Chair Doty acknowledged receipt of the following:

1. Hearing Examiner's Reports and Decisions
2. "Rezoning Urban Retail Strips to Create Neighborhood Centers", Zoning Practice, American Planning Association, Issue No. 4, April 2011

COMMENTS BY LONG-RANGE PLANNING DIVISION

Ms. Donna Stenger explained why the Commissioners received in the Communications Items the Zoning Practice article and that this was because the City of Tacoma was recognized in that particular article on what the City was trying to achieve with its Mixed-Use Center zoning regulations.

Ms. Stenger also reported that June 30th was the deadline for receiving applications for amending the Comprehensive Plan and/or Land Use Regulatory Code for 2012 and no private application was received, and that the 2012 Annual Amendment package will include only applications from various City departments.

COMMENTS BY PLANNING COMMISSION

In response to the Commissioners' inquiry, Ms. Stenger provided that the three Commissioners (O'Connor, Elswick and Morris) whose terms have expired are welcome, but not required, to continue to serve until their successors are appointed. The City Council's Appointments Committee has not moved forward with its process of interviewing the candidates, apparently allowing the current Planning Commission to complete its review of the Shoreline Master Program Update, which is scheduled to occur on August 3, 2011. Ms. Stenger also noted that Chair Doty had previously commented that even after their replacements are appointed, the three Commissioners would be welcome to continue to participate in the Commission's discussion and contribute their experience and knowledge, without the privilege to vote.

ADJOURNMENT

The meeting adjourned at 6:20 p.m.