



City of Tacoma

Shoreline Public Access Plan

for the Thea Foss Waterway

November 2008

Prepared by

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Contents

	<u>Page No.</u>
I. INTRODUCTION.....	4
A. PURPOSE AND GENERAL DESCRIPTION OF PUBLIC ACCESS PLAN	4
II. CITY OF TACOMA PLANNING DOCUMENTS.....	5
A. CITY OF TACOMA COMPREHENSIVE PLAN	5
B. STRATEGIC PARKS AND PROGRAM SERVICES PLAN	6
C. SHORELINE TRAILS PLAN.....	7
D. THEA FOSS WATERWAY DESIGN AND DEVELOPMENT PLAN	7
E. TACOMA DOME AREA PLAN	7
F. DOME TO DEFIANCE PLAN	7
G. TACOMA MUNICIPAL CODE	8
H. EAST FOSS TRANSPORTATION STUDY	8
III. EXISTING PUBLIC ACCESS ALONG THE THEA FOSS WATERWAY.....	8
A. WEST SIDE OF THE THEA FOSS WATERWAY	9
B. EAST SIDE OF THE THEA FOSS WATERWAY	10
IV. PROPOSED PUBLIC ACCESS PROJECTS OR IMPROVEMENTS	11
A. WEST SIDE OF THE THEA FOSS WATERWAY	11
B. EAST SIDE OF THE THEA FOSS WATERWAY	11
V. FUTURE OPPORTUNITIES FOR PUBLIC ACCESS.....	12
A. WEST SIDE OF THE THEA FOSS WATERWAY	12
B. EAST SIDE OF THE THEA FOSS WATERWAY	13
C. CONNECTIONS BETWEEN WEST AND EAST SIDE OF THE THEA FOSS.....	14
VI. USE CONFLICT ANALYSIS.....	15
A. EXAMPLES OF CONFLICTS OF USE - WEST SIDE OF THE THEA FOSS WATERWAY	16
1. <i>Visual and Public Access Corridors</i>	16
2. <i>BNSF and Public Access Conflicts</i>	17
B. EXAMPLES OF CONFLICTS OF USE - EAST SIDE OF THE THEA FOSS WATERWAY	17
1. <i>Industrial Uses and Public Access</i>	17
2. <i>Transportation Infrastructure</i>	18
3. <i>Wheeler-Osgood Waterway as Restoration Site or Public Access</i>	19
4. <i>Environmental Clean Up along East Side of Thea Foss Waterway</i>	20
C. EXAMPLE OF PUBLIC ACCESS AND INDUSTRIAL LAND	21
D. RECOMMENDATIONS.....	23

List of Figures

FIGURE 1 SOUTH THEA FOSS WATERWAY BNSF AND PUBLIC ACCESS CONFLICT	17
FIGURE 2 EXISTING INDUSTRIAL SITE - EAST THEA FOSS WATERWAY.....	18
FIGURE 3 EAST THEA FOSS TRANSPORTATION SYSTEMS CONFLICT WITH PUBLIC ACCESS	19
FIGURE 4 WHEELER-OSGOOD WATERWAY	20
FIGURE 5 ENVIRONMENTAL CLEAN UP ALONG EAST THEA FOSS WATERWAY	21

FIGURE 6 MAP OF BOSTON HARBORWALK 22
FIGURE 7 NAVY PIER PUBLIC ACCESS BOSTON, MA..... 22
FIGURE 8 COASTAL CEMENT COMPANY PUBLIC ACCESS BOSTON 23
FIGURE 9 THEA FOSS WATERWAY EXISTING PUBLIC ACCESS..... 25
FIGURE 10 THEA FOSS WATERWAY POTENTIAL PUBLIC ACCESS..... 26

**City of Tacoma Shoreline Public Access Plan
For the Thea Foss Waterway
November 2008**

I. INTRODUCTION

This Shoreline Public Access Study has been prepared in association with the update of the City of Tacoma Shoreline Master Program and as part of the update of the Thea Foss Waterway Design and Development Plan (The Foss Plan). The Foss Plan is a subarea plan of the overall Tacoma Shoreline Master Program and provides policy, plans and regulations for that portion of Tacoma's shoreline designated S-8.

The purpose of this report is to identify existing and proposed public access located on the Thea Foss Waterway in Tacoma. The report contains plans and policies that describe existing and proposed public access on the Thea Foss. Public access points currently in existence are listed and also identified in the accompanying Thea Foss Existing Public Access Map 1. Proposed projects are also listed. These are broken into two sections, projects that are currently in the permit process with the City of Tacoma and projects that have been identified, discussed or may exist in plans but have not yet been formally proposed for permit review. These proposed projects are shown on the Thea Foss Proposed Public Access Map 2.

The final section of this report contains a Use Conflict Analysis that specifically identifies points of conflict between Shoreline Management Act (SMA) goals with respect to public access along the Thea Foss Waterway within the Tacoma Shoreline designation S-8. The key points of conflict are between industrial uses and public access or restoration and public access.

A. Purpose and general description of Public Access Plan

Public access to the shoreline is one of the three main goals described within the Shoreline Management Act (SMA). The SMA requires local governments to provide opportunities for shoreline recreational development (WAC 173-26-241 (3)(i)) and to increase public access to publicly owned shoreline areas within Shorelines of Statewide significance (RCW 90.58.020).

Local shoreline master programs are required: *“To the greatest extent feasible consistent with the overall best interest of the state and the people generally, protect the public's opportunity to enjoy the physical and aesthetic qualities of shorelines of the state, including views of the water,”* (WAC 173-26-221 (4)(iii)).

This Public Access plan identifies existing public access to the Thea Foss Waterway on both private and publicly held lands and opportunities for additional public access.

Public Access

The State defines public access to the shoreline as follows:

“the ability of the general public to reach, touch, and enjoy the water's edge, to travel on the waters of the state, and to view the water and the shoreline from adjacent locations” (WAC 173-26-221(4)(a)).

The principles listed within (WAC 173-26-221(4)(a)) include considerations for public safety and navigational needs when developing a public access plan to the shoreline.

II. CITY OF TACOMA PLANNING DOCUMENTS

In this portion of the report are the existing plans and policy documents adopted by the City of Tacoma with references to public access along the Thea Foss Waterway. The documents and relevant portions are cited here. These plans include the City Comprehensive Plan, the Metro Parks Strategic Parks and Program Services Plan, the City Shoreline Trails Plan, the Ruston Way Plan, the Thea Foss Waterway Design and Development Plan, the Tacoma Dome Area Plan, the Dome to Defiance Plan, and the City Municipal Code. Some of these plans are very newly and recently adopted, such as the Metro Parks Strategic Plan. Others are very old dated back to the 1980's such as the Dome to Defiance Plan. This report does not include many plans currently under review by the City that have not yet been formally adopted even though there may be references to the Thea Foss Waterway in these draft documents.

A. City of Tacoma Comprehensive Plan

There is recognition, within the Comprehensive Plan, of the importance of access and retention of the natural environment, with these areas becoming even more valuable as further growth and development occurs. The proposed Open Space, Habitat and Recreation Element include the following general policies regarding public access and open space:

The Generalized Land Use Element supports the provision of open space to maintain quality of life:

- **LU-MUD-3 – Open Space:** Provide a diverse array of usable open spaces including small parks, plazas, playgrounds, and others within centers to balance higher density development, enhance the quality of the living environment and provide social and recreational opportunities for residents, employees and visitors.

The Plan also addresses some specific goals and objectives for the Thea Foss Waterway, in particular capitalizing on its proximity to the downtown area. Within the Destination Downtown chapter, the Plan states this policy: “Pedestrian connections at 11th Street and

15th Street should be improved to provide enhanced access and mobility between the commercial core and the Thea Foss Waterway Esplanade.”

B. Strategic Parks and Program Services Plan

In 2006, Metro Parks Tacoma (MPT) developed this community-supported, long-range strategic plan to anticipate and plan for community needs and trends within the next 20 years. The MPT identified ten strategic goals with specific actions that will help Metro Parks Tacoma achieve its vision and mission. Some goals and actions pertaining to the Thea Foss Waterway are:

Goal 1: Provide accessible, convenient, safe and attractive parks and facilities.

Strategy 1.3- Identify and address park deficiencies within each planning area.

Action 1.3.9- Recognize the importance of other regional parks and greenspace not currently owned or maintained by MPT in satisfying overall citywide park needs. Some examples include Fireman’s Park, the Chinese Reconciliation Garden (under development), the proposed Thea Foss Esplanade extension, and other greenspace.

Goal 2: Support active living that contributes to a healthy community.

Strategy 2.2- Provide adequate facilities to support active living programs and services.

Action 2.2.17- Outdoor water-related facilities with Sound access to include kayaking, canoeing, scuba diving, rowing and other non-motorized watercraft/boating. These facilities, which can be developed as part of a Sound-related Nature and Environment Center, should generate revenue.

Goal 6: Partner in responsible economic and community development.

Strategy 6.2- Partner with the City and others to provide urban parks, where needed, to meet redevelopment needs of high-density residential areas.

Action 6.2.2- Collaborate with the City of Tacoma and others to create a connected system of urban parks in the downtown and Thea Foss areas, incorporating landscaped public spaces as developments occur, such as pedestrian linkages, boulevards, public amenities, and art work, to meet recreational needs and support livability.

Action 6.2.5- Provide more public access to waterfront and greenspace, where possible, near dense urban areas to enhance the livability of the City.

Action 6.2.6- Revitalize downtown parks, such as Wright Park and Thea’s Park, for the enjoyment of downtown residents, employees, and visitors.

Goal 9: Maximize the benefits provided by Tacoma’s unique park and recreation resources.

Strategy 9.1- Maximize the unique experiences and benefits offered by regional parks to the public.

Action 9.1.1- Continue to work with public and private partners to build and plan other public park spaces along the Thea Foss Waterway to create an integrated and connected esplanade for public enjoyment.

C. Shoreline Trails Plan

The City adopted the Shoreline Trails Plan in 1989. The Plan discusses an urban pedestrian trail system within the shoreline districts, steep slopes and gulches from the Thea Foss Waterway and extending north to Point Defiance Park. The goal is to tie trail segments together into a unified, urban pedestrian network, joining the north and west slopes of the city together. In order to increase trail opportunities, the Plan states that as lands become available within the plan area or when developments are proposed, rights to shoreline access should be negotiated. The Plan states that a waterfront promenade around the perimeter of the Thea Foss Waterway, including the Wheeler-Osgood Waterway, is a goal of the City.

D. Thea Foss Waterway Design and Development Plan

This Plan, adopted in May 2000, outlines a vision, goals, and policies for the Thea Foss Waterway including circulation, shoreline use, and marine facilities. It is noted that providing public access, parks, and open space will add to the vitality of the waterfront. A linear corridor planned along the west side of the Thea Foss Waterway is intended to connect the open space at the northern and southern ends, with the requirement for an esplanade (a minimum width of 20 feet, with all weather surface material [pg. 41]). The goal is for the development of a continuous public shoreline walkway around the Thea Foss Waterway; however, public access is encouraged on the side of the Thea Foss where there are no conflicts with industrial activities due to safety or security hazards.

The Plan outlines specific access points for pedestrians and boating, including potential future projects.

E. Tacoma Dome Area Plan

This Plan, adopted in December 2001, identifies strategies for the transformation of the planning area into a transit-supportive, mixed-commercial center which shall direct development in the area for twenty years. The proximity of the Thea Foss Waterway is noted, with the following specific project in Phase II strategies to increase access to the Thea Foss: *“Construct a secondary pedestrian overpass at East C Street over BNSF tracks and Dock Street connecting the Core Development Area with the Thea Foss Waterway. The connection would begin at-grade adjacent to Puyallup Avenue and slope as necessary over the BNSF tracks to a platform and elevator structure adjacent to Dock Street and the Thea Foss Waterway.”*

F. Dome to Defiance Plan

This research report was prepared in May 1988 by the City Club of Tacoma and is not an official City document. This report addresses the 5.5 miles of waterfront from the southern end of the Thea Foss Waterway to Point Defiance. Some of the recommendations for the Thea Foss Waterway include improved pedestrian and vehicular

access to the waterfront, provision of ample public and transient docking space along the Thea Foss, and a possible ferry system and terminal.

G. Tacoma Municipal Code

The Thea Foss Waterway is designated as S-8 Shoreline District within Tacoma Municipal Code (TMC) 13.10.110. The intent of the S-8 district includes several goals for public access and use of the waterfront, including: (a) provide continuous public access to the Waterway; (b) encourage the reuse and redevelopment of the area for mixed-use pedestrian-oriented development; (c) water-oriented public parks and facilities; and waterborne transportation. The Thea Foss is designated as an “urban” environment, with the TMC listing permitted uses and conditional uses.

To protect visual and physical access to the Thea Foss Waterway, the code specifies height limits and lot coverage for proposed development, and identifies fourteen view/access corridors located adjacent to the development sites. These regulations support the mandate per WAC 173-26-221(4) (d)(i) to protect and enhance both physical and visual public access.

H. East Foss Transportation Study

In 2007, the Tacoma City Council commissioned a study where City Staff, Port of Tacoma and other area businesses would work collaboratively to develop a transportation corridor in the alignment of “D” Street in the East Thea Foss Peninsula area. The purpose of the study was to develop transportation solutions to separate industrial and non-industrial uses. Moreover, the study was designed to improve access and circulation in the East Thea Foss Peninsula in a way that would encourage economic growth.

The report, issued in the fall of 2008, recommended implementation of three priority projects; (1) begin street and rail crossing maintenance, (2) improve East 11th St and East 4 Street and St. Paul Street intersections, and (3) Move forward with SR 509 ramp feasibility with WSDOT and BNSF.

The Study also recommended increased coordination of facility planning between the Port and City and development of partnerships to share infrastructure costs to maintain existing uses and increase economic development in the study area.

III.Existing Public Access along the Thea Foss Waterway

This section provides a listing of public access sites along the Thea Foss Waterway. These locations are in existing and can be found on the Existing Public Access Drawing, Map 1. The location of public access is divided into two sections; (1) West Side of the Thea Foss Waterway and (2) East Side of the Thea Foss Waterway.

A. West Side of the Thea Foss Waterway

Esplanade

The current esplanade on the side of the Thea Foss Waterway is ADA (Americans with Disabilities Act) accessible and allows for public access along the waterfront for pedestrians and bicyclists.

1. There is a continuous concrete-paved esplanade from just north of 15th Street to just north of 21st Street.
2. There is a mix of paved esplanade and wooden walkway from just north of 13th Street to Thea's Park at the northwest end of the Thea Foss Waterway. There are several sections of this path which are closed to the public due to the deterioration of the infrastructure and public safety concerns. These closed off sections create several gaps in the continuous public access along the shoreline from 13th Street to Thea's Park at 4th Street.

Public Access Corridors to the Waterfront

Tacoma Municipal Code (TMC 13.10.110.H.1a) lists 14 view/access corridors for the west side of the Thea Foss Waterway between Dock Street and the inner harbor line which include: three primary corridors aligned with South 13th, 15th, and 17th Streets, 11 secondary view/access corridors located at the alignment of South 9th, 11th, 12th, 14th, 16th, 18th, and 20th Streets and at the north and south ends of the properties at 535 Dock Street (Dock Building) and 705 Dock Street (Balford Dock Building –formerly the Puget Sound Freight Building). Four of these view/access corridors have been developed fully: South 15th, 16th, 17th, and 18th Streets, per the requirements of the Thea Foss Waterway Design and Development Plan and zoning code (TMC 13.10.110.H.1a). The view/access corridor at South 20th Street has been partly developed, but not to the full extent and width required.

In addition to the developed public access corridors at South 15th, 16th, 17th, and 18th Streets, there are nine pathways from Dock Street to the waterfront that align with the undeveloped view/access corridors. They include: primary access-South 13th and secondary access- South 11th, 12th, 14th, 16th, 18th, and 20th Streets, and the north and south ends of the properties at 535 Dock Street (Dock Building) and 705 Dock Street (Balford Dock Building –formerly the Puget Sound Freight Building). Only one of the fourteen view/access corridors, South 9th Street, has no current walkway from Dock Street to the Waterfront.

There is stairway access from 11th Street up to the Murray Morgan Bridge (11th Street Bridge). The three walkways north of the 11th Street Bridge, from Dock Street to the waterfront, might exceed the rise required for ADA accessibility.

Public access to the waterfront and esplanade on the west side of the Thea Foss is also provided by two walkways in addition to the fourteen required view/access corridors listed above. These walkways are located: (1) on the south side of the Museum of Glass at 1801 Dock Street and (2) aligned with 10th Street (to the north of the 11th Street Bridge) at 1025 Dock Street.

Public Marine and Boating Access

On the west side of the Thea Foss there is a mix of private and public boating facilities. The Thea Foss Harbor is a private marina with no public access to the shoreline. There are four existing publicly owned piers and marinas on the west side of the Thea Foss Waterway:

- North Moorage- adjacent to 535 Dock Street- public moorage
- Pier A- adjacent to 705 dock Street- public pier
- 15th Street float- adjacent to 1199 Dock Street- public pier
- Dock Street Marina- adjacent to 1543 Dock Street- public marina

Connection between West and East side of Thea Foss Waterway

The 11th Street Bridge is closed for all traffic due to infrastructure concerns. Funding for possible improvement or replacement is under discussion and has yet to be determined.

B. East Side of the Thea Foss Waterway

Esplanade

There is a short section of esplanade on the east side of the Thea Foss Waterway located in the southeast area. The esplanade extends around the east side of the buildings, located at 1930 and 1940 East D Street, due to the nature of their business operations and public safety concerns.

Public Access Corridors to the Waterfront

The short section of esplanade leads to the water on the southern and northern sides of the existing business at 1930 and 1940 East D Street. There are four additional public access walkways to the waterfront on the east side of the Thea Foss Waterway, including a sidewalk adjacent to Thea Foss Landing, and three unpaved walkways: an asphalt and dirt path at the north end of 1616 leads to the shoreline, a portion of which is unimproved open space, and two gravel or dirt paths, one to the north and one to the south of the 11th Street Bridge leading to the shoreline.

Public Marine and Boating Access

One publicly owned marina, Delin Docks, located at 1616 East D Street provides public access to the waterfront. The Tacoma Youth Marine Center, a nonprofit organization, also provides public access to the waterfront for boating. There is public moorage adjacent to Johnny's Seafood at 1902 East D Street which is owned by the City of Tacoma. The City of Tacoma has public boating access just north of the 11th Street Bridge for the Fire Department.

There are two privately owned marinas and boating facilities on the east side of the Thea Foss Waterway: Thea Foss Landing and Johnny's Docks. These facilities do not provide any public access to the waterfront.

IV. Proposed Public Access Projects or Improvements

The following proposed projects for the west and east side of the Thea Foss Waterway are undergoing permit review or final planning efforts. These projects are consistent with the policies and goals outlined in the Thea Foss Waterway and Development Plan. The public stated support for many of the following proposals for the west and east side of the Thea Foss during the November 29, 2007, City of Tacoma Public Update Workshop of the Thea Foss Waterway Design and Development Plan. These projects are located on the Thea Foss Proposed Public Access Map 2.

A. West Side of the Thea Foss Waterway

Esplanade

1. **Extend esplanade-** A planned extension of the esplanade will run from just north of 21st Street alongside the Thea Foss Waterway, connecting to the new 21st Street Park at the southwest end of the Thea Foss (Foss Waterway Development Authority).
2. **New access corridors-** There are two proposed access corridors from Dock Street to the new segment of esplanade and proposed 21st Street Park located to the north and south of the 21st Street Bridge (Foss Waterway Development Authority).

Marine and Boating Access

The following projects provide for additional boating facilities for the public. During the November 29, 2007, public workshop many citizens voiced a desire for additional public facilities for nonmotorized boating. They cited that the southern end of the Thea Foss Waterway was an ideal location due to the lower elevation of the shoreline relative to the water level. This allows nonmotorized boats to be more easily put in and out of the water.

1. **16th Street Pier-** A public pier is proposed to be located adjacent to 1543 Dock Street (Foss Waterway Development Authority).
2. **21st Street Park-** A nonmotorized public boat launch is to be constructed at the new park (Foss Waterway Development Authority). Members of the public requested additional marine services & facilities for nonmotorized boating groups (Public comments on November 29, 2007).

B. East Side of the Thea Foss Waterway

Esplanade

1. **Extend esplanade-** There will be new extension of the existing esplanade that now ends just north of the 21st Street Bridge. The extension will run south through the new Waterway Park, that is to be developed on the southeast portion of the Thea Foss Waterway (Foss Waterway Development Authority).

2. **New section of esplanade-** There will be a new section of esplanade located adjacent to the shoreline to the west of the proposed Urban Waters development located at 326 East D Street (City of Tacoma-Shoreline Substantial Development Permit- SHR2007-40000105086).

Marine and Boating Access

1. **Waterway Park-** A nonmotorized public boat launch is to be constructed at the new park (Foss Waterway Development Authority). Members of the public requested this type of marine facility during the Thea Foss Plan Update Public Workshop held on November 29, 2007.

V. Future Opportunities for Public Access

The following list of proposals represent existing or potential opportunities for future projects that can increase public access to the waterfront and shoreline use and, therefore, are consistent with the goals and policies outlined in the Thea Foss Waterway and Development Plan. It is also noted below that some of these proposals were presented by members of the public during the November 29, 2007, City of Tacoma Thea Foss Waterway Design and Development Plan Public Update Workshop. Where a project listed below is specific enough to be identified, it is also included on the Thea Foss Proposed Public Access Map 2.

A. West Side of the Thea Foss Waterway

- **Repair esplanade infrastructure –**
 - (a) There is funding to improve the infrastructure for the walkway at the north boundary of 821 Dock Street so that it can be reopened for public use and access (Foss Waterway Development Authority).
 - (b) There is no existing funding to remediate the three areas of wooden walkway/esplanade, adjacent to the Thea Foss Harbor, that are closed due to failing infrastructure; these portions of walkway are likely to await improvements when the adjacent properties are redeveloped (Foss Waterway Development Authority).
- **Complete a continuous esplanade-** There is a gap in the planned continuous esplanade on the west side of the Thea Foss Waterway adjacent to two privately owned sites. When the owners propose redevelopment at 1147 Dock Street and 1179 Dock Street, this presents an opportunity to provide an esplanade adjacent to these sites (Foss Waterway Development Authority).
- **Pedestrian connections** at 11th Street and 15th Street should be improved to provide enhanced access and mobility between the commercial core and the Thea Foss Waterway Esplanade (Tacoma Comprehensive Plan, Destination Downtown).

- **Develop 9th Street corridor-** The public access corridor to the waterfront aligned with 9th Street has not been developed. When the property at 821 Dock Street is redeveloped, this corridor can be developed formally. TMC 13.10.110.H.1a states: *“View/access corridors shall be developed concurrent with improvements on adjacent development sites.”*
- **Construct new pedestrian overpass-** A secondary pedestrian overpass is planned over BNSF tracks and Dock Street connecting the Core Development Area with the Thea Foss Waterway; the agreement with BNSF provides for this overpass to be located on any of the following rights-of-way: East A, B, C, or D Street (Foss Waterway Development Authority and Tacoma Dome Area Plan, 2001, pg. 9). Citizens at the public workshop voiced safety concerns regarding existing public access across the BNSF railroad tracks to the waterfront; the proposal for an overpass would address those safety concerns.

Ferry terminal- A ferry terminal proposed just north of the 11th Street Bridge could be sited in the location of the three piers adjacent to the bridge, owned by Thea Foss Harbor (Dome to Defiance Report, 1988, pg. 7). *“Efforts to establish a pedestrian ferry service from Thea Foss Waterway to points on Puget Sound should be supported. The facility should be connected to the downtown via a convenient handicapped accessible (preferably mechanical) pedestrian connection,”* (Thea Foss Plan, pg 17) There has also been discussion of possible passenger-only ferry service in the south sound (connecting Gig Harbor, Tacoma, and Des Moines), and in the north sound (with potential service connecting Bellingham, the San Juan Islands, Island County, and other locations). Puget Sound Regional Council Regional Passenger-Only Ferry Study, May 2007 and public comments 11/29/07).

B. East Side of the Thea Foss Waterway

During the public workshop on November 29, 2007, the public requested increasing public access for pedestrians, bicycling, and boating to the shoreline on the east side of the Thea Foss Waterway. There is limited access at this time.

- **Create new public access points:**
 - (a) Some of the existing industrial use property south of Wheeler-Osgood may become available for redevelopment. This could provide an opportunity to include public access to the shoreline (Foss Waterway Development Authority). Provide public access to a possible new open space located on the southwestern tip of the Wheeler-Osgood Waterway (public comments 11/29/07);
 - (b) Use F Street as a public walkway to the end of the peninsula where D Street is incompatible, due to existing industrial uses (Public comments on November 29, 2007).
 - (c) There is informal access to the waterfront with a gravel and dirt path north and south of the 11th Street Bridge. This could be developed with an improved surface for better access (Foss Waterway Development Authority). For the northern access: *“Enhance the small plaza near the City of Tacoma fire station*

with seating and bicycle racks to provide a rest stop for bicyclists and boaters,”
(Thea Foss Plan, pg. 78).

- (d) Improve street ends along the east side of the Thea Foss and provide public access where it doesn't interfere with active industrial uses (Thea Foss Plan, pg. 77).
- **Create walkways/esplanade along the shoreline-** The Thea Foss Waterway Design and Development Plan requires that a public esplanade continue along the shoreline where it doesn't conflict with active industrial uses (pg. 77). During the Thea Foss Plan Update Public Workshop held on November 29, 2007, citizens said that a wide, paved esplanade may not be well-suited for the east side. The area adjacent to the Wheeler-Osgood has limited space due to the conservation area. Citizens urged creative options and definitions for public access (Public comments on November 29, 2007).
 - **Create additional open space on the east side of the Thea Foss Wheeler-Osgood Waterway –**
 - (a) Create a natural reserve or open space on the south side of the Wheeler-Osgood Waterway adjacent to the Thea Foss (Foss Waterway Development Authority and public comments 11/29/07).
 - (b) Provide a possible pedestrian linkage across the Wheeler-Osgood (Public comments on 11/29/07).
 - **15th Street street end-** Further develop the open space at this location due to the views and access to the shoreline.
 - **Improvements to D Street-** Upgrade the pedestrian amenities along D Street from the Tacoma Dome to Thea Foss Waterway, including sidewalks, signage, landscaping, and lighting (pg. 76- Thea Foss Plan).
 - **Improved rights-of-way-** Transportation and infrastructure on the Side of the Thea Foss Waterway are being evaluated as part of the East Thea Foss Waterway Transportation Corridor Study. This study may identify possible transportation solutions that will enable increased economic and public access opportunities, consistent with other planning efforts.
 - **Expansion of waterway-** There has been discussion of possibly daylighting the Wheeler-Osgood to connect to the Puyallup River; this could open up opportunities for expansion of habitat and environmental mitigation.

C. Connections between west and east side of the Thea Foss

1. **The 11th Street Bridge-** There was public support at the November 29, 2007, workshop to retain the bridge for its historic value and providing access between the west and east side. There was suggestion of a proposed trolley across the bridge. The funding for possible improvement or replacement is under discussion and has yet to be determined.

2. **Water taxis-** Provide water taxis for crossing the Thea Foss waterway and from the Thea Foss Waterway to Point Defiance Park (Public comments 11/29/07).
3. **Puget Sound Water Trail-** Make the Thea Foss Waterway part of the Puget Sound Water Trail (Public comments 11/29/07).

VI. Use Conflict Analysis

This section demonstrates where conflicts exist between competing public purposes designed to be protected by the Washington Shoreline Management Act (SMA). The SMA has three broad policy goals:

- Encourage water-dependent uses
- Protect shoreline natural resources
- Promote public access

In addition, each local Shoreline Master Program (SMP) must contain elements with goals and policies related to specific aspects of shorelines. The Tacoma SMP contains goals and policies and implementing regulations for the following:

- Conservation, Restoration, and Natural Environment Economic Development
- Historical, Cultural, Scientific, and Educational
- Public Access
- Circulation
- Recreation
- Unifying Design Elements
- Urban Design

Projects and activities seeking permit approval along the Thea Foss must comply with these goals, policies, and regulations. In the effort to address requirements for one element, a conflict may arise in attempting to comply with another element.

This conflict between the SMA goals and policies is evident in activities along the Thea Foss as demonstrated in the Land Use Analysis Study prepared by BST Associates dated November 4, 2008, the Tacoma Shoreline Master Program Inventory prepared by ESA Adolfson dated July 2007 and the description of existing public access described in Section III above. Moreover, plans exist to develop more water dependent uses (see BST report), identify locations for protection and restoration of shorelines (see Draft Tacoma Restoration Plan prepared by ESA Adolfson dated November 2008), and create more public access as described in Sections IV and V above.

When analyzing the nature of these conflicting goals it is important to recognize that the SMA does not create a priority between the broad policies and the elements of a

Shoreline Master Program. A key theme articulated in the Revised Code of Washington (RCW), Washington Administrative Code (WAC) and the SMA Guidelines, is the importance of finding a balance between these uses.

The WAC states the policy goals of the SMA “harbor potential for conflicts.” (WAC 173-26-176 (2)). The SMA calls for the accommodation of "all reasonable and appropriate uses" consistent with "protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life" and consistent with "public rights of navigation." The law recognizes that tensions exist trying to accommodate water dependent uses, public access, transportation corridors, and shoreline restoration.

The following section provides examples where conflicts exist within the Thea Foss Waterway S-8 Shoreline Designation in Tacoma. Following examples of conflicts are a series of approaches and recommendations about how to resolve some potential use conflicts.

A. Examples of Conflicts of Use - West Side of the Thea Foss Waterway

1. Visual and Public Access Corridors

As shown on Map 1, there are 14 view corridors identified along the west side of the Thea Foss Waterway. The intent for these corridors, identified in the Foss Plan, the official planning document adopted by the City of Tacoma to guide development within the S-8 Shoreline District, was to provide both visual and physical access to the water.

With new development along the Thea Foss, there are 4 of these corridors newly developed and 9 of the corridors are still undeveloped, though they provide access. One of the corridors, the 9th Street corridor retains visual access but does not have any physical public access from Dock Street to the shoreline.

Development proposals adjacent to these view corridors are reviewed by the Foss Waterway Public Development Authority (FWDA) who then makes recommendations to the City of Tacoma. The actual Shoreline Permits are issued by the City of Tacoma.

Conflicts have developed between what might be allowed under the code for design purposes and what is expected in order to provide public access. The Tacoma Municipal Code allows flexibility within the corridor for the types of uses, though not for width, that has led to construction of such uses as loading docks within the visual and public access corridor. This use is not always consistent with public access.

The conflict in this case is between providing public access and providing good urban design standards.

2. BNSF and Public Access Conflicts

There is a conflict of use between the present BNSF operations and public access at the south end of the Thea Foss Waterway. BNSF tracks parallel East Dock Street at the south end of the Thea Foss Waterway. Between A and D street, there is no safe way to cross the tracks with an at-grade crossing except for one small roadway where Dock Street intersects with East Dock Street.



Figure 1 South Thea Foss Waterway BNSF and Public Access Conflict
Source: govME Map Tacoma

The conflict in this instance is between public access and transportation needs.

B. Examples of Conflicts of Use - East Side of the Thea Foss Waterway

1. Industrial Uses and Public Access

On the east side of the Thea Foss, the Tacoma Municipal Code allows for the continuance of industrial uses that existed on January 1, 1996, with the ability to expand, repair, or replace existing structures with some limitations. As the private businesses and industries on the east side of the Thea Foss are redeveloped, this provides opportunities for creating further public access to the waterfront and additional open space. The Thea Foss Waterway Design and Development Plan states:

“Existing industrial uses should be encouraged, but not required, to provide public access to the shoreline. New development should integrate public

access to the shoreline in the form of a continuous esplanade along the water's edge as development incorporates new uses." Except where unavoidable safety hazards and use conflicts exist, a continuous esplanade along the water's edge should be required of all uses." (pg. 74) "Develop alternative public access mitigation, such as, viewpoints, plazas and bicycle stops where conflicts exist." (pg. 75)

An example of this potential conflict of use was articulated during the Thea Foss Plan Update Public workshop held on November 29, 2007. Several members of the public expressed a desire to have an esplanade on the east side of the Thea Foss Waterway, especially at the northern tip adjacent to the tank farms. However, in order to provide the esplanade to address public access, there would be a conflict between industrial and public uses.

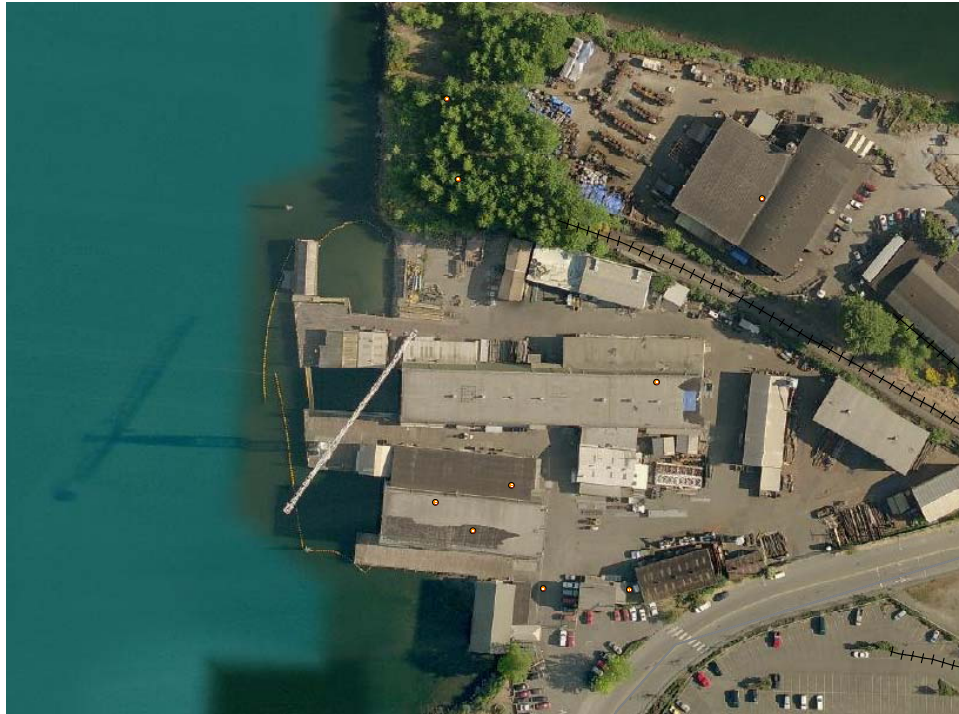


Figure 2 Existing Industrial Site - East Thea Foss Waterway
Source: govME Map Tacoma

The conflict here is between protecting water dependent industrial uses and providing public access.

2. Transportation Infrastructure

The existing transportation infrastructure along the East Thea Foss Waterway provides conflict of use for safe public pedestrian and bicycling access. Some of the challenges

include: lack of sidewalks, railroad tracks, and general transportation circulation for businesses and industries.



Figure 3 East Thea Foss Transportation Systems Conflict with Public Access
Source: govME Map Tacoma

The conflict under these circumstances is between providing efficient transportation networks and safe public access.

3. Wheeler-Osgood Waterway as Restoration Site or Public Access

Potentially competing use interests exist in the Wheeler-Osgood Waterway as environmental remediation begins to take place. There are groups interested habitat improvements and others focused on public access. There is some potential for conflict of use between the desired habitat restoration and public access.

The Thea Foss Design and Development Plan states: *“Emphasize the natural qualities of the Wheeler-Osgood Waterway in developing landscaping treatment near the shoreline. Restore the shoreline edge to a natural condition where possible.”* (pg. 77) The Plan also states: *“Encourage future developments around the Wheeler/Osgood Waterway to take advantage of views of the City and Thea Foss Waterway. Such development should provide public access that is well signed and accessible from the street.”* (pg. 79)

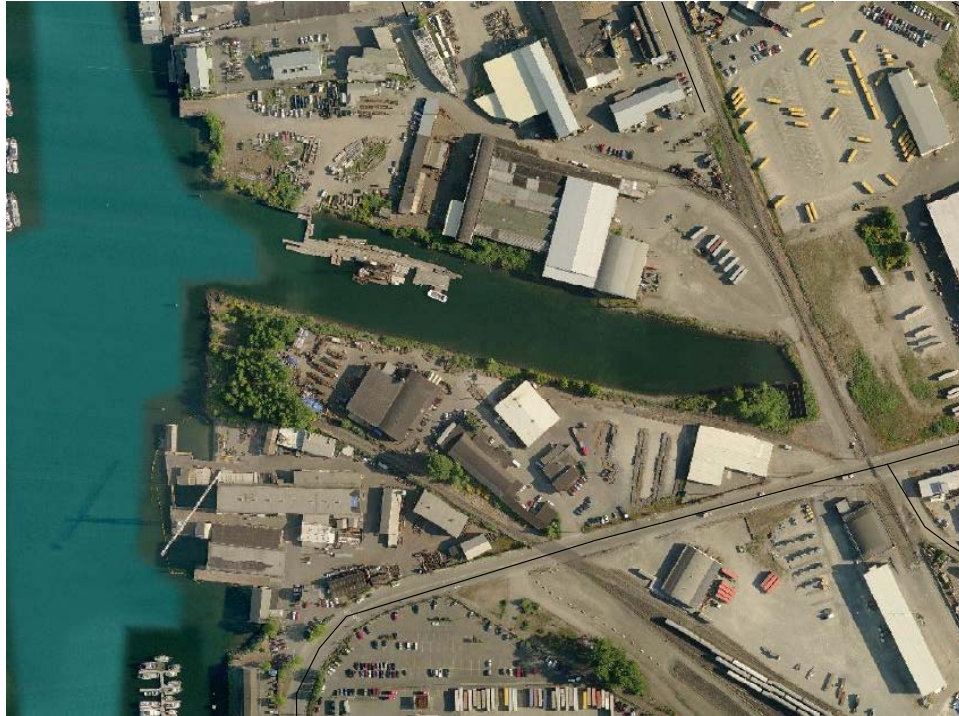


Figure 4 Wheeler-Osgood Waterway
Source: govME Map Tacoma

In this case, the conflict arises between providing protection of the natural environment and providing public access.

4. Environmental Clean Up along East Side of Thea Foss Waterway

The City of Tacoma completed its remedial actions to clean up the Thea Foss and Wheeler Osgood Waterways and then established an Institutional Controls Plan to guide future development within the waterways. This Institutional Controls Plan provides certain guidelines that may conflict with provisions of public access along the Thea Foss Waterway. There are requirements pertaining to excavation and surface treatment such as whether a walkway should be paved or can remain dirt or gravel.

In these circumstances the need for ensuring public safety may conflict with public access.



Figure 5 Environmental Clean Up along East Thea Foss Waterway
Source: govME Map Tacoma

C. Example of Public Access and Industrial Land

As a model for creating public access throughout a diverse urban area, we can look to Boston Massachusetts and its “Harborwalk.” In 1984, the Boston Redevelopment Authority joined with community groups, the Harborpark Advisory Committee, and The Boston Harbor Association, to revitalize Boston's waterfront. The project includes a continuous public walkway along the water's edge that, when completed, will stretch 46.9 linear miles along wharves, piers, bridges, beaches, and shoreline from Chelsea Creek to the Neponset River.

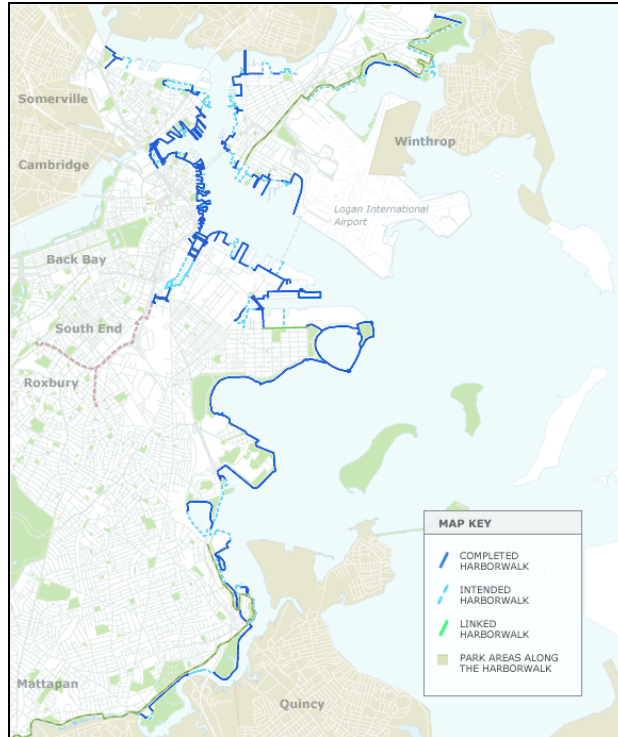


Figure 6 Map of Boston Harborwalk

An example of this cooperative use is the Navy Fuel Pier. This park is located between the East Boston Shipyard and the Jeffries Yacht Club near the Logan airport developed by Massachusetts Port Authority.



Figure 7 Navy Pier Public Access Boston, MA

Another example of public access incorporated into an industrial site is the remodeled Coastal Cement Company facility in South Boston. Public access requirements were imposed upon this industrial facility. Designers created a pocket park adjacent to the facility.

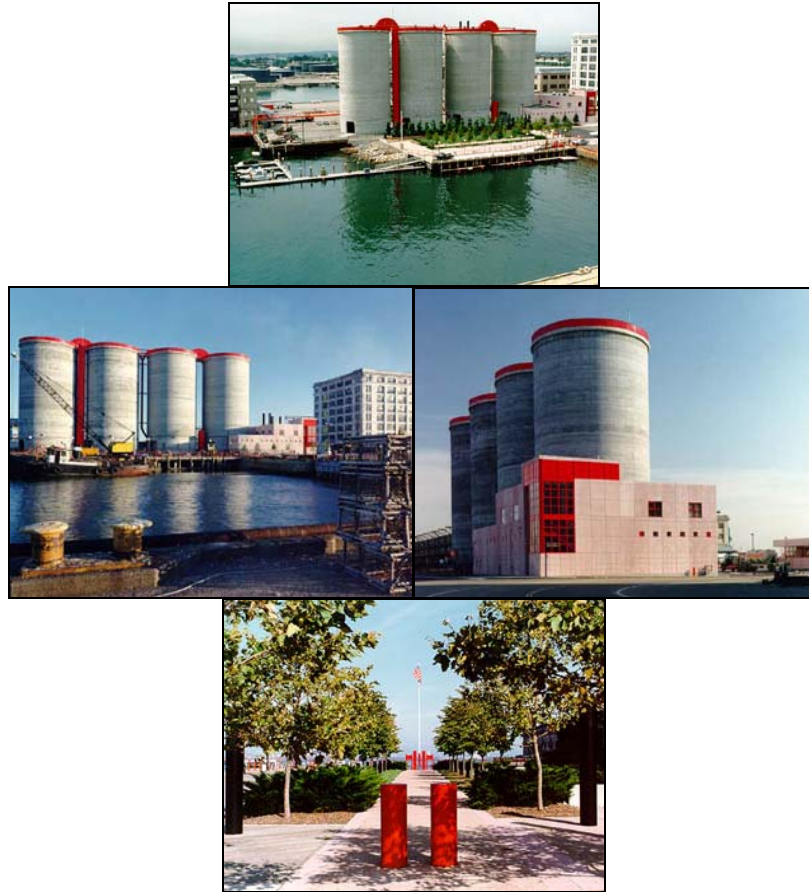


Figure 8 Coastal Cement Company Public Access Boston

D. Recommendations

These examples illustrate some of the tensions that arise between different types of uses along the Thea Foss Waterway. When new permit applications are received by the City of Tacoma for review under the Shoreline Master Program, these conflicts need to be resolved.

These conflicting uses can be addressed as part of the Shoreline Master Program Update for the City of Tacoma. A few suggestions include:

1. Engage in a planning exercise with the community for East Thea Foss to identify how to include public access, restoration and industrial uses.
 - a. Use available information about Existing Land Uses, Proposed Land Uses, Restoration Sites, and Critical Area Maps.
 - b. Use information developed at Thea Foss Public Workshop in November 2007 where public access, types of land uses, and habitat information was collected.
 - c. Incorporate information from East Thea Foss Waterway Transportation Study.

2. Revise Element Goals and Policies to Reflect Potential Conflicts.
3. Specifically Address Potential Conflicts in Update to the Thea Foss Waterway Design and development plan
 - a. Include development policies
 - b. Provide examples
4. Develop Resources for Integrating Conflict Uses along the Thea Foss Waterway such as:
 - a. Habitat and public access
 - b. Industrial uses and public access
 - c. Railroad crossings and public access

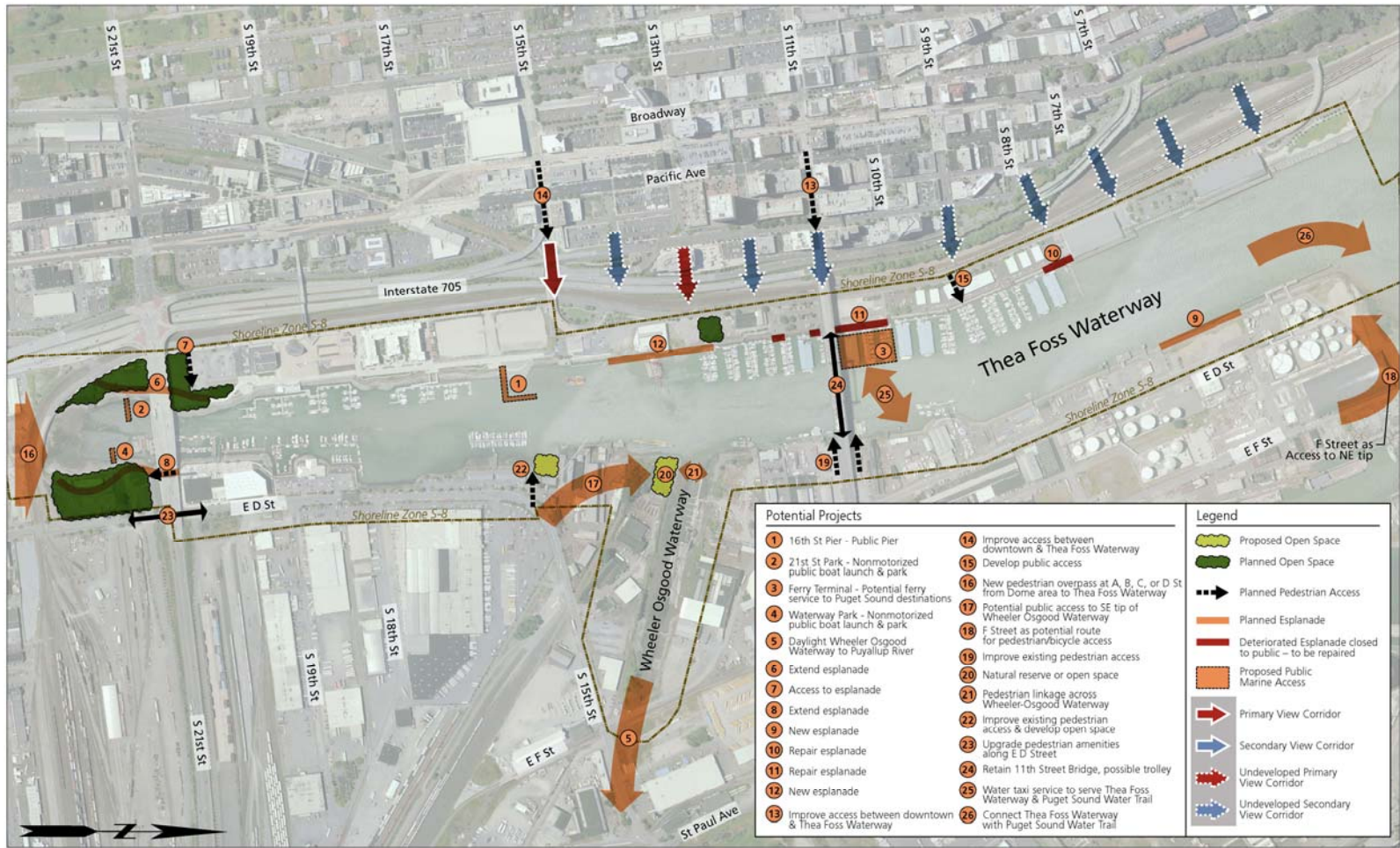
As projects develop along the Thea Foss Waterway the City of Tacoma has the ability to show how to balance the three primary principals of the SMA: ensuring land for water dependent uses, protecting natural habitat, and providing for public access. Engaging in a thorough planning process now will ensure the right balance of these interests as projects move forward and permits are evaluated. The updated Tacoma Shoreline Master Program and Thea Foss Waterway Design and Development Plan will become the template for developing creative solutions to ensure a proper balance of interests.



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S8 – Thea Foss Waterway Existing Public Access Map 1

Figure 9 Thea Foss Waterway Existing Public Access



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S8 – Thea Foss Waterway Potential Public Access Map 2

Figure 10 Thea Foss Waterway Potential Public Access