

Members

Mark McIntire, *Chair*
Bret Maddox, S.E., *Vice Chair*
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Ken House
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Marshall McClintock, North Slope Ex-Officio

Staff

Reuben McKnight, Historic Preservation Officer



Agenda

Landmarks Preservation Commission Community & Economic Development Department

Date: February 9, 2011
Location: 728 St. Helens, Tacoma Municipal Bldg North, Room 16
Time: 5:00 p.m.

LPC127/10

Please note assigned times are approximate. The Chair reserves the right to alter the order of the agenda.

1. ROLL CALL

2. CONSENT AGENDA

A. Excusal of Absences

3. DESIGN REVIEW

A. 100 S 9th Street – Bowes Building <i>Cell antenna equipment</i>	Thomas Johnson	10 m
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4. BOARD BRIEFING

A. Prairie Line Trail <i>Project Briefing</i>	Diane Wiatr	15 m
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5. BOARD BUSINESS/PRESERVATION PLANNING

A. OLD TOWN HISTORIC SPECIAL REVIEW DISTRICT (PROPOSED) Review District Significance and Landmarks Designation Criteria <i>Guidance and Direction</i>	Staff	20 m
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B. Annual calendar

- i. Establish Preservation Month activities committee
- ii. Begin Awards Nomination Process

Reuben McKnight
Historic Preservation Officer

Next Regular Meeting: February 23, 2011 Tacoma Municipal Bldg. North, Rm. 16 5:00 p.m.

This agenda is for public notice purposes only. Complete applications are included in the Landmarks Preservation Commission records available to the public BY APPOINTMENT at 747 Market Street, Room 1036. All meetings of the Landmarks Preservation Commission are open to the public. Oral and/or written comments are welcome.

747 Market Street, Room 1036 · Tacoma, WA · 98402 · Phone (253) 591-5200 · Fax (253) 591-2002
www.tacomaculture.org



The Tacoma Landmarks Preservation Commission does not discriminate on the basis of handicap in any of its programs or services. Upon request, special accommodations will be provided within five (5) business days. Contact 591-5365 (voice) or 591-5153 (TTY).



STAFF REPORT

LPC 6/11
February 9, 2011

DESIGN REVIEW

AGENDA ITEM 3A: 100 South Ninth (Bowes Building)

Thomas Johnson, Technology International Corporation

BACKGROUND

The Bowes Building is listed on the Tacoma, Washington State, and National Registers of Historic Places. The building is located on the southwest corner of 9th and A Streets across from the southern boundary of the Old City Hall Historic District and the Totem Pole landmark at Firemen's Park.

An application to install cellular equipment onto the rooftop was denied by the Commission in August 2008 due to concerns about adverse effects to the building's strong massing, detailed parapet, and views. A briefing on a new proposal that considered the Commission's previous concerns was presented on January 12, 2011.

Commission comments on the most recent proposal included the following:

- 1) Submit photo simulations of the proposal to show sight lines from the street;
- 2) Submit design plans, showing the dimensions more clearly than the plans presented on 01/12/11;
- 3) There was concern with visibility (of the proposed rooftop equipment) from uphill elevations;
- 4) Recommended not more than six antennas (versus the nine shown in the January design plans and 12 in 2008);
- 5) Recommended the plan for new equipment be as minimal in design as possible and without faux chimney or screening equipment.

The Applicant submitted the current proposal addressing the above comments. Please note that the copies of the design plan are included with the Commission packets. The original plans will be presented at the Commission meeting; the original design plans will be more clear to show the dimensions of the building and proposed equipment.

STANDARDS

Secretary of Interior's Standards for Rehabilitation

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

ANALYSIS

1. The Bowes Building is historically significant. Built in 1907, the building at 100 South 9th is a significant example of Beaux Arts Architecture, and was designed by prominent Tacoma architect Fredrick Heath. It is listed on the Tacoma, Washington and National Registers of Historic Places.

2. The location and setting of the Bowes Building is also historically significant. It lies across the street from the Old City Hall Historic District, which is also listed on the Tacoma, Washington, and National Registers of Historic Places.
3. The Landmarks Preservation Commission has jurisdiction to review and approve, or not approve, changes to this building per TMC 13.07.095, prior to those changes being made, by virtue of its status as a City Landmark.
4. The addition of cellular equipment will impact the view of the Bowes Building. The existing rooftop equipment is also visible from the pedestrian level at that location.
5. The location was selected on the basis of a defined area based on the targeted area for increased signal capacity and building owners who are willing to enter into a lease with the cellular company.
6. On August 27, 2008, the Commission denied the application to install 12 cellular antennas on the building, based on the concerns of adverse effects to the building's strong massing, detailed parapet, and views.
7. The primary views of the building are intact; the new proposal considers the proposed equipment's visibility, massing, and detailed parapet. This proposal reduces the number of antennas to six from twelve; the 2008 proposal included mounting GPS antennas to the inner parapet wall and the current proposal does not mount any equipment to historic elements; and the equipment can be removed without altering historic fabric.
8. The parapet is one of the main character defining features of the building and is described in the nomination. The location and attachment of the antenna and equipment will not alter historic features on the building as the equipment will be installed onto the rooftop and the number of antennas was reduced in half, which may meet the *Secretary of Interior's Standard for Rehabilitation Standard #2*, for, "...The...alteration of features and spaces that characterize a property shall be avoided".
9. The Commission previously had concerns regarding the compatibility of the antennas with the historic scale, proportion and massing of the building. In the current application, the reduction in the amount of proposed antennas by half, with no mounting of equipment onto historic features, and equipment that can be removed easily without damage to any character defining features, appears to lessen the impact on the property.
10. An original set of design plans will be presented at the Commission meeting to show more clear dimensions than the copies submitted in the meeting packets.

RECOMMENDATION

Staff recommends adoption of the above analysis as findings, and defers recommendation to the Commission.

BOARD BRIEFINGS

AGENDA ITEM 4A: Prairie Line Trail

Diane Wiatr, CEDD

BACKGROUND

The Prairie Line Trail is a new pedestrian and bicycle path planned to be developed along the historic BNSF corridor in downtown Tacoma. The trail is located between So. 25th and So. 17th just west of C St. and travels through the UWT campus. At 17th it crosses Pacific Avenue and travels down Hood St. adjacent to the Tacoma Art Museum and down to the Foss Esplanade. The Prairie Line Trail is just over a mile long, but will be a significant part of a regional trail network as well as the heart of Tacoma's trail system.

On January 12, 2010, the Commission received a briefing on the "Hood Street Corridor" project, which is the designation used by UWT for the portion of the Prairie Line Trail that crosses the university campus.

The Prairie Line Trail alignment is located along the western termination of the transcontinental railroad and marks the development of Tacoma as a city. The City is in the initial planning phase for the design of the City-owned/developed portions, and wants to be sensitive to the historic and cultural shifts that the railroad precipitated.

The railroad could be commemorated in a number of ways: by reference, art, historic markers, trail alignment, etc. This presentation to the Landmarks Commission is intended to provide an overview of the project scope, schedule and timeline, and to solicit direction from the Commission regarding considerations for preservation in the planning and design process as the City moves forward.

BOARD BUSINESS

AGENDA ITEM 5A: Old Town Historic District

Staff

BACKGROUND

On September 15, 2009, residents of the “Old Town” Neighborhood submitted a written request for consideration of the neighborhood as a historic special review district overlay zone. The proposed area extends roughly from N 31st Street, south along N Junett Street to North 29th Street, west to N Carr Street, south along Carr Street (including both sides of Carr) to Yakima. The southern boundary continues west along Tacoma Avenue N to North 11th Street, and then returns north to North 30th Street. The nomination specifically excludes the business district and C2 commercial zone from inclusion in the district.

(Please note: the draft nomination is posted online at <http://tacomaculture.org/historic/resources.asp> in the 12/8/10 Application Packet).

On December 8, 2010, the Commission adopted the tentative review schedule (Figure 1). The purpose of today’s board discussion is to consider the statement of significance submitted with the nomination paperwork, to receive feedback on the content of the nomination documentation, requests for additional information, review the criteria for significance for historic districts according to TMC 13.07, and, if appropriate, to accept the significance statement or provide direction for further work.

Figure 1

Date	Items	Action
12/08/10	<ul style="list-style-type: none"> Introduction of Nomination Request Staff report on review schedule 	Guidance and direction
01/12/11	<ul style="list-style-type: none"> Adoption/modification of review schedule Approve public notice of nomination and review schedule 	Approval
02/09/11	<ul style="list-style-type: none"> Review District Significance and Landmarks Designation Criteria 	Guidance and direction
02/23/11	<ul style="list-style-type: none"> Tour of Old Town 	Information
03/09/11	<ul style="list-style-type: none"> Review proposed district boundaries and contributing buildings inventory 	Guidance and direction
03/23/11	<ul style="list-style-type: none"> Public Information Session (after regular Commission meeting) 	None
04/13/11	<ul style="list-style-type: none"> Review of proposed regulations and design guidelines 	Guidance and direction
04/27/11	<ul style="list-style-type: none"> Public Information Session (after regular Commission 	None

	meeting)	
05/11/11	<ul style="list-style-type: none"> • Presentation of proposed recommendations 	Guidance and direction, Approve for public distribution, Set Hearing Date.
06/22/11	<ul style="list-style-type: none"> • Public Hearing on Recommendations 	None
07/27/11	<ul style="list-style-type: none"> • Staff Issues/Observations • Findings and Recommendations • Final recommendation to Planning Commission 	Adoption of Findings and recommendation

STANDARDS

The Landmarks Preservation Commission reviews new Historic Districts against the criteria established in TMC 13.07.040, which states that a proposed district must:

- Be associated with events that have made a significant contribution to the broad patterns of our history; or
- Be associated with the lives of persons significant in our past; or
- Embody the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
- Have yielded or may be likely to yield, information important in prehistory or history; or
- Be part of, adjacent to, or related to an existing or proposed historic district, square, park, or other distinctive area which should be redeveloped or preserved according to a plan based on a historic, cultural, or architectural motif; or
- Owing to its unique location or singular physical characteristics, represent an established and familiar visual feature of the neighborhood or City.

In addition, special criteria for the designation of historic districts also include:

- The area must contain a concentration of structures having a special character or special historic, cultural, architectural, engineering, or geographic interest or value as defined by the eight criteria above; and
- The area must be a distinct section of the City.

ANALYSIS

- The area must be a distinct section of the City. The Old Town Neighborhood is defined by being the oldest neighborhood in the City, which includes the areas from N 31st Street, south along N Junett Street to North 29th Street, west to N Carr Street, south along Carr Street (including both sides of Carr) to Yakima. The southern boundary continues west along Tacoma Avenue N to North 11th Street, and then returns north to North 30th Street.

Topography defines the historical development pattern in Old Town. The area was originally platted close to the shoreline, extending from the shoreline south to North 28th Street, and confined between Buckley and Garfield Gulches to the west and east, respectively.

- The area must contain a concentration of structures having a special character or special historic, cultural, architectural, engineering, or geographic interest or value as defined by the six designation criteria above.

The nomination form included with the nomination uses designation criteria that were replaced during an ordinance revision in 2008. The narrative, however, addresses the current designation criteria, specifically noting A and F. Staff has also included additional criteria that appear to apply to the Old Town nomination.

- Criterion A: Be associated with events that have made a significant contribution to the broad patterns of our history.

Some of the first development in the Tacoma occurred in Old Town in anticipation of the coming of the Western Terminus of the Northern Pacific Railroad. Job Carr, a Civil War veteran, began scouting sites in Puget Sound in 1864, and eventually was joined by civic booster Morton McCarver. The events leading to the establishment of Old Town not only are illustrative of the early history of Puget Sound, but also of the gradual opening of the west due to federal policies.

Old Town was the site of Tacoma's first industry (Tacoma Mill Company), wharves, school and church (St Peter's Episcopal) and, in 1883, the first hospital.

Old Town's population also reflected patterns in immigration. The area served as a center for the first Croatian immigrants, including boatbuilders who supplied the fishing industry. Many of these families still live in the area, and some, such as Martinac Industries, are well established Tacoma businesses.

- Criterion C: Embody the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction.

The district is an intact historic residential district that retains many of the visual and architectural characteristics that reflect its development history. Most of the earliest homes reflect vernacular architectural forms and are simple one or one and a half story gabled buildings with horizontal wood siding. Many of these homes still exist. There are a few homes designed by prominent architects within the district. Later development is influenced by generalized residential styles, including Italianate style, Dutch Colonial, Craftsman, and common forms such as Foursquare. In general, the majority of development in Old Town was concluded by the end of WW2, although there are a number of modernist homes from later periods.

Prominent architects who designed homes in the area included Earl Dugan, George Turst, K. Lockwood Squire, Ambrose J Russell and Frederick Heath, Stanley T. Shaw, Alan C. Liddle, George W. Bullard, Arnott Woodroffe and Arnold Constable, Carl August Darmer, and George W. Bullard and Irwyn H. Hill. Curtis A. Beals was not an architect but designed the duplex on McCarver St.

- Criterion F: Owing to its unique location or singular physical characteristics, represent an established and familiar visual feature of the neighborhood or City.

The geography of the Old Town area, defined by the gentle northern slope, shoreline, and gulches to the east and west, is unique within the City of Tacoma and directly reflective of the developmental history of the area. In addition, it possesses a developmental scale that is also unique. However, this is a difficult criterion to evaluate on a district wide basis, since to some degree all neighborhoods possess individual character that sets them apart from their surroundings; this is one way that neighborhoods become defined over time. Much of the evidence supporting the use of Criterion F is addressed in A and C.

RECOMMENDATION

This analysis is offered for guidance and discussion. Staff seeks any input from the Commission, including questions, concerns or requests for clarification, regarding the significance statements contained in the nomination document.

AGENDA ITEM 5B: Annual Calendar

According to the annual calendar outlined in the Commission's Rules and Regulations, the Preservation Month activities committee will be established at the first meeting in January of each year. The purpose of the committee will be to recommend activities and the annual awards for Preservation Month which is in May. The committee is scheduled to provide an Awards Nomination and Preservation Month Activities Update to the full Commission at the second meeting in February with the final awards' selection and activities review at the first meeting in April.

COMMUNICATION ITEMS/ITEMS OF INTEREST

Comprehensive Plan Annual Amendment #2011-02: Historic Preservation Plan and Regulatory Code Text Changes

Creating a Public Development Authority – memorandum to City Council January 18, 2011

PENDING AGENDA ITEMS

- | | |
|-------------------|---|
| February 23, 2011 | Old Town: Field Visit by Commission |
| March 9, 2011 | Public Hearing - Semple Residence (3419 N 27 th Street)
Old Town: Review proposed district boundaries and contributing buildings inventory
Awards Nomination and Preservation Month Activities Updates |
| March 23, 2011 | Old Town: Public Information Session (after regular Commission meeting) |

The original design plans will be presented at 02/09/2011 LPC, to show clear dimensions.

January 20th, 2011

Landmarks Coordinator, City of Tacoma
Attn: Tonie Cook
Community and Economic Development Department (C.E.D.)
747 Market Street Room 1036
Tacoma, WA 98402

RE: TAC Wheeler – Verizon Wireless Revised Antenna Design – Response to January 12th Meeting

Ms. Cook,

I am pleased to enclose additional information regarding Verizon's proposed communications facility at 100 South 9th Street in Tacoma. Per the January 12th meeting in Tacoma, I am submitting the following additional documentation:

- Clear schematic of proposed facility
- Photo-simulations

Antennas will be located in two separate locations on the roof: (2) antennas will face west; (2) antennas will face north; and (2) antennas will face south. The north and west antennas will have a total height of 48' above ground level and the south antennas will have a total height of 52' above ground level. All other equipment will remain as proposed. All equipment heights are consistent with the original application submitted in 2008.

Should you have any questions or concerns, please don't hesitate to contact me.

Sincerely,



Tom Johnson
On Behalf of Verizon Wireless



TAC WHEELER

TACOMA, WASHINGTON 98402

SITE OWNER:
 BOWES BUILDING LLC.SHUAB PROPERTIES
 100 S 9TH STREET
 TACOMA, WASHINGTON 98402

APPLICANTS:
 SEATTLE SMSA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS
 15900 S.E. EASTGATE WAY
 BELLEVUE, WA 98008

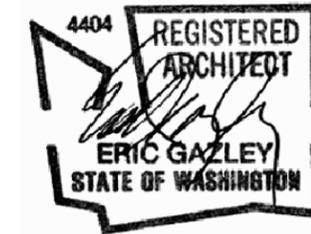
SITE DEVELOPMENT & PERMITTING:
 TECHNOLOGY ASSOCIATES
 6 CENTERPOINTE DRIVE, SUITE 420
 LAKE OSWEGO, OR 97035
 OFFICE: (503) 549-0001 x4019
 CONTACT: BEN FREEMAN

CONSTRUCTION MANAGEMENT

VERIZON WIRELESS
 15900 S.E. EASTGATE WAY
 BELLEVUE, WA 98008
 OFFICE: (206) 402-1673
 CONTACT: ED STEWART

ARCHITECT:

GAZLEY PLOWMAN ARCHITECTS
 2701 NW VAUGHN, SUITE 764
 PORTLAND, OR 97210
 OFFICE: (503) 274-7800
 FAX: (503) 274-7803
 CONTACT: BRANDON DOLE X239



SURVEYOR:

FINLEY ENGINEERING COMPANY, INC.
 1800 NW 169TH PL
 BEAVERTON, OR 97006
 OFFICE: (503) 466-9460
 FAX: (503) 466-9979
 CONTACT: MARK R. HEIDECKE, P.L.S.

ELECTRICAL ENGINEER:

R&W ENGINEERING
 9615 SW ALLEN BLVD., STE 107
 BEAVERTON, OR 97005
 OFFICE: (503) 292-6000
 FAX: (503) 703-5455
 CONTACT: GREG ROBERTSON

TELEPHONE CO.

QWEST COMMUNICATIONS
 OFFICE: (253) 597-5282
 CONTACT: MIKE RICHERT

POWER CO.

TACOMA PUD
 OFFICE: (253) 502-8306
 CONTACT: RICH BARRUTIA

STRUCTURAL ENGINEER:

CORNERSTONE ENGINEERING, INC.
 14201 N.E. 200TH STREET STE.
 WOODENVILLE, WA. 98072
 OFFICE: (425) 467-1732
 FAX: (425) 487-1734
 CONTACT: MARK OLSON



Technology Associates
 International Corporation

Drawings Produced By:



2701 NW Vaughn
 Suite 764
 Portland, Or. 97210
 503 274 7800
 503 274 7803 Fax



No.	Date By	Revisions
09/17/07	EK	JURISDIC. COMMENT
09/17/07	EK	ADDITION OF ROOF HATCH
06/24/08	DAH	REVISED ANTENNA
08/07/08	CK	REVISED ANTENNA
11/03/08	BD	STEALTH CHIMNEY
10/02/11	EK	CD FINAL

File no.	10-135
Date	02/02/11
Designed by	JLK
Drawn by	CK
Checked by	DAH
Approved by	SMNP

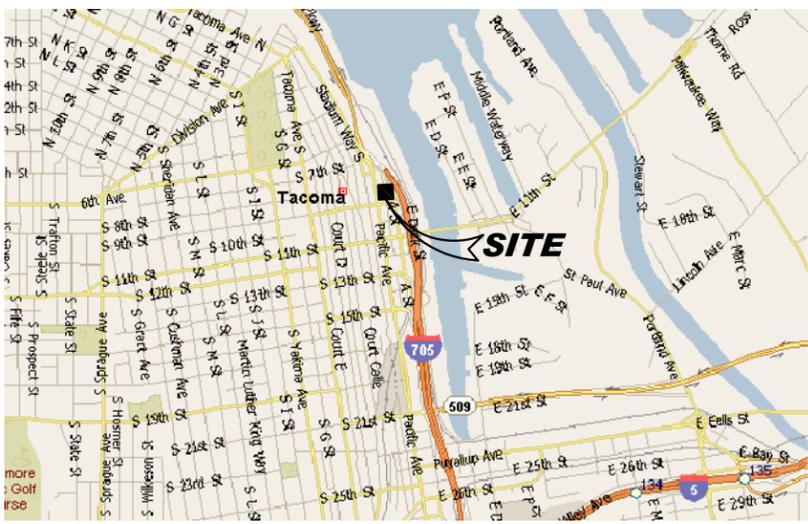
Date issued : 07/08/08
 Date issued for Zoning Permit : 02/02/11
 Date issued for Building Permit :
 Date issued for Bid :
 Date issued for Construction :

Project title :
TAC WHEELER
 TAX LOT# 2009020010
 100 S 9TH STREET
 TACOMA, WASHINGTON 98402

Sheet title :
TITLE SHEET

Sheet no. :
T1.0

LEGAL DESCRIPTION



- DRIVING DIRECTIONS:**
- 1: START OUT GOING NORTHWEST ON SE EASTGATE WAY TOWARD 158TH AVE SE. 0.1 MILES
 - 2: MERGE ONTO I-90 W VIA THE RAMP ON THE LEFT TOWARD SEATTLE. 1.3 MILES
 - 3: MERGE ONTO I-405 S VIA EXIT 10 TOWARD RENTON / TACOMA. 11.4 MILES
 - 4: I-405 S BECOMES WA-518 W. <0.1 MILES
 - 5: MERGE ONTO I-5 S TOWARD PORTLAND. 20.6 MILES
 - 6: MERGE ONTO I-705 N VIA EXIT 133 TOWARD CITY CENTER. 0.8 MILES
 - 7: TAKE THE A ST. EXIT ON THE LEFT TOWARD WA-509 N / CITY CENTER. 0.4 MILES
 - 8: STAY STRAIGHT TO GO ONTO A ST. 0.3 MILES
 - 9: END AT 100 S 9TH ST, TACOMA, WA 98402-5102, US



SITE ADDRESS:

100 S 9TH STREET
 TACOMA, WASHINGTON 98402

LAT: 47° 15' 19.49"
 LONG: 122° 26' 16.75"
 GROUND ELEVATION: 112' AMSL
 OVERALL HEIGHT: 151.5'

JURISDICTION:

CITY OF TACOMA

ZONING:

DCC DOWNTOWN COMMERCIAL CORE

OCCUPANCY:

N/A

CONSTRUCTION TYPE:

TYPE II

AREA CALCULATIONS:

SITE INFORMATION

TOWER SETBACKS
 FRONT: N/A REAR: N/A
 SIDE: N/A OTHER: N/A

BUILDING SETBACKS
 FRONT: N/A REAR: N/A
 SIDE: N/A OTHER: N/A

HEIGHT LIMITS NONE
 PROPOSED LEASED AREA: APPROX. 324 SQ. FT

PROJECT NUMBER:

N/A

LOCATION CODE:

N/A

ADA COMPLIANCE:

THE FACILITY IS UNSTAFFED AND UNOCCUPIED

PROJECT SUMMARY:

THE PROJECT CONSISTS OF THE INSTALLATION AND OPERATION OF NEW ANTENNAS AND EQUIPMENT ON AN EXISTING ROOFTOP.

- T1.0 TITLE SHEET
- T2.0 GENERAL NOTES, LEGEND, & ABBREVIATIONS
- A1.0 OVERALL SITE PLAN
 - A1.1 ENLARGED SITE PLAN
 - A1.2 ROOF PLANS
 - A1.3 ROOF ACCESS HATCH SECTION & PLAN
- A2.0 BUILDING ELEVATION
 - A2.1 BUILDING ELEVATIONS
 - A2.2 LINE OF SIGHT DIAGRAM
- A3.0 CONSTRUCTION DETAILS
 - A3.1 CONSTRUCTION DETAILS
 - A3.2 CONSTRUCTION DETAILS
- S1.0 STRUCTURAL NOTES AND ROOF PLAN
- S2.0 STRUCTURAL DETAILS
- S3.0 STRUCTURAL DETAILS
- E1.0 LEGENDS & UTILITY CONTACTS
- E2.0 GENERAL NOTES
- E3.0 OVERALL SITE PLAN
- E4.0 PARTIAL BASEMENT POWER PLAN
- E5.0 PARTIAL 1ST FLOOR POWER PLAN
- E6.0 PARTIAL 2ND FLOOR POWER PLAN
- E7.0 PARTIAL 3RD FLOOR POWER PLAN
- E8.0 PARTIAL ROOF POWER PLAN - WEST
- E9.0 PARTIAL ROOF POWER PLAN - EAST
- E10.0 SHEET NOTES CONTINUED
- E11.0 OVERALL SITE PLAN
- E12.0 EQUIPMENT AREA GROUND PLAN
- E13.0 SHEET NOTES CONTINUED
- E14.0 PANEL SCHEDULE
- E15.0 ONE LINE DIAGRAM
- E16.0 H-FRAME DETAILS
- E17.0 DETAILS
 - P1.0 PARTIAL BASEMENT PLUMBING
 - P2.0 PARTIAL 1ST FLOOR PLUMBING
 - P3.0 PARTIAL 2ND FLOOR PLUMBING
 - P4.0 PARTIAL 3RD FLOOR PLUMBING
 - P5.0 PARTIAL ROOF PLUMBING - WEST
 - P6.0 PARTIAL ROOF PLUMBING - EAST

SHEET INDEX

TITLE	SIGNATURE	DATE
RF ENGINEER		
PROJECT MANAGER		
SITE ACQUISITION		
ZONING CONTACT		
PROPERTY OWNER		

VICINITY MAP

PROJECT SUMMARY

APPROVALS

PROJECT TEAM



Technology Associates
International Corporation

Drawings Produced By:

GAZLEY
PLOWMAN
ARCHITECTS
2701 NW Vaughn
Suite 764
Portland, Or. 97210
503 274 7800
503 274 7803 Fax



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Drawn by CK
Checked by DAH
Approved by SMNP

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TAX LOT# 2009020010
100 S 9TH STREET
TACOMA, WASHINGTON 98402

Sheet title :
OVERALL SITE PLAN

Sheet no. : **A1.0**

ADJACENT ZONING
ZONE: DCC (DOWNTOWN COMMERICAL CORE)
JURISDICTION: CITY OF TACOMA

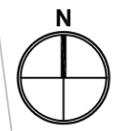
PARENT ZONING
PARCEL #: 2009020010
ZONE: DCC (DOWNTOWN COMMERICAL CORE)
JURISDICTION: CITY OF TACOMA

ADJACENT ZONING
ZONE: DCC (DOWNTOWN COMMERICAL CORE)
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ZONE: DCC (DOWNTOWN COMMERICAL CORE)
JURISDICTION: CITY OF TACOMA





verizon wireless

Technology Associates International Corporation

Drawings Produced By:

GAZLEY PLOWMAN ARCHITECTS

2701 NW Vaughn Suite 764 Portland, Or. 97210 503 274 7800 503 274 7803 Fax



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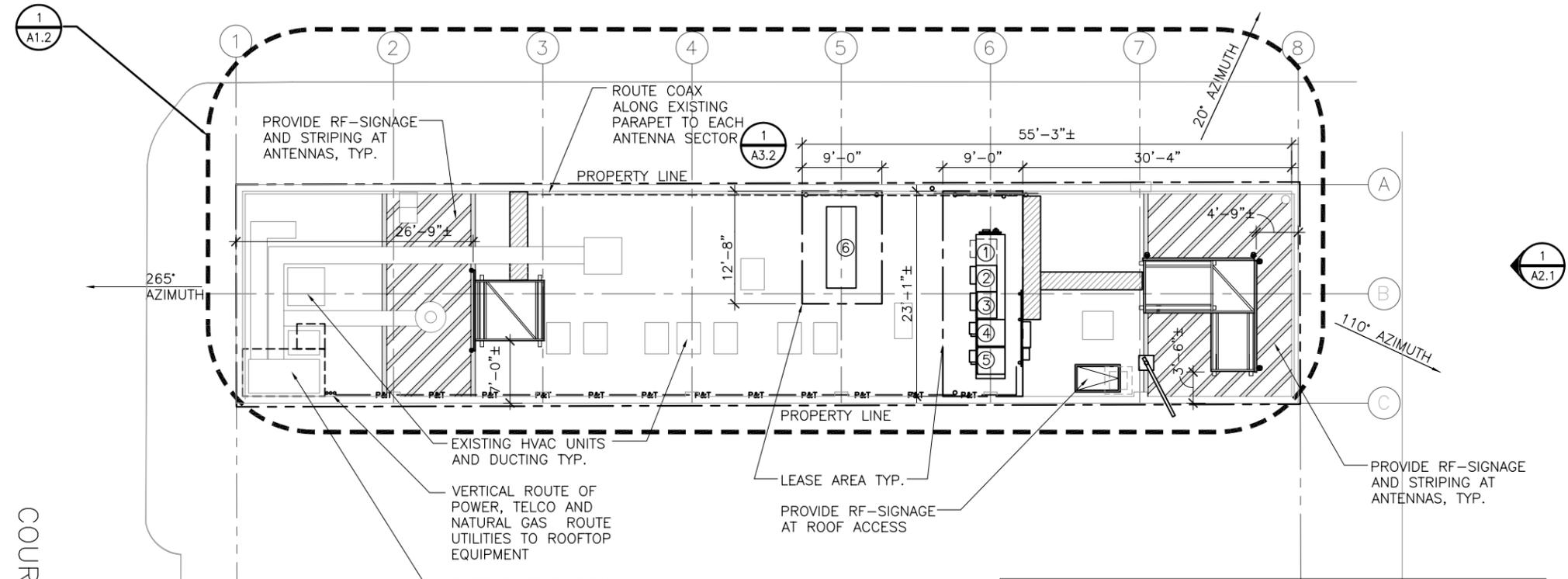
Sheet title :
ENLARGED SITE PLAN

Sheet no. : **A1.1**

9TH STREET

COURT A

A STREET



EQUIPMENT KEY NOTES:
 BACKUP GENERATOR AND EQUIPMENT CABINETS TO BE MOUNTED TO ROOFTOP CURB.

① MODCELL 4.0 OUTDOOR CAB. (FUTURE)	④ EMERSON HPRE POWER SYSTEM
② MODCELL 4.0 OUTDOOR PCS	⑤ EMERSON EBRE BATTERY SYSTEM
③ MODCELL 4.0 OUTDOOR CDMA	⑥ KATOLIGHT 60KW NATURAL GAS BACKUP GENERATOR

NOTE: PRIOR TO ANY ROOF WORK

- OBTAIN OWNERS APPROVAL PRIOR TO START OF ROOFING WORK. CONTRACTOR SHALL MAINTAIN ANY EXISTING ROOFING WARRANTIES. SUBMIT WRITTEN ACCEPTANCE OF ROOFING WORK BY ROOFING MANUFACTURER.
- ALL ROOFING & FLASHING WORK SHALL COMPLY WITH THE BEST PRACTICES OF THE NATIONAL ROOFING CONTRACTORS ASSOCIATION ROOFING AND WATERPROOFING MANUAL FOR THE TYPE OF ROOFING ENCOUNTERED.
- ALL ROOFING MATERIALS AND DETAILS TO MATCH EXISTING.

PROVIDE WRITTEN WARRANTY FOR A PERIOD OF FIVE YEARS FROM THE DATE OF SUBSTANTIAL COMPLETION TO BUILDING OWNER STATING GENERAL CONTRACTOR WILL, WITHOUT COST TO THE OWNER, PROMPTLY REPAIR LEAKS AT ROOF WORK OF THIS CONTRACT AND SHALL REPAIR OR REPLACE OTHER INTERIOR OR EXTERIOR FINISHES OR MATERIALS DAMAGED AS A RESULT OF THE LEAKS AND WILL MAINTAIN WORK IN A WATERTIGHT CONDITION WITHOUT EXCLUSION AS TO THE CAUSE OF THE LEAK EXCEPT LEAKS CAUSED BY ACTIONS OF MAN OCCURRING AFTER THE DATE OF SUBSTANTIAL COMPLETION, SUBSTRATE MOVEMENT GREATER THAN ALLOWED BY STRUCTURAL DESIGN OF THE BUILDING, FIRE, LIGHTNING AND OTHER UNUSUAL PHENOMENA OF THE ELEMENTS.





Technology Associates
International Corporation

Drawings Produced By:
GAZLEY
PLOWMAN
ARCHITECTS

2701 NW Vaughn
Suite 764
Portland, Or. 97210
503 274 7800
503 274 7803 Fax



No.	Date	By	Revisions
09/17/07	02/29/08	EK	ADDITION OF ROOF HATCH
06/24/08	07/08/08	CK	REVISED ANTENNA
11/03/10	02/02/11	BD	STEALTH CHIMNEY
		EK	CD FINAL

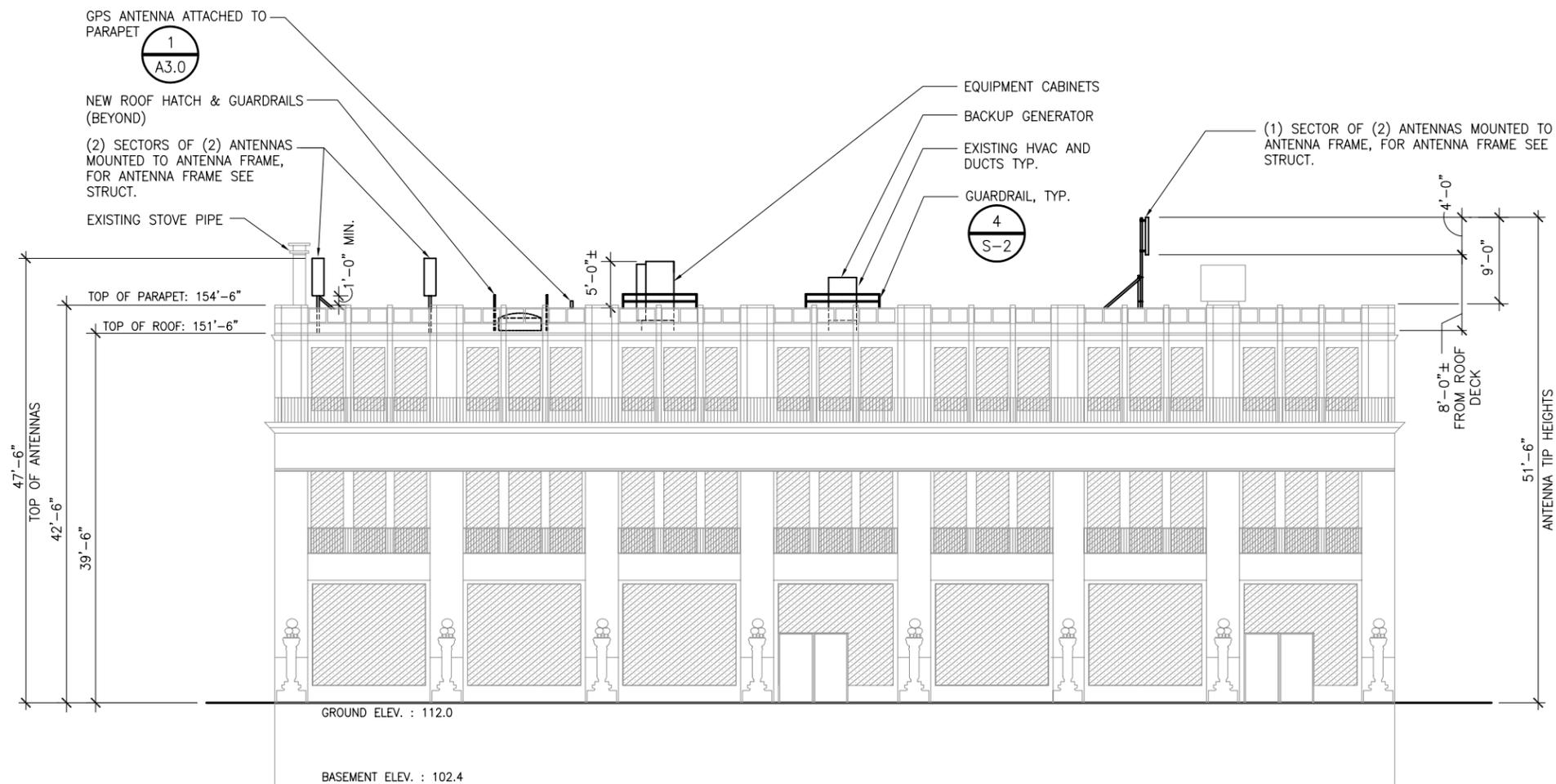
File no. : **10-135**
Date : **02/02/11**
Designed by : **JLK**
Drawn by : **CK**
Checked by : **DAH**
Approved by : **SMNP**

Date issued : **07/08/08**
Date issued for Zoning Permit : **02/02/11**
Date issued for Building Permit :
Date issued for Bid :
Date issued for Construction :

Project title :
TAC WHEELER
TAX LOT# 2009020010
100 S 9TH STREET
TACOMA, WASHINGTON 98402

Sheet title :
ELEVATION

Sheet no. : **A2.0**



09/17/07	CK	JURISDIC. COMMENT
07/02/29/08	EK	ADDITION OF ROOF HATCH
06/24/08	DAH	REVISED ANTENNA
08/07/08	CK	REVISED ANTENNA
11/03/08	BD	STEALTH CHIMNEY
10/02/02/11	EK	CD FINAL

No. Date By Revisions

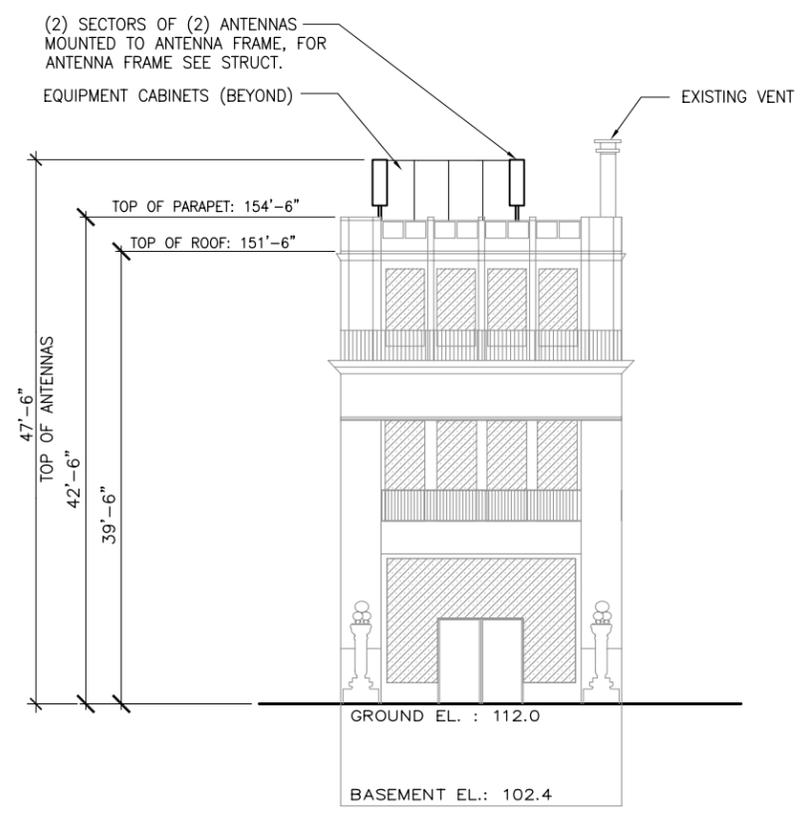
File no. **10-135**
Date **02/02/11**
Designed by **JLK**
Drawn by **CK**
Checked by **DAH**
Approved by **SMNP**

Date issued : **07/08/08**
Date issued for Zoning Permit : **02/02/11**
Date issued for Building Permit :
Date issued for Bid :
Date issued for Construction :

Project title :
**TAC
WHEELER**
TAX LOT# 2009020010
100 S 9TH STREET
TACOMA, WASHINGTON 98402

Sheet title :
ELEVATIONS

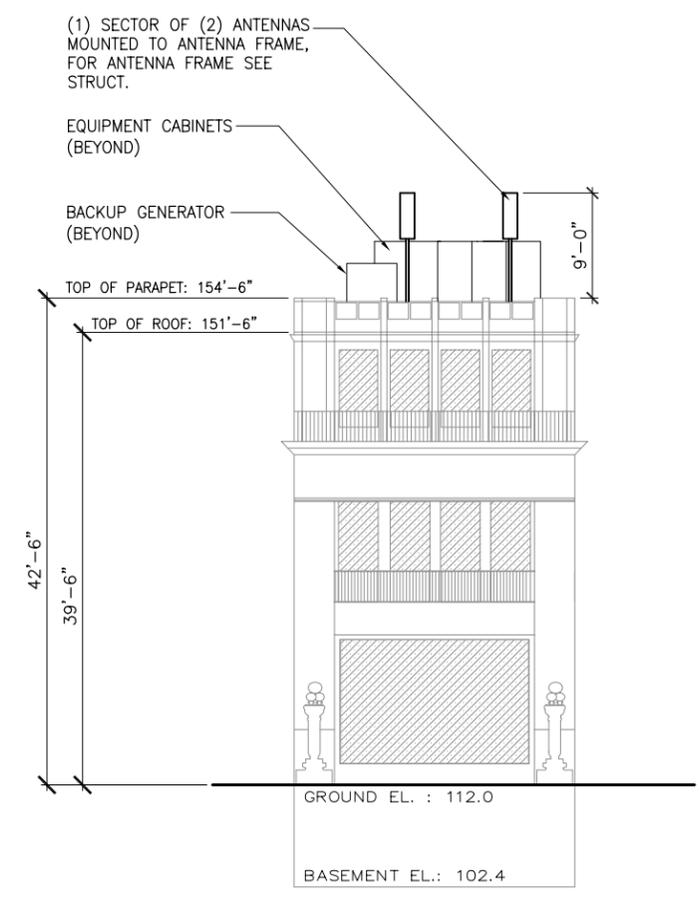
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EAST ELEVATION

22x34 SCALE: 1/8" = 1'-0"
11x17 SCALE: 1/16" = 1'-0"

1



WEST ELEVATION

22x34 SCALE: 1/8" = 1'-0"
11x17 SCALE: 1/16" = 1'-0"

2



No.	Date	Revisions
07/03/07	07/03/07	07/03/07
CD	CD	CD
REVIEW	REVIEW	REVIEW
DAH	DAH	DAH
08/02/08	08/02/08	08/02/08
CD	CD	CD
FINAL	FINAL	FINAL
DAH	DAH	DAH
08/23/09	08/23/09	08/23/09
CD	CD	CD
ADDITION	ADDITION	ADDITION
EK	EK	EK
02/29/08	02/29/08	02/29/08
REVISION	REVISION	REVISION
CK	CK	CK
08/24/07	08/24/07	08/24/07
REVISION	REVISION	REVISION
CK	CK	CK

Date issued : 07/08/08
Date issued for Zoning Permit :
Date issued for Building Permit :
Date issued for Fire Department :
Date issued for Bid :
Date issued for Construction :

Project title :
TAC WHEELER
TAX LOT# 2008020010
TACOMA, WASHINGTON 98402
Sheet title :
ENLARGED SITE PLAN
Sheet no. :
A1.1

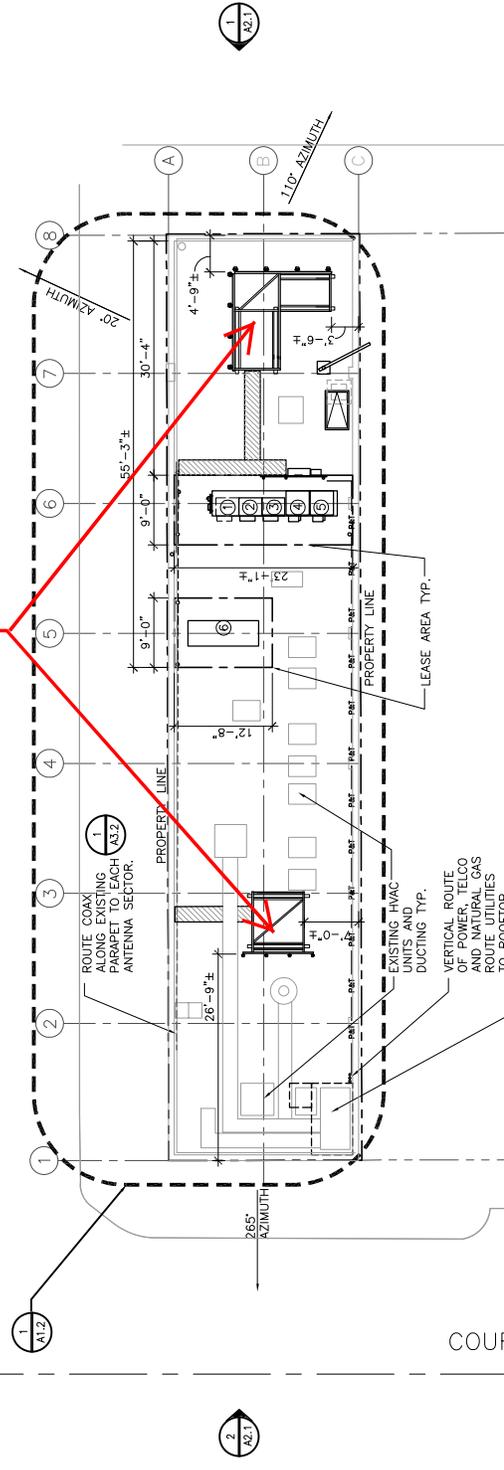


A STREET



Original Design (for reference). Antenna quantity and antenna supports to be reduced by half. Revised proposed design on following page. Please note that antenna models may differ slightly due to technological requirements (antenna tip heights will remain constant)

Reduce to 2 panel antennas per sector and reduce support for only 2 panels per sector.



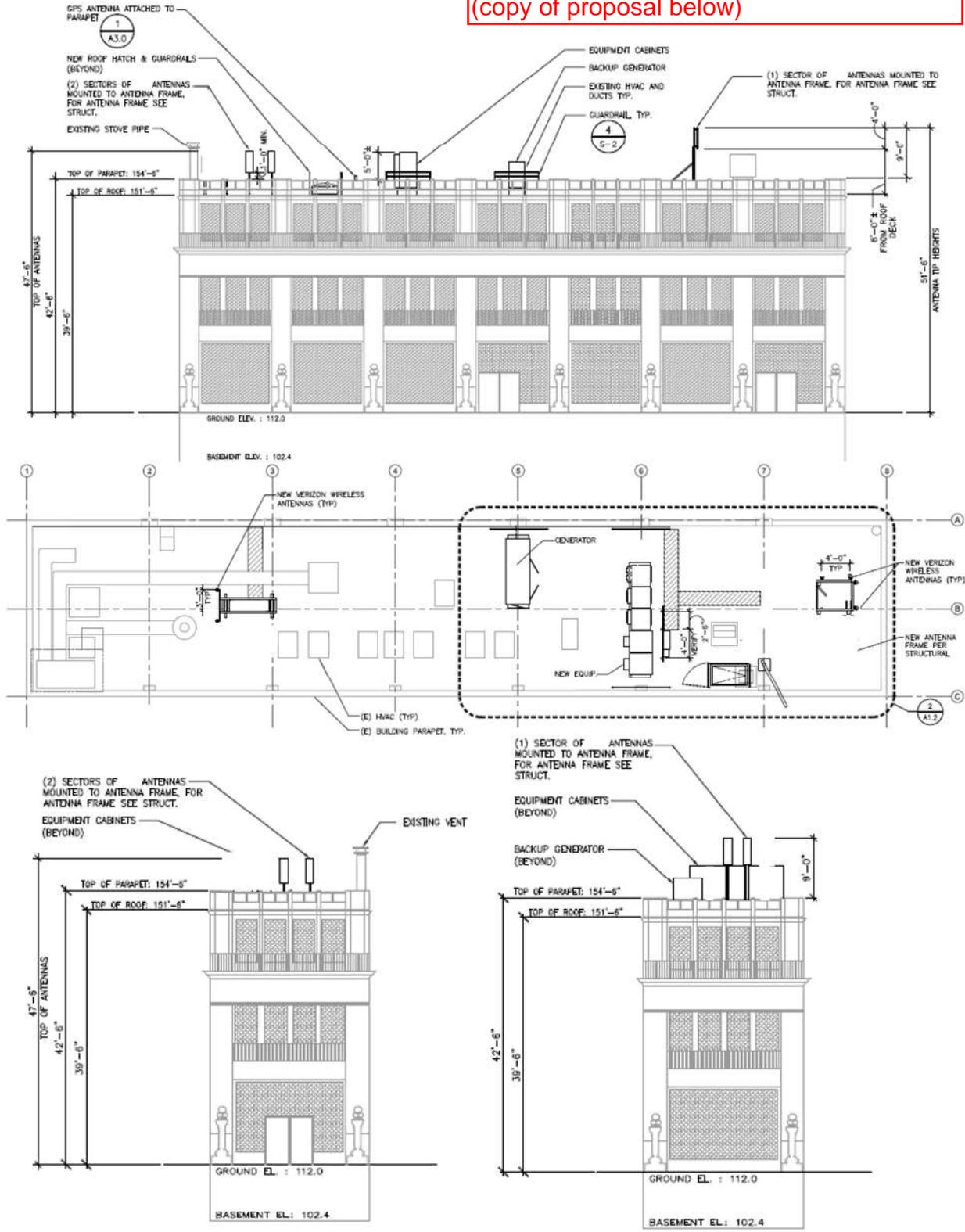
NOTE: PRIOR TO ANY ROOF WORK

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- ALL ROOFING & FLASHING WORK SHALL COMPLY WITH THE BEST PRACTICES OF THE NATIONAL ROOFING CONTRACTORS ASSOCIATION ROOFING AND WATERPROOFING MANUAL FOR THE TYPE OF ROOFING ENCOUNTERED.
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- EQUIPMENT KEY NOTES:
- BACKUP GENERATOR AND EQUIPMENT CABINETS TO BE MOUNTED TO ROOFTOP CURB.
- ① MODOCELL 4.0 OUTDOOR CAB. (FUTURE)
 - ② MODOCELL 4.0 OUTDOOR PCS
 - ③ MODOCELL 4.0 OUTDOOR CDMA
 - ④ EMERSON HPRE POWER SYSTEM
 - ⑤ EMERSON EBRE BATTERY SYSTEM
 - ⑥ KATOLIGHT 60KW NATURAL GAS BACKUP GENERATOR

Proposed design plans will be presented at 02/09/2011 LPC, to show clear dimensions. (copy of proposal below)





VERIZON WIRELESS TAC WHEELER

VIEW LOOKING SOUTHEAST (BEFORE)



VERIZON WIRELESS (2) NEW ANTENNAS (BEYOND)

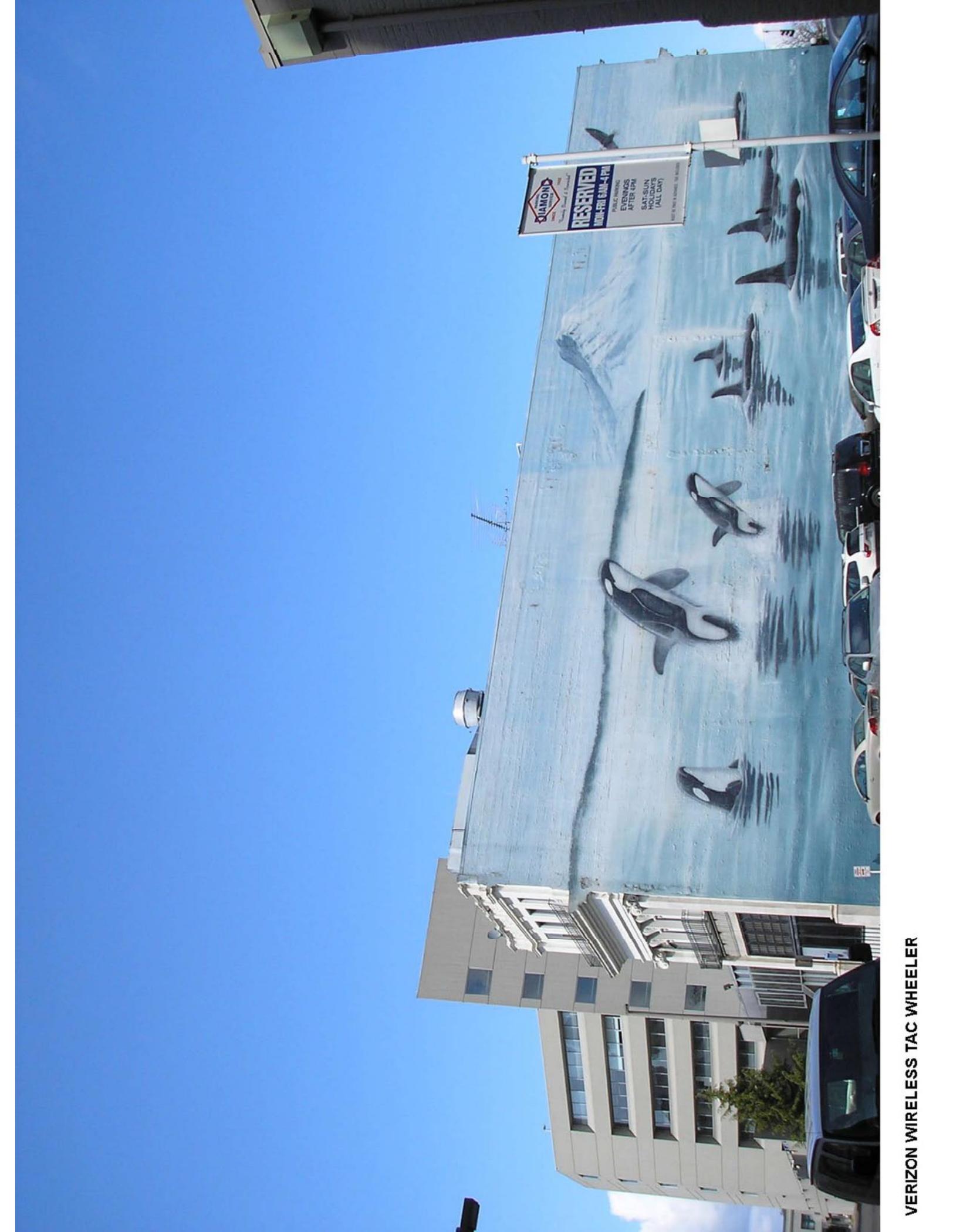
VERIZON WIRELESS EQUIPMENT CABINETS (BEYOND)

VERIZON WIRELESS GENERATOR (BEYOND)

VERIZON WIRELESS (2) NEW ANTENNAS (BEYOND)

VERIZON WIRELESS TAC WHEELER

VIEW LOOKING SOUTHEAST (AFTER)



DIAMOND
RESERVED
PUBLIC EVENTS
EVENINGS
AFTER 6PM
SAT-SUN
HOLIDAYS
(ALL DAY)

VERIZON WIRELESS TAC WHEELER

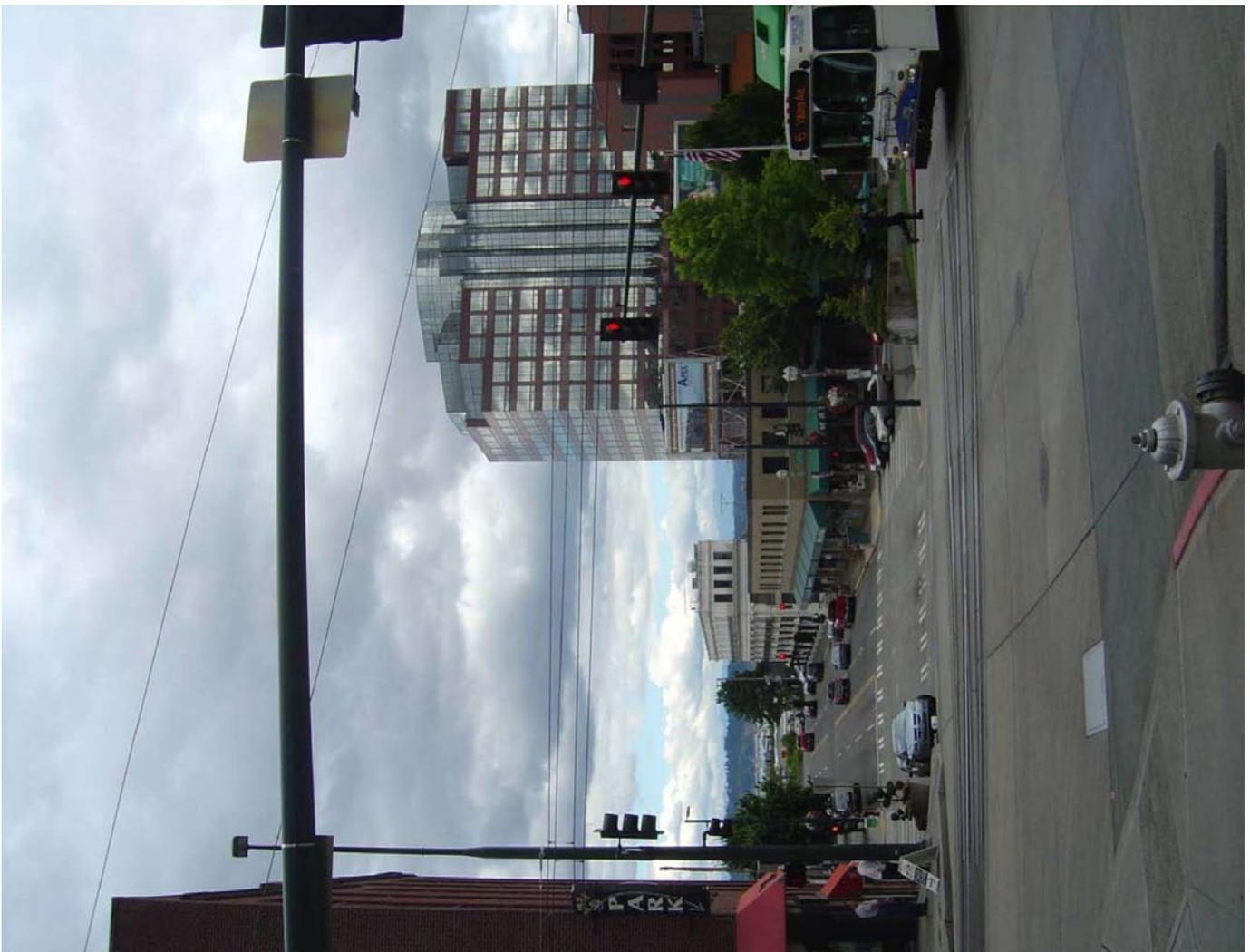
VERIZON WIRELESS (2) NEW ANTENNAS

VERIZON WIRELESS NEW EQUIPMENT
CABINETS

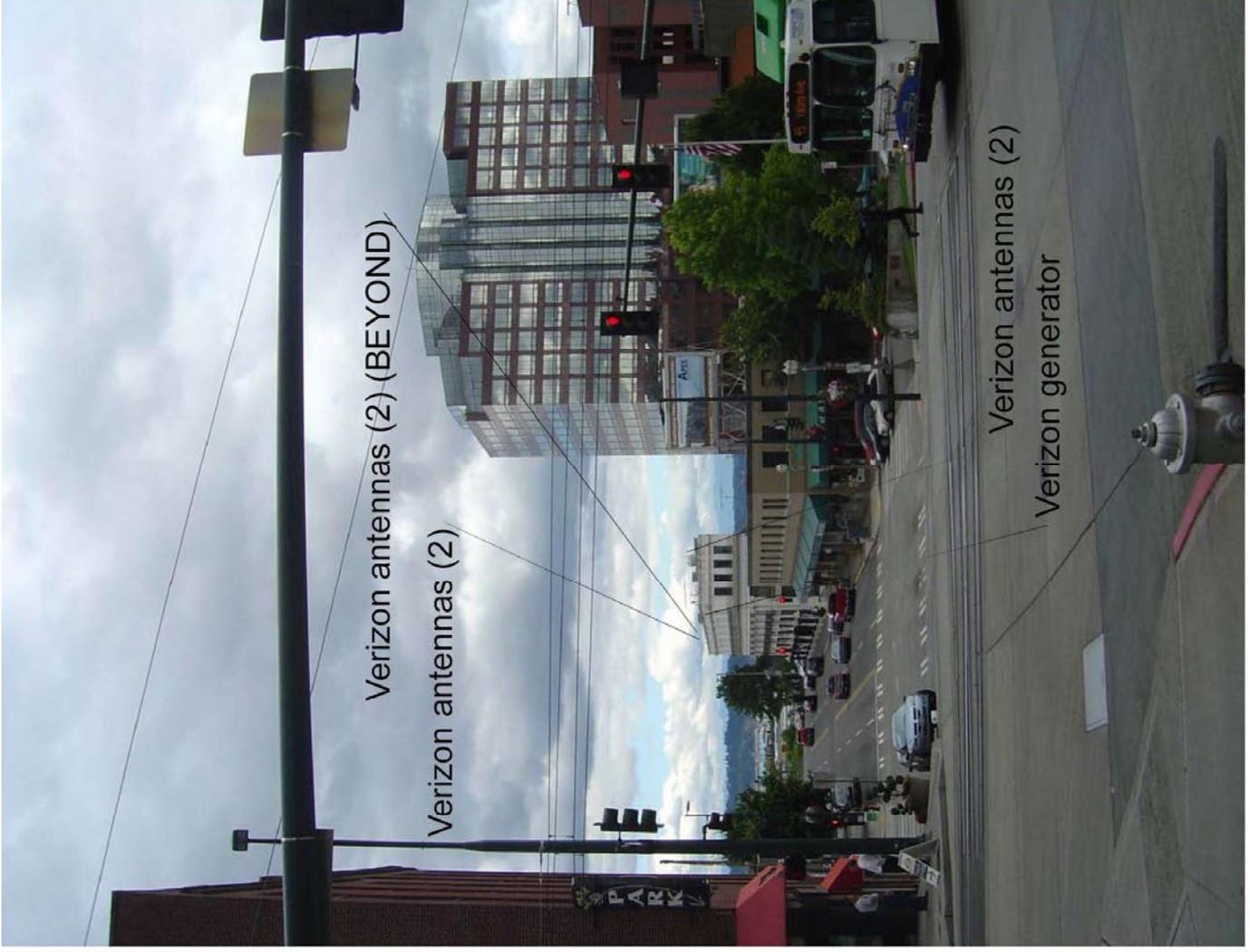
VERIZON WIRELESS (2) NEW ANTENNAS



VERIZON WIRELESS TAC WHEELER



Before



After

Verizon antennas (2) (BEYOND)

Verizon antennas (2)

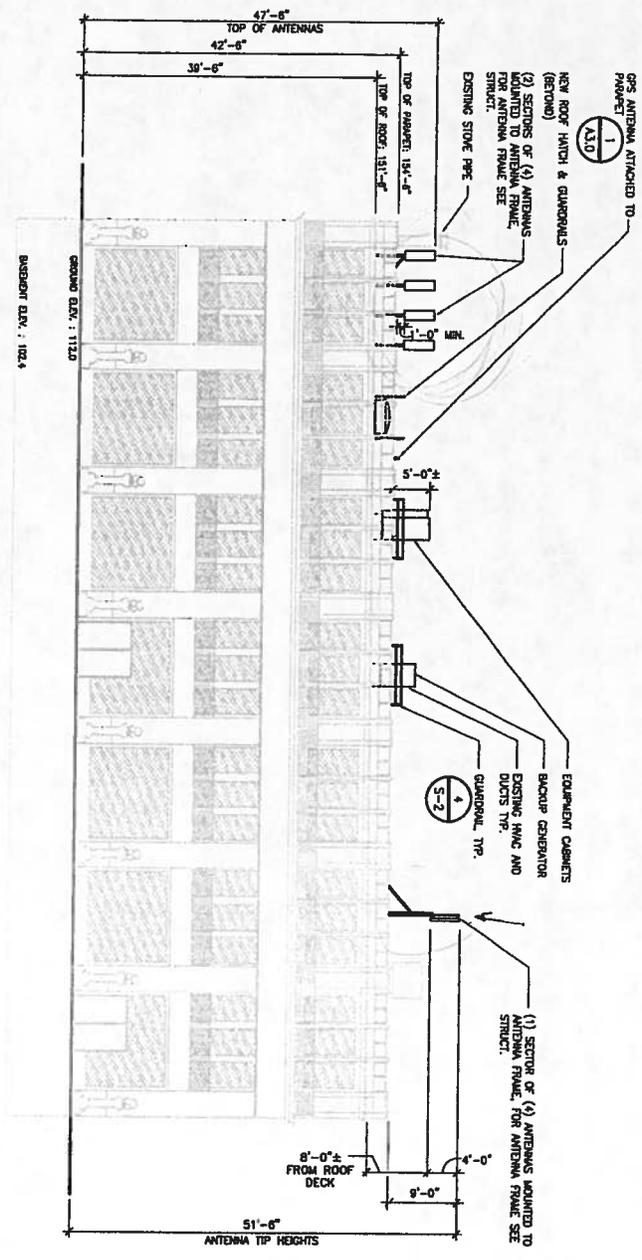
Verizon antennas (2)

Verizon generator

PROPOSED PLAN FROM 2008
PROPERTY FILES



NORTH ELEVATION



Scale: 1/8" = 1'-0"
1/16" = 1'-0"

Sheet No. **A2.0**

ELEVATION

Project Title:
**TAC
WHEELER**
1001 LINTZ ROAD
NORCO, WASHINGTON 98402

Drawn by: **GT/ML/MS**
Checked by:
Designed by: **DAH**
Checked by: **CK**
Approved by: **CK**

Rev	Date	Description
1	08/02/07	CD REVIEW
2	07/06/23	CD FINAL
3	09/17/07	JURISDIC. COMMENT
4	02/26/08	ADDITION OF ROOF HATCH
5	08/24/08	REVISED ANTENNA
6	07/08/08	REVISED ANTENNA

Project No. **080000**
Date: **08/02/07**
Designed by: **DAH**
Checked by: **CK**
Approved by: **CK**

Drawn by: **GT/ML/MS**
Checked by:
Designed by: **DAH**
Checked by: **CK**
Approved by: **CK**

Drawn by: **GT/ML/MS**
Checked by:
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Designed by: **DAH**
Checked by: **CK**
Approved by: **CK**



2011 Annual Amendment Application No. 2011-02
Historic Preservation Plan and Code Revisions

SUMMARY

Application #:	2011-02
Applicant:	City of Tacoma, Community & Economic Development Dept.
Contact:	Reuben McKnight, Historic Preservation Officer, Building and Land Use
Type of Amendment:	Comprehensive Plan Text and Regulatory Code Text Changes
Current Land Use Intensity:	Various
Current Area Zoning:	Various
Size of Area:	Not Applicable
Location:	City-wide
Neighborhood Council area:	City-wide
Proposed Amendment:	Creating a new Historic Preservation Element of the Comprehensive Plan and amending the Land Use Regulatory Code to provide updated and improved guidance regarding historic preservation and the City's preservation program.

General Description of the Proposed Amendment:

This proposed amendment would consolidate, revise and add historic preservation policies into a new Historic Preservation Element to provide updated guidance on the importance of historic preservation and direction for program administration, education and outreach; and revise the Land Use Regulatory Code (primarily TMC13.07 – Landmarks and Historic Special Review Districts) for initial implementation of the new and revised policy guidance, compatibility with up-to-date historic preservation best practices and the addition of appropriate standards, guidelines and regulations.

Planning Commission's Action on February 2, 2011:

The Planning Commission will conduct the final review of the staff analysis and proposed Plan and code amendments. On January 19, 2011 the Commission requested additional information relating to (a) notice provided to property owners if not the applicant for landmarks designation; (b) clarification on including interior spaces as a part of landmarks designation, and (c) review of proposed changes to administrative procedures. On February 2, 2011, the Commission will review the attached staff report, consider modifications to the proposed code changes, as appropriate; and authorize the release of the proposed amendment, as may be modified, for public review and comment.

Attachments:

1. Staff report for Amendment 2011-02
2. Proposed modifications to revisions to TMC Chapter 13.07
3. Proposed revisions to TMC Chapter 13.05
4. Proposed revisions to TMC Chapter 13.06 and 13.06A



2011 Annual Amendment Application No. 2011-02
Historic Preservation Plan and Code Revisions

STAFF REPORT

Application #:	2011-02
Applicant:	City of Tacoma, Community & Economic Development Dept.
Contact:	Reuben McKnight, Historic Preservation Officer, Building and Land Use
Type of Amendment:	Comprehensive Plan Text and Map Changes, and Regulatory Code Text Changes
Current Land Use Intensity:	Various
Current Area Zoning:	Various
Size of Area:	Not Applicable
Location:	City-wide
Neighborhood Council area:	City-wide
Proposed Amendment:	Creating a new Historic Preservation Element of the Comprehensive Plan and amending the Land Use Regulatory Code to provide updated and improved guidance regarding historic preservation and the City's preservation program.

General Description of the Proposed Amendment:

This proposed amendment will modify the Comprehensive Plan policies to provide improved and updated guidance regarding historic preservation and the City's preservation program and adopt associated amendments to the Land Use Regulatory Code. This project includes:

- Consolidation, revision and addition of historic preservation policies into a new Historic Preservation Element to provide updated guidance on the importance of historic preservation and direction for program administration, education and outreach
- Revision of the Land Use Regulatory Code (primarily Chapter 13.07 – Landmarks and Historic Special Review Districts) for implementation of the new and revised policy guidance, compatibility with up-to-date historic preservation best practices and the addition of appropriate standards, guidelines and regulations.
- Other related code amendments include revisions to TMC 13.06 and 13.06A to remove inadvertent barriers to historic preservation projects, and TMC 13.05, including consolidation of the historic preservation review process with other land use permitting processes.

Additional Information:

In response to increasing public interest in historic preservation, historic districts, and related programs, the Tacoma City Council provided funding in its 2009-10 Biennial Budget for a comprehensive update to the City's historic preservation plan and policies. Preservation plans are designed to recognize our unique

historic and cultural resources, create strategies for their care, and capitalize on their social and economic potential. Typically included within the preservation plan are goals, policy statements, and an action agenda.

There are several primary objectives for the draft Preservation Plan:

- Clearly communicate the goals of the City Historic Preservation Program to the community and city staff
- Provide guidance to current and future property owners regarding the future growth of the City and protection of its historic resources
- Eliminate confusion regarding the purpose, meaning and content of historic preservation ordinances
- Identify and eliminate inconsistencies between various City policies that affect historic resources
- Educate and inform the community about the importance and role of historic resources in Tacoma
- Develop an agenda for future preservation activities as well as a means to measure progress
- Coordinate issues relating to zoning, tourism, development patterns, and design issues that also involve historic resources
- Strengthen the relationship between economic development, planning and historic preservation

General policy areas addressed within the proposed Preservation Plan include:

- Review of compatibility between historic preservation policies and procedures and other city policies and procedures
- Review of preservation incentives
- Commemorative markers and monuments
- Demolition permit review process
- Review of policies and criteria for the creation of new historic districts
- Creation of policies and criteria for conservation district designation

Vision for Historic Preservation in 2020

The draft Preservation Plan contains a 10-year vision statement for historic resources and the preservation program, which is described in these qualitative statements:

1. Historic resources are integral to the City's overall goals and objectives.
2. Historic resources convey the humanity of Tacoma.
3. Historic resources are key to the City's sustainability initiatives.
4. A network of individuals and organizations supports historic preservation throughout the community.
5. Historic preservation is "horizontally integrated" into planning efforts.
6. The City's historic preservation program is readily accessible.
7. Historic preservation looks forward while valuing the past.
8. Historic preservation is solution oriented.
9. The preservation program guides treatment of historic resources.

Summary of Public Outreach

In addition to ongoing feedback and discussion with community stakeholders, such as Historic Tacoma, as well as periodic updates to the Landmarks Preservation Commission, the following is a summary of outreach meetings held to date.

1. February 3, 2009 – City Council Study Session
2. July 29, 2009 – Stakeholders informational meetings
3. September 23, 2009 – Community Workshop
4. October 8, 2009 – Briefing to Master Builders Association
5. November 16, 2009 – Briefing to Neighborhoods and Housing Committee
6. November 18, 2009 – Hillside Development Council
7. December 7, 2009 – Public lecture on historic preservation and economic development
8. December 14, 2010 – Sustainable Tacoma Commission

Key Provisions of the Draft Amendment

Preservation Plan

- Identification of vision and overall goals for historic preservation.
- Specific policies and goals for program functions, including Program Administration, Identification of Historic Resources, Management of Historic Resources, Development Incentives/Benefits, Public Education, and Advocacy.
- Provides guidance for the relationship between sustainability initiatives and preservation.
- Creates framework for evaluating historic and conservation district proposals, and supports the utility of the conservation district tool as a neighborhood planning strategy
- Includes language encouraging additional measures to protect historic resources from demolition and demolition by neglect
- Creates additional tools for the management of the historic preservation inventory update process
- Identifies historical themes in Tacoma and provides for a systematic adoption of historic context statements

Regulatory Code

The proposed amendments to the regulatory code are primarily technical and structural in nature, with the objective of increased efficiency and improved ease of use. Many of the policy initiatives proposed in the Preservation Plan will take additional development to be adopted in the regulatory code. Key proposals in the current Amendment Application include:

- Relocate all design review and approval language for the Landmarks Preservation Commission from TMC 13.07 (Landmarks and Historic Special Review Districts) to TMC 13.05 (Land Use Permitting).
- Refine standards for historic designation, including better clarity for the process for individual landmarks and additional specific criteria for the designation of historic and conservation districts.
- Clear regulatory distinction between historic districts and conservation districts.
- Removal of design guidelines from the regulatory code in favor of administrative design guidelines.
- New criteria for economic hardship.
- Revised and enhanced criteria for design review.
- New criteria for relocation of historic resources.
- Clarification of demolition permitting requirements.
- General technical clean up to definitions and language throughout the code.
- Removal of parking requirements for historic buildings (in TMC 13.06 and 13.06A).

- Language that provides more flexibility for historically designated residential buildings that are nonconforming to underlying zoning.

Applicable Provisions of the Growth Management Act (and other state laws):

Among its fourteen planning goals, Washington State's Growth Management Act (GMA) includes as a goal: "Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance." RCW 36.70A.020 (13)

Although the GMA does not require an historic preservation or cultural resources element in a comprehensive plan, cities and counties planning under the GMA must consider and incorporate the historic preservation goal.

Many Washington State communities use preservation principles for community development by creating historic preservation goals, policies and strategies within their comprehensive plans and development regulations, and interconnecting these with the remaining goals, policies and strategies of their plans, such as housing, economic development, and reducing sprawl.

Related GMA policy areas include:

- Affordable housing: Affordable housing can be achieved through historic preservation and adaptive reuse of existing buildings, neighborhoods and infrastructure.
- Economic Development: Historic preservation can stimulate a local economy and create jobs. The state's Downtown Revitalization/Main Street Program is helping communities revitalize the economy, appearance, and image of their downtown commercial districts using the successful Main Street Approach™. In addition, development incentives for historic preservation attract investment.
- Sprawl reduction and concentrated urban growth: Historic preservation encourages development in established, centralized neighborhoods and districts, utilizing existing road and utilities infrastructure. This encourages growth within urban areas, higher intensity uses for underutilized buildings, and compact, walkable neighborhoods.
- Open space and recreation: Many parks and open spaces contain existing historical interpretive elements, or offer opportunities for historical interpretation. In addition, open space and recreation areas often contain sites of archaeological interest.
- Property rights and permit processing: Regulations related to historic preservation include land use and permitting requirements, with the objective of protecting important cultural and architectural sites for the enjoyment and education of future generations. Such policies and regulations must be carefully crafted to balance the effect on property rights and costs associated with permit processing with the public benefit gained.
- Public Facilities and Services: Public agencies, including the City of Tacoma, Metro Parks and the Tacoma Public School District, are the largest stewards of historic buildings in Tacoma. Historic preservation policies help to define the public sector roles and responsibilities associated with historic buildings.

Applicable Provisions of the Comprehensive Plan:

Historic Preservation is one of the 13 Planning Goals stipulated under the Growth Management Act, and is an optional element in local jurisdiction's Comprehensive Plans. Prior to 2005, there was not a cohesive adopted element specifically addressing preservation in Tacoma's Comprehensive Plan. That year, the City Council adopted a new Culture and History Element, which combined Arts, Culture and International Programs, and Historic Preservation under one element. The current element provides basic policy-level guidance, goals and visions, and provides an introduction to these programs. However, this element is not currently well integrated with other City regulations and policies, and it does not clearly communicate a vision, define what "historic" means for Tacoma, and does not set priorities and objectives for the future of the City's historic preservation program. The proposed Preservation Plan Element would replace the policies pertaining to Historic Preservation in the Culture and History Element.

In addition to the Culture and History element, the Plan has many policies supportive of the preservation of historic resources. A small sampling includes the following:

LU-UAD-19 Historic Preservation

Protect, preserve, and enhance historic resources throughout the city. Encourage appropriate design for contemporary infill in historic and established areas of the city by use of development standards regarding scale, rhythm, compatible materials, and streetscape.

H-NQ-3 Historic/Cultural Amenities

Identify, protect and enhance cultural, architectural, historic and scenic resources within residential areas. Support the rehabilitation of architecturally or historically significant homes as well as other landmark residential and mixed-use buildings while maintaining public safety and historic character.

OS-LF-8 Historic, Cultural, and Art Resources

Pursue incorporation, preservation and, if appropriate, display of historic cultural and art resources within open spaces. Adopt formalized policies, procedures and criteria for accepting, siting, and designing public art, interpretive displays, historical monuments, commemorative displays, or other cultural or artistic installations within publicly-owned open space and parks. The presence of historic and/or cultural features supports the conservation of an area as open space.

NE-1.5 Historic Preservation

Preserve and protect existing historic homes and structures. Discourage demolition of properties listed on, or eligible to be listed on, the National Register of Historic Places and the Tacoma Landmarks Register through the adoption of effective regulations and policies governing City review of projects affecting historic properties.

Applicable Provisions of the Land Use Regulatory Code:

The regulatory code currently contains a chapter that specifically addresses landmarks and historic districts, Chapter 13.07. This amendment will update this chapter consistent with the policies of the Preservation Plan. The amendment will also integrate the permitting and design review procedures for landmarks and historic districts into Chapter 13.05 where other permitting and review procedures are

located. Finally, the proposed amendment removes barriers to historic preservation by eliminating the parking requirement for designated historic buildings, which supports their renovation and adaptive reuse.

Amendment Criteria:

Applications for amendments to the Comprehensive Plan and Land Use Regulatory Code are subject to review based on the adoption and amendment procedures and the review criteria contained in TMC 13.02.045.G. Proposed amendments are required to be consistent with or achieve consistency with the Comprehensive Plan and meet at least one of the eleven review criteria to be considered by the Planning Commission. The following section provides a review of each of these criteria with respect to the proposal. Each of the criteria is provided, followed by staff analysis of the criterion as it relates to this proposal.

- 1. There exists an obvious technical error in the pertinent Comprehensive Plan or regulatory code provisions.**

Staff Analysis: Not applicable.

- 2. Circumstances related to the proposed amendment have significantly changed, or a lack of change in circumstances has occurred since the area or issue was last considered by the Planning Commission.**

Staff Analysis: Not applicable.

- 3. The needs of the City have changed, which support an amendment.**

Staff Analysis: The first Culture and History Element was adopted in 2005. Since then, the City Council and the Landmarks Preservation Commission have identified several areas in which the current language is lacking. As interest in historic preservation related issues from the public and City Council has increased, the need for a comprehensive preservation policy document has become apparent. This review will be the first comprehensive preservation plan adopted by the City of Tacoma.

- 4. The amendment is compatible with existing or planned land uses and the surrounding development pattern.**

Staff Analysis: The goals and policies contained within the draft plan are designed to complement existing land uses and clarify the relationship between historic preservation policy and regulations, and other planning functions. Specifically, the Conservation District language seeks to provide tools for the preservation of the physical characteristics of existing buildings in older, established neighborhoods.

- 5. Growth and development, as envisioned in the Plan, is occurring faster, slower, or is failing to materialize.**

Staff Analysis: Not applicable.

- 6. The capacity to provide adequate services is diminished or increased.**

Staff Analysis: Not applicable.

- 7. Plan objectives are not being met as specified, and/or the assumptions upon which the plan is based are found to be invalid.**

Staff Analysis: Not applicable.

- 8. Transportation and and/or other capital improvements are not being made as expected.**

Staff Analysis: Not applicable.

- 9. For proposed amendments to land use intensity or zoning classification, substantial similarities of conditions and characteristics can be demonstrated on abutting properties that warrant a change in land use intensity or zoning classification.**

Staff Analysis: Not applicable.

- 10. A question of consistency exists between the Comprehensive Plan and its elements and RCW 36.70A, the County-wide Planning Policies for Pierce County, Multi-County Planning Policies, or development regulations.**

Staff Analysis: Not applicable.

Economic Impact Assessment:

The proposed Preservation Plan and related regulatory code amendments do not, in general, represent a significant economic impact to property owners, residents or the City. Although the scope of the plan is broad, much of the effect is further clarification of roles and responsibilities, strategic allocation of administrative resources, streamlining and refinement of existing procedures and requirements, and a stronger linkage between related City policy objectives, including sustainability and economic development. Specific areas that may have an economic impact are described below.

The proposal seeks to reduce economic impacts to owners of historic properties by introducing criteria for economic hardship determination, something that is currently missing from the code. Currently, an owner who is proposing a project that does not meet the historic preservation standards due to financial reasons must rely on the Landmarks Preservation Commission's discretion, without specific guidelines establishing burden. If denied, the only recourse is the Hearing Examiner appeal process. New criteria for economic hardship should provide a less burdensome recourse for cases of clear economic hardship, while providing the Commission with better decision-making tools.

The plan provides guidance for increasing the effectiveness of development incentives and benefits relating to historic properties. Examples of development incentives include the Federal Rehabilitation Tax Credit and the Washington State Special Tax Valuation program, in addition to potential new incentives, including Transfer of Development Rights (TDR) and Current Use Tax Assessment. These programs generally encourage capital investment in underutilized structures by allowing developers and property owners to reduce operating costs on historic buildings and increase equity at a faster rate.

In addition, the potential cost of completing projects is reduced by the removal of certain unnecessary regulatory barriers that discourage preservation, including parking requirements for projects involving City Landmarked buildings, and zoning relief where historic preservation standards are incompatible with zoning development standards. This would reduce the number of variance applications for residential

projects, thus decreasing administrative costs, lowering permit turnaround time, and lowering costs for permit applicants.

Similarly, the proposed shift of design review language from TMC 13.07 to 13.05 reflects a general technical revision of the Land Use code to streamline processes and requirements, which ultimately should make the code easier to interpret and use for both property owners and City staff.

The proposed plan does propose an increase to the protection of historic properties from demolition, which has the potential to increase costs and uncertainty for some property owners. The plan proposes to mitigate this both by improved incentives, as described above, as well as improved predictability through the creation of an enhanced historic property inventory, which the plan recommends as the basis for any demolition permit review procedures, if adopted. At the same time, the plan and proposed code provides criteria for relocation of historic resources, which is designed to provide a viable alternative, in certain cases, to demolition of a historic structure. These proposals, taken together, result in a measured approach to demolition review, while at the same time meeting other policy objectives such as waste-stream reduction (which also may reflect a long-term cost reduction for the City).

Likewise, the proposed plan proposes a broader utility for the Conservation District zoning tool, which seeks to enhance and protect the character of traditional neighborhoods through design guidelines and demolition protections. While this ultimately may limit the development potential for certain sites within these districts, if established, this impact is offset by an anticipated improvement in property values, stability and livability within these neighborhoods. In addition, the Conservation District tool is clearly distinguished both in the proposed regulatory code and the plan from Historic Special Review Districts in purpose, applicability, and level of regulation; this is a distinction that currently does not exist and it should have the effect of reduced costs to both the City and property owners.

For conservation and historic districts, the proposed plan provides improved guidelines for the appropriateness and priority of establishing such districts, which is also a new element designed to aid decision making and resource allocation.

Lastly, the plan discusses the relationship between historic preservation and the City's sustainability initiatives. By encouraging a better linkage between preservation and sustainability, the plan also encourages consistency between City policy objectives. This will carry over into future amendments to historic design guidelines, building and energy codes, and other related policy objectives. Increasing internal consistency will have the ultimate effect of easier, less burdensome and complex regulations for projects to meet.

Staff Recommendation:

Staff recommend that the draft amendments be forwarded for public review and comment.

Exhibits:

- A. Draft Historic Preservation Plan
- B. Draft Code Changes TMC 13.05
- C. Draft Code Changes TMC 13.06 and 13.06A
- D. Draft Code Changes TMC 13.07



**2011 Annual Amendment Application # 2011-02
Historic Preservation Plan and Regulatory Code Amendments**

January 26, 2011

Chapter 13.07 (Landmarks and Historic Special Review Districts)

*Note – These amendments show all of the changes to the *existing* land use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that is deleted is shown in ~~strikethrough~~.

Chapter 13.07		
LANDMARKS AND HISTORIC SPECIAL REVIEW DISTRICTS		
Sections:		
13.07.010	Short title.	13.07.130 Demolition of City landmarks – Automatic conditions.
13.07.020	Landmarks and Historic Districts – Declaration of purpose and declaration of policy.	13.07. 140-110 Demolition of City landmarks – Standards and criteria for review.
13.07.030	Definitions.	13.07.150 Demolition of City landmarks – Specific exemptions.
13.07.040	Tacoma Register of Historic Places – Establishment and criteria.	13.07.160 Appeals to the Hearing Examiner.
13.07.050	Tacoma Register of Historic Places – Nomination and designation process for individual properties.	13.07.165 Appeals to the Hearing Examiner – Factors to be considered.
<u>13.07.055</u>	<u>Rescission of Landmarks Designation</u>	13.07.170 Ordinary maintenance or repairs.
13.07.060	Tacoma Register of Historic Places – Nomination and designation process for Historic Special Review and Conservation Districts.	13.07.180 Minimum buildings standards.
13.07.070	District and landmarks regulation.	<u>13.07.120</u> <u>Historic Special Review and Conservation Districts – Generally</u>
13.07.070	Commission rules of procedure and administrative guidelines	13.07. 190-130 Designation of Old City Hall Historic Special Review District – Declaration of purpose.
13.07.080	Special tax valuation – Local Review Board.	13.07. 200,140 Designation of Old City Hall Historic Special Review District – Findings.
13.07.085	Property eligible for special tax valuation.	13.07. 210-150 Old City Hall Historic Special Review District – Boundary description.
13.07.090	Certificates of approval.	13.07. 220-160 Old City Hall Special Review District – Specific Exemptions.
13.07.095	Certificates of approval – Process and standards for review.	13.07. 230-170 Designation of Union Depot/Warehouse Historic Special Review District – Declaration of purpose.
13.07.100	Demolition of City landmarks – Declaration of purpose. Criteria for the Relocation of a City Landmark	13.07. 240-180 Designation of the Union Depot/Warehouse Historic Special Review District – Findings.
13.07.110	Demolition of City landmarks – Application process.	13.07. 250-190 Union Depot/Warehouse Historic Special Review District – Boundary description.
13.07.120	Demolition of City landmarks – Application requirements.	13.07. 260-200 Designation of Union Station Conservation District.

- ~~13.07.270 — Guidelines for building design and streetscape improvement review.~~
- ~~13.07.280 — Union Depot/Warehouse Historic Special Review and Union Station Conservation Districts — Specific exemptions.~~
- 13.07.~~290~~210 Designation of North Slope Historic Special Review District – Purpose.
- 13.07.~~300~~220 Designation of North Slope Historic Special Review District – Findings.
- 13.07.~~340~~230 North Slope Historic Special Review District – Boundary description.
- ~~13.07.320 — Guidelines for building design and streetscape improvement review of the North Slope Historic Special Review District.~~
- 13.07.~~330~~240 North Slope Historic Special Review District – Specific exemptions.
- 13.07.~~340~~250 Severability.

13.07.010 Short title.

This chapter may be cited as the “Tacoma Landmarks and Historic Special Review Districts Code.”

13.07.020 Landmarks and Historic Districts – Declaration of purpose and declaration of policy.

The City finds that the protection, enhancement, perpetuation, and continued use of landmarks, districts, and elements of historic, cultural, architectural, archeological, engineering, or geographic significance located within the City are required in the interests of the prosperity, civic pride, ecological, and general welfare of its citizens. The City further finds that the economic, cultural, and aesthetic standing of the City cannot be maintained or enhanced by disregarding the heritage of the City or by allowing the destruction or defacement of historic and cultural assets.

The purpose of this chapter is to:

- A. Preserve and protect historic resources, including both designated City landmarks and historic resources which are eligible for state, local, or national listing;
- B. Establish and maintain an open and public process for the designation and maintenance of City landmarks and other historic resources which represent the history of architecture and culture of the City and the nation, and to apply historic preservation standards and guidelines to individual projects fairly and equitably;

C. Promote economic development in the City through the adaptive reuse of historic buildings, structures, and districts;

D. Conserve and enhance the physical and natural beauty of Tacoma through the development of policies that protect historically compatible settings for such buildings, places, and districts;

E. Comply with the state Environmental Policy Act by preserving important historic, cultural, and natural aspects of our national heritage; ~~and~~

F. To promote preservation compatible practices related to cultural, economic and environmental sustainability, including: conservation of resources through retention and enhancement of existing building stock, reduction of impacts to the waste stream resulting from construction activities, promotion of energy conservation, stimulation of job growth in rehabilitation industries, and promotion of Heritage Tourism;

G. To contribute to a healthy population by encouraging human scale development and preservation activities, including walkable neighborhoods; and

F. Integrate the historic preservation goals of the state Growth Management Act and the goals and objectives set forth in the City’s Comprehensive Plan and regulatory language.

13.07.030 Definitions.

For purposes of this chapter, certain terms and words are hereby defined as follows:

~~“Accessory structure” means any structure which is incidental or subordinate to the main building(s) and is located on the same property as the main building.~~

~~“Administrative Approval” means an approval that may be granted by the City Historic Preservation Officer for an alteration to a City landmark, without Landmarks Preservation Commission (also referred to herein as “Commission”) review, based on authority that may be granted by the Commission pursuant to Chapter 1.42 of the Tacoma Municipal Code (“TMC”).~~

~~“Alteration” means any act or process which changes materially, visually, or physically one or more of the exterior architectural features or significant interior features of a property, including, but not limited to, the construction, reconstruction, or removal of any structure.~~

~~“Building” means any structure that is used or intended for supporting or sheltering any use or occupancy. For the purposes of this chapter, the term “building” includes accessory structures.~~

“Certificate of Approval” means the written record of formal action by the Commission indicating its approval of plans for alteration of a City landmark.

“Certified Local Government” or “CLG” means the designation reflecting that the local government has been jointly certified by the State Historic Preservation Officer and the National Park Service as having established a historic preservation commission and a historic preservation program meeting Federal and State standards.

“City landmark” means a property that has been individually listed on the Tacoma Register of Historic Places, or is that is a contributing property within a Historic Special Review District or Conservation District as defined by this chapter.

“Conservation District” means an area warranting the designation for the preservation and protection of historic character and properties contained therein, without meeting the same higher standard for designation as a Historic Special Review District. Conservation Districts are normally established surrounding or adjacent to an established or proposed historic district or place, resources and overall characteristics of traditional development patterns, and that meets the criteria for such designation as described in Section 13.07.040.C of this code.

“Construction” means the act of adding to an existing structure or erecting a new principal or accessory structure on a property.

“Contributing property” means any property within a Historic Special Review District which is documented in the district’s nomination to the Tacoma Register of Historic Places to contribute architecturally, historically, and/or culturally to the historic character of the district, and properties that date from the historic period of significance for the Historic Special Review District and retain integrity of materials, place, or setting which have not previously been identified during architectural surveys.

“Deconstruction” The disassembly of a building, or a portion thereof, in a manner that keeps individual components and materials intact. These may then be reassembled to the original design, or may be made available for reuse in other improvement projects.

“Demolition” means any act or process which destroys, in part or in whole, a City landmark, including neglect or lack of maintenance that results in the destruction of a historic property. For the purposes of this chapter, demolition does not include

nonhistoric or noncontributing additions to historic buildings if so determined by the Landmarks Preservation Commission or Historic Preservation Officer, or so indicated in the nomination documentation for a building.

“Design guideline” means a standard of appropriate activity which will preserve or enhance the historic and architectural character of a structure or area, and which is used by the Commission and the City Historic Preservation Officer to determine the appropriateness of proposals involving property within Historic Special Review and Conservation Districts.

“Embodied Energy” means the energy consumed to construct a building, including that required to create materials for it, transport them to the site, and then assemble them.

“District” means a geographically definable area possessing a significant concentration, linkage, or continuity of sites buildings, structures, and/or objects united by past events or aesthetically by plan or physical development.

“Exterior architectural appearance” means the architectural character and general composition of the exterior of a property including, but not limited to, the type, color, and texture of a building material and the type, design, and character of all windows, doors, light fixtures, signs, and appurtenant elements.

“Historic resource” means any property that has been determined to be eligible by the City Historic Preservation Officer or Washington State Department of Archaeology and Historic Preservation staff for listing in the Tacoma Register of Historic Places, the Washington State Heritage Register, or the National Register of Historic Places, or any property that appears to be eligible for such listing by virtue of its age, exterior condition, or known historical associations.

“Historic Special Review District” means an **area Overlay Zone** with a concentration of historic resources that has been found to meet the criteria for designation as a Historic Special Review District under the provisions of this chapter, ~~which the City finds should be protected from adverse effects to its cultural and historic character resulting from development activities~~, and has been so designated by City Council.

“Interested party of record” means any individual, corporation, partnership, or association which notifies the Commission, in writing, of its interest in a matter before the Commission prior to Commission action on the matter.

~~“Noncontributing property” means a property within a Historic Special Review District which is documented in the district’s nomination to the Tacoma Register of Historic Places as not contributing architecturally, historically, and/or culturally to the historic character of the district; or which has been so designated in a Historic Special Review District Inventory drafted and adopted by the Commission.~~

“Property” means any building, object, site, structure, improvement, public amenity, space, streetscapes and rights-of-way, or area.

“Reconstruction” means the act of structurally rebuilding a ~~historic resource structure or portion thereof,~~ wherein the visible architectural elements are replaced in kind with materials and finishes that ~~match that accurately convey the character of~~ the original elements.

“Removal” means any relocation of a structure on its site or to another site.

~~“Repair” means any change that is not construction, removal, or alteration.~~

“Rehabilitation” means ~~the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient, contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values. the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.~~

~~“Restoration” means the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.~~

“Significant interior features” means architectural features, spaces, and ornamentations which are specifically identified in the landmark nomination

and which are located in public areas of buildings such as lobbies, corridors, or other assembly spaces.

“Streetscape” means the total visual environment of a street as determined by various elements including, but not limited to, street furniture, landscaping, lighting, paving, buildings, activities, traffic, open space, and view.

“Structure” means anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground.

13.07.040 Tacoma Register of Historic Places – Establishment and criteria.

A. Tacoma Register of Historic Places is Established. In order to meet the purposes of this chapter and Chapter 1.42 of the TMC, there is hereby established the Tacoma Register of Historic Places. Historic resources and districts designated to this Register pursuant to the procedures and criteria listed in this chapter are subject to the controls and protections of the Landmarks Preservation Commission established by TMC 1.42 and pursuant to the design review provisions of this chapter.

B. Criteria for the Designation to the Tacoma Register of Historic Places.

1. Threshold Criteria: ~~A property may be included in~~ The Commission may determine that a property is eligible for consideration for listing on the Tacoma Register of Historic Places if it:

- a. Is at least 50 years old at the time of nomination; and
- b. Retains integrity of location, design, setting, materials, workmanship, feeling, and association such that it is able to convey its historical, cultural, or architectural significance; ~~and~~

~~c. Meets one or more of the designation criteria listed in the section below.~~

2. Designation Criteria: In addition to the above, a property may be designated to the Tacoma Register of Historic Places if it:

- a. Is associated with events that have made a significant contribution to the broad patterns of our history; or
- b. Is associated with the lives of persons significant in our past; or
- c. Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity

whose components may lack individual distinction;
or

d. Has yielded or may be likely to yield, information important in prehistory or history; or

e. Abuts a property that is already listed on the Tacoma Register of Historic Places and was constructed within the period of significance of the adjacent structure~~Is part of, adjacent to, or related to an existing or proposed historic district, square, park, or other distinctive area which should be redeveloped or preserved according to a plan based on a historic, cultural, or architectural motif;~~ or

f. Owing to its unique location or singular physical characteristics, represents an established and familiar visual feature of the neighborhood or City.

C. ~~Special Criteria for the Designation of Historic Special Review Districts and Conservation Districts.~~ The City Council may find it appropriate to create Historic Special Review or Conservation Districts for the purposes of encouraging preservation of character within established neighborhoods and districts, protecting such areas from adverse effects to their cultural and historic assets resulting from unsympathetic development activities, and for the purposes of promoting economic development and neighborhood identity. When determining the appropriateness of the designation of a Historic Special Review District, in addition to the criteria above, the Landmarks Preservation Commission shall consider the following:

1. Historic Special Review Districts. Historic Special Review Districts are areas that possess a high level of historic integrity in existing architecture, development patterns and setting, in which these characteristics should be preserved. In addition to the criteria above, a proposed Historic Special Review District should meet the following specific criteria:

a. It is associated with events or trends that have made a significant contribution to the broad patterns of our history; and

b. It is an area that represents a significant and distinguishable entity (whose components may lack individual distinction);

c. It possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

~~The area shall contain a concentration of structures having a special character or special historic, cultural, architectural, engineering, or geographic interest or value as defined by the six criteria above; and~~

~~2. The area shall constitute a distinct section of the City.~~

~~D2. Special Criteria for the Designation of Conservation Districts. Conservation Districts are areas in which there is a clearly established existing character related to historical development patterns and/or the overall appearance of building types that were constructed in a defined period of time. In conjunction with or independent of the establishment of a historic district as set forth in Section 13.07.040, it may be warranted, from time to time, to consider the establishment of a Conservation District. When considering the appropriateness of a Conservation District, the Landmarks Preservation Commission shall consider: A proposed Conservation District should meet one of the following specific criteria:~~

~~1. A potential Conservation District should normally be established surrounding an established or proposed historic district and shall possess special historic, architectural, or cultural significance that is a part of the heritage of the City.~~

~~a. The area is part of, adjacent to, or related to an existing or proposed historic district or other distinctive area which should be redeveloped or preserved according to a plan based on a historic, cultural, or architectural motif; or~~

~~b. It possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.~~

~~2c. Although it shall possess historic character based upon an intact development pattern and a prevailing historic architectural character expressed through its assemblage of buildings, which shares or is sympathetic to the development patterns and period of significance of the adjacent historic district, a Conservation District is not required to meet the criteria for landmark designation as outlined above.~~

~~3. The boundaries of Historic Special Review Districts and Conservation Districts should be based upon a definable geographic area that can be distinguished from surrounding properties by changes such as density, scale, type, age, style of sites, buildings, structures, and objects or by documented differences in patterns of historic development or associations. Although recommended boundaries may be affected by other concerns, including underlying zoning, political or jurisdictional boundaries and property owner sentiment, to the extent feasible, the boundaries should be based upon a shared relationship among the properties constituting the district.~~

13.07.050 Tacoma Register of Historic Places – Nomination and designation process for individual properties.

A. Process for the nomination of individual properties, generally:

1. Any resident of Tacoma or City official, including members of the City Council, City staff, or members of the Planning Commission, may request consideration by the Landmarks Preservation Commission of any particular property for placement on the Tacoma Register of Historical Places.

2. A written request, which shall be in the form of a completed nomination to the Tacoma Register of Historic Places, shall be made to the Historic Preservation Officer. At a minimum, the nomination form shall contain the following:

- a. A narrative statement which addresses the historical or cultural significance of the property, in terms of the Designation Criteria listed in this chapter; and
- b. A narrative statement which addresses the physical condition assessment and architectural description; and
- c. Specific language indicating which improvements on the site are included in the nomination, including any significant interior spaces within publicly owned buildings; and
- d. A complete legal description; and
- e. A description of the character-defining features and architectural elements that are worthy of preservation.
- f. For nominations that are not sponsored by the property owner, the nomination sponsor must provide evidence that attempts to contact the property owner have been made prior to submittal, and provide contact information for the owner.

3. The Historic Preservation Officer or staff may amend, edit, or complete a nomination form submitted to the City for the purposes of clarity, but may not expand the boundaries of the legal description in the nomination without the consent of the nominating individual, unless such a change is required to correct an error or inconsistency within the nomination.

B. Landmarks Preservation Commission Preliminary Meeting on Nomination.

1. When a nomination form is found by the Historic Preservation Officer to be complete as indicated in this section, the Historic Preservation Officer shall:

a. Schedule the nomination for preliminary consideration at the next available regularly scheduled meeting of the Landmarks Preservation Commission and shall serve the taxpayer(s) of record written notice 14 days in advance of the time and place of the meeting. If the taxpayer of record is not the sponsor of the nomination, the taxpayer of record may request an additional 30 days to respond to the nomination.

b. Notify other City Departments and Divisions, as appropriate, of receipt of the nomination.

2. No person shall carry out or cause to be carried out any alteration of any building, site, structure, or object under consideration by the Landmarks Preservation Commission for designation as a City Landmark, without a Certificate of Approval pursuant to TMC 13.07.090.

3. At this meeting, the Landmarks Preservation Commission shall, by quorum vote, find that the application meets the threshold criteria for designation contained in this chapter, that it does not meet the threshold criteria, or the Commission may defer the decision if additional information is required.

4. If the Landmarks Preservation Commission finds that the nomination appears to meet the threshold criteria, the Commission shall:

a. Schedule the nomination for consideration and public comment at a subsequent public meeting at a specified time, date, and place not more than 90 days from the date of the preliminary meeting.

b. Give written notice, by ~~first class~~ mail, of the time, date, place, and subject of the Commission's meeting to consider designation of the property as a City landmark.

c. This notice shall be given not less than 14 days prior to the meeting to all taxpayers of record of the subject property, as indicated by the records of the Pierce County Assessor, and taxpayers of record of properties within 400 feet of the subject property.

5. If the Commission finds that the property does not meet the threshold criteria, the application is rejected and the Commission may not consider the property for designation for a period of one calendar year. Once a calendar year passes, the process may be restarted.

6. If the Commission, following the preliminary meeting, fails to act on the nomination or schedule it

for further consideration within 45 days or by its next meeting, whichever is longer, the application is rejected as above.

C. Landmarks Preservation Commission Meeting on Nomination.

1. At the meeting to consider approval of a nomination to the Register of Historic Places, the Commission shall receive information and hear public comments on whether the property meets the criteria for designation.
2. The Commission may, by a vote of a majority of the quorum, find that the property meets one or more of the criteria for designation and recommend the property for designation as a City landmark, find that the property does not meet any of the criteria and reject the nomination, or it may defer the decision if additional information is required. The Commission shall set forth findings of fact for its decision.
3. If the Commission finds that the property appears to meet the criteria for designation and recommends the property for designation as a City landmark, the Historic Preservation Officer shall transmit the Commission's recommendation to the City Council for its consideration within 30 days of the decision.
4. No proposed nomination may be extended beyond the boundaries of the land described in the original proposal unless the procedures set forth above are repeated for the enlarged boundaries.
5. If the Commission fails to act within a 45-day period or by its next meeting, whichever is longer, the designation shall be deemed to have been rejected and the designation procedure terminated.
6. If a nomination is rejected, the subject property shall not be considered again for historic designation for a period of at least one calendar year from the date of rejection. Once a calendar year passes, the process may be restarted.

D. City Council Review of Designation.

1. Upon receipt of a recommendation from the Commission, the City Council may approve the same by adoption of a resolution designating the structure as a historic landmark or building, may reject the same, or may refer it back to the Commission for further consideration, as the Council may deem appropriate.
2. If the City Council approves the designation, the designating resolution shall contain the following:
 - a. Location description, including legal description, parcel number, and street address of the City landmark;

b. Criteria under which the property is considered historic and therefore designated as a landmark;

c. Elements of the property, including any significant interior spaces if so nominated, that shall be subject to Landmarks Preservation Commission regulation.

3. Upon adoption of a resolution approving the designation of a historic building as a City landmark, the City Clerk shall transmit a copy of said resolution to Building and Land Use Services, which shall place the City landmark designation on the subject property's records under his or her jurisdiction.

13.07.055 Rescission of Landmarks Designation

A. The City Council, Landmarks Preservation Commission, or the owner of property listed on the Tacoma Register of Historic Places may request removal of said property from the Register.

B. Such a request shall be made in writing to the Landmarks Preservation Commission, and shall include a statement of the basis for removal from the Register, based on the following criteria:

1. Economic hardship. The property cannot be maintained as a City Landmark without causing undue economic hardship to the owner.

a. This criterion shall only apply if a determination of economic hardship has been made by the Commission. See Economic Hardship, TMC 13.05.046.

b. This criterion shall not apply in the case of proposed demolitions that have not been before the Commission through the normal Demolition Review process.

2. Catastrophic Loss. Due to circumstances beyond the control of the owner, such as fire, earthquake, or other catastrophic occurrence, the property has been damaged to the extent that its historic character has been irrecoverably lost.

3. Procedural Error. A property may be removed from the Historic Register if there is clear evidence that the Landmarks Preservation Commission or City Council committed any procedural errors during the consideration of the designation. This criterion does not include dissenting opinions regarding the findings or interpretations of the Commission during the designation process or the Commission's application of the Criteria for Designation.

C. The Landmarks Preservation Commission may itself also request removal of a property from the Historic Register in instances where:

1. The significant structure on the property no longer exists, due to a previous demolition.

2. The Commission finds that retaining the property on the Historic Register does not further the goals and objectives of this Chapter and the Preservation Plan.

D. When a request for removal from the Historic Register is received, or when the Landmarks Preservation Commission resolves to request removal of a property from the Historic Register, the Commission shall:

1. Set a date for Public Hearing within 60 days.

2. Send written notice via mail of the date, time and location of the Public Hearing. This notice shall be given not less than 14 days prior to the meeting to all taxpayers of record of the subject property, as indicated by the records of the Pierce County Assessor, and taxpayers of record of properties within 400 feet of the subject property. For properties proposed for removal under Criterion C1, a public hearing is not required.

3. Following the public hearing, the Commission may leave the comment period open for up to 10 days.

4. At its next meeting, following the close of the comment period, the Commission may, by a vote of a majority of the quorum, find that the property meets one or more of the criteria for removal from the historic register and recommend the same to City Council, find that the property does not meet any of the criteria and reject the request, or it may defer the decision if additional information is required. The Commission shall set forth findings of fact for its decision.

5. If the Commission finds that the property appears to meet the criteria for removal from the Historic Register, and recommends the property for removal from the Historic Register, the Historic Preservation Officer shall transmit the Commission's recommendation to the City Council for its consideration within 30 days of the decision.

13.07.060 Tacoma Register of Historic Places – Nomination and designation process for Historic Special Review and Conservation Districts.

A. Members of the City Council or Landmarks Preservation Commission may propose consideration of a Historic Special Review or Conservation District. A proposal may come in response to a request made by residents or community groups. Such requests should be prioritized using the following criteria:

1. Appropriate documentation of eligibility is readily available. Survey documentation is already prepared or could be easily prepared by an outside party in a timely manner; and

2. For proposed historic districts, the area appears to possess a high level of significance, based upon existing documentation or survey data; or

3. For proposed conservation districts, preliminary analysis indicates that the area appears to have a distinctive character that is desirable to maintain; and

4. A demonstrated substantial number of property owners appear to support such a designation, as evidenced by letters, petitions or feedback from public workshops; and

5. Creation of the district is compatible with and supports community and neighborhood plans; or

6. The area abuts another area already listed as a historic district or conservation district; or

7. The objectives of the community cannot be adequately achieved using other land use tools.

B. District Designation – Landmarks Preservation Commission.

1. Public Hearing. Following a request by the City Council or by a quorum vote of the members of the Landmarks Preservation Commission regarding such a request, Building and Land Use Services staff shall:

a. Notify other City Departments and Divisions, as appropriate, of the proposed designation.

b. Schedule a public hearing.

c. Give written notice, by first-class mail, of the time, date, place, and subject of the Commission's meeting to consider designation of the district as a Historic Special Review District.

d. This notice shall be given not less than 14 days prior to the meeting to all taxpayers of record of the subject property, as indicated by the records of the Pierce County Assessor, taxpayers of record of properties within 400 feet of the subject property, and to the Neighborhood Council of the affected area. Notice shall also be submitted for publication to the newspaper of record.

e. Conduct the public hearing in accordance with the notice given, at which the owner or owners of the property involved, the owners of all abutting property, and other interested citizens or public officials shall be entitled to be heard.

2. The Landmarks Preservation Commission shall, by a majority vote of quorum, recommend to the Planning Commission approval, disapproval, or

approval with modification of a proposed Historic Special Review or Conservation District based upon the criteria for designation listed in this chapter, ~~and~~ the goals and purposes of this chapter and the goals and policies contained within the Preservation Plan element of the Comprehensive Plan.

C. District Designation – Planning Commission.

1. Each proposal for a new Historic Special Review District or Conservation District and the respective Landmarks Preservation Commission recommendation shall then be considered by the Planning Commission of the City pursuant to the procedures for area-wide zoning in TMC 13.02.053.

2. Notice of the time, place, and purpose of such hearing shall be given by Building and Land Use Services as provided in the aforementioned section. In addition, each taxpayer of record in a proposed Historic Special Review or Conservation District and within 400 feet of the proposed district shall be notified by mail.

3. In making a recommendation to the City Council, the Planning Commission shall consider the conformance or lack of conformance of the proposed designation with the Comprehensive Plan of the City. The Planning Commission may recommend approval of, or approval of with modifications, or deny outright the proposal, and shall promptly notify the Landmarks Preservation Commission of the action taken.

4. If the Planning Commission recommends approval or approval with modifications of the proposed designation, in whole or in part, it shall transmit the proposal, together with a copy of its recommendation, to the City Council.

5. If the Planning Commission denies the proposed designation, such action shall be final; provided, that the owners or authorized agents of at least 80 percent of the property proposed to be designated, measured by assessed valuation of said property at the time of the Commission's decision, may appeal such disapproval to the City Council within 14 days. For owners of multiple properties, property ownership for the purpose of appeal is calculated as the sum total of the assessed valuation of all affected property.

6. If the proposal is initiated by the City Council, the matter shall be transmitted to the City Council for final determination regardless of the recommendation of the Planning Commission.

D. District Designation – City Council.

1. The City Council shall have final authority concerning the creation of Historic Special Review or

Conservation Districts in the same manner as provided by the City Council in TMC 13.02.053.

2. Pursuant to the aforementioned procedures, the Council may, by ordinance, designate a certain area as a Historic Special Review District and/or Conservation District. Each such designating ordinance shall include a description of the characteristics of the Historic Special Review or Conservation District which justifies its designation, and shall include the legal description of the Historic Special Review District.

3. Within ten days of the effective date of an ordinance designating an area as a Historic Special Review or Conservation District, the Historic Preservation Officer shall send to the owner of record of each property within said district, and to Building and Land Use Services, a copy of the ordinance and a letter outlining the basis for such designation, and the obligations and restrictions which result from such designation, in addition to the requirements of the building and zoning codes to which the property is otherwise subject.

4. Historic District property inventories, identifying contributing and noncontributing properties, shall be adopted upon designation of each historic district and maintained and reviewed annually by the Commission. Such inventories shall be kept on file and available to the public at the Historic Preservation Office.

E. The City Council may, ~~by ordinance, request to~~ amend or rescind the designation of a Historic Special Review District ~~or Conservation District at any time~~ pursuant to the same procedure as set forth in this chapter and TMC 13.02.053 for original designation and area-wide rezones. Amendments or de-designations that are requested by Council shall be transmitted to Council for final determination, regardless of the recommendations of the Planning Commission or Landmarks Preservation Commission.

13.07.070 – District and landmarks regulation.

~~A. All property designated as a City landmark or that is located within a Historic Special Review District or Conservation District, according to the procedures set forth in this chapter, shall be subject to the controls, standards, and procedures set forth herein, as well as the bulk, use, setback, zoning, and other controls of the area in which it is presently located, and the owners of the property shall comply with the mandates of this chapter in addition to the land use and zoning requirements of the area in which such property is presently or may later be located. In the~~

event of a conflict between the application of this chapter and other codes and ordinances of the City, the more restrictive shall govern, except where otherwise indicated.

~~B. Neighborhood compatibility. In certain cases, application of the development standards in the HMR-SRD zoning district, as defined under TMC 13.06.118, including those for height, bulk, scale, and setbacks, may conflict with historic preservation standards or criteria and result in adverse effects to historic properties. For the purposes of TMC 13.06.118, properties subject to design review and approval by the Landmarks Preservation Commission shall be exempted from the standards that conflict with the Landmarks Commission's application of historic preservation standards adopted pursuant to this chapter, including the Secretary of the Interior's Standards for the Rehabilitation and Guidelines for Rehabilitation of Historic Buildings and applicable Historic Special Review District Design Guidelines. The issuance of a Certificate of Approval for final design by the Landmarks Preservation Commission shall include specific references to any conflicts between the standards in this chapter and those in TMC 13.06.118F, and specifically request the appropriate exemptions.~~

~~C. Compatibility with downtown design standards. In certain cases, the application of design standards in downtown zones may conflict with historic preservation standards or criteria and result in adverse effects to historic properties. For the purposes of TMC 13.06A.070B, properties subject to design review and approval by the Landmarks Preservation Commission shall be exempted from the basic design standards that conflict with the Landmarks Commission's application of historic preservation standards adopted pursuant to this chapter, including the Secretary of the Interior's Standards for the Rehabilitation and Guidelines for Rehabilitation of Historic Buildings and applicable Historic Special Review District Design Guidelines. The issuance of a Certificate of Approval for final design by the Landmarks Preservation Commission shall serve as the Commission's findings as required in TMC 13.06A.070B.~~

~~D. Upon adoption of this ordinance, and for successive Historic and Conservation District designations, the Landmarks Preservation Commission shall adopt an official inventory of the historic properties that are within and found to contribute to the historic and architectural character of the respective district, as defined by the criteria and purposes contained within this chapter.~~

~~E. Architectural integrity, as it relates to materials, space, and composition in various periods of architecture, shall be respected and, to the extent possible, maintained in contributing properties. Historic District property inventories shall be maintained and reviewed annually by the Commission and shall be kept on file and available to the public at the Historic Preservation Office. The absence of a property on a historic inventory shall not preclude the Landmarks Preservation Commission's authority to review changes to such a property. If a property is not listed on the historic inventory for the district, the property shall be assumed to be contributing.~~

13.07.070 Commission rules of procedure and administrative guidelines

A. The Commission shall adopt and maintain a Rules of Procedure document that provides for the following:

1. Application submittal requirements for nominations to the historic register.
2. Design guidelines for historic special review and conservation districts.
3. Any amendments to the above shall be considered once annually concurrent with updates to the Commission bylaws, and shall require a public hearing.

B. Historic District Inventories. The Commission shall adopt and maintain historic building inventories for buildings within Historic Special Review Districts that identify "Contributing" and "Non Contributing" properties. Architectural integrity, as it relates to materials, space, and composition in various periods of architecture, shall be respected and, to the extent possible, maintained in contributing properties. Historic. The absence of a property on a historic inventory shall not preclude the Landmarks Preservation Commission's authority to review changes to such a property. If a property is not listed on the historic inventory for the district, the property shall be assumed to be contributing.

13.07.080 Special tax valuation – Local Review Board.

Pursuant to TMC 1.42 and authorized pursuant to WAC 254-20 (hereinafter referred to as the "State Act"), the Landmarks Preservation Commission is hereby designated as the Local Review Board to exercise the functions and duties of a local review board as defined and until such time as the City Council may either amend or repeal this provision or designate some other local body or committee as the

Local Review Board to carry out such functions and duties.

13.07.085 Property eligible for special tax valuation.

The class of historic property which shall be eligible for special valuation in accordance with the State Act shall be property which is a historic property meeting the criteria or requirements as set forth and defined in the State Act, and which is designated as a City landmark by resolution of the City Council in accordance with the provisions of this chapter, or is a contributing property within a locally administered Historic Special Review District. Landmarks Preservation Commission shall act as the Local Review Board and enter into the ~~The covenants or agreements referred to in Section 3(2) WAC 254-20 of the State Act and amendments thereto shall be subject to approval by resolution of the City Council and may be executed on behalf of the City and the Local Review Board by the appropriate officers of the City and the Local Review Board, as designated by the resolution approving such covenants or agreements.~~

13.07.090—Certificates of approval.

~~A. Certificate of Approval Required. Except where specifically exempted by this chapter, no person shall carry out or cause to be carried out any alteration of any City landmark, any building, site, structure or object proposed for designation as a City Landmark pursuant to TMC 13.07.050, or alteration or construction of any new or existing structures, buildings, public rights of way, or other public spaces in any Historic Special Review or Conservation District, and no one shall remove or alter any sign or erect or place any new sign, and no permit for such activity shall be issued unless a Certificate of Approval has been issued by the Landmarks Preservation Commission or, subject to the limitations imposed by the Landmarks Preservation Commission pursuant to TMC 1.42, administrative approval has been granted by the Historic Preservation Officer.~~

~~B. When a permit application is filed with Building and Land Use Services that requires a Certificate of Approval, the applicant shall be referred to the Historic Preservation Officer.~~

C. Application Requirements.

~~1. Applications for a Certificate of Approval shall be filed with the Historic Preservation Officer.~~

~~2. The following information must be provided in order for the application to be complete, unless the~~

~~Historic Preservation Officer indicates in writing that specific information is not necessary for a particular application:~~

~~a. Property name and building address;~~

~~b. Applicant's name and address;~~

~~c. Property owner's name and address;~~

~~d. Applicant's telephone and e-mail address, if available;~~

~~e. The building owner's signature on the application or, if the applicant is not the owner, a signed letter from the owners designating the applicant as the owner's representative;~~

~~f. Confirmation that the fee required by the General Services Fee Schedule has been paid;~~

~~g. Written confirmation that the proposed work has been reviewed by Building and Land Use Services, appears to meet applicable codes and regulations, and will not require a variance;~~

~~h. A detailed description of the proposed work, including:~~

~~(1) Any changes that will be made to the building or the site;~~

~~(2) Any effect that the work would have on the public right of way or public spaces;~~

~~(3) Any new construction;~~

~~i. Twenty sets of scale plans, with all dimensions shown, of:~~

~~(1) A site plan of all existing conditions, showing adjacent streets and buildings, and, if the project includes any work in the public right of way, the existing street uses, such as street trees and sidewalk displays, and another site plan showing proposed changes to the existing conditions;~~

~~(2) A floor plan showing the existing features and a floor plan showing proposed new features;~~

~~(3) Elevations and sections of both the proposed new features and the existing features;~~

~~(4) Construction details, where appropriate;~~

~~(5) A landscape plan showing existing features and plantings and a landscape plan showing proposed site features and plantings;~~

~~j. Photographs of any existing features that would be altered and photographs showing the context of those features, such as the building facade where they are located;~~

k. If the proposal includes new finishes or paint, one sample of proposed colors and an elevation drawing or photograph showing the proposed location of proposed new finishes or paint;

l. If the proposal includes new signs, canopies, awnings, or exterior lighting:

(1) Twenty sets of scale drawings of the proposed signs, awnings, canopies, or lighting showing the overall dimensions, materials, design graphics, typeface, letter size, and colors;

(2) Twenty copies of details showing the proposed methods of attachment for the new signs, canopies, awnings, or exterior lighting;

(3) For lighting, detail of the fixture(s) with specifications, including wattage and illumination color(s);

(4) One sample of the proposed colors and materials;

m. If the proposal includes the removal or replacement of existing architectural elements, a survey of the existing conditions of the features that would be removed or replaced.

D. Applications for Preliminary Approval.

1. An applicant may make a written request to submit an application for a Certificate of Approval for a preliminary design of a project if the applicant waives, in writing, the deadline for a Commission decision on the subsequent design phase or phases of the project and agrees, in writing, that the decision of the Commission is immediately appealable by the applicant or any interested person(s).

2. The Historic Preservation Officer may reject the request if it appears that the review of a preliminary design would not be an efficient use of staff or Commission time and resources, or would not further the goals and objectives of this chapter.

3. To be complete, an application for a Certificate of Approval for a preliminary design must include the following:

a. Building name and building address;

b. Applicant's name and address;

c. Building owner's name and address;

d. Applicant's telephone and e-mail address;

e. The building owner's signature on the application or a signed letter from the owners designating the applicant as the owner's representative, if the applicant is not the owner;

f. Confirmation that the fee required by the General Services Fee Schedule has been paid;

g. Written confirmation that the proposed work has been reviewed by Building and Land Use Services, appears to meet applicable codes and regulations, and will not require a Land Use variance;

h. A description of the proposed work, including:

(1) General overview of any changes that will be made to the building or the site;

(2) General effects that the work would have on the public right of way or public spaces;

i. Twenty sets of scale plans, as applicable, with all dimensions shown of:

(1) A conceptual site plan of all existing conditions showing adjacent streets and buildings and, if the project includes any work in the public right of way, the existing street uses, such as street trees and sidewalk displays, and another site plan showing proposed changes to the existing conditions;

(2) Elevations of both the proposed new features and the existing features;

j. Photographs of any existing features that would be altered and photographs showing the context of those features, such as the building facade where they are located;

k. If the proposal includes the removal or replacement of existing architectural elements, a survey of the existing conditions of the features that would be removed or replaced.

4. A Certificate of Approval of a preliminary design shall be conditioned automatically upon the subsequent submittal of the final design and all of the information listed in Subsection C.2. above, and upon Commission approval prior to the issuance of any permits for work affecting the property.

13.07.095—Certificates of Approval—Process and standards for review.

A. The Landmarks Preservation Commission is the designated body that reviews and approves or denies applications for Certificates of Approval.

B. Review Process.

1. When an application for Certificate of Approval is received, the Historic Preservation Officer shall review the application and shall notify the applicant in writing within 28 days whether the application is complete or that the application is incomplete and what additional information is required before the application will be complete.

2. Within 14 days of receiving the additional information, the Historic Preservation Officer shall notify the applicant in writing whether the application

~~is now complete or what additional information is necessary.~~

~~3. An application shall be deemed to be complete if the Historic Preservation Officer does not notify the applicant in writing, by the deadlines provided in this section, that the application is incomplete. A determination that the application is complete is not a determination that an application is vested.~~

~~4. The determination that an application is complete does not preclude the Historic Preservation Officer or the Landmarks Preservation Commission from requiring additional information during the review process if more information is needed to evaluate the application according to the criteria in this chapter and any rules adopted by the Commission.~~

~~5. Within 30 days after an application for a Certificate of Approval has been determined complete or at its next regularly scheduled meeting, whichever is longer, the Commission shall review the application to consider the application and to receive comments.~~

~~6. Notice of the Commission's meeting shall be served to the applicant and distributed to an established mailing list no less than three days prior to the time of the meeting.~~

~~7. The absence of the owner or applicant shall not impair the Commission's authority to make a decision regarding the application.~~

~~8. Within 45 days after the application for a Certificate of Approval has been determined complete, the Landmarks Preservation Commission shall issue a written decision granting, or granting with conditions, or denying a Certificate of Approval, or if the Commission elects to defer its decision, a written description of any additional information the Commission will need to arrive at a decision, and shall provide a copy of its decision to the applicant and Building and Land Use Services.~~

~~9. A Certificate of Approval shall be valid for 18 months from the date of issuance of the Commission's decision granting it unless the Commission grants an extension; provided, however, that a Certificate of Approval for actions subject to a permit issued by Building and Land Use Services shall be valid for the life of the permit, including any extensions granted in writing by Building and Land Use Services.~~

13.07.095 C-Certificates of Approval - Standards for Review.

~~1A. In addition to any district rules, policies, or design guidelines for Historic Districts described~~

~~elsewhere in this chapter, t~~The Landmarks Preservation Commission shall use the following as guidelines when evaluating the appropriateness of alterations to properties listed on the Tacoma Register of Historic Places, a City landmark, excepting applications for demolition:

1. a-For properties listed individually on the Tacoma Register of Historic Places, The-the most current version of the Secretary of the Interior's Guidelines for the Treatment of Historic Properties published and maintained by the United States National Park Service, -including, but not limited to, Standards for Rehabilitation, Restoration, Preservation, and Reconstruction, as appropriate to the proposed project is the primary resource for evaluating appropriateness of rehabilitation projects. The Standards pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility. The basic standards are:

a. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

d. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

2. For specific projects that involve Restoration, Preservation, or Reconstruction, the Secretary of the Interior's Standards for Rehabilitation, Restoration, Preservation, and Reconstruction, may be applied as appropriate to the proposed project.

3. For properties located within a Historic or Conservation District, the Commission shall base decisions on the district rules, policies, or design guidelines for Historic or Conservation Districts as described in this chapter.

b. For technical preservation and conservation matters, the Commission may refer to Preservation briefs, and professional technical reports published by the National Park Service on various conservation and preservation practices.

B. Intent and Applicability

1. With regard to individually designated City Landmarks, the Standards are to be applied to ensure that any proposed development will neither adversely affect the exterior architectural features of the resource nor adversely affect the character or historical, architectural, or aesthetic interest or value of such resource and its site.

2. With regard to any property located within a historic district, Design Guidelines are to be applied to ensure that the proposed development conforms to the prescriptive standards for the district adopted by the commission and does not adversely affect the character of the district.

2-3. These standards shall be filed and made available to any property owner and the public at the Historic Preservation Office of the City.

13.07.100 Criteria for the Relocation of a City Landmark.

Relocating a historic structure usually diminishes its integrity, because the association with the original site is a key feature, and therefore it is not permitted in most cases. However, there may be extreme circumstances, in which a building is threatened in its present location and alternatives for preservation on site do not exist. In such a case, the following criteria should apply:

A. The structure is threatened by further deterioration or loss in its present location.

B. All alternatives to relocation have been reasonably considered.

C. The original building and site condition will be accurately recorded before removing the structure from the existing site.

D. Moving procedures are sufficiently planned to protect the key features of the structure.

E. The relocation site provides an appropriate context similar to that of the original.

F. A commitment is in place to complete the relocation and subsequent rehabilitation of the building.

G. There is adequate protection to assure continued preservation of the building at its relocated site.

13.07.100 Demolition of City Landmarks — Declaration of purpose.

A. Historic resources in the City contribute to the general public welfare by fostering civic identity and pride, promoting a sense of local history and place, by encouraging public and private capital investment in underutilized buildings and infrastructure, and by educating the public about past ways of life, individuals, events, and architectural styles.

B. Properties that are placed on the Tacoma Register of Historic Places, either as individual properties or as part of districts, have been determined, through a public process, to represent exceptional examples of a type of architecture, design, engineering, as exceptional examples of the environment at a particular point in history, as representative of historical patterns or events, or because of their exceptional educational or scholarly importance.

C. It is the policy of the City to prevent unnecessary demolition of its City landmarks and to encourage

investment in and adaptive reuse of underutilized historic resources.—Approval of demolitions of City landmarks shall be granted only in special circumstances where it has been determined by the Landmarks Preservation Commission that the property owner has satisfactorily met the conditions and criteria imposed by this section.

13.07.110—Demolition of City landmarks— Application process.

A. Permitting Timelines. Any City landmark for which a demolition permit application has been received is excluded from City permit timelines imposed by TMC 13.05.010.J.

B. Certificate of Approval for Demolition of City Landmark Required. No person shall carry out or cause to be carried out demolition of a City landmark, and no demolition permit shall be issued for the same unless a Certificate of Approval for Demolition of a City Landmark has been issued by the Landmarks Preservation Commission, and all special and automatic conditions imposed on such approval have been determined satisfied by the Historic Preservation Officer.

1. An application for a Certificate of Approval for Demolition of a City Landmark shall be filed with the Historic Preservation Officer. When a demolition permit application is filed with Building and Land Use Services, the applicant shall be referred to the Historic Preservation Officer.

2. Determination of Complete Application.

a. The Historic Preservation Officer shall determine whether an application for historic building demolition is complete and shall notify the applicant in writing within 30 days of the application being filed, whether the application is complete or that the application is incomplete and what additional information is required before the application will be complete.

b. Within 14 days of receiving the additional information, the Historic Preservation Officer shall notify the applicant in writing, whether the application is now complete or what additional information is necessary.

c. An application shall be deemed to be complete if the Historic Preservation Officer does not notify the applicant in writing, by the deadlines in this section, that the application is incomplete. A determination that the application is complete is not a determination that an application is vested.

d. The determination that an application is complete does not preclude the Historic Preservation Officer or

the Landmarks Preservation Commission from requiring additional information during the review process if more information is needed to evaluate the application according to the criteria in this chapter and in any rules adopted by the Commission.

3. Application Review.

a. Preliminary Meeting.

(1) Once the application for historic building demolition has been determined to be complete, excepting the demolition fee, the Historic Preservation Officer shall schedule a preliminary briefing at the next available regularly scheduled meeting of the Landmark Preservation Commission.

(2) The purpose of this meeting is for the applicant and the Commission to discuss the project background and possible alternative outcomes, and to schedule a hearing date.

(3) To proceed with the application, the applicant shall request a public hearing, in writing, to consider the demolition application at the preliminary meeting.

(4) At this meeting, the Landmarks Preservation Commission may grant the request for public hearing, or may request an additional 30 days from this meeting to distribute the application for peer review, especially as the material pertains to the rationale contained in the application that involves professional expertise in, but not limited to, engineering, finance, architecture or architectural history, and law, or, finding that the property in question is not contributing to the Historic District, may conditionally waive the procedural requirements of this section, provided that subparagraphs A and B, of Section 13.07.130, “Demolition of City Landmarks—Automatic conditions,” are met.

(5) If a 30-day peer review is requested, the request for public hearing shall again be considered at the next regular meeting following the conclusion of the peer review period.

b. Public Hearing.

(1) Upon receiving such direction from the Landmarks Preservation Commission, and once the application fee has been paid by the applicant, the Historic Preservation Officer shall schedule the application for a public hearing within 90 days.

(2) The Historic Preservation Officer shall give written notice, by first-class mail, of the time, date, place, and subject of the meeting to consider the application for historic building demolition not less than 30 days prior to the meeting to all owners of record of the subject property, as indicated by the records of the Pierce County Assessor, and taxpayers

of record of properties within 400 feet of the subject property.

(3) The Commission shall consider the merits of the application, comments received during peer review, and any public comment received in writing or during public testimony.

(4) Following the public hearing, there shall be an automatic 60-day comment period during which the Commission may request additional information from the applicant in response to any commentary received.

(5) At its next meeting following the public comment period, the Landmarks Preservation Commission shall make Findings of Fact regarding the application based on the criteria for consideration contained in this subsection. The Landmarks Preservation Commission may approve, subject to automatic conditions imposed by this subsection, the application or may deny the application based upon its findings of fact. This decision will instruct the Historic Preservation Officer whether or not he or she may issue written approval for a historic building demolition.

13.07.120—Demolition of City landmarks— Application requirements.

A. The following information must be provided in order for the application to be complete, unless the Historic Preservation Officer indicates in writing that specific information is not necessary for a particular application:

1. Building name and building address;
2. Applicant's name and address;
3. Building owner's name and address;
4. Applicant's telephone and e-mail address, if available;
5. The building owner's signature on the application, or a signed letter from the owners designating the applicant as the owner's representative if the applicant is not the owner;
6. Confirmation that the fee required by the City of Tacoma Fee Schedule has been paid;
7. Written confirmation that the demolition has been reviewed by Building and Land Use Services, appears to meet applicable codes and regulations, and will not require a land-use variance or code waiver;
8. A detailed, professional architectural and physical description of the property in the form of a narrative report, to cover the following:

a. Physical description of all significant architectural elements of the building;

b. A historical overview;

c. Elevation drawings of all sides;

d. Site plan of all existing conditions showing adjacent streets and buildings and, if the project includes any work in the public right-of-way, the existing street uses, such as street trees and sidewalk displays;

e. Photographs of all significant architectural elements of the building; and

f. Context photographs, including surrounding streetscape and major sightlines.

9. A narrative statement addressing the criteria in this subsection for Applications for Historic Building Demolitions, to include the following areas, as applicable:

a. Architectural/historical/cultural significance of the building;

b. Physical condition of the building;

c. Future development plans for the site, including conceptual drawings, sketches, renderings, and plans.

10. Written proof, acceptable to the Landmarks Preservation Commission, of valid and binding financial commitments for the replacement structure is required before the permit can be issued, and should be submitted with the demolition request. This may include project budgets, funding sources, and written letters of credit.

11. A complete construction timeline for the replacement structure to be completed within two years, or a written explanation of why this is not possible.

12. Reports by professionally qualified experts in the fields of engineering, architecture, and architectural history or real estate finance, as applicable, addressing the arguments made by the applicant.

13.07.130—Demolition of City landmarks— Automatic conditions.

Following a demolition approval pursuant to this section, the following conditions are automatically imposed, except where exempted per TMC 13.07.110.B.3.a(4) and 13.07.150.C, and must be satisfied before the Historic Preservation Officer shall issue a written decision:

A. For properties within a Historic Special Review or Conservation District, the design for a replacement structure is presented to and approved by the

~~Landmarks Preservation Commission pursuant to the regular design review process as defined in this chapter; or, if no replacement structure is proposed for a noncontributing structure, the Commission may, at its discretion, waive this condition and 13.07.130.B and D;~~

~~B. Acceptable proof of financing commitments and construction timeline is submitted to the Historic Preservation Officer;~~

~~C. Documentation of the building proposed for demolition that meets Historic American Building Survey (“HABS”) standards or mitigation requirements of the Washington State Department of Archaeology and Historic Preservation (“DAHP”), as appropriate, is submitted to the Historic Preservation Office and the Northwest Room of the Tacoma Public Library;~~

~~D. Building and Land Use Service permits for the replacement are ready for issue by Building and Land Use Services, and there are no variance or conditional use permit applications outstanding;~~

~~E. Any mitigation agreement proposed by the applicant is signed and binding by City representatives and the applicant, and approved, if necessary, by the City Council; and~~

~~F. Any conditions imposed on the demolition have been accepted in writing (such as salvage requirements or archaeological requirements).~~

13.07.140110 Demolition of City landmarks – Standards and criteria for review.

In addition to the stated purposes and findings located in this chapter, the Landmarks Preservation Commission shall address the following issues when considering an application for historic building demolition:

- A. The reasonableness of any alternatives to demolition that have been considered and rejected, that may meet the stated objectives of the applicant;
- B. The physical, architectural, or historic integrity of the structure in terms of its ability to convey its significance, but not including any damage or loss of integrity that may be attributable to willful neglect;
- C. The importance of the building to the character and integrity of the surrounding district; and
- D. Any public or expert commentary received during the course of the public comment and peer review periods.

~~E. Economic Hardship: A City Landmark be demolished if the Landmarks Preservation Commission finds, pursuant to the Criteria for Economic Hardship located in Chapter 13.05.046, that maintenance, use and/or alteration of the resource in accordance with the requirements of this chapter would cause immediate and substantial hardship on the property owner(s) because of rehabilitation in a manner which preserves the historic integrity of the resource;~~

- ~~1. Is infeasible from a technical, mechanical, or structural standpoint, and/or~~
- ~~2. Would leave the property with no reasonable economic value because it would require an unreasonable expenditure taking into account such factors as current market value, permitted uses of the property, the value of transferable development rights and the cost of compliance with applicable local, state, and federal codes.~~

13.07.150 Demolition of City Landmarks— Specific exemptions.

The following are excluded from the requirements imposed by this chapter but are still subject to Landmarks Preservation Commission approval for exterior changes as outlined elsewhere in this chapter:

~~A. Demolition of accessory structures, including garages and other outbuildings, and noncontributing later additions to historic buildings, where the primary structure will not be affected materially or physically by the demolition and where the accessory or addition is not specifically designated as a historic structure of its own merit;~~

~~B. Demolition work on the interior of a City landmark or object, site, or improvement within a Historic Special Review or Conservation District, where the proposed demolition will not affect the exterior of the building and where no character-defining architectural elements specifically defined by the nomination will be removed or altered; and~~

~~C. Objects, sites, and improvements that have been identified by the Landmarks Preservation Commission specifically as noncontributing within their respective Historic Special Review or Conservation District buildings inventory at the preliminary meeting, provided that a timeline, financing, and design for a suitable replacement structure have been approved by the Landmarks Preservation Commission pursuant to Section 13.07.095 of this chapter, or such requirements have been waived pursuant to TMC 13.07.130.A;~~

13.07.160—Appeals to the Hearing Examiner.

~~A. Referral to the Hearing Examiner. The Landmarks Preservation Commission shall refer to the Hearing Examiner for public hearing all final decisions regarding applications for certificates of approval where the property owners, any interested parties of record, or applicants file with the Landmarks Preservation Commission, within 10 days of the date on the decision, written notice of appeal of the decision or attached conditions.~~

~~B. Form of Appeal. An appeal of the Landmarks Preservation Commission shall take the form of a written statement of the alleged reason(s) the decision was in error, or specifying the grounds for appeal. The following information shall be submitted:~~

- ~~1. An indication of facts that establish the appellant's standing;~~
- ~~2. An identification of explicit exceptions and objections to the decision being appealed, or an identification of specific errors in fact or conclusion;~~
- ~~3. The requested relief from the decision being appealed;~~
- ~~4. Any other information reasonably necessary to make a decision on appeal.~~

~~Failure to set forth specific errors or grounds for appeal shall result in a summary dismissal of the appeal.~~

~~C. The Hearing Examiner shall conduct a hearing in the same manner and subject to the same rules as set forth in TMC 1.23.~~

~~D. The Hearing Examiner's decision shall be final. Any petition for judicial review must be commenced within 21 days of issuance of the Hearing Examiner's Decision, as provided for by TMC 1.23.060 and RCW 36.70C.040.~~

13.07.165—Appeals to the Hearing Examiner—Factors to be considered.

~~A. The Hearing Examiner, in considering the appropriateness of any exterior alteration of any City landmark, shall give weight to the determination and testimony of the consensus of the Landmarks Preservation Commission and shall consider:~~

- ~~1. The purposes, guidelines, and standards for the treatment of historic properties contained in this chapter, and the goals and policies contained in the Culture and History Element of the Comprehensive Plan;~~

~~2. The purpose of the ordinance under which each Historic Special Review or Conservation District is created;~~

~~3. For individual City landmarks, the extent to which the proposal contained in the application for Certificate of Approval would adversely affect the specific features or characteristics specified in the nomination to the Tacoma Register of Historic Places;~~

~~4. The reasonableness, or lack thereof, of the proposal contained in the application in light of other alternatives available to achieve the objectives of the owner and the applicant; and~~

~~5. The extent to which the proposal contained in the application may be necessary to meet the requirements of any other law, statute, regulation, code, or ordinance.~~

~~B. When considering appeals of applications for demolition decisions, in addition to the above, the Hearing Examiner shall refer to the Findings of Fact made by the Landmarks Preservation Commission in addition to the demolition criteria for review and other pertinent statements of purpose and findings in this chapter.~~

~~C. The Examiner may attach any reasonable conditions necessary to make the application compatible and consistent with the purposes and standards contained in this chapter.~~

13.07.170—Ordinary maintenance or repairs.

~~Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of any City landmark, which maintenance or repair does not involve a change in design, material, or the outward appearance thereof.~~

13.07.180—Minimum buildings standards.

~~A. Prevention of Demolition by Neglect. The Landmarks Preservation Commission shall make a reasonable effort to notify the Building Official of historic properties that appear to meet the criteria for substandard buildings or property under TMC 2.01.060.~~

~~B. For buildings listed on the Tacoma Register of Historic Places which are found to be Substandard, Derelict, or Dangerous according to the Building Official, under the Minimum Building provisions of TMC 2.01, the following shall apply:~~

- ~~1. Because City landmarks are culturally, architecturally, and historically significant to the City and community, the historic status of a Substandard, Derelict, or Dangerous Building may constitute a~~

“sufficient reason” for acceptance of alternate timelines and extensions upon agreed timelines; and,

2. Any timelines and plans for the remediation of a dangerous City landmark, including for repair or demolition, shall not be accepted by the Building Official until the applicable procedures as set forth in this chapter for review of design or demolition by the Landmarks Preservation Commission have been satisfied, pursuant to TMC 2.01.040.F.

3. The Building Official may consider the Landmarks Preservation Commission to be an interested party as defined in TMC 2.01, and shall make a reasonable effort to keep the Commission notified of enforcement complaints and proceedings involving City Landmarks.

C. Nothing in this chapter shall be construed to prevent the alteration of any feature which the Building Official shall certify represents an immediate and urgent threat to life safety. The Building Official shall make a reasonable effort to keep the Historic Preservation Officer informed of alterations required to remove an unsafe condition involving a City Landmark.

D. The Historic Preservation Officer shall have the authority to administratively approve changes without prior Landmarks Preservation Commission review per TMC 13.07.095, if, upon consultation with the Building Official and appropriate City Engineering staff, it is determined such changes are necessary to mitigate an immediate and urgent threat of structural failure or significant damage to a City landmark. The circumstances and rationale for such an alteration shall be provided in a report to the Commission at its next regular meeting.

13.07.120 Historic Special Review and Conservation Districts – Generally

A. Design Guidelines.

1. The Landmarks Preservation Commission shall adopt Guidelines for Building Design and Streetscape Review for historic special review districts and conservation districts, to be used as the basis for design review for rehabilitation, new development, and public amenities within the districts. Such guidelines are intended to ensure a certainty of design quality within each district, protect the historic fabric of the districts, enhance the economic viability of the districts through the promotion of their architectural character, and provide a clear set of physical design parameters for property owners, developers, designers, and public agencies.

2. Guidelines at a minimum should address the following subjects: height, scale, massing, exterior cladding and materials, building form and shape, roof shape, fenestration patterns and window materials, architectural details, storefronts (within commercial areas), awnings and signs, additions, parking, main entrances, rhythm of openings, accessory structures, mechanical equipment, streetscape and sustainable design.

3. In instances where design guidelines have not yet been adopted for historic special review or conservation districts, the Secretary of the Interior’s Standards for Rehabilitation may be used.

4. For certain common types of City-managed projects, and for certain projects within the City right-of-way, including streetlighting, sidewalk repair and similar alterations within the right-of-way, the City Public Works Department may propose “standard specifications” for programmatic review and adoption by the Commission, in lieu of case-by-case reviews. Any such standards, rules or policies shall be adopted by quorum vote and, once adopted, shall be made available to the public in electronic and printed formats.

B. District exemptions. The following actions within historic districts are exempt from the requirements imposed pursuant to this chapter:

1. Any alterations to non-contributing properties as defined by the District Inventory adopted by the Commission and kept on file at the Historic Preservation Office; provided, that the demolition of such structures is not exempt from the provisions of this chapter; and

2. Interior alterations to existing properties, unless those modifications affect the exterior appearance of the property. (Ord. 27429 § 3; passed Nov. 15, 2005)

13.07.190130 Designation of Old City Hall Historic Special Review District – Declaration of purpose.

A. In order that the Old City Hall area and buildings within the area may not be injuriously affected; to promote the public welfare; and to provide for the enhancement of this area and its structures, thereby contributing to the social, cultural, and economic welfare of the citizens of Tacoma by developing an awareness of its historic heritage, returning unproductive structures to useful purposes, and attracting visitors to the City; and in order that a reasonable degree of control may be exercised over the site, development, and architecture of the private and public buildings erected therein, there is hereby created the Old City Hall Historic Special Review

District, the boundaries of which are more particularly described in Section 13.07.120 hereof.

B. Said district and the buildings and structures therein possess significant aspects of early Tacoma history, architecture, and culture. Historic, cultural, and architectural significance is reflected in the architectural cohesiveness of the area. For the foregoing reasons, many of the features contained in the buildings and structures in said district should be maintained and preserved.

13.07.200140 Designation of Old City Hall Historic Special Review District – Findings.

A. The area encompassed by the Old City Hall Historic Special Review District has played a significant role in the development of the City of Tacoma, the Puget Sound region, and the state of Washington. The district was the location of the early governmental and commercial center of the City. The focus of commerce and transportation was located in this district.

B. The Old City Hall Historic Special Review District is associated with the lives of many Tacoma pioneers through property, business, and commercial activities which were concentrated in the area.

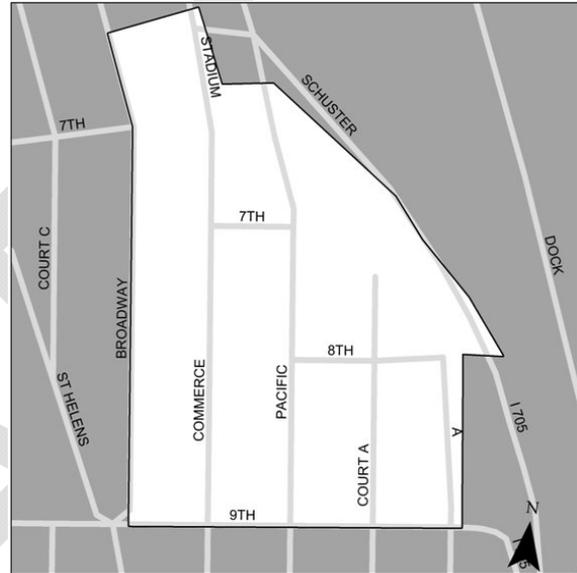
C. Many buildings within the Old City Hall Historic Special Review District embody distinctive characteristics of late 19th Century Eclectic architecture, which reflects Greco-Roman and Renaissance architectural influences. For these and other reasons, the buildings and structures combine to create an outstanding example of an area of Tacoma which is significant and distinguishable in style, form, character, and construction representative of its era.

D. The restoration and preservation of objects, sites, buildings, and structures within the Old City Hall Historic Special Review District will yield information of educational significance regarding the way of life and the architecture of the late 19th century, as well as add interest and color to the City. Restoration of the Old City Hall Historic Special Review District will preserve the environment which was characteristic of an important era of Tacoma's history, and will be considerably more meaningful and significant educationally than if done on the basis of individual isolated buildings and structures.

13.07.210150 Old City Hall Historic Special Review District – Boundary description.

The legal description for the Old City Hall Historic Special Review District is described in Ordinance No. 24877, and shall be kept on file in the City Clerk's Office. The approximate boundaries are described in Map A below.

Map A: Approximate Boundaries of the Old City Hall Historic Special Review District



13.07.220160 Old City Hall Special Review District – Specific Exemptions.

The following actions are exempt from the requirements imposed pursuant to this chapter:

A. Any alterations to non-contributing properties as defined by the District Inventory adopted by the Commission and kept on file at the Historic Preservation Office; provided, that the demolition of such structures is not exempt from the provisions of this chapter; and

B. Interior alterations to existing properties, unless those modifications affect the exterior appearance of the property.

13.07.230170 Designation of Union Depot/Warehouse Historic Special Review District – Declaration of purpose.

In order that the area and buildings within the area may not be injuriously affected, to promote the public

welfare, and to provide for the enhancement of the area and its structures, thereby contributing to the social, cultural, and economic welfare of the citizens of Tacoma by developing an awareness of its historic and architectural heritage, returning unproductive structures to useful purposes, and attracting visitors to the City, and in order that a reasonable degree of control may be exercised over the site, development, and architecture of the private and public buildings erected therein, including certain infrastructure, there is hereby created the Union Depot/Warehouse Historic Special Review District.

13.07.240180 Designation of the Union Depot/Warehouse Historic Special Review District – Findings.

A. The area encompassed by the Union Depot/Warehouse Historic Special Review District has played a significant role in the development of the City of Tacoma, the Puget Sound region, and the state of Washington. The district was the location of the early railroad, industrial, and commercial center of the City. The focus of early manufacture and commerce was identified with this district.

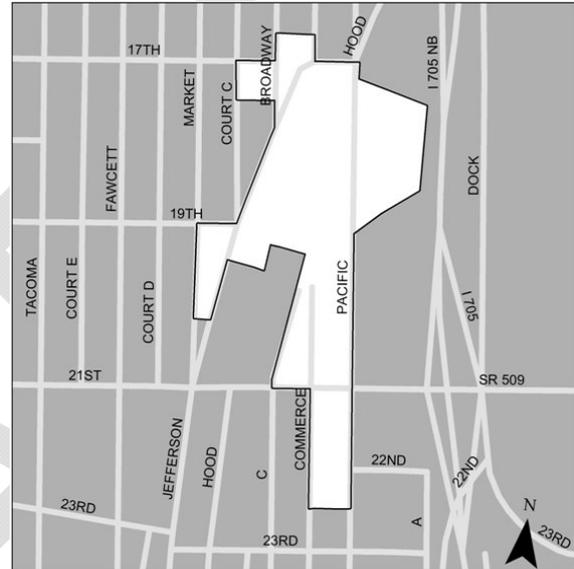
B. The Union Depot/Warehouse Historic Special Review District is associated with the lives of many Tacoma pioneers through property, railroad, and commercial activities which were concentrated in the area. Many of the buildings within the Union Depot/Warehouse Historic Special Review District embody the distinctive characteristics of the late 19th and early 20th century Eclectic architecture, which reflects Greco-Roman, Renaissance, and Baroque architectural influences. For these and other reasons, the buildings and structures combine to create an outstanding example of a historic district in Tacoma dating from circa 1887–1930, which is significant and distinguishable in style, form, character, and construction representative of its era.

C. Restoration and preservation of objects, sites, buildings, and structures within the Union Depot/Warehouse Historic Special Review District will yield information of educational significance regarding the way of life and the architecture of the late 19th and early 20th centuries, as well as add interest and color to the City. Restoration of the Union Depot/Warehouse Historic Special Review District will preserve the sense of place and time and the environment which was characteristic of an important era of Tacoma’s history, and such district planning will be considerably more meaningful and significant educationally than if done on the basis of individual isolated buildings and structures.

13.07.250190 Union Depot/Warehouse Historic Special Review District – Boundary description.

The legal description for the Union Depot/Warehouse Historic Special Review District is described in Ordinance No. 24505, and shall be kept on file in the City Clerk’s Office. The approximate boundaries are described in Map B below.

Map B: Approximate Boundaries of the Union Depot/Warehouse Historic Special Review District



buildings and construction of infill buildings shall utilize masonry as the predominant building material.

4. **Minimum Maintenance.**—All contributing historic buildings in the districts shall be maintained against decay and deterioration caused by neglect or defective or inadequate weather protection.

5. **Storefront Design.**—A major character defining feature of the buildings within the districts is the storefront. The composition of the storefronts is consistent from one building to the next, and serves as a unifying feature of the districts by forming a continuity along the street. Preservation of the storefront is essential to the maintenance of the districts' image and character. Rehabilitation of an existing building shall include preservation of the existing storefront or reconstruction of a new storefront which is compatible with the original in scale, size, and material. New construction shall also include storefronts. Street level retail sales and service uses, as described and defined in TMC 13.06, should be strongly considered for ground floor use along Pacific Avenue in order to more effectively implement storefront design.

6. **Awnings.**—Awnings have been a traditional addition to the facades of buildings within the districts and shall be encouraged within the districts as a functional exterior feature. All awnings shall be compatible with the historic character of the buildings and shall be based in design upon historic counterparts. They shall also:

- a. Reflect the shape and character of the window openings;
- b. Be, or appear to be, retractable in the form of historic awnings;
- c. Constructed with canvas like fabric rather than high gloss in texture;
- d. Not be back lit or translucent;
- e. Be in colors and/or patterns which complement the building and have basis in the historic record;
- f. Be attached to the buildings in a manner which does not permanently damage the structure or obscure significant architectural features.

7. Signs.

a. General.

(1) All new exterior signs and all changes in the appearance of existing exterior signs require Landmarks Preservation Commission approval. This includes changes in message or colors on pre-existing signs.

(2) If there is a conflict between these standards and the requirements in the City's Sign Code, the more strict requirement shall apply.

b. Location and Size of Signs.

(1) Signs shall not dominate the building facades or obscure their architectural features (arches, transom panels, sills, moldings, cornices, windows, etc.).

(2) The size of signs and individual letters shall be of appropriate scale for pedestrians and slow moving traffic. Projecting signs shall generally not exceed nine square feet on first floor level.

(3) Signs on adjacent storefronts shall be coordinated in height and proportion. Use of a continuous sign band extending over adjacent shops within the same building is encouraged as a unifying element.

(4) Portable reader board signs located on sidewalks, driveways, or in parking lots are prohibited.

(5) Existing historic wall signs are a contributing element within the district and should be restored or preserved in place. New wall signs shall generally be discouraged.

c. Messages and Lettering Signs.

(1) Messages shall be simple and brief. The use of pictorial symbols or logos is encouraged.

(2) Lettering should be of a traditional block or curvilinear style which is easy to read and compatible with the style of the building. No more than two different styles should be used on the same sign.

(3) Letters shall be carefully formed and properly spaced so as to be neat and uncluttered. Generally, no more than 60 percent of the total sign area shall be occupied by lettering.

(4) Lettering shall be generally flat or raised.

d. Color.

(1) Light colored letters on a dark colored background are generally required as being more traditional and visually less intrusive in the context of the Union Station District's predominantly red brick streetscapes.

(2) Colors shall be chosen to complement, not clash with, the facade color of the building. Signs should normally contain not more than three different colors.

e. Materials and Illumination

(1) Use of durable and traditional materials (metal and wood) is strongly encouraged. All new signs shall be prepared in a professional manner.

(2) In general, illumination shall be external, non-flashing, and non-glare.

~~(3) Internal illumination is generally discouraged, but may be appropriate in certain circumstances, such as:~~

~~(i) Individual back-lit letters silhouetted against a softly illuminated wall.~~

~~(ii) Individual letters with translucent faces, containing soft lighting elements inside each letter.~~

~~(iii) Metal-faced box signs with cut-out letters and soft-glow fluorescent tubes.~~

~~However, such signs are generally suitable only on contemporary buildings.~~

~~(4) Neon signs may be permitted in exceptional cases where they are custom-designed to be compatible with the building's historic and architectural character.~~

~~f. Other Stylistic Points~~

~~(1) The shape of a projecting sign shall be compatible with the period of the building to which it is affixed, and shall harmonize with the lettering and symbols chosen for it.~~

~~(2) Supporting brackets for projecting signs should complement the sign design, and not overwhelm or clash with it. They must be adequately engineered to support the intended load, and generally should conform to a 2:3 vertical-horizontal proportion. Screw holes must be drilled at points where the fasteners will enter masonry joints to avoid damaging bricks, etc.~~

~~8. Color. Building colors should contribute to the distinct character of the historic building. Original building colors should be researched and considered in any new color scheme. Whether contrasting or complementary, the colors should reflect the design of the building. Building colors should utilize a limited palette. Colors should be selected to emphasize building form and highlight major features of the building. Color schemes using several colors should be avoided and surfaces which are not historically painted should not be painted.~~

~~9. Views. All new construction in the Union Station District should be designed to preserve existing views and vistas. Of particular importance are views of Commencement Bay, Mount Rainier, and Union Station.~~

~~E. Streetscape Guidelines. Streetscaping is essential in the development of the districts in order to create value and enhance private development efforts. Proper design of streetscapes and public open spaces provides a unifying theme and unique identity for the districts, complements and extends the presence of Union Station, encourages pedestrian circulation, and~~

~~creates a gateway to downtown and the waterway. The pattern of traffic routes and open space is based upon the historic function of the district and has a direct relation to such physical features as views from the upper floors of the building, sunlight, facade visibility, and streetscape appearance. Any significant loss or reconfiguration of existing open space and street corridors is discouraged.~~

~~The following improvements are to be encouraged:~~

~~1. Sidewalk paving. Paving should be of brick or brick and brushed concrete. Existing granite curbs should be maintained or reconstructed, where possible.~~

~~2. Street paving. Where feasible, historic street paving and gutters, either brick or cobblestone, should be preserved and restored.~~

~~Where feasible, existing railroad or streetcar rails should be preserved in place.~~

~~3. Streetlights. Historic streetlights should be used throughout the district as unifying elements.~~

~~G. The Landmarks Preservation Commission may, at its discretion, waive mandatory requirements imposed by Section 13.07.290 of this chapter. In determining whether a waiver is appropriate, the Landmarks Preservation Commission shall require an applicant to demonstrate by clear and convincing evidence that, because of special circumstances not generally applicable to other property or facilities, including size, shape, design, topography, location, or surroundings, the strict application of those mandatory requirements of Section 13.07.290 would be unnecessary to further the purposes of this chapter. Such waiver shall not exceed the requirements set forth in the underlying zoning district, except where specifically provided for in TMC 13.06A.070.B.~~

13.07.280—Union Depot/Warehouse Historic Special Review and Union Station Conservation Districts—Specific exemptions.

The following actions are exempt from the requirements imposed pursuant to this chapter:

A. Any alterations to non-contributing properties, as defined by the District Inventory adopted by the Commission and kept on file at the Historic Preservation Office; provided, that the demolition of such structures is not exempt from the provisions of this chapter; and

B. Interior alterations to existing properties, unless those modifications affect the exterior appearance of the structure.

13.07.290210 Designation of the North Slope Historic Special Review District – Purpose.

A. In order that the North Slope Neighborhood and buildings within the Neighborhood may not be injuriously affected; to promote the public welfare; to provide for the enhancement of the North Slope Neighborhood and its structures, thereby contributing to the social, cultural, and economic welfare of the citizens of Tacoma by developing an awareness of Tacoma’s historic heritage, maintaining productive and useful structures, and attracting visitors to the City; and in order that a reasonable degree of control may be exercised over the siting, development and architecture of public and private buildings erected in the North Slope Neighborhood so that the goals set forth in this section and in this chapter may be realized, there is hereby created the North Slope Historic Special Review District, the boundaries of which are more particularly described in Section 13.07.340 hereof.

B. The North Slope Neighborhood and the buildings therein reflect significant aspects of Tacoma’s early history, architecture, and culture. Such historic, architectural, and cultural significance is also reflected in the architectural cohesiveness of the neighborhood. For the foregoing reasons, many of the features contained in the buildings and structures in the Neighborhood should be maintained and preserved.

C. Except where specifically exempted by TMC 13.07.095 and TMC 13.07.330, all visible alterations and construction within the historic district boundaries, including alterations to elements and spaces within the public rights-of-way, are subject to the review and approval of the Landmarks Preservation Commission prior to the initiation of work.

13.07.300220 Designation of the North Slope Historic Special Review District – Findings.

The architectural, cultural, historical, and educational value of the North Slope Neighborhood is such that the protection and enhancement of its built environment and streetscape is important to the public welfare. In particular, the District is important for its association with the follow themes:

A. Role in the Development of Tacoma. The area north of Division Avenue from the bluff to Sprague Street was one of several residential neighborhoods that developed after Tacoma was selected to be the terminus of the Northern Pacific Railroad. New

Tacoma and the North End were considered to be a desirable place to live, near downtown Tacoma. The community was settled irregularly over its history in a fairly dense residential pattern, and it is common to find structures from the late 1800s next to houses built in the 1930s.

B. Association with Tacoma Pioneers, Property, Business and Commercial Activities. The New Tacoma and North End community is predominantly residential, although there are scattered pockets of small commercial buildings that served the community. These commercial buildings are concentrated mostly along Division Avenue and K Street. The residents of the community represented a complete cross-section of different classes and occupations, from a United States ambassador to France to a Slovakian boat builder.

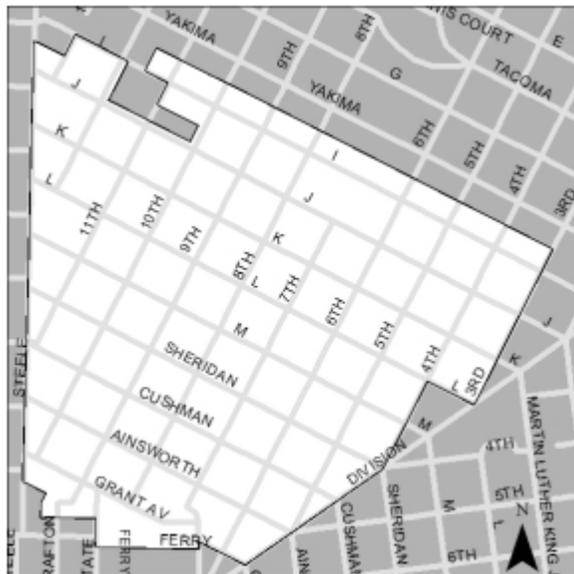
C. Architectural Characteristics. The architectural characteristics of the New Tacoma and North End community are variable, although there is a remarkable number of architect-designed houses in the neighborhood. Most homes built in the earliest period of growth from 1880 to the crash in 1893 were Queen Anne and Stick style houses, of both modest and grand proportions. After the turn of the century, more Craftsman and bungalow-style houses were built, as well as a few Colonial Revival structures. Those homes built after the turn of the century tended to be larger and more impressive, until the late 1920s when many one-story bungalows were built. After the Great Depression, another building boom took place in the neighborhood, with considerably smaller single-family brick residences constructed in simple forms, and two- or three-story multi-family apartment complexes.

D. Educational Uses and Preservation of the Area’s Heritage. Restoration and preservation of objects, sites, buildings, and structures within the North Slope Neighborhood will yield information of educational significance about the way of life of Tacoma’s citizens, and the architecture of the late 19th and early 20th centuries, and will add interest and color to the City. Maintaining this neighborhood as a whole will preserve the sense of time, place, and the environment which formed an important characteristic of Tacoma’s history. District-wide planning will be considerably more meaningful and educationally significant than if done on the basis of individual, isolated buildings

13.07.310230 North Slope Historic Special Review District – Boundary description.

The legal description for the North Slope Historic Special Review District is described in Ordinance No. 26611, and shall be kept on file in the City Clerk’s Office. The approximate boundaries are described in Map D below.

Map D: Approximate Boundaries of the North Slope Historic Special Review District



13.07.320 Guidelines for building design and streetscape improvement review of the North Slope Historic Special Review District.

A. Intent. These guidelines are intended to ensure a certainty of design quality within the North Slope Historic Special Review District, protect the historic fabric of the district, enhance the economic vitality of the district through promotion of its architectural character, and provide a clear set of physical design parameters for property owners, developers, designers, and public agencies. These guidelines are hereby established as the design review guidelines for rehabilitation, new construction, and public amenities, including street furniture, streetlighting, paving and sidewalks, and street trees and planting strips.

B. Architectural integrity, as it relates to scale, proportion, texture, color, compatible materials, space, and composition in various periods of

architecture, should be respected and, to the extent possible, maintained in contributing properties.

C. The following guidelines are also intended to provide a basic set of standards for architectural and physical design within the North Slope Historic Special Review District. These guidelines will be used by the Tacoma Landmarks Preservation Commission as a base line for the design review process. These guidelines will also assist owners, developers, and designers involved in project planning by providing general design and technical recommendations. When applying the guidelines, the Commission will be considerate of clearly documented cases of economic hardship or deprivation of the owner’s reasonable use of the property.

D. From time to time, the Landmarks Preservation Commission may adopt policies and administrative rules for the purpose of clarifying and assisting property owners in interpreting these guidelines. Any such rules or policies shall be adopted by quorum vote and, once adopted, shall be made available to the public in electronic and printed formats.

E. For certain common types of City managed projects, and for certain projects within the City right of way, including streetlighting, sidewalk repair and similar alterations within the right of way, the City Public Works Department may propose “standard specifications” for programmatic review and adoption by the Commission, in lieu of case-by-case reviews. Any such standards, rules or policies shall be adopted by quorum vote and, once adopted, shall be made available to the public in electronic and printed formats.

F. Design Guidelines. The following predominant building elements in the district shall be recognized as essential to the historic image of the neighborhood, and shall, along with the Secretary of the Interior’s Standards for the Rehabilitation of Historic Buildings, be utilized as the basis for design review of proposals for rehabilitation and new construction within the district.

1. Height. Goal: Balance the overall height of new construction with that of nearby structures. In the rehabilitation of existing buildings, the present height of the structure should remain intact. New buildings should step down to be comparable in height to adjacent structures.

2. Scale. Goal: Relate the size and proportion of new buildings to those of the neighborhood. Scale refers to a building’s comparative relationship to neighboring structures, and its fit within the district.

Building facades should be of a scale compatible with surrounding buildings, and maintain a comparable setback from the property line to adjacent buildings as permitted by applicable zoning regulations.

Scale is also determined by the proportions of the architectural elements within the composition of the individual building facades. Window and door proportions (including the design of sash and frames), floor heights, floor shapes, roof shapes and pitches, and other elements of the building exterior should relate to the scale of the neighborhood.

3. Massing. Goal: Break up the facades of buildings into smaller varied masses, comparable to those contributing buildings in the neighborhood. Variety of forms is a distinguishing characteristic of the North Slope residential community. Smaller massing—the arrangement of facade details, such as projections and recesses—and porches all help to articulate the exterior of the structure and help the structure fit into the neighborhood.

4. Sense of Entry. Goal: Emphasize entrances to structures. Entrances should be located on the front facade of the building and highlighted with architectural details such as raised platforms, porches, or porticos to draw attention to the entry. Entrances not located on the front facade should be easily recognizable from the street.

5. Roof Shapes and Materials. Goal: Utilize traditional roof shapes, pitches, and compatible finish materials on all new structures, porches, additions, and detached outbuildings wherever such elements are visible from the street. Maintain the present roof pitches of existing pivotal, primary, and secondary buildings where such elements are visible from the street.

Typically, the existing historic buildings in the neighborhood either have gable roofs with the slopes of the roofs between 5:12 to 12:12 or more, and with the pitch oriented either parallel to or perpendicular to the public right of way, or have hipped roofs with roof slopes somewhat lower. Most roofs also have architectural details such as cross gables, dormers, and/or widow's walks to break up the large sloped planes of the roof. Wide roof overhangs, decorative eaves or brackets, and cornices can be creatively used to enhance the appearance of the roof.

6. Exterior Materials. Goals: Use compatible materials that respect the visual appearance of the surrounding buildings. Buildings in the North Slope Neighborhood were sided with shingles or with lapped, horizontal wood siding of various widths. Subsequently, a few compatible brick or stucco-

covered structures were constructed, although many later uses of these two materials do not fit the character of the neighborhood. Additions to existing buildings should be sided with a material to match, or be compatible with, the original or existing materials. New structures should utilize exterior materials similar to those typically found in the neighborhood.

7. Rhythm of Openings. Goals: Respect the patterns and orientations of door and window openings as represented in the neighboring buildings. Typically, older buildings have doors and transoms that matched the head height of the adjacent windows. Doors also tend to be paneled or contain glazed openings. Windows are vertically oriented. Large horizontal expanses of glass are created by ganging two or more windows into a series. Most windows are either single or double hung, with a few casement windows being incorporated into the designs. Many of the buildings had the upper sash articulated into smaller panels, either with muntin bars, leaded glazing, or arches. Most older windows were also surrounded with substantial trim pieces or window head trim.

8. Additional Construction. Goal: Sensitively locate additions, penthouses, buildings systems equipment, or roof mounted structures to allow the architectural and historical qualities of the contributing building to be dominant. While additions to contributing buildings in historic districts are not discouraged, they should be located to conceal them from view from the public right of way. Some new additions, such as the reconstruction of missing porches or the addition of dormers in the roof, may need to be located on the front facade of the building. When an addition is proposed for the front of the building, appropriate and sensitive designs for such modifications should follow the guidelines for scale, massing, rhythm, and materials.

9. Parking. Goal: Minimize views of parking and garages from the public right of way. Most early houses provided space for storing various means of transportation, from horses and carriages to automobiles; however, these structures were nearly always entered from the alley rather than from the street. Parking lots and banks of garage doors along the front facade of a building do not conform to the character of the neighborhood. Off street parking lots have no historic precedent in this neighborhood, and should be located behind the building and away from the street. Proposed residential driveway approaches requiring curbeuts off a street or arterial are generally prohibited, unless the applicant can demonstrate by clear and convincing evidence that, because of special circumstances not generally applicable to other property or facilities, including size, shape,

~~design, topography, location, or surroundings, the strict application of this standard prevents alley-accessed parking. If approved, such curbeuts and approaches shall be consistent with the standards approved for the historic district and on file in the Public Works Department. Setting garages and carport structures back from the front of the building reduces their visual importance.~~

~~10. Signage. Goal: New signs for existing and new buildings shall complement the architecture and style of the residential neighborhood. Signs should not dominate the building facades or obscure the structure's architectural features. Colors, materials, and lettering should be appropriate to the character of the surroundings and be compatible with the building's period and style. Care should be taken not to damage historic building materials in the installation process.~~

~~G. Street Improvements. The architectural character of the district is significantly enhanced by the complementary residential nature of existing street amenities, including brick and cobblestone street paving, historic streetlights, planting strips, sidewalks, historic scoring patterns in walks and driveways, healthy trees, and a restrained use of signage. These elements should be retained or enhanced. Installation, repair, or replacement of streetlights, curbs, alley approaches, sidewalks, and street surfaces shall be consistent with the standards approved for the historic district and kept on file with the Public Works Department.~~

13.07.330240 North Slope Historic Special Review District – Specific Exemptions.

The following actions are exempt from the requirements imposed pursuant to this chapter:

- A. Any alterations to non-contributing properties as defined by the District Inventory adopted by the Commission and kept on file at the Historic Preservation Office; provided, that modifications to accessory structures and the demolition of noncontributing or accessory structures are not exempt from the provisions of this chapter;
- B. Interior modifications to existing structures, unless those modifications affect the exterior appearance of the structure;
- C. Any alterations to private residential structures that are specifically exempted from permit requirements in the Residential Building Code as adopted by the City (such as painting and minor repairs such as caulking or weather-stripping);

D. The installation, alteration, or repair of public and private plumbing, sewer, water, and gas piping systems, where no Right-of-Way restoration is required;

E. The installation, alteration, or repair of public and private electrical, telephone, and cable television wiring systems, provided that the installation of solar panels, wind generators, and cellular antenna towers is not exempt;

F. The landscaping of private residences;

G. The maintenance of existing parking conditions and configurations, including curb cuts, driveways, alleys, and parking lots (new installations are subject to review by the Commission per TMC 13.07.320.F(9));

H. Signs not exceeding the limitations for a home occupation permit and those installed by the City for directional and locational purposes.

I. The following types of projects within the public rights-of-way: ADA accessibility ramps and installations, in-road work, traffic signaling equipment, utility markers, and equipment required by the United States Postal Service.

13.07.340250 Severability.

In the event that any section, paragraph, or part of this chapter is for any reason declared invalid or held unconstitutional by any court of last resort, every other section, paragraph, or part shall continue in full force and effect.



**2011 Annual Amendment Application # 2011-02
Historic Preservation Plan and Regulatory Code Amendments**

January 26, 2011

Chapter 13.05 (Land Use Permit Procedures)

*Note – These amendments show all of the changes to the *existing* land use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that is deleted is shown in ~~strikethrough~~.

Chapter 13.05

LAND USE PERMIT PROCEDURES

Sections:

13.05.005	Definitions.
13.05.010	Application requirements for land use permits.
13.05.020	Notice process.
13.05.030	Land Use Administrator – Creation and purpose – Appointment – Authority.
13.05.040	Decision of the Land Use Administrator.
<u>13.05.045</u>	<u>Historic Preservation Land Use Decisions</u>
<u>13.05.046</u>	<u>Compatibility of historic standards with zoning development standards</u>
<u>13.05.047</u>	<u>Certificates of approval, historic</u>
<u>13.05.048</u>	<u>Demolition of City Landmarks</u>
<u>13.07.049</u>	<u>Minimum buildings standards, historic</u>
13.05.050	Appeals of administrative decisions.
13.05.060	Applications considered by the Hearing Examiner.
13.05.070	Expiration of permits.
13.05.080	Modification/revision to permits.
13.05.090	Land Use Administrator approval authority.
13.05.095	Development Regulation Agreements.
13.05.100	Enforcement.
13.05.105	<i>Repealed.</i>
13.05.110	<i>Repealed.</i>

13.05.005 Definitions.

As used in this chapter, the following terms are defined as:

A. Abate: To repair, replace, remove, destroy, or otherwise remedy a condition which constitutes a violation of this title by such means and in such a manner and to such an extent as the Land Use Administrator determines is necessary in the interest of the public health, safety, and welfare of the community

B. Administrative Approval, Historic: An approval that may be granted by the City Historic Preservation Officer for an alteration to a City landmark, without Landmarks Preservation Commission review, based on authority that may be granted by the Commission pursuant to Chapter 1.42 of the Tacoma Municipal Code (“TMC”).

BC. Aggrieved Person: In an appeal, an “aggrieved person” shall be defined as a person who is suffering from an infringement or denial of legal rights or claims.

D. Alteration of a City Landmark: Any act or process which changes materially, visually, or physically one or more of the exterior architectural features or significant interior features of a property listed on the Tacoma Register of Historic Places individually or as a part of a district, including, but not limited to, the development, reconstruction, or removal of any structure.

CE. Appeal, for Standing: An aggrieved person or entity has “standing” when such person or entity is entitled to notice under the applicable provision of the Tacoma Municipal Code, or when such person or entity can demonstrate that such person or entity is within the zone of interest to be protected or regulated by the City law and will suffer direct and

substantial impacts by the governmental action of which the complaint is made, different from that which would be experienced by the public in general.

DF. Application, Complete: An application which meets the procedural requirements outlined in Section 13.05.010.C, or for development activities that require a Certificate of Approval, per 13.05.047.

G. Certificate of Approval, Historic: The written record of formal action by the Commission indicating its approval of plans for alteration of a City landmark.

H. City landmark: A property that has been individually listed on the Tacoma Register of Historic Places, or that is a contributing property within a Historic Special Review District or Conservation District as defined by this chapter.

I. Conservation District means an area designated for the preservation and protection of historic resources and overall characteristics of traditional development patterns, and that meets the criteria for such designation as described in Section 13.07.040.C of this code.

J. Contributing property, Historic: Any property within a Historic Special Review District or Conservation District which helps to convey the historic significance and traditional character of the area and that meets the criteria for determining significance, as set forth in Chapter 13.07.040 (C) of this code. This status may be documented in the district's nomination or in other findings adopted by the Landmarks Preservation Commission. Note that within this designation, the City may assign subordinate categories of significance.

K. Demolition of a City Landmark: Any act or process which destroys, in part or in whole, a City landmark, including neglect or lack of maintenance that results in the destruction of a historic property, except where otherwise indicated by this chapter.

LE. Department: As used in this chapter, "Department" refers to the Community and Economic Development Department.

M. Design guideline, Historic: A standard of appropriate activity which will preserve or enhance the historic and architectural character of a structure or area, and which is used by the Landmarks Preservation Commission and the City Historic Preservation Officer to determine the appropriateness of proposals involving property within Historic Special Review and Conservation Districts.

N. Exterior appearance of a City Landmark: the architectural character and general composition of

the exterior of a property as experienced from the outside, including, but not limited to, the type, color, and texture of a building material and the type, design, and character of all windows, doors, fixtures, signs, and appurtenant elements.

O. Historic resource: any property that has been determined to be eligible by the City Historic Preservation Officer or Washington State Department of Archaeology and Historic Preservation staff for listing in the Tacoma Register of Historic Places, the Washington State Heritage Register, or the National Register of Historic Places, or any property that appears to be eligible for such listing by virtue of its age, exterior condition, or known historical associations.

P. Historic Special Review District: An Overlay Zone with a concentration of historic resources that has been found to meet the criteria for designation as a Historic Special Review District under the provisions of TMC 13.07 and has been so designated by City Council.

Q. Landmarks Preservation Commission: the volunteer citizen body appointed by City Council whose primary responsibility is the oversight of the City's historic resources, including the designation of historic resources and districts to the Tacoma Register of Historic Places, reviewing proposed developments and alterations affecting to the properties on the Register and authorizing Certificates of Approval; raising community awareness of the City's history and historic resources, and serving as the City's primary subject matter resource in the areas of history, historic planning, and preservation, as provided for in this chapter and TMC 1.42 and 13.07.

R. Noncontributing property, Historic: A property within a Historic Special Review District or Conservation District which is documented in the district's nomination as not contributing architecturally, historically, and/or culturally to the historic character of the district, or which has been so designated in a Historic Special Review District Inventory drafted and adopted by the Landmarks Preservation Commission, or which has been specifically found to be noncontributing by a vote of the Commission.

FS. Open Record Hearing: A hearing, conducted by a single hearing body or officer authorized to conduct such hearings that create a record through testimony and submission of evidence and information.

GT. Owner: Any person having any interest in the real estate in question as indicated in the records of the office of the Pierce County Assessor, or who

establishes, under this chapter, his or her ownership interest therein.

~~HU~~. Person in Control of Property: Any person, in actual or constructive possession of a property, including, but not limited to, an owner, occupant, agent, or property manager of a property under his or her control.

~~IV~~. Premises and property: Used by this chapter interchangeably and means any building, lot, parcel, dwelling, rental unit, real estate, or land, or portion thereof.

~~IW~~. Project Permit or Project Permit Application: Any land use or environmental permit or license required for a project action, including, but not limited to, subdivisions, binding site plans, planned developments, conditional uses, shoreline substantial development permits, site plan review, permits or approvals required by the critical area preservation ordinance, site-specific rezones authorized by a Comprehensive Plan or sub area plan, but excluding the adoption or amendment of a Comprehensive Plan, sub area plan, or development regulations, except as otherwise specifically included in this subsection. This chapter does not apply to Exempted Activities under Section 13.11.140.

~~KX~~. Public Meeting: An informal meeting, hearing, workshop, or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to the decision. A public meeting does not constitute an open record hearing. The proceedings at a public meeting may be recorded and a report or recommendation shall be included in the project permit application file.

~~Y~~. Repair of a City Landmark: to fix or mend features of a property without any change in character, new construction, removal, or alteration.

~~LZ~~. Violation: Any act which results in non-compliance with any of the standards outlined within this title or conditions imposed from land use permits granted by the City.

~~MAA~~. Work Plan: Any document containing information detailing all of the required approvals, processes, timelines, actions, reports, etc., that are necessary to remedy a violation of this title and that said approvals, processes, timelines, actions, reports, etc. will be undertaken in order to gain compliance with this title.

13.05.045 Historic preservation land use decisions.

A. The City finds that the protection, enhancement, perpetuation, and continued use of landmarks, districts, and elements of historic, cultural, architectural, archeological, engineering, or geographic significance located within the City are required in the interests of the prosperity, civic pride, ecological, and general welfare of its citizens. The City further finds that the economic, cultural, and aesthetic standing of the City cannot be maintained or enhanced by disregarding the heritage of the City or by allowing the destruction or defacement of historic and cultural assets.

The purpose of this section is to provide regulatory procedures for historic preservation decision making bodies.

B. Authority and Responsibilities.

1. Landmarks Preservation Commission. Pursuant to TMC 1.42, and for the purposes of this chapter, the Landmarks Preservation Commission shall have the authority to:

a. Approve or deny proposals to alter individual properties or contributing properties within historic and conservation districts that are listed on the Tacoma Register of Historic Places, as provided in TMC 13.07, and authorize the issuance of Certificates of Approval for the same, and adopt standards, design guidelines, and district rules to be used to guide this review

b. Where appropriate, encourage the conservation of historic materials and make recommendations regarding mitigation measures for projects adversely affecting historic resources.

2. Historic Preservation Officer. Pursuant to TMC 1.42, and for the purposes of this chapter, the Historic Preservation Officer shall have the authority to:

a. Grant administrative Certificates of Approval, subject to such limitations and within such standards as the Commission may establish.

b. On behalf of the Landmarks Preservation Commission, draft and issue Certificates of Approval or other written decisions on matters on which the Commission has taken formal action.

c. Upon request by other City entities, review permit applications and other project actions for appropriateness and consistency with the purposes of this chapter, TMC 13.07, and the Preservation Plan element of the Comprehensive Plan.

d. With respect to the goals and policies contained within this chapter and the Comprehensive Plan, represent the Historic Preservation Certified Local Government program for Tacoma and review, advise, and comment upon environmental analyses performed by other agencies and mitigation proposed, including NEPA and SEPA, Section 106, and other similar duties.

e. Advise property owners and the public of historic preservation code requirements.

f. Assist the Land Use Administrator, as needed, with requests for interpretations of codes relating to landmarks and to historic districts, as provided in those codes.

13.05.046 Compatibility of historic standards with zoning development standards

A. All property designated as a City landmark or that is located within a Historic Special Review District or Conservation District, according to the procedures set forth in TMC 13.07, shall be subject to the controls, standards, and procedures set forth herein, as well as in Title 13 Land Use Regulatory Code and other controls of the area in which it is presently located, and the owners of the property shall comply with the mandates of this chapter in addition to all other applicable Tacoma Municipal Code requirements for -the area in which such property is presently or may later be located. In the event of a conflict between the application of this chapter and other codes and ordinances of the City, the more restrictive shall govern, except where otherwise indicated.

B. Coordination with Residential Zoning Code. In certain cases, application of the development standards in the residential zones, as defined under TMC 13.06.100, including those for height, bulk, scale, and setbacks, may conflict with historic preservation standards or criteria and result in adverse effects to City Landmark properties. For the purposes of TMC 13.06.100(B), properties subject to design review and approval by the Landmarks Preservation Commission shall be exempted from the standards that conflict with the Landmarks Commission's application of historic preservation standards adopted pursuant to this chapter, including the Secretary of the Interior's Standards for the Rehabilitation and Guidelines for Rehabilitation of Historic Buildings and applicable Historic Special Review District Design Guidelines. The issuance of a Certificate of Approval for final design by the Landmarks Preservation Commission shall include specific references to any conflicts between the

standards in this chapter and those in TMC 13.06.100, and specifically request the appropriate exemptions.

C. Coordination with Downtown Zoning. In certain cases, the application of design standards in Downtown Tacoma zoning districts, as defined by TMC 13.06A, may conflict with historic preservation standards or criteria and result in adverse effects to historic properties. For the purposes of TMC 13.06A.070B, properties subject to design review and approval by the Landmarks Preservation Commission shall be exempted from the basic design standards that conflict with the Landmarks Commission's application of historic preservation standards adopted pursuant to this chapter, including the Secretary of the Interior's Standards for the Rehabilitation and Guidelines for Rehabilitation of Historic Buildings and applicable Historic Special Review District Design Guidelines. The issuance of a Certificate of Approval for final design by the Landmarks Preservation Commission shall serve as the Commission's findings as required in TMC 13.06A.070B.

13.05.047 Certificates of approval, historic.

A. Certificate of Approval Required. Except where specifically exempted by this chapter, a Certificate of Approval is required before any of the following actions may be undertaken:

1. Alteration to the exterior appearance of any City landmark, or any building, site, structure or object proposed for designation as a City Landmark pursuant to TMC 13.07.050;

2. Alterations to the exterior appearance of any existing buildings, public rights-of-way, or other public spaces, or development or construction of any new structures, in any Historic Special Review District.

3. Except where otherwise specified, development of construction of new structures or site improvements, and changes to floor plans of existing structures, within Conservation Districts.

4. Removal or alteration of any existing sign, or installation or placement any new sign, on a City Landmark or property within a Historic Special Review or Conservation District.

5. Demolition of any structure or building listed on the Tacoma Register of Historic Places, or that is located within a Historic Special Review or Conservation District.

6. No City permits for the above activities shall be issued by the City until a Certificate of Approval has

been issued by the Landmarks Preservation Commission or administrative approval has been granted by the Historic Preservation Officer.

7. When a development permit application is filed with Building and Land Use Services that requires a Certificate of Approval, the applicant shall be directed to complete an application for Certificate of Approval for review by the Landmarks Preservation Commission or by the Historic Preservation Officer.

B. Application Requirements. The following information must be provided in order for the application to be complete, unless the Historic Preservation Officer indicates in writing that specific information is not necessary for a particular application:

1. Property name and building address;
2. Applicant's name and address;
3. Property owner's name and address;
4. Applicant's telephone and e-mail address, if available;
5. The building owner's signature on the application or, if the applicant is not the owner, a signed letter from the owners designating the applicant as the owner's representative;
6. Confirmation that the fee required by the General Services Fee Schedule has been paid;
7. Written confirmation that the proposed work has been reviewed by Building and Land Use Services, appears to meet applicable codes and regulations, and will not require a variance;
8. A detailed description of the proposed work, including:
 - a. Any changes that will be made to the building or the site;
 - b. Any effect that the work would have on the public right-of-way or public spaces;
 - c. Any new development or construction;
9. 5 sets of scale plans, or a single legible electronic copy in a format approved by CEDD staff, with all dimensions shown, of:
 10. A site plan of all existing conditions, showing adjacent streets and buildings, and, if the project includes any work in the public right-of-way, the existing street uses, such as street trees and sidewalk displays, and another site plan showing proposed changes to the existing conditions;
 11. A floor plan showing the existing features and a floor plan showing proposed new features;

12. Elevations and sections of both the proposed new features and the existing features;

13. Construction details, where appropriate;

14. A landscape plan showing existing features and plantings and a landscape plan showing proposed site features and plantings;

15. Photographs of any existing features that would be altered and photographs showing the context of those features, such as the building facade where they are located;

16. If the proposal includes new finishes or paint, one sample of proposed colors and an elevation drawing or photograph showing the proposed location of proposed new finishes or paint;

17. If the proposal includes new signs, canopies, awnings, or exterior lighting:

a. 5 sets of scale plans, or a single legible electronic copy of the proposed signs, awnings, canopies, or lighting showing the overall dimensions, materials, design graphics, typeface, letter size, and colors;

b. 5 copies or a single electronic copy of details showing the proposed methods of attachment for the new signs, canopies, awnings, or exterior lighting;

c. For lighting, detail of the fixture(s) with specifications, including wattage and illumination color(s);

d. One sample of the proposed colors and materials;

18. If the proposal includes the removal or replacement of existing architectural elements, a survey of the existing conditions of the features that would be removed or replaced.

C. Applications for Preliminary Approval.

1. An applicant may make a written request to submit an application for a Certificate of Approval for a preliminary design of a project if the applicant waives, in writing, the deadline for a Commission decision on the subsequent design phase or phases of the project and agrees, in writing, that the decision of the Commission is immediately appealable by the applicant or any interested person(s).

2. The Historic Preservation Officer may reject the request if it appears that the review of a preliminary design would not be an efficient use of staff or Commission time and resources, or would not further the goals and objectives of this chapter.

3. The Historic Preservation Officer may waive portions of the above application requirements in writing that are determined to be unnecessary for the Commission to approve a preliminary design.

4. A Certificate of Approval of a preliminary design shall be conditioned automatically upon the subsequent submittal of the final design and all of the information listed in Subsection B above, and upon Commission approval prior to the issuance of any permits for work affecting the property.

D. Applications for a Certificate of Approval shall be filed with the Permit Center.

E. Process and standards for review.

1. When an application for Certificate of Approval is received, the Historic Preservation Officer shall:

a. Review the application and determine whether the application requires review by the Landmarks Preservation Commission, or, subject to the limitations imposed by the Landmarks Preservation Commission pursuant to TMC 1.42, without prejudice to the right of the owner at any time to apply directly to the Commission for its consideration and action on such matters, whether the application is appropriate for administrative review.

b. If the application is determined appropriate for administrative review, the Historic Preservation Officer shall proceed according to the Administrative Bylaws of the Commission.

2. If the Application requires review by the full Commission, the Historic Preservation Officer shall notify the applicant in writing within 28 days whether the application is complete or that the application is incomplete and what additional information is required before the application will be complete.

3. Within 14 days of receiving the additional information, the Historic Preservation Officer shall notify the applicant in writing whether the application is now complete or what additional information is necessary.

4. An application shall be deemed to be complete if the Historic Preservation Officer does not notify the applicant in writing, by the deadlines provided in this section, that the application is incomplete. A determination that the application is complete is not a determination that an application is vested.

5. The determination that an application is complete does not preclude the Historic Preservation Officer or the Landmarks Preservation Commission from requiring additional information during the review process if more information is needed to evaluate the application according to the criteria in this chapter and any rules adopted by the Commission.

6. Within 30 days after an application for a Certificate of Approval has been determined complete or at its next regularly scheduled meeting,

whichever is longer, the Commission shall review the application to consider the application and to receive comments.

7. Notice of the Commission's meeting shall be served to the applicant and distributed to an established mailing list no less than three days prior to the time of the meeting.

8. The absence of the owner or applicant shall not impair the Commission's authority to make a decision regarding the application.

9. Within 45 days after the application for a Certificate of Approval has been determined complete, the Landmarks Preservation Commission shall issue a written decision granting, or granting with conditions, or denying a Certificate of Approval, or if the Commission elects to defer its decision, a written description of any additional information the Commission will need to arrive at a decision, and shall provide a copy of its decision to the applicant and Building and Land Use Services.

10. A Certificate of Approval shall be valid for 18 months from the date of issuance of the Commission's decision granting it unless the Commission grants an extension; provided, however, that a Certificate of Approval for actions subject to a permit issued by Building and Land Use Services shall be valid for the life of the permit, including any extensions granted in writing by Building and Land Use Services.

F. Economic Hardship

1. After receiving written notification from the Commission of the denial of Certificate of Approval, an applicant may commence the hardship process. No building permit or demolition permit shall be issued unless the Commission makes a finding that hardship exists.

2. When a claim of economic hardship is made due to the effect of this ordinance, the owner must prove that:

a. the property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;

b. the property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and

c. efforts to find a purchaser interested in acquiring the property and preserving it have failed.

3. The applicant shall consult in good faith with the Commission, local preservation groups and interested parties in a diligent effort to seek an alternative that

will result in preservation of the property. Such efforts must be shown to the Commission.

4. The Commission shall hold a public hearing on the application within sixty (60) days from the date the complete application is received by the Historic Preservation Officer. Following the hearing, the Commission has thirty (30) days in which to act on the application. Failure to act on the hardship application within the (30) day timeframe will waive the Certificate of Approval requirement for permitting.

5. All decisions of the Commission shall be in writing.

6. The Commission's decision shall state the reasons for granting or denying the hardship application.

7. Denial of a hardship application may be appealed by the applicant within (14) business days to the Hearing Examiner after receipt of notification of such action.

8. Economic Evidence. The following shall be required for an application for economic hardship to be considered complete:

a. For all property:

i. The amount paid for the property;

ii. The date of purchase, the party from whom purchased, and a description of the business or family relationship, if any, between the owner and the person from whom the property was purchased;

iii. The cost of any improvements since purchase by the applicant and date incurred;

iv. The assessed value of the land, and improvements thereon, according to the most recent assessments;

v. Real estate taxes for the previous two years;

vi. Annual debt service, if any, for the previous two years;

vii. All appraisals obtained within the previous five years by the owner or applicant in connection with his or her purchase, financing or ownership of the property;

viii. Any listing of the property for sale or rent, price asked and offers received, if any;

ix. Any consideration by the owner for profitable and adaptive uses for the property, including renovation studies, plans, and bids, if any; and

b. For income-producing property:

i. Annual gross income from the property for the previous four years;

ii. Itemized operating and maintenance expenses for the previous four years;

iii. Annual cash flow for the previous four years.

F. Appeals to the Hearing Examiner. The Landmarks Preservation Commission shall refer to the Hearing Examiner for public hearing all final decisions regarding applications for certificates of approval and applications for demolition where the property owners, any interested parties of record, or applicants file with the Landmarks Preservation Commission, within 10 days of the date on the decision, written notice of appeal of the decision or attached conditions.

1. Form of Appeal. An appeal of the Landmarks Preservation Commission shall take the form of a written statement of the alleged reason(s) the decision was in error, or specifying the grounds for appeal. The following information shall be submitted:

a. An indication of facts that establish the appellant's standing;

b. An identification of explicit exceptions and objections to the decision being appealed, or an identification of specific errors in fact or conclusion;

c. The requested relief from the decision being appealed;

d. Any other information reasonably necessary to make a decision on appeal. Failure to set forth specific errors or grounds for appeal shall result in a summary dismissal of the appeal.

2. The Hearing Examiner shall conduct a hearing in the same manner and subject to the same rules as set forth in TMC 1.23.

3. The Hearing Examiner's decision shall be final. Any petition for judicial review must be commenced within 21 days of issuance of the Hearing Examiner's Decision, as provided for by TMC 1.23.060 and RCW 36.70C.040.

4. The Hearing Examiner, in considering the appropriateness of any exterior alteration of any City landmark, shall give weight to the determination and testimony of the consensus of the Landmarks Preservation Commission and shall consider:

a. The purposes, guidelines, and standards for the treatment of historic properties contained in this chapter, and the goals and policies contained in the Preservation Element of the Comprehensive Plan;

b. The purpose of the ordinance under which each Historic Special Review or Conservation District is created;

c. For individual City landmarks, the extent to which the proposal contained in the application for Certificate of Approval would adversely affect the specific features or characteristics specified in the nomination to the Tacoma Register of Historic Places;

d. The reasonableness, or lack thereof, of the proposal contained in the application in light of other alternatives available to achieve the objectives of the owner and the applicant; and

e. The extent to which the proposal contained in the application may be necessary to meet the requirements of any other law, statute, regulation, code, or ordinance.

5. When considering appeals of applications for demolition decisions, in addition to the above, the Hearing Examiner shall refer to the Findings of Fact made by the Landmarks Preservation Commission in addition to the demolition criteria for review and other pertinent statements of purpose and findings in this chapter.

6. The Examiner may attach any reasonable conditions necessary to make the application compatible and consistent with the purposes and standards contained in this chapter. Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of any City landmark, which maintenance or repair does not involve a change in design, material, or the outward appearance thereof.

13.05.048 Demolition of City Landmarks

A. Application requirements. In addition to the application requirements listed in 13.05.047, the following information must be provided in order for the application to be complete, unless the Historic Preservation Officer indicates in writing that specific information is not necessary for a particular application:

1. A detailed, professional architectural and physical description of the property in the form of a narrative report, to cover the following:

a. Physical description of all significant architectural elements of the building;

b. A historical overview;

c. Elevation drawings of all sides;

d. Site plan of all existing conditions showing adjacent streets and buildings and, if the project includes any work in the public right-of-way, the existing street uses, such as street trees and sidewalk displays;

e. Photographs of all significant architectural elements of the building; and

f. Context photographs, including surrounding streetscape and major sightlines.

2. A narrative statement addressing the criteria in this subsection for Applications for Historic Building Demolitions, to include the following areas, as applicable:

a. Architectural/historical/cultural significance of the building;

b. Physical condition of the building;

c. Narrative describing future development plans for the site, including:

d. Description of immediate plans for the site following demolition.

3. For replacement construction/redevelopment of the site, the following information is required:

a. A complete construction timeline for the replacement structure to be completed within two years, or a written explanation of why this is not possible.

b. Conceptual drawings, sketches, renderings, and plans.

c. Written proof, acceptable to the Landmarks Preservation Commission, of valid and binding financial commitments for the replacement structure is required before the permit can be issued, and should be submitted with the demolition request. This may include project budgets, funding sources, and written letters of credit.

4. If a new structure is not planned for the site, the application shall contain a narrative describing the rationale for demolition, a written request for waiver of TMC 13.05.050.B.2 and B.4.

5. If a new structure is not planned for the site, the application requirements in this section and 13.05.047 relating to new construction are not required in order for an application to be complete.

6. Reports by professionally qualified experts in the fields of engineering, architecture, and architectural history or real estate finance, as applicable, addressing the arguments made by the applicant.

B. Permitting Timelines.

1. Any City landmark for which a demolition permit application has been received is excluded from City permit timelines imposed by TMC 13.05.010.J.

2. An application for a Certificate of Approval for Demolition of a City Landmark shall be filed with the Building and Land Use Services Permit Intake

Center. When a demolition application is filed, the application shall be routed to the Historic Preservation Officer.

3. Determination of Complete Application. The Historic Preservation Officer shall determine whether an application for demolition is complete consistent with the timelines and procedures outlined in TMC 13.05.047.E.1 through E.5.

3. Application Review.

a. Preliminary Meeting. Once the application for historic building demolition has been determined to be complete, excepting the demolition fee, the Historic Preservation Officer shall schedule a preliminary briefing at the next available regularly scheduled meeting of the Landmark Preservation Commission.

i. The purpose of this meeting is for the applicant and the Commission to discuss the historic significance of the building, project background and possible alternative outcomes, and to schedule a hearing date, if necessary.

ii. To proceed with the application, the applicant shall request a public hearing, in writing, to consider the demolition application at the preliminary meeting.

iii. At this meeting, the Landmarks Preservation Commission may grant the request for public hearing, or may request an additional 30 days from this meeting to distribute the application for peer review, especially as the material pertains to the rationale contained in the application that involves professional expertise in, but not limited to, engineering, finance, architecture or architectural history, and law, or finding that the property in question is not contributing to the Historic District, may conditionally waive the procedural requirements of this section, provided that subparagraphs A and B, of Section 13.05.048.C, "Demolition of City Landmarks – Automatic conditions," are met.

iv. If a 30-day peer review is requested, the request for public hearing shall again be considered at the next regular meeting following the conclusion of the peer review period.

b. Public Hearing. Upon receiving such direction from the Landmarks Preservation Commission, and once the application fee has been paid by the applicant, the Historic Preservation Officer shall schedule the application for a public hearing within 90 days.

i. The Historic Preservation Officer shall give written notice, by first-class mail, of the time, date, place, and subject of the meeting to consider the application

for historic building demolition not less than 30 days prior to the meeting to all owners of record of the subject property, as indicated by the records of the Pierce County Assessor, and taxpayers of record of properties within 400 feet of the subject property.

ii. The Commission shall consider the merits of the application, comments received during peer review, and any public comment received in writing or during public testimony.

iii. Following the public hearing, there shall be an automatic 60-day comment period during which the Commission may request additional information from the applicant in response to any commentary received.

iv. At its next meeting following the public comment period, the Landmarks Preservation Commission shall make Findings of Fact regarding the application based on the criteria for consideration contained in this subsection. The Landmarks Preservation Commission may approve, subject to automatic conditions imposed by this subsection, the application or may deny the application based upon its findings of fact. This decision will instruct the Historic Preservation Officer whether or not he or she may issue written approval for a historic building demolition.

C. Automatic Conditions. Following a demolition approval pursuant to this section, the following conditions are automatically imposed, except where exempted per TMC 13.05.048.B or elsewhere in this chapter, and must be satisfied before the Historic Preservation Officer shall issue a written decision:

1. For properties within a Historic Special Review or Conservation District, the design for a replacement structure is presented to and approved by the Landmarks Preservation Commission pursuant to the regular design review process as defined in this chapter; or, if no replacement structure is proposed for a noncontributing structure, the Commission may, at its discretion, waive this condition and 13.05.050.B.2 and 13.05.050.B.4;

2. Acceptable proof of financing commitments and construction timeline is submitted to the Historic Preservation Officer;

3. Documentation of the building proposed for demolition that meets Historic American Building Survey ("HABS") standards or mitigation requirements of the Washington State Department of Archaeology and Historic Preservation ("DAHP"), as appropriate, is submitted to the Historic Preservation Office and the Northwest Room of the Tacoma Public Library;

4. Building and Land Use Service permits for the replacement are ready for issue by Building and Land Use Services, and there are no variance or conditional use permit applications outstanding;

5. Any additional mitigation agreement, such as relocation, salvage of architectural features, interpretation, or deconstruction, proposed by the applicant is signed and binding by City representatives and the applicant, and approved, if necessary, by the City Council; and

6. Any conditions imposed on the demolition have been accepted in writing (such as salvage requirements or archaeological requirements).

D. Specific exemptions. The following are excluded from the requirements imposed by this chapter but are still subject to Landmarks Preservation Commission approval for exterior changes as outlined elsewhere in this chapter.

1. Demolition of accessory buildings, including garages and other outbuildings, and noncontributing later additions to historic buildings, where the primary structure will not be affected materially or physically by the demolition and where the accessory or addition is not specifically designated as a historic structure of its own merit;

2. Demolition work on the interior of a City landmark or object, site, or improvement within a Historic Special Review or Conservation District, where the proposed demolition will not affect the exterior of the building and where no character defining architectural elements specifically defined by the nomination will be removed or altered; and

3. Objects, sites, and improvements that have been identified by the Landmarks Preservation Commission specifically as noncontributing within their respective Historic Special Review or Conservation District buildings inventory at the preliminary meeting, provided that a timeline, financing, and design for a suitable replacement structure have been approved by the Landmarks Preservation Commission, or such requirements have been waived, pursuant to Section 13.05.048.

13.05.049 Minimum buildings standards, historic.

A. Prevention of Demolition by Neglect. The Landmarks Preservation Commission shall make a reasonable effort to notify the Building Official of historic properties that appear to meet the criteria for substandard buildings or property under TMC 2.01.060.

B. For buildings listed on the Tacoma Register of Historic Places which are found to be Substandard, Derelict, or Dangerous according to the Building Official, under the Minimum Building provisions of TMC 2.01, the following shall apply:

1. Because City landmarks are culturally, architecturally, and historically significant to the City and community, the historic status of a Substandard, Derelict, or Dangerous Building may constitute a “sufficient reason” for acceptance of alternate timelines and extensions upon agreed timelines; and

2. Any timelines and plans for the remediation of a dangerous City landmark, including for repair or demolition, shall not be accepted by the Building Official until the applicable procedures as set forth in this chapter for review of design or demolition by the Landmarks Preservation Commission have been satisfied, pursuant to TMC 2.01.040.F.

3. The Building Official may consider the Landmarks Preservation Commission to be an interested party as defined in TMC 2.01, and shall make a reasonable effort to keep the Commission notified of enforcement complaints and proceedings involving City Landmarks.

4. Nothing in this chapter shall be construed to prevent the alteration of any feature which the Building Official shall certify represents an immediate and urgent threat to life safety. The Building Official shall make a reasonable effort to keep the Historic Preservation Officer informed of alterations required to remove an unsafe condition involving a City Landmark.

C. The Historic Preservation Officer shall have the authority to administratively approve changes without prior Landmarks Preservation Commission review per TMC 13.05.048, if, upon consultation with the Building Official and appropriate City Engineering staff, it is determined such changes are necessary to mitigate an immediate and urgent threat of structural failure or significant damage to a City landmark. The circumstances and rationale for such an alteration shall be provided in a report to the Commission at its next regular meeting.



**2011 Annual Amendment Application # 2011-02
Historic Preservation Plan and Regulatory Code Amendments**

January 26, 2011

Chapter 13.06 and 13.06A (Zoning)

*Note – These amendments show all of the changes to the *existing* land use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that is deleted is shown in ~~strikethrough~~.

13.06.100 Residential Districts.

The 100 series will contain regulations for all residential classifications, including the following:

- R-1 Single-Family Dwelling District
- R-2 Single-Family Dwelling District
- R-2SRD Residential Special Review District
- HMR-SRD Historic Mixed Residential Special Review District
- R-3 Two-Family Dwelling District
- R-4 Multiple-Family Dwelling District
- R-4-L Low-Density Multiple-Family Dwelling District
- R-5 Multiple-Family Dwelling District
- PRD Planned Residential Development District (see Section 13.06.140)

A. District purposes. The specific purposes of the Residential Districts are to:

1. Implement the goals and policies of the City's Comprehensive Plan.
2. Implement the Growth Management Act's goals and county-wide and multi-county planning policies.
3. Provide a fair and equitable distribution of a variety of housing types and living areas.
4. Protect and enhance established neighborhoods.
5. Provide for predictability in expectations for development projects.
6. Allow for creative designs while ensuring desired community design objectives are met.

7. Strengthen the viability of residential areas by eliminating incompatible land uses, protecting natural physical features, promoting quality design, and encouraging repair and rehabilitation of existing residential structures.

B. Districts established.

1. R-1 Single-Family Dwelling District. This district is intended for low-density, single-family detached housing. Other compatible uses such as residential care homes and shelters are also appropriate. The district is characterized by low residential traffic volumes and properties located within the View Sensitive Overlay district. It is most appropriate in established areas with a relatively quiet and stable neighborhood environment.

2. R-2 Single-Family Dwelling District. This district is intended primarily for low-density, single-family detached housing but may also allow limited lodging uses and uses such as limited holiday sales for Christmas and Halloween. The district is characterized by low residential traffic volumes and generally abuts more intense residential and commercial districts.

3. R-2SRD Residential Special Review District. This district is intended primarily for low-density, single-family detached housing, but it also may allow a limited number of two- and three-family dwellings by conditional use permit where the location, amount, and quality of such development would be compatible with the single-family character of the area and enhance the area's overall quality.

4. HMR-SRD Historic Mixed Residential Special Review District. This district is designed to apply to existing neighborhood areas or portions of existing neighborhood areas which have been designated as an historic special review district because the

buildings within reflect significant aspects of Tacoma’s early history, architecture, and culture as set forth and according to the procedures in Chapter 13.07, and which are characterized by a mix of residential buildings, including single family residential dwellings and multiple family dwellings, and where it is desirable to protect, preserve, and maintain the historic buildings. Single-family dwellings will continue to be the predominant land use within the HMR-SRD district. Conversion of existing multiple-family uses to single-family uses will be encouraged, but not required.

~~If any conflict is found between the regulations of this chapter and the guidelines and criteria of the Historic Special Review Districts found in Chapter 13.07, the guidelines and criteria shall prevail.~~

5. R-3 Two-Family Dwelling District. This district is intended primarily for two-family housing development. Uses such as single-family dwellings, three-family dwellings, and some lodging and boarding homes may also be appropriate. The district is characterized by low residential traffic volumes and generally abuts more intense residential and commercial districts.

6. R-4-L Low-Density Multiple-Family Dwelling District. This district is intended for low-density multiple-family housing, mobile home parks, retirement homes and group living facilities. It is similar to the R-4 Multiple-Family Dwelling District, but more restrictive site development standards are intended to minimize adverse impacts of permitted and conditional uses on adjoining land. The district is characterized by amenities and services associated with single- and two-family residential districts, and it is located generally along major transportation corridors and between higher and lower intensity uses.

7. R-4 Multiple-Family Dwelling District. This district is intended primarily for medium density multiple-family housing. Other appropriate uses may include day care centers, and certain types of special needs housing. The district is characterized by a more active living environment and is located generally along major transportation corridors and between higher and lower intensity uses.

8. R-5 Multiple-Family Dwelling District. This district is intended for high-density multiple family housing, as well as residential hotels, retirement homes, and limited mixed-use buildings. The district is generally located in the center of the city in close proximity to employment centers, conveniences,

services, major transportation corridors, and public transportation facilities.

C. Land use requirements.

1. Applicability. The following tables compose the land use regulations for all districts of Section 13.06.100. All portions of 13.06.100 and applicable portions of 13.06.500 apply to all new development of any land use variety, including additions, and remodels, in all districts in Section 13.06.100, unless explicit exceptions or modifications are noted. The requirements of Section 13.06.100.A through Section 13.06.100.C are not eligible for variances. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply. For individually designated properties listed on the Tacoma Register of Historic Places, and for contributing buildings within Historic Special Review Districts, where there is a conflict between the regulations of this chapter and historic guidelines and standards, the historic guidelines and standards shall prevail pursuant TMC 13.05.046.

2. Use requirements. The following use table designates all permitted, limited, and prohibited uses in the districts listed. Use classifications not listed in this section or provided for in Section 13.06.500 are prohibited, unless permitted via Section 13.05.030.E.

3. Use table abbreviations.

P = Permitted use in this district.
TU = Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.635.
CU = Conditional use in this district. Requires conditional use permit, consistent with the criteria and procedures of Section 13.06.640.
N = Prohibited use in this district.

4. District use table. (see next page for table)

13.06.510 Off-street parking and storage areas.

A. Purpose. To ensure the safe and adequate flow of traffic in public right-of-way, it is deemed in the interest of the public health, safety, and general welfare that off-street parking areas be required as a necessary part of the development and use of land,

and to ensure that required parking areas are designed to perform in a safe and efficient manner.

Minimum parking requirements are particularly important in order to ensure resident, visitor, customer, and employee parking within reasonable distance to the uses served, reduce congestion on adjacent streets; and to minimize, to the extent possible, spillover parking into adjacent residential areas. The requirements herein set forth are also established to discourage under-used parking facilities and to minimize the amount of land dedicated to parking, consistent with the Comprehensive Plan, that encourages economic development, transit use, carpooling, energy conservation, and air quality improvement by providing for: only the minimum number of stalls necessary, compact stalls, shared parking between uses, transportation demand management, and incentives for reducing the size of parking areas.

Applicability. Buildings, structures, or uses hereafter established, built, enlarged, increased in capacity, or changed in principal use in all districts shall provide the following off-street parking areas:

1. Off-street parking spaces - quantity. The quantity of off-street parking shall be provided in accordance with the standards of the tables below.

a. Fractions. Fractions resulting from required parking calculations will be rounded up or down to the nearest whole number.

b. Multiple uses. Where an establishment on a lot contains multiple types of uses, the required parking spaces shall be equal to the total spaces determined by computing each use type separately, except where specifically stated otherwise herein.

c. Use not listed. In the case of a use not specifically mentioned in this section, the requirements for off-street parking facilities shall be determined by the City Traffic Engineer. Such determination shall be based upon the requirements for the use specified in this section that is most nearly comparable to the unspecified use and traffic engineering principles and studies.

d. Historic buildings and sites. Structures and sites that are listed on the Tacoma Register of Historic Places shall be exempt from all parking quantity requirements.

13.06A.060 Development standards.

Development Standards Table.

Districts	Maximum Allowable Floor Area Ratio (FAR) ¹						Height Limits	Non-Res Parking ^{2, 3, 4, 6}	
	"As of Right"		With Design Standards		With Special Features			Min	Max
	Non-Res	Res	Non-Res	Res	Non-Res	Res		(stalls/floor area sf) ⁵	
DCC	3	3	6	6	12	12	400'	2.4/1000	3.6/1000
DMU	2	3	4	5	6	7	100'	2.4/1000	3.6/1000
DR	1	2	2	4	4	6	90'	1.2/1000	3.6/1000
WR	3	4	4	5	6	7	100'	1.2/1000	3.6/1000

Notes:

1. The FAR for non-residential and residential uses within a given development are individually calculated and may be added together for a cumulative total, provided that the respective maximum FAR for each use is not exceeded. For example, in the DCC, an "as-of-right" development may have a total FAR of 6, with a FAR of 3 in non-residential use and a FAR of 3 in residential use in a single development.
2. For the purposes of calculating maximum allowable FAR, hotels shall be considered a residential use.
3. A minimum FAR of 1 shall be achieved for structures within the Downtown Commercial Core district. The gross floor area shall be used to calculate the minimum FAR.
4. Building Height will be measured consistent with the applicable Building Code, Height of Building and excludes parapets, mechanical penthouses, elevator overruns and machine rooms, and decorative architectural features (e.g., spires, towers, pergolas, pyramids, pitched roofs) not intended for residential, office or retail space.
5. Maximum Building Height within 150' east of the centerline of the right-of-way of Yakima Avenue shall be 60 feet, in order to create a transition to lower-rise residential development to the west.
6. Minimum parking ratios for non-residential development located east of Market Street, or located east of Jefferson Avenue from South 21st to South 28th streets shall be reduced by 50 percent in recognition of the availability of transit.
7. The first 3,000 square feet of each street level establishment, whether inside or outside the IFSA, is exempt from parking requirements.
8. Maximum parking ratios may be exceeded for providing parking available to the public and which is not dedicated to individual owners, tenants and lessees of the building.
9. Tandem parking is permitted only for residential development subject to approval of the Traffic Engineer.
10. Development shall also comply with the requirements of 13.06.510(C) Loading Spaces.
11. No variances shall be granted to these development standards unless otherwise indicated.
12. Buildings lawfully in existence on January 10, 2000, the time of reclassification to the above districts, including buildings within the IFSA, do not need to conform to these standards; however, additions will need to conform. No addition can increase nonconformity to these standards or create new nonconformity.
13. Unless otherwise specified herein, the off-street parking area development standards contained in TMC 13.06.510, which include minimum stall size and height, aisle width, paving and access requirements, but not including minimum quantity requirements, shall apply to all new off-street parking provided.
14. For buildings that contain multiple types of uses, the required number of parking spaces shall be equal to the total number of spaces determined by computing each use types separately, except where specifically stated otherwise herein.
15. Structures and sites that are listed on the Tacoma Register of Historic Places shall be exempt from all parking quantity requirements.

* * *



TO: Eric Anderson, City Manager

FROM: Ryan Petty, Director 
Community and Economic Development Department

SUBJECT: **Creating a Public Development Authority**

DATE: January 18, 2011

This memorandum is provided by staff in response to the question asked by City Council regarding the requirements for forming a Public Development Authority (PDA) in Tacoma specifically for the preservation of historic buildings. This information was compiled primarily from resources available from the Municipal Research and Services Center of Washington. The response explains the general concept, purpose and powers of PDAs under State Law, requirements for creating a PDA, and examples of similar organizations.

What is a PDA?

A PDA is a public corporation chartered by a local jurisdiction for a specific purpose that is defined by ordinance or resolution. In general, a PDA is created to perform a specific function or complete a specific project. The Revised Code of Washington 35.21 specifies the powers of a PDA, which include the ability to own and sell real property, enter into contracts with governments and private entities, borrow money and issue bonds, and perform community services. In general, a PDA must operate within the jurisdiction of the government that chartered it; however, PDAs can operate and do business within other jurisdictions if invited.

Many sources suggest that the most efficient uses of the PDA tool are for objectives that the chartering government could, but for any number of reasons, does not wish to pursue itself, such as:

- Specific, complex project(s);
- A public/private joint venture (for an example, the Seattle Art Museum property is owned and managed by a Museum Development Authority)
- Entrepreneurial enterprises or other initiatives that represent a business risk the chartering government does not wish to assume.

Examples of site-specific or area-specific PDAs with historic preservation as an objective include the Pike Place Market Development Authority in Seattle, which was established in 1973 to own and operate the Pike Place Market, and the Seattle Chinatown-International District Preservation Development Authority, formed in 1974. An example of a citywide PDA is Historic Seattle, formed in 1974.

How is a PDA formed?

A city or county may form a PDA by passing an ordinance or resolution approving the PDA's charter. The charter will include the PDA's name, scope of the project or purpose, the term of

the PDA, and board characteristics. The charter may provide for municipal oversight and will limit the liability of the creating municipality. Because PDAs are separate legal entities, all liabilities incurred by the PDA must be satisfied exclusively from the assets of the PDA, except as otherwise agreed by contract.

The PDA tool is not a new concept within the City of Tacoma. There are three PDAs in the City—the PDA within the Tacoma Housing Authority being the most recently chartered. PDAs in Tacoma include:

- Tacoma Community Redevelopment Authority
- Foss Waterway Development Authority
- Tacoma Housing Authority

The Tacoma Housing Authority is the most recently chartered PDA (2008). The PDA designation of authority is in addition to its designation as a housing authority. RCW 35.82.070(12) specifically empowers cities to authorize housing authorities to exercise the powers of a public corporation. THA's PDA authority is City-wide in nature and may exercise any and all powers of a public corporation authorized by RCW 35.21.

The City's experience with the creation of the Foss Waterway Development Authority (FWDA) may be most illustrative of the process that might be used to create a new historic preservation PDA. The FWDA was formed by the City Council primarily to market, develop and manage the City-owned property along the west side of the Foss Waterway. The City retained outside legal counsel to assist in the development of the charter, by-laws and the first operating agreement. City Council then addressed the task of board appointments and the identification of a funding source for initial operations.

However, the City began transferring property ownership to the FWDA only after an executive director had been hired, a work plan and operating budget developed, and predevelopment work, such as a market study, completed. Thus, although the FWDA was chartered in 1996, transfer of assets did not begin until 1999. Funds to sustain the Authority were to be generated primarily through the management, development and sale of the properties. This approach was generally successful during the last ten years. However, City funding was requested in 2010 to help fund FWDA operations for the current 2011-12 biennium until the economy improved and property sale and development could continue.

PDA Structure and Governance

There is considerable latitude under state law for the structure of governance for a PDA. For example, there are no specific requirements for the composition of the board or nomination of its members. Appointments to the Council of Historic Seattle Preservation Development Authority include four members nominated by the Mayor of Seattle, four nominated by the Historic Seattle membership, and four nominated by the Council itself. All positions are then confirmed by the Seattle City Council.

In general, the preservation-oriented PDAs in Seattle were the result of the City's response to growing concern among citizens about protecting Seattle's landmarks, and in particular, to the proposal to demolish the Pike Place Market in 1963. A citizen initiative passed that created a public ownership of the market and a historic overlay zone, and the PDA followed soon

thereafter, along with the creation of the Pioneer Square Historic District and the City of Seattle's historic preservation office and Landmarks Preservation Board.

Funding

In most cases, a PDA is established with an initial capital investment, and/or public property that then can be developed, leased or sold. All preservation-focused PDAs in the City of Seattle are self-sustaining and do not require City funds to operate.

If a new PDA is formed in Tacoma, City Council should be aware that, in addition to initial operating funding, there is potential for additional funding needs, especially in adverse market conditions, as has been the case with FWDA.

Alternatives

The complexity of creating a new PDA could be mitigated in part by exploring the potential of chartering a PDA within an existing organization (the THA model), or by partnering with an existing local PDA. Activities of PDAs are generally limited to the jurisdiction in which they are created. The exception is that PDAs may operate outside their chartering jurisdiction by invitation. Thus, the City could explore the potential for "inviting" an existing non-local PDA with experience and capacity, such as Historic Seattle, to conduct projects in Tacoma as a development partner to the City of Tacoma or other local organization. If so directed, staff could further research possibilities.

Conclusion and Key Policy Questions

- Should the City establish or contract for services with a Public Development Authority for the purposes of historic preservation in Tacoma? If so, is this best done as a component of a broader mission (for example, urban revitalization)?
- What should the purpose, authority and responsibilities of a historic preservation PDA (or a contract) be, and how should the relationship between the PDA and City Council operate?
- What sources should be used for initial/ongoing funding?

If the City Council would like to establish a PDA for historic preservation, the Council would need to determine the purpose, authority, responsibilities and the City Council's continued role, if any, with the new corporation.

In addition, initial and ongoing funding would need to be identified. The Seattle examples noted above were initially funded by the Seattle City Council and are now self-sustaining organizations. Ongoing funding occurs through the sale or lease of properties, grants, donations, contracts, and membership dues to foundations incorporated by the PDA.