



Legislation Passed May 13, 2014

The Tacoma City Council, at its regular City Council meeting of May 13, 2014, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

Resolution No. 38902

A resolution setting Tuesday, June 3, 2014, at approximately 5:30 p.m., as the date for a public hearing by the City Council on the 2014 Annual Amendments to the Comprehensive Plan and Land Use Regulatory Code.

[Brian Boudet, Planning Manager; Peter Huffman, Director, Planning and Development Services]

Resolution No. 38903

A resolution authorizing the execution of an Interlocal Agreement with the Port of Tacoma, which supersedes and replaces the existing Interlocal Agreement, for the design and future replacement of pavement surface on the Port of Tacoma Road.

[Tom Rutherford, P.E., Project Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 38904

A resolution authorizing the submittal of a grant application to the Washington State Historical Society, in the amount of \$400,000, to fund the development and implementation of a Prairie Line Trail historic interpretation plan.

[Elliott Barnett, Associate Planner; Peter Huffman, Director, Planning and Development Services]

Resolution No. 38905

A resolution awarding a contract to Western Peterbilt, Inc., in the amount of \$2,322,753, plus sales tax, budgeted from the Solid Waste Fund, to purchase six Hybrid Automated Side Loader collection trucks, for an initial one-year term, with the option to renew for two additional one year terms, for a projected contract total of \$6,193,152 - Specification No. ES14-0170F.

[Gary Kato, Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

Resolution No. 38906

A resolution establishing a Green Events Program to advance the City's commitment to sustainability and greenhouse gas reductions by requiring large, City-sponsored or funded events to implement sustainable practices and report on those measures.

[Kristin Lynett, Sustainability Manager; T.C. Broadnax, City Manager]

Resolution No. 38907

A resolution reaffirming the goal of 70 percent waste diversion by 2028; and developing a Sustainable Materials Management Plan for the City to meet its diversion goal and reduce environmental impacts by managing materials throughout their lifecycle.

[Kristin Lynett, Sustainability Manager; T.C. Broadnax, City Manager]

Amended Ordinance No. 28221

An ordinance amending the Comprehensive Plan by adding a new element to be known as the Hilltop Subarea Plan.

[Brian Boudet, Planning Manager; Peter Huffman, Director, Planning and Development Services]

Ordinance No. 28222

An ordinance amending Chapters 13.06, 13.06A, 13.12, and 13.17 of the Municipal Code, to refine zoning and development regulations for the Hilltop Subarea Plan, as an element of the City's Comprehensive Plan.

[Brian Boudet, Planning Manager; Peter Huffman, Director, Planning and Development Services]



RESOLUTION NO. 38902

1 A RESOLUTION relating to the 2014 Annual Amendment to the Comprehensive
2 Plan and Land Use Regulatory Code; setting Tuesday, June 3, 2014, as the
3 date for a public hearing on proposed amendments recommended by the
Planning Commission for the year 2014.

4 WHEREAS, each year, the City Council considers revisions to the
5 Comprehensive Plan ("Plan") and development regulations contained in the Land
6 Use Regulatory Code ("Code"), pursuant to the Growth Management Act, and
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8 WHEREAS the amendment cycle for the proposed 2014 Annual
9 Amendment began on July 1, 2013, and ends on June 30, 2014, and

10 WHEREAS the Planning Commission ("Commission") generated proposed
11 Plan and Code amendments based on community needs and input from members
12 of the public, City Council, and City staff, and then evaluated those proposed
13 amendments for potential benefits and impacts, alternatives, and consistency with
14 existing plans and laws, and
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16 WHEREAS certain amendments previously proposed by the Commission in
17 the 2013 amendment cycle were postponed due to timing issues related to the
18 City's Shoreline Master Program update, but are being advanced now together
19 with the proposed amendment from the 2104 amendment cycle, and
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21 WHEREAS the Commission, after completion of its review process,
22 including hearings to receive public testimony on the proposed amendments on
23 March 20, 2013 and March 19, 2014, finalized the proposed 2014 Annual
24 Amendment and recommended it to the City Council on May 7, 2014, and
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WHEREAS the proposed 2014 Annual Amendment includes nine applications from the 2014 amendment cycle addressing the following topics and issues: Point Ruston Mixed-Use Center; Point Defiance Park; Mixed-Use Centers; Affordable Housing, Container Port; Open Space; Sustainability; Urban Forestry and Landscaping; and Plan and Code cleanup, as well as recommendations from the 2013 amendment cycle to rescind the Ruston Way Plan, Shoreline Trails Plan, and Foss Waterway Design and Development Plan as elements of the Plan, and to adopt the Tacoma Waterfront Design Guidelines and the updated Public Access Alternatives Plan as implementation strategies of the Plan, and

WHEREAS the proposed 2014 Annual Amendment includes amendments to the following chapters of the Tacoma Municipal Code: (1) Chapter 1.37, Transfer of Development Rights Program Administrative Code; (2) Chapter 13.04, Platting and Subdivisions; (3) Chapter 13.05, Land Use Permit Procedures; (4) Chapter 13.06, Zoning; (5) Chapter 13.06A, Downtown Tacoma; (6) Chapter 13.11, Critical Areas Preservation; (7) Chapter 13.12, Environmental Code; and (8) Chapter 13.17, Mixed-Use Center Development, and

WHEREAS Chapter 13.02 of the TMC requires the City Council to conduct a public hearing before amending the Comprehensive Plan or Land Use Regulatory Code; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That a public hearing on the proposed amendments to the Comprehensive Plan and Land Use Regulatory Code, as contained in the proposed 2014 Annual Amendment, shall be held before the City Council in the



Council Chambers on the first floor of the Tacoma Municipal Building, 747 Market
Street, Tacoma, Washington, on Tuesday, June 3, 2014, at approximately
5:30 p.m. or as soon thereafter as the same may be heard.

Section 2. That the Clerk of the City of Tacoma shall give proper notice of
the time and place of said hearing.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 38903

1 A RESOLUTION relating to the Port of Tacoma Road Design and Rehabilitation
2 Project; authorizing the execution of an Interlocal Agreement with the Port
3 of Tacoma, which supersedes and replaces the existing Interlocal
4 Agreement between the parties approved pursuant to Resolution
No. 38735, adopted September 24, 2013, for the design and future
replacement of pavement surface on the Port of Tacoma Road.

5 WHEREAS the Port of Tacoma Road is the major arterial and heavy haul
6 corridor serving the Port of Tacoma ("Port"), and the road surface from
7 East 11th Street to south of Marshall Avenue has deteriorated to the point that it
8 needs to be replaced, and
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10 WHEREAS, in 2012, the City and the Port jointly submitted a Surface
11 Transportation Program grant application, with the City and the Port agreeing to
12 provide \$337,000 and \$500,000, respectively, as the local agency match, and
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14 WHEREAS, in 2013, the City and the Port were awarded partial grant
15 funding for the design portion of the project, and subsequently entered into an
16 Interlocal Agreement outlining the responsibilities and required grant match, which
17 agreement was approved by the City Council pursuant to Resolution No. 38735,
18 adopted September 24, 2013, and
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20 WHEREAS, subsequent to execution of the Interlocal Agreement, during
21 the design of the rehabilitation project, additional scope, including traffic signal
22 interconnect conduit and rail crossing upgrades, was added to the project, and
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1 WHEREAS this additional scope, along with higher construction costs
2 since submittal of the original grant application, have increased the overall cost of
3 the project, and

4 WHEREAS the City and Port have applied to the Freight Mobility Strategic
5 Investment Board and the Puget Sound Regional Council for construction grant
6 funding, with notification on awards for these grant funding programs expected in
7 May 2014, and

8 WHEREAS the proposed Interlocal Agreement between the parties outlines
9 the responsibilities of each party during the project, and increases the City's
10 required grant match from \$337,000 to \$581,000, and the Port's required grant
11 match from \$500,000 to \$616,000; Now, Therefore,

12 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

13 Section 1. That the proper officers of the City are hereby authorized to
14 execute an Interlocal Agreement with the Port of Tacoma for the design and future
15 replacement of pavement surface on the Port of Tacoma Road, said document to
16 be substantially in the form of the proposed Interlocal Agreement on file in the
17 office of the City Clerk.

18 Section 2. That this Interlocal Agreement supersedes and replaces the
19 existing Interlocal Agreement between the City and the Port of Tacoma,



1 approved by the City Council pursuant to Resolution No. 38735, adopted
2 September 24, 2013.

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4 Adopted _____

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6 _____
7 Mayor

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9 Attest:

10 _____
11 City Clerk

12 Approved as to form:

13 _____
14 Deputy City Attorney

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RESOLUTION NO. 38904

1 A RESOLUTION relating to community development; authorizing application to the
2 Washington State Historical Society for grant funding in the amount of
3 \$400,000, to fund the development and implementation of a Prairie Line Trail
4 Historic Interpretation Plan through the installation of interpretive features on
5 City-owned segments of the Prairie Line Trail.

6 WHEREAS the Prairie Line Trail ("Trail") is one of the City's most significant
7 historic landscapes, and

8 WHEREAS, through multiple policy actions, including the 2013 adoption of
9 the South Downtown Subarea Plan, the City Council has recognized the
10 development of the Trail as being uniquely positioned to build on the assets of
11 Downtown Tacoma, highlight its historic character, connect existing public spaces
12 and neighborhoods, and improve its economic position and vitality, and

13 WHEREAS substantial progress has been made to date on Trail
14 development: The University of Washington Tacoma ("UWT") acquired a segment
15 of Trail running through its campus, and construction is currently underway on the
16 property; and the City is on the brink of concluding the transaction with Burlington
17 Northern Santa Fe Railroad ("BNSF") that will result in the donation/conveyance of
18 the Brewery District and UWT-Campus-to-the-Waterfront segments of the Trail to
19 the City, and has secured \$2.384 million in grant funding for the design and
20 construction of the segments, and

21 WHEREAS, including Trail segments owned by the City and UWT,
22 approximately two-thirds of the planned one-mile Trail is funded through
23 construction, and
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WHEREAS future phases of the project include the design and construction of the Brewery District segment of the Trail, as well as potential future expansions and enhancements to the corridor, and

WHEREAS the Washington State Historical Society, which administers the Heritage Capital Projects Fund, is accepting grant applications through May 15, 2014, and requires a formal resolution from the City Council authorizing a grant application; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That the City Manager, or his designee, is hereby authorized to submit an application to the Washington State Historical Society for grant funding in the amount of \$400,000, to fund the development and implementation of a Prairie Line Trail Historic Interpretation Plan through the installation of interpretive features on City-owned segments of the Prairie Line Trail.

Section 2. That the City recognizes this Resolution will become part of the formal application to the Washington State Historical Society for grant assistance.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 38905

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and
2 the furnishing of services; authorizing the execution of a contract with
3 Western Peterbilt, Inc., in the amount of \$2,322,753, plus sales tax,
4 budgeted from the ES Solid Waste Fund, to purchase six Hybrid
5 Automated Side Loader collection trucks, for an initial one-year term, with
6 the option to renew for two additional one-year terms, for a projected
7 contract total of \$6,193,152, pursuant to Specification No. ES14-0170F.

8 WHEREAS the City has complied with all applicable laws and processes
9 governing the acquisition of those supplies, and/or the procurement of those
10 services, inclusive of public works, as is shown by the attached Exhibit "A,"
11 incorporated herein as though fully set forth, and

12 WHEREAS the Board of Contracts and Awards has concurred with the
13 recommendation for award as set forth in Exhibit "A"; Now, Therefore,

14 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

15 Section 1. That the Council of the City of Tacoma concurs with the
16 Board of Contracts and Awards to adopt the recommendation for award as set
17 forth in the attached Exhibit "A."

18 Section 2. That the proper officers of the City are hereby authorized to
19 enter into a contract Western Peterbilt, Inc., in the amount of \$2,322,753, plus
20 sales tax, budgeted from the ES Solid Waste Fund, to purchase six Hybrid
21 Automated Side Loader collection trucks, for an initial one-year term, with the
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1 option to renew for two additional one-year terms, for a projected contract total
2 of \$6,193,152, pursuant to Specification No. ES14-0170F, consistent with
3 Exhibit "A."
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5 Adopted _____
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7 _____
8 Mayor

9 Attest:
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11 _____
12 City Clerk

13 Approved as to form:
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15 _____
16 City Attorney
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TO: Board of Contracts and Awards
FROM: Michael P. Slevin III, P.E., Director, Environmental Services
Gary Kato, Division Manager, Solid Waste Management
COPY: City Council, City Manager, City Clerk, SBE Coordinator, LEAP Coordinator, Joseph Parris, Finance/Purchasing, and Andrew Torres, Assistant Division Manager, Solid Waste Management
SUBJECT: Hybrid Automated Side Loader Collection Trucks - Request for Bids Specification No. ES14-0170F – May 13, 2014
DATE: May 1, 2014

go for MPS III

SUMMARY:

The Environmental Services Department recommends a contract be awarded to Western Peterbilt, Inc., Seattle, WA, in the amount of \$2,322,753, plus applicable sales tax, budgeted from the ES Solid Waste Fund 4200, to purchase six Hybrid Automated Side Loader collection trucks, for an initial one-year term, with the option to renew for two additional one-year terms, for a projected contract amount of \$6,193,152.

STRATEGIC POLICY PRIORITY:

- Strengthen and maintain a strong fiscal management position.
- Foster neighborhood, community, and economic development vitality and sustainability.

This project utilizes hybrid technology that uses 45 percent less fuel, decreased cost maintenance, and significantly lower carbon emissions.

BACKGROUND:

ISSUE: The proposed collection trucks will replace six Peterbilt Automated Side Loaders that have exceeded their 10-year life cycle and are significantly worn and no longer cost effective to maintain and keep in service. The selected vehicles are innovative hybrid-powered refuse trucks that store energy from braking to supplement the power of the diesel engine, provides 45 percent fuel savings, reduces brake wear, improves drivability, and significantly reduces emissions (an estimated 38 fewer tons of carbon dioxide annually per truck).

ALTERNATIVES: The alternative to purchasing six Hybrid Automated Side Loader Collection Trucks would be to purchase Diesel Automated Side Loaders. The traditional diesel trucks are less expensive, however fuel costs, maintenance costs, and carbon emissions are substantially higher than the Hybrid Automated Side Loaders.

COMPETITIVE SOLICITATION: Request for Bids Specification No. ES14-0170F was opened April 8, 2014. Three companies were invited to bid in addition to normal advertising of the project. Four submittals were received. Bridgeport was the lowest bidder but was not selected because they did not comply with the specification requirements as outlined in the bid documents. Specifically, the vehicle pack eject panel, arm cycle time, and arm strength did not meet specifications. Bridgeport took exception to fifty specific criteria in the bid specification. The table below reflects the amount of the total award.



<u>Respondent</u>	<u>Location</u> (city and state)	<u>Submittal Amount</u>	
Western Peterbilt, Inc. w/ Wayne Body	Spokane, WA	\$2,322,753.00	
Western Peterbilt, Inc. w/ Scorpion Body	Phoenix, AZ	\$2,329,586.00	
Western Peterbilt, Inc. w/ Heil Body	Clackamas, OR	\$2,478,228.00	
*Western Peterbilt, Inc. w/ Bridgeport	Bridgeport, TX	\$2,266,801.50	*Did not meet Spec.
Pre-bid Estimate: \$2,460,000.00			

The recommended award is 5.6 percent below the pre-bid estimate.

CONTRACT HISTORY: New contract.

SUSTAINABILITY: These vehicles will reduce carbon dioxide emissions by 38 tons per truck annually, the equivalent of planting 1500 trees, contributing to a greener planet. Fuel consumption will lower by 45 percent delivering dramatic fuel savings; the hydrostatic drive lowers maintenance costs and noise levels.

SBE/LEAP COMPLIANCE: Not applicable.

DISADVANTAGED BUSINESS ENTERPRISE (DBE): Not applicable.

RECOMMENDATION:

The Environmental Services Department recommends a contract be awarded to Western Peterbilt, Inc., in the amount of \$2,322,753, plus applicable sales tax, to purchase six Hybrid Automated Side Loader collection trucks, for an initial one-year term, with the option to renew for two additional one-year terms.

FISCAL IMPACT:

EXPENDITURES:

FUND NUMBER & FUND NAME *	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
ES Solid Waste Fund 4200	ENV-0016		\$2,322,753.00
TOTAL			\$2,322,753.00

* General Fund: Include Department

REVENUES:

FUNDING SOURCE	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
ES Solid Waste Fund 4200	512005		\$2,322,753.00
TOTAL			\$2,322,753.00

FISCAL IMPACT TO CURRENT BIENNIAL BUDGET: \$2,322,753.00

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? Yes



RESOLUTION NO. 38906

1 BY REQUEST OF COUNCIL MEMBERS BOE, IBSEN, MELLO, AND WALKER

2 A RESOLUTION relating to sustainability; establishing a Green Events Program to
3 advance the City's commitment to implement sustainable practices.

4 WHEREAS the City recognizes its responsibility to minimize impacts on
5 human health and the environment while supporting diverse, equitable, profitable,
6 and vibrant community events, and

7 WHEREAS City staff developed the "Green Event Program" ("Program"), to
8 be integrated into the City's special events permit process, and

9 WHEREAS the Program includes a Green Event Planning Guide ("Guide")
10 which includes resources, tips, contacts, and other materials to assist event
11 organizers, and

12 WHEREAS the Program will require pre- and post-reporting by event
13 planners in 2014, and using 2014 results, staff will set minimum achievement
14 levels for 2015 and beyond, and

15 WHEREAS Program participation can provide benefits to event organizers
16 through reduced waste and increased promotion, and

17 WHEREAS special events meeting the Guide's green event criteria,
18 including large, City-sponsored or funded events, shall participate in the Program
19 to reduce environmental impacts created during the events, and

20 WHEREAS event-holders that participate in the Program will receive City
21 recognition for their efforts to become a Green Event at the required level or
22 beyond; Now, Therefore,

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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That the Green Events Program, substantially in the form of the document on file in the office of the City Clerk, is hereby established to advance the City's commitment to implement sustainable event practices.

Section 2. That said program shall be administered by the Office of Environmental Policy and Sustainability and the Community and Economic Development Department, and staff shall prepare and issue annual reports on the results and impacts of the Green Events Program.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 38907

1 BY REQUEST OF COUNCIL MEMBERS BOE, IBSEN, MELLO, AND WALKER

2 A RESOLUTION relating to the City of Tacoma's Climate Action Plan, reaffirming
3 the goal of 70 percent waste diversion by 2028; and developing a
4 Sustainable Materials Management Plan for the City to meet its diversion
5 goal and reduce environmental impacts by managing materials throughout
6 their lifecycle.

7 WHEREAS the City's 2008 Climate Action Plan calls for maximizing
8 commercial and residential recycling and the reuse, recycling, and proper
9 deconstruction of buildings, and

10 WHEREAS the Tacoma-Pierce County Solid Waste Management Plan has
11 a waste diversion goal of 70 percent or more recovered by the year 2028, and

12 WHEREAS, in 2009, the City's Solid Waste Management Division
13 conducted a waste stream characterization study of the waste produced from the
14 City and found that out of all materials discarded as garbage, 60 percent was
15 either compostable (28 percent) or recyclable (32 percent), and

16 WHEREAS the City's 2012 diversion rate was approximately 33 percent,
17 and

18 WHEREAS Sustainable Materials Management is defined as an approach
19 that includes waste prevention and discard management, while seeking to reduce
20 environmental impacts by managing materials through all stages of their life; Now,
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22 Therefore,

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24 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

25 Section 1. That the City of Tacoma reaffirms its goal of 70 percent or more
26 of waste diverted by the year 2028.



1 Section 2. That a Sustainable Materials Management Plan shall be
2 developed to ensure that the diversion goal of 70 percent or more by 2028 is met,
3 which plan shall include:

- 4 • Focus on life cycle thinking;
- 5 • Recommendations for construction and demolition debris
- 6 management;
- 7 • Strategies for commercial and multi-family recycling;
- 8 • Reduced consumption strategies for disposable bags, bottles, and
- 9 other products;
- 10 • Actions to minimize the upstream impact of the materials
- 11 purchased and utilized by City residents, business, and municipal
- 12 government;
- 13 • Metrics to be utilized to account for changes in population and
- 14 business activity within the City;
- 15 • Optional strategies to increase waste diversion beyond 70 percent;
- 16 and
- 17 • Long term waste diversion goals beyond 2028.

18 Section 3. That the City will develop a plan with interim goals to monitor
19 progress and ensure the 2028 waste diversion goal is met, and will measure and
20 track progress on waste diversion, preferably using methods consistent with
21 regional collaborators.

22 Section 4. That, beginning in 2015, the Solid Waste Management Division
23 will report to the City Council, by July 1 of each year, on the previous year's
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1 progress toward materials management goals, as well as additional steps to meet
2 goals in current and upcoming years.

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4 Adopted _____

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7 Mayor

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9 Attest: _____
10 City Clerk

11 Approved as to form:
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13 _____
14 Deputy City Attorney

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ORDINANCE NO. 28221

1 AN ORDINANCE relating to the City's Comprehensive Plan; amending the
2 Comprehensive Plan by adding a new element to be known as the Hilltop
3 Subarea Plan.

4 WHEREAS the City was awarded a \$100,000 grant through the United
5 States Environmental Protection Agency ("EPA") and Washington State
6 Department of Commerce to support the creation of a subarea plan and
7 associated area-wide environmental review to support the revitalization of the
8 Hilltop Mixed-Use Center, and

9 WHEREAS the federal Departments of Housing and Urban Development
10 ("HUD"), Transportation ("DOT"), and the EPA have joined together to create the
11 Partnership for Sustainable Communities to help create neighborhoods that are
12 sustainable communities, and

13 WHEREAS the purpose of the Hilltop Subarea Plan ("Plan") is to
14 anticipate, support, and guide long-term community development in the Hilltop,
15 including the Hilltop's business district core, hospitals, and residential
16 neighborhoods, and

17 WHEREAS the Plan includes expanded goals and action strategies that
18 continue the City's commitment to supporting vibrant, mixed-income
19 neighborhoods, and recognizing that the City's adopted policies promote this
20 type of a mixed-income neighborhood strategy on a Citywide basis, these and
21 other relevant strategies should be used to inform Citywide affordable housing
22 strategies as part of upcoming Citywide planning efforts, such as the Human
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Services Strategic Plan, Citywide Strategic Plan, and 2015 Comprehensive Plan
Update, and

WHEREAS the Plan provides innovative planning and policy interventions to help the Hilltop neighborhood achieve its potential for community development, an outcome that will deliver a broad range of equitable social and environmental benefits at both the local and regional levels, and

WHEREAS the Plan will serve as a statement of the City's commitment and direction for the Hilltop and as a resource for potential investors, property owners, the community, and other public agencies, and

WHEREAS, associated with the Plan, a non-project Final Environmental Impact Statement ("FEIS") was issued on December 31, 2013, and is a "Planned Action FEIS," with the objective of eliminating the need for subsequent environmental review associated with site-specific development or redevelopment, and

WHEREAS the Plan and FEIS will capitalize on the potential of the Hilltop Mixed-Use Center, proactively making the area well poised to accommodate future growth and development; specifically, the Plan will supplement current policies and regulations governing transportation, land use, affordable housing, open space, capital facilities, and utilities, and will fulfill Growth Management Act ("GMA") and Vision 2040 goals and requirements, and

WHEREAS the Plan and FEIS are the result of an extensive planning process conducted over a two-year period in coordination with the Hilltop Community Working Group, involving intense analyses, thorough research,



rigorous deliberations, and extensive outreach efforts, and will capitalize on the potential of the Hilltop Mixed-Use Center, proactively making the area well poised to accommodate future growth and development, and

WHEREAS the proposed Plan amendments conform to the requirements of the GMA and were developed in a manner consistent with: (1) the State Environmental Policy Act; (2) VISION 2040; (3) Transportation 2040; (4) the Countywide Planning Policies for Pierce County; (5) Substitute Resolution No. 37070, which provides guiding principles for the City's future growth; and (6) Chapter 13.02 of the Tacoma Municipal Code ("TMC"), and

WHEREAS the Planning Commission, after completing its review process, including a hearing to receive public testimony held on January 22, 2014, forwarded its findings and recommendation to the City Council on March 19, 2014, and

WHEREAS a hearing was held before the City Council on April 29, 2014, to receive public testimony on the Plan, which has received a great amount of support from stakeholders and citizens throughout its development process, and

WHEREAS the recommended actions are presented in two separate ordinances for ease of review: this ordinance amending the Comprehensive Plan, and a companion ordinance amending the TMC to refine zoning and development regulations for the Hilltop Subarea and to serve as part of the implementing strategies for the Plan; Now, Therefore,



BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council hereby adopts the Findings and Recommendations of the Planning Commission, dated November 6, 2013.

Section 2. That the City's Comprehensive Plan is hereby amended by adding a new element to be known as the Hilltop Subarea Plan, said plan to be substantially in the form of the document on file in the office of the City Clerk.

Section 3. That Exhibit "A," attached hereto and incorporated herein, hereby reflects amendments to the visions, goals and action strategies of the Hilltop Subarea Plan to address issues of displacement, recruitment and training, literacy, and neighborhood cohesion.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

HILLTOP SUBAREA PLAN

Vision (pg. 13-14)

Redevelopment introduces the risk of displacing existing homes and businesses, but fortunately, because Hilltop has a relatively large amount of underutilized buildings and vacant land, the risk of displacement is less pronounced than in other urban areas.

However, the City will also monitor the potential for displacement as part of its affordable housing monitoring system for the Hilltop, and will develop mitigations as necessary.

Ultimately, the goal of the Subarea Plan is to encourage redevelopment that complements and reinforces the existing social fabric and economy. New jobs and housing in Hilltop will expand the customer base for many existing businesses, retail in particular.

Table 6-1 Hilltop Goals and Proposed Actions (pg. 15)

Goal NR-1 Create local employment opportunities

Action NR-1.2 Business outreach: Integrate public, nonprofit, and private business efforts and communications in the economic recruitment process to maximize impacts and allocate resources, as well as encourage recruitment of existing Hilltop residents to local employment opportunities.

Goal NR-5 Engage Hilltop area youth in education, employment, and civic opportunities

Action NR-5.1 Education: Expand school/community relations to include volunteer mentor and peer group support with the participation of the Tacoma Public Schools, Tacoma Housing Authority, UW Tacoma, Evergreen State College Tacoma, Bates Technical College, and others to improve educational opportunities, library oriented literacy skills, test scores, and the reputation of McCarver School and other area youth in the community and marketplace.

Action NR-5.2 Employment: Create a youth job placement service offering part and full-time internships, job readiness training and employment opportunities with Hilltop businesses and organizations for area youth.

Action NR-5.3 Civic Participation: Create youth civic participation opportunities where youth can access library oriented literacy services, mentor children or adults, promote events or social outreach, construct projects or enhance the environment, network career or occupations, or create fine and performance art as youth members of Hilltop public and private organizations.



Goal NR-6 Create affordable, health, mixed-use, mixed-income, and mixed-household housing

Action NR-6.4 Special populations: Continue to provide social services and housing assistance for [our most vulnerable residents, including](#) homeless, addicted, mentally ill, disabled or otherwise medically challenged, and domestic violence individuals and households by Hilltop social service agencies and organizations.

Goal NR-7 At least twenty-five percent of the total housing units in Hilltop shall be affordable to households earning up to 80 percent of the countywide median income, and at least half of that (12.5 percent) shall be affordable to households earning up to 50 percent of the countywide median income.

Action NR-7.1 Establish an affordable housing monitoring system for the Hilltop Mixed-Use Center; [which will include measures to track and mitigate the potential displacement of residents who currently live in the Hilltop.](#)

Goal NR-8 Enhance Hilltop governance and support Subarea Plan implementation

Action NR-8.4 Assess performance results: Conduct regular “State of Hilltop” program, project and budget assessments including public, customer, and business surveys to determine the effectiveness, performance and priority of subarea plan actions, [as well as how redevelopment affects neighborhood cohesion.](#)



ORDINANCE NO. 28222

1 AN ORDINANCE relating to the City's Comprehensive Plan; amending Tacoma
2 Municipal Code ("TMC") Chapter 13.06, Zoning, at Section 13.06.030;
3 repealing TMC Section 13.06A.112, Known Archaeological, Cultural, and
4 Historic Resources within the South Downtown Subarea; and
5 Section 13.06A.113, Traffic Impact Assessment, in their entirety;
6 amending Chapter 13.12 by the addition of two new sections, to be known
7 as Section 13.12.570, Archaeological, Cultural, and Historic Resources,
8 and Section 13.12.580, Traffic Impact Assessment; and amending
9 Chapter 13.17, Mixed-Use Center Development, at Section 13.17.020, to
10 refine zoning and development regulations for the Hilltop Subarea Plan,
11 adopted as an element of the City's Comprehensive Plan.

12 WHEREAS the purpose of the Hilltop Subarea Plan ("Plan") is to
13 anticipate, support, and guide long-term community development in the Hilltop,
14 including the Hilltop's business district core, hospitals, and residential
15 neighborhoods, and

16 WHEREAS the Plan provides innovative planning and policy interventions
17 to help the Hilltop neighborhood achieve its potential for community
18 development, an outcome that will deliver a broad range of equitable social and
19 environmental benefits at both the local and regional levels, and

20 WHEREAS the Plan will serve as a statement of the City's commitment
21 and direction for the Hilltop and as a resource for potential investors, property
22 owners, the community, and other public agencies, and

23 WHEREAS, associated with the Plan, a non-project Final Environmental
24 Impact Statement ("FEIS") was issued on December 31, 2013, and is a "Planned
25 Action FEIS," with the objective of eliminating the need for subsequent
26 environmental review associated with site-specific development or
redevelopment, and



1 WHEREAS the Plan and FEIS will capitalize on the potential of the Hilltop
2 Mixed-Use Center, proactively making the area well poised to accommodate
3 future growth and development; specifically, the Plan will supplement current
4 policies and regulations governing transportation, land use, affordable housing,
5 open space, capital facilities, and utilities, and will fulfill Growth Management Act
6 and Vision 2040 goals and requirements, and

8 WHEREAS the Plan and FEIS are the result of an extensive planning
9 process conducted over a two-year period in coordination with the Hilltop
10 Community Working Group, involving intense analyses, thorough research,
11 rigorous deliberations, and extensive outreach efforts, and

13 WHEREAS the Planning Commission, after completing its review process,
14 including a hearing to receive public testimony held on January 22, 2014,
15 forwarded its recommendation to the City Council on March 19, 2014, and

17 WHEREAS a hearing was held before the City Council on April 29, 2014,
18 to receive public testimony on the Plan, which has received a great amount of
19 support from stakeholders and citizens throughout its development process, and

21 WHEREAS the proposed TMC amendments will refine zoning and
22 development regulations for the Hilltop, including certain property rezones and an
23 expansion of the Hilltop Mixed-Use Center, and will serve as part of the
24 implementing strategies for the Plan, and



1 WHEREAS the additions to TMC 13.12 will take the place of repealed
2 Sections 13.06A.112 and 13.06A.113 and are necessary to achieve uniform
3 application in implementing code-wide programmatic EIS requirements
4 applicable to the Hilltop Subarea, as well as any location in the City of Tacoma
5 where such an EIS is being conducted, and
6

7 WHEREAS, concurrently, a companion ordinance will propose the
8 adoption of the Plan as an element of the City's Comprehensive Plan; Now,
9 Therefore,
10

11 BE IT ORDAINED BY THE CITY OF TACOMA:

12 1. That Chapter 13.06 of the Tacoma Municipal Code is hereby amended
13 to modify zoning district boundaries, as set forth in the Hilltop Subarea Plan and
14 reflected in the attached Exhibit "E."

15 2. That Section 13.06.300 of the Tacoma Municipal Code is hereby
16 amended as set forth in the attached Exhibit "A."

17 3. That Sections 13.06A.112 and 13.06A.113 of the Tacoma Municipal
18 Code are hereby repealed in their entirety as set forth in the attached Exhibit "B."

19 4. That Chapter 13.12 of the Tacoma Municipal Code is hereby amended
20 by the addition of two new sections, to be known and designated as
21 Section 13.12.570, Archaeological, Cultural, and Historic Resources; and
22 Section 13.12.580, Traffic Impact Assessment, as set forth in the attached
23 Exhibit "C."
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5. That Section 13.17.020 of the Tacoma Municipal Code is hereby amended as set forth in the attached Exhibit "D."

6. That Section 13.17.020 of the Tacoma Municipal Code is hereby further amended to modify the boundaries of the Hilltop Mixed-Use Center, as set forth in the Hilltop Subarea Plan and reflected in the attached Exhibit "E."

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

13.06.300 Mixed-Use Center Districts.

C. Applicability and pedestrian streets designated.

Applicability. The following tables compose the land use regulations for all Mixed-Use Center Districts. All portions of Section 13.06.300 and applicable portions of Section 13.06.500, apply to all new development of any land use variety, including additions and remodels, in all Mixed-Use Center Districts, unless explicit exceptions or modifications are noted. The requirements of Sections 13.06.300.A through 13.06.300.D are not eligible for variance. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply.

TABLE C.1: MIXED-USE CENTER PEDESTRIAN STREETS ESTABLISHED

The following pedestrian streets are considered key streets in the development and utilization of Tacoma's mixed-use centers, due to pedestrian use, traffic volumes, transit connections, and/or visibility. They are designated for use with certain provisions in the mixed-use zoning regulations, including use restrictions and design requirements, such as increased transparency, weather protection and street furniture standards. In some centers, these "pedestrian streets" and/or portions thereof are further designated as "core pedestrian streets" for use with certain additional provisions. The "core pedestrian streets" are a subset of the "pedestrian streets," and thus, those provisions that apply to designated "pedestrian streets" also apply to designated "core pedestrian streets."

Mixed-Use Center	Designated Pedestrian Streets (All portions of the streets within Mixed-Use Centers, unless otherwise noted.)	Designated Core Pedestrian Streets (All portions of the streets within Mixed-Use Centers, unless otherwise noted)
6th Avenue and Pine Street	6th Avenue	6 th Avenue
Narrows (6 th Avenue and Jackson)	6 th Avenue	6 th Avenue
Downtown Tacoma (Tacoma Dome Area)	Puyallup Avenue; East 25th Street*; East 26th Street; East D Street	N/A
McKinley (East 34 th and McKinley)	McKinley Avenue from Wright Avenue to East 39 th Street*	McKinley Avenue from Wright Avenue to East 36 th Street
Lower Portland Avenue	Portland Avenue*, East 32 nd Street, East 29 th Street	Portland Avenue
Proctor (North 26th Street and Proctor Street)	North 26th Street; North Proctor Street*	North 26 th Street; North Proctor Street
Stadium (North 1st Street and Tacoma Avenue)	Division Avenue from North 2nd Street to Tacoma Avenue; Tacoma Avenue*; North 1st Street; North I Street	Division Avenue from North 2nd Street to Tacoma Avenue; Tacoma Avenue; North 1st Street
Hilltop Martin Luther King Jr. (South 11th Street and Martin Luther King Jr. Way)	Martin Luther King Jr. Way*; South 11th Street; Earnest S. Brazill Street; 6th Avenue, <u>South 19th Street</u>	Martin Luther King Jr. Way from S. 9th to S. 15th, South 11th Street; Earnest S. Brazill Street
Lincoln (South 38th Street and G Street)	South 38th Street*; Yakima Avenue from South 37th Street to South 39th Street; and South G Street south of 36th Street	South 38th Street
South 34th and Pacific	Pacific Avenue	Pacific Avenue
South 56th Street and South Tacoma Way	South Tacoma Way*; South 56th Street	South Tacoma Way
East 72nd Street and Portland Avenue	East 72nd Street*; Portland Avenue	East 72nd Street, Portland Avenue



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South 72nd Street and Pacific Avenue	South 72nd Street; Pacific Avenue*	Pacific Avenue
Tacoma Central/Allenmore	Union Avenue*; South 19th Street between South Lawrence Street and South Union Avenue	Union Avenue south of South 18th Street; South 19th Street between South Lawrence Street and South Union Avenue
Tacoma Mall Area	South 47th/48th Transition Street; Steele Street*	N/A
TCC/James Center	Mildred Street*; South 19th Street	Mildred Street south of South 12th Street; South 19th Street
Westgate	Pearl Street*; North 26th Street	Pearl Street
* Indicates primary designated pedestrian streets. In centers where multiple streets are designated, one street is designated the Primary Pedestrian Street. This is used when applying certain provisions, such as the maximum setback requirements for projects that abut more than one pedestrian street.		

* * *



EXHIBIT "B"

Downtown Tacoma Chapter 13.06A

Sections:

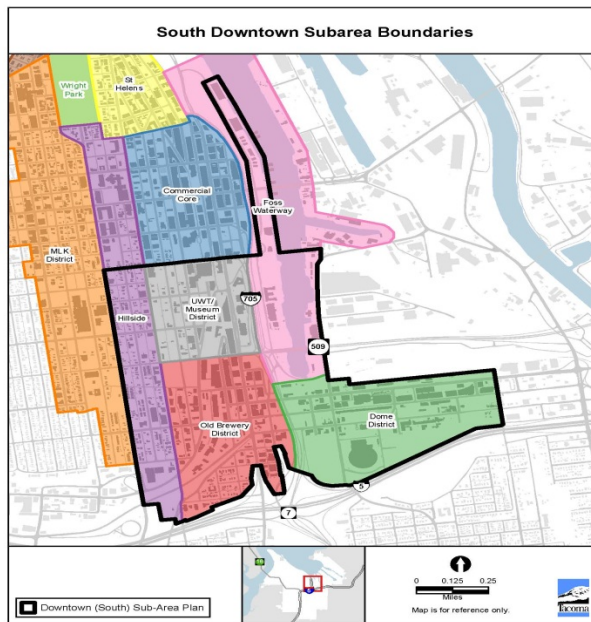
- 13.06A.010 Purpose.
- 13.06A.020 Applicability.
- 13.06A.030 Definitions.
- 13.06A.040 Downtown Districts and uses.
- 13.06A.050 Additional use regulations.
- 13.06A.052 Primary Pedestrian Streets.
- 13.06A.055 Nonconforming Development.
- 13.06A.060 Development Standards.
- 13.06A.065 Parking Standards.
- 13.06A.070 Basic design standards.
- 13.06A.080 Design standards for increasing allowable FAR.
- 13.06A.090 Transfer of Development Rights for Increasing Allowable Floor Area Ratio.
- 13.06A.100 Downtown Master Planned Development (DMPD).
- 13.06A.110 Variances.
- 13.06A.111 Downtown District Fencing Standards.
- ~~13.06A.112 Known Archaeological, Cultural, and Historic Resources within the South Downtown Subarea.~~
- ~~13.06A.113 Traffic Impacts Assessment.~~
- 13.06A.120 *Repealed.*
- 13.06A.130 Severability.

* * *

~~13.06A.112 Known Archaeological, Cultural, and Historic Resources within the South Downtown Subarea.~~

~~See Figure 3 below for the South Downtown Subarea Boundaries.~~

~~Figure 3: South Downtown Subarea Boundaries~~





~~A. Known Archaeological, Cultural and Historic Resources.~~

1 ~~1. Applications for a permit shall identify whether the property is within 500 feet of a site known to contain~~
2 ~~an historic, cultural, or archaeological resource(s). Records of known sites are restricted. Consultation with~~
3 ~~Washington Department of Archaeology and Historic Preservation or a certified archaeologist will be~~
4 ~~required. If the property is determined to be within 500 feet of a site known to contain historic, cultural, or~~
5 ~~archaeological resources, the City shall require a cultural resource site assessment; provided that, the~~
6 ~~provisions of this section may be waived if the Director determines that the proposed development~~
7 ~~activities do not include any ground disturbing activities and will not impact a known historic, cultural, or~~
8 ~~archaeological site. The site assessment shall be conducted in accordance with Washington State~~
9 ~~Department of Archaeology and Historic Preservation guidelines for survey and site reporting to determine~~
10 ~~the presence of significant historic or archaeological resources. The fee for the services of the professional~~
11 ~~archaeologist or historic preservation professional shall be paid by the landowner or responsible party.~~

12 ~~2. If the cultural resource site assessment identifies the presence of significant historic or archaeological~~
13 ~~resources, a Cultural Resource Management Plan ("CRMP") shall be prepared by a professional~~
14 ~~archaeologist or historic preservation professional paid by the landowner or responsible party. In the~~
15 ~~preparation of such plans, the professional archaeologist or historic preservation professional shall solicit~~
16 ~~comments from the Washington State Department of Archaeology and Historic Preservation, and the~~
17 ~~Puyallup Tribe. Comments received shall be incorporated into the conclusions and recommended~~
18 ~~conditions of the CRMP to the maximum extent practicable.~~

19 ~~3. A CRMP shall contain the following minimum elements:~~

20 ~~a. The CRMP shall be prepared by a qualified cultural resources consultant, as defined by the Washington~~
21 ~~State Department of Archaeology and Historic Preservation.~~

22 ~~b. The CRMP shall include the following information:~~

23 ~~i. Description of the Area of Potential Effect ("APE") for the project, including a general description of the~~
24 ~~scope of work for the project and the extent and locations of ground-disturbing activities. Ground-disturbing~~
25 ~~activities include excavations for footings, pilings, utilities, environmental testing or sampling, areas to be~~
26 ~~cleared and/or graded, demolition, removal or relocation of any existing structures, and any other ground~~
disturbances that may occur as a result of construction activities.

~~ii. Photographs of the APE, including existing structures and areas of construction activities;~~

~~iii. An examination of project on-site design alternatives;~~

~~iv. An explanation of why the proposed activity requires a location on, or access across and/or through, a~~
significant historic or archaeological resource; and

~~v. Citations with dates, of any previous written documentation on listed or known culturally significant~~
sites. In compiling this information, consultations with the following agencies shall be necessary. A list of
the agency officials that were consulted with shall be included and contain the following:

• ~~State Department of Archaeology and Historic Preservation to identify buildings, sites or objects within~~
the APE that are listed on the National Register of Historic Places or the Washington State Heritage
Register.

• ~~City of Tacoma Historic Preservation Office to identify any buildings, sites, or objects within the APE~~
listed on the Tacoma Register of Historic Places.

• ~~The Puyallup Tribe of Indians Historic Preservation Section to identify any buildings, sites, or objects~~
within the APE that are within the 1873 Land Claims Settlement Survey Area.

~~vi. An assessment of probable adverse impacts to culturally significant buildings, sites or objects, resulting~~
from:

• ~~Demolition of any buildings or structures over 50 years of age, or~~



~~• The potential for the site to contain historic or prehistoric archaeological materials, based on the topography of the property, historical literature, geological data, geographical context, or proximity to areas of known cultural significance.~~

~~vii. A description of how potential adverse effects to cultural resources as a result of construction activities will be mitigated or minimized. Mitigation may include, but is not limited to:~~

~~• Additional consultation with federal, state, local and Tribal officials or Tacoma Landmarks Commission and/or;~~

~~• Additional studies such as pedestrian surveys, subsurface testing, remote sensing, phased or periodic testing as a part of any geotechnical assessment or soil testing required for the project, or monitoring during construction and/or;~~

~~• Subject to review and approval of the City's Historic Preservation Officer, other potential mitigation measures may include:~~

~~◦ Avoidance of historic/cultural resources;~~

~~◦ Retention of all or some of historic structure into a new development;~~

~~◦ Interpretive/educational measures;~~

~~◦ Off-site/on-site preservation of another historic resource;~~

~~◦ Recording the site with the State Department of Archaeology and Historic Preservation, or listing the site in the National Register of Historic Places, Washington Heritage Register, as applicable, or any locally developed historic registry formally adopted by the City of Tacoma;~~

~~◦ Preservation in place;~~

~~◦ Reinterment in the case of grave sites;~~

~~◦ Covering an archaeological site with a nonstructural surface to discourage pilferage (e.g., maintained grass or pavement);~~

~~◦ Excavation and recovery of archaeological resources;~~

~~◦ Inventorying prior to covering of archaeological resources with structures or development; and~~

~~◦ Monitoring of construction excavation.~~

~~4. Upon receipt of a complete permit application in an area of known historic/archaeological resources, the City shall notify and request a recommendation from appropriate agencies such as the Washington State Department of Archaeology and Historic Preservation, and the Puyallup Tribe. Recommendations of such agencies and other affected persons shall be duly considered and adhered to whenever possible and reasonable.~~

~~5. The recommendations and conclusions of the CRMP shall be used to assist the Administrator in making final administrative decisions concerning the presence and extent of historic/archaeological resources and appropriate mitigating measures. The Administrator shall consult with the Washington State Department of Archaeology and Historic Preservation, and the Puyallup Tribe prior to approval of the CRMP.~~

~~6. The Administrator may reject or request revision of the conclusions reached in a CRMP when the Administrator can demonstrate that the assessment is inaccurate or does not fully address the historic/archaeological resource management concerns involved.~~

~~B. Unanticipated Discovery of Archaeological, Cultural and Historic Resources:~~

~~All permit applications shall prepare a plan for the possible unanticipated discovery of historic, cultural or archaeological resource(s), including a point of contact, procedure for stop-work notification, and for notification of appropriate agencies.~~



13.06A.113—Traffic Impacts Assessment:

A. This section sets forth provisions for Traffic Impact Assessments located in the South Downtown Subarea; see Figure 3 above for subarea boundaries. Transportation impacts generally relate to the size of the development, the number of trips generated, and their combined effect on local and state streets and transportation facilities, transit operations, freight, and pedestrian and bicycling facilities and operations. The provisions of this chapter shall apply to all residential, commercial, and mixed-use development within the Downtown Tacoma Regional Growth Center boundaries, see Figure X: Downtown Tacoma Regional Growth Center.

The Department of Public Works will use the Traffic Impacts Assessment to evaluate impacts and assist in identifying and establishing mitigation measures that will address safety, circulation, and capacity issues; capacity will be addressed in terms of Level of Service established in the City Comprehensive Plan and applicable subarea plans. In those cases where DPW identifies potential impacts to State Highways, DPW will consult with the Washington State Department of Transportation (WSDOT) and collaborate with WSDOT in identifying mitigation measures.

B. Exemptions. The Director of Public Works may be able to provide an exemption from this impact analysis if a proposal has no meaningful potential for substantial transportation or traffic impacts. This may occur if the proposal has characteristics that may limit its net new vehicle traffic generation, or if only non-congested roadways and intersections are nearby, or if the net increase in traffic would not be significant compared to traffic from existing development.

C. Traffic Impact Assessments Use Category. The transportation information is required to be prepared and submitted to the Public Works Department at the time of permit intake. If such information is not present, the Public Works Department may delay completing the application process until such time as the information is available. After the application is accepted, the permit review by Public Works Department staff may generate a request for additional information, which will be detailed in a correction notice.

1. Level 1: The following information must be provided by a qualified expert in the form of a transportation impacts study:

a. Number of additional daily vehicle trips generated by the development as calculated using the ITE Trip Generation Manual, 8th Edition or successor edition.

b. Number of additional “peak hour” vehicle trips generated by the development in the afternoon peak hours as calculated using the ITE Trip Generation Manual, 8th Edition or successor edition.

c. The proposed access/egress routes, such as alleys and streets on which vehicles will enter and leave the site’s parking garage or lot and including whether or not new curb cuts will be proposed.

d. An estimate of what proportion of the development’s traffic is likely to use which streets.

e. Identify whether the nearest intersections are controlled by stop signs, traffic lights, or other form of traffic control.

f. Describe existing pedestrian and bicycle facilities in the immediate site vicinity, using the City’s Mobility Master Plan.

g. Describe any proposed pedestrian or bicycle facility improvements.

h. Describe any impacts to State Highways.

2. Level 2: The following information must be provided by a qualified expert in the form of a transportation impacts study:

a. Identification of existing conditions, future baseline conditions, and number of additional daily vehicle trips generated by the development, specifically:

i. Information to describe the local streets, existing traffic volumes and turning movements, and traffic control devices on affected streets and intersections;



- ii. Level of service information or alternate equivalent measures of traffic operation, delay, volume to capacity (v/c) ratio for affected intersections and/or streets;
- iii. Traffic safety information—accident/collision history, for the latest three years;
- iv. Trip Generation: use the ITE Trip Generation Manual, 8th Edition or successor, or alternate method to provide the following:
- A calculation of reductions from basic trip generation, for internal trips, pass-by trips, and mode choices (e.g., proportion likely to use modes other than single-occupant vehicle travel), at the applicant's discretion.
 - A calculation of any other reductions justifiable due to the nature of the development or site.
 - A summary of the resulting trip calculations for residential and commercial uses.
- b. Number of additional “peak hour” vehicle trips generated by the development in the afternoon peak hours:
- i. Using comparable methods described under subsection C.1 immediately above, calculate peak hour vehicle trip generation;
 - ii. The proposed access/egress routes, such as alleys and streets on which automobiles will enter and leave the site's parking garage or lot and whether or not new curbeuts will be proposed;
 - iii. The applicant's estimate of “trip distribution” and assignment—what proportion of the development's traffic is likely to use which streets;
 - iv. Identify the probable extent of traffic impacts on affected streets and intersections as follows:
 - Afternoon peak hour turning movement impacts on identified intersections, and interpretation of the potential magnitude of impact, including roadway level of service, intersection level of service, and/or other methods of evaluating impacts on street and intersection operations, and
 - Site access operations, including information such as peak hour volumes, delay and/or level of service, and relationship to freight operations if relevant.
- e. Summarize relationships and potential for impacts to transit service, non-motorized facilities in the site vicinity, and traffic safety, to the extent affected by the proposed development:
- i. Description of proposed bicycle, pedestrian, transit, and freight facilities and operations as provided for in existing multimodal plans. This should include whether there are gaps in pedestrian connections from the site to the nearest transit stop or gaps in continuity of bicycle facilities in the site vicinity, and;
 - ii. Describe whether the development would adversely affect sidewalks, bicycle lanes, transit facilities, and whether it would contribute traffic to a high accident location, and;
 - iii. Describe any planned improvements or reconstruction of sidewalks or streets adjacent to the development site.
- d. Describe any impacts to State Highways.

USE	“Level 1” Analysis	“Level 2” Analysis
Residential	100 to 199 dwelling units	Over 199 dwelling units
Commercial	30,000-59,999 sq. feet	Over 59,999 sq. feet
If the residential unit count in a mixed-use development is less than the listed size ranges but the non-residential use exceeds 20,000 square feet:	20,000—59,999 sq. feet	Over 59,999 sq. feet

* * *



EXHIBIT "C"

Chapter 13.12 Environmental Code

Sections:

13.12.004 *Repealed.*
13.12.010 *Repealed.*
13.12.020 *Repealed.*
13.12.025 *Repealed.*
13.12.045 *Repealed.*
13.12.055 *Repealed.*

Part One – Purpose and Authority

13.12.100 Purpose of this part and adoption by reference.
13.12.120 Authority.
13.12.130 Purpose, applicability, and intent.
13.12.140 Environmental policy.
13.12.150 Severability.

Part Two – General Requirements

13.12.200 Purpose of this part and adoption by reference.
13.12.210 Lead agency – Responsibilities.
13.12.220 Designation of responsible official.
13.12.230 Designation and responsibility of the City's SEPA public information center (SEPA PIC).
13.12.240 Timing of the SEPA process.

Part Three – Categorical Exemptions

13.12.300 Purpose of this part and adoption by reference.
13.12.305 *Repealed.*
13.12.310 Flexible thresholds for categorical exemptions.
13.12.315 *Repealed.*
13.12.320 Emergencies.
13.12.340 *Repealed.*
13.12.350 *Repealed.*
13.12.355 *Repealed.*

Part Four – Categorical Exemptions And Threshold Determination

13.12.400 Purpose of this part and adoption by reference.
13.12.408 *Repealed.*
13.12.410 Categorical exemptions.
13.12.420 Environmental checklist.
13.12.430 Determination of non-significance (DNS).
13.12.440 Mitigated DNS.
13.12.450 Optional DNS process.
13.12.460 *Repealed.*

Part Five – Environmental Impact Statement (EIS)

13.12.500 Purpose of this part and adoption by reference.
13.12.510 Scoping.
13.12.520 Expanded scoping (optional).
13.12.530 EIS preparation.
13.12.540 Issuance of final environmental impact statement (FEIS).



- 13.12.550 SEPA Planned Action EIS.
13.12.560 Optional Plan Elements and Development Regulations.
1 13.12.570 Archaeological, Cultural, and Historic Resources.
2 13.12.580 Traffic Impact Assessment.

3 **Part Six – Commenting**

- 13.12.600 Purpose of this part and adoption by reference.
13.12.610 Public notice.
4 13.12.620 Responding to SEPA Requests for Comment from Other Lead Agencies.
13.12.660 *Repealed.*
5 13.12.680 *Repealed.*
13.12.685 *Repealed.*

6 **Part Seven – Using Existing Environmental Documents**

- 7 13.12.700 Purpose of this part and adoption by reference.

8 **Part Eight – SEPA and Agency Decisions**

- 13.12.800 Purpose of this part and adoption by reference.
9 13.12.801 *Repealed.*
13.12.810 Substantive authority and mitigation.
10 13.12.820 Appeals of SEPA threshold determination and adequacy of final environmental impact
statement.
11 13.12.880 *Repealed.*

12 **Part Nine – Definitions**

- 13.12.900 Purpose of this part and adoption by reference.
13 13.12.905 *Repealed.*
13.12.908 *Repealed.*
14 13.12.910 Additional definitions.
13.12.911 *Repealed.*
15 13.12.914 *Repealed.*

16 **Part Ten – Agency Compliance**

- 13.12.920 Purpose of this part and adoption by reference.
17 13.12.923 *Repealed.*
13.12.930 Critical areas.

18 **Part Eleven – Forms**

- 19 13.12.940 Purpose of this part and adoption by reference.
13.12.950 *Repealed.*

20 * * *

21 **13.12.570 Archaeological, Cultural, and Historic Resources.**

22 A. This section sets forth provisions for addressing archaeological, cultural, and historic resources for
23 projects located within the Downtown Tacoma Regional Growth Center in areas where a Subarea Plan and
24 a companion area-wide, non-project Environmental Impact Statement (EIS) have been completed. The
Planning and Development Services Department will use this process and any required assessments to
evaluate potential impacts and assist in identifying and establishing appropriate mitigation measures.

25 **B. Known Archaeological, Cultural and Historic Resources.**

26 1. Applications for a permit shall identify whether the property is within 500 feet of a site known to contain
an historic, cultural or archaeological resource(s). Records of known sites are restricted. Consultation with
the Washington Department of Archaeology and Historic Preservation or a certified archaeologist will be
required. If the property is determined to be within 500 feet of a site known to contain historic, cultural, or



archaeological resources, the City shall require a cultural resource site assessment; provided that, the provisions of this section may be waived if the Director determines that the proposed development activities do not include any ground disturbing activities and will not impact a known historic, cultural or archaeological site. The site assessment shall be conducted in accordance with Washington State Department of Archaeology and Historic Preservation guidelines for survey and site reporting to determine the presence of significant historic or archaeological resources. The fee for the services of the professional archaeologist or historic preservation professional shall be paid by the landowner or responsible party.

2. If the cultural resource site assessment identifies the presence of significant historic or archaeological resources, a Cultural Resource Management Plan ("CRMP") shall be prepared by a professional archaeologist or historic preservation professional paid by the landowner or responsible party. In the preparation of such plans, the professional archaeologist or historic preservation professional shall solicit comments from the Washington State Department of Archaeology and Historic Preservation and the Puyallup Tribe. Comments received shall be incorporated into the conclusions and recommended conditions of the CRMP to the maximum extent practicable.

3. A CRMP shall contain the following minimum elements and information:

a. The CRMP shall be prepared by a qualified cultural resources consultant, as defined by the Washington State Department of Archaeology and Historic Preservation;

b. A Description of the Area of Potential Effect ("APE") for the project, including a general description of the scope of work for the project and the extent and locations of ground disturbing activities (ground disturbing activities include excavations for footings, pilings, utilities, environmental testing or sampling, areas to be cleared and/or graded, demolition, removal or relocation of any existing structures, and any other ground disturbances that may occur as a result of construction activities);

c. Photographs of the APE, including existing structures and areas of construction activities;

d. An examination of project on-site design alternatives;

e. An explanation of why the proposed activity requires a location on, or access across and/or through, a significant historic or archaeological resource; and

f. Citations, with dates, of any previous written documentation on listed or known culturally significant sites. In compiling this information consultations with the following agencies shall be necessary, and a list of the agency officials that were consulted with shall be included:

(1) State Department of Archaeology and Historic Preservation to identify buildings, sites, or objects within the APE that are listed on the National Register of Historic Places or the Washington State Heritage Register.

(2) City of Tacoma Historic Preservation Office to identify any buildings, sites, or objects within the APE listed on the Tacoma Register of Historic Places.

(3) The Puyallup Tribe of Indians Historic Preservation Section to identify any buildings, sites, or objects within the APE within the 1873 Land Claims Settlement Survey Area.

g. An assessment of probable adverse impacts to culturally significant buildings, sites, or objects, resulting from:

(1) Demolition of any buildings or structures over 50 years of age.

(2) The potential for the site to contain historic or prehistoric archaeological materials, based on the topography of the property, historical literature, geological data, geographical context, or proximity to areas of known cultural significance.

h. A description of how potential adverse effects to cultural resources as a result of construction activities will be mitigated or minimized. Subject to review and approval of the City's Historic Preservation Officer, appropriate mitigation may include, but is not limited to:

(1) Additional consultation with federal, state, local and tribal officials or the Tacoma Landmarks Commission.

(2) Additional studies such as pedestrian surveys, subsurface testing, remote sensing, phased or periodic testing as a part of any geotechnical assessment or soil testing required for the project, or monitoring during construction.



(3) Avoidance of historic/cultural resources;

(4) Retention of all or some of a historic structure into a new development;

(5) Interpretive/educational measures;

(6) Off-site/on site preservation of another historic resource;

(7) Recording the site with the Washington State Department of Archaeology and Historic Preservation, or listing the site in the National Register of Historic Places, Washington Heritage Register, as applicable, or any locally developed historic registry formally adopted by the City of Tacoma;

(8) Preservation in place;

(9) Reinterment in the case of grave sites;

(10) Covering an archaeological site with a nonstructural surface to discourage pilferage (e.g., maintained grass or pavement);

(11) Excavation and recovery of archaeological resources;

(12) Inventorying prior to covering of archaeological resources with structures or development; and

(13) Monitoring of construction excavation.

4. Upon receipt of a complete permit application in an area of known historic/archaeological resources, the City shall notify and request a recommendation from appropriate agencies such as the Washington State Department of Archaeology and Historic Preservation and the Puyallup Tribe. Recommendations of such agencies and other affected persons shall be duly considered and adhered to whenever possible and reasonable.

5. The recommendations and conclusions of the CRMP shall be used to assist the Director in making final administrative decisions concerning the presence and extent of historic/archaeological resources and appropriate mitigating measures. The Director shall consult with the Washington State Department of Archaeology and Historic Preservation and the Puyallup Tribe prior to approval of the CRMP.

6. The Director may reject or request revision of the conclusions reached in a CRMP when the Director can demonstrate that the assessment is inaccurate or does not fully address the historic/archaeological resource management concerns involved.

C. Unanticipated Discovery of Archaeological, Cultural and Historic Resources.

All permit applications shall prepare a plan for the possible unanticipated discovery of historic, cultural or archaeological resources, including a point of contact, procedure for stop-work notification, and for notification of appropriate agencies.

13.12.580 Traffic Impact Assessment.

A. Purpose and Applicability.

1. This section sets forth provisions for Traffic Impact Assessments for projects located within the Downtown Tacoma Regional Growth Center in areas where a Subarea Plan and a companion area-wide, non-project Environmental Impact Statement ("EIS") have been completed. Transportation impacts generally relate to the size of the development, the number of trips generated, and their effect on local and state streets and transportation facilities, transit operations, freight, and pedestrian and bicycling facilities and operations.

The Department of Public Works will use the Traffic Impact Assessment to evaluate impacts and assist in identifying and establishing mitigation measures that will address safety, circulation, and capacity issues; capacity will be addressed in terms of Level of Service established in the City Comprehensive Plan and applicable sub-area plans. In those cases where the Department of Public Works identifies potential impacts to State Highways, they will consult with the Washington State Department of Transportation ("WSDOT") in identifying mitigation measures.

2. Exemptions. The Director of Public Works may be able to provide an exemption from this impact analysis if a proposal has no meaningful potential for significant and adverse transportation or traffic impacts. This may occur if the proposal has characteristics that may limit its net new vehicle traffic



generation, or if only non-congested roadways and intersections are nearby, or if the net increase in traffic would not be significant compared to traffic from existing development.

B. Definitions. For definitions, see Section 13.06.700.

C. Traffic Impact Assessments. Transportation information is required to be prepared and submitted to the Public Works Department at the time of permit intake. If such information is not submitted, the Public Works Department may delay completing the application process until such time as the information is made available. After the application is accepted, permit review by Public Works Department staff may result in a request for additional information, which will be detailed in a correction notice. The type and extent of analysis required, which is outlined below, is based on the project size, as follows:

<u>USE</u>	<u>“Level 1” Analysis</u>	<u>“Level 2” Analysis</u>
<u>Residential</u>	<u>100 to 199 dwelling units</u>	<u>Over 199 dwelling units</u>
<u>Commercial</u>	<u>30,000-59,999 sq. feet</u>	<u>Over 59,999 sq. feet</u>
<u>If the residential unit count in a mixed-use development is less than the listed size ranges, but the non-residential use exceeds 20,000 square feet:</u>	<u>20,000 – 59,999 sq. feet</u>	<u>Over 59,999 sq. feet</u>

1. Level 1: The following information must be provided by a qualified expert in the form of a transportation impacts study:

a. Number of additional daily vehicle trips generated by the development as calculated using the ITE Trip Generation Manual, 8th Edition or successor edition.

b. Number of additional “peak hour” vehicle trips generated by the development in the afternoon peak hours as calculated using the ITE Trip Generation Manual, 8th Edition or successor edition

c. The proposed ingress/egress routes, such as alleys and streets, on which vehicles will enter and leave the site’s parking garage or lot, and whether or not new curb-cuts will be proposed.

d. An estimate of what proportion of the development’s traffic is likely to use which streets.

e. Identify whether the nearest intersections are controlled by stop signs, traffic lights, or other form of traffic control.

f. Describe existing pedestrian and bicycle facilities in the immediate site vicinity, using the City’s Mobility Master Plan.

g. Describe any pedestrian or bicycle facility improvements proposed.

h. Describe any impacts to state highways.

i. Summarize relationships and potential for impacts to transit service, passenger rail, and non-motorized facilities in the site vicinity, and traffic safety, to the extent affected by the proposed development.

2. Level 2: The following information must be provided by a qualified expert in the form of a transportation impacts study:

a. Identification of existing conditions, future baseline conditions, and number of additional daily vehicle trips generated by the development, specifically:

(1) Information to describe the local streets and state highways, existing traffic volumes and turning movements, and traffic control devices on affected streets, state highways, and intersections;

(2) Level of service information or alternate equivalent measures of traffic operation, delay, volume-to-capacity (“v/c”) ratio for affected intersections and/or streets/highway;

(3) Traffic safety information – accident/collision history, latest 3 years;



(4) Trip Generation: use the ITE Trip Generation Manual, 8th Edition (or successor), or alternate method to provide the following:

(a) Calculate reductions from basic trip generation, for internal trips, pass-by trips, and mode choices (e.g., proportion likely to use modes other than single-occupant vehicle travel), at the applicant's discretion.

(b) Calculate any other reductions justifiable due to the nature of the development or site.

(c) Summarize the resulting trip calculations for residential and commercial uses.

b. Number of additional "peak hour" vehicle trips generated by the development in the afternoon peak hours, specifically:

(1) Using comparable methods described under Subsection C.1. above, calculate peak hour vehicle trip generation; and

(2) Providing the proposed ingress/egress routes, such as alleys and streets, on which automobiles will enter and leave the site's parking garage or lot, and whether or not new curb-cuts will be proposed.

c. The applicant's estimate of "trip distribution" and assignment – what proportion of the development's traffic is likely to use which streets.

d. Identify the probable extent of traffic impacts on affected streets, highways, and intersections as follows:

(1) Afternoon peak hour turning movement impacts on identified intersections, and interpretation of the potential magnitude of impact, including roadway level of service, intersection level of service, and/or other methods of evaluating impacts on street and intersection operations.

(2) Site access operations, including information such as peak hour volumes, delay and/or level of service, and relationship to freight operations if relevant.

e. Summarize relationships and potential for impacts to transit service, passenger rail, and non-motorized facilities in the site vicinity, and traffic safety, to the extent affected by the proposed development, including:

(1) Description of proposed bicycle, pedestrian, transit, and freight facilities and operations as provided for in existing multimodal plans. This should include whether there are gaps in pedestrian connections from the site to the nearest transit stop or gaps in continuity of bicycle facilities in the site vicinity.

(2) Describe whether the development would adversely affect sidewalks, bicycle lanes, transit facilities, and whether it would contribute traffic to a high accident location.

(3) Describe any planned improvements or reconstruction of sidewalks or streets adjacent to the development site.

f. Describe any impacts to state highways.

* * *



EXHIBIT "D"

13.17.020 Residential target area designation and standards.

* * *

C. Designated Target Areas. The proposed boundaries of the "residential target areas" are the boundaries of the 17 mixed-use centers listed below and as indicated on the Generalized Land Use Plan and in the Comprehensive Plan legal descriptions which are incorporated herein by reference and on file in the City Clerk's Office.

The designated target areas do not include those areas within the boundary of the University of Washington Tacoma campus facilities master plan (per RCW 84.14.060).

MIXED-USE CENTER	CENTER TYPE	ORIGINALLY ADOPTED
South 56th and South Tacoma Way	Neighborhood	November 21, 1995
Downtown Tacoma	Downtown	November 21, 1995
Proctor (North 26th and Proctor)	Neighborhood	November 21, 1995
Tacoma Mall Area	Urban	November 21, 1995
Hilltop Martin Luther King Jr. (South 11th and MLK Jr. Way)	Neighborhood	November 21, 1995
Westgate	Community	November 21, 1995
Lincoln (South 38th and "G" Street)	Neighborhood	November 21, 1995
6th Avenue and Pine Street	Neighborhood	November 21, 1995
Tacoma Central Plaza/Allenmore	Community	November 21, 1995
South 72nd and Pacific Avenue	Community	November 21, 1995
East 72nd and Portland Avenue	Community	November 21, 1995
Stadium (North 1st and Tacoma)	Neighborhood	November 21, 1995
James Center/TCC	Community	November 21, 1995
Lower Portland Avenue	Community	January 16, 1996
South 34th and Pacific Avenue	Community	December 11, 2007
McKinley (E. 34th and McKinley)	Neighborhood	December 11, 2007
Narrows (6th Avenue and Jackson)	Neighborhood	December 11, 2007



EXHIBIT "E"

FIG. 6-4 EXISTING ZONING

