



## **Legislation Passed March 19, 2019**

The Tacoma City Council, at its regular City Council meeting of March 19, 2019, 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.

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### **Resolution No. 40248**

A resolution setting Thursday, April 25, 2019, at 1:30 p.m., as the date for a hearing by the Hearing Examiner on the request to vacate a portion of South 45th Street, lying between Union Avenue and its terminus abutting Tacoma Water's Flume Line property on South Tacoma Way, for potential secured parking and future business expansion.

(Donald and Janet Medley; File No. 124.1394)

[Ronda Cornforth, Senior Real Estate Specialist; Kurtis D. Kingsolver, P.E., Director, Public Works]

### **Resolution No. 40249**

A resolution appointing and reappointing individuals to the Sustainable Tacoma Commission.

[Doris Sorum, City Clerk; Bill Fosbre, City Attorney]

### **Resolution No. 40250**

A resolution awarding a contract to Keen Independent Research, LLC, in the amount of \$244,000, plus applicable taxes, budgeted from the Human Resources Internal Fund, for a Workforce Equity Study, for an initial contract term of one year, with the option to renew for two additional one-year terms, at no additional cost

- Specification No. HR18-Doc1493542883.

[Shelby Fritz, Assistant Director; Gary Buchanan, Director, Human Resources]

### **Resolution No. 40251**

A resolution authorizing an increase and extending the contract with KPFF, Inc., by an amount not to exceed \$943,013, plus applicable taxes, for a cumulative total of \$1,131,947, budgeted from the Solid Waste Fund, for engineering design services for the Solid Waste Management Maintenance Shop and Compressed Natural Gas Fueling Station Upgrade, through December 31, 2020 - Contract No. CW2226954.

[Jody Bratton, P.E., Senior Project Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

### **Resolution No. 40252**

A resolution authorizing an increase to the contract with Fehr & Peers, in the amount of \$200,000, plus applicable taxes, for a total contract amount of \$350,000, budgeted from the Street Fund, for continued routine and emergency traffic engineering and analysis services - Architectural and Engineering Roster.

[Josh Diekmann, P.E., Assistant Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

**Resolution No. 40253**

A resolution authorizing an increase to the contract with Concord Engineering Inc, in the amount of \$205,000, plus applicable taxes, for a total contract amount of \$400,000, budgeted from the Street Fund, for continued routine and emergency traffic engineering and analysis services - Architectural and Engineering Roster.

[Josh Diekmann, P.E., Assistant Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

**Resolution No. 40254**

A resolution authorizing an increase to the contract with Helix Design Group, Inc., in the amount of \$231,866.80, plus applicable taxes, for a cumulative total of \$2,329,111.80, to be funded or reimbursed from bond proceeds, for project management, architectural and engineering services for Tacoma Dome capital projects

- Specification No. CT12-0001F.

[Matt Balk, Operations Manager; Kim Bedier, Director, Tacoma Venues and Events]

**Resolution No. 40255**

A resolution awarding a contract to Northwest Industrial Staffing, in the amount of \$1,130,000, plus applicable taxes, budgeted from the Convention Center and Tacoma Dome Funds, for Greater Tacoma Convention Center and Tacoma Dome temporary personnel services, for an initial contract term of two years, with the option to renew for one additional two-year term, for a projected contract total of \$2,260,000 - Specification No. PF18-0420F.

[Matt Balk, Operations Manager; Kim Bedier, Director, Tacoma Venues and Events]

**Resolution No. 40256**

A resolution awarding a contract to Tacoma Regional Convention & Visitors Bureau, in the amount of \$1,596,132, plus applicable taxes, budgeted from the Convention Center Operating Fund, for marketing and promotion services to support travel and tourism development for the City of Tacoma, and for sales, marketing, and promotion services to support the sales program for the Greater Tacoma Convention Center, for an initial term of one year, with one automatic one-year extension through December 31, 2020 - Direct Negotiation.

[Kim Bedier, Director, Tacoma Venues and Events]

**Resolution No. 40257**

A resolution approving the Open Space Current Use Assessment application by Christine and Karl Anderson, for the property located at 811 North Karl Johan Avenue, with a 90 percent tax reduction on eligible open space.

[Larry Harala, Associate Planner; Peter Huffman, Director, Planning and Development Services]

**Amended Ordinance No. 28576**

An amended ordinance amending Title 13 of the Municipal Code, relating to the Land Use Regulatory Code, by amending various chapters to modify regulations related to accessory dwelling units by allowing detached accessory dwelling units in single-family zoning districts, simplifying regulatory requirements, reducing regulatory barriers, and generally increasing flexibility regarding building design, size, and location, effective May 1, 2019.

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



## RESOLUTION NO. 40248

1 A RESOLUTION relating to the vacation of City right-of-way; setting Thursday,  
2 April 25, 2019, at 1:30 p.m., as the date for a hearing before the City of  
3 Tacoma Hearing Examiner on the petition of Donald and Janet Medley, to  
4 vacate a portion of South 45th Street, lying between Union Avenue and its  
terminus abutting Tacoma Water's Flume Line property on South Tacoma  
Way, for potential secured parking and future business expansion.

5 WHEREAS Donald and Janet Medley, having received the consent of the  
6 owners of more than two-thirds of the properties abutting a portion of South 45th  
7 Street, lying between Union Avenue and its terminus abutting Tacoma Water's  
8 Flume Line property on South Tacoma Way, have petitioned for the vacation of the  
9 following legally described right-of-way area:  
10

11 All that portion of South 45th Street, lying north of Lot 1,  
12 Block 45 and south of Lot 12, Block 18, of Cascade Park  
13 Addition to Tacoma, W.T., according to the Plat thereof  
14 recorded in Book 1 of Plats at Page 120, records of Pierce  
County, Washington, and westerly of the west margin of  
South Union Avenue.

15 All situate in the City of Tacoma, County of Pierce, State of  
16 Washington; within the Southwest Quarter of the Southwest  
17 Quarter of Section 18, Township 20 North, Range 03 East of  
the Willamette Meridian;

18 Now, Therefore,  
19

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

21 Section 1. That Thursday, April 25, 2019, at 1:30 p.m., is hereby fixed as  
22 the date and time, and the Council Chambers on the first floor of the Tacoma  
23 Municipal Building, 747 Market Street, in the City of Tacoma, as the place when  
24 and where the request of Donald and Janet Medley, to vacate a portion of South  
25 45th Street, lying between Union Avenue and its terminus abutting Tacoma  
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Water's Flume Line property on South Tacoma Way, for potential secured parking and future business expansion, will be heard by the Hearing Examiner and his recommendations thereafter transmitted to the Council of the City of Tacoma.

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:

Property description approved:

\_\_\_\_\_  
Deputy City Attorney

\_\_\_\_\_  
Chief Surveyor  
Public Works Department

Location: A portion of South 45th Street, lying between Union Avenue and its terminus abutting Tacoma Water's Flume Line property on South Tacoma Way

Petitioner: Donald and Janet Medley

File No.: 124.1394



## RESOLUTION NO. 40249

1 BY REQUEST OF DEPUTY MAYOR McCARTHY AND COUNCIL MEMBERS BEALE  
AND MELLO

2 A RESOLUTION relating to committees, boards, and commissions; appointing  
3 and reappointing individuals to the Sustainable Tacoma Commission.

4 WHEREAS vacancies exist on the Sustainable Tacoma Commission, and

5 WHEREAS, at its meeting of February 27, 2019, the Infrastructure,  
6 Planning, and Sustainability Committee conducted interviews and recommended  
7 the appointment and reappointment of individuals to said commission, and  
8

9 WHEREAS, pursuant to the City Charter Section 2.4 and the Rules,  
10 Regulations, and Procedures of the City Council, the persons named on Exhibit "A"  
11 have been nominated to serve on the Sustainable Tacoma Commission; Now,  
12 Therefore,

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

14 That those nominees to the Sustainable Tacoma Commission, listed on  
15 Exhibit "A," are hereby confirmed and appointed or reappointed as members of  
16 such commission for such terms as are set forth on the attached Exhibit "A."  
17  
18

19 Adopted \_\_\_\_\_

20 \_\_\_\_\_  
21 Mayor

22 Attest:

23 \_\_\_\_\_  
24 City Clerk

25 Approved as to form:

26 \_\_\_\_\_  
City Attorney



## EXHIBIT "A"

### SUSTAINABLE TACOMA COMMISSION

Appointing **Grace Sullivan** to fill an unexpired term, effective March 19, 2019, to expire April 30, 2020, followed by a three-year term to expire April 30, 2023.

Reappointing **Todd Hay** to a three-year term, effective May 1, 2019, to expire April 30, 2022.

Reappointing **Chris Karnes** to a three-year term, effective May 1, 2019, to expire April 30, 2022.

Reappointing **Liberty Evans-Agnew** to the "Youth" position for a one-year term, effective May 1, 2019, to expire April 30, 2020.



## RESOLUTION NO. 40250

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 Keen  
3 Independent Research, LLC, in the amount of \$244,000, plus applicable  
4 taxes, budgeted from the Human Resources Internal Fund, for a Workforce  
5 Equity Study, for an initial contract period of one year, with the option to  
6 renew for two additional one-year terms, at no additional cost, pursuant to  
7 Specification No. HR18-Doc1493542883.

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 the attached 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 Board of  
16 Contracts and Awards to adopt the recommendation for award as set forth in the  
17 attached Exhibit "A."

18 Section 2. That the proper officers of the City are hereby authorized to  
19 enter into a contract with Keen Independent Research, LLC, in the amount of  
20 \$244,000, plus applicable taxes, budgeted from the Human Resources Internal  
21 Fund, for a Workforce Equity Study, for an initial contract period of one year, with  
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1 the option to renew for two additional one-year terms, at no additional cost,  
2 pursuant to Specification No. HR18-Doc1493542883, consistent with Exhibit "A."

3  
4 Adopted \_\_\_\_\_

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6 \_\_\_\_\_  
Mayor

7 Attest: \_\_\_\_\_

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9 \_\_\_\_\_  
City Clerk

10 Approved as to form:

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12 \_\_\_\_\_  
City Attorney

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## RESOLUTION NO. 40251

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the increase of Contract  
3 No. CW2226954 with KPFF, Inc., by an amount not to exceed \$943,013,  
4 plus applicable taxes, for a cumulative total of \$1,131,947, budgeted from  
5 the Solid Waste Fund, for engineering design services for the Solid  
6 Waste Management Maintenance Shop and Compressed Natural Gas  
7 Fueling Station Upgrade through December 31, 2020.

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 the attached 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 Board of  
16 Contracts and Awards to adopt the recommendation for award as set forth in the  
17 attached Exhibit "A."

18 Section 2. That the proper officers of the City are hereby authorized to  
19 increase Contract No. CW2226954 with KPFF, Inc., by an amount not to exceed  
20 \$943,013, plus applicable taxes, for a cumulative total of \$1,131,947, budgeted  
21 from the Solid Waste Fund, for engineering design services for the Solid Waste  
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1 Management Maintenance Shop and Compressed Natural Gas Fueling Station

2 Upgrade through December 31, 2020, consistent with Exhibit "A."

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4 Adopted \_\_\_\_\_

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6 \_\_\_\_\_ Mayor

7 Attest:

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9 \_\_\_\_\_  
City Clerk

10 Approved as to form:

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13 City Attorney

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## RESOLUTION NO. 40252

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the increase of Contract  
3 No. 4600013185 with Fehr & Peers, in the amount of \$200,000, plus  
4 applicable taxes, for a contract total of \$350,000, budgeted from the  
5 Street Fund, to continue to provide routine and emergency traffic  
6 engineering and analysis services, pursuant to the Architectural &  
7 Engineering Roster.

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 the attached 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 Board of  
16 Contracts and Awards to adopt the recommendation for award as set forth in the  
17 attached Exhibit "A."

18 Section 2. That the proper officers of the City are hereby authorized to  
19 increase Contract No. 4600013185 with Fehr & Peers, in the amount of \$200,000,  
20 plus applicable taxes, for a contract total of \$350,000, budgeted from the  
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1 Street Fund, to continue to provide routine and emergency traffic engineering and  
2 analysis services, pursuant to the Architectural & Engineering Roster, consistent  
3 with Exhibit "A."

4 Adopted \_\_\_\_\_

6 \_\_\_\_\_  
Mayor

7 Attest:

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9 \_\_\_\_\_  
City Clerk

10 Approved as to form:

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12 \_\_\_\_\_  
13 City Attorney



## RESOLUTION NO. 40253

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and  
2 the furnishing of services; authorizing the increase of Contract No. C90 with  
3 Concord Engineering Inc, in the amount of \$205,000, plus applicable taxes,  
4 for a contract total of \$400,000, budgeted from the Street Fund, to continue  
to provide routine and emergency traffic engineering and analysis services,  
pursuant to the Architectural & Engineering Roster.

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

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

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

13 Section 1. That the Council of the City of Tacoma concurs with the Board of  
14 Contracts and Awards to adopt the recommendation for award as set forth in the  
15 attached Exhibit "A."  
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17 Section 2. That the proper officers of the City are hereby authorized to  
18 increase Contract No. C90 with Concord Engineering Inc, in the amount of  
19 \$205,000, plus applicable taxes, for a contract total of \$400,000, budgeted from the  
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1 Street Fund, to continue to provide routine and emergency traffic engineering and  
2 analysis services, pursuant to the Architectural & Engineering Roster, consistent  
3 with Exhibit "A."  
4

5 Adopted \_\_\_\_\_  
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8 Attest: Mayor

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10 \_\_\_\_\_  
11 City Clerk

12 Approved as to form:  
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15 City Attorney  
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## RESOLUTION NO. 40254

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the increase of Contract  
3 No. 4600012609 with Helix Design Group, Inc., in the amount of  
4 \$231,866.80, plus applicable taxes, for a cumulative total of  
5 \$2,329,111.80, to be funded or reimbursed from bond proceeds, for  
6 project management, architectural and engineering services for Tacoma  
7 Dome capital projects, pursuant to Specification No. CT12-0001F.

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 the attached 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 Board of  
16 Contracts and Awards to adopt the recommendation for award as set forth in the  
17 attached Exhibit "A."

18 Section 2. That the proper officers of the City are hereby authorized to  
19 increase Contract No. 4600012609 with Helix Design Group, Inc., in the amount of  
20 \$231,866.80, plus applicable taxes, for a cumulative total of \$2,329,111.80, to be  
21 funded or reimbursed from bond proceeds, for project management, architectural  
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and engineering services for Tacoma Dome capital projects, pursuant to  
Specification No. CT12-0001F, consistent with Exhibit "A."

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney



## RESOLUTION NO. 40255

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 Northwest Industrial Staffing, in the amount of \$1,130,000, plus applicable  
4 taxes, budgeted from the Convention Center and Tacoma Dome Funds, for  
5 Greater Tacoma Convention Center and Tacoma Dome temporary  
6 personnel services, for an initial contract term of two years, with the option  
7 to renew for one additional two-year term, for a projected contract total of  
8 \$2,260,000, pursuant to Specification No. PF18-0420F.

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

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

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

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

19 Section 2. That the proper officers of the City are hereby authorized to  
20 enter into a contract with Northwest Industrial Staffing, in the amount of  
21 \$1,130,000, plus applicable taxes, budgeted from the Convention Center and  
22 Tacoma Dome Funds, for Greater Tacoma Convention Center and Tacoma Dome  
23 temporary personnel services, for an initial contract term of two years,  
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with the option to renew for one additional two-year term, for a projected contract  
total of \$2,260,000, pursuant to Specification No. PF18-0420F, consistent with  
Exhibit "A."

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney



## RESOLUTION NO. 40256

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the waiver of competitive  
3 procurement procedures due to sole source availability; and authorizing  
4 the execution of a contract with Tacoma Regional Convention & Visitors  
5 Bureau, in the amount of \$1,596,132, plus applicable taxes, budgeted  
6 from the Convention Center Operating Fund, for marketing and promotion  
7 services to support travel and tourism development for the City of  
Tacoma, and for sales, marketing, and promotion services to support the  
sales program for the Greater Tacoma Convention Center, for a period of  
one year, with one automatic one-year extension through December 31,  
2020, pursuant to Direct Negotiation.

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

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

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

17 Section 1. That the Council of the City of Tacoma concurs with the  
18 Board of Contracts and Awards to adopt the recommendation for award as set  
19 forth in the attached Exhibit "A," and authorizes the waiver of competitive  
20 procurement procedures due to sole source availability.  
21

22 Section 2. That the proper officers of the City are hereby authorized to  
23 enter into a contract with Tacoma Regional Convention & Visitors Bureau, in the  
24 amount of \$1,596,132, plus applicable taxes, budgeted from the Convention  
25 Center Operating Fund, for marketing and promotion services to support travel  
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1 and tourism development for the City of Tacoma, and for sales, marketing, and  
2 promotion services to support the sales program for the Greater Tacoma  
3 Convention Center, for a period of one year, with one automatic one-year  
4 extension through December 31, 2020, pursuant to Direct Negotiation, consistent  
5 with Exhibit "A."  
6

7 Adopted \_\_\_\_\_  
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9 \_\_\_\_\_  
10 Mayor

11 Attest:  
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13 \_\_\_\_\_  
14 City Clerk

15 Approved as to form:  
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17 \_\_\_\_\_  
18 City Attorney  
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## RESOLUTION NO. 40257

1 A RESOLUTION relating to open space; approving the Open Space Current Use  
2 Assessment application by Christine and Karl Anderson, for the property  
3 located at 811 North Karl Johan Avenue, with a 90 percent tax reduction  
4 on eligible open space.

5 WHEREAS the Open Space Current Use Assessment Program  
6 ("Program"), enacted by the Washington State Legislature pursuant to RCW 84.34,  
7 is a voluntary program to incentivize private conservation of open space assets  
8 valuable to the general public, and

9 WHEREAS Program applications are jointly reviewed by Pierce County  
10 and the City, and, if approved, the property tax rate is reduced in exchange for a  
11 voluntary agreement from the property owners to leave the site undeveloped and  
12 in its natural state, and

13 WHEREAS property owners may remove their property from the Program  
14 at any time, paying back taxes and a penalty if they do so within ten years of  
15 entering the Program, and

16 WHEREAS, in July 2018, Karl and Christine Anderson submitted a  
17 Program application for property located at 811 North Karl Johan Avenue (Parcel  
18 Nos. 0220032010 and 0021343116), to be assessed at its current use as open  
19 space for property tax purposes, and

20 WHEREAS the application was reviewed by the Planning Commission  
21 ("Commission") in accordance with the procedural requirements set forth in  
22 RCW 84.34.037 and Tacoma Municipal Code 13.09.030, and against the Public  
23 Benefit Rating System evaluation criteria set forth in RCW 84.34.037, and  
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26



1 WHEREAS the Commission, upon completing its review, including a public  
2 hearing on December 5, 2018, made a recommendation to the City Council for  
3 approval of the application, and

4 WHEREAS, on January 9, 2019, the Infrastructure, Planning and  
5 Sustainability ("IPS") Committee reviewed the application as recommended by  
6 the Commission, and forwarded to the City Council its recommendation to  
7 approve the application and support a property tax reduction of 90 percent of the  
8 assessed value for the applicable area, and

10 WHEREAS, pursuant to RCW 84.34.037, final action on the application  
11 may be taken either through separate affirmative acts, after final hearing, by the  
12 City Council and the County Council, in cases where both bodies concur on the  
13 final decision; or by a Joint Determining Authority composed of three members of  
14 each Council, and

16 WHEREAS, on March 5, 2019, the City Council held a public hearing on  
17 the proposed Open Space Current Use Assessment application, with no  
18 comments received, and

20 WHEREAS, if approved, this resolution will be forwarded to the Pierce  
21 County Council for concurrent action; Now, Therefore,



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

That the application of Christine and Karl Anderson, for an Open Space  
Current Use Assessment for property located at 811 North Karl Johan Avenue,  
with a 90 percent tax reduction on eligible open space, is hereby approved.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney





## RESOLUTION NO. 40248

1 A RESOLUTION relating to the vacation of City right-of-way; setting Thursday,  
2 April 25, 2019, at 1:30 p.m., as the date for a hearing before the City of  
3 Tacoma Hearing Examiner on the petition of Donald and Janet Medley, to  
4 vacate a portion of South 45th Street, lying between Union Avenue and its  
terminus abutting Tacoma Water's Flume Line property on South Tacoma  
Way, for potential secured parking and future business expansion.

5 WHEREAS Donald and Janet Medley, having received the consent of the  
6 owners of more than two-thirds of the properties abutting a portion of South 45th  
7 Street, lying between Union Avenue and its terminus abutting Tacoma Water's  
8 Flume Line property on South Tacoma Way, have petitioned for the vacation of the  
9 following legally described right-of-way area:  
10

11 All that portion of South 45th Street, lying north of Lot 1,  
12 Block 45 and south of Lot 12, Block 18, of Cascade Park  
13 Addition to Tacoma, W.T., according to the Plat thereof  
14 recorded in Book 1 of Plats at Page 120, records of Pierce  
County, Washington, and westerly of the west margin of  
South Union Avenue.

15 All situate in the City of Tacoma, County of Pierce, State of  
16 Washington; within the Southwest Quarter of the Southwest  
17 Quarter of Section 18, Township 20 North, Range 03 East of  
the Willamette Meridian;

18 Now, Therefore,  
19

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

21 Section 1. That Thursday, April 25, 2019, at 1:30 p.m., is hereby fixed as  
22 the date and time, and the Council Chambers on the first floor of the Tacoma  
23 Municipal Building, 747 Market Street, in the City of Tacoma, as the place when  
24 and where the request of Donald and Janet Medley, to vacate a portion of South  
25 45th Street, lying between Union Avenue and its terminus abutting Tacoma  
26



Water's Flume Line property on South Tacoma Way, for potential secured parking and future business expansion, will be heard by the Hearing Examiner and his recommendations thereafter transmitted to the Council of the City of Tacoma.

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:

Property description approved:

\_\_\_\_\_  
Deputy City Attorney

\_\_\_\_\_  
Chief Surveyor  
Public Works Department

Location: A portion of South 45th Street, lying between Union Avenue and its terminus abutting Tacoma Water's Flume Line property on South Tacoma Way

Petitioner: Donald and Janet Medley

File No.: 124.1394



## RESOLUTION NO. 40249

1 BY REQUEST OF DEPUTY MAYOR McCARTHY AND COUNCIL MEMBERS BEALE  
AND MELLO

2 A RESOLUTION relating to committees, boards, and commissions; appointing  
3 and reappointing individuals to the Sustainable Tacoma Commission.

4 WHEREAS vacancies exist on the Sustainable Tacoma Commission, and

5 WHEREAS, at its meeting of February 27, 2019, the Infrastructure,  
6 Planning, and Sustainability Committee conducted interviews and recommended  
7 the appointment and reappointment of individuals to said commission, and  
8

9 WHEREAS, pursuant to the City Charter Section 2.4 and the Rules,  
10 Regulations, and Procedures of the City Council, the persons named on Exhibit "A"  
11 have been nominated to serve on the Sustainable Tacoma Commission; Now,  
12 Therefore,

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

14 That those nominees to the Sustainable Tacoma Commission, listed on  
15 Exhibit "A," are hereby confirmed and appointed or reappointed as members of  
16 such commission for such terms as are set forth on the attached Exhibit "A."  
17  
18

19 Adopted \_\_\_\_\_

20 \_\_\_\_\_  
21 Mayor

22 Attest:

23 \_\_\_\_\_  
24 City Clerk

25 Approved as to form:

26 \_\_\_\_\_  
City Attorney



## EXHIBIT "A"

### SUSTAINABLE TACOMA COMMISSION

Appointing **Grace Sullivan** to fill an unexpired term, effective March 19, 2019, to expire April 30, 2020, followed by a three-year term to expire April 30, 2023.

Reappointing **Todd Hay** to a three-year term, effective May 1, 2019, to expire April 30, 2022.

Reappointing **Chris Karnes** to a three-year term, effective May 1, 2019, to expire April 30, 2022.

Reappointing **Liberty Evans-Agnew** to the "Youth" position for a one-year term, effective May 1, 2019, to expire April 30, 2020.



## RESOLUTION NO. 40250

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 Keen  
3 Independent Research, LLC, in the amount of \$244,000, plus applicable  
4 taxes, budgeted from the Human Resources Internal Fund, for a Workforce  
5 Equity Study, for an initial contract period of one year, with the option to  
6 renew for two additional one-year terms, at no additional cost, pursuant to  
7 Specification No. HR18-Doc1493542883.

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 the attached 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 Board of  
16 Contracts and Awards to adopt the recommendation for award as set forth in the  
17 attached Exhibit "A."

18 Section 2. That the proper officers of the City are hereby authorized to  
19 enter into a contract with Keen Independent Research, LLC, in the amount of  
20 \$244,000, plus applicable taxes, budgeted from the Human Resources Internal  
21 Fund, for a Workforce Equity Study, for an initial contract period of one year, with  
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1 the option to renew for two additional one-year terms, at no additional cost,  
2 pursuant to Specification No. HR18-Doc1493542883, consistent with Exhibit "A."

3  
4 Adopted \_\_\_\_\_

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6 \_\_\_\_\_  
Mayor

7 Attest: \_\_\_\_\_

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9 \_\_\_\_\_  
City Clerk

10 Approved as to form:

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12 \_\_\_\_\_  
City Attorney

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## RESOLUTION NO. 40251

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the increase of Contract  
3 No. CW2226954 with KPFF, Inc., by an amount not to exceed \$943,013,  
4 plus applicable taxes, for a cumulative total of \$1,131,947, budgeted from  
5 the Solid Waste Fund, for engineering design services for the Solid  
6 Waste Management Maintenance Shop and Compressed Natural Gas  
7 Fueling Station Upgrade through December 31, 2020.

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 the attached 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 Board of  
16 Contracts and Awards to adopt the recommendation for award as set forth in the  
17 attached Exhibit "A."

18 Section 2. That the proper officers of the City are hereby authorized to  
19 increase Contract No. CW2226954 with KPFF, Inc., by an amount not to exceed  
20 \$943,013, plus applicable taxes, for a cumulative total of \$1,131,947, budgeted  
21 from the Solid Waste Fund, for engineering design services for the Solid Waste  
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1 Management Maintenance Shop and Compressed Natural Gas Fueling Station

2 Upgrade through December 31, 2020, consistent with Exhibit "A."

3

4 Adopted \_\_\_\_\_

5

6 \_\_\_\_\_ Mayor

7 Attest:

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9 \_\_\_\_\_  
City Clerk

10 Approved as to form:

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12 \_\_\_\_\_  
13 City Attorney

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## RESOLUTION NO. 40252

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the increase of Contract  
3 No. 4600013185 with Fehr & Peers, in the amount of \$200,000, plus  
4 applicable taxes, for a contract total of \$350,000, budgeted from the  
5 Street Fund, to continue to provide routine and emergency traffic  
6 engineering and analysis services, pursuant to the Architectural &  
7 Engineering Roster.

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 the attached 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 Board of  
16 Contracts and Awards to adopt the recommendation for award as set forth in the  
17 attached Exhibit "A."

18 Section 2. That the proper officers of the City are hereby authorized to  
19 increase Contract No. 4600013185 with Fehr & Peers, in the amount of \$200,000,  
20 plus applicable taxes, for a contract total of \$350,000, budgeted from the  
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1 Street Fund, to continue to provide routine and emergency traffic engineering and  
2 analysis services, pursuant to the Architectural & Engineering Roster, consistent  
3 with Exhibit "A."

4 Adopted \_\_\_\_\_

6 \_\_\_\_\_  
Mayor

7 Attest:

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9 \_\_\_\_\_  
City Clerk

10 Approved as to form:

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12 \_\_\_\_\_  
13 City Attorney



## RESOLUTION NO. 40253

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and  
2 the furnishing of services; authorizing the increase of Contract No. C90 with  
3 Concord Engineering Inc, in the amount of \$205,000, plus applicable taxes,  
4 for a contract total of \$400,000, budgeted from the Street Fund, to continue  
to provide routine and emergency traffic engineering and analysis services,  
pursuant to the Architectural & Engineering Roster.

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

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

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

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

17 Section 2. That the proper officers of the City are hereby authorized to  
18 increase Contract No. C90 with Concord Engineering Inc, in the amount of  
19 \$205,000, plus applicable taxes, for a contract total of \$400,000, budgeted from the  
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1 Street Fund, to continue to provide routine and emergency traffic engineering and  
2 analysis services, pursuant to the Architectural & Engineering Roster, consistent  
3 with Exhibit "A."  
4

5 Adopted \_\_\_\_\_

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\_\_\_\_\_  
Mayor

8 Attest:

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10 \_\_\_\_\_  
City Clerk

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12 Approved as to form:

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City Attorney

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## RESOLUTION NO. 40254

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the increase of Contract  
3 No. 4600012609 with Helix Design Group, Inc., in the amount of  
4 \$231,866.80, plus applicable taxes, for a cumulative total of  
5 \$2,329,111.80, to be funded or reimbursed from bond proceeds, for  
6 project management, architectural and engineering services for Tacoma  
7 Dome capital projects, pursuant to Specification No. CT12-0001F.

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 the attached 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 Board of  
16 Contracts and Awards to adopt the recommendation for award as set forth in the  
17 attached Exhibit "A."

18 Section 2. That the proper officers of the City are hereby authorized to  
19 increase Contract No. 4600012609 with Helix Design Group, Inc., in the amount of  
20 \$231,866.80, plus applicable taxes, for a cumulative total of \$2,329,111.80, to be  
21 funded or reimbursed from bond proceeds, for project management, architectural  
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1 and engineering services for Tacoma Dome capital projects, pursuant to  
2 Specification No. CT12-0001F, consistent with Exhibit "A."

3  
4 Adopted \_\_\_\_\_

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Mayor

7 Attest:  
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9 \_\_\_\_\_  
City Clerk

10 Approved as to form:  
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12 \_\_\_\_\_  
City Attorney

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## RESOLUTION NO. 40255

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 Northwest Industrial Staffing, in the amount of \$1,130,000, plus applicable  
4 taxes, budgeted from the Convention Center and Tacoma Dome Funds, for  
5 Greater Tacoma Convention Center and Tacoma Dome temporary  
6 personnel services, for an initial contract term of two years, with the option  
7 to renew for one additional two-year term, for a projected contract total of  
8 \$2,260,000, pursuant to Specification No. PF18-0420F.

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

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

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

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

19 Section 2. That the proper officers of the City are hereby authorized to  
20 enter into a contract with Northwest Industrial Staffing, in the amount of  
21 \$1,130,000, plus applicable taxes, budgeted from the Convention Center and  
22 Tacoma Dome Funds, for Greater Tacoma Convention Center and Tacoma Dome  
23 temporary personnel services, for an initial contract term of two years,  
24  
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with the option to renew for one additional two-year term, for a projected contract  
total of \$2,260,000, pursuant to Specification No. PF18-0420F, consistent with  
Exhibit "A."

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney





## RESOLUTION NO. 40256

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the waiver of competitive  
3 procurement procedures due to sole source availability; and authorizing  
4 the execution of a contract with Tacoma Regional Convention & Visitors  
5 Bureau, in the amount of \$1,596,132, plus applicable taxes, budgeted  
6 from the Convention Center Operating Fund, for marketing and promotion  
7 services to support travel and tourism development for the City of  
Tacoma, and for sales, marketing, and promotion services to support the  
sales program for the Greater Tacoma Convention Center, for a period of  
one year, with one automatic one-year extension through December 31,  
2020, pursuant to Direct Negotiation.

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

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

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

17 Section 1. That the Council of the City of Tacoma concurs with the  
18 Board of Contracts and Awards to adopt the recommendation for award as set  
19 forth in the attached Exhibit "A," and authorizes the waiver of competitive  
20 procurement procedures due to sole source availability.  
21

22 Section 2. That the proper officers of the City are hereby authorized to  
23 enter into a contract with Tacoma Regional Convention & Visitors Bureau, in the  
24 amount of \$1,596,132, plus applicable taxes, budgeted from the Convention  
25 Center Operating Fund, for marketing and promotion services to support travel  
26



1 and tourism development for the City of Tacoma, and for sales, marketing, and  
2 promotion services to support the sales program for the Greater Tacoma  
3 Convention Center, for a period of one year, with one automatic one-year  
4 extension through December 31, 2020, pursuant to Direct Negotiation, consistent  
5 with Exhibit "A."  
6

7 Adopted \_\_\_\_\_  
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9 \_\_\_\_\_  
10 Mayor

11 Attest:  
12

13 \_\_\_\_\_  
14 City Clerk

15 Approved as to form:  
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18 City Attorney  
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## RESOLUTION NO. 40257

1 A RESOLUTION relating to open space; approving the Open Space Current Use  
2 Assessment application by Christine and Karl Anderson, for the property  
3 located at 811 North Karl Johan Avenue, with a 90 percent tax reduction  
4 on eligible open space.

5 WHEREAS the Open Space Current Use Assessment Program  
6 ("Program"), enacted by the Washington State Legislature pursuant to RCW 84.34,  
7 is a voluntary program to incentivize private conservation of open space assets  
8 valuable to the general public, and

9 WHEREAS Program applications are jointly reviewed by Pierce County  
10 and the City, and, if approved, the property tax rate is reduced in exchange for a  
11 voluntary agreement from the property owners to leave the site undeveloped and  
12 in its natural state, and

13 WHEREAS property owners may remove their property from the Program  
14 at any time, paying back taxes and a penalty if they do so within ten years of  
15 entering the Program, and

16 WHEREAS, in July 2018, Karl and Christine Anderson submitted a  
17 Program application for property located at 811 North Karl Johan Avenue (Parcel  
18 Nos. 0220032010 and 0021343116), to be assessed at its current use as open  
19 space for property tax purposes, and

20 WHEREAS the application was reviewed by the Planning Commission  
21 ("Commission") in accordance with the procedural requirements set forth in  
22 RCW 84.34.037 and Tacoma Municipal Code 13.09.030, and against the Public  
23 Benefit Rating System evaluation criteria set forth in RCW 84.34.037, and  
24  
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1 WHEREAS the Commission, upon completing its review, including a public  
2 hearing on December 5, 2018, made a recommendation to the City Council for  
3 approval of the application, and

4 WHEREAS, on January 9, 2019, the Infrastructure, Planning and  
5 Sustainability ("IPS") Committee reviewed the application as recommended by  
6 the Commission, and forwarded to the City Council its recommendation to  
7 approve the application and support a property tax reduction of 90 percent of the  
8 assessed value for the applicable area, and

10 WHEREAS, pursuant to RCW 84.34.037, final action on the application  
11 may be taken either through separate affirmative acts, after final hearing, by the  
12 City Council and the County Council, in cases where both bodies concur on the  
13 final decision; or by a Joint Determining Authority composed of three members of  
14 each Council, and

16 WHEREAS, on March 5, 2019, the City Council held a public hearing on  
17 the proposed Open Space Current Use Assessment application, with no  
18 comments received, and

20 WHEREAS, if approved, this resolution will be forwarded to the Pierce  
21 County Council for concurrent action; Now, Therefore,



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

That the application of Christine and Karl Anderson, for an Open Space  
Current Use Assessment for property located at 811 North Karl Johan Avenue,  
with a 90 percent tax reduction on eligible open space, is hereby approved.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney



## ORDINANCE NO. 28576

1 AN ORDINANCE relating to zoning; amending Title 2 of the Tacoma Municipal  
2 Code, Buildings, and Title 13 of the Tacoma Municipal Code, Land Use  
3 Regulatory Code, by amending Sections 2.09.170, 13.05.115, 13.06.100,  
4 and 13.06.150 thereof to modify regulations related to accessory dwelling  
5 units by allowing detached accessory dwelling units in single-family zoning  
6 districts, simplifying regulatory requirements, reducing regulatory barriers,  
7 and generally increasing flexibility regarding building design, size and  
8 location; and declaring an effective date.

9 WHEREAS, on December 12, 2017, the City Council adopted Resolution  
10 No. 39886, requesting the Planning Commission to consider amending Tacoma  
11 Municipal Code ("TMC") 13.05, Land Use Permit Procedures, to modify the  
12 Residential Infill Pilot Program ("Pilot Program") to allow for an increase in the  
13 number of allowed Detached Accessory Dwelling Units ("DADUs"), and

14 WHEREAS accessory dwelling units are an infill housing option intended to  
15 provide flexibility to homeowners and increase the range of housing options and  
16 price points, while fitting harmoniously within residential neighborhoods, and

17 WHEREAS, subsequent to adoption of the resolution, staff initiated  
18 discussions with the Planning Commission and the Infrastructure, Planning, and  
19 Sustainability ("IPS") Committee to review the proposed scope of work and timeline  
20 for review of the Pilot Program, and

21 WHEREAS the Planning Commission recommended, and the IPS  
22 Committee concurred with, a proposal that would remove DADUs from the Pilot  
23 Program and to permit DADUs more broadly in single-family zoning districts, and  
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WHEREAS the Planning Commission conducted deliberations and  
community outreach throughout 2018, and finalized recommendations to the City  
Council on October 17, 2018, and

WHEREAS, on December 12, 2018, the IPS Committee reviewed the  
recommendation and on January 23, 2019, finalized the recommended  
modifications to the Planning Commission's proposal, and

WHEREAS the proposed amendments, as recommended by the Planning  
Commission and modified by the IPS Committee, would modify the City's current  
ADU regulations as follows: (1) allow DADUs in single-family zoning districts;  
(2) remove a requirement that the property owners occupy one of the dwellings;  
(3) reduce regulatory barriers and increase flexibility regarding lot size, building  
design, size, and location; (4) include design, location, and building controls  
intended to ensure that ADUs fit the scale and character of the residential lot and  
surrounding neighborhood, and

WHEREAS, on February 19, 2019, the City Council held a public hearing to  
receive public testimony on the proposed TMC amendments, as required by  
TMC 13.02, and

WHEREAS the removal of the ADU owner occupancy requirement may  
result in further opportunities for short-term rentals, which could negatively impact  
neighborhoods, and

WHEREAS ADUs are intended to be accessory structures clearly smaller  
than the main house and smaller than typical houses, and



WHEREAS the City Council recognizes community interest and, in some cases, concerns regarding ADUs, and wishes to track implementation outcomes in support of potential future code refinements, as appropriate, to better support the policy intent, and

WHEREAS the removal of the ADU owner occupancy requirement effectively removes the administrative need for a separate ADU land use permit, which adds time and cost to ADU permitting and construction; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Title 2 of the Tacoma Municipal Code, Buildings, and Title 13, Land Use Regulatory Code, are hereby amended by amending Sections 2.09.170, 13.05.115, 13.06.100, and 13.06.150 thereof, as set forth in the attached Exhibit "A."

Section 2. That the effective date of this ordinance shall be May 1, 2019, to allow adequate time for City staff to prepare application materials and information for the public.

Section 3. That the City Manager is hereby directed to track ADUs constructed under these regulations and report to the City Council at 12 months, 18 months, three years, and six years after the effective date of these code changes. The review is intended to inform future Council consideration by providing objective data and specific examples addressing topics, including the following: number of ADU permits, number of ADUs built, geographic





1 distribution of permits, ADU size and height, affordability/rent levels, parking  
2 provided, and photos and site plans of newly constructed ADUs.  
3

4 Passed \_\_\_\_\_

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6 \_\_\_\_\_  
Mayor

7 Attest:  
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9 \_\_\_\_\_  
City Clerk

10 Approved as to form:  
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13 Deputy City Attorney  
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## Exhibit "A"

### Chapter 2.09 FEE CODE

\* \* \*

#### **2.09.170 Land use permit fees.**

Fees for land use permits and land use services are in the PDS Fee Schedule. Land use permits include both discretionary and non-discretionary permits, including the following permit types:

1. Subdivision – BLA, Short Plat (2-4 lots), Subdivision (5 or more lots), Final Plat, Plat by binding site approval.
2. Reclassification – 1-2 family dwelling districts, and all other districts.
3. Site Approval.
4. Conditional Use Permit.
5. Shoreline Permit – Substantial development permit, Conditional use, Variance; Revision, Sign waiver, and Exemption approval.
6. Wetland Permit – Development permit, Minor Development permit, Verification, Mitigation Monitoring Review, Activities Allowed with Staff Review.
7. Variance – 1-2 family, Other than 1-2 family, and height of main building or accessory building.
8. Special Development Permit.
9. Environmental Permits: SEAPA, EIS, Supplemental/addendum EIS.
10. Open Space Use Classification.
- ~~11. Accessory Dwelling Unit (ADU) – New, Legalization of existing, Reauthorization.~~
- 12~~11~~. Temporary Homeless Encampment.

\* \* \*

## Chapter 13.05 LAND USE PERMIT PROCEDURES

\* \* \*

### 13.05.115 Residential Infill Pilot Program

A. Purpose. To promote innovative residential infill development types, while ensuring that such development demonstrates high quality building and site design that is responsive to and harmonious with neighborhood patterns and character. In addition, the Pilot Program is intended to develop a body of successful, well-regarded examples of innovative residential infill in order to inform a later Council decision whether to finalize development regulations and design standards for some or all of these infill housing types.

B. Term. The Pilot Program will commence when infill design guidelines illustrating in graphic format the intent and requirements of this section have been developed, with input from the Planning Commission, and authorized by the Director.

The Pilot Program will be reassessed as directed by the City Council or by the Director. Once three of any of the categories has been completed, no additional applications will be accepted for that category until further Council action has been taken.

C. Applicability. The provisions of this section apply to the following categories of residential infill:

~~1. Detached Accessory Dwelling Units within the R-1, R-2, R-2SRD and HMR-SRD Districts;~~

21. Two-family or townhouse development within the R-2 District,

23. Multifamily development within the R-3 District, and

34. Cottage Housing development within any residential district except the HMR-SRD District.

D. The pertinent provisions of TMC 13.06 regarding residential districts, the development and permitting requirements described therein, as well as any other pertinent section of the TMC shall apply.

E. There shall be a minimum distance of 1,000 feet separating pilot program housing developments within the same category.

~~F. Only one Detached Accessory Dwelling Unit may be developed within designated Historic Districts under the Pilot Program.~~

GF. Submittals. Proponents of any of the above innovative residential infill development types shall submit the following:

1. ~~A~~sSite plan(s) showing proposed and existing conditions.

2. Building elevations from all four sides, showing proposed and existing conditions.

3. A massing study.

4. Photographs of any existing structures that will be altered or demolished in association with the proposal, as well as photographs of the structures on adjacent parcels.

5. A narrative and any supporting exhibits demonstrating how the project will be consistent with the Pilot Program intent and the provisions of this section.

6. Demonstration that the proposal would meet all pertinent TMC requirements, including those contained in TMC 13.06.100.

7. A complete application, along with applicable fees, for any required land use permits, including conditional use and Accessory Dwelling Unit permits. Such processes may require public notification or meetings.

8. The Director reserves the right to request additional information and documentation prior to beginning the City's review.

HG. Review process. The Director will convene a special advisory review body which shall function in an advisory capacity to provide input prior to the Director or Hearing Examiner's decision and conditions of approval.

\* \* \*

IH. Decision. As part of the associated land use decision, the Director or Hearing Examiner shall determine whether the proposal meets the intent of this section and incorporate conditions as appropriate into the land use and building permit approvals. In the case of projects in historic or conservation districts, or individually designated landmarks, Landmarks Preservation Commission approval will be required pursuant to TMC 13.05.045.

## Chapter 13.06 ZONING

### 13.06.100 Residential Districts.

\* \* \*

#### C. Land use requirements.

\* \* \*

#### 4. 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.

#### 5. District use table.

Uses	R-1	R-2	R-2SRD	HMR-SRD	R-3	R-4-L	R-4	R-5	Additional Regulations <sup>1</sup>
* * *									
Dwelling, accessory (ADU)	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P	P	P	P	Subject to additional requirements contained in Section 13.06.150. <del>In all residential districts ADUs require the issuance of an ADU permit. In the R-1, R-2, R-2SRD and HMR-SRD districts, detached ADUs are subject to the provisions of the Residential Infill Pilot Program (Section 13.05.115).</del>
* * *									
Footnotes: <sup>1</sup> For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640 for additional details, limitations and requirements. <sup>2</sup> Certain land uses, including two-family, townhouse, <u>and</u> cottage housing, <del>and Detached Accessory Dwelling Units</del> in certain districts, are subject to the provisions of the Residential Infill Pilot Program. See Section 13.05.115.									

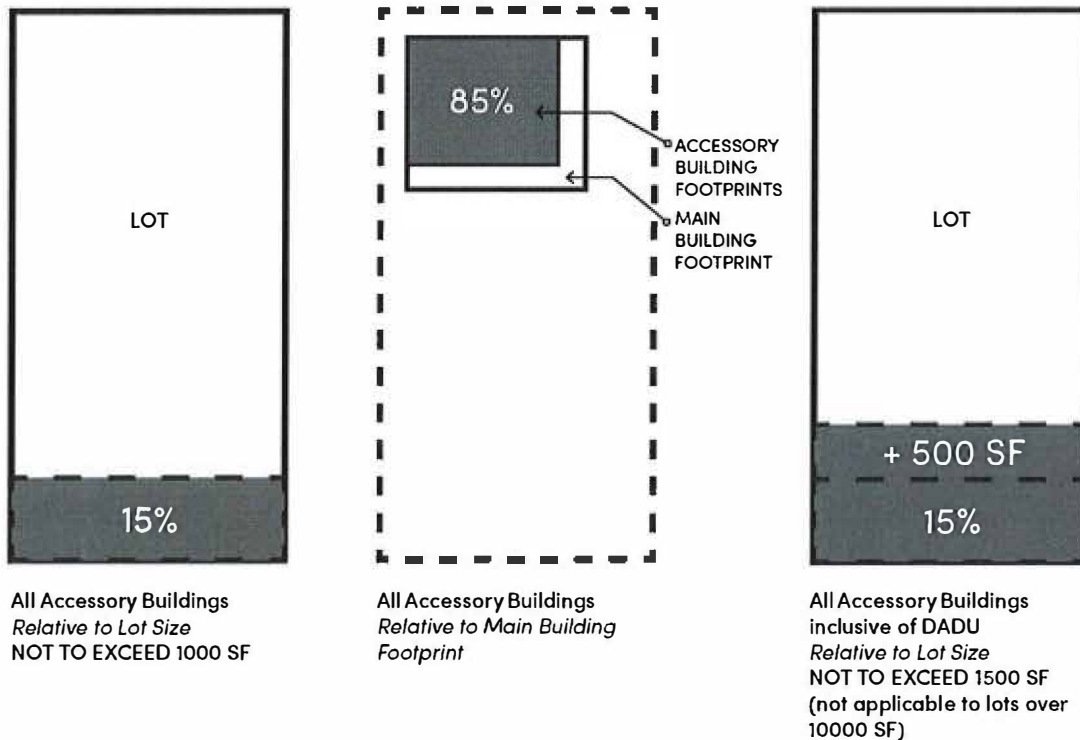
\* \* \*

## Exhibit "A"

F. Accessory building standards. Accessory buildings permitted per Section 13.06.100.C.4, such as garages, sheds, detached accessory dwelling units (DADUs), common utility and laundry facilities, and business offices and recreational facilities for mobile home/trailer courts and multi-family uses, are subject to the following location and development standards:

1. The total square footage of all accessory building footprints shall be no more than 85% percent of the square footage of the main building footprint and no more than 15% percent of the square footage of the lot, not to exceed 1,000 square feet. For lots greater than 10,000 square feet, the total square footage of all accessory building footprints shall be no more than 10 percent of the square footage of the lot (the other limitations applicable to smaller properties outlined above shall not apply). If one of the accessory buildings is a Detached ADU, an additional 500 square feet may be added to the allowed total square footage of all accessory building footprints. In addition, the total building footprint square footage of structures accessory to a single family dwelling shall not exceed 1,000 square feet, except where properties contain a detached accessory dwelling unit, in which case, the total square footage of accessory building footprints (including the detached ADU) shall be no more than 1,500 square feet. See Section 13.06.150 for ADU standards. For lots greater than 1/2 acre (21,780 square feet), the total square footage of all accessory buildings shall be no more than 10 percent of the square footage of the lot (the 85 percent main building and 1,000/1,500 square foot limitations for smaller properties shall not apply).

### Accessory Buildings (For lots under 10,000 square feet)



### 2. Size of Accessory Dwelling Units. See Section 13.06.150 for ADU standards.

23. A stable shall be located at least 25 feet from any street right-of-way line and at least seven and one-half feet from any side lot line. The capacity of a private stable shall not exceed one horse for each 20,000 square feet of lot area.

34. Except for an approved Accessory Dwelling Unit (ADU – see Section 13.06.150), an accessory building shall contain no habitable space. Plumbing shall not be permitted in an accessory building without a finding by the Building Official that such plumbing is not to be utilized in conjunction with habitable space within the accessory building or will not permit the accessory building to be utilized as habitable space.



45. Detached accessory buildings shall be located on the same lot or parcel on which the main building is situated. A detached accessory building may remain on a lot or parcel where no main building exists: (1) in the event the main structure on a lot is damaged or for other reason, is required to be removed; or (2) if the property is subdivided in such a manner that the detached accessory building would be located on a separate building site. In either case, a building permit for construction of a main structure shall be required to be obtained within one year of removal or division of property and substantial construction completed in accordance with the plans for which the permit was authorized.

56. Detached accessory buildings shall be located behind the front wall line of the main building on a lot, and shall not be located in the required side yard setback area of the main building.

a. For through lots, if there is an established pattern of "functional front and rear yards," detached accessory buildings shall be allowed in the "functional rear yard." A "functional rear/front yard" shall be defined by the established pattern of the block, based on the orientation of existing dwellings and location of existing detached buildings. If ~~there~~ is no defined pattern, a locational variance shall be required to allow the accessory structure in the front yard. The required front setback for such an accessory building shall be the same as for a primary building as set forth in TMC 13.06.100.D.6, either the standard front yard setback for the zoning classification or the average of the accessory and/or main building setbacks provided on the adjacent lots, whichever is smaller. ~~However, if such accessory building includes vehicular doors facing and accessing the adjacent street, the building or portion of the building with such doors shall be setback at least 20 feet.~~

67. For garages that include vehicular doors facing the front property line, the building or portion of the building with such doors shall be setback at least 20 feet from the front property line or private road easement.

78. Detached accessory buildings located on corner lots shall provide the main building side yard setback along the corner side property line.

89. Commercial shipping and/or storage containers shall not be a permitted type of accessory building in any residential zoning district. Such storage containers may only be allowed as a temporary use, subject to the limitations and standards in Section 13.06.635.

910. Parking quantity requirements and additional development standards are provided in Sections 13.06.602 and 13.06.510, including subsection 13.06.510.A.6.

\* \* \*

### **13.06.150 Accessory dwelling units.**

A. Intent. Accessory dwelling units (hereinafter referred to as "ADUs") are intended to:

1. Provide homeowners with a means of providing for companionship and security.
2. Add affordable small footprint, lower cost units to the existing housing supply.
3. Make housing units within the City available to low and moderate income people.
4. Provide an increased choice of housing that responds to changing needs, lifestyles (e.g., young families, retired), environmental sustainability, and modern development technology.
5. ~~Protect~~ Contribute to neighborhood stability, and protect property values by creating avenues for additional income, aging in place, and the meeting of personal and property needs, and the single-family residential appearance by ensuring that ADUs are installed in a compatible manner under the conditions of this section.
6. Maintain residential appearance by ensuring that ADUs are of sound quality and generally consistent with neighborhood patterns.

67. Increase density in order to better utilize existing infrastructure and community resources and to support public transit and neighborhood retail and commercial services.

B. Procedures. Any property owner seeking to establish an ADU in the City of Tacoma shall apply for approval in accordance with the following procedures:

1. Application. Prior to installation of an ADU, the property owner shall apply for an ADU a building permit with Planning and Development Services. A complete application shall include a properly completed application form, floor and structural plans for modification, and applicable fees as prescribed in subsection B.2 below.
2. ~~Fees. Fees shall be required in accordance with Section 2.09.020. Upon sale of the property, a new owner shall be required to sign a new affidavit and to register the ADU, paying the applicable fee in accordance with Section 2.09.020.~~

~~3. Accessory dwelling unit agreement. The owner of any property containing an ADU shall record with the Pierce County Auditor an accessory dwelling unit agreement for the ADU. Such agreement shall be in a form as specified by Planning and Development Services, and shall include as a minimum: (a) the legal description of the property which has been permitted for the ADU; (b) affirmation that the owner shall occupy either the main building or the ADU, and agrees to all requirements provided in subsection C.4; and (c) the conditions necessary to apply the restrictions and limitations contained in this section. The property owner shall submit proof that the accessory dwelling unit agreement has been recorded prior to issuance of an ADU permit by Planning and Development Services. The accessory dwelling unit agreement shall run with the land as long as the ADU is maintained on the property. The property owner may, at any time, apply to Planning and Development Services for a termination of the accessory dwelling unit agreement. Such termination shall be granted upon proof that the ADU no longer exists on the property.~~

~~4. Permit. Upon receipt of a complete application, application fees, proof of recorded accessory dwelling unit agreement, and approval of any necessary building or other construction permits, an ADU permit shall be issued.~~

~~53. Inspection. The City shall inspect the property to confirm that minimum and maximum size limits, required parking and design standards, and all applicable building, health, safety, energy, and electrical code standards are met.~~

~~64. Violations. A violation of this section regarding provision of ownership shall be governed by subsection C.4, and a violation of provision of legalization of nonconforming ADUs shall be governed by subsection C.7. Violations of any other provisions shall be governed by Section 13.05.100.~~

5. ADUs shall be exempt from density calculations.

~~7. Detached ADUs in the R-1, R-2, R2-SRD and HMR-SRD Districts are reviewed under the provisions of the Residential Infill Pilot Program per TMC 13.05.115. Such applications shall provide for notification of property owners within 100 feet.~~

C. Requirements. The creation of an ADU shall be subject to the following requirements, which shall not be subject to variance.

1. Number. One ADU shall be allowed per residential lot as a subordinate use in conjunction with any new or existing single family detached dwelling in the City of Tacoma. Both dwellings shall be in single ownership.

2. Occupancy. ~~The maximum number of occupants in an ADU shall be 4 persons.~~ Maximum occupancy ~~may be~~ further shall be limited by the Minimum Building and Structures Code in Title 2.

3. Composition. The ADU shall include facilities for cooking, living, sanitation, and sleeping.

4. Ownership. ~~The property owner (i.e., title holder or contract purchaser) must maintain his or her occupancy in the main building or the ADU. Owners shall record a notice on title which attests to their occupancy and attests that, at no time, shall they receive rent for the owner-occupied unit. Falsely attesting owner residency shall be a misdemeanor or subject to a fine not to exceed \$5,000, including all statutory costs, assessments, and fees. In addition, ADUs shall not be subdivided or otherwise segregated in ownership from the main building.~~

~~45. Parking. No off-street parking is required for the ADU. If additional ADU parking is provided, such parking shall be located in the rear portion of the lot and shall not be accessed from the front if suitable access to the rear is available, such as an abutting right-of-way that is or can practicably be developed. If access is not practicably available to the rear yard, subject to determination by the City Engineer, then vehicular access to the front may be developed subject to the limitations in Section 13.06.510.A.6.~~

5. Addressing. All ADUs must have clear addressing visible from the street. If the ADU is not visible from the street, an address and some form of directional notation must be along a walkway, on a fence, on the main house, or some location that differentiates the main house address from the ADU address and is visible from the main access point to the property.

6. Home occupations. Home occupations shall be allowed, subject to existing regulations. However, if both the main building and the ADU contain home occupations, only one of the two is permitted to receive customers on the premises.

7. Short-term rental. The use of an ADU as a short-term rental shall be allowed, subject to compliance with Sections 13.06.150 and 13.06.575. The property owner is required to occupy one of the dwellings for approval of a short-term rental of either the main dwelling or the ADU.

8. Legalization of Nonconforming ADUs. Nonconforming ADUs existing prior to the enactment of these requirements may be found to be legal if the property owner applied for an ADU a building permit prior to



December 31, ~~1995~~2020, and brings the unit up to Minimum Housing Code standards set forth in Section 2.01 of the Building Code. In addition, all nonconforming ADUs must meet all of the standards within Subsection C Requirements, as well as Subsection D.4 Location. After January 1, ~~1996~~2021, owners of illegal ADUs shall be subject to the enforcement provisions of TMC 13.05.100~~guilty of a misdemeanor and, upon conviction thereof,~~ subject to a fine not to exceed \$1,000, including all statutory costs, assessments, and fees, plus \$75 per day after notice of the violation has been made. The burden of proof falls on property owners in any dispute regarding the legality of the unit. All owners of illegal ADUs shall also be required to either legalize the unit or remove it.

D. ~~Bulk, Location and Design Requirements~~Development Standards. The creation of an ADU shall be subject to the following development standards, which shall be subject to variance requirements:

1. Minimum Lot Size. Attached and Detached ADUs are permitted on any legally established lot, irrespective of lot size or width, provided that applicable size, location, setback, open space, and other standards are met. ~~For Attached ADUs the lot must meet the minimum Level 1 Small Lot size requirement for single-family detached dwellings in the applicable zoning district (for example, in the R-2 zoning district a single-family lot must be at least 4,500 with Small Lot Design Standards, to be eligible to have an ADU). Attached ADUs that do not increase the building envelope of the existing structure are exempt from this requirement. For Detached ADUs, the lot must meet the minimum Standard Lot size (no less than 7,500 square feet in the R-1 District, or less than 5,000 square feet in all other residential districts), and Standard Minimum Lot Width (50 feet).~~

## 2. ADU Size.

~~a. The ADU, excluding any garage area and other non-living areas, such as workshops or greenhouses, shall not exceed 40 percent of the total square footage of the main building and the ADU combined, after modification or construction. An ADU shall not contain more than 1,000 square feet.~~

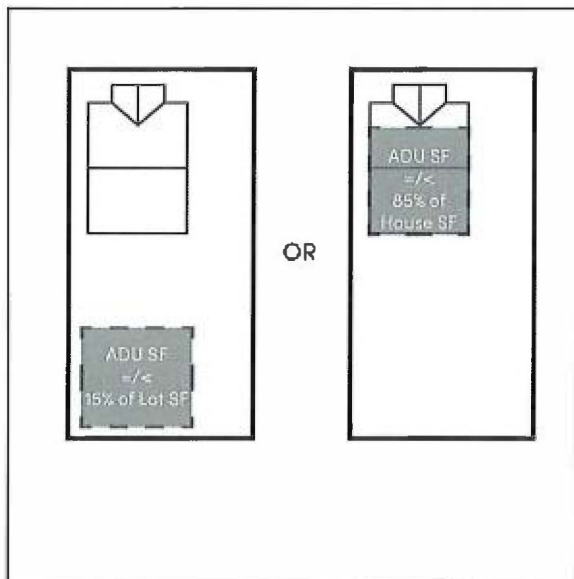
~~In addition, detached ADUs shall meet the standards of 13.06.100.F Accessory building standards~~

a. The habitable area of ADUs, excluding any garage area and other non-living areas, shall be limited to the most restrictive of the following standards:

- (1) No more than 15 percent of the lot area.
- (2) No more than 85 percent of the living area of the main building or main dwelling.
- (3) No more than 1,000 square feet.

b. In addition, detached ADUs are considered accessory buildings and thus are also subject to the standards set forth in TMC 13.06.100.F Accessory building standards.

### Size of Accessory Dwelling Unit:





### 3. Height.

a. Attached ADUs are subject to the height limitations applicable to the main house.

b. Detached ADUs shall be no taller than the main house. In addition, height shall be limited to the most restrictive of the following:

(1) The maximum height for detached ADUs shall be 18 feet, measured per the Building Code, or up to 20 feet with incorporation of either parking on the main level of the structure, or with certification of the DADU under Built Green criteria with 4 stars, or equivalent environmental certification.

~~Detached ADUs shall be no taller than the main house.~~

~~(2) The conversion of an existing accessory structure taller than 18 feet may be authorized through issuance of a Conditional Use Permit. In such cases, the structure shall not intercept a 45-degree daylight plane inclined into the ADU site from a height of 15 feet above existing grade, measured from the required 5 foot setback line; and, second story windows facing abutting properties, and within 10 feet of the property line, shall be constructed in a manner to prevent direct views into the neighboring property, through such methods as clerestory windows, or semi-translucent glass.~~

(3) In View Sensitive Districts, the maximum height shall be 15 feet, measured per TMC 13.06.700.B, and allowance of additional height is subject to TMC 13.06.645 Variances.

4. Location. The ADU shall be permitted as a second dwelling unit added to or created within the main building or, ~~when allowed, permitted~~ as a detached structure located in the rear yard.

5. Setbacks. Attached ADUs are considered part of the primary structure and thus are subject to the same setback standards applicable to the primary structure. Detached ADUs shall be setback a minimum of 5 feet from the side and rear property lines, excepting that no setback from the alley shall be required. Existing buildings being converted to Detached ADUs are not required to meet setbacks, but shall comply with all applicable City of Tacoma Building Codes adopted at the time of permit application.

6. Open Space. While no additional yard space is required for sites with an ADU, the proposal must maintain or provide usable and functional outdoor or yard space consistent with TMC 13.06.100.D.7 Minimum Usable Yard Space.

7. Walkways. For ADUs with a separate exterior entrance, a pedestrian walkway shall be provided between the ADU and the nearest public sidewalk, or where no sidewalk exists, the nearest public street right-of-way. The walkway shall be composed of materials that are distinct from any adjacent vehicle driving or parking surfaces. The walkway may function as a shared pedestrian/vehicle space provided that it is constructed of distinct materials and is located along an exterior edge of a driving surface.

E. Design Standards. The creation of an ADU shall be subject to the following design requirements:

~~6. Design – Attached ADUs. An attached ADU shall be designed to maintain the architectural design, style, appearance, and character of the main building as a single-family residence. If an attached ADU extends beyond the current footprint or existing height of the main building, such an addition must be consistent with the existing façade, roof pitch, siding, and windows. Only one entrance is permitted to be located in the front façade of the dwelling. If a separate outside entrance is necessary for an attached ADU, it must be located either off the rear or side of the main building. Such entrance must not be visible from the same view of the building which encompasses the main entrance to the building and must provide a measure of visual privacy.~~

~~7. Design – Detached ADUs. A detached ADU shall be designed to complement the architectural design, style, appearance, and character of the main building by utilizing complementary colors and finish materials, window styles, and roof design to the main building. The entrance door to a detached ADU shall not face the same property line as the entrance door to the main building except when the entrance door to the ADU is located behind the rear wall of the main building. The Detached ADU structure shall be the only accessory structure allowed on the parcel, though it can be integrated into a structure that includes a garage or other non-habitable space.~~

1. Detached and Attached ADUs shall be designed either to generally match the exterior architectural style, appearance and character of the main house through use of similar materials, window, façade and roof design, or to complement the main house through use of materials and design of equal or better quality.

2. Detached ADUs are also subject to the following standards:

a. The main entrance to a Detached ADU shall be at least eight feet from side property lines shared with a neighboring residential property if that entrance faces the neighboring property.

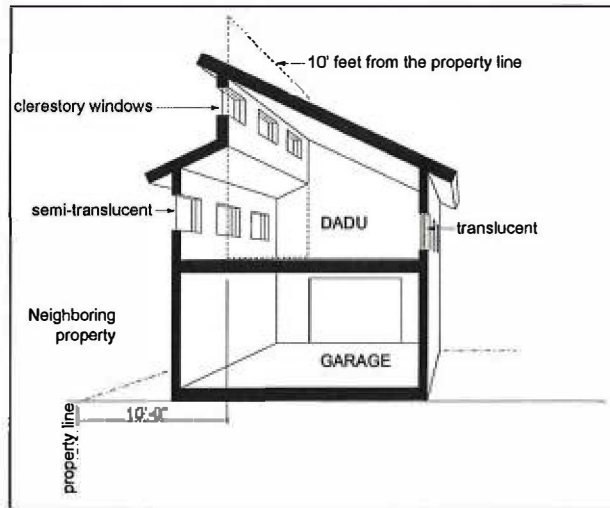
b. Second story windows facing abutting residential properties and within ten feet of the property line shall be constructed in a manner that reduces direct views into the neighboring property through such methods as clerestory windows or semi-translucent glass.

c. The structure shall not intercept a 45-degree daylight plane inclined into the ADU site from a height of 15 feet above existing grade, measured from the required five-foot setback line.

3. Any ADU proposed within an historic district is subject to the requirements and standards set forth in TMC 13.07, Landmarks and Historic Special Review Districts.

4. The Director shall provide an illustrated ADU design guide to assist in implementation and review of these standards.

Detached ADU window and roof design:



8. Walkways. For ADUs with a separate exterior entrance, a pedestrian walkway shall be provided between the ADU and the nearest public sidewalk, or where no sidewalk exists, the nearest public street right-of-way. The walkway shall be at least 4 feet wide and composed of materials that are distinct from any adjacent vehicle driving or parking surfaces. The walkway may function as a shared pedestrian/vehicle space provided that it is constructed of distinct materials, is located along an exterior edge of a driving surface, and vehicles are not permitted to park on the walkway.

\* \* \*