

TITLE 14

Urban Renewal

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URBAN RENEWAL

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Chapter 14.02
GENERAL PROVISIONS

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14.02.010 Title.

This title shall be known as the Urban Renewal Code, may be cited as such and will be referred to herein as this code. (Ord. 16678 § 1; passed Nov. 29, 1960)

14.02.020 Purpose.

The purpose of this code is to provide certain policies and procedures relating to urban renewal projects undertaken, or to be undertaken, by the City of Tacoma. (Ord. 16678 § 1; passed Nov. 29, 1960)

14.02.030 Scope.

The provisions of this code shall apply to all urban renewal projects undertaken, or to be undertaken, by the City of Tacoma. All previous proceedings with reference to urban renewal projects within the City of Tacoma, including all official actions by the City Council, are confirmed, and all future proceedings relating to pending matters concerning urban renewal projects shall be governed by the applicable provisions of this code. (Ord. 16678 § 1; passed Nov. 29, 1960)

14.02.035 Submission of urban renewal projects to a vote of the people.

Prior to the setting of a public hearing on any proposed urban renewal plan, the City shall solicit comments from residents and owners of property within the proposed project area. The City shall mail or deliver information setting forth, generally, the nature of the proposed project and requesting comments from the lessees or owners as to whether they are opposed to or in favor of the project and what additional or different action, if any, they believe would benefit the proposed project area. A stamped return envelope addressed to the Community and Economic Development Department shall be mailed with the information and the recipient shall be requested to return the same within ten days. At any time after 15 days from the date of mailing or delivery of the forms, the Community and Economic Development Department shall prepare a synopsis of the results of the questionnaire and transmit the results to the City Manager and the City Council. The City may utilize any reasonable method which is calculated to obtain receipt of the information by the owners or reputed owners, as shown on the tax rolls of the County Treasurer, and by lessees living in the project area. The failure to mail or deliver the questionnaire to any owner or lessee shall not, in any manner, impair the right of the City to proceed with or approve an urban renewal project in accordance with RCW 35.81, it being the intent of this chapter to merely provide a reasonable method by which the desires of a substantial number of owners and lessees in the proposed project area can be obtained to assist the City in evaluating proposed urban renewal projects. The City may provide additional information to apprise such owners and lessees of the character and progress of the proposed urban renewal project. Failure to respond to said questionnaire shall not impair, or be deemed a waiver of, any right of any person to appear at said public hearing. (Ord. 27466 § 45; passed Jan. 17, 2006; Ord. 26386 § 41; passed Mar. 23, 1999; Ord. 20230 § 3; passed Oct. 15, 1974; Ord. 19643 § 1; passed Aug. 8, 1972)

14.02.040 Interpretation of code.

This code is to be construed in light of, and not inconsistent with, Title I of the Federal Housing Act of 1949 (42 USCA Sec. 1441 et seq.) as amended, the Washington Urban Renewal Law, Chapter 35.81 RCW (Washington Laws of 1957, Chapter 42) as amended, and the Urban Renewal Manual, Housing and Home Finance Agency, United States of America. (Ord. 16678 § 1; passed Nov. 29, 1960)

14.02.050 Conflict.

In any case where a provision of this code is found to be in conflict with a provision of any other ordinance or code of the City of Tacoma existing on the effective date of this code, the provisions of this code shall be deemed to prevail, and any such other ordinances or codes are hereby declared to be repealed to the extent that they may be found in conflict with this code. (Ord. 16678 § 1; passed Nov. 29, 1960)

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14.02.060 Severability.

If any section, subsection, sentence, clause, phrase or portion of this code is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a distinct and independent provision, and such holdings shall not affect the validity of the remaining portions thereof. (Ord. 16678 § 1; passed Nov. 29, 1960)

Chapter 14.04

RENTALS

Sections:

- 14.04.010 Occupant renting.
- 14.04.015 Temporary leasing of vacant property.
- 14.04.020 Rent rates.
- 14.04.030 Adjustment of rent for business concern.
- 14.04.040 Starting date of rent.
- 14.04.050 Collection of delinquent rent.
- 14.04.060 Charge-off of delinquent rent.
- 14.04.070 Rent refunds.
- 14.04.080 Eviction policy.

14.04.010 Occupant renting.

Pending the sale of properties in an urban renewal area, former owners and tenants in urban renewal areas may be allowed to temporarily rent properties occupied by them at the time of acquisition by the City of Tacoma; provided that the rental period shall be on a month-to-month basis. (Ord. 16679 § 1; passed Nov. 29, 1960)

14.04.015 Temporary leasing of vacant property.

Property in an urban renewal area which is vacant at the time of acquisition by the City or which becomes vacant after acquisition by the City may, pending disposition of the property for redevelopment, be temporarily leased to either on-site or off-site tenants; provided that such lease shall be on a month-to-month basis with a 30-day cancellation clause. The City Manager, prior to authorizing such leasing, shall determine that:

- A. Such leasing will either further the objectives of the project, benefit the project residents or minimize hardships to project occupants; and
- B. Such leasing shall not delay or adversely affect completion of the project. (Ord. 19189 § 1; passed Sept. 1, 1970)

14.04.020 Rent rates.

The rental rates of properties acquired by the City of Tacoma shall be established by the City Manager consistent with the following standards:

- A. Tenant-occupied Property. Rent for property occupied by a tenant of the former owner may be continued at the previous rate, or such rent may be adjusted if it is not consistent with rents for comparable properties in the project area. Rent for property which becomes occupied by a tenant after acquisition by the City shall be set at a monthly rate consistent with rents for comparable properties in the project area.
- B. Owner-occupied Property. Rent for property occupied by a former owner shall be set at a monthly rate consistent with rents for comparable properties in the project area.
- C. Nonprofit Institutions. Rent for property occupied by a nonprofit institution shall, at a minimum, compensate the City of Tacoma for out-of-pocket costs, including estimated amounts for expenditures for utilities, maintenance and real estate taxes or payments in lieu of taxes, or tax credits, and monthly interest on the purchase price of the property, at the average interest rate paid by the City of Tacoma for borrowed funds. (Ord. 19189 § 2; passed Sept. 1, 1970; Ord. 16679 § 1; passed Nov. 29, 1960)

14.04.030 Adjustment of rent for business concern.

Rent may be reduced for a business concern if the rate becomes unreasonable due to adverse conditions caused by project activities; provided that adjustments shall not be made retroactively and shall be made in the form of a written notice to the occupant fixing the new rent and the date on which it is to begin. (Ord. 16679 § 1; passed Nov. 29, 1960)

14.04.040 Starting date of rent.

Rents shall be payable by occupants of structures located in an urban renewal area that have been acquired by the City of Tacoma as follows:

- A. If the structure is occupied by a tenant, owner or purchaser at the time of acquisition by the City, no rent shall accrue during the balance of the month and during the following month after acquisition of the structure by the City. Rent shall commence and shall be payable in advance on the first day of the month following this period.

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B. If the structure is occupied by an owner or purchaser at the time of acquisition by the City, no rent shall accrue during the balance of the month and during the following month after acquisition of the structure by the City. Rent shall commence and shall be payable in advance on the first day of the month following this period. (Ord. 19189 § 3; passed Sept. 1, 1970: Ord. 17298 § 1; Ord. 16679 § 1; passed Nov. 29, 1960)

14.04.050 Collection of delinquent rent.

If rent shall become delinquent for a period in excess of 30 days or more after the rent due date, the Director of the Community and Economic Development Department may so inform the City Attorney, who may commence an eviction or unlawful detainer action against such delinquent tenant. If the tenant should move while owing rent, the Director of the Community and Economic Development Department may request the City Attorney to commence an action on the rental contract against such delinquent former tenant. The Director of the Community and Economic Development Department shall ensure that all reasonable efforts to collect delinquent rent have been taken before requesting legal action. (Ord. 27466 § 46; passed Jan. 17, 2006: Ord. 26386 § 42; passed Mar. 23, 1999: Ord. 20230 § 4; passed Oct. 15, 1974: Ord. 16679 § 1; passed Nov. 29, 1960)

14.04.060 Charge-off of delinquent rent.

Where it is found that there is no reasonable prospect of collecting rent from a delinquent tenant, or that the probable costs of further efforts to collect would not be warranted, the Director of the Community and Economic Development Department shall recommend that such rent be charged off and shall present said recommendation to the City Attorney, who shall prepare a resolution for the consideration of the City Council. The Director of the Community and Economic Development Department shall make this finding not less than once every quarter when property management operations are being carried on in an urban renewal area, and shall be responsible for documenting all collection efforts for delinquent rent and setting forth the steps taken in this recommendation for a charge-off. The recommendation for charge-off shall also contain a description of the financial condition of the delinquent tenant. No delinquent rent shall be charged off without the approval of the City Council. (Ord. 27466 § 47; passed Jan. 17, 2006: Ord. 26386 § 43; passed Mar. 23, 1999: Ord. 20230 § 4; passed Oct. 15, 1974: Ord. 16679 § 1; passed Nov. 29, 1960)

14.04.070 Rent refunds.

If a tenant moves, after proper notice to the City of Tacoma, during a period for which the City of Tacoma has received rent, he shall be given a pro rata refund for the unexpired portion of the period. Refunds will be made on the basis of one-thirtieth of the monthly rate for each day the premises are unoccupied subsequent to termination. Each month shall be considered as having 30 days for the purpose of refund computations. (Ord. 16679 § 1; passed Nov. 29, 1960)

14.04.080 Eviction policy.

A. Eviction shall be used only as a last resort and shall be undertaken only under one or more of the following circumstances:

1. Failure to pay rent.
2. Maintenance of a nuisance or use of the premises for illegal purposes.
3. A material breach of the rental agreement.
4. Refusal to consider accommodations meeting relocation standards.
5. Refusal to admit a relocation interviewer.
6. Situations requiring eviction under State or local law.

B. Efforts will be made to provide relocation services prior to eviction. (Ord. 16679 § 1; passed Nov. 29, 1960)

Chapter 14.06

BIDS AND REDEVELOPMENT

Sections:

- 14.06.010 Disposal of real property – Competitive bidding – Bid evaluation criteria.
- 14.06.020 Design Review Board – Establishment – Function.
- 14.06.030 Bids – Review and acceptance by the City Council.
- 14.06.040 Competitive bidding procedures.
- 14.06.050 Redevelopment by public agencies.
- 14.06.060 Acceptance of other than high bid – Rejection of bids.
- 14.06.070 Advertising and promotion of real property sales.
- 14.06.080 Minimum sale price.
- 14.06.090 Definition of terms.

14.06.010 Disposal of real property – Competitive bidding – Bid evaluation criteria.

A. The City of Tacoma shall dispose of real property in urban renewal areas to private persons only under the competitive bidding procedures set forth herein, after public notice by publication once each week for a minimum of three consecutive weeks in a newspaper having a general circulation in the community. The responsibility for designating the successful bidder on property offered for sale in accordance with the provisions herein, and for authorizing the transfer of title to said bidder, shall rest with the City Council, and said award shall be approved by resolution. The Community and Economic Development Department of the City of Tacoma shall be responsible for furnishing the City Council such information as is necessary to accurately appraise the proposals for redevelopment in order that the objectives of the Urban Renewal Plan are most fully satisfied. In order that this information may be provided to the City Council, the Community and Economic Development Department shall review and evaluate the bid proposals on the basis of criteria hereinafter set forth:

1. The degree to which the proposal meets the specifications and requirements of the Urban Renewal Plan.
2. The financial responsibility, qualifications, experience, and ability of the bidder to finance and complete the redevelopment.
3. The price offered in the proposal for the purchase of the property by the bidder, which price must equal or exceed the approved minimum price.
4. The economic practicality of the project as proposed by the bidder and the benefit to the community in terms of the sociological, aesthetic, and financial aspects of the proposed project.
5. The architectural and planning skills and the ingenuity demonstrated in the proposal; the reputation, experience, and demonstrated ability of the bidder's architects.
6. The time estimate submitted by the bidder for the execution and completion of his proposed redevelopment.

B. All bid proposals will be submitted to the City Council with recommendations based on the evaluations so established, and the City Council shall make the award to the best and most qualified bidder.

C. Where there is a reasonable difference of opinion as to the financial responsibility of any bidder, the Community and Economic Development Department will seek the most reliable advice available from those qualified in this field. (Ord. 27466 § 48; passed Jan. 17, 2006; Ord. 26386 § 44; passed Mar. 23, 1999; Ord. 20575 § 1; passed Oct. 28, 1975; Ord. 20230 § 5; passed Oct. 15, 1974; Ord. 18225 § 1; passed Feb. 21, 1967)

14.06.020 Design Review Board – Establishment – Function.

There is hereby authorized a review board to be known as the "Architectural Design Review Board," to be appointed in accordance with Rules No. 10 and 11 of the "Rules of Procedure of the Council of the City of Tacoma." The purpose of said Board is to assist the City Council in arriving at determinations regarding the appropriateness of development proposals in meeting the objectives and specific requirements of an Urban Renewal Plan. In carrying out this function, the Board shall examine and make recommendations to the Council regarding each development proposal and plan. The Board shall consist of 14 members comprised of representatives from architectural and professional engineering fields, a member of the Tacoma Art Commission, and recognized developers, businessmen, and property owners. The present members of the Board shall continue to serve until March 1, 1982, at which time the membership of all individuals previously appointed to the Board will be terminated. At that time, new members shall be appointed to the Board. The members of the Board shall serve three-year terms, provided that, on or about March 1, 1982, four members shall be appointed for a term of one year, five for a term of two years, and five for a term of three years, and, at the expiration of each of the terms provided for, a successor shall be appointed for a term of three years. The Board members shall choose their own chairman annually. They shall meet at such times and places as designated by the chairman. Members of the Board shall receive no compensation for their services. This

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section shall apply only to the New Tacoma Project. (Ord. 26386 § 45; passed Mar. 23, 1999; Ord. 23171 § 1; passed May 1, 1984; Ord. 22587 § 1; passed Dec. 15, 1981)

14.06.030 Bids – Review and acceptance by the City Council.

It shall be the responsibility of the Community and Economic Development Department to present the qualified bid proposals to the City Council with the recommendation as to the successful bidder based on the criteria and procedures set forth in Section 14.06.010. The City Council shall review said recommendations and, based on its review, accept such bid as it deems to be in the public interest and in the furtherance of the purposes of the Urban Renewal Law. (Ord. 27466 § 49; passed Jan. 17, 2006; Ord. 26386 § 46; passed Mar. 23, 1999; Ord. 20230 § 5; passed Oct. 15, 1974; Ord. 18225 § 1; passed Feb. 21, 1967)

14.06.040 Competitive bidding procedures.

The Community and Economic Development Department is hereby authorized to offer land for sale in accordance with the provisions hereof, under one of the following competitive bid procedures:

A. **Predetermined Price.** Real property may be offered for sale to an owner-participant on a predetermined price basis in those instances where the owner-participant requires additional land to comply with the provisions of the Urban Renewal Plan. Under this method of disposition, the real property must be offered for competitive sale in accordance with existing law, and the successful bidder shall be chosen by the City Council on the basis of the criteria set forth in Section 14.06.010.

B. **Open, Competitive Bid.** All other real property offered for sale to private persons shall be by open, competitive bid. The same criteria established in Section 14.06.010 shall apply to this method of bidding. Within 10 calendar days after the bids have been opened, the following bidder shall have the right to meet the high bid, and if they choose to do so and their bid best qualifies in all other respects, the successful bidder may be named by the City Council in the following order of priority:

1. The owner-participant who wishes to acquire additional property in the urban renewal area which is not necessary to comply with the provisions of the Urban Renewal Plan.
2. The owner whose property has been purchased for accomplishing the purposes of the Urban Renewal Plan, and who desires to purchase the property offered for sale.
3. The tenant whose property rights have been purchased for the purposes of accomplishing the Urban Renewal Plan, and who wishes to purchase the real property being offered for sale.
4. A person who has been displaced from property located within the city limits of Tacoma by other governmental activity or improvements subsequent to June 29, 1958. (Ord. 27466 § 50; passed Jan. 17, 2006; Ord. 26386 § 47; passed Mar. 23, 1999; Ord. 20230 § 5; passed Oct. 15, 1974; Ord. 18225 § 1; passed Feb. 21, 1967)

14.06.050 Redevelopment by public agencies.

In those instances where the provisions of the Urban Renewal Plan designate real property for a public reuse, the Community and Economic Development Department shall seek the interest of public agencies in redeveloping such property. If positive evidence of interest is found, the Community and Economic Development Department shall negotiate for a reasonable time with the other public agencies. The City Council shall review the proposals of the public agencies and shall designate the appropriate agency to redevelop the real property. (Ord. 27466 § 51; passed Jan. 17, 2006; Ord. 26386 § 48; passed Mar. 23, 1999; Ord. 20230 § 5; passed Oct. 15, 1974; Ord. 18225 § 1; passed Feb. 21, 1967)

14.06.060 Acceptance of other than high bid – Rejection of bids.

The acceptance of a bid which is other than the high bid will only be made when in the public interest and in the furtherance of the Washington Urban Renewal Law. The City of Tacoma reserves the right to reject any or all bids or proposals made pursuant to the provisions of this chapter. (Ord. 18225 § 1; passed Feb. 21, 1967)

14.06.070 Advertising and promotion of real property sales.

The Community and Economic Development Department shall offer real property for sale by sales promotion through prospect lists, advertising, and brochure distribution; and through the services of real estate firms, where necessary and appropriate. (Ord. 27466 § 52; passed Jan. 17, 2006; Ord. 26386 § 49; passed Mar. 23, 1999; Ord. 20230 § 5; passed Oct. 15, 1974; Ord. 18225 § 1; passed Feb. 21, 1967)

14.06.080 Minimum sale price.

Each disposal of land shall be at a price that is not less than the minimum price of the land for uses in accordance with the Urban Renewal Plan. (Ord. 18225 § 1; passed Feb. 21, 1967)

14.06.090 Definition of terms.

A. "Minimum price" means the lowest acceptable price (or upset price) established by the City of Tacoma shall not be less than the fair reuse value of the land for uses in accordance with the Urban Renewal Plan.

B. "Owner-participant" means a resident of the Urban Renewal project whose property is not to be acquired pursuant to the provisions of the Urban Renewal Plan. (Ord. 18225 § 1; passed Feb. 21, 1967)

