



**City of Tacoma  
Planning Commission**

November 2, 2011

Honorable Mayor and Members of the City Council:

The Planning Commission has completed its evaluation of the proposal to amend the off-street parking requirements for new development in downtown Tacoma and offers the following recommendations. As you remember, this proposal originated as a request to the Planning Commission from the Environment & Public Works and Economic Development Committees of the Council to (1) assess parking-related barriers to new development in the Tacoma Municipal Code and (2) begin a process with the Planning Commission to evaluate expanding the parking-related benefits in the International Financial Services Area (IFSA), where in 2009 minimum and maximum off-street parking requirements for new development were eliminated. Specifically, Council members asked to evaluate expanding the area of downtown benefiting from the elimination of the minimum and maximum parking requirements to include the Downtown Commercial Core (DCC) zone and within the designated downtown Historic and Conservation overlay districts. The intent of the expansion of the IFSA parking requirements was to promote economic development and move towards a market-based approach to parking in downtown. The community is generally supportive of this action and advocated for the parking-related benefits of the IFSA to be expanded to a larger area of downtown.

The Planning Commission began its evaluation of the current proposal in May 2011. Staff provided a project update to the Economic Development and Environment & Public Works Committees at a joint committee meeting in June, at which time Council Members asked the Planning Commission to also consider retaining parking maximums for new non-residential developments and evaluate opportunities to prohibit surface parking lots in the proposed boundary, citing the City's sustainability, multimodal transportation and urban form goals in addition to economic development priorities to attract new investment.

The Commission's review and analysis of the Comprehensive Plan and associated regulations found that existing City policies and strategies describe a vision for downtown as Pierce County's densest urban center, in which future population growth and corresponding high density commercial and residential development is complemented by investments in transportation infrastructure that prioritizes alternative transportation options over single-occupancy vehicles. Specific to parking, the Comprehensive Plan calls for regulations that minimize the amount of land dedicated to parking by emphasizing on-street parking and parking within structures, discouraging surface parking lots and eliminating off-street parking requirements, while creating parking maximums in downtown's most walkable neighborhoods.

The Commission's recommendation on the off-street parking regulations is based on this analysis and includes eliminating minimum parking requirements for new development in the core of downtown; reinstating parking maximums in the IFSA; reducing the existing parking maximums downtown and restricting surface parking lots on Primary Pedestrian Streets in downtown. As required by the Tacoma Municipal Code, the Commission conducted a public hearing on September 21, 2011 concerning the proposed amendment to the Code. Eight people provided oral or written testimony. Among those who provided comments, there is unanimous support for eliminating parking minimums. Downtown On the Go and the Sustainable Tacoma Commission support retaining parking maximums. The Executive Council for a Greater Tacoma opposes reintroducing the parking maximum in the International Financial Services Area and reducing the parking maximums in downtown zones. Transportation Choices

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Coalition encouraged the Commission to expand the proposed surface parking lot regulations to additional downtown streets.

The Planning Commission's recommendation on off-street parking regulations strives to balance the community's downtown economic development aspirations with the community's sustainability, alternative transportation and urban form goals. The Commission's recommendation to reinstitute parking maximums in the IFSA and reduce the parking maximums is founded in an understanding that downtown currently has a large uncoordinated supply of available parking and excessive parking availability will not help to create the vibrant, desirable downtown that will attract future investment. The Commission believes that reducing the existing parking maximum in the downtown core from 3.6 stalls per 1,000 square feet to 2.5 stalls per 1,000 square feet will encourage maximum utilization of the existing parking supply through shared parking agreements (a goal of the Climate Action Plan) before additional parking is built. The parking maximum ratio of 2.5 stalls per 1,000 square feet is based on the approximate average maximum parking ratio of northwest peer cities (Bellevue, Olympia, Portland, Redmond and Seattle).

The Commission acknowledges the Executive Council's concern about parking maximums as a potential deterrent to larger scale development. However, the Regulatory Code already includes provisions that allow developments to exceed parking maximums: (1) provision of public parking and (2) use of Development Regulation Agreements (TMC 13.05.095). Specifically, "maximum parking ratios may be exceeded for providing parking available to the public and which is not dedicated to individual owners, tenants and lessees of the building" (TMC Chapter 13.06A.060, Development Standards). Development Regulation Agreements is a mechanism to streamline approval of certain major projects in key locations that advance the goals and policies of the Comprehensive Plan. An agreement such as this could help to address the specific needs of projects associated with filling 909 A Street or redevelopment of the Haub properties, projects mentioned by Executive Council representatives in their testimony.

The proposed surface parking lot regulations are intended to promote a compact, walkable urban form on downtown's designated Primary Pedestrian Streets by encouraging buildings, not surface parking lots, to be built adjacent to the right-of-way. The Commission recognizes that in some instances surface parking may be needed for the adjoining building or may be the current highest and best use for a site until market conditions support greater investment. In these instances, the Commission is recommending that new or expansions of existing surface parking lots be setback 40 feet from the Primary Pedestrian Street and that landscaping combined with public amenities be required as an interim alternative to the development of a new building adjacent to the street.

On behalf of the Planning Commission, I am forwarding our findings and recommendations in response to the proposed amendment to the downtown off-street parking regulations. Enclosed you will find a copy of our Findings of Fact and Recommendations report that summarizes the public review process and the Commission's actions and a copy of the recommended revisions to the Land Use Regulatory Code. We believe the enclosed document addresses the review requested by the Council and required by City Code.

Sincerely,



DONALD K. ERICKSON  
Vice Chair, Planning Commission



## UPDATING THE OFF-STREET PARKING REGULATIONS FOR NEW DEVELOPMENT IN DOWNTOWN

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### FINDINGS AND RECOMMENDATIONS

#### TACOMA PLANNING COMMISSION

November 2, 2011

#### A. SUBJECT:

Amending the downtown off-street parking regulations for new development in an effort to remove barriers to future development by minimizing mandatory parking investments, encouraging compact development and a walkable urban form and maximizing economic development opportunities.

#### B. BACKGROUND:

In 2007, the City Manager began a series of conversations with the public about future downtown transportation and parking needs. This led to the development of the Tacoma City Center Parking and Mobility Strategy, which was adopted in January 2008 by the City Council (Ordinance No. 37375). The goal of the Strategy is to "support a vital downtown and a city-wide multimodal transportation system that reduces downtown automobile congestion, assures access to parking for downtown visitors and residents, and supports the use of alternative forms of transportation." The strategy recommends considering "eliminating parking minimums in zoning requirements" (Recommendation #8).

In late 2007, the City contracted with AngelouEconomics, an Austin-based economic development consulting firm, to develop an economic development strategic plan for downtown Tacoma. AngelouEconomics is the largest independent economic development consulting firm in the U.S. and specializes in creating strategies for communities seeking high impact investment and targeted, managed growth solutions. Among other documents, AngelouEconomics produced the "Downtown Tacoma Economic Development Strategy", a strategic road map to increase private investment in Downtown Tacoma. The Strategy, in part, emphasizes that "development in downtown areas is almost universally more difficult than it is in suburban locations, due to less availability of land, stringent development restrictions, inadequate or deteriorating infrastructure, and limited parking options. In order to make a downtown location as appealing as a suburban location for developers, cities must often support investor interests by providing additional incentives..."

The Strategy's approach is consistent with the July 2008 recommendations of the Green Ribbon Climate Action Task Force, outlined in the Climate Action Plan (CAP). The CAP offers recommendations and strategies for Tacoma to reduce its greenhouse gas emissions. The Plan was developed through a comprehensive "review of other regions' climate action plans, evaluated strategies, projected potential reductions and estimated costs". Among its recommendations and strategies, the Plan suggests "reduc[ing] or eliminat[ing] parking minimums required for residential/mixed-use developments to encourage transit or non-motorized transportation and thereby making these developments more profitable" (Recommendation #19), and "adopt[ing] parking maximums rather than parking minimums for new developments and major remodels" (Strategy U-59).

During this time the City Council passed Resolution No. 37508 designating the International Financial Services Area (IFSA) in the Downtown Commercial Core (DCC) zoning district (generally between South 8<sup>th</sup> and 17<sup>th</sup>, Broadway and I-705). The intent of this designation was to create a special emphasis area, on the recommendation of the AngelouEconomics, to encourage the retention, expansion, and recruitment of employers engaged in international financial services and support services to employees at these firms and to attract developers of high-rise buildings for these firms. The desire is to produce an environment attractive to such firms, their employees, suppliers, and customers. The adopted resolution notes that “the DCC regulations may contain provisions which are a barrier to facilitate desired development and need to be revised.” The resolution also requests the Planning Commission to evaluate the DCC zoning regulations, including, but not limited to, maximum allowable building height, floor area ratios, off-street parking requirements and design standards, and recommend changes that would remove any impediments to accomplishing this intent.

Following this designation and the directives of Resolution No. 37508, on August 11, 2009 the City Council adopted Ordinance No. 27825, amending Section 13.06A.060 of the Tacoma Municipal Code, eliminating off-street parking requirements for new construction in the designated International Financial Services Area (IFSA).

On March 8, 2011 at a joint meeting of the Economic Development and Environment & Public Works Committees, Council Members directed staff to (1) assess parking-related barriers to new development in the Tacoma Municipal Code and (2) begin a process with the Planning Commission to evaluate expanding the parking-related benefits in the IFSA, which eliminated minimum and maximum off-street parking requirements for new development, to the area of downtown zoned DCC (Downtown Commercial Core) and within the designated Historic and Conservation overlay districts. Staff provided a project update to the Economic Development and Environment & Public Works Committees at a joint committee meeting in June, at which time Council Members asked the Planning Commission to also consider retaining parking maximums for new non-residential developments and evaluate opportunities to prohibit surface parking lots in the proposed boundary, citing the City’s sustainability and urban form goals in addition to economic development priorities to attract investment and remove impediments to development.

**C. FINDINGS OF FACT:**

- 1) The Comprehensive Plan, adopted in 1993 by Ordinance No. 25360 and amended by ordinance once every year thereafter, is the City’s comprehensive plan as required by the *State Growth Management Act* (GMA) and consists of several plan and program elements.
- 2) The GMA requires that any amendments to the Comprehensive Plan and/or development regulations conform to the requirements of the GMA.
- 3) The GMA allows counties and cities to amend their comprehensive land use plans and/or development regulations generally only once each year, except that amendments may be considered more frequently for a limited set of circumstances.
- 4) One of this ‘limited set of circumstances’ covers this proposed amendment, namely a change to the City’s Development Regulations that is designed to implement the Comprehensive Plan.
- 5) The GMA goes beyond this procedural ‘designed to implement’ standard and imposes a substantive requirement that any such change to the Development Regulations shall be demonstrably consistent with and implement the Comprehensive Plan.
- 6) Development Regulations are defined to include, but are not limited to, zoning controls, critical area ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances.

- 7) The proposed amendments to the downtown off-street parking regulations fit within this definition of Development Regulations.
- 8) The procedures and criteria for amending Development Regulations are set forth in Chapter 13.02 of the *Tacoma Municipal Code*.
- 9) The GMA requires counties to adopt countywide planning policies, written policy statements establishing a county-wide framework from which county and municipal comprehensive plans are developed and adopted. The framework is intended to ensure that municipal and county comprehensive plans are consistent. Pierce County has adopted the *County-wide Planning Policies for Pierce County*.
- 10) *Vision 2040*, developed by the Puget Sound Regional Council is an integrated long-range vision for growth in the Central Puget Sound Region. It contains an environmental framework, a numeric regional growth strategy, six policy sections guided by overarching goals as well as implementation actions and measures to monitor progress.
- 11) The proposed amendments, which are consistent with the *County-wide Planning Policies for Pierce County* and *Vision 2040* will eliminate costly parking requirements for new development, reducing development costs and incentivizing greater density in downtown.
- 12) Regional Growth Center's are a hallmark of Vision 2040 Regional Growth Strategy. Designated regional growth centers have been identified for housing and employment growth, as well as for regional funding.
- 13) City Council adopted the Downtown Tacoma Regional Growth Center as part of the 2011 Annual Amendments.
- 14) The proposed Reduced Parking Area boundary is entirely within the Downtown Regional Growth Center
- 15) The City Council adopted Resolution No. 37070 on December 19, 2006 approving the four guiding principles for planning the future growth of the City of Tacoma: (1) to protect neighborhoods; (2) to protect critical areas; (3) to protect port, industrial, and manufacturing uses; and, (4) to increase densities in the downtown and neighborhood business districts.
- 16) The proposed amendment to the downtown off-street parking regulations applies to guiding principle four, to increase densities in the downtown and neighborhood business districts.
- 17) On August 11, 2009 the City Council adopted Ordinance No. 27825, amending Section 13.06A.060 of the Tacoma Municipal Code to eliminate off-street parking requirements for new construction in the designated International Financial Services Area (IFSA).
- 18) A common comment offered during the Planning Commission and Council public hearing review periods was parking minimums and maximums should be eliminated in a larger area downtown than the IFSA.
- 19) On March 8, 2011 at a joint meeting of the Economic Development and Environment & Public Works Committees, Council Members directed staff to (1) assess parking-related barriers to new development in the Tacoma Municipal Code and (2) begin a process with the Planning Commission to evaluate expanding the parking-related benefits in the IFSA to the area of downtown zoned DCC (Downtown Commercial Core) and within the designated Historic and Conservation overlay districts.
- 20) The proposal was presented to and discussed by the Planning Commission at their meetings on May 18, 2011, June 15, 2011, July 20, 2011, August 3, 2011, September 21, 2011, October 19, 2011 and November 2, 2011, all of which were open to the public.

- 21) During initial public outreach on the proposal, representatives from the University of Washington Tacoma requested that the entire campus footprint be included in the Proposed Reduced Parking Area (RPA), adding four blocks to the RPA between S. 17<sup>th</sup> St. to S. 21<sup>st</sup> St. and between Market St. to Tacoma Ave. The Commission accepted the request to expand the area to include the UWT campus footprint.
- 22) Staff provided a project update to the Economic Development and Environment & Public Works Committees at a joint committee meeting in June 28, 2011, at which time Council members approved the RPA boundary expansion and asked the Planning Commission to also consider retaining parking maximums for new non-residential developments in the RPA and evaluate opportunities to prohibit surface parking lots in the proposed boundary, citing the City's sustainability and urban form goals in addition to economic development priorities to attract investment and remove impediments to development.
- 23) On August 3, 2011 the Planning Commission determined the amendment should be further analyzed pursuant to the amendment criteria and procedures in Chapter 13.02 of the Tacoma Municipal Code and authorized the distribution of the proposed amendment for public review and participation consistent with GMA requirements and set September 21, 2011 as the date for the Commission's public hearing on the matter.
- 24) The proposed amendment for public review included the following provisions: (1) Establish a new Reduced Parking Area (RPA) boundary that includes the Downtown Commercial Core zone, the University of Washington Tacoma Campus and the Historic and Conservation overlay districts surrounding Old City Hall, Union Station and the University of Washington Tacoma; (2) Eliminate minimum parking requirements for new residential and non-residential developments within the boundary; (3) Reintroduce a parking maximum in the International Financial Services Area (IFSA); (4) Reduce the existing parking maximum for non-residential developments within the RPA boundary; (5) Reduce existing parking minimum and maximum quantity requirements in the Downtown Mixed Use (DMU), Downtown Residential (DR) and Warehouse/Residential (WR) zones; (6) Prohibit new surface commercial parking facilities on Primary Pedestrian Streets within the RPA; (7) Limit new and the expansion of existing on-site surface parking lots on Primary Pedestrian Streets within the RPA, unless set back 40 ft.; (8) Retain the requirement to provide accessible parking for new developments, while making permanent the expiring provision that allows for flexibility to provide accessible parking at a reasonable off-site alternative; (9) Reorganize the code to improve consistency and readability and eliminate parking related references to IFSA.
- 25) Primary Pedestrian Streets are those streets intended for high pedestrian use and transit connections. The streetscape and adjacent developments on these streets should be designed to support pedestrian activity.
- 26) Primary Pedestrian Streets in the Reduced Parking Area include: Pacific Avenue between S. 7th and S. 25th Streets; Broadway between S. 7th and S. 15th Streets; Commerce Street between S. 7th and S. 15th Streets; and "A" Street between S. 7th and S. 12th Streets.
- 27) Proposed setbacks for surface parking lots on designated Primary Pedestrian Streets are intended to promote a compact, walkable urban form on downtown's designated Primary Pedestrian Streets by encouraging buildings, not surface parking lots to be built adjacent to the right-of-way. In the event that a building is not immediately built in the setback area, a combination of landscaping and/or public amenities is proposed to promote the desired walkable urban form.
- 28) The draft amendment to downtown off-street parking regulations was prepared under the auspices of the Planning Commission with public participation consistent with GMA requirements and the procedures of Chapter 13.02 of the *Tacoma Municipal Code*. The proposed amendment was

presented to and discussed by the Planning Commission during their regular meetings, all of which are open to the public.

- 29) A staff report and analysis of the proposed Code amendment was prepared by the Long Range Planning Division of the Community and Economic Development Department. The report provides a general description of the proposed changes and discusses applicable provisions of the State Growth Management Act, the City Comprehensive Plan, and the City's Land Use Regulatory Code. The proposed amendment was analyzed using the ten criteria found in Chapter 13.02 of the Tacoma Municipal Code pertaining to proposed amendments to the Comprehensive Plan or Development Regulations.
- 30) Past and current planning documents were used to analyze the amendment including: the Comprehensive Plan and the Downtown Element (Comprehensive Plan), the City's 2008 Climate Action Plan, the 2008 Tacoma City Center Parking and Mobility Strategy, and the 2007 Downtown Tacoma Economic Development Strategy.
- 31) Through its analysis, the Planning Commission found that reducing parking maximums in downtown is consistent with the future desired development pattern downtown, which is planned for in *Vision 2040*, the *County-Wide Planning Policies for Pierce-County* and the Comprehensive Plan to absorb significant future growth as Pierce County's densest urban center, in the form of high density commercial and residential development.
- 32) Pursuant to WAC 197-11 and Tacoma's SEPA procedures, a Preliminary Determination of Environmental Nonsignificance was issued on August 24, 2011. This preliminary determination (SEPA File Number: SEP2011-40000167412) was made based upon a review of a completed environmental checklist. No comments were received and the preliminary determination became final on October 7, 2011.
- 33) The environmental checklist and Preliminary Determination of Nonsignificance were provided to the Planning Commission, Department of Ecology, Tacoma's Neighborhood Councils, City departments, adjacent jurisdictions, State and federal agencies, the Puyallup Tribe, and other appropriate entities.
- 34) The Planning Commission held a public hearing on the proposed amendment to the downtown off-street parking regulations on Wednesday, September 21, 2011 at 5:00 p.m.
- 35) Public outreach included formal meetings with the Tacoma Area Commission on Disabilities on June 2, 2011; Sustainable Tacoma Commission (Land Use and Transportation Sub-Committee) on June 7, 2011; Landmarks Preservation Commission on June 8, 2011; Master Builders Association (Legislative Strategy Committee) on June 21, 2011; Hillside Development Council on June 22, 2011; Downtown On the Go on June 23, 2011; New Tacoma Neighborhood Council on July 13, 2011; Coalition for Active Transportation on August 26, 2011; Downtown Merchants Group on September 1, 2011; Parking Management Advisory Taskforce on September 1, 2011; Executive Council for a Greater Tacoma on September 6, 2011; Downtown Tacoma Business Improvement Area Board on September 22, 2011. Additional informal meetings were held with representatives from the University of Washington Tacoma, Tacoma-Pierce County Chamber, Pierce Transit, Sound Transit, Downtown business interests and other interested parties. It is estimated that over 100 people heard a presentation on this proposal.
- 36) Written and/ or electronic notice of the Planning Commission's public hearing was distributed to over 2,000 individuals or groups including taxpayers, as listed in the records of the Pierce County Assessor-Treasurer, and registered business owners, within the proposed RPA and within 400 feet of the proposed RPA; Neighborhood Council board members, other neighborhood groups, business district associations, civic organizations, environmental groups, development interests,



adjacent jurisdictions, the Puyallup Tribal Nation, major employers and institutions, City and State departments, Joint Base Lewis-McChord, and other known interested individuals or groups.

- 37) The public hearing notice included general information regarding the time, place, and date of the public hearing as well as information pertaining to the preliminary environmental determination and where additional information could be obtained.
- 38) The public notice was posted on the bulletin boards on the first and second floors of the Tacoma Municipal Building, at all branches of the Tacoma Public Library, and on the City's internet website.
- 39) The public hearing notice and the proposed amendments to the downtown element including the staff report and the preliminary environmental determination with the completed environmental checklist, were posted on the City's website at [www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning), click on "Downtown Code Update – Off-Street Parking Regulations" and hard copies of the documents were available at the offices of the Community and Economic Development Department.
- 40) Advertisement of the public hearing was published in *The News Tribune* on September 7, 2011.
- 41) Pursuant to RCW 36.70A.370 and following the guidelines prepared by the Washington State Attorney General pursuant to RCW 36.70A.370, the draft downtown off-street parking amendment was reviewed by the City Attorney to assure that adoption of the changes will not result in an unconstitutional taking of property.
- 42) Pursuant to RCW 36.70A.530(4), the Community and Economic Development Department notified the Directorate of Public Works of Joint Base Lewis-McChord on August 25, 2011 of the City's intent to amend its Development Regulations with respect to the downtown off-street parking regulations. No response from JBLM has been received to date.
- 43) In accordance with RCW 36.70A.106, the Community and Economic Development Department, on August 30, 2011, notified the State Department of Commerce and other required State agencies of its intent to adopt amendments to its development regulations with respect to the downtown off-street parking regulations. The notice included transmittal of the proposed amendment language. On August 31, 2011 DOC confirmed that the City had met the requirement of RCW 36.70A.106 as to notice to State agencies.
- 44) Five individuals testified at the public hearing and six comment letters or e-mails were submitted by the close of the public hearing record on September 30, 2011.
- 45) The oral and written testimony unanimously supported eliminating the parking minimums. Downtown On the Go & the Sustainable Tacoma Commission specifically discussed their support for retaining parking maximums. The Executive Council for a Greater Tacoma voiced opposition to reintroducing parking maximums in the IFSA and reducing parking maximums in downtown zones.
- 46) Section 13.06A.060 of the Tacoma Municipal Code includes a provision that allows developments to exceed maximum parking ratios for parking that is available to the public and is not dedicated to individual owners, tenants and lessees of the building.
- 47) Development Regulation Agreements, provided for in Section 13.05.095 of the Tacoma Municipal Code may be a mechanism used by significant projects that have a legitimate need to exceed the parking maximum. The Council has final approval of Development Regulation Agreements and could consider extenuating circumstances based on the specifics of a future development proposal.
- 48) On October 14, 2011 a copy of all comment letters and e-mails was provided to the Planning Commission for their consideration, together with a summary of the oral testimony. Staff from



the Long Range Planning Division identified the key issues from both the oral and written testimony.

- 49) Planning staff reviewed all of the testimony and prepared a report which summarized the key issues that were raised and provided staff responses to the testimony for consideration by the Commission. The report was presented to the Commission at their regular meeting on October 19, 2011.
- 50) Planning Commission reviewed all testimony from the public hearing together with written testimony submitted to the Commission and received by the public comment deadline of September 30, 2011 and the staff responses.
- 51) Based on public testimony and further analysis, the Commission modified the public review draft to require surface parking lots on Primary Pedestrian Streets to be setback 40 feet instead of 60 feet from the front property line and added requirements that landscaping and publically accessible amenities to be provided in the setback area in an effort to promote a walkable urban environment.

#### **D. CONCLUSIONS:**

The existing minimum parking requirements for new development in downtown are largely considered to be unnecessarily burdensome and a barrier to new development, as the requirement increases project costs and potentially adds unnecessary parking stalls in areas of downtown where parking is plentiful. The Planning Commission concludes that eliminating minimum parking requirements for new development in the core of downtown will remove a barrier to new investment and move the City toward a market-based parking system.

Furthermore, the Planning Commission recognizes that transportation investments, like parking are closely tied to land use and personal transportation decisions. The more available facilities are for personal vehicles, the more likely individuals are to choose a single-occupancy vehicle over an alternate travel mode. The same holds true for bicycle and pedestrian facilities. Based on a review of the Comprehensive Plan and development regulations, the Commission concludes that downtown's off-street parking regulations should be modified to address city policies and goals supporting environmental sustainability, multimodal transportation options and a compact and walkable urban form in addition to economic development.

The Commission also concludes that reinstating parking maximums in the IFSA and reducing the existing parking maximums is consistent with achieving a more compact urban form and reserving land for development instead of the storage of automobiles. Having a maximum parking requirement also supports alternative modes and supports sustainability, as noted above. The Commission finds that the existing provision for Development Regulation Agreements in the Regulatory Code and having no parking maximum requirement for publically available parking provides a suitable outlet for developments to provided parking above the proposed maximum. Additionally, restricting surface parking lots on Primary Pedestrian Streets in downtown will achieve a more pedestrian friendly and walkable environment, not interrupted by a large expanse of parked cars.

#### **E. RECOMMENDATION:**

The Planning Commission recommends that the City Council adopt the amended downtown off-street parking regulations set forth in Attachment A to these "Findings and Recommendations".

#### **F. ATTACHMENTS:**

Attachment A – Proposed revisions to TMC 13.06A, Downtown Tacoma and associated amendments to TMC 13.05



## Proposed Amendments to the Downtown Off-Street Parking Regulations

### PROPOSED LAND USE REGULATORY CODE AMENDMENTS

Note – These amendments show all of the changes to the *existing* land use regulations. The sections included are only those portions of the code that are associated with these amendments. However, because of the significant amount of reorganization associated with this amendment, not all of the proposed code language below is presented in the typical strikethrough/underline format. Sections that are simply moved have not been highlighted (but are noted in the callout boxes). Only text that has been deleted is shown in ~~strikethrough~~ and new text is underlined. The version of the code that will ultimately be adopted by the Council will repeal and replace 13.06A.060 with code that incorporates the changes illustrated below.

#### CHAPTER 13.06A DOWNTOWN TACOMA

Sections:

- 13.06A.010 Purpose.
- 13.06A.020 Applicability.
- 13.06A.030 Definitions.
- 13.06A.040 Downtown Districts and uses.
- 13.06A.050 Additional use regulations.
- 13.06A.052 Primary Pedestrian Streets.
- 13.06A.055 Nonconforming Development.
- 13.06A.060 Development standards.
- 13.06A.065 Parking Standards
- 13.06A.070 Basic design standards.
- 13.06A.080 Design standards for increasing allowable FAR.
- 13.06A.090 Special features required for achieving maximum Floor Area Ratio.
- 13.06A.100 Downtown Master Planned Development (DMPD).
- 13.06A.110 Variances.
- 13.06A.120 *Repealed.*
- 13.06A.130 Severability..

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#### **13.06A.060** Development ~~S~~standards.

This section contains existing Code which has been reorganized, including separating items into three sections: Development Standards, Floor Area Ratio and Building Height

A. No variances shall be granted to these development standards unless otherwise indicated.

B. Buildings lawfully in existence on January 10, 2000, the time of reclassification to the above districts, ~~including buildings within the IFSA,~~ do not need to conform to these standards; however, additions will need to conform. No addition can increase nonconformity to these standards or create new nonconformity.

C. Development Standards Table.

Districts	Maximum Allowable Floor Area Ratio (FAR)						Height Limits
	“As of Right”		With Design Standards		With Special Features		
	Non-Res	Res	Non-Res	Res	Non-Res	Res	
DCC	3	3	6	6	12	12	400’
DMU	2	3	4	5	6	7	100’
DR	1	2	2	4	4	6	90’
WR	3	4	4	5	6	7	100’

Parking quantity requirements have been removed from this table and added to the appropriate sections below.

D. Floor Area Ratio – Additional Standards

1. The FAR for non-residential and residential uses within a given development are individually calculated and may be added together for a cumulative total, provided that the respective maximum FAR for each use is not exceeded. For example, in the DCC, an “as-of-right” development may have a total FAR of 6, with a FAR of 3 in non-residential use and a FAR of 3 in residential use in a single development.
2. For the purposes of calculating maximum allowable FAR, hotels shall be considered a residential use.
3. A minimum FAR of 1 shall be achieved for structures within the Downtown Commercial Core district. The gross floor area shall be used to calculate the minimum FAR.
4. The maximum allowable Floor Area Ratio may be exceeded as provided for in Section 13.06A.080.
5. Floor area is determined pursuant to the definition provided in Section 13.06A.~~030(7)~~700.

E. Building Height – Additional Standards

1. Building Height will be measured consistent with the applicable Building Code, Height of Building and excludes parapets, mechanical penthouses, elevator overruns and machine rooms, and decorative architectural features (e.g., spires, towers, pergolas, pyramids, pitched roofs) not intended for residential, office or retail space.
2. Maximum Building Height within 150’ east of the centerline of the right-of-way of Yakima Avenue shall be 60 feet, in order to create a transition to lower-rise residential development to the west.

13.06A.065 Parking Standards

A. Purpose and Applicability. The following off-street parking standards are intended to achieve Comprehensive Plan policies that strive to minimize and effectively manage the amount of land in downtown that is currently dedicated to parking, as large parking areas are often unattractive, inefficient uses of land which disrupt cohesive urban form and pedestrian environments.

1. With the exception of Sections 13.06A.065.D.3 and 13.06A.065.D.4,- no variances shall be granted to these parking standards unless otherwise indicated.
2. No parking is required for structures lawfully in existence on January 10, 2000, the time of reclassification to the above districts, do not need to conform to these standards; however, additions will need to conform. No addition to a building or parking area can increase nonconformity to these standards or create new nonconformity.
3. Maximum parking ratios may be exceeded for providing parking available to the public and which is not dedicated to individual owners, tenants and lessees of ~~the any~~ building. Ample signage at the facility must be provided to inform users that the excess parking stalls are available for public use at no charge or by fee.
4. For buildings that contain multiple types of uses, the required number of parking spaces shall be equal to the total number of spaces determined by computing each use type separately, except where specifically stated otherwise herein.
5. Development shall also comply with the requirements of 13.06.510.~~(C)~~ Loading Spaces.

6. Structures and sites that are individually listed on the Tacoma Register of Historic Places shall be exempt from all parking quantity requirements. This provision does not apply to Historic Special Review District overlay zones.

**B. Reduced Parking Area (RPA) – Parking Quantity Standards**

	<b>Residential Parking</b> (stalls/ unit)		<b>Non-Residential Parking</b> (stalls/ floor area sf)	
	<u>Minimum</u>	<u>Maximum</u>	<u>Minimum</u>	<u>Maximum</u>
<u>RPA</u>	<u>Not Applicable</u>	<u>Not Applicable</u>	<u>Not Applicable</u>	<u>3-6 2.5/1000</u>

This new table describes the parking requirements in the RPA

1. ~~Minimum and maximum~~ off-street parking stall quantity requirements do not apply within the ~~International Financial Services Area (IFSA) (see Figure 1)~~ Reduced Parking Area (RPA), which is located generally between 6<sup>th</sup> Avenue and South 23<sup>rd</sup> Street, and between Dock Street and Tacoma Avenue (the specific boundary of the area is shown in Figure 1, below).

2. Accessible parking shall be provided for people with physical disabilities as part of all new buildings and additions to existing buildings in accordance with the standards set forth in the building code as adopted by the City of Tacoma in TMC Chapter 2.02, based on the parking provided, but not less than the following:

a. The minimum number of accessible parking stalls to be provided shall be based on the following criteria:

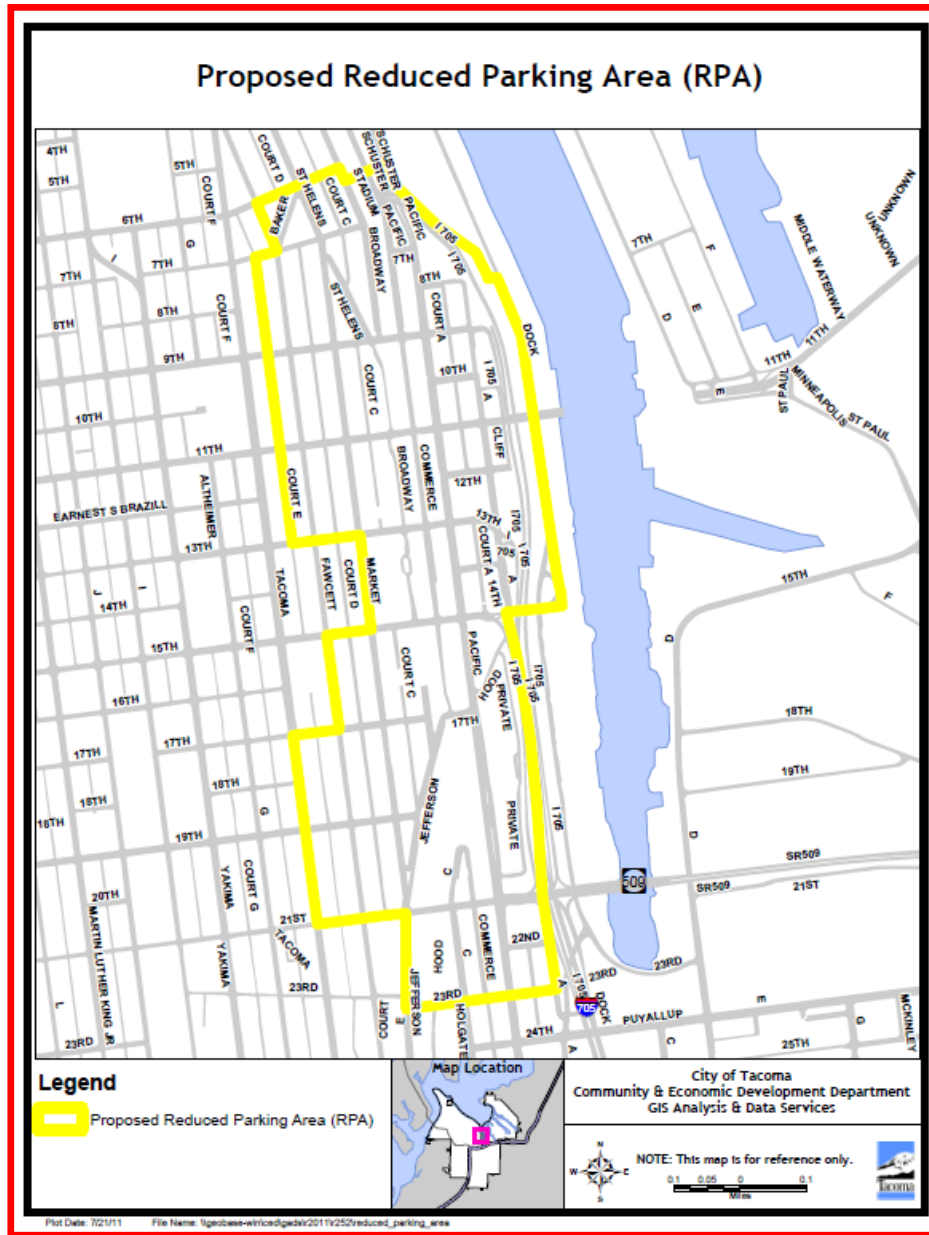
(i) For non-residential development, accessible parking shall be calculated as if one general parking space were provided for each 1,000 square-feet of gross floor area of the development, minus the first 3000 square-feet of each street level establishment.

(ii) For hotels, accessible parking shall be calculated as if one-half (0.5) a general parking space was provided for each guest room, inclusive of all accessory uses ~~(see Footnote 3).~~

(iii) For residential development, accessible parking shall be calculated as if one general parking space was provided for each dwelling unit.

b. After consulting with the City’s ADA Coordinator, the Building Official may approve an alternate to providing on-site accessible parking, as outlined in ~~Footnote 6(a)2(a), above,~~ when it is determined that the alternate **provides a is reasonable alternative** in light of circumstances associated with the specifics of an individual site and the needs of people with disabilities; ~~this provision will expire 12/31/2011 unless otherwise extended.~~

Figure 1: Reduced Parking Area (RPA)



This new figure illustrates the boundary of the new Reduced Parking Area (RPA).

C. Parking Quantity Standards Outside of the RPA

	<u>Residential Parking</u> (stalls/unit)		<u>Non-Residential Parking</u> (stalls/ floor area sf)	
	<u>Minimum</u>	<u>Maximum</u>	<u>Minimum</u>	<u>Maximum</u>
<u>DMU</u>	<u>1</u>	<u>Not Applicable</u>	<u>2-4 2/1000</u>	<u>3-6 3/1000</u>
<u>DR</u>	<u>1</u>	<u>Not Applicable</u>	<u>1-2 1/1000</u>	<u>3-6 3/1000</u>
<u>WR</u>	<u>1</u>	<u>Not Applicable</u>	<u>1-2 1/1000</u>	<u>3-6 3/1000</u>

This is a new table reflects existing parking quantities with reductions to existing parking minimums and maximums for non-residential development.

1. Minimum parking ratios for non-residential development located east of ~~Market Street, or located east of~~ Jefferson Avenue from South 24~~st~~3rd to South 28th ~~S~~streets shall be reduced by 50 percent in recognition of the availability of transit.

2. The first 3,000 square feet of each street level establishment, ~~whether inside or outside the IFSA,~~ is exempt from parking requirements.

3. ~~Residential developments shall be required to provide one stall per residential unit, except within the IFSA (see footnote 6 for applicable standards).~~ Special needs housing, including, but not limited to, seniors, assisted living, congregate care, licensed care, or group care homes may provide less than one stall per residence upon a showing that a lesser parking requirement will reasonably provide adequate parking for residents, staff, and visitors, subject to the approval of the Traffic-City Engineer.

4. Required parking for hotels shall be .5 stalls per room inclusive of all accessory uses, ~~except within the IFSA (see Footnote 6 for applicable standards).~~

5. Telecommunications exchange facilities may provide less than the required parking stalls upon a showing that a lesser parking requirement will reasonably provide adequate parking for operational, vendor, and transient service staff, subject to approval of the Traffic-City Engineer.

#### D. General Parking Design Standards Applicable to the RPA and All Downtown Zones

1. Unless otherwise specified herein, the off-street parking area development standards contained in TMC 13.06.510, which include minimum stall size and height, aisle width, paving and access requirements, but not including minimum quantity requirements, shall apply to all new off-street parking provided.

2. Tandem parking is permitted only for residential development subject to approval of the Traffic-City Engineer.

3. All new surface parking lots, additions to parking lots, parking lots associated with buildings undergoing substantial alteration, parking lots increased in size by 50 percent, and parking lots altered on 50 percent of its surface shall provide a perimeter landscaping strip abutting adjacent sidewalks containing a combination of trees and shrubs.

a. In no case shall fewer than three trees per 100 linear feet of frontage be provided.

b. Masonry walls no lower than 15” and no higher than 30” may be substituted for shrubs.

c. For lots greater than 20 stalls, at least 15 percent of the interior area shall be planted with trees and shrubs.

d. All trees shall have a minimum caliper of 2 1/2-inch at the time of planting.

e. Pedestrian walkways from adjacent sidewalks shall be provided except where topographic constraints make this requirement infeasible.

4. Parking Garages. The ground-level facades of new or substantially altered parking garages and additions shall be designed to obscure the view of parked cars. Where commercial or residential space is not provided to accomplish this, features such as planters, decorative grilles, architectural elements, or works of art shall be used. Parking garage openings at the level of and facing a street, alley, courtyard, plaza, or open parking area shall incorporate such elements in a manner that effectively reduces the visibility of vehicles within the garage while still allowing for limited visibility into and out of the garage. Any portion of the screening that is between 3 and 7 feet above the adjacent grade shall be at least 20% percent transparent but not more than 80% percent transparent. Vehicular access openings shall be exempt from this standard. This standard also shall apply when 50 percent or more of the sidewalk level facade is altered.

#### E. Surface parking lots on Primary Pedestrian Streets within the RPA boundary

This Section contains all new Code

1. ~~The following regulations are intended to promote a walkable, dense, urban environment on Primary Pedestrian Streets which is both aesthetically pleasing and commercially vibrant. The use of landscaping and publicly accessible amenities should be used to create harmony between vehicle and pedestrian areas.~~

2. ~~Construction of a new surface parking lot to serve as commercial parking facility is prohibited.~~

3. ~~Dedicated surface parking areas shall be located on the same site as the principle use.~~

This Section, 13.06A.065.D.3 is moved from 13.06A.070.C.4

This Section, 13.06A.065D.4 moved from 13.06A.070.C.5



4. The location of on-site surface parking areas is limited to the area behind the front wall line of the structure, within, or under the structure; and for corner sites surface parking shall not be located at the corner.
5. The maximum width of on-site surface parking areas along the frontage of Primary Pedestrian Streets, including driveways, is limited to 60 feet. Portions of surface parking that are more than 40 feet back from the property line along a Primary Pedestrian Street can exceed this width limitation. If the remaining area between the Primary Pedestrian Street and the surface parking area is vacant, it shall be required to comply with 13.06A.065.E.7.
6. The expansion of an existing surface parking area located along the frontage of a Primary Pedestrian Street is prohibited. However, surface parking areas can be expanded as long as any such expansion is located at least 40 feet back from the property line along the Primary Pedestrian Street. If this remaining setback area between the Primary Pedestrian Street and the surface parking area is vacant, it shall be required to comply with 13.06A.065.E.7.
7. At a minimum, the required setback area shall be landscaped consistent with Landscape Type B found in Section 13.06.502.F. Alternatively, a minimum of 15 percent of the setback area shall be landscaped with a combination of trees, shrubs, and ground cover and the setback area shall also include at least two amenities from the following: decorative lighting and pavers; seating, benches, or low sitting walls that could include weather protection or tables; planters; public art as approved by appropriate City Commissions; water feature or drinking fountain; public plaza; bike racks or bike boxes; or other public amenities as approved by the City.
- a. The setback area shall be clearly identified with signage placed at a visible location with lettering visible to passersby indicating the nature of the setback area and, if appropriate, its availability to the general public.
- b. The maintenance of the setback area shall be the responsibility of the property owner for the life of the associated building or the parking area, or until such time as the setback area is developed with a structure that is in conformance with this chapter.
- c. If intended to be publicly accessible, the area shall be clearly and directly connected from the adjacent sidewalk meeting ADA Standards.

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The Subsections noted in ~~strickthrough~~ below were relocated to 13.06A.065.D and the “works of art” definition was relocated to the definitions Section in 13.06.700

**13.06A.070 Basic design standards.**

- A. No variances shall be granted to the following basic design standards and the additional standards applicable to the DCC and DR districts. A variance to the required standards may be authorized, pursuant to Section 13.06A.110, unless otherwise prohibited.
- B. If a building is being renovated in accordance with the Secretary of Interior’s Standards for Treatment of Historic Properties, and a conflict between the basic design standards or additional standards and the Secretary’s Standards occurs, then the Historic Preservation Criteria and Findings made by the Tacoma Landmarks Preservation Commission shall prevail.
- C. Standards Applicable to Development in All Districts.
1. The basic design standards and additional standards applicable to the DCC and DR districts, except as otherwise noted, shall apply to all new construction, additions, and substantial alterations.
2. All rooftop mechanical for new construction shall be screened with an architectural element such as a high parapet, a stepped or sloped roof form, or equivalent architectural feature that is at least as high as the equipment being screened. Fencing is not acceptable. The intent of the screening is to make the rooftop equipment minimally visible from public rights-of-way within 125 feet of the building, provided said rights-of-way are below the roof level of the building. In those instances where the rights-of-way within 125 feet of the building are above the roof level of the building, the mechanical equipment should be the same color as the roof to make the equipment less visible. If the project proponent demonstrates that the function and integrity of the HVAC equipment would be compromised by the screening requirement, it shall not apply. This standard shall not apply to existing buildings undergoing substantial alteration.

3. One street tree shall be provided per each 25 linear feet of frontage, with tree grates covering the pits, in conformance with City requirements. This standard, in its entirety, shall apply to all new construction, additions, substantial alterations, and when 50 percent or more of the existing sidewalk is replaced. One street tree shall be provided, consistent with the requirements of this standard, for each 25 linear feet of existing sidewalk that is replaced. Existing street trees shall be counted toward meeting this standard. Trees and grates should conform to the Tacoma Downtown Streetscape Study and Design Concepts.

a. The required street trees should generally be evenly spaced to create or maintain a rhythmic pattern, but can be provided with variations in spacing and/or grouped to accommodate driveways, building entrances, etc. To achieve consistency with the existing pattern of tree spacing, the quantity of required street trees may be modified.

b. The use of tree grates will be determined by the presence of existing grates in the district, and the width and function of the sidewalk.

c. Residential development may substitute plantings for grates.

d. Where existing areaways, vaults or insufficient sidewalk widths prevent this form of planting, trees may be planted in planters that are generally in conformance with the *Tacoma Downtown Streetscape Study and Design Concepts*.

e. All trees shall have a minimum caliper of 2 1/2-inch at the time of planting.

f. This standard is not applicable in the WR district.

~~4. All new surface parking lots, additions to parking lots, parking lots associated with buildings undergoing substantial alteration, parking lots increased in size by 50 percent, and parking lots altered on 50 percent of its surface shall provide a perimeter landscaping strip abutting adjacent sidewalks containing a combination of trees and shrubs.~~

~~a. In no case shall fewer than three trees per 100 linear feet of frontage be provided.~~

~~b. Masonry walls no lower than 15" and no higher than 30" may be substituted for shrubs.~~

~~c. For lots greater than 20 stalls, at least 15 percent of the interior area shall be planted with trees and shrubs.~~

~~d. All trees shall have a minimum caliper of 2 1/2 inch at the time of planting.~~

~~e. Pedestrian walkways from adjacent sidewalks shall be provided except where topographic constraints make this requirement infeasible.~~

~~5. The ground level facades of new or substantially altered parking garages and additions shall be designed to obscure the view of parked cars. Where commercial or residential space is not provided to accomplish this, features such as planters, decorative grilles, architectural elements, or works of art shall be used. Parking garage openings at the level of and facing a street, alley, courtyard, plaza, or open parking area shall incorporate such elements in a manner that effectively reduces the visibility of vehicles within the garage while still allowing for limited visibility into and out of the garage. Any portion of the screening that is between 3 and 7 feet above the adjacent grade shall be at least 20% transparent but not more than 80% transparent. Vehicular access openings shall be exempt from this standard. This standard also shall apply when 50 percent or more of the sidewalk level facade is altered.~~

~~a. "Works of art," as used herein and in other portions of this Chapter, means all forms of original, artist produced creations of visual art, including, but not limited to, sculptures, murals, paintings, inlays, earthworks, mosaics, etc. Works of art can be both self-standing and/or integrated into the structure or its grounds. The reproduction of original works of art, mass-produced artwork, or architect designed elements are not included. Also not included are directional signage or super graphics, maps, etc., except where an artist is employed.~~

6. Any new building, the addition to any building, or any substantially altered building fronting on a Primary Pedestrian Street shall comply with either subparagraphs a. or b. below:

a. At least 25 percent of the linear sidewalk level frontage shall consist of any of the following uses: retail; restaurants; cultural or entertainment uses, hotel lobbies; travel agencies; personal service uses; parcel and mail services; copy centers; check-cashing

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### **13.06A.110 Variances.**

Unless otherwise indicated ~~F~~the Land Use Administrator shall not grant a variance by act or interpretation of the regulations contained in Sections 13.06A.060, 13.06A.065, 13.06A.080, 13.06A.090, and 13.06A.100, as specified herein, or to change the use of a structure or land.

The Land Use Administrator may grant a variance only for the basic design standards of TMC 13.06A.070, upon the finding that the variance meets one of the tests below. Standardized corporate design and/or increased development costs are not cause for a variance. Failure to meet an appropriate test shall result in denial of the variance request. The Land Use Administrator may issue such conditions as necessary to maximize possible compliance with the intent of the regulation from which relief is sought. The applicant carries the burden of proof to demonstrate applicability of the appropriate test.

1. Unusual shape of a parcel established prior to the reclassification of property to the downtown districts.
2. Preservation of a critical area, unique natural feature, or historic building/feature restricts possible compliance.
3. Widely varied topography of the building site restricts possible compliance.
4. Documentation of a pending public action such as street widening restricts possible compliance. (Ord. 26556 § 28; passed Dec. 14, 1999)

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### **13.06.700 Definitions and illustrations.**

Work release center. An alternative to imprisonment, including work and/or training release programs which are under the supervision of a court or a federal, state, or local agency. This definition excludes at-home electronic surveillance.

Works of art. Artist-produced creations of visual art, including, but not limited to, sculptures, murals, paintings, inlays, earthworks, mosaics, etc. Works of art can be both self-standing and/or integrated into the structure or its grounds. The reproduction of original works of art, mass-produced artwork, or architect-designed elements are not included. Also not included are directional signage or super graphics, maps, etc., except where an artist is employed.

13.06.700.X

(For future use if needed.)

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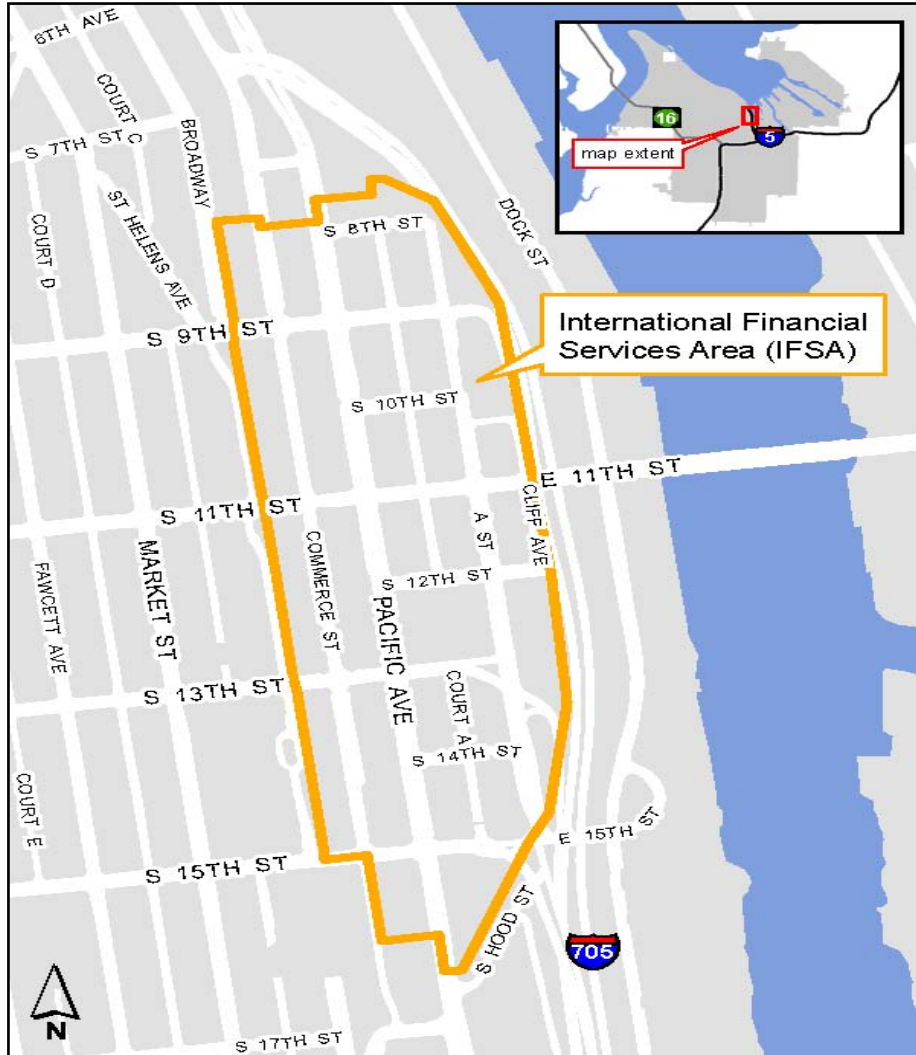
### **13.05.095 Development Regulation Agreements.**

B. Applicability. Development Regulation Agreements shall only be allowed for one of the following project types:

1. Proposed projects located within the International Financial Services Area (IFSA), as defined in the City's Amended Ordinance No. 27825 and illustrated in Figure 1, with a building footprint of at least 15,000 square feet and a proposed height of at least 75 feet;

This figure will be deleted from 13.06A.060 and added to 13.05.095 – Development Regulation Agreements, where the IFSA boundary is still utilized.

Figure 1: International Financial Services Area (IFSA)



Ord. 27995 Ex. G; passed Jun. 14, 2011; Ord. 27825 Ex. A; passed Aug. 11, 2009; Ord. 27278 § 4; passed Oct. 26, 2004; Ord. 27245 § 24; passed Jun. 22, 2004; Ord. 27079 § 54; passed Apr. 29, 2003; Ord. 26899 § 9; passed Dec. 11, 2001; Ord. 26733 § 8; passed Nov. 14, 2000; Ord. 26605 § 5; passed Mar. 28, 2000; Ord. 26556 § 28; passed Dec. 14, 1999)