



AGENDA

MEETING: Regular Meeting and Public Hearing

TIME: Wednesday, July 15, 2015
(Meeting begins at 4:00 p.m. / Public Hearing begins at 5:00 p.m.)

LOCATION: Council Chambers, 1st Floor, Tacoma Municipal Building ← Change of Location
747 Market Street, Tacoma, WA 98402 (Not in Room 16)

A. Call to Order and Quorum Call

B. Approval of Agenda

C. Approval of Minutes – Regular Meeting of July 1, 2015

D. Discussion Items

1. Billboard Regulations

Continue to review the proposed sign code amendments concerning billboards.
(See "Agenda Item D-1"; John Harrington, 279-8950, jharring@cityoftacoma.org)

2. 2015 Annual Amendment Package

Complete the review of the proposed amendments to the Comprehensive Plan and Land Use Regulatory Code for 2015; authorize the distribution of the proposal package for public review; and set August 19, 2015 as the date for a public hearing to receive public comment.
(See "Agenda Item D-2"; Stephen Atkinson, 591-5531, satkinson@cityoftacoma.org)

3. Public Hearing – Work-Live/Live-Work Code Amendments

Receive public testimony and keep the record open through July 22, 2015 to accept written comments.
(See "Agenda Item D-3"; Elliott Fitzgerald, 591-5379, efitzgerald@cityoftacoma.org)

E. Communication Items & Other Business

- (1) Letter from Congressman Adam Smith, June 30, 2015, regarding the Downtown Tacoma Regional Growth Center Plan winning the 2015 VISION 2040 Award (See "Agenda Item E-1")
- (2) Letter from the West Slope Neighborhood Coalition, June 23, 2015, regarding Conflict of Interest on the Part of Commissioner Thompson (See "Agenda Item E-2")
- (3) Infrastructure, Planning and Sustainability Committee meeting, July 22, 2015, 4:30 p.m., Room 16; agenda includes: Environmental Action Plan; and EV Infrastructure Update.
- (4) Planning Commission Meeting, August 5, 2015, 4:00 p.m., Room 16; agenda includes: Billboards Regulations; Work-Live/Live-Work Regulations; and Planning Commission By-Laws Amendments.

F. Adjournment





MINUTES (Draft)

TIME: Wednesday, July 1, 2015, 4:00 p.m.
PLACE: Room 16, Tacoma Municipal Building North
733 Market Street, Tacoma, WA 98402
PRESENT: Chris Beale (Chair), Stephen Wamback (Vice-Chair), Donald Erickson, Meredith Neal, Anna Petersen, Erle Thompson, Scott Winship

A. CALL TO ORDER AND QUORUM CALL

Chair Beale called the meeting to order at 4:03 p.m. A quorum was declared.

B. APPROVAL OF AGENDA

The agenda was approved.

C. APPROVAL OF MINUTES

The minutes of the regular meeting on June 17, 2015 were reviewed. Commissioner Erickson suggested clarification to the communication items, where the reference to the vacant position of "Architecture" should be "Architecture, Historic Preservation, and/or Urban Design." The minutes were approved as clarified.

D. DISCUSSION ITEMS

1. Transportation Master Plan

Joshua Diekmann, Public Works, provided a review of the June 2015 draft of the Transportation Master Plan (TMP), including two of the five appendices, for consideration as part of the 2015 Comprehensive Plan Update. Mr. Diekmann reported that the body of the document included the following: a focus on Goals and Policies to ensure that goals and policies of previous documents were captured; the Land Use / Travel Demand Model which was intended to be consistent with the Land Use Element; the development of the layered network concept and modal networks; a revision to how concurrency is approached, moving from measuring concurrency with automobile delay towards a multimodal level of service; and adopted appendices including the Model Documentation and Update and the Pedestrian Crossing Appendix.

The public comments were discussed. Comments regarding conflicted corridors, where there was debate on which mode should receive priority, resulted in recommendations including a list of the corridors in the TMP and recognition that a corridor study would be needed. Comments had expressed a desire to capture the thought put into previous plans such as the Mobility Master Plan. Additionally they had heard comments expressing interest in addressing equity in the Plan, which is addressed in the Performance Measures. Additional public comments were received for and against the 20-minute neighborhood concept in the plan; concerning delivery vehicles and parking and how they allocate the street space; and a request that trails be shown on the maps. They had also received comments from the Infrastructure, Planning and Sustainability Committee emphasizing the idea of equity; desire for geographic equity in the project selection process; diversity of modes; ensuring that they provided for skateboarding and electric vehicles; and a request from the Dome District that more connections be shown into and out of the Dome District.

Jennifer Kammerzell, Public Works, discussed the items in process and the next steps. Items in process included the Mobility Master Plan (MoMaP) Update, the Project List, and the Impact Fee Appendix. The

MoMaP update would be added as part of the appendix. Ms. Kammerzell noted that it includes a strong bike mode component and that eventually there would be a modal appendix for other modes including freight, transit, and autos. Comments from the Bicycle and Pedestrian Technical Advisory Group (BPTAG) would be provided to the Commission at the next meeting. Ms. Kammerzell commented that the project list incorporated over 460 projects including unfunded projects, long term project, and modal networks. A scoring system had been created for the projects on the list that ranked the projects across three tiers. The top tier would be the focus of the Transportation Element of the Comprehensive Plan. The Impact Fee Appendix would include the research data and next step information. Additional next steps would include reviewing the outcomes of other plans like the Emergency Response/Intelligent Transportation System (ER/ITS) and the Tacoma Mall Neighborhood Subarea Plan; Implementation Strategies for all modes; a database/inventory of sidewalk; pedestrian crossings; and parking and roadside amenities. The calendar was reviewed and a possible joint meeting with the Transportation Commission proposed for August.

Commissioners had the following comments and questions:

- Commissioner Erickson expressed concern that there was no focus on intercity topics like extending the link to the airport or how the connections work with adjacent cities.
- Commissioner Erickson commented on long range confidence in funding sources, noting that the light rail and transit budget had been cut in the past. He added that if they were to rely on the systems they would need to have confidence that they would be there in the future.
- Commissioner Thompson commented that auto and freight should be included in the priority modes for Division and 6th Avenue since it was primarily auto. Mr. Diekmann responded that it was not the intent that the other modes would not be accommodated.
- Commissioner Thompson commented that studying impact fees did not make sense as most of Tacoma was already built out and the money could be spent studying something that was more beneficial. Commissioner Erickson responded that while the City was mostly built out there would still be room for impact fees as there was a significant amount of new development anticipated.
- Vice-Chair Wamback commented on the designation of Pacific Ave as Transit and Freight instead of Transit and Auto and not wanting to send a message that they were seeking to displace transportation impacts from Pacific Ave or I-5 to Portland Ave and McKinley.
- Vice-Chair Wamback commented that it did not make sense to map the 20-Minute Neighborhoods from a geographic center point rather than from the actual center point of the neighborhood in centers like the Tacoma Mall area.
- Vice-Chair Wamback recommended revisions to the language of the document including clarifying the text describing the 20-Minute Neighborhoods concept; making a firmer recommendation for Development Incentives; having less of a mode bias for streetcars; and considering whether the quote on page nine was appropriate to Tacoma's vision.
- Chair Beale asked about how concurrency and having a metric of growth in population relative to plan buildout would work with concerns about equity. Mr. Diekmann responded that they were not at the implementation discussion stage yet and were still focused on the larger policy direction.

Lihuang Wung, Planning Services Division, requested that the Commission suspend the rules for consideration of a draft letter of comments from the Commission to the City Council concerning Sound Transit's planned ST3 ballot measure. Discussion would involve reviewing a draft letter from the Transportation Commission that was included in the Communication Items on the agenda and drawing certain information from the TMP that was being discussed, Mr. Wung noted. Commissioners concurred. The draft letter was discussed. Mr. Wung reviewed the content of the draft letter, which conveyed three comments: supporting the extension of the Central Link spine to the Tacoma Mall area; supporting expansion of the Tacoma Link to the Tacoma Community College area; and recommending adding a project to expand the Tacoma Link to the southeast along the Pacific Avenue and Portland Avenue corridors. Discussion ensued. Commissioners decided not to send the letter to the City Council as a similar letter would be sent by the Transportation Commission.

2. Affordable Housing Planning Work Program – Phase 3

Elliott Barnett, Planning Services Division, facilitated a discussion to review draft code language for the proposals contained in the Affordable Housing Planning Work Program and authorize the release of the proposal for public review along with the 2015 Annual Amendment package. Mr. Barnett noted that the proposed changes to the draft were based on feedback from the Commission and the Affordable Housing Policy Advisory Group (AHPAG).

The Affordable Housing Incentives and Bonuses package was reviewed. The AHPAG had expressed support for putting the package out for comment, but would be submitting comments themselves including recommendations for the methodology and policy. The comments from the AHPAG on methodology would include a suggestion that it would be more effective to do a percentage of the bonus increment rather than 10% of the total number of units for the density bonus tool. Commissioners expressed concern that this would result in fewer affordable units; would be allowing upzones without getting much affordable housing in return; and that analysis had not been done on the anticipated effectiveness of the incentive.

The fee in lieu methodology was discussed. A subcommittee of the AHPAG had been examining the fee in lieu option and recommended incorporating a buyout option to create funding that could be used to create affordable housing. The recommendation would be to initially set the number at \$10,000 and adjust the number every year. Vice-Chair Wamback commented the fee seemed very low for fifty years of development bonus and that the housing trust fund would not be able to do much with \$10,000 per unit. Commissioners requested information on how the \$10,000 buyout number had been determined.

Proposals for Historic Districts were discussed. Mr. Barnett reported that letters expressing concern had been received from residents. He noted that he had briefed the Landmarks Preservation Commission on the proposals, but they were not able to reach concurrence on a letter to the Commission. Commissioner Thompson recommended language that would prohibit extensive alterations to the exterior features of historic properties being converted to duplexes and triplexes. Commissioner Erickson expressed concern that conversion to duplexes or triplexes would result in significant alteration to interiors as well. Commissioners expressed support for limiting the proposal to non-contributing structures. It was noted that most of the structures in the North Slope were contributing. Discussion ensued. Commissioners agreed to put the proposal out for public comment without limiting it to non-contributing structures.

Height for Detached Accessory Dwelling Units (DADUs) was discussed. Mr. Barnett reported that staff had determined 18 feet was the right number to allow a carriage development on top of a garage. He noted that the method used to measure height was the building code method, which was the midpoint of the roof. Commissioner Neal felt that measuring to the midpoint of the roof was subjective compared to measuring by the total height of the ridge point. It was noted that the midpoint measure was used elsewhere in the code. Commissioner Thompson expressed concern regarding the standards prohibiting construction that would allow ADU's to have a direct view into a neighboring property, noting that there were no similar standards for single family dwellings.

Lot size flexibilities were discussed. Mr. Barnett reviewed the previously discussed proposals and introduced the alley area credit concept as a potential addition. The Alley Area credit would work in situations where a lot abuts an alley, allowing half of the alley to be included in the minimum lot area. A table was reviewed that showed the Standard Lot square footage, small lots square footage, and minimum square footage for the alley bonus across all residential zones. Commissioners noted the different small lot square footages for R-2 and R-2SRD and discussion ensued on whether the small lots size for R-2 should be reduced to be consistent with R-2SRD. There was some support for putting a proposal to lower the R-2 lot size out for public comment. Vice-Chair Wamback commented that the zones are inherently different and should have different lot sizes. Commissioner Erickson noted that it was a pilot program to build confidence in the community and if it was successful they could look at the R-2 lot size later. Brian Boudet, Planning Services Division Manager, commented that there had been staff pushback on lowering in R-2 due repeated statements in the existing Comprehensive Plan on protecting single family character. Commissioners supported putting the alley area credit out for public comment.

Discussion ensued on how to address the Commission's questions while staying on schedule for the public hearing date. Commissioner Erickson commented that they would want an opportunity to pass along concerns on the other bullets that had not been discussed yet. Commissioner Thompson recommended bifurcating the fee in lieu proposal or postponing action until the following week for additional information from staff. Commissioners concurred on returning the following week to receive a report from staff on the numbers behind the fee in lieu option and take action on the package of proposals.

3. Code Cleanup (Annual Amendment #2015-10)

Elliott Fitzgerald, Planning Services Division, facilitated a discussion to review and authorize the release of the proposed minor and "clean-up" amendments for public review along with the 2015 Annual Amendment package. He noted that the focus of the discussion would be items previously discussed including the Low Impact Development (LID) Code Update, Platting and Subdivisions, Land Use permit procedures, Conditional Uses, apartment signs in residential districts, height variances, and design standards for parking garages.

For the LID Code Update the goal was to remove barriers to LID implementation and incorporate new definitions to be consistent with terminology from Ecology. It would also encourage LID where feasible, including permeable pavers for parking areas and plaza requirements. They had also updated references to the City's Stormwater Management Manual.

Platting and Subdivisions were discussed. They were seeking to streamline the review process for short plats by eliminating some of the required signatures. Pedestrian and bicycle connectivity considerations for dead-end/cul-de-sac developments would clarify the desire to have subdivisions that connect to the surrounding system. Chair Beale expressed support for the strengthening of the language and asked what the actual criteria would be for the applicants. Mr. Boudet responded that the intent is to require a reasonable justification for dead end developments such as topography or not owning all of the property.

Land Use permit procedures were discussed. For Development Regulation Agreements (DRA) review criteria, proposed changes included clarification that the City would be the lead agency for the SEPA process. The most significant change since the previous discussion was the removal of a proposal to no longer require that projects meet LEED standards. Commissioners recommended minor revisions to the language of the proposed amendment. Mr. Fitzgerald reviewed that changes to the Conditional Use Major Modifications included expansion of the notification range and allowance for an optional public meeting.

Conditional uses were discussed. Proposed changes including moving Master Plans from use tables to a new section and adding a "sunset clause" for discontinued conditional uses.

Provisions for Apartment Signs in Residential Districts were discussed. The proposed provisions would allow for apartments of four or more units to have a ground sign, five feet tall, six square feet in area with an additional square foot for each additional dwelling unit up to 25 square feet max. Commissioners suggested clarifying that each face could be six square feet. Commissioners recommended revising the requirement that the base incorporate stone, brick, or masonry to be optional if the base relates to the architecture of the associated development.

Height Variances were discussed. Criteria had been added to address concerns that the provision would add to the height of occupiable space above the district height limits.

New provisions for off-street parking and storage areas were discussed. One minor change was eliminating an exemption for bike parking that was below the current standard. A proposed change for ground floor parking uses was to add limitations to encourage more mixed use parking garages like Pacific Plaza. Commissioners recommended language clarifications to specify that no parking would be allowed on the first floor and 60% of the total façade should be for non-parking uses.

Mr. Fitzgerald reported that they were recommending elimination of some items from the proposed package including as a provision requiring that school athletic facilities meet the setback requirements of parks and open space uses. They were also recommending eliminating incorporation of vegetated rooftops into the general roofline standards section.

4. Planning Commission Annual Report for 2014-2015

The Commission reviewed and approved the report, as presented, which would be forwarded to the City Council.

5. 2015 Comprehensive Plan Update

Stephen Atkinson, Planning Services Division, reviewed the draft plan elements which were distributed during the meeting for Commissioners to review in preparation for the special meeting on July 8th. Chapters that used the proposed layout and formatting were identified for consideration and prompts for feedback were reviewed. Mr. Atkinson reported that two other items would be part of the agenda for discussion at the subsequent meeting: the draft of the future land use map and a continuation of the Mixed-Use Centers review.

E. COMMUNICATION ITEMS & OTHER BUSINESS

Mr. Wung updated the Commission on the following items:

1. The Special Meeting of the Planning Commission would be held on July 8th at 4:00 p.m. in room 335. The agenda would include the 2015 Comprehensive Plan Update.
2. The Neighborhoods and Housing Committee would be conducting a tour of the Tacoma Mall area on Monday July 6th from 4:30 to 6:30 pm. Seats were available for up to two Planning Commission members.

F. ADJOURNMENT:

At 7:43 p.m., the meeting of the Planning Commission was concluded.



City of Tacoma
Planning and Development Services

**Agenda Item
D-1**

To: Planning Commission
From: John Harrington, Development Services Division
Subject: **Billboard Regulations**
Meeting Date: July 15, 2015
Memo Date: July 8, 2015

At the July 15, 2015 meeting, the Planning Commission will receive a presentation from staff and then discuss options for billboards regulations in the City. This is follow-on to the introductory meeting you received at your June 3rd meeting.

The City is exploring amendments to the special billboards regulations in the Tacoma Municipal Code, Section 13.06.521.M. The main objective is to continue to reduce the number of billboards in the City and move billboards which adversely impact neighborhoods, protected districts and land uses to more acceptable areas. This process is part of an effort to successfully end a legal “standstill” agreement between the City of Tacoma and Clear Channel Outdoor (CCO) regarding the City’s efforts to enforce its billboard regulations.

The specific areas to be covered in the presentation and discussion at this meeting will be:

- Zoning districts permitting billboards
- Buffers from certain uses and districts
- Distribution of billboard structures from other billboard structures
- Size of billboard faces
- Height of billboard structures

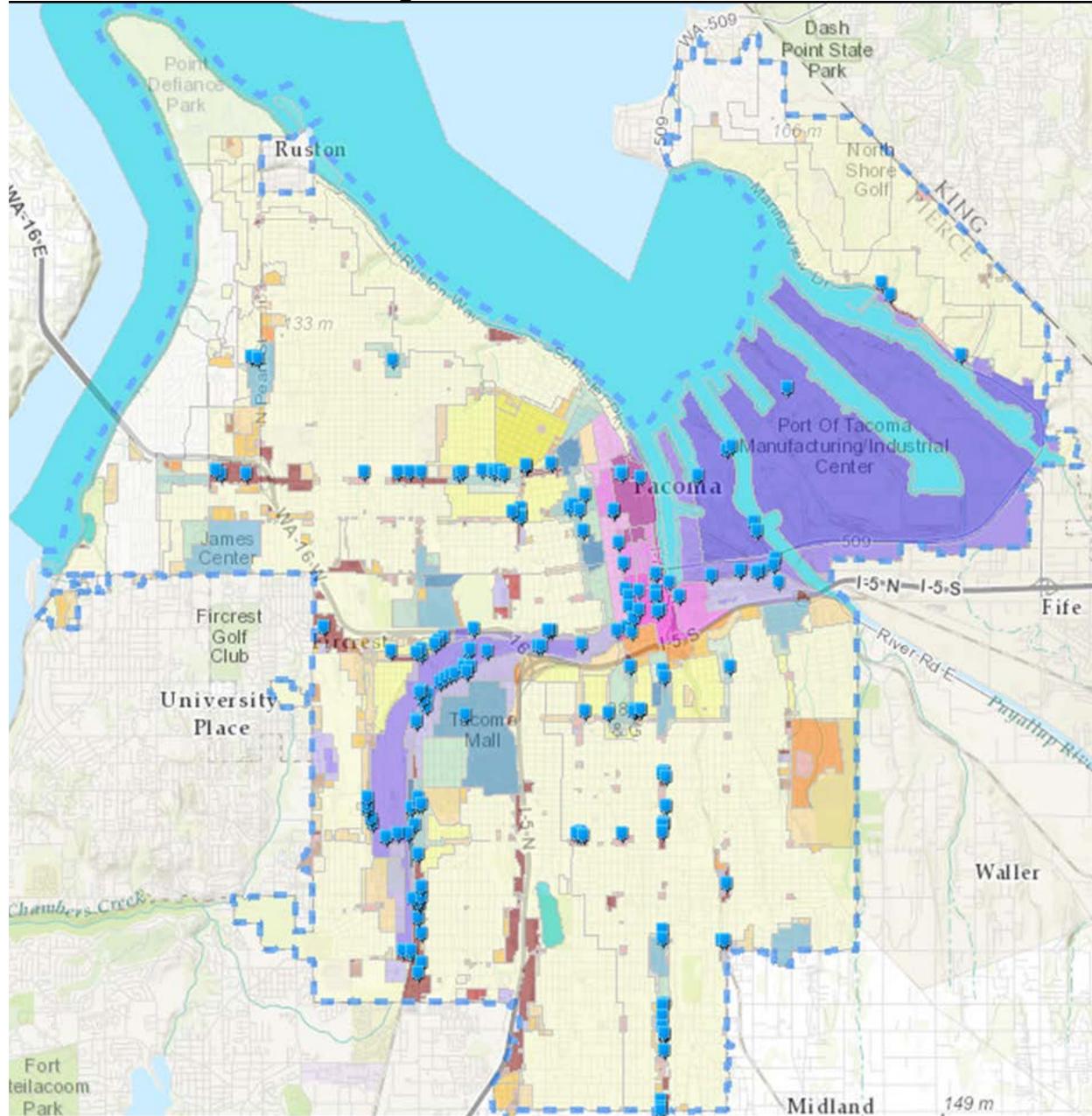
See the attached page for a short discussion of each of the above items. Additional information relevant to billboards, including the Community Working Group’s (CWG) full report is available on the Planning Services Division’s website at www.cityoftacoma.org/planning (and click on “Billboard Community Working Group”).

If you have any questions, please contact me at 253-279-8950 or jharring@cityoftacoma.org.

Attachments

c: Peter Huffman, Director

Billboard locations and zoning districts



Zoning for billboards. Currently, billboards are permitted in just four zoning districts, C-2 Commercial and three industrial zones – M-1 Light Industrial, M-2 Heavy Industrial and PMI Port Maritime & Industrial. About 37% of billboards (114 faces) are outside of these zones.

In order to meet buffering and distribution requirements, billboard structures have been incentivized since 1997 to move within an amortization period (at owner expense) to areas that comply with the regulations. Apparently, because there were limited desirable locations to

move the non-complying billboards to within these often billboard-crowded districts, little progress was made to bring more structures into compliance. The CWG addressed this problem by concluding that, with some reservations, potentially seven new zones could be added, primarily in Downtown Tacoma and other Mixed Use Centers (MUCs). In downtown, they recommended the potential addition of the DCC – Downtown Commercial Core, DMU – Downtown Mixed Use and WR – Warehouse Residential. In the MUCs, they recommended potentially adding the UCX – Urban Center Mixed-Use, CCX – Community Commercial Mixed Use, and CIX – Commercial Industrial Mixed Use. They also added the much less prevalent PBD – Planning Business Development District, which is a commercial zone. There are 242 billboard faces in these proposed zones and the zones currently allowing billboards.

The CWG could not reach agreement on whether billboards could be allowed in the following three zones: NCX – Neighborhood Commercial Mixed Use district, the C-1 Commercial district and T – Transitional district. There are 51 billboard faces in these zones today.

If these recommendations were adopted, 78% would be conforming to zoning, but all 308 nonconforming billboard faces would remain nonconforming for other reasons (size, height, etc.).

Buffers for billboards. Of the 311 billboard faces, 85% do not comply with the current buffering requirements. Currently, billboards must be 500-feet from residential, mixed-use and shoreline districts, historic and conservation districts, historic structures, parks, churches, and schools. The narrow width of the boundaries of many commercial and mixed-use districts means that the current buffers restrict large portions of these otherwise acceptable zones.

The CWG concurred that a reduction in buffering may be appropriate, but that range was 100-300 feet depending on height, size and illumination of the billboard and the specific feature or district needing the buffer.

Dispersal of billboards. 65% of the existing billboards do not meet the 500-foot dispersal requirement for billboard structures. Over the years the dispersal requirement changed from 100, to 250, to 500-feet. Dispersion was looked at in terms of size of billboard faces and the speed at which the traffic on the adjacent street moved.

The CWG also recommended potential reductions to a range of 100-300 feet depending on sign characteristics and the character of the area in which it is installed.

Size of billboards. 10% of the billboard faces are larger than the 300 square foot maximum now allowed. At one time, our code permitted billboards as large as 672 square feet.

The CWG recommended that the City consider allowing larger signs in industrial areas and was split on whether to allow larger sizes in other billboard-allowed zones.

Height of billboard structures. The current maximum height allowed for billboard structures is 30 feet and 45 feet in the PMI district. About half of the existing billboard structures do not meet this standard. A number of billboards were constructed when the height requirement was much greater (at one time a billboard in an industrial zone could be as high as the maximum height allowed in the zone – 100 ft.).

The CWG was divided on whether changes to this standard would be appropriate, some opting for the existing 30 feet, some recommending 35 feet and others wanting to allow more than 35 feet in more districts.



City of Tacoma
Planning and Development Services

**Agenda Item
D-2**

To: Planning Commission
From: Lihuang Wung, Planning Services Division
Subject: **2015 Annual Amendment Package**
Meeting Date: July 15, 2015
Memo Date: July 8, 2015

At the July 15, 2015 meeting, the Planning Commission will complete the review of the 2015 Annual Amendment Package, consider authorizing the distribution of the information for public review, and set a public hearing date for August 19, 2015.

The 2015 Annual Amendment Package will include the following five groups of proposed amendments to the Comprehensive Plan and Land Use Regulatory Code:

1. Comprehensive Plan Update
2. Mixed-Use Centers Review
3. Affordable Housing Regulations
4. Code Cleanup
5. Narrowmoor Addition Conservation District

The Planning Commission has completed the review of all but first item, which will be the focus of review on July 15. Attached to facilitate the Commission's review is a summary of the current and proposed elements of the Comprehensive Plan as well as a summary of proposed changes to be incorporated into the document for public review prior to the public hearing.

If you have any questions, please contact me at 253-591-5682 or lwung@cityoftacoma.org.

Attachment

c: Peter Huffman, Director

**Attachment:
Proposed Elements for the Comprehensive Plan**

(For Planning Commission’s Review on July 15, 2015)

The following table depicts the current elements of the Comprehensive Plan in the column on the left and the proposed elements in the column on the right. The intent, as part of the 2015 Annual Amendment, is to rescind, revise, and/or reorganize the current elements and replace them with the proposed elements.

Current Elements	Proposed Elements
Introduction	Introduction + Vision
Growth Strategy and Development Concept	Urban Form
Generalized Land Use	Design + Development
Housing	Housing
Capital Facilities	Public Facilities + Services
Utilities	
	Economic Development
Transportation	Transportation Master Plan
Environmental Policy	Environment
Open Space, Habitat and Recreation	
Urban Forest Policy	
	Parks + Recreation
Arts and Culture	Policies incorporated in Design + Development and Economic Development elements
	Engagement, Administration + Implementation
Container Port	Container Port
Downtown	Downtown
Glossary	Glossary
Shoreline Master Program	Shoreline Master Program
Capital Facilities Program	Capital Facilities Program
Downtown Subarea Plans	Downtown Subarea Plans
Historic Preservation Plan	Historic Preservation Plan
Neighborhood Element	
Economic Development Plan	
Tacoma Dome Area Plan	
Capital Facilities Program	
Community Facilities Plan	
MLK Jr. Way Design Plan	
Sixth Avenue Design Plan	
South 38 th Street Design Plan	

The preliminary drafts of the proposed elements have been reviewed by the Planning Commission at various levels of details. The following table summarizes the proposed changes, to date, to each individual element. Subject to the Planning Commission’s approval on July 15, 2015, these proposed changes will be incorporated into the public review document prepared for the public hearing scheduled for August 19, 2015.

Proposed Elements	Proposed Changes for Public Review
Introduction + Vision	No changes proposed at this time.
Urban Form	<ul style="list-style-type: none"> • Maps and graphics will be incorporated for each topic area. • Staff will incorporate a stronger statement that the proposed urban form policies are based off of the City’s overall historic development patterns. • Incorporate mixed-use center prioritization policy. • Staff will incorporate an intent statement and overall policy pertaining to design review. • Add reference to the tachOMEa infill tools report providing guidance and context for potential design review.
Design + Development	<ul style="list-style-type: none"> • Staff will incorporate an intent statement and overall policy pertaining to development of a design review program. • New Policy: provide general policy guidance about creating attractive residential neighborhoods. • Under signs, provide general policy guidance that signs should be compatible with pedestrian orientation of mixed-use centers as well as residential areas. Policy on billboards in residential areas. • Under healthy foods, include specific reference to farmers markets.
Environment	<ul style="list-style-type: none"> • Relocate policies related to geologic hazards to separate section with new goal statement. • Revise Watershed Planning Section to provide general policies, description of watersheds, and maps of watersheds with environmental assets and known geologic hazards.
Housing	No amendments proposed at this time except to integrate additional housing data into the chapter.

Economic Development	<ul style="list-style-type: none"> • Define terms and acronyms • Include additional goals to raise up prominence of some of the sub-headings. • New policy: activation of public realm to support economic development, temporary spaces to keep the street lively and provide a place for artists and entrepreneurs to start up (for example Spaceworks). • New Policy: Promote the use of Business Improvement Areas. • Replace Figure 6.6 with map depicting areas planned for employment growth. • Highlight that Tacoma has more jobs than housing and is employment center. • Add target job to housing ratio. • Add goal statement on maintaining industrial land supply.
Transportation	No amendments proposed at this time.
Parks + Recreation	No amendments proposed at this time.
Public Facilities + Services	<ul style="list-style-type: none"> • Provide additional context for the level of service figures.
Container Port	Not proposed for update at this time.
Engagement, Administration + Implementation	<ul style="list-style-type: none"> • Provide a summary of key implementation steps. • New target density range of 6-12 for Single Family Residential Zoning.
Downtown	Not proposed for update at this time.
Shoreline Master Program	Not proposed for update at this time.
Capital Facilities Program	Not proposed for update at this time.
Downtown Subarea Plans	Not proposed for update at this time.
Historic Preservation Plan	Not proposed for update at this time.
Mixed-Use Centers Report	<ul style="list-style-type: none"> • Maps are in process to be updated consistent with other map updates.



City of Tacoma
Planning and Development Services

**Agenda Item
D-3**

To: Planning Commission
From: Elliott Fitzgerald, Planning Services Division
Subject: **Public Hearing on Live-Work and Work-Live Code Amendments**
Date of Hearing: July 15, 2015
Date of Memo: July 10, 2015

Action

The Planning Commission will conduct a public hearing on July 15, 2015, to receive testimony on the Proposed Code Amendments concerning the live/work and work/live provisions, and keep the record open through July 22, 2015 to accept written comments.

Proposal

The proposal would amend Tacoma Municipal Code (TMC), Chapters 13.06 – Zoning, and 13.06A – Downtown Tacoma in which modifications would be made to the live/work and work/live provisions within Section 13.06A.050. These provisions currently limit the applicability of such uses to buildings lawfully in existence on September 25, 2012 within downtown districts and mixed-use center districts. Furthermore, the existing code provides the following development flexibilities for these uses:

- No additional parking spaces are required;
- Up to 10% of new floor area may be added, either internally or externally, for the purposes of creating living or working space without triggering a change in use; and,
- External additions are exempt from all prescriptive design standards contained within TMC 13.06.300 and TMC 13.06A, but external additions shall be in conformance with the character of the existing building.

The proposal would essentially remove the section from Chapter 13.06A – Downtown, and relocate it to a newly created section within Chapter 13.06 – Zoning. The new section – 13.06.570 – would be specific to live/work and work/live uses and would include a new iteration of the existing provisions so that such uses could be applied to new construction as well as zoning districts outside of Downtown Tacoma and the Mixed-Use Centers.

The proposal would retain the development flexibilities of the existing code, but only for buildings lawfully in existence prior to December 5, 1989 or for historic buildings as defined for the purposes of section 13.06A.050.

Environmental Evaluation

Pursuant to Washington Administrative Code (WAC) 197-11 and Tacoma's SEPA procedures, a Preliminary Determination of Environmental Nonsignificance was issued on June 25, 2015 (SEPA File Number: SEP2015-40000249187), based upon a review of an environmental checklist. The City will reconsider the preliminary determination based on timely public comments regarding the checklist and determination that are received by July 22, 2015 and unless modified, the preliminary determination will become final on July 29, 2015.

Notification

Notification for the public hearing has been conducted to reach a broad-based audience, through the following efforts that occurred during late June through early July 2015:

1. **Public Hearing Notice** – A notice announcing the July 15th public hearing was distributed to the City Council, Neighborhood Councils, business district associations, civic organizations, environmental groups, the development community, the Puyallup Tribal Nation, adjacent jurisdictions, major employers and institutions, City and State departments, the Tacoma Public Library, and other known stakeholders and interested entities.
2. **Library** – A request was made to the Tacoma Public Library to make the public hearing notice and the summary of the proposed code amendments available for patrons' review at all eight branches.
3. **News Media** – An advertisement was placed on The News Tribune on July 6, 2015; a legal notice regarding the environmental determination was placed on the Tacoma Dailey Index on July 6, 2015; and a public announcement was placed on TV Tacoma, running through July 15, 2015.
4. **60-Day Notices** – A "Notice of Intent to Adopt Amendment 60 Days Prior to Adoption" was sent to the State Department of Commerce (per RCW 36.70A.106), and Joint Base Lewis-McChord (per RCW 36.70A.530(4)). A similar notice was also sent to the City of Tacoma Attorney's Office, requesting for legal opinions on whether the City Council's adoption of the proposed amendments might result in an unconstitutional taking of private property (per RCW 36.70A.370). The notices were sent to these entities more than 60 days prior to the Council's scheduled action on September 29, 2015, so that their comments, if any, can be addressed in a timely manner during the Planning Commission's public hearing process.
5. **Website** – The public hearing notice, complete text of the proposal, the environmental review, and all information associated with the proposed code amendments are posted on the Planning Services Division's website at www.cityoftacoma.org/planning and linked to "Live-Work and Work-Live Code Amendments".

Next Steps

At the meeting on August 5, subsequent to the public hearing, the Planning Commission will review public comments and make modifications to the proposed code amendments, as appropriate, and consider making a recommendation to the City Council.

If you have any questions, please contact me at 591-5379 or efitzgerald@cityoftacoma.org.

c: Peter Huffman, Director

ADAM SMITH
9TH DISTRICT, WASHINGTON

2264 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-8901

COMMITTEE ON ARMED SERVICES
RANKING MEMBER

DISTRICT OFFICE

15 SOUTH GRADY WAY, SUITE 101
RENTON, WA 98057
(425) 793-5180

TOLL FREE 1-888-SMITH09
<http://adamsmith.house.gov>
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Congress of the United States
House of Representatives
Washington, DC 20515-4709

June 30, 2015

City of Tacoma
747 Market Street
Tacoma, Washington 98402

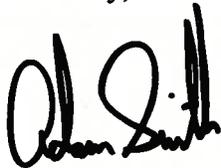
Dear Friends,

Congratulations on your selection as the 2015 VISION 2040 Award winner by the Puget Sound Regional Council (PSRC).

This award is a testament to the excellent sustainable and innovative programs and projects you have developed in the Downtown Tacoma Regional Growth Center Plan. This comprehensive and long-term plan to sustainably promote a healthy community, environment and economy for the years ahead is one that other municipalities should model, especially as our region continues to grow. I applaud the City of Tacoma's determination and commitment to promoting sustainable and healthy growth, and I look forward to hearing how your plans for economic growth progress.

Once again, congratulations. If I can ever be of assistance, please do not hesitate to reach out to my office.

Sincerely,



Adam Smith
Member of Congress



June 23, 2015

WEST SLOPE NEIGHBORHOOD COALITION

P.O. Box 64321 Tacoma, WA 98464-0321
<http://www.westslopeWSNC.com>

WSNC BOARD – 2015

OFFICERS

Co-Chairmen

David Zurfluh davidzurfluh@msn.com
678-0718 1253 S. Fernside Avenue

Dean Wilson dewilson064@gmail.com
312-2858 1401 S. Sunset Drive

Vice-Chair

Nancy Fleming mnfleming@netzero.net
565-3698 1520 S. Fairview Drive

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Judy Manza pimanza@harbornet.com
564-3596 1526 S. Ventura Drive

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565-3698 1520 S. Fairview Drive

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460-6786 7535 Hegra Road

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565-2420 1502 S Fernside Dr.

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564-0847 1530 S. Fernside Dr.

Narrowmoor 4 (SR16 to 6th Ave)

Ted Turner ted.turner@weyerhaeuser.com
(cell) 541-912-6664 636 N. Fairview Dr

Mt. Narrowmoor (East of Jackson St)

Pat Lyon seabre.20@gmail.com
1702 S. Karl Johan Avenue

Trustee At-Large

Karen Kelly kmkelly916@gmail.com
759-4214 916 S Mt. View Ave

Sunset & Titlow (West of S. Mt. View)

Ron Talcott ron@talcott.org
564-9779 1320 S. Sunset Drive

Chairman Chris Beale
Tacoma Planning Commission
747 Market Street
Tacoma, Washington 98402

Subject: Conflict of Interest on the Part of Commissioner Thompson

Dear Chairman Beale,

This is to respectfully request that the necessary and appropriate actions be taken to recuse Commissioner Erle Thompson from any further deliberations or votes regarding the Narrowmoor Conservation District due to a clear conflict of interest on his part.

We regret having to make this request but feel we have little choice given that Mr. Thompson has already taken inappropriate action in his official capacity as a serving member of the planning commission, i.e., casting a vote on the issue and failing to disclose his relationship with the Master Builders Association of Pierce County (MBAPC) and their concerted efforts to oppose our proposed Narrowmoor Conservation District.

As background, we are providing correspondence from MBAPC and our organization, the West Slope Neighborhood Coalition (WSNC), which clearly lays out the MBAPC's coordinated program targeting our efforts to preserve the unique qualities of the Narrowmoor Additions. Since March of this year, the MBAPC has expended considerable time, funds, and resources, to undertake the following actions:

- A Feb. 11, 2015 letter to the Landmarks Preservation Commission, misleadingly claiming that Narrowmoor was not recommended as a conservation district. (Exhibit A-2).
- Individual mailers sent to Narrowmoor residents "warning" them that a conservation district would unduly constrain their development rights, a stance clearly in conflict and incompatible with the stated purpose of the Landmarks Preservation Commission (Exhibit B-2). [To combat the MBAPC's misleading statements the WSNC had to expend scarce resources and many volunteer hours to prepare, print, and send out a counter-mailer to Narrowmoor residents.(Exhibit C)]
- Attendance and testimony of Mr. Jeremiah LaFrance, MBAPC Government Affairs Manager, at meetings and public hearings of the Landmarks Preservation Commission, voicing opposition to the Conservation District.

As Mr. Thompson is the current Vice-President and Treasurer of the MBAPC (serving as of January 2015), we can only presume that he

would have been actively involved, or at least supportive of these actions. At minimum, by virtue of his position as a member of the MBAPC's Executive Committee, Mr. Thompson most certainly would have full knowledge of their multi-faceted efforts to oppose our conservation district. Moreover, he would have been aware of the points of rebuttal that we copied to the MBAPC in our letter of March 10, 2015 (Exhibit A-1) and well aware of the conflict of interest regarding other MBAPC members, an issue we identified in a letter to the LPC, March 23, 2015. (Exhibit B-1)

In fact, it is apparent that Mr. Thompson was disingenuous when he inquired of Mr. Reuben McKnight at the June 17th TPC meeting about the LPC's "unanimity" in recommending the Narrowmoor Conservation District to the TPC.¹ Here again, by virtue of his position with the MBAPC, it is inconceivable that he would not have precise knowledge of the situation including the reason why the two MBAPC members (both past presidents of the association) took the ethical and proper action to voluntarily recuse themselves from further deliberations on the matter. Mr. Thompson should also have been aware of the several objections by Narrowmoor residents to the MBAPC President and Board Members regarding their questionable tactics to interfere with the WSNC's preservation efforts.

We want to make it clear that the WSNC has no objection to MBAPC members serving as members of the LPC, TPC or other appropriate commissions as they clearly have valuable background and insight to offer those entities regarding public policy. However, when they engage in targeted, active opposition and/or are complicit in the advancement of policies that are contradictory to the respective functions and purpose of the commissions they serve, and which therefore bring their impartiality into question, there exists a clear case of a conflict of interest as to their respective duties and responsibilities.

Understandably, given his high position on their board, Mr. Thompson is bound by his allegiance to the MBAPC to support and carry out their stated policies. However, as those are in conflict with the City of Tacoma's stated goals and policies regarding historic preservation (TMC 1.42.020), Mr. Thompson cannot sit in an impartial capacity as a member of the Tacoma Planning Commission in the deliberation of preservation efforts in general and the Narrowmoor Conservation District in particular, given the MBAPC's active opposition to it. In fact, at the moment the matter was introduced to the TPC, Commissioner Thompson was duty-bound to fully disclose his affiliation and position with the MBAPC and the conflict of interest that clearly exists. He should have emulated the actions of his fellow MBAPC members and immediately disqualified himself² and refrained from any further discussion, deliberation, or votes on the matter. For the record, Commissioner Thompson did none of those things, but did in fact, *engage* in deliberation and discussion of the question and ultimately cast the lone vote³ in opposition *without* making the appropriate disclosure and *without* seeking recusal.

¹ Mr. McKnight indicated two LPC members had "abstained". However, for the record, those two votes were not actually "abstentions". They were voluntary recusals. Thus, *the votes that were cast* were indeed, unanimously in support of the Narrowmoor Conservation District. It should be noted that an abstention is an *option* for a voter in the event they feel uneasy about, or lack information on an issue. A recusal is *not optional* but is *necessitated* in the case of prejudice and/or an apparent conflict of interest. For purposes of calculating a majority vote, abstentions have the same effect as a negative vote. However, a recusal is a *non-vote* and therefore neither counted yea or nay when a majority vote is calculated. See citation below for "not-voting" by a TPC member.

² Para V E., Tacoma Planning Commission Rules and Regulations, as amended Dec. 1, 2010.

³ The vote was on the TPC's motion to authorize documents related to the Narrowmoor Conservation District for public distribution as a part of the 2015 Comprehensive Plan Amendments Package. A failed motion could jeopardize the timetable to keep the program effort within the 2015 Amendments Package.

We therefore ask that Commissioner Thompson be disqualified from participation in any and all matters before the Tacoma Planning Commission related to the Narrowmoor Conservation District. We also respectfully request that Mr. Thompson be asked to refrain from any internal or private discussions with other members of the TPC, LPC, or City Council Members on the matter so long as it remains active in the City of Tacoma's review and approval process.

Respectively,



Dean Wilson
Co-Chair
West Slope Neighborhood Coalition

Exhibits:

- A-1: WSNC letter to LPC, 3/10/15 (rebuttal to MBAPC letter)
- A-2: MBAPC letter to LPC, 2/11/15 [Attachment to A-1]
- B-1: WSNC letter to LPC, 3.23/15, re: Conflict of Interest by MBAPC
- B-2: MBAPC mailer to Narrowmoor Residents, o/a 3/15/15 [Attachment to B-1]
- C: WSNC counter-mailer to Narrowmoor Residents, o/a 3/20/15

cc:

Brian Boudet, Manager, Planning Services Division
Lihuang Wung, Senior Planner, Planning Services Division
Reuben McKnight, Historic Preservation Officer
Chris Granfield, Chair, Landmarks Preservation Commission
Kent Arola, President, Master Builders Association of Pierce County



March 10, 2015

WEST SLOPE NEIGHBORHOOD COALITION

P.O Box 64321 Tacoma, WA 98464-0321
<http://www.westslopeWSNC.com>

WSNC BOARD – 2015

OFFICERS

Co-Chairmen

David Zurfluh davidzurfluh@msn.com
678-0718 1253 S. Fernside Avenue

Dean Wilson dewilson064@gmail.com
312-2858 1401 S. Sunset Drive

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565-3698 1520 S. Fairview Drive

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(cell) 541-912-6664 636 N. Fairview Dr

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Pat Lyon seabre.20@gmail.com
1702 S. Karl Johan Avenue

Trustee At-Large

Karen Kelly kmkelly916@gmail.com
759-4214 916 S Mt. View Ave

Sunset & Titlow (West of S. Mt. View)

Ron Talcott ron@talcott.org
564-9779 1320 S. Sunset Drive

Mr. Duke York
Chair, Landmarks Preservation Commission
City of Tacoma
747 Market Street
Tacoma, Washington 98402

Re: Master Builders Association of Pierce County's Opposition to
Creation of a West Slope Neighborhood Conservation District

Dear Chairman York,

This is to respond to the letter from the Master Builders
Association of Pierce County, dated February 11, 2015, stating their
opposition to our proposed conservation district for the Narrowmoor
Additions.

As you know, we have been working with the City of Tacoma's
Historic Preservation Officer, Reuben McKnight, since 2008 to pursue
measures that can serve the best interests of the Narrowmoor residents in
preserving the views and character of the unique area that is
Narrowmoor.

We respectively submit that Mr. Arola, President of the MBA
Pierce County, has provided grossly misleading statements in his letter
by mischaracterizing the recommendations of the "Painter Report".

In Paragraph 1, Mr. Arola states, "The Painter Report does not
encourage creation of a conservation district; it does nothing more than
comment that conservation districts have been used elsewhere and could
be investigated by the West Slope Neighborhood. The Painter Report
offers no opinion that the West Slope Neighborhood is eligible for a
conservation district." (Emphasis added.)

On the contrary, the "**Recommendations**" page (attached) clearly
belies that statement. While the Narrowmoor area did not meet the
National Register Criteria for an Historic District the study points out in
the 2nd paragraph that "[Conservation Districts]...*may be appropriate
(and this may apply to this area [Narrowmoor]) when certain features
such as the site, landscaping, and building form and scale are considered
important, but individual design details are considered less important to
the neighborhood.*" (Emphasis added)

In the following paragraph, the Painter Study provides a clear cut
recommendation regarding Narrowmoor as a Conservation District, i.e.,
***"It is recommended here that the Narrowmoor Additions explore the
options of a Conservation District in conjunction with the preservation
planning and regulatory work currently underway in the City of
Tacoma."*** (Emphasis added)

EXHIBIT A-1

That recommendation is precisely what the West Slope Neighborhood Coalition has been pursuing since the report was issued in 2010. It should be noted that the City of Tacoma has again engaged Dr. Painter to help us with the drafting of the design guidelines for the Conservation District that Mr. Arola would suggest she has not recommended.

We also reject the suggestion that the Narrowmoor Additions lack the qualities that would make it a candidate for a Conservation District. In fact, the Painter Study is replete with descriptions of the unique qualities of the area which we cited in our application to the City of Tacoma. Suffice it to say, Dr. Painter would not have made the recommendations she did unless those qualities existed.

We understand that MBAPC members seek the freedom to pursue construction projects unfettered by the kinds of restrictions we propose. However, it is precisely because builders or owners have demonstrated a desire to build structures in Narrowmoor that are unsympathetic to the neighborhood that we have undertaken a neighborhood-supported effort to establish a conservation district that can protect our property values. Contrary to Mr. Arola's statement in paragraph 4 of his letter, the existing plat restrictions are far from adequate to provide the needed protections and, when violated, are extremely expensive to enforce through the civil courts. In fact, we have been involved with lawsuits for over a year against builder\owners who have, or desire to undertake construction of homes that will be very destructive of views and that are wholly out of character with the mass and scale of the existing homes around them. Both cases are under appeal and continue to be the source of extensive legal wrangling and great expense to Narrowmoor property owners as well as the builders/owners involved.

We strongly disagree with the suggestion by Mr. Arola that the LPC review process would be onerous. On the contrary, whatever additional burden is entailed is certainly far better than the alternative for both builders and residents, i.e., drawn-out, expensive legal actions to enforce covenants that, in some cases, are inadequate to prevent the kinds of unsympathetic construction that is detrimental to the character of the area. With a conservation district in place, builders will have benefit of clear-cut design guidelines up front and be able to undertake construction planning without the prospect of facing unpredictable legal entanglements after they have made substantial investments in a property. A Conservation District with the appropriate review processes in place would preempt these kinds of problems before they began.

Rather than objecting to our conservation district, we would invite Mr. Arola to provide any useful suggestions as to the kinds of design guidelines that could allow for the advantages of modern design or material options that promise benefits to homeowners such as energy efficiency, durability, convenience, etc., while preserving the character-defining features of Narrowmoor.

Sincerely,



Dean Wilson
Co-Chair
West Slope Neighborhood Coalition

cc:

Brian Boudet, Manager Planning Services Division
Reuben McKnight, Historic Preservation Officer
Kent Arola, President, Master Builders Association of Pierce County

Recommendations

Typically a historic district, whether a National, state or local register district, is so listed because it meets one of more of the agency's criteria for listing, and it retains integrity. If a neighborhood is listed as a historic district, it is because approximately two-thirds of its individual components have sufficient integrity to be contributing to the district, in addition to the neighborhood desiring the protection of a historic district designation. For local districts, proposed changes to buildings or other resources within the district are subject to the Secretary of Interior's Standards and often local design guidelines that provide additional detail for assessing changes within the district. Often individual property owners must have proposed changes to their property reviewed by a local commission and obtain a Certificate of Appropriateness for renovating, demolishing or moving resources.

In order to respond to local neighborhood needs, many communities develop what are called Conservation Districts, as distinct from Historic Districts. Conservation Districts tend to have more flexible requirements and can be tailored to local needs and concerns. They may be appropriate when a community is concerned about community character, but does not want the restrictions of complying with the Secretary of Interior's Standards and/or similar local design guidelines. They may be appropriate when a neighborhood wants to control just certain types of change, such as demolition, but is not concerned about design per se. They may also be appropriate where there is a hierarchy of historic buildings or structures and the neighborhood is concerned about protecting mainly the most 'important' buildings, and is less concerned about buildings they consider of secondary importance. They may be appropriate (and this may apply to this area) when certain features such as the site, landscaping, and building form and scale are considered important, but individual design details are considered less important to the neighborhood.

It is recommended here that the Narrowmoor Addition explore the options of a Conservation District in conjunction with the preservation planning and regulatory work currently underway in the City of Tacoma. It is recommended that the community take into consideration the Registration Criteria presented in this document in order to prioritize the character-defining features of the neighborhood. If, after exploring these options, the neighborhood desires the full protection of a local Historic District, as defined by the City of Tacoma and/or the National Park Service, it is recommended that they pursue nomination of the neighborhood and develop design guidelines based on the Secretary of Interior's Standards and the registration criteria developed in conjunction with this survey.



February 11, 2015

Brian Boudet
Manager, Planning Services Division
City of Tacoma
747 Market Street, Room 345
Tacoma, WA 98402

Re: *Master Builders Association of Pierce County's Opposition to Creation of a West Slope Neighborhood Conservation District*

Dear Mr. Boudet:

In response to the City of Tacoma's 2015 Annual Amendment proposal, the Master Builders Association of Pierce County strongly opposes the creation of a West Slope Neighborhood Conservation District. The neighborhood is not suitable for creating a conservation district—making the proposal tantamount to a request for spot zoning—and imposing a conservation overlay would create unnecessary and damaging layers of review, delay, and administrative process. As laid out below, the proposed West Slope Neighborhood does not meet any eligibility criteria for a conservation district, and the City should reject the application.

1. The West Slope Neighborhood was already rejected for historic significance by a preservation consultant. In 2010, the Painter Report rejected the West Slope Neighborhood from historic district consideration because *half of the buildings in the Narrowmoor Additions have lost their integrity.*¹ And, although the conservation district application submitted by individual members of the West Slope Neighborhood Coalition ("WSNC") cites the Painter Report as encouraging the creation of a conservation district, this is misleading. The Painter Report does not encourage creation of a conservation district; it does nothing more than comment that conservation districts have been used elsewhere and could be investigated by the West Slope Neighborhood. The Painter Report offers no opinion that the West Slope Neighborhood is eligible for a conservation district.
2. The West Slope Neighborhood does not possess an intact development pattern or a prevailing historic architecture. The Painter Report indicates that houses in the Narrowmoor Additions are a random mix of custom built homes and stock plans, and are significant for the subdivision's siting not for the houses themselves other than the general observation that the houses tend to be one-story plus daylight basement. Painter Report at p. 6. Under these circumstances, there is no justification for imposing a "conservation" district overlay that would impose design requirements concerning appearance as well as restrictions on new construction or additions. And, as is more fully discussed below, the common neighborhood feature of low building height is a factor of the private restrictions *already* in place.

¹ The "Painter Report" refers to the "Tacoma West Slope Historic District Development Project Historic Resource Survey Report," prepared by Diana J. Painter for the City of Tacoma, dated January 2010.

www.mbapierce.com

Brian Boudet
February 11, 2015
Page 2

3. Unlike in a historic district where there might be a mutual benefit to conserving the built environment, here the goal is to maintain status quo merely for the sake of maintaining status quo and neighborhood views. Those objectives are insufficient to justify creating the regulatory layers of a conservation district. The WSNC's conservation district application makes clear that *its primary objective is to protect views* in the West Slope Neighborhood area by locking in the neighborhood's existing built environment: the WSNC asks the City to impose building height limits to protect neighbors' views and to expressly permit the topping of "tall-growing trees." If the City is sympathetic to these goals of view preservation, it would be appropriate for the City to evaluate its height standards and tree trimming regulations for this area of the City, but concerns about *significant views* do not justify the creation of a conservation district meant to address *significant architecture*.
4. To the extent that there is any distinctive character worthy of being maintained, the plat restrictions already provide such protections. In other words, the objectives of the community are already adequately protected. Narrowmoor Additions 1 through 4 already contain covenants addressing WSNC's very concerns: two-story height limits, uses limited to single-family, and a uniform 30-foot setback. To the extent that the WSNC is concerned that such covenants are not enforced, the City should investigate whether to codify those covenants as development regulations. (In which case, homeowners in the West Slope Neighborhood who are not behind the WSNC's conservation district application may, in fact, object.)
5. The West Slope Neighborhood does not abut any historic or conservation district. Nor is there any need to impose a conservation district to extend protections of or to an abutting historic or conservation district; there are none. See TMC chapter 13.07.
6. The added regulation and accompanying delay would needlessly discourage improvements within the West Slope Neighborhood and deter buyers. The WSNC application would impose design review on any new home, addition, or demolition project within the West Slope Neighborhood. This would needlessly create months of delay for such projects, skyrocketing homeowner costs, hampering the exercise of property rights, and reducing the marketability of the neighborhood's homes to new buyers.

In conclusion, the regulatory cost and delays of creating a conservation district do not justify creating such a district where historic integrity has been lost and where the predominant neighborhood objectives are already met by plat conditions that remain in effect and which could be codified without need for the imposition of design review.

I will be in touch shortly to discuss a follow-up meeting regarding these issues. In the interim, I can be reached at (253) 272-2112.

Sincerely,
Master Builders Association of Pierce County


Kent Arola, President

cc: City of Tacoma Landmarks Preservation Commission
Reuben McKnight, City of Tacoma
G. Richard Phillips, Esq.



March 23, 2015

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P.O. Box 64321 Tacoma, WA 98464-0321
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OFFICERS

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Ron Talcott ron@talcott.org
564-9779 1320 S. Sunset Drive

Mr. Chris Granfield
Chair, Landmarks Preservation Commission
City of Tacoma
747 Market Street
Tacoma, Washington 98402

Subject: Conflict of Interest - Master Builders Association of Pierce
County and the Landmarks Preservation Commission

Dear Chairman Granfield and members of the commission,

As you know, in a letter dated Feb. 11, 2015, the Master Builders Association of Pierce County (MBAPC) expressed their opposition to the Narrowmoor Conservation District, suggesting the area was not worthy of preservation efforts. The WSNC rebutted that in a letter dated Mar. 10, 2015, citing the specific recommendations of the city's consultant, Dr. Diana Painter. Subsequently, at the Landmarks Preservation Commission (LPC) meeting of Mar. 11, 2015, we noted that two LPC commissioners, current members and past officials of the MBAPC, recused themselves from a vote that would advance the Narrowmoor Conservation District. We acknowledge and respect their action as they responded appropriately to their self-identified conflict of interest.

Now, this past week, the MBAPC has mailed cards to individual Narrowmoor property owners (copy attached). The MBAPC has clearly taken the stance that, because any preservation action such as ours entails restrictions above and beyond that required by current Tacoma Municipal Code, it constitutes an unacceptable interference with the exercise of property rights. This stance is in total conflict and is wholly incompatible with the very purpose of the Landmarks Preservation Commission, i.e., to preserve and protect designated properties of significance in the City of Tacoma (TMC 1.42.020). The LPC does so, of course, in accordance with adopted city policy and through carefully developed design guidelines with oversight by the duly appointed members of the commission while giving due consideration to any property rights implications.

Quite obviously, one cannot expect a commissioner with an allegiance to the MBAPC to support measures that are in direct conflict to their organization's official policies. However, the citizens of Tacoma, the City Council, and the LPC itself must also have a reasonable expectation that each and every commission member is dedicated to support the LPC's purpose for being, i.e., "historic preservation".

EXHIBIT B-1

The WSNC therefore respectively poses the following question to the LPC:

“Can a member of the MBAPC carry out the duties and responsibilities of a Landmarks Preservation Commissioner given that the purposes and policies of these two organizations are diametrically opposed?”

Please note, we find it regrettable to raise the issue regarding otherwise well-qualified LPC members as well as potential, new candidates. We believe that their varied backgrounds and experience in the building industry could be a great asset in helping balance the desire to preserve neighborhood character while also accommodating new materials or design techniques that enhance energy efficiency, durability and home owners' convenience.

Needless to say, we are taken aback that the MBAPC has seen fit to undertake the time and expense to interfere with our neighborhood's efforts to preserve the special character of Narrowmoor. It is indeed unfortunate that the MBAPC could not undertake more cooperative efforts that could serve the mutual interests of residents and builders alike and that support the long term interests of the City of Tacoma as a whole.

Sincerely,



Dean Wilson
Co-Chair
West Slope Neighborhood Coalition

Enclosure: MBAPC Mailer to Narrowmoor residents

cc:

Brian Boudet, Manager Planning Services Division
Reuben McKnight, Historic Preservation Officer
Kent Arola, President, Master Builders Association of Pierce County
Tacoma City Councilmember Anders Ibsen

West Slope Neighborhood Conservation District

PROTECT YOUR PROPERTY RIGHTS! The City of Tacoma received a request to establish a conservation district overlay in your neighborhood. If the conservation district gets approved, it would create additional government process and design guidelines on properties in YOUR neighborhood beyond what is already required by the Tacoma Municipal Code. The additional regulations would restrict how you as a homeowner remodel, rebuild, repair or add an addition to your home. It would also restrict your ability to build a garage or separate your property for your own use.

This interference with your rights to develop your property puts you at a disadvantage against other less regulated property owners in the City of Tacoma and surrounding jurisdictions. For more information, please visit www.cityoftacoma.org/Planning and see the "2015 Annual Amendments" and then click on the "West Slope Neighborhood Conservation District".

Let your voice be heard! Send feedback on this issue to the Master Builders Association of Pierce County at 1120 Pacific Avenue, Suite 301, Tacoma, WA 98402 or give us a call at 253.272.2112 by April 1, 2015.

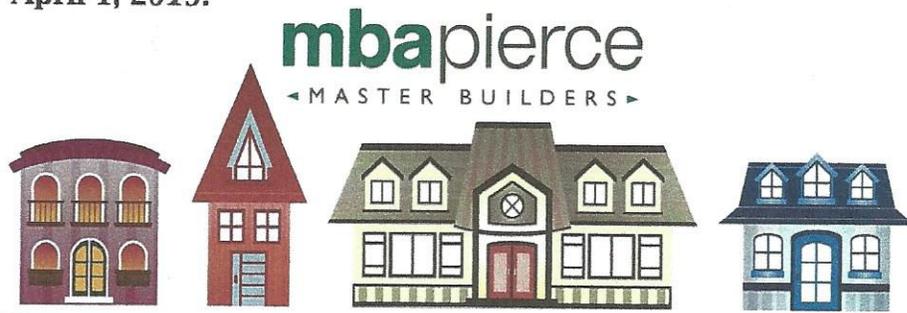


EXHIBIT B-2

Dear Narrowmoor Resident,

You may have received a mailer from the *Master Builders Association of Pierce County* suggesting that our pursuit of a Narrowmoor Conservation District to preserve our views, property values, and neighborhood character is, somehow, an unacceptable "interference with your property rights".

We are taken aback by their efforts to target our neighborhood conservation district. However, given our recent legal conflicts with builders who do not like covenants that prohibit short-platting or third-level homes, we perhaps shouldn't be surprised even though the MBA did not speak out against stand-alone conservation districts when the City of Tacoma adopted them over a year ago.

The MBA claims also need some clarification:

- They suggest the conservation district will "restrict your ability to build a garage". However, the proposed guidelines only apply to new "detached" garages (considered "accessory buildings"). Attached garages and structures under 200 square feet are not affected.
- They suggest the conservation district will "restrict your ability to separate your property.". However, short platting is already restricted by covenants, recently supported by a superior court decision. The proposed guidelines would simply align with these existing restrictions but would be enforced by the City through a review process instead of having to resort to expensive lawsuits by neighbors.
- They suggest the restrictions impact how you "remodel, rebuild, repair or add an addition...". In fact, the proposed guidelines would only apply to major exterior remodels which change a house's footprint or roof line. It would not restrict normal repairs or interior remodeling.

It must be emphasized that we are still "tweaking" the guidelines so that we can strike that delicate balance between providing clear and sufficient guidelines to serve the review function of the Landmarks Preservation Committee, while also providing sufficient flexibility for homeowners to adapt new construction techniques, improved materials, energy saving devices, etc., in a manner that is not detrimental to the overall character of the Narrowmoor.

Remember, our goal is to preserve the views, property values, and unique character of Narrowmoor! If you have any suggestions regarding the draft guidelines to help us with that goal, we would welcome them. You can access the current DRAFT version from our website, www.westslopeWSNC.com under the "Conservation District" tab.

The Master Builders Association has asked for feedback. If you oppose their interference with our neighborhood effort, we encourage you to say so. Besides contacting them at 253-272-2112, you can send a letter to Mr. Kent Arola, President, MCAPC, 1120 Pacific Avenue, Ste 301, Tacoma, WA 98402.

Reminder: There will be a public hearing before the Landmarks Preservation Commission on April 8th. We will need your voices in support if we are going to be able to preserve those wonderful attributes of Narrowmoor that we all covet!

EXHIBIT C