



**2011 PROPOSED AMENDMENTS  
TO THE  
COMPREHENSIVE PLAN AND LAND USE REGULATORY CODE**

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**REVISED**

**SUPPLEMENTAL STAFF REPORT  
TACOMA PLANNING COMMISSION PUBLIC HEARING  
MARCH 2, 2011**

**A. SUBJECT:**

Adoption of amendments to the City of Tacoma's Comprehensive Plan and modifications to the Land Use Regulatory Code, including area-wide zoning reclassifications.

**B. BACKGROUND:**

Each year proposed amendments to the Comprehensive Plan and/or Land Use Regulatory Code are considered by the Planning Commission and City Council. Tacoma's Comprehensive Plan is the City's official statement concerning future growth and development. The Growth Management Act (GMA), with few exceptions, requires that all proposed Plan amendments be reviewed concurrently and no more frequently than once each year. This is usually referred to as the "annual amendment" whereby individual Plan amendments are considered together.

GMA also requires development regulations, which are found in the Land Use Regulatory Code, to be consistent with and implement the Comprehensive Plan. Proposed amendments to the Plan often require companion amendments to the Regulatory Code to achieve this consistency. In some instances, changes to the Regulatory Code, including revisions to the regulations (text changes) and/or changes to the zoning classification of certain properties (area-wide rezones), may be proposed which are consistent with the Comprehensive Plan, and can be processed independently of the annual amendment. However, for ease of review and adoption, these amendments may be included with the annual amendment.

**C. COMPREHENSIVE PLAN AND LAND USE REGULATORY CODE AMENDMENT PROCESS:**

Periodic review and evaluation are important in order that the Comprehensive Plan and the implementing development regulations maintain their effectiveness. Changing conditions and community needs may necessitate amendments. Amendments can include modification to the existing policies of the Plan, the addition of new policies or the deletion of policies within the Plan as well as changes to the narrative text. Changes to development regulations can include text revisions, the addition or deletion of regulations and changes to zoning classifications for certain properties on an area-wide basis. As new Plan elements are developed, amendments to previously adopted plan elements also may be necessary. All amendments to the Comprehensive Plan are reviewed simultaneously so that the cumulative effect can be considered.

Amendments may be proposed by City staff, the City Council, private individuals, Neighborhood Councils, and other organizations or entities. The deadline for submitting an application for amendment is June 30 of each year for consideration in the following twelve months; however, applications are accepted at any time.

The Planning Commission is considering eight separate applications, seven of which were initiated by City departments in response to community concerns, City Council direction, or revisions to State planning requirements. Application #2011-01 was submitted by Westmall Court Pine Street, LLC.

In accordance with the adoption and amendment procedures in the Tacoma Municipal Code (Chapter 13.02.045), the following criteria are used by the Planning Commission in determining if a Plan amendment or a change in development regulations is warranted:

- An obvious technical error exists in the pertinent Comprehensive Plan or regulatory code provisions;
- Circumstances related to the proposed amendment have significantly changed, or a lack of change in circumstances, has occurred since the area or issue was last considered by the Planning Commission;
- The needs of the City have changed which support an amendment;
- The amendment is compatible with existing or planned land uses and the surrounding development pattern;
- Growth and development, as envisioned in the Comprehensive Plan, is occurring faster, slower or is failing to materialize;
- The capacity to provide adequate services is diminished or increased;
- Plan objectives are not being met as specified, and/or the assumptions upon which the Plan is based are found to be invalid;
- Transportation and/or other capital improvements are not being made as expected;
- Substantial similarities of conditions and characteristics can be demonstrated on abutting properties that warrant a change in land use intensity or zoning classification; or
- A question of consistency exists among the elements of the Comprehensive Plan or between the Comprehensive Plan and RCW 36.70A (Growth Management Act), the *County-wide Planning Policies for Pierce County* or multicounty planning policies, or the development regulations of the City.

The Planning Commission may also consider other factors including if additional information has become available since the Plan element or development regulation was last adopted or amended.

An area-wide zoning reclassification that is inconsistent with the Comprehensive Plan may be proposed for adoption at the same time as, and in conjunction with, the Plan's amendment [making it consistent](#). Proposed area-wide reclassifications which are consistent with the Comprehensive Plan and do not require a Plan modification may be considered at any time. If an area-wide zoning reclassification is recommended it shall be based on, but not limited to, the following circumstances:

- Substantial evidence is presented demonstrating that growth and development is occurring in a different manner than presented in the Comprehensive Plan;
- The proposed area-wide reclassification is consistent with the Comprehensive Plan and the Generalized Land Use Plan map;
- The reclassification is needed to further implement the Comprehensive Plan;
- The proposed reclassification is needed to maintain consistency with the proposed amendments to the Comprehensive Plan;
- There is substantial evidence presented showing inconsistency between the designated land use intensity in the subject area and the existing zoning; or

- The subject property is suitable for development in general conformance with the zoning standards under the recommended rezone classification.

Proposed amendments to the Comprehensive Plan, development regulations, and area-wide zoning reclassifications are developed pursuant to the procedures of Chapter 13.02 of the Tacoma Municipal Code as described above. Staff, under direction of the Commission, conducts needed analysis and prepares the draft amendments for public review and comment.

Proposed amendments are subject to the requirements of the State Environmental Policy Act and the Growth Management Act. The amendments to the Comprehensive Plan and Land Use Regulatory Code and proposed area-wide zoning reclassifications receive detailed review by the Planning Commission and public hearing(s) are held to receive citizen comment. After further review, the Commission makes a recommendation to the City Council, which may include modifications to the draft amendments in response to public testimony, staff recommendations, and/or further review by the Commission. The Council will review the proposed amendments, as recommended by the Planning Commission, and hold a public hearing. The Council may adopt, or decline to adopt, the proposed amendments and/or make modifications.

**D. SUMMARY OF PROPOSED AMENDMENTS:**

Following is a brief summary of the proposed revisions for 2011.

APPLICATION	DESCRIPTION OF AMENDMENT
<p><b>#2011-01: 49th &amp; Pine Intensity and Zoning Change</b></p>	<p>Change the Comprehensive Plan Intensity designation at South 49<sup>th</sup> &amp; Pine Streets (4910 &amp; 4924 South Pine Street) from Low and Single-family to Medium, and change the zoning classification from R-2 and C-1 to R-4L (Low-Density Multiple-Family Dwelling District), to allow for construction of up to 145 multi-family dwelling units on the 5-acre site.</p>
<p><b>#2011-02: Historic Preservation Plan and Code Update</b></p>	<p>Creation of a new Historic Preservation Element of the Comprehensive Plan and amendments to the Land Use Regulatory Code to provide updated and improved guidance regarding historic preservation and the City’s preservation program.</p>
<p><b>#2011-04: Water Level of Service Standard</b></p>	<p>Revisions to the existing level of service standard (LOS) for “Water (Potable)” as contained in the Capital Facilities Element of the Comprehensive Plan from “562 gallons per day per Equivalent Residential Unit (ERU)” to “442 gallons per day per Equivalent Residential Unit (ERU)” and/or as contained in Tacoma Water’s current Washington State Department of Health approved water system plan”.</p>
<p><b>#2011-05: Transportation Element</b></p>	<p>Amendments to the Transportation Element of the Comprehensive Plan to: Address alternative transportation modes such as skateboards, electric personal assistive mobility devices and low speed vehicles; revisions and addition of new projects to the Unfunded Project List; and updates to the Classification of Arterials Map.</p>

APPLICATION	DESCRIPTION OF AMENDMENT
<b>#2011-06:</b> <b>Regional Center Update and Safety-Oriented Design</b>	Updates to the Comprehensive Plan to reflect changed circumstances including the countywide and regional planning context, to align regional growth center boundaries, and to refine policy direction for safety-oriented design considerations.
<b>#2011-07:</b> <b>Park Zoning and Permitting</b>	Revisions to the development regulations for parks, recreation and open space land uses in order to streamline the permit process in residential zoning districts, while ensuring appropriate compatibility with residential neighborhoods.
<b>#2011-08:</b> <b>Regulatory Code Refinements</b>	Various amendments to the Land Use Regulatory Code to address inconsistencies, correct minor errors, and provide additional clarity.
<b>#2011-09:</b> <b>SEPA Regulations</b>	Updates to, and simplification of, the existing regulatory procedures used to administer the State Environmental Policy Act (SEPA) to ensure consistency with other codes, including the Critical Areas Protection Ordinance, and with current statutes and the State administrative code. The amendment also includes changes to the <i>Comprehensive Plan</i> to clarify the City's "substantive authority" under SEPA to condition, modify, or deny a permit based on environmental impacts.

**E. GENERAL INFORMATION:**

**1. Evaluation of Plan and Development Regulation Amendments**

The proposed changes to the Comprehensive Plan and Land Use Regulatory Code and the proposed area-wide zoning reclassifications were reviewed using factors contained in the Tacoma Municipal Code and as set forth in summary in Section C herein. Other information was also used in the evaluation including state laws, city ordinances, comparison with other cities' plans and ordinances and City Council direction.

**2. Environmental Evaluation**

Pursuant to WAC 197-11 and Tacoma's SEPA procedures, a Preliminary Determination of Environmental Nonsignificance was issued on February 9, 2011. This preliminary determination, SEPA File Number: SEP2011-40000157940 was made based upon a review of a completed environmental checklist. The City will reconsider the preliminary determination based on timely public comments regarding the checklist and determination that are received by March 11, 2011 and unless modified, the preliminary determination will become final on March 18, 2011.

**3. Public Review Process**

The proposed amendments to the Comprehensive Plan and Regulatory Code and the proposed area-wide zoning reclassifications were presented to and discussed by the Planning Commission at their meetings, which are open to the public. The Commission reviewed all of the proposed changes and authorized the distribution of the proposed amendments for public review and comment on February 2, 2011. The proposed amendments, including the complete text of proposed changes (in strikeout and underscored format), maps depicting boundary, land use intensity and zoning changes, and staff reports which analyze the proposed amendments for consistency with the amendment criteria, were compiled into a single document. The document

also included a copy of the environmental determination and completed checklist. This document was made available for public review at all branches of the public library and at the office of the Community and Economic Development Department. The document was also posted on the City's website and made available on CD-ROM upon request.

A Question & Answer session with staff was held on February 24, 2011. The purpose of this meeting was to provide a more detailed explanation of the proposed amendments and to answer questions about the proposed changes, public review process, and schedule. Notice of this meeting was included in the public hearing notice and advertised in *The News Tribune*.

In addition, staff facilitated public outreach concerning several of the applications individually, including the following:

Application #2011-01:

On September 28, 2010 staff hosted an open community meeting at the South Park Community Center. Staff attended the South Tacoma Neighborhood Council meeting on November 17, 2010. The Planning Commission conducted a site visit to view the area on September 1, 2010, and approximately 10 community members joined the tour.

Application #2011-02:

In addition to ongoing feedback as well as periodic updates to the Landmarks Preservation Commission, the following is a summary of outreach meetings held to date.

1. February 3, 2009 – City Council Study Session
2. July 29, 2009 – Stakeholders informational meetings
3. September 23, 2009 – Community Workshop
4. October 8, 2009 – Briefing to Master Builders Association
5. November 16, 2009 – Briefing to Neighborhoods and Housing Committee
6. November 18, 2009 – Hillside Development Council
7. December 7, 2009 – Public lecture on historic preservation and economic development
8. December 14, 2010 – Sustainable Tacoma Commission

Application #2011-05:

Staff made presentations to the Business Improvement Area Board on November 15, 2010, and to the Downtown Merchants Group on December 2, 2010 to explain the proposed policy revisions and discuss issues pertaining to skateboards.

Application #2011-06:

Public outreach efforts include the following presentations:

1. January 12, 2011 – New Tacoma Neighborhood Council
2. January 6 and February 3, 2011 – Central Neighborhood Council
3. January 13, 2011 – Tacoma Dome Business District Association
4. January 19, 2011 – Stadium Business District Association
5. January 20, 2011 – Upper Tacoma Business District Association
6. February 7, 2011 – North End Neighborhood Council
7. February 17, 2011 – Hilltop Public Advisory Committee
8. Scheduled for March 23, 2011 – Hillside Development Council

Application #2011-07:

Staff made a presentation to the Metro Parks Tacoma's Board of Commissioners at its Study Session on January 10, 2011.

#### **4. Notification**

Notice of the Planning Commission's public hearing was distributed to Neighborhood Council board members, other neighborhood groups, business district associations, civic organizations, environmental groups, development interests, adjacent jurisdictions, Puyallup Tribal Nation, major employers and institutions, City and State departments, and other known interested individuals or groups. In addition, the notice could also be viewed and downloaded at the Planning Division's website ([www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning)). The notice was posted on the public information bulletin boards on the first and second floors of the Tacoma Municipal Building.

The notice stated the time and place of the hearing, the purpose of the public hearing, information pertaining to the environmental determination, where and how additional information could be obtained and how to provide comments. Advertisement of the public hearing and Question & Answer session was published in *The News Tribune* on February 17, 2011.

Notice was also provided to taxpayers, as listed in the records of the Pierce County Assessor, for properties within 400 feet of the site of the South 49<sup>th</sup> & Pine Intensity Change and Rezone (Application #2011-01), and for properties within 400 feet of the boundaries of the proposed zoning, center and land use intensity changes (Application #2011-06). In addition, one public notice sign was posted adjacent to the South 49<sup>th</sup> & Pine Street site, and three were posted at sites proposed for zoning, land use intensity and/or center boundary changes.

- F. COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT RECOMMENDATION:**  
Staff recommends that the Planning Commission accept all oral and written testimony and hold the record open until **5:00 p.m. on Friday, March 11, 2011** and that the Commission evaluate all testimony given at the public hearing and any written comments received as part of the record prior to making a recommendation to the City Council.