



2012 Annual Amendment Application No. 2012-7
Minor Amendments and Refinements

ASSESSMENT REPORT

Application #:	2012-7
Applicant:	City of Tacoma, Community & Economic Development Dept.
Contact:	Brian Boudet, 573-2389, bboudet@cityoftacoma.org
Type of Amendment:	Regulatory Code Text Changes Comprehensive Plan Map and Text Changes
Current Land Use Intensity:	Various
Current Area Zoning:	Various
Size of Area:	City-wide
Location:	City-wide
Neighborhood Council area:	City-wide
Proposed Amendment:	Various amendments to the Land Use Regulatory Code and Comprehensive Plan to address inconsistencies, correct minor errors, and provide additional clarity.

General Description of the Proposed Amendment:

The proposed amendments involve general text corrections and minor amendments to the Land Use Regulatory Code as well as technical text and map corrections to the Comprehensive Plan. These minor amendments are intended to address inconsistencies, correct errors, and improve provisions that, through administration and application of the Zoning Code and Comprehensive Plan, are found to be unclear or not fully meeting their intent.

A preliminary summary of the proposed amendments is as follows:

Modifications to Chapter 13.06 – Zoning, including:

- Improve and clarify the nonconforming section, including how it addresses rebuilding nonconforming uses that are destroyed, changes to existing nonconforming uses, verification of nonconforming rights, and pre-existing conditional uses.
- Modify the regulations associated with certain types of community facilities and community services uses (e.g., fraternal clubs, boys & girls clubs, social service organizations, and community halls)
- Improve consistency between design requirements for mixed-use districts and non-mixed-use districts (e.g., roof modulation, window requirements, different building materials, etc.)
- Improve consistency between design requirements for duplexes, triplexes, and townhouses (e.g., covered entries, minimum yard space, and driveway width limitations)
- Improve the consistency of development standards for drive-throughs in mixed-use districts
- Clarify the provisions applicable to food banks and massage services

- Clarify the allowances for larger accessory buildings on large sites (e.g., agricultural uses and stables)
- Clarify how the code differentiates between attached and detached residential structures
- Incorporate additional references and citations and improve internal consistency in tables
- Continue the ongoing consolidation of definitions into one section of the code

Modifications to Chapter 13.05 – Land Use Permit Procedures, including:

- Clarify the review process and criteria for providing reasonable accommodations
- Clarify process and qualification criteria for Development Regulation Agreements

Modifications to the Comprehensive Plan, including:

- Removing the map and references to the Habitat Zones (these have subsequently been replaced by “Habitat Corridors”)

Additional Information:

These amendments are being brought forward as part of staff’s efforts to, on a more regular basis, improve the clarity and effectiveness of the Zoning Code and Comprehensive Plan by addressing inconsistencies, incorporating legislative revisions, correcting minor errors, and improving confusing or ineffective standards. The proposed amendments include issues that have been identified by staff as well as issues identified by the public and BLUS customers.

Assessment Criteria:

In order to assist the Commission in determining which applications should be considered in which amendment cycle, staff provides an assessment of each application pursuant to the following criteria, which are contained in TMC 13.02.045.F.

1. Determining if the amendment request is legislative, and properly subject to Commission review, or quasi-judicial, and not properly subject to Commission review.

These amendments involve changes to existing legislatively-adopted code and plan language and are appropriately subject to Commission review.

2. Determining if the request is site-specific (i.e., a land use intensity or a zoning change for a specific parcel(s) likely to be under one ownership).

The proposed amendments would generally apply City-wide.

3. Receipt by the application deadline, if applicable (a large volume of requests before the deadline may necessitate that some requests be reviewed in a subsequent amendment cycle).

The proposal was scheduled for consideration prior to the June 30 deadline.

4. Order of receipt.

Not applicable.

5. Recent study of the same area or issue (this may be cause for the Commission to decline further review).

The proposed amendments are needed to correct technical errors and address issues and inconsistencies identified through the administration of the code and plan to ensure their continued and improved effectiveness. These types of minor amendments are brought forward regularly as part of the annual amendment process.

6. Amount of analysis necessary (if a large-scale study is required, an application may have to be delayed until a future amendment cycle due to work loads, staffing levels, etc.).

While these amendments will likely involve modifications to many sections of the code and plan, the amount of analysis is expected to be minimal. Working groups consisting of staff from several departments affected by the proposed changes to the Code will help to develop the proposed revisions and the proposed amendments will be coordinated with development stakeholders.

7. Available incorporation into planned or active projects.

In general, technical amendments associated with sections of the code that are undergoing review as part of a larger project are addressed as part of that larger update project. This amendment will include changes to sections of the code and plan that are not currently undergoing and are not scheduled for a more comprehensive review and update.

Recommendation:

The Planning Commission will review the assessment and make its decision as to: (1) whether or not the application is complete or what information is needed to make the application complete; (2) which amendment application(s) will be considered and in which amendment cycle; and (3) whether or not to prepare alternative proposed amendment(s) that either expand or contract the scope of the original proposed amendment (TMC 13.02.045.F).

Staff recommends that the application be considered as part of the 2012 Annual Amendment.