



2013 ANNUAL AMENDMENT TO THE COMPREHENSIVE PLAN AND LAND USE REGULATORY CODE

ASSESSMENT REPORT – EXHIBIT B: ASSESSMENT OF APPLICATIONS

July 24, 2012

Assessment of the applications was conducted using the 7 criteria contained in *TMC* 13.02.045.F, as documented below:

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

All of the proposed amendments involve potential modifications to the Comprehensive Plan and/or the Land Use Regulatory Code. Amendments to the Plan and Code are legislative actions and are properly subject to Commission review pursuant to *TMC* 13.02.040.

Criterion 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).

While many of these proposed amendments would affect only portions of the City, none of them involve changes that are specific to any one particular site or parcel.

Criterion 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 one private application, Application #1, was received on June 28, 2012, prior to the application deadline. The remaining applications are all Work Program items for which no formal application is required (per *TMC* 13.02.045.D).

Criterion 4: Order of receipt.

Only one private application was received, Application #1: Drive-Through Regulations. The other applications are Work Program items, thus no formal application is required (per *TMC* 13.02.045.D).

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

Application #1: Drive-Through Regulations – This issue was partly studied in the 2012 Annual Amendment cycle, as part of Application #2012-07 – Minor Amendments and Refinements. At that time, the proposal was to allow drive-throughs (which were already permitted in all other commercial X-Districts) in the “HMX” Hospital Medical Mixed-Use District while addressing their location and design through enhanced development standards. Some citizens were concerned that this proposal was contrary to the principles of Complete Streets and the Climate Action Plan. In response to citizens’ concerns, the Planning Commission modified the proposal to limit the allowance for drive-throughs in HMX to hospitals and associated medical uses (prohibiting non-medical related drive-throughs such as those at fast food restaurants). The Commission’s modified recommendation was adopted by the City Council in June 2012. The current applicant was among the citizens who had expressed concerns in the 2012 Annual Amendment process.

Application #2: Countywide Planning Policies – The latest amendments to the Countywide Planning Policies (CPPs) for Pierce County were adopted by Pierce County on July 21, 2011, and subsequently ratified by jurisdictions within Pierce County by June 2012, including Tacoma’s ratification per Resolution No. 38367, adopted on November 29, 2011. In addition, the City Council adopted Resolution No. 38486 on May 15, 2012, to ratify the proposed amendment to the CPPs designating three new regional centers: the University Place Regional Growth Center, the Sumner/Pacific Manufacturing/Industrial Center, and the South Tacoma Manufacturing/Industrial Center.

In the early stage of the CPPs amendments, the City Council also adopted an Overarching Policy Framework (Resolution No. 38048, June 8, 2010), to guide staff when proposing or evaluating specific amendments to comprehensively update the CPPs and to bring them into compliance with the regional multi-county planning policies as set forth in the Puget Sound Regional Council’s VISION 2040.

Application #3: Container Port Element – The Comprehensive Plan designates a Manufacturing/Industrial Center (M/IC) centered on the Tacoma Tidelands. The port industrial area also is designated as a regional M/IC in Vision 2040. In 2002, a new zoning classification was established – the Port Maritime Industrial (PMI) Zone and the majority of the Tidelands were reclassified to this new zoning district. The Planning Commission has recently completed a review of policies and regulations for shoreline areas which affects the areas lying 200 feet landward of the ordinary high water mark along the port waterways. Both the Comprehensive Plan policies and the PMI zoning address many of the issues that must be covered under this amendment. However, the GMA requires additional analysis and public process to meet State legislative mandates.

The proposal was initially included in the 2011 Annual Amendment cycle, as Application #2011-03, but was postponed to allow for further informal discussions between City and Port officials. The proposal was carried into the 2012 cycle as Application #2012-01, but was subsequently put on hold to accommodate the timely completion of the City’s Shoreline Master Program Update and the Port’s 2012 Strategic Plan. Work was expected to resume in late 2012, but was further delayed due to staffing changes and reprioritization of work program.

Application #4: Transportation Element – The proposed amendments have not been reviewed by the Planning Commission; however, these types of updates have been brought forward regularly as part of the annual amendment process.

Application #5: Shoreline Related Elements – This proposal was a part of the Shoreline Master Program (SMP) Update considered by the Planning Commission in 2011. At that time, the Commission expressed concern about rescinding the documents entirely as they contained subject matter and applicability to areas outside the jurisdiction of the SMP and suggested that a more thorough analysis be conducted. The Commission removed this proposal from the SMP packet that was recommended to the City Council on August 17, 2011. Nonetheless, many of the policy principles found in these documents were incorporated into the updated SMP and, under this proposal, the remaining critical design elements from these three plans will be identified and incorporated into the Shoreline Design Guidelines, and/or the Comprehensive Plan, and/or development regulations.

Application #6: Development Intensity Designations – The overall structure and system of Comprehensive Plan land use designations has not been reviewed recently by the Planning Commission.

Application #7: Adoption and Amendment Procedures – The proposed amendments have not been reviewed by the Planning Commission.

Application #8: Platting and Subdivision Regulations – This proposal was initially included in the 2012 Annual Amendment, as Application #2012-05, but the majority of the work was subsequently put on hold due to staffing changes and reprioritization of work program. A small component of the original proposal addressing consistency with state laws was incorporated into Application #2012-07 (Minor Amendments and Refinements) for consideration and eventually adopted by the City Council in June 2012.

Application #9: Digital Sign Regulations – The Planning Commission studied the related but separate issue of digital off-premise signs (billboards) from December 2010 to May 2011. During that review, the Commission found that many of the same concerns regarding digital billboards were also pertinent to on-premise digital signs. The scope of the previous Commission review was limited to off-premise signs; therefore the Commission recommended addressing this subject during the 2012 Annual Amendment cycle. The proposal was included in the 2012 Annual Amendment, as Application #2012-04, but the majority of the work was subsequently put on hold due to staffing changes and reprioritization of work program. Some relatively minor issues from the original proposal intended to clarify, reorganize, and streamline the code language were incorporated into Application #2012-07 (Minor Amendments and Refinements) for consideration and eventually adopted by the City Council in June 2012.

Application #10: Affordable Housing Regulations – As part of the 2012 Annual Amendment, the Housing Element was amended to incorporate the eight Affordable Housing Policy Principles, as set forth in City Council Resolution No. 38264 (adopted on May 17, 2011). That work was the first phase of the multi-phase Affordable Housing Planning Work Program adopted by the City Council on May 15, 2012, per Resolution No. 38489, based on the recommendations of the Affordable Housing Policy Advisory Group.

Application #11: Trail-Friendly Regulations – The proposed amendments have not been reviewed by the Planning Commission.

Application #12: Plan and Code Cleanup – The proposed amendments have not been reviewed by the Planning Commission; however, these types of minor amendments are intended to correct technical errors, address consistency, and improve effectiveness of the Code and Plan and are brought forward regularly as part of the annual amendment process.

Criterion 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.).

Application #1: Drive-Through Regulations – The amount of analysis is expected to be moderate in terms of determining whether drive-throughs should be prohibited in all mixed-use centers and Downtown (as requested by the applicant), prohibited in certain areas only, or permitted with further restrictions than currently imposed.

Application #2: Countywide Planning Policies – The amount of analysis is expected to be modest in terms of ensuring that the policies and provisions in the Comprehensive Plan are consistent with the Countywide Planning Policies (CPPs) for Pierce County, but significant staff time will be needed to identify and amend all the policies and provisions that need to be updated in accordance with the amended CPPs.

Application #3: Container Port Element – The amount of analysis necessary is modest and is set forth in the statute (ESHB 1959, approved May 15, 2009). Much of this analysis has been completed under a City contract with the State Department of Commerce. This contract provided for consultant services, services provided by EA Blumen, and was matched by the City of Tacoma and the Port of Tacoma in-kind staff resources. Key policy discussions will relate to land use and transportation planning that addresses the needs of container port industrial uses and associated activities while ensuring a vibrant city waterfront and adjacent neighborhoods. This work needs to be coordinated and consistent with the regional policy direction adopted in VISION 2040 (the port industrial area is designated as a regional manufacturing/industrial center), the recently updated Shoreline Master Program, the Tideflats Area Transportation Study, and the Port of Tacoma’s Comprehensive Scheme of Harbor Improvements.

Application #4: Transportation Element – The analysis is expected to be modest and will focus on: (1) reviewing the implementation status and funding perspective of various projects, and updating the project information and reprioritizing projects accordingly; (2) removing redundancies between the projects listed in the Mobility Master Plan (MoMaP) section and under the Unfunded Projects List, and (3) evaluating the characteristics of the projects to ensure they continue to be consistent with and implement relevant goals and policies of the Comprehensive Plan.

Application #5: Shoreline Related Elements – The amount of analysis is expected to be modest and will focus on verifying that the policy principles contained in the documents proposed to be rescinded have been properly incorporated in the recently updated Shoreline Master Program (SMP), evaluating which design elements need to be maintained, and ensuring that they will be properly incorporated into the Shoreline Design Guidelines, and/or the Comprehensive Plan, and/or development regulations.

Application #6: Development Intensity Designations – The amount of analysis is expected to be moderate to significant, depending on how the discussion proceeds. As this project could result in the modification of the Comprehensive Plan’s land use designations for all properties within the City, it may be necessary to complete this work in phases.

Application #7: Adoption and Amendment Procedures – The amount of analysis is expected to be modest.

Application #8: Platting and Subdivision Regulations – This project is anticipated to require a moderate amount of analysis and study, including benchmarking, stakeholder review and, if needed, coordination with potential amendments to policies and regulations concerning affordable housing.

Application #9: Sign Regulations – The amount of analysis is expected to be moderate. Certain questions regarding performance standards for electronic signs remain unanswered (e.g., the ideal static image time given road speeds) and how the technical standards developed during the billboard review translate over to on-premise signs will need to be analyzed. Consultant input may be necessary if research of existing sources proves inadequate. Benchmarking will be conducted and it’s likely that stakeholder review will need to occur.

Application #10: Affordable Housing Regulations – The amount of analysis is expected to be significant due to the complex nature of issues relating to affordable housing and the high interest level of the stakeholders.

Application #11: Trail-Friendly Regulations – These will be new regulations for Tacoma and will require research regarding best practices, as well as the examination of regulations from other jurisdictions that have successfully created trails as places around which development has occurred. Extensive outreach efforts may be needed to ensure the potential concerns of the development community and the neighborhoods as well as the potential impacts to development are properly addressed. The new regulations will also need to be consistent with City policies and codes.

Application #12: Plan and Code Cleanup – While these amendments will likely involve modifications to many sections of the Code and the Plan, the amount of analysis is expected to be modest. 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.

Criterion 7: Available incorporation into planned or active projects.

Most of these proposed amendments are largely independent of other planning activities.

Application #3: Container Port Element – The Growth Management Act (GMA) requires that a Container Port Element be adopted by the time the City completes its next comprehensive GMA Update (currently scheduled for 2015). However, this is a stand-alone project that may be accomplished this year and thus be more useful to both the Port and the City.

Application #5: Shoreline Related Elements – This work is a continuation of the Shoreline Master Program Update.

Application #10: Affordable Housing Regulations – This work is a part of the multiple-phase Affordable Housing Planning Work Program as directed by the City Council (Resolution No. 38489, May 15, 2012), and may need to be coordinated with the proposed code amendments concerning Platting and Subdivisions (Application #8).

Application #11: Trail-Friendly Regulations – The Water Ditch Trail will be completed this fall and the Prairie Line Trail is in the early stages of conceptual design. Code changes could be incorporated in the growth and development of the areas in the immediate vicinity of these trails after they have been developed but would be most useful if integrated with trail design.
