



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

**SUMMARY OF ADOPTED AMENDMENTS
June 25, 2013**

The City Council adopted the 2013 Annual Amendments to the Comprehensive Plan and Land Use Regulatory Code on June 25, 2013. The adopted amendments, which will go into effect August 1, 2013, are summarized below:

1. Drive-Through Regulations	Additional restrictions on drive-throughs, particularly in Downtown and the Mixed-Use Centers
2. Countywide Planning Policies	Review of the 2012 Updates to the Pierce County Countywide Planning Policies for consistency with the City’s Comprehensive Plan.
3. Transportation Element	Updating and reprioritizing unfunded projects and incorporating “Environmental Justice” into relevant policy provisions and project evaluation criteria (per VISION 2040).
4. Land Use Designations	Revising the Comprehensive Plan’s land use designation approach from the current Land Use Intensities to a more simplified and easily understood classification system.
5. Adoption and Amendment Procedures	Amending TMC 13.02 to streamline the Planning Commission’s processes for the Comprehensive Plan, area-wide rezones, moratoria, and interim zoning.
6. Platting and Subdivision Regulations	Amending TMC 13.04 to increase the maximum short plat size from four to nine lots (per RCW) and address associated regulatory requirements.
7. Sign Regulations	Amending the Sign Code to address on-site digital signage and various sign related issues.
8. Regulatory Code Cleanup	Amending various sections of the Land Use Regulatory Code to correct minor errors, provide additional clarity, and improve administrative efficiency.

The City Council adopted the 2013 Annual Amendment with the following two ordinances:

- (1) **Amended Substitute Ordinance No. 28157** – the Code Amendments
- (2) **Ordinance No. 28158** – the Comprehensive Plan Amendments

The ordinances as well as all information relating to the 2013 Annual Amendment can be viewed online at www.cityoftacoma.org/Planning (and click on “2013 Annual Amendment”).

A more detailed summary of the each of the amendments, as adopted by the City Council, is provided below.

1. Drive-Through Regulations
(Application #2013-01)

Additional restrictions on drive-throughs, particularly in Downtown and the Mixed-Use Centers

The amendments to the *Tacoma Municipal Code (TMC) Chapter 13.06 Zoning, 13.06A Downtown, and 10.14 Driveways* are intended to (a) reduce impacts to the pedestrian environment, particularly on designated pedestrian streets or streetcar/light rail streets; (b) require visual screening of drive-through service areas and stacking lanes; (c) minimize the likelihood of vehicular and pedestrian conflicts; and (d) reduce noise impacts.

The following is a summary of the amendments, as adopted by the City Council:

1. Drive-through windows shall not face a pedestrian street. (TMC 13.06.513)
2. Minimum stacking lane spaces required, with dimensions being 10 by 18 feet. The City Traffic Engineer has authority to determine the amount of stacking spaces on a case-by-case basis. (TMC 13.06.513)
3. Landscape buffer of three feet wide or solid screening wall must be provided adjacent to stacking lanes in order to screen from neighboring properties. (TMC 13.06.513)
4. Raised walkways required for paths that cross drive-through stacking lanes (TMC 13.06.513).
5. Within the UCX-TD and all Downtown zoning districts, drive-through windows and associated stacking lanes shall be located entirely within a building (TMC 13.06.300 and 13.06A.040).
6. Drive throughs shall be designed and/or have the ability to serve bicyclists. (TMC 13.06.513)
7. Noise from ordering speakers shall be reduced and oriented in a manner that doesn't result in impacts on neighboring properties. (TMC 13.06.513)
8. Trash receptacles are required to be installed adjacent to drive-through aisle in order to reduce litter. (TMC 13.06.513)
9. Driveways that connect directly to a drive-through shall be located at least 150 from a public transit stop. (TMC 13.06.513)
10. Relocate driveway standards from the zoning code to the traffic code. (TMC 13.06.510 and 10.14)

2. Countywide Planning Policies
(Application #2013-02)

Review of the 2012 Updates to the Pierce County Countywide Planning Policies for consistency with the City’s Comprehensive Plan.

The scope of work for this application was to review the recently amended Countywide Planning Policies (CPPs) for Pierce County and the City’s Comprehensive Plan to ensure that the Comprehensive Plan continues to be consistent with the CPPs and the regional growth plan, VISION 2040.

The conclusions of the review, as endorsed by the City Council, were as follows:

1. The Comprehensive Plan is consistent with the CPPs; it contains appropriate policy provisions that correspond to the recent amendments to the CPPs;
2. There are opportunities to strengthen the Comprehensive Plan’s language pertaining to such policy issues as growth targets, affordable housing allocations, urban design, health, climate change, air quality, and sustainable transportation; and
3. These issues should be incorporated in the scope work for the “2015 Comprehensive Plan Update,” which is the next all-encompassing review of the Comprehensive Plan and development regulations mandated by the Growth Management Act for completion by June 30, 2015, so that these issues and other proposed amendments are considered in a coordinated and effective manner.

3. Transportation Element
(Application #2013-04)

Updating and reprioritizing unfunded projects and incorporating “Environmental Justice” into relevant policy provisions and project evaluation criteria (per VISION 2040).

The adopted amendments to the Transportation Element of the Comprehensive Plan primarily include: (a) incorporating “Environmental Justice” to align with VISION 2040; (b) updating, reprioritizing and consolidating unfunded projects to maintain funding eligibility; and (c) making minor changes and corrections to the text and certain maps throughout the document for consistency.

A general summary of the proposed amendments, as adopted by the City Council, are listed below:

1. Incorporate “Environmental Justice” by adding relevant background information to the policy intent for “Multimodal System” and adding “Environmental Justice” to the Project Selection and Evaluation Criteria for certain transportation programs/projects to align with current community standards and most regional and federal grant funding sources.
2. Add to the Unfunded Project List a new arterial street project of “Pacific Avenue between South 43rd and 56th Streets”, and revise the “6th Avenue from Sprague to Alder Streets” project under the category of Neighborhood Action Strategies.
3. Relocate all projects from the “Bike Facilities and Trails (1140 Fund) – New” table of the Unfunded Project List to appropriate tables in the Mobility Master Plan (MoMaP) Section.
4. Delete the “Criteria to Prioritize Classes 1, 2, 3 or 4 Bikeway Projects”, whereas the classification of bikeways has been updated with current industry standards (e.g., bike lanes, bike boulevards, sharrows, etc.) as reflected in the MoMaP.
5. Update and reprioritize projects in various tables of the MoMaP, including adding a new table of “Low-Impact Pedestrian Trails and Shared-Use Paths”.
6. Acknowledge the City’s recent designation as a Bicycle Friendly Community by the League of American Bicyclists.
7. Enhance the “Demonstration Projects” section within the MoMaP to expand the Safe Routes to School program and establish Safe Routes to Transit, Parks and Employment programs.
8. Update information pertaining to the Growth and Transportation Efficiency Center (GTEC) and the City’s first transportation demand management association, Downtown on the Go (DTOG).
9. Revise “non-motorized transportation” to “active transportation” to align with current industry standards, and revise “travel demand forecasting” to the more applicable industry terminology of “transportation demand forecasting”.

4. Land Use Designations
(Application #2013-06)

Revising the Comprehensive Plan’s land use designation approach from the current Land Use Intensities to a more simplified and easily understood classification system.

This project amends the Comprehensive Plan’s land use designations to provide additional guidance and more specific direction. This is the first phase of a multi-phase, multi-year project that is intended to revise and update the Plan’s land use designation approach, from the current Land Use Intensities to a more simplified and easily understood classification system. This first phase involved review of the existing land use designations (“intensities”) and the creation of a new land use designation framework, the adoption of portions of this new framework into the Plan, and some limited redesignations based on the new framework.

Specifically, the current phase of the proposed amendments as adopted by the City Council included the following components:

1. Creating separate land use designations for the four different types of mixed-use centers (neighborhood, community, urban and downtown);
2. Adding a new land use designation for Shoreline areas;
3. Modifying the land use designation for properties within the mixed-use centers and shoreline areas based on these new designations (this will effectively remove the “underlying” intensity designations in these areas, recognizing the more detailed and specific policy guidance already provided for the shoreline areas and mixed-use centers);
4. Creating a new land use designation framework to guide subsequent phases of the project, including a comprehensive review of the land use patterns and substantial redesignation of properties in the City. The framework includes the following designations:
 - Single-Family Residential
 - Multi-Family (low-density)
 - Multi-Family (high-density)
 - Neighborhood Commercial
 - General Commercial
 - Downtown Mixed-Use Center
 - Urban Mixed-Use Center
 - Community Mixed-Use Center
 - Neighborhood Mixed-Use Center
 - Light Industrial
 - Heavy Industrial
 - Parks and Open Space
 - Shoreline
5. Amending the text of the Growth Strategy and Development Concept Element of the Comprehensive Plan to incorporate and reflect the above changes.

5. Adoption and Amendment Procedures
(Application #2013-07)

Amending TMC 13.02 to streamline the Planning Commission’s processes for the Comprehensive Plan, area-wide rezones, moratoria, and interim zoning.

The amendments to the *Tacoma Municipal Code (TMC) Chapter 13.02 Planning Commission* are intended to (a) enhance the reporting and working relationships between the Planning Commission and the City Council; (b) streamline and clarify the adoption and amendment procedures for the Comprehensive Plan, area-wide zoning reclassifications, moratoria, and interim zoning; (c) incorporate recent amendments to the Growth Management Act (RCW 36.70A) that are relevant and applicable; and (d) improve, reorganize and streamline the text where appropriate.

The following is a summary of the proposed amendments, as adopted by the City Council:

1. Require the Planning Commission to “develop the work program for the coming year in consultation with the City Council.” (TMC 13.02.040)
2. Add an introductory statement concerning the Comprehensive Plan and that it must be consistent with applicable State and regional planning mandates. (TMC 13.02.044)
3. Streamline the description of individual elements of the Comprehensive Plan and make reference to the corresponding legislative mandates. (TMC 13.02.044)
4. Add a provision requiring adoption and amendment be consistent with procedural requirements of RCW 36.70A and applicable case law. (TMC 13.02.045)
5. Add a notion that the annual amendment cycle begins in July and ends by June of the following year. (TMC 13.02.045)
6. Consolidate the questions in the amendment application, reducing the number from 12 to 8; consolidate the criteria for assessing proposed amendments, reducing the number from 7 to 3; and consolidate the criteria for analyzing proposed amendments, reducing the number from 10 to 3. (TMC 13.02.045)
7. Streamline the process for Council-initiated moratoria or interim zoning by removing the requirement for the Planning Commission to conduct a public hearing to help the Council justify the imposition of moratoria or interim zoning. (TMC 13.02.055)
8. Change the application deadline for the annual Comprehensive Plan amendment from the existing fixed one of “last business day of June” to a flexible one to be established each year before the end of May. (TMC 13.02.045)
9. Modify the requirement for the posting of the public information signs to be applicable within “focused geographic areas” only. (TMC 13.02.057)

6. Platting and Subdivision Regulations
(Application #2013-08)

Amending TMC 13.04 to increase the maximum short plat size from four to nine lots (per RCW) and address associated regulatory requirements.

The proposed amendments to the *Tacoma Municipal Code (TMC) Chapter 13.04 Platting and Subdivisions* are intended to (a) increase the maximum short subdivision size from four to nine lots, as allowed by the Revised Code of Washington (RCW); (b) address public notice and on-site/off-site improvement requirements for short plats; (c) update connectivity provisions for pedestrian, bicycle and vehicular access for all plats; (d) update references to current street and infrastructure design guidelines; (e) modify the street lighting requirements to be “pedestrian-scale” street lights on residential streets; (f) eliminate the existing in-lieu open space/recreation fee; and (g) make minor updates, changes and corrections to text throughout the Chapters.

The following is a summary of the proposed amendments, as adopted by the City Council:

1. Increase the maximum number of lots that can be created through a short subdivision from four lots to nine lots, as consistent with RCW 58.17.020.
2. Allow for a 14-day public notice process for five- to nine-lot short subdivisions. The current short subdivision process (two to four lots) does not provide public notice provisions.
3. Require on- and off-site improvements to be installed or bonded for prior to recording of all short subdivisions.
4. Revise TMC 13.04.165 to clarify that pedestrian-scale streetlights shall be installed throughout the subdivision/short subdivision in accordance with the Illuminating Engineering Society (IES) Standards, to the approval of the City Engineer.
5. Revise TMC 13.04.095 to clarify that the Director’s decision on a boundary line adjustment, binding site plan approval, or short subdivision shall be final unless a request for reconsideration or appeal is filed in accordance with the provisions of Chapter 13.05 of the Tacoma Municipal Code.
6. Remove the requirement for an in-lieu of fee to be paid to Metro Parks for open space dedication, parks, schools, and playgrounds. Provisions requiring consideration be given for open space in subdivisions has been retained.
7. Minor updates and changes as needed to correct technical and scrivener errors.

7. Sign Regulations
(Application #2013-09)

Amending the Sign Code to address on-site digital signage and various sign related issues.

The proposed amendments to the *Tacoma Municipal Code (TMC) Chapter 13.06 Zoning* are intended to (a) better define digital signs/electronic changing message center signs; (b) place standards on digital changing message center signs; (c) address various cleanup items throughout the sign code; and (d) update sign variance criteria.

The following is a summary of the proposed amendments, as adopted by the City Council:

1. Allow one blade sign per business outright in recognition that such signs enhance the aesthetics and the pedestrian friendliness of the area. (TMC 13.06.521)
2. Add new section for regulating digital changing message center signs (TMC 13.06.521):
 - Brightness Regulation – Requirement of .3 candle above ambient light maximum
 - Size Limitations – Area maximum to 30 square feet; height of 15 feet
 - Hours of Operation – Digital changing message centers shall not operate past the hours of operation of the facility in which it serves; in no case can such sign operate between 10 p.m. and 6 a.m. in residential zoning district; will be required to be equipped with device that will automatically limit such operation.
 - Message Timing – Require digital changing message center signs to have 12 seconds per message minimum. Transitions between messages would be prohibited.
 - Exemptions – Super regional mall sites and regional convention and entertainment sites would be exempt from the additional height limitations and area limitations.
3. Clarified that legal nonconforming signs may be relocated on a site so long as the degree of nonconformity is not increased (TMC 13.06.521)
4. Added standards for feather signs in commercial, industrial and mixed-use districts (TMC 13.06.522):
 - Feather signs would be limited to 10 feet in height and 12 square feet in area
 - One per 50 feet of frontage would be allowed, with a maximum of two signs per frontage
5. Change the number of A-boards permitted per business from 1 to 2 within Downtown, as well as the CIX, NCX, URX and RCX zoning districts.
6. Updated sign variance criteria in order to allow minor and major sign variance requests. Any request for an increase of up to 25 percent greater than what is allowed for sign height or area will be reviewed as a level 1 sign variance. Any request in excess of 25 percent will be reviewed as a level 2 sign variance and subject to more stringent criteria.
7. Added new definitions and pictures to the definitions section of 13.06 in order to better clarify various types of signs and situations outlined in the sign code. (TMC 13.06.700)

**8. Regulatory Code Cleanup
(Application #2013-12)**

Amending various sections of the Land Use Regulatory Code to correct minor errors, provide additional clarity, and improve administrative efficiency.

These amendments to the Land Use Regulatory Code are intended to address inconsistencies, correct minor errors, and improve provisions that, through the administration and application of the Code, are found to be unclear or not fully meeting their intent.

The following is a summary list of the changes, as adopted by the City Council:

1. Changes to Chapter 1.37 Transfer of Development Rights Program Administrative Code which corrects the TDR exchange ratio for Pierce County sending areas to be consistent with the final ratio agreed to by the City and County, as reflected in the Inter-local agreement entered to by both parties.
2. Changes to Chapter 13.05 Land Use Permit Procedures including the creation of an Administrative Determination permit type, the addition of provisions for a one-year, one-time permit extension for certain Land Use Permits, and updates to the Notice, Comment, and Expiration for Land Use Permits chart.
3. Multiple Changes to Chapter 13.06 Zoning including:

Section 13.06.100 – Residential Zoning and Development Standards

- Clarification that the usable yard space required for residential lots may be located within the functional rear yard for through lots and that critical area buffers cannot be counted toward the calculation of the usable yard space.
- Providing an allowance for accessory buildings on lots greater than ½ acre to exceed 85% of the square footage of the main structure and the 1,000/1,500 square foot limit.

Section 13.06.200 – Commercial Districts

- The addition of a new use category “Craft Production” which consolidates and replaces “Art/Craft Production,” “Craft food and non-alcoholic beverage production,” and “Microwinery, limited.”

Section 13.06.300 – Mixed-Use Center Districts Zoning and Development Standards

- Changes to the Mixed-Use Center Pedestrian Streets for the Lincoln Mixed-Use Center in order to fix inaccuracies relating to street vacations and locations.
- Removal of the Open Space Fund Contribution Bonus Feature from the Level 2 Height Bonus Palette in the Mixed-Use Center District regulations.
- Removal of a footnote which references the *future* adoption of a TDR program, which has since been adopted.
- The addition of a new use category “Craft Production” which will replace “Art/Craft Production,” “Craft food and non alcoholic beverage production,” and “Microwinery, limited.”

Section 13.06.400 – Industrial Districts

- The addition of a new use category “Craft Production” which will replace “Art/Craft Production,” “Craft food and non-alcoholic beverage production,” and “Microwinery, limited.”

Section 13.06.501 – Building Design Standards

- Clarification that the X-District Façade Surface Standards, Building Details requirement applies to all Facades facing Core Pedestrian Streets.

Section 13.06.645 - Variances

- The creation of a minor variance permit which is a variance in which the relief requested is within 10 percent of the quantified standard contained in the code and processed in accordance with the new procedures for Administrative Determinations.
4. Changes to Chapter 13.06A Downtown Tacoma – the addition of provisions to allow variances in all of the Downtown Districts. Presently, variances are not allowed to certain standards and this change would allow more flexibility in the application of the code in Downtown Tacoma.
 5. Adding a 5th criterion to TMC 13.06A.110 Variances – “The proposal represents an alternative design that departs from the requirement(s) but is consistent with the goals and policies of the Comprehensive Plan and can be demonstrated to provide equal or superior results relative to the intent of the specific requirement(s) from which relief is sought.”