



**TO:** T.C. Broadnax, City Manager

**FROM:** Peter Huffman, Interim Director  
Planning and Development Services Department

**SUBJECT:** 2013 Annual Amendment – Planning Commission Recommendations

**DATE:** May 8, 2013

At the Study Session on May 14, 2013, the City Council will review the Planning Commission's recommendations concerning the Proposed Amendments to the Comprehensive Plan and the Land Use Regulatory Code for 2013 ("2013 Annual Amendment"). The City Council is scheduled to hold a public hearing on May 21, and consider first and final readings of adopting ordinances on June 4 and June 11, respectively.

The 2013 Annual Amendment includes the following eight applications seeking amendments to two elements of the Comprehensive Plan and seven chapters of the Tacoma Municipal Code:

- Application #2013-01 Drive-Through Regulations
- Application #2013-02 Countywide Planning Policies
- Application #2013-04 Transportation Element
- Application #2013-06 Land Use Designations
- Application #2013-07 Adoption and Amendment Procedures
- Application #2013-08 Platting and Subdivision Regulations
- Application #2013-09 Sign Regulations
- Application #2013-12 Regulatory Code Cleanup

It is noted that the Planning Commission's recommendation also includes two proposed implementation strategies of the revised Shoreline Master Program (SMP). While these were originally included as part of the annual amendment (Application #2013-05) they are not being moved forward for City Council consideration at this time as they are directly connected to and need to be considered and adopted by the City Council concurrently with the final adoption of the SMP. The revised SMP is currently under review of the State Department of Ecology. The City Council will consider the Planning Commission's recommendation on these SMP implementation strategies upon Ecology's approval of the SMP.

Attached is a packet containing the Planning Commission's Letter of Recommendation and Findings and Recommendations Report, as well as a summary for each application. The full text of the proposed amendments (in tracked changes) and the public comments received during the Planning Commission's public hearing on March 20, 2013, are compiled in the *Planning Commission Recommendations* document, which will be provided to Council Members and made available for interested parties at request. All information relating to the 2013 Annual Amendment is also available for review on the Planning Services Division's website at [www.cityoftacoma.org/Planning](http://www.cityoftacoma.org/Planning) (and click on "2013 Annual Amendment"). If you or members of the City Council have questions about this information, please contact Lihuang Wung, Planning Services Division, at 591-5682 or [lwung@cityoftacoma.org](mailto:lwung@cityoftacoma.org).

PH:lw

Attachment





City of Tacoma  
Planning Commission

Donald Erickson, Chair  
Tina Lee, Vice-Chair  
Theresa Dusek  
Benjamin Fields  
Sean Gaffney  
Mark Lawlis  
Matthew Nutsch  
Erle Thompson  
Scott Winship

May 1, 2013

Honorable Mayor and Members of the City Council,

On behalf of the Planning Commission, I am forwarding our recommendations on the proposed amendments to the Comprehensive Plan and Land Use Regulatory Code for 2013 (the "2013 Annual Amendment"), which encompass the following significant actions and intents:

1. Strengthen the regulatory standards for drive-through facilities and reduce their impacts;
2. Better define digital signs (electronic changing message center) and establish standards pertaining to hours of operation, height, size limitation, and brightness;
3. Increase the maximum short subdivision size from four to nine lots and improve associated standards to facilitate an expedited permitting process and increase development opportunities;
4. Develop the Tacoma Waterfront Design Guidelines and the Public Access Alternatives Plan as primary implementing strategies for the Shoreline Master Program;
5. Simplify the Comprehensive Plan land use designation system to better align the designations for Mixed-Use Centers, shorelines and other uses of land with their corresponding zoning classifications;
6. Streamline the legislative processes for the adoption and amendment of the Comprehensive Plan, area-wide rezones, moratoria, and interim zoning;
7. Review the Comprehensive Plan to ensure its consistency with the Countywide Planning Policies;
8. Update the unfunded transportation projects to maintain their funding eligibility and incorporate "environmental justice" in transportation policy provisions to be consistent with VISION 2040; and
9. Clean up the Land Use Regulatory Code to address inconsistencies, correct minor errors, and improve administrative efficiency.

These proposed amendments are the result of intensive analyses, thorough research, and rigorous deliberations performed by the Planning Commission and City staff over the past eight months. Extensive outreach efforts have been conducted to engage stakeholders, interested parties and concerned citizens, and to ensure early and continuous public participation in the review process. The Planning Commission also held a public hearing on March 20, 2013 to solicit public comments on the proposed amendments. We appreciate all the comments received. We also recognize that there may be ways to further improve the public notification procedures. We recommend that the City make the most of the available technology and media resources and consider cross-promoting news regarding public hearings in a more prominent fashion on both the City's website and TV Tacoma.

Enclosed is the "*Planning Commission's Findings and Recommendations Report, May 1, 2013*" that summarizes the proposed amendments, the public review process, and the Planning Commission's deliberations. The Planning Commission believes the 2013 Annual Amendment will help achieve the City's strategic goals for a safe, clean and attractive community and a diverse, productive and sustainable economy. We respectfully request the City Council adopt the 2013 Annual Amendment as recommended by the Planning Commission.

Sincerely,

Donald K. Erickson, AICP, Chair  
Tacoma Planning Commission

Enclosure





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

**PLANNING COMMISSION’S FINDINGS AND RECOMMENDATIONS  
MAY 1, 2013**

**A. SUBJECT:**

Proposed amendments to the Comprehensive Plan and Land Use Regulatory Code for 2013 (the “2013 Annual Amendment”).

**B. SUMMARY OF PROPOSED AMENDMENTS:**

The 2013 Annual Amendment Package includes the following nine applications:

| Application *  | Description  |
|--|--|
| <b>1. Drive-Through Regulations</b><br>(Application #2013-01)            | Creating additional development standards for drive-throughs in the city, with a particular focus on Downtown and Mixed-Use Centers (A private application by Jori Adkins, Dome District Development Group).   |
| <b>2. Countywide Planning Policies</b><br>(Application #2013-02)         | Review of the 2012 Updates to the Pierce County Countywide Planning Policies (CPPs) and the City's Comprehensive Plan to ensure the Comprehensive Plan continues to be consistent with the CPPs.   |
| <b>3. Transportation Element</b><br>(Application #2013-04)               | Updating and reprioritizing unfunded projects and incorporating “Environmental Justice” into relevant policies (per VISION 2040).  |
| <b>4. Shoreline Related Elements</b><br>(Application #2013-05)           | Rescinding the Thea Foss Waterway Design and Development Plan, the Ruston Way Plan, and the Shoreline Trails Plan, but carrying forward the vision and implementation strategies within the proposed Tacoma Waterfront Design Guidelines and an update of the Public Access Alternatives Plan. |
| <b>5. Land Use Designations</b><br>(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.  |
| <b>6. Adoption and Amendment Procedures</b><br>(Application #2013-07)    | Amending TMC 13.02 to streamline the Planning Commission’s processes for Comprehensive Plan amendments, area-wide rezones, moratoria, and interim zoning.  |
| <b>7. Platting and Subdivision Regulations</b><br>(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.  |
| <b>8. Sign Regulations</b><br>(Application #2013-09)                     | Amending the Sign Code to address on-site digital signage and various sign related issues (per request of the Planning Commission).  |
| <b>9. Regulatory Code Cleanup</b><br>(Application #2013-12)              | Amending various sections of the Land Use Regulatory Code to correct minor errors, provide additional clarity, and improve administrative efficiency.  |

\* There are three applications that have been removed from the package and are being conducted according to their own respective schedules; they are #2013-03 Container Port Element, #2013-10 Affordable Housing, and #2013-11 Trail-Oriented Design Standards.

**C. FINDINGS OF FACT:**

**1. Comprehensive Plan and Development Regulations** – The Comprehensive Plan, adopted in 1993 by Ordinance No. 25360 and amended by ordinance once every year thereafter, is Tacoma’s comprehensive plan as required by the State Growth Management Act (GMA) and consists of several plan and program elements. As the City’s official statement concerning future growth and development, the Comprehensive Plan sets forth goals, policies and strategies for the health, welfare and quality of life of Tacoma’s residents. The Land Use Regulatory Code, Title 13 of the Tacoma Municipal Code (TMC), is the key regulatory mechanism that supports the Comprehensive Plan.

- 2. Planning Mandates and Guidelines** – GMA requires that any amendments to the Comprehensive Plan and/or development regulations conform to the requirements of the Act, and that all proposed amendments, with certain limited exceptions, shall be considered concurrently so that the cumulative effect of the various changes can be ascertained. Proposed amendments to the Comprehensive Plan and/or development regulations must also be consistent with the following State, regional and local planning mandates and guidelines:
- The State Growth Management Act (GMA);
  - The State Environment Policy Act (SEPA);
  - VISION 2040, the Growth Management, Environmental, Economic, and Transportation Strategy for the Central Puget Sound Region (adopted on April 24, 2008 and amended on May 28, 2009);
  - Transportation 2040, the action plan for transportation in the Central Puget Sound Region (adopted on May 20, 2010);
  - The Countywide Planning Policies for Pierce County;
  - The City Council’s guiding principles for planning the future growth: (1) to protect neighborhoods, (2) to protect critical areas, (3) to protect port, industrial and manufacturing uses, and (4) to increase densities in the downtown and neighborhood business districts (Resolution No. 37070, December 19, 2006); and
  - TMC 13.02 concerning the procedures and criteria for amending the Comprehensive Plan and development regulations and for area-wide zoning reclassifications.
- 3. Receipt and Review of Applications** – Twelve applications were submitted to the Planning Commission by the deadline of June 29, 2012. The Commission conducted an assessment of the applications in July 2012 and approved the Assessment Report on August 1, 2012. As noted above (in the section of Summary of Proposed Amendments), three applications were subsequently removed in December 2012 from the annual amendment package. The Commission reviewed technical analyses of the remaining nine applications at its meetings on September 19, October 3, November 7, December 5, and December 19 of 2012, and January 16, February 6, and February 20 of 2013. A staff analysis report was prepared for each application, documenting how the respective proposed amendment was analyzed against the ten criteria as set forth in TMC 13.02.045. An economic impact assessment of each amendment was also provided. On February 20, 2013, the Commission authorized the distribution of the 2013 Annual Amendment Package for public review and set March 20, 2013 as the date for a public hearing.
- 4. Public Outreach** – Staff has conducted extensive outreach efforts to ensure early and continuous public participation in the amendment process. The outreach efforts ranged from providing overviews of the proposed amendments and the process and timeline to the Neighborhood Councils and interested entities, to meeting with stakeholders and applicants to address particular issues and suggestions. The entities that staff has approached and worked with include, but are not limited to: Dome District Development Group, Port of Tacoma, Blue Ribbon Panel, MetroParks Tacoma, Chamber of Commerce, Sustainable Tacoma Commission, Foss Waterway Development Authority, Bicycle and Pedestrian Action Committee, Neighborhood Business District Associations, Master Builders Associations of Pierce County, Neighborhood Councils and Community Council, as well as the City’s Public Works, Police, Legal departments and Tacoma Public Utilities.
- 5. Public Notification:**
- (a) The public hearing was set on March 20, 2013, and the record was kept open through March 29, 2013 to receive written comments. Staff also scheduled an Informational Session on March 13, 2013 for citizens to learn more about the proposed amendments and ask questions.
  - (b) The notice of the Public Hearing and the Informational Session was disseminated widely as described below:

- **Public Hearing Notice** – A notice announcing the public hearing and the informational session 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. The distribution reached over 200 individuals via US mail and over 350 individuals via e-mail.
  - **Special Notice** – The 2013 Annual Amendment includes proposed changes in the Comprehensive Plan land use designations for all Mixed-Use Centers and Shoreline Districts (i.e., Application #2013-06). TMC 13.02.057 requires that, for such changes, a special notice of public hearing should be mailed to all property taxpayers within, and within 400 feet of, the subject areas. A special notice postcard was mailed to nearly 14,000 property taxpayers identified from the records of the Pierce County Assessor-Treasurer. The special notice was also sent to the above-mentioned e-mail recipients for their information.
  - **Public Information Signs** – Also pursuant to TMC 13.02.057, public information signs were installed in the Mixed-Use Centers and Shoreline Districts, one in each center and four in the shoreline areas, with a total of 21 signs.
  - **Library** – The public hearing notice and the summary of the 2013 Annual Amendment were also made available for patrons' review at all eight branches of the Tacoma Public Library.
  - **News Media** – An advertisement was placed in The News Tribune on March 8, 2013; a legal notice regarding the environmental determination was placed in the Tacoma Dailey Index on March 6, 2013; and an e-mail news release, "Tacoma News", was issued through the City's Media and Communications Office on March 6, 2013.
  - **60-Day Notices** – A "Notice of Intent to Adopt Amendment 60 Days Prior to Adoption" was sent to the State Department of Commerce on March 5, 2013 (per RCW 36.70A.106), to the Puget Sound Regional Council on March 11, 2013 (per the Plan Review Requirements and Process in VISION 2040), and to the Joint Base Lewis-McChord on March 5, 2013 (per RCW 36.70A.530(4)). A similar notice was also sent to the City of Tacoma Attorney's Office on March 11, 2013, requesting legal review to ensure that none of the proposed amendments would result in an unconstitutional taking of private property (per RCW 36.70A.370).
  - **Website** – The public hearing notice and all information associated with the 2013 Annual Amendment are posted on the Planning Services Division's website at [www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning) (under the link to "2013 Annual Amendment").
- (c) Environmental Review – Pursuant to WAC 197-11 and Tacoma's SEPA procedures, a Preliminary Determination of Environmental Nonsignificance (DNS) was issued on February 22, 2013 (SEPA File Number SEP2013-40000195799), based upon a review of an environmental checklist. The DNS and the environmental checklist were provided or made available to appropriate entities that had received the public hearing notice. No comments were received during the comment period that ended on March 29, 2013, and the DNS became final on April 5, 2013.
- (d) Public Review Document – The complete text of the proposed amendments, the associated staff analyses, the DNS and the environmental checklist, and relevant background information were compiled into a Public Review Document. The document was made available for public review at the office of the Planning and Development Services Department. Its availability was also announced to appropriate entities that had received the public hearing notice.

## 6. Public Hearing Comments and Responses:

- (a) In response to the request for review of the proposed amendments for potential takings, the City's Attorney's Office indicated that the proposed amendments should not cause a substantial concern over potential takings.

- (b) As of the day of this report, no comment has been received from the State, PSRC, or JBLM.
- (c) The Informational Session on March 13, 2013 was attended by 10 citizens.
- (d) At the public hearing on March 20, 2013, 7 people testified. By the close of the comment period on March 29, 2013, 20 letters and e-mails were received. The public comments were concerning the following issues: Drive-Through Regulations (Application #2013-01), Shoreline Related Elements (#2013-05), Land Use Designations (#2013-06), Platting and Subdivision Regulations (#2013-08), and Sign Regulations (#2013-09). In addition, some modifications were initiated by staff concerning the Adoption and Amendment Procedures (#2013-07). An overview of the key issues reflected in public comments was provided to the Planning Commission on April 3, 2013.
- (e) Staff prepared a Public Comments and Staff Responses and Suggestions Report, which summarized public comments and staff's responses, and where appropriate, staff's suggested revisions to the 2013 Annual Amendment Package. The Commission reviewed the report on April 17, 2013, concurred with most of staff's suggested revisions, and provided additional modifications. In summary, the Commission determined that additional modifications be made to the 2013 Annual Amendment Package, as described below:
  - Amend TMC 13.06.510 and 13.06A, concerning drive-through standards, to clarify and reorganize proposed code language as well as incorporate illustrations into the draft code.
  - Amend TMC 13.06.510 and 10.14, concerning drive-throughs and driveways, to remove redundancies within each code section.
  - Amend the Tacoma Waterfront Design Guidelines to improve consistency with the intent for the adopted S-6/7 Schuster Parkway Transition Shoreline District as described in the Shoreline Master Program, and to address public safety and security along public trails and paths.
  - Amend the Public Access Alternatives Plan to improve consistency with the intent for the adopted S-6/7 Schuster Parkway Transition Shoreline District as described in the Shoreline Master Program.
  - Amend TMC 13.06.521 to increase the transition time between messages on digital changing message center signs and make refinements to the sign variance section.
  - Amend TMC 13.02.045, concerning the deadline for submitting annual amendment applications, to replace the fixed deadline with a flexible one to be established prior to the end of May 31 for any given year when the annual amendment process is in effect.
  - Amend TMC 13.02.057, concerning the public information signs for proposed amendments to land use designations or area-wide rezones, to require such signs only for those proposed amendments that are within focused geographic areas.

#### **D. CONCLUSIONS:**

1. Concerning Application #2013-01 Drive-through Regulations, the Planning Commission concludes that the proposed amendments to TMC 13.06.510, 13.06A, 13.06.510 and 10.14 to update drive-through and driveway standards will significantly strengthen the code restrictions on drive-through facilities in order to prevent or reduce their potential impacts; will provide better consistency with the City's vision for pedestrian-friendly, walkable communities; and will allow predictability and flexibility in the development process for such uses. The Commission also believes the proposed amendments have adequately addressed the concerns of the applicant.
2. Concerning Application #2013-02 Countywide Planning Policies (CPPs), the Planning Commission concludes that the Comprehensive Plan is consistent with the CPPs; that there are opportunities to strengthen the Comprehensive Plan's language pertaining to such policy issues as affordable



housing, urban design, health, and sustainability; and that these issues should be incorporated in the scope of work for the “2015 Comprehensive Plan Update”.

3. Concerning Application #2013-04 Transportation Element, the Planning Commission concludes that the proposed update of the unfunded project lists and the incorporation of “environmental justice” in the policy provisions have properly reflected the community’s desire, will position the City well for potential funding opportunities, and are aligned with the regional vision as set forth in VISION 2040.
4. Concerning Application #2013-05 Shoreline Related Elements, the Planning Commission concludes that the proposal to rescind three outdated shoreline related elements of the Comprehensive Plan and adopt the Tacoma Waterfront Design Guidelines (TWDG) and the Public Access Alternatives Plan (PAAL) as implementing strategies for the Shoreline Master Program (SMP) will improve the attractiveness, use and overall quality of development within the shoreline, and result in an enhanced, interconnected public access system that provides an attractive amenity for the recruitment of business and residents to the City of Tacoma. The Commission acknowledges that TWDG and PAAL should be adopted concurrently with the adoption of the SMP, which is pending the conclusion of review and decision from the Department of Ecology.
5. Concerning Application #2013-06 Land Use Designations, the Planning Commission concludes that the proposed removal of the “intensity” designation from all Mixed-Use Centers and Shoreline Districts and the proposed new framework of land use designations will better align the land use designations for Mixed-Use Centers, Shorelines and other uses of land with their corresponding zoning classifications and will achieve a more simplified and easily understood land use designation and classification system.
6. Concerning Application #2013-07 Adoption and Amendment Procedures, the Planning Commission concludes that the proposed amendments to TMC 13.02 will enhance the working relationship between the City Council and the Planning Commission and streamline the adoption and amendment processes for the Comprehensive Plan, area-wide rezones, moratoria, and interim zoning. The Commission also acknowledges that its duties and responsibilities as set forth in TMC 13.02.040 are under the purview of the City Council, therefore the review of those provisions has been conducted strictly within the context of streamlining the process and the proposed amendments thereto are not intended to effectuate any change in substance.
7. Concerning Application #2013-08 Platting and Subdivision Regulations, the Planning Commission concludes that the proposed amendments to TMC 13.04 and 13.05 to increase the maximum short subdivision size from four to nine lots and address associated regulatory requirements will increase development opportunities, improve predictability by requiring infrastructure investments up-front, and facilitate an expedited permitting process and potentially lower development costs.
8. Concerning Application #2013-09 Sign Regulations, the Planning Commission concludes that the proposed amendments to the sign regulations (TMC 13.06.521) will better define digital signs (electronic changing message center) and adequately address associated standards, including those pertaining to hours of operation, height, size limitation, and brightness.
9. Concerning Application #2013-12 Regulatory Code Cleanup, the Planning Commission concludes that the proposed clarifications and refinements to the Land Use Regulatory Code will adequately address inconsistencies, correct minor errors, and improve provisions that, through administration and application of the Code, are found to be unclear or not fully meeting their intent.
10. The Planning Commission further concludes that the proposed amendments to the Comprehensive Plan and Land Use Regulatory Code, as described above, are consistent with the Growth Management Act, will benefit the City as a whole, will not adversely affect the City’s public facilities and services, and are in the best interests of the public health, safety and welfare of the citizens of Tacoma.

## **E. RECOMMENDATIONS:**

The Planning Commission recommends that the City Council adopt the Proposed Amendments to the Comprehensive Plan and Land Use Regulatory Code for 2013 ("2013 Annual Amendment"), as described above and as set forth in the following nine sets of documents:

1. Application #2013-01 Drive-through Regulations:
  - Planning Commission Recommendation Summary
  - Exhibit A – Proposed Amendments to the Tacoma Municipal Code Chapters 13.06 and 13.06A
  - Exhibit B – Proposed Amendments to the Tacoma Municipal Code Chapter 10.14
2. Application #2013-02 Countywide Planning Policies (CPPs):
  - Planning Commission Recommendation Summary
  - Exhibit A – Review of the Countywide Planning Policies for Pierce County
3. Application #2013-04 Transportation Element:
  - Planning Commission Recommendation Summary
  - Exhibit A – Proposed Amendments to the Transportation Element of the Comprehensive Plan
4. Application #2013-05 Shoreline Related Elements:
  - Planning Commission Recommendation Summary
  - Exhibit A – Proposed Amendments to the Open Space Habitat and Recreation Element of the Comprehensive Plan
  - Exhibit B – Public Access Alternatives Plan
  - Exhibit C – Tacoma Waterfront Design Guidelines
5. Application #2013-06 Land Use Designations:
  - Planning Commission Recommendation Summary
  - Exhibit A – Proposed Amendments to the Growth Strategy and Development Concept Element of the Comprehensive Plan
  - Exhibit B – Proposed Land Use Designation Framework
6. Application #2013-07 Adoption and Amendment Procedures:
  - Planning Commission Recommendation Summary
  - Exhibit A – Proposed Amendments to the Tacoma Municipal Code Chapter 13.02
7. Application #2013-08 Platting and Subdivision Regulations:
  - Planning Commission Recommendation Summary
  - Exhibit A – Proposed Amendments to the Tacoma Municipal Code Chapters 13.04 and 13.05
8. Application #2013-09 Sign Regulations:
  - Planning Commission Recommendation Summary
  - Exhibit A – Proposed Amendments to the Tacoma Municipal Code Chapter 13.06 Zoning
9. Application #2013-12 Regulatory Code Cleanup:
  - Planning Commission Recommendation Summary
  - Exhibit A – Proposed Amendments to the Tacoma Municipal Code Chapters 1.37, 13.05, 13.06 and 13.06A



**2013 Annual Amendment Application No. 2013-01**  
***Drive Throughs***

PLANNING COMMISSION RECOMMENDATION SUMMARY  
May 1, 2013

|                                    |   |
|------------------------------------|---|
| <b>Application #:</b>              | 2013-01   |
| <b>Applicant:</b>                  | Jori Adkins, Dome District Development Group  |
| <b>Contact:</b>                    | Dustin Lawrence, Planning Services Division,<br>Planning and Development Services Department  |
| <b>Type of Amendment:</b>          | Regulatory Code Text Changes  |
| <b>Current Land Use Intensity:</b> | Not Applicable  |
| <b>Current Area Zoning:</b>        | Not Applicable  |
| <b>Size of Area:</b>               | Not Applicable  |
| <b>Location:</b>                   | City-wide   |
| <b>Neighborhood Council area:</b>  | City-wide   |
| <b>Proposed Amendment:</b>         | Amending <i>Tacoma Municipal Code (TMC) Chapter 13.06, 13.06A, and 10.14</i> to place additional standards on drive throughs and driveways Citywide in order to align with the overall vision of the Comprehensive Plan for pedestrian friendly and walkable neighborhoods. |

**Planning Commission Recommendations:**

The original scope of the application calls for drive-throughs to be prohibited outright in Downtown and the more urban and commercial oriented mixed-use districts. The Planning Commission and staff have worked with the applicant and collaboratively developed a modified approach, as herein recommended, which is intended to strengthen drive-through regulations, rather than prohibiting drive-throughs outright.

The proposed 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 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 proposed amendments, while details are shown in Exhibits A and B:

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 now has authority to determine amount of stacking spaces on case-by-case basis. (TMC 13.06.513)
3. Landscape buffer of three feet wide or solid screening wall one foot wide 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 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)

The Planning Commission conducted a public hearing on March 20, 2013 and kept the record open through March 29, 2013 to receive additional written comments. Public testimony was received by two citizens and three written comments were provided concerning the proposed amendments to TMC 13.06, 13.06A, and 10.14. In summary, concerns were expressed regarding reducing one's property values due to new standards being more cumbersome, that the proposed amendments shouldn't be a one-size-fits-all approach, that the proposed regulations should be flexible, that drive-throughs are sometimes necessary for a business to be economically viable, and that the proposed code language should be written in a manner that will attract businesses to Tacoma. In response, the Planning Commission made some minor changes to enhance the code language, but did not modify the proposal or its overall intent.

The Planning Commission recommends that the City Council adopt the proposed amendments to the *Tacoma Municipal Code (TMC) Chapter 13.06 Zoning, 13.06A Downtown, and 10.14 Driveways* as detailed in Exhibits A and B.

**Exhibit:**

- A. Proposed Amendments to the *Tacoma Municipal Code Chapters 13.06 Zoning and 13.06A Downtown.*
- B. Proposed Amendments to the *Tacoma Municipal Code Chapter 10.14 Driveways.*



**2013 Annual Amendment Application No. 2013-02**  
**Countywide Planning Policies (CPPs)**

PLANNING COMMISSION RECOMMENDATION SUMMARY  
May 1, 2013

|                                    |   |
|------------------------------------|---|
| <b>Application #:</b>              | 2013-02   |
| <b>Applicant:</b>                  | Planning and Development Services Department  |
| <b>Contact:</b>                    | Lihuang Wung, Planning Services Division  |
| <b>Type of Amendment:</b>          | Comprehensive Plan Text Changes   |
| <b>Current Land Use Intensity:</b> | N/A   |
| <b>Current Area Zoning:</b>        | N/A   |
| <b>Size of Area:</b>               | Citywide  |
| <b>Location:</b>                   | Citywide  |
| <b>Neighborhood Council Area:</b>  | All   |
| <b>Proposed Amendment:</b>         | Amending the Comprehensive Plan, as appropriate and necessary, for consistency with the Countywide Planning Policies for Pierce County. |

**Planning Commission Recommendations:**

The scope of work for this application is 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.

A review of CPPs was conducted in December 2012, and concluded that:

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 (where there could potentially be new elements of the Comprehensive Plan to address urban design and health, respectively); 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.

The Planning Commission conducted a public hearing on March 20, 2013 and kept the record open through March 29, 2013 to receive additional written comments. No public testimony was received concerning this application. The Planning Commission recommends that the City Council accept the conclusions of the review of the CPPs, as documented in Exhibit A.

**Exhibit:**

- A. Review of the Countywide Planning Policies for Pierce County (December 5, 2012)





**2013 Annual Amendment Application No. 2013-04**  
***Transportation Element***

PLANNING COMMISSION RECOMMENDATION SUMMARY  
May 1, 2013

|                                    |  |
|------------------------------------|--|
| <b>Application #:</b>              | 2013-04  |
| <b>Applicant:</b>                  | Planning and Development Services Department               |
| <b>Contact:</b>                    | Lihuang Wung, Planning Services Division                   |
| <b>Type of Amendment:</b>          | Comprehensive Plan Text Change and Map Updates             |
| <b>Current Land Use Intensity:</b> | N/A  |
| <b>Current Area Zoning:</b>        | N/A  |
| <b>Size of Area:</b>               | Citywide   |
| <b>Location:</b>                   | Citywide   |
| <b>Neighborhood Council Area:</b>  | All  |
| <b>Proposed Amendment:</b>         | Amend the Transportation Element of the Comprehensive Plan |

**Planning Commission Recommendations:**

The proposed 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 are listed below (see details in Exhibit “A”):

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 43<sup>rd</sup> and 56<sup>th</sup> Streets”, and revise the “6<sup>th</sup> 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”.

The Planning Commission conducted a public hearing on March 20, 2013 and kept the record open through March 29, 2013 to receive additional written comments. No public testimony was received concerning this proposal.

The Planning Commission recommends that the City Council adopt the proposed amendments to the Transportation Element of the Comprehensive Plan, as shown in Exhibit A.

**Exhibit:**

- A. Proposed Amendments to the Transportation Element (reviewed and approved as revised by the Planning Commission on September 19, 2012)





**2013 Annual Amendment Application No. 2013-05**  
***Shoreline Related Elements***

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**Staff Note (May 7, 2013):**

This application will not be considered by the City Council until a later date. The Planning Commission has recommended that the proposed amendments contained in this application be adopted concurrently with the adoption of the Shoreline Master Program (SMP). However, the SMP as approved by the City Council in November 2011 is currently under review by the Department of Ecology. The Ecology’s approval of the SMP is anticipated to occur in later part of 2013, at which time the City Council will consider final adoption of the SMP, along with this application. Included below is a summary of the Planning Commission’s recommendations, without the exhibits.

\* \* \* \*

PLANNING COMMISSION RECOMMENDATION SUMMARY  
 May 1, 2013

|                                    |  |
|------------------------------------|--|
| <b>Application #:</b>              | 2013-05  |
| <b>Applicant:</b>                  | Planning and Development Services  |
| <b>Contact:</b>                    | Stephen Atkinson, Planning Services Division   |
| <b>Type of Amendment:</b>          | Comprehensive Plan   |
| <b>Current Land Use Intensity:</b> | Not Applicable   |
| <b>Current Area Zoning:</b>        | Not Applicable   |
| <b>Size of Area:</b>               | Not Applicable   |
| <b>Location:</b>                   | City-wide  |
| <b>Neighborhood Council area:</b>  | City-wide  |
| <b>Proposed Amendment:</b>         | Rescind the <i>Ruston Way Plan</i> , <i>Shoreline Trails Plan</i> , and <i>Foss Waterway Design and Development Plan</i> as elements of the <i>Comprehensive Plan</i> and to replace these historic planning documents with the <i>Tacoma Waterfront Design Guidelines</i> and an update of the <i>Public Access Alternatives Plan</i> . The <i>Tacoma Waterfront Design Guidelines</i> and <i>Public Access Alternatives Plan</i> are intended to be adopted by reference in to the <i>Open Space Habitat and Recreation Element</i> of the <i>Comprehensive Plan</i> . |

**Planning Commission Recommendations:**

The proposed amendments to the *Ruston Way Plan*, *Shoreline Trails Plan*, and *Foss Waterway Design and Development Plan* are intended to (1) carry forward and integrate the design elements of these *Comprehensive Plan* elements into one streamlined *Waterfront Design Guidelines* document; (2) integrate the relevant public access vision and project descriptions into the *Public Access Alternatives Plan*; (3) improve the consistency of the *Comprehensive Plan* and *Shoreline Master Program* and associated

documents; and (4) to rescind and replace the *Comprehensive Plan* elements with a *Waterfront Design Guidelines* document and updated *Public Access Alternatives Plan*.

The following is a summary of the proposed amendments, while details are shown in the exhibits:

1. Rescind the *Ruston Way Plan* and *Design Booklet*, the *Shoreline Trails Plan*, *Foss Waterway Design Guidelines*, and the *Foss Waterway Design and Development Plan*.
2. Amend the Waterfront Open Spaces and Shoreline Access section of the *Open Space Habitat and Recreation Element* of the *Comprehensive Plan* to incorporate by reference the *Public Access Alternatives Plan* and *Tacoma Waterfront Design Guidelines* as implementation strategies.
3. Update of the *Public Access Alternatives Plan* that: 1) describes an overall vision for the waterfront public access system, 2) incorporates the vision, plan area, and implementation strategies of past waterfront public access plans, 3) updates the projects list, and 4) improves the usability of the document through reorganization, map updates, and formatting.
4. Create a unified *Tacoma Waterfront Design Guidelines* that: 1) updates and replaces the design elements of past waterfront plans, 2) applies to new waterfront public access projects city-wide, and 3) identifies specific design guidelines for the Dome to Defiance shoreline.

The Planning Commission conducted a public hearing on March 20, 2013 and kept the record open through March 29, 2013 to receive additional written comments. Public testimony on the proposed amendments focused primarily on two issues: 1) the timing of the adoption and delay in Department of Ecology approval of the *Shoreline Master Program*, and 2) improving the treatment and description of the S-6/7 Shoreline District to better reflect City Council intent as adopted in the *Shoreline Master Program*. Based on the public testimony the following amendments have been made and are recommended.

1. A separate map and description were created for the S-6/7 District in the *Tacoma Waterfront Design Guidelines* to better distinguish the area from the S-7 Shoreline District.
2. Guidelines were added to recognize concerns regarding public safety and the security of single family residences in close proximity to gulch and forested trail systems.
3. Map and text edits were made in the Schuster Corridor section of the *Public Access Alternatives Plan* to better distinguish between the S-6/7 and S-7 Shoreline Districts and to incorporate the findings from the Schuster Parkway Multi-Use Trail study.

The Planning Commission recommends that the City Council adopt the proposed amendments to the *Open Space Habitat and Recreation Plan Element of the Comprehensive Plan*, rescind the *Ruston Way Plan and Design Booklet*, *Shoreline Trails Plan*, and *Foss Waterway Design Guidelines* and *Foss Waterway Design and Development Plan*, and replace these past planning documents with the *Public Access Alternative Plan* and *Tacoma Waterfront Design Guidelines* as detailed in Exhibits A, B and C. The Planning Commission recommends that the City Council's adoption of these proposed amendments coincide with the final adoption of the *Shoreline Master Program*.

#### **Exhibits:**

- A. Proposed Amendments to the Open Space Habitat and Recreation Element of the *Comprehensive Plan*
- B. *Public Access Alternatives Plan*
- C. *Tacoma Waterfront Design Guidelines*



**2013 Annual Amendment Application No. 2013-06**  
***Land Use Designations***

PLANNING COMMISSION RECOMMENDATION SUMMARY  
May 1, 2013

|                                    |   |
|------------------------------------|---|
| <b>Application #:</b>              | 2013-06   |
| <b>Applicant:</b>                  | Community & Economic Development Department               |
| <b>Contact:</b>                    | Brian Boudet, Comprehensive Planning Division             |
| <b>Type of Amendment:</b>          | Comprehensive Plan Text and Map Changes                   |
| <b>Current Land Use Intensity:</b> | All   |
| <b>Current Area Zoning:</b>        | All   |
| <b>Size of Area:</b>               | Citywide  |
| <b>Location:</b>                   | Citywide  |
| <b>Neighborhood Council Area:</b>  | All   |
| <b>Proposed Amendment:</b>         | Amend the Land Use Designations in the Comprehensive Plan |

**Planning Commission Recommendations:**

This proposal would amend the Comprehensive Plan’s land use designations to provide additional guidance and more specific direction. This proposal 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 involves 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.

The specific amendments proposed as part of this application include:

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); and
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 Planning Commission conducted a public hearing on March 20, 2013 and kept the record open through March 29, 2013 to receive additional written comments. Four written comments and a number of phone calls were received. Listed below are the main concerns reflected in the public comments and the responses provided by staff:

(a) **Comment:** Will the proposal affect my property?

**Response:** The proposal would remove the “intensity” designation currently applicable to all mixed-use centers and shoreline districts, but would not change the zoning classifications there within; hence no affects to what the property owner currently can or cannot do with their property.

(b) **Comment:** Will the project result in changes in the density within Mixed-Use Centers or Shoreline Districts through code authority, including staff discretion?

**Response:** The current phase of the project will set the stage for a broader scope of changes, including removing the “intensity” designations citywide and, as necessary and appropriate, making additional changes within mixed-use centers and shoreline districts. However, detailed scope and timeline have not been developed; therefore it is premature to contemplate whether there would be any changes to the density (and staff discretion under code authority, for that matter) within mixed-use centers or shoreline districts.

(c) **Comment:** The future addition of private parcels into Open Space land use designation could provide incentive for owners if they could keep the parcels off tax role for 20 years without going through the process to reclassify as open space.

**Response:** The proposed land use designation framework includes a new “Parks and Open Space” designation. In the next project phase there will be further discussion about the types of properties that are appropriate for inclusion in this designation and the types of incentives that could be provided to any private properties that are included. Also, the Open Space Current Use Assessment offers an incentive for private property owners to receive a reduction on their property taxes by maintaining a property that serves the public benefit. This program is regulated under Washington State Law and specifies that properties receiving such designation are required to remain as such for a minimum of 10 years. The City does not have the ability to extend it to a 20-year minimum.

The Planning Commission concurred with staff’s responses to the comments, and made no modifications to the proposal.

The Planning Commission recommends that the City Council adopt the proposed amendments to the Comprehensive Plan concerning land use designations, as shown in Exhibit A, and the proposed land use designation framework, as shown in Exhibit B.

**Exhibits:**

- A. Proposed Amendments to the Comprehensive Plan (includes text changes and revised land use map)
- B. Proposed Land Use Designation Framework



**2013 Annual Amendment Application No. 2013-07**  
***Adoption and Amendment Procedures***

PLANNING COMMISSION RECOMMENDATION SUMMARY  
May 1, 2013

|                                    |   |
|------------------------------------|---|
| <b>Application #:</b>              | 2013-07   |
| <b>Applicant:</b>                  | Planning and Development Services Department  |
| <b>Contact:</b>                    | Lihuang Wung, Planning Services Division  |
| <b>Type of Amendment:</b>          | Regulatory Code Text Changes  |
| <b>Current Land Use Intensity:</b> | Not Applicable  |
| <b>Current Area Zoning:</b>        | Not Applicable  |
| <b>Size of Area:</b>               | Not Applicable  |
| <b>Location:</b>                   | City-wide   |
| <b>Neighborhood Council area:</b>  | City-wide   |
| <b>Proposed Amendment:</b>         | Amending <i>Tacoma Municipal Code (TMC) Chapter 13.02 Planning Commission</i> to streamline the adoption and amendment procedures for the Comprehensive Plan, area-wide rezones, moratoria, and interim zoning. |

**Planning Commission Recommendations:**

The proposed 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, while details are shown in Exhibit A:

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)

The Planning Commission conducted a public hearing on March 20, 2013 and kept the record open through March 29, 2013 to receive additional written comments. No public testimony was received concerning the proposed amendments to TMC 13.02. However, based on staff’s recommendations, the Planning Commission made two modifications, which are reflected in items #8 and #9 above.

The Planning Commission recommends that the City Council adopt the proposed amendments to the *Tacoma Municipal Code (TMC) Chapter 13.02 Planning Commission*, as shown in Exhibit A.

**Exhibit:**

- A. Proposed Amendments to the *Tacoma Municipal Code Chapter 13.02 Planning Commission*



**2013 Annual Amendment Application No. 2013-08**  
***Platting and Subdivision Regulations***

PLANNING COMMISSION RECOMMENDATION SUMMARY  
May 1, 2013

|                                    |  |
|------------------------------------|--|
| <b>Application #:</b>              | 2013-08  |
| <b>Applicant:</b>                  | Planning and Development Services Department   |
| <b>Contact:</b>                    | Cheri Gibbons, Planning and Development Services   |
| <b>Type of Amendment:</b>          | Regulatory Code Text Changes   |
| <b>Current Land Use Intensity:</b> | Not Applicable   |
| <b>Current Area Zoning:</b>        | Not Applicable   |
| <b>Size of Area:</b>               | Not Applicable   |
| <b>Location:</b>                   | City-wide  |
| <b>Neighborhood Council area:</b>  | City-wide  |
| <b>Proposed Amendment:</b>         | Amending <i>TMC</i> Chapters 13.04 Platting and Subdivisions and 13.05 Land Use Permit Procedures of the Land Use Regulatory Code. |

**Planning Commission Recommendations:**

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) address the City’s Complete Streets Guidelines and street lighting for all plats; (e) evaluate the existing in-lieu open space/recreation fee; and (6) make minor updates, changes and corrections to text throughout the Chapters.

The following is a summary of the proposed amendments, while details are shown in Exhibit A:

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. Add provisions requiring street lighting, pedestrian connectivity, and pedestrian-scale lighting when feasible for both short subdivisions and subdivisions as deemed appropriate by the City Engineer.
5. 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.

6. Minor updates and changes as needed to correct technical and scrivener errors.

The Planning Commission conducted a public hearing on March 20, 2013 and kept the record open through March 29, 2013 to receive additional written comments. Staff received two letters regarding the proposal during the comment period. The first letter was from the Master Builders Association and the comments sought clarification on the proposal. The second letter was from the Puget Creek Restoration Society which requested that no modifications to the code be made. As the comments were not substantive in nature, staff has not made any modifications to the proposed amendment based upon public input.

The Planning Commission recommends that the City Council adopt the proposed amendments to the *Tacoma Municipal Code (TMC) Chapters 13.04 Platting and Subdivisions* and *13.05 Land Use Permit Procedures* as detailed in Exhibit A.

**Exhibit:**

- A. Proposed Amendments to the *Tacoma Municipal Code Chapters 13.04 Platting and Subdivisions* and *13.05 Land Use Permit Procedures*





**2013 Annual Amendment Application No. 2013-09**  
***Sign Code***

PLANNING COMMISSION RECOMMENDATION SUMMARY  
May 1, 2013

|                                    |   |
|------------------------------------|---|
| <b>Application #:</b>              | 2013-09   |
| <b>Applicant:</b>                  | Planning and Development Services Department  |
| <b>Contact:</b>                    | Dustin Lawrence, Planning Services Division   |
| <b>Type of Amendment:</b>          | Regulatory Code Text Changes  |
| <b>Current Land Use Intensity:</b> | Not Applicable  |
| <b>Current Area Zoning:</b>        | Not Applicable  |
| <b>Size of Area:</b>               | Not Applicable  |
| <b>Location:</b>                   | City-wide   |
| <b>Neighborhood Council area:</b>  | City-wide   |
| <b>Proposed Amendment:</b>         | Amending <i>Tacoma Municipal Code (TMC) Chapter 13.06 Zoning</i> to place standards on digital changing message center signs, as well as update minor cleanup items throughout the sign code. |

**Planning Commission Recommendations:**

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, while details are shown in Exhibit A:

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. Regulations on such signs include height, area, quantity, sign brightness, hours of operation, minimum time per message, and content. (TMC 13.06.521)
3. Clarified that legal nonconforming signs may be relocated on site so long as the degree of nonconformity is not increased (TMC 13.06.521)
4. Added standards for feather signs. (TMC 13.06.522)
5. Updated sign variance criteria in order to address 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.
6. Added new definitions and pictures to 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)

The Planning Commission conducted a public hearing on March 20, 2013 and kept the record open through March 29, 2013 to receive additional written comments. Public testimony was received concerning the proposed amendments from Trisha DeOme on behalf of the Central Tacoma Neighborhood Council. Ms. DeOme raised concerns that the minimum message time for digital changing message center signs should be increased, that there needs to be a limit on the amount of digital changing message center signs, and that digital changing message center signs should all be shut off at a certain time depending on whether it is daylight or night time. In response to the issues raised by Ms. DeOme, the Commission modified the proposed code amendment by increasing the minimum message time requirement and limiting the number of such signs per site.

The Planning Commission recommends that the City Council adopt the proposed amendments to the *Tacoma Municipal Code (TMC) Chapter 13.06 Zoning* as detailed in Exhibit A.

**Exhibit:**

- A. Proposed Amendments to the *Tacoma Municipal Code Chapter 13.06 Zoning*



**2013 Annual Amendment Application No. 2013-12**  
**Code Clean Up**

PLANNING COMMISSION RECOMMENDATION SUMMARY  
May 1, 2013

|                                    |  |
|------------------------------------|--|
| <b>Application #:</b>              | 2013-12  |
| <b>Applicant:</b>                  | Planning and Development Services Department   |
| <b>Contact:</b>                    | Brian Boudet, Planning Services Division   |
| <b>Type of Amendment:</b>          | Regulatory Code Text Changes   |
| <b>Current Land Use Intensity:</b> | Various  |
| <b>Current Area Zoning:</b>        | Various  |
| <b>Size of Area:</b>               | City-wide  |
| <b>Location:</b>                   | City-wide  |
| <b>Neighborhood Council area:</b>  | City-wide  |
| <b>Proposed Amendment:</b>         | Various amendments to the Land Use Regulatory Code to address inconsistencies, correct minor errors, and provide additional clarity. |

**Planning Commission Recommendations:**

The proposed 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. Please see the following is a summary list of the proposed changes, details of which are shown in Exhibit A.

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 and 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 will replace “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 already 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 procedures for the 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.

The Planning Commission conducted a public hearing on March 20, 2013 and kept the record open through March 29, 2013 to receive additional written comments. No public testimony was received concerning the proposed amendments and staff proposed no modifications to the proposal.

The Planning Commission recommends that the City Council adopt the proposed amendments to the Tacoma Municipal Code Chapters 1.37, 13.05, 13.06 and 13.06A, as detailed in Exhibit A.

#### **Exhibit:**

- A. Proposed Amendments to the Tacoma Municipal Code Chapters 1.37, 13.05, 13.06 and 13.06A