To: Planning Commission  
From: Elliott Barnett, Planning Services Division  
Subject: Application #2014-02 – Point Defiance Development Regulation Agreement Policy  
Meeting Date: October 16, 2013  
Memo Date: October 10, 2013

At the October 16th meeting, staff will present an in depth analysis of Metro Parks Tacoma’s (MPT) application to amend the Comprehensive Plan and development regulations in support of their Destination Point Defiance plan.

The intent of the application is to address administrative hurdles to implementing the plan resulting from the park’s R-1 Single-family Residential zoning. The park plan includes commercial, lodging, educational and other features in keeping with the character of the park as a major destination, which are not typically permitted in single-family districts. To address these hurdles, the amendment would establish clear policy support and code authority to utilize the City’s Development Regulation Agreement (DRA) process to review plans for Point Defiance Park.

Attached is a proposed staff report and supporting exhibits for this application. Staff will request any guidance from the Commission, and if the Commission agrees will request authorization to release the package for continued public outreach and review. Staff would provide the Commission with a summary of that stakeholder and public input in early 2014, to inform refinements prior to release of the Annual Amendments public review package.

If you have any questions, please contact me at 591-5389 or elliott.barnett@cityoftacoma.org.

Attachments (5)  

c: Peter Huffman, Interim Director
I. Description of the Proposed Amendment:

1. Describe the proposed amendment, including the existing and proposed amendatory language, if applicable.

This proposal is a preliminary step toward implementation of Metro Parks Tacoma’s (MPT) long-range plans for Point Defiance Park. The amendment would recognize Point Defiance Park as a unique destination including features beyond those typical of a park or open space, and lay the groundwork for MPT to utilize the City’s existing Development Regulation Agreement (DRA) process as an alternate framework for City review of Point Defiance Park development activities.

Specifically, this amendment would add a new policy to the Open Space Habitat and Recreation Element of the Comprehensive Plan recognizing Point Defiance Park as a unique asset and a destination for the people of Tacoma and the region. The policy would also express support for using the DRA process for the park (see Exhibit C). In addition, a provision would be added to Tacoma Municipal Code (TMC) 123.06.560 Parks, recreation and open space section, identifying Point Defiance Park as a major destination and highlighting DRA’s as an appropriate review process (see Exhibit D).

2. Describe the intent of the proposed amendment and/or the reason why it is needed.

This application is a preliminary step intended to establish a clear policy and code framework for MPT to utilize a DRA for Point Defiance Park, which they intend to submit next year.

MPT’s Destination Point Defiance conceptual plan, the outcome of a multi-year planning effort, recognizes that the park functions not only as a local attraction but also as a destination for the people...
of the city and region (see Exhibit A). The plan includes commercial, educational and recreational features (including the zoo, a lodge, eating establishments, gift shops, a visitor’s center, additional pavilion buildings, a farmers market, entertainment and educational facilities, and bike and kayak rental facilities) that broaden the use of the park and expand its function as a unique destination. Yet, the majority of the park is within the R-1 Single-family Dwelling District, which requires a Conditional Use Permit or does not permit these features (see Exhibit B). This creates a significant administrative hurdle to implementing the community vision for the park.

DRAs, as laid forth in TMC 13.05.095, provide an optional process that can help address the administrative hurdles. A flexible review process intended for large, strategic development proposals, DRAs fit the scope and scale of MPT’s plans for Point Defiance Park. DRAs also provide ample public notice, a mechanism to determine appropriate conditions of approval, and are approved directly by the City Council.

3. **Describe the geographical areas associated with the proposed amendment.** Include such information as: location, size, parcel number(s), ownership(s), site map, site characteristics, natural features, current and proposed Comprehensive Plan land use designations, current and proposed zoning classifications, and other appropriate and applicable information for the affected area and the surrounding areas.

The 702-acre park is located at the northern end of the peninsula that forms north Tacoma. Established over 125 years ago, the park is owned by the City of Tacoma and managed by MPT. Point Defiance Park is bordered by the Puget Sound on three sides, and by the Cities of Ruston and Tacoma along its southern boundary, including the Point Ruston Development on its southeastern corner. It is largely forested, ringed by shorelines, and includes a range of recreational, cultural, educational and maintenance facilities. The park is also the location of the Tacoma Yacht Club, the Vashon Island ferry station, eating establishments, boating facilities, and Tacoma School District’s Science and Math Institute (SAMI) campus.

The park is zoned R-1 Single-Family Residential District, and S-4 Point Defiance Park - Natural, S-5 Point Defiance Park - Urban Conservancy, and S-15 Point Ruston/Slag Peninsula Shoreline Districts (effective October 15, 2013). The Comprehensive Plan land use designation is Low Intensity and Shoreline.

The site includes the following parcel numbers: 0221103000, 0221221011, 0221221021, 8950100015, 8950100016, 8950100017 and 8950100010.

4. **Provide any additional background information associated with the proposed amendment.**

This proposal builds on MPT’s planning efforts as well as three recent City initiatives:

In 2008, the City Council adopted the *Open Space Habitat and Recreation Element* which is the City’s policy direction for parks, recreation and open space.

In 2010, the City created *TMC 13.05.095 Development Regulation Agreements* which established an alternative process for major projects in key locations, including on public sites larger than 5 acres in size. DRAs are not available in Shoreline Districts.
In 2011, the City created *TMC 13.06.560 Parks, recreation and open space* which established that those uses are generally Permitted outright in residential zones, but that major features likely to generate neighborhood impacts would be Conditional Uses. This update simplified the review process for most park projects, but stopped short of explicitly establishing a process for a large, complex park sites like Point Defiance Park.

This proposal essentially links these initiatives together by updating the Open Space Habitat and Recreation Element to reflect MPT’s plans, and by clarifying the role that DRAs can play for park, recreation and open space land uses. Other aspects of the Element are also being reviewed this year, and that effort will be coordinated with this one.

**II. Analysis of the Proposed Amendment:**

1. **How does the proposed amendment conform to applicable provisions of State statutes, case law, regional policies, the Comprehensive Plan, and development regulations?**

   The proposed policy and code amendments are consistent with the applicable provisions of State, regional and local law and policy.

   By furthering the enhancement of one of Tacoma’s signature parks, this proposal supports the Comprehensive Plan. Specifically, it implements the following policies:

   **Open Space Habitat and Recreation Element:**
   - OS-R-1 Develop and Improve Recreation Opportunities (OS-10)
   - OS-R-2 Meet Community Needs (OS-10)
   - OS-R-4 Design and Development (OS-10)
   - OS-R-5 Multiple Use (OS-10)
   - OS-R-6 Scenic Sites and Vistas (OS-10)
   - OS-T-1 Trail Corridors (OS-11)
   - OS-SH-1 Prioritize Tacoma’s Shorelines and Waters (OS-16)
   - OS-SH-2 Shoreline and Water Access (OS-17)
   - OS-SH-3 Shoreline and Water Activities (OS-17)
   - OS-HA-2 Habitat Corridors (OS-18)
   - OS-HA-6 Low-impact Access and Recreation (OS-19)
   - OS-CI-1 Promote Citizen Involvement (OS-22)
   - OS-P-1 Coordinate Efforts (OS-24)

   **Generalized Land Use Element**
   - LU-UAD-12 Open Space and Amenities (LU-16)

   **Neighborhood Element – West End section**
   - Goal WE-3 Recreation & Open Space (Neigh-56)
   - Policy WE-3.4 Ruston Way Pedestrian Promenade (Neigh-57)

   In addition, the proposal is consistent with the intent of Residential Zoning Districts:

   **TMC 13.06.100 Residential Districts.**
   A. **District purposes.** The specific purposes of the Residential Districts are to:
      1. Implement the goals and policies of the City’s Comprehensive Plan.
      7. Allow for creative designs while ensuring desired community design objectives are met.
8. Allow for the enhancement of residential neighborhoods with parks, open space, schools, religious institutions and other uses as deemed compatible with the overall residential character.

Tacoma’s Development Regulation Agreement provisions are consistent with state guidance contained in RCW 36.70B.170-210.

2. **Would the proposed amendment achieve any of the following objectives?**
   - Address inconsistencies or errors in the Comprehensive Plan or development regulations;
   - Respond to changing circumstances, such as growth and development patterns, needs and desires of the community, and the City’s capacity to provide adequate services;
   - Maintain or enhance compatibility with existing or planned land uses and the surrounding development pattern; and/or
   - Enhance the quality of the neighborhood.

MPT’s Destination Point Defiance project is a multi-year planning effort reflecting extensive public input. Its intent is to continue the long history of improvements to Point Defiance Park as one of Tacoma’s signature parks serving both Tacomans and visitors.

The proposed amendment would support MPT’s efforts to enhance and compliment the character of the surrounding neighborhoods which contain a mix of land uses, including retail, commercial and residential. Allowing additional commercial and retail uses within the Park is intended to support and enhance the public users’ experience in Point Defiance, and reflects the community vision established through MPT’s planning efforts. It also reflects the major change to the area heralded by development of Point Ruston as a mixed-use community.

The proposed amendment would improve consistency between MPT’s plans and the City’s by updating the Tacoma Comprehensive Plan to reflect MPT’s Point Defiance plans. It would also improve consistency between Tacoma’s Plan and regulations by adding parallel language in both places. Third, it would clarify how the City’s parks and the DRA code sections work together.

3. **Assess the proposed amendment with the following measures: economic impact assessment, sustainability impact assessment, health impact assessment, environmental determination, wetland delineation study, traffic study, visual analysis, and other applicable analytical data, research and studies.**

The proposal is likely to have a positive economic impact on the neighborhood and the City as a whole. Enhancing one of Tacoma’s signature parks and integrating new activities such as lodging and commercial space all promise to make the park more attractive and build its user base. In addition, these new features could generate a sustainable revenue stream to help offset the Park’s maintenance and operations cost.

The proposal can be anticipated to have a positive sustainability impact. The plans concentrate new development in areas of the park which have already been disturbed and leave natural areas undisturbed; use land efficiently by concentrating additional growth within and adjacent to compact, mixed-use neighborhoods; enhance the ability to bike or walk to and from the park, providing an alternative to travel by car; and, promote the re-use of a former brownfield site. More fundamentally, improvements at the scale proposed, promise to improve the City’s attractiveness for residents and employers. Investment in the City of Tacoma is sustainable generally, in that it concentrates
development in a compact community with existing infrastructure, as opposed to on farm and forest lands outside the City.

Improvements to Point Defiance Park will have a positive health impact, particularly for active transportation choices. The park plan maintains the existing trails system, provides a new trail connection through Point Ruston, integrates with abutting city streets, and serves the ferry terminal.

MPT has conducted a full buildout assumptions analysis of the Point Defiance plan, which has been used to date to project traffic flow at the Pearl Street park entrance. Environmental determinations under the State Environmental Protection Act (SEPA) will be addressed at the time of the DRA and/or at the project permit level.

4. Describe the community outreach efforts conducted for the proposed amendment, and the public comments, concerns and suggestions received.

Outreach for this application will build on the extensive public process for the Destination Point Defiance project. In addition, MPT has engaged BCRA, a consultant firm, to assist with the public process. City staff are coordinating with them to identify the stakeholders.

Beginning in September of 2005, MPT undertook a major public process to develop a Point Defiance Park concept plan. In February 2008, after more than 100 public meetings, over 1,000 participants, and meetings/presentations to multiple stakeholders, the Metro Parks’ Board approved the plan. The public and stakeholders also had the opportunity to provide input through design charrettes, email, mail, phone calls, and surveys on and off line. The concept plan reflects that input.

Public participation did not stop in 2008. Along with numerous on and offline surveys, MPT continues to host “Third Thursday” meetings on Point Defiance Park. In addition, in 2012 MPT conducted a public process to create a Master Plan for the area called “the Triangle” (the area to the right of the Pearl Street entrance). MPT continues to involve stakeholders including the Cities of Tacoma and Ruston, several Washington State departments, the Tacoma School District, Point Ruston LLC, WSDOT Ferries and Highways, and others.

MPT reports that the stakeholder and public input has been consistently positive. Overall, MPT summarizes the input into 3 Guiding Principles: 1 - Preserving the Character of the Park; 2 - A pedestrian focus by creating safe and easy access throughout the park; 3 - Providing activities year-round.

For this application, staff and the applicants have identified and had preliminary discussions with the following stakeholders:

- Community Council - endorsement for plan (08/28/12)
- West End and North End Neighborhood Councils
- Town of Ruston (meeting on 10/03/13)
- Puyallup Tribe
- Ruston Pearl Business District (meeting on 09/30/13)

The preliminary outreach has revealed general support. Staff will continue to work with the stakeholders, and conduct additional outreach as part of the 2014 Annual Amendment package.
5. Will the proposed amendment benefit the City as a whole? Will it adversely affect the City’s public facilities and services? Does it bear a reasonable relationship to the public health, safety, and welfare?

The proposed amendment will benefit the City as a whole by supporting the enhancement of one of Tacoma’s most well-regarded public assets – Point Defiance Park.

III. Staff Recommendation:

Staff recommends that the proposed amendments to the Comprehensive Plan and the Tacoma Municipal Code pertaining to Point Defiance Park, as applied by Metro Parks Tacoma, and as depicted in Exhibits C and D, be distributed for public review. Staff will continue to engage in public outreach and provide a summary to the Planning Commission prior to the public hearing process which is tentatively scheduled for February-March 2014.

IV. Exhibits:

A. Zoning Map
B. Development Concept Map
C. Proposed Amendments to the Comprehensive Plan
D. Proposed Amendments to the Tacoma Municipal Code
City of Tacoma Zoning Districts

Exhibit A
Open Space Habitat and Recreation Element:

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**OS-R-10 Destination Point Defiance Park**
Recognize the unique role that Point Defiance Park plays as a citywide and regional destination. Utilize alternative processes, such as Development Regulation Agreements, to allow for the review and development of special features, including publicly or privately operated commercial and retail establishments, within the boundaries of Point Defiance Park. Such a review process shall ensure that the policy and code intent is met, while providing for an enhanced user experience, supporting the goals and policies of the Park’s long-term planning effort, and ensuring that development is in keeping with the Park’s +125-year history.
Chapter 13.06.560 Parks, recreation and open space.

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Section C. Review Process in Residential Zoning Districts

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5. Development Regulation Agreements. Per the provisions of TMC 13.05.095, Development Regulation Agreements are an optional application procedure for major projects in key locations. In the case of park, recreation and open space uses, DRAs may facilitate application review by encompassing one or more features defined as Conditional in this section; and, DRAs can authorize alternative development standards and additional land uses to those authorized by the zoning district, that support and compliment the plan and functions of a major park, recreation or open space location.

a. Destination Point Defiance Park. As a key park, recreation and open space location, Point Defiance Park is an appropriate location for use of the DRA process. A DRA for Point Defiance can authorize alternative development and dimensional standards, and land uses such as educational, cultural, commercial, hospitality, administrative, maintenance or other uses not typically permitted in the R-1 Residential Zoning District.