Planning Commission Public Hearing
2016 Annual Amendments to the Comprehensive Plan and Land Use Regulatory Code

Planning Commission Public Hearing

Wednesday, May 4, 2016, 5:00 p.m.
City Council Chambers
Tacoma Municipal Building
747 Market Street, 1st Floor

Information Session

Wednesday, April 27, 2016
5:00 p.m.
City Council Chambers
Tacoma Municipal Building
747 Market Street, 1st Floor

How to Provide Comments

1. Testify at the public hearing on May 4, 2016; and/or
2. Provide written comments by May 13, 2016, 5:00 p.m., via:
   - E-mail: planning@cityoftacoma.org;
   - Fax: (253) 591-5433; or
   - Letter: Planning Commission
     747 Market Street, Room 345
     Tacoma, WA 98402
The 2016 Annual Amendments include the following five amendment applications. This pamphlet provides an overview of the proposals, including the locations of the potential area-wide rezones being considered as part of Application 1: Future Land Use Implementation.

<table>
<thead>
<tr>
<th>APPLICATION</th>
<th>PLAN / CODE AMENDMENT</th>
<th>DESCRIPTION OF PROPOSED AMENDMENT</th>
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<tbody>
<tr>
<td>1. Future Land Use Implementation-Phase 1</td>
<td>Plan &amp; Code Amendment</td>
<td>Phase 1 of a multi-year effort to implement the Future Land Use Map of the Comprehensive Plan by evaluating inconsistencies between the Comprehensive Plan and the Zoning map and to rectify the inconsistencies through Plan amendments or area rezones.</td>
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<td>2. Multifamily District Design Standards</td>
<td>Code Amendment</td>
<td>Review and amend the development standards for the multifamily residential development to ensure consistency with Comprehensive Plan policies pertaining to street and pedestrian orientation, connectivity, building design, site layout, and off-site transitions.</td>
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<td>3. Wireless Communication Facilities</td>
<td>Code Amendment</td>
<td>Evaluate the code in response to recent Federal legislation that identified wireless facilities as important basic infrastructure and to make sure local jurisdictions don’t put these facilities through any unnecessary or punitive processes.</td>
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<td>4. Short Term Rental and B&amp;B</td>
<td>Code Amendment</td>
<td>Establish development regulations for Short-Term Rentals, which includes bed-and-breakfasts.</td>
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<td>5. Code Cleanup</td>
<td>Code Amendment</td>
<td>Minor code amendments to improve consistency with and better implement the intent of the Comprehensive Plan. This year, the code cleanups are proposed for Tacoma Municipal Code Title 1: Administration and Personnel, Chapter 13.05: Land Use Permit Procedures, Chapter 13.06: Zoning, and Chapter 13.10: Shoreline Master Program.</td>
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**ENVIRONMENTAL REVIEW:**

The City has made a preliminary determination that this proposal does not have a probable significant adverse impact on the environment and has issued a preliminary Determination of Environmental Nonsignificance after review of an environmental checklist, a copy of which is available upon request. Comments on the preliminary determination must be submitted by **5:00 pm on Friday, May 13, 2016**. The City may reconsider or modify the preliminary determination in light of timely comments. The preliminary determination will become final on **May 20, 2016**, unless modified.
Proposal

Area-wide rezones are proposed for the following study areas:
1. Nob Hill, South Downtown
2. McKinley Police Substation in the McKinley Neighborhood Center
3. N 33rd and Pearl St.
4. North of Tacoma Community College to 6th Ave
5. S Alaska and 72nd St.
6. South Tacoma Industrial Zones
7. Cheney Stadium and Foss High School

Future Land Use Map Amendments are proposed for the following study areas:
1. Franke Tobey Jones, on N Vassault St.
2. N 33rd and Pearl St.

Outreach

In January the Planning Division Manager sent a letter to the Neighborhood Councils, the Planning Commission distribution list, and other interested parties regarding the 2016 Annual Amendment and other ongoing Planning Division project.

In early February, staff provided a second round of public notification vis-a-vis pamphlets mailed to approximately 1300 residents within or in close proximity to areas proposed for potential rezone during this Annual Amendment process. The pamphlets also provided information on all of the annual amendments being considered this year. Further notification of the annual amendments and Planning Commission meeting agenda materials are sent to neighborhood councils, business districts and other stakeholders.

Planning Commission’s Review

The Planning Commission reviewed the subject on March 2 and April 6, 2016. The Commission authorized the distribution of the proposed amendments for public review on April 6, 2016.

For More Information: The Future Land Use map is available at: [http://wspdsmap.ci.tacoma.wa.us/website/DART/staff/TacomaPermitsMap.htm](http://wspdsmap.ci.tacoma.wa.us/website/DART/staff/TacomaPermitsMap.htm), click on the legend and activate the land use designation layer. For information regarding the specific zoning districts identified in the following maps, please see [http://tacomapermits.org/land-use-code-library](http://tacomapermits.org/land-use-code-library) for links to the Tacoma Land Use Regulatory Code and the Zoning Reference Guide.
Study Area 1: Proposed Rezone

Purple dash indicates areas proposed for rezone. White text identifies the specific zoning change. Orange text is existing zoning.
Study Area 2: Proposed Rezone

Purple dash indicates areas proposed for rezone. White text identifies the specific zoning change. Orange text is existing zoning.

Map is for reference only.
Study Area 3: Proposed Land Use Designation

Purple dash indicates areas proposed for re-designation. White text identifies the specific designation change. Orange text is existing zoning.
Study Area 4: Proposed Rezone & Re-Designation

Purple dash indicates areas proposed for rezone. White text identifies the specific zoning change. Orange text is existing zoning.
Study Area 5: Proposed Rezone & Re-Designation

Purple dash indicates areas proposed for rezone. White text identifies the specific zoning change. Orange text is existing zoning.

Map is for reference only.
Study Area 6: Proposed Rezone

Purple dash indicates areas proposed for rezone. White text identifies the specific zoning change. Orange text is existing zoning.

Map is for reference only.
Study Area 7: Proposed Rezone

Purple dash indicates areas proposed for rezone. White text identifies the specific zoning change. Orange text is existing zoning.

Map is for reference only.
Study Area 8: Proposed Rezone

Purple dash indicates areas proposed for rezone. White text identifies the specific zoning change. Orange text is existing zoning.

Map is for reference only.
Proposal

The proposed amendments would update building and site design standards of TMC 13.06: Zoning for residential zoning districts broadly and for multi-family residential development specifically. The intent of the proposed amendments is to implement the broad goals and policies of the Comprehensive Plan and to ensure that new multi-family residential development in all districts supports the following design principles, derived from the goals and policies of the Plan:

1. Promote high quality and durable materials and design;
2. Promote the human scale and orient towards the pedestrian;
3. Enhance the legibility of the public and private realms;
4. Respect the context of the site and patterns of Tacoma’s neighborhoods;
5. Encourage a sense of community through interaction;
6. Integrate nature into everyday life and respond to the natural characteristics of the City;
7. Promote creative expression through design and the interaction of public and private spaces.

Background

Currently, there are significant gaps in the City’s design standards relating to multi-family residential development. The City’s building design standards do not apply to the R-Districts broadly nor to specific multi-family development types. While the City has had strong urban design related goals and policies in past Comprehensive Plans, they have not been fully implemented.

Key Revisions

Proposed code changes to TMC 13.06: Zoning pertaining to residential zoning districts broadly and to multi-family residential development specifically. This application would establish designated pedestrian streets in all districts and amend requirements for:

- Front lot setbacks
- Building coverage
- Usable yard space
- Tree canopy
- Pedestrian and bicycle circulation
- Parking location and design
- Mass reduction
- Roofline standards
- Transparency
- Façade surface standards
- Pedestrian standards
- Fencing and utility screening
Proposal

The proposal would amend the development regulations pertaining to wireless communication facilities as set forth in the Tacoma Municipal Code (TMC), Section 13.06.545 Wireless Communication Facilities and relevant terms as contained in Section 13.06.700 Definitions. The intent of the proposed amendment is to comply with the new wireless communication regulations and rules adopted by the Federal Communications Commission in October 2014 and meet the community’s goals for urban design and aesthetics concerning wireless communication facilities.

Background

In 2012 Congress passed the “Middle Class Tax Relief and Job Creation Act of 2012” (codified at 47 U.S.C. § 1455(a)). Section 6409 of the Act requires that “a State or local government may not deny, and shall approve, any eligible facilities request for a modification [i.e., collocation, removal or replacement of transmission equipment] of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.”

The Federal Communications Commission (FCC), pursuant to its rule making authority as empowered by the Telecommunication Act of 1996, issued a Report and Order (FCC 14-153) on October 21, 2014 (which became effective on April 8, 2015), establishing rules for implementing Section 6409. The Order, among other things, defines when a proposed modification constitutes a substantial change to the physical dimensions of the antenna support structure, establishes application requirements limiting the information that can be required from an applicant, and implements a 60-day “shot clock” for the local government’s review and decision making on such applications. The FCC’s rules are intended to spur wireless broadband deployment, in part, by facilitating the sharing of infrastructure that supports wireless communications through incentives to collocate on structures that already support wireless facilities.

Key Revisions

The package of code changes to TMC 13.06.545: Wireless communication facilities, and TMC 13.06.700: Definitions, including the following:

- Incorporation of definitions and terms consistent with “substantial modifications” as laid out in Federal Communications Commission rules
- Add provisions to further reduce visual impacts of wireless facilities
- Make clarifications and improvements of code language to clarify its intent
The proposal would establish development regulations pertaining to short-term rentals by amending the Tacoma Municipal Code (TMC), Chapter 13.06 Zoning.

The goals and intents for the proposal are to acknowledge and track the growing peer-to-peer short-term rental market, proactively address potential impacts (especially concerning life-safety, liability and residential neighborhood character) of this rapidly emerging sharing economy, and set the stage for a broader policy discussion and a more coordinated regulatory update that includes zoning, tax and licensing, nuisance code, and administration and enforcement program components.

Background

The relatively new industry of short-term rentals of homes and rooms (generally less than 30 days) has been facilitated by on-line “sharing” sites such as Airbnb, VRBO and HomeAway. It is positioned somewhere between traditional residential rentals and traditional hotels, and thus does not fit cleanly into current regulatory or licensing structures.

Key Revisions

The proposal would establish a basic regulatory framework that defines “Short-Term Rental” and where it would be allowed; requires a conditional use permit for allowing a short-term rental where it may be otherwise prohibited, for exempting owner-occupancy requirement, and/or for allowing accessory activities on the premise (such as wedding, retirement parties, and corporate events); requires registration and inspections of the rental units; and addresses nonconforming uses. Such a regulatory framework is intended to set the stage for a broader policy discussion of the matter and the continued regulatory updates.
Proposal

The proposed amendments involve general text corrections to various sections of the Tacoma Municipal Code intended to address inconsistencies, correct minor errors, and improve provisions that, through administration and application of the Land Use Regulatory Code, are found to be unclear or not fully meeting their intent. Code cleanups this year would improve consistency between the Tacoma Municipal Code and the Comprehensive Plan, fully implement the recommendations of the 2015 Best Available Science review in Tacoma Municipal Code 13.10 Shoreline Master Program, correct errors in the code, and implement changes to the nonconforming use standards to better implement policies in the Comprehensive Plan.

Background

The code cleanup is an annual process used by staff to improve the clarity and effectiveness of the Land Use Regulatory Code by addressing inconsistencies, incorporating legislative revisions, correcting minor errors, and improving confusing or ineffective standards.

Key Revisions

Comprehensive Plan Consistency: This cleanup action would bring the Municipal Code into consistency with the Comprehensive Plan changes made to the following terms.

- Mixed-use Centers: Names and center “types”; recognize Stadium and Hilltop Neighborhood Centers as integrated subareas within the Downtown Regional Growth Center.
- Open Space Corridors: Habitat Corridors re-designated as Open Space Corridors.
- Land Use Designations: The code changes replace the term “intensities” with “designations.”
- Public Facilities and Services Element: References change to reflect that these two elements have been combined.

Definitions and References:

- Mobile Home/Trailer Court: Minor definition change.
- Conditional Use Criteria: Code references updated.
- Affordable Housing Incentives Code: Add missing reference to Mixed-Use Centers height bonuses.

Nonconforming Uses: Legally nonconforming uses could potentially be allowed to expand or change uses that exceed current limitations in the nonconforming use code through a conditional use permit.

Shoreline Critical Areas: Amendments to implement the recommendations from the 2015 Best Available Science Review for critical areas within shoreline jurisdiction.
**Planning Commission Public Hearing**

2016 Annual Amendments to the Comprehensive Plan and Land Use Regulatory Code

<table>
<thead>
<tr>
<th>What is this?</th>
<th>This is a Public Hearing Notice issued by Tacoma Planning Services staff regarding the “2016 Annual Amendments to the Comprehensive Plan and Land Use Regulatory Code,” which includes potential area-wide rezone classifications.</th>
</tr>
</thead>
</table>
| Why am I being notified? | You receive this notice because:  
1. Your property or business is located within 400 feet of an area in which area-wide rezone classifications are being considered; and/or  
2. You and/or your affiliation(s) have been identified as the stakeholders who may be interested in and/or affected by the proposed amendments. |
| How would I be affected? | You could be affected, to various degrees, depending on the nature of the proposed changes in the area(s) of concerns, the current and future development patterns of the area(s), the proximity of your property or business to the area(s), the type of your business, and/or your philosophy about the growth and development of your neighborhood and the entire city. |
| How do I find out more? | If you have questions, please contact Stephen Atkinson, Senior Planner, Planning Services Division at satkinson@cityoftacoma.org or (253) 591-5531. Additional information is available at [www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning) > “2016 Annual Amendments”. |