



Preliminary Determination of Environmental Nonsignificance

City of Tacoma Comprehensive Plan and Land Use Regulatory Code Proposed Amendments for 2016

SEPA File Number: LU16-0076

TO: All Departments and Agencies with Jurisdiction

SUBJECT: Preliminary Determination of Environmental Nonsignificance

In accordance with WAC 197-11-340, a copy of the Preliminary Determination of Environmental Nonsignificance for the project described below is transmitted:

Applicant: City of Tacoma – Planning and Development Services Department

Proposal:

The package of the Proposed Amendments to the Comprehensive Plan and Land Use Regulatory Code for 2016 (or “2016 Annual Amendment”) includes the following five subjects:

1. Future Land Use Implementation
2. Multifamily Design Standards
3. Wireless Communication Facilities
4. Short-Term Rentals
5. Code Cleanup

The complete text of the proposed amendments and the associated staff analysis reports are available for review at the Planning and Development Services Department at the below address and posted on the Planning Division’s website at www.cityoftacoma.org/planning (under the link “2016 Annual Amendment”).

Location: City of Tacoma

Lead Agency: City of Tacoma

City Contact: Lihuang Wung
Planning and Development Services Department
747 Market Street, Room 345
Tacoma, WA 98402-3701
(253) 591-5682

The lead agency for this proposal has made a preliminary determination that this project does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) (c). This decision was made after review of an environmental checklist and other information on file with the lead agency. This information is available to the public upon request. This Preliminary Determination of Nonsignificance (DNS) is issued under WAC 197-11-340(2). **Comments must be submitted by 5:00 p.m. on Friday, May 13, 2016.** The Responsible Official will reconsider the DNS based on timely comments and may retain, modify, or, if significant adverse impacts are likely, withdraw the DNS. **Unless modified by the City, this determination will become final on May 20, 2016.** There is no administrative appeal for this determination. Appeals must be filed in conjunction with appeals of the adopted amendments to the Growth Management Hearings

Board; appeals shall be taken in accordance with procedures and limitations set forth in RCW 43.21C.075 and WAC 242-02. In addition to Growth Management Hearings Board requirements, a copy of the appeal shall be filed with the Planning and Development Services Department, 747 Market Street, Room 345, Tacoma, Washington 98402.

The Puyallup Tribe is notified that this initiates the consultation process.

Responsible Official: Peter Huffman
Position/Title: Director, Planning and Development Services Department

Signature:



SEPA Officer Signature:



Issue Date: April 8, 2016
Comment Deadline: May 13, 2016, 5:00 p.m.

NOTE: The issuance of this Preliminary Determination of Nonsignificance does not constitute project approval. Future project applicants must comply with all other applicable requirements of the City of Tacoma and other agencies with jurisdiction prior to receiving development permits.

c: via U.S. Mail:

Tacoma Public School District #10, Steve Murikami, 3223 South Union Ave., Tacoma, WA 98409
Puyallup Tribe of Indians, Bill Sullivan, Natural Resources Director, 3009 E. Portland Ave., Tacoma, WA 98404
Puyallup Tribe of Indians, David Duenas, Building Official, 3009 E. Portland Ave., Tacoma, WA 98404
Puyallup Tribe of Indians, Brandon Reynon, Tribal Historian, 3009 E. Portland Ave., Tacoma, WA 98404
Puyallup Tribe of Indians, Jeffrey Thomas, TFW Program Director, 3009 E. Portland Ave., Tacoma, WA 98404
Puyallup Tribe of Indians, Peter Mill, Planning Director, 3009 E. Portland Ave., Tacoma, WA 98404
Puyallup Tribe of Indians, Lisa A. Brautigam, Environmental Attorney, 3009 E. Portland Ave., Tacoma, WA 98404
Puyallup Tribe of Indians, Russ Ladley, Tribal Attorney, 3009 E. Portland Ave., Tacoma, WA 98404
Puyallup Tribe of Indians, Shawn Villegas, 3009 E. Portland Ave., Tacoma, WA 98404
Puyallup Tribe of Indians, Andrew Stroebel, Land Use Manager, 3009 E. Portland Ave., Tacoma, WA 98404

c: via E-mail:

Tacoma Planning and Development Services Department, Shirley Schultz, Shirley.schultz@cityoftacoma.org
Tacoma Planning and Development Services Department, Reuben McKnight, reuben.mcknight@cityoftacoma.org
Tacoma Pierce County Health Department, SEPA Review Team, sepa@tpchd.org
Port of Tacoma, Jason Jordan, jjordan@portoftacoma.com
Metro Parks, Doug Fraser, dougfr@tacomaparks.com
Metro Parks, Joe Brady, joeb@tacomaparks.com
Puget Sound Clean Air Agency, Steve Van Slyke, stevev@pscleanair.org
Department of Ecology, sepaunit@ecy.wa.gov
Department of Natural Resources, SEPA Center, PO Box 47015, Olympia, WA 98504-7015, sepacenter@dnr.wa.gov
Department of Transportation, Olympia Region Development Services Team, OR-SEPA-REVIEW@wsdot.wa.gov

File: Planning and Development Services

SEPA ENVIRONMENTAL CHECKLIST

SEPA File Number: LU16-0076

A. BACKGROUND

1. Name of proposed project, if applicable:

City of Tacoma *Comprehensive Plan* and Land Use Regulatory Code – Proposed Amendments for 2016 (“2016 Annual Amendment”).

2. Proponent/applicant:

City of Tacoma
Planning and Development Services Department
747 Market Street, Room 345
Tacoma, WA 98402-3701

3. Contact:

Lihuang Wung
Planning and Development Services Department
747 Market Street, Room 345
Tacoma, WA 98402-3701
Phone: (253) 591-5682
E-mail: lwung@cityoftacoma.org

4. Date checklist prepared: April 8, 2016

5. Agency requesting checklist:

City of Tacoma, Planning and Development Services Department

6. Proposed timing or schedule (including phasing, if applicable):

Dates	Events
January – April 2016	Analysis of the proposed amendments
April – May, 2016	Public review of the proposed amendments
May 4, 2016	Planning Commission public hearing
June 1, 2016	Planning Commission makes recommendations to the City Council
May – June, 2016	City Council review of the Commission’s recommendations
June 21, 2016	City Council study session and public hearing
June 28 & July 12, 2016	City Council considers adoption of the proposed amendments
July 31, 2016	Effective date of adopted amendments

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

The *Comprehensive Plan* and implementing development regulations are amended on an annual basis consistent with the State Growth Management Act. The proposed changes to text, map and policies of the *Comprehensive Plan* will apply to future land use and development. Proposed changes to the Land Use Regulatory Code and the Official Zoning Map will provide the basis to evaluate and regulate future development proposals.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

SEPA analyses have been prepared for amendments to the *Comprehensive Plan* and Land Use Regulatory Code on an annual basis since 1994. Listed below are those for the last three years, with the rest on file and available for review upon request:

- SEP2015- 40000251556 Adoption of 2015 Annual Amendment to the Comprehensive Plan and Land Use Regulatory Code
- SEP2014-40000218532 Adoption of 2014 Annual Amendment to the Comprehensive Plan and Land Use Regulatory Code
- SEP2013-40000195799 Adoption of 2013 Annual Amendment to the Comprehensive Plan and Land Use Regulatory Code

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

There are no known applications; however, future development applications would be subject to the approved amendments to the *Comprehensive Plan* and the Land Use Regulatory Code.

10. List any government approvals or permits that will be needed for your proposal, if known.

The proposed amendments are subject to the following governmental approvals:

- Adoption by Tacoma City Council
- Verification of GMA compliance by WA Department of Commerce
- Plan Certification by Puget Sound Regional Council

Future development applications will be subject to the amended Plan, regulations, and zoning classifications and be approved through issuance of various permits and approvals as required.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site.

The 2016 Annual Amendment includes five subjects, as described below. The complete text of the proposed amendments and the associated staff analysis reports are available for review at the Planning and Development Services Department and posted on the Planning Division's website at www.cityoftacoma.org/planning (and linked to "2016 Annual Amendment"). A summary packet of the amendments is available at all branches of the Tacoma Public Library.

1) Future Land Use Implementation

The proposal is intended to implement the goals and policies of the "*One Tacoma*" Comprehensive Plan through appropriate area-wide rezones consistent with the Future Land Use Map and Land Use Designations; to rectify inconsistencies between "*One Tacoma*" and the implementing zoning districts and between zoning districts and existing uses; to support the development of compact, complete and connected neighborhoods with a variety of housing choices in close proximity to schools, parks, transit, and other amenities; and to support the continued development of the mixed-use center trade areas to stimulate new customer activity and new economic development opportunities. Area-wide rezones are proposed for the following eight study areas: (1) Nob Hill, South Downtown; (2) McKinley Police Substation in the McKinley Neighborhood Center; (3) Franke Tobey Jones, on N. Vassault Street; (4) N. 33rd and Pearl Street; (5) North of Tacoma Community College to 6th Avenue; (6) S. Alaska and 72nd Street; (7) South Tacoma Industrial Zones; and (8) Cheney Stadium and Foss High School.

2) **Multifamily Design Standards**

The proposal would update building and site design standards of TMC 13.06 for residential zoning districts broadly and for multi-family residential development specifically, and implement goals and policies of “*One Tacoma*” relative to quality design, human scale, sense of community, context of neighborhoods, integration with nature, and creative expression. The proposal 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; and fencing and utility screening.

3) **Wireless Communication Facilities**

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 and Illustrations. The intent of the proposal 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.

4) **Short-Term Rentals**

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 boarder policy discussion and a more coordinated regulatory update that includes zoning, tax and licensing, nuisance code, and administration and enforcement program components.

5) **Code Cleanup**

The proposal involves minor amendments to the Tacoma Municipal Code intended to improve consistency between the Code and “*One Tacoma*”, 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. The proposal includes the following key revisions:

- **Consistency between “*One Tacoma*” and the Code** – Clarify the names and geographical association of certain Mixed-use Centers; change “Habitat Corridors” to “Open Space Corridors”; replace “Land Use Intensities” with “Land Use Designations”; and clarify that the utilities and capital facilities elements have been consolidated into the Public Facilities and Services Element.
- **Definitions and References** – Clarify the definition of “Mobile Home/Trailer Court” and update certain references in the Conditional Use Criteria.
- **Nonconforming Uses** – Amend the nonconforming use section of the Code to allow expansion or change of use that exceed current limitations in the nonconforming use code through a conditional use permit, meeting additional conditional use criteria.
- **Shoreline Critical Areas** – Amend TMC 13.10, incorporating the recommendations from the 2015 Best Available Science Review, to ensure the application of the best available science in the review and application of critical areas standards in shoreline permits and to ensure that the code is effectively implementing “*One Tacoma*” goals and policies relating to overall public and environmental health and economic opportunity.

12. Location of the Proposal: (Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any. If a proposal would occur over a range of area, provide the range or boundaries of the site(s).)

All proposals are applicable citywide, except the “Future Land Use Implementation” where there are eight study areas, as described below:

- Study Area 1: Nob Hill, South Downtown – Generally bounded by Pacific Ave to the east and S Yakima to the west; I-5 to the south and South Tacoma Way to the north.
- Study Area 2: McKinley Police Substation – 705 E Morton St at the intersection of McKinley Ave and E Morton St. in the McKinley Neighborhood Center.
- Study Area 3: Franke Tobey Jones – 5335 N. Vassault St.
- Study Area 4: N 33rd and Pearl – The parcels are located east of Pearl and north of N 33rd.
- Study Area 5: North of TCC to 6th Ave – Generally that area between S 12th St and 6th Ave, between S Mildred and S Pearl.
- Study Area 6: S Alaska and 72nd – Generally located at the intersection of S Alaska St. and S 72nd, and north along S. Alaska St. to the Winco parking lot access.
- Study Area 7: South Tacoma MIC – Generally an area bounded by S 58th to the north, Mountain View Cemetery to the south, S Adams St. to the east and S Tyler St. to the west.
- Study Area 8: Cheney Stadium and Foss High School – Generally that area bounded by S Tyler St. to the east, HWY 16 to the south and west, and S 19th to the north.



Study Area 1



Study Area 2



Study Area 3



Study Area 4



Study Area 5



Study Area 6



Study Area 7



Study Area 8

C. SIGNATURE

The above answers are true and complete to the best of my knowledge.
I understand that the lead agency is relying on them to make its decision.

Signature: 

Name of signee: Lihuang Wung
Position and Agency/Organization: Senior Planner, City of Tacoma

Date Submitted: April 8, 2016

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent the proposal or the types of activities likely to result from the proposal that would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

All subjects of the 2016 Annual Amendment are non-project actions and as such would not directly impact water, air quality, noise or release of hazardous substances.

The “**Future Land Use Implementation**” proposal involves area-wide rezones and changes in land use designations for eight study areas in the City (as mentioned above). In most cases, upzonings are proposed, which are expected to induce more development and consequently generate more discharge to water, emissions of air, and production of noise.

The “**Multifamily Design Standards**” proposal includes some standards that would mitigate adverse impacts, include limiting building coverage and requiring tree canopy for new multifamily developments.

The “**Short-Term Rentals**” proposal is expected to encourage more short-term rentals on the market, which may slightly increase discharge to water and production of noise by tenants.

Proposed measures to avoid or reduce such increases are:

Future project-specific development proposals that may result in these impacts would be reviewed, and properly mitigated, at the permitting level consistent with the applicable provisions of the Tacoma Municipal Code and SEPA procedures.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

All subjects of the 2016 Annual Amendment are non-project actions and as such would not directly impact plants, animals, fish, or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Future project-specific development proposals that may result in impacts to plants, animals, fish or marine life would be reviewed, and properly mitigated, at the permitting level consistent with the applicable provisions of the Tacoma Municipal Code and SEPA procedures.

3. How would the proposal be likely to deplete energy or natural resources?

All subjects of the 2016 Annual Amendment are non-project actions and as such would not directly impact energy or natural resources.

The “**Future Land Use Implementation**” proposal involves area-wide rezones and changes in land use designations for eight study areas in the City (as mentioned above). In most cases, upzonings are proposed, which are expected to induce more developments, resulting in increased consumption of energy and natural resources.

The “**Short-Term Rentals**” proposal is expected to encourage more short-term rentals on the market, resulting in increased consumption of energy and natural resources.

Proposed measures to protect or conserve energy and natural resources are:

Future project-specific development proposals that may result in these impacts would be reviewed, and properly mitigated, at the permitting level consistent with the applicable provisions of the Tacoma Municipal Code and SEPA procedures. The tree canopy requirements of the proposed Multi-family Design Standards may help mitigate energy usage by providing shade during summer months.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

All subjects of the 2016 Annual Amendment are non-project actions and as such would not directly impact environmentally sensitive areas or areas designated for governmental protection.

The “**Future Land Use Implementation**” proposal involves area-wide rezones and changes in land use designations for eight study areas in the City (as mentioned above). In most cases, upzonings are proposed, which are expected to have some effects on the designation, conservation, and public use parks and open spaces.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Future project-specific development proposals that may result in these impacts would be reviewed, and properly mitigated, at the permitting level consistent with the applicable provisions of the Tacoma Municipal Code and SEPA procedures. In particular, any property with wetlands, streams, geologic hazards or fish and wildlife habitat would be subject to the standards of the Critical Areas Preservation Ordinance.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

All subjects of the 2016 Annual Amendment are non-project actions and as such would not directly impact the compatibility of land or shoreline uses with the Comprehensive Plan.

The “**Future Land Use Implementation**” proposal involves area-wide rezones and changes in land use designations for eight study areas in the City (as mentioned above). These changes are intended to achieve greater compatibility of land or shoreline uses with the Comprehensive Plan.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Future project-specific development proposals that may result in these impacts would be reviewed, and properly mitigated, at the permitting level consistent with the applicable provisions of the Tacoma Municipal Code and SEPA procedures.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

All subjects of the 2016 Annual Amendment are non-project actions and as such would not directly impact the transportation system or public services and utilities.

The “**Future Land Use Implementation**” proposal involves area-wide rezones and changes in land use designations for eight study areas in the City (as mentioned above). In most cases, upzonings are proposed, which are expected to induce more development, resulting in increased demands on the transportation system or public services and utilities.

The “**Short-Term Rentals**” proposal is expected to encourage more short-term rentals on the market, resulting in increased demands on transportation system or public services and utilities.

Proposed measures to reduce or respond to such demand(s) are:

Based on the existing zoning and the City's share of the regional growth allocations, the City's transportation network, public services and utilities have the capacity to support and accommodate planned growth. Future project-specific development proposals that may result in these impacts would be reviewed, and properly mitigated, at the permitting level consistent with the applicable provisions of the Tacoma Municipal Code and SEPA procedures.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

In general, the proposal seeks to protect the natural and built environment, so conflicts with local, state or federal laws for the protection of the environment are not anticipated. The "**Wireless Communication Facilities**" proposal, for example, is in fact intended to keep the City's regulations current with the Federal Communications Commission's recent rules concerning wireless facilities. In addition, the proposal is being reviewed for consistency with the Washington Growth Management Act, the Puget Sound Regional Council Vision 2040 and the Pierce County Countywide Planning Policies. If conflicts with local, state or federal laws for the protection of the environment are identified, they will be rectified prior to adoption.

