

Tacoma Permit Advisory Task Force
747 Market Street Tacoma, TMB 243
Meeting #9 – December 13, 2018, 10:00am, Notes

10:05 am: Call to order

10:06 am: Approval of minutes

November 8, 2018 meeting minutes were approved.

10:07 am: Ice breaker question

10:13 am: Off-site improvements and work order permits presentation

PowerPoint handout, slides 1 – 6.

Frank Marescalco and Terry Forslund, staff from Planning and Development Services, presented on the process for off-site improvements and work order permits at the City of Tacoma.

10:32 am: Flowchart example: Wilde building

PowerPoint handout, slides 7 – 13. Handouts 1, 2, and 3.

Frank and Terry continued to use the Wilde Building as an example for the permitting process, as the Task Force did when discussing building permits. They used the sample flowchart to walk through each of the three proposals considered at the November 11, 2018, Task Force meeting.

Task Force members asked questions about how to follow the flow charts, how to determine costs and assessments, and ways to determine pricing. Discussion of “fairness” and broader discussion was deferred to the next agenda topic.

10:44 am: Discussion: is there any other solution we can add to our overall process?

PowerPoint handout, slides 14 – 15. The Task Force discussed the desire for predictable budgeting for projects and the safety and legal requirements to receive off-site and work order permits.

Concerns were raised that if a contractor was working on a million dollar project, they would be required to spend a million dollars on offsite work, too. The fees appear subjective. There is a 10% threshold expectation set in code, but exceptions that expand cost can make projects unfeasible. Staff acknowledged that costs can end up being subjective because the scope of work required to ensure the safety of the users is variable. The Task Force asked about who has decision making authority when costs are subjective. Peter Huffman explained that the process starts with staff, the staff tries to resolve it and is empowered to use discretion and judgement, but if they can't reach resolution then the discussion is elevated. First the discussion would be brought to a manager, then possibly the appropriate director. Often times what we find is that it's resolved at the 10% threshold. Huffman added that if scope doesn't change from the time the permit application is first submitted, staff is hoping through the new pre application process that they will be able to get pretty accurate information so applicants can have a fairly predictable budget for their projects.

Task Force members requested definitions or intent behind the phrases “nexus” and “proportionality.” There is a desire for staff to outline how the City interprets and applies these terms.

Referencing slide 5 from the meeting's PowerPoint – discussion of how while the City identifies multiple customers impacted by offsite improvements, the cost of maintain the property is entirely the responsibility of just one of the customers: the permit applicant. Desire was expressed to share the cost of the base amount of infrastructure that the city requires to be a functional city. Recognition that this is a funding issue, and there is not currently a set fund to invest in city infrastructure. However, several Task Force members expressed that it doesn't seem fair that the developer carries the full burden of the cost of improving City infrastructure.

A request was made to City staff to compare how other cities fund infrastructure to how the City of Tacoma approaches funding infrastructure.

There was discussion around how offsite and building development permitting process are different, with different steps and checks. There is desire that the customer has the same experience regardless of the type of permit being sought. Huffman requested time for staff to come back and respond to this and highlight how recent modifications to the process should make the process more seamless.

The Task Force requested more information on lawsuits that have influenced policy practices, including those around ADA requirements.

There was discussion about what costs could count towards the 10% threshold for offsite improvements. Specifically, the question was raised about whether or not costs that might not be on the street, but are required due to additional costs of restoring historic buildings could be used to reach the 10%.

A concern was raised that there's a different set of rules and standards for street repairs through the streets initiative funding than the requirements placed on developers. This seems possibly unfair or inequitable.

11:26 am: Final Comments

The discussion raised a lot of concerns and requests for information, but did not get to the point of making recommendations. Staff and the leadership team will review topics raised and prepare to come back and discuss the larger issues highlighted:

- Process Issues
 - Building Permitting different experience than Off-Site Permitting
 - Inconsistent standards applied to City projects vs private
 - When/How/Why would the Dept. Directors get involved in a project
- How does the City of Tacoma approach nexus & proportionality?
 - What is the breakdown/sharing of infrastructure costs between customers?
 - What Alternate funding mechanisms are available to fund off-sites
 - How do other jurisdictions approach nexus and proportionality?
- Priorities – what are the City's priorities when setting requirements for offsite improvements
 - Is there a way to balance costs to improve buildings (such as seismic upgrades) with off-site improvement requirements?
- Spread cost to all customers, not just the developer
 - What alternative funding mechanisms are available for offsite improvements
 - How do other jurisdictions approach this
- How does ADA, Department of Justice, and lawsuits impact offsite requirements

11:30 am: Adjournment