

# OFF-SITE IMPROVEMENTS AND WORK ORDER PERMITS

TACOMA PERMIT TASK FORCE  
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# AGENDA

- ▶ Off-Site Improvement Background
  - ▶ Why off-site improvements?
  - ▶ Accessibility – Tacoma and abroad
  - ▶ Jurisdiction Comparisons
  - ▶ Applying TMC 2.19
  - ▶ Funding of Infrastructure Improvements
- ▶ Process Issues
  - ▶ Conflict Resolution Comparison
  - ▶ Public and Private Projects
  - ▶ Potential Process Improvements
- ▶ Discussion and Prioritization

# WHY OFF-SITE IMPROVEMENTS?

- ▶ Equal access for all is a civil right supported by the Americans with Disabilities Act, Federal Law
- ▶ Rate of pedestrian-vehicular collisions and fatalities is rising ( +20%, WSDOT Multimodal Safety Report)
- ▶ Tacoma 2025 Strategic Plan focuses on equity in access
- ▶ Infrastructure benefits the entire community through increased property values and increased economic activity

# ACCESSIBILITY

Tacoma 2025:

- ▶ Goal #1 Livability: Tacoma will be a city of choice in the region known for connected neighborhoods...
- ▶ Goal #2 Economy and Workforce: Tacoma will be a growing economy where Tacoma residents can find livable wage jobs in key industry areas. Tacoma will be a place of choice for employers, professionals, and new graduates.
- ▶ Goal #5 Equity and Accessibility: Tacoma will ensure that all residents are treated equitably and have access to services, facilities, and financial stability.

# ACCESSIBILITY – ABBREVIATED HISTORY

- ▶ Caltrans v. Disability Rights Advocates - \$1.1 billion (2009)
- ▶ Willits v. City of Los Angeles - \$1.37 billion (2015)
- ▶ AOCIL v. ODOT - ~\$18 million annually (2016)
- ▶ Reynoldson et. al. v. City of Seattle - \$300 million (2017)
- ▶ Hines et. al. v. City of Portland - \$113 million (2018)

Complete list can be found at  
[ada.gov/enforce\\_activities.htm](https://ada.gov/enforce_activities.htm)

# JURISDICTION COMPARISON

## CITY OF FIFE

City of Fife	City of Tacoma
Full-width improvement of adjacent alley	Same, except where mid-block lots make it disproportionate
Road width improvements 24 feet to nearest improved street	Tacoma allows taper to 20 feet width beyond property line
Corner lots are saddled with both frontages	Rarely requires full frontage improvements on both sides of a residential corner lot
Requires bond for 150 percent of value	Same or less
Code is unclear about sidewalks	Code is clear about sidewalks

# JURISDICTION COMPARISON

## CITY OF BELLEVUE

City of Bellevue	City of Tacoma
New development: Curb, gutter, sidewalk, curb ramps, drainage, streetlights, signals, landscaping, etc.	Same or less (depending on commercial or residential)
Redevelopment: stratified code like Tacoma's <ul style="list-style-type: none"> <li data-bbox="125 762 964 946">• Remodels exceeding 100 percent of value within 3 years bring site in to compliance</li> <li data-bbox="125 948 964 1082">• 50 percent addition or more brings site in to compliance</li> <li data-bbox="125 1083 964 1215">• Between 30 and 100 percent value improve site in proportion</li> </ul>	On the whole, more restrictive and demanding than Tacoma's stratified process as laid out in TMC 2.19
Residential remodels and additions are exempt	Same

# JURISDICTION COMPARISON

## PIERCE COUNTY

Pierce County	City of Tacoma
Street improvements in urban areas are exactly the same as TMC, less in rural areas	City of Tacoma does not have any acknowledged rural areas
Platting is same as TMC	Same
Residential remodels and additions are exempt	Same
Commercial remodel unclear	TMC is clear



# APPLYING TMC 2.19 TO YOUR SITE

## Areas of focus

- ▶ Case-by-case basis as each site and project are unique
- ▶ Unimproved right-of-way where lot has no existing access (the nature varies by proportionality considerations)
- ▶ Pedestrian access via sidewalks, driveways, curb ramps, proximity to transit, barriers to access
- ▶ Improving or repairing existing non-pedestrian improvements (minimum pavement width, curb and gutter, pavement section)

# INFRASTRUCTURE FUNDING

The City and its citizens pay for a great deal of infrastructure renewal:

- ▶ Taxpayer dollars (levies, general fund, etc.)
- ▶ Capital projects (grants and taxpayer dollars)
- ▶ Ratepayer dollars
- ▶ Local Improvement Districts (direct out-of-pocket for citizens)

Development contributes a portion of infrastructure spending:

- ▶ Off-site improvements for new developments
- ▶ Renewing old infrastructure for redevelopments

# DEVELOPER CONTRIBUTIONS AND TAXPAYER CONTRIBUTIONS

Year	Total Infrastructure Investments by Year (in Millions)		
	Private Development	Capital and Taxpayer	LID (Citizens)
2016	\$10.4 (19%)	\$36.8	\$6.4
2017	\$10.9 (16%)	\$53.2	\$0.9
2018	\$13.1 (< 30% <sup>2</sup> )	\$44.2	NA

1. Figures above do not include Tacoma Power
2. 2018 LID data not available yet
3. Includes new infrastructure and renewal of old infrastructure
4. In 2017: development contributed 113 curb ramps, City built 443 curb ramps; 2018 data not yet available

# BUILDING AND SITE DEVELOPMENT CONFLICT RESOLUTION COMPARISON

Building Conflict Resolution	Site Conflict Resolution TMC 2.19	Site Conflict Resolution TMC 13.04
1. Contact and discuss with Building Reviewer	1. Contact and discuss with Site Reviewer	1. Contact and discuss with Site Reviewer
2. Request a determination from the Building Official	2. Discuss with Site and Building Division Manager	2. Discuss with Site and Building Division Manager
3. Appeal to the Board of Building Appeals (TMC 2.17)	3. Discuss with applicable director	3. Discuss with applicable director
4. Appeal to Superior Court	4. Director decision is final	4. Hearing Examiner

# COMPARING PRIVATE AND PUBLIC ROW IMPROVEMENTS

City-Sponsored Projects	Private Development
Obligation is to public, purpose is to improve/maintain health, safety, welfare, equity, etc.	Purpose is to generate profits for investors and minimize capital outlay for maximized returns
City has complete ownership of design, contracting, liability, etc.	City has no ownership of design, contracting, shared liability
Nexus and proportionality does not apply, making requirements even stricter	Nexus and proportionality can be cited as a way of limiting impacts
City has ability to plan for the future and phase projects	Private development projects have a limited lifespan and no maintenance obligation

# POTENTIAL PROCESS IMPROVEMENTS

1. Formalized Escalation Process (such as AMMR for bld)
2. Identify TMC 2.19 off-site requirements during Pre-App process
3. Require final land use entitlements prior to construction permit submittals
4. Off-site improvement determination letter
5. Improve the tools that simplify the application of the code
6. Increase predictability of code application (may reduce flexibility)

# QUESTIONS AND TASK FORCE DISCUSSION/RECOMMENDATION