


OFF-SITE IMPROVEMENTS RECAP OF 2019

TACOMA PERMIT TASK FORCE
FEBRUARY 2020

Chris Johnson

A series of several parallel white lines of varying lengths and thicknesses, slanted diagonally from the bottom-left towards the top-right, located in the lower right quadrant of the slide.

AGENDA

- Last Years Recommendations
 - What We've Done
 - Offsite?
 - Fairness and Judgement
 - Off-Site Assessment Process
 - Work Order Permit Process
 - What We Heard
 - Discussion
- 

STARTING AT THE END: PROCESS IMPROVEMENTS

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

RESOLVE A PERMIT DISAGREEMENT

RESOLVING PRE-DEVELOPMENT REVIEW DISAGREEMENTS

Utilizing the PDS pre-development request process can help to identify potential policy or technical code issues at the earliest possible phase of permitting. Both the Option A and Option B Pre-Development processes provide feedback from staff in writing, along with direct contact information for the review staff/Subject Matter Experts (SMEs).

If you receive comments as part of the pre-development process and disagree with how our staff is interpreting policy or technical issues that affect your project, follow these steps for resolution:

1. Contact Staff and/or Project Coordinator

The 1st Review Comment memo, and any subsequent follow-up memos, will include contact information for both the assigned Project Coordinator and applicable SMEs. Each individual review comment within the memo lists the SMEs that will need to be consulted if the comment is to be revised. Email the Project Coordinator with the item, or list of items, identified in the memo that require further discussion; the applicable SMEs can also be directly copied to that email.

The Project Coordinator will be responsible for ensuring that a response is provided. If a follow-up meeting with multiple SMEs is necessary to resolve the disagreement, then the Pre-Development Review request may need to be upgraded to an Option B level of review.

2. Contact the Appropriate Manager

Pre-Application requests can involve a range of applicable permit processes, which fall under the purview of multiple managers. If you are not satisfied after talking to the SME and Project Coordinator, the Project Coordinator will be able to advise you as to which supervisor/manager to contact for escalation of the issue.

RESOLVING LAND USE PERMIT DISAGREEMENTS

Once a Land Use decision is issued, there is a legal process (reconsideration or appeal) that must be followed. Ideally, disagreements regarding Code interpretations can be identified and addressed prior to decision issuance, either through the pre-application/pre-development process, or directly with the assigned Land Use staff.

Prior to Issuance:

1. Contact the Land Use Reviewer

If a disagreement arises prior to issuance of a Land Use Permit, during the processing stage, contact the Land Use reviewer assigned to the project.

2. Contact the Current Planning Manager

If you still disagree with the Land Use Reviewer's interpretation, you may request a manager review. You must seek resolution of the disputed issue in writing. Please contact the appropriate manager by email, below, or by mail.

Jana Magoon, jmagoon@cityoftacoma.org
253-594-7823

After Issuance:

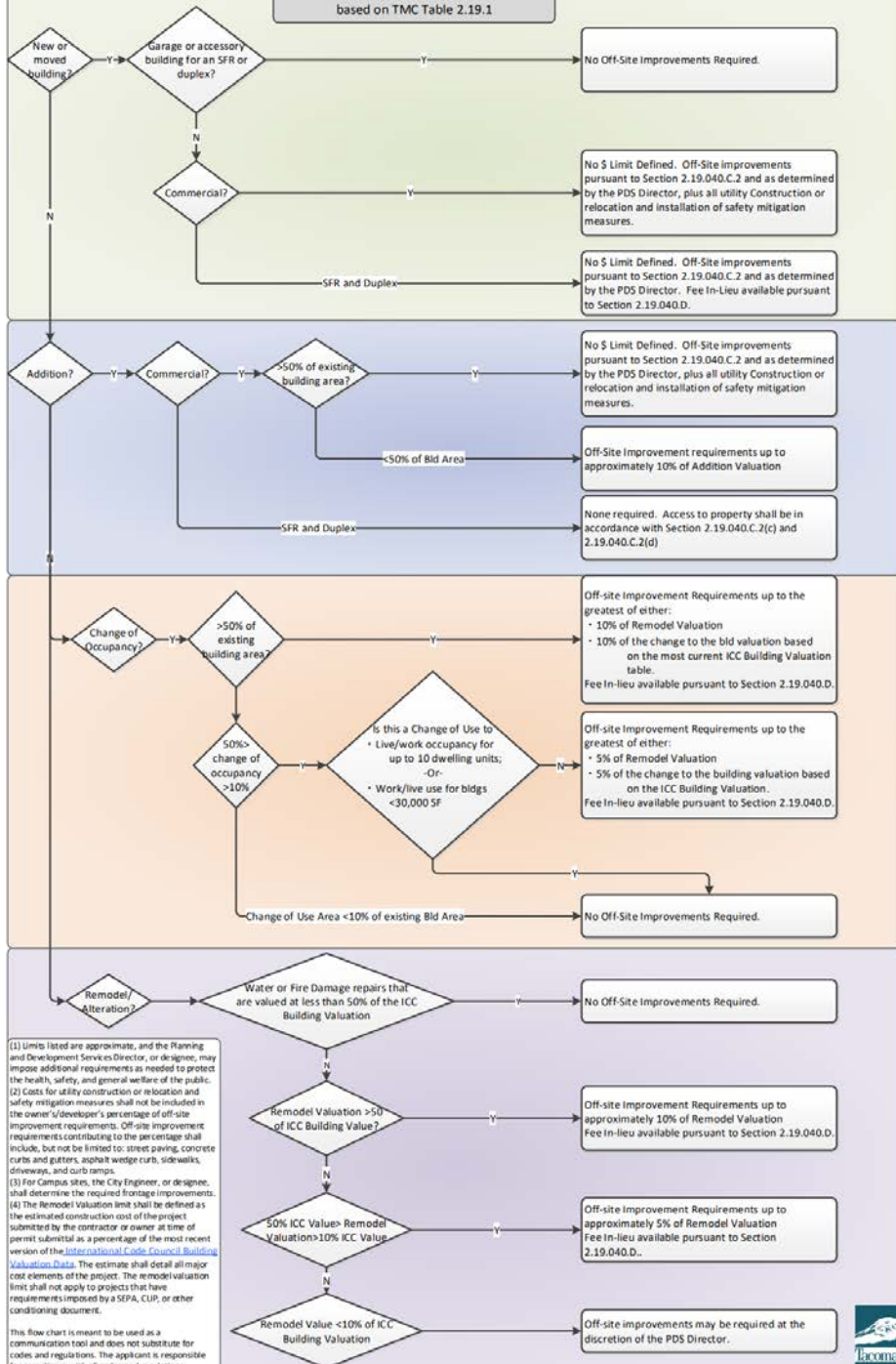
Request for Reconsideration

Any person *having standing* and feeling that the decision of the Director is *based on errors of procedure or fact* may make a written request for review by the Director within the timeline identified on the Reconsideration/Appeal Procedure page of the Land Use decision (typically fourteen (14) days of the issuance of the written order).

Appeal

Any decision of the Director may be appealed by any aggrieved person or entity as defined in Section 13.05.050 of the *Tacoma Municipal Code*, within the timeline identified on the Reconsideration/Appeal Procedure page of the Land Use decision.


Off-Site Improvement Flow Chart based on TMC Table 2.19.1



(1) Limits listed are approximate, and the Planning and Development Services Director, or designee, may impose additional requirements as needed to protect the health, safety, and general welfare of the public.
 (2) Costs for utility construction or relocation and safety mitigation measures shall not be included in the owner's/developer's percentage of off-site improvement requirements. Off-site improvement requirements contributing to the percentage shall include, but not be limited to: street paving, concrete curbs and gutters, asphalt wedge curb, sidewalks, driveways, and curb ramps.
 (3) For Campus sites, the City Engineer, or designee, shall determine the required frontage improvements.
 (4) The Remodel Valuation limit shall be defined as the estimated construction cost of the project submitted by the contractor or owner at time of permit submittal as a percentage of the most recent version of the International Code Council Building Valuation Data. The estimate shall detail all major cost elements of the project. The remodel valuation limit shall not apply to projects that have requirements imposed by a SEPA, CLUP, or other conditioning document.

This flow chart is meant to be used as a communication tool and does not substitute for codes and regulations. The applicant is responsible for compliance with all codes and regulations, whether or not they are described in this document.

WHY OFFSITE?

- Project has impacts to existing infrastructure or requires new infrastructure
 - There is a public expectation validated by code (SEPA and TMC 2.19)
 - Protection of life, safety, and health
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WHY OFF-SITE?


- 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 AS A GOAL

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.

ADDITIONAL CITY PRIORITIES

- Climate Action Resolution – increased tree canopy
 - Vision Zero Resolution – multimodal streets (< cars)
 - Affordable Housing Initiative – easy access to transportation
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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

SITE AND OFFSITE IMPROVEMENTS

Site

- Water Service
- Side Sewer
- Power
- Access* (Driveway, Road Extension)
- Utility Extensions* (if not available) – Storm, Sanitary, Water and Power

Offsite

- Repair of damaged and defective
- Sidewalk
 - ADA Curb Ramps
- Curb and Gutter
- Alleys (Paving, Return)
- Street Restoration
- Storm Drainage (Treatment/Flow Control)
- Street Lights
- Street Trees/Landscaping
- Signage
- Bus Stops
- Street & Utility Extensions* – Storm, Sanitary, Water and Power

AUTHORITY TO REGULATE


- TMC 2.19 – Site Development and Off-Site Improvements
 - TMC 10.14 – Driveways
 - TMC 10.22 – Rights of Way (ROW Design Manual)
 - TMC 12.08 – Wastewater and Surface Water Management (SWMM)
 - TMC 13.12 – SEPA Analysis
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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)
- Wastewater collection and stormwater runoff


BALANCING EXPECTATIONS

- Applicant – for whom we process the permit
 - Property owner – long-term funding and maintenance
 - City – long-term maintenance
 - Users
 - Tacoma Citizens
 - Visitors
 - Occupants (for a building)
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FAIRNESS

- Nexus and Proportionality
 - ADA Advocacy and Department of Justice
 - Public expectation favors off-site from development
 - Must consider all customers
 - Is residential different than commercial?
 - How does the City exercise judgement?
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CITY JUDGEMENT

- Life Safety
 - Accessibility
 - Environmental Protections
 - Strategic Goals and Comprehensive Plans
 - Design Standards (All Encompassing)
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OFF-SITE ASSESSMENT PROCESS

New Proposal Submitted

- Pre-application request
- Land use permit application (plats, CUP, etc.)
- Construction permits (BLD, SDEV, TI)



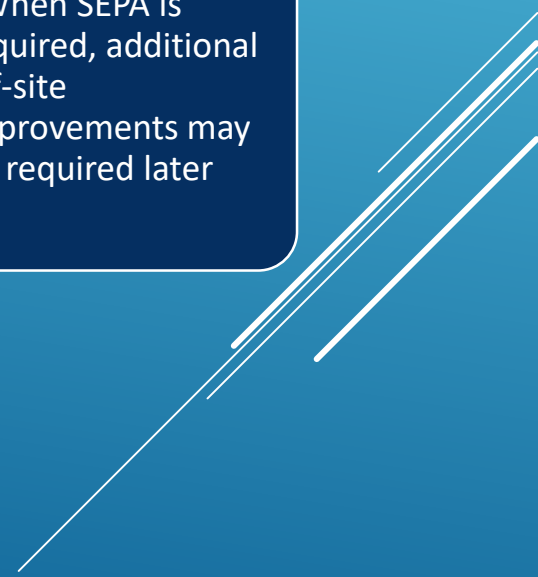
Proposal evaluated per TMC (2.19, 10.14, 12.08, etc.)

- Review panel
- Staff meetings and director consultation for difficult cases
- What impacts does project create? What is state of existing infrastructure?

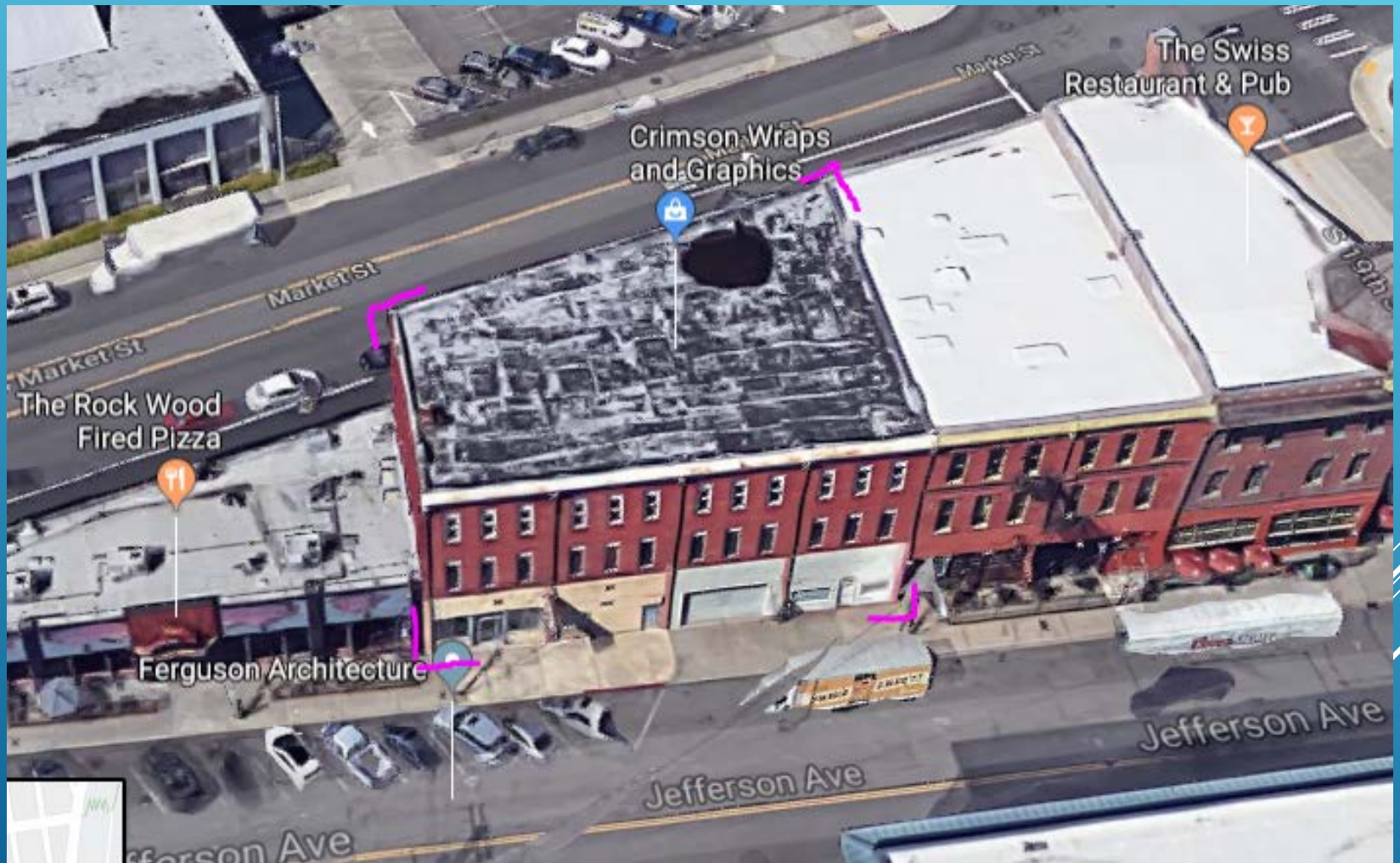


Scope Determination

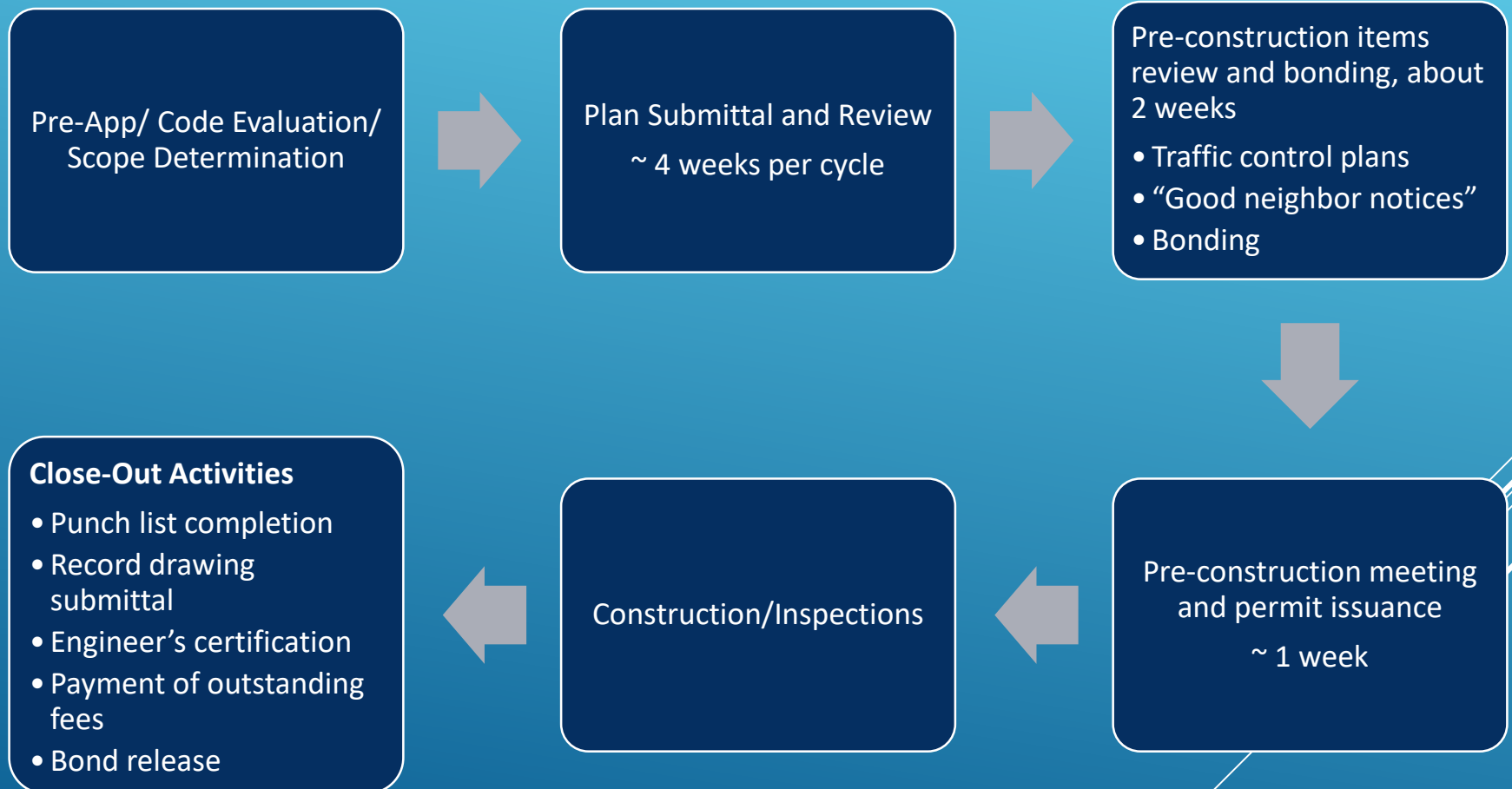
- Off-site letter
 - Scoping notes
 - Land use decision
- *When SEPA is required, additional off-site improvements may be required later




WILDE BUILDING



WORK ORDER PERMIT PROCESS



WHAT WE HEARD (THEMES)

- Certainty vs. Flexibility
 - Predictable and Consistent
 - Big deal
 - More/Inefficient Process = \$0 no value
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PERMIT TASK FORCE DISCUSSION

