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**MINUTES** (Approved on 2-21-18)

**TIME:** Wednesday, February 7, 2018, 5:00 p.m.  
**PLACE:** Council Chambers, Tacoma Municipal Building, 1<sup>st</sup> Floor  
747 Market Street, Tacoma, WA 98402  
**PRESENT:** Stephen Wamback (Chair), Anna Petersen (Vice-Chair), Carolyn Edmonds, Brett Santhuff,  
Andrew Strobel  
**ABSENT:** Jeff McInnis, Dorian Waller

**A. CALL TO ORDER AND QUORUM CALL**

Chair Wamback called the meeting to order at 5:02 p.m. A quorum was declared.

**B. APPROVAL OF AGENDA AND MINUTES**

The agenda was approved. The minutes of the regular meeting on January 17, 2018 were reviewed. Chair Wamback indicated that, on page 7, under the Communication Items, the statement about “he had met with the chair of the Transportation Commission” should be corrected as “he would meet with the chair of the Transportation Commission” because the meeting had not yet occurred. The minutes were approved as amended.

**C. PUBLIC COMMENTS**

The following citizens provided comments on various agenda items:

- 1) Joe Quilici:  
Mr. Quilici handed out a letter summarizing his comments on the “VSD Height Measurement.” He believed making changes to the Comprehensive Plan for a single lot in the Old Town is not a proper course of action. He argued that the existing code, particularly with respect to View Sensitive Districts (VSD) and the methodology for height measurement, had been established through a rigorous public deliberation process and tailored to Tacoma’s unique topographies and views, and has worked very well. He recommended the Commission not to approve the application for public review and direct the applicant to the variance process.
- 2) Dave Van Skike:  
Mr. Van Skike, a land use planner with Van Ness Feldman, LLP working on behalf of the ownership of the subject site concerning the “S. 80th Street Rezone”, expressed his support for staff’s recommendations. He indicated that the property is not proposed for redevelopment, but would benefit from the proposed area-wide rezone and continue to operate with low-intensity, low-density, light-industrial type of use, without running into nonconforming situations.
- 3) Paul Chromey:  
Mr. Chromey commented on the “Outdoor Tire Storage.” Having learned from code enforcement officers and Pierce County Health Department, he was very concerned about the operation of used tire businesses and the associated health and blight issues. He cited the shop at E. 56<sup>th</sup> and McKinley as an example of what the neighborhood would not want for the future of Tacoma. He urged the Commission not to move forward with the application.
- 4) Jeff Bell:  
Mr. Bell, owner of Jeff’s Used Tires on 6<sup>th</sup> Avenue, commented on the “Outdoor Tire Storage.” He indicated that he has been in this business since 1995, providing affordable services to many

customers, enabling them to save money for other critical needs of their lives. His tires are stored outdoor using the barrel-stacking method, addressing fire hazards, appearance and other related issues, and are rotated properly and regularly. Mr. Bell suggested the Commissioners to visit or search with Google Earth his well-organized and kept shop.

## **D. DISCUSSION ITEMS**

### **1. 2018 Amendment Application #2018-06: VSD Height Measurement**

Lauren Flemister, Planning Services Division, introduced consultant David Boe, who presented his analysis of the subject, including (a) the differences between the VSD building height measurement and the Building Code building height measurement; (b) the areas of applicability, i.e., the C-2 VSD zones in the Titlow Park area, the north side of N. Proctor and N. 34<sup>th</sup> area, and the Old Town area; (c) the view and height analysis for those three areas; and (d) the methodology options analysis, resulting in Option A Consistent Building Height, Option B Consistent Height at Main Corridor, and Option C Hybrid Option (Consistent Height with Residential Allowance).

Discussion ensued. The Commission inclined to move Options B and C forward for public review, acknowledging that “do nothing” was also an option that could be considered after the public hearing. Ms. Flemister indicated that staff would prepare the proposed code amendments corresponding to Options B and C for the Commission’s consideration at the next meeting. The Commission concurred.

(At approximately 5:45 p.m., Chair Wamback proceeded with the Public Hearing item.)

## **E. PUBLIC HEARING**

### **1. Emergency Temporary Shelters Permanent Regulations**

Chair Wamback called to order the public hearing concerning the proposed Emergency Temporary Shelters Permanent Regulations, and reviewed the procedures for the hearing.

Ms. Flemister outlined the proposed permanent regulations, as compared to the current interim regulations and the preexisting code (i.e., the code prior to the enactment of the interim regulations). She addressed the following topics: number of residents per shelter, types of sheltering, site area and number of people per area, maximum duration of camp, recurrence of camp at a specific site, number of camps allowed in the City, site requirements, age of camp inhabitants, facility and service provisions, and application requirements. She also mentioned two key elements to be resolved, pertaining to the duration to extend past 185 days and the exemptions of City-run or funded sites.

Chair Wamback called for testimony. The following citizens testified:

1) Evanie Parr:

Ms. Parr commended the City for addressing homelessness humanely and effectively. She recommended that the Commission accept proposals that would: (a) allow for more variety of shelters, for traditional shelters for various reasons can be exclusive and functionally inaccessible; (b) increase the duration for encampments, for it takes time for unhoused people to get into the shelters; and (c) given the limited availability and functionality of encampments, be respectful of, and not punishing, people who are not housed in the shelters.

2) Neal Rogers:

Mr. Rogers recommended that the Commission accept the regulations as proposed and consider revisiting some code provisions that appear to be stopping blocks for interested organizations. Such provisions may pertain to: (a) the specificity of background check, which may be a resources issue for the sponsoring agency; (b) the accommodation for unaccompanied minors and emancipating youths; (c) the requisite names and number of permanent on-site management (for organizations opting for democratically elected on-site management, the information changes over time which may invalidate the permit); and (d) the difficulty in finding liability insurance for these types of operation.

- 3) Zachary Kinneman, President, What's Next Washington:  
Mr. Kinneman's organization focuses on improving the ability of formerly incarcerated adults to reintegrate into society. He supported the proposed regulations and suggested that details are important, problems surfaced during implementation can be worked out, non-profit organizations would be involved (with adequate resources and advanced planning), and this is exactly the approach the City should take.
- 4) Paul Chromey:  
Mr. Chromey pointed out some questions and concerns, and suggested: (a) clarify the provision about defining police sectors for temporary shelters; (b) require trailers and mobile homes be more than 25 feet away from an existing residence and be made a part of the camp to alleviate the impacts to the neighborhood; (c) clarify if schools, daycares and businesses are included in the provision about not endangering the health, safety and general welfare of adjacent residence and general public; (d) keep alcohol and marijuana shops away from the camps; (e) ensure proper control of traffic and parking; (f) recognize "tents" is a troublesome word, especially if they are located on "sites" that could turn into mud holes due to the inclement weather, and consider additional code language for the proper development and construction of "sites", so the adjacent neighborhood will feel much more reassured; (g) clarify if the written statement concerning no trespassing required for submittal to the Police Department also applies to the Fire Department; and (h) ensure the age minimum provision works to accommodate the youth. Mr. Chromey concluded by urging the City to move forward and make sure the community is behind this.
- 5) Scott Maziar, E. M Safe Street:  
Mr. Maziar expressed great concerns about: (a) the lack of measurement for success of programs addressing homelessness; (b) people calling 311 reporting issues related to homelessness, needles or garbage but not being responded to; (c) the lack of funding for adequate level of police service; (d) relying on civilians and volunteers to do the work, putting their safety at risk and putting burdens on tax payers; (e) the area near 38<sup>th</sup> and Pacific being horrible, seeing unwanted activity; (f) a lot of homeless people coming from other states, using our facilities and services that those Washingtonians falling under hard times and becoming homeless should be entitled to.
- 6) Chris Dobler:  
Ms. Dobler spoke from the perspective of a property management company that manages club houses, apartments and various facilities in Tacoma-Pierce County area. She expressed great concerns about safety and security related issues observed from shelters near properties under their management, and suggested: (a) apply principles and applications of the Tacoma Crime Free Program, such as CPTED, security cameras, and increased lighting; (b) provide training for on-site management and security personnel; (c) develop a process for handling noncompliance, which may be associated with health issues, noise, violence, drug use, human waste, graffiti and crime activities; (d) clarify that when the City is planning shelters for a sector, whether existing ones in the sector count; (e) recognize that a lot of the problems associated with the shelters are not because of the shelters being unsafe, but the people around the shelters, not in them or using them, who do not want to comply with the rules; and (f) recognize that many people are victimized in the shelters.
- 7) Julie Warden-Gregory, The Baycrest Apartments:  
Ms. Warden-Gregory, manager for the Baycrest Apartments, expressed great concerns about homelessness issues, unwanted activity on the streets, and the safety of her tenants and herself. She indicated that the First United Methodist Church of Tacoma's parking lot located directly behind the Baycrest property has become a tent city for the homeless and a major nuisance to the tenants. She is not against shelters, but has concerns about where they are placed. She pointed out that shelters are a new form of homelessness; since shelter residents have to stay clean and sober, many homeless people who come along with those residents would not want to live in as well. She suggested more funding is needed to increase police service.

8) Robert Peters:

Mr. Peters questioned if the City should exempt the City's and other funded sites from the number of maximum camps. He suggested, for example, a large encampment sponsored by the City, two smaller camps put together by two churches, and another one planned by some volunteers should all count towards the maximum number of camps allowed. Citing an incident he had witnessed where seven drunk people burning up their tents in the field, Mr. Peters also suggested hiring more police officers to increase patrolling.

9) Tina Barr:

Ms. Barr was concerned that the south end and eastside of Tacoma would receive the brunt of a lot of homelessness and encampments. She urged the City to hold firm on the sector allocation strategy for locating shelters, and to make sure that the north end and northeast of Tacoma are also part of the solution.

Seeing no one else coming forward, Chair Wamback reiterated that written comments would continue to be accepted through February 9, 2018, and closed the public hearing at 6:22 p.m.

Ms. Flemister asked for suggestions for additional information to bring back at the next meeting when the Commission would consider making a recommendation to the City Council. Chair Wamback suggested a briefing from the Tacoma Police Department concerning people not residing in but circulating around shelters. Commissioner Santhuff suggested staff provide further background regarding (a) the requested exemption of City-funded sites, (b) the continuity or transition of sites within a sector, and (c) the lack of performance measures to evaluate current sites.

(Chair Wamback recessed the meeting at 6:25 p.m. The meeting resumed at 6:38 p.m., and returned to:  
**D. DISCUSSION ITEMS.**)

## **2. 2018 Amendment Application #2018-02: Outdoor Tire Storage**

Stephen Atkinson, Planning Services Division, provided an overview of where the use of "outdoor tire storage" as part of the land use type of "vehicle services and repairs" is prohibited under current regulations, where it is allowed if fully enclosed within a building, and where it is allowed. He then presented staff's proposed approach, which encompassed the following changes: (a) the use would continue to be allowed in C-2, but instead of being fully enclosed, would be required to fulfill certain development standards pertaining to screening, landscaping, and fronting designated Pedestrian Streets; (b) the use would continue to be allowed in UCX, but would be required to be fully enclosed; and (c) the use would continue to be allowed in M-1 and M-2, but would need to incorporate certain landscaping buffer and screening where applicable. Mr. Atkinson also provided some examples of landscaping buffer and screening, illustrating the application of the proposed regulatory approach.

Mr. Atkinson and John Harrington, Development Services Division, responded to questions raised by the Commissioners. Discussion ensued, and the Commissioners understood and acknowledged that all seven applicants of this proposed code amendment own/operate used tire shops located in C-2, and are attempting to use the proposal as a way to resolve the code violation issues; that if the staff's proposed approach is ultimately adopted by the City Council, City staff would work with affected parties to bring their businesses in compliance with the new requirements; and that the required landscaping buffer and screening could be a significant cost to businesses. It was also noted that used tires are legally solid waste, but become retail commodity when reused and in re-sale – this fact leads to the notion that used tire shops must be well managed as all other retail businesses; this fact also bears the question of whether the definitions of tires and used tires should be separated. The Commissioners also brought up some editorial changes to the staff report as presented.

Upon completing the discussion, Vice-Chair Petersen made a motion, which was seconded by Commissioner Edmonds, to release the staff's proposed approach, with the staff report modified as suggested, for public review. The motion passed unanimously.

### **3. 2018 Amendment Application #2018-03 S. 80<sup>th</sup> Street Rezone**

Ms. Flemister reviewed that the original proposal was to rezone a property at S. 80th and S. Pine from the existing Planned Development Business (PDB) District/Commercial (C-2)/Single-Family Residential (R-2) to Light Industrial District (M-1), and to change the Comprehensive Plan land use designation from General Commercial to Light Industrial. Through review by the Commission, the scope was later changed to rezoning all five properties between S. Pine, S. Trafton, S. 80<sup>th</sup> and S. 78<sup>th</sup>. Ms. Flemister reported that staff's recommendations included: (a) change existing PDB, C-2, and R-2 to M-1; (b) change land use designation from General Commercial to Light Industrial; (c) change landscape buffer in all M-1 abutting residential; and (d) consider, in the 2019 Annual Amendment cycle, the uses and other land use requirements in Accident Potential Zone APZ-II Overlay that may also mitigate high intensity or undesirable uses.

Discussion ensued. The Commissioners suggested a map color clarification in the staff report, and requested a map depicting that the landscape buffer requirement would be applicable in M-1 city-wide, not just the subject site. Ms. Flemister indicated that staff would prepare the proposed code amendments corresponding to the options as presented for the Commission's consideration at the next meeting. The Commission concurred.

### **F. COMMUNICATION ITEMS & OTHER BUSINESS**

Brian Boudet, Planning Division Manager, provided the following reports:

- The City Council adopted Resolution No. 39886 in December 2017, requesting the Planning Commission to consider modifications to the residential infill pilot program to increase its effectiveness. This item would come before the Commission later this year.
- In response to the City Manager's request for all citizens' Committees, Boards and Commissions (CBCs) to provide a briefing of their operation status and work program to their corresponding City Council standing committees, the Planning Commission would meet with the Infrastructure, Planning and Sustainability Committee (IPS) on January 24<sup>th</sup>, with Chair Wamback presenting along with staff.
- On January 24<sup>th</sup>, the IPS would also review the Tacoma Mall Neighborhood Subarea Plan, as recommended by the Planning Commission in September 2017.
- The 2018 Annual Amendment Open House held by planning staff on January 10<sup>th</sup> was well attended, with citizens showing strong interests in growth and development issues around the city. Among the popular topics of the 2018 Amendment package at the open house were the Open Space Corridor Project, Height Measurement in View Sensitive Overlay Districts, and South 80<sup>th</sup> Street Rezone.
- Staff's on-going outreach recently included a meeting with the North End Neighborhood Council last week, focusing on urban design and proactive rezone issues, and a meeting with the South Tacoma Neighborhood Council tonight (January 17<sup>th</sup>), focusing on the South 80<sup>th</sup> Street Rezone issue.

### **G. ADJOURNMENT**

The meeting adjourned at 7:35 p.m.