



## Legislation Passed October 15, 2013

The Tacoma City Council, at its regular City Council meeting of October 15, 2013, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

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### **Resolution No. 38741**

A resolution authorizing the execution of a proposed Letter of Agreement with the Professional and Technical Employees Union, Local 17, which consists of approximately 258.9 budgeted, full-time positions, to implement rates of pay and other compensation, retroactive to January 1, 2013 through December 31, 2014.

### **Resolution No. 38754**

A resolution awarding a contract to Columbia Ford Lincoln, in the amount of \$414,885, plus sales tax, budgeted from the General Fund, for 15 current model Ford Police Interceptor utility vehicles - State of Washington Contract No. 03611.

### **Resolution No. 38755**

A resolution awarding a contract to Wright Asphalt Products Company, LLC, in the amount of \$750,000, plus sales tax, for a cumulative total of \$950,000, budgeted from the Streets Special Revenue Fund, to increase the contract for purchasing tire rubber modified hot asphalt binder for the chip seal program through December 31, 2016, pursuant to Pierce County Contract No. 807.

### **Resolution No. 38756**

A resolution awarding a contract to Wm. Dickson Co., in the amount of \$95,000, sales tax not applicable, for a cumulative total of \$742,503.30, budgeted from the Streets Special Revenue Fund and the 2010 LTGO Bond D Fund, to increase the contract for pedestrian improvements on South 9th Street between Commerce and Market Streets - Specification No. PW11-0375F.

**Ordinance No. 28180**

An ordinance amending Title 13 of the Municipal Code, entitled "Land Use Regulatory Code", and superseding Ordinance No. 28034; by adopting the Tacoma Shoreline Master Program, which amends the Comprehensive Plan and Land Use Regulatory Code, establishes both new and modified environmental designations and zoning classifications, amends zoning district boundaries, and reclassifies certain properties to the new and revised shoreline zoning districts.



## RESOLUTION NO. 38741

1 A RESOLUTION relating to collective bargaining; authorizing the execution of the  
2 proposed Letter of Agreement between the City of Tacoma and Local 17,  
3 Professional and Technical Employees, to implement rates of pay and other  
4 compensation, effective retroactive to January 1, 2013, through  
5 December 31, 2014.

6 WHEREAS the City has, for years, adopted the policy of collective  
7 bargaining between the various labor organizations representing employees and  
8 the administration, and

9 WHEREAS Resolution No. 38379, adopted November 29, 2011, authorized  
10 the execution of the 2011-2014 Collective Bargaining Agreement between the City  
11 of Tacoma and Local 17, Professional and Technical Employees, on behalf of the  
12 employees represented by said Union, and

13 WHEREAS the bargaining unit currently consists of approximately 258.9  
14 budgeted, full-time equivalent positions, and

15 WHEREAS the proposed Letter of Agreement includes the following: (1) all  
16 employees covered by the collective bargaining agreement shall receive a \$1,000  
17 lump-sum payment as provided in the agreement; (2) a 5 percent wage increase,  
18 effective January 1, 2013, in lieu of the market increase for 2013, for all  
19 classifications in the bargaining unit, except the following: (a) the classification of  
20 Sewer Transmission Systems Maintenance Coordinator, CSC 5030, shall not  
21 receive an increase, as it has been repurposed; (b) the 5 percent increase for  
22 Collections Systems Worker, CSC 5007, will be effective March 7, 2013, and the  
23 pay range reduced from a 21-step to a 5-step range; employees in this  
24 classification shall receive an additional lump sum as provided in the tentative  
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agreement as a non-precedent setting settlement; and effective March 7, 2013, any applicable longevity will be applied; (3) the title of the classification of Environmental Lab Analyst changes to Environmental Lab Scientist II; Senior Environmental Lab Analyst changes to Environmental Lab Scientist III; and Lab Technician changes to Lab Assistant; and (4) a new classified title of Environmental Lab Scientist I is created, with the top step of the pay range set equally between the top step of the Lab Assistant and Environmental Lab Scientist II, and

WHEREAS it appears in the best interest of the City that the proposed Letter of Agreement negotiated by said Union and the City be approved; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute the Letter of Agreement between the City of Tacoma and Local 17, Professional and Technical Employees, to implement rates of pay and other compensation, effective retroactive to January 1, 2013, through December 31, 2014, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
\_\_\_\_\_  
City Clerk

Approved as to form:  
\_\_\_\_\_  
Deputy City Attorney



## RESOLUTION NO. 38754

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and  
2 the furnishing of services; authorizing the execution of a contract with  
3 Columbia Ford Lincoln, in the amount of \$414,885, plus applicable sales  
4 tax, budgeted from the General Fund, to purchase 15 current model Ford  
Police Interceptor utility vehicles pursuant to the terms of State of  
Washington Contract No. 03611.

5 WHEREAS the City has complied with all applicable laws and processes  
6 governing the acquisition of those supplies, and/or the procurement of those  
7 services, inclusive of public works, as is shown by the attached Exhibit "A,"  
8 incorporated herein as though fully set forth, and  
9

10 WHEREAS the Board of Contracts and Awards has concurred with the  
11 recommendation for award as set forth in Exhibit "A"; Now, Therefore,

12 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

13 Section 1. That the Council of the City of Tacoma concurs with the Board of  
14 Contracts and Awards to adopt the recommendation for award as set forth in the  
15 attached Exhibit "A."  
16

17 Section 2. That the proper officers of the City are hereby authorized to  
18 enter into a contract with contract with Columbia Ford Lincoln, in the amount of  
19 \$414,885, plus applicable sales tax, budgeted from the General Fund, to  
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1 purchase 15 current model Ford Police Interceptor utility vehicles pursuant to the  
2 terms of State of Washington Contract No. 03611, consistent with Exhibit "A."

3  
4 Adopted \_\_\_\_\_

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6 \_\_\_\_\_  
Mayor

7 Attest:

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9 \_\_\_\_\_  
City Clerk

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11 Approved as to form:

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City Attorney

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## RESOLUTION NO. 38755

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the increase of Contract  
3 No. 4600008228 with Wright Asphalt Products Company, LLC, in the  
4 amount of \$750,000, plus sales tax, for a cumulative contract total of  
5 \$950,000, budgeted from the Public Works Streets Special Revenue  
6 Fund, to increase the contract for purchasing tire rubber modified hot  
7 asphalt binder for the City's chip seal program pursuant to Pierce County  
8 Contract No. 807.

9 WHEREAS the City has complied with all applicable laws and processes  
10 governing the acquisition of those supplies, and/or the procurement of those  
11 services, inclusive of public works, as is shown by the attached Exhibit "A,"  
12 incorporated herein as though fully set forth, and

13 WHEREAS the Board of Contracts and Awards has concurred with the  
14 recommendation for award as set forth in Exhibit "A"; Now, Therefore,

15 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

16 Section 1. That the Council of the City of Tacoma concurs with the Board  
17 of Contracts and Awards to adopt the recommendation for award as set forth in  
18 the attached Exhibit "A."

19 Section 2. That the proper officers of the City are hereby authorized to  
20 increase Contract No. 460008228 with Wright Asphalt Products Company, LLC,  
21 in the amount of \$750,000, plus sales tax, for a cumulative contract total of  
22 \$950,000, budgeted from the Public Works Streets Special Revenue Fund, to

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1 increase the contract for purchasing tire rubber modified hot asphalt binder for  
2 the City's chip seal program pursuant to Pierce County Contract No. 807,  
3 consistent with Exhibit "A."  
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5 Adopted \_\_\_\_\_  
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Mayor

8 Attest:  
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City Clerk

11 Approved as to form:  
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## RESOLUTION NO. 38756

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the increase of the contract  
3 with Wm. Dickson Co., in the amount of \$95,000, sales tax not  
4 applicable, for a cumulative contract total of \$742,503.30, budgeted from  
5 the Public Works Special Revenue Fund and 2010 LTGO Bond D Fund,  
6 to increase the contract for South 9th Street pedestrian improvements  
7 between Commerce and Market Streets pursuant to Specification  
8 No. PW11-0375F.

9 WHEREAS the City has complied with all applicable laws and processes  
10 governing the acquisition of those supplies, and/or the procurement of those  
11 services, inclusive of public works, as is shown by the attached Exhibit "A,"  
12 incorporated herein as though fully set forth, and

13 WHEREAS the Board of Contracts and Awards has concurred with the  
14 recommendation for award as set forth in Exhibit "A"; Now, Therefore,

15 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

16 Section 1. That the Council of the City of Tacoma concurs with the Board  
17 of Contracts and Awards to adopt the recommendation for award as set forth in  
18 the attached Exhibit "A."

19 Section 2. That the proper officers of the City are hereby authorized to  
20 increase the contract with Wm. Dickson Co., in the amount of \$95,000, sales tax  
21 not applicable, for a cumulative contract total of \$742,503.30, budgeted from the  
22 Public Works Special Revenue Fund and 2010 LTGO Bond D Fund, to increase

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1 the contract for South 9th Street pedestrian improvements between Commerce  
2 and Market Streets pursuant to Specification No. PW11-0375F, consistent with  
3 Exhibit "A."

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5 Adopted \_\_\_\_\_

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Mayor

8 Attest:  
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10 City Clerk

11 Approved as to form:  
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13 City Attorney

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## ORDINANCE NO. 28180

1 AN ORDINANCE relating to the Comprehensive Plan and Title 13 of the Tacoma  
2 Municipal Code superseding Ordinance No. 28034; authorizing the final  
3 adoption of an updated Tacoma Shoreline Master Program, which amends  
4 both the Comprehensive Plan and Land Use Regulatory Code, establishes  
5 both new and modified environmental designations and zoning  
6 classifications, amends zoning district boundaries, reclassifies certain  
7 properties to the new and revised shoreline zoning districts, and adopts  
8 revisions to Chapters 13.05, 13.06, and 13.11 of Title 13 of the Tacoma  
9 Municipal Code.

10 WHEREAS the Growth Management Act ("GMA") was amended to add the  
11 goals and policies of the Shoreline Management Act ("SMA") and to declare that the  
12 goals and policies of a shoreline master program shall be considered an element of  
13 the Comprehensive Plan and all other portions shall be considered development  
14 regulations, and

15 WHEREAS development regulations include, but are not limited to, zoning  
16 controls, area-wide zoning reclassifications, critical area ordinances, and other  
17 similar official controls found in the Land Use Regulatory Code, and portions of the  
18 Shoreline Master Program fall within the definition of development regulations, and

19 WHEREAS the Comprehensive Plan, as adopted in 1993 by Ordinance  
20 No. 25360 and amended annually by ordinance thereafter, is Tacoma's  
21 comprehensive plan, as required by the GMA, and consists of several plan and  
22 program elements, including the Shoreline Master Program, and

23 WHEREAS the Shoreline Management Act of 1971 requires local Shoreline  
24 Master Programs be updated to: (1) give priority to uses that require a shoreline  
25 location; (2) promote public access and enjoyment opportunities; and (3) protect the  
26 environmental resources of state shorelines, and



1 WHEREAS the 2003 Department of Ecology (“DOE”) guidelines, codified in  
2 Chapter 173-26 of the Washington Administrative Code (“WAC”), include  
3 substantive, procedural, and process requirements to be followed by local  
4 jurisdictions in their comprehensive update to a shoreline master program, and  
5 require the update to be based on scientific and technical information to assure no  
6 net loss of shoreline ecological functions, and

7 WHEREAS the SMA was amended to establish a timeline for local  
8 jurisdictions to adopt updated Shoreline Master Programs consistent with DOE  
9 guidelines, and the adoption deadline for the City was December 1, 2011, and  
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11 WHEREAS the City Council directed staff to initiate an update of the  
12 Shoreline Master Program three years ahead of the state’s schedule in  
13 RCW 90.58.080(4) in order to integrate critical areas protection with the Shoreline  
14 Master Program, and

15 WHEREAS the City’s update process began in earnest in 2005 and included  
16 the development of required supporting studies and implementation documents,  
17 and said studies and documents were adopted under separate legislative actions of  
18 the City Council as Resolution Nos. 38372, 38373, 38374, 38375, and 38376 on  
19 November 29, 2011, as required by DOE guidelines, as part of the adoption of the  
20 update to the Shoreline Master Program as a whole, and  
21

22 WHEREAS, prior to November 29, 2011, the Planning Commission  
23 (“Commission”) recommended changes to the Comprehensive Plan (“Plan”) and  
24 the Land Use Regulatory Code (“Code”), pursuant to the SMA, and consistent with  
25 the GMA, and  
26



1 WHEREAS, leading up to those recommendations being made, the  
2 Commission held a public hearing on June 1, 2011, on a draft Shoreline Master  
3 Program, draft Shoreline Restoration Plan, draft Shoreline Inventory and  
4 Characterization, draft Public Access Alternatives Plan, draft Thea Foss Waterway  
5 Design Guidelines, draft Cumulative Impacts Analysis, and draft changes to  
6 Chapter 13.05, Land Use Permit Procedures; Chapter 13.06, Zoning; and  
7 Chapter 13.11, Critical Areas Preservation, of the Tacoma Municipal Code ("TMC"),  
8 and

9  
10 WHEREAS 41 citizens spoke at the public hearing and 52 written comments  
11 were submitted by the close of the comment period on June 10, 2011, and after  
12 review of said testimony, the Commission made modifications to the draft Shoreline  
13 Master Program and associated draft supporting documents, and

14  
15 WHEREAS, pursuant to the State Environmental Policy Act ("SEPA"), the  
16 City issued a preliminary Determination of Environmental Nonsignificance ("DNS")  
17 and Adoption of Existing Environmental Document on May 2, 2011, based upon a  
18 review of a completed environmental checklist, and, pursuant to WAC 197-11 and  
19 Tacoma's SEPA procedures, the preliminary DNS, SEPA File  
20 Number SEP2011-40000162367, was made final on June 17, 2011, and

21  
22 WHEREAS the determination was made that this project does not have a  
23 probable significant adverse impact on the environment, and

24  
25 WHEREAS the Commission then formally recommended changes to the  
26 Comprehensive Plan and Land Use Regulatory Code on August 17, 2011, and  
conveyed the same to the City Council, in the form of a proposed Tacoma



1 Shoreline Master Program (“TSMP”), which was intended to rescind and replace in  
2 their entirety the City’s existing Master Program for Shoreline Development, an  
3 element of the Comprehensive Plan, and Chapter 13.10 TMC, which are the  
4 development regulations for shoreline areas, and

5 WHEREAS, in addition to adoption of the new TSMP, as referenced above,  
6 the following supporting studies and implementation documents associated with the  
7 TSMP were previously adopted by resolution:

- 8 • Shoreline Inventory and Characterization (Resolution No. 38372),
- 9 • Shoreline Restoration Plan (Resolution No. 38373),
- 10 • Public Access Alternatives Plan (Resolution No. 38374),
- 11 • Thea Foss Waterway Design Guidelines (Resolution No. 38375), and
- 12 • Cumulative Impacts Analysis (Resolution No. 38376), and

13 WHEREAS, in addition to final adoption of the new TSMP, amendments are  
14 being made by this ordinance to TMC 13.05, Land Use Permit Procedures;  
15 TMC 13.06, Zoning; and TMC 13.11, Critical Areas Preservation, to achieve  
16 consistency with the new TSMP, and

17 WHEREAS, upon approval by DOE of the TSMP, the development  
18 regulations for critical areas within the shorelines of the State located within the City  
19 shall be the regulations contained in the TSMP and designed to assure no net loss  
20 of shoreline ecological functions, and

21 WHEREAS policies and development regulations for public access and  
22 recreation have been developed consistent with the SMA and with DOE regulations  
23 in Chapter 173-26 WAC, including provisions that recognize constitutional  
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1 limitations on regulation of private property and a process for the evaluation of  
2 nexus and proportionality in the review of shoreline permits for development on  
3 private property, and

4 WHEREAS past subarea plans for the Thea Foss Waterway and Ruston  
5 Way, including the Point Ruston site, established area-wide public access  
6 standards to establish a linear public access system in conjunction with more  
7 flexible use and development regulations, and

8 WHEREAS the policies and development standards of the Thea Foss  
9 Waterway Design and Development Plan have been integrated into the TSMP, the  
10 design guidelines have been incorporated into the new Thea Foss Waterway  
11 Design Guidelines, and additional revisions have been undertaken to respond to  
12 public comments and to more effectively implement the vision for the Waterway,  
13 and  
14

15 WHEREAS the policies and design guidelines of the Ruston Way Plan have  
16 been integrated into the TSMP and additional revisions have been undertaken, and

17 WHEREAS policies and development regulations for public access and  
18 recreation have been developed that promote and implement a comprehensive  
19 public access system as envisioned in the Thea Foss Waterway Design and  
20 Development Plan, Ruston Way Plan, Shoreline Trails Plan, and the Transportation  
21 Element of the Comprehensive Plan, and  
22

23 WHEREAS existing and planned public access sites found in the Shoreline  
24 Trails Plan, the Thea Foss Waterway Design and Development Plan, and the  
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Ruston Way Plan have been identified and integrated into the Public Access

1 Alternatives Plan, and

2 WHEREAS it is appropriate to rescind the Thea Foss Waterway Design and  
3 Development Plan (last amended in 2005), the Ruston Way Plan (1981), and the  
4 Shoreline Trails Plan (1989) as elements of the Shoreline Master Program;  
5

6 however, they are to be retained as elements of the Comprehensive Plan and shall  
7 remain in effect in that form and be applicable except when there is a conflict with  
8 the Shoreline Master Program, Thea Foss Waterway Design Guidelines, Shoreline  
9 Restoration Plan, or the Public Access Alternatives Plan, in which case the  
10 Shoreline Master Program, Thea Foss Waterway Design Guidelines, Shoreline  
11 Restoration Plan, or the Public Access Alternatives Plan shall prevail, and  
12

13 WHEREAS the Thea Foss Waterway Design and Development Plan  
14 envisions the West side of the Foss Waterway as an area for retail commercial,  
15 office, hotel, and residential uses in mixed-use configurations, with a strong  
16 emphasis on residential development between South 15th and South 21st Streets,  
17 and  
18

19 WHEREAS, since 1996, the mixed-use structures that have been built along  
20 the West side of the Foss Waterway have struggled to sustain the preferred uses  
21 on the ground level and have experienced high vacancy rates, and  
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23 WHEREAS the expectations for build-out of the West side of the Foss  
24 Waterway have changed significantly, and  
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WHEREAS conflicting frontage and location requirements for mixed-use structures have created a hindrance to achieving the preferred build-out of the Foss Waterway, and

WHEREAS the TSMP removes the design and development barriers for new mixed-use structures on the West side of the Waterway and allows non-water-oriented uses for a limited term until economic conditions improve to support the development of the preferred uses, consistent with the City's overall growth strategy as expressed in the Generalized Land Use Element for the Downtown Mixed-Use Center, the Downtown Regional Growth Center designation, and Plan policies to foster commercial and civic uses and attractions of regional scale and high-density residential development, and

WHEREAS the Commission recommended the establishment of new shoreline district zoning classifications and modifications to the boundaries of existing shoreline districts as well as the reclassification of properties within the new and modified districts, most of which recommendations were followed by the City Council in enacting Ordinance No. 28034 on November 29, 2011, and

WHEREAS, as referenced above, the Commission adopted Findings and Recommendations on August 17, 2011, and conveyed these to the City Council, and

WHEREAS Chapter 13.02 TMC requires the City Council to hold a public hearing before adopting any change to the Plan and Code, and

WHEREAS, on September 27, 2011, the City Council held a public hearing to receive public comments on the Commission's proposed TSMP, and



1 WHEREAS the City Council considered the testimony presented at the  
2 September 27, 2011, public hearing and other comments submitted on the draft  
3 TSMP, and also considered and generally concurred with the Findings and  
4 Recommendations of the Commission dated August 17, 2011, and

5 WHEREAS the City Council's Committees for Economic Development and  
6 for Environment and Public Works, after reviewing the draft TSMP recommended  
7 by the Commission and all of the public testimony received, recommended  
8 modifications to the draft TSMP, and

9 WHEREAS thereafter, on November 29, 2011, in compliance with the State  
10 deadline referenced above, the Tacoma City Council provisionally enacted an  
11 updated TSMP by City Ordinance No. 28034, and

12 WHEREAS, in accordance with RCW 90.58.090, the update to the Shoreline  
13 Master Program was required to be submitted for review and approval by DOE prior  
14 to becoming effective, and such submittal was made prior to the December 1, 2011,  
15 deadline, and

16 WHEREAS after receiving comments, conducting its review, and completing  
17 additional process, DOE issued its conditional approval of the City's proposed  
18 updated TSMP on August 19, 2013, and

19 WHEREAS DOE's conditional approval included both required and  
20 recommended changes, and

21 WHEREAS the required changes had to either be accepted by the City, or  
22 the City had to propose alternatives that were acceptable to DOE prior to the  
23 updated TSMP being made effective, and



1 WHEREAS the required changes included several limited amendments to  
2 use allowances and development standards for aquaculture, amendments to  
3 specific definitions to bring them into alignment with the Washington Administrative  
4 Code, and amendments to the S-9 Puyallup River Shoreline District and the  
5 S-6/7 Schuster Parkway Transition Shoreline District, and

6 WHEREAS, by Resolution No. 38734, the City provided its formal notice to  
7 DOE of the City's acceptance of all recommended changes and all required  
8 changes except DOE's intent statement for the S6/7 Transition District, to which the  
9 City proposed an alternative version, as allowed by RCW 90.58.090, and  
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11 WHEREAS DOE has now provided the City with its written notice of final  
12 action approving the City's TSMP including the alternative intent statement  
13 proposed in Resolution No. 38734, and pursuant to RCW 90.58.090, the TSMP will  
14 take effect 14 days from DOE's final action, and  
15

16 WHEREAS the TSMP, as presently constituted, has been developed in full  
17 compliance with Chapter 13.02 TMC and the Revised Code of Washington's  
18 procedural requirements for amendments to the City's Comprehensive Plan and  
19 development regulations, and  
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21 WHEREAS the TSMP appropriately balances the goals of the SMA and  
22 incorporates the most current, accurate, and complete scientific and technical  
23 information available, as per WAC 173-26-201, and  
24

25 WHEREAS, in concert with the implementation of restoration actions in the  
26 City and other ongoing state and federal programs, the regulatory provisions of the



1 TSMF serve to maintain the overall condition of shoreline resources and in certain  
2 circumstances will serve to improve their overall condition, and

3 WHEREAS the TSMF is consistent with the City's Comprehensive Plan,  
4 including the overall goal to "[e]nsure conservation, protection, enhancement and  
5 proper management of natural resources and shoreline areas, while providing for a  
6 balanced pattern of development . . .," and

7 WHEREAS the TSMF has been designed to increase the public's  
8 opportunities to enjoy the physical and aesthetic qualities of the shoreline to the  
9 greatest extent feasible, and

10 WHEREAS, pursuant to RCW 36.70A.370 and following the guidelines  
11 prepared by the Washington State Attorney General pursuant to RCW 36.70A.370,  
12 the TSMF was reviewed by the City Attorney to prevent against the adoption of the  
13 changes resulting in an unconstitutional taking of property, and

14 WHEREAS enacting the TSMF is in the public interest and will benefit the  
15 City as a whole, will not adversely affect the City's public facilities and services, and  
16 advances and supports the general health, safety, and welfare of the citizens of this  
17 City; Now, Therefore,

18  
19  
20 BE IT ORDAINED BY THE CITY OF TACOMA:

21 Section 1. That the recitals set forth above are hereby adopted as the  
22 Findings of the City Council and are by this reference incorporated herein as if set  
23 forth in their entirety.

24 Section 2. That City Resolution Nos. 38372, 38373, 38374, 38375, and  
25 38376, originally passed on November 29, 2011, are hereby incorporated by this  
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reference into this ordinance for the purposes intended in each as supporting studies and implementation documents to the TSMP.

Section 3. That the City Council hereby adopts the Tacoma Shoreline Master Program as modified and approved by the Department of Ecology (superseding City of Tacoma Ordinance No. 28034) repealing and replacing Chapter 13.10 of the Land Use Regulatory Code; and that the goals and policies thereof replace the shoreline element of the Comprehensive Plan, as shown in Amended Exhibit "A," attached hereto, and substantially in the form of the amendments on file in the office of the City Clerk.

Section 3. That the City Council adopts the shoreline district classifications for S-1 to S-15 as the official shoreline zoning classification and boundaries as generally described and depicted in Amended Exhibit "B," attached hereto as listed below:

Exhibit B-1 S-1a Western Slope South Shoreline District Map and Boundary Description;

Exhibit B-2 S-1b Western Slope South Shoreline District Map and Boundary Description;

Exhibit B-3 S-2 Western Slope Central Shoreline District Map and Boundary Description;

Exhibit B-4 S-3 Western Slope North Shoreline District Map and Boundary Description;

Exhibit B-5 S-4 Point Defiance Natural Shoreline District Map and Boundary Description;



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Exhibit B-6 S-5 Point Defiance Conservancy Shoreline District Map and Boundary Description;

Exhibit B-7 S-6 Ruston Way Shoreline District Map and Boundary Description;

Exhibit B-8 S-6/7 Schuster Parkway Transition Shoreline District Map and Boundary Description;

Exhibit B-9 S-7 Schuster Parkway Shoreline District Map and Boundary Description;

Exhibit B-10 S-8 Thea Foss Waterway Shoreline District Map and Boundary Description;

Exhibit B-11 S-9 Puyallup River Shoreline District Map and Boundary Description;

Exhibit B-12 S-10 Port Industrial Area Shoreline District Map and Boundary Description;

Exhibit B-13 S-11 Marine View Drive Shoreline District Map and Boundary Description;

Exhibit B-14 S-12 Hylebos Creek Shoreline District Map and Boundary Description;

Exhibit B-15 S-13 Marine Waters of the State Shoreline District Map and Boundary Description;

Exhibit B-16 S-14 Wapato Lake Shoreline District Map and Boundary Description;



Exhibit B-17 S-15 Point Ruston/Slag Peninsula Shoreline District Map and  
Boundary Description.

Section 4. That the City Council adopts changes to Chapter 13.05, Land  
Use Permit Procedures, as shown in Exhibit "C."

Section 5. That the City Council adopts changes to Chapter 13.06, Zoning,  
as shown in Amended Exhibit "D."

Section 6. That the City Council adopts changes to Chapter 13.11, Critical  
Areas Preservation, as shown in Exhibit "E."

Section 7. That if any section, subsection, paragraph, sentence, clause, or  
phrase of this ordinance, or its application to any person or situation, should be  
held to be invalid or unconstitutional for any reason by a court of competent  
jurisdiction, such invalidity or unconstitutionality shall not affect the validity or  
constitutionality of the remaining portions of this ordinance or its application to any  
other person or situation.



Section 8. That, pursuant to RCW 90.58.090, the Tacoma Shoreline

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Master Program takes effect after the passage of 14 days from the Department of Ecology's written notice of final action approving the same.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney