Legislation Passed October 20, 2020

The Tacoma City Council, at its regular City Council meeting of October 20, 2020, 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.

**Resolution No. 40673**
A resolution setting Monday, November 9, 2020, at 5:00 p.m., as the date for a hearing by the Hearing Examiner to consider Local Improvement District No. 8663, for permanent alley and/or street pavement at the following locations: North 43rd Street from Frace Avenue to Lexington Street, also Lexington Street from North 43rd Street to North 45th Street; Mullen Street from North 48th Street north to the dead end; Mullen Street from North 47th Street to North 48th Street; and in the alley between Mullen Street and Ferdinand Street, from North 36th Street to North 37th Street.  
[Ralph Rodriguez, LID Administrator; Kurtis D. Kingsolver, P.E., Director, Public Works; Michael P. Slevin III, P.E., Director, Environmental Services]

**Resolution No. 40674**
A resolution accepting a grant from the Department of Justice 2020 Edward Byrne Memorial Juvenile Justice Assistance, in the amount of $268,680, equally split with Pierce County, for Body Worn Cameras and docking stations for the Tacoma Police Department, retroactive to October 1, 2019, through September 30, 2023.  
[Vicky McLaurin, Community Services Manager; Linda Stewart, Director, Neighborhood and Community Services]

**Resolution No. 40675**
A resolution authorizing the execution of an amendment to the Interlocal Agreement with the Washington State Department of Transportation (WSDOT), committing the City to provide an additional $200,000 in future funding, to assist WSDOT in securing federal grants to incorporate additional trail components into the estimated $2 billion Puget Sound Gateway Program - State Route 167 and State Route 509 Completion projects.  
[Josh Diekmann, P.E., Assistant Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

**Resolution No. 40676**
A resolution authorizing the execution of a Lease Agreement with First Christian Church, for the use of property located at 602 North Orchard Street, for the establishment and operation of a temporary emergency micro-shelter site, through July 31, 2023.  
[Allyson Griffith, Assistant Director; Linda Stewart, Director, Neighborhood and Community Services]
Resolution No. 40677
A resolution authorizing the execution of an amendment to the agreement with Low Income Housing Institute, in the amount of $2,241,616, budgeted from Emergency Solutions Grant Coronavirus Aid, Relief, and Economic Security Act funding, to expand temporary shelter bed capacity by developing and managing a temporary emergency micro-shelter site, located at 6th Avenue and North Orchard Street, through June 30, 2023.
[Allyson Griffith, Assistant Director; Linda Stewart, Director, Neighborhood and Community Services]

Ordinance No. 28694
[Kari L. Louie, Senior Compensation and Benefits Manager; Gary Buchanan, Director, Human Resources]

Amended Ordinance No. 28695
An ordinance amending Title 13 of the Municipal Code, relating to the Land Use Regulatory Code, by amending Chapters 13.05 and 13.06 to reauthorize, extend, and modify the Residential Infill Pilot Program.
[Mesa Sherriff, Senior Planner; Peter Huffman, Director, Planning and Development Services]

Amended Ordinance No. 28696
An ordinance approving a six-month extension of the Tideflats Interim Regulations, as originally approved by Amended Ordinance No. 28470 and extended by Ordinance Nos. 28542, 28583, 28619, and 28671.
[Stephen Atkinson, Principal Planner; Peter Huffman, Director, Planning and Development Services]
RESOLUTION NO. 40673

A RESOLUTION relating to public works and improvements; setting Monday, November 9, 2020, at 5:00 p.m., as the date for a hearing by the Hearing Examiner to consider the construction of certain improvements and to form Local Improvement District No. 8663 in order to provide long-term financing for the improvements.

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

Section 1. That it is the intention of the City Council to order the local improvements described below and to pay the cost of such improvements by imposing and collecting special assessments upon the real property that will receive special benefit from the improvements.

Section 2. That the improvements shall consist of establishing permanent street pavement with a structural section, together with the installation of concrete curbs, gutters, surface water mains, and surface water catch basins, where needed, on the following streets:

- North 43rd Street from Frace Avenue to Lexington Street, also Lexington Street from North 43rd Street to North 45th Street;
- Mullen Street from North 48th Street north to the dead end; and
- Mullen Street from North 47th Street to North 48th Street.

Also permanent alley pavement with a structural section, surface water mains, and surface water catch basins, where needed, in the alley between Mullen Street and Ferdinand Street, from North 36th Street to North 37th Street. Such improvements may include driveway entrances; wastewater lateral connections from the wastewater main to the property line; the removal and planting of trees; and all work necessary to complete the improvement in full accordance with the plans and specifications to be prepared by the City Engineer.
Section 3. That the real property to be benefited by the improvements and
which will constitute Local Improvement District No. 8663 is described as follows:

North 43rd Street from Frace Avenue to Lexington Street, also
Lexington Street from North 43rd Street to North 45th Street

Those portions of the Southwest Quarter of the
Southwest Quarter of Section 23, Township 21 North,
Range 02 East, W.M., described as follows:

The South 35 feet of Lot 5, all of Lots 6 through 9,
inclusive, Lots 11 and 12, Block 1; The West 90 feet of
Lots 1 through 7, Block 3; The East 191.4 feet of the
North 120 feet of Block 'A'; all in Wiborg's Narrows
View Addition to Tacoma, Washington, according to the
plat thereof recorded in Volume 12, Page 47, filed April 8,
1942, records of Pierce County Auditor.

Together with the East 140 feet of Parcel 'B', City of
Tacoma Boundary Line Adjustment, recorded under
Recording Number 9906035005, records of Pierce
County Auditor.

All situate in the City of Tacoma, County of Pierce, State
of Washington.

Mullen Street from North 48th Street north approximately 240 feet

Those portions of the Northwest Quarter of the Southwest
Quarter of Section 24, Township 21 North, Range 02 East,
W.M., described as follows:

Lots 11 through 16, Block 1, and Lots 2 through 8, Block 2,
West Tacoma, W.T., according to the plat recorded in
Volume 1, Page 24, filed September 13, 1871, records of
Pierce County Auditor;

Together with the Northerly 20 feet of North 48th Street
vacated per City of Tacoma Ordinance No. 17056,
recorded under Recording Number 1853653, records of
Pierce County Auditor, abutting said Lot 16, Block 1;
EXCEPT those portions of said Lots 11 through 14, lying North of the following described line; Beginning on the West line of Lot 11, 26.5 feet North of the Southwest corner of said Lot 11, thence Southeasterly to a point on the South line of Lot 11, 15.6 feet East of said Southwest corner, thence Southeasterly to a point on the South line of Lot 12, 39 feet East of the Southwest corner of said Lot 12, thence Southeasterly to a point on the South line of Lot 13, 95 feet East of the Southwest corner of said Lot 13, thence Southeasterly to the Southeast corner of Lot 14, and the terminus of herein described line in Block 1;

Also EXCEPT that portion of said Lot 2, lying Northerly of the following described line; Beginning at a point on the West line of said Lot 2, 38 feet South the Northwest corner of said lot, thence East parallel to the South line of said Lot 2, 55 feet, thence Northeasterly to a point on the North line of said Lot 2 70 feet East of the Northwest Corner of said lot, thence Southeasterly to a point on the East line of said Lot 2 30 feet South of the Northeast corner said lot, and the terminus of herein described line in Block 2;

All situate in the City of Tacoma, County of Pierce, State of Washington.

Mullen Street from North 47th Street to North 48th Street

Those portions of the Northwest Quarter of the Southwest Quarter of Section 24, Township 21 North, Range 02 East, W.M., described as follows:

Lots 1 through 8, Block 7 and Lots 9 through 16, Block 8, West Tacoma, W.T. according to the plat recorded in Volume 1, Page 24, filed September 13, 1871, records of Pierce County Auditor;

Together with the Southerly 10 feet of North 48th Street vacated per City of Tacoma Ordinance No. 17056, abutting said Lot 9, Block 8;
And together with the Northerly 10 feet of North 47th Street vacated per City of Tacoma Ordinance No. 16173, abutting said Lot 16, Block 8;

All situate in the City of Tacoma, County of Pierce, State of Washington.

**Alley between Mullen Street and Ferdinand Street from North 36th Street to North 37th Street**

Those portions of the Southwest Quarter of the Northwest Quarter of Section 25, Township 21 North, Range 02 East, W.M., described as follows:

Lots 1 through 18, Blocks 11 and 12, **Glen’s First Addition to Tacoma, W.T.**, according to the plat recorded in Volume 4, Page 2, filed October 12, 1889, records of Pierce County Auditor;

EXCEPT the West 80 feet of said Lots 1 and 2, Block 12.

All situate in the City of Tacoma, County of Pierce, State of Washington.

Actual assessments may vary from assessment estimates so long as the assessments do not exceed the increased true and fair value the improvements add to the property being assessed. At the option of the property owners, the assessments levied against the property shall become due and payable in cash, without interest, within 30 days after publication of notice of assessment, or in 20 equal annual installments with interest on deferred payments at a rate to be hereafter fixed, but in no event greater than one-half percent above the rate of interest fixed upon sale of bonds for the district.

Section 4. That the Hearing Examiner of the City of Tacoma shall conduct a hearing to consider the creation of the proposed local improvement district
described herein. That such hearing shall be held in the City Council Chambers on the first floor in the Tacoma Municipal Building, at 747 Market Street, on Monday, November 9, 2020, at 5:00 p.m., or alternatively, a call-in option will be provided until the end of the COVID-19 emergency, as the place when and where said request will be heard by the Hearing Examiner, and that all persons who may desire to object to the construction of the improvements shall do so in writing and file such complaint with the City Clerk before 5:00 p.m. on Monday, November 9, 2020, or shall appear and present their objections at the hearing.

Section 5. That the Director of Public Works shall submit to the Hearing Examiner, at a date prior to November 9, 2020, the estimated cost of the improvements; a statement of the proportionate amount thereof, which should be borne by the property within the proposed Local Improvement District; a statement of the aggregate actual value of the real estate, including 25 percent of the actual value of the improvements thereon within the district, according to the valuation last placed upon it for the purpose of general taxation; a statement in detail of the local improvement assessments outstanding and unpaid against the property within the district, together with a diagram or print showing the lots, tracts, and parcels of land that will be specially benefited by the improvement; and the estimated amount of the cost and expense of the improvements to be borne by each parcel of property.

Section 6. That the City Clerk shall publish this resolution in the official newspaper of the City of Tacoma, as required by law.
Section 7. That the Director of Public Works shall give notice of the hearing, as required by law.

Adopted ________________

Mayor

Attest:

City Clerk

Approved as to form: Property description approved:

Deputy City Attorney Chief Surveyor
Public Works Department
RESOLUTION NO. 40674

A RESOLUTION relating to public safety; accepting a grant from the Department of Justice 2020 Edward Byrne Memorial Juvenile Justice Assistance, in the amount of $268,680, equally split with Pierce County, for Body Worn Cameras and docking stations for the Tacoma Police Department, retroactive to October 1, 2019, through September 30, 2023.

WHEREAS on September 19, 2020, the City was awarded a grant by the Office of Justice Programs at the Department of Justice, and

WHEREAS Pierce County and the City jointly applied for these funds and pursuant to a memorandum of understanding will split the grant equally between the two jurisdictions, with each jurisdiction receiving $134,340 of these funds, and

WHEREAS the City will act as the lead agency for this grant and is responsible for accepting the award and signing the necessary certifications to receive the funds, and

WHEREAS the City will use its portion of the funds to purchase body worn cameras (“BWC”) and docking stations for the Tacoma Police Department (“TPD”), subject to the development and implementation of BWC Policy and Procedures, and

WHEREAS BWC are helpful in the documentation of evidence, officer training, preventing and resolving complaints brought by members of the public, and strengthening police transparency, performance, and accountability, and

WHEREAS in 2016, Project Peace was formed as a partnership between the TPD and the residents of the City, which outlines several initiatives for implementation within TPD to help foster better relationships between City residents and the TPD, and

-1-
WHEREAS, BWC are an important aspect of trust and legitimacy between law enforcement and the community they serve, and their purchase and use were included in these initiatives between TPD and Project Peace, and

WHEREAS the City will also use the previous years’ funding from the 2018 and 2019 allocation to support the purchase of BWC, and

WHEREAS as a requirement of the grant application, the City has made the application and the City’s response available for the public to review and provide comments on the City’s website under the Neighborhood and Community Services page; Now, Therefore,

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

Section 1. That the proper officers of the City are hereby authorized to accept a grant from the Department of Justice 2020 Edward Byrne Memorial Juvenile Justice Assistance, in the amount of $268,680, equally split with Pierce County, for Body Worn Cameras and docking stations for the Tacoma Police Department, retroactive to October 1, 2019, through September 30, 2023.
Section 2. That the City Manager, or designee, is hereby authorized to take
and execute any additional measures or documents that may be necessary to
complete this transaction which are consistent with the approved form of
documents referenced by this Resolution, and the intent of this Resolution.

Adopted ______________________

______________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
Deputy City Attorney
RESOLUTION NO. 40675

A RESOLUTION relating to transportation; authorizing the execution of an amendment to the Interlocal Agreement with the Washington State Department of Transportation (WSDOT), committing the City to provide an additional $200,000 in future funding, to assist WSDOT in securing federal grants to incorporate additional trail components into the estimated $2 billion Puget Sound Gateway Program - State Route 167 and State Route 509 Completion projects.

WHEREAS in July of 2015, the Washington State Legislature and Governor Jay Inslee acted to fund the Puget Sound Gateway Program through the Connecting Washington Revenue Package, and

WHEREAS on April 24, 2018, under Resolution No. 39995, the City Council approved a commitment for the City to provide $2 million in future City funding, to assist the Washington State Department of Transportation (“WSDOT”) in securing federal grants for the estimated $2 billion Puget Sound Gateway Program – State Route 167 and State Route 509 Completion Projects (“Projects”), and

WHEREAS on March 5, 2019, the City Council adopted Resolution No. 40243 authorizing an Interlocal Agreement (“Agreement”) to formalize that commitment, and

WHEREAS the Agreement provides a commitment of matching funds for two project grants: $500,000 for the 70th Avenue East Project, and $1.5 million for the Port of Tacoma Spur, with the proposed amendment committing an additional $200,000, and

WHEREAS this contribution from the City, along with contributions from WSDOT and the City of Fife, will secure a $1,020,531 federal grant, fully funding the estimated $1,852,589 required to extend the trail connection from Alexander
Avenue East along State Route 509 ("SR 509") and the proposed extension of State Route 167 ("SR 167") to the Hylebos Trail in Fife, and

WHEREAS these Projects are part of the vision adopted in the City’s Transportation Master Plan, and will be part of a network that will ultimately provide trail connections among Northeast Tacoma, Downtown Tacoma, the Port of Tacoma, and regional trail facilities, thereby facilitating more widespread access to affordable and equitable transportation options; Now, Therefore,

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

Section 1. That the proper officers of the City are hereby authorized to execute an amendment to the Interlocal Agreement with the Washington State Department of Transportation ("WSDOT"), committing the City to provide an additional $200,000 in future funding, to assist WSDOT in securing federal grants to incorporate additional trail components into the estimated $2 billion Puget Sound Gateway Program - State Route 167 and State Route 509 Completion projects.
Section 2. That the City Manager, or designee, is hereby authorized to take
and execute any additional measures or documents that may be necessary to
complete this transaction which are consistent with the approved form of
documents referenced by this Resolution, and the intent of this Resolution.

Adopted __________________

__________________________________________
Mayor

Attest:

__________________________________________
City Clerk

Approved as to form:

__________________________________________
Deputy City Attorney
RESOLUTION NO. 40676

A RESOLUTION relating to public health and safety; authorizing the execution of a Lease Agreement with First Christian Church for the use of property located at 602 North Orchard Street for the establishment and operation of a temporary emergency micro-shelter site, through July 31, 2023.

WHEREAS the City must increase its temporary shelter capacity to serve individuals experiencing homelessness located in unauthorized encampments, and

WHEREAS health directives related to COVID-19 require the City to consider non-congregate shelter options, such as micro-shelter sites, as safer and more effective than expansion of existing congregate shelter, and

WHEREAS the proposed Lease Agreement ("Agreement") with First Christian Church provides for the establishment and operation of a temporary emergency micro-shelter site on its property located at 602 North Orchard Street, and

WHEREAS, pending approval of the Agreement, the Low Income Housing Institute ("LIHI") will operate the micro-shelter site, and

WHEREAS the site will have 24/7 management and oversight; will be fenced and have security cameras; and a community advisory council will be established to provide a community platform to discuss concerns, including safety and security, and

WHEREAS the site will host service providers who will provide connections to supportive resources to stabilize and transition individuals to permanent housing, and

WHEREAS the Agreement provides that the site will operate through June 30, 2023, with demobilization of the site occurring during July 2023, and
WHEREAS staff is recommending approval of the Agreement for the purpose of increasing shelter capacity for individuals experiencing homelessness throughout our community; Now, Therefore,

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

Section 1. That the proper officers of the City are hereby authorized to enter into a Lease Agreement with First Christian Church for the use of property located at 602 North Orchard Street for the establishment and operation of a temporary emergency micro-shelter site, through July 31, 2023, all as more specifically set forth in the proposed agreement on file in the office of the City Clerk.

Section 2. That the City Manager, or designee, is hereby authorized to take and execute any additional measures or documents that may be necessary to complete this transaction which are consistent with the approved form of documents referenced by this Resolution, and the intent of this Resolution.

Adopted ____________________

______________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
Deputy City Attorney
RESOLUTION NO. 40677

A RESOLUTION relating to public health and safety; authorizing the execution of an amendment to the agreement with Low Income Housing Institute, in the amount of $2,241,616, budgeted from Emergency Solutions Grant Coronavirus Aid, Relief, and Economic Security Act funding, to expand temporary shelter bed capacity by developing and managing a temporary emergency micro-shelter site, located at 6th Avenue and North Orchard Street, through June 30, 2023.

WHEREAS, in May 2017, the City declared a state of emergency around homelessness to mitigate the impacts of unauthorized homeless encampments in Tacoma, and to enable processes to quickly address the public health and safety risk encampments pose to those inhabiting them and the surrounding community, and

WHEREAS the annual Point-in-Time Count conducted in January 2020 reported 544 homeless individuals in Tacoma, with 158 individuals unsheltered, and

WHEREAS this data shows that there is still a deficit in the number of available shelter beds in Tacoma, and there are still individuals and families living in situations that are not fit for human habitation, and

WHEREAS, in order to continue serving individuals experiencing homelessness, the City proposes opening a new micro-shelter site at 602 North Orchard Street which will provide 40 furnished micro-shelters, common areas, case management, and other supportive services for individuals who are currently experiencing homelessness, and

WHEREAS no more than 60 individuals will reside onsite at any time, and will be limited to families with children, couples, and single women, and
WHEREAS, under the proposed amendment to the agreement with the Low Income Housing Institute ("LIHI"), LIHI will provide 24/7 on-site support and operations management for the micro-shelter site, and

WHEREAS, as part of LIHI’s standard operating model, a community advisory committee will be established to provide a community platform to discuss concerns, including safety and security, and

WHEREAS the City Council will receive regular updates on the project’s performance, and

WHEREAS staff is recommending approval of the proposed amendment to the agreement with LIHI, in the amount of $2,241,616, budgeted from Emergency Solutions Grant Coronavirus Aid, Relief, and Economic Security Act funding, for this purpose; Now, Therefore,

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

Section 1. That the proper officers of the City are hereby authorized to enter into an amendment to the agreement with the Low Income Housing Institute, in the amount of $2,241,616, budgeted from Emergency Solutions Grant Coronavirus Aid, Relief, and Economic Security Act funding, to expand temporary shelter bed capacity by developing and managing a temporary emergency micro-shelter site, located at 6th Avenue and North Orchard Street through June 30, 2023, all as more specifically set forth in the proposed amendment on file in the office of the City Clerk.
Section 2. That the City Manager, or designee, is hereby authorized to take and execute any additional measures or documents that may be necessary to complete this transaction which are consistent with the approved form of documents referenced by this Resolution, and the intent of this Resolution.

Adopted ________________________

________________________________
Mayor

Attest:

________________________________
City Clerk

Approved as to form:

________________________________
Deputy City Attorney
AN ORDINANCE relating to pay and compensation; amending Chapter 1.12 of the Tacoma Municipal Code to implement rates of pay and compensation for nonrepresented employees and employees represented by the Tacoma Police Union, Local 6, I.U.P.A., the Tacoma Police Management Association, Local 26, and the Professional Public Safety Managers Association, and to implement changes to reflect the organizational structure 1.12.640; and declaring the effective dates thereof.

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Section 1.12.355 of the Tacoma Municipal Code is hereby amended, effective retroactive to January 1, 2020, to read as follows:

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<th>Code</th>
<th>Title</th>
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<th>3</th>
<th>4</th>
<th>5</th>
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</thead>
<tbody>
<tr>
<td>4202</td>
<td>Police Officer</td>
<td>32.22</td>
<td>36.79</td>
<td>38.57</td>
<td>40.45</td>
<td>42.44</td>
<td>44.53</td>
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<tr>
<td>4204</td>
<td>Police Sergeant</td>
<td>51.27</td>
<td>53.84</td>
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<tr>
<td>4207</td>
<td>Police Detective</td>
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<td>48.94</td>
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Section 2. That Section 1.12.355 of the Tacoma Municipal Code is hereby amended, effective retroactive to January 1, 2020, to read as follows:

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<tbody>
<tr>
<td>4205</td>
<td>Police Lieutenant</td>
<td>64.40</td>
<td>67.39</td>
</tr>
<tr>
<td>4206</td>
<td>Police Captain</td>
<td>73.71</td>
<td>77.40</td>
</tr>
</tbody>
</table>

Section 3. That Section 1.12.355 of the Tacoma Municipal Code is hereby amended, effective retroactive to January 1, 2020, to read as follows:

<table>
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<tr>
<td>0770</td>
<td>Police Chief, Assistant</td>
<td>85.58</td>
<td>89.86</td>
<td>94.35</td>
<td>99.07</td>
</tr>
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</table>
Section 4. That Section 1.12.355 of the Tacoma Municipal Code is hereby amended, effective retroactive to January 1, 2020, to read as follows:

<table>
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<td>Police Chief, Assistant</td>
<td>89.00</td>
<td>93.45</td>
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<th>2</th>
<th>3</th>
</tr>
</thead>
<tbody>
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<td>4201</td>
<td>Police Officer Recruit</td>
<td>32.22</td>
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<td>38.57</td>
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<tr>
<td>4201</td>
<td>Police Officer Recruit</td>
<td>33.51</td>
<td>38.26</td>
<td>40.11</td>
</tr>
</tbody>
</table>

Section 5. That Section 1.12.640 of the Tacoma Municipal Code is hereby amended, effective as provided by law.

***

L6 An employee represented by the 2017-2019 collective bargaining agreement with the Tacoma Police Union, I.U.P.A., Local 6, who is employed on July 1, 2019, shall receive a one-time, lump sum payment of $500.

***

Section 6. That Sections 1, 2, 3, and 4 are effective retroactive to January 1, 2020. That Section 5 is effective as provided by law.

Passed ______________________

______________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
Deputy City Attorney

-2-
ORDINANCE NO. 28695

AN ORDINANCE relating to the Residential Infill Pilot Program; amending Title 13 of the Tacoma Municipal Code, Land Use Regulatory Code, by amending Chapters 13.05 and 13.06 thereof to reauthorize, extend, and modify the Residential Infill Pilot Program.

WHEREAS, in December 2015, pursuant to Amended Ordinance No. 28336, the City Council enacted Tacoma Municipal Code (“TMC”) 13.05.115, Residential Infill Pilot Program (“Program”), which was subsequently reorganized under TMC 13.05.060, pursuant to Ordinance No. 28613, for the following housing types:

1. Detached Accessory Dwelling Units (“DADU”) in single-family zoning districts;
2. Two-family development on corner lots in the R-2 Single-family District;
3. Small-scale multifamily development in the R-3 District; and
4. Cottage Housing in most residential districts, and

WHEREAS the Program is intended to promote innovative residential infill while ensuring that such infill demonstrates high-quality building and site design that is responsive to and harmonious with neighborhood patterns and character, and

WHEREAS, based on the initial success of the Program and in response to the evolving landscape of growth and development of Tacoma’s housing supply, staff is recommending amendments to the Program to provide for a more equitable distribution of diverse housing options across the City; provide flexibility to project applicants to address the challenges of their sites; and streamline the review process to improve oversight for each project, reduce processing time, and increase predictability, and
WHEREAS the proposed amendments will allow for six new spaces for each project type in each of the five Council Districts, for a total of 30 projects per type, or 120 total projects; will address affordability through the development of additional, smaller units in more restrictively zoned areas of the City which would inherently create more housing choice and reduce per-unit costs; and will make other minor adjustments to the project types currently allowed through the Program, and

WHEREAS, on October 6, 2020, a public hearing was held before the City Council to receive comments on the proposed reauthorization, extension, and modification of the Program as codified in TMC 13.05.060; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 13.05 of the Tacoma Municipal Code is hereby amended as set forth in the attached Exhibit “A.”

Section 2. That Chapter 13.06 of the TMC is hereby amended as set forth in the attached Exhibit “B.”

Section 3. That the Planning Commission is directed to forward a package of recommended Comprehensive Plan amendments by May 2021 and a full package of implementing zoning, along with appropriate standards and processes to ensure that infill development complements neighborhood patterns, promotes efficient, compact, transit-supporting and walkable patterns of development, establishes a high quality of design requirements, and incentivizes affordability measures in addition to being well-supported by urban infrastructure and services, for City Council consideration by December 2021.
Section 4. That the City Manager, or designee, is directed to provide
updated information about the status and results of the program to the City Council
two times per year commencing by May 2021 to be considered with the Planning
Commission recommendations.

Section 5. That the City Manager, or designee, in coordination with the
Planning Commission, will expedite the work to modify Tacoma’s housing growth
strategy and associated zoning to promote housing supply, housing choice and
affordability by allowing a broader range of housing types in Tacoma’s
predominantly single-family neighborhoods.

Passed __________________________

__________________________________
Mayor

Attest:

__________________________________
City Clerk

Approved as to form:

__________________________________
Deputy City Attorney
EXHIBIT “A”

CHAPTER 13.05
LAND USE PERMITS AND PROCEDURES

* * *

13.05.010  Land Use Permits.

A. Conditional Use Permits.

* * *

7. Infill Pilot Program.

a. Two-family development on corner lots may be allowed by conditional use permit in R-2 Districts. In addition to the General Criteria, a conditional use permit for a two-family or townhouse dwelling unit in R-2 Districts shall only be approved upon a finding that such use is consistent with all of the following criteria:

1) The proposed lot is a corner lot with a minimum lot size of 6,000 square feet in size. Corner lots provide an opportunity for two-family or townhouse development to be integrated in the neighborhood in a context-responsive manner that is consistent with the single-family detached character of the district.

2) The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.060.

3) The proposed two-family or townhouse development is designed to present the general appearance of a detached single-family dwelling through one of the following two design approaches consistent with the following:

   a) Development must respond to the context and neighborhood and single-family structures through massing, bulk, materials, landscaping, and building placement.

   b) Each unit must have a primary entrance directly accessed from adjacent street.

   Each unit is oriented onto a different street frontage designed in a similar manner to the street fronting façade of a detached single-family house. Or, each unit is accessed through a shared entrance.

4) The proposed structure is designed to resemble a detached single-family house in terms of architecture, bulk, front and rear setbacks, and location of parking in a designated rear yard. The site shall provide the required rear yard of the R-2 District on one side of the structure. Each unit shall provide no more than one off-street parking space. In the case of conversion of an existing single-family dwelling to a two-family dwelling, the existing architectural features shall be maintained to the maximum extent practicable.

5) Applications for two-family and townhouse dwelling units in R-2 Districts shall be processed in accordance with the provisions of TMC 13.05.060 and TMC 13.05.010.A. Pursuant to those requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, and complete information indicating how the property will meet the above criteria.

b. Multi-family development up to a maximum of six dwelling units may be allowed by conditional use permit in the R-3 District and in the R-2 District if the development is a renovation of an existing structure that does not increase building footprint. A conditional use permit for a multi-family dwelling unit in R-2 or R-3 Districts shall only be approved upon a finding that such use is consistent with all of the following criteria:

1) The proposed lot is a minimum of 97,000 square feet in size.

2) The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.060.

3) The proposed structure is designed to minimize the overall impression of density and bulk and to fit with established neighborhood patterns. Access to dwellings shall be through a shared primary entrance. Parking shall be limited to one space per unit, and shall be located to the rear of the site in a manner that obscures it from view from the street frontage.

4) Applications for multi-family dwellings in R-2 or R-3 Districts shall be processed in accordance with the provisions of the Residential Infill Pilot Program provisions of TMC 13.05.060. Pursuant to those
requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, and complete information indicating how the property will meet the above criteria.

c. Between four and 24 Cottage Housing units may be allowed by conditional use permit in any residential district except HMR-SRD. A conditional use permit for a Cottage Housing unit shall only be approved upon a finding that such a use is consistent with all of the following criteria:

(1) The proposed lot is a minimum of 7,000 square feet in size.

(2) The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.060.

(3) The proposed development is designed to provide variety in unit sizes, building and site features, and site design elements. Landscaping shall be designed in an attractive way and according to a coherent design. Residential units are laid out to be oriented to the public right-of-way and shared open space. Building massing is designed to have limited impact on neighboring properties and parking is to be off the alley, where possible, and minimized through screening and landscaping.

(4) Applications for Cottage Housing units in all residential district except HMR-SRD shall be processed in accordance with the provisions of the Residential Infill Pilot Program provisions of TMC 13.05.060, TMC 13.06.080.C, and TMC 13.05.010.A. Pursuant to those requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, and complete information indicating how the property will meet the above criteria.

d. Planned Infill Housing developments may be allowed by conditional use permit in any residential district except HMR-SRD. A Conditional Use Permit for Planned Infill Housing shall only be approved upon a finding that such use is consistent with all of the following criteria:

(1) The proposed lot is a minimum of 3,500 square feet in size in the R-3 Zone and 7,000 square feet in size in all other zones.

(2) The proposal is consistent with the Residential Infill Pilot Program criteria contained in TMC 13.05.060.

(3) Development must respond to context and neighboring structures through massing, bulk, materials, landscaping, and building placement.

(4) Buildings must orient entrances toward the public right-of-way and parking shall be located to the rear of the site in a manner that obscures it from view from the street frontage.

(5) Applications for Planned Infill Housing units in all residential districts shall be processed in accordance with the provisions of the Residential Infill Pilot Program provisions of TMC 13.05.060 and TMC 13.05.010.A. Pursuant to those requirements, the applicant shall submit, in conjunction with the application, site plan drawings and drawings of building elevations, information on building materials, and complete information indicating how the property will meet the above criteria.

* * *

13.05.060 Residential Infill Pilot Program

A. Purpose.

To promote innovative residential infill development types, while ensuring that such development demonstrates high quality building and site design that is responsive to and harmonious with neighborhood patterns and character. In addition, the Pilot Program is intended to develop a body of successful, well-regarded examples of innovative residential infill in order to inform a later Council decision whether to finalize development regulations and design standards for some or all of these infill housing types.

B. Term.

The Pilot Program will commence when infill design guidelines illustrating in graphic format the intent and requirements of this section have been revised and updated, with input from the Planning Commission, and authorized by the Director. The Pilot Program will be reassessed as directed by the City Council or by the Director. Once six spaces in each of the categories have been completed in each
Council District in Tacoma, no additional applications will be accepted for that category until further Council action has been taken.

C. Applicability.

The provisions of this section apply to the following categories of residential infill:

1. Two-family or townhouse development within the R-2 District;
2. Multifamily development within the R-3 District; In addition, applications to the Infill Pilot Program for renovations of existing structures that do not increase building footprint will be reviewed in the R-2 District; and
3. Cottage Housing development within any residential district except the HMR-SRD District; and
4. Planned Infill Housing option in all residential districts.

The pertinent provisions of TMC 13.06 regarding residential districts, the development and permitting requirements described therein, as well as any other pertinent section of the TMC shall apply.

There shall be a minimum distance of 1,000 feet separating pilot program housing developments within the same category.

D. Consistency with the TMC. Proposals submitted to the Infill Pilot Program must be consistent with the provisions of TMC 13.06 regarding residential districts, the development and permitting requirements described therein, as well as any other pertinent sections of the TMC that apply.

E. Submittals.

Proponents of any of the above innovative residential infill development types shall submit the following:

1. Site plan(s) showing proposed and existing conditions.
2. Building elevations from all four sides, showing proposed and existing conditions.
3. A massing study.
4. Photographs of any existing structures that will be altered or demolished in association with the proposal, as well as photographs of the structures on adjacent parcels.
5. A narrative and any supporting exhibits demonstrating how the project will be consistent with the Pilot Program intent and the provisions of this section.
6. Demonstration that the proposal would meet all pertinent TMC requirements, including those contained in TMC 13.06.100.
7. A complete application, along with applicable fees, for any required land use permits, including a Conditional Use and Accessory Dwelling Unit Permits. Such processes may require public notification and/or meetings.
8. The Director reserves the right to request additional information and documentation prior to beginning the City’s review.

E. Review process.

The Director will convene a special advisory review body which shall function in an advisory capacity to provide input prior to the Director or Hearing Examiner’s decision and conditions of approval.

1. This body will include the following representatives:
   a. The Director or designee;
   b. The Long Range Planning Manager or designee;
   c. A City staff member with residential building and site development expertise;
   d. A designee representing the area Neighborhood Council where the project is proposed;
   e. An architect or urban design professional; and
   f. A representative of the Landmarks Preservation Commission, if the project is within an Historic or Conservation District or would affect or be adjacent to historically significant properties; and
   g. The Current Planning Manager or designee.
2. The Historic Preservation Officer shall be consulted to assess potential adverse impacts to historically
designated properties or properties eligible for historic designation. To mitigate or avoid adverse impacts,
conditions recommended by the Historic Preservation Officer may include:
   a. Designation of the historically significant property to the Tacoma Register of Historic Places.
   b. Avoidance of the historically significant property or minimizing exterior changes to the property.
   c. Documentation and architectural salvage of the historically significant property, if demolition cannot be
      avoided.
3. The special advisory review body will assess the consistency of the proposal with the following criteria. All
   proposals submitted under the provisions of this section must demonstrate the following:
   a. Responsiveness to the following basic neighborhood patterns established by existing development in the
      area:
      (1) Street frontage characteristics.
      (2) Rhythm of development along the street.
      (3) Building orientation on the site and in relation to the street.
      (4) Front setback patterns.
      (5) Landscaping and trees.
      (6) Backyard patterns and topography.
      (7) Architectural features.
      (8) Historic character, if located within a designated Historic District.
      (9) Whether adverse impacts to properties that are eligible for listing on a historic register can be mitigated.
   b. Pedestrian-friendly design. The proposed development must provide direct and convenient pedestrian access
      from each dwelling to abutting sidewalks and public pathways and must emphasize pedestrian connectivity.
      The quality of the pedestrian experience within the site and in the abutting public right-of-way shall be high.
   c. De-emphasize parking. The proposal must meet the parking requirements of TMC 13.06.090.C in a manner
      that parking is not required for projects in the Infill Pilot Program, but if parking is provided, the project
      should de-emphasizes parking in terms of its prominence on the site and its visibility from the public right-of-
      way.
   d. Minimize scale contrasts, shading and privacy impacts. The proposal must demonstrate that it will limit
      abrupt changes in scale between the proposed development and existing buildings on adjacent parcels. Privacy
      and shading impacts on abutting parcels must be prevented or reduced to a reasonable extent.
   e. Create usable outdoor (or yard) spaces. The proposal must provide usable and functional outdoor or yard
      space that will be an amenity to its residents.
   f. Sustainable features. In the case of multifamily development in the R-3 District, and Cottage Housing, the
      proposal must provide documentation of the incorporation of sustainability features through one of the
      following certification programs:
      1. Built Green 3 Stars; or LEED Bronze; or equivalent.
      2. Greenroads Bronze rating if full new roadway sections are constructed as part of the project;
      g. Consistency with code requirements. The proposal must be consistent with the applicable provisions of
         TMC 13.06 and other applicable requirements. The Director has discretion to increase, decrease or modify
         development standards including setbacks, height and parking in order to ensure the proposal is fully
         consistent with the intent of the Pilot Program.
4. Decision.
   As part of the associated land use decision, the Director or Hearing Examiner shall determine whether the
   proposal meets the intent of this section and incorporate conditions, as appropriate, into the land use and
   building permit approvals. In the case of projects in historic or conservation districts, or individually
designated landmarks, Landmarks Preservation Commission approval will be required pursuant to TMC 13.05.040. The Director has discretion to increase, decrease, or modify development standards, including setbacks, height, and parking, in order to ensure the proposal is fully consistent with the intent of the Infill Pilot Program prior to issuance of a decision.

***
EXHIBIT “B”

CHAPTER 13.06
ZONING

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13.06.080 Special Use Standards
***

13.06.080.C. Cottage Housing.
***

4. Use standards.
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e. Maximum density.

Cottage housing developments are permitted two times the maximum number of dwelling units in the applicable zoning district. For example, in the R-2 District a 20,000 square foot site is permitted four 5,000 square foot lots, or six cottage housing units.

f. Parking.

Each cottage unit is required to have one off-street parking space. Parking may be contained in detached garages adjacent to dwelling units no larger than 250 square feet in floor area; in shared garages no larger than 1,200 square feet maximum floor area; or, in clustered parking areas with no more than four spaces per cluster.

g. Vehicular access.

Vehicular access shall be from the rear of the site whenever suitable access is available or feasibly can be developed. If such access is not feasible, then driveway or private roads shall be minimized to the maximum extent feasible. Driveways to individual units shall consist of paved runner strips or pervious surfacing.

h. Setbacks.

The external setbacks of the underlying zoning district shall apply, except cottage housing shall be allowed in the rear yard when lot is located on an alley.

i. Separation between units.

All buildings must meet separation requirements as identified in applicable building codes. A minimum of 8 feet shall be provided between structures containing dwelling units.
***
ORDINANCE NO. 28696

AN ORDINANCE approving a six-month extension of the Tideflats Interim Regulations, as originally approved by Amended Ordinance No. 28470 and extended by Ordinance Nos. 28542, 28583, 28619, and 28671.

WHEREAS, on May 9, 2017, the City Council adopted Amended Resolution No. 39723, initiating the subarea planning process for the Tideflats area, and further, requesting that the Planning Commission consider the need for interim regulations in the Tideflats area while the subarea planning process is underway, and

WHEREAS the Planning Commission ("Commission") determined that interim regulations were warranted, and on October 4, 2017, the Commission forwarded its recommendation to the City Council for consideration, and

WHEREAS, in support of these deliberations, the Commission conducted a public hearing at which 81 people testified, and reviewed over 200 written comments, and

WHEREAS, following its own public hearing and substantial community input and deliberation, the City Council, on November 21, 2017, passed Amended Ordinance No. 28470, which included the following elements:

• Category 1: Expanded public notification of heavy industrial use permits;
• Category 2: A temporary prohibition of new non-industrial uses in the Port of Tacoma Manufacturing and Industrial Center;
• Category 3: A temporary prohibition of new residential development along Marine View Drive and NE Tacoma slopes; and
• Category 4: A temporary prohibition on certain types of new heavy industrial uses,

and
WHEREAS, on November 13, 2018, following another public hearing, substantial community input, and City Council deliberation, the City Council passed Ordinance No. 28542, extending the Tideflats Interim Regulations for an additional six-month period, and

WHEREAS, on May 21, 2019, following another public hearing and deliberations, the City Council passed Ordinance No. 28583, extending the Tideflats Interim Regulations for an additional six-month period, and

WHEREAS, on November 12, 2019, following another public hearing and deliberations, the City Council passed Ordinance No. 28619, extending the Tideflats Interim Regulations for an additional six-month period, and

WHEREAS, on May 19, 2020, following another public hearing, substantial community input and deliberation, the City Council passed Ordinance No. 28671, which extended the Tideflats Interim Regulations for another six-month period, and

WHEREAS, Ordinance No. 28671 is set to expire on December 2, 2020, and the Tacoma Municipal Code (“TMC”), consistent with state law, allows the City Council to consider reauthorization of the interim regulations every six months subsequent to the initial one-year authorization period, and

WHEREAS, the City Council has determined that it is necessary to extend the interim regulations for an additional six-month period; Now,

Therefore,
BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That a six-month extension of the Tideflats Interim Regulations, as originally approved by Amended Ordinance No. 28470, passed November 21, 2017, extended by Ordinance No. 28542, passed on November 13, 2018, extended by Ordinance No. 28583, passed on May 21, 2019, extended by Ordinance No. 28619, passed November 12, 2019, and extended by Ordinance No. 28671, passed on May 19, 2020, is hereby approved.

Section 2. That the Tacoma Planning Commission is hereby directed to review these Interim Regulations, and recommend non-interim regulations to replace them for consideration by the City Council by April of 2021. In undertaking this work, the Commission will consider only those issues and uses initially addressed by Amended Ordinance No. 28470, and will limit the scope of work to those regulatory options reviewed in the public record. The Commission should seek substantive input from the Port of Tacoma, the Puyallup Tribe, and other governments and stakeholders of the Tacoma Tideflats.

Further, the Commission will review and assess approaches to regulate the expansion of existing uses, and consider new findings of fact, including any lessons learned from permitting in the time since the regulations were put into effect, and changes to baseline conditions.
The Commission's recommendations should provide clarity and predictability for industry and community, particularly given the current COVID-19 crisis and economic impacts.

Passed ______________________

______________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
Deputy City Attorney