ORDINANCE NO. 28193

AN ORDINANCE relating to community and economic development; adopting the South Downtown Subarea Plan as an element of the City’s Comprehensive Plan.

WHEREAS the City of Tacoma was selected to participate in the U.S. Department of Housing and Urban Development’s Sustainable Communities Regional Planning Grant Program, and

WHEREAS the Grant program is a three-year, $5 million grant dedicated towards a ‘Growing Transit Communities’ program coordinated by the Puget Sound Regional Council (“PSRC”) which aims to: (1) support local efforts throughout the region to promote socially equitable transit-oriented development; (2) focus new job and housing growth in the vicinity of new high-capacity transit systems; (3) put jobs and opportunity closer to where people live; and (4) sustain a healthy environment and a healthy economy in the decades to come, and

WHEREAS, the City of Tacoma, as a Puget Sound Regional Council Catalyst Project partner, has received the sum of $500,000 to develop a long-range Subarea Plan and area-wide SEPA Environmental Impact Statement (“EIS”) addressing future development standards and incentives and coordinated infrastructure investments in South Downtown, and

WHEREAS the South Downtown Subarea Plan and EIS area encompasses 600 acres of historic industrial and commercial land in the southern half of Tacoma’s downtown and includes five distinct districts: (1) Dome District; (2) Brewery District; (3) UWT/Museum District; (4) Thea Foss Waterway and Shoreline; and (5) Hillside District, and
WHEREAS the Subarea has a diversely built environment, including approximately 100 historic properties, but is also characterized by a relatively high concentration of underutilized land and buildings, and

WHEREAS the unique characteristics of the area represent an unmatched opportunity to absorb growth and transform into a transit-oriented community which is expected to absorb more than 30,000 new residents and 40,000 new jobs over the next twenty years, and

WHEREAS broad goals of the project include: (1) pre-approving up to 30 million square feet of new development space through the SEPA process; (2) streamlining development regulations; (3) prioritization of transportation investments; (4) identifying and prioritizing necessary infrastructure improvements; (5) planning for parks, trails, and open space; and (6) identification of potential funding strategies, and

WHEREAS on August 28, 2013, the City of Tacoma and the University of Washington, as co-lead agencies, issued a non-project EIS for the South Downtown Subarea Plan, and

WHEREAS a non-project EIS involves a cumulative environmental impact and mitigation analysis for the entire Subarea, rather than piecemeal analysis on a project-by-project basis, and

WHEREAS the non-project EIS eliminates the need for subsequent environmental review associated with project-specific development proposals that comply with the Subarea Plan’s development regulations relevant to the proposed project, and
WHEREAS the non-project EIS provides a developer with certainty and predictability, thereby eliminating duplicative environmental review at the project level and furthering the goals of the State Environmental Policy Act ("SEPA") and the Growth Management Act ("GMA"), and

WHEREAS the co-lead agencies prepared a non-project EIS pursuant to RCW 43.21C.420, known as “Transit Infill Review,” and the co-lead agencies completed the planning and environmental review of this subarea plan EIS in conformance with the statutory requirements of RCW 43.21C.420 and the Tacoma Municipal Code ("TMC"), and

WHEREAS given the “sunset” provision of RCW 43.21C.420(5)(a) and (b), the co-lead agencies also complied with RCW 43.21C.031 and RCW 43.21C.440 (planned action) and RCW 43.21C.229 (infill exemption), to provide additional SEPA authority to facilitate and expedite the development contemplated in the subarea plan if the appeal-related provisions in RCW 43.21C.420(5)(a) and (b) expire, and

WHEREAS for a non-project EIS completed under RCW 43.21C.420, the SEPA-based appeal opportunity occurs in conjunction with the adoption of the subarea plan, and WHEREAS there are no SEPA noticing requirements for subsequent, site-specific development or redevelopment projects that are consistent with the subarea plan and development regulations, and

WHEREAS consistent with RCW 43.21C.420, a proposed development will not be subject to project-specific SEPA-based administrative or judicial appeals if the proposed development is: (1) proposed within 10 (ten) years of the issuance of the
subarea Final EIS; (2) situated within the subarea; and (3) consistent with the adopted subarea plan and development regulations, and

WHEREAS the EIS acknowledges that there will be sufficient utility infrastructure, transportation capacity, and open space to serve anticipated growth, for the next five to ten years, and

Whereas the EIS sets forth monitoring protocols and tiered thresholds of development that would trigger a suite of mitigation measures to provide for sufficient infrastructure within the subarea, and

WHEREAS public notification for the Subarea Plan and EIS was provided jointly throughout the project and included an initial Community Meeting on December 1, 2011; an initial Scoping Meeting held on December 15, 2011; and notice of the issuance of the draft Subarea Plan, draft EIS, and notice of the subsequent Public Hearing on April 25, 2013, and

WHEREAS a notice of availability was mailed upon issuance of the final EIS and included notice of the draft Subarea Plan Planning Commission Public Hearing held on September 18, 2013, and

WHEREAS the Planning Commission concluded that, as proposed, the South Downtown Subarea Plan and EIS are consistent with the Comprehensive plan with a preliminary maximum build-out target of 20 million square feet of new development, and

WHEREAS the Planning Commission recommended that the City Council adopt the draft South Downtown Subarea Plan as a new element of the Comprehensive Plan and adopt the proposed amendments to the TMC Chapters 13.06 Zoning and 13.06A Downtown Tacoma, and
WHEREAS the recommended actions are presented in two separate ordinances for ease of review, consisting of this ordinance to amend the Comprehensive Plan with the addition of the South Downtown Subarea Plan and a separate ordinance to amend TMC Chapters 13.06 and 13.06A to implement the Subarea Plan, and

WHEREAS Chapter 13.02 of the TMC details the procedures and criteria for amending the Plan, including review of potential amendments by the Commission and City staff, and the requirement that potential amendments be subject to a public review process, and

WHEREAS, considering the public testimony received at a hearing on September 18, 2013, together with analyses and assessments completed by City staff, the Commission developed proposed amendments to the Plan, which were compiled in the Planning Commission’s Findings and Recommendations Report forwarded to the City Council on November 6, 2013, and

WHEREAS the proposed amendments to the Plan conform to the requirements of the GMA, and were developed and are consistent with the following: (1) the State Environmental Policy Act; (2) VISION 2040, the growth management, environmental, economic, and transportation vision for the Central Puget Sound region; (3) Transportation 2040, the action plan for transportation in the Central Puget Sound region; (4) the Countywide Planning Policies for Pierce County; (5) Substitute Resolution No. 37070, which provides guiding principles for the City’s future growth; and (6) TMC Chapter 13.02, and
WHEREAS pursuant to TMC Chapter 13.02, the City Council is required to conduct a public hearing prior to consideration for adoption, and

WHEREAS the City Council conducted a public hearing on the Planning Commission's recommendations on December 3, 2013, and

WHEREAS the effective date of the ordinance for the South Downtown Subarea and Comprehensive Plan adoption shall be January 1, 2014; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council adopts the Findings and Recommendations of the Planning Commission, dated November 6, 2013.

Section 2. That the City of Tacoma Comprehensive Plan is hereby amended with the addition of the South Downtown Subarea Plan as set forth in the attached Exhibit “A.”

Adopted DEC 17 2013

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

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