

Tacoma Permit Advisory Group

Hybrid meeting

Meeting #47 – July 19th, 2023 2:00pm

Advisory Group Members in attendance: Layne Alfonso, Clinton Brink, Michael R. Fast, Ben Ferguson, Justin Goroch, Robert Laing, Mandy McGill, Claude Remy, John Wolters

Excused: Jim Dugan, Ken Miller

Absent: Jason Gano

2:01 PM Welcome

2:02 PM Approval of Minutes

Meeting #46 on June 21st, 2023

Mandy McGill moved. Robert Laing seconded. Unanimous, no further discussion or objection. Ben Ferguson abstains vote as he was not present for meeting #46. Motion approved.

2:03 PM Public Comment

No comments were provided by the public at this time.

2:04 PM Quick updates: City staff new items of interest

- Administrative updates: [Planning and Development Services](#)(PDS) lost three inspectors and one engineer due to separation or retirement. Three new inspectors have been hired and a posting for two engineer jobs are open. The city was able to backfill quickly and is hoping there will not be a lot of delay in review of permits.
- Recruitment: Currently there are two applicants for the [Tacoma Permit Advisory Group](#)(TPAG). At the next leadership meeting on August 2nd, the leadership group will review applications and then move forward with interviews. Please encourage any possible applicants to apply soon as the tentative plan is to hold interviews on August 23rd.

2:06 PM

- Urban Design Update: Urban Design Senior Planners Carl Metz and Stephen Antupit are going to the planning commission tonight with a package to establish the development of permit procedures, design guidelines, new and revised design standards, and municipal code amendments. This will be an early review by the planning commission and authorization for public review and a hearing next month if everything goes well. There is ample time for TPAG to have feedback and recommendations. TPAG members Ben Ferguson and John Wolters have been part of the Urban Design project discussion for one and a half years. There has also been good guidance from the state legislator session.

Clinton Brink clarifies that this is in neighborhood centers not in mixed-use and middle housing centers that [Home In Tacoma](#) (HIT) is focused on? Carl Metz agrees with Clinton's statement that the areas where this review would be required are not those subject to the changes being made with the Home in Tacoma project.

John Wolters asks about timeframes. Carl Metz explains that it depends on when they can get onto the council calendar. Ideally design standards and codes, if the code changes, will be a sooner effective date as the standards would change with zoning categorization. Code changes will go into next year. Then it is expected another 6 months after the code change will be when training is taking place.

Ben Ferguson asks with this proposed urban design review when someone follows the guidelines then it would only require an administrative review. Carl Metz answers yes, if the developer follows the guidelines. If it is a large project, you must go through the urban design review.

Stephen Antupit explains there is a departure path option if there is variance. With this, there is just an approval process (in most jurisdictions you design and then go in front of a full review) including a checklist and then approval. He clarifies this is an urban design review, not an architectural review.

John Wolters asks for more detail on the seven board positions and specifically the three that call out advocates. Who are the advocates? Stephen Antupit clarifies that the board is made up of design and development professionals and then the three advocates are allied community representatives. Specifically meaning people who work in related communications around urban designs and who are familiar with urban design professionals. Carl Metz explains there will be guidelines on what advocates can count as for these three professionals. John Wolters feels those terms are loose and that has been a concern in other jurisdictions. John emphasizes making sure these three positions are evaluated closely. Stephen Antupit adds that it is going to be a challenge to get a committed and professional board but that is the plan.

2:19 PM Housing Bill Update

City Staff Sonja Hallum, Chief Government Affairs Officer gives a brief overview of housing bills.

- [ESHB 1042](#) concerns the use of existing buildings for residential purposes. It requires cities to allow the addition of housing units within existing buildings in zones where multi-family housing is permitted. Cities are not allowed to impose additional parking, design standard, or architectural requirements beyond those requirements applicable to all residential development within the building's zone. The bill provides an exception for buildings listed on a local, state, or national historic register. It is effective 7/23/23.

- [E2SHB 1110](#) is the most significant of the housing bills passed this session in terms of the overall impact on housing regulations across the state. The bill prohibits cities from implementing zoning regulations that are less than the minimum density requirements established in the bill and adds some additional limitations such as around parking requirements. The bill has some impacts on Home in Tacoma, but overall there are fewer impacts to Tacoma than many jurisdictions due to the work the City has done on Home in Tacoma. The primary differences are with increased density for low-scale 1 and 2. The bill is effective 7/23/23. Cities must comply within six months after its next periodic comprehensive review.
 - Clinton Brink comments on HB 1110. They are offering a housing bonus tied into the transit system; does the City of Tacoma have a definition of the “major transit stops” that count towards this bonus? Sonja Hallum replies that there can be different transit requirements around diverse types of transits, and this will be evaluated during the code changes. Clinton Brink asks if this would include HOV lanes. Sonja Hallum responds that there is no clarity on that level of detail so that question will be answered at the time of code development.
 - Ben Ferguson comments on HB 1110. Will this bill allow for unit lot splitting and subdivision? Sonja Hallum explains that lot splitting is not included in this bill. Clinton Brink explains he has talked to Elliott Barnett in relation to HIT. Ben Ferguson asks for clarification from city staff on lot splitting policies and then TPAG may need to get involved. Justin Goroach asks for a formal response from the city “What is the status of unit lot subdivision within HIT.” Corey Newton will have someone come next month to go over this as it has been a topic at the leadership level as well.
- [E2SHB 1181](#): This is a Governor request bill that amends the GMA to add a goal of climate change and resiliency to the list of elements required in comprehensive plans. It requires jurisdictions to identify actions to reduce greenhouse gas emissions and vehicle miles traveled. Jurisdictions are required to review their comprehensive plans by June 30, 2025, and must implement the bill’s requirements.
- [ESHB 1293](#) This is the primary bill dealing with design review that passed this session. It requires cities to apply only clear and objective design review standards to the exterior of new development, except for designated landmarks or historical districts. The bill is effective 7/23/2023.
- [EHB 1337](#) is one of the other bills that impact Home in Tacoma (HIT). It imposes numerous restrictions on the requirements a city or county may impose on ADUs. For HIT the primary difference is around height: Under HIT, the current height is 20 feet, and under the city or county may not establish a roof height limit that is less than 24 feet. The bill is effective 7/23/23.

- [SSB 5491](#) started out with a more expansive version that allowed counties and cities to adopt amendments to the State Building Code to allow for multifamily residential buildings to be served by a single-stair exit under certain conditions. The bill was turned into an advisory group to develop recommendations.
 - Ben Ferguson comments on SB 5491 regarding single stair access for 5 floor developments. Sonja Hallum explains that that is a work group that is going to discuss and then provide recommendations to the legislators. They will decide what and if anything gets changed. Ben Ferguson asks if this is just for Seattle's bill or if will it be opened to their jurisdictions as well? Sonja Hallum comments with the initial pushback from officials they are expecting a lot of resistance so it is unsure what changes will be decided on for our jurisdictions.
 - John Wolters comments on SB 5491 asking what groups are opposing it? Is it an ADU bill? ULS conversation?
 - Justin Gorocho inquires if this can be carved off as a fee simple unit or a condo? Ben Ferguson replies that this can already be done with condos today but fee simple would make it more cost-effective if the focus is going with the route of affordability. John Wolters adds that he has seen this applied in other jurisdictions but not in Tacoma. Ben Ferguson explains that the idea with subdivision is to have a parent lot and then children lots, so it is one parcel with different owners on it. Claude Remy concurs with Ben Ferguson that ADU as a condo is accurate. If the ADU is detached they can do an airspace condo action through the state, not the city. Must be detached.
 - Chris Seaman answers John Wolter's previous question. WABO, WA fire marshals, and building officials were opposed to this bill. Ben Ferguson asks for more clarification and an example as to why they would be opposed. Chris Seaman explains that a single exit can lead to dire consequences and fatalities and gives [Grenfell Tower Fire](#) as an example of how bad this can end up. He feels the savings in cost does not outweigh the safety. Taking a single exit for up to three stories and proposing 5 stories with single stairs exit without any established analysis as to why it was equivalent or safe. There are issues from a professional standpoint, and it is believed that legislators should not write a technical code- just a framework, not the code itself. John Wolters appreciates the summary. He inquires if there is data from updated sprinklers and smoke control systems to help analyze this proposal. Chris Seaman reiterates there is currently no engineering analysis data showing this is successful.
 - Sonja Hallum closes out the conversation by explaining there will be a technical drafting of what SB 5491 did and did not include. Technical analysis. There will be a technical advisory group discussion.

2:50 PM

Subcommittee reports

- Outreach & recruitment – Jim Dugan
 - Jim Dugan not in attendance today.
 - Corey Newton updates on Jim’s behalf. There are currently two applications for affordable housing and looking to have recommendations for specifically for healthcare and other open positions. Mandy McGill has a recommendation and will pass the information to liaison Char Carlyle to relay to Chair Jim Dugan.
- Design review – Ben Ferguson
 - No update beyond earlier discussion.
- Housing Bills - Ben Ferguson
 - No update and asks to remove from subcommittee report updates.
- Home in Tacoma – Ben Ferguson & Claude Remy
 - Ben Ferguson explains that public outreach is finalized.
 - Justin asks when policies will start to be shown to people. His concern is that policies too formed before they go out to the public are harder to give recommendations on.
 - Claude Remy adds that he is currently working on a cottage project that mirrors a lot of what HIT directs. He plans to watch how it goes and then see what the public response is.
- Impact Fees – Mandy McGill
 - Mandy asks if PW Transportation Planning & Permitting staff Jennifer Kammerzell is still the correct contact? Christopher Johnson confirms that is correct. Mandy has the capacity in her schedule to continue this subcommittee and will reach out for an update.
- Sidewalk Policies & Recommendations – Justin Goroach and the committee
 - Justin Goroach feels this topic is the most ready to discuss from the list of future agenda topics. The subcommittee has met with city staff Christopher Johnson and Steve Victor, so it is ready to move forward on putting together a recommendation. This will allow TPAG to quickly move forward with other discussions. Justin brings to the members moving this topic to the top of the priority list. None opposed. Motion approved.

2:57 PM Home In Tacoma

City employee Alyssa Torrez, senior planner shares an update on [Home In Tacoma](#) (HIT) and is available to answer questions from TPAG. She explains that the communication efforts with the public have ended with the last outreach open house taking place on June 26th, 2023. Currently, the HIT team is putting FAQs together and starting to write the code. The policy package will include a landscaping code. Code is being worked on by internal city staff and a consultant team.

She explains that the landscaping code was last updated in 2014-2015 so it is time to revisit and improve the code. There is a city-wide effort to increase urban forestry and tree canopy. To reiterate last month’s meeting the goal is trees and housing, not trees OR housing. HIT’s goal is to make the code flexible so that developers and homeowners can easily implement it into their

projects. HIT wants to make sure clients know what the expectations are. Alyssa Torrez shares a calendar for the expected timing moving forward.

- August- 40% draft landscaping code
- September- Final 95% draft of standards and landscaping code
- October- Planning Commission sets a public hearing date, DEIS release around the same time.

Cities that HIT consultants are comparing include:

- Eugene
- Kirkland
- Burien
- Lakewood
- Seattle
- Tacoma
- Federal Way and Bonney Lake were also shared with consultants after TPAG's recommendations.

These cities all provide examples of middle housing and trees so we can compare and include best practices. Not all examples are good and not all are bad. Alyssa Torrez asks the group if they would like to be included when the process is at 40% draft completion or 95%. She opens to the group for questions and comments.

Ben Ferguson asks if this is limited to the R zones? He comments if the point is to have more housing—then there will not be space for trees and housing. TPAG would love to see drafts at 40% and it would be beneficial to start with an email to the group to see if the group has any specific concerns prior to bringing it on as an agenda item.

Ben Ferguson asks why those specific cities were picked to compare to? Alyssa Torrez responds that the list was accumulated by the consultant and internal staff members. Mike Carey, Urban Forestry's Principal Natural Resources Analyst, explains that they presented to Master Builders last week and it was brought up that Lakewood was not a good example, and the city has asked for feedback on exactly what was not good.

Ben Ferguson questions are these policies tied to Urban Forestry? Mike Carey adds that they are working with the consultants. They did a benchmark analysis regarding tree codes, what matched and what did not match, and middle housing standard examples are what created the list. Consultants want to compare to other jurisdictions to provide the city with examples and details on good codes and bad codes. Mike Carey explains that the intent is not to manage species it is the overall picture - stormwater, cleaning the air, shade, etc. It is important because the city of Tacoma is last on the scale of tree canopy in relation to other jurisdictions. Seattle is way denser than Tacoma however they have higher tree canopy. We are looking at tree standards on private developments so we can have trees in the future.

Justin Goroch asks if TPAG members have comments on the list of provided cities the consultants are comparing to. No comments were provided by members. Justin requests any

comments be sent to Liaison Char Carlyle at permitadvisorygroup@cityoftacoma.org and it will get routed to the HIT team.

Mike Carey states he would love feedback on what jurisdictions TPAG feels have good examples.

Clinton Brink explains that the statement implies there is a good way to have tree retention which he feels does not make sense when trying to increase density. There should be room for new planting not just tree retention.

Justin Goroch adds that he has had experience in Bellevue with successful tree retention. Developed sites that are getting redeveloped and have altered landscaping retentions to allow for replacement at a higher percentage. He feels it cannot just be retention there must be room for replacement as well or the retention of trees is going to be problematic.

Ben Ferguson explains that each property differs, and it is important to pay attention to what is practical for the land and environment. For example, if you are putting trees on a property with a single-story development there is room and that works. However, with 2-3 story buildings the tree is going to get buried so it won't survive so that is not practical for the city to require.

Mike Fast adds that in Lakewood they are required to preserve Garry oak trees. They are always in the wrong spot and unable to build around, but they cannot remove them. You will be taking large areas and making them unbuildable land. Mike Carey replies that the preservation of Garry oak is regulated by the state. There are fish and wildlife and endangered species that rely on this tree.

John Wolters asks if the new tree standards are for new development only. Or will redevelopment be included as well? From the HIT survey, it seems that trees are important to Tacoma. Alyssa Torrez reiterates that HIT is not going to solve the entire problem of tree canopy however it is going to help contribute to the goal.

Mike Carey explains there are current homeowner incentive programs to give away street trees, coupons for subsidized trees, and the Pierce Conservation District offers discounts for trees. He feels there are tons of opportunities provided to contribute to the goal.

Alyssa Torrez adds that, at HIT public engagement, the public is consistently asking about trees and preserving trees in Tacoma. A main public concern is regarding infill with the increase of density.

John Wolters feels that if this is applied to HIT new development then setbacks would need to be removed to allow the available land. If the setbacks go away, then there is a problem.

Clinton Brink asked if it has been discussed to allow putting the trees on another lot when it is necessary to remove trees for the development.

Mike Carey adds that there has been discussion of a potential fee-in-lieu option. However, the existing benefit of a mature tree (urban tree – 7 years) is way more beneficial than newly planted trees. There would be a need to make sure that there is financed care to continue maintenance of the plant. Also, the amount of land that the city owns is significantly limited so

with a fee in lieu there is not enough capacity to plant trees so ultimately the money would not go towards the tree canopy goal.

Clinton Brink agrees that there is not much vacant land left so to make the most of it is to provide density growth in the city. Mike Fast adds that with tree preservation you cannot remove the tree but if there can be work arounds provided that match the same value that would help. Clinton Brink pleads for the city to please find a way.

Division Manager Jim Parvey with Environmental Policy and Sustainability explains that we do have city goal to add 30% canopy as Tacoma is currently only at 20% existing tree canopy now. It is understood there are competing needs for land. The fact is we do not have enough city land, so we must be creative. One goal is not more important than the other. We need the fixability to achieve both.

Mike Fast asked what was included in the city-owned land assessment. He questions if Metro Parks were included or not. Alyssa Torrez answers that they are doing a strategic planning process now.

Alyssa Torrez follows up from a previous meeting by confirming that the consultant team does have landscape architects and in planning commission as well.

3:33 PM Future Agenda Topics (Prioritized List)

- Sidewalk Policies & Recommendations Subcommittee
- Process alignment: Commercial vs. Residential permits requirements
- TPAG Mission Statement
- Housing Bill Update- Tacoma impacts
- E-permits
- Pedestrian/Emergency Access DADU's
- Long Range Planning – update from city staff
- Capital Bond Projects
- Solid Waste Collection & Development Projects
- Urban Forestry team for a presentation

3:33 Adjourn