



Tacoma Planning Commission
Findings of Fact and Recommendations Report

October 18, 2023

A. Subject

Urban Design Project Review package of associated amendments to the Land Use Regulatory Code, along with draft Project Review Manual, to support implementation of an Urban Design Project Review Permit process.

The *Urban Design Project Review* package presents the City Council with recommendations to require a new Land Use Permit for certain development projects located in Tacoma’s designated Mixed-Use Centers. These include two (2) Regional Growth Centers (Downtown and Tacoma Mall), eight (8) Crossroads Centers and six (6) Neighborhood Centers.

B. Summary of Proposal

The proposal comprises two major program elements. They are i) creation of an Urban Design Project Review process, and ii) Tacoma Municipal Code Amendments. These are summarized below:

i. Urban Design Development Review

Establish an Urban Design Project Review (UDPR) permit process consisting of administrative and Urban Design Board review paths. UDPR permits would be required for developments located within any designated Mixed-Use Center and that exceed certain development size thresholds. Required UDPR process steps would consist of a pre-application consultation, Concept Design review, and Final Design review.

The program design is intended to “right-size” the level of review based on the significance of the project and its location, such that larger developments in key locations would be subject to the highest level of review while smaller projects would receive less significant review. For example, only developments that exceed an additional, greater size threshold would be subject to review and approval of an Urban Design Board. However, Board-level thresholds within Neighborhood Centers would be lower than those of the other Mixed-Use Centers (Downtown, Tacoma Mall, and Crossroads Centers).

Any Board-level review would be limited to one public meeting, as specified in most recent State law. All review timeframes would be consistent with most recently enacted State law. Reviews and decisions will be based on, and limited in scope to, the considerations established by the most recent State law and within adopted Tacoma Urban Design Guidelines. Final Design approval would be required before issuance of building permits. Final Design decisions would be appealable to the Hearing Examiner.

- **Establish an Urban Design Board (UDB)** of a specified size and composition, with its nominees to be solicited by the City Clerk, in consultation with the Office of Equity and Human Rights, and to be appointed by City Council for specific terms of service.
- **Employ an Urban Design Project Review Manual** to provide clear and objective guidance that meets Urban Design Project Review permit approval criteria. The initial version of the Manual will be adopted by the Planning and Development Services (PDS) Director.

Subsequent amendments would be subject to periodic review and approval by the Urban Design Board no more frequently than once every two years.

ii. Tacoma Municipal Code Amendments

Amend Tacoma Municipal Code to a) create Urban Design Project Review Permit, b) establish Urban Design Board (UDB), and c) amend certain development and design standards pertaining to Mixed-Use and Downtown Zoning Districts. The development and design standard amendments are summarized as:

- **Maximum Setbacks:** Establish maximum setbacks for residential development within Mixed-Use Center (X) districts and establish maximum setbacks for all Downtown districts.
- **Residential yard space requirements:** Revise yard space requirements overall and amend exception/reduction qualifications.
- **Mixed-Use District Building Standards:** Reorganize existing standards to better align with Urban Design program priorities and revise standards to improve efficacy. New provisions include residential transition standards.
- **Downtown District Building Standards:** Reorganize existing standards to better align with Urban Design program priorities and revise standards to improve efficacy. New provisions include residential transition standards, mass reduction standards for certain developments, and transparency standards.

C. Findings of Fact – Part 1: Background

1. One Tacoma Comprehensive Plan

Tacoma's Comprehensive Plan has two relevant chapters to the City's urban design priorities and specifically, employing design guidance to achieve those built results.

URBAN FORM ELEMENT (CHAPTER 2)

Chapter 2 contains some very specific policies establishing the City's urban design priorities. They address urban design considerations at scale of neighborhood patterns, systems of connectivity, and open space, distinct from addressing an individual site developments' contributions to good urban form. These are the same considerations that the proposal aims to positively impact, as reflected either in the Urban Design Project Review Program design, or as either Code amendments or as part of the Design Guidelines.

UF-1.9 Encourage high quality design and development that demonstrates Tacoma's leadership in the design of the built environment, commitment to a more equitable city, and ability to experiment and generate innovative design solutions (2-14)

UF-3.1 Design centers to be compact, safe, attractive, and accessible places, where the street environment makes access by transit, walking, biking, and mobility devices, such as wheelchairs, safe and attractive for people of all ages and abilities. (2-18)

UF-3.10 Integrate nature and green infrastructure into centers and enhance public views and connections to the surrounding natural features. (2-19)

UF-5.2 Enhance both the internal pedestrian connectivity and connectivity to regional transportation facilities to promote cohesion of the [Mall Growth] center and to optimize access to the shopping and employment opportunities. (2-33)

UF-13.2 Promote infill development within the residential pattern areas that respects the context of the area and contributes to the overall quality of design. (2-62)

DESIGN AND DEVELOPMENT (CHAPTER 3)

Chapter 3, Design and Development is an exhaustive compendium of goals and policies that articulate the City's aspirations for the built results at an individual site development scale. Taken together, they largely frame the creation of this proposal and its constituent parts, either as Code amendments or as part of the Design Guidelines. These policies emphasize the cumulative results, rather than the individual stylistic or architectural particulars, which mirrors the emphasis of this proposal. With regard to developing and implementing an Urban Design Project Review program, note especially:

DD-1.4 Consider development of a design review program to promote high quality design that supports community identity, a distinctive built environment, human-scale elements and amenities, resilient and durable materials, landscape enhancements, and other similar features.

Additionally, the Chapter's Goals speak directly to the UDPR program priorities. Much of the guidance document's language in this proposal reiterates the Design and Development chapter's priorities. In summary, they are:

GOAL DD-1 Design new development to respond to and enhance the distinctive physical, historic, aesthetic and cultural qualities of its location, while accommodating growth and change.

GOAL DD-2 Ensure that parking area design and management balances the needs of all users, supports modal priorities, and is responsive to site context.

GOAL DD-3 Ensure that sign location and design is responsive to site context and compatible with the envisioned mix of uses and modal priorities.

GOAL DD-4 Enhance human and environmental health in neighborhood design and development. Seek to protect safety and livability, support local access to healthy food, limit negative impacts on water and air quality, reduce carbon emissions, encourage active and sustainable design, and integrate nature and the built environment.

GOAL DD-5 Ensure long-term resilience in the design of buildings, streets and open spaces, including the ability to adjust to changing demographics, climate, and economy, and withstand and recover from natural disasters.

GOAL DD-6 Protect and preserve designated significant scenic resources, including public views and scenic sites.

GOAL DD-7 Support sustainable and resource efficient development and redevelopment.

GOAL DD-8 Promote development practices that contribute to a sense of safety and reduction in opportunities for crime.

GOAL DD-9 Support development patterns that result in compatible and graceful transitions between differing densities, intensities and activities.

GOAL DD-12 Integrate and harmonize development with the natural environment.

GOAL DD-13 Protect and preserve Tacoma's historic and cultural character.

GOAL DD-14 Infuse the City's built environment with creative expression and design that encourages expressions of creativity and results in vibrant public spaces where people want to be.

The complete text of One Tacoma Comprehensive Plan Chapter 2, Urban Form and Chapter 3, Design and Development can be found [online here](#).

2. Planning Mandates

REGIONAL LONG RANGE VISION

Puget Sound Regional Council (PSRC) supports urban design priorities and the use of design guidelines to encourage desired outcomes. Specifically, Vision 2050 Multi County Planning Policies (MPPs) include:

MPP-DP-9 Support urban design, historic preservation, and arts to enhance quality of life, support local culture, improve the natural and human-made environments, promote health and well-being, contribute to a prosperous economy, and increase the region's resiliency in adapting to changes or adverse events.

By establishing this proposed Urban Design Project Review program, Tacoma would bring forth the third of the above-listed three-part set of strategies.

MPP-DP-15 Design communities to provide safe and welcoming environments for walking and bicycling.

This proposal focuses on pedestrian orientation, access and connectivity, public realm design, and support for active transportation as a significant focus of urban design project review.

MPP-DP-19 Develop and implement design guidelines to encourage construction of healthy buildings and facilities to promote healthy people.

STATE LAW

Washington State's Growth Management Act establishes a vision for well-being, natural system function, and economic viability that depends on cities and urban development patterns which are complete, connected, and compact. Urban design strategies emphasized in this proposal align with the importance of supporting precisely those urban development patterns—places that efficiently use urban land and infrastructure, are walkable, cycling- and transit-supportive.

Most recently, several actions of the Washington Legislature in 2023 directly address cities' programs for individual project-level design review. Reacting to concerns about certain extant programs' efficiency and effectiveness, amendments to the Growth Management Act now constrain design review programs such that:

- they may apply in any design review process only clear and objective development regulations governing the exterior design of new development;
- they may not result in a reduction in density, height, bulk, or scale below the generally applicable development regulations for a development proposal in the applicable zone; and
- no design review process may include more than one public meeting. (ESHB 1293)

This proposal proactively addresses each of these requirements. This proposal is designed to encourage creative design approaches to higher density development, and consistent with Law, would not impact development allowances.

Additionally, new State law (2SSB5290) specifies that land use permitting processes must adhere to certain time limits while permit application materials are in possession of the permitting authority (as distinct from whatever time applicants are preparing, responding to, or revising applications in response to city reviews). This type of requirement is commonly referred to a "shot clock." The Commission finds this proposal in specific conformance with those "shot clock" requirements.

Finally, 2SEHB1110, commonly known as the "Middle Housing Bill," now prohibits application of design review to "middle housing" projects. Consistent with the City's wholly separate Home in Tacoma program

development, the Commission further finds this Urban Design Project Review proposal's geographic applicability only to Tacoma's mapped growth centers and building scale thresholds anticipated and fully addresses this prohibition.

D. Findings of Fact – Part 2: Planning Commission Review

1. Process Overview

Ongoing engagement with Tacoma Planning Commission has been facilitated by regular active participation of Planning Commissioners in the Project Advisory Group (PAG, see below). As the Planning Commission has included new members, several have joined and participated in the work already significantly underway through the PAG.

The Commission finds that the briefings of the full Planning Commission have provided policy guidance and specific program design direction throughout development of the proposal.

In summary, Commission briefings have been conducted:

- From 2006 through 2008, seven briefings.
- In 2019, briefings on April 3, June 19, August 7, and September 18.
- In 2020, briefings March 4 and October 7.

Briefings in 2021 were suspended with departure of PDS staff and consultant work paused. With new staffing, Planning Commission briefings recommenced in 2022 as follows:

- March 3rd,
- April 4,
- May 18,
- July 6,
- October 19, and
- December 7.

Briefings continued in 2023 as follows:

- January 18,
- March 15, and
- June 7.

The Commission finds that Technical Workshops engaging the Commission with other volunteer Project Advisory Group members, staff, and the consultant team provided opportunities to examine and establish key urban design concepts, approaches, and regulatory tools consistent with the program's goals.

Technical Workshops were conducted as follows:

- November 4 and December 16, 2020 – workshops with consultants on initial draft standards and guidelines; then
- September 21, 2022 – project review simulation applying the draft guidance to fictional, but representative, sites Downtown and in a neighborhood Center.

2. Engagement and Consultation

To support and directly engage in the development of the Urban Design Project Review program, the Planning Commission chartered a Project Advisory Group. The Planning Commission chartered the formation, composition, and scope of the Project Advisory Group (PAG) in 2019.

The Project Advisory Group was initiated by the Tacoma Planning Commission at its regular meeting on April 3, 2019. Then, a motion allowed Planning and Development Services (PDS) staff to provide nominations to be approved by the Director of PDS. The Motion directed that the PAG have the following interests represented:

- Community members from across the city
- Planning Commission (chair)
- Design Community
- Development Community
- Landmarks
- Environment
- Affordable Housing

As constituted, the PAG provided feedback and guidance on how the work being undertaken by the project team (PDS staff, VIA Architects, Code Studio, Winter + Co.) balance stakeholder needs and meet the project goals in a comprehensive and equitable way.

After a Covid pandemic pause and staffing changes in 2021, new staff augmented the PAG membership roster, including additional stakeholders representing affordable housing and multi-unit development interests when it reconvened in February 2022. In addition, two to three Planning Commissioners have actively participated in the PAG in 2022 and through 2023 via PAG meetings and individual briefings.

Input from the PAG has provided significant guidance to staff in development of the proposed program design and has substantively contributed to the draft Design Guideline documents. The full range of this guidance and input has been provided regularly in Planning Commission and City Council briefings. PAG members also participated in a joint project review simulation workshop with the Planning Commission and project consultants in September 2022.

PAG Meetings:

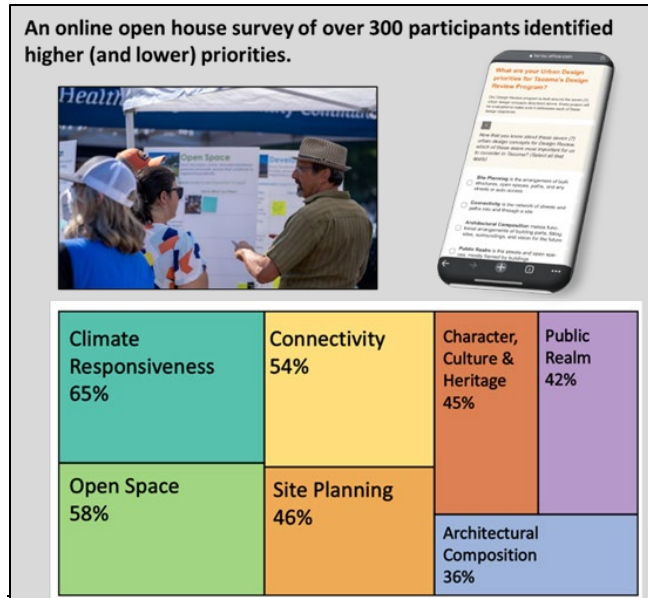
- June 2019-October 2019, three meetings (6/12, 8/6, 9/17)
- 2020, two meetings (2/18, 3/31)
- 2021, one meeting (1/12)
- 2022, eleven meetings (2/17, 3/3, 3/17, 4/7, 5/5, 5/19, 6/30, 7/7, 7/21, 8/11, 11/3)
- 2023, two meetings (2/8 and 8/31)

In total, the PAG has met with staff and/or in connection with a Planning Commission workshop over twenty (20) times.

The project team participated in over a dozen meetings with the Sustainable Tacoma Commission, the Tacoma Permit Advisory Taskforce, neighborhood and community groups, housing and other sustainable development professionals, in addition to ongoing consultation with City departments, partner agencies, and other municipalities.

Engagement approaches included a project webpage with multiple resources, and project email updates to over 220 individuals and groups. A virtual interactive online survey received 314 discrete responses.

An online community engagement open house and survey was launched in August 2022 with several objectives. First, it introduced fundamental urban design concepts, then presented the scope of the proposed Urban Design Project Review program, solicited input on the priorities of the draft proposal, and evaluated relative satisfaction with various urban design approaches.



The open house/survey ran through the end of September 2022 and received 314 community responses to the survey's 18 questions.

KEY THEMES

- Balance efficiency, predictability, and effectiveness in supporting urban design equity citywide
- Structure a manageable program with clear scope and time limits
- Emphasize early guidance that can add value to design and provide transparency to the community
- Do not focus on specific aesthetic choices, architectural style, or details

E. Findings of Fact – Part 3: Planning Commission Public Hearing

On July 17, 2023, the Commission released a package of preliminary recommendations for public review. A public hearing as part of the Commission's regular meeting was conducted on August 16, 2023 and previewed by a staff-led online public information session on August 9, 2023. The Commission accepted written comments through August 18th. The Commission used that written comment and oral testimony to aid in developing its policy recommendations.

1. Public Review Documents

The Commission finds the Public Review Document package served as the basis for conducting the public hearing and soliciting both written and oral testimony. The package was available on the project website and in hard copy form at the Hearing. The Public Review draft includes the following:

- I. Supporting documents
 - a. Project Overview
 - b. Staff Report
 - c. Draft Project Review Manual
- II. Proposed amendments to the Tacoma Municipal Code

PUBLIC NOTICE

The Commission finds that public notice postcards were mailed on July 28, 2023. Emails containing public notice information were also sent to the Commission's interested parties. In response to the notices, staff received several inquiries and provided direct responses by email and/or by telephone follow-up calls.

2. Public Hearing Information Session

The Commission finds that public notice announcing the information session conducted by Planning and Development Services staff on Wednesday, August 9, 2023 (via the Zoom webinar platform) addressed relevant questions about the proposal and the Commission's hearing procedures. PDS staff outlined the project, the Planning Commission's review and public hearing procedures, and gave attendees an opportunity to ask questions on those topics. Staff responded to the questions collected from the 11 community members who attended the information session.

3. Public Hearing Notification

- **Public Notices** – The notice for the information session and public hearing was mailed to approximately 24,000 addressees—owners and occupants of property located within the Mixed-Use Center and Downtown zoning districts, and emailed to more than 1,500 individuals on the *Urban Design Project Review* updates list that includes the Planning Commission interested parties list, City Council, Neighborhood Councils, area business district associations, the Puyallup Tribal Nation, adjacent jurisdictions, City and State departments, and people who have signed up on the project webpage.
- **News/Social Media** – During the week of July 24, 2023, notice was posted on the project webpage, The City of Tacoma issued a media release, and a legal notice concerning the public hearing and information session was placed in the Tacoma Daily Index. An event page for the information session on August 8 and public hearing on August 16 was posted on the City's Facebook page.
- **60-Day Notices** – A "Notice of Intent to Adopt Amendment 60 Days Prior to Adoption" was sent to the State Department of Commerce (per RCW 36.70A.106) on July 27, 2023, and to Joint Base Lewis-McChord (per RCW 36.70A.530(4)), asking for comments within 60 days of receipt of the notice.
- **Tribal Consultation** – A letter was sent to the chairman of the Puyallup Tribe of Indians on July 26, 2023, to formally invite the Tribe's consultation on the Urban Design Project Review.

4. Public Testimony

The Planning Commission conducted a public hearing on the *Urban Design Review Project* on August 16, 2023.

IN-PERSON ORAL TESTIMONY

At the public hearing on August 16, 2023, seven people provided oral testimony, with an additional 13 providing written comments. The Commission received a total of 20 comments through the end of the comment period on August 18, 2023.

The comments expressed a broad range of perspectives, including comments strongly in support as well as comments strongly opposed to specific elements of the proposal. The comments also responded to a range of very specific design-related considerations with respect to the proposed Code amendments.

To support the Commission's deliberations, staff organized the comments into seven key themes. Staff, in addressing the Commission, and in the Comments and Responses Report both emphasize that the

summary does not fully reproduce the totality of testimony, and therefore the full text of all comments was also included in the materials provided to the Commission.¹

Key themes identified in the written and oral testimony:

1. Program Impacts on Development
2. Thresholds and Departures
3. Guidance and Manual
4. Tree Canopy
5. Board Composition
6. Code Amendments
7. Effective Dates

The Commission finds that staff provided a Comments and Responses Report at the Commission's September 20, 2023, meeting.

F. Findings of Fact – Part 4: Response to Public Testimony

At its meetings on September 20, 2023, the Planning Commission reviewed public comments received, following along with the key themes from public comments. The Commission concluded as follows:

1. Program Impacts on Development

PROPOSAL

Establish an Urban Design Project Review (UDPR) permit process consisting of administrative and Urban Design Board review paths.

COMMENTS:

A few comments expressed concern about the proposal adding additional time to permitting and/or having equity impacts. About equally, others expressed support for the program design's emphasis on creating flexible means and a predictable path to allow creative design alternatives.

COMMISSION DIRECTION

The Commission finds that by including Tacoma's leading affordable housing developers in the program development process (through their ongoing participation in the Project Advisory Group), the proposal is sensitive to the concerns of those developing projects most likely to be subject to this new program's requirements. Moreover, the Commission finds that the design of this proposal specifically avoids the administrative barriers, shortcomings, and emphasis of other cities' programs where delay and uncertainty have resulted. The Commission also finds that the proposal is structured to address the obstacles that desired development currently faces (e.g., needing to seek Variances for minor departures to existing, inflexible design detail requirements). The Commission further finds that program's design guidance (i.e., via the draft Project Review Manual) is explicitly NOT adding "constricting design guidelines" of concern to some public comment, but rather provides examples of various design approaches that will satisfy urban design priorities-- not detailed architectural regulation or style details.

The Commission finds that this proposal can have a desired, positive impact on development (through its support for site-specific creative design solutions), as noted by comments of support submitted by nonprofit low-income housing developers, precisely because they work with similar programs required for

¹ Note: A revised version of the Comments and Responses Report was created to correct staff's omission of a comment from Planning Commission Vice Chair. The relevant revision excerpt was provided to the Commission with the briefing materials distributed in advance of its regular meeting of October 18, 2023

projects in other jurisdictions. While applied similarly, Tacoma's program would be a more streamlined and concise process, as required by new State law.

As emphasized by the Planning Commission and City Council, equitable design outcomes should not be the exclusive province of privileged neighborhoods who have resources and capacity to self-advocate and/or intervene in individual development proposals. Consistent with new State law, the Commission finds that the program proposal is designed to establish limited and clearly delineated processing steps and timelines, clear and objective approval criteria, and can be implemented consistently to result in equitable outcomes across the various locations in the city.

2. Thresholds and Departures

PROPOSAL

Urban Design Project Review (UDPR) would be required for developments located within any designated Mixed-Use Center and that exceed certain development size thresholds. Required UDPR process steps would consist of a pre-application consultation, Concept Design review, and Final Design Review. Departures from certain TMC Standards would be incorporated into the UDPR process, replacing certain specific Variances as currently allowed.

The program design is intended to "right-size" the level of review based on the significance of the project and its location, such that larger developments in key locations would be subject to the highest level of review while smaller projects would receive less significant review. For example, only developments that exceed an additional, greater size threshold would be subject to review and approval of an Urban Design Board. However, Board-level thresholds within Neighborhood Centers would be lower than those of the other Mixed-Use Centers (Downtown, Tacoma Mall, and Crossroads Centers).

COMMENTS

Some comments question whether building size should be the only metric by which Urban Design Project Review is required. Others acknowledge that smaller projects should not have the same review burden as larger projects. Also, a few comments indicate confusion about whether only departure requests would require an Urban Design Board level-review process. Additionally, more information about the Departure process was requested.

COMMISSION DIRECTION

The Commission finds that smaller projects are more sensitive to time and cost influences of approval processes, and that the proposed thresholds are scaled appropriately. Thresholds have been set to avoid burdening smaller projects. Even so, smaller projects in the applicable areas will now have the benefit of access to a more straightforward and efficient departure process, rather than the current burden and uncertainty of seeking Variances.

The Commission also finds that larger projects and their development teams are quite familiar with early design guidance processes, including those involving a Board's review, and generally expect to include that step in their entitlement processes. That is one of the reasons why the smallest projects would be exempt from Urban Design Project Review, and medium-sized developments would follow an administrative-only review.

Whether or not they seek departures, and consistent with new State law, all projects above a certain threshold size (i.e., 40,000gsf in Neighborhood Centers, 100,000gsf in other Mixed-Use Centers) would be limited to having only ONE Public Meeting of the Urban Design Board. However, at that one public meeting, the Board would have the authority to "off-ramp" a project and therefore absolve it from returning to the Board for Final Review and where the Final Design would be reviewed by City staff. Regardless, all

projects over the established and respective size thresholds would be subject to at least one Board meeting.

Finally, the Commission finds that thresholds have been set sensitively to context, as one commenter suggested. That is, the threshold for Urban Design Project Review in Neighborhood Centers is notably LOWER than in the Regional Growth Centers (Downtown and Tacoma Mall area) or Crossroads Centers, where generally larger parcels are found and more significantly sized developments are constructed.

With respect to Departures, the Commission finds there are limits to the effectiveness of prescriptive standards to achieve desired urban design outcomes by relying only on those such as currently employed by the City. The Commission does find that there are strengths of those types of requirements in ensuring a minimum level of design success for developments and are predictable. However, the Commission also finds that there are weaknesses in relying exclusively on prescriptive standards, including that they can result in a sense of sameness amongst developments, can hamper design creativity, stifle innovation, and preclude responsiveness to specific site and context considerations. The Commission does find these types of prescriptive standards to be necessary and generally effective but also finds opportunities to reduce unnecessary complexity and provide greater flexibility as reflected in the proposed amendments. Recognizing the best design solution for a development may not conform exactly to the prescribed requirements, the Commission finds that the proposal will encourage applicants to pursue design alternatives (known as “Departures”) through the Urban Design Project Review permit review.

As Departures are concerned, the Public Review Draft proposal allows alternative design proposals that do not meet certain development and design requirements to be considered with UDPR applications, referred to as a Departure. In the Public Review Draft, items that can be approved through departure review are limited to parking development standards (TMC 13.06.090.C, 13.06.090.D, 13.06.090.E) and building design standards (TMC 13.06.100), which are analogous to existing variances. To receive approval, applicants must demonstrate the proposed alternative design provides equal or superior results to the requirement from which relief is sought in terms of quantity, quality, location, and function.

However, in response to some comments received, particularly those related to tree preservation, and to provide as much design flexibility as possible, the Commission finds some revisions to the draft departure provisions should be made to expand the scope of standards eligible for a departure request.

While the Commission finds the Public Review Draft language provides an opportunity to consider a wide range of ways in which a development might provide superior results to prescriptive standards, including preservation of natural features such as significant trees, this could be more explicit. To achieve this, language that more explicitly lists the range of elements that can be considered in departure review, particularly preservation or responsiveness to natural features, could be added.

In accordance with Planning Commission direction, these are described in greater detail in Section G – Part 1 below.

3. Guidance and Manual

PROPOSAL

Employ an Urban Design Project Review Manual (also referred to as design guidelines) to provide clear and objective guidance as required by new State law and that meets Urban Design Project Review permit approval criteria. The initial version of the Manual will be adopted by the Planning and Development Services (PDS) Director. Subsequent amendments would be subject to periodic review and approval by the Urban Design Board no more frequently than once every two years. The initial draft Manual is included for review and possible edits through this program adoption process

COMMENTS

A few commenters appreciate the guidance documents offering alternative design approach options to meet clear and objective criteria. Others would prefer a checklist of required and specific design elements. Specific design topics requested include building shapes, renewable energy generation, EV charging infrastructure, and that designs respond to surrounding context and built form.

COMMISSION DIRECTION

The Commission finds that satisfactory design solutions consider surrounding built form as well as microclimate and context-responsive site planning and urban design considerations. Because the opportunities and constraints of each development differ from site to site and local context, that is precisely why the guidance documents do NOT prescribe required solutions, but rather illustrate a range of possible approaches to satisfy the approval criteria of the seven urban design focus areas.

4. Tree Canopy

PROPOSAL

As site specific conditions may include existing trees and opportunities for additional tree planting, UDPR process and permit approval criteria acknowledge the value and importance of trees to create a human-scaled public realm, and to provide air quality and shading benefits.

COMMENTS

Existing trees should be preserved and additional tree planting should be a high priority.

COMMISSION DIRECTION

The Commission finds that early design guidance can be a valuable forum for exploring site plans and building arrangements to potentially preserve on-site urban trees. In addition, street tree and other planting can be an important strategy for shading pavement and structures alike. The Commission further finds that the proposed Urban Design Project Review process will create opportunities to identify, address, and avoid potential new tree planting conflicts early in the design process. [See information below also for September 20, 2023 debrief information and findings re: proposed Departures process that will include specific reference to preservation of trees as one basis for creative design approaches that might not otherwise be allowed under Code Standards.] The Commission also finds that the design of capital projects and other programs well beyond this proposal's limited scope will be necessary to grow the city's overall tree canopy.

Additionally, consideration of a variety of aspects of a given development project or site, such as tree preservation, would be explicitly included as relevant to Departure reviews. See Section G – Part 5 below.

5. Board Composition

PROPOSAL

Establish an Urban Design Board (UDB) of a specified size and composition, with its nominees to be solicited by the City Clerk, in consultation with the Office of Equity and Human Rights, and to be appointed by City Council for specific terms of service.

Interest expressed in equitable representation across the city and balance between professional expertise and other perspectives on the Urban Design Board. Given the reliance on professional expertise for more than half of the Board, the draft proposal provides for up to two Board members to reside outside the City as a means to avoid vacancies on the Board.

COMMENTS

A few commenters requested that north end Council Districts (e.g., Districts 1 and 2) have dedicated positions on the Board. Separately, concern was expressed that cultural diversity be represented on the Board, and not be limited to the “conservative white male perspective.” Additional concern and opposition to the allowance for non-Tacoma residents to sit on the Board has been voiced in previous discussions with the Planning Commission’s Vice Chair Steele.

COMMISSION DIRECTION

Geographic diversity on the Urban Design Board is an important priority built into the program proposal. The Commission finds the goal of diversity should be clearly presented and built into the program. For that reason, the proposal specifies a minimum participation from historically underrepresented and lower opportunity areas of Tacoma (at least two members representing City Council districts 3, 4, or 5), while also valuing relevant lived experience beyond professional credentials.

Furthermore, the Commission finds that the City Clerk Office’s staff responsible for recruiting and preparing candidates for Council-appointed Committees, Boards, and Commission (CBC) has recognized the occasional challenge of filling CBC positions with qualified volunteer members. For this reason, the Commission finds that providing for the possibility of including non-residents on the Board, as the timeline for new Council appointments is complex, lengthy, and could delay seating a complete and functional Board if unnecessarily constrained. However, the Commission finds preference should be given to City of Tacoma residents. Language to this effect is discussed in Section G – Part 5 below.

The Commission further finds that neighborhood residents from higher opportunity areas, where higher levels of formal educational attainment and overall privilege (i.e., Districts 1 and 2) prevail, will undoubtedly present themselves as candidates for the Urban Design Board (UDB) and therefore mandated representation is unnecessary.

6. Code Amendments

i. Building Design Standards

PROPOSAL

The City employs a set of minimum **building design standards** within Mixed-use and Downtown zoning districts. These are intended to ensure a minimum level of building design that is consistent with the type and scale of development that is envisioned in these areas. The proposal includes amendments to the Mixed-Use District Building Standards, by reorganizing the existing standards to better align with Urban Design Program priorities and revising standards to improve efficacy. Generally, these provisions emphasize the pedestrian experience at the street-level or ground-floor. New provisions include:

- Including residential transition standards to align with similar provisions elsewhere in the Code
- Reorganizing Downtown District Building Standards to better align with Urban Design Program priorities, provide greater parity with the Mixed-Use Center districts, and revise standards to improve efficacy, including residential transition standards, mass reduction standards for certain developments, and transparency standards.

COMMENTS

Consistent with the proposal’s emphasis on the Guidance Manual’s flexibility and introduction of the Departures process, there were comments that do not support design standards that “attempt to legislate aesthetics.” Concern was also expressed about how some of these standards could

negatively impact smaller developments. Cited sections include: Ground Floor Façade Details and Articulation and Building Form and Expression Façade Articulation and Roofline Design. A number of comments by one individual spoke to specific standards. These are addressed in the revised Comments and Response Report, starting on page 17 of that compilation (see Attachment C).

COMMISSION DIRECTION

The Commission finds many of the building design standards, including those cited in comments such as light and air access and building modulation, only apply to buildings over specific width thresholds and will generally not apply to small development sites. The Commission finds no changes to the draft proposal were necessary. Additionally, these provisions would be eligible for departure requests as proposed, see Section G – Part 5.

ii. Amenity Space Requirements and Reductions

PROPOSAL

The proposal includes several amendments to the Land Use Regulatory Code (TMC Title 13) that would modify development and building design standards in areas within the Mixed-Use and Downtown zones. This includes amending Residential yard space requirements and exceptions within Mixed-Use Center districts, moving certain Downtown development standards to other parts of the Code, adding utility standards for Downtown districts, and a variety of changes to the Mixed-Use Center and Downtown building design standards.

COMMENTS

Public testimony received on this topic was wide-ranging and reflected conflicting perspectives. Some comments expressed concern about how these Code amendments might negatively impact the development of small/moderate-sized sites (i.e., 25 – 75' wide). Other public comment suggested specific code revisions related to applicability and qualifying amenity spaces. Some public comment did not seem to fully understand there currently is an exception provision for yard (or amenity) space and that the proposal would reduce the applicability of these provisions. Some of the testimony received was unsupportive of yard/amenity space exemptions generally as well as the emphasis on shared, common spaces.

COMMISSION DIRECTION

The Commission finds access to private outdoor space is both highly desired and not necessarily supportive of year-round livability in the Puget Lowlands climate. Moreover, the current provisions for requiring such amenities for every unit present some challenges and trade-offs to consider. This is especially relevant with respect to the adopted Comprehensive Plan vision for development in Mixed-Use Centers, which is by definition more densely developed in terms of number of units and building massing. For this reason, The Commission finds it reasonable to revise current Code requirements to provide greater flexibility in the types of spaces that meet amenity space requirements (i.e., including indoor spaces) and to scale back current yard space exceptions for the reasons discussed above.

The Commission also finds merit in the concerns raised related to the potential impact of amenity space requirements on small to mid-sized developments. The current requirements and exceptions are not based on the scale of development, as the initial draft amendments elicited specific and detailed public comment to that effect, and the Commission discussed this topic at length, but no singular consensus was achieved.

While the Commission finds the Public Review Draft version of the amendments related to the exception provisions logically and reasonably addresses the amendments' intent, the Commission finds, that if implemented without modification, they may have a disproportionate impact on smaller

developments. Therefore, the Commission finds additional revisions to the Public Review Draft version exception language are warranted per the concerns raised. See Section G – Part 5 below.

7. Effective Dates

PROPOSAL

The City is considering establishing a new Urban Design Project Review (UDPR) land use permit process for developments of a certain size located within a designated Mixed-Use Center. The City is also considering several amendments to the Land Use Regulatory Code (TMC Title 13) that would modify development and building design standards in areas within the Mixed-Use and Downtown zones.

COMMENTS

Testimony included questions and statements concerned with how projects “in-process” will be affected by the program. Relatedly, requests were made to explain/explore providing a grace period between approval and effective dates. Further, a specific request to include a transition period of at least six months.

COMMISSION DIRECTION

The Commission finds it appropriate that the two discrete portions of the proposal (UDPR and TMC code amendments) have different effective dates. The Commission finds that the specific Code amendments included in the proposal are typical of those to take effect 10-30 days after adoption but that a greater timeframe might be appropriate given the potential impacts to developments currently being designed. Additionally, major changes, such as establishing the new UDPR permit requirement, may warrant even longer timeframes. The Commission finds that PDS staff, working with affected stakeholders, shall establish appropriate grace periods to provide a sufficient and reasonable amount of time to not unduly impact projects currently in design, and to allow impacted future projects to be better prepared for the new and forthcoming UDPR permit process.

G. Findings of Fact – Part 5: Revisions per Commission Debriefing

At the Commission’s September 20, 2023, debriefing of the public hearing, a modified proposal was discussed and found to be appropriate as consistent with the City’s policy goals and objectives. These modifications are described below.

1. Departures

In response to comments received, particularly those related to tree preservation, and to provide as much design flexibility as possible, the Commission finds some revisions to the Public Review Draft departure provisions are warranted. The changes shall expand the standards to which departures can be requested to include certain development standards not included in the Public Review Draft proposal and more explicitly include various aspects of the development and site context in the consideration of a departure request.

The added standards eligible for departure include the following – revisions shown in blue underline:

- [Mixed-Use Center districts: Prohibition of ground-floor residential uses along designated Pedestrian Streets](#)
- [Mixed-Use Center districts: Minimum setbacks](#)
- [Mixed-Use Center districts: Height](#)
- [Mixed-Use Center districts: Maximum floor area](#)
- [Mixed-Use Center districts: Maximum setbacks](#)

- [Mixed-Use Center districts: Amenity space requirements](#)
- [Downtown districts: Height limits](#)
- [Downtown districts: Maximum setbacks](#)
- [Drive-throughs](#)
- [Landscaping standards](#)
- Parking lot development standards, excluding off-street parking space quantity standards
- Pedestrian and bicycle support standards
- [Short and long term bicycle parking](#)
- [Transit support facilities](#)
- [Sign standards](#)
- [Residential transition standards](#)
- [Fences and retaining walls](#)
- [Utilities](#)
- [Street level building transitions](#)
- Design standards

The departure criteria section is revised as follows – revisions shown in blue underline:

- Revision: Approval will be granted if [one of two conditions are met](#):
 - Provides equal or superior results to the requirement from which relief is sought in terms of quantity, quality, location, and function.
 - [Allows the design to better address the general criteria for Urban Design Project Review approval.](#)
- [New provision: Aspects of the development that may be considered in support of a proposed design departure include](#):
 - [Mitigation of impacts to and/or preservation of natural and built features including, but not limited to, trees, other vegetation, natural grade, historic or cultural artifacts, and public views of landmarks](#)
 - [Optimization or innovative use of low impact design/green stormwater infrastructure, energy efficient design \(e.g. passivehaus, solar orientation\), or other green building best practices, methods and/or technologies.](#)
 - [Supports relevant adopted City goals and/or policies.](#)

2. Board Composition

The Commission finds that to best align with the City's goals and policies, and to implement a workable Urban Design Project Review program, the Urban Design Board composition shall allow non-City of Tacoma residents to fill a maximum of two (2) Board positions but that City residents shall be prioritized. The draft text is revised as follows – revisions shown in blue underline:

5. Exception to the residency requirement may be allowed to fill up to two (2) Board positions. [When multiple candidates are under consideration for appointment and some but not all candidates are Tacoma residents, preference shall be granted to Tacoma residents.](#)

3. Amenity Space Requirements and Exceptions

The Commission finds that public comment supports modification of the proposed Code amendments such that an allowance to include certain school facilities be retained and that full (100%) reduction to amenity space requirements should be eliminated but the partial (50%) reduction provision should be

retained with revisions. The draft text (as double underlined in black) is revised as follows – revisions shown in blue underline and red strikethrough:

c. Reduction:

(1) Partial Reduction. Projects meeting the required condition in (1)(a)(i) and at least one of the optional conditions in (1)(b) may reduce their total required amenity space by 50%.

(a) Required condition:

(i) Projects ~~is~~ located within an eighth ~~a quarter~~-mile of accessible walking distance of a public park or “school park.”

To qualify, the park or school park must:

- Be at least 10,000 sq. ft. in area.
- Feature usable, outdoor recreational amenities regularly available to the general public. Common features include, but are not necessarily limited to, playfields, green space with paths, playgrounds, spraygrounds, dog parks, gardens paths, picnic shelters, trails, and seating.
- Accessed by a continuously paved pedestrian path.
- Qualifying school parks are defined as a public school facility that contains well maintained recreational facilities, which are regularly available to the public year-round, and subject to an interlocal agreement between Tacoma Public Schools and Metro Parks Tacoma establishing minimum levels of access, maintenance, and facility amenities.

(b) Qualifying condition choices.

(i) Projects with a minimum floor area ratio (FAR) of 3.

(ii) Projects containing ground level spaces supporting an active street environment.

To qualify, the ground floor space must:

- Designed to accommodate retail and/or restaurant uses.
- Occupy at least 70% of the building’s street-facing façade or at least 40 feet, whichever is greater.
- Retail space(s) shall be a minimum of 1,000 square feet and have a minimum depth of 25 feet.
- Restaurant space(s) shall be a minimum of 2,000 square feet and shall incorporate necessary venting and sewer facilities.
- The space shall have a minimum interior height of 12 feet from the finished floor to the finished ceiling above and have direct visibility and accessibility from the public sidewalk.
- Include an outdoor display or seating area a minimum of six feet in depth.

H. Findings of Fact-- Part 6: SEPA Review

STATE ENVIRONMENTAL POLICY ACT

As a non-project procedural action, the proposal is categorically exempt from State Environmental Policy Act (SEPA) review. The proposed Urban Design Project Review process, as a type of design review process, will not result in a change in density, height, bulk, or scale of a development. Similarly, the proposed Code amendments do not reflect a substantive change to current requirements and do not change permitted uses. For these reasons, the proposed actions are exempt per WAC 197-11-800(19)(b).

I. Findings of Fact – Part 7: Health and Equity in All Policies

The Planning Commission finds that *Urban Design Project Review* includes very intentional efforts to expand more diverse engagement in the urban design process, including provisions to communicate with

and include underrepresented groups who experience disproportionately lower livability and poorer health outcomes in low opportunity areas.

Most specifically, the proposed public notice and public meeting components of the UDPR process will afford a wider representation of Tacomans in the design and development process. Moreover, the Commission finds that the explicit Council district participation provisions of the proposed Urban Design Board composition will mitigate against historic and systemic underrepresentation.

The Commission also finds that the UDPR permit criteria and related proposed TMC amendments support health by promoting walkability and transit ridership, innovation in design strategies that mitigate and adapt to the climate crisis and enhancing access to opportunities that can support long-term health, wellbeing and prosperity.

J. Conclusions

The Planning Commission concludes that the proposed Urban Design Project Review program, consisting of the creation of the Urban Design Project Review Permit and related Tacoma Municipal Code amendments is consistent with the *One Tacoma* Comprehensive Plan, which calls for implementation of the range of policy actions related to improved urban design outcomes, a vibrant public realm, and a livable community. The recommendations also support efforts and design decisions to implement the City's equity, sustainability, climate action, and transportation goals.

The Commission concludes that the proposals reflect community input as well as best practices, and incorporates lessons learned from other jurisdictions' existing analogues. The Commission concludes that the proposal provides a well-balanced package that serves the public interest of a new regulatory process, along with the importance of proceeding thoughtfully and preventing unintended consequences. The City Council should proceed to adopt the recommendations, and to implement the program proposals, providing adequate time to widely inform stakeholders and the general public of the program, while also moving ahead expeditiously.

Urban Design Project Review will be a significant step forward in adding a clear and objective path to improve urban design outcomes in Tacoma's Growth Centers. If the City chooses not to embrace *Urban Design Project Review*, the Commission concludes it will be very difficult to meet our community's expectations for greater equity in urban design outcomes, improved livability, and innovation in sustainability and climate resilience.

K. Recommendation

The Commission recommends adoption of the Urban Design Project Review proposal including the Amendments to the Tacoma Municipal Code. Further, the Commission recommends acceptance of the draft Project Review Manual to be completed and approved by the Director of Tacoma's Planning and Development Department, such that it will be employed as the clear and objective criteria necessary per State law for implementation of Urban Design Project Review (UDPR) permits.

L. Exhibits

Attached Exhibits:

- Attachment A: Proposed TMC Amendments Title 13 – Land Use Regulatory Code-Part 1: Development and Design Standards (as revised)
- Attachment B: Proposed TMC Amendments Title 13 – Land Use Regulatory Code-Part 2: Development and Design Standards (as revised)
- Attachment C: UDPR Comments and Responses Report (09-20-23, as revised)
- Attachment D: Draft Urban Design Project Review Manual (as revised)