

## Tacoma Permit Advisory Group

### Hybrid meeting

Meeting #58 September 18th, 2024 2:00 PM

Advisory Group Members in attendance: Layne Alfonso, Ryan Babbit, Clinton Brink, Michael R. Fast, Jason Gano, Justin Goroch, Loundyne Hare, Brett Johnson, Robert Laing, Gomer Roseman

Excused: Ben Ferguson

Absent: Claude Remy

#### **2:02 PM Welcome**

The meeting was called to order by Chair Justin Goroch.

#### **2:02 PM Approval of Minutes**

Meeting #57: Layne Alfonso moved Ryan Babbit seconded. No discussion or objection. Motion approved.

Special Meeting motion Mike Fast moved Clinton Brink Seconded No discussion. Motion approved.

#### **2:03 PM Public Comment**

No public comments were provided at this time

#### **2:04 PM Quick updates: City staff new items of interest Administrative Updates:**

- Design Manual- Chris Johnson

Chris Johnson advised that the design manual is still being worked on, with a rough draft expected by the end of September. The Manual leadership team is currently reviewing the SME updates. The main point is that we will not have a final copy for October as we hoped. Justin Goroch stated that having the manual in draft form is acceptable to him. Gomer Roseman inquired about the implementation process. Chris Johnson explained that once it is deemed final, we will set an effective date, which is usually a couple of months later. We aim to have this go live at the same time as Home in Tacoma (HIT). Justin Goroch expressed his support for the idea of launching the design manual simultaneously with HIT to avoid an additional "dead zone" for permits. He also requested that this topic be included as a quick hitter in every meeting until it becomes active.

- Land Use Permit and Decisions – Shirley Schultz

Justin Goroch shared that, based on his recent experience and perspective, he has observed a shift in the city's approach to processing discretionary land use permits. He noted that, traditionally, applicants received a courtesy review to inform them whether approval or denial was recommended and to identify any substantial changes needed. However, he has recently noticed a change where, once applied for, there is no communication between staff and the applicant until a decision is made. This lack of communication means that there is no opportunity for applicants to make changes or correct issues before a decision is reached. Justin Goroch emphasized that appealing a decision can be costly for applicants.

Shirley Schultz asked if anyone had anything further to add. She noted that her team consists of planners responsible for overseeing the process from pre-application through the end of discretionary

land use permits. She clarified that staff generally does not make the final decision; that responsibility typically falls to the Director of Planning and Development Services (PDS), who usually trusts the team's recommendations. Shirley Schultz emphasized that decisions should not come as a surprise and must always be based on comprehensive city policy. Ideally, these matters should be addressed during the pre-application process. She suggested that any necessary variances should be communicated in the first comment memo, allowing the applicant to make changes and resubmit. Shirley expressed that the city aims to be accommodating, transparent, and responsive to the public. However, she acknowledged that there is a limit to the time and resources available for ongoing negotiations while still meeting Level of Service (LOS) requirements. The city can agree to extend timelines with applicants, but in some cases, an agreement may not be reached, necessitating the appeal process. She noted that applicants should be informed of the situation by day 45 to avoid surprises. Justin Goroch reiterated that city staff aims to ensure that conditions are not a surprise to applicants. Once review comments are finalized and conditions are approved, there will be no further back-and-forth; any necessary conversations will be addressed within the comments. Mike Fast expressed that it is most effective to identify any issues as early as possible. If concerns are raised late in the process, it becomes very difficult to resolve them.

Justin Goroch inquired about discretionary permits, suggesting that they are conditionally allowed—for example, placing a non-profit facility in a residential zone is permissible with a preliminary plat. He asked whether all land use permits are discretionary. Shirley Schultz clarified that discretion may vary depending on the specific areas where utilities could be installed. The ability to impose conditions is more limited under platting than under land use permits.

Justin Goroch noted that with the new Unit Lot Subdivision (ULS) standards, things may be somewhat uncertain, stressing the importance of dialogue with City of Tacoma (COT) staff to navigate these changes effectively. Shirley Schultz mentioned that short plats are covered under the new Level of Service (LOS) standards, and that the city is working to meet these new requirements. Gomer Roseman raised a question regarding Homeowners Associations (HOAs), asking if they are mandated by the state. Shirley Schultz responded that, where shared utilities are permitted, a homeowner agreement is necessary. Gomer Roseman then asked if there are alternatives to an HOA. Shirley Schultz admitted she was not certain but encouraged him to propose alternatives, suggesting that perhaps a land trust could be a viable option.

Clinton Brink clarified that the goal is to eliminate surprises following the comment memo and to ensure an intensive pre-application process. Shirley Schultz added that, after the second round, if there are revisions required, it is important to have a meeting.

Ryan Babbit inquired if there is a mechanism that could be implemented for staff to provide comments directly to the applicant. Shirley Schultz mentioned that there is a balance to be maintained in the project management aspect and noted the importance of whether they are using consolidated review within the Accela system. She indicated that if there is a need for revisions between the required submissions, a planner could assist, or the applicant could reach out to the Site Development team.

Justin Goroch followed up by sharing his experience working with other jurisdictions, noting that he has not encountered situations where applicants have requested fee refunds. Instead, he emphasized that people generally want to engage in more conversations to arrive at agreements and expedite the process toward construction, rather than looking for fee waivers. Shirley Schultz reassured the group that no one on her team intentionally delays projects, but she emphasized the need for careful consideration rather than hasty decision-making.

- STGPD Landscaping/ Tree Canopy – Adam Nolan

**PowerPoint 1**

Adam Nolan advised the purpose of today's presentation is introductory to south Tacoma groundwater protection and would like to come back in a few months with a draft code. Adam Nolan proceeded to share the above PowerPoint with TPAG.

Adam explains that the **South Tacoma Groundwater Protection District (STGPD)** is an overlay zoning and land use control district specifically designed to prevent the degradation of groundwater in the South Tacoma aquifer system by controlling the handling, storage and disposal of hazardous substances by businesses. He provided a map with zoning for these areas. Ryan Babbit asked what an economic Green Zone means. Adam Nolan responded that this is something that needs to be studied, and it is the City Council that defines it. Justin Goroch added that it would be another way of saying a special plan for an area to meet a specific need. Adam Nolan further mentioned that it's a concept that needs to be unpacked.

Adma Nolan states that agencies involved in this project are Tacoma Water, Tacoma- Pierce County Health Department, Environmental Services, PDS, and the fire department.

Adma Nolan provides four topics that are included in this draft code and the scope for planning.

1. Water Quality- High Impact Uses, Stormwater Infiltration Policy and Best Management Practices (BMPs)
2. Aquifer Recharge- Stormwater Infiltration Policy and BMPs, Impervious Surface Standards
3. Health Impact Assessment- Focus on STGPD
4. Tree Canopy/Landscaping- Tacoma Mall Regional Growth Center, South Tacoma Manufacturing and Industrial Center

Clinton Brink clarified that this plan is only for commercial and industrial areas, not for residential. Adam Nolan responded that this would include housing within the area. Justin Goroch noted that we should be cautious of having "codes on top of codes," as that could present an issue.

Adam Nolan shares the project timeline:

Present- November 2024: Code and best practice assessment

November- December 2024: STGPD Code Review Preliminary Recommendations

January – June 2025: Public Hearing and Comment Periods and Legislative process

Justin Goroch asked if we want Adam Nolan to return in January once the code has been drafted. Layne Alfonso noted that if it is new code, then yes; however, if it is just building on existing code, it would be redundant. Clinton Brink added that we could review the new code and decide whether we need Adam Nolan to come back. Justin Goroch suggested that we examine the new code at the December meeting to determine if we would like Adam Nolan to present in January.

#### **2:55 PM Working Groups**

- Outreach & Recruitment
  - Corey Newton mentioned that the only question we have is about the timing of the press release. Justin Goroch suggested that we table this discussion until the leadership meeting when Ben returns.

#### **2:56 PM Finalize Home in Tacoma Letter to City Council**

- Justin Goroch reiterated that we had a special meeting on 09/05 where we voted on how to proceed with the letter to the Council. Clinton Brink added that he deleted everything he

thought the Planning Commission addressed in the attachment and made some changes that he believed clarified the points we are trying to make.

- Justin Goroch allowed time for TPAG to read the letter. Clinton Brink noted that one of their recommendations was to empower the Planning Department to make changes to the code that would need to be approved by the City Council. He explained that the idea behind this is to address unexpected outcomes, making the process more expedient for those projects.
- Shirley Schultz mentioned that they would keep a running list of items that contain errors: small errors (no council involvement), large errors (requiring council approval), and special cases (governed by director's rules). She stated that the director's rules are not typically used. Clinton Brink indicated that the director's rules are usually invoked only when there is ambiguity in the code, and it would be beneficial to grant PDS the authority to make changes when unexpected outcomes arise. Shirley Schultz cautioned that this would likely need legal review, but she agreed it is worth asking, provided the parameters are clearly defined.
- Mike Fast moved, and Ryan Babbit seconded, to adopt the letter as written, along with the attachment. Mike Fast noted that the letter and attachment meet all the criteria they wanted to pass along to the council. Clinton Brink added that the attachment contains the same exhibits as the original letter.
- Brett Johnson suggested changing the wording in the last sentence of the first paragraph from "dealing with" to "implementing" or "collaborating with." The motion to approve the letter of recommendation and the attached exhibits was put to a vote. All in favor, zero opposed. The motion passed.

**3:15 PM      Bylaws**

- It was suggested that there is not enough time to adequately discuss the bylaws with only 15 minutes left in the meeting.
- Mike Fast moved to adjourn early, and Layne Alfonso seconded the motion. There was no discussion. The motion was approved with no opposition.

**3:15 PM      Adjourn**