

From: Fred Dowell <freddowell54@gmail.com>
Sent: Monday, February 10, 2025 4:04 PM
To: City Clerk's Office; Hines, John; Walker, Kristina; Scott, Jamika; Sadalge, Sandesh; Bushnell, Joe; Diaz, Olgy; Rumbaugh, Sarah; Daniels, Kiara; Bingham, Debbie
Subject: RES41619

I'm writing in opposition of resolution 41619 for the extension of the multi-family housing property tax agreement for 252 Broadway AKA 252 Metropolitan LLC

As I understand it from the resolution on TV 12 Tacoma there's ready an 8-year property tax exemption and you want to add an additional 12 years for a total of 20 years?

A couple questions that I'd like answered

How much money is this 12-year property tax exemption going to be?

How much was the property tax exemption for the original eight years?

On previous resolutions in 2024 when the presentation was made to the city council it never showed what the property tax exemption was all that Debbie Bingham would provide was the sales tax exemption.

I appreciate a reply on this as when we have a budget deficit in this city and we continue to give these exemptions away this just in my opinion makes it worse for the city

Fred Dowell
Tacoma

From: Michael Lafreniere <info@historictacoma.org>
Sent: Monday, February 10, 2025 2:31 PM
To: City Clerk's Office
Subject: WRITTEN COMMENT - Historic District moratorium extension public hearing on 2/11/2025
Attachments: Letter to City Council - moratorium extension.pdf

On behalf of Historic Tacoma's board of directors, I am forwarding the attached written comment for the public hearing on the proposed **Historic District moratorium extension** (Resolution 41602). This written comment is submitted for the record.

Respectfully,

Michael Lafreniere
Communications Director
(253) 228-0925



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February 3, 2025

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PO Box 7664
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Members, Tacoma City Council
747 Market Street.
Tacoma, WA 98402

RE: Proposed Historic District Moratorium Extension

Dear Honorable City Council Members:

Historic Tacoma submits these comments in opposition to the proposed extension of a moratorium on historic districts and asks that the Council reject this proposal. We also ask that this letter and its attachments be part of the City's record on this matter.

The Washington Growth Management Hearings (GMH) Board issued a decision on December 12, 2024 invalidating the City's moratorium on new historic districts that the Tacoma City Council passed last April. The moratorium's validity had been challenged by petitioners Historic Tacoma, the Washington Trust for Historic Preservation, and the North End Neighborhood Council. Although the GMH Board upheld the Council's authority to enact the moratorium, it found that the City had not prepared the "work plan" which the Growth Management Act requires for a moratorium longer than six months. The GMH Board found continued application of the moratorium would "substantially interfere" with the historic preservation and citizen participation goals of the Growth Management Act, thus it held that the moratorium is invalid.

The GMH Board went on to say,

"Nowhere in the work plan was there any mention of studies related to the policy issues that prompted the moratorium, namely, the need to balance the GMA and Comprehensive Plan's competing goals and policies related to historic preservation, housing availability and affordability, protecting the environment, and advancing racial equity. Nor did the work plan include any deadlines by which the Planning Commission (or any other City department or agency) expected to resolve these competing policy issues, or adopt any amended regulations for nominating new Historic Districts, or take any other form of concrete action."

The GMH Board noted that the petitioners, the Landmarks Preservation Commission, and many other commenters pointed out that the one-year moratorium could have a "chilling effect" on future historic district nominations. The Landmarks Preservation Commission has also conveyed directly to City Council that such a moratorium was ill-advised and unsupported. The GMH Board essentially agreed, stating it was *"convinced that a moratorium whose duration is untethered to its purposes will exacerbate the chilling effect to an unacceptable degree."* It went on to say, *"This unjustified chilling effect not only interferes with historic preservation by preventing new Historic Districts; it also interferes with the intense levels of citizen participation that the municipal code mandates for every new Historic District nomination."*

As a result, the GMH Board has directed the City to take action to comply with the GMA requirements by March 12, 2025 and to report back to the Board on its



compliance by March 26. As the City Council discusses a work plan and a possible extension of the moratorium at the upcoming public hearing, we ask you to reject the moratorium and focus on making substantive changes to City ordinance that will achieve City goals. Historic Tacoma is fully in favor of changes that will increase equity in our city but ask that you recognize that a moratorium will do more to damage historic preservation and civic participation than improve equitable outcomes. Indeed, areas that we and others have encouraged as potential future historic districts are areas of the city identified as deserving of equity, particularly South Tacoma and the Eastside.

Historic Tacoma respectfully requests that the City Council reject the proposed moratorium on historic districts.

Sincerely,

A handwritten signature in blue ink, appearing to read "J Baersten", is written over a faint, illegible typed name.

Jennifer Baersten, President
Historic Tacoma Board of Directors

Attachments:

1. GMHB Final Decision & Order, December 12, 2024; Historic Tacoma, Washington Trust for Historic Preservation, Northend Neighborhood Council v. City of Tacoma
2. Letter from Landmarks Commission to Planning Commission re Moratorium, October 23, 2023
3. Letter from Historic Tacoma to City Council re Moratorium, February 27, 2024

cc: City Councilmembers
Elizabeth Pauli, City Manager
Chris Bacha, City Attorney

BEFORE THE GROWTH MANAGEMENT HEARINGS BOARD
CENTRAL PUGET SOUND REGION
STATE OF WASHINGTON

HISTORIC TACOMA, a Washington nonprofit corporation, WASHINGTON TRUST FOR HISTORIC PRESERVATION, a Washington nonprofit corporation, and NORTH END NEIGHBORHOOD COUNCIL, a Washington nonprofit corporation,

Case No. 24-3-0003

FINAL DECISION AND ORDER

Petitioners,

v.

CITY OF TACOMA,

Respondent.

SYNOPSIS

Historic Tacoma, Washington Trust for Historic Preservation, and North End Neighborhood Council (collectively, Petitioners) challenged the validity and consistency with the Growth Management Act (GMA), Ch. 36.70A RCW of Amended Ordinance No. 28962 (Ordinance), published by the Respondent City of Tacoma (City) on April 25, 2024. The challenged Ordinance enacted a moratorium on the nomination and designation of new residential Historic Special Review and Conservation Districts for a period of one year.

The Growth Management Hearings Board (Board) denies Petitioners' challenge as to five of Petitioners' six issues on appeal. As to the sixth issue, the Board concludes that the Ordinance failed to comply with the GMA because the City did not adopt a work plan for studies related to the subject matter of the moratorium, as is required by RCW 36.70A.390 for any moratorium whose period exceeds six months. The Board concludes that the City's

1 failure to adopt a GMA-compliant work plan constitutes a substantial interference with the
2 goals of the GMA regarding historic preservation and public participation, such that
3 invalidation of Ordinance is appropriate pursuant to RCW 36.70A.302. The Ordinance is
4 upheld in all other respects.

5 6 I. INTRODUCTION

7 A. Tacoma's Process for the Nomination of Historic Districts.

8 The Tacoma Municipal Code (TMC) contains a process for the nomination and
9 designation of Historic and Special Review Districts (Historic Districts). A nomination for a
10 new Historic District may originate from the Tacoma City Council or the Tacoma
11 Landmarks Preservation Commission, a volunteer citizen body appointed by the City
12 Council.¹ Either the City Council or the Landmarks Preservation Commission may make
13 the nomination on its own initiative or either body may act on a proposed nomination made
14 by residents or community groups.² In either case, the Landmarks Preservation
15 Commission convenes a public hearing on the proposal and then forwards a
16 recommendation on the proposal to the Tacoma Planning Commission.³ The Planning
17 Commission then convenes its own public hearing on the proposal.⁴ Following its public
18 hearing, the Planning Commission either denies the proposal itself (in which case, the
19 matter is closed subject to possible administrative appeal to the City Council) or else
20 forwards the proposal with a recommendation for approval to the City Council.⁵ The City
21 Council then considers the recommendation of the Planning Commission and may
22 designate a Historic District by ordinance.⁶ A Historic District designation imposes various
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28 ¹ See TMC 13.07.060 (nomination process); TMC 13.01.050.L (Landmarks Preservation Commission
defined).

29 ² TMC 13.07.060.A.

30 ³ TMC 13.07.060.B.

31 ⁴ TMC 13.07.060.C

32 ⁵ TMC 13.07.060.C.5.

⁶ TMC 13.07.060.D.

1 procedural and substantive restrictions on land development within the district, all for the
2 purpose of historic preservation.⁷

3 **B. The City Council Identified a Possible Need for a Moratorium.**

4 On June 20, 2023, the City Council passed Resolution 41226.⁸ The Resolution
5 noted that a request for a new Historic District had been received in 2022 and had gone
6 through the review process described above.⁹ The Resolution noted that both the
7 Landmarks Preservation Commission and the Planning Commission had identified
8 “concerns about the existing historic district designation process, including the need to
9 address equity issues.”¹⁰ The Resolution noted that the City’s upcoming 2024
10 Comprehensive Plan periodic update process was already slated to include a review of the
11 Historic District nomination process, but new nominations for Historic Districts might be
12 received in the meantime, which could potentially raise some of the issues of concern
13 identified by the two Commissions.¹¹ In addition, the processing of new nominations would
14 consume “a great deal of volunteer and staff time.”¹² Accordingly, the Resolution directed
15 the Planning Commission, in coordination with the Landmarks Preservation Commission, to
16 “conduct a public process to develop findings of fact and recommendations as to whether a
17 moratorium on the nomination and designation of new [Historic Districts] is warranted, and
18 if so, to recommend the scope and duration.”¹³

19 **C. The Two Commissions Considered the Need for a Moratorium.**

20 The two Commissions conducted their reviews, as directed by the Resolution, but
21 arrived at different conclusions as to whether a moratorium on new Historic District
22 nominations was warranted. In a memorandum dated October 25, 2023, the Landmarks
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27 ⁷ See, e.g., TMC 13.05.040.C-E; TMC 13.06.020.A; Ch. 13.07 TMC (imposing special regulations on land
28 uses within an approved Historic District).

29 ⁸ Index of the Record (IR) No. 1.

30 ⁹ *Id.*

31 ¹⁰ *Id.*

32 ¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

1 Preservation Commission recommended there not be a moratorium.¹⁴ The Landmarks
2 Preservation Commission recognized the volunteer and staff burden imposed by new
3 Historic District nominations, but noted that nominations are infrequent and that no current
4 nominations were known to be in the pipeline.¹⁵ In the unlikely event that a surprise
5 nomination were to be proposed, the Landmarks Preservation Commission believed it had
6 the capacity to process the nomination.¹⁶ The Landmarks Preservation Commission
7 worried that a moratorium would exert a chilling effect on new nominations, because
8 nominations often require a lead time of a year or more of work between the initial idea for
9 a Historic District and the formal submission of a proposal for nomination.¹⁷

11 By contrast, the Planning Commission supported a twelve-month moratorium on
12 nominations. In a memorandum dated December 18, 2023, the Planning Commission
13 noted that the City was already working on overhauling the Historic District nomination
14 process as part of its ongoing Comprehensive Plan update.¹⁸ The Planning Commission
15 noted in finding no. 17 of its December 18, 2023 memo that “the same identical proposal
16 has been submitted twice in a short time frame even though it was denied initially by the
17 Planning Commission, indicating that the existing process does allow for repetitive
18 submittals.”¹⁹ In its finding no. 23, the Planning Commission recommended that the
19 nomination process should be updated as part of the Comprehensive Plan update and that
20 a moratorium should be imposed “until those changes can be made.”²⁰ The Planning
21 Commission also noted in its finding no. 19 that there is a “known policy/process discussion
22 that needs to happen to ensure historic districts appropriately balance community benefit,
23 property rights, the city's growth strategy, other city policies, the city's commitment to
24

27
28 ¹⁴ IR No. 9.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ IR No. 12.

¹⁹ *Id.*

²⁰ *Id.*

1 diversity and equity, and other high priority policy areas.”²¹ The Planning Commission
2 acknowledged the possibility that a moratorium might create an impression that either
3 the Commission or the City are opposed to Historic Districts, which the Planning
4 Commission claimed was not the case.²² The Planning Commission recommended a
5 twelve-month moratorium “to align with the 2024 Comp Plan update, which would serve as
6 the workplan to address the policy issues that prompted the moratorium.”^{23, 24}
7

8 **D. The City Adopted the Moratorium Ordinance.**

9 On April 23, 2024, the City Council passed the Ordinance imposing a twelve-month
10 moratorium on the nomination and designation of new Historic Districts. The Ordinance
11 noted, in its recitals, that the Planning Commission had already, in November 2023,
12 adopted its work program related to the 2024 Comprehensive Plan periodic update, a work
13 program which the City Council’s Infrastructure, Planning, and Sustainability Committee
14 had already approved in December 2023.²⁵ The Ordinance noted the dispute between the
15 Landmarks Preservations Commission and the Planning Commission as to the necessity of
16 a moratorium.²⁶ The Ordinance noted that the Planning Commission had found “there are
17 significant unresolved policy and code questions relating to historic district creation and that
18 the [Planning Commission] workplan would benefit from a temporary pause” on new
19 Historic District review.²⁷ The Ordinance noted the Planning Commission’s belief that prior
20 to the establishment of any new Historic Districts, “additional study was needed regarding
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22

23
24 ²¹ *Id.*

25 ²² *Id.*

26 ²³ *Id.*

27 ²⁴ The Planning Commission’s recommendation to the City Council appears in the record in a memorandum
28 from the Planning Commission to the City Council dated December 18, 2023. However, the Planning
29 Commission’s actual vote on the recommendation occurred on November 15, 2023. For this reason, the date
30 of the Planning Commission’s recommendation sometimes appears in the record as December 18 and
31 sometimes as November 15. For consistency, the Board has been using December 18 as the date of the
32 Planning Commission’s recommendation, because that is the date the recommendation and the detailed
explanation for the recommendation were sent to the City Council.

²⁵ IR No. 21.

²⁶ *Id.*

²⁷ *Id.*

1 the interplay between the current code and the City’s efforts to increase all income housing
2 availability, and increase housing density within the City.”²⁸ It also noted the Planning
3 Commission’s belief that further study of the existing code was needed “to focus on
4 addressing the impacts of systemic racism on home ownership and wealth-building
5 opportunity for people of color in the City.” The Ordinance also identified a need for
6 additional time to study the potential that the existing Historic District nomination process
7 might unintentionally contribute to the “legacy effects of discriminatory housing policies.”²⁹
8 Accordingly, the Ordinance enacted a moratorium on new Historic Districts in certain
9 residential land use zones “for a period of one year or until the work is complete which is
10 less.”³⁰

11
12 **E. Petitioners Filed Their Appeal and the Record Was Supplemented.**

13 Petitioners filed their petition for review on June 20, 2024, and an amended petition
14 on June 26, 2024. The Amended Petition for Review raised six issues for review, each of
15 which the Board considers below.
16

17 In addition to the City’s Index to the Record filed July 22, 2024, the Board also
18 included in the record a supplemental email, dated May 12, 2024, proffered by the
19 Petitioners. At the Board’s request, following the hearing on the merits, the City proffered a
20 copy of the Planning Commission’s work plan for 2023-2025, approved November 15,
21 2023, which the Board hereby admits to the record, assigning it Record Index No. 23.
22

23 The City also proffered the Planning Commission’s current work plan, approved
24 October 16, 2024. The Board declines to admit the October 16, 2024 work plan to the
25 record, because it is irrelevant to the question of whether the challenged Ordinance was
26 supported by a work plan.
27
28
29

30 _____
²⁸ *Id.*

31 ²⁹ *Id.*

32 ³⁰ *Id.*

1 **II. BOARD JURISDICTION**

2 The Board finds the Petition for Review was timely filed, pursuant to
3 RCW 36.70A.290(2). The Board finds the Petitioners have standing to appear before the
4 Board pursuant to RCW 36.70A.280(2). The Board also finds it has jurisdiction over the
5 subject matter of the Petition pursuant to RCW 36.70A.280(1).
6

7 **III. STANDARD OF REVIEW**

8 Comprehensive plans and development regulations, and amendments to them, are
9 presumed valid upon adoption.³¹ This presumption creates a high threshold for
10 challengers as the burden is on the petitioners to demonstrate that any action taken by a
11 City is not in compliance with the GMA.³² The Board is charged with adjudicating GMA
12 compliance and, when necessary, invalidating noncompliant plans and development
13 regulations.³³
14

15 The scope of the Board’s review is limited to determining whether a City has
16 achieved compliance with the GMA only with respect to those issues presented in a timely
17 petition for review.³⁴ The Board is directed to find compliance unless it determines that the
18 challenged action is clearly erroneous in view of the entire record before the Board and in
19 light of the goals and requirements of the GMA.³⁵
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27 _____
28 ³¹ RCW 36.70A.320(1).

29 ³² RCW 36.70A.320(2).

30 ³³ RCW 36.70A.280, RCW 36.70A.302.

31 ³⁴ RCW 36.70A.290(1).

32 ³⁵ RCW 36.70A.320(3) (To find a city’s action clearly erroneous, the Board must be “left with the firm and definite conviction that a mistake has been committed.” *Dep’t of Ecology v. PUD 1*, 121 Wn.2d 179, 201, 849 P.2d 646 (1993)).

1 **IV. ANALYSIS AND DISCUSSION**

2 **Issue No. 1 (as presented): Is the residential historic district moratorium enacted by**
3 **Amended Ordinance 28962 inconsistent with Tacoma's comprehensive plan and**
4 **inconsistent with several of the goals of the GMA?**

5 Petitioners did not brief Issue No. 1 as it was presented in the Statement of Issues in
6 the Amended Petition for Review and the Board’s prehearing order. The Board deems the
7 issue abandoned.³⁶

8 In lieu of briefing Issue No. 1, Petitioners briefed an issue that did not appear in the
9 Statement of Issues in the Amended Petition for Review or in the Board’s prehearing order:
10 whether the GMA, RCW 36.70A.390, authorizes the City to issue a moratorium against
11 what Petitioners called a “completely discretionary” type of land use approval, namely, the
12 City Council’s consideration of proposals for new Historic Districts.³⁷

13 As noted above, the Board may not issue advisory opinions on issues not presented
14 to the Board in the statement of issues in the petition for review or the Board’s prehearing
15 order.³⁸ However, this question of whether a moratorium may be issued for “discretionary”
16 land use approvals (as opposed to approvals for land uses “permitted as of right”) was
17 discussed at some length in the “Background” section of the Amended Petition for
18 Review.³⁹ Thus, the issue was raised in the Amended Petition, even if it appeared in the
19 wrong section.
20
21

22 In addition, following Petitioners’ briefing on the issue, the City responded to the
23 issue at length in its own briefing and even referred to it as Petitioners’ “core issue.”⁴⁰ Both
24 parties also argued the issue orally during the hearing on the merits. At no point in its
25
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27

28 ³⁶ WAC 242-03-590(1) (“Failure by such a party to brief an issue shall constitute abandonment of the
29 unbriefed issue.”).

30 ³⁷ Pet’rs’ Am. Br., 9 –11.

31 ³⁸ RCW 36.70A.290(1).

32 ³⁹ Am. Pet. for Review, 3–5.

⁴⁰ Resp’t’s Am. Br., 12–14.

1 briefing, in motion practice, or during the hearing did the City ever challenge the inclusion
2 of this issue, nor did the City miss any opportunity to argue the issue.

3 The Board believes that “public policy favors the adjudication of controversies on
4 their merits rather than their dismissal on technical procedural grounds. The purpose of
5 rules of procedure is to place substance over form to the end that cases may resolved on
6 the merits.”⁴¹ Here, where the substantive requirements to present the issue have been
7 met and the issue has been argued without objection, the Board will allow substance to
8 prevail over form.
9

10 **The Board concludes** this issue is properly before it, first because the issue
11 appeared in the Amended Petition for Review (although it should have been listed in the
12 Statement of Issues, not the “Background” section, of the Amended Petition for Review)
13 and second because the parties fully argued the issue both in briefing and at the hearing,
14 and third because the City never objected to inclusion of the issue. Since Issue No. 1 as
15 presented in the Amended Petition was not briefed, the Board will treat this question of
16 moratoria on applications for discretionary land use approvals as if it were Issue No. 1,
17 below.
18

19
20 **Issue No. 1 (as argued by the parties): Does the GMA, RCW 36.70A.390, authorize**
21 **moratoria on applications for discretionary land use approvals, such as applications**
22 **for new Historic Districts?**

23 **Applicable Law:**
24

25 **RCW 36.70A.390 Moratoria, interim zoning controls—Public hearing—Limitation on**
26 **length—Exceptions:**

27 A county or city governing body that adopts a moratorium, interim
28 zoning map, interim zoning ordinance, or interim official control without
29 holding a public hearing on the proposed moratorium, interim zoning map,
30

31 ⁴¹ *Concerned Friends of Ferry Cty. and David L. Robinson v. Ferry Cty.*, GMHB Case. No. 11-1-0003, Order
32 on Mot. for Summ. J. (Dec. 23, 2011), at 4 (citing *Crosby v. Spokane Cty.*, 137 Wn.2d 296 (1999)).

1 interim zoning ordinance, or interim official control, shall hold a public
2 hearing on the adopted moratorium, interim zoning map, interim zoning
3 ordinance, or interim official control within at least sixty days of its
4 adoption, whether or not the governing body received a recommendation
5 on the matter from the planning commission or department. If the
6 governing body does not adopt findings of fact justifying its action before

7 this hearing, then the governing body shall do so immediately after this
8 public hearing.

9

10 **Board Discussion:**

11 **A. The Board’s Reading of the Plain Text of the Statute.**

12 By its terms, RCW 36.70A.390 does not distinguish between moratoria on
13 applications for land uses permitted outright (such as, for example, a building permit
14 application to construct a single-family house on a lot in a single-family zoning district⁴²)
15 and moratoria on applications for so-called “discretionary” land uses such as new Historic
16 Districts. Instead, moratoria are authorized without regard to the type of land use approval
17 subject to moratorium.
18

19 **B. Petitioners’ Citations to Cases Are Unavailing.**

20 Petitioners did not cite any case in which RCW 36.70A.390 has been interpreted to
21 apply only to moratoria on applications for non-discretionary land use decisions. Petitioners
22 cited *Save Our Scenic Area v. Skamania County*, 183 Wn.2d 455, 352 P.3d 178 (2015)
23 and *Schnitzer West, LLC v. City of Puyallup*, No. 47900-1-II (Wash. Ct. App. July 9, 2019)
24 (unpublished).⁴³ As the Board reads them, neither case bolsters Petitioners’ argument.
25
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27

28 ⁴² See, e.g., TMC 2.02.010 (adopting current version of International Residential Code); International
29 Residential Code (2021) § R105.3.1 (“If the building official is satisfied that the proposed work conforms to
30 the requirements of this code and laws and ordinances applicable thereto, the building official **shall issue a**
31 **permit** therefor as soon as practicable.”) (emphasis added).

32 ⁴³ The Board observes the latter is an unpublished decision and thus cannot constitute anything more than
potentially persuasive authority. GR 14.1(a).

1 *Save Our Scenic Area* did not involve a challenge to a moratorium ordinance.
2 Instead, the case involved an allegation that Skamania County had failed to complete a
3 periodic review of its natural resource lands ordinance as required by the GMA and had
4 failed to ensure consistency between its development regulations and comprehensive plan
5 as required by the Planning Enabling Act.⁴⁴ Various development moratorium ordinances
6 formed part of the background to the *Save Our Scenic Area* case, in that some of the
7 moratorium ordinances contained language that arguably might have supplied the missing
8 natural resource lands review.⁴⁵
9

10 Nothing in the *Save Our Scenic Area* decision indicates that the moratoria were
11 limited only to non-discretionary land use approvals, as opposed to discretionary land use
12 approvals. The *Save Our Scenic Area* Court noted only that the purpose of the moratoria
13 was to “maintain the status quo of the area pending the County’s consideration of
14 developing zoning classifications.”⁴⁶ The Board acknowledges that this is the usual
15 purpose behind any moratorium, including the challenged moratorium in the case before
16 the Board. But the fact that the purpose of a moratorium is to “maintain the status quo of
17 [an] area” does not bolster the City’s argument. Either a non-discretionary land use
18 approval such as a building permit or a discretionary land use approval such a Historic
19 District would alter the status quo of an area. If the purpose of a moratorium is to preserve
20 the status quo, the Board sees no reason why a moratorium against either type of land use
21 approval would be disallowed, nor does *Save Our Scenic Area* supply any such reason.
22
23

24 The *Schnitzer* case also did not involve a challenge to a moratorium ordinance. The
25 challenge in *Schnitzer* was to a newly adopted permanent development regulation, namely
26 the imposition of an overlay zone to a particular property. An earlier moratorium which
27
28

29 _____
30 ⁴⁴ Skamania County is not a full planning county under the GMA, so it is subject to the Planning Enabling
31 Act’s provision regarding consistency between regulations and comprehensive plan. RCW 36.70.545.

⁴⁵ *Save Our Scenic Area*, 183 Wn.2d at 463.

⁴⁶ *Id.* at 461.

1 formed part of the background to the *Schnitzer* case was described by the Court in dicta as
2 “a 120-day moratorium on *all* development” (emphasis added).⁴⁷

3 Nothing in *Schnitzer* indicates that a moratorium may only be applied against
4 applications for non-discretionary land use approvals. On the contrary, the Court’s use of
5 the phrase “all development” suggests that a moratorium may be applied against
6 discretionary and non-discretionary land use approvals alike, which is consistent with the
7 Board’s reading of RCW 36.70A.390.
8

9 **C. The Question of Vesting of Applications Is Irrelevant.**

10 In defense of its moratorium Ordinance, the City argued that “RCW 36.70A.390
11 allows cities and counties to pause applications during the development of new regulations
12 precisely to *prevent applications from vesting* until new regulations are developed”
13 (emphasis added).⁴⁸ The City argued that “[t]he right at issue in this case is the right to file
14 and vest, not the right to be approved.”⁴⁹ Petitioners replied that the mere filing of an
15 application for a new Historic District does not vest that application.⁵⁰ Petitioners argued
16 that the absence of vesting undermines the justification for the moratorium Ordinance.⁵¹
17

18 The Board agrees with Petitioners that the filing of an application for a new Historic
19 Districts does not vest that application. Historic Districts are not among the land use
20 decisions for which applications are subject to statutory vesting.⁵² Nor has the City of
21 Tacoma adopted a local vesting ordinance relating to Historic District applications, at least
22 not that any party has cited to the Board.⁵³ The City’s defense of the moratorium Ordinance
23 on vesting grounds is without merit.
24

25
26 ⁴⁷ *Schnitzer*, No. 47900-1-II, ¶ 8.

27 ⁴⁸ Resp’t’s Am. Br. at 13.

28 ⁴⁹ *Id.*

29 ⁵⁰ Pet’rs’ Reply at 3.

30 ⁵¹ *Id.* at 4.

31 ⁵² See RCW 19.27.095(1) (vesting for building permit applications); RCW 58.17.033 (vesting for subdivision
32 applications); RCW 36.70B.180 (vesting for development agreements).

⁵³ See *Erickson & Assocs. v. McLerran*, 123 Wn.2d 864, 873, 872 P.2d 1090 (1994) (local jurisdictions may
adopt their own vesting schemes in addition to the statutory vesting scheme adopted by the State).

1 Although the Board agrees with Petitioners as to whether applications for Historic
2 Districts would vest, the Board believes that the vesting of applications is irrelevant to this
3 case. Even though an *application* for a new Historic District would not vest, the *approval* of
4 a new Historic District would create a new set of rights and restrictions on development
5 within the affected area.⁵⁴ As such, a Historic District would alter the “status quo” of an
6 area. Therefore, a moratorium on new Historic Districts is an appropriate tool to “maintain
7 the status quo of the area pending the [City’s] consideration of developing zoning
8 classifications,” as contemplated in *Save Our Scenic Area*.⁵⁵

9
10 **D. The Board Rejects Petitioners’ Attack Based on Unnecessity.**

11 Petitioners argued that a moratorium on new Historic Districts is unnecessary to
12 maintain the status quo, because the City could always maintain the status quo simply by
13 denying or postponing consideration of any application for a new Historic District during the
14 pendency of the City’s consideration of new zoning regulations for Historic Districts.⁵⁶ For
15 three reasons, the Board is unpersuaded by this line of attack.

17 First, it is not correct that the City could indefinitely postpone consideration of an
18 application for a new Historic District during the pendency of the City’s consideration of new
19 zoning regulations. If, on the one hand, an application for a new Historic District is
20 considered a land use permit application, then it would be subject to the requirement for
21 “fair and timely review” under the Local Project Review Act and its implementing
22 regulations.⁵⁷ If, on the other hand, an application for a new Historic District is considered is
23 considered a request for amendment of a Comprehensive Plan, subarea plan, or
24 development regulation, then it would be subject to the requirement for docketing and
25

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27
28 ⁵⁴ See, e.g., TMC 13.05.040.C, -.040.D. -.040.E; TMC 13.06.020.A; Ch. 13.07 TMC (imposing special
regulations on land uses within an approved Historic District).

29 ⁵⁵ *Save Our Scenic Area*, 183 Wn.2d at 461.

30 ⁵⁶ Pet’rs’ Am. Br. at 11.

31 ⁵⁷ WAC 365-196-845(1) (fair and timely review required); WAC 365-196-845(10) (City required to establish
32 timeline for review of permit applications, which should not exceed 120 days absent written findings specially
authorizing longer review time).

1 consideration “on at least an annual basis” under the GMA.⁵⁸ In either case, there is no
2 basis in law for the City to delay consideration of an application for a new Historic District
3 for an indefinite period of months or years while the City considers potential revisions to its
4 zoning regulations. If an application is received, the City must issue a decision on the
5 application.

6
7 Second, the Board is not convinced that the City could lawfully deny an application
8 for a new Historic District on the grounds that revisions to the zoning regulations were
9 under consideration. It seems clear to the Board that, at a minimum, the Planning
10 Commission could not deny an application on such grounds. The TMC sets forth the
11 criteria against which the Planning Commission must consider an application for a new
12 Historic District. These include consideration of whether the affected area:

- 13 • Is at least 50 years old at the time of nomination; and
- 14 • Retains integrity of location, design, setting, materials, workmanship,
15 feeling, and association such that it is able to convey its historical,
16 cultural, or architectural significance; or
- 17 • Is associated with events that have made a significant contribution to the
18 broad patterns of our history; or
- 19 • Is associated with the lives of persons significant in our past; or
- 20 • Embodies the distinctive characteristics of a type, period, or method of
21 construction, or represents the work of a master, or possesses high
22 artistic values, or represents a significant and distinguishable entity
23 whose components may lack individual distinction; or
- 24 • Has yielded or may be likely to yield, information important in prehistory
25 or history; or
- 26 • Abuts a property that is already listed on the Tacoma Register of Historic
27 Places and was constructed within the period of significance of the
28 adjacent structure; or
- 29 • Is already individually listed on the National Register of Historic Places; or

30
31 _____
32 ⁵⁸ RCW 36.70A.470(2).

- 1 • Owing to its unique location or singular physical characteristics,
2 represents an established and familiar visual feature of the neighborhood
3 or City.⁵⁹

4 In addition, the proposed Historic District must meet the following criteria:

- 5 • It is associated with events or trends that have made a significant
6 contribution to the broad patterns of our history; and
7 • It is an area that represents a significant and distinguishable entity but
8 some of whose individual components may lack distinction; and
9 • It possesses a significant concentration, linkage, or continuity of sites,
10 buildings, structures, or objects united historically or aesthetically by plan
11 or physical development.⁶⁰

12 Recalling that the Planning Commission exercises denial authority over applications
13 for new Historic Districts,⁶¹ the Board believes that none of these designation criteria would
14 empower the Planning Commission to deny an application on the grounds that new
15 development regulations are under consideration.

16 The City Council exercises both denial and approval authority over applications for
17 new Historic Districts.⁶² The City Council is not explicitly required by the municipal code to
18 follow the Planning Commission's designation criteria in considering an application for a
19 new Historic District. However, the City Council is required to "include a description of the
20 characteristics of the Historic Special Review or Conservation District which justifies its
21 designation."⁶³ In addition, the City's Historic Preservation Officer must send affected
22 property owners "a letter outlining the basis for such designation."⁶⁴ These provisions set
23 limits on the City Council's discretion over applications for new Historic Districts. The Board
24
25

26
27 ⁵⁹ TMC 13.07.040.B.1 (listing designation criteria); TMC 13.07.040.A. (requiring proposed historic resources
28 *and districts* to meet the designation criteria in -.040.B.1); TMC 13.07.040.C.1 (also requiring proposed
29 historic districts to meet the designation criteria in -.040.B.1).

30 ⁶⁰ TMC 13.07.060.C.1 (special criteria for designation of historic districts).

31 ⁶¹ TMC 13.07.060.C.3, -.060.C.5.

32 ⁶² TMC 13.07.060.D.1.

⁶³ TMC 13.07.060.D.2.

⁶⁴ TMC 13.06.070.D.3.

1 is skeptical that the City Council could lawfully deny a proposed Historic District in
2 disregard of the designation criteria, based solely on the City Council's desire to adopt new
3 development regulations. An application denial so wholly divorced from any grounds
4 related to historic preservation might well be considered an erroneous application of the
5 law to the facts.⁶⁵

6
7 Third, and most importantly, even if the City could lawfully postpone a decision on
8 an application in disregard of the timelines established for decision-making, or lawfully deny
9 an application in disregard of the designation criteria for Historic Districts, that still would
10 not render the moratorium Ordinance unlawful under RCW 36.70A.390. As noted above,
11 the Board does not read RCW 36.70A.390 as limited only to non-discretionary land use
12 approvals. Even it were somehow lawful for the City to enforce a sort of crypto-moratorium
13 by arbitrarily delaying or denying each and every individual Historic District application on
14 specious grounds, it would still be lawful under RCW 36.70A.390 (and far preferable from a
15 public policy perspective) for the City to adopt an open and explicit moratorium against new
16 Historic Districts, as it has chosen to do here.

17
18 **The Board finds and concludes** that RCW 36.70A.390 authorizes a moratorium
19 not only of applications for land uses permitted outright (such as, for example, a building
20 permit application to construct a single-family house on a lot in a single-family zoning
21 district) but also for so-called "discretionary" land uses such as new Historic Districts. The
22 City was not precluded by RCW 36.70A.390 from enacting the challenged moratorium
23 Ordinance.

24
25
26 **Issues 2, 3, 4, 5:**

- 27
28 **2. By preventing new residential historic districts from being**
29 **considered, is Amended Ordinance 28962 inconsistent with**
30 **RCW 36.70A.020(13), which sets out a goal to "Identify and**

31 ⁶⁵ See RCW 36.70C.130(1)(d) (allowing superior court to reverse local land use decision if the decision is a
32 "clearly erroneous application of the law to the facts.").

1 encourage the preservation of lands, sites, and structures
2 that have historical or archeological significance," and
3 therefore inconsistent with GMA?

4 3. By preventing the designation of new residential historic
5 districts that limit demolition of existing older homes and
6 apartment buildings, is Amended Ordinance 28962
7 inconsistent with GMA's goals to "accommodate housing
8 affordable to all economic segments of the population of this
9 state" and "encourage preservation of existing housing
10 stock" set out in RCW 36.70A.020(4) and therefore
11 inconsistent with GMA?

12 4. By preventing the historic preservation of neighborhoods of
13 older buildings that were built with old growth timber, which
14 is extremely durable and sequesters carbon, is Amended
15 Ordinance 28962 inconsistent with GMA's mandate to "ensure
16 ... development regulations ... adapt to and mitigate the
17 effects of a changing climate; support reductions in
18 greenhouse gas emissions and per capita vehicle miles
19 traveled; prepare for climate impact scenarios; foster
20 resiliency to climate impacts and natural hazards; protect and
21 enhance environmental, economic, and human health and
22 safety; and advance environmental justice" set out in
23 RCW 36.70A.020(14),⁶⁶ and therefore inconsistent with GMA?

24 5. Is Amended Ordinance 28962 inconsistent with GMA because
25 it is inconsistent with and fails to implement the goals of
26 Tacoma's comprehensive plan pertaining to historic
27 preservation that are listed in Appendix A, in particular Goals
28 DD-5, DD-6, DD-7, DD-13, ED- 5, and Historic Preservation
29 (HP) Goals 2, 3, 4, 5, 6, 7, 10, 12, 15, 26, 32, and 33?

30 ⁶⁶ In both their amended petition for review and their amended prehearing brief, Petitioners repeatedly,
31 erroneously cited GMA Goal 14 (climate change) as RCW 36.70A.202(14). The Board repeated the
32 erroneous citation in its prehearing order. The correct citation is RCW 36.70A.020(14).

1 **Applicable Laws:**

2 **RCW 36.70A.130(1)(e) (Requirements for Amendment of Comprehensive Plan and**
3 **Development Regulations):**

4 Any amendment of or revision to a comprehensive land use plan shall
5 conform to [the Growth Management Act]. Any amendment of or revision
6 to development regulations shall be consistent with and implement the
7 comprehensive plan.⁶⁷

8 **RCW 36.70A.020 (GMA Planning Goals):**
9

10 **(4) Housing.** Plan for and accommodate housing affordable to all
11 economic segments of the population of this state, promote a variety of
12 residential densities and housing types, and encourage preservation of
existing housing stock.

13 **(13) Historic preservation.** Identify and encourage the preservation of
14 lands, sites, and structures, that have historical or archaeological
15 significance.

16 **(14) Climate change and resiliency.** Ensure that comprehensive plans,
17 [and] development regulations ... adapt to and mitigate the effects of a
18 changing climate; support reductions in greenhouse gas emissions and
19 per capita vehicle miles traveled; prepare for climate impact scenarios;
20 foster resiliency to climate impacts and natural hazards; protect and
enhance environmental, economic, and human health and safety; and
advance environmental justice.

21 **Board Discussion:**

22 **A. Summary of Petitioners' Arguments on Issues No. 2–5.**

23 Petitioners argued that the moratorium Ordinance is inconsistent with and
24 undermines GMA Goal 13 (historic preservation) because the Ordinance prevents new or
25 expanded historic district from “even briefly being considered.”⁶⁸ Petitioners' cited their
26

27
28 ⁶⁷ None of the parties cited this requirement of the GMA. However, Petitioners argued that local governments
29 must adopt comprehensive plans that are consistent with the GMA and development regulations that are
30 consistent with the comprehensive plan, although Petitioners did not cite the source of this rule. The City
31 argued the issue in similar terms, against without citation to the rule. The Board deduces that the parties were
most likely referring to the requirements of RCW 36.70A.130(1)(e).

32 ⁶⁸ Pet'rs' Am. Br. at 12.

1 ongoing efforts to develop new historic preservation opportunities in “communities that are
2 largely minority and/or lower income”⁶⁹ and argued that their historic preservation work will
3 be “delayed if not entirely discouraged”⁷⁰ by the Ordinance. Petitioners cited specific
4 “diverse neighborhoods” in Tacoma, including Hilltop, McKinley, and South Tacoma, which
5 public commenters had identified in the record as “eligible for historic district status.”⁷¹
6 Petitioners argued that the Ordinance’s legislative findings regarding the potential for
7 “systemic racism” and “discriminatory housing policies” associated with Historic Districts
8 lacked supporting evidence in the record.⁷²
9

10 Petitioners argued that the moratorium Ordinance is inconsistent with GMA Goal 4
11 to “accommodate housing affordable to all economic segments of the population of this
12 state” and to “encourage preservation of existing housing stock.”⁷³ Petitioners noted that
13 houses within designated Historic Districts must undergo special review prior to demolition,
14 which Petitioners argued leads to the preservation of older homes.⁷⁴ Petitioners argued
15 these older homes are cheaper, and so preserving them is one way to help meet the
16 GMA’s affordability goal.⁷⁵ Petitioners pointed to public comments that had been submitted
17 to the City prior to the Ordinance that had raised similar arguments about the affordability
18 of historic homes.⁷⁶
19

20 Petitioners argued that the old-growth timber used in the construction of many older
21 residential buildings sequesters carbon which would otherwise mix with the atmosphere
22 and worsen the climate crisis.⁷⁷ Petitioners argued that demolition of older buildings (which
23 might occur if the buildings were not preserved in a Historic District) would result in the old-
24
25

26 ⁶⁹ *Id.* at 13.

27 ⁷⁰ *Id.*

28 ⁷¹ *Id.* at 19

29 ⁷² *Id.* at 13.

30 ⁷³ *Id.*

31 ⁷⁴ *Id.* at 14.

32 ⁷⁵ *Id.*, 14–15.

⁷⁶ *Id.* at 15.

⁷⁷ *Id.* at 16.

1 growth timber being hauled to a landfill, where it would decay, releasing its sequestered
2 carbon into the atmosphere.⁷⁸ As with the affordability issue, Petitioners cited comments in
3 the record providing factual evidence in support of their claims.⁷⁹

4 Petitioners cited over a dozen goals and policies of the Tacoma Comprehensive
5 Plan, all of which encourage the City to reduce demolition and increase historic
6 preservation at both the project and planning levels.⁸⁰ Petitioners argued that the
7 moratorium “completely blocks” such efforts in the short term and “discourages them in the
8 longer term.”⁸¹

11 **B. Summary of City’s Response.**

12 The City’s response was that the City must balance all of the GMA goals, not just
13 the ones identified by Petitioners.⁸² The City placed its moratorium ordinance in the context
14 of its ongoing Comprehensive Plan review, itself a response to a directive from the State
15 Legislature, in which the City will attempt to balance the goal of historic preservation
16 against many other goals, including especially those relating to housing availability and
17 affordability.⁸³ The City cited the GMA implementing regulatory requirement to give the
18 same weight to all of the GMA’s goals⁸⁴ and argued that the City is in the process of
19 attempting to balance GMA Goals 1 (urban growth), 2 (reduce sprawl), 13 (historic
20 preservation), and the GMA’s “mandatory elements” of a comprehensive plan, which
21 require the City to identify and begin to address racially disparate impacts and exclusion
22 stemming from local zoning regulations, policies, plans, and actions.^{85, 86} The City
23
24

25 _____
26 ⁷⁸ *Id.*, 15–16.

⁷⁹ *Id.* at 17.

27 ⁸⁰ *Id.*, 20–23 (citing Goals DD-5, DD-7, DD-13, HP-2, HP-5, HP-10, HP-11, HP-12, and HP-26; and Policies
28 DD-5.11, DD-7.1, DD-13.1, DD-13.5, DD-13.6, DD13.11, DD-13.13; and Actions HP-2A and HP-11A).

⁸¹ *Id.* at 22.

⁸² Resp’t’s Am. Br. at 14.

⁸³ *Id.*, 3–5, 10–11.

⁸⁴ WAC 365-196-060(a)(2).

⁸⁵ RCW 36.70A.070(2)(f)-(h).

⁸⁶ Resp’t’s Am. Br., 11–12.

1 emphasized that its moratorium Ordinance is a temporary measure to buy time for the City
2 to accomplish this balancing act. The Ordinance is not a permanent resolution of any of
3 these policy issues.⁸⁷

4 The City did not attempt to fight Petitioners on the merits of Historic Districts. The
5 City did not directly rebut Petitioners' evidence in the record purporting to give factual
6 support to arguments against a moratorium based on historic preservation, affordability,
7 and climate change.⁸⁸ Instead, the City argued the Petitioners' evidence was insufficient to
8 demonstrate that the City's historic preservation goals cannot be reconciled with the City's
9 other state-mandated requirements to increase housing supply and address racial
10 inequities in housing.⁸⁹ The City characterized Petitioners' objections to the Ordinance as
11 "a difference of opinion with elected policymakers."⁹⁰ The City argued that Petitioners'
12 objections had already been heard during the public hearings regarding the potential for a
13 moratorium and that the Planning Commission's findings of fact, expressed in the
14 December 18, 2023 memo,⁹¹ were repeated in the recitals of the Ordinance, proof that the
15 City was not only aware of but was actively working to balance the various, competing
16 goals and policies relevant to historic housing.⁹²

17
18
19
20 **C. The Board Finds that the City Is Attempting to Strike a Balance among the**
21 **Goals and Policies of the GMA and Comprehensive Plan.**

22 The Board agrees with the City that the City is required by the GMA and the GMA's
23 implementing regulations to balance all the goals of the GMA and the Comprehensive
24 Plan.⁹³ The Board finds that the recitals in the Ordinance constitute findings of fact by the
25
26

27 _____
28 ⁸⁷ *Id.* at 10.

29 ⁸⁸ *Id.* at 13.

30 ⁸⁹ *Id.* at 14.

31 ⁹⁰ *Id.*

32 ⁹¹ IR No. 12, summarized *supra*.

⁹² Resp't's Am. Br. at 15.

⁹³ See RCW 36.70A.130(1)(e); WAC 365-196-060(a)(2).

1 City which show the City is attempting to do just that. Among other things, the Ordinance
2 recites that:

- 3 • [B]oth [the Landmarks Preservation Commission and the Planning
4 Commission] noted concerns about the existing historic district
5 designation process and recommended that a review and potential
6 update to the process should be conducted in the earliest possible
7 plan and code amendment cycle.
- 8 • [T]he LPC did not feel that a moratorium was a necessary step to
9 address existing policy issues within the normal scope of its work,
10 but the PC found there are significant unresolved policy and code
11 questions relating to historic district creation...
- 12 • [T]he PC expressed that before the establishment of any new
13 Districts additional study was needed regarding the interplay
14 between the current code and the City's efforts to increase all
15 income housing availability, and increase housing density within
16 the City.
- 17 • [T]he PC further noted that before the establishment of any new
18 Districts study of the current code was needed to focus on
19 addressing the impacts of systemic racism on home ownership
20 and wealth-building opportunities for people of color in the City.
- 21 • [T]he Planning Commission also advised that the Landmarks
22 Commission may need time to review its current program
23 components for potential unintentional contributions to the legacy
24 effects of discriminatory housing policies...⁹⁴

25 These findings of fact are sufficient to justify the moratorium, as required by
26 RCW 36.70A.390. They are also sufficient to persuade the Board that the moratorium
27 Ordinance is not inconsistent with the goals of the GMA or the goals and policies of the
28 Tacoma Comprehensive Plan.

29 First, the moratorium is only a temporary measure.⁹⁵ Any harm the moratorium may
30 cause to historic preservation will be partially mitigated by the moratorium's expiration
31 within the next six months at the latest. Second, the findings of fact that appear in the
32

⁹⁴ IR No. 21.

⁹⁵ By the terms of the Ordinance, it will expire either May 5, 2025 (one year after publication) or whenever the City completes its Comprehensive Plan update, whichever comes first.

1 Ordinance’s recitals show that Historic Districts themselves may lead to conflicts with the
2 GMA. Although Historic Districts inarguably promote the historic preservation goals of the
3 GMA and Comprehensive Plan, and at least arguably promote the housing affordability and
4 environmental goals of the GMA and Comprehensive Plan, the Ordinance’s findings of fact
5 reveal that the Planning Commission and City Council both perceived a possibility that
6 Historic Districts might conflict with some of the racial equity requirements of the GMA. This
7 possibility is sufficient to warrant a moratorium while the City works to resolve the potential
8 conflict.
9

10 In its reply, Petitioners argued that the City Council’s findings of fact to justify the
11 moratorium needed to be supported by “substantial evidence” if the findings are to
12 withstand the Board’s scrutiny on appeal, and that the Ordinance’s findings of fact did not
13 meet that standard.⁹⁶ Petitioners objected particularly strongly to the City Council’s findings
14 of fact that implied new Historic Districts might exacerbate racial inequalities, when
15 Petitioners believe Historic Districts have the opposite effect.⁹⁷
16

17 During the hearing on the merits, the City argued that “substantial evidence” is too
18 high a standard to require of the City Council because the ordinance is a legislative act, not
19 a quasi-judicial one. The City suggested the proper standard for the “findings” required of a
20 moratorium ordinance under RCW 36.70A.390 was merely a rational connection between
21 the evidence in the record and the City’s findings of fact. The City believed the evidence in
22 the record met the required standard, because the City had not arrived at a final
23 determination on the correct balance between housing affordability and supply, historic
24 preservation, and racial equity, but rather was freezing the housing status quo to study
25 those very issues.
26

27 The Board concludes that the lower standard suggested by the City is the correct
28 one, not because the moratorium Ordinance is a legislative act but because it is subject to
29

30 ⁹⁶ Pet’rs’ Reply at 8 (citing the “substantial evidence” standard applied during judicial review of the findings of
31 fact contained in an order issued by the Washington State Pollution Control Hearings Board).

32 ⁹⁷ *Id.*, 5–6.

1 the special procedures for moratoria and interim zoning controls authorized in
2 RCW 36.70A.390. First, the Board notes that RCW 36.70A.390 itself is silent as to the
3 quantum of evidence the City Council must find to justify a moratorium. Second, because a
4 moratorium is only a temporary measure, the Board believes the City may be held to a
5 lower standard of fact-finding than it would be if it were adopting a permanent regulation on
6 Historic Districts. Third, the Board is unaware of any previous decision in which it applied
7 anything more than a cursory examination of a moratorium ordinance’s findings of fact.⁹⁸
8 The Board concludes that the City’s findings of fact need not meet a “substantial evidence”
9 standard, but rather a lower standard of some rational connection between the evidence in
10 the record and the findings of fact in the Ordinance.
11

12 The Board finds that the City’s findings of fact do meet this standard. The Planning
13 Commission took testimony from the public, including Petitioners, as to the adverse effects
14 a temporary moratorium on Historic Districts might have on the City’s housing, climate, and
15 historic preservation goals and policies. The Planning Commission was unpersuaded that
16 these issues outweighed what the Planning Commissioner perceived, rightly or wrongly, as
17 the potential for Historic Districts to exacerbate the City’s other goals and policies relating
18 to affordability and racial equity. The City Council ultimately sided with the Planning
19 Commission over the objections of the public and Petitioners and determined that a pause
20 on Historic Districts would be appropriate while the City updated its Comprehensive Plan to
21 balance all these competing issues. Regardless of which side’s policy position ultimately
22 prevails in the forthcoming Comprehensive Plan update, the Board is satisfied that there is
23 enough evidence to justify a temporary delay on the application of Historic Districts while
24
25
26

27
28 ⁹⁸ See, e.g., *SHAG v. City of Lynwood*, GMHB Case No. 01-3-0014, Order on Motions (Aug. 3, 2001), at 5
29 (accepting the recitals of a moratorium ordinance at face value and determining that these recitals constitute
30 findings of fact sufficient to justify a moratorium); *Mariner Village v. Snohomish Cty.*, GMHB Case No. 08-3-
31 0003, Order on Motions (September 3, 2008) (emphasizing that the Board’s focus in reviewing moratoria and
32 emergency and interim measures under RCW 36.70A.390 has traditionally been limited to review of
enactment procedures, systematic extensions of supposedly temporary measures, and “blatant violations” of
GMA requirements, not consistency with the rest of the GMA as a whole).

1 the update process unfolds, and that putting Historic Districts on hold is not inconsistent
2 with the City's goals and policies relating to housing, climate, and historic preservation.

3
4 **The Board finds and concludes** that Petitioners have not met their burden to show
5 that the City's actions in adopting Ordinance were "clearly erroneous." The Board is not left
6 with a "definite and confirm conviction" that the City violated any of the GMA goals or
7 Comprehensive Plan goals or policies identified by Petitioners in Issues Nos. 2 through 5.
8

9
10 **Issue No. 6. Does Amended Ordinance 28962 violate RCW 36.70A.390 by imposing a**
11 **moratorium of one year rather than 180 days?**

12 **Applicable Laws:**

13
14 **RCW 36.70A.390:**

15 A moratorium, interim zoning map, interim zoning ordinance, or interim
16 official control adopted under this section may be effective for not longer
17 than six months, but may be effective for up to one year if a work plan is
18 developed for related studies providing for such a longer period.

19 **Board Discussion:**

20 In adopting a twelve-month moratorium (as opposed to a six-month moratorium), the
21 City failed to adopt the required work plan "for related studies providing for such a longer
22 period." The City attempted to use its existing work plan for the Comprehensive Plan
23 update as the work plan to justify the Ordinance, but the Comprehensive Plan update work
24 plan does not contain any provisions for "related studies" that would justify keeping the
25 moratorium in place for longer than six months. Therefore, the City violated the GMA in
26 extending the period of the moratorium beyond six months.
27

28 The City was aware of the requirement under RCW 36.70A.390 for a work plan if the
29 period of the moratorium were to exceed six months. The Planning Commission's agenda
30 for its September 20, 2023 meeting contained a memo from the City's Historic Preservation
31 Officer, Reuben McKnight, dated September 11, 2023, in which Mr. McKnight informed the
32

1 Planning Commission that a one-year moratorium would require a work plan “for related
2 studies requiring such longer period.”⁹⁹ In finding no. 26 of its December 18, 2023
3 recommendation to the City Council, the Planning Commission identified the existing work
4 plan for the 2024 Comprehensive Plan update as the work plan to justify the twelve-month
5 period of the moratorium.¹⁰⁰ In the findings of fact in the Ordinance, the City Council also
6 identified the existing work plan for the 2024 Comprehensive Plan update as the work plan
7 to justify the twelve-month period of the moratorium.¹⁰¹
8

9 As noted above, the City proffered the 2024 Comprehensive Plan update work plan
10 following the hearing on the merits at the request of the Board. Having reviewed the work
11 plan, the Board finds it does not meet the requirements of RCW 36.70A.390.

12 The 2024 Comprehensive Plan update work plan was adopted by the Planning
13 Commission on November 15, 2023 and approved by the City Council’s Infrastructure,
14 Planning, and Sustainability Committee on December 13, 2023.¹⁰²The work plan contained
15 a section titled “Expected Work Program for 2024 (Preliminary).¹⁰³ Among the various
16 items in the expected work program, the most significant item, and the only one relevant to
17 amending the nomination process for Historic Districts, was the item titled “GMA 2024
18 Comprehensive Plan Period Update (Potential Key Issues).”¹⁰⁴ This item included some
19 fourteen proposed updates to the Comprehensive Plan and four updates to the City’s
20 zoning code. Of these eighteen proposed updates, the only one relevant to amending the
21 process for the nomination of Historic Districts read, in its entirety, as follows: “Historic
22 Preservation Plan Update and Integration (including policy/code review on local historic
23 districts).”¹⁰⁵
24
25

26
27 ⁹⁹ IR No. 3.

¹⁰⁰ IR No. 12.

¹⁰¹ IR No. 21.

¹⁰² IR No. 23. The work plan was adopted December 13, 2023, while the Ordinance was adopted April 23,
2024.

¹⁰³ *Id.*

¹⁰⁴ *Id.*

¹⁰⁵ *Id.*

1 Historic Districts also appeared further down in the 2024 Comprehensive Plan
2 update work plan as one issue among a list of fourteen “ongoing planning issues,” in the
3 following terms:

4 Historic Preservation, in coordination with the Landmarks Preservation
5 Commission (e.g., Historic TDR, integration of Historic Preservation Plan
6 with *One Tacoma* Comprehensive Plan, historic districts process and
7 standards, preservation incentive tools, educational programs, etc.)¹⁰⁶

8
9 **Nowhere in the work plan was there any mention of studies related to the policy**
10 **issues that prompted the moratorium, namely, the need to balance the GMA and**
11 **Comprehensive Plan’s competing goals and policies related to historic preservation,**
12 **housing availability and affordability, protecting the environment, and advancing racial**
13 **equity. Nor did the work plan include any deadlines by which the Planning Commission (or**
14 **any other City department or agency) expected to resolve these competing policy issues,**
15 **or adopt any amended regulations for nominating new Historic Districts, or take any other**
16 **form of concrete action.**

17
18 As the Board reads RCW 36.70A.390, a twelve-month moratorium (as opposed to a
19 six-month moratorium) may be imposed only “if a work plan is developed for related studies
20 providing for such a longer period,” meaning there must be a work plan that calls for
21 studies related to the subject matter of the moratorium, and the additional length of the
22 moratorium must be necessary for those studies to be completed and action to be taken in
23 response. Here, the Board sees no description of any studies underway. The Board sees
24 no connection between the work described in the work plan and the longer period of
25 moratorium.
26

27 By way of counterexample, the Board takes official notice¹⁰⁷ of two recent
28 moratorium ordinances enacted by other cities: the City of Bainbridge Island’s Ordinance
29

30 ¹⁰⁶ *Id.*

31 ¹⁰⁷ See WAC 242-03-630(4) (authorizing Board to take official notice of ordinances of cities of Washington
32 State).

1 No. 2020-12, published May 15, 2020,¹⁰⁸ and the City of Bellingham's Ordinance No.
2 2021-08-033, published September 3, 2021.¹⁰⁹

3 Bainbridge Island's moratorium ordinance included a work plan as a separate
4 exhibit. The work plan called for various studies, to be completed by certain times, followed
5 by concrete actions to be taken by the Planning Commission, City staff, and City Council,
6 all with estimated times for completion:
7

8 **Mid-May – June 2020**

9 Staff will gather the applicable visions and goals of the Comprehensive
10 Plan as they relate to the BI and NC zoning districts. Staff will also
11 compile information on self-service storage capacity and demand as well
12 as research regulations of other local jurisdictions regarding self-service
13 storage. Staff will also research the amount of jobs that self-service
14 storage facilities provide and the vacancy rate of existing facilities (if
15 available).

16 **July 2020**

17 Staff will present their findings from their research to the City Council and
18 seek direction from the Council on how to proceed. The various options
19 for the Council to consider may include but are not limited to: 1) limit self-
20 service storage to one of the two zoning districts; 2) develop use specific
21 standards for self-service storage (i.e., design character, require market
22 demand analysis, increased landscape buffers); 3) eliminate self-service
23 storage as an allowed use; or 4) require self-service storage to obtain a
24 conditional use permit in existing or other zoning districts.

25 **August – September 2020**

26 Following direction from the City Council, staff will begin drafting
27 regulations to reflect the Council's direction.

28 ¹⁰⁸ Available online at:

29 <https://apps.bainbridgewa.gov/WebLink/DocView.aspx?id=92165&dbid=0&repo=Bainbridge>. Upheld on
30 appeal to the Board on grounds unrelated to the work plan in *Urban Bainbridge LLC II v. City of Bainbridge*
Island, No. 20-3-0005c, Final Decision and Order (September 23, 2020).

31 ¹⁰⁹ Available online at:

32 <https://iframe.cob.org/gov/council/abhistory/Lists/Log/Attachments/27254/202108033.pdf>

1 **October 2020**

2 Staff will provide to the Planning Commission draft code changes for
3 consideration at a study session. After holding a public hearing, the
4 Planning Commission will make a recommendation to the City Council on
5 a draft ordinance.

6 **November 2020**

7 The City Council will review and take action on the proposed ordinance or
8 consider another six-month extension if such an extension is necessary
9 to complete the work for the adoption of updated regulations.

10 In similar fashion, though in considerably less detail, Bellingham included its work
11 plan within the text of the moratorium ordinance itself:

12 Section 7. Work Plan. During the renewed moratorium period, City staff
13 will continue to study the issues concerning the nature of single-family
14 dwelling units and minimum densities in RM zones and will include that
15 work with the ongoing legislative review process for the RM project. Staff
16 will prepare a draft ordinance with appropriate revisions to the City's land
17 use regulations and, if necessary, neighborhood plans, perform SEPA
18 review of the draft ordinance, and conduct a public review process for the
19 amendments, which includes public hearings before the City's Planning
20 Commission and City Council.

21 The Bainbridge Island and Bellingham work plans identified the need for ongoing
22 study of specific issues and described a series of concrete actions the City expects to take
23 within the moratorium period to resolve the issue under study. The Bainbridge Island and
24 Bellingham work plans drew a clear, rational connection between the issues requiring
25 further study, the actions the City expected to take, and the need to extend the moratorium
26 period beyond the usual six months. None of this rationale is present in the work plan
27 under review here.

28 **The Board finds and concludes** that the City's enactment of a twelve-month
29 moratorium was clearly erroneous, because the City failed to develop a work plan for
30 studies related to the subject matter of the Ordinance providing for a moratorium period of
31 longer than six months, in violation of RCW 36.70A.390. Specifically, the Board finds that
32

1 Section 2 of the Ordinance, specifying a period of “one year or until the work is complete
2 which is less” is not compliant with RCW 36.70A.390.

3 **The Board remands** the Ordinance to the City to take legislative action to comply
4 with the GMA as set forth in this Order.

5 **V. Invalidity**

6 RCW 36.70A.302(1) empowers the Board to invalidate a comprehensive plan
7 amendment which is found to be inconsistent with the GMA, where the Board “includes in
8 the final order a determination, supported by findings of fact and conclusions of law, that
9 the continued validity of part or parts of the plan or regulation would substantially interfere
10 with the fulfillment of the goals of this chapter.”

11
12 Above, the Board finds that the City’s enactment of a twelve-month moratorium was
13 clearly erroneous, because the City did not meet the work plan requirement of RCW
14 36.70A.390. The non-compliant ordinance is remanded to the City in this order. The Board
15 now finds the City’s twelve-month moratorium unsupported by a work plan to justify the
16 additional period would substantially interfere with GMA Goal 11 (citizen participation and
17 coordination)¹¹⁰ and GMA Goal 13 (historic preservation).¹¹¹

18
19 A moratorium represents an extraordinary infringement on the rights of citizens, the
20 Landmarks Preservation Commission, and the Planning Commission to nominate areas of
21 the city for designation as Historic Districts. Such an infringement on rights must not endure
22 longer than necessary. By failing to provide a work plan compliant with RCW 36.70A.390,
23 the City has failed to demonstrate why a twelve-month moratorium, as opposed to some
24 shorter period, is necessary.

25
26 Although, as discussed above, the Board finds that some period of moratorium was
27 justifiable to give the City breathing space to balance the competing goals and policies of
28

29 ¹¹⁰ GMA Goal 11: Citizen participation and coordination. Encourage the involvement of citizens in the
30 planning process, including the participation of vulnerable populations and overburdened communities, and
ensure coordination between communities and jurisdictions to reconcile conflicts.

31 ¹¹¹ GMA Goal 13: Historic preservation. Identify and encourage the preservation of lands, sites, and
32 structures, that have historical or archaeological significance.

1 the GMA and Comprehensive Plan, that does not mean the City may impose a moratorium
2 for a period untethered to any ongoing studies or concrete proposals for action. If a twelve-
3 month moratorium was indeed necessary, the City's work plan should have been able to
4 explain what the additional time would be used to accomplish. The work plan the City
5 submitted did not provide any such explanation.

6
7 The Landmarks Preservation Commission, Petitioners, and numerous members of
8 the public rightly pointed out that a moratorium may have a chilling effect on nominations
9 for Historic Districts, especially in light of the long lead time needed to prepare a successful
10 nomination. The Board is convinced that a moratorium whose duration is untethered to its
11 purposes will exacerbate the chilling effect to an unacceptable degree. This unjustified
12 chilling effect not only interferes with historic preservation by preventing new Historic
13 Districts; it also interferes with the intense levels of citizen participation that the municipal
14 code mandates for every new Historic District nomination. A shorter moratorium period, or
15 a detailed work plan to justify a longer period, might have justified such extraordinary
16 interference. The non-compliant work plan submitted by the City does not.

17
18 Although the only non-compliant aspect of the Ordinance is the twelve-month period
19 of the moratorium in the absence of a GMA-compliant work plan, the Board finds it
20 necessary to invalidate the entire Ordinance. To invalidate only Section 2 of the Ordinance,
21 in which the twelve-month period of the moratorium was specified, would leave the
22 moratorium without any expiration date at all, thereby creating an even worse violation of
23 RCW 36.70A.390 than the one the Board seeks to cure. To rewrite Section 2 such that the
24 moratorium expires six months after entering effect would exceed the remedial powers of
25 the Board under RCW 36.70A.300. To amend the City's work plan would exceed the
26 powers of the Board even farther. The Board is left no choice but to invalidate the
27 Ordinance in its entirety.
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1 **Therefore, the Board enters a determination of invalidity** for the Ordinance.

2
3 **VI. ORDER**

4 Based upon review of the Petition for Review, the briefs and exhibits submitted by
5 the parties, the GMA, prior Board orders and case law, having considered the arguments of
6 the parties, and having deliberated on the matter, the Board Finds and Orders:
7

- 8 • The City of Tacoma’s adoption of Amended Ordinance No. 28962 was
9 **clearly erroneous** because the twelve-month period of the moratorium was
10 not justified by a work plan developed for related studies providing for a
11 period of longer than six months, in violation of RCW 36.70A.390.
- 12 • The Board enters a **determination of invalidity** because the Ordinance
13 substantially interferes with GMA Goal 11 (citizen participation and
14 coordination) and GMA Goal 13 (historic preservation), in that the twelve-
15 month period of the ordinance, untethered to any work-related justification for
16 such a long period, unjustifiably impairs new historic districts and creates a
17 chilling effect on citizen participation in the historic district nomination
18 process.
- 19 • Challenges to the Ordinance under issues no. 1 through 5 are **denied**.
- 20 • The Board **remands** the Ordinance to the City to take legislative action in
21 accordance with the following schedule:
22
23
24

25

Item	Date Due
Compliance Due	March 12, 2025
Compliance Report/Statement of Actions Taken to Comply and Index to Compliance Record	March 26, 2025
Objections to a Finding of Compliance	April 9, 2025
Response to Objections	April 18, 2025

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<p>Compliance Hearing Zoom Link or call 1 (800) 704-9804 Meeting ID: 717 545 7612 Passcode: 123456</p>	<p>April 25, 2025 10:00 a.m.</p>
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Length of Briefs – A brief of 15 pages or longer shall have a table of exhibits and a table of authorities. WAC 242-03-590(3) states: “Clarity and brevity are expected to assist a board in meeting its statutorily imposed time limits. A presiding officer may limit the length of a brief and impose format restrictions.” **Compliance Report/Statement of Actions Taken to Comply shall be limited to 20 pages, 25 pages for Objections to Finding of Compliance, and 5 pages for the Response to Objections.**

SO ORDERED this 12th day of December, 2024.



ALEX SIDLES, Presiding Officer
Board Member



RICK EICHSTAEDT, Board Chair



MARK McCLAIN, Board Member

Note: This is a final decision and order of the Growth Management Hearings Board issued pursuant to RCW 36.70A.300.¹¹²

¹¹² Should you choose to do so, a motion for reconsideration must be filed with the Board and served on all parties within ten days of mailing of the final order. WAC 242-03-830(1), -840. A party aggrieved by a final decision of the Board may appeal the decision to Superior Court within thirty days as provided in

1 **Appendix A: Procedural matters**

2
3 On June 20, 2024, Historic Tacoma, Washington Trust for Historic Preservation,
4 and North End Neighborhood Council (collectively, Petitioners) filed a petition for review.
5 The petition was assigned Case No. 24-3-0003.

6 A prehearing conference was held telephonically on July 11, 2024. Petitioners
7 appeared through its counsel Deborah L. Cade. Respondent City of Tacoma (City)
8 appeared through its attorney Chief Deputy City Attorney Steve Victor.
9

10 On August 9, 2024, Petitioners filed a Motion to Supplement the Record. The Order
11 on Motion to Supplement the Record was issued, granting Petitioner’s motion.

12 The Briefs and exhibits of the parties were timely filed and are referenced in this
13 order as follows:

- 14 • Petitioners’ Prehearing Brief, September 26, 2024 (Petitioners’ Amended
- 15 Opening Brief)
- 16 • Response Brief, October 10, 2024 (City’s Prehearing Brief)
- 17 • Reply Brief, October 21, 2024 (Petitioners’ Reply Brief)
- 18
- 19

20 Hearing on the Merits

21 The Hearing on the Merits convened October 28, 2024. The hearing afforded each
22 party the opportunity to emphasize the most important facts and arguments relevant to its
23 case. Board members asked questions seeking to thoroughly understand the history of the
24 proceedings, the important facts in the case, and the legal arguments of the parties.
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30 RCW 34.05.514; RCW 36.01.050. See also RCW 36.70A.300(5); WAC 242-03-970. It is incumbent upon the
31 parties to review all applicable statutes and rules. The staff of the Growth Management Hearings Board is not
32 authorized to provide legal advice.

1 Post-Hearing Addition to the Record

2 Immediately following the Hearing on the Merits, at the Board’s request, the City
3 submitted the Planning Commission’s work plan that was in effect when the challenged
4 Ordinance was issued. The City also, on its own initiative, submitted the Planning
5 Commission’s current work plan. In this Final Decision and Order, the Board admits the
6 Planning Commission’s original work plan and assigns it Index of Record No. 22. The
7 Board strikes the Planning Commission’s current work plan.
8

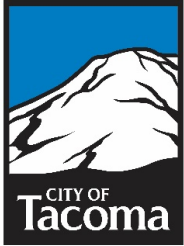
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Appendix B: Legal Issues

Per the Prehearing Order, legal issues in this case were as follows:

1. Is the residential historic district moratorium enacted by Amended Ordinance 28962 inconsistent with Tacoma's comprehensive plan and inconsistent with several of the goals of the GMA?
2. By preventing new residential historic districts from being considered, is Amended Ordinance 28962 inconsistent with RCW 36.70A.020(13), which sets out a goal to "Identify and encourage the preservation of lands, sites, and structures that have historical or archeological significance," and therefore inconsistent with GMA?
3. By preventing the designation of new residential historic districts that limit demolition of existing older homes and apartment buildings, is Amended Ordinance 28962 inconsistent with GMA's goals to "accommodate housing affordable to all economic segments of the population of this state" and "encourage preservation of existing housing stock" set out in RCW 36.70A.020(4) and therefore inconsistent with GMA?
4. By preventing the historic preservation of neighborhoods of older buildings that were built with old growth timber, which is extremely durable and sequesters carbon, is Amended Ordinance 28962 inconsistent with GMA's mandate to "ensure ... development regulations ... adapt to and mitigate the effects of a changing climate; support reductions in greenhouse gas emissions and per capita vehicle miles traveled; prepare for climate impact scenarios; foster resiliency to climate impacts and natural hazards; protect and enhance environmental, economic, and human health and safety; and advance environmental justice" set out in RCW 36.70A.202(14), and therefore inconsistent with GMA?
5. Is Amended Ordinance 28962 inconsistent with GMA because it is inconsistent with and fails to implement the goals of Tacoma's comprehensive plan pertaining to historic preservation that are listed in Appendix A, in particular Goals DD-5, DD-6, DD-7, DD-13, ED- 5, and Historic Preservation (HP) Goals 2, 3, 4, 5, 6, 7, 10, 12, 15, 26, 32, and 33?
6. Does Amended Ordinance 28962 violate RCW 36.70A.390 by imposing a moratorium of one year rather than 180 days?

1 As noted in the Final Decision and Order, Petitioners did not brief Issue 1 as it
2 appeared in the Amended Petition for Review or in the Prehearing Order. The Board
3 deemed the issue abandoned. Instead, Petitioners briefed a different issue, whether a
4 moratorium may be enacted against discretionary land use approvals such as historic
5 districts. This issue was mentioned at some length in the Amended Petition for Review.
6 Petitioners and the City both briefed the issue in their filings to the Board. Both parties also
7 argued the issue during the Hearing on the Merits. At no point did the City object to the
8 inclusion of this issue, nor did the City miss any opportunity to argue the issue. The Board
9 concludes that Issue 1, as briefed, was properly before the Board: Does the GMA,
10 RCW 36.70A.390, authorize moratoria on applications for discretionary land use approvals,
11 such as applications for new Historic Districts?
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Landmarks Preservation Commission Planning and Development Services Department

October 25, 2023

Chris Karnes, Chair
Tacoma Planning Commission

Dear Chair Karnes and Members of the Planning Commission:

On behalf of the Landmarks Preservation Commission, I am transmitting this letter in response to the request for feedback and recommendations regarding the proposed moratorium on local historic districts as directed by Council Resolution 41226. The Landmarks Commission has reviewed the public testimony as well as the questions posed by the Planning Commission and used both to guide our response, which we would request be sent as an attachment to the Planning Commission's recommendation when transmitted to Council.

As the City's subject matter expert on historic preservation, it is essential to first state our opposition to the proposed moratorium, as we believe it is not necessary. While the Commission appreciates the support of City Council, it is our position that a moratorium is not warranted given the relative infrequency of historic district nominations, and believe that any benefit is likely outweighed by potential negative consequences both practically and by perception. The Landmarks Commission also notes that a strong majority of respondents to the Public Hearing on September 20 were opposed to the proposal.

Both the Landmarks Commission and the Planning Commission have previously identified the need for improvements to the policy and code framework that governs the City's historic preservation program. Nonetheless, we believe that the Landmarks Commission currently possesses the tools to review and make recommendations for discretionary applications such as historic nominations. Our comments are limited to the merits of a proposed moratorium, and are not intended to speak to future code updates or the merits of any specific proposals.

The specific questions posed by the Planning Commission and our answers are incorporated into this letter below.

Topic: Necessity of a moratorium

1. Are there pending or anticipated historic district nominations within the potential period of a moratorium?

The Commission agrees generally with the observations from many commentors that community driven historic district nominations require extensive time and resources, often done by volunteers. This work involves not only research and documentation but also extensive outreach to generate support. Because of these factors, historic district nominations are relatively infrequent, and the Landmarks Commission is not aware of any current efforts aside from the recent College Park nomination that are currently in development.

Because of the lead time in creating local historic district nominations, Commission is concerned that a moratorium could result in a "chilling effect" that would have a "knock-on" effect that could negatively impact district creation for some time following the end of a moratorium, if one were to be adopted. For example, if a community group decided to begin the process of researching a

nomination at this time, the Commission typically would not expect to see any formal submittal for a year or more. A moratorium could be interpreted by residents to mean that historic district proposals are not viable, and thus discourage any future efforts even long after the moratorium is concluded.

2. Does the Landmarks Commission believe that a moratorium would assist the Commission during the upcoming comprehensive plan review?

The Commission believes that because historic district nominations are infrequent, there is unlikely to be a review of any new historic district proposals within the timeframe leading up to the Comprehensive Plan amendment process in 2024. If such a proposal is received, the Commission believes it possesses the capacity to review and make a recommendation in addition to its present workload.

3. If there was not a moratorium and a new nomination was submitted, does the Landmarks Commission believe that it could review the nomination at the same time it is working on improving the code and comprehensive plan policies, particularly regarding improving equitable outcomes?

The Commission appreciates concerns with its workload and capacity. However, due to the infrequency of historic district nominations, the Commission finds this scenario to be unlikely. The Commission believes that it has the capacity to review incoming nominations concurrently with its planned policy and code review.

4. If there was a new district nomination submitted now, does the Landmarks Commission believe that it currently has appropriate guidelines and criteria that would enable it to make a recommendation, and is there adequate guidance for establishing appropriate design guidelines for new development and redevelopment?

The Commission believes that while the current code framework needs improvement, this does not render the existing process and code non-functional. Consequently, the Commission believes that it currently possesses adequate tools to review and make recommendations for historic district nominations.

Topic: Potential negative effects of a moratorium

1. Will a moratorium prevent historic tax incentives from being available for historic projects?

The establishment of a moratorium will not affect local tax incentives for existing local districts or Federal tax credits, as applicable for current and future National Register Historic Districts.

However, for future proposed local residential districts there may be a delayed effect from a moratorium that slows or discourages development of new local historic districts, for the reasons stated previously. This is particularly concerning for future neighborhood efforts in underserved areas of the city, as it could diminish the viability of the local historic district as an enhancement tool for future neighborhood planning.

In addition, while individual listing on the historic register is always an option for property owners, many older “character” buildings in Tacoma may not meet historic significance criteria individually. However, as a collective group of period buildings, they could still be considered an important contributor to a district. Put succinctly, in historic districts the sum is often greater than the parts.

2. Are there other negative effects on historic resources that would result from a temporary moratorium on historic district creation?

The Commission is concerned that a moratorium could be interpreted as a signal that the City does not support or places a low priority on local historic districts at a policy level, which could make the management of existing districts, particularly in terms of permit compliance, problematic.

Topic: Duration and scope of a moratorium

1. Is the current scope (all locally designated historic and conservation districts) appropriate, or should it be limited or defined (for example, a comment noted that there may be interest in expanding existing districts near University of Washington Tacoma)?

If a moratorium were to be adopted, the Commission recommends that expansion or alteration of boundaries of existing districts be excluded from the scope of the moratorium. However, the Commission does not support distinguishing different types of districts, such as “residential” versus “commercial” areas, as this suggests that one type is more important to the City than the other.

2. If a moratorium were recommended, does the Landmarks Commission have input on duration? For example, should the end of the moratorium coincide with the adoption of revised Municipal Code and Comprehensive Plan policies in 2024, or are there other considerations?

Although the Landmarks Commission does not support the proposed moratorium, if one is adopted, the Commission believes that it is critical to align it with the planned Comprehensive Plan amendment cycle, which to our understanding would conclude in late 2024. A six-month moratorium likely would not benefit the City in any way, and would likely create additional confusion and complexity if it terminates in the midst of policy amendment discussions.

In addition to the above comments, the Commission also believes that a moratorium will not improve equitable outcomes. While the planned amendments to the current policy and code framework will assist the Commissions in addressing issues of diversity, equity and inclusion in the nomination review process, such amendments *per se* will not resolve systemic and long-term issues, which will require ongoing effort beyond amending the code or comprehensive plan. Working towards improved outcomes is critical, but this is not a basis for adopting this moratorium.

Lastly, as a land use tool, the Commission believes that moratoria are generally more appropriate to address emergent issues with “by-right” development; that is, proposals that a City must approve by code even if known to be contrary to public welfare or policy. In this context, a moratorium can be appropriately used to pause permit review while the problematic regulations are addressed. For historic nominations, the review is discretionary, and both the Landmarks and Planning Commissions, and City Council, currently possess the authority to deny such applications without a moratorium.

We appreciate the opportunity to provide our input and recommendations in this process.

Sincerely,



Kevin Bartoy, Chair

February 27, 2024

EDUCATION.

ADVOCACY.

PRESERVATION.

www.HistoricTacoma.org

Board of Directors

Bill Baarsma

Jennifer Baersten

Kathleen Brooker

Steve Dunkelberger

Ross Griffith

Marshall McClintock

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PO Box 7664

Tacoma, WA 98417-0664

Members, Tacoma City Council

747 Market Street.

Tacoma, WA 98402

RE: Proposed Moratorium on Historic Districts

Dear Honorable City Council Members:

Historic Tacoma submits these comments in opposition to the proposed moratorium on historic districts and asks that the Council reject this proposal. We also ask that this letter and its attachments be part of the City's record on this matter.

Normally, local governments adopt moratoria with respect to land uses that are permitted *as of right* to prevent those uses from vesting under current law and to allow the local government to enact code changes that will apply to those land uses. The important term here is "*permitted as of right*." Historic districts are not permitted as of right; they are discretionary decisions by the Council. Also, unlike other types of land use decisions, there is no time frame required for a decision. Therefore, there is simply no need for a moratorium. To the extent that there is any support for the contention that a historic district application would "waste time," we note that the waste of time results from the Landmarks Preservation Commission (LPC) being second-guessed by the Planning Commission, which lacks LPC's expertise in historic preservation.

That raises the question of what the Council's real intent is with respect to historic districts. We note that no similar moratoria are being proposed for other types of land use approvals, such as View Sensitive Districts. Given that Home in Tacoma is likely to incentivize the replacement of older, owner-occupied homes with rental apartments, we have serious concerns about what this moratorium means for the future of historic preservation in Tacoma as well as for future opportunities for home ownership.

The proposed moratorium is inconsistent with the Growth Management Act.

Local governments planning under the Growth Management Act (GMA) are required to adopt development regulations that are consistent with GMA. A moratorium is a development regulation and must comply with the goals of the GMA set out in RCW 36.70A.020; see e.g., *State of Washington, Dept. of Corrections v. City of Lakewood*, GMHB No. 05-3-0043c (FDO, Jan. 31, 2006). In that case the Growth Management Hearings Board held that Lakewood's moratorium violated GMA goals in RCW 36.70A.020 and it was invalidated. Tacoma's proposed historic district moratorium is also inconsistent with several of the goals of the GMA.

One of GMA's goals is "*Historic preservation. Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance*" [RCW 36.70A.020(13)]. By preventing new or expanded historic districts from even briefly being considered, the moratorium is inconsistent with and undermines this goal.

Historic preservation also preserves older, more affordable housing. One of GMA's goals is "*accommodate housing affordable to all economic segments of the population of this state*" and to "*encourage preservation of existing housing stock,*" per RCW 36.70A.020(4). By limiting demolition, historic preservation can help to preserve existing and more affordable housing stock.¹ The proposed moratorium is inconsistent with these goals.

Several of Tacoma's older neighborhoods are populated by our city's underserved communities. One of the major advantages of historic district designation is that it allows homeowners to claim a special property tax benefit for restoration work on homes that are contributing structures. This is the only property tax benefit available to individual homeowners. By denying historic district designation to lower-income neighborhoods and neighborhoods of color, the City will be denying those residents access to the kind of property tax benefits available to existing historic districts and owners of individually designated buildings.

Historic Tacoma has been working with residents of the McKinley and South Tacoma neighborhoods to develop more historic preservation opportunities in communities that are largely minority and/or lower income. In fact, the City has funded work to inventory and identify historic buildings in these neighborhoods. This work will be delayed if not entirely discouraged by the City's proposed moratorium. It also denies people in these neighborhoods the opportunity to benefit from growth and stability in home value that creates greater generational wealth for populations that have been historically denied these opportunities.

Historic preservation retains older buildings that were built with old growth timber, which is extremely durable and sequesters carbon. Refusing to consider actions to preserve these buildings is inconsistent with GMA's goal of ensuring that development regulations "*adapt to and mitigate the effects of a changing climate*" [RCW 36.70A.020(14)]. For the same reason, the moratorium is also inconsistent with the City's declared "climate emergency." See attachment, "*Why Do Old Places Matter? Sustainability.*"- National Trust for Historic Preservation, Oct. 30, 2014, <https://savingplaces.org/stories/why-do-old-places-matter-sustainability>.

The moratorium is inconsistent with Tacoma's Comprehensive Plan.

In addition to being contrary to and undermining the goals of GMA, the proposed moratorium is also inconsistent with many sections of the City of Tacoma Comprehensive Plan. An extensive list of these sections is provided with this letter; see Exhibit 1. GMA requires that development regulations be consistent with and implement a local government's comprehensive plan, per RCW 36.70A.040 and *Cossalman v. Town of Eatonville*, CPSGMHB No. 05-3-0032 (Order on Motions June 20, 2005). This is another example of how the proposed moratorium is inconsistent with GMA.

Historic preservation preserves smaller and more affordable "starter" homes and older, less expensive apartments.

Builders are typically not building starter homes. Historic preservation is a good tool for preserving already existing, smaller starter homes, which are typically older homes, and which are an important part of addressing our housing shortage. A moratorium on historic districts eliminates a significant tool available to neighborhoods to preserve these small homes and will leave them vulnerable to demolition. By making demolition of existing homes much less likely, historic preservation tends to mitigate the significant adverse effects of rapid growth such as gentrification and displacement.

Unlike our older neighborhoods, many neighborhoods in Tacoma and elsewhere in Pierce County are protected from demolition and more intense redevelopment because of single family covenants and

¹ Aaron Pasell, *Preserving Neighborhoods: How urban policy and community strategy shape Baltimore and Brooklyn*, Columbia University Press, 2021.

protections like Tacoma's View Sensitive Districts. Demolition and redevelopment will consequently be concentrated in older neighborhoods with smaller homes that can be demolished in entire blocks for redevelopment. This has the effect of removing smaller, more affordable homes, displacing those who rent those homes and eliminating home-buying opportunities for first-time homebuyers and lower income people.

Likewise, we need to preserve smaller, older apartment buildings that are more likely to be locally owned and more affordable than new construction. While the City could consider other types of protections or overlay zones for preserving existing housing, historic preservation is currently the only tool available.

Historic preservation has created economic benefits for Tacoma.

The City of Tacoma has benefited greatly from historic preservation efforts, including from development in historic districts. The former Elks Temple that is now McMenamins is part of a historic district; it was not individually listed as a historic structure. That designation as a contributing structure to a historic district allowed the condemnation and eventual repurposing of a historic structure into a thriving business. The University of Washington Tacoma campus is another example of the preservation and re-purposing of historic buildings that has resulted in revitalization of a significant area in the city as well as the economic growth that comes from having a major university located in the city. Furthermore, the City has recently seen downtown office buildings being converted to needed housing with the help of the special tax benefits for restoring historic structures. The proposed moratorium stands to discourage similar downtown redevelopment.

Tacoma's inadequate tree canopy will benefit from creating new historic districts.

Tacoma is suffering from a serious lack of tree canopy that will only be degraded further if home preservation and ownership are further discouraged. Landlords generally don't like trees as they must maintain them, which costs money. Homeowners are far more likely to plant new trees and maintain existing ones. Historic preservation of older neighborhoods will expand the opportunity of homeownership in our city and help prevent the removal of existing trees.

The Planning Commission's recommendation ignores the overwhelming public opposition to this proposed moratorium and dismisses the expertise of the Landmarks Preservation Commission.

The Planning Commission's letter to the Council, which does not appear to have been approved in an open meeting, minimizes the fact that nearly ninety percent of the public comments received on this issue were in opposition to the proposed moratorium. The Planning Commission also fails to clearly state that the lengthy and detailed letter provided by the Landmarks Preservation Commission (LPC) was **in complete and unanimous opposition to the moratorium**; see Exhibit 2. LPC's members have much greater expertise in historic preservation and are much more familiar with ongoing efforts at preservation and best practices both regionally and nationally.

Further, the Planning Commission's comment that the LPC "may need time to evaluate the current program components for how they may or may not have unintentionally contributed to [systemic racism]" is in complete contradiction to the response of the LPC to the first nomination of the proposed College Park Historic District. In fact, after a lengthy and transparent public process, the LPC recognized and directly called out issues of equity within historic preservation and formally recommended revisions and updates to the program to address equity issues. The LPC is in favor of changes that will increase equity in our city and recognized that a moratorium will do more to damage historic preservation than improve equitable outcomes.

The Council should rely more heavily on the expertise and analysis of the Landmarks Preservation Commission rather than the unsupported contentions of the Planning Commission.

For the foregoing reasons, Historic Tacoma requests that the City Council reject the proposed moratorium on historic districts.

Sincerely,



Jennifer Baersten, President
Historic Tacoma Board of Directors

Exhibits:

1. Comprehensive Plan References Relevant to Historic Preservation and Proposed Moratorium
2. Letter from Landmarks Preservation Commission to Planning Commission re Moratorium

Attachments:

1. *"Why Do Old Places Matter? Sustainability."* National Trust for Historic Preservation, Oct. 30, 2014; <https://savingplaces.org/stories/why-do-old-places-matter-sustainability>
2. *"Older housing is affordable housing,"* The Planning Report: Insider's Guide to Planning & Infrastructure, March 17, 2020
3. *"Preservation Positive Los Angeles"* Study Executive Summary, Place Economics, published by Los Angeles Conservancy, 2020

cc: City Councilmembers
Elizabeth Pauli, City Manager
Chris Bacha, City Attorney

From: Jodi Cook <jodi.cook0983@gmail.com>
Sent: Monday, February 10, 2025 6:39 PM
To: City Clerk's Office; McKnight, Reuben
Subject: Extension of Historic District Moratorium
Attachments: Historic Tacoma - Draft Letter Opposing 6-month Moratorium - 02032025.pdf

Reuben,
Apologies for being tardy in submitting these comments, I hope they can still be included under comments to City Council.

To Members of the City Council,

I fully support the letter sent by Historic Tacoma to not extend the Moratorium on Historic Preservation in Tacoma.

The loss of funding to the Humane Society, no celebratory fireworks on the birth of our nation are examples of the formidable budget issues our City faces. Why is the Council spending valuable time and effort on extending this moratorium when it did not deliver anything in the first 6 months?

There are bigger issues at hand for the council to focus upon. Climate change and residents health; homelessness; finding new businesses that can provide living wage jobs and tax revenues to name a few.

Having traveled to appreciate other countries cultures, the tour buses are not traveling through "new" residential neighborhoods, they move to the unique architectural treasures from the past. Tacoma's historic residential buildings represent the evolution of our built history.

Please treasure and preserve our shared and ever changing built heritage.

Thank you for consideration of my perspective.
Jodi Cook



DRAFT

February 3, 2025

EDUCATION.
ADVOCACY.
PRESERVATION.

www.HistoricTacoma.org

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Bill Baarsma
Jennifer Baersten
Kathleen Brooker
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Staff

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Outreach & Communications
Director



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info@historictacoma.org

Mailing Address

PO Box 7664
Tacoma, WA 98417-0664

Members, Tacoma City Council
747 Market Street.
Tacoma, WA 98402

RE: Proposed Historic District Moratorium Extension

Dear Honorable City Council Members:

Historic Tacoma submits these comments in opposition to the proposed extension of a moratorium on historic districts and asks that the Council reject this proposal. We also ask that this letter and its attachments be part of the City's record on this matter.

The Washington Growth Management Hearings (GMH) Board issued a decision on December 12, 2024 invalidating the City's moratorium on new historic districts that the Tacoma City Council passed last April. The moratorium's validity had been challenged by petitioners Historic Tacoma, the Washington Trust for Historic Preservation, and the North End Neighborhood Council. Although the GMH Board upheld the Council's authority to enact the moratorium, it found that the City had not prepared the "work plan" which the Growth Management Act requires for a moratorium longer than six months. The GMH Board found continued application of the moratorium would "substantially interfere" with the historic preservation and citizen participation goals of the Growth Management Act, thus it held that the moratorium is invalid.

The GMH Board went to say,

"Nowhere in the work plan was there any mention of studies related to the policy issues that prompted the moratorium, namely, the need to balance the GMA and Comprehensive Plan's competing goals and policies related to historic preservation, housing availability and affordability, protecting the environment, and advancing racial equity. Nor did the work plan include any deadlines by which the Planning Commission (or any other City department or agency) expected to resolve these competing policy issues, or adopt any amended regulations for nominating new Historic Districts, or take any other form of concrete action."

The GMH Board noted that the petitioners, the Landmarks Preservation Commission, and many other commenters pointed out that the one-year moratorium could have a "chilling effect" on future historic district nominations. The Landmarks Preservation Commission has also conveyed directly to City Council that such a moratorium was ill-advised and unsupported. The GMH Board essentially agreed, stating it was *"convinced that a moratorium whose duration is untethered to its purposes will exacerbate the chilling effect to an unacceptable degree."* It went on to say, *"This unjustified chilling effect not only interferes with historic preservation by preventing new Historic Districts; it also interferes with the intense levels of citizen participation that the municipal code mandates for every new Historic District nomination."*

As a result, the GMH Board has directed the City to take action to comply with the GMA requirements by March 12, 2025 and to report back to the Board on its

compliance by March 26. As the City Council discusses a work plan and a possible extension of the moratorium at the upcoming public hearing, we ask you to reject the moratorium and focus on making substantive changes to City ordinance that will achieve City goals. Historic Tacoma is fully in favor of changes that will increase equity in our city but ask that you recognize that a moratorium will do more to damage historic preservation and civic participation than improve equitable outcomes. Indeed, areas that we and others have encouraged as potential future historic districts are areas of the city identified as deserving of equity, particularly South Tacoma and the Eastside.

Historic Tacoma respectfully requests that the City Council reject the proposed moratorium on historic districts.

Sincerely,

Jennifer Baersten, President
Historic Tacoma Board of Directors

Attachments:

1. GMHB Final Decision & Order, December 12, 2024; Historic Tacoma, Washington Trust for Historic Preservation, Northend Neighborhood Council v. City of Tacoma
2. Letter from Landmarks Commission to Planning Commission re Moratorium, October 23, 2023
3. Letter from Historic Tacoma to City Council re Moratorium, February 27, 2024

cc: City Councilmembers
Elizabeth Pauli, City Manager
Chris Bacha, City Attorney

From: Peter Bennett <peterbennett237@gmail.com>
Sent: Monday, February 10, 2025 4:52 PM
To: City Clerk's Office
Cc: North End Executive Brd
Subject: Oppose Historic District/Conservation District Moratorium

The North End Neighborhood Council opposed the previous moratorium on the establishment of new Historic Districts and there is nothing that has transpired since that time that would encourage us to change our position.

There is no benefit to our organization submitting technical or procedural arguments that will be much better articulated by those invested in these issues and qualified experts such as Historic Tacoma.

However, we would like to ask why the Council is promoting an issue that was divisive in the past, continues to be divisive now and into the future, and has led to the needless exertion of time and money in analysis, discussion and, most unfortunately, litigation.

Can we please spend time on working on issues and proposals that will unite our communities and accept that some issues are best left alone.

Sincerely

Peter Bennett
NENC Chair

Peter Bennett
peter@peterbennett.org
253-223-1526

From: Georgette Reuter <gee.reuter@gmail.com>
Sent: Monday, February 10, 2025 4:26 PM
To: City Clerk's Office
Subject: Opposition to the City Council's Historic District Moratorium

We are sending this email to express our opposition to the City Council's proposed Historic District 6 month Moratorium.

We fully support Historic Tacoma's draft letter that expresses their opposition to the Historic District 6 month Moratorium.

Georgette and Jim Reuter
Longtime Tacoma Residents

From: J Corso <jcorso695@gmail.com>
Sent: Monday, February 10, 2025 3:08 PM
To: Rumbaugh, Sarah; Diaz, Olgly; Walker, Kristina; Daniels, Kiara; City Clerk's Office
Cc: McKnight, Reuben; Torrez, Alyssa
Subject: Oppose Historic District/Conservation District Moratorium

Dear CMs Rumbaugh, Walker, Daniels and Diaz,

Historically, the Growth Management Hearing Board has demonstrated a bias in ruling in favor of decisions made by local governments. In Case No. 24-3-0003, the GMHB ruled that the City of Tacoma was acting within its rights to enact a moratorium on a discretionary land use issue (i.e., enacting a moratorium on the nomination of residential historic districts and conservation districts.)

However, the GMHB also made it clear that historic preservation is a fundamental element of the Growth Management Act and criticized the City for the "chilling effect" of the moratorium. That is, the GMHB suspects that the City is intending to communicate that it does not want anyone to nominate structures to the Tacoma Register of Historic Places as a district.

The Historic Preservation Element is one of several elements of the One Tacoma Comprehensive Plan that the City is required to support, working to promote historic preservation along with the other elements. Reading the first draft of Historic Preservation Element, Book 10 of One Tacoma, I applaud the promotion of the adaptive re-use of old structures for low-income housing. Clearly, this is a good example of work that unites goals from various elements of One Tacoma to make the city a better place to live for a wide range of residents. Clearly, you don't need a moratorium to do this kind of work.

So, why does the city council think there's a need to enact a 6-month moratorium on the nomination and designation of new Historic Special Review and Conservation Districts? Again, reading the first draft of Book 10 of One Tacoma, it appears that the City is working to create unequal opportunity for Tacomans to petition their government by discouraging the owners of single-family houses from 1) nominating their structure to the Tacoma Register as a standalone landmark and/or 2) organizing with neighbors to nominate their structures to the Tacoma Register as a district.

Given that the GMA promotes historic preservation and given the GMHB's argument in Case No. 24-3-0003 against the "chilling effect" of the invalidated 1-year moratorium, it's unclear to me how the City can argue that the 6-month moratorium - in the context of draft Book 10 - isn't a direct challenge to the GMA and the GMHB's Final Decision and Order.

Please oppose the 6-month moratorium on the nomination and designation of new historic special review and conservation districts.

John Geoffrey Corso
701 N J St, Tacoma

From: Michelle Mears <michellejmears@gmail.com>
Sent: Saturday, February 1, 2025 9:58 PM
To: City Clerk's Office; VWooddards@cityoftacoma.org; Daniels, Kiara; Hines, John; Walker, Kristina; Bushnell, Joe; Sadalge, Sandesh; Rumbaugh, Sarah; Diaz, Olgy; Scott, Jamika
Subject: Subject: Outraged Opposition to Proposed Budget Cuts to Tacoma Humane Society

Dear City of Tacoma, Tacoma Mayor Woodards and all City Council members,

I am writing to express my outrage at the proposed \$600,000 cut from the Tacoma Humane Society's operating budget. This reckless and heartless decision would severely cripple the vital services and programs that the Humane Society provides to our community and its animal residents.

The Tacoma Humane Society is a beacon of animal welfare in our region, offering essential services such as spay/neuter programs, wellness clinics, pet food pantries, and behavior advice. These programs improve the lives of countless animals and support pet owners in our community, ensuring that pets can stay with their families and receive the care they need. Slashing \$600,000 from the budget would mean decimating resources for these critical services, leading to unnecessary suffering for animals and greater hardships for pet owners. It would also result in job losses for dedicated staff members who work tirelessly to care for and rehome animals in need.

I demand that you reconsider this inhumane budget cut and instead slash the exorbitant expenses on travel to foreign countries and attendance at the National League of Cities. If such travel is absolutely necessary, then limit the number of council members attending to one or two people. This would result in significant cost savings without devastating the essential services provided by the Tacoma Humane Society.

It is utterly unacceptable to prioritize unnecessary travel over the welfare of innocent animals and the support provided to our community. Your attention to this matter is crucial.

Dishearted and Disappointed,
Michelle Mears
Central Tacoma

JAN 9 2025

To: Mayor Woodard, City Manager Pauli,
City Attorney Broche & All Members of
Essex City Council

Ref: Reality Check On US & World
Limited Resources

The #1 threat to "world peace" is overpopulation -
- DALI LAMA! (A CRITICAL THINKER!)

The #1 threat to "world peace" is overpopulation -
- DALI LAMA!

The #1 threat to "world peace" is overpopulation -
- DALI LAMA!

Top scientists in the world have stated
that the "carrying capacity" of the Earth is
3.5 billion people - the Earth passed that
over 2 times over but now with 8 billion
people. By 2050, the projected population
is expected to top 12 billion people! That
is 3 times the Earth's sustainability!

Overpopulation, is the driving force of
"CLIMATE CHANGE", "COUNT LESS WARS", LOSS OF
BILLIONS OF SPECIES OF FLORA & FAUNA, DESTRUCTION
OF THE ENVIRONMENT, and the most prominent
is the hundreds of millions of refugees
to include I.D.P.'s (internally displaced persons).
This is only the "tip of the iceberg" and has
impacted the US to include Essex and is
a concern by 2/3 of Americans!

Sincerely, Michele Reich

RECEIVED

FEB 10 2025

CITY CLERK'S OFFICE

04.2023

NATIONAL GEOGRAPHIC



8 BILLION

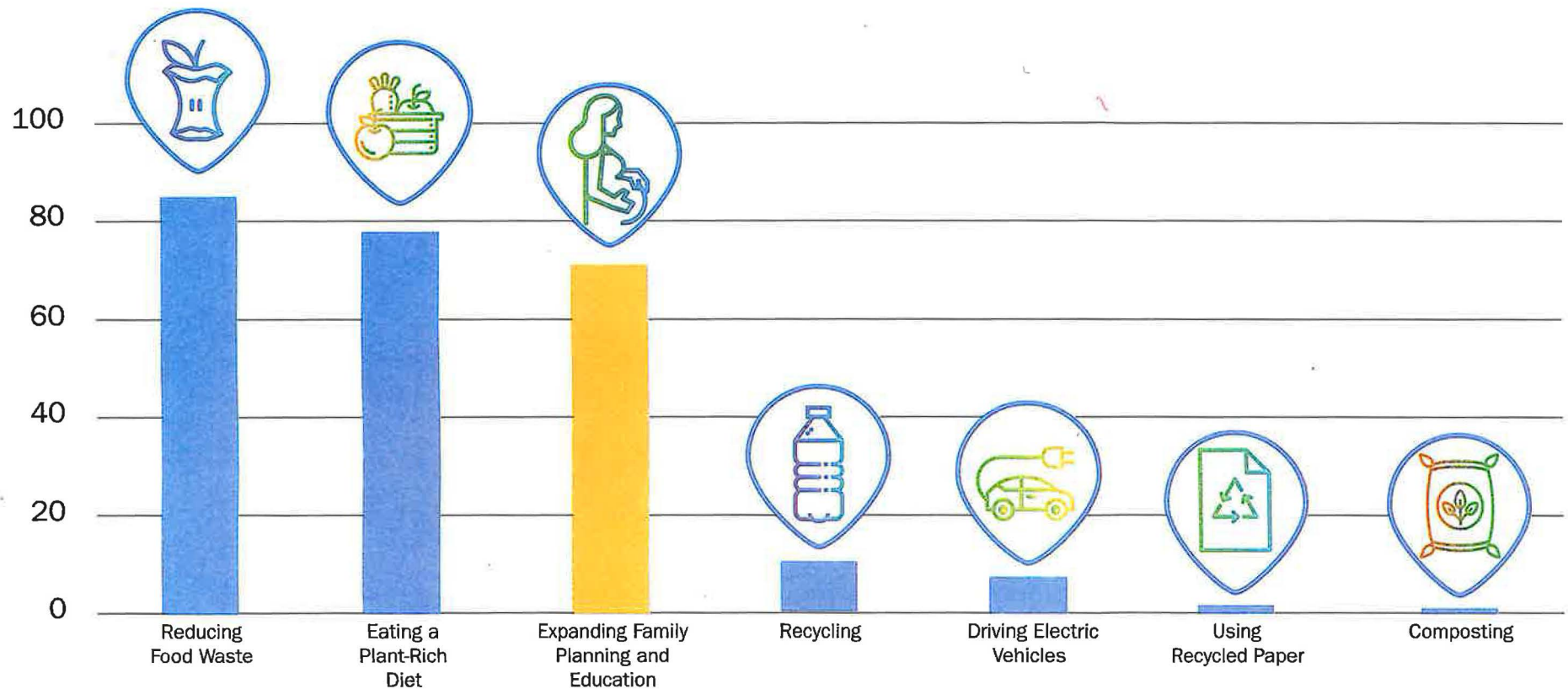
THE POPULATION PARADOX

With some countries expanding and others declining,
are we nearing peak population?



The Best Kept Climate Change Secret

How many gigatons of CO₂ could each of these save through 2050?



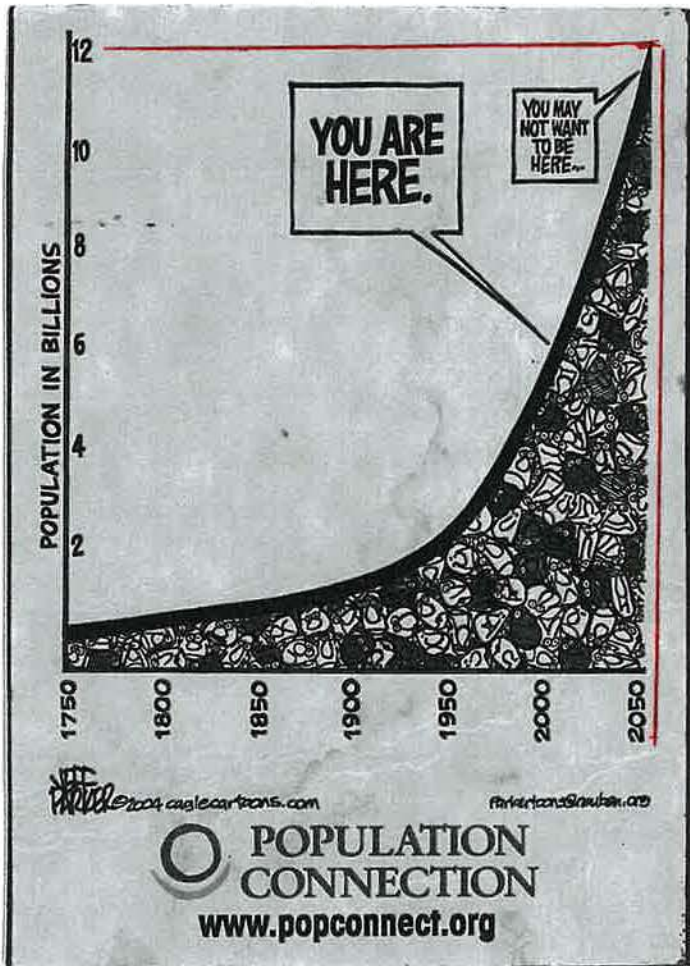
To read more about the solutions and their various capacities to reduce emissions, visit <https://drawdown.org/solutions/table-of-solutions>

Data is courtesy of Project Drawdown

ICONS MADE BY FREEPIK FROM FLATICON.COM



Join Population Connection today to become part of our movement to stop population growth and climate change!



From: Brittany <ntsbmw@gmail.com>
Sent: Monday, February 10, 2025 11:36 PM
To: City Clerk's Office
Subject: Written Comment

Hello, I have some concerns regarding our roadways I'd like to address in writing to our Tacoma City Council.

In Northeast Tacoma, there are a lot concerns regarding the quality of our roads in the area. Many roads in NE Tacoma/Browns Point seems neglected and it has not been repaved in many years. Specifically along Browns Point BLVD from Norpoint Way to McMurray Road, is in disrepair. The road is very bumpy to the point where it is jarring to drive, it frequently has dangerous pot holes and has basically failed at this point. Northshore Pkwy from the City limits, near Hoyt/49th to Nassau at the Norpoint Centre, is another road that is in terrible shape with dangerous pot holes and uneven pavement.

An assessment of the roads and repaving would greatly benefit our community. Here in NE Tacoma, we often feel forgotten by the City of Tacoma and have community needs that are not being met.

Thank you,

Brittany Owen