



RESOLUTION NO. 38375

1 A RESOLUTION relating to the update of the Shoreline Master Program;
2 authorizing the adoption of the Thea Foss Waterway Design Guidelines,
3 which carry forward, update, and replace the design elements of the
4 Thea Foss Waterway Design and Development Plan.

5 WHEREAS, pursuant to the Growth Management Act, the Planning
6 Commission ("Commission") has recommended changes to the Comprehensive
7 Plan ("Plan") and the Land Use Regulatory Code ("Code") to complete the update
8 of the Shoreline Master Program, and

9 WHEREAS the Shoreline Management Act of 1971 ("SMA") requires local
10 Shoreline Master Programs be updated to: (1) give priority to uses that require a
11 shoreline location; (2) promote public access and enjoyment opportunities; and
12 (3) protect the environmental resources of state shorelines, and

13 WHEREAS the 2003 Department of Ecology ("DOE") guidelines, codified in
14 Chapter 173-26 of the Washington Administrative Code ("WAC"), include
15 substantive, procedural, and process requirements to be followed by local
16 jurisdictions in their comprehensive update to a shoreline master program, and
17 require the update to be based on scientific and technical information to assure no
18 net loss of shoreline ecological functions, and

19 WHEREAS the SMA was amended to establish a timeline for local
20 jurisdictions to adopt updated Shoreline Master Programs consistent with DOE
21 guidelines, and the adoption deadline for the City is December 1, 2011, and
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23 WHEREAS the City's update includes the development of the Thea Foss
24 Waterway Design Guidelines, one of five supporting studies or implementation
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1 documents to be adopted under separate legislative actions of the City Council, as
2 required by DOE guidelines, as part of the adoption of the update to the Shoreline
3 Master Program as a whole, and

4 WHEREAS the *Thea Foss Waterway Design and Development Plan*,
5 originally adopted in 1992 and last amended in 2005, was reviewed to identify
6 recommended projects that had been successfully implemented, policy
7 elements, regulatory elements, and design elements, and

8 WHEREAS these elements were incorporated into the TSMP, and

9 WHEREAS the design guidelines were moved into a new stand-alone
10 document, entitled *Thea Foss Waterway Design Guidelines*, and

11 WHEREAS the *Thea Foss Waterway Design Guidelines* will be adopted as
12 an implementing tool to be used in reviewing future Foss development projects,
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15 WHEREAS the Commission held a public hearing on June 1, 2011 on a
16 draft Shoreline Master Program and on associated draft supporting documents,
17 including a draft *Thea Foss Waterway Design Guidelines*, and

18 WHEREAS 41 citizens spoke at the public hearing and 52 written
19 comments were submitted by the close of the comment period on June 10,
20 2011, and after review of said testimony and comments, the Commission made
21 modifications to the draft *Thea Foss Waterway Design Guidelines*, and

22 WHEREAS the *Thea Foss Waterway Design Guidelines* were developed
23 under the direction of the Commission, and establish design guidelines and
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1 procedures applicable to the S-8 Thea Foss Waterway Shoreline District to help
2 implement the TSMP's vision for the Foss Waterway, and

3 WHEREAS the *Thea Foss Waterway Design and Development Plan*
4 shall be rescinded as an element of the Shoreline Master Program; however, it
5 shall be retained as an element of the Comprehensive Plan and shall remain in
6 effect except when there is a conflict with the TSMP or Thea Foss Waterway
7 Design Guidelines, in which case the TSMP or Thea Foss Waterway Design
8 Guidelines shall prevail, and

9 WHEREAS the Commission has recommended changes to the Plan and
10 Code on August 17, 2011, and has conveyed the same to the City Council, in
11 the form of the proposed TSMP, which will rescind and replace in its entirety
12 the City's existing Master Program for Shoreline Development, and

14 WHEREAS, the proposed amendments have been designed to maximize
15 the public's opportunity to enjoy the physical and aesthetic qualities of the
16 shoreline to the greatest extent feasible, and

17 WHEREAS, on September 27, 2011, the City Council held a public hearing
18 to receive public comments on the Commission's proposed TSMP; Now,

19 Therefore,

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21 BE IT RESOLVED BY THE CITY OF TACOMA:

22 Section 1. That the proper officers of the City are hereby authorized to
23 adopt, in association with the adoption of the Tacoma Shoreline Master Program,
24 the Thea Foss Waterway Design Guidelines, said document to be substantially in
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1 the form of the proposed implementation document on file in the office of the City
2 Clerk.

3 Section 2. That the proper officers of the City are hereby authorized to
4 submit the Thea Foss Waterway Design Guidelines to the State of Washington
5 Department of Ecology by December 1, 2011.

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7 Passed NOV 29 2011

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9 Mayor

10 Attest:

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12 City Clerk

13 Approved as to form:

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15 Deputy City Attorney

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