

Phase II
Tacoma Waterfront Analysis

Ruston Way-Schuster Parkway-City Waterway

Tacoma Planning Department

June 1988

ABSTRACT

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Abstract:

Tacoma Waterfront Analysis, Phase II is the second of two study documents that examines Tacoma's three urbanized shoreline districts: Ruston Way, Schuster Parkway and City Waterway. The Phase II report contains the conclusions and recommendations of the consultants on how the City of Tacoma can encourage appropriate shoreline development and address specific issues of concern. These conclusions and recommendations are based on background information obtained during Phase I of the study including technical research, analysis and consultant interviews.

The following issues and consultant's recommendations are identified in the Phase II document:

- Recommendation that a shoreline permit information packet be developed.
- Recommendation that a public access and view protection plan be undertaken.
- Recommendation that changes in definition of water-relatedness and water-enjoyment be developed.
- Recommendation that acquisition of additional select properties occur along Ruston Way.
- Recommendation that over-the-water construction of commercial non water-dependent uses be allowed along Ruston Way.

- Recommendation that residential uses not be allowed on Ruston Way at this time.
- Recommendation that Schuster Parkway be reserved for deep-water maritime uses.
- Recommendation that appearance improvements, resolution of existing environmental problems, improved public access and over-the-water construction of non water-dependent uses be accomplished along City Waterway.

PHASE II

TACOMA WATERFRONT ANALYSIS

RUSTON WAY - SCHUSTER PARKWAY - CITY WATERWAY

ISSUE ANALYSIS AND RECOMMENDATIONS

JUNE 1988

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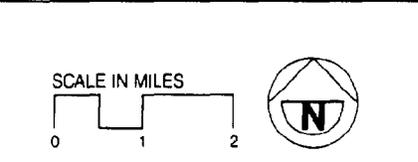
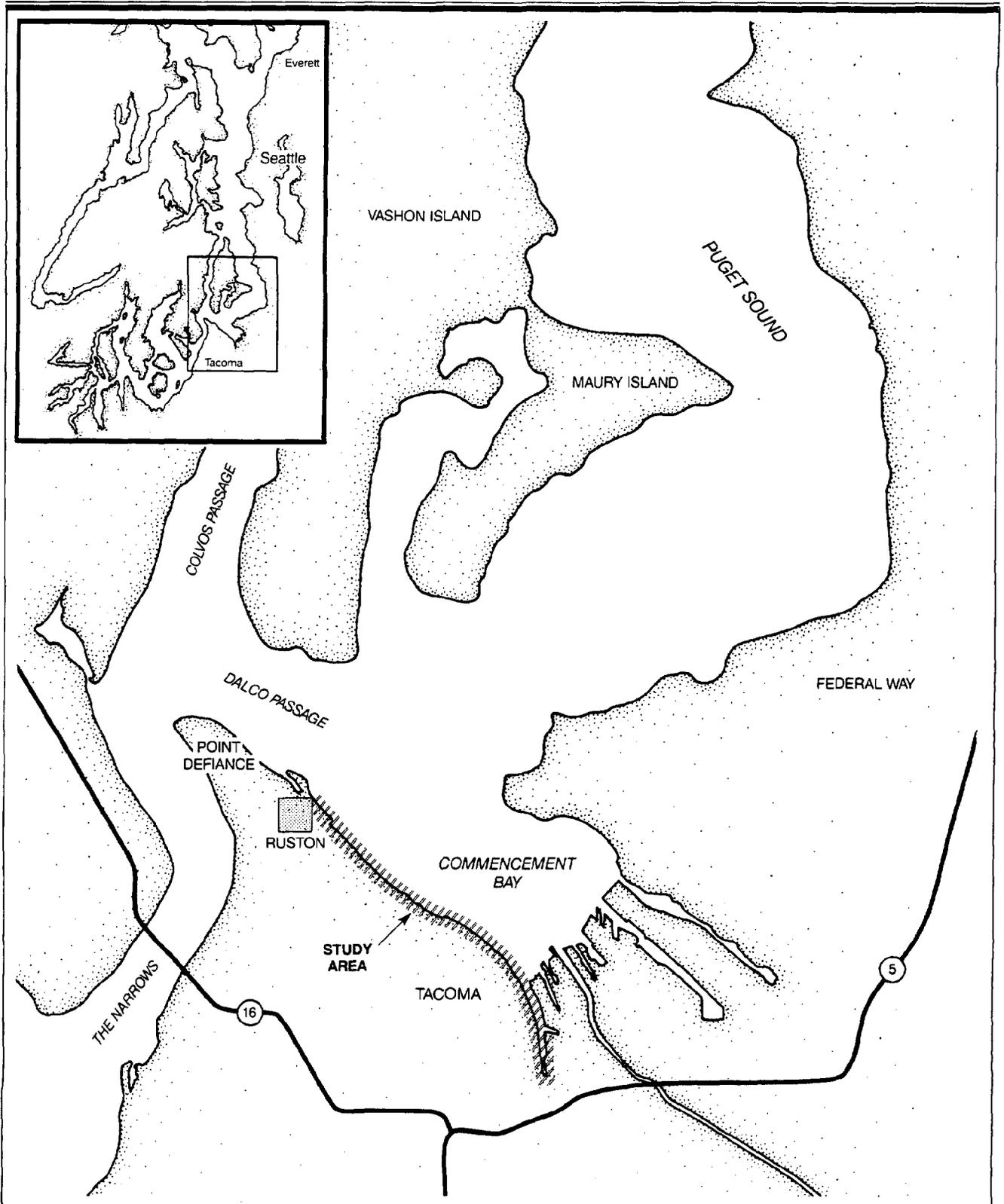


Figure 1.
Vicinity Map

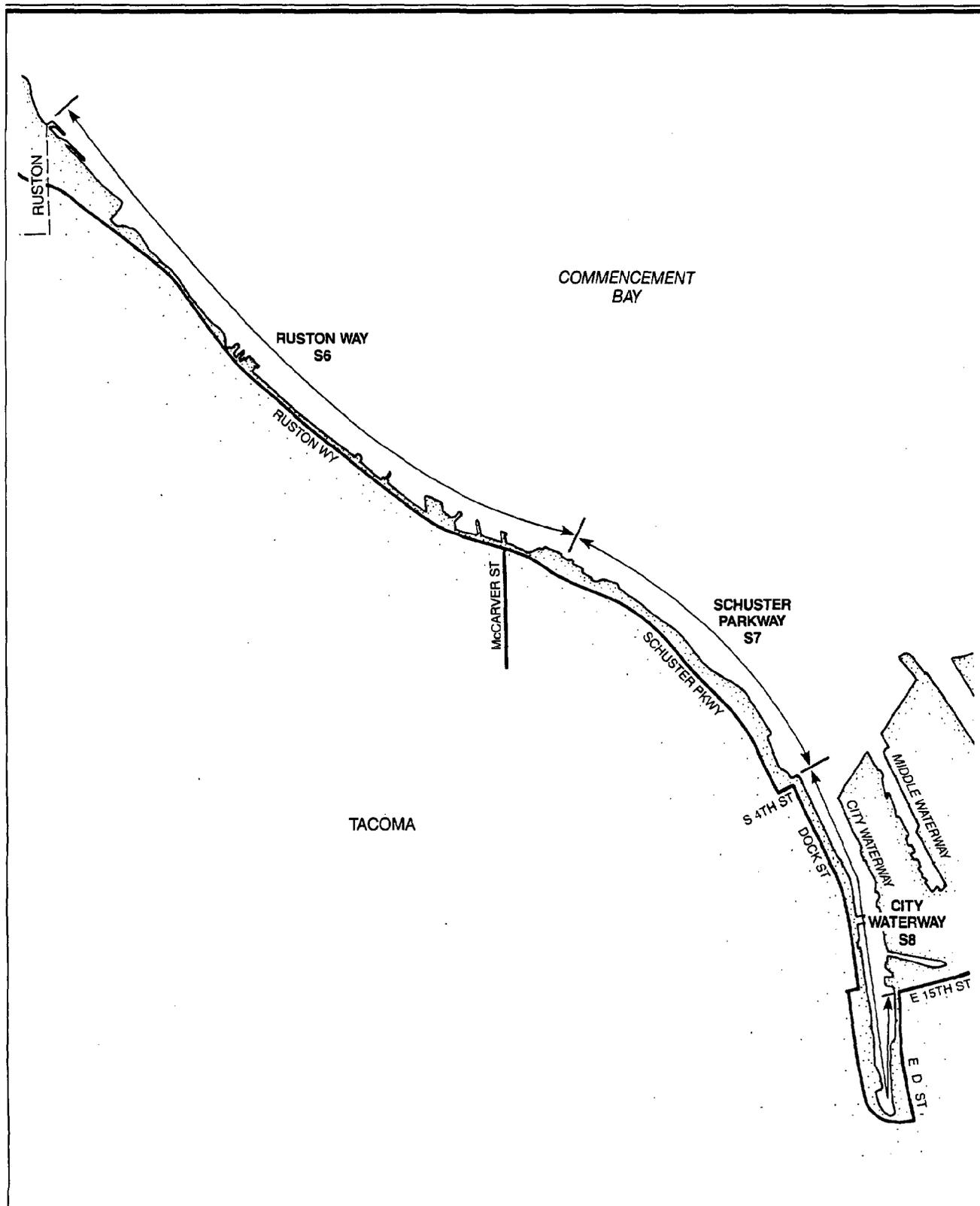


Figure 2.
Shoreline Segment Map

Section I:
Introduction

SECTION I

INTRODUCTION

Phase II of the Tacoma Waterfront Analysis recommends answers to the questions raised at the end of Phase I. It also addresses issues raised by citizens and elected officials concerned with the future of Ruston Way, Schuster Parkway and City Waterway.

Phase I concluded that the following questions needed to be resolved through the public decision making process.

1. Has a proper balance been struck on Ruston Way, between publicly and privately held land?
 - o Should the city acquire more property?
 - o Should a wider range of commercial uses be encouraged to locate on Ruston Way, and if so, what must be changed in the Tacoma Master Program for Shoreline Development (Master Program) to encourage and allow for such uses?
 - o Should residential uses be permitted on Ruston Way, and if so what must be changed in the Master Program to allow for such uses?
2. Is Schuster Parkway an appropriate location for industrial, deep water uses?
 - o Should deep-draft moorage be allowed on Schuster Parkway and if so, under what conditions?
 - o Should industrial uses be allowed on Schuster Parkway, and if so under what conditions?
3. What must be done to spur the redevelopment of City Waterway?

- o How can the overall appearance of City Waterway be improved?
- o What kind of organization and commitments are necessary to address the pollution issues on properties along City Waterway?
- o What can be done to improve the connections between City Waterway and the downtown central business district.

To identify and clarify issues of concern, the project team conducted a series of interviews with interested individuals. The list of people interviewed, the questionnaire, and a detailed breakdown of responses are included in Section III of this report. The results of the interviews can be summarized as follows:

GENERAL COMMENTS AND OBSERVATIONS

1. Decisions which affect the waterfront should be made carefully. Such decisions have long-term implications for a community. The shoreline is a limited resource and as such should be allocated carefully among user groups. There should be a need for the location and a demonstrated benefit to the community.
2. The problem of pollution and contamination of Commencement Bay needs to be addressed. In some cases this problem has been a deterrent to development. It has also deteriorated marine habitats with consequent losses to fishery resources.
3. It does not appear that the market conditions are right for additional development of the Tacoma shoreline. The City should find ways of encouraging private investment. Tax breaks, Urban Development Action Grants or similar development incentives need to be implemented.

4. The City should not forget that water-dependent uses can be very profitable. The fact that the market conditions are unfavorable now does not mean they will be unfavorable in the future. Planning of the shoreline should preserve the waterfront for water-dependent uses.
5. In general, people agree that priority should be given to water-dependent/water-related uses. However, they differ to the degree that such uses should be given preferential consideration. At the one end of the spectrum it is believed that the waterfront should be preserved entirely for water-dependent uses. At the other end it is thought that there is an abundance of suitable waterfront for such uses in Tacoma. Therefore, nonwater-dependent uses should be allowed in suitable locations. Others take the middle road. They want to see priority given to water-dependent uses, with some flexibility for nonwater-dependent uses.
6. There appears to be a general dissatisfaction with the way the shoreline regulations are written and implemented. Specific concerns are that the regulations are too numerous and too complex. Also, that the process takes too long and that there is inconsistency and difficulty with interpretation.

Those raising these objections point out that clear standards for public access and view protection are needed. A performance standard approach is considered most appropriate.

7. Except for residential development, there do not appear to be objections to over-the-water construction. Environmental concerns, however, need to be addressed through careful design and during actual construction. Along these lines it was pointed out that continuous over-the-water construction shades the bottom and inhibits the growth of intertidal organisms. This in turn reduces the food available for migrating juvenile salmon. The best idea is

to allow a mix of over-the-water construction and natural shoreline.

8. Where there are strong objections to allowing residential development in some waterfront locations there is also strong support. Those that support the concept generally consider it acceptable when traffic conflicts are not a problem and views are protected. In such cases, residential over-the-water construction is considered by some people to be acceptable.
9. People have widely different opinions about the issue of view preservation. One position is that the shoreline management regulations must protect and preserve views. Height limitations and view corridors are generally seen as the way to achieve this. Another position holds that the shoreline management regulations are not in place to protect an individual's view. If the location is otherwise appropriate for a development it should not be prevented from getting a permit.
10. Public access is considered an important element that must be incorporated into the planning of the shoreline. However, there are those that think enough public access has been provided and those that think the contrary is true. Supporters of the concept of more public access generally want to see more public land acquisition. Those that argue against such action point out that public acquisition is expensive and that once land is in the public domain it does not generate tax revenue.

SPECIFIC ISSUES OF CONCERN

Ruston Way

1. One of the major issues concerning Ruston Way is whether or not to allow more commercial development. Many people would like to see Ruston Way stay as it is. They like the public amenities that have been provided and in some cases encourage more public land acquisition. There are others, however, who think that the privately

owned properties should be encouraged to develop. These people see a more urbanized waterfront with a mix of residential and commercial uses.

Those that support the prospect of low intensity development along Ruston Way, consider small-scale commercial uses as appropriate. Small cafes and eateries, bike shops, and retail boardwalks fall into this category. They point out that the area is already experiencing traffic congestion and there is concern for the safety of people using the area for recreation. They believe that large-scale developments would only compound this problem. Such uses attract a number of people and would be required to provide a great deal of parking.

Those that support more intense development, would like to see a mix of people-oriented uses, including multi-family residential, hotels and convention centers, restaurants, recreational opportunities and marinas. They maintain the area should be a place where people can live, work, eat and play. This will create the necessary critical-mass to make it a healthy economic community.

2. Tied into the issue of whether or not to allow more development along Ruston Way is the issue of public lands acquisition. As mentioned above, those that support keeping Ruston Way as it is, generally advocate the acquisition of additional public lands. They indicate that public walkways are not necessarily public access, particularly when the public walkways are separated from the water by retail establishments. Shoreline properties with dry-land areas are considered preferable. Sites that were mentioned as meeting this criteria, include the Dickman Mill site and the National Guard property.

Those that would like to see more development along Ruston Way believe that the City has accomplished its goal of encouraging public access to the Ruston Way shoreline. They believe that the

development of the privately owned properties will enhance the area and provide additional tax revenues. To encourage these uses, they suggest removing the public access requirements, which have burdened developers in the past. They would also like the shoreline regulations changed to allow for residential development as well as over-the-water construction for non-water dependent uses.

3. Parking is a problem along Ruston Way. The railroad and automobile arterials reduce the amount of land available and confine potential development to the thin strip of land along the shoreline. Since shoreline regulations discourage parking over-the-water, proposals for commercial development are forced to use the dry land area for this purpose.

The shoreline regulations are also very specific about over-the-water construction for other purposes. If a use is nonwater-dependent or water-related, then it is not considered a permissible, over-the-water use. (Note: The Tacoma Master Program definition for water-related includes uses which benefit from a shoreline location as well as uses which increase public enjoyment of the shoreline.) The resulting situation is that many commercial developments, particularly those that are nonwater-dependent and those that require a great deal of parking, cannot locate on Ruston Way.

Landfill is not a solution to this problem since the same rules apply to landfill as to over-the-water construction. Some people would like to see the rules changed. This is not just a matter of changing the local shoreline master program. Federal regulation prohibits landfill for uses which do not require a waterfront location (unless there is no practicable alternative).

Less monumental ways of solving the parking problem have been suggested. These suggestions include improving transit to the area

and changing the parking regulations for Ruston Way so that more cars can be fit into an area. It was also pointed out that there are a few places on the landward side of the railroad tracks where parking could be developed. Perhaps a combination of all of these would provide some relief to the parking congestion along Ruston Way.

Schuster Parkway

1. There is no agreement on whether or not industrial uses should continue to be permitted along Schuster Parkway. One position holds that industrial uses are appropriate as long as the uses are non-polluting and performance standards are met. Others point out that the area is entirely unsuited to industrial development. The lack of uplands is seen as a serious limitation. In addition the Port of Tacoma has sufficient land to absorb any demand and there is no problem with the compatibility of adjacent uses.

The strongest argument for keeping the industrial designation of Schuster Parkway is the existence of deep-water immediately adjacent to the shore. In the past, this advantage supported a series of water-dependent uses, including lumber mills, a boat-building enterprise, and a warehouse facility. Today, a modern grain elevator services large carrier vessels that are able to come alongside and two large military vessels are moored next to the former warehouse facility.

Those that want to preserve the potential of this area for water-dependent uses are opposed to regulations which would curtail this option. However, others value the scenic amenities of the area and would like to see this area protected from the blight of industrial uses.

2. There is a difference of opinion over public access along Schuster Parkway. On the one hand, people point out that public access is needed, particularly as there is none at this time. On the other hand, there are those that think public access is entirely inappropriate for this stretch of shoreline. Their reasoning is that the railroad, which runs adjacent to the water's edge, poses a serious safety hazard.

Those that support public access indicate that the City should purchase the National Guard Site to provide this amenity.

City Waterway

1. There seems to be little disagreement about the future of City Waterway. Most of the people interviewed want to see the area revitalized as a people-oriented, urban waterfront. They want to see a variety of commercial uses, water-oriented retail establishments and attractive public amenities. Restaurants, hotels, condominiums and a wide array of shopping opportunities are seen as appropriate. Public walkways and fishing piers, as well as recreational and educational opportunities are considered important and necessary to such a scenario.
2. Since the present zoning does not preclude this kind of development there is much speculation as to why City Waterway has not been able to develop along these lines. The existence or persistence of incompatible industrial uses is seen as a fundamental problem. Some think that the market conditions are not favorable. Others point to the lack of pedestrian access from the central business district as a contributing factor.
3. Many suggestions were made for providing linkages between City Waterway and the downtown area. Most of the suggestions involved an over-the-railroad structure something like the "hill climb" from Pike Street Market to the waterfront in Seattle. It was pointed out that one pedestrian access is already on the books. This is the walkway planned from the second story of the Union Station to City Waterway. The Tacoma

spur was designed to "dip down" to ground level in the vicinity of the Union Station so that this pedestrian overpass could be constructed.

4. To revitalize the area there was a suggestion that in addition to improving pedestrian access from the downtown business district, the City should improve transit to the area. This would include bus service along the waterfront as well as a summertime shuttle from City Waterway to Pt. Defiance. The railroad tracks present a unique opportunity in this regard. It was suggested that the Amtrack terminal be relocated in a central area along City Waterway. This would introduce more people into the area. In addition, it was suggested that if the proposed Seattle-Tacoma, light-rail commuter train becomes a reality, efforts should be made to locate the terminal in the City Waterway area as well.

Along these same lines, it was suggested that a destination marina and a passenger-only ferry dock be considered for City Waterway. The ferry would provide an alternative for commuters from Browns Point, Dash Point, Gig Harbor, Bremerton and Seattle.

5. There is reason to believe that many of the upland properties along City Waterway have been contaminated by past industrial practices. How serious the problem is and to what extent the area is effected has not been determined. Nevertheless, there is an understandable apprehension on the part of developers who express uncertainty about possible clean-up costs. The problem is compounded by the unpredictability of state regulations. Property owners who have encountered this problem relate that they were unable to get definitive answers regarding clean-up from the Department of Ecology. Essentially they were told to do so much and then they would be told if anything further needed to be done. Needless to say, this is not an ideal investment situation.

The uncertainties regarding clean-up costs as well as the perception that contamination is a prevalent if not pervasive problem in City Waterway may well be the underlying reason why development has failed to occur as planned.

ISSUES AND RECOMMENDATIONS

Section II of this document addresses the issues identified in the Phase I document and in the interviews. The issues and specific recommendations discussed in Section II are as follows:

General

1. There is a perception that the shoreline regulations are too numerous and too complex.
 - 1.1 A shoreline information packet should be assembled.
 - 1.2 A pre-application meeting should be held.
 - 1.3 Inconsistencies between the policy portion of the Master Program and the regulations should be resolved.
 - 1.4 The shoreline administrator should actively solicit opinions from applicants to identify areas of the Master Program that are confusing.
2. There is a need for clear standards for public access and view protection.
 - 2.1 A Public Access Plan should be developed and adopted as an element of the Master Program.
 - 2.2 Some recommended elements and design standards for the Public Access Plan are addressed in Appendix A. Topics covered include:
 - o Continuous Walkway -- setbacks, viewpoints, boardwalk construction, and bike paths.
 - o Access to Pedestrian Walkway -- public street connections,

handicapped access, access control, emergency vehicle access, and multi-use trail.

- o Quality Recreational Experience Along the Walkway -- screening, articulation, noise abatement, unpleasant odors, sense of entrapment/surprise, trash receptacles, landscape, irrigation, fencing, and maintenance.
- o Viewpoints -- design, amenities, location, and rest stops.
- o View Corridors -- public rights-of-way and new development.
- o Additional Public Access Structures -- piers, docks, transient moorage and beach access.

3. Should the definition for "water-related" be changed to be consistent with the Shoreline Hearings Board's definition and should a definition of "water-enjoyment" be introduced?

3.1 Tacoma should adopt the SHB definition for a water-related use.

3.2 Tacoma should adopt a test for water-relatedness.

3.3 Tacoma should adopt a definition for water-enjoyment.

3.4 Tacoma should adopt a test for water-enjoyment.

3.5 Shoreline segments where water-enjoyment uses are appropriate should be identified.

3.6 The Master Program should be reviewed carefully and amended as necessary to incorporate the concept of water-enjoyment.

Ruston Way

4. Should the city acquire more property along Ruston Way?

4.1 Tacoma should develop a Public Acquisition Plan as part of a Public Access Plan (see Recommendation 2.1).

5. Should a wider range of commercial uses be encouraged to locate on Ruston Way, and if so what must be changed in the Master Program regulations to promote and allow for such uses?

5.1 The Tacoma Master Program should be amended to allow commercial nonwater-dependent development as over-the-water construction on Ruston Way, provided it is:

- o environmentally acceptable;
- o built on privately held tidelands;
- o designed to include adequate public access and/or public amenities;
- o designed to include at least one water-dependent or water-related element;
- o not dependent on landfill;

6. Should residential uses be permitted on Ruston Way, and if so, what must be changed in the Master Program to allow for such uses?

6.1 At this time residential uses should not be allowed on Ruston Way.

6.2 If the city determines that residential development is appropriate along Ruston Way, then the following provisions should be made in the Master Program:

- o that residential development be confined to upland sites.
- o that issues of incompatibility be addressed and if possible resolved during the permit review process.
- o that public access elements be required as part of the proposal (particularly viewing points to compensate for view blockage).
- o that language be added to the Master Program which would prevent conversions to residential use on landfill authorized by a previous permit.

Schuster Parkway

7. Is Schuster Parkway an appropriate location for industrial, deep-water uses?

7.1 Schuster Parkway should be preserved for maritime uses which involve deep-draft shipping.

7.2 Industrial uses should be encouraged to locate in appropriate areas within the Port District.

City Waterway

8. What must be done to spur the redevelopment of City Waterway?

8.1 Improve the appearance of City Waterway.

8.2 Address environmental issues directly and seek ways of resolving existing problems.

8.3 Improve pedestrian access between the downtown central business district and City Waterway.

8.4 Amend the Master Program to allow nonwater-dependent uses on piling in City Waterway (under the same conditions listed for Ruston Way in Recommendation 5.1).

8.5 Form an Ad Hoc Committee that will actively address and seek solutions to the problems impeding successful redevelopment of City Waterway. The Ad Hoc Committee should:

- o Identify the steps necessary to determine the extent of upland contamination.
- o Identify and consider infrastructure improvements which would further the public's use and enjoyment of City Waterway.

- o Identify ways of increasing the number of people going to City Waterway.
- o Identify the need for additional public land on City Waterway.
- o Identify Shoreline Master Program regulations which need to be amended to realize the desired changes along City Waterway.
- o Identify ways of encouraging multi-residential development.
- o Develop a time-line and sequence of events for problem resolution.

Phase II is intended to be used in conjunction with the public process. As shown in Figure A, it should be introduced into a public forum for consideration and discussion. The process outlined in Figure A envisions a task force of interested individuals who will guide the planning process. The purpose of the task force is to conduct open meetings, to take citizen input and to discuss the issues. The outcome should be a set of goals and objectives for the subject shoreline. Issues such as desired land use patterns, residential development on Ruston Way, industrial development on Schuster Parkway, additional public land acquisition, etc., should be addressed at this level. The statement of goals and objectives will become the basis of a Comprehensive Waterfront Plan.

Once a Comprehensive Waterfront Plan is adopted the details of realizing its goals and objectives can be pursued. It is likely that Shoreline Master Program amendments will be necessary, along with proactive efforts on the part of the municipality and the citizens of Tacoma. Recommendations contained in Section II of this document suggest an Ad Hoc Committee to address the specific problems of City Waterway. It will be the charge of this group to energetically pursue solutions to the obstacles preventing development.

The entire process will be involved and complex. But so are the issues and the problems. Solutions must carry the support of public opinion. Therefore, this document is respectfully submitted into the public process for consideration and review. Good Luck Tacoma!

Section II:
Issue Analysis

SECTION II

ISSUE ANALYSIS AND RECOMMENDATIONS

GENERAL

1. There is a perception that the shoreline regulations are too numerous and too complex.

Development on Ruston Way, Schuster Parkway, and City Waterway is regulated by the policies and regulations of the Master Program for Shoreline Development (Master Program). The policies are contained in one document and the regulations in another. In addition, there are area plans that set forth policies for separate portions of the shoreline. Although the separate area plans are written to be consistent with the Master Program, the average citizen is left with the overall impression that the shoreline is governed by a maze of complex regulation.

This impression is reinforced by the fact that other jurisdictions have the authority to regulate specific development actions on the shoreline. The State of Washington controls and issues permits for work that involves discharges into marine waters, impacts to fisheries resources, and the lease of public tidelands. The federal government has authority over construction and fill activities in navigable waters of the United States. In addition, the Puyallup Indian Tribe has "usual and accustomed" fishing rights in Commencement Bay, which gives them review authority over actions which may adversely affect the bay's fisheries resource.

While Master Programs must adhere to state guidelines and local government has little influence over the regulations of other jurisdictions, there are some steps that can be taken to clarify and streamline the shoreline permit process.

In summary, the process of sorting through the various programs, plans and regulations that may be relevant to a specific project proposal can be confusing, if not formidable to the inexperienced citizen.

Recommendations

1.1 **A shoreline information packet should be assembled.** To aid citizens and potential project proponents, the Tacoma Planning Department has used a brochure and an explanatory sheet describing the shoreline permit process. These informational documents should be reviewed and updated if necessary. Other helpful materials should be developed and included in a packet with the brochure and explanatory sheet. For example, the appendix at the end of The Ruston Way Plan summarizes the shoreline permit process and is a good illustration of material that could be included in the packet. This packet could then be handed out to interested parties.

When potential applicants receive the packet they should be told that an informal meeting can be arranged with city staff to go over their project proposal and any justifications they may have.

1.2 **A pre-application meeting should be held.** During this meeting the shoreline administrator should go over the material in the information packet and discuss the permit process in relation to the applicant's proposal. The applicant should be informed of the policies and regulations that apply to the project, the estimated time involved, and the point in the process when certain actions should be taken. During the pre-application meeting, the proponent should also be told if the project is likely to require any state or federal permits. Proponents can then be given the names and telephone numbers of appropriate agency personnel to contact for further information.

- 1.3 **Inconsistencies between the policy portion of the Master Program and the regulations should be resolved.** In the past, amendments were made to the shoreline regulations (Chapter 13.10), but not carried over into the policy document of the Master Program. For example, a water-related use in the policy section (page 106) is defined as "a use that by locating on or near the waterfront will facilitate its operation." The regulations (Chapter 13.10.030 QQ) define a water-related use as "a use which is not intrinsically dependent upon a waterfront location but whose location on or near the waterfront will facilitate its operation or will provide increased opportunity for general public use and enjoyment of shorelines and shoreline areas." This latter definition was adopted after the first and is the one currently in use. To avoid any confusion that may result from conflicting language in the Master Program, it is important that the policy section be brought up to date and made consistent with regulations. To this end, a careful review of the Master Program should be undertaken and discrepancies identified. Approved changes to the policy section should be adopted by the City Council and presented to the Washington State Department of Ecology as proposed amendments.

Members of the Natural Systems Committee and Tacoma Planning staff are now in the process of identifying proposed amendments to the Master Program. This recommendation to remove inconsistencies between the policies and regulations of the Master Program should be made a part of their effort.

- 1.4 **The shoreline administrator should actively solicit opinions from applicants to identify areas of the Master Program that are confusing.** After an applicant has been through the shoreline permit process, the shoreline administrator should find out if the applicant has any suggestions for improvement. A questionnaire could be developed to accomplish this task. Copies of the questionnaire with the responses could be made a part of the ap-

plicant's file. It could also be included in a separate file with other completed questionnaires. This latter record should be presented on a periodic basis to the Natural Systems Committee and discussed in the context of potential Master Program amendments. Formal recommendations to the Tacoma Planning Commission should follow a determination by the Natural Systems Committee that specific amendments to the Master Program are in order.

2. There is a need for clear standards for public access and view protection.

The Master Program requires that all proposed developments be designed to maximize the public view and public access along the shoreline where appropriate. In addition, all commercial developments are required to provide public access to substantially increase the opportunity for public use, access and enjoyment of the city's shoreline. To do this significant public access elements must be incorporated into a proposal for a commercial use. The Master Program suggests a number of public access features including: bicycle paths, shoreline parks, beach areas, piers and docks, transient moorage, and pedestrian walkways along the shoreline edge.

The Master Program considers view opportunities a form of public access. However, view opportunities alone are not considered enough to satisfy the requirement that the public be provided substantial increased opportunities to use and enjoy the shoreline. Instead, view access is considered in conjunction with other public access elements. The intrinsic nature of the use to attract people to the shorelines is considered a public access element in the existing regulations.

While the Master Program suggests ways of meeting the public access requirement, it does not give developers standards on how much or what scale of public access to provide. Such specificity is provided in the Master Program, only in the requirement that a proposed commercial development on Ruston Way tie into a shoreline bike path. A similar provision in the Greater CBD Plan (not yet adopted as an element of the Master Program) encourages the development of a continuous promenade around the perimeter of City Waterway. In both instances, additional public access would be required, unless the use itself attracts people and provides access to the shoreline

Without greater specificity, a developer is not always sure what to propose. Providing a link to the bike path or continuous promenade is

fairly clear, but deciding on the type, extent, and scale of additional public amenities can be a problem. The result is that the public access element for each project must be negotiated during the permit process. This has led to disagreements over what is appropriate.

Recommendations

2.1 A Public Access Plan should be developed and adopted as an element of the Master Program. The plan should:

- o provide a comprehensive look at the public access opportunities on the shoreline;
 - identify existing public access opportunities, including parks, piers, viewing platforms and portions of the bike path (Ruston Way), trail (Schuster Parkway), and pedestrian promenade (City Waterway);
 - identify points along the shoreline which are particularly well suited for shoreline access, viewpoints, and view corridors;
- o consider areas or situations where it may be desirable for the city to purchase shoreline property, permanent waterfront walkway easements, or view corridors;
- o develop a detailed public acquisition program;
- o provide performance standards for appropriate public access elements. The following should be taken into consideration:
 - the size of a development;
 - the extent to which the intrinsic nature of the use provides an opportunity for the public to enjoy the shoreline; and,
 - whether or not the location of the proposed development

is in an area that has been identified as appropriate for a specific form of public access;

- o provide flexibility so that a developer can tailor the public access elements to the proposed project;
- o identify off-site public access projects which a developer could contribute to as a way of satisfying portions of the public access requirement;
- o provide minimum design standards for the construction of piers, viewing platforms, bike paths, and walkways;
- o establish a Design Committee to work with proponents toward the development of public access amenities in accordance with the standards contained in the Public Access Plan.

2.2 Some recommended elements and design standards for the Public Access Plan are proposed in Appendix A. Topics covered include:

- o Continuous Walkway -- setbacks, viewpoints, boardwalk construction, and bike paths.
- o Access to Pedestrian Walkway -- public street connections, handicapped access, access control, emergency vehicle access, and multi-use trail.
- o Quality Recreational Experience Along the Walkway -- screening, articulation, noise abatement, unpleasant odors, sense of entrapment/surprise, trash receptacles, landscape, irrigation, fencing, and maintenance.
- o Viewpoints -- design, amenities, location, and rest stops.
- o View Corridors -- public rights-of-way and new development.
- o Additional Public Access Structures -- piers, docks, transient moorage and beach access.

3. Should the definition for "water-related" be changed to be consistent with the Shoreline Hearings Board's definition and should a definition of "water-enjoyment" be introduced?

The Tacoma Master Program defines water-related activities as follows:

"Water-related use" means a use which is not intrinsically dependent upon a waterfront location but whose location on or near the waterfront will facilitate its operation or will provide increased opportunity for general public use and enjoyment of shorelines and shoreline areas. (Chapter 13.10.030 QQ)

The definition for a water-related use, adopted by the State Shorelines Hearings Board (SHB) does not include reference to public opportunities to enjoy the shoreline.

A water-related industry or commerce is one which is not intrinsically dependent on a waterfront location but whose operation cannot occur economically without a shoreline location. (Adams v. City of Seattle; Washington State Department of Ecology and Attorney General, SHB 156)

The Tacoma definition for water-relatedness has enabled certain developments (notably restaurants) to be built over-the-water. Such a situation which would not have been possible if the definition had not included the additional language regarding public enjoyment of the shoreline. Since a restaurant is considered a use that provides the public an increased opportunity to enjoy the shoreline, it qualifies as a commercial water-related use. The Master Program permits landfill and over-the-water construction in conjunction with commercial water-related uses. Therefore, restaurants could be approved over-the-water, with associated landfill.

Under the Tacoma definition of "water-related," landfill and over-the-water construction would also be possible for other uses that afford the

public an increased opportunity to enjoy the shoreline. For example, clubhouses, hotels, and conference centers would be considered water-related under the Tacoma definition.

The problem with landfilling for uses that provide the public an increased opportunity to enjoy the shoreline is that, unless there is no practicable alternative, federal regulations will not permit it. Under Section 404 of the Clean Water Act, landfilling in navigable waters of the United States is permissible only for uses intrinsically dependent on a shoreline location. Restaurants and all other uses that provide public enjoyment but do not need a waterfront location would probably be denied federal permits, if the proposal involved fill. Therefore, the Tacoma definition is misleading because applicants could obtain approval from the city but not the necessary federal permits.

Federal regulations are not as stringent for construction on piling. Piling construction is regulated under Section 10 of the Rivers and Harbors Act and is concerned primarily with obstruction to navigation and environmental impacts. If an applicant can demonstrate that the structure will not interfere with ship movements and will not do environmental harm, it can be approved. The type of use is not a consideration. Thus, restaurants on piling were granted Section 10 permits along Ruston Way.

To avoid the conflict between the Tacoma regulations, which allow landfilling for uses which increase public enjoyment of the shoreline, and the federal regulations, which do not, two approaches can be taken. In one approach, the Tacoma regulations which stipulate that "Landfills may be allowed only for water-dependent and water-related uses." [Chapter 13.10.175 B.8.a.(1)], could be modified. It could be changed to read, "Landfills may be allowed only for water-dependent or water-related uses that are facilitated by a shoreline location." This approach is simple, but awkward. It has the effect of using a defined term (water-related) and then limiting the definition for purposes of regulation.

The second approach is more involved, but it would eliminate the inconsistency between local and federal regulation. It would also provide more flexibility in the administration of the Master Program. To begin with, the definition of "water-related" would be changed to be consistent with the SHB definition cited above. In this way, a use which could not occur economically without a shoreline location would be considered water-related. Landfilling necessary for its operation could be approved both at the local and federal level.

Two additional changes would be necessary to preserve the ability to build structures on pilings for uses which increase public opportunities to enjoy the shoreline. First, a new definition would be introduced for the term "water-enjoyment". A recommended definition is:

"Water-enjoyment" use means a use that provides increased opportunity for general public use and enjoyment of shorelines and shoreline areas.

Second, wherever "commercial, water-related uses, on piers" are allowed in the Master Program, the wording could be changed to "commercial, water-related or water-enjoyment, on piers". In this way, instead of one definition that combines the two concepts of "water-related (a use that is economically dependent on a shoreline location), and "water-enjoyment" (a use which increases public access to the shoreline), two definitions will be used to distinguish between them. Where both concepts are appropriate, then the terms can be used together ("water-related and water-enjoyment uses"). Where it is important to distinguish between them, they can be used separately ("Landfill may be allowed only for water-dependent and water-related uses.")

Another advantage to separate definitions for water-related and water-enjoyment uses is additional clarification. In reality, even with a definition for a water-related use, it is not always a simple matter to determine if a particular development qualifies. In some cases,

decision makers are faced with having to decide how much of an economic connection there must be before a use can be considered "water-related". The same is true for the concept of "water-enjoyment." To what extent should a use increase public enjoyment of the shoreline, before it can be considered a "water-enjoyment" development? With separate definitions for both water-related and water-enjoyment uses, specific tests can be developed to accompany each definition. The tests should be designed to provide clarification and guidance.

In the Washington State Department of Ecology publication, Urban Waterfront Policy Analysis, two tests are proposed: one for "water-related" and one for "water-enjoyment."

A use is water-related if its economic viability is dependent upon a waterfront location because:

- a. Of a functional requirement for a waterfront location such as the arrival or shipment of materials by water or the need for large quantities of water, or
- b. The use provides a necessary service supportive of the other waterfront commercial activities and the proximity of the use to its customers makes its services less expensive and/or more convenient. Examples include manufacture of ships parts large enough so that transportation becomes a significant factor in the product's cost, offices accessory to water-dependent activities, utility lines serving water-dependent activities, etc.

A water-enjoyment use provides sufficient increases in the public's opportunities to enjoy the shoreline if:

- a. the use is open to the general public and

- b. the use provides water access as called for in the jurisdiction's water access plan and the use has at least one of the three characteristics below:
 1. the use offers a view of waterfront activities or
 2. the design makes use of a unique characteristic of the site or
 3. the use supports other proximate water-dependent, water-related or water-enjoyment activities.

Adopting the SHB definition for a water-related use would provide Tacoma with the additional benefit of clarifications and interpretations handed down by this statewide decision making body. At the same time, Tacoma would not lose the opportunity to more clearly apply its current definition. As the SHB definition becomes more widely accepted, more state-level decisions will be made concerning water-related uses. Since decisions by the SHB have the effect of case law and set precedents for future decisions, Tacoma would be able to rely on these interpretations for guidance in making local determinations on water-relatedness. Also, if a local decision regarding water-relatedness is appealed to the SHB, the SHB members would be more comfortable with a definition that they had developed and used in prior deliberations.

Based on the reasons stated above, the following recommendations are made:

Recommendations

- 3.1 Tacoma should adopt the SHB definition for a water-related use.
- 3.2 Tacoma should adopt a test for water-relatedness.
- 3.3 Tacoma should adopt a definition for water-enjoyment.
- 3.4 Tacoma should adopt a test for water-enjoyment.
- 3.5 Shoreline segments where water-enjoyment uses are appropriate should be identified. The Master Program should identify areas where water-enjoyment uses are suitable. For example, Ruston Way

is a prime location for water-enjoyment activities. Uses that increase public enjoyment of the shoreline are generally compatible with public recreation. In addition, it is not likely that water-enjoyment uses on Ruston Way would displace potential water-dependent or water-related uses. The suitability analysis (see Phase I) shows that Ruston Way is not an appropriate location for many water-dependent and water-related uses. Factors that limit the use of this shoreline for developments which require or benefit from a waterfront location include; limited dry land area, exposed shoreline, lack of rail access, and potential incompatibilities with adjacent uses.

City Waterway is another area where water-enjoyment uses are appropriate and desirable developments. Plans for City Waterway envision a people-oriented, urban shoreline with mixed residential, commercial and public uses. Some water-dependent and water-related uses that are compatible with this type of development include: recreational boating, boating services, yacht sales, harbor tours, boat terminals, and fresh fish outlets. The suitability analysis (see Phase I) determined that City Waterway was a good location for these activities. In fact, these water-dependent and water-related uses and are often included together with water-enjoyment activities in mixed use developments. Therefore, water-enjoyment uses are likely to complement the development objectives for City Waterway.

Schuster Parkway may be an area where water-enjoyment activities should be permitted only as conditional uses. This shoreline is considered an appropriate location for port terminal and industrial activity. Uses which enhance public enjoyment of the shoreline are generally not compatible with this type of development. Therefore, proposed water-enjoyment activities should be required to meet the conditional use criteria, which stipulate that the siting and design of the project must be compatible with other permitted uses within the area.

3.6 The Master Program should be reviewed carefully and amended as necessary to incorporate the concept of water-enjoyment. If the original definition of a water-related use is intended, the language of the Master Program should be amended to read "water-related and water-enjoyment use." If only "water-related" or "water-enjoyment" is applicable, then the Master Program should specify the appropriate term.

RUSTON WAY

4. Should the city acquire more property along Ruston Way?

The present policy on the acquisition of public lands on Ruston Way, is to consider suitable properties on a case-by-case basis. In this manner, Tacoma has purchased and developed for park purposes, 40 percent of the Ruston Way shoreline. In terms of acreage, the City owns 31 percent of the Ruston Way waterfront.

Many people think that 50 percent of the Ruston Way shoreline is in public ownership, and many seem to agree that 50 percent is a good balance between public and private land. If the goal is to attain 50 percent of the shoreline, then an additional 1,208 feet of waterfront should be acquired. If the goal is to attain 50 percent of the available waterfront acreage, then an additional 16 acres should be acquired.

The development of parks and public amenities on Ruston Way has proven to be a successful and much valued program, appreciated by the citizens of Tacoma. The public acquisition program has preserved 5,757 feet of shoreline providing a walkway with unobstructed views of the water. There are also areas designed for recreation, picnicking and fishing.

In many ways the Ruston Way shoreline is ideally suited for parks, a shoreline promenade, and public recreation. As discussed in Phase I of this study, Ruston Way is not a suitable location for many uses that require or utilize a shoreline location. In addition, because of the limited dry land area, proponents of nonwater-dependent uses find it difficult to locate a development on the shoreline. The problem is trying to accommodate parking without building over-the-water or using landfill.

While there is support for additional acquisition of public land, there is also opposition. Those that support the idea point to the success of the present program. However, they express fears that additional

commercial development may destroy the ambience of what has been accomplished. Those in opposition think enough land has been put in public ownership. They feel that the remainder should be developed to give Ruston Way a range of uses and activities, which would contribute to the tax base.

Recommendations

4.1 Tacoma should develop a Public Acquisition Plan as part of a Public Access Plan (see Recommendation 2.1). Instead of the "wait and see" approach to public acquisition, the city should evaluate its arsenal of public lands on Ruston Way. It should determine if there are additional properties which should be acquired to complete certain public objectives. Properties that should be given high consideration could include:

- o areas that link segments of the walkway, to ensure a continuous promenade with unobstructed views of the water. (These properties are generally those with the least amount dry land available and therefore with the least potential for development.)
- o areas that could be developed by the city and then leased to interested parties. In this manner the public interest could be retained and the city could control the type and scale of development. At the same time, unlike a park, the land would generate income for the city. Some ideas for such development include a series of shops which could be occupied by small businesses, including cafes, craft stalls, boat and fishing rentals, and other interests which would probably be unable to afford a waterfront location on their own. Another approach would be to lease the land to a development interest at a rate that would encourage the construction of a use considered appropriate by the public.

On Ruston Way, efforts to identify potentially valuable and suitable properties for public acquisition should consider the preservation of current public amenities. It should also be recognized that the current availability of vacant land provides opportunities for acquisition which may not be available in the future.

5. Should a wider range of commercial uses be encouraged to locate on Ruston Way, and if so what must be changed in the Master Program regulations to promote and allow for such uses?

The Master Program promotes a mix of public and private development on Ruston Way. However, commercial activity has had difficulty locating along this shoreline. On the one hand, the shoreline is not suitable for many commercial water-dependent and water-related uses (which are facilitated by a shoreline location). On the other hand, commercial nonwater-dependent uses are confined by the Master Program to upland areas. Since there are few instances along Ruston Way with adequate land area for both a nonwater-dependent structure and its associated parking, these types of uses have not been proposed.

If the Master Program were amended to allow commercial, nonwater-dependent uses as over-the-water construction, a number of development options would be made available. State policies and regulations for shoreline development would be favorable to this type of development provided:

- o construction takes place in an environmentally acceptable manner;
- o the structure is placed on privately held tidelands;
- o there are other areas in the jurisdiction to accommodate potential water-dependent and water-related uses;
- o adequate public access is provided; and,
- o a water-dependent element is included as part of the development.

Federal regulations (Section 10, Rivers and Harbors Act) do not prohibit over-the-water construction for nonwater-dependent uses, provided there

is no landfill involved, environmental concerns are addressed, and the structure does not hinder navigation. Therefore, having met the above conditions, an applicant is not likely to encounter a denial after receiving local shoreline permit approval.

Recommendations

5.1 The Tacoma Master Program should be amended to allow commercial nonwater-dependent development as over-the-water construction on Ruston Way, provided it is:

- o environmentally acceptable;
- o built on privately held tidelands;
- o designed to include adequate public access and/or public amenities;
- o designed to include at least one water-dependent or water-related element;
- o not dependent on landfill;

This recommendation must be taken together with Recommendation 4.1 above. Once the city has adopted an acquisition plan for public lands on Ruston Way, it follows that the remaining land could be developed by private interests. The recommended Master Program amendment would overcome one of the most serious limitations of the Ruston Way shoreline and encourage private development of these lands.

6. Should residential uses be permitted on Ruston Way, and if so, what must be changed in the Master Program to allow for such uses?

The Master Program prohibits residential development on Ruston Way. However, the owners of privately held land along this waterfront believe that housing is the one use which will enable them to successfully develop their property. In addition, it is believed that residential uses will add a desirable component to Ruston Way .

Arguments against residential development on Ruston Way are two fold. First, unlike commercial development which requires the public, residential activities are not always compatible with public uses. Where public uses abut residential areas it is not uncommon for homeowners to voice frequent complaints about noise and trespass. Commercial activity can also be incompatible with residential development. This is particularly true if the commercial use operates at night and requires illuminated signs. The concern for Ruston Way is that residential uses will not enhance but rather inhibit the successful public and commercial uses of the area.

Second, even if residential uses could be integrated successfully with existing and potential uses, the limited dry land area on Ruston Way poses certain constraints. The State Guidelines for Master Program Development do not encourage development over-the-water for residential use [WAC 178-16-060 (d)]. Therefore, the state is unlikely to approve Master Program amendments for residential development on piling. Since there are few areas along the Ruston Way waterfront with enough land to support residential structures (particularly multi-residential structures) and parking, it is not likely to become a strong element of the shoreline. (Landfill for residential development, a nonwater-dependent use, would not be permitted by existing Master Program regulations or federal law.)

There is an additional concern that if residential uses were permitted, some developers might propose water-dependent or water-related uses that

require landfill. Once having gained approval for these activities and having created additional dry land area, the owners could turn around and request a conversion to residential use, proposing development on the filled area. Under this scenario the potential exists for significant alteration to the shoreline for nonwater-dependent uses. The Shoreline Management Act was passed to prevent this kind of uncontrolled and piecemeal development of the shoreline.

Recommendations

- 6.1 At this time residential uses should not be allowed on Ruston Way.** For the reasons stated above, the Master Program should not be amended to allow residential uses on Ruston Way. Instead, it is recommended that the city follow the suggestions outlined in Issues 4 and 5 above. With a strong public acquisition element and changes to the Master Program which would increase opportunities for commercial nonwater-dependent development, Ruston Way may develop in a manner acceptable to those concerned.
- 6.2 If the city determines that residential development is appropriate along Ruston Way, then the following provisions should be made in the Master Program:**
- o that residential development be confined to upland sites.
 - o that issues of incompatibility be addressed and if possible resolved during the permit review process.
 - o that public access elements be required as part of the proposal (particularly viewing points to compensate for view blockage).
 - o that language be added to the Master Program which would prevent conversions to residential use on landfill authorized by a previous permit.

SCHUSTER PARKWAY

7. Is Schuster Parkway an appropriate location for industrial, deep-water uses?

The deep-water immediately off the Schuster Parkway shoreline has long been recognized as an important maritime asset for Tacoma. It has been, and continues to be, a shoreline in demand by deep-draft shipping interests.

The Master Program recognizes the value of the Schuster Parkway shoreline for water-dependent and water-related uses. For this reason the Master Program assigns "permitted use" status to industrial and commercial, water-dependent and water-related activities. In other words, uses that fit this description can be granted permit approval without having to meet the special consideration or conditional use criteria. Nonwater-dependent industrial and commercial activities, however, are not given this priority status and must comply with the conditional use criteria before being granted a permit to locate on Schuster Parkway. The conditional use criteria are designed to ensure that the proposed use will be compatible with other permitted uses in the area and that the public interest and public use of the shoreline will not be impaired.

Recently, problems developed over the granting of a permit to a water-dependent use at the Sperry Ocean Dock. Approval had been given for the berthing of two large vessels, which were outfitted to serve in the national defense. As it turned out, the ships' masts and riggings impaired the views of residences located on the bluff above Schuster Parkway. In addition, a permit request to locate National Guard training vessels next to the Sperry Ocean Dock met with considerable opposition. Some of this opposition centered on the conviction that reservist activities were not compatible with the adjacent park. Other objections were raised against potential view impacts.

Additional compatibility problems with upland residential uses could result if industrial development were to locate on the Schuster Parkway shoreline. In fact, the suitability analysis (see Phase I) determined that due to the adjacency of the residential community, most industrial water-dependent and water-related uses would probably not be appropriate on Schuster Parkway. Uses considered in this analysis included cargo terminals, water-related manufacturing, ship building and fish processing. Potential impacts from such industries would have to be carefully mitigated to avoid adverse affects. It is also likely that nonwater-dependent industry would pose compatibility conflicts.

The controversy surrounding the berthing of large vessels and the likelihood of incompatibilities between industrial uses and the adjacent community has called into question the Master Program preference for these types of uses on Schuster Parkway.

Recommendations

7.1 **Schuster Parkway should be preserved for maritime uses which require deep-draft shipping.** The fact that Schuster Parkway has been, and continues to be, a shoreline in demand by deep-draft shipping interests, emphasizes the importance of this area both at the present time and in the future. It is an asset which the City of Tacoma should seek to protect to ensure that potential maritime opportunities are not lost.

Acquisition and land-banking are one way to ensure that the shoreline will be available for suitable maritime uses. In a contribution to a recent publication entitled Public Ports and Harbor Management, Robert F. Goodwin states:

Where waterfront land is vacant and where marine businesses are not expanding in the near future, it is likely that fee simple purchase of the property by a public entity will be the only effective way to "bank" waterfront land for anticipated,

but not immediately evident, marine uses. Ideally, such a public entity would play an active promotional role in attracting future marine-oriented tenants. Furthermore, that entity could be a co-developer of the property, demolishing dilapidated structures, improving access, repairing bulkheads and preparing the site for future use. Land "in the bank" could be leased for interim short-term uses pending development for marine enterprises: parks, seasonal fairs and festivals, storage sites, are some examples. But a clear understanding that these uses could be evicted at any time a bona fide marine tenant or buyer was found would have to be reached with interim users. (Goodwin, 1988)

"Land banking" is the tool used by port authorities to plan for and foster appropriate maritime uses. However, since the purchase of land now utilized by Continental Grain Co., the Port of Tacoma does not intend to invest further in Schuster Parkway (Chilcote pers.-com). At this time, the port is devoting its energies toward the development of its considerable holdings in the "tideflat" area. In general, the opinion among port representatives is that Schuster Parkway has many shortcomings, not the least of which is limited dry land area. The "tideflats" on the other hand, have much to offer industry, including an estimated 600 acres of available land.

Where port representatives consider Schuster Parkway limited with respect to modern industry, there is recognition of the value of Schuster Parkway for deep-draft shipping. In addition, the proximity of Schuster Parkway to downtown Tacoma makes it a suitable shoreline for shipping interests that are people oriented or tourist related.

Since the resources of the Port of Tacoma are directed toward the development of the "tideflat" area, any "land banking" along Schuster Parkway would have to be undertaken by another public entity. The City of Tacoma should consider this role. While it

may be argued that funds invested in land that may remain "idle" for a long period of time is a waste of taxpayer's money, it should also be pointed out that the opportunities preserved may well benefit the taxpayer in the long run.

If the city decides not to "land bank" property along Schuster Parkway, the maritime potential of the shoreline could still be protected by permitting the current demand for deep-draft moorage. The view impairment caused by the moorage of large ships is an unfortunate outcome of such a policy. However, the impact does not affect a substantial number of residences and views from these residences are not completely obstructed.

The Shoreline Management Act seeks to protect shoreline vistas by regulating the height of structures. The rule is no permit should be issued for a structure higher than 35 feet, if that structure will obstruct the view of a substantial number of residences. The exception to this rule is when overriding considerations of the public interest will be served (RCW 90.58.320). Although ships are not structures and cannot be bound by this rule, the intent of this legislation should be given some weight. The overriding public interest along Schuster Parkway is the preservation of opportunity for maritime commerce, particularly deep-draft shipping. Therefore, preference should be given to such uses which propose to locate on Schuster Parkway.

A preference in the regulations does not mean that other uses will be unable to locate along Schuster Parkway. Nonwater-dependent commercial uses and activities which give the public an opportunity to enjoy the shoreline could be permitted under the existing regulations. In the past a waterfront hotel and an office complex were both granted permits to locate on the property now owned by the National Guard. Although the economy was not favorable and neither project was built, the potential exists for this kind of development in the future.

In permitting future nonwater-dependent uses on Schuster Parkway, city officials should try to ensure compatibility with potential shipping interests. Compatibility with other permitted uses in the area is one of the conditional use criteria that all nonwater-dependent uses on Schuster Parkway must meet. However, it is possible that if a number of commercial nonwater-dependent uses become established features of this shoreline, proposed activities involving larger vessels could be viewed as incompatible with permitted uses in the area.

The Master Program does not consider residential use an appropriate development along Schuster Parkway. Of all nonwater-dependent uses, residential development has the greatest potential for use conflicts with shipping related activities. If residential development were to be permitted along Schuster Parkway, it is very unlikely that this shoreline would retain its role as a working-waterfront for the City of Tacoma. However, if commercial non-water-dependent uses (business parks, hotels, retail outlets etc.) became established features of the Schuster Parkway shoreline (instead of shipping interests), it may be appropriate to reconsider the suitability of residential development.

7.2 Industrial uses should be encouraged to locate in appropriate areas within the Port District. The potential for incompatibilities between the adjacent residential community and industrial uses could be avoided if such uses located in the port area. The suitability analysis (see Phase I) found that potential incompatibilities between industrial uses on Schuster Parkway and the adjacent residential community make this shoreline unsuitable for a number of industrial water-dependent and water related uses. The Port of Tacoma, however, has all the locational requirements for industrial and commercial uses which benefit from a shoreline location. In fact, the port is actively seeking such development.

If it can be established that the Port District does have sufficient land area to accommodate anticipated industrial water-dependent and water-related growth, the Master Program should be amended to limit industrial uses on Schuster Parkway.

CITY WATERWAY

8. What must be done to spur the redevelopment of City Waterway?

There are economic and environmental factors influencing the development of City Waterway which cannot be affected through changes in the Master Program. However, there are actions which could be taken by the city to improve the development potential of the area.

Recommendations

- 8.1 Develop methods for improving the appearance of City Waterway.**
- 8.2 Address environmental issues directly and seek ways of resolving existing problems.**
- 8.3 Improve pedestrian access between the downtown central business district and City Waterway.**
- 8.4 Amend the Master Program to allow nonwater-dependent uses on piling in City Waterway (under the same conditions listed for Ruston Way in Recommendation 5.1).**
- 8.5 Form an Ad Hoc Committee that will actively address and seek solutions to the problems impeding successful redevelopment of City Waterway.**

The problems facing City Waterway are numerous and complex. It is not reasonable to assume that a single landowner or public entity can address these problems alone. For this reason it is recommended that the City Council appoint key individuals to staff an Ad Hoc Committee. Their objective would be to develop action plans and workable solutions to the problems facing City Waterway.

It is recommended that the Ad Hoc Committee consist of representatives from the following public agencies and interest groups:

- o The City of Tacoma
- o The Port of Tacoma
- o Burlington Northern Railroad (Glacier Park)
- o Landowners/Businesses on City Waterway
- o Water-dependent or Water-related commerce and industry
- o Economic Development Board
- o City Club of Tacoma
- o Interested Citizens
- o Washington State Resource Agencies (to act in an advisory capacity):
 - Department of Ecology - Shorelands Division
Water Quality Division
Hazardous Waste Division
 - Department of Natural Resources

The Ad Hoc Committee should hold regular meetings, during which time the problems facing City Waterway should be addressed and an agenda drawn up for their resolution. For example, a list of actions to improve the appearance of City Waterway may include the following:

- o contact individual landowners and discuss what can be done to improve the appearance of existing properties (particularly vacant lands and abandoned buildings);
- o get commitments from individual landowners to make improvements;
- o develop a priority list of civic beautification projects for city consideration;
- o identify ways of reducing impacts from adjacent industrial uses.

Additional items which could be included on the Ad Hoc Committee agenda include:

- o Identify the steps necessary to determine the extent of upland contamination. The Tacoma-Pierce County Health Department already has a plan in place for a methodical investigation of the problem. A site-by-site analysis would either confirm or put to rest the fears concerning past industrial practices. If there are no major problems, one of the primary obstacles to development will be removed.

If contaminated sites are identified, the Ad Hoc Committee should assume a leadership role. In particular, the city, with the support of the Ad Hoc Committee, should seek funds from available sources and work closely with agency personnel in Olympia to resolve identified problems. These funds could be applied to those instances where a responsible individual is identified, but the costs of clean-up exceed their financial capabilities. It could also be used to stabilize sites where a responsible party cannot be identified.

A partnership approach to the contamination issue will send a strong message to the development community that Tacoma is willing to make a long term commitment to City Waterway. It is a proactive approach that will generate confidence among investors.

- o Identify ideas and infrastructure improvements that would give City Waterway a distinctive character. For example, the Ad Hoc Committee could recommend a design theme for future development. The historical preservation efforts, which are part of the downtown revitalization effort,

could be extended to City Waterway. Under this scenario, old structures would be preserved and new ones would be designed to carry on the theme.

The waterway lends itself to some interesting historical design possibilities, that could be developed to capture the tourist trade. For example, an authentic reproduction of a northwest fishing village, complete with moored fishing vessels, small shops, and boardwalks, would be educational and interesting to people visiting Tacoma.

- o Identify and consider infrastructure improvements which would further the public's use and enjoyment of City Waterway. One example might be the development of a pedestrian bridge across the waterway. Such a bridge could be a continuation of the proposed pedestrian walkway that will connect the Union Station to City Waterway.

Additional pedestrian access provisions should be developed between downtown Tacoma and City Waterway. The Greater CBD Plan provides suggestions for such access points.

- o Identify ways of increasing the number of people who frequent the City Waterway area. Destination marinas, float plane docks, passenger ship terminals, bus stations, and railroad depots are all facilities that would make City Waterway more of a focal point. However, to keep people in the City Waterway area or to attract them there in the first place, interesting and attractive activities must be present.
- o Identify the need for additional public land on City Waterway. The city is already a major landowner in the

area. It may be a better use of public monies if the city invests in its current holdings. For example, the Municipal Dock building and adjacent areas are ideally suited for a public market. The pedestrian access under the 11th Street bridge connects the downtown and waterfront at this point. In addition, some of the existing uses in the area (a fresh produce dealer and two fish stores) are already in place. Public markets have proven to be a strong element of some of the more successful waterfront revitalization programs. Examples include Seattle, San Francisco and Granville Island in Vancouver, British Columbia.

It is possible that with improvements to existing city properties and satisfactory public access opportunities provided by new development, there will not be a need for additional public acquisition. An exception may be the purchase of right-of-way for the continuous shoreline promenade. The Ad Hoc Committee should consider these issues and formulate a recommendation to the City Council. Factored into this recommendation should be a recognition of expenditures which the city may have to occur as part of environmental clean-up efforts as well as beautification programs.

If the Ad Hoc Committee decides that additional land should be acquired by the city, potential properties should be evaluated and identified in the Public Access Plan (see Recommendation 4.1).

- o **Identify Shoreline Master Program regulations which need to be amended to realize the desired changes along City Waterway.** The task force should review the existing regulations effecting City Waterway. It may be that additional flexibility is necessary to realize a wider

range of suitable uses. For example, shoreline regulations do not consider industrial uses appropriate development for City Waterway. However, not all industrial activity creates the adverse conditions which led to this policy. Light manufacturing, in enclosed business park developments, may in fact be compatible with the development picture envisioned for City Waterway.

As discussed previously in Recommendation 5.1, the Tacoma Master Program should be amended to allow commercial non-water-dependent development as over-the-water construction on Ruston Way. It may also be appropriate on City Waterway, south of the 11th Street Bridge, provided the project is: environmentally acceptable; built on privately held tidelands; designed to include adequate public access and/or public amenities; designed to include at least one water-dependent or water-related element; and, not dependent on landfill. The justification for such a provision would be the limitation to water-dependent and water-related uses imposed by the shallow water south of the 11th Street Bridge. Nonwater-dependent uses may be an appropriate form of development in the southern half of the waterway, provided the conditions listed above are met. The northern half of the waterway, on the other hand, should not allow over-the-water construction for nonwater-dependent uses because of the potential for water-dependent and water-related uses.

Permitting nonwater-dependent development over-the-water, would increase the amount of dry land area available for parking and would allow for more intensive use of this urban shoreline. However, unlike Ruston Way, most of the properties on City Waterway are predominantly dry land. In other words, there is little in the way of private

tideland ownership. Therefore, over-the-water construction may require the lease of public tidelands.

The Washington Department of Natural Resources (DNR) administers the lease of state-owned aquatic lands. The regulations under which they operate (WAC 332-30 AQUATIC LAND MANAGEMENT) consider nonwater-dependent use of state-owned aquatic lands to be a low priority. In fact, a lease can only be issued for such uses in exceptional circumstances. Exceptional circumstances include situations where the nonwater-dependent element is an accessory to a water-dependent use, or where it is part of a multiple use development and a water-dependent use is a major element of the project. In addition, leases can be granted if the nonwater-dependent use is proposing to locate on a structure in existence prior to June 30, 1985. The DNR will also grant exceptional use status to nonwater-dependent uses if the Shoreline Master Program identifies "specific areas or situations in which nonwater-dependent uses will be allowed," and justifies "the exceptional nature of those areas or situations." In all cases nonwater-dependent uses must be compatible with the existing and future needs of water-dependent uses.

The Ad Hoc Committee should investigate the extent of state-owned aquatic lands in City Waterway. If it appears that a significant amount of over-the-water construction would involve leases from the state, the committee should meet with representatives from DNR. The purpose of these meetings would be to establish whether or not City Waterway (south of the 11th Street Bridge) qualifies as an exceptional area for nonwater-dependent uses. If an agreement is reached, the Shoreline Master Program should be amended to recognize the exceptional

use status of City Waterway (south of the 11th Street Bridge) and the conditions under which nonwater-dependent development can occur.

- o **Identify ways of encouraging multi-residential development.** The existing regulations permit multi-residential uses on the City Waterway shoreline but the area has not attracted such development. Some of the drawbacks include the appearance of existing structures and vacated properties, the impacts from adjacent industrial use and the proximity of the railroad.

A residential component in the area would provide incentive and pressure for redevelopment and enhancement of the area. Ideally this development should occur in neighborhoods surrounding the waterway, and not on the waterfront itself. The Economic Development Board in Tacoma has informally proposed a rezoning of the land between City Waterway and the Puyallup River (the "Keystone" area) to allow for residential development. Such a community in proximity to the waterway would increase recreational use of the shoreline and provide support for businesses which provide the public an opportunity to enjoy water.

- o **Develop a time-line and sequence of events.** It will take time for change to take place on City Waterway. Some steps need to be taken before others will follow. The Ad Hoc Committee should develop a flow chart, identifying actions and commitments that must be made for goals to be reached.

Section III:
Interview Results

SECTION III
INTERVIEW RESULTS

During the months of November and December 1987, the project team conducted several interviews. Individuals with an expressed interest in the future development of Ruston Way, Schuster Parkway and City Waterway were selected and asked a prepared set of questions. The purpose of the interviews was to clarify specific concerns which had been raised and to get opinions on a wide range of shoreline issues.

TACOMA WATERFRONT ANALYSIS - INTERVIEWS

City Council Members

Jack Hyde
Jack Warnick
Tom Stengher
Peter Rassmussen

Planning Commission Members

Bruce Brennan
J. Michael Dwyer
Lonnie Wheeler

Natural Systems Committee

Gary Knudson
Roger Meyer
Dick Perkins
Anita Preston
Paul Miller
Vincent Young
Ted Cross

Citizens

Paul Chilcote - Port of Tacoma
Phillip Lelli - Longshoreman
Tom Deming - Puyallup Tribal Fisheries
Ryan Petty - Economic Development Board
Mike Ebert - Owner, Katie Downs
Cheryl Miller - Resident, Old Town
J.E. Bostick - Glacier Park (BNR)
Jim Merritt - Architect
Charlie Bevis - Engineer
David Beauchamp - Magnussen Marine Brokerage
Leroy (Red) Westgard - Totem Marine Services

City of Tacoma - Staff

Ron Nelson - Community Development
Mike Smith - Planning
Richard Gilmore - Planning
Michael Sullivan - Historical Preservation

10. What is your feeling about public lands along these three shoreline areas? In your opinion should the City consider additional acquisition or should they improve on what is there?

11. What changes in Tacoma's Shoreline Master Program Regulations do you feel are most important in achieving desired development?

INTERVIEW RESULTS

General Comments

General Observations

- o The shoreline is a timeless resource.
- o We should consider the future. We should look at development increments of 10 years. What is economic today may not be so tomorrow.
- o The waterfront belongs to everyone. There needs to be a mix of uses.
- o The waterfront is limited and it should be developed according to the best interests of the community -- not an individual's pocket-book.
- o The question of immediate economic profitability versus long term use for the next generation is the overriding shoreline issue.
- o There is a need to realize the intent of the shoreline plans that have been developed for this area.
- o The shoreline master program should not be changed without vigorous review.
- o Educational use of the waterfront has been sadly neglected.
- o The waterfront should be a boulevard with parks and trees and other amenities for public use. It should also support hotels, offices, commercial activities and an amphitheater for summer concerts.

Protection of Natural Resources

- o Protection of the natural shoreline is the highest priority.

- o Protect the natural shoreline as much as possible.
- o Industrial pollution should be addressed.
- o If the Port gets behind the clean-up problem then it might give real impetus to others to do the same.
- o There are fisheries problems, environmental problems, and clean up problems.
- o All planning efforts that are going to affect Commencement Bay and the waterways should take juvenile salmon use of the tideflats into account.
- o Most waterfronts have recovered from pollution. Tacoma needs to get serious about this.
- o There is a need to reverse the trend that has resulted in loss of productive salmon habitat.
- o Mitigation for intertidal habitat loss is possible but the resource agencies must be diligent in seeing such projects through.
- o Wildlife uses the shoreline and the upland habitats in the wooded gulches. There is a continuum from the gulches to the shoreline to the subtidal areas. This needs to be preserved.
- o The public should be educated about the pollution problems that exist. Once people understand the problems, they will support efforts to improve the situation.
- o We shouldn't worry about PCB's in the sediments. It will be silted over in 20-30 years with clean sediments.

Economic Development

- o Tax breaks could be used to provide incentive for development.
- o Tax revenue generation is not high on the priority list of most people. But it should be.
- o We must give developers incentive to enhance waterfront.
- o The use of tax incentives, such as Urban Development Action Grants (UDAG) should be investigated to encourage shoreline development.
- o The City must get involved to encourage developers.
- o There is a question as to whether Tacoma has the economic base to support major, new private investment along the shorelines.
- o There has been some saturation in the restaurant and marina market which has slowed the economic development of shoreline areas.
- o Maritime businesses are cyclical. Just because they aren't there now doesn't mean they won't there in the future. We need to keep a land bank for water dependent uses. Then we can build the facilities if they are needed.
- o The City can determine a range of uses to be allowed along the waterfront. But the number of any specific use should be determined by market conditions.
- o We should not neglect the possibilities of the tourist industry. We need to figure out what the niche is for Tacoma and find ways to attract people this area.

Regulatory Standards

- o There is a need for better coordination among regulatory agencies to help streamline the shoreline permit process and to avoid conflicting standards or regulations.
- o The concept of a one-step permit process for shoreline permits should be investigated.
- o The various levels of government seem to be doing little to accommodate shoreline development proposals.
- o In some instances, Tacoma's regulations appear to be more restrictive than those of State and Federal agencies.
- o The complexity and amount of existing regulations are stifling private investment along the shorelines.
- o Existing shoreline regulations are too complex and too numerous.
- o The shoreline management regulations are too restrictive. Former industrial areas are now in SMA jurisdiction and are not permitted to operate as they have in the past.
- o There appears to be a problem with interpretation of existing shoreline regulations.
- o It is time for a detailed refinement of the shoreline master program.
- o Performance standards are needed. We need to develop this kind of criteria to regulate proposed development.
- o Public access requirements and view protection are two areas where performance standards are needed.

- o Public access standards should specify the minimum required but it would be too bad if the developers only did the minimum required.
- o The regulations should be specific about public access and scale of development.
- o Lip service is now being paid to public access. This must change. There must be clear guidelines. Clear design and development standards.
- o A Design Review Committee should be created to review development proposals.
- o We need criteria to evaluate the acceptability of a use.
- o The design and development standards of the Shoreline Master Program need to reflect the underlying values and goals. The standards regarding public access and view protection need to be upgraded to enforceable, pragmatic statutes which will preserve the original idea behind the Shoreline Management Act.
- o Traffic intensity, automobile dependency and scale should be considered in limiting or controlling development, particularly with regard to non-water dependent uses.

Water-Dependency/Water-Related Uses

- o Waterfront should not be reserved for water-dependent uses.
- o The water-dependent/water-related requirements should be more strictly adhered to.
- o All waterfront should be reserved for water-dependent or water-related uses. The mixed use concept is not acceptable.

- o Restaurants take up valuable waterfront but do not offer high paying jobs. Maritime business are much better in this respect.
- o Water-dependency/water-related uses should be a priority for waterfront. But there is a lot of land available for this kind of use.
- o There are plenty of parks and restaurants. What Tacoma needs is profitable industry. We must not overlook the potential of the shoreline. Once land is a park it will be impossible to change it.
- o Waterfront should be reserved for water-dependent/water-related uses. At the same time, the door should be kept open to opportunity.
- o Waterfront uses should be water-dependent or water-related, but there should be room for flexibility.

Over-the-Water Construction

- o Over-the-water-construction would allow people to build in most of these areas.
- o The City should not allow residential over-the-water-construction.
- o The City must allow development over-the-water.
- o Developments that are currently allowed in upland locations should be allowed over water.
- o Residential development should not be permitted over-the-water.

Residential Development

- o Residential development may be appropriate across the street. But, not on the waterfront.
- o Residential development is not an appropriate waterfront use.

- o Residential development should only be allowed on waterfront when traffic conflicts and view restrictions are neutralized. Reasonable height restrictions should be the way to handle views.
- o Planned unit developments may be a more appropriate way to develop the waterfront.

Preservation of Views

- o Preservation and enhancement of views should be a goal of the shoreline regulations. Residential and recreational views should be taken into consideration.
- o View protection and development interests can be in conflict. This is a problem that needs to be discussed.
- o We should try to develop in ways that do not destroy views.
- o The SMP should definitely address views. The object should be to preserve and enhance views.
- o Views from roads and bike paths should be taken into consideration.
- o Views from the shore to the water, and the water to the shore should be taken into consideration.
- o Views should be addressed with particular attention given to cumulative impact. View corridors may be a good idea to protect views of the water from the road.
- o There is also a visual continuum from the shoreline up the bluffs. This too needs to be preserved.

- o Uses should be considered both from the standpoint of people on the beach looking at the water and from the water looking at the beach.
- o Residential development should only be allowed on waterfront when traffic conflicts and view restrictions are neutralized. Reasonable height restrictions should be the way to handle views.
- o Views should not be protected.
- o The SMP is not in place to protect an individual property owner's view.

Transit and Parking

- o A transit system to the waterfront will alleviate the parking problem.
- o A transit system should connect the CBD to City Waterway to Pt. Defiance.
- o Parking requirements need to be changed so more cars can fit into a limited area .

Public Access/Public Lands.

- o The City owns enough land. There is no money to buy more. Public monies should be used to provide incentive for development.
- o The City should look into acquisition. But this is not an overriding need. Acquisition should be part of an on-going capital improvement program.
- o The City should determine how much public shoreline ownership is most desirable and then move to accomplish that goal. One needs to determine whether the City can purchase additional properties at a reasonable price and if these purchased properties can then be leased to private development interests?

- o The City should examine the concept of trading properties, i.e. trading publicly owned property along City Waterway for privately owned property along Ruston Way.
- o If land is available the City should not turn its back on acquisition. The City should try to acquire more land over time.
- o Public acquisition of property is expensive. People probably do not want to tax themselves to have more parks.
- o Basically people are overwhelmed with parks and green belts. Afterall we have Pt. Defiance park.
- o The goal for ownership of the shoreline should be 50 % public : 50 % private.
- o Public access can be improved in all areas.
- o Public access should only be required if it makes sense.
- o There is a danger of private ownership limiting what belongs to everyone.
- o There is a need to accommodate organized activities along these shorelines particularly for public benefit. There needs to be places where people can just sit and enjoy the beach and places which are planned out.
- o Public access standards should specify the minimum required but it would be too bad if the developers only did the minimum required.
- o Lip service is now being paid to public access. This must change. There must be clear guidelines and design and development standards.

- o There really isn't enough public access. Pt. Defiance is jammed packed with people trying to launch their boats on the one boat ramp. And much of the shoreline in Pt. Defiance Park is high bluff and inaccessible.
- o One should strive for a balance between public and private use.
- o Public access requirements should require docks and walkways.

RUSTON WAY

General Observations

- o The status quo is acceptable.
- o Leaving Ruston Way the way it is, is the best idea. Only public related uses should be encouraged and no more commercial establishments should be permitted.
- o More study should be done to determine if additional private development is a good idea for Ruston Way.
- o Noise and glare from commercial establishments is a problem to upland residents.
- o No more commercial development should be allowed. Except maybe a fish bar, a hot dog stand or some other publicly oriented use.
- o Maybe small cafes with other small scale uses would be appropriate.
- o Ruston Way should be an area of boardwalks and small eateries.
- o A retail boardwalk may work on Ruston Way. Some housing and maybe a hotel would work.

- o Ruston Way should be a place that attracts people. That is a place where people can eat, sleep, work, and play. This will create the necessary critical-mass to make it a healthy economic community.
- o A wider variety of permitted uses is needed along Ruston Way. These may include multiple-family residential, mixed use commercial, a major theme park, athletic facilities such as a bike shop and casual food outlets .
- o The regulations should allow recreational uses and restaurants but not hotels.
- o Hotels and condos should not be permitted on Ruston Way. But recreation, leisure activities and restaurants are acceptable.
- o The regulations should allow retail and commercial development but no office buildings.
- o A hotel/convention center over the railroad track or even over-the-water would be a good idea.
- o A convention facility would attract people to Ruston Way.
- o Marinas and boat mooring facilities are not appropriate along Ruston Way because of storms out the north.
- o One thing that would help would be to provide for sheltered moorage along Ruston Way.
- o Encouraging more boat related activity would be appropriate.
- o An underwater scuba park would be appropriate.
- o Ruston way is no place for heavy industry.
- o More people related activities are needed.

- o Day time activities are needed.
- o A massive park, by itself, will not draw people. What is needed is other activities.
- o Educational uses would be appropriate. Museums are one idea.
- o The area is saturated with restaurants which cater to night-time activities. There is not much in the way of day-time activities.
- o People are supportive of a people-related system.
- o Ruston Way should enhance Pt. Defiance, not recreate it.
- o Efforts should be made to clean up the Dickman Mill site.
- o There is a need to develop the ASARCO property into a viable area. It should become a residential/commercial/recreational. A place where people can live, work and play.
- o The Port of Tacoma will want to use the ASARCO site for container shipping.
- o ASARCO could be used as a coal tipple. There is room there for 2 berths and just offshore the water is 35-40 feet deep.
- o The Port of Tacoma has 800 acres of undeveloped area for industrial use in the port area. Plans do not include expanding into the Ruston Way, Schuster Parkway area.
- o The slowdown of private investment of the Ruston Way shoreline is based on market conditions, which at the present time make these investments economically impossible.

Protection of Natural Resources

- o Many wildlife species that use the shoreline also make use of the wooded gulches. There is a continuum from the gulches to the shoreline to the subtidal areas. This needs to be preserved.
- o People using Ruston Way enjoy the wildlife. The City should look into ways of enhancing wildlife use of the area.
- o Along Ruston Way development should be sensitive to the fact that tidelands between +8' and -10' MLLW supports the majority of food items for juvenile salmonids.

Economic Development

Regulatory Standards

- o The National Guard site should be incorporated into the Ruston Way designation (S6).
- o The Dickman Mill site was proposed for a hotel/business/commercial enterprise but public access was an issue.
- o Increased height regulations, particularly along the Ruston Way shoreline, should be investigated to promote future private development.

Water Dependency/Water Related Uses

Over-the-Water Construction

- o Do not allow anymore over-the-water construction.

- o Being able to build out over the water is the only way people are going to be able to build along this shoreline.

Residential Development

- o Some housing would be appropriate.
- o A retail boardwalk may work on Ruston Way. Some housing should be allowed and maybe a hotel.

Preservation of Views

Transit and Parking

- o Parking is a big problem along Ruston Way.
- o Parking is not an appropriate use of the waterfront. It takes up recreational area. Instead transit should service the area.
- o A few major parking lots on the uplands should be developed. The City should look into using the area around the sewage treatment plant for parking. Complement this with a good public transit system to the area, and much of the parking problem will be solved.
- o The City should investigate providing additional public parking opportunities along the Ruston Way shoreline.
- o The ASARCO site could be used for parking. A cable-car using the existing tracks could be installed to get people back and forth.
- o The Shoreline Master Program should limit auto related businesses to prevent parking from becoming a more serious problem.
- o The possibility of a shuttle, to and along Ruston Way, would help increase access to the area and stimulate private development.

Public Access/Public Lands

- o The Shoreline Master Program should not overload developers with public access requirements.
- o The City should acquire the ASARCO property for Ruston Way expansion.
- o In terms of public/private ownership, a 60/40 to 50/50 mix is good.
- o The current 60/40--public/private split is good .
- o There are 18 private and 9 publicly owned properties along Ruston Way.
- o The City should purchase 10-20% more public land.
- o The City should be encouraged to purchase the Dickman Mill Site. This is the only natural beach on Ruston Way.
- o The City should purchase available land on Ruston Way.
- o The bike path is not wide enough for people and bikes. A 12 foot minimum width for pedestrian use is safest.
- o Public access is not sidewalks along streets. It must be next to the water. It must not be sandwiched in between parking lots and streets. People should be able to get to the water and use it. They should not be restricted by hours of use.
- o There is increasing conflict between pedestrians and motor vehicles along Ruston Way.
- o There is enormous overcrowding. Elderly people come from all over to walk along the shoreline and many people use the fishing pier.

- o The City should complete existing parks and scenic and passive recreation developments.
- o The City has accomplished its goal of encouraging public access to the Ruston Way shoreline.
- o The railroad tracks along the Ruston Way shoreline restrict growth into the uplands.

SCHUSTER PARKWAY

General Observations

- o Schuster Parkway is appropriately zoned. Mixed-use should be encouraged.
- o Schuster Parkway should remain industrial if it can be shown that the uses are appropriate.
- o Industrial uses should be allowed with performance standards.
- o Industrial uses along Schuster Parkway should be better defined in the Shoreline Master Program.
- o The Shoreline Master Program industrial designation is appropriate because of the railroad, the arterial and high banks . High banks prevent view blockage. But it probably would not be a good idea to allow smokestacks or polluting industries. Uses should be non-polluting, and water-related.
- o The Puget Sound Council of Governments has looked at the issue of available industrial land in the Tacoma area. This information should be used to determine if enough industrial land is available and if so,

it may not be necessary to retain industrial uses along Schuster Parkway.

- o The Port of Tacoma can absorb the industrial uses that are now allowed along Schuster Parkway. The impact of these uses to residential owners in the vicinity of Schuster Parkway is unacceptable.
- o The Schuster Parkway area is not suitable for industrial use. The land area is limited and the railroad can only come alongside. There is no room for a train to get off the main-rail to load or unload. Plus, there is a severe constraint to vehicle access. To get to the waterside vehicles must cross the railroad tracks. Such crossings must be agreed to by BNR.
- o Industrial uses are not appropriate along Schuster Parkway. The grassy median and vegetated bluffs acts as a greenbelt which enhances the waterfront. It also benefits people up the hill. Maybe there should be nodes of development but not a continuous strip.
- o Industrial uses in this area will destroy the vistas. Who wants this area to look like ASARCO?
- o Basically, Schuster Parkway should not be industrial.
- o Schuster Parkway should phase out industrial use unless such uses can be buffered with open space and access areas.
- o Schuster Parkway is appropriate for light industrial/retail and office use. Big ships are not appropriate.
- o The berthing of large vessels is not an appropriate use along Schuster Parkway. This should be looked at.
- o Hotel/motels and office buildings would be an appropriate use here.

- o If the public could purchase the National Guard site, then the rest of Schuster Parkway could be industrial. If the National Guard site became a park then it should be included in the same designation as Ruston Way (S6).
- o Schuster Parkway should be an area transitional between S6 (Ruston Way) & S8 (City Waterway). Possible uses should include hotels, office buildings, research centers and businesses. It would also be a good place for a fishing pier.
- o Boat building is can be an interesting and attractive enterprise. Its an activity that people can enjoy and watch.
- o Schuster Parkway has already been developed in ways that are practicably possible. Other uses would not be appropriate.

Protection of Natural Resources

- o Schuster Parkway cannot handle any more pollution. Boats moored near ASARCO never have a problem with bottom fouling. Industry along Schuster Parkway will destroy the ecology further.
- o Tidal and current action in Commencement Bay is not strong enough to adequately flush contaminants.

Economic Development

- o The idea of the National Guard on Schuster Parkway is good. It will attract tourists.
- o No more park land is needed. One must be cognizant of the tax base. There is a need to stimulate commercial development.

Regulatory Standards

- o Everything from Schuster Parkway to Pt. Defiance should be low impact business, water dependent, and related to public enjoyment.

Water Dependency/Water Related Uses

- o Mixed use would be appropriate but with the deep-water the regulations should encourage water dependent use.

Over-the-Water Construction

Residential Development

- o Residential uses in the vicinity of Garfield Gulch, along the Schuster Parkway Shoreline District, should be considered.

Preservation of Views

- o The view issue should not prevent development.
- o Smokestacks should not go in.
- o There is great selfishness on the part of a few people who would like to preserve their views at the cost of a civic asset.

Transit and Parking

Public Access/Public Lands

- o Public access is needed. There is none at this time.
- o Public access is not needed.
- o Schuster Parkway is not suitable for public access.

- o Remember the railroad goes right along the water. Trains go by at high speeds. It is not a good place for people to be walking around.
- o No more park land is needed here.
- o A single major public project along Schuster Parkway would be a good idea. Maybe a fishing pier.
- o If the City acquired the National Guard site it could be used as an oceanography/educational facility to teach children about marine biology and coastal processes.

CITY WATERWAY

Overview Comments

- o City Waterway should be the most attractive part of the city.
- o City Water Way could be like Granville Island in Vancouver, B.C.
- o City Waterway could be like the San Francisco waterfront. This would attract people.
- o City Waterway should be a downtown urban waterway. It should include hotels, condos, shopping areas, docks and a destination marina. Access to the Union Stations should be provided.
- o A wider variety of permitted uses is needed. For example, multiple family residential, mixed use, commercial/retail outlets, theme parks, athletic facilities such as a bike shop and casual food outlets.
- o The nearness of the Tacoma Dome creates some real possibilities for the public.

- o There should be a seaplane float in City Waterway.
- o More moorage is needed.
- o City Waterway can handle a mix of uses. Everything from offices and housing to industry would be appropriate -- even container shipping, marinas and logging operations.
- o City Waterway is appropriately zoned. It will happen eventually. These things take time.
- o Once people see things happening they will start getting involved.
- o We need to phase out the industrial uses on the east side of the waterway. This area should be developed in a mix of residential/retail commercial use.
- o The area between City Waterway and the Puyallup River should be developed in residential/commercial uses. All the industrial uses should be located on the other side of the Puyallup River.
- o It should be noted the land under the waterway is probably privately owned.
- o It would be a good idea to put the train station near the waterway as a way of getting more people to use the area.
- o Nuisances from adjacent uses and incompatibility of uses are a problem. This is particularly true on city Waterway. There does not appear to be enough enforcement of existing regulations.

Protection of Natural Resources

- o Nobody has a handle on the pollution problem in and around City Waterway.

- o Pollution hot spots are scaring investment away.
- o Pollution and environmental problems are a factor inhibiting development on City Waterway.
- o The clean up costs are such that the developer cannot make a profit. The SMP will not allow uses which could offer the kind of returns necessary.
- o The Department of Ecology is going to have to provide clearer guidelines on what will be required to clean up the waterway. Right now there is such uncertainty that developers shy away.
- o The City needs to divert the two storm drains at the end of City Waterway (the twin 96'ers) to the treatment plant on the Puyallup River.
- o The City needs to take a look at the problem of contaminants and take an active role.
- o It's really sad to see the environmental damage along City Waterway. But thanks to the Pierce County Health Department, things are improving. It used to be that you could never catch any fish down here. Now I can shine my flashlight into the water at night and see whole schools of fish, as well as lots of other marine life.
- o The City shouldn't have to bear the cost of clean-up.
- o The problem with pollution became apparent when the Jones & Roberts Property was slated for development. The area had been used for nickel plating with consequent contamination of the soils. Because of the uncertainties of clean-up costs the project was left stranded.
- o They also found tar pits on the property at the end of the waterway. And there is some question about the soil on the steam plant property.

- o There is debate as to whether there is soil contamination on the Harmon Leonard property at the end of City Waterway. One of the problems here is that the Department of Ecology would not give the property owners a clear idea of what they would have to do to address the problem.
- o City Waterway could be like a Granville Island but the Department of Ecology is killing this dream by failing to give reliable indications of what will be required for clean up.
- o City Waterway teams with juvenile salmon during outward migration. Juvenile salmon feed on the organisms that live in the mud of shallow water areas.
- o Marinas shade the bottom of the waterway and this inhibits the growth of organisms on which juvenile salmon feed.
- o Petroleum leakage into the waterway is particularly detrimental to salmon. Sources for this include the marinas in City Waterway and the tank farms on the east side. The boatworks also need to be sensitive to the salmon resource -- particularly when spray painting over the water.

Economic Development

- o The City needs to involve Burlington/Northern. Glacier Park, the development arm of Burlington/Northern should be brought in as part of the urban redevelopment program.
- o A well publicized sight-seeing loop like the Cascade loop -- going from Seattle to Bremerton to Tacoma and back to Seattle -- would attract people to the City Waterway area. City Waterway could become a stopping off place along the way.

Regulatory Standards

- o The regulations are written right. They don't need to be changed. Other things need to happen first -- like the right economic conditions.
- o The Shoreline Master Program should include the grain elevator in the S8 designation instead of S7.
- o An overlay zone for park like amenities could be developed for this area. It is a technique used in Grays Harbor.
- o Shoreline regulations should be tightened as they have done in San Francisco, Seattle and Vancouver BC. Everyone benefits when development adheres to high standards of design. Once an area is attractive, values go up. A developer can't lose.
- o The regulations should allow higher buildings along City Waterway. Because of the railroad and Tacoma Spur, views will not be blocked.

Water Dependency/Water Related Uses

- o Water dependent uses should be encouraged in City Waterway, but heavy water dependent industry should move to the Port area. If this is going to be a people place, heavy industry needs to move out.

Residential Development

- o The City should phase out the industry on the eastside of City Waterway. Residential and commercial uses would be more appropriate. For one thing, the view of the cityscape from this location is spectacular. It should not be wasted on tank-farms.
- o Residential use and condominiums would be a good idea. When you have people living in an area it gives it a different flavor.

- o Residential houseboats add a special dimension.
- o The regulations should allow condos with moorage slips on City Waterway. The tank farm/refineries on the eastside should be moved into the industrial area across the Puyallup River.

Preservation of Views

- o Covered moorage is an absolute travesty in a situation like this. It is never possible for covered moorage to look attractive. It always has a tendency to look like a floating shanty town.
- o Physical and visual linkages between City Waterway and downtown would do much to stimulate development in the City Waterway area.

Transit and Parking

- o There isn't even bus service along City Waterway.
- o A good idea would be to provide a transit connection from Pt. Defiance to City Waterways. A shuttle bus or a rail connection would be attractive.
- o A waterfront bus would be a good idea.
- o The tracks could be used for a trolley.
- o The City needs to develop a transit service to the City Waterway area. A waterfront bus could stop at the proposed commuter rail terminal at the Amtrak station, the Municipal Dock and the CBD.
- o It might be possible to develop a passenger ferry terminal at City Waterways servicing Brown's Point and Dash Point.

- o A passenger-only ferry, connecting Tacoma to Seattle, Gig Harbor, Bremerton and Dash Point would be a good idea. The Tacoma terminal could be in City Waterway.
- o There is also the potential for a rail passenger terminal on Dock Street between 11th and 13th. It could be tied in with the Municipal Dock terminal for ships and sea planes.
- o I-705 isolates City Waterway from the downtown CBD. A tie-in needs to happen.
- o To connect the downtown with City Waterway a structure could be built over the railway. The idea would be something like the convention center over the freeway in Seattle. This structure could provide pedestrian access from the CBD to the waterfront. It could also function as a commercial/retail building or even a parking facility.
- o Trains frequently block access to the City Waterway. If 4th Street and D Street are blocked by trains, 15th street is the only way down there. The new road under the highway spur, which is an extension of Dock Street, can also be blocked by trains. It would not be a good situation if an emergency were to occur and access to the area was blocked .
- o The idea of extending East/West Road across City Waterway would provide an opportunity to provide access to the waterfront which could not be blocked by trains.
- o Parking is a problem which requires a reasonable approach. Over the railroad parking may be too expensive .
- o The City parking requirements are excessive. Look at "The Dock". All that waterfront is being used up for parking.

Public Access/Public Lands

- o Connections to the CBD are essential.
- o The CBD could be connected to City Waterway with a lid over Cliff Avenue, I-705, and the Burlington Northern right-of-way. Other good connecting points would be from Fireman's Park to Dock Street and 11th Street to the Municipal Dock building. The City should develop the 13th street access as proposed in the American Cities study and the Union Station connection.
- o More public access is needed. What is there is not very usable or very inviting.
- o The 11th Street bridge access is not used that much. For one thing, it is dark and uninviting.
- o Better use needs to be made of the existing public lands and available public access.
- o A 50/50 mix of public and private land is desirable.
- o The City should work on developing existing public lands and improving the east side of the waterway.
- o A public pier at the Municipal Dock is a good idea.
- o Smaller parks are suitable along City Waterways.
- o Maybe all the land along City Waterway should be put into public ownership and leased back to developers. This is the best way to control what goes in there and to be able to make adjustments when market conditions change.

- o The railroad is a real barrier to access. It would help if BNRR cooperated with the City to overcome some of the problems that have kept City Waterway from becoming all that it could be.

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Appendices

APPENDIX A

RECOMMENDED PUBLIC ACCESS STANDARDS

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RECOMMENDED PUBLIC ACCESS STANDARDS

CONTINUOUS WALKWAY

NOTE: The Shoreline Trails Study describes a continuous pedestrian walkway along the shoreline from Pt. Defiance to City Waterway. On Ruston Way it is part of the bike path; on Schuster Parkway it is cut into the bank on the landward side of the road; and on City Waterway it is a shoreside promenade in various stages of completion.

Applicants for commercial development on the waterfront are required to tie into this continuous walkway. The intention is to provide a seaside promenade, although it may not be possible in all cases to construct the walkway adjacent to the water's edge. The bike path on Ruston Way, for example, is located behind existing waterfront developments, and there is an instance on City Waterway where the walkway goes around an area used by the fishing fleet for drying and repairing nets. In addition, it is not necessary for the walkway to be on dry land. It could be a boardwalk in front of a development or incorporated into the building design of a proposed structure.

Public access standards should address the range of possibilities for the pedestrian walkway.

- o **Setbacks.** Where the walkway is located adjacent to the water's edge, a minimum setback of 25 feet should be required. No buildings, structures, parking lots, or fills should be located within the setback unless it can be shown to be necessary for the function of a water-dependent or water-

related use. Otherwise, low shrubs and ground cover should be maintained within the setback wherever possible.

- o **Viewpoints.** Where the walkway is not located adjacent to the water's edge, a viewpoint should be provided every 500 feet in accordance with design standards described under VIEWPOINTS below.
- o **Boardwalk Construction.** Where the walkway is incorporated into the building design or proposed as a boardwalk (over-the-water in front of the building) a minimum width of 10 feet must be maintained. A minimum of one rest-stop should be provided, with additional rest stops every 1,500 feet. Rest stops should include seating and be located to take advantage of seaside vistas. If occupants of the building can see the rest stops areas, shielding may be appropriate.
- o **Bike Paths.** If possible the pedestrian walkway and bike path should be not be combined unless sufficient width is provided to accommodate both uses. The experience on Ruston Way has shown that pedestrians feel uncomfortable and in some cases endangered by the frequent bike traffic. A combined bike/-pedestrian walkway should be a minimum of 15 feet wide with a clear dividing line marked on the pavement, designating one side for bikers and the other for walkers.
- o **Route.** To maximize recreational benefits, the walkway should be located to maximize sun exposure, minimize unpleasant microclimate conditions such as winds, and minimize distractions (visual, noise and odor) produced by developments along the waterfront. In addition, the walkway should provide access to identified view points and vistas.
- o **Public Ownership.** Where the walkway crosses public lands efforts should be made to maximize public amenities. In all

cases, the walkway should be brought up to the standards of design established in the Public Access Plan.

ACCESS TO PEDESTRIAN WALKWAY

- o **Public Street Connection.** Pedestrian walkway connections should be made to all major arterials and/or public transportation routes. These walkways should be no more than 500 feet apart. Walkways should be provided to other public areas.
- o **Handicapped Access.** The walkway and walkway connections should be handicapped accessible.
- o **Access Control.** All walkway connections to public transportation routes should be controlled with permanent bollards placed to prevent automobile traffic from entering. Locking, removable bollards, should be provided at predetermined points to allow access of maintenance vehicles. All walkways should be designed so it is obvious to drivers that the access is for pedestrians only.
- o **Emergency Vehicle Access.** Emergency vehicle access shall be provided at predetermined strategic points. These, access points should be specially designed with a "drive-over" landscape strip or break-away" barrier to facilitate emergency access.
- o **Multi-use Trail.** There may be opportunities to combine the pedestrian trail with emergency vehicle routes. This may simplify the circulation pattern and economize expenditures of money and effort.

QUALITY RECREATIONAL EXPERIENCES ALONG THE WALKWAY

- o **Screening.** The pedestrian circulation system, including walkway, viewpoints and trail access connections, should be

designed to ensure adequate separation and screening from parking, loading, circulation routes, external storage areas, trash dumpsters, exterior vents, mechanical devices, and other similar equipment.

- o **Articulation.** Design criteria should be developed relative to the use of color, paving patterns, and signage to visually delineate the walkway and guide pedestrians. A hierarchy of trail widths should be established to visually separate the primary trail and secondary walkways.
- o **Noise Abatement.** The walkway should be sited wherever possible to avoid noise-generating equipment on private property. Rest stops and viewpoints should not be located in areas of concentrated noises.
- o **Unpleasant Odors.** The walkway, rest stops, and viewpoints should be located to avoid consistent, undesirable odors that may emanate from activities on the private property.
- o **Sense of Entrapment/Surprise.** The walkway should not have dead-end corridors longer than 50 feet. Where blind turns occur, there should be a clear walking radius of 20 feet to avoid arms-length contact with unanticipated pedestrians.
- o **Trash Receptacles.** Trash receptacles should be located at viewpoints, rest stops and at connection points with public streets. A design of the receptacle should be adopted and used throughout the pedestrian walkway system.
- o **Landscape.** A landscaped buffer should be provided along the walkway and between private development and setback zone. Landscaping should also be provided in conjunction with viewpoints and rest stops. Landscape treatment standards

should be developed that enhance the shoreline and complement the view.

The landscape treatment should complement the private developer's proposed landscape treatment, but the materials and overall design should provide for continuity throughout the length of the walkway. Landscape materials should be hardy and generally indigenous to the Puget sound area. It is desirable to have a variety of deciduous and evergreen plants.

- o **Sprinkler Irrigation.** Sprinkler irrigation systems may be necessary to ensure the life and vigorous growth of the landscape materials.
- o **Fencing.** Fencing, when approved in lieu of landscaping or in conjunction with landscaping, shall be of the height and style compatible with the local visual character and of human scale. The fence should enhance the visual harmony and create visual consistency for pedestrians using the walkway.
- o **Maintenance.** The developer and all subsequent property owners should retain maintenance and liability responsibilities. The developer should submit a maintenance and operations plan and budget for maintaining the setback area, viewpoint(s), and/or landscaping. This plan should be reviewed and updated (if necessary) every five years.

VIEWPOINTS

- o **Design.** Viewpoints should be designed as safe, comfortable resting places to view the waterfront, a scenic area, or an activity. Each viewpoint should be relatively small, approximately 400 square feet in size and have a hard surface. It is preferable to design the space using an identifiable configuration such as a square or a semi-circle. Vegetation

can be used to shape and define the viewpoint, provide a sense of enclosure and frame a view. Well defined edges help to identify these places and make them more attractive.

- o **Amenities.** Each viewpoint should be provided with seating. Consideration should also be given to providing other equipment to facilitate short duration stops, such as drinking fountains, trash receptacles, interpretive signs, kiosks and the provision of public art.
- o **Location.** A viewpoint should be provided every 500 feet when the walkway is not adjacent to or in view of the shore. Development of a viewpoint may occur adjacent to the trail, on piers or docks specifically created as public viewpoints, or roof areas. New development can utilize accessible roof areas. Such areas should be sensitively treated, particularly responding to climatic conditions as well as creating a pleasant visual environment when viewed from adjacent higher structures.
- o **Rest Stops.** Rest stops should be provided along the walkway to afford opportunities to rest and relax. Rest stops consist of seating along the trail and should be spaced approximately 1,500 feet apart.

VIEW CORRIDORS

- o **Public Rights-Of-Way.** View corridors to the shoreline along public rights-of-way should be protected. Landscape treatments within view corridors should frame and enhance the view of the waterfront.
- o **New Development.** The planning of any new development should require an analysis of its potential impact on the variety of view potentials from existing public, pedestrian environments

as well its potential impact from shadowing. Structure orientation and location, which provide for large open spaces between structures and which allow viewing of the shoreline should be considered as partial fulfillment of the public access requirement.

ADDITIONAL PUBLIC ACCESS ELEMENTS

- o **Public Structures.** Design standards for public piers, docks and transient moorage should take into consideration the scale of the proposed development.

- o **Beach Access.** Where beach access is provided, the area should be appropriately signed to indicate that it is approved for public use.

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