

News Release

From the City of Tacoma, Washington

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City to appeal ruling on Northshore development application

The City's pro-tem Hearing Examiner announced today that the Northshore Investors, LLC, application was complete on the date of filing for purposes of vesting in the Planned Residential District (PRD) regulations as they existed on the Jan. 27, 2007.

The City believes that the original staff determination that the application was incomplete was correct, and intends to appeal the pro-tem Hearing Examiner's decision to Pierce County Superior Court after reviewing the matter with the City Council.

The pro-tem Examiner found that the application was complete, both with respect to providing any necessary threshold analysis regarding open space and density on the golf course site, as well as adequately addressing wetlands on or near the site as required by the City's Critical Areas Protection Ordinance. The pro-tem Examiner found that the defects in the application identified by the City are problems that affect the adequacy and accuracy of the permit materials and should be addressed in the review process, rather than problems which render the application incomplete at the threshold.

The pro-tem Examiner limited his decision to the completeness issue and did not analyze or construe the development restriction recorded against the golf course property in 1981 in the form of an Open Space Taxation Agreement. The pro-tem examiner found that any analysis of the effectiveness or reach of that recorded agreement must be determined on the merits during the permit review process.

The pro-tem Examiner's decision means that the City must continue to process the Northshore Investors, LLC, permit application under the City's PRD regulations as they existed on Jan. 27, 2007, the date of permit filing.

On Jan. 30, 2007, the City Council enacted a six-month moratorium on any changes to existing PRDs or formation of new PRDs. Earlier this week the City Council approved changes to the City's Municipal Code relating to PRDs at its July 10, 2007 meeting. Passage of the new code marked the end of the six-month moratorium,

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