



To: Planning Commission
From: Adam Nolan, Planning Services Division
Subject: **2023 Annual Amendment Package – Public Hearing Debrief**
Memo Date: April 26, 2023
Meeting Date: May 3, 2023

Action Requested:
Provide direction to staff.

Discussion:

The Planning Commission conducted a public hearing on April 5, 2023, to receive oral testimony, and kept the hearing record open through April 7, 2023, to accept additional written comments, concerning the 2023 Annual Amendment to the [One Tacoma Comprehensive Plan](#) and [Land Use Regulatory Code](#) (or “[2023 Amendment](#)”), which includes the following applications:

- (1) Mor Furniture Land Use Designation Change (near South 49th and Wilkeson)
- (2) Electric Fence Development Standard Amendments
- (3) Shipping Container Development Standard Amendments
- (4) Delivery-only Retail Businesses
- (5) Commercial Zoning Update Phase I: Neighborhood Commercial Design Standards
- (6) Minor Plan and Code Amendments

At the April 19, 2023, meeting the Commission reviewed public comments received and considered modifications to applications 1, 4, 5, and 6 of the 2023 Amendment. At the next meeting on May 3, 2023, the Commission will review staff responses to public comments received and consider modifications to applications 1, 2, 3, and 6 of the 2023 Amendment. To facilitate the Commission’s review and discussion, staff has included the following materials in the agenda packet:

- Attachment 1 – Staff Responses to PC Questions
- Attachment 2 – Staff Responses to Public Comments

Staff is seeking comments and direction from the Commission, which will be used to prepare draft documents of “Planning Commission’s Letter of Recommendations” and “Planning Commission’s Findings of Fact and Recommendations Report” for the Commission’s consideration for approval at the meeting on May 17, 2023.

Tentatively, next steps for the 2023 Annual Amendment include the following dates and actions:

- May 3 – Commission review of public comments
- May 17 – Commission Recommendation
- June/July – City Council Consideration



Project Summary:

The Comprehensive Plan and its elements, as well as development regulations and regulatory procedures that implement the Comprehensive Plan, shall be adopted and amended by ordinance of the City Council following the procedures identified in TMC 13.02.070. Proposed amendments may be considered annually, for which the amendment process shall begin in July of any given year and be completed, with appropriate actions taken by the City Council by the end of June of the following year. The process for the [2023 Amendment](#) began with accepting applications during January-March 2022 and is slated for completion in June 2023.

Prior Actions:

- 04/19/2023 – Commission review of public comments
- 04/05/2023 – Public Hearing on 2023 Amendment Package
- 03/01/2023 – Review status of “Delivery-Only Retail Businesses” and “Minor Plan and Code Amendments”, and release of 2023 Amendment Package for public review
- 02/15/2023 – Review status of “Delivery-Only Retail Businesses”, “Commercial Zoning Update Phase I”, “Electric Fences”, and “Shipping Containers”
- 02/01/2023 – Review status of “Mor Furniture”
- 01/04/2023 – Review status of “Commercial Zoning Update Phase I”, “Minor Plan and Code Amendments”, and “Delivery-Only Retail Businesses”
- 11/16/2022 – Review status of “Electric Fences” and “Shipping Containers”
- 11/02/2022 – Review status of “Mor Furniture”
- 09/07/2022 – Assessment and Determination of “Commercial Zoning Update Phase I” and “Delivery-Only Retail Businesses” (proceed with technical analysis)
- 08/17/2022 – Assessment and Determination of “Minor Plan and Code Amendments”, “Electric Fences”, and “Shipping Containers” (proceed with technical analysis)
- 07/20/2022 – Assessment and Determination of “Mor Furniture” (proceed with technical analysis)

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Attachments:

- Attachment 1 – Staff Responses to PC Questions
- Attachment 2 – Staff Responses to Public Comments

c. Peter Huffman, Director



2023 ANNUAL AMENDMENT TO THE COMPREHENSIVE PLAN AND LAND USE REGULATORY CODE

Planning Commission Meeting - May 3, 2023

Attachment 1: Staff Responses to Planning Commission Comments

(From April 19, 2023, Meeting)

Mor Furniture Application

Context on the future land use map and how it relates to this site? (Dorner, Marlo)

The Future Land Use Map (FLUM) can be found on Page 2-6 in the [Urban Form Element](#) of the One Tacoma Comprehensive Plan. The FLUM is the official land use map of the City. It illustrates the City's intended future land use pattern through the geographic distribution of residential and commercial areas, the designation of mixed-use and manufacturing/industrial centers, as well as shoreline and residential designations. This land use distribution was a result of analysis of the urban form policies, existing land use and zoning, development trends, anticipated land use needs and desirable growth and development goals. Various types of zoning and land use may be permitted within each of the designations. The map is to be used in conjunction with the adopted policies of the Comprehensive Plan for any land use decision. The FLUM and the designations in Table 3 on page 2-8 provide a basis for applying zoning districts and for making land use decisions. Policies should be considered and interpreted in accordance with the geographic characteristics of the mapped areas.

Refer to Exhibits A and B, Pages 15 and 16 in the [Mor Furniture Land Use Designation Change Public Review Document](#), for further context on what this application is proposing.

What is the anticipated traffic for residential volume at this site if it were to remain Low Scale Residential Land Use?

Note that the documents and page references below refer to the [Mor Furniture Land Use Designation Change Public Review Document](#). The applicant contracted with Jake Traffic Engineering (JTE) to complete a trip generation analysis study (full report found in Review Document), and this was reviewed by Public Works-Transportation staff. Staff summarized these findings in the Staff Analysis Report (Page 10) and further assessed potential impacts in the Impact Analysis (Page 27).

Staff has to work with the baseline assumption that development could take place on the subject site. As noted in the documents and analysis, the baseline assessment considered potential impacts if development occurred in the current designated land use of Low-Scale Residential. The Impact Analysis considered potential impacts of a land use change to General Commercial, as well as what city policy and standards would apply and how they may effectively mitigate potential impacts.

The JTE Engineering Trip Generation Analysis assessed anticipated trip generation for the proposed General Commercial and other commercial uses alongside potential residential use densities that could potentially be developed under current Residential zoning. The current Comprehensive Plan low-scale residential land use designation calls for residential development, potentially up to 25 units/acre. It is likely that site access to residential would have to be from S 49th Street. In considering this proposal, staff notes that access to the subject site and student safety was one of the primary concerns heard from engagement with Tacoma Public Schools and others, and access to Residential uses at the subject site may create points of conflict regarding Safe Routes to School and student safety (Staff Analysis Report, Page 10; Land Use Compatibility Analysis, Page 17; and Impact Analysis, Page 27).

What does code say about buffers and transitions between zones for Commercial Development? How does this apply to Giaudrone Middle School? (Marlo, Santhuff)

The subject parcel shares property line with Giaudrone Middle School; the middle school has a “Low Scale Residential” land use designation and is zoned R2-STGPD.

TMC 13.06.090.J details Residential transition standards pertaining to buffers noting in 5.b Landscaping Buffers that “Landscaping buffers are intended to function as a substantial vegetative screening providing physical and visual separation between dissimilar districts in order to soften visual and aesthetic impacts. Buffers also provide the aesthetic and environmental benefits of vegetation.”

How buffer considerations pertain to potential commercial development at the subject site are noted in the same code section under 5.d. Buffer standards - More intensive district abutting an R-District property:

- A continuous planting area that has a minimum width of 15 feet shall be provided on the property, along the boundary with the R-District.
- Where the property required to provide a buffer is 150 feet or less in depth, measured perpendicularly from the residential parcel, the buffer can be reduced to the minimum 10-foot-wide buffer listed below.

As an additional consideration, staff notes that the current land use at the subject site is Low Scale Residential. Section 5.c Exceptions of the above section reads: (7) Single-, two-, three-family and townhouse developments are exempt from all landscaping buffer requirements.

Steep Slopes as critical areas? Does code say anything about this? City stance/policy on critical areas? (Martenson)

As noted in the April 19 Planning Commission meeting, the City’s DART Map shows that the subject site parcel does have slopes mapped over 40% grade. In order to determine if the steep slope poses a landslide or erosion hazard, the site is evaluated per the classification criteria in TMC 13.11.720 . If the steep slope qualifies as a hazard, then TMC 13.11.730 details general standards applying to geologically hazardous areas (including addressing geo-setbacks and geo-buffers).

Generally, as part of site rezone and/or development permitting stages the applicant would be required to undertake a geotechnical report that studies potential hazard areas, their soils, etc. and how “buildable” the site is with engineering. This report would be reviewed by our commercial building department. When there are only steep slopes, and the property does not meet the criteria as a “hazard” there is not a separate critical area permit required. Aquifer standards would also be evaluated under the development permits.

Planning staff did consult with a City geologist staff who conducted an initial review. The staff geologist noted that the approximate grades at the subject site are estimated near 22%. Any proposed project will require additional geotechnical professional evaluation and recommendations during the development stages for this site.

The applicant-owned commercial parcels bordering to the north of the subject site parcel have similar site characteristics. These commercial parcels have an existing geotechnical report that has been reviewed and approved by the City with a site development permit being issued for grading.

What is the air quality at the site, and in relation to air quality standards? What would be impact of this proposal? (Steele, Karnes)

Staff has provided some background information about air quality standards, monitoring, sources of pollution, and input from other agencies and sources (Tacoma Equity Index, WA Health Disparities Map, TPCHD letter, Dept. of Ecology) in the Staff Report, Impacts Analysis, and in packet materials and presentations (April 19, etc.). This is additional information obtained through research and conversations with Ecology and the Puget Sound Clean Air Agency (PSCAA) to address gaps in the information as identified by the Planning Commission on April 19.

Staff cannot provide air quality details absolutely specific to the subject site and immediate surrounding area. The nearest monitoring site is less than a mile away on S 36th St near Jennie Reed Elementary. PSCAA and Ecology have monitoring stations set up in different geographic areas; monitors are sited according to EPA criteria to ensure a consistent and representative picture of air quality ([PSCAA, 2022, p. 3](#)).

Pierce County has four monitoring stations, with three of them being in Tacoma (Tideflats, South 36th near Jennie Reed Elementary, South L Street/78th). Ecology and PSCAA are subject matter experts legally mandated to ensure compliance with National Ambient Air Quality Standards established with the Clean Air Act, and the agencies utilize a variety of sophisticated tools to monitor air quality and compliance for all counties in the region.

In 2009, Tacoma/Pierce County was found to be in nonattainment (non-compliance) of federal standard for PM2.5 pollution. The State was required by EPA to develop a State Implementation Plan that outlines how the state will bring the area back into attainment (compliance). After significant efforts to clean the air and reduce wood smoke in Tacoma/Pierce County, the area came back into attainment (compliance) with the standard in February 2015. PSCAA is on record stating that over the last few decades, many pollutant levels have declined, and air quality has improved overall. In 2021, the overall air quality exceeded standards and continued the trend of improvement, though we still face challenges due to wildfire smoke (PSCAA, 2022, p. 2).

In 2010, Ecology published a [report of sources of fine particle pollution](#). The pie chart (Figure 3.1), shared by PSCAA, is a breakdown of these findings from the South L St/78th monitoring station ([Ecology, 2010, p. 14](#)).

**Data collected between January 11, 2006, and May 7, 2009
at 7802 South L Street Monitoring Station**

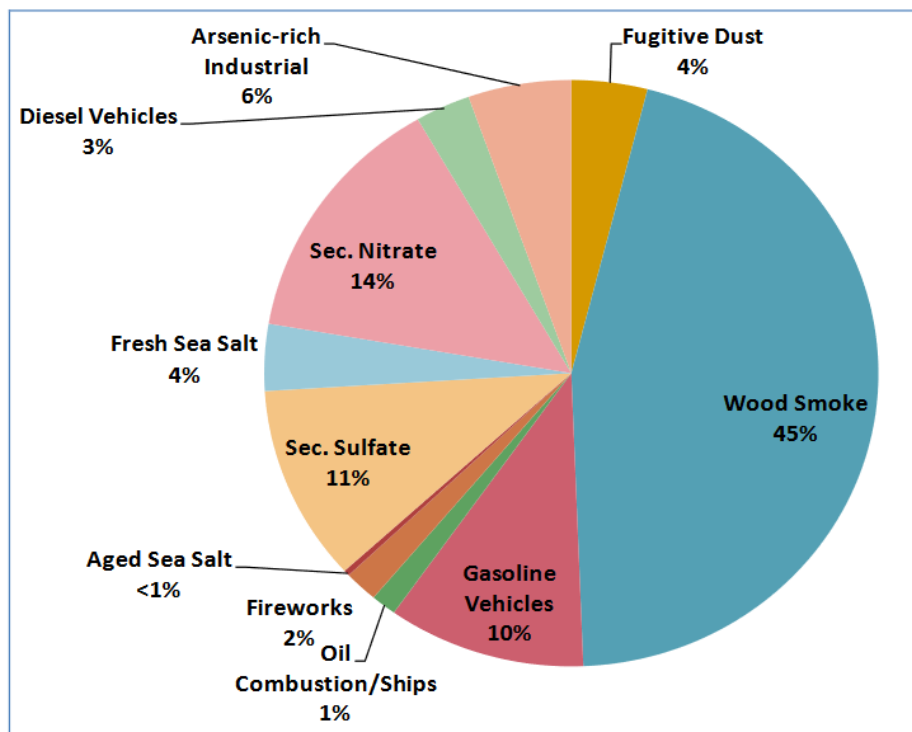


Figure 3.1. Percentage contributions, averaged over the entire modeling period.

Staff acknowledges that communities located near major roadways are disproportionately exposed to automobile and diesel pollution and their impacts. Figure 3.1 illustrates that we also must consider other source pollution contributors in the region in considering air impacts in the region and on the subject site area. Fine particulate and other air pollution does not remain isolated to source areas but can and are distributed throughout the region based on weather and circulation patterns, and other factors.

Air Quality Standards

The EPA has a daily health-based **fine particle standard** of 35 $\mu\text{g}/\text{m}^3$ ($\mu\text{g}/\text{m}^3$ = micrograms per unit of air). In addition to the federal standard, PSCAA Board of Directors adopted a more stringent health goal of 25 $\mu\text{g}/\text{m}^3$ in 1999. PSCAA monitored counties (including Pierce County) exceeded the local health goal of 25 $\mu\text{g}/\text{m}^3$ on 14 days in 2021, which were mostly during wildfire-impacted days in August and winter months (PSCAA, 2022, p. 2).

Figures 6 and 7 show daily 98th percentile 3-year averages at each monitoring station in Pierce County compared to the current daily federal standard. Points of the graph represent averages for three consecutive years. For example, the value for 2021 is the average of the 98th percentile concentration

for 2019, 2020, and 2021. Note the differences in Figure 6 (includes wildfire days) and Figure 7 (excludes wildfire days).

Figure 6: Daily PM_{2.5} Design Values for Pierce County

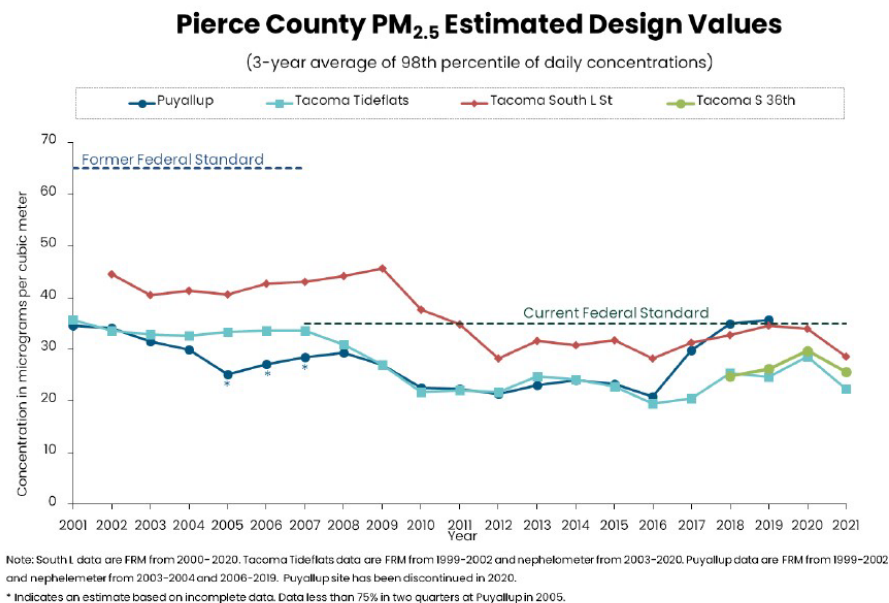
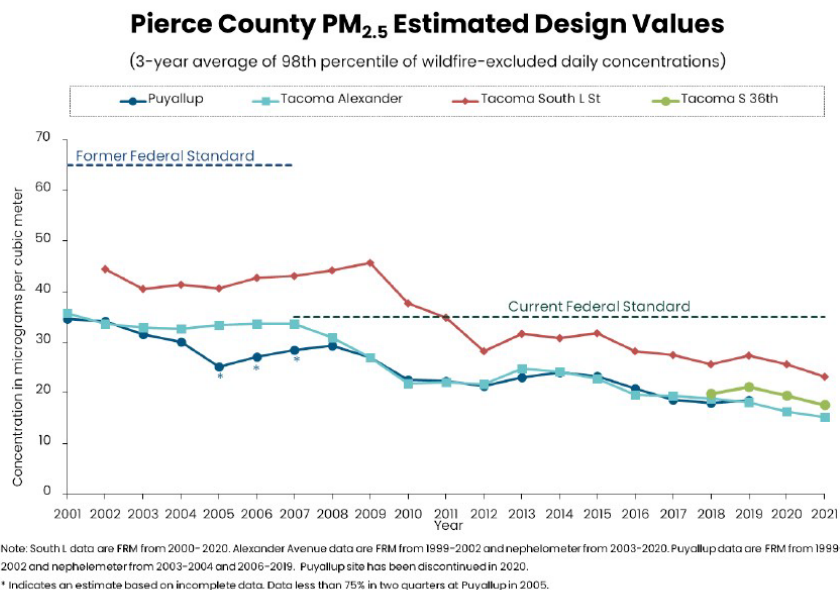


Figure 7: Daily PM_{2.5} Design Values for Pierce County with wildfire-impacted days removed



Figures 14 and 15 show the annual PM_{2.5} values for Pierce County. In 2012 the EPA strengthened the annual standard from 15 µg/m³ to 12 µg/m³. All PSCAA monitored counties (including Pierce County) have levels below the 12 µg/m³ standard. The federal standard is based on a 3-year average, and each

value on the graph is an average of the current year and the two prior years. As an example, the 2021-year value will be an average of annual averages for 2019, 2020, and 2021.

Figure 14: Annual PM_{2.5} Design Values for Pierce County

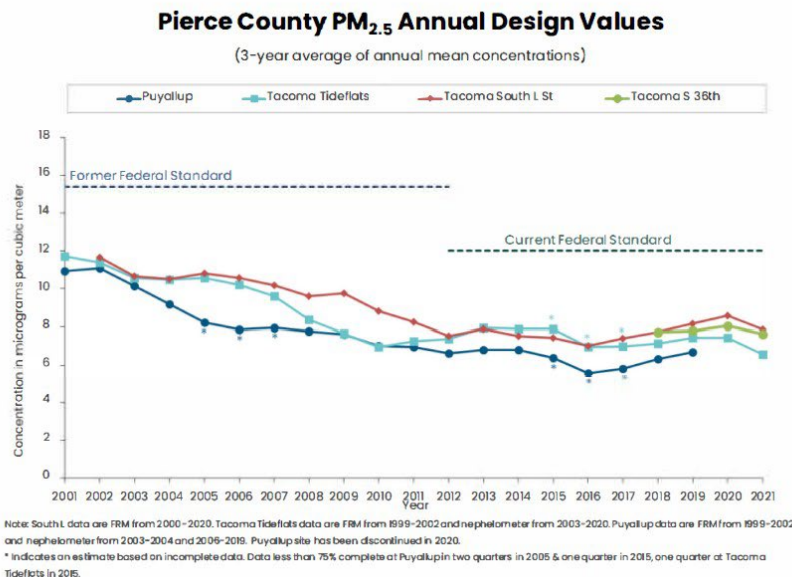
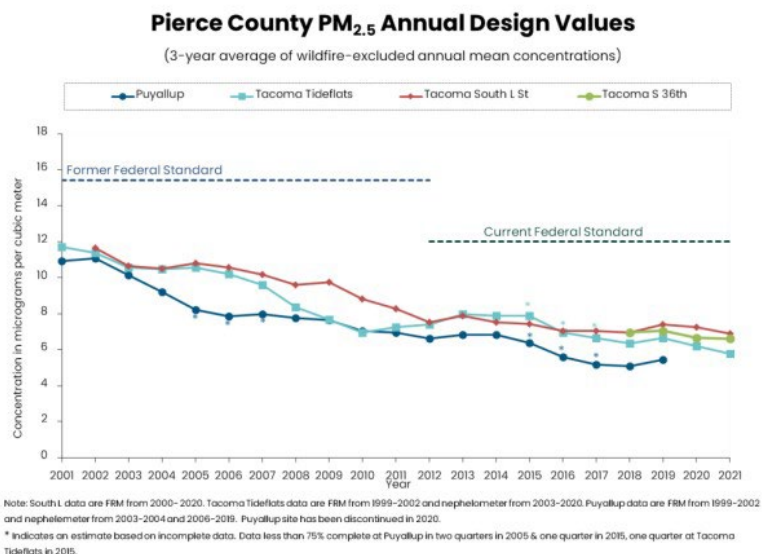


Figure 15: Annual PM_{2.5} Design Values for Pierce County with wildfire-impacted days removed



Impacts from this proposal

The Staff Analysis Report (Section 3c) and the Impacts Analysis (Attachment B) provide an assessment of the anticipated impacts, including air quality considerations, of the proposal. Important in this

assessment and analysis is the consideration of baseline assumptions that the currently privately-owned vacant and undeveloped subject parcel may be developed (whether under Low-Scale Residential or General Commercial land use). Any development of the vacant and undeveloped subject parcel will result in impacts, and the staff analysis is an effort to better understand potential impacts and how they may be mitigated. It is also very important to consider that the applicant-owned parcels that border directly to the north of the subject site are already zoned C-2: General Commercial, so commercial development is already permitted on those parcels (See “2. Background” in the Staff Analysis Report).

After consultation with Ecology and PSCAA, and review of the sources that they provided and shared with the Commission, staff concludes that development at this site, whether residential or commercial, will not impact compliance with adopted air quality standards. However, it is possible, and certainly likely that this site would have localized impacts from proximity to I-5 as well as from potential new development activity. Staff has previously shared concerns about siting residential in this location due to the proximity to I-5 as well as the lack of broader neighborhood connections.

PSCAA does requires a [construction permit](#) for “any new or modified air pollution source prior to construction or making operational modifications (including equipment, process, or design changes) that affect the level of air contaminants emitted”; it is highly unlikely that commercial development at this site and the applicant’s commercial parcels to the north would trigger a PSCAA construction permit.

Electric Fences Application

Seeking clarity on what exactly we are talking about with electric fences, especially safety concerns. Did not hear anything about voltages or shocking people in public comments, but that if fences were cut or touched would set off alarms, etc. Confusion between what industry is advocating for and the code that is being considered; Are they two different things we are looking at (necessitate two different codes?)? (Krehbiel, Strobel)

Electric Fences are indeed fences. Amarok is asking that jurisdictions call it a “security system,” not a fence. Olympia and Auburn declined to accept this approach. Staff is not aware of a jurisdiction that has followed this approach. There is confusion because the fence system is called “The Electric Guard Dog”. And there is an alarm component that goes off. But *it is absolutely an electric fence and should be regulated as a fence.*



Aqua Rec at 1407 Puyallup Ave.



Ryder at 1311 South Tacoma Way

Confusion about placement of electric fence, including comments about placement behind fence line. Does this refer to where electric fence can be placed behind an existing fence or something else? (Dorner)

Amarok and business owners want the non-electric perimeter fence to be allowed on the property line and they want no more than 1 foot between the non-electric perimeter fence and electric fence that will be placed behind the perimeter fence.

Businesses also want us to allow electric fences in between the building and the front property line. Staff opinion is that Olympia code works well. (See Question 3, "Olympia Code" bullet 3).

Staff thinks it is appropriate to allow the perimeter fence on the side and rear property line. With 1 foot between perimeter fence and electric fence. At this point the focus appears to be on the frontage of property and/or if allowed between building and street.

What did Olympia do to address electric fences? What does their code language specifically say? (Santhuff, Steele, Strobel)

Staff used code examples from both Auburn and Olympia when drafting the code for Planning Commission. Staff has not had much in the way of conversations with staff from these cities aside from email correspondence. Staff did not alter the proposed zoning districts from council directive but would note that the Auburn code is a useful approach (see below).

Staff believes there is merit to limiting the allowance of electric fences to certain types of businesses and/or "outdoor storage" in the C-1, C-2, and WR. In the CIX, staff would propose we mimic Industrial Districts. The Planning Commission could also consider that if we limited to certain business and/or "outdoor storage" then we could possibly open up to more zoning districts (example: Titus-Will written public comment).

OLYMPIA CODE:

- Olympia allows electric fences in the following zones: Auto Services, Industrial, and Light Industrial. The code goes on to say: "The Director may, on a case by case basis, authorize the installation and use of electric security fence to secure an outdoor storage area in the following zoning districts if the Director find there has been an increase in theft and vandalism at the outdoor storage area and finds that use of an electric security fence is warranted because the responsible person has taken reasonable measures to prevent theft and vandalism, but such measures have not been effective..." In this case, specific to outdoor storage, electric fences may be allowed in General Commercial, Downtown Business, High Density Corridor 1, 2, 3, & 4.
- Outdoor Storage "includes an area used for automobile and recreational vehicle repair and service, equipment storage, lumber yards, fleet storage, landscape supplies, or similar uses".
- Regarding front yard, the code states "The first priority is to place both the non-electrified perimeter fence and the electric security fence outside the required yard setback. If this is not practical due to existing improvements such as paved parking, curbing, or landscaping, both fences can be placed in the required front yard setback. In these instances, the non-electrified perimeter fence may be up to five feet in height and must be transparent, for example chain link

or metal picket fencing. The electrified portion may extend up to eight feet in height. Both fences must be placed as far back as site conditions allow to avoid being at the edge of the adjacent street or sidewalk”.

AUBURN CODE:

Auburn allows electric fences in their C-3, M-1, M-2, LF, and I zones but ONLY when around “outdoor storage areas”.

What allowances does city have for outdoor storage in these zones; does outdoor storage require additional permissions? Is this the main reason for needing electric fences? (Dorner)

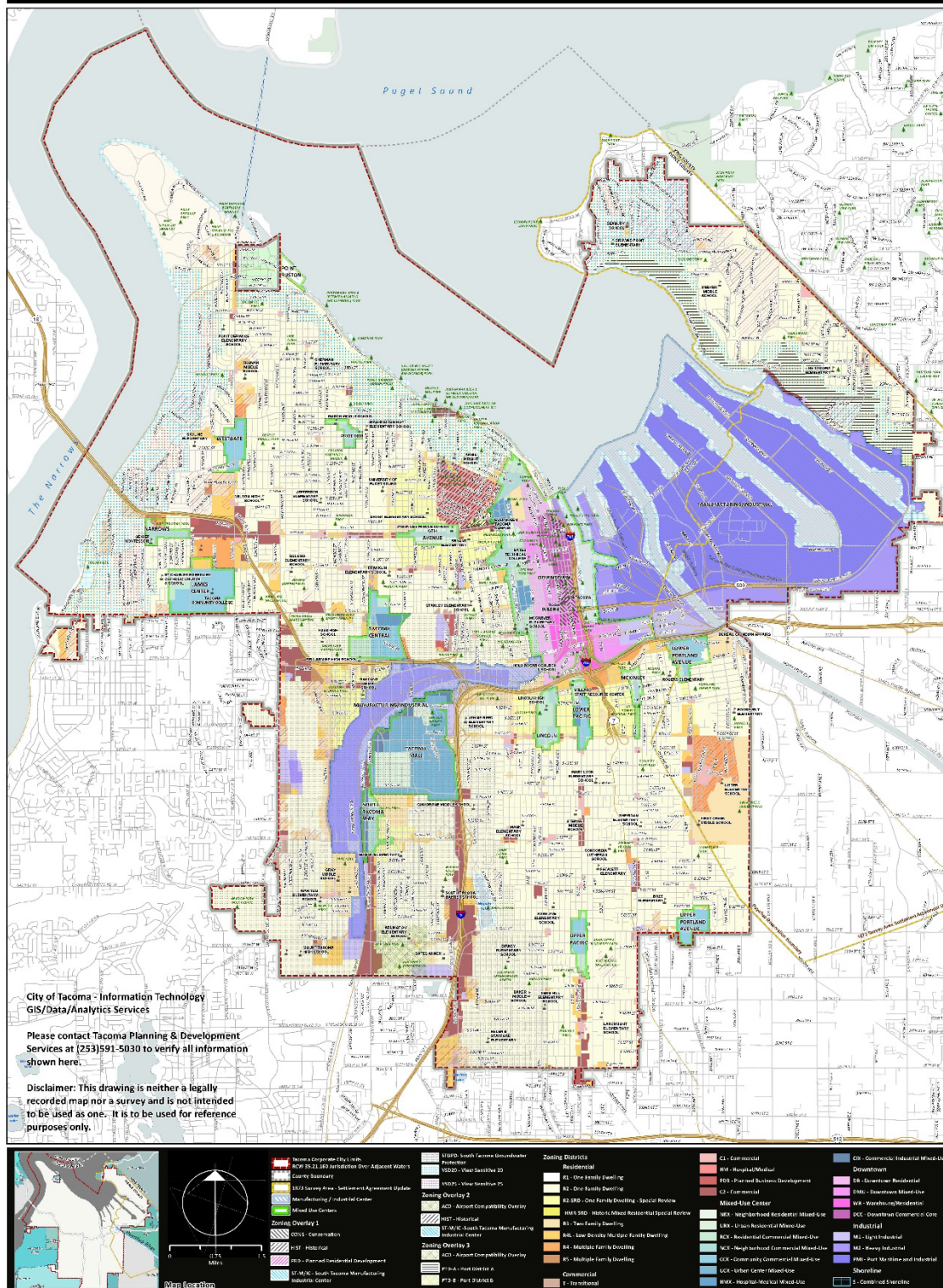
Use	Outdoor Storage Allowed?						
	C-1	C-2	WR	CIX	M-1	M-2	PMI
Animal Sales and Service	No	No	No	Yes	Yes	Yes	NA
Auto Repair	No (car wash allowed)	Yes with Limits	No	No	Yes with screening	Yes with screening	Yes
Auto Sales & Rental	NA	Yes	No	Yes	Yes	Yes	Yes
Building Materials	NA	Yes	No	Yes	Yes	Yes	Yes
Craft Production	Yes with screening	Yes with screening	No	Yes	Yes	Yes	NA
Fueling Station	No	No	NA	No	Yes	Yes	Yes
Repair Services	No	No	No	Yes	Yes	Yes	Yes
Vehicle Storage	NA	NA	No	Yes with screening	Yes with screening	Yes with screening	Yes

Seeking clarity on where electric fences currently allowed in the city? (Santhuff)

Electric fences are currently allowed in M-1 (light industrial), M-2 (heavy industrial), and PMI (port maritime industrial) Zones. Code requires them to be installed inside a perimeter fence, which may or may not be a screening fence. See the zoning map on the following page for reference.

What kind of vehicle-oriented businesses would fall outside of the proposal being considered for electric fences? (Santhuff)

This is still under staff review. More information will be provided to the Commission at the May 3 meeting.



Minor Plan and Code Amendments Application

What is Home Address Signage minor amendment doing? What are new requirements? (Steele)

The Home Address Signage Minor Amendment is a proposed amendment to TMC 13.06.090.I.3 – Sign Standards – General Sign Regulations.

The proposed amendment to this section of code reads:

(17) Home address signage, including name of resident or owner, one per street face, per unit, including ADUs, must be located entirely on private property, may not be larger than 10 inches by 24 inches in size, and may not be an advertisement or wording other than name of resident/owner.

No.	Title of Issue and Code Section	Description of Issue	Proposed Amendments
4.	<u>Home Address Signage</u> <ul style="list-style-type: none">• TMC 13.06.090.I.3.b	Suggest necessary clarification on home address signage, with current ADU rules, Infill Pilot Program approvals, a minor adjustment to current code should be considered further clarifying residential address signage.	TMC 13.06.090.I.3 – Sign Standards – General Sign Regulations b. Exempt signs. The following signs shall be exempt from all requirements of this section and shall not require permits; however, this subsection is not to be construed as relieving the user of such signage from responsibility for its erection and maintenance, pursuant to Title 2 or any other law or ordinance relating to the same. (1) Changing of the advertising copy or message on a sign specifically designed for the use of replaceable copy. (16) Temporary public event signs not exceeding 12 square feet, and temporary event banners, placed on publicly owned land or adjacent public right-of-way. Signs or banners shall be securely attached to the ground or a structure and must be removed after the event. (17) Home address signage, including name of resident or owner, one per street face, per unit, including ADUs, must be located entirely on private property, may not be larger than 10 inches by 24 inches in size, and may not be an advertisement or wording other than name of resident/owner.

This information can be found on Page 11 of the [Minor Plan and Code Amendments Public Review Document](#).



Public Comments and Staff Responses

2023 Annual Amendment to the One Tacoma Comprehensive Plan and Land Use Regulatory Code



Planning Commission Meeting - May 3, 2023

Attachment 2 – Staff Responses to Public Comments

The Planning Commission conducted a public hearing on April 5, 2023, to receive oral testimony concerning the 2023 Annual Amendment to the One Tacoma Comprehensive Plan and Land Use Regulatory Code (2023 Amendment) and accepted written comments through the closure of the public hearing record on April 7, 2023.

This report compiles public comments received and staff's responses to the comments, and where appropriate, staff's suggested modifications to the proposals contained in the 2023 Amendment Package.

Key	Comments	Commenters	Staff Responses and Suggestions
Overall Comments on 2023 Amendment Package			
	No Comments Received.	N/A	N/A
(1) Application: Mor Furniture Land Use Designation Change			
M1	Request denial of the application.	Seibel; Arent; Provacek; Stephens; Svancarek; Smith; Bickenbach; Kirkland; Oaks; Day; Urwin; Mood	<p>Comment noted. It is within the purview of the Planning Commission to issue a recommendation to the City Council to approve or deny the amendment proposal.</p> <p>Staff notes that the applicant also owns four parcels bordering directly to the north of the subject site. These four parcels are already zoned for general commercial activity and a commercial use could utilize those existing commercial sites, even if this application is denied. Additional information can be found in the Public Review document.</p>

Key	Comments	Commenters	Staff Responses and Suggestions
M2	<p>Buffers and Acquisition:</p> <ul style="list-style-type: none"> • Subject site should be retained as a buffer area between the school and the freeway. Consider public acquisition. • City Council should explore purchasing the land with the county's Conservation Futures funding. Mor Furniture Outlet should not open next to a school and on a dead-end neighborhood street. • Should look at partnership between the Trust for Public Land and Jenny Reed Middle School at all school located along I-5, with the purpose to plant trees between these schools as a buffer. • Giaudrone Middle School needs a buffer zone in the area in question that includes trees, a park, and walking and biking trails. 	Smith; Seibel; Arent; Provacek; Bickenbach	<p>The subject property was previously publicly owned by Tacoma Public Schools but is now privately owned. As the subject site is private property the City must allow for reasonable use. The current zoning for this property supports residential development. For the staff analysis, staff assumed that the baseline comparison for this property is not a vacant lot, but that residential development occurs in the absence of a commercial project. The Planning Commission can recommend that the City Council consider acquisition and retention as an open space buffer, but there is no guarantee that that would occur.</p> <p>Trust for Public Lands Tacoma Green Schoolyards program currently involves five TPS elementary schools in South and Eastside Tacoma.</p> <p>Additional Information in M3 – Tree Canopy comment.</p>

Key	Comments	Commenters	Staff Responses and Suggestions
M3	<p>Tree Canopy:</p> <ul style="list-style-type: none"> • Would remove vital mature trees needed in those areas of the city. • This neighborhood is underserved from a tree canopy standpoint. Tree canopy should be enhanced and impacts on tree canopy should be mitigated. • Recommends that green space between the freeway and the school & the residential homes needs more trees in their open space buffer zone along the freeway. • Recommends substantial buffer south of South 48th Street to protect residents in vicinity, mediate noise, air pollution, and protection of the aquifer (South Tacoma Groundwater Protection District). • Climate Action Plan and comprehensive plan speak to need for tree buffers and need for investment in lower-income neighborhoods in the south and east side, but if we change the code we lose opportunities to do that. 	<p>Stephens; Svancarek; Smith; Bickenbach; Kirkland; Seibel; Day; Arent; Provacek</p>	<p>There is currently limited to no trees on the subject parcel. Under the existing zoning, there are no tree canopy requirements for residential development. Application of the City's landscaping and commercial development standards will result in an increase in tree canopy on site based on current conditions.</p> <p>Concerning Buffers/Transition standards: The subject parcel shares property line with Gaudrone Middle School; the middle school has a "Low Scale Residential" land use designation and zoned R2-STGPD. TMC 13.06.090.J.5.d details Residential transition standards, including requirements that "A continuous planting area that has a minimum width of 15 feet shall be provided on the property, along the boundary with the R-District." Under existing residential zoning, Section 5.c (7) states that Single-, two-, three-family and townhouse developments are exempt from all landscaping buffer requirements.</p>

Key	Comments	Commenters	Staff Responses and Suggestions
M4	<p>Transit:</p> <ul style="list-style-type: none"> • 48th is under serious consideration for the next BRT route in Tacoma and we should be planning for the success of that route rather than creating more points of roadway conflict. • Believes amendment application is in violation of several comprehensive plan policies, including policies of putting commercial growth in centers with corridors and transit stations. Subject site area not supported by transit and other needs. 	Kirkland; Seibel; Svancarek	<p>The City's Transportation Master Plan (TMP) identifies S 48th Street (Medium Intensity) and S Alaska Street (Low Intensity) in the future Transit Priority Network.</p> <p>Pierce Transit Route 54 currently serves S 48th Street but proceeds north on S Alaska Street and then east onto S 38th Street. Route 55 serves 48th Street before proceeding south on S Alaska Street. Both routes provide access to the Tacoma Mall. Destination 2040 Pierce Transit Long Range Plan Update (2020) notes Fixed Route Network Restructuring beginning in March 2017 and identified modifications in "Frequency, Span, or Run Time Improvements" for Routes 54 and 55. Routes 54 and 55 are identified as Urban Routes that "serve arterial streets within urbanized areas" and "operate most days of the week, providing somewhat frequent service on weekdays with some night and weekend service."</p> <p>The Pierce Transit Stream System Expansion Study includes an alternative alignment on S 48th Street adjacent to this development; future BRT routes are still under consideration.</p>

M5	<p>Air Quality:</p> <ul style="list-style-type: none"> • Concerned about Giaudrone students' and residents' health. School is alongside I-5 and subject to noise and air pollution harmful to resident and student health. • The area has worse air quality and less trees than much of the rest of Tacoma. Will add more impacts from diesel emissions on already overburdened South Tacoma neighborhoods. • Concerns from TPCHD regarding air quality and health disparities for subject site that borders Interstate 5 with freeway automobile traffic that is primary driver of adverse air quality, and Health Disparities Map showing subject site lying in area with highest rank for PM2.5 emissions and concentration. 	Seibel; Arent; Provacek; Stephens; Svancarek; Smith; Bickenbach; Kirkland; Oaks; Day; Urwin; Mood	<p>The subject site is located next to Interstate 5. It is widely acknowledged that proximity near major roadways correlates to increased exposure to automobile and diesel pollution, and this has broad been shown to have adverse impacts on surrounding communities.</p> <p>Air pollution, especially fine particulate matter, has a number of contributing sources in our region (wood smoke, gasoline and diesel vehicles, Nitrogen Oxide, etc.) that also affect the air quality in the city and subject site area.</p> <p>The Environmental Protection Agency (EPA) sets National Ambient Air Quality Standards (NAAQS) for six criteria pollutants. The WA State Dept. Of Ecology and Puget Sound Clean Air Agency (PSCAA) monitor and track emissions to ensure compliance with NAAQS, and focuses monitoring on fine particle pollution because of its health impacts. The EPA's daily health-based particle standard for PM2.5 is 35 µg/m3; PSCAA adopted a more stringent standard of 25 µg/m3. According to PSCAA, over last few decades many pollutant levels have declined, and air quality has improved overall. In 2021, the overall air quality remained good, continuing the trend of improvement, though we still face challenges due to wildfire smoke.</p>
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Key	Comments	Commenters	Staff Responses and Suggestions
			<p>Staff notes that the applicant also owns four parcels bordering directly to the north of the subject site. These four parcels are already zoned for general commercial activity and a commercial use could utilize those existing commercial sites, even if this application is denied. Additional information can be found in the Public Review document.</p> <p>Staff received comment letter from TPCHD during technical analysis stage concerning health disparities in the subject site area. Staff provided the letter to the Planning Commission.</p>

M6	<p>Traffic, Truck Access, and Safe Routes to School:</p> <ul style="list-style-type: none"> • Will increase traffic over the current levels. Will increase truck traffic and impacts. Concerned about freight traffic. • Planning materials noted that due to slope of building site, trucks/vehicles would rely on side street (S 49th Street) next to the school to access the site rather than using a separate driveway off of S 48th Street. This would increase exposure to air pollution and safety concerns for school children. • Concerned about street/travel routes for truck traffic accessing site to and from I-5. • The Traffic Impact Analysis completed by JTE Engineering Inc did not include ITE Handbook code for warehouse though it is stated that the “proposed use of this property is warehouse with light retail.” TIA is incomplete in not having vehicle/truck calculation for warehouse and not disclosing and discussing proposed routes with land use change. 	Urwin; Seibel; Arent; Mood; Smith; Svancarek	<p>While the Planning Commission cannot impose conditions on a Comprehensive Plan Future Land Use Map amendment, the Commission can recommend specific impacts and mitigation measures for consideration as part of a subsequent site rezone and permit application. In this case, staff recommends that any future use accommodate access via S 48th rather than S 49th to minimize potential conflicts with the school.</p> <p>Staff heard concerns from Tacoma Public Schools and other agencies about student safety and avoiding access to the subject site from S 49th Street. Preliminary site plans indicate that sole access to the site will be from S 48th Street. Emergency vehicle access to the site may be available at South 49th Street.</p> <p>The current Comprehensive Plan low-scale residential land use designation calls for residential development, potentially up to 25 units/acre. It is likely that site access to residential would have to be from S 49th Street.</p> <p>The JTE Engineering study stating “proposed use of this property is warehouse with light retail” was likely an oversight and can explain why ITE Handbook warehouse code was not included/assessed. Warehouse use is not an allowed use in Commercial-zoned districts. The applicant was required to</p>
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Key	Comments	Commenters	Staff Responses and Suggestions
			complete a Trip Generation Analysis and this was reviewed by Public Works-Transportation staff. Additional traffic and impacts study would likely be required at site rezone and/or permitting stages to help mitigate any impacts that may be identified through SEPA or City standards.
M7	<p>Health Disparities Index:</p> <ul style="list-style-type: none"> • Staff report did not determine if the proposal was in violation of concerns of community health and safety and environmentally sensitive areas. • Concerned about negative health impacts and disproportionately affecting low-income people and people of color, and it's an environmental justice issue in this zip code. • Health Disparities Map showing subject site lying in area with highest rank for PM2.5 emissions and concentration. • Staff analysis seems to skip over the relevance of the Health Disparities Map information 	Seibel; Mood; Stephens; Kirkland; Oaks	<p>Staff received comment letter from TPCHD during technical analysis stage concerning health disparities in the subject site area. Staff provided the letter to the Planning Commission.</p> <p>Staff has provided information from the Tacoma Equity Index and the WA Health Disparities Map, including concerning air quality and environment, as detailed in the Staff Analysis Report (Section 3c) and Impacts Analysis (Attachment B).</p>

Key	Comments	Commenters	Staff Responses and Suggestions
M8	<p>Critical Areas Impacts:</p> <ul style="list-style-type: none"> Staff report did not determine if the proposal was in violation of concerns of environmentally sensitive areas. Project would cover an aquifer discharge area with impervious surface. 	Seibel; Provacek	<p>The subject parcel, being located within an identified Critical Area of the South Tacoma Groundwater Protection District Overlay District, may be subject to additional development and use standards, restrictions, and reporting requirements as established in TMC Title 13.06.070.D South Tacoma Groundwater Protection District and TMC 13.11 Critical Areas Preservation, including 13.11.800 Aquifer Recharge Areas.</p> <p>The DART Map shows that the subject site has steep slopes. Subject site would be assessed for Erosion hazard as detailed in 13.11.730 General Standards. Upon staff geologist review, the approximate grades are estimated near 22%. Any proposed project will require additional geotechnical professional evaluation and recommendations during the development stages for this site.</p>
(2) Application: Electric Fences			
E1	Supports electric fences application.	Konop; Pate; Ehli; Brown; Penk/WDFW; Pate/McLellan; Fetters	Comments noted.
E2	Safety and Security Concerns	Ehli; Konop	Comments noted.

Key	Comments	Commenters	Staff Responses and Suggestions
E3	<p>During the COVID pandemic, City staff initiated an amendment to ban the use of these devices. Have dozens of these devices now in the city that protect properties, and dozens of folks who would like to install these devices that are unable to do so.</p> <p>Requests modifications to draft code:</p> <ul style="list-style-type: none"> • Eliminate draft language requiring 5-foot setback from all property line. These are not fences, these are alarms and security systems that sit behind existing fence line. • The other issue is not allowing them in front yards. • Other issue is aesthetics. These devices are almost impossible to see unless you know where they are and what you're looking for. They are industrial commercial areas that are used for outdoor storage or for businesses that actually store large amounts of property outdoors. I thank you for your time we will be submitting written response to this. 	Pate	Comments noted. Staff is reviewing proposed modifications.
E4	Objects to setback rule for fence because building sits 100 feet from the road. Paid for commercial property and commercial taxes, and would like to have a fence put inside, closer to the road.	Ehli	Comments noted.

Key	Comments	Commenters	Staff Responses and Suggestions
E5	<p>Supports amendment, but requests modifications.</p> <ul style="list-style-type: none"> • Requests five-foot setback language be eliminated. The fence sits about eight to 18 inches behind a perimeter fence, and that's what provides safety. If electric fence is cut, then an alarm is triggered notifying the property owner is notified. • Request modification allowing electric fencing in front of business. There are businesses where the building sits back from the front and you want to protect the perimeter, that's what the fence does. • Request modification similar to what was adopted in Olympia allowing electric fences for auto dealerships and similar businesses that don't sit in exactly the kind of commercial zones that are stated in this draft. The Titus-Will facility, which is very interested in this, sits in just that kind of a conundrum where it's not exactly in that commercial zone. 	Brown	Staff is reviewing proposed modifications.
E6	Ask that City consider variance for Titus-Will Ford/Toyota to add electric fence behind slatted chain link fence.	Fetters	Comments noted.

Key	Comments	Commenters	Staff Responses and Suggestions
E7	<p>Believe allowing electric fences in commercial and other select areas of the city will provide a greater degree of property protection to businesses throughout the City of Tacoma.</p> <p>Requests modifications to draft code:</p> <ul style="list-style-type: none"> eliminate the draft language in TMC 13.06.090.K 4 b. (c)(ii)(b) that requires a 5-foot setback from all property lines eliminate the draft language in TMC 13.06.090.K 4 b.(c)(i)(a) that prohibits the installation of the electric fence between the front of a building and the adjacent public street amend the draft language in TMC 13.060.090 K 4 b.(c)(ii)(c) to specifically allow for a chain link fence to be used as a perimeter fence amend the draft language to include additional commercial businesses to be authorized to use electric fences even though they are outside the specifically identified commercial zones in the draft code 	Pate/McLellan	Staff is reviewing proposed modifications.
E8	<p>Washington State Department of Fish and Wildlife recommends adding defining language to 4 (b)(1)(c)(i)(c) and 4 (c)(1)(c)(i)(b) as the current proposal is ambiguous. Ask that the City of Tacoma define what “around or adjacent to a critical area” means to prevent electric fences from being placed within critical areas or their associated buffer zones.</p> <p>WDFW recommends adding similar language to Bainbridge Island Municipal Code (referenced) to better define when a fence may be placed and what the buffer should be.</p>	Penk/WDFW	Comments noted.
(3) Application: Shipping Containers			
S1	Request that we make sure that we do not allow this to get out of hand, and we make sure that containers are behind some sort of protection so that they're not an eyesore and don't become a storage center in our communities in our neighborhoods.	Day	Comments noted.

