



To: Planning Commission
From: Adam Nolan, Planning Services Division
Subject: **Public Hearing – 2023 Annual Amendment Package**
Memo Date: March 30, 2023
Meeting Date: April 5, 2023

Action Requested:

Conduct a public hearing and keep the record open through April 7, 2023, to accept written comments.

Discussion:

At the next meeting on April 5, 2023, the Planning Commission will conduct a public hearing on 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

Staff conducted an informational meeting on March 29, 2023, for community members to learn more about the subject of the public hearing and be prepared for providing comments. The meeting was attended by seven community members. Questions raised by attendees pertained to potential impacts of the proposed Mor Furniture land use designation change request on the neighboring school, traffic, site access, buffering, and environmental aspects.

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

- April 19 – Commission review of public comments
- May 3 – Commission recommendations to the City Council
- May 24 – IPS Review
- June 6 – City Council study session and public hearing
- June 13 – City Council first reading of ordinances
- June 27 – City Council final reading of ordinances (adoption)

Public Review Document

The complete text of the proposed amendments and the associated staff analysis and environmental review have been compiled in a Public Review Document, which is posted on the project’s website at www.cityoftacoma.org/2023Amendment. Attached for the record, is the first section (Public Notice and Executive Summary) of the Public Review Document which includes a brief description of the applications (see Attachments 1 and 2).

Environmental Evaluation

Pursuant to Washington Administrative Code (WAC) 197-11 and Tacoma's SEPA procedures, a Preliminary Determination of Environmental Nonsignificance (DNS) was issued on March 14, 2023, (SEPA File #LU23-0040), based upon a review of an environmental checklist. The City will reconsider



the DNS based on timely public comments received by 5:00 p.m. on April 7, 2023. Unless modified, the DNS will become final on April 14, 2023.

Notification

Notification for the public hearing has been conducted to reach a broad-based audience, through the following efforts:

1. **Public Notices** – The notice for the public hearing and the informational meeting (see Attachment 1) was mailed during the week of March 13, 2023, to approximately 1932 individuals and entities within 2,500 feet of the site associated with the Mor Furniture application. The notice was also e-mailed to more than 880 individuals on the Planning Commission's interested parties list that includes the City Council, Neighborhood Councils, area business district associations, the Puyallup Tribal Nation, adjacent jurisdictions, City and State departments, and others.
2. **News/Social Media** – The City of Tacoma issued a News Release on March 20, 2023. An online advertisement was placed in The News Tribune on March 23, 24, and 27, 2023. A legal notice concerning the DNS, the public hearing, and the informational meeting was placed in the Tacoma Daily Index on March 22, 2023. An event page for each of the public hearing and the informational meeting was posted on the City's Facebook, starting the week of March 20.
3. **60-Day Notices** – A "Notice of Intent to Adopt Amendment 60 Days Prior to Adoption" was filed with the State Department of Commerce (per RCW 36.70A.106) on March 16, 2023. A similar notice was sent to the Joint Base Lewis-McChord (per RCW 36.70A.530(4)) on March 17, 2023, asking for comments within 60 days of receipt of the notice.
4. **Tribal Consultation** – A letter was sent to the chairman of the Puyallup Tribe of Indians on March 21, 2023 to formally invite the Tribe's consultation on the 2023 Amendment.

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:

- 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)

Staff Contacts:

- Stephen Atkinson, satkinson@cityoftacoma.org
- Jana Magoon, jmagoon@cityoftacoma.org
- Adam Nolan, anolan@cityoftacoma.org
- Wesley Rhodes, wrhodes@cityoftacoma.org

Attachment:

1. 2023 Amendment - Mor Furniture Public Notice
2. 2023 Amendment - Executive Summary

c. Peter Huffman, Director

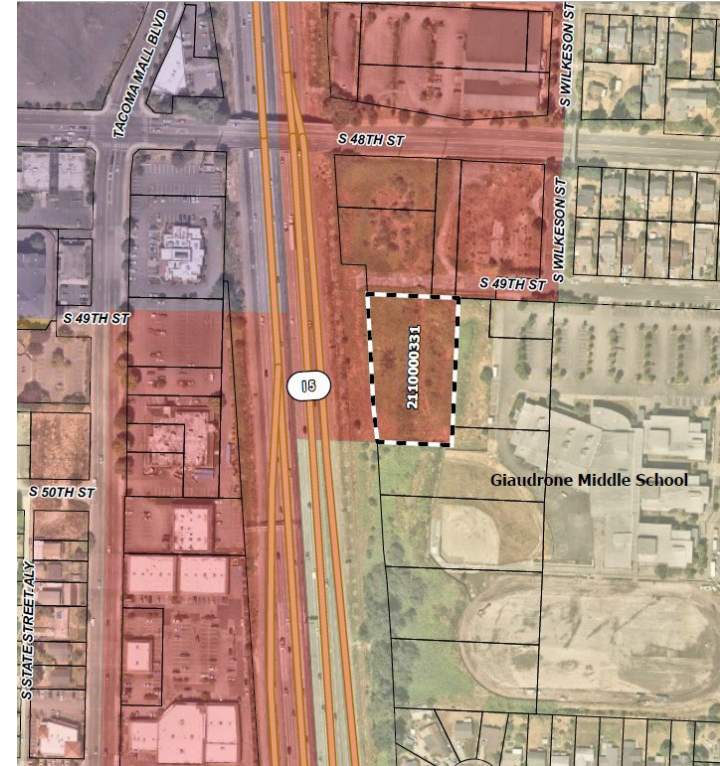
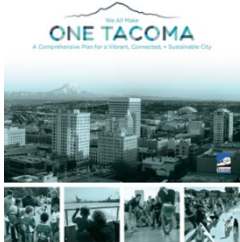
Mor Furniture Application

PLANNING COMMISSION PUBLIC HEARING NOTICE

Description of the Application	
Applicant	Wesco Management, LLC (parent company of Mor Furniture)
Site Address	1824 S 49 th St, Tacoma, WA
Amendment Application Request	Requested land use designation change on <i>One Tacoma</i> Comprehensive Plan Future Land Use Map - From “Low Scale Residential” to “General Commercial” If land use change is approved, this would enable requests for future site rezone and permit application/s at the subject site, including for potential development of outlet/distribution center.
Staff Contact	Adam Nolan, Associate Planner Email: ANolan@cityoftacoma.org Phone: 253-320-8119

The Comprehensive Plan is the City’s official plan for guiding growth and is the basis for the City’s land use decisions, transportation, and capital investments.

To learn more about the *One Tacoma Plan*, visit www.cityoftacoma.org/OneTacoma.



For more information, contact: Adam Nolan, Associate Planner
Email: anolan@cityoftacoma.org Phone: 253-320-8119

PUBLIC HEARING NOTICE

SUBJECT: 2023 AMENDMENT TO THE COMPREHENSIVE PLAN AND LAND USE REGULATORY CODE

Planning Commission Public Hearing (Hybrid)

Wed., April 5, 2023, 5:30 p.m.

Informational Session with Staff (Virtual)

Wed., March 29, 2023, 5:30 p.m.

Visit www.cityoftacoma.org/2023Amendment for
information on applications & participation in meetings

How to Provide Comments

1. Testify at the Public Hearing on April 5, 2023; and/or
2. Provide written comments by April 7 2023, 5:00 p.m., via
e-mail to planning@cityoftacoma.org

Applications Under Consideration (2023 Amendment)

"Mor Furniture" Land Use Designation Amendment	Commercial Zoning Update Phase I: Neighborhood Commercial Design Standards
Electric Fences	Delivery-only Retail Businesses
Shipping Containers	Minor Plan and Code Amendments

For information on the Mor Furniture application and 2023 amendments, please visit:
<https://www.cityoftacoma.org/2023Amendment>



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The City of Tacoma does not discriminate on the basis of disability in any of its programs or services. Upon request, special accommodations will be provided within five (5) business days. Contact 311 or 253.591.5153 (TTY).

EXECUTIVE SUMMARY

About This Document

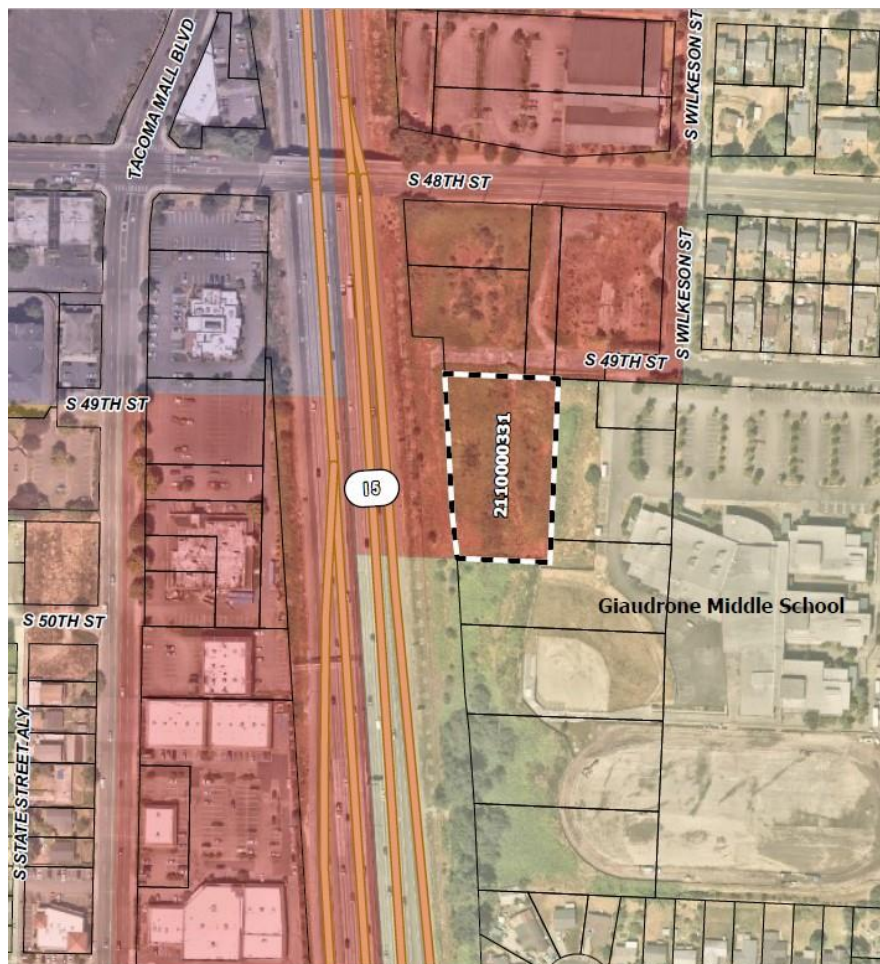
This is the **Public Review Document** prepared for the Planning Commission's public hearing concerning the 2023 Annual Amendment to the *One Tacoma Comprehensive Plan* and the Land Use Regulatory Code ("2023 Amendment").

Applications for 2023 Amendment

The 2023 Amendment includes six applications, as briefly described below. The complete text, staff analyses, and background information associated with these applications are posted online at www.cityoftacoma.org/2023Amendment.

(1) Mor Furniture Land Use Designation Change:

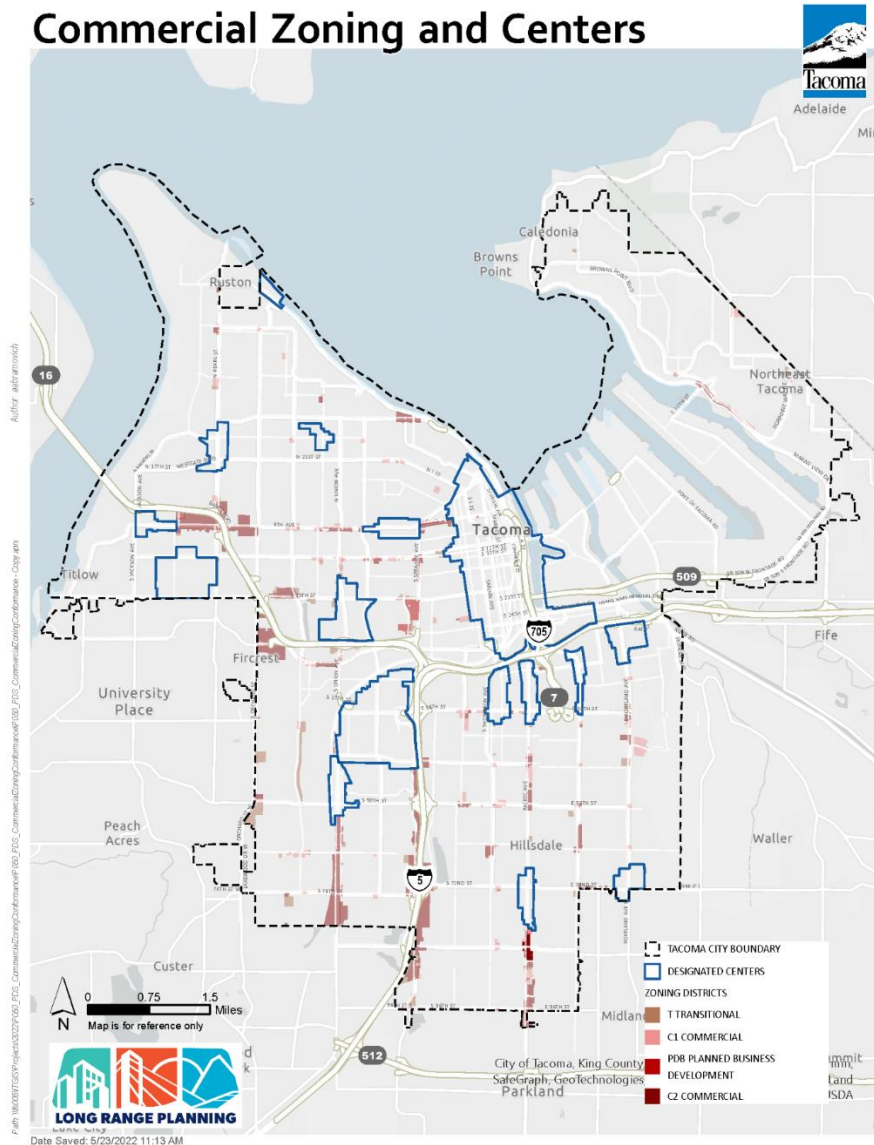
This proposal is to change the Land Use Designation for a 1.24-acre parcel located at 1824 S. 49th Street owned by Wesco Management, LLC from "Low Scale Residential" to "General Commercial." This would allow the applicant to apply for a future site rezone to develop the site as part of a Mor Furniture Outlet Store that would include four applicant-owned Commercial zoned parcels bordering directly to the north of the subject site along S. 48th Street.



Map showing proposed land use change to "General Commercial" at 1824 South 49th Street (Subject Site, black/white border)

- (2) **Electric Fences:** This proposal would apply citywide in C-1 and C-2 Commercial Districts, as well as the CIX Industrial Mixed-Use District and the WR Warehouse Residential District. Local businesses, particularly ones that store vehicles or other equipment outside, are seeking ways to reduce theft and have posed electric fences as a solution. The draft code would permit electric fences with standards focused on safety and maintaining a pleasant pedestrian experience.
- (3) **Shipping Containers:** This proposal would allow shipping containers to be used as an accessory structure in C-1 and C-2 Commercial Districts and on residentially zoned properties that are operating with an approved Conditional Use Permit (such as parks, schools, and churches). The placement of shipping containers would be subject to certain development standards and, depending on size, may require a building permit. The proposal would also broaden the potential use of shipping containers as a temporary structure.
- (4) **Delivery-Only Retail Businesses:** This proposal would apply citywide in zoning districts allowing for retail commercial uses. Staff proposes to address delivery-only food establishments as a commissary kitchen use, and add commissary kitchens as a subset of “Retail” uses in the Tacoma Municipal Code land use tables. This would mean that commissary kitchens are no longer an unlisted use and would be required to meet “Retail” use and development standards (parking, loading, etc.). Additional regulations would add size limitations for commissary kitchens in mixed-use districts and a requirement for an in-person, direct-to-customer sale component for retail establishments located on a designated pedestrian street. These measures would add clarity around delivery-only retail use and standards in Tacoma Municipal Code.
- (5) **Commercial Zoning Update Phase I: Neighborhood Commercial Design Standards:** The commercial zoning update is a City-wide update to our commercial zoning code. Phase I, being implemented as part of the 2023 amendment package, is limited in scope to updates deemed appropriate prior to the expansion of the multi-family tax exemption (MFTE) program to neighborhood commercial nodes. Phase 2, as part of the 2024 Periodic Comprehensive Plan update, will further assess necessary code updates to commercial areas throughout the City. Phase I updates focus on clarifying the applicability of existing standards to more clearly articulate which standards apply to single- and mixed-use multi-family development in the City’s commercial zoning districts (C-1, C-2, PDB, T).

Commercial Zoning and Centers



Map showing Commercial zoning and designated centers.

(6) Minor Plan and Code Amendments:

Proposed by the Planning and Development Services Department, this application compiles 7 minor and non-policy amendments to the *One Tacoma Comprehensive Plan* and the Land Use Regulatory Code, intended to keep information current, correct errors, address inconsistencies, improve clarity, and enhance applicability of the Plan and the Code.

Environmental Review

Based on a review of the subjects addressed in the 2023 Amendment against an environmental checklist, the City has issued a Preliminary Determination of Environmental Nonsignificance (DNS), which is subject to public comments through April 7, 2023. The DNS and the Environmental Checklist has been completed and are included in this document. The City may reconsider or modify the preliminary determination in light of timely comments. Unless modified, the preliminary determination would become final on April 14, 2023.

Public Hearing and Informational Meeting

The Planning Commission will conduct a public hearing on April 5, 2023 to receive public comments on the 2023 Amendment. An informational meeting will be conducted by planning staff on March 29, 2023. Meeting details, information on how to provide comment, and public review documents can be accessed at www.cityoftacoma.org/2023Amendment.

Comprehensive Plan and Land Use Regulatory Code

The *One Tacoma Plan*, adopted in 2015 by Ordinance No. 28335, is Tacoma's comprehensive plan as required by the State Growth Management Act (GMA). As the City's official statement concerning future growth and development, the Comprehensive Plan sets forth goals, policies, and strategies for the health, welfare and quality of life of Tacoma's residents. The *One Tacoma Plan* is a blueprint for the future character of our City. The plan can be viewed online at www.cityoftacoma.org/OneTacoma.

The Land Use Regulatory Code, Title 13 of the Tacoma Municipal Code (TMC), is the key regulatory mechanism that implements the *One Tacoma Plan*. Title 13 contains regulations and procedures for controlling land use, platting, shorelines, environment, critical areas, and historic preservation, among others. The Tacoma Municipal Code can be viewed online at www.cityoftacoma.org/MuniCode.

Annual Amendments

The *One Tacoma Plan* is subject to continuous review, evaluation, and modification to remain relevant and to respond to changing circumstances. The GMA allows the Plan generally to be amended only once each year. Amendments may include adding new Plan elements, modifying existing elements, revising policies or maps, or updating data and information. All proposed modifications are reviewed concurrently to address the cumulative effect of the revisions and to maintain internal consistency among the various plan components and external consistency with regional, county, and adjacent jurisdictional plans. The GMA requires development regulations to be consistent with and to implement the Comprehensive Plan. To maintain this consistency, changes to the *One Tacoma Plan* often are accompanied by similar changes to development regulations and/or zoning classifications.

2023 Amendment Process

The general timeline and schedule for the 2023 Amendment is as follows:

Timeline	Activity
January-March 2022	Applications accepted (submittal deadline March 31, 2022)
May-September 2022	Assessment of applications by the Planning Commission
July 2022 – March 2023	Technical analysis of applications by the Planning Commission and planning staff, including community outreach and engagement
March-April 2023	Public review of the 2022 Amendment package prior to public hearing
March 29, 2023	Informational Meeting with Planning Staff
April 5, 2023	Planning Commission Public Hearing
April-May 2023	Planning Commission making recommendations to the City Council
May-June 2023	City Council review and adoption