

Proposed Amendments Regarding Large Scale Retail Establishments

The City of Tacoma's *Comprehensive Plan* and *Land Use Regulatory Code* are developed in compliance with the Washington State Growth Management Act. The *Comprehensive Plan* is the City's official statement concerning future growth and development and includes goals, policies and strategies for the health, welfare, safety and quality of life of Tacoma. The *Land Use Regulatory Code* consists of development regulations which control land use activities and includes zoning, platting, and shoreline regulations.

PUBLIC REVIEW PACKAGE

**Prepared for:
Planning Commission Public Hearing
December 7, 2011**

Community and Economic Development Department
Long-Range Planning Division
747 Market Street, Room 1036
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Equal Employment Opportunity/Americans with Disabilities Act
Accommodations provided upon request
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NOTICE OF PUBLIC HEARING

Large Scale Retail - Proposed Code Amendments

The Planning Commission is considering revisions to the City's zoning regulations relative to large scale retail uses. The Commission is holding a public hearing to obtain community feedback on these proposed code changes.

PLANNING COMMISSION PUBLIC HEARING

Wednesday, December 7, 2011 5:00 pm City Council Chambers
Tacoma Municipal Building, 747 Market Street, 1st Floor

WHAT IS BEING CONSIDERED?

The proposed changes would establish a Conditional Use Permit requirement for large scale retail uses in most of the areas of the city where they are allowed. Retail uses larger than 45,000 square feet in the commercial and mixed-use districts and larger than 65,000 square feet in the industrial districts would trigger this special review. The proposed conditional use permit process would include requirements for public notice, a public hearing, and a pre-application community meeting. The purpose of this new permit requirement would be to provide opportunities for community input on future large-scale retail projects and to better ensure that these types of projects minimize their impact on surrounding areas and are developed consistent with the Comprehensive Plan.



Tacoma

WHERE CAN I GET ADDITIONAL INFORMATION?

Additional information, including the complete text of the proposed amendments and other background information, is available from the Community and Economic Development Department at the address to the right, and on the Planning Division website:

www.cityoftacoma.org/planning

(click on “**Large Scale Retail Moratorium**”)

HOW DO I PROVIDE COMMENTS TO THE COMMISSION?

You can testify at the hearing or provide written comments no later than 5:00 p.m. on **Friday, December 9, 2011** using the return address on this card or by facsimile at (253) 591-2002 or via e-mail at planning@cityoftacoma.org.

If you have additional questions please feel free to contact Brian Boudet at:

(253) 573-2389



PLANNING COMMISSION
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LARGE SCALE RETAIL MORATORIUM PROPOSED CODE AMENDMENTS

STAFF REPORT
November 17, 2011

Applicant:	City of Tacoma, Community & Economic Development Dept.
Contact:	Brian Boudet
Type of Amendment:	Regulatory Code Text Change
Current Land Use Intensity:	Largely Medium and High Intensity areas
Current Area Zoning:	C-2, CCX, UCX, UCX-TD, RCX, CIX, M-1, and M-2 Districts
Size of Area:	City-wide
Location:	City-wide
Neighborhood Council area:	All
Proposed Amendment:	Amending the code to require a discretionary land use review (i.e., conditional use permit) for large scale retail businesses that exceeds either 45,000 square feet or 65,000 square feet in size, depending on the site's zoning designation.

General Description of the Proposed Amendment:

This amendment will add a requirement that all retail businesses located within a specific zoning district that exceed a specific size threshold secure a conditional use permit. The commercial, mixed-use, and industrial districts affected by this amendment are as follows: C-2, CCX, UCX, UCX-TD, RCX, CIX, M-1, and M-2 District. Under this proposed amendment, a conditional use permit would be required for those large scale retail businesses that exceed 45,000 square feet in size that are proposed within the C-2, CCX, UCX, UCX-TD, RCX, and CIX Districts. Likewise, a conditional use permit would be required for those large scale retail businesses that exceed 65,000 square feet in size that are located within the M-1 and M-2 Districts and are located outside of the South Tacoma Manufacturing and Industrial Center (where large scale retail uses are already prohibited). This amendment does not add similar square-footage thresholds and conditional use permit requirements to the Downtown Tacoma and Shoreline zoning districts, where large scale, sprawling retail uses are possible but much less likely.

In addition, the draft code changes would:

- Create specific conditional use permit decision criteria for large scale retail uses, with an enhanced focus on ensuring projects are designed to be compatible with the Comprehensive Plan policies for the area (particularly in Mixed-Use Centers), mitigating potential impacts to the surrounding area, and ensuring the feasibility of future building reuse.
- Conditional use permits for large scale retail uses would require a pre-application community meeting, a public hearing, and be subject to approval by the Hearing Examiner.

- Revise the “RCX” Residential Commercial Mixed-Use District to limit large scale retail development to 30,000 square feet in size per business and 45,000 square feet in size for full service grocery stores.

Additional Information:

The areas affected by this amendment generally share the following characteristics: they are located within areas that are designated as Medium and High Intensity areas by the Comprehensive Plan; many are within the City’s designated Mixed-Use Centers; they may already contain shopping center sites with existing large scale retail businesses or stand-alone large scale retail businesses; they often contain large parcels or are located where parcels could be assembled into sites that could accommodate large scale retail businesses; they are usually located on or near arterial streets; they are usually served by public transit; they are often adjacent to or near established residential neighborhoods; and many are located on or near designated pedestrian streets. The map included as Exhibit B highlights the areas that would be affected by these proposed code amendments.

This amendment is being proposed to better align Comprehensive Plan policy guidance with the Land Use Regulatory Code with respect to how the City regulates large scale retail businesses. This effort is the result of the Planning Commission and City Council’s review under a six-month City-wide moratorium on large scale retail establishments enacted on August 30, 2011 (Ordinance No. 28014).

The City Council’s direction through the moratorium process was to address the Comprehensive Plan policies and the concerns that were brought forward from the community during the first two months of the moratorium by identifying an appropriate regulatory path based on size limitations for retail uses. The City Council found that this narrow scope could be achieved by the moratorium expiration date of February 29, 2012.

Public Outreach:

The emergency moratorium adopted by the City Council, which was the impetus for these proposed amendments, garnered substantial community interest and public input. The Planning Commission held a public hearing on the moratorium on October 5, 2011 and the City Council held a public hearing on October 25, 2011. Notice for both hearings was widely distributed and both hearings were well attended. In addition to generally supporting the moratorium, the overwhelming sentiment expressed both in written and oral testimony received to date has been widespread community concern about large scale retail developments, their potential impact on surrounding neighborhoods and the adopted vision for many of the areas where they might be located, and the desire for greater community input and review of such projects.

It is important to note that one of the key purposes of the proposed amendments is to increase the level of public notice and opportunity for community input on future large scale retail projects. The proposed amendments include requirements for substantial public notice, a public hearing, and a pre-application community meeting for future large scale retail projects in these districts.

In addition to the substantial outreach conducted as part of the moratorium review, these proposed amendments will be subject to further public review and comment. These issues have been and will continue to be discussed at Planning Commission meetings between September 2011 and January 2012, all of which are open to the public. If approved for public review, notice of these proposed amendments will be widely distributed to existing large retailers, property owners and businesses within and around these areas, business districts and neighborhood councils, environment, development, civic and social organizations, adjacent jurisdictions and governmental agencies and commissions, and other interested individuals and groups. The Planning Commission will be holding a public hearing and considering all

community input prior to making a recommendation to the City Council, and the City Council will hold its own public hearing prior to making a final decision on these proposed amendments.

Applicable Provisions of the Growth Management Act (and other state laws):

The GMA requires consistency between the Comprehensive Plan and development regulations. As noted above, the need to better align the Comprehensive Plan policies for large scale retail businesses and the associated Land Use Regulatory Code provisions was highlighted throughout the moratorium process. This code amendment will increase the consistency between the Code and Plan and better ensure that future large scale retail development is compatible with and helps implement this community’s vision and goals, as outlined in the Comprehensive Plan.

Applicable Provisions of the Comprehensive Plan:

Comprehensive Plan policies adopted in 2007 specifically call for the creation of a special permit process for large developments within the Urban and Community Mixed-Use Centers. The specific policies, “LU-MUUC-11 Site Plan Review Process for Urban Centers” and “LU-MUCC-3 Site Plan Review Process for Community Centers,” both provide the following policy guidance:

Establish a binding site plan review process to apply to infill, development and redevelopment of site and buildings meeting certain criteria, to encourage the urban center to transition over time to a finer-grained, pedestrian-oriented mixed-use urban neighborhood with considerably less area devoted to surface parking. The binding site plan review process should apply to all new development and to renovations equal to 50 percent or more of existing building value.

- Large sites: Require master planning for sites of five acres or greater or buildings of 45,000 square feet or greater, with a maximum block size of 360’ x 360’, and phased planning for vehicle and non-motorized circulation, a mix of uses, and structured parking.
- Medium sites: Require a site plan for sites of one to five acres or buildings of 20,000 to 45,000 square feet, which defines pedestrian circulation, vehicle circulation, and building and parking placement.
- Small sites: Sites less than one acre or buildings less than 20,000 square feet should not be subject to site plan requirements.

Currently, discretionary land use permits are not required for new large scale buildings within the Urban or Community Mixed-Use Centers. While there are limitations on the amount of retail space allowed in some of the commercial and industrial districts, the districts that do not have such a limitation are the “RCX”, “C-2,” “M-1,” and “M-2” Districts. As such, these districts have been included in this code amendment. The Comprehensive Plan provides for the following general development goals for commercial and industrial areas:

Commercial Development Goal: To achieve an attractive, convenient and well-balanced system of commercial facilities, which serve the needs of the citizens, are appropriate to their relative service areas and are compatible with adjacent land use.

Industrial Development Goal: To maintain, rehabilitate, develop, and expand industrial areas within the City of Tacoma that reflect balanced diversification, maximum employment opportunities, high quality standards, minimum degradation of the environment, efficient land utilization and proper location.

The intent statements for most of the districts where large scale retail uses are allowed recognize that they are areas appropriate for large scale uses that will attract people from throughout the city and beyond. However, many of these districts, particularly the mixed-use districts, are also intended to incorporate a dense and compact mix of uses and a development pattern and form that encourages and supports pedestrian activity and multi-modal transportation choices. This code amendment will provide for a

discretionary permit review process under the Land Use Regulatory Code to better implement these applicable Comprehensive Plan policies.

Applicable Provisions of the Land Use Regulatory Code:

Large retail uses are currently allowed in many areas of the city. The zoning districts that allow large retail uses include the “C-2” General Community Commercial District, “CCX” Community Commercial Mixed-Use District, “UCX” Urban Center Mixed-Use District, “UCX-TD” Urban Center Mixed-Use Tacoma Dome District, “CIX” Commercial Industrial Mixed-Use District, “RCX” Residential-Commercial Mixed-Use District, “M-1” Light Industrial District, “M-2” Heavy Industrial District, and all of the Downtown zoning districts.

While there are currently prescriptive standards for the commercial and mixed-use center districts that relate to building design, site layout, pedestrian orientation, and transit and bicycle accessibility, the proposed conditional use permit process and associated review criteria will allow the City and the public to review proposals for large scale retail developments as a whole. Considering the scale of these projects and their resulting impact on surrounding neighborhoods and the ability for areas to achieve the community’s long-term vision, this discretionary public review process is particularly important to provide the opportunity for an important evaluation of whether the prescriptive standards, coupled with the factors emphasized under the conditional use permit criteria will create building and site designs that respond to the characteristics of the surrounding neighborhood and appropriately respond to the vision and goals outlined in the Comprehensive Plan. This additional review is also critical in the selected industrial districts, where most of the building and site-design standards do not currently apply.

The proposed code amendment will provide for review thresholds for large scale retail businesses in specific commercial, industrial and mixed-use center districts. To further the ability for community input on such projects, the proposed conditional use permit process would require that the applicant host a community meeting prior to submitting its conditional use application to the City, and that the Hearing Examiner conducts a public hearing prior to issuing a decision on the conditional use permit application.

The “RCX” Residential Commercial Mixed-Use District will be revised to limit large scale retail development to 30,000 square feet in size per business and 45,000 square feet in size for full service grocery stores. There will not be an option to increase the square-footage of retail and grocery store uses within the “RCX” District under a conditional use permit application. This same limitation currently exists in the “NCX” Neighborhood Commercial Mixed-Use District.

Amendment Criteria:

Applications for amendments to the Comprehensive Plan and Land Use Regulatory Code are subject to review based on the adoption and amendment procedures and the review criteria contained in TMC 13.02.045.G. Proposed amendments are required to be consistent with or achieve consistency with the Comprehensive Plan and meet at least one of the eleven review criteria to be considered by the Planning Commission. The following section provides a review of each of these criteria with respect to the proposal. Each of the criteria is provided, followed by staff analysis of the criterion as it relates to this proposal.

1. There exists an obvious technical error in the pertinent Comprehensive Plan or regulatory code provisions.

While these proposed amendments are designed to improve consistency between the Code and Plan, they are not addressing a “technical error” in either of these documents.

2. Circumstances related to the proposed amendment have significantly changed, or a lack of change in circumstances has occurred since the area or issue was last considered by the Planning Commission.

The Planning Commission and City Council recently conducted a substantial update to the Comprehensive Plan policies, zoning and development regulations for the Mixed-Use Centers. That effort resulted in expanded policy guidance and the creation of three new centers in 2007 and the adoption of revised zoning and design and development regulations in 2009. However, while that project resulted in significant improvements it was largely focused on the Neighborhood Mixed-Use Centers and the Urban and Community Centers did not receive sufficient attention, nor were the commercial or industrial districts updated as part of that review. Of particular note, the Comprehensive Plan provides guidance on, and recommends the development of a discretionary land use review process for the development of large scale retail businesses in certain areas of the city. These policies have yet to be implemented with correlating regulations.

3. The needs of the City have changed, which support an amendment.

The overwhelming public response in favor of the large scale retail moratorium at both the Planning Commission and City Council public hearings was a clear indication that the public is concerned about the potential impacts of large scale retail businesses on their existing neighborhoods and the long-range vision for their community. Recent development proposals have highlighted that the existing design and development standards for large scale retail uses are not sufficient to ensure that they are developed in a manner reflective of community desires and the policies and goals of the Comprehensive Plan. The proposed conditional use permit process is designed to address that important need.

4. The amendment is compatible with existing or planned land uses and the surrounding development pattern.

The purpose of the proposed conditional use permit requirement for large scale retail businesses is to allow the neighbors and the surrounding community to provide feedback and input on the appropriateness of the proposal as well as building and site design. The proposed conditional use permit review criteria have been designed to ensure that compatibility with the existing and/or planned uses and surrounding development pattern is an important consideration in the siting and design of future large scale retail developments.

5. Growth and development, as envisioned in the Plan, is occurring faster, slower, or is failing to materialize.

This criterion is not applicable, however, recent proposals have highlighted the need to review the existing design and development standards and permit review process for large scale retail developments and improve those requirements.

6. The capacity to provide adequate services is diminished or increased.

One of the key community concerns expressed during the moratorium review process was whether or not the current review process provided sufficient opportunity for the community to provide input and for the city to adequately ensure that new large scale retail development is only allowed where appropriate services and infrastructure is or can be provided. The proposed conditional use permit review will better ensure that community input is received and necessary services and infrastructure is addressed, such as appropriate traffic controls and mitigations.

7. Plan objectives are not being met as specified, and/or the assumptions upon which the plan is based are found to be invalid.

As further detailed below in the response to Criterion #10, this code amendment would better align the Land Use Regulatory Code with the Comprehensive Plan and better ensure that future large scale retail development is consistent with the Comprehensive Plan.

8. Transportation and and/or other capital improvements are not being made as expected.

See the response provided to Criterion #6, above.

9. For proposed amendments to land use intensity or zoning classification, substantial similarities of conditions and characteristics can be demonstrated on abutting properties that warrant a change in land use intensity or zoning classification.

This criterion is not applicable.

10. A question of consistency exists between the Comprehensive Plan and its elements and RCW 36.70A, the County-wide Planning Policies for Pierce County, Multi-County Planning Policies, or development regulations.

The need to better align the Comprehensive Plan policies for large scale retail businesses and the Land Use Regulatory Code standards and review process for these types of uses was highlighted during the review of the moratorium. This code amendment will increase the consistency between the Land Use Regulatory Code and the Comprehensive Plan, and better ensure that future large scale retail developments go through public review commensurate with their size and potential impacts and are designed in a manner that is consistent with the Comprehensive Plan policies applicable to the area where they are proposed.

The proposed 45,000 square foot threshold for mixed-use center districts is based on the Comprehensive Plan policy guidance that buildings greater than 45,000 square feet should require a thorough and public review process. The proposed 45,000 square foot threshold for the C-2 General Community Commercial District recognizes that these districts are somewhat similar to the neighborhood and community mixed-use districts in that they allow for a dense mix of uses, are often located in close proximity to residential areas, and in some cases include designated pedestrian streets.

A higher threshold of 65,000 square feet is proposed for the industrial districts where large scale retail uses could be located (outside of the South Tacoma Manufacturing/Industrial Center). This proposal balances the desire for additional community input and discretionary review with the recognition that locating large scale retail businesses within industrial districts is less likely to significantly impact surrounding neighborhoods and community activities than similar proposals within commercial or mixed-use districts.

As noted earlier, the “RCX” Residential Commercial Mixed-Use District will be revised to limit large scale retail development to 30,000 square feet in size per business and 45,000 square feet in size for full service grocery stores. There will not be an option to increase the square-footage of retail and grocery store uses within the “RCX” District under a conditional use permit application.

Economic Impact Assessment:

The proposed amendment will increase the overall review time for large scale retail businesses to locate within the city. Typically, the process for review of conditional use permits, including required notification, meetings, and hearings, can take between four and eight months, depending on the size of a project and the issues raised during the process. The current permit fee for conditional use permits is approximately \$5000.00, which does not include any costs that an proponent may expend in preparing documents, illustrations, and studies, and/or hiring consultants to assist in their application. However, it has been staff's experience that when a proposal is required to secure a discretionary land use permit, the subsequent building permit review time is often decreased because many, if not all, of the design and development standards, storm water management and source control analysis, and traffic and other possible environmental mitigations, have been addressed or the customer has been advised of such requirements for the subsequent building permit application during the land use permit review for the proposal.

It is also staff's experience that many applicants for large scale retail projects approach the City assuming that a discretionary land use permit will be required for their project (as many jurisdictions within Washington and other states already have this requirement), and thus the proposed requirement may not be a dramatic and unexpected one in many cases. While it may be argued that a discretionary land use permit could discourage or increase the cost of future large scale retail development, it is important to note that the proposal is not designed to prevent large scale retail development. The proposed review process is designed to ensure that future large scale retail development is done in a manner that is consistent with this community's vision and goals, which include fostering economic growth along with preserving our unique community character and maintaining and creating vibrant, well-connected, safe and attractive urban neighborhoods.

Staff Recommendation:

Staff recommends that the draft amendments to the Land Use Regulatory Code for large scale retail businesses should be forwarded for public review and comment.

Exhibits:

- A. Draft Code Amendments
- B. Map showing the areas affected by the proposed changes (the three different colors reflect the areas affected by the two different proposed thresholds and the proposed size limitation)



Large Scale Retail Moratorium

DRAFT LAND USE REGULATORY CODE AMENDMENTS November 17, 2011

Note – These amendments show all of the changes to the *existing* land use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that is deleted is shown in ~~strikethrough~~.

Chapter 13.05

LAND USE PERMIT PROCEDURES

* * *

13.05.020 Notice process.

* * *

C. Process II – Administrative Decisions Requiring an Environmental Determination and Height Variances, Shoreline Permits, Conditional Use (except for large scale retail uses), Special Development Permits, Wetland/Stream/Fish & Wildlife Habitat Conservation Area (FWHCA) Development Permits, Wetland/Stream/FWHCA Assessments, and Wetland Delineation Verifications.

* * *

D. Process III – Decisions Requiring a Public Hearing.

1. A notice of application shall be provided within 14 days following a notice of complete application being issued to the applicant as identified in Section 13.05.010.C.
2. Notice of application, including the information identified in Section 13.05.020.E, shall be mailed by first-class mail to the applicant, property owner (if different than the applicant), neighborhood councils in the vicinity where the proposal is located; qualified neighborhood or community organizations; the Tacoma Landmarks Commission (for proposals located within a historic district or affecting a designated landmark); Puyallup Indian Tribe for “substantial action” as defined in the “Agreement Between the Puyallup Tribe of Indians, Local Governments in Pierce County, the State of Washington, the United States of America, and Certain Private Property Owners,” dated August 27, 1988; and to owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.020.G. For major modifications to development approved in a PRD District rezone and/or site approval, the notice of application shall also be provided to all owners of property and/or taxpayers of record within the entire PRD District and owners of property and/or taxpayers of record, as indicated by the records of the Pierce County Assessor/Treasurer, within the distances identified in Section 13.05.020.G from the boundary of the PRD District.
3. The notified parties shall be allowed 21 days from the date of mailing to comment on the pre-threshold environmental determination under provisions of Chapter 13.12, after which time the responsible official for SEPA shall make a final determination. Those parties who comment on the environmental information shall receive notice of the environmental determination. If an appeal of the determination is filed, it will be considered by the Hearing Examiner at the public hearing on the proposal.
4. A public information sign (or signs), provided by the Department, indicating that a land use permit application for a proposal has been submitted, shall be erected on the site by the applicant, in a location specified by the Department, within seven calendar days of the date on which a notice of complete application is issued to the

applicant. The sign shall remain on the site until the date of final decision, at which time the sign shall be removed by the applicant. The notice shall contain, at a minimum, the following information: type of application, name of applicant, location of proposal, and where additional information can be obtained.

5. Notice shall be published in a newspaper of general circulation for applications identified in the table in subsection G of this section.

* * *

G. Notice and Comment Period for Specified Permit Applications. Table G specifies how to notify, the distance required, the comment period allowed, expiration of permits, and who has authority for the decision to be made on the application.

Table G – Notice, Comment and Expiration for Land Use Permits

Permit Type	Preapplication Meeting	Notice: Distance	Notice: Newspaper	Notice: Post Site	Comment Period	Decision	Hearing Required	City Council	Expiration of Permit
* * *									
Plats 10+ lots	Required	400 feet	Yes	Yes	21 days SEPA**	Hearing Examiner	Yes	Final Plat	5 years***
Plats 5-9 lots	Required	400 feet	Yes	Yes	20 days	LUA	No*	Final Plat	5 years***
Rezones	Required	400 feet	No	Yes	21 days SEPA**	Hearing Examiner	Yes	Yes	None
Shoreline/CUP/ variance	Required	400 feet	No	Yes	30 days*** **	LUA	No*	No	2 years/ maximum 6
Short plat	Required	No	No	No	No	LUA	No	No	5 years***
Site approval	Optional	400 feet	No	Yes	30 days*** **	LUA	No*	No	5 years
Conditional use	Required	400 feet	No	Yes	30 days*** **	LUA	No*	No	5 years****
<u>Conditional use, large-scale retail</u>	<u>Required</u>	<u>400 feet</u>	<u>Yes</u>	<u>Yes</u>	<u>30 days**</u>	<u>Hearing Examiner</u>	<u>Yes</u>	<u>Yes</u>	<u>5 years</u>
Variance	Optional	100 feet	No	Yes	14 days	LUA	No*	No	5 years
* * *									

INFORMATION IN THIS TABLE IS FOR REFERENCE PURPOSE ONLY.

- * When an open record hearing is required, all other land use permit applications for a specific site or project shall be considered concurrently by the Hearing Examiner (refer to Section 13.05.040.E).
- ** Comment on land use permit proposal allowed from date of notice to hearing.
- *** Must be recorded with the Pierce County Auditor within five years.
- **** Special use permits for wireless communication facilities, including towers, are limited to two years from the effective date of the Land Use Administrator’s decision.
- ***** If a public meeting is held, the public comment period shall be extended 7 days beyond and including the date of the public meeting.

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Chapter 13.06
ZONING

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13.06.200 Commercial Districts.

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C. Land use requirements.

1. Applicability. The following tables compose the land use regulations for all districts of Section 13.06.200. All portions of Section 13.06.200 and applicable portions of Section 13.06.500 apply to all new development of any land use variety, including additions and remodels, in all districts in Section 13.06.200, unless explicit exceptions or modifications are noted. The requirements of Section 13.06.200.A through Section 13.06.200.C are not eligible for variance. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply.

2. Use requirements. The following use table designates all permitted, limited, and prohibited uses in the districts listed. Use classifications not listed in this section or provided for in Section 13.06.500 are prohibited, unless permitted via Section 13.05.030.E. Certain street level use restrictions may apply; see Section 13.06.200.C.4 below.

3. Use table abbreviations.

P	=	Permitted use in this district.
CU	=	Conditional use in this district. Requires conditional use permit, consistent with the criteria and procedures of Section 13.06.640.
TU	=	Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.635.
N	=	Prohibited use in this district.

4. District use table.

Uses	T	C-1	C-2 ¹	HM	PDB	Additional Regulations ^{2,3} (also see footnotes at bottom of table)
* * *						
Residential care facility for youth	P	P	P	P	P	See Section 13.06.535. See definition for bed limit.
Residential chemical dependency treatment facility	P	P	P	P	P	See Section 13.06.535.
Retail	N	P	P/CU~	P*	P*	~A conditional use permit is required for retail businesses exceeding 45,000 square feet within the C-2 District. See Section 13.06.640.J. *Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts.
Retirement home	P	P	P	P	P	See Section 13.06.535.
* * *						

D. Building envelope standards.

	T	C-1	C-2	HM	PDB
Minimum Lot Area	0 non-residential; 1,500 square feet per residential unit	0	0	0	0
Minimum Lot Width	0	0	0	0	0
Maximum Lot Coverage	None	None	None	None	None
Minimum Front Setback	In all districts listed above, 0 feet, unless abutting a residential zoning, then equal to the residential zoning district for the first 100 feet from that side. Maximum setbacks (Section 13.06.200.E) supersede this requirement where applicable. Animal sales and service: shall be setback from residential uses or residential zoning district boundaries at least 20 feet.				
Minimum Side Setback	In all districts listed above, 0 feet, unless created by requirements in Section 13.06.502. Animal sales and service: shall be setback from residential uses or residential zoning district boundaries at least 20 feet.				
Minimum Rear Setback	In all districts listed above, 0 feet, unless created by requirements in Section 13.06.502. Animal sales and service: shall be setback from residential uses or residential zoning district boundaries at least 20 feet.				
Maximum Setback from Designated Streets	See Section 13.06.200.E for application with any district listed above on designated segments of North 30th Street and 6th Avenue.				
Maximum Height Limit	35 feet	35 feet	45 feet	150 feet	45 feet
	Height will be measured consistent with Building Code, Height of Building, unless a View Sensitive Overlay District applies. Height may be further restricted in View-Sensitive Overlay Districts, per Section 13.06.555. Certain specified uses and structures are allowed to extend above height limits, per Section 13.06.602.				
Maximum Floor Area	20,000 square feet per building	30,000 square feet per building	<u>45,000 square feet per business for retail uses, unless approved with a conditional use permit. See Section 13.06.640.J.</u> None	7,000 square feet per business for eating and drinking, retail and personal services uses	7,000 square feet per business for eating and drinking, retail and personal services uses

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13.06.300 Mixed-Use Center Districts.

* * *

D. Land use requirements.

1. Use requirements. The following use table designates all permitted, limited, and prohibited uses in the districts listed. Use classifications not listed in this section or provided for in Section 13.06.500 are prohibited, unless permitted via Section 13.05.030.E.

2. Use table abbreviations.

P	=	Permitted use in this district.
CU	=	Conditional use in this district. Requires conditional use permit, consistent with the criteria and procedures of Section 13.06.640.
TU	=	Temporary use consistent with Section 13.06.635.
N	=	Prohibited use in this district.

3 District use table.

Uses	NCX	CCX	UCX	UCX-TD	RCX ¹	CIX	HMX	URX	NRX	Additional Regulations ^{3,4,5} (also see footnotes at bottom of table)
* * *										
Research and development industry	N	N	N	N	N	P	N	N	N	
Residential care facility for youth	P	P	P	P	P	P	P	P	P	See Section 13.06.535. See definition for bed limit. In NCX and CCX Districts, prohibited at street level along frontage of designated core pedestrian streets. ² Not subject to minimum densities found in Section 13.06.300.E.
Residential chemical dependency treatment facility	P	P	P	P	P	P	P	P	P	See Section 13.06.535. In CCX and NCX Districts, prohibited at street level along frontage of designated core pedestrian streets. ²
Retail	P	<u>P/CU~</u>	<u>P/CU~</u>	<u>P/CU~</u>	P	<u>P/CU~</u>	P*	N	N	<u>~A conditional use permit is required for retail businesses exceeding 45,000 square feet. See Section 13.06.640.J.</u> *Limited to 7,000 square feet of floor area, per business, in the HMX District.
* * *										

E. Building envelope standards.

1. The following table contains the primary building envelope requirements. See Section 13.06.501 for additional requirements:

	NCX	CCX	UCX	UCX-TD	RCX	CIX	HMX	URX	NRX	Additional Requirements
* * *										
Upper story setback	See Section 501.C.2 for stepback standards along pedestrian streets.	See Section 501.C.2 for stepback standards along pedestrian streets.	None	10 feet from adjacent lot line for portion over 50 feet in height.	None	None	None	None	None	See Section 13.06.503; residential transition standards may also apply.
Maximum floor area	30,000 square feet per business; 45,000 square feet for full service grocery stores only; offices shall be exempt from these limits.	<u>45,000 square feet per business for retail uses, unless approved with a conditional use permit. See Section 13.06.640.J.</u> None	<u>45,000 square feet per business for retail uses, unless approved with a conditional use permit. See Section 13.06.640.J.</u> None	<u>45,000 square feet per business for retail uses, unless approved with a conditional use permit. See Section 13.06.640.J.</u> None	<u>30,000 square feet per business; 45,000 square feet for full service grocery stores only.</u> None	<u>45,000 square feet per business for retail uses, unless approved with a conditional use permit. See Section 13.06.640.J.</u> None	7,000 SF per business for eating and drinking, retail and personal services uses	None	None	See Section 13.06.300.D for limitations on the amount of non-residential space allowed in developments in RCX Districts.
* * *										

13.06.400 Industrial Districts.

* * *

13.06.400.C Land use requirements.

1. Applicability. The following tables compose the land use regulations for all districts of Section 13.06.400. All portions of Section 13.06.400 and applicable portions of Section 13.06.500 apply to all new development of any land use variety, including additions and remodels. Explicit exceptions or modifications are noted. When portions of this section are in conflict with other portions of Chapter 13.06, the more restrictive shall apply.

2. Use Requirements. The following use table designates all permitted, limited, and prohibited uses in the districts listed.

Use classifications not listed in this section or provided for in Section 13.06.500 are prohibited, unless permitted via Section 13.05.030.E.

3. Use table abbreviations.

P	=	Permitted use in this district.
CU	=	Conditional use in this district. Requires conditional use permit consistent with the criteria and procedures of Section 13.06.640.
TU	=	Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.635.
N	=	Prohibited use in this district.

4. District use table.

Uses	M-1	M-2	PMI	Additional Regulations ¹

Residential chemical dependency treatment facility	P/N*	N	N	See Section 13.06.535. *Not permitted within the South Tacoma M/IC Overlay District.
Retail	P~	P~	P*	*Limited to 7,000 square feet of floor area, per development site, in the PMI District. ~Within the South Tacoma M/IC Overlay District, unless an accessory use, limited to 10,000 square feet of floor area per development site in the M-2 district and 15,000 square feet in the M-1 district. <u>Outside of the South Tacoma M/IC Overlay District, limited to 65,000 square feet per business, unless approved with a conditional use permit. See Section 13.06.640.J.</u>

13.06.640 Conditional use permit.

A. Purpose. In many zones there are uses that may be compatible but because of their size, operating characteristics, potential off-site impacts and/or other similar reasons warrant special review on a case-by-case basis. The purpose of the conditional use permit review process is to determine if such a use is appropriate at the proposed location and, if appropriate, to identify any additional conditions of approval necessary to mitigate potential adverse impacts and ensure compatibility between the conditional use and other existing and allowed uses in the same zoning district and in the vicinity of the subject property. The zoning district use tables identify which uses require a conditional use permit (see Sections 13.06.100, -.200, -.300, and -.400). These uses may be authorized by the Land Use Administrator or Hearing Examiner in accordance with the procedures established in TMC 13.05 and the applicable criteria outlined below.

* * *

C. Criteria. A conditional use permit shall be subject to the following criteria:

1. There shall be a demonstrated need for the use within the community at large which shall not be contrary to the public interest.
2. The use shall be consistent with the goals and policies of the Comprehensive Plan, any adopted neighborhood or community plan, and applicable ordinances of the City of Tacoma.
3. The use shall be located, planned, and developed in such a manner that it is not inconsistent with the health, safety, convenience, or general welfare of persons residing or working in the community. The following shall be considered in making a decision on a conditional property use:
 - a. The generation of noise, noxious or offensive emissions, light, glare, traffic, or other nuisances which may be injurious or to the detriment of a significant portion of the community.
 - b. Availability of public services which may be necessary or desirable for the support of the use. These may include, but shall not be limited to, availability of utilities, transportation systems (including vehicular, pedestrian, and public transportation systems), education, police and fire facilities, and social and health services.
 - c. The adequacy of landscaping, screening, yard setbacks, open spaces, or other development characteristics necessary to mitigate the impact of the use upon neighboring properties.

An application for a conditional use permit shall be processed in accordance with the provisions of Chapter 13.05.

* * *

J. Large Scale Retail. Where allowed, a conditional use permit for a retail business that exceeds the applicable size limitations (as outlined in the use tables found in Sections 13.06.200, -.300, and -.400) shall only be approved upon a finding that such development is consistent with all of the standard decisions criteria for conditional use permits, as outlined above under Subsection C, and the following additional decision criteria:

1. The proposed development is designed in a manner that allows for future reuse of the building by multiple tenants. This may be accomplished by incorporating a variety of different design elements, including provision of several tenant spaces of varying sizes within buildings or the ability to practically modify the buildings in the future with building separations and modifications to access, mechanical systems and other components that would accommodate multi-tenant reuse.
2. The design of off-street parking areas represent substantial effort to ensure enhanced pedestrian safety and comfort. Parking lot design strategies may include segmenting surface parking areas into smaller groupings with interspersed buildings, pedestrian features, frequent pedestrian pathways, landscaping, and other focal points, and/or provision of structured parking for a portion of the on-site parking provided.
3. The type and volume of traffic and existing and proposed traffic pattern allows for accessibility for persons and various modes of transportation. Adequate landscaping, screening, open spaces, and/or other development characteristics are provided as necessary to mitigate the traffic impact upon neighboring properties. In addition, pedestrian-oriented design is emphasized within mixed-use centers to maintain connectivity between uses and all modes of transportation, including bicycle, pedestrian and mass transit options.

4. Business activity, including delivery and hours of operation, are limited to avoid unnecessary noise and light impacts to surrounding residential uses. Outdoor storage or garden areas are appropriately screened from view or contained within a building.

5. In mixed-use centers, the overall development is designed to positively contribute to the desired and planned character of the district, as outlined in the Comprehensive Plan. This may be accomplished through incorporation of enhanced development features, such as incorporating a variety of uses, structured parking, multiple floors to allow for a smaller building footprint, smaller-scale storefront design along the street level, incorporation of residential units within the building or overall development site, and a diverse array of public spaces, including indoor and outdoor spaces, active and passive spaces, and plazas and garden spaces.

6. For projects on sites along a designated pedestrian street (see Sections 13.06.200.E and 13.06.300.C) the site and building design provides a significant emphasis on pedestrian-orientation over vehicular-orientation. This may be accomplished through encouraging direct, continuous and regular pedestrian access, incorporating an internal pedestrian circulation system that provides connections between buildings, through parking areas, to the street and transit linkages, and to surrounding properties and neighborhoods, where possible, incorporating continuous and active uses and spaces along pedestrian street frontages and internal pedestrian pathways, and limiting conflicts between pedestrians and vehicles, particularly along the pedestrian street.

An application for a conditional use permit for large scale retail businesses shall be processed in accordance with the provisions of Chapter 13.05, except with the following additional requirement:

Pre-application community meeting. Prior to submitting an application to the City for a conditional use permit for a large scale retail business, the applicant shall hold a public informational meeting with adjacent community members. The purpose of the meeting is to provide an early, open dialogue between the applicant and the neighborhood surrounding the proposed development. The meeting should acquaint the neighbors of the proposed development with the applicant and/or developers and provide for an exchange of information about the proposal and the community, including the characteristics of the proposed development and of the surrounding area and any particular issues or concerns of which the applicant should be made aware. The applicant shall provide written notification of the meeting, at least 30 calendar days prior to the meeting date, to the appropriate neighborhood council, qualified neighborhood and community organizations, and to the owners of property located within 1,000 feet of the project site. The meeting shall be held at a location and time of day that is convenient for community members (i.e. after regular business hours if scheduled on a weekday). Subsequently, as part of the conditional use permit application, the applicant shall provide written confirmation that the required pre-application community meeting was held, the general substance of the community input, and whether, and if so how, the project was modified in response to the community input.

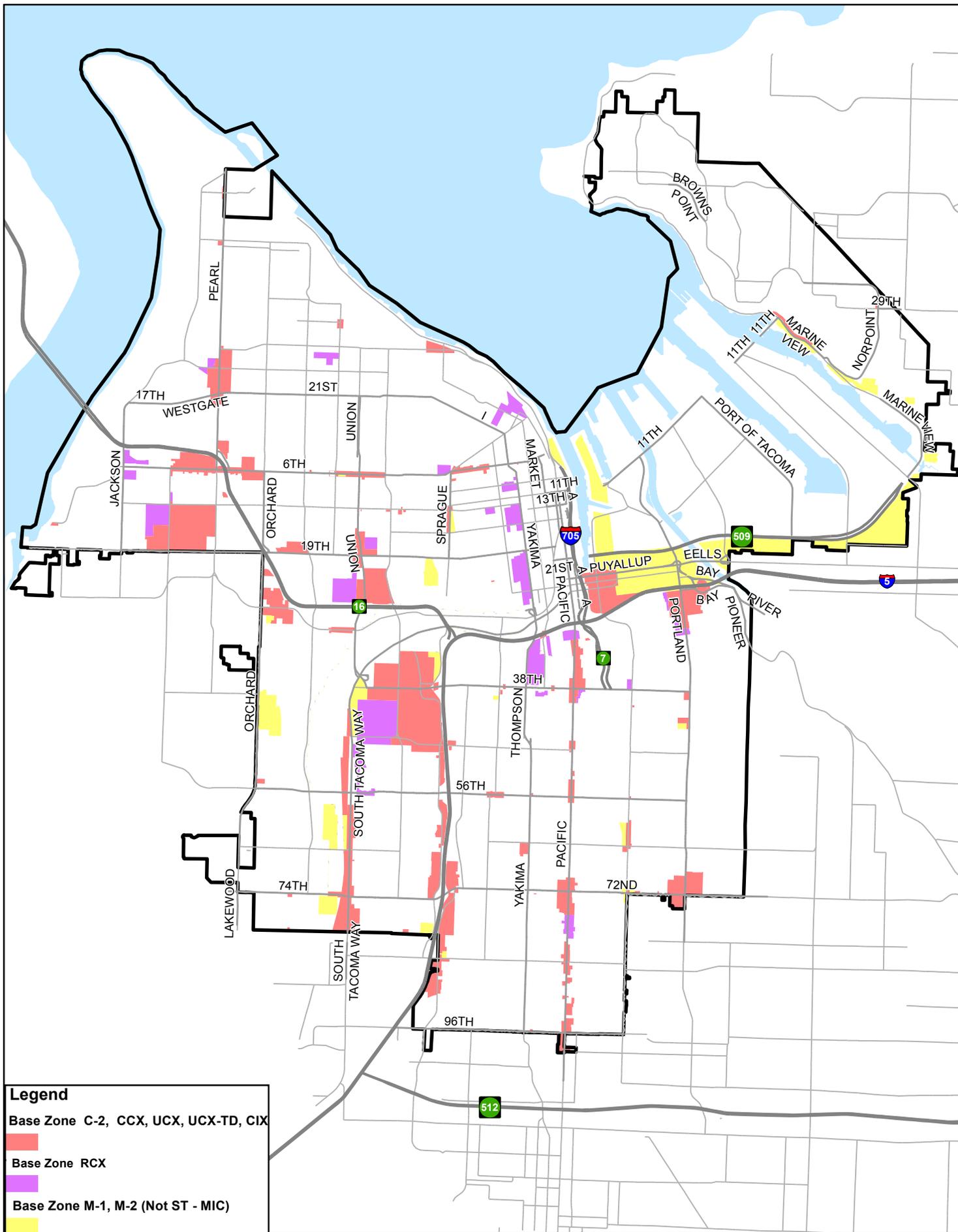
Upon issuance, the Hearing Examiner's decision may be appealed subject to procedures contained in Chapter 1.23.

* * *

Large Scale Retail Moratorium

Exhibit B

Area Affected By Proposed Changes





Preliminary Determination of Environmental Nonsignificance

**City of Tacoma – Land Use Regulatory Code
Proposed Amendments Regarding Large Scale Retail Establishments**
SEPA File Number: SEP2011-40000172738

TO: All Departments and Agencies with Jurisdiction

SUBJECT: Preliminary Determination of Environmental Nonsignificance

In accordance with WAC 197-11-340, a copy of the Preliminary Determination of Environmental Nonsignificance for the project described below is transmitted:

Applicant: City of Tacoma Community & Economic Development Department
747 Market Street, Room 1036
Tacoma, WA 98402
(253) 591-5365

Proposal:

The proposed Amendment would revise five sections in Title 13 of the Tacoma Municipal Code (i.e., Section 13.05.020 – Notice Process, Section 13.06.200 – Commercial Districts, Section 13.06.300 – Mixed-Use Center Districts, Section 13.06.400 – Industrial Districts, and Section 13.06.640 – Conditional Use Permits) as they pertain to the regulation of retail establishments that either exceed 45,000 square feet or 65,000 square feet, depending on zoning. The revisions will include consideration of a discretionary land use permit (i.e., a conditional use permit) requirement to be under the authority of the City’s Hearing Examiner. A community meeting would be required prior to the submittal of such conditional use permit and a public hearing would be held by the Hearing Examiner before he/she issues a decision on the conditional use permit application.

Copies of the complete text of the proposed revisions, including maps where applicable, are available from the Community & Economic Development Department at the address shown on the cover page and at all branches of the Tacoma Public Library. The proposed revisions may also be viewed or downloaded at www.cityoftacoma.org/planning (Click on “Large Scale Retail Moratorium”).

Location: City of Tacoma

Lead Agency: City of Tacoma

City Contact: Shanta Frantz
Community and Economic Development Department
747 Market Street, Room 345
Tacoma, WA 98402
(253) 591-5388/shanta.frantz@cityoftacoma.org

Determination of Nonsignificance

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The lead agency for this proposal has made a preliminary determination that this project does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) (c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. This Preliminary Determination of Nonsignificance (DNS) is issued under WAC 197-11-340(2). **Comments must be submitted by 5:00 p.m. on December 9, 2011. The Responsible Official will reconsider the DNS based on timely comments and may retain, modify, or, if significant adverse impacts are likely, withdraw the DNS. Unless modified by the City, this determination will become final on December 12, 2011.**

There is no administrative appeal for this determination. Appeals must be filed in conjunction with appeals of the adopted amendments to the Growth Management Hearings Board; appeals shall be taken in accordance with procedures and limitations set forth in RCW 43.21C.075 and WAC 242-02. In addition to Growth Management Hearings Board requirements, a copy of the appeal shall be filed with the Community and Economic Development Department, 747 Market Street, Tacoma, Washington 98402.

The Puyallup Tribe is notified that this initiates the consultation process.

Responsible Official: Ryan Petty

Position/Title: Director, Community and Economic Development Department

Signature: _____ *Signed Copy in File*

SEPA Officer Signature: _____ *Signed Copy in File*

Issue Date: **November 17, 2011**

Comment Deadline: **5:00 p.m., December 9, 2011**

NOTE: The issuance of this Preliminary Determination of Nonsignificance does not constitute project approval. Future project applicants must comply with all other applicable requirements of the City of Tacoma and other agencies with jurisdiction prior to receiving development permits.

- c: City of Tacoma: Gatewood, Elton; McKnight, Reuben, Frantz, Shanta, Boudet, Brian, Rambow, Pete; Terrill, Frank; Sully, Dan; Coffman, James; Kammerzell, Jennifer; Pierce, Ramie; Pollard, Merita; Hubbard, Heidi; Aplin, Al; Erickson, Ryan; Ripley, Rachelle; Larson, Tracy; Porter, Hal; Angel, Jesse; CMO Special Assistant; Fejarang; Kristina; Ferguson, Cheryl; Flynn, Ryan
Adonais Clark, SEPA Official – Pierce County (*via e-mail*)
Metro Parks, Doug Fraser, 4702 South 19th Street, Tacoma, WA 98405

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Nature and Environment Advisory Council, Terry Larson, 808 North Ainsworth Ave., Tacoma, WA 98403

Pierce Transit, Monica Adams, Land Use Review, PO Box 99070, Lakewood, WA 98499

Port of Tacoma, Jason Jordan, P.O. Box 1837, Tacoma, WA 98401

Puget Sound Clean Air Agency, Steve Van Slyke, 1904 3rd Avenue, Ste. 105, Seattle, WA 98101-3317

Puyallup Tribe of Indians, Peter Mill, Director of Planning, 3009 Portland Avenue, Tacoma, WA. 98404

Puyallup Tribe of Indians, Shawn Villegas, Puyallup Tribe Planning Dept, 3009 Portland Avenue, Tacoma, WA. 98404

Puyallup Tribe of Indians, Bill Sullivan, Natural Resources Director, 3009 Portland Avenue, Tacoma, WA 98404

Puyallup Tribe of Indians, Andrew Stroebel, Land Use Manager, 3009 Portland Avenue, Tacoma, WA. 98404

Puyallup Tribe of Indians, David Duenos, Building Official, 3009 Portland Avenue, Tacoma, WA. 98404

Puyallup Tribe of Indians, Brandon Reynon, Tribal Historian, 3009 E. Portland Avenue, Tacoma, WA. 98404

Puyallup Tribe of Indians, Russ Ladley, Tribal Attorney, 3009 E. Portland Avenue, Tacoma, WA. 98404

Puyallup Tribe of Indians, Lisa A. Brautigam, Environmental Attorney, 3009 E. Portland Avenue, Tacoma, WA. 98404

Tacoma Pierce County Health Department, Sherrilyn Reed, EH-3128 – 3629 South D Street, Tacoma, WA 98418

Tacoma Pierce County Health Department, Brad Harp, EH-3128 – 3629 South D Street, Tacoma, WA 98418

Tacoma Public School District, Pete Wall, 3323 South Union Avenue, Tacoma, WA 98049

Washington Department of Ecology, SEPA Unit, P.O. Box 47703, Olympia, WA 98504

Department of Transportation, Dale Severson, P.O. Box 474400, Olympia, WA 98504

Washington State Office of Archaeology & Historic Preservation, Gretchen Kaehler, P.O. Box 48343, 1063 S. Capital Way, Suite 106, Olympia, WA 98501

File: CEDD, Long-Range Planning Division

ENVIRONMENTAL CHECKLIST

*City of Tacoma
Land Use Regulatory Code
Proposed Amendments Regarding Large Scale Retail Establishments*

**SEPA File Number:
SEP2011-40000172738**

November 2011

**Community and Economic Development Department
747 Market Street, Room 1036
Tacoma, WA 98402-3793
253-591-5365**

ENVIRONMENTAL CHECKLIST

A. BACKGROUND

1. Name of proposed project, if applicable:

City of Tacoma Land Use Regulatory Code:
Proposed Amendments Regarding Large Scale Retail Establishments

2. Proponent/applicant:

City of Tacoma
Community and Economic Development Department
747 Market Street, Room 1036
Tacoma, WA 98402-3793

3. Contact:

Shanta Frantz, Principal Planner
City of Tacoma
Community & Economic Development Department
747 Market Street, Room 345
Tacoma, WA 98402-3793
Phone: (253) 591-5388
Fax: (253) 591-5433
E-mail: shanta.frantz@cityoftacoma.org

4. Date checklist prepared: November 14, 2011

5. Agency requesting checklist:

City of Tacoma
Community & Economic Development Department

6. Proposed timing or schedule (including phasing, if applicable):

The schedule for the 2011-2012 Large Scale-Retail Establishments Code Update encompasses the following milestones:

August 30, 2011:	City Council adopted the emergency moratorium (Ordinance No. 28014)
September 1, 2011:	Effective date of the emergency moratorium
October 5, 2011:	Planning Commission held a public hearing on the moratorium
October 19, 2011:	Planning Commission made its recommendation on the moratorium
October 25, 2011:	City Council held a public hearing on the moratorium
November 1, 2011:	City Council retained and modified the moratorium (Substitute Ordinance No. 28027)

November 2 - 16, 2011:	Planning Commission analysis of the proposed amendments
December 7, 2011:	Planning Commission public hearing on the proposed amendments
December 9, 2011:	Public comment deadline
January 4, 2012:	Planning Commission makes recommendations to the City Council
January 31, 2012:	City Council public hearing
February 7, 2012:	City Council first reading of ordinance
February 14, 2012:	City Council considers adoption of the proposed amendments
February 26, 2012:	Adopted amendments take effect
February 29, 2012:	Moratorium expires

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

The City's land Use regulations are amended periodically, consistent with the State Growth Management Act. The proposed changes will apply to future large-scale retail establishments within commercial, industrial and mixed-use districts, as defined by the related large-scale retail moratorium (Substitute Ordinance No. 28027), which expires on February 29, 2012. In response to public feedback and recommendations by the Planning Commission under the moratoria process and the review of these proposed amendments, the City may evaluate and further amend the Code in the future as it relates to large-scale retail establishments, likely through the City's Annual Amendment process.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

None.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

No. One current proposal for a new large scale retail use was submitted prior to the effective date of the moratorium, was vested under the current Land Use Regulatory Code, and will not be affected by changes under this proposal.

10. List any government approvals or permits that will be needed for your proposal, if known.

The proposed amendments to the Land Use Regulatory Code will be adopted by the City Council by ordinance, i.e. through the legislative process. Future development applications for large scale retail uses will be subject to the amended regulations and be approved through issuance of various permits and approvals as required.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site.

The proposed Amendment would revise five sections in Title 13 of the Tacoma Municipal Code (i.e., Section 13.05.020 – Notice Process, Section 13.06.200 – Commercial Districts, Section 13.06.300 – Mixed-Use Center Districts, Section 13.06.400 – Industrial Districts, and Section 13.06.640 – Conditional Use Permits) as they pertain to the regulation of retail establishments that either exceed 45,000 square feet or 65,000 square feet, depending on

zoning. The revisions will include consideration of a discretionary land use permit (i.e., a conditional use permit) requirement to be under the authority of the City’s Hearing Examiner. A community meeting would be required prior to the submittal of such conditional use permit and a public hearing would be held by the Hearing Examiner before he/she issues a decision on the conditional use permit application.

The “RCX” Residential Commercial Mixed-Use District will also be revised to limit large scale retail development to 30,000 square feet in size per business and 45,000 square feet in size for full service grocery stores.

Copies of the complete text of the proposed revisions, including maps where applicable, are available from the Community & Economic Development Department at the address shown on the cover page and at all branches of the Tacoma Public Library. The proposed revisions may also be viewed or downloaded at www.cityoftacoma.org/planning (Click on “Large Scale Retail Moratorium”).

The regulations will be in effect throughout the City and are not specifically related to any one property, project, or site.

12. Location of the Proposal: (Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any. If a proposal would occur over a range of area, provide the range or boundaries of the site(s).)

The proposed amendment entails a non-project action and affects properties throughout the City of Tacoma. The responses provided from this point forward imply city-wide applicability, unless otherwise specified.

13. Assessor Parcel Number:

Affected parcels are located throughout the city and are too numerous to list.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (underline one): Flat, rolling, hilly, steep slopes, mountainous, other:

Topography within the city is widely varied, ranging from large flat areas to areas of significant steep slope. Overall, the city can be described as hilly and/or rolling.

What is the steepest slope on the site (approximate percent slope)?

The highest point in the City is Indian Hill in NE Tacoma (Orca, Galleon, & Tower Drive) at 552 feet. The lowest point is sea level (Puget Sound). The steepest areas are the bluffs that are adjacent to the Narrows and Commencement Bay. There are areas within the City which contain slopes that exceed 100%.

b. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

The soils in Tacoma consist of gravel, sand, clay, silt, peat, and muck. There are no known areas of prime farmland or agricultural soils.

c. Are there surface indications or history of unstable soils in the immediate vicinity?

Tacoma is designated as a Zone 3 Seismic Hazard Zone, as is the entire Puget Sound region. This designation is based on life safety and the potential for property damage as a result of seismic activity. Zone 1 includes those areas that are least likely and Zone 4 includes those that are most likely to experience injury and/or building damage as a result of a seismic event. The City's geologically hazardous areas are generally mapped in the Environmental Policy Element of the Comprehensive Plan.

d. Describe the purpose, type and approximate quantities of filling or grading proposed. Indicate source of fill.

No grading or filling is proposed by this non-project action. Site-specific impacts of any filling or grading will be assessed as part of the review of future large-scale retail proposals.

e. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

This proposal is a non-project action. Erosion controls based on the City's adopted stormwater manual and development codes will be made a requirement by the City at the time of permit approval and construction. All proposed large-scale retail establishments will be required to comply with all applicable code requirements at the time of development.

f. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

The proposal is a non-project action. Calculations of impervious surfaces would be prepared and evaluated at the time of development application review.

g. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

The proposed amendment is a non-project action. Future large-scale retail development proposals will be required to meet the grading and erosion control requirements of the City of Tacoma at the time of development.

2. Air

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors and industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities, if known.

The proposal is non-project action. Emissions could occur during construction of future large-scale retail establishments.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No.

c. Proposed measures to reduce or control emissions or other impacts to air, if any.

None. Future large-scale retail development proposals will, at the time of project permit review, be required to evaluate emissions or other impacts to air and mitigate impacts as appropriate.

3. Water

a. Surface

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Most of Tacoma is on a peninsula surrounded on the west by portions of Puget Sound, including the Narrows, and on the east by Commencement Bay. Additionally there are several lakes, including Wapato Lake, Snake Lake, and China Lake; numerous streams and rivers such as the Puyallup River, Swan Creek, Puget Creek, and Hylebos Creek; and, a significant number of seasonal and perennial streams and wetlands.

2) Will the project require any work in or adjacent to (within 200 feet) of the described waters? If yes, please describe and attach available plans.

Does not apply; this proposal is a non-project action. Large-scale retail establishments are generally prohibited within shoreline areas, and it is extremely unlikely that a proposed large-scale retail establishment would meet the criteria for a critical area development permit – thus prohibiting a new large-scale retail establishment in a wetland/stream or its buffer.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Does not apply; this proposal is a non-project action.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities, if known.

Does not apply; this proposal is a non-project action. However, it is extremely unlikely that construction of a large-scale retail establishment would result in any impacts to surface water as compliance with the *City of Tacoma Stormwater Management Manual* will be required.

5) Does the proposal lie within a 100-year flood plain? If so, note location on the site plan.

This proposal is a non-project action and does not involve any particular site or project proposal. The 100-year flood plain within the city includes the following areas: Puyallup River; an area of the Tide-flats near SR-509 and Portland Avenue; an area of the Tide-flats near Taylor Way, Alexander Avenue and SR-509; the creek area east of Portland Avenue between I-5 and S. 56th Street; the Larchmont Playground area near S. 84th Street and Pacific Avenue; the area near S. 84th and S. Hosmer Streets; the Wapato Lake area

near S. 72nd Street and Sheridan Avenue; the Flett Creek area near South Tacoma Way and S. 74th Street; the China Lake Park area near S. 19th Street and SR-16; and, the Titlow Park area near 6th Avenue and the BNSF railroad tracks.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Does not apply; this proposal is a non-project action. However, it is extremely unlikely that the construction of a large-scale retail establishments would result in such discharges as City source control measures would be required.

b. Ground:

1) Will the ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities, if known.

The proposal does not involve ground water withdrawal or discharge. All proposed large-scale retail establishments will be required to comply with all applicable code requirements at the time of development.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any. For example: domestic sewage, industrial, containing the following chemicals . . . agricultural; etc. Describe the general size of the system, the number of such systems, the number of houses to be served, if applicable, or the number of animals or humans the system(s) are expected to serve.

This proposal is a non-project action. However, it is extremely unlikely that the construction of a large-scale retail establishment would result in such discharges as such development will be subject to the City's source control requirements.

c. Water Runoff (including storm water):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

The storm drainage system impacts from the construction of a large-scale retail establishment will be evaluated at the time of the development proposal(s). Mitigation may be required in accordance with City regulations, including the *City of Tacoma Stormwater Management Manual*.

2) Could waste materials enter ground or surface waters?

This proposal is a non-project action. Stormwater runoff would need to comply with City regulations, including the *City of Tacoma Stormwater Management Manual*, at the time of development.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any.

City ordinances require any proposed development meet the City's stormwater requirements found in the *City of Tacoma Stormwater Management Manual*, including applicable Department of Ecology Best Management Practices (BMPs).

4. Plants

a. Check or circle types of vegetation found on the site.

- deciduous tree: alder, maple, aspen, other**
- evergreen tree: fir, cedar, pine, other**
- shrubs**
- grass**
- pasture**
- crop or grain**
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other**
- water plants: water lily, eelgrass, milfoil, other**
- other types of vegetation**

b. What kind and amount of vegetation will be removed or altered?

Proposal is a non-project action. No specific removal of plants is planned. Impacts associated with future large scale retail projects will be reviewed at the development proposal stage, and any removed landscaping may be required to be replaced or additional landscaping will be required under the City's Landscaping and/or buffering standards and the Off-street parking and storage areas codes (*TMC* Sections 13.06.502 and/or 13.06.510, respectively).

c. List threatened or endangered species known to be on or near the site.

This proposal involves a non-project action.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

The proposal involves a non-project action. All proposed large-scale retail establishments will be required to comply with all applicable code requirements at the time of development.

5. Animals

a. Underline any birds and animals which have been observed on or near the site or are known to be on or near the site:

- Birds:** hawk, heron, bald eagle, songbirds
- other:** seagulls, crows, pigeons
- Mammals:** deer, bear, elk, beaver
- other:** squirrel, raccoon, opossum, rabbit, rodents, dogs, cats
- Fish:** bass, salmon, trout, herring
- other:**

b. List any threatened or endangered species known to be on or near the site.

The proposal involves a non-project action. Commencement Bay provides habitat for a wide variety of fish species. Threatened or endangered species within the City vicinity could include:

Marbled Murrelet (*Brachyramphus marmoratus*)
 Streaked horned lark (*Eremophila alpestris strigata*)
 Chinook Salmon (*Oncorhynchus (=Salmo) tshawytscha*)
 Chum salmon (*Oncorhynchus keta*)
 Bocaccio rockfish (*Sebastes paucispinis*)
 Canary rockfish (*Sebastes pinniger*)
 Yelloweye rockfish (*Sebastes ruberrimus*)
 Puget Sound Steelhead (*Oncorhynchus (=Salmo) mykiss*)
 Bull Trout (*Salvelinus confluentus*)
 Humpback Whale (*Megaptera novaeangliae*)
 Killer Whale (*Orcinus orca*)
 Steller Sea Lion (*Eumetopias jubatus*)
 Oregon Spotted Frog (*Rana pretiosa*)
 The Pacific Pond Turtle (*Actinemys marmorata*)
 Western Pocket Gopher (*Thomomys mazama*)

c. Is the site part of a migration route? If so, explain.

The City of Tacoma is within the Pacific Flyway for migratory birds. Migrating species of geese and ducks can be found in Wapato Lake, other lakes, ponds, wetlands, and waterways of Tacoma, as well as the Puyallup River. Juvenile salmon migrate along the shorelines of Commencement Bay, the Puyallup River, and Port waterways. Adult salmon, including listed Puget Sound Chinook and Bull trout migrate along the shorelines and within Commencement Bay to the Puyallup River, port waterways, Hylebos Creek, Puget Creek, Wapato Creek, and Leach Creek.

d. Proposed measures to preserve or enhance wildlife, if any.

The proposal is a non-project action. Large-scale retail proposals would be reviewed for compliance with City ordinances including the Critical Areas Protection Ordinance. A Habitat Zone map is established in the Environmental Policy Element of the *Comprehensive Plan*. Also, wetlands and streams of local significance are established in the Tacoma Municipal Code and the Environmental Policy Element.

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs:

The proposal is a non-project action. Future large-scale retail establishments may use a variety of energy sources.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

This proposal is a non-project action.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.

The proposal is a non-project action. All proposed large-scale retail establishments will be required to comply with all applicable code requirements at the time of development.

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

This proposal is a non-project action. Specific hazards will be assessed at the development stage and all requirements of the Tacoma-Pierce County Health Department and Washington Department of Ecology (and if applicable, the Environmental Protection Agency, if the site is located within the Ruston/North Tacoma Superfund Study Area) will be complied with. In addition, the Tacoma-Pierce County Health Department often provides general requirements regarding development of sites that shall be met by the applicant.

1) Describe special emergency services that might be required.

None; proposals are non-project actions.

2) Proposed measures to reduce or control environmental health hazards, if any:

Existing federal, state, and local laws are expected to mitigate potential environmental health hazards from large-scale retail developments that would occur under the proposed revised regulations. This issue would be evaluated at the development proposal stage. Demolition permits for large-scale retail establishments will specify proper disposal or recycling of all waste.

b. Noise

1) What types of noise exist in the area which may affect your project, (for example: traffic, equipment, operation, other)?

The predominant sources of noise in Tacoma are vehicular traffic and overhead aircraft noise. Noise is also present in the industrial areas of the city and adjacent to the mainline train tracks. This proposal is a non-project action.

2) What types of levels would be created by or associated with the project on a short-term or long-term basis (i.e., traffic, construction, operation, other)? Indicate what hours noise would come from the site.

This proposal is a non-project action. Noise would occur when a future large-scale retail project is under construction, and potentially during a store's operation, and would be required to comply with the City's adopted Noise Ordinance, *TMC* 8.122.

3) Proposed measures to reduce or control noise impacts, if any.

Noise impacts will be evaluated at the large-scale retail proposal stage and mitigation required in accordance with City ordinances.

8. Land and Shoreline Use

a. What is the current use of the site?

The proposal entails a non-project action and affects properties throughout the City of Tacoma and is not site-specific.

b. Has the site been used for agriculture? If so, describe.

Portions of the city have been used for agricultural purposes in the past but there are no indications of recent agricultural uses and there are no significant commercial agricultural uses currently operating in the city.

c. Describe any structures on the site.

The proposal entails a non-project action and affects properties throughout the City of Tacoma and is not site-specific.

d. Will any structures be demolished? If so, what?

This proposal is a non-project action. No existing large-scale retail establishment is proposed to be demolished as part of this action.

e. What is the current zoning classification of the site?

The proposal entails only a non-project action. However, the proposed conditional use permit review requirement for large scale retail uses would apply to seven different zoning classifications in the city, as follows:

- “CCX” – Community Commercial Mixed-Use
- “UCX – Urban Center Mixed-Use
- “UCX-TD” – Urban Center Mixed-Use/Tacoma Dome
- “CIX” – Commercial Industrial Mixed-Use
- “C-2” – General Community Commercial
- “M-1” – Light Industrial
- “M-2” – Heavy Industrial

The “RCX” Residential Commercial Mixed-Use District will also be revised to limit large scale retail development to 30,000 square feet in size per business and 45,000 square feet in size for full service grocery stores. There will not be an option to increase the square-footage of retail and grocery store uses within the “RCX” District under a conditional use permit application.

f. What is the current *Comprehensive Plan* designation of the site?

The proposal entails only a non-project action and affects properties throughout the City of Tacoma and is not site-specific. The *Comprehensive Plan* designation for the affected zoning districts is generally either Medium or High Intensity.

g. If applicable, what is the current shoreline master program designation of the site?

The shoreline master program designates areas 200 feet landward of the ordinary high watermark as within various shoreline environment classifications (e.g. ‘urban’, ‘natural’, and ‘conservancy’) and within specific shoreline zoning districts, “S-1” to “S-14”. This

proposal is not site-specific. Large-scale retail establishments are not generally permitted within shoreline districts.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

This proposal is a non-project action and specific impacts to critical areas associated with large-scale retail establishments will be assessed at the project review and approval stage.

i. Approximately how many people would reside or work in the completed project?

This project is a non-project action. The number of people that would work at a large-scale retail establishment will depend on the specific company and its business model.

j. Approximately how many people would the completed project displace?

This proposal is a non-project action.

k. Proposed measures to avoid or reduce displacement impacts, if any.

No specific measures are needed or proposed at this time.

l. Proposed measures to ensure the proposal is compatible with existing and projected land use and plans, if any.

The proposed changes to the Land Use Regulatory Code have been reviewed for consistency with the *Comprehensive Plan*. The proposal specifically responds to *Comprehensive Plan* policies that encourage a discretionary land use permit for large-scale retail establishments.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

No new units of housing are proposed.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Does not apply.

c. Proposed measures to reduce or control housing impacts, if any.

All proposed large-scale retail establishments will be required to comply with all applicable code requirements at the time of development.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The proposal is a non-project action. The maximum allowed height of a new large-scale retail establishment will depend on the subject site's zoning designation.

What views in the immediate vicinity would be altered or obstructed?

The proposal is a non-project action. All future proposed large-scale retail establishments will be required to comply with all applicable code requirements at the time of development. No significant impacts are expected on a city-wide basis.

b. Proposed measures to reduce or control aesthetic impacts, if any.

The location of large-scale retail establishments within the City will be regulated in the proposed code. In addition, the Hearing Examiner may place conditions to mitigate or reduce possible adverse impacts to the surrounding area. Future large-scale retail establishments will be located in medium and high intensity commercial, mixed-use and industrial areas.

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

The proposal is a non-project action. Large-scale retail establishments will be required to comply with all applicable City regulations on light and glare.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

This proposal is a non-project action. Large-scale retail establishments will be required to comply with all applicable City regulations for building height and health and safety regulations.

c. What existing off-site sources of light or glare may affect your proposal?

The proposal is a non-project action. It is not anticipated that off-site sources of light and glare would affect a large-scale retail establishment.

d. Proposed measures to reduce or control light and glare impacts, if any.

This is a non-project action. Future proposals will be required to comply with City regulations related to light and glare impacts.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

Various recreational opportunities exist throughout the city, including parks, trails, playfields, shorelines, and cultural facilities. These are described in the Open Space Habitat and Recreation Element of the *Comprehensive Plan*.

b. Would the proposed project displace any existing recreational uses? If so, describe.

This proposal is a non-project action. It is not known at this time whether a future proposed large-scale retail establishment will displace an existing recreational use.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any.

The proposal is a non-project action. Any measures to reduce or control impacts on recreation will be evaluated during the conditional use permit application process.

13. Historic and Cultural Preservation

Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site?

The proposal is a non-project action.

Citywide, there are over 1,100 sites, structures, properties and buildings listed on the national, state, and Tacoma Registers of Historic Places as either individual properties or within one of Tacoma's six historic and conservation districts. Approximately 130 of the properties are individually listed. The Old City Hall District is listed on the national, state and Tacoma registers of historic places and contains approximately 60 individual properties (approximately 47 buildings). The Union Station District is listed on the national, state and Tacoma registers of historic places and contains approximately 51 individual properties (approximately 32 buildings). The Union Station Conservation District is listed on the Tacoma register of historic places and contains approximately 70 individual properties (approximately 50 buildings). The Salmon Beach Historic District is listed on the state historic register.

a. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

The proposal is a non-project action. Landmark buildings in Tacoma depict the history of the city from the 1880s to the present. Architectural surveys conducted between 1981 and the present have identified approximately 1,600 properties that are potentially eligible for listing.

The area in which the City of Tacoma is located also has many locations of ethnographic, scientific, and cultural importance. Archaeological site records for the Tacoma area are maintained by the Washington State Office of Archaeology and Historic Preservation.

b. Proposed measures to reduce or control impacts, if any.

The proposal is a non-project action. Review under the Landmarks and Historic Special Review Districts Code, or other related historic codes will be required for future large-scale retail establishments located within historic districts or adjacent to historic structures within the City.

14. Transportation

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

Public streets serve the entire city. There are over 15 major north-south arterials and over 17 east-west arterials that provide access throughout the City of Tacoma. These arterials provide primary access to a complete grid of minor arterials and local access roadways as well as to major regional freeways including two interstate freeways (i.e., I-5 and I-705) and four State routes (i.e., SR-509, SR-16, SR-167, and SR-7).

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Local and regional transit services are available citywide, through Pierce Transit and Sound Transit. Pierce Transit provides local bus service throughout the city. Approximately 30 Pierce Transit bus routes provide access throughout Tacoma and between Tacoma and Lakewood, Parkland, Steilacoom, Puyallup, Sumner, Buckley, Bonney Lake, Federal Way, SeaTac International Airport, Auburn, Olympia, and Seattle. Within the City of Tacoma, there are five transit centers, including Tacoma Community College, Tacoma Mall, Downtown Tacoma, Tacoma Dome Station, and 72nd & Portland.

Sound Transit's Regional Express, Link Light Rail, and Sounder Commuter Rail also operate in Tacoma.

c. How many parking spaces would the completed project have? How many would the project eliminate?

This proposal is a non-project action and does not include the construction or removal of parking.

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

This proposal is a non-project action and no new roads, streets or improvements to existing roads or street would be required. All future proposed large-scale retail projects will be required to comply with all applicable code requirements at the time of development and be required to mitigate any significant potential impacts to the street system.

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

New large-scale retail establishments will likely be located in the vicinity of transportation facilities – generally along heavily-traveled automobile routes.

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

The proposal is a non-project action. The number of vehicular trips generated by a large-scale retail establishment will be evaluated at the time building permit application and its related SEPA review.

g. Proposed measures to reduce or control transportation impacts, if any.

The proposal is a non-project action.

15. Public Services

a. Would the project result in an increased need for public services (i.e., fire protection, police protection, health care, schools, other)? If so, generally describe.

The proposal is a non-project action. All proposed large-scale retail establishments will be required to comply with all applicable code requirements at the time of development.

b. Proposed measures to reduce or control direct impacts on public services, if any.

The proposal is a non-project action. All proposed large-scale retail establishments will be required to comply with all applicable code requirements at the time of development and potential impacts to public services evaluated as part of the required project-level SEPA review.

16. Utilities

a. Underline utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

The proposal is a non-project action. Site specific utility needs will be assessed at the project stage.

b. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed.

The proposal is a non-project action. Specific utility services will be identified and evaluated at the time of future development application review.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge.

I understand that the lead agency is relying on them to make its decision.

Signature: _____



Shanta Frantz, Principal Planner

Date: _____

November 17, 2011

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent the proposal or the types of activities likely to result from the proposal that would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The adoption of the proposed Land Use Regulatory Code amendment is not likely to result in increases in such discharges, emissions, hazardous substances, or noise.

Proposed measures to avoid or reduce such increases are:

Existing City, State and Federal regulations will be applied at the time of a large-scale retail establishment proposal.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The amendment to the Land Use Regulatory Code is unlikely to have a significant impact on plants, animals, fish, or marine life. Each project developed under the proposed amendment will be reviewed at the time of a conditional use permit and SEPA review and if required, mitigation for impacts to natural areas (steep slopes, streams, wetlands, and associated buffers) will be part of the approval process.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Large-scale retail establishments are not generally permitted in shoreline or critical areas. Under existing City code, landscaping will be required for large-scale retail establishments and any alteration to street trees (removal or pruning) will be subject to city review. Each project developed under the proposed amendment will be reviewed at time of permit application and if required, mitigation will be imposed to address any potential negative impacts to critical areas and to plants, animals, fish, and marine life.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed amendment to the Land Use Regulatory Code is unlikely to significantly impact energy and natural resources. Large-scale retail will generally require more energy than smaller retail establishments. However, increases, if any, are not expected to be significantly greater than other large-scale uses within the City.

Proposed measures to protect or conserve energy and natural resources are:

None proposed.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as

parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposed amendments would not directly affect environmentally sensitive areas or areas designated for governmental protection

Proposed measures to protect such resources or to avoid or reduce impacts are:

The Land Use Regulatory Code includes standards to protect environmentally sensitive areas and areas designated for protection when site-specific development is proposed. Additionally, related State and Federal regulations may apply. Large-scale retail establishments will be reviewed concerning the applicability of local, state and federal regulations and measures imposed to protect such resources or to avoid or reduce impacts.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposed amendment is designed to require additional discretionary permit review for future large-scale retail establishments in areas where they are currently allowed without such permitting. This additional permit review process will provide opportunities for community input and assessment of potential environmental and design impacts to the surrounding neighborhoods. This amendment is a response to *Comprehensive Plan* policies that call for such a process and for increased consideration of urban design as it relates to the surrounding neighborhood, site layout, aesthetics, and pedestrian orientation, particularly within mixed-use center districts.

Proposed measures to avoid or reduce shoreline and land use impacts are:

The proposed conditional use permit requirement for large-scale retail establishments is designed to help avoid or reduce potential land use impacts to surrounding neighborhoods and to allow for public input to help identify such impacts and possible mitigations that may create better design, provide for greater pedestrian orientation measures and overall health and safety considerations.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Large-scale retail establishments will likely increase demands on transportation and/or public services and utilities. Should existing City codes and regulations not address potential increased demands, such impacts will be evaluated and addressed under the SEPA review process for future projects and analyzed and addressed through the proposed conditional use permit requirement for such proposals.

Proposed measures to reduce or respond to such demand(s) are:

This is a non-project action.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal will not conflict with local, state, or federal laws or requirements.