



## AGENDA

**MEETING:** Regular Meeting

**TIME:** Wednesday, June 21, 2017, 4:00 p.m.

**LOCATION:** Room 16, Tacoma Municipal Building North, 1<sup>st</sup> Floor  
733 Market Street, Tacoma, WA 98402

### **A. Call to Order and Quorum Call**

### **B. Approval of Agenda and Minutes of June 7, 2017**

**C. Public Comments** (up to three minutes per speaker; must be pertaining to items on the agenda)

### **D. Discussion Items**

#### **1. Tideflats Area Land Use Interim Regulations**

Review the City Council's request for beginning the discussion on the need for interim regulations concerning land uses in the Tideflats area and determine the path forward.

(See "Agenda Item D-1"; Stephen Atkinson, 591-5331, [satkinson@cityoftacoma.org](mailto:satkinson@cityoftacoma.org))

#### **2. Emergency Temporary Shelters Interim Regulations**

Review the interim regulations enacted by the City Council on June 6, 2017 concerning emergency temporary shelters and begin to develop findings of fact and recommendations for the Council's consideration at the public hearing scheduled for July 25, 2017.

(See "Agenda Item D-2"; Lauren Flemister, 905-4146, [lflemister@cityoftacoma.org](mailto:lflemister@cityoftacoma.org))

#### **3. Marijuana Use Buffer Interim Regulations**

Review the City Council's request for developing interim regulations to clarify the definitions of marijuana use buffers and determine the path forward.

(See "Agenda Item D-3"; Lihuang Wung, 591-5682, [lwung@cityoftacoma.org](mailto:lwung@cityoftacoma.org))

#### **4. Planning Commission Annual Report for 2016-2017**

Review and approve the annual report that highlights the Commission's accomplishments between July 2016 and June 2017 and outlines the 2017-2019 Planning Work Program.

(See "Agenda Item D-4"; Lihuang Wung, 591-5682, [lwung@cityoftacoma.org](mailto:lwung@cityoftacoma.org))

### **E. Communication Items & Other Business**

(1) **The Planning Commission's meeting on July 5, 2017 has been canceled.** The next regular meeting is scheduled for July 19, 2017, at 4:00 p.m., in Room 16; tentative agenda includes: Tacoma Mall Neighborhood Subarea Plan; Tideflats Area Land Use Interim Regulations; Emergency Temporary Shelters Interim Regulations; and Marijuana Interim Regulations.

(2) The next Infrastructure, Planning and Sustainability Committee meeting is scheduled for June 28, 2017, at 4:30 p.m., in Room 16; tentative agenda includes: Planning Commission Interviews; and Board of Building Appeals Interviews.

### **F. Adjournment**







## **MINUTES** (Draft)

**TIME:** Wednesday, June 7, 2017, 4:00 p.m.

**PLACE:** Room 16, Tacoma Municipal Building North  
733 Market Street, Tacoma, WA 98402

**PRESENT:** Chris Beale (Chair), Jeff McInnis, Meredith Neal, Anna Petersen, Brett Santhuff, Dorian Waller, Scott Winship, Jeremy Woolley

**ABSENT:** Stephen Wamback (Vice-Chair)

### **A. CALL TO ORDER AND QUORUM CALL**

Chair Beale called the meeting to order at 4:06 p.m. A quorum was declared.

### **B. APPROVAL OF AGENDA AND MINUTES OF MAY 17, 2017**

The agenda was approved. The minutes of the regular meeting on May 17, 2017 were reviewed and approved as submitted.

### **C. PUBLIC COMMENTS**

Chair Beale invited citizens to provide comments on items related to the agenda. The following citizens provided comments.

- 1) Valerie Fyalka-Munoz, Michaels Plaza:  
Ms. Fyalka-Munoz commented that the current Tacoma Mall Neighborhood Subarea Plan would lower property values and destabilize businesses. She commented that Michaels Plaza was opposed to the proposed 37th Street alignment because it would cut their property in half, reducing the value. She commented that Michaels Plaza already had connectivity to all four streets. She hoped that the Planning Commission would recognize the road's effect in reducing property values and destabilizing businesses and jobs in the center.
- 2) Troy Goodman, Targa Sound Terminal:  
Mr. Goodman commented that he supported the Tideflats subarea planning process because it was an inclusive process. He expressed concern about potential interim regulations proposed because they might have a negative impact on the subarea planning process.
- 3) Connie Bacon, Port of Tacoma:  
Ms. Bacon requested that interim regulations for the Tideflats not be adopted because the City had invited the Port to participate in a public process that would allow input on the options going into the subarea plan. She commented that interim regulations could be considered the basis for a plan and undermine public input and the Port as an equal partner.
- 4) Ann Locsin, Northeast Tacoma Resident:  
Ms. Locsin commented that if the Commission decided to consolidate the Northeast Tacoma Buffer Zone application into the Tideflats Subarea Plan, the buffer zone proposal would qualify for interim regulations. She reviewed that the request was based on immediate serious impacts that they were facing including a major expansion planned by Targa Sound Terminal.
- 5) Jennifer Adrien:  
Ms. Adrien read a letter from Bruce Kendall, President of the Economic Development Board of Tacoma – Pierce County, who was concerned that the interim regulations to limit growth were a response to isolated complaints without input from business stakeholders. He encouraged the

Commission to instead focus their efforts on the proposed subarea plan process as a balanced alternative that would consider the broad impact to businesses located in the Tideflats.

6) Eleanor Brekke, Brekke Properties:

Ms. Brekke commented that the commercial property owners appreciated changes that had been made to the updated draft of the connectivity plan in the Tacoma Mall Subarea Plan. She commented that a core issue remained with the proposed future of 37<sup>th</sup> Street, which did not make economic sense for the private business center. She commented that if 37th Street was going to be a public/private investment it needed to demonstrate both public and private benefits.

7) John Brekke, Brekke Properties:

Mr. Brekke commented that they had had some progress with addressing connectivity concerns, but concerns remained with 37th Street including that it would have limited use by the public; that limited traffic counts would not provide additional rent benefits; they already had private property connections; it would only slightly reduce congestion on 38th Street; there were significant topography issues; they would have to regrade their property upon redevelopment; and that a connection should be a City funded investment. He reported that there was a pending study to analyze the economic impact of the plan on properties and businesses affected by the proposed 37th Street connection.

8) JJ McCament, McCament and Rogers:

Ms. McCament commented that private property owners appreciated the outreach from city staff regarding the Tacoma Mall Subarea Plan and they looked forward to City's capital improvements that would bring better function and image. She noted existing streets where connectivity could be strengthened and candidates for potential extension. She commented that the Public Works Department could provide feedback on the 37<sup>th</sup> Street proposal by identifying a design option for the best alignment profile cross section.

9) Ryan Cruise, Citizens for a Healthy Bay:

Mr. Cruise commented that the subarea plan process took a long time to complete and the Tideflats area had issues that could not wait that long. He commented that the area was vulnerable to future fossil fuel projects that would harm the area economically and environmentally while contributing to the global problem of climate change. He commented that they needed interim regulations to protect Tacoma now.

## **D. DISCUSSION ITEMS**

### **1. Tacoma Mall Neighborhood Subarea Plan and EIS**

Elliott Barnett, Planning Services Division, facilitated a discussion to complete the review of key issues and receive direction for compiling the draft plan document for public review. He commented that after taking time to integrate feedback from a preliminary draft of the plan, they felt it was timely to put the full package out and move into the broader public outreach phase that would include focused conversations with commercial stakeholders and conversations with residents. Mr. Barnett reviewed that they had initially created a long term vision map that illustrated significant change for the area and had later created a medium term vision map with the Commission's input that showed improvements that could take place over the next ten years. He noted that they were in the process of creating maps that would show other ways that development could occur with the long term vision. Mr. Barnett reported that there were eight topics that they were seeking decisions on: proposed zoning and height, residential and commercial design, proposed transportation projects, street network and connectivity, green stormwater strategies, parks and open space, character districts, and catalyzing economic development.

Zoning and building height was discussed. Mr. Barnett commented that the proposal largely continued the existing zoning in place, but refined it to provide more direction to development as it occurs to get better outcomes. He reviewed a map of the proposed zoning changes and noted that the changes would increase development capacity overall; focus growth according to the neighborhood vision; reflect existing character for certain areas; enable green streets opportunities; manage transitions more effectively; and

maintain significant flexibility. He presented an alternative approach for the Madison district zoning proposal that retained an area which could have a height bonus of up to 65 feet.

Commissioner Neal asked why staff had increased the height allowance for Warner Street in the alternate approach. Mr. Barnett responded that it was a larger street where a taller building could be in scale.

Commissioner Neal asked if both the staff recommendation and alternative approach for zoning in the Madison district would go out with the public review document. Mr. Barnett responded that they could send out both if the Commission preferred.

Commissioner Neal commented that she liked the added flexibility for the Madison school site in the alternative approach.

Commissioner McInnis expressed support for the alternate zoning along Warner Street to allow more height, because it seemed an appropriate location for the additional density that they were seeking.

Chair Beale asked if staff had considered an alternative to increase the zoning capacity in Madison and Lincoln Heights while requiring affordable housing for larger projects. Mr. Barnett responded that the current proposal took an incentive based approach to housing affordability, calling for investment on the part of the City and public housing agencies as the primary tools for affordable housing.

Commissioner Waller requested that they plan for housing to become more costly over time and take a proactive approach. Mr. Barnett responded that they would return with the housing related options and that they could explore using zoning as a tool to promote affordability. Chair Beale concurred with Commissioner Waller, commenting that it was critical to make sure the people were not displaced by the plan as it would be difficult to take action later if gentrification occurs.

Chair Beale asked that they consider what other mixed-use zonings could increase capacity and trigger their ability to look at an affordable housing requirement. Mr. Barnett responded that there was a bonus option available throughout the area and multiple ways to get to the maximum bonus height.

Commissioner Santhuff asked if the boundaries of the residential zone for the Madison District were in the right location, noting that the east border was on an alley. Mr. Barnett responded that they had placed the boundary on the alley so that like was facing like across the street. Commissioner Santhuff commented that he would be okay with it if the development footprint was different on each side of the boundary.

Chair Beale suggested that the proposal be sent out to the public with language stating that they were considering options to increase capacity in some districts and allow a trigger for affordable housing to be a requirement in some scenarios. Mr. Barnett responded that there would be a full package of the policy intent for housing and other issues, so people would get a full picture of what had been considered. Mr. Boudet added that at the current point in the project, making substantial changes to zoning capacity would require substantial work and would make it challenging to finish the project by the grant deadline.

There was concurrence for packaging the two Madison District zoning alternatives for the public draft.

Residential and Commercial design standards were discussed. Mr. Barnett reviewed changes made since the preliminary draft including addressing front doors facing alleys and pedestrian street designations. He reviewed that they had extended Pine Street to South Tacoma Way to establish the connection as a walking priority. They had also made refinements to drive-through standards and pedestrian access standards for parking areas.

Chair Beale asked why they were extending Pine Street, noting that the topography was very steep for a pedestrian street. Mr. Barnett responded that having development orient itself more substantially to the street it would help establish the front door to the neighborhood from the north.

Proposed transportation projects were discussed. Mr. Barnett reviewed a map that showed the prioritization of projects in the near term, medium term, and 15+ year term. Projects from near term to the next five years included the loop road, the study of a new off ramp into the mall district, and a bicycle connection along Sprague. The medium term project list included construction of the loop road and Complete Streets retrofits on arterials. In the 15+ year category they had the extension of 35th Street, additional bike corridors, and additional improvements.

Commissioner Waller noted that 35<sup>th</sup> Street was on a steep slope. Mr. Barnett responded that the slope was the reason it was a longer term project, but it was feasible with some engineering work.

The street network and connectivity were discussed. Mr. Barnett reviewed that they had made substantial changes from the initial proposal and that the current proposal only had the Tier 1 and Tier 2 connections mapped. He reported they had engaged Community Attributes, who would consider the economic impacts of the full package, particularly the connectivity requirements. The Commission would get the drafts of the study during the public review period. They would also work with the Public Works Department on high level feasibility questions for the Tier 2 connections.

Commissioner Neal asked if there had been traffic analysis into the proposed roads in the northeast and northwest quadrants, expressing concern that they seemed be roads to nowhere. Mr. Barnett responded that while the Tier 2 connections were not essential today, they would become critically important if there was substantial redevelopment.

Chair Beale asked if they had done transportation modelling as part of the EIS. Mr. Barnett responded that they had done modeling of the overall package of improvements and concluded that 38th Street would be the pinch point in the future. Commissioner Neal requested that modeling be done on the specific segments.

Commissioner Waller asked how the City would work with Pierce County on development of the northeast connection, as it would go through a structure owned by them. Mr. Barnett responded that many of the Tier 2 connections would only be feasible or necessary if the sites were being substantially redeveloped.

Commissioner McInnis commented that if they were waiting for development to necessitate the Tier 2 connections, he didn't see the value of mapping them in the plan.

Chair Beale commented that if they were going to go down the proposed path, they needed analysis demonstrating that the proposed street network would be a financial boon for commercial property owners and drive more people to businesses.

Commissioner McInnis expressed concern that the connectivity proposal would limit the ability to develop a site the way the market would drive it. He added that Pierce County was planning to put a lot of investment into the building that had a proposed connection going through it. He questioned the reasoning for mapping the roads and expressed concern that they were dictating what everything would look like. Mr. Barnett responded that they would allow for alternative proposals for connectivity that meets the intent and that the lines on the map were a statement that they needed a road connecting the points. He also pointed out that the City's and Vision 2040 policies underlie the need for additional connectivity and in fact require a finer grain, walkable network.

Mr. Barnett noted that the connectivity plans would be required with large actions and that dedication and construction would be required with full redevelopment.

The green stormwater strategy was discussed. Mr. Barnett reported that it was a way to generate funds to get streets built while making the Madison District a unique place. He noted that the residential area of Lincoln Heights was designated as a GSI Priority area, rather than specifically as a green streets area, because of the proposed building heights of up to 65 feet.

Parks and Open space were discussed. Mr. Barnett reviewed that the initial concept was for a park in each quadrant linked by the loop road, but since few people lived in the northwest quadrant they had revised the map to be less directive on the potential location and would revise the plan to reflect that it might not be a traditional park. They would be having conversations with Tacoma Public Utility about joint use of public sites and would also emphasize the importance of private open space.

For Character Districts, Mr. Barnett clarified that they were not proposing different design standards for each of the four quadrants, but wanted to provide a vision for development that built on existing characteristics and assets for each quadrant.

In regards to Catalyzing Economic Development, Mr. Barnett reported that they were proposing changes to reiterate that everything proposed in the plan was meant to address barriers to investment in the area.

He commented that it was an economic plan and that overall they were intending to streamline development in the area.

Mr. Barnett confirmed that the Commission had given adequate direction to prepare the full draft and that staff would return with the full package in July to ask for authorization to distribute it for public review.

Mr. Barnett asked if any Commissioners were interested in participating in a tour of the Mall area, likely in August. There was general concurrence for scheduling the tour.

Chair Beale recessed the meeting at 5:33 p.m. The meeting resumed at 5:39 p.m.

## **2. 2018 Amendment and 2017-2019 Planning Work Program**

Brian Boudet, Planning Services Division Manager, facilitated a discussion to complete the assessment of private and public applications for the 2018 Amendment, and review the proposed 2017-2019 Planning Work Program. He noted that the assessment phase was the first phase in the process and that they would next go through a more significant analysis process with public outreach and a subsequent public hearing phase. He reviewed the three assessment criteria that were used for assessing each application.

Mr. Boudet reviewed the staff recommendations for the six private applications for the 2018 Amendment. He reported that the Commission had already decided to move forward with the Car Wash Use Allowance application. The Outdoor Tire Storage application was recommended by staff to be moved forward with an expanded scope. The South 80<sup>th</sup> Street PDB application had been recommended by staff to be moved forward with a modified scope. The Northeast Tacoma Buffer Zone application had direction from the City Council suggesting that it should be consolidated with the upcoming Tideflats Subarea Plan. Mr. Boudet added that the interim regulations had the possibility of looking at the same issues regarding transitions and buffers. The application for design review in mixed-use centers had been recommended for consolidation with the development of the Urban Design Program, Mr. Boudet noting that they could explore administrative options on certain aspects like enhanced engagement. The View Sensitive District (VSD) Height Measurement application was recommended by staff to move forward with a modified scope to consider how the amendment might apply more broadly.

The public applications for the 2018 Amendment were reviewed. Mr. Boudet reported that staff was recommending moving forward with FLUM rezones broken into phases to reduce scope; moving forward with the Commercial Zoning Update broken into phases to reduce scope; moving forward with the Open Space Corridors implementation application with a reduced scope; moving forward with the Transportation Master Plan Amendment application with a limited scope; moving forward with the Code Clean-ups with significantly reduced scope; consolidating the Expanded Notification for Industrial Projects application with the Tideflats Subarea Plan; and deferring the Urban Design Studio to 2019.

The draft 2017-2019 Planning Work Program was discussed. Mr. Boudet reviewed that the considerations for the scope included staff resources, Commission resources, and the Tacoma 2025 core values. Mr. Boudet discussed his personal principles in considering the work program, commenting that he felt that the items put forward should lead to long-term community success; that engagement was critical to the process; that all decisions should be vetted appropriately; and that it was critical to remember how important the decisions were as they affected people's lives. He commented that effective use of public resources and realistic expectations were also important.

Work program options were discussed. Mr. Boudet commented that consolidation was an option considering how much was going on. Prioritization was another consideration with Council requests and the private applications given as much priority as much as possible. Phasing was an option staff was recommending to accommodate as much as they could. Mr. Boudet reviewed the staff resources of the Planning Division commenting that the projected workload was significant. He reported that based on the work program, there would need to be around four items scheduled per Commission's meeting for the next few months.

Commissioner Winship asked if the University of Washington Tacoma's Livable City Year program would affect staff resources. Mr. Boudet responded that it would be similar to the Links to Opportunity Program and it would provide an opportunity to deal with projects that they would not otherwise have time for.

Chair Beale stated that he had another commitment at 6:30 and would need another Commissioner to Chair the remainder of the meeting. Chair Beale motioned for Commissioner Winship to preside over the remainder of the meeting. Commissioner Neal seconded. The motion was approved.

Chair Beale commented that he was concerned about taking on the VSD Height Measurement application due to the work involved and the site specific nature of the application. He also suggested that they attempt to address the steep slopes and geohazard issue in the Critical Areas code instead.

Chair Beale asked if they were removing the rights of the Northeast Tacoma Neighborhood Council as an applicant by saying they were rolling their item into a City process. Mr. Boudet responded that it was a legislative process and was very flexible. He commented that the scope was up to the Commission, but the presented issues would not be ignored.

Mr. Boudet reported that the draft 2017-2019 Work Program document was organized into four different tracks: Interim Regulations, Subarea Plans, the 2018 Amendment cycle, and the 2019 Amendment cycle. For Track 1, there were Interim Regulations concerning four subjects: Correctional Facilities, Tidelands Uses and Standards, Marijuana Uses and Playground Buffers, and Emergency Temporary Shelters. For Track 2, the Tacoma Mall Subarea Plan was scheduled for completion in 2017 while the Tidelands Subarea Plan was likely to begin in Fall/Winter 2017. For Track 3, the 2018 Amendment, Mr. Boudet reviewed that four private and five public applications had been recommended to move forward. For Track 4, the 2019 Amendment, Mr. Boudet briefly reviewed the tentative scope.

Commissioner McInnis commented that if they had to move something to reduce the workload the VSD Height Measurement application could be moved. Mr. Boudet suggested that another option would be to limit the scope to commercial VSDs. Commissioner Santhuff commented that he felt they owed it to the private applications to move their projects forward to the technical analysis phase in a timely manner, though he could see them narrowing the VSD Height Measurement application to just the commercial districts. Following discussion, Commissioners concurred with reducing the View Sensitive District Height Measurement application in scope to commercial districts.

Commissioner Santhuff motioned to accept staff recommendations and the Assessment Report for the 2018 Amendments for the private and public projects listed with the caveat that they were modifying the staff recommended scope for the VSD Height Measurement application to only the commercial zoning. Commissioner McInnis seconded. The motion was approved unanimously.

Commissioner Woolley motioned to approve the draft 2017-2019 Planning Work Program as presented. Commissioner McInnis seconded. The motion was approved unanimously.

## **E. COMMUNICATION ITEMS & OTHER BUSINESS**

Mr. Wung suggested that the Commission consider canceling the July 5th meeting. Commissioner McInnis motioned to cancel the meeting. Commissioner Petersen seconded. The motion was approved unanimously.

Mr. Wung reported that the next Planning Commission meeting would include three of the four interim regulations and the review of the Planning Commission's Annual report.

Mr. Wung reported that the City Clerk would be accepting applications for upcoming Commission vacancies through June 12.

Mr. Boudet reported that the 2017-2019 Work Program and assessment of the 2018 Amendments would be discussed at the next Infrastructure, Planning, and Sustainability, Committee meeting on June 14, 2017.

## **F. ADJOURNMENT**

At 6:49 p.m., the meeting of the Planning Commission was concluded.



City of Tacoma  
Planning and Development Services

**Agenda Item  
D-1**

**To:** Planning Commission  
**From:** Stephen Atkinson, Planning Services Division  
**Subject:** **Port/Tideflats Interim Regulations**  
**Meeting Date:** June 21, 2017  
**Memo Date:** June 14, 2017

As part of the 2017-2018 Comprehensive Plan and Land Use Regulatory Code Amendment application cycle, the Commission received multiple requests for amendments related to the Port of Tacoma Manufacturing and Industrial Center, including an application from the Northeast Tacoma Neighborhood Council to establish a buffer zone along Marine View Drive and a Council Consideration Request to review the use and development standards in the Port of Tacoma MIC zoning districts for consistency with Container Port Element policies. As a result of the multiple applications, on May 9, 2017 the City Council adopted Resolution No. 39723, to:

- Consolidate the various applications into a Tideflats Subarea Planning Process;
- Request the City Manager to identify resources necessary to move forward the Tideflats Subarea Plan; and
- Request the Planning Commission to immediately begin discussions regarding the need for interim regulations related to the Container Port Element while the subarea planning process is underway.

At the June 21<sup>st</sup> meeting, the Planning Commission will be asked to begin deliberations on the potential need for interim regulations. The first meeting will focus on developing findings of fact as to whether interim regulations for the Port/Tideflats are warranted. Staff will present an overall work plan and both procedural and substantive options for the Commission to consider.

Interim regulations are enabled per requirements in Tacoma Municipal Code 13.02.055. There are multiple ways in which interim regulations can be implemented. The following is a summary of some types of interim regulations the Commission could consider:

- Permit application types: Interim regulations could be used to modify the permit application types required for certain uses, to provide staff with more discretion to review the potential impacts from proposed development or expansion of existing uses. For example, a use could be changed from permitted outright to conditionally permitted.
- Prohibitions: Interim regulations could be used to prohibit uses that could have a significant impact on the subarea planning process itself, or those uses with a high risk of hazard or public health and safety impacts, until such time as the subarea planning process and environmental review is complete.
- Permit procedures: Interim regulations could modify notification and/or public meeting requirements for specific use types or permit types.

- Development standards: Interim regulations could modify setback, height, landscaping, transitions, or other development standards to avoid or limit new conflicts from arising during the subarea planning process as a result of incompatible use and development occurring in close proximity.
- Geographic scope: Interim regulations can be based on zoning districts or on the Manufacturing/Industrial Center boundary. In addition, interim regulations need not be limited to the Port of Tacoma M/IC and could be considered for areas adjacent to the M/IC as well where supported by findings of fact.
- New versus existing uses: The Commission should consider the impacts of any potential interim regulations on new versus existing uses. Likewise, interim regulations can be developed to differentiate between new use and development and the expansion of existing uses.

To facilitate the Commission's discussion, staff has assembled background materials on the Port of Tacoma M/IC and related topics. Please see the annotated list of attachment below.

Please contact Stephen Atkinson at (253) 591-5531, or email [satkinson@cityoftacoma.org](mailto:satkinson@cityoftacoma.org), with any questions.

Attachments (annotated):

1. Resolution #39723  
*The City Council adopted Amended Resolution No. 39723 on May 9, 2017, initiating the subarea planning process as a viable course of action to comprehensively address land use issues associated with the future of the Tideflats area. The resolution requests the Planning Commission to consolidate various planning efforts into the subarea planning process, requests the Commission to consider land use interim regulations while the subarea planning process is underway, and authorizes the City Manager to negotiate an Interlocal Agreement (ILA) with the Port of Tacoma and the Puyallup Tribe for the collaborative development of the subarea plan.*
2. Map of the Port of Tacoma M/IC  
*The Port of Tacoma Manufacturing and Industrial Center boundary is consistent with the full boundary of the Core and Industrial Buffer Areas defined in the Container Port Element.*
3. Port of Tacoma M/IC Regional Profile (2013 Regional Centers Monitoring Report)  
*The data within this profile is from 2010, but generally provides a breakdown of key summary statistics pertaining to the land use, transportation, and economic profile of the Port of Tacoma M/IC. The boundaries of the M/IC in this profile are no longer consistent with current boundaries, however.*
4. Port of Tacoma M/IC Zoning Map + 13.06.400 Industrial Districts  
*The primary zoning districts within the Port of Tacoma M/IC Port Maritime District are the S-10 Shoreline District, PMI Port Maritime Industrial District and M-2 Heavy Industrial District. There is some land zoned M-1 Light Industrial adjacent to the Downtown Regional Growth Center.*

5. 2014 Pierce County Buildable Lands Report: Inventory of Vacant and Underutilized Land  
*The map and report identifies the overall City inventory of land and development capacity to meet the VISION2040 growth allocations. Currently, the City plans to accommodate 97,000 new jobs by 2040. The Puget Sound Regional Council forecasts that industrial jobs in the Puget Sound Region will grow by 84,000 between 2012 and 2040. Current planning targets include the addition of 7500 new jobs in the Port of Tacoma M/IC by 2040. <https://www.psrc.org/sites/default/files/inlandexecsummary.pdf>*
6. Open Space Corridors: Zoning and Property Ownership  
*The Container Port Element recognizes the natural topography of Northeast Tacoma as a means to transition between the residential neighborhoods and the industrial waterfront. The Buildable Lands Report identifies potential buildable parcels within the designated Open Space Corridor along the slopes above Marine View Drive. In addition, the attached maps, previously discussed with the Planning Commission, identify the current zoning and property ownership along this slope. The area is predominantly R-2 Single Family Dwelling District, but with some commercial and light industrial zoning along the base of the slopes. A significant amount of the slopes are publicly owned, but there remain large parcels in private ownership.*
7. Council Consideration Request  
*This Council Consideration Request (CCR) was submitted by Councilmember Mello to direct the Planning Commission to research and recommend possible modifications to zoning and development regulations to better implement the policies in the Container Port Element of the One Tacoma Plan. The Council Consideration Request was consolidated with the Subarea Plan process by request of the City Council in Resolution #39723. However, the Commission can consider the issues raised in the CCR as part of the deliberations on interim regulations.*
8. NE Tacoma Neighborhood Council Application (no appendices)  
*This application for the 2018 Comprehensive Plan and Land Use Regulatory Code amendments asked the Commission to consider further implementation of a buffer zone between residential and industrial lands along Marine View Drive. The application was consolidated with the Subarea Plan process by request of the City Council in Resolution #39723. However, the Commission can consider the issues raised in the application as part of the deliberations on interim regulations.*

c. Peter Huffman, Director



## RESOLUTION NO. 39723

1 BY REQUEST OF COUNCIL MEMBERS CAMPBELL, IBSEN, AND WALKER LEE

2 A RESOLUTION relating to land use; requesting that the Planning Commission  
3 consolidate consideration of (a) creating a Northeast Tacoma Buffer Zone,  
4 (b) implementing the Container Port Element of the City's Comprehensive  
5 Plan; and (c) codifying the Director's Rule relating to Expanded  
6 Notification for Large Industrial Projects into the Tideflats Subarea  
7 planning process.

8 WHEREAS the City and Port of Tacoma ("Port") have agreed that a  
9 subarea planning process is the best course of action to comprehensively  
10 address land use issues associated with the future of the tideflats/port area in  
11 Tacoma ("Tideflats Area"), and

12 WHEREAS the City has received multiple applications/requests for zoning  
13 and land use process changes in the Tideflats Area, including the Northeast  
14 Tacoma Buffer Zone application, the implementation of the Container Port  
15 Element of the City's Comprehensive Plan, and the Director's Rule relating to  
16 Expanded Notification for Large Industrial Projects, and

17 WHEREAS consolidating these requests into a subarea plan will  
18 contribute to the Port and City and the community as a whole by facilitating a  
19 well-defined, comprehensive community discussion about creating clear policy  
20 and a long-term vision for the Tideflats Area that addresses issues such as land  
21 use and zoning, capital facilities including transportation and infrastructure,  
22 environmental protection and review, and economics, and

23 WHEREAS the City has identified the following overall goals and  
24 guidelines for the Tideflats Subarea Plan: (1) the plan will support the creation,  
25  
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1 enrichment and preservation of desirable, healthy residential neighborhoods and  
2 this community's role as a growing metropolitan city; (2) the plan will support  
3 continued growth of this community's economy and employment base, and the  
4 important role of the Tideflats area as an economic engine for the City, Pierce  
5 County, and the region; (3) the plan will support the protection and improvement  
6 of our environment and the health and safety of our community and Puget  
7 Sound; and (4) the plan will be consistent with state and regional policies while  
8 also reflecting Tacoma's character and values, and

9           WHEREAS because the City values transparency, open government, and  
10 public involvement, the City Council insists the subarea plan be the product of a  
11 process that is grounded in community engagement and involvement,  
12 incorporating early, continuous, broad, respectful and informed public input, and  
13 integrating direct representation from, at a minimum, the Northeast Tacoma and  
14 New Tacoma Neighborhood Councils, the Port of Tacoma and its tenants, other  
15 businesses within the Tideflats area, environmental stakeholders, and adjacent  
16 jurisdictions, and  
17

18           WHEREAS the City recognizes the Puyallup Tribe's critical stake in this  
19 area and invites the Tribe to be highly involved throughout this community  
20 planning process, and  
21

22           WHEREAS the City Council desires to partner with the Port of Tacoma  
23 and the Puyallup Tribe on this subarea plan and begin negotiation of an Interlocal  
24 Agreement ("ILA") with both that would outline this partnership, including roles of  
25  
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1 the City, the Port, and the Puyallup Tribe, responsibilities and funding for the  
2 project, and would be approved by all governing bodies; Now, Therefore,

3 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

4 Section 1. That the City Council hereby requests the Planning  
5 Commission to consolidate consideration of a Northeast Tacoma Buffer Zone,  
6 the implementation of the Container Port Element of the City's Comprehensive  
7 Plan, and of the Director's Rule relating to Expanded Notification for Large  
8 Industrial Projects into the Tideflats Subarea planning process.

9 Section 2. That the Planning Commission is hereby requested to  
10 immediately begin discussion regarding, and consideration of the need for interim  
11 regulations related to the Container Port Element in the Tideflats Subarea while  
12 the Subarea planning process is underway, and prior to the Subarea Plan's  
13 finalization.  
14

15 Section 3. That the City Council hereby requests the Interim City Manager  
16 to identify resources necessary to move forward in a timely manner on the  
17 Tideflats Subarea Plan.  
18

19 Section 4. That the City Council hereby requests the Interim City Manager  
20 to initiate discussions about an Interlocal Agreement among the City, the Port,  
21 and the Puyallup Tribe, which would come back for approval by all three  
22 legislative bodies.  
23

24 Section 5. That the City Council hereby requests that all negotiations  
25 concerning a proposed Interlocal Agreement between the City, the Port, and the  
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Tribe be held only in public meetings, and all documents concerning such an agreement be open and available to the public; provided that each entity's staff may exchange initial drafts of the Interlocal Agreement without having to do so in a public meeting setting.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

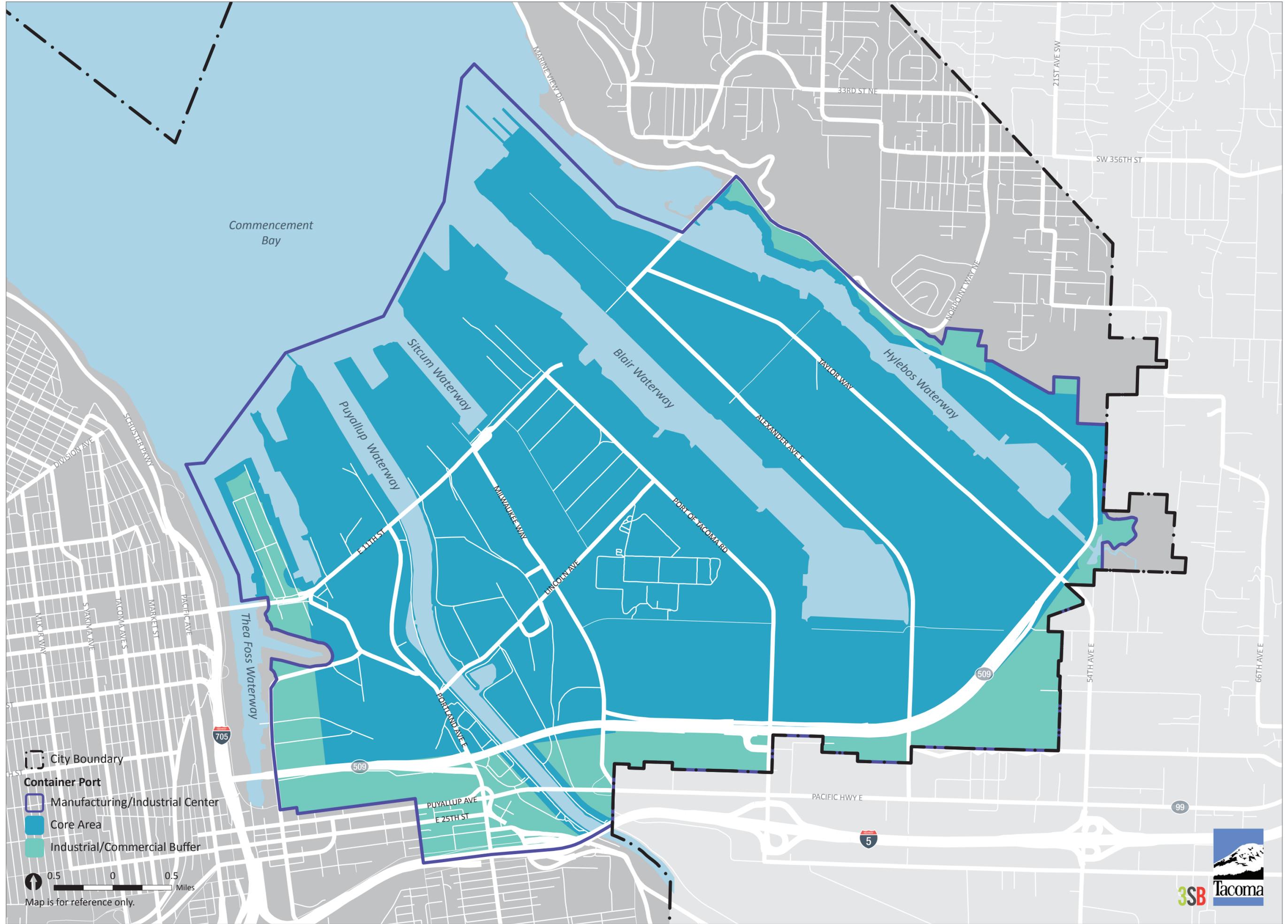
Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

  
\_\_\_\_\_  
Deputy City Attorney

# Container Port Core + Industrial/Buffer Area



# Port of Tacoma MIC

The City of Tacoma is the region's second most populous city and Pierce County's seat. Tacoma's location halfway between Olympia and Seattle provides it access to many modes of transportation, natural resources, economical power sources, and a deep, sheltered harbor, all of which have contributed to Tacoma's development as a successful industrial, commercial and trading center. The modern city has its beginnings in the mid-nineteenth century, when it was designated as Northern Pacific Railroad's western terminus for its transcontinental railroad in 1873. The city itself was incorporated in 1884. Tacoma continues its tradition as a hub for trade, with the Port of Tacoma among the most important in the nation and the Pacific Rim.

The Port of Tacoma MIC comprises 5,160 acres of waterfront land and adjoining waterways on Tacoma's Commencement Bay. The center includes the natural deep-water port and industrial lands adjoining Hylebos Waterway, Blair Waterway, Sitcum Waterway, the Puyallup River, Saint Paul Waterway, Middle Waterway, and Thea Foss Waterway. The Port is home to Tacoma and Pierce County's highest concentration of industrial and manufacturing activity, a major part of which is focused on port and marine terminals, marine cargo, on-dock intermodal rail yards, container terminals, roll-on/roll-off facilities, non-containerized cargo facilities (moving grain, fruit, alumina, and wood chips), automobile import facilities, shipyards, boat building and drydocks. The Port of Tacoma estimates the value of international trade passing through the port in 2011 at \$34.5 billion, with the value of domestic trade estimated at \$3 billion. The industrial development district includes warehousing, transloading, manufacturing, and fabrication and storage on sites close to marine cargo terminals. The Port also operates the Earley Business Center (EBC) at the north end of Alexander Avenue on Commencement Bay. EBC facilities include piers and moorage designed for vessel lay-up, outfitting, maintenance and repair, as well as rail-served manufacturing buildings and yard areas with overhead cranes. The center has excellent connections to two transcontinental railroads and the regional highway system.

## Acreage & Mix of Activity

The Port of Tacoma MIC is among the largest regional manufacturing/industrial centers in terms of total gross acreage (5,160 acres) with a net developable acreage of 3,941 acres (76% of gross acres). In terms of its role in the city, the Port of Tacoma MIC contains 16 percent of the city's overall land area, 0.7 percent of the population, 0 percent of the housing, and 9.5 percent of the city's employment. Compared to centers as a whole, the Port of Tacoma has medium number of total activity units (10,550), a large number of jobs (9,250 total jobs), with heavily employment-oriented activity (88% jobs/12% residents). At 2.0 activity units per acre, Port of Tacoma is less dense than the 8.1 average for manufacturing/industrial centers.

## 2010 Summary Statistics

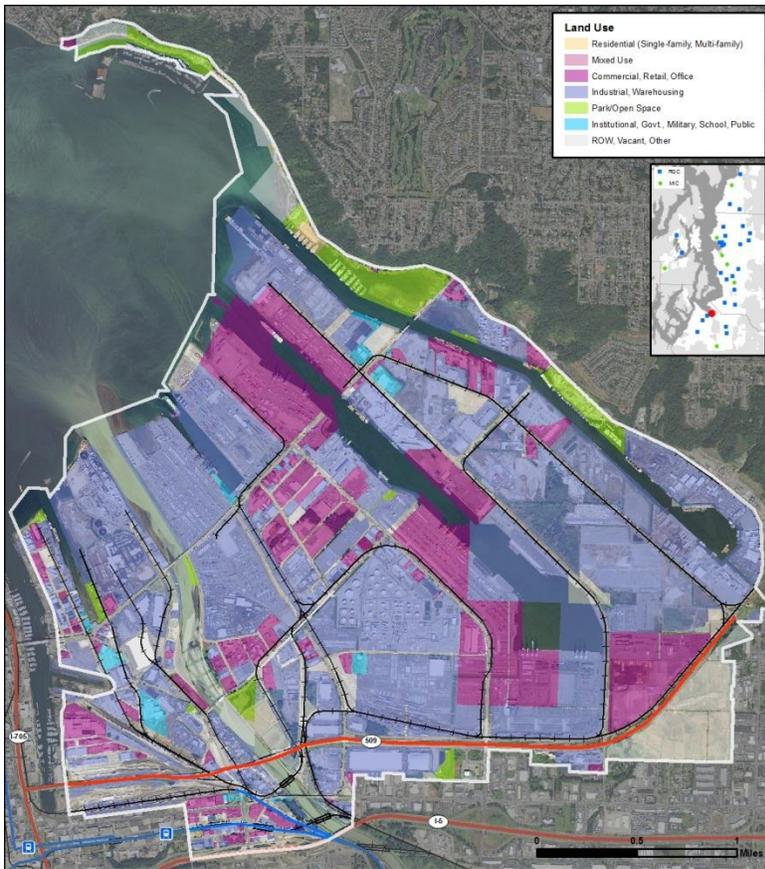
<b>Land use</b>	
Gross acreage	5,160
Average block size (acres)	25.0
Average parcel size (acres)	5.0
<b>Mix of uses</b>	
Population/Employee ratio	1.4 : 10
<b>Population</b>	
Total population	1,300
Change (2000–2010)	698
<b>Housing</b>	
Total housing units	25
Change (2000–2010)	-22
<b>Employment</b>	
Total employment	9,250
Change (2000–2010)	-2,653
<b>Transportation</b>	
Employee access to transit	9%
Work-based mode share	
SOV / HOV	84% • 9%
Walk & Bike / Transit	1% • 6%

## D1 Attachment 3: Port of Tacoma MIC Profile

### Land Use & Urban Form

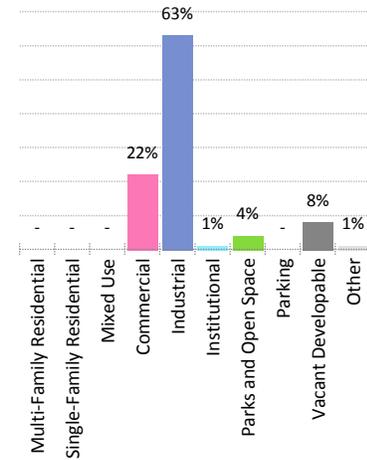
The major land uses in Port of Tacoma are industrial (63%), commercial (22%) and vacant developable (8%). About 86 percent of the center's 3,941 net acres are in employment-related use.

The Port of Tacoma MIC's average parcel size is 5 acres, which is smaller than the average 7.0-acre size for manufacturing/industrial centers. The center's average block size is 25.0 acres, smaller than the average 55.4-acre size among manufacturing/industrial centers. Port of Tacoma has a partial network of sidewalks (30% coverage).



### Current Land Use

(3,941 net acres)



### Population

The total population in the Port of Tacoma MIC is 1,300, an increase of 698 residents over the past 10 years. Much of this growth can be attributed to development of new group quarters facilities at the Tacoma Northwest Immigration Detention Center.

### Employment

The total employment in the Port of Tacoma MIC is 9,250, and it has decreased by 2,653 jobs over the past 10 years. The major industry sectors are Wholesale, Transportation & Utilities (37%), Manufacturing (36%) and Services (13%). Of the total number of jobs, almost three-quarters (77%) are in 'goods dependent' industries that are typically appropriate for regional manufacturing/industrial centers.

# D1 Attachment 3: Port of Tacoma MIC Profile

## Housing

Port of Tacoma has 25 total housing units, with a density of essentially 0 housing units per gross acre. Over the past 10 years, housing has decreased by 22 units (an 47% decrease in residences).

## Transportation

For work-based trips, the Port of Tacoma MIC's travel characteristics are somewhat different from the region as a whole, with more single-occupant vehicle (SOV) and fewer transit trips. The region's SOV share is 76 percent, while the center's share is 84 percent. The region's non-SOV mode share is 24 percent, with 10 percent in transit and 5 percent in walk/bike. The center's non-SOV share is 16 percent, with 6 percent in transit and 1 percent in walk/bike. The total daily trips from Port of Tacoma are slightly focused on destinations in regional centers (15% of all trips); this includes trips that stay within the center (2%) and trips that go to other centers (13%).

Employee access to transit in the Port of Tacoma MIC is very limited access, with 9 percent of employees within a 1/4 mile walk to a transit stop. For the 1/2 mile walkshed, the center has somewhat less limited levels of employee access to transit (27%).

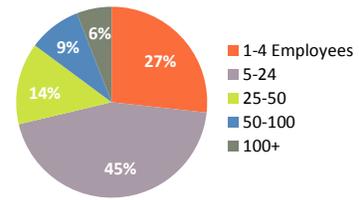
## Plan Overview & Comparison to Center Plan Checklist

The city's primary center planning document was reviewed to evaluate the extent to which the plan addresses topics in the PSRC Regional Center Plan Checklist. This policy-level review of the current plan is intended both to provide preliminary assessment of consistency of the plan with center guidelines and to evaluate the Regional Centers Checklist for any potential improvements.

The Port of Tacoma MIC does not currently have a dedicated subarea plan or comprehensive plan element, but the center is addressed through policies throughout the city's comprehensive plan. This analysis covers the comprehensive plan policies that directly address the Port of Tacoma MIC and other applicable industrial land policies. The city intends to incorporate a Container Port element in its comprehensive plan in fulfillment of new state requirements, which will include policies applicable to the MIC.

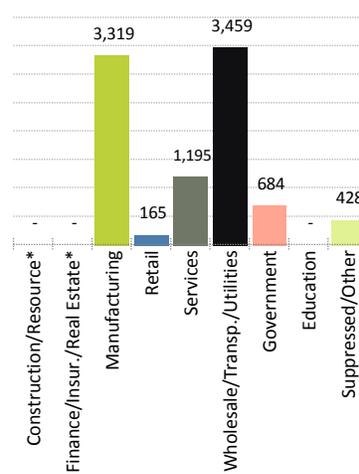
## Size of Businesses

(308 workplaces)

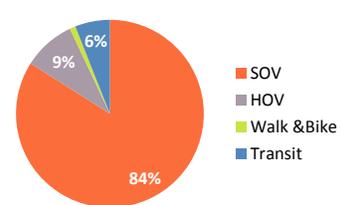


## Jobs by Sector

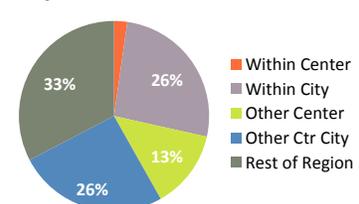
(9,236 jobs)



## Mode Shares



## Trip Destinations

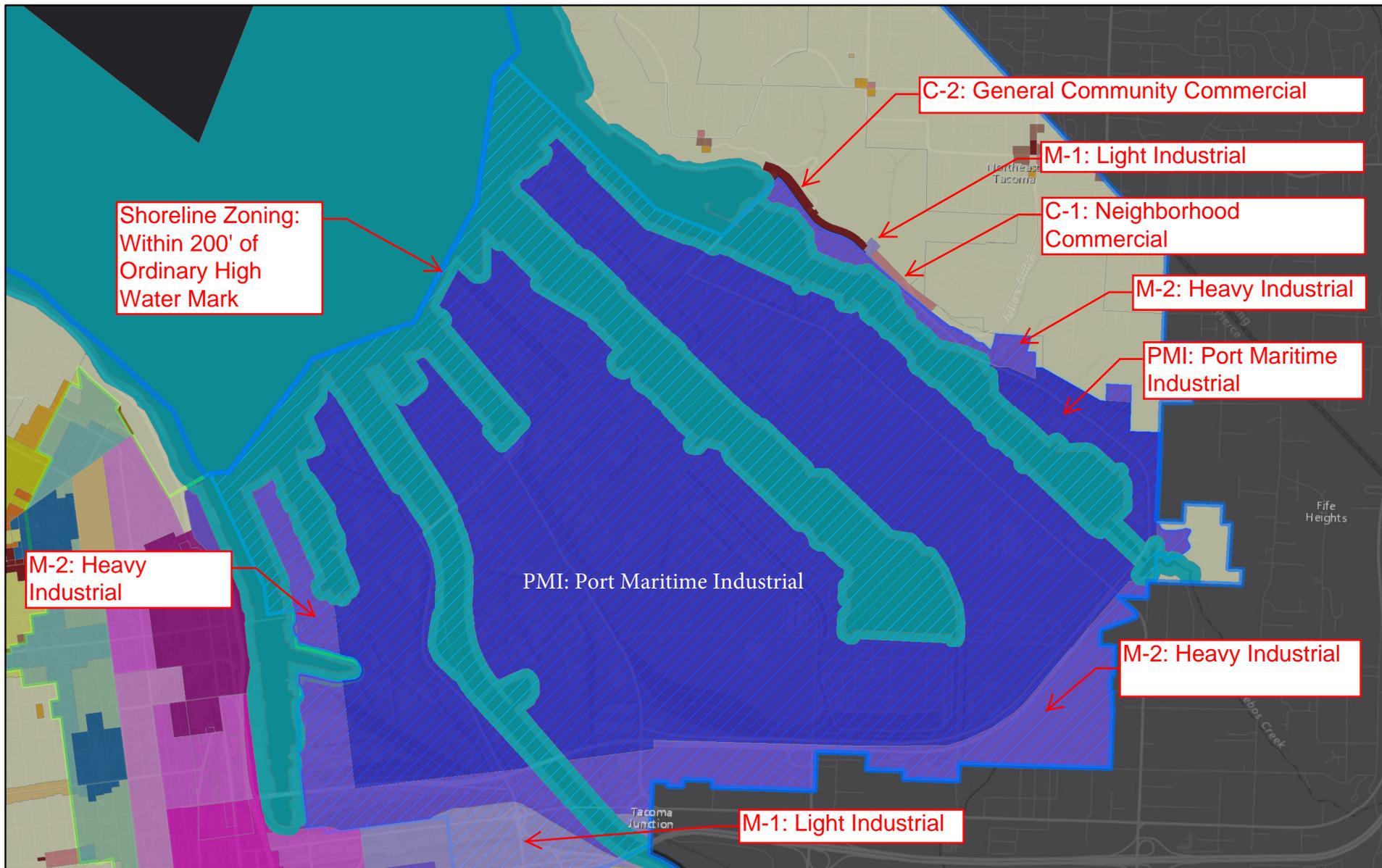


## D1 Attachment 3: Port of Tacoma MIC Profile

Several of the Regional Manufacturing/Industrial Center Plan Checklist items are addressed through comprehensive plan policies. The plan discusses the economic role of the center and includes a general vision to remain as a major employment center for the city and the region. Several environmental policies speak to protecting the ecosystem in Commencement Bay in the context of existing industrial uses, referencing the *Tacoma Port Industrial Area - Wetland Study*. The plan identifies the regional designation of the center and includes a map of the boundaries. Also included are several policies regarding landscaping, maintenance and compatible design to mitigate impacts of industrial activities.

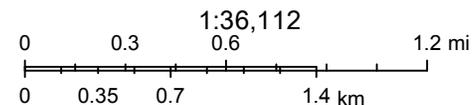
The plan addresses items on the Manufacturing/Industrial Center Plan Checklist, though there are topics that the comprehensive plan does not address or that could be strengthened through a dedicated MIC subarea plan. As the city moves forward on planning for the center, employment growth targets and additional detail on environmental topics should be incorporated. Economic development strategies to support or maintain manufacturing could be incorporated in future planning; incompatible land uses are currently strictly regulated through port maritime/industrial zoning. The comprehensive plan includes policy to prioritize improvements to manufacturing/industrial and mixed-use centers, but capital facilities planning and financing are not specifically called out. In addition, transportation policies regarding freight, employee commuting or mode split goals should be addressed in future planning.

D1 Attachment 4: MIC Zoning Districts  
Port of Tacoma M/IC: Zoning



June 15, 2017

 Tacoma City Boundary



Tacoma CED & PDS  
Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the

**13.06.400 Industrial Districts.**

The 400 series contains regulations for all industrial classifications, including the following:

- M-1 Light Industrial District
- M-2 Heavy Industrial District
- PMI Port Maritime & Industrial District

A. Industrial district purposes.

The specific purposes of the Industrial districts are to:

1. Implement goals and policies of the City’s Comprehensive Plan.
2. Implement Growth Management Act goals, county-wide planning policies, and multi-county planning policies.
3. Create a variety of industrial settings matching scale and intensity of use to location.
4. Provide for predictability in the expectations for development projects.

B. Districts established.

- M-1 Light Industrial District
- M-2 Heavy Industrial District
- PMI Port Maritime & Industrial District

1. M-1 Light Industrial District. This district is intended as a buffer between heavy industrial uses and less intensive commercial and/or residential uses. M-1 districts may be established in new areas of the City. However, this classification is only appropriate inside Comprehensive Plan areas designated for medium and high intensity uses.

2. M-2 Heavy Industrial District. This district is intended to allow most industrial uses. The impacts of these industrial uses include extended operating hours, heavy truck traffic, and higher levels of noise and odors. This classification is only appropriate inside Comprehensive Plan areas designated for medium and high intensity uses.

3. PMI Port Maritime & Industrial District. This district is intended to allow all industrial uses and uses that are not permitted in other districts, barring uses that are prohibited by City Charter. The Port of Tacoma facilities, facilities that support the Port’s operations, and other public and private maritime and industrial activities make up a majority of the uses in this district. This area is characterized by proximity to deepwater berthing; sufficient backup land between the berths and public right-of-ways; 24-hour operations to accommodate regional and international shipping and distribution schedules; raw materials processing and manufacturing; uses which rely on the deep water berthing to transport raw materials for processing or manufacture, or transport of finished products; and freight mobility infrastructure, with the entire area served by road and rail corridors designed for large, heavy truck and rail loads.

The PMI District is further characterized by heavy truck traffic and higher levels of noise and odors than found in other districts. The uses are primarily marine and industrial related, and include shipping terminals, which may often include container marshalling and intermodal yards, chemical manufacturing and distribution, forest product operations (including shipping and wood and paper products manufacturing), warehousing and/or storage of cargo, and boat and/or ship building/repair. Retail and support uses primarily serve the area’s employees.

Expansion beyond current PMI District boundaries should be considered carefully, as such expansion may decrease the distance between incompatible uses.

Expansion should only be considered contiguous to the existing PMI District. This classification is only appropriate inside Comprehensive Plan areas designated for high intensity uses.

4. ST-M/IC South Tacoma Manufacturing/Industrial Overlay District. This overlay district is intended to provide additional protection to industrial and manufacturing uses within the designated boundary of the South Tacoma M/IC by placing further restrictions on incompatible uses within this defined area. Standards established through the overlay zone are in addition to the requirements of the underlying zone. In all cases, where the overlay district imposes more restrictive standards than the underlying zone, these shall apply. The additional requirements imposed through the South Tacoma M/IC Overlay District are intended to preserve this area for long term urban industrial and manufacturing use consistent with policy direction in the Comprehensive Plan. Expansion of the overlay district beyond the current boundaries can only be done in conjunction with an expansion of the designated South Tacoma M/IC Center in the Comprehensive Plan. Expansion beyond current boundaries should be carefully considered, as

## D1 Attachment 4: MIC Zoning Districts

such expansion may decrease the distance between incompatible uses and will impose additional restrictions on the development of residential and commercial uses in affected areas.

### 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. Pedestrian streets designated. Figure 7 of the Comprehensive Plan designates Corridors that are considered key streets for integrating land use and transportation and achieving the goals of the Urban Form and Design and Development Elements. These Corridors are herein referred to as “Pedestrian Streets.” The designation entails modified design requirements to improve building orientation, definition of the public realm, and pedestrian connectivity.

3. 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.

### 4. 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.

### 5. District use table.

Uses	M-1	M-2	PMI	Additional Regulations <sup>1</sup>
Adult family home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District See Section 13.06.535.
Adult retail and entertainment	P	P	P	Subject to development standards contained in Section 13.06.525.
Agricultural uses	CU	CU	CU	Such uses shall not be located on a parcel of land containing less than 20,000 square feet of area.
Airport	CU	CU	CU	
Ambulance services	P	P	P	
Animal sales and service	P	P	N	
Assembly facility	P	P	N	
Brewpub	P	P	P	
Building material and services	P	P	P	
Business support services	P	P	P	

## D1 Attachment 4: MIC Zoning Districts

Uses	M-1	M-2	PMI	Additional Regulations <sup>1</sup>
Carnival	P/TU*	N	N	*Temporary use only within the South Tacoma M/IC Overlay District
Cemetery/internment services	N	N	N	New facilities are not permitted. Enlargement of facilities in existence prior to the effective date of this provision (May 27, 1975) may be approved in any zoning district subject to a conditional use permit. See Section 13.06.640.
Commercial parking facility	P	P	P	
Commercial recreation and entertainment	P/CU*	P/CU*	N	*Within the South Tacoma M/IC Overlay District, a conditional use permit is required for facilities over 10,000 square feet of floor area in the M-2 district and over 15,000 square feet in the M-1 district.
Communication facility	P	P	P	
Confidential shelter	P/N*	N	N	See Section 13.06.535. *Not permitted within the South Tacoma M/IC Overlay District.
Continuing care retirement community	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
Correctional facility	N	CU	CU	Modifications or expansions to existing facilities that increase the inmate capacity shall be processed as a major modification (see Section 13.05.080). A pre-application community meeting is also required (see Section 13.06.640.Q).
Craft Production	P	P	P	
Cultural institution	P/CU*	P/CU*	N	*Conditional use within the South Tacoma M/IC Overlay District, unless an accessory use.
Day care, family	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District.
Day care center	P	P	N	Subject to development standards contained in Section 13.06.155.
Detoxification center	CU	CU	N	
Drive-through with any permitted use	P	P	P	Subject to the requirements of TMC 13.06.513.
Dwelling, single-family detached	P/N*~	N*	N*	In M-1 districts, single-, two- and three-family and townhouse dwellings are prohibited, except for residential uses in existence on December 31, 2008, the effective date of adoption of this provision. In M-1 districts, new multi-family residential dwellings
Dwelling, two-family	P/N*~	N*~	N*~	
Dwelling, three-family	P/N*~	N*~	N*~	
Dwelling, multiple-family	P/N*~	N*~	N*~	

## D1 Attachment 4: MIC Zoning Districts

Uses	M-1	M-2	PMI	Additional Regulations <sup>1</sup>
Dwelling, townhouse	P/N*~	N*~	N*~	are permitted only within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *In all districts, quarters for caretakers and watchpersons are permitted as is temporary worker housing to support uses located in these districts. ~Not permitted within the South Tacoma M/IC Overlay District except for quarters for caretakers and watchpersons and temporary worker housing, as noted above.
Dwelling, accessory (ADU)	P/N~	N	N	Subject to additional requirements contained in 13.06.150. ~Not permitted within the South Tacoma M/IC Overlay District.
Eating and drinking	P	P	P	
Emergency and transitional housing	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008 the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
Extended care facility	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
Foster home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District.
Fueling station	P	P	P	
Funeral home	P	P	N	
Golf course	P/N*	P/N*	N	*Not permitted within the South Tacoma M/IC Overlay District.
Group housing	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District.

## D1 Attachment 4: MIC Zoning Districts

Uses	M-1	M-2	PMI	Additional Regulations <sup>1</sup>
Helipoint	CU	CU	CU	
Home occupation	P	P	P	Subject to additional requirements contained in Section 13.06.100.E
Hospital	P/CU*	P/N~	N	*Conditional use within the South Tacoma M/IC Overlay District. ~Not permitted within the South Tacoma M/IC Overlay District.
Hotel/motel	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District.
Industry, heavy	N	P	P	Animal slaughter, fat rendering, acid manufacture, smelters, and blast furnaces allowed in the PMI District only.
Industry, light	P	P	P	
Intermediate care facility	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
Juvenile community facility	P/N*	P/N*	P	See Section 13.06.530 for resident limits and additional regulations. *Not permitted within the South Tacoma M/IC Overlay District.
Live/Work	P	N	N	Projects incorporating live/work in new construction shall contain no more than 20 live/work units. Subject to additional requirements contained in Section 13.06.570.
Marijuana processor, producer, and researcher	P	P	P	See additional requirements contained in Section 13.06.565
Marijuana retailer	P~	P~	N	~Within the South Tacoma M/IC Overlay District, 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. See additional requirements contained in Section 13.06.565.
Microbrewery/winery	P	P	P	
Mobile home/trailer court	N	N	N	
Nursery	P	P	N	
Office	P*	P*	P	*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.
Parks, recreation and open space	P	P	P	Subject to the requirements of Section 13.06.560.D.
Passenger terminal	P	P	P	
Personal services	P	P	P	

## D1 Attachment 4: MIC Zoning Districts

Uses	M-1	M-2	PMI	Additional Regulations <sup>1</sup>
Port, terminal, and industrial; water-dependent or water-related (as defined in Chapter 13.10)	N	N	P*	*Preferred use.
Public safety and public service facilities	P	P	P	
Religious assembly	P	P	P	
Repair services	P	P	P	
Research and development industry	P	P	N	
Residential care facility for youth	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
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. Outside of the South Tacoma M/IC Overlay District, limited to 65,000 square feet per use, unless approved with a conditional use permit. See Section 13.06.640.J.
Retirement home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
School, public or private	P/N*	P/N*	P/N*	*General K through 12 education not permitted in the PMI District or in the South Tacoma M/IC Overlay District.
Seasonal sales	TU	TU	TU	Subject to development standards contained in Section 13.06.635.
Self-storage	P	P	P	See specific requirements in Section 13.06.503.B.
Short-term rental	N	N	N	

## D1 Attachment 4: MIC Zoning Districts

Uses	M-1	M-2	PMI	Additional Regulations <sup>1</sup>
Staffed residential home	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District. See Section 13.06.535.
Student housing	P/N*	N	N	In M-1 districts, permitted only within residential or institutional buildings in existence on December 31, 2008, the effective date of adoption of this provision, or when located within a mixed-use building where a minimum of 1/3 of the building is devoted to industrial or commercial use. *Not permitted within the South Tacoma M/IC Overlay District.
Surface mining	CU	CU	CU	
Temporary uses	P	P	P	Subject to development standards contained in Section 13.06.635.
Theater	P/N*	N	N	*Not permitted within the South Tacoma M/IC Overlay District.
Transportation/freight terminal	P	P	P	
Urban Horticulture	P	P	P	
Utilities	P	P	P	
Vehicle rental and sales	P	P	P	Subject to development standards contained in Section 13.06.510.
Vehicle service and repair	P	P	P	Subject to development standards contained in Section 13.06.510.
Vehicle service and repair, industrial	P	P	P	Subject to development standards contained in Section 13.06.510.
Vehicle storage	P	P	P	Subject to development standards contained in Section 13.06.510.
Warehouse/storage	P	P	P	Storage and treatment facilities for hazardous wastes are subject to the state locational standards adopted pursuant to the requirements of Chapter 70.105 RCW and the provisions of any groundwater protection ordinance of the City of Tacoma, as applicable.
Wholesale or distribution	P	P	P	
Wireless communication facility	P*/ CU**	P*/ CU**	P*/ CU**	*Wireless communication facilities are also subject to Section 13.06.545.D.1. **Wireless communication facilities are also subject to Section 13.06.545.D.2.
Work/Live	P	N	N	Projects incorporating work/live in new construction shall contain no more than 20 work/live units. Subject to additional requirements contained in Section 13.06.570.
Work release center	CU	CU	P	Subject to development standards contained in Section 13.06.550.

## D1 Attachment 4: MIC Zoning Districts

Uses	M-1	M-2	PMI	Additional Regulations <sup>1</sup>
Uses not prohibited by City Charter and not prohibited herein	N	N	P	
<b>Footnotes:</b>				
1. For historic structures and sites, certain uses that are otherwise prohibited may be allowed, subject to the approval of a conditional use permit. See Section 13.06.640.F for additional details, limitations and requirements.				

### D. Building envelope standards.

	M-1	M-2	PMI
Minimum Lot Area	N/A	N/A	N/A
Minimum Lot Width	N/A	N/A	N/A
Maximum Lot Coverage	None	None	None
Minimum Front Setback	In all districts listed above, 0 feet, unless: <ul style="list-style-type: none"> <li>• Created by requirements in Section 13.06.502; or</li> <li>• Abutting a dwelling district, then equal to the dwelling district setback for the first 100 feet from that side.</li> </ul> The above setback requirements may be waived if demonstration is made that a 20-foot vertical grade between the properties offers comparable protection.		
Minimum Side Setback	In all districts listed above, 0 feet, unless created by requirements in Section 13.06.502, which may be waived if demonstration is made that a 20-foot vertical grade between the properties offers comparable protection.		
Minimum Rear Setback	In all districts listed above, 0 feet, unless created by requirements in Section 13.06.502, which may be waived if demonstration is made that a 20-foot vertical grade between the properties offers comparable protection.		
Maximum Height Limit	75 feet	100 feet, unless such building or structure is set back on all sides one foot for each four feet such building or structure exceeds 100 feet in height.	100 feet, unless such building or structure is set back on all sides one foot for each four feet such building or structure exceeds 100 feet in height.
Maximum Height Exceptions	Certain specified uses and structures are allowed to extend above height limits, per Sections 13.06.602.A.2 and 13.06.545.		

### E. Residential Development.

1. Minimum Usable Yard Space. Residential development shall provide usable yard space in accordance with the provisions of 13.06.100.D.7 based on the building type.

2. Tree canopy coverage. Residential uses shall meet the tree canopy coverage requirements in 13.06.100.D.8 in accordance with the R-4 District.

F. Common requirements. To streamline the Zoning Code, certain requirements common to all districts are consolidated under Sections 13.06.500 and 13.06.600. These requirements apply to Section 13.06.400 by reference.

Refer to Section 13.06.500 for the following requirements for development in Industrial Districts:

- 13.06.502 Landscaping and buffering standards.
- 13.06.503 Residential transition standards.
- 13.06.510 Off-street parking and storage areas.
- 13.06.511 Transit support facilities.
- 13.06.512 Pedestrian and bicycle support standards.
- 13.06.520 Signs.
- 13.06.602 General restrictions (contains certain common provisions applicable to all districts, such as general limitations and exceptions regarding height limits, yards, setbacks and lot area)

(Ord. 28429 Ex. B; passed May 9, 2017; Ord. 28417 Ex. A; Mar. 7, 2017; Ord. 28376 Exs. B, D; passed Aug. 16, 2016; Ord. 28361 Ex. B; passed May. 24, 2016; Ord. 28336 Ex. C; passed Dec. 1, 2015; Ord. 28327 Ex. C; passed Nov. 3, 2015; Ord. 28281 Ex. A; passed Feb. 17, 2015; Ord. 28230 Ex. D; passed Jul. 22, 2014; Ord. 28182 Ex. A; passed Nov. 5, 2013; Ord. 28157 Ex. F; passed Jun. 25, 2013; Ord. 28050 Ex. C; passed Feb. 14, 2012; Ord. 27995 Ex. D; passed Jun. 14, 2011; Ord. 27893 Ex. A; passed Jun. 15, 2010; Ord. 27813 Ex. D; passed Jun. 30, 2009; Ord. 27772 §§ 2,3,5-18; passed Dec. 9, 2008; Ord. 27771 Ex. C; passed Dec. 9, 2008; Ord. 27680 § 2; passed May 13, 2008; Ord. 27665 §§ 11,13; passed Dec. 4, 2007; Ord. 27644 Ex. A; passed Sept. 18, 2007; Ord. 27574 §§ 2, 3; passed Mar. 20, 2007; Ord. 27539 § 15; passed Oct. 31, 2006; Ord. 27362 § 3; passed Jun. 7, 2005; Ord. 27245 § 11; passed Jun. 22, 2004; Ord. 27079 §§ 24-28; passed Apr. 29, 2003; Ord. 26933 § 1; passed Mar. 5, 2002)

**13.06.410 M-1 Light Industrial District. *Repealed by Ord. 27079.***

(Ord. 27079 § 29; passed Apr. 29, 2003; Ord. 26966 § 11; passed Jul. 16, 2002; Ord. 26933 § 1; passed Mar. 5, 2002)

**13.06.420 M-2 Heavy Industrial District. *Repealed by Ord. 27079.***

(Ord. 27079 § 30; passed Apr. 29, 2003; Ord. 26966 § 12; passed Jul. 16, 2002; Ord. 26933 § 1; passed Mar. 5, 2002)

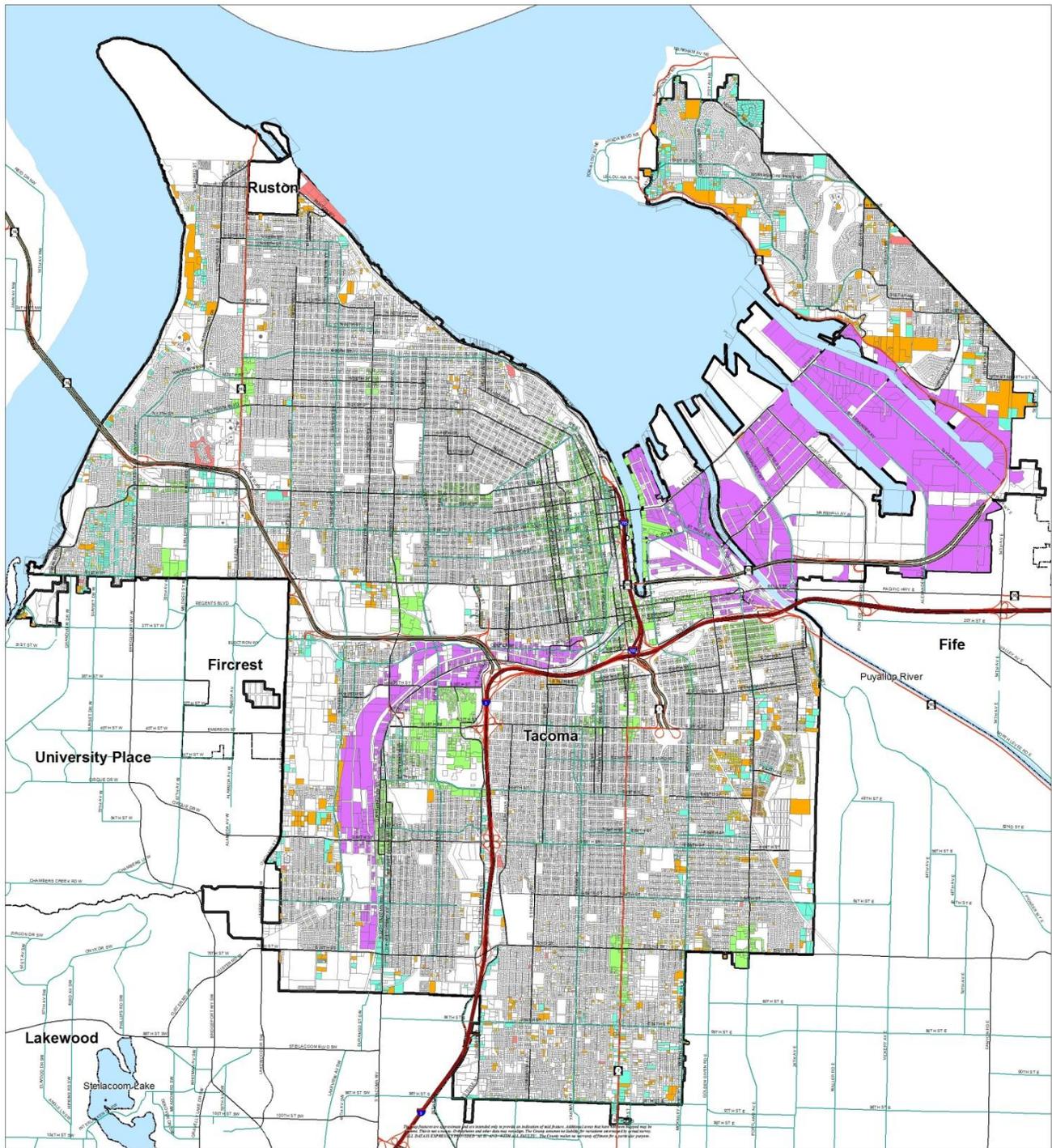
**13.06.430 M-3 Heavy Industrial District. *Repealed by Ord. 27079.***

(Ord. 27079 § 31; passed Apr. 29, 2003; Ord. 26966 § 13; passed Jul. 16, 2002; Ord. 26933 § 1; passed Mar. 5, 2002)

**13.06.500 Requirements in all preceding districts.**

Applicability. The regulations of this section are applicable in all zoning districts, with exceptions only as noted. Regulations may refer to districts by class of districts, for example Districts or Industrial Districts, this means that all districts carrying the designated prefix or suffix are required to meet the given regulation. Overlay districts are combined with an underlying zoning district and supplement the regulations of that district. Overlay districts only apply to land carrying the overlay district designation.

(Ord. 26933 § 1; passed Mar. 5, 2002)



**City of Tacoma  
Inventory of Vacant and Underutilized Land**

- Underutilized
  - Vacant
  - Vacant Single Unit
  - Pipeline
  - Built Out/Undevelopable
  - Mixed Use Centers**
  - Developable
  - Undevelopable
  - Manufacturing/Industrial Centers**
  - Developable
  - Undevelopable
- Municipal Boundary



Pierce County, Washington

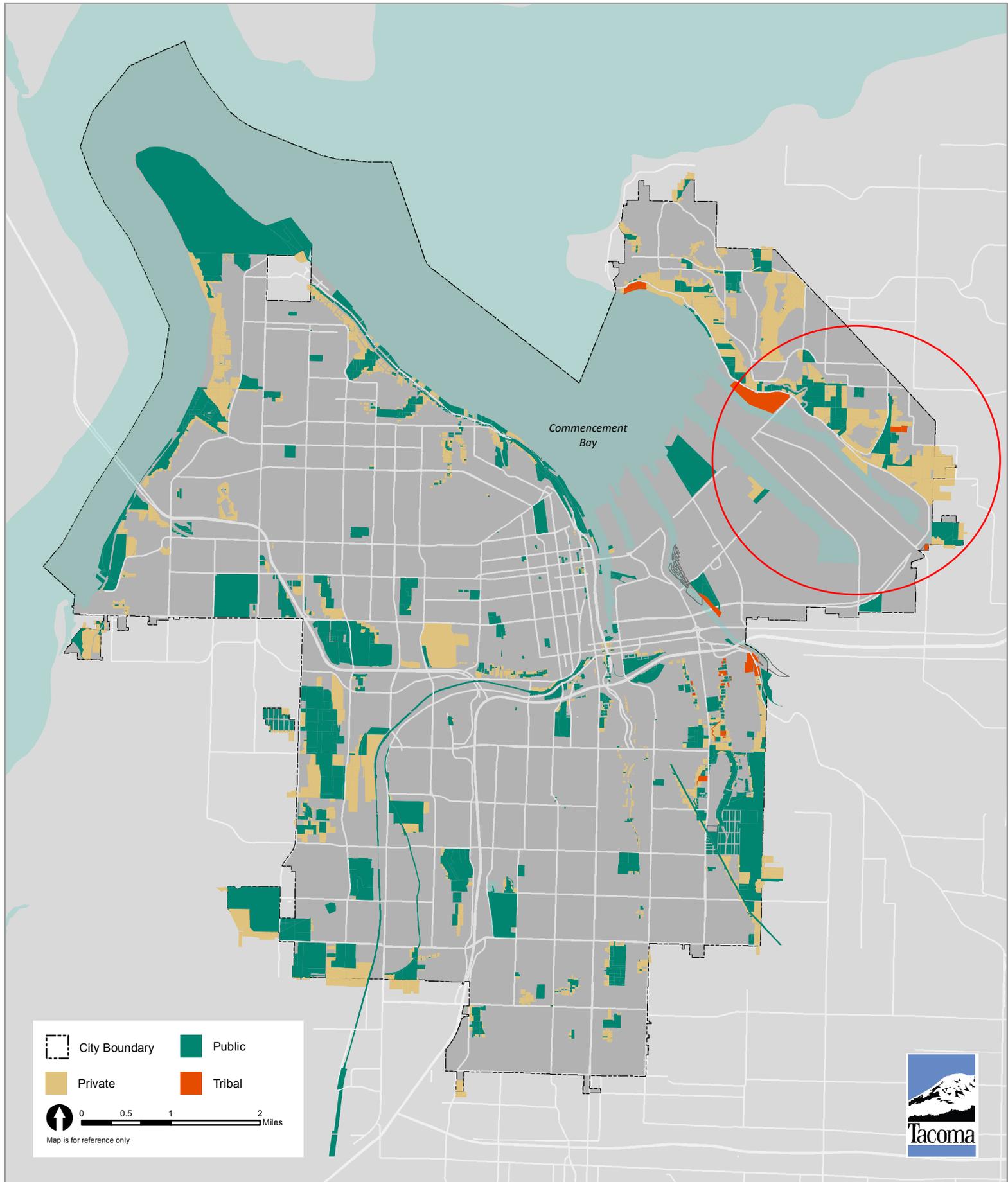


**Buildable Lands  
Report**

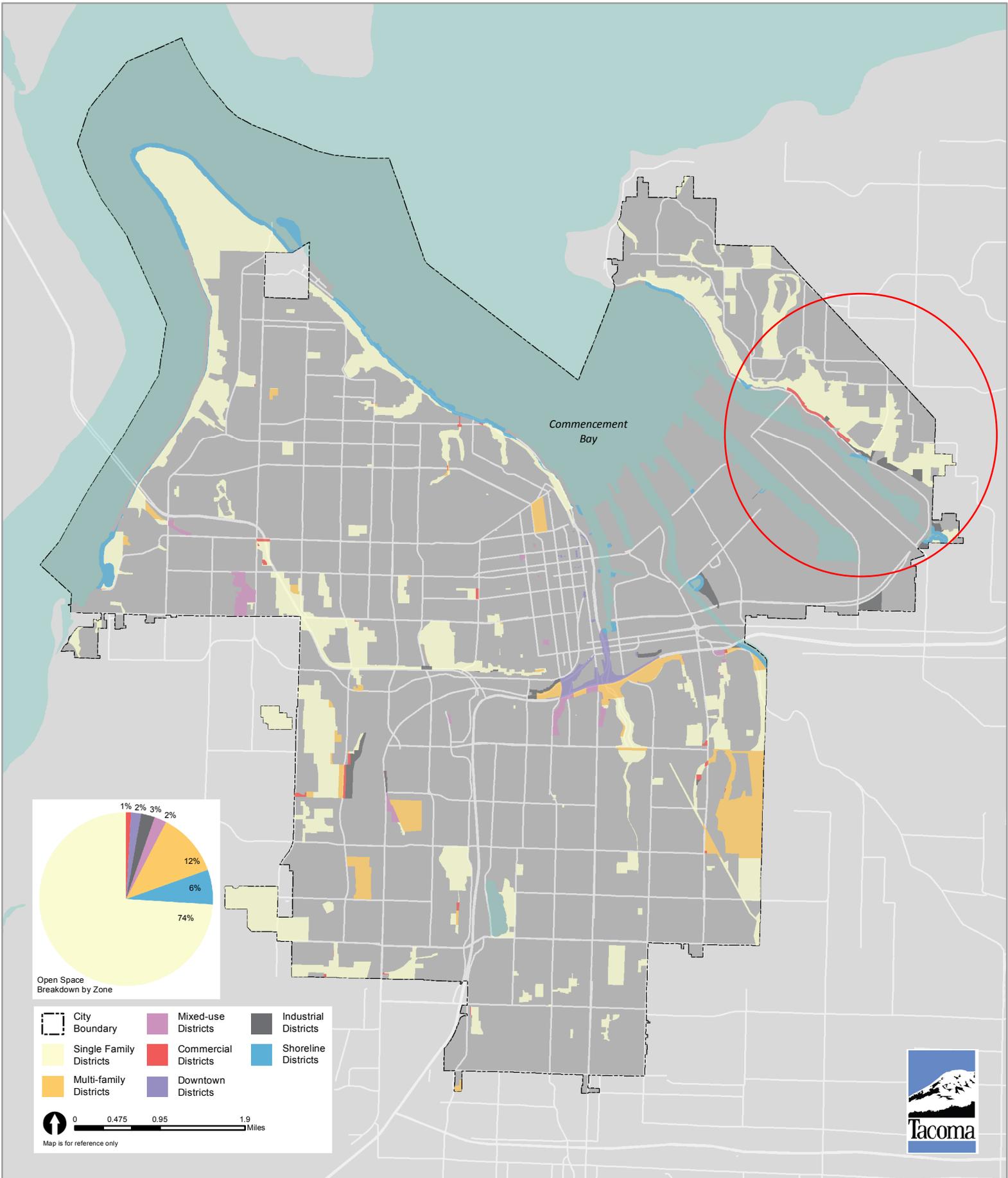


Map Document: tacoma\2015 Comp Plan\Buildable Lands\Map\M\FINAL\tacoma\_BU\_2014.mxd

# Open Space Corridors: Public, Private, and Tribe Owned Lands



# Open Space Corridors by Zoning Classification





**CITY OF TACOMA, WASHINGTON  
OFFICE OF THE CITY COUNCIL  
COUNCIL CONSIDERATION REQUEST (CCR)**

**TO:** City Council  
**FROM:** Councilmember Ryan Mello  
**COPIES TO:** Elizabeth Pauli, City Manager; Executive Leadership Team; file  
**SUBJECT:** Implementing the Container Port Element of the City Comprehensive Plan  
**DATE:** March 16, 2017

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**ITEM/ISSUE PROPOSED FOR COUNCIL CONSIDERATION:**

I respectfully ask for City Council concurrence to have staff and the Planning Commission research and bring to City Council their recommendations on possible modifications to the City's zoning, subdivision, and development regulations to better implement the Container Port Element of the *One Tacoma* Comprehensive Plan. This review and the resulting recommendations should be coordinated with the Infrastructure, Planning and Sustainability Committee.

**BRIEF BACKGROUND:**

Within the City, the Tideflats area is regionally and locally designated as an important Manufacturing/Industrial Center (M/IC) – a location with unique characteristics that should serve as a long-term and growing employment center. As required by State law (RCW 36.70A.085), the City adopted a Container Port Element (CPE) in its Comprehensive Plan in 2014. Consistent with State requirements, this CPE provides policy guidance relative to protection of core areas of container port and port-related industrial areas within the City and to protection against potential land use conflicts, both within and along the edge of the core area.

Recent proposals and community discussion have highlighted that the City's existing zoning within and around the Tideflats area is not sufficiently achieving the community's goals. The CPE provides the following direction: Policy CP-1.6 "...While localized impacts are permitted, continue to require Core Area industrial uses to be developed in a manner that protects the environment and preserves public health and safety from a citywide and regional perspective." Existing zoning needs to be reviewed against this standard.

The CPE identifies a core of PMI (Port-Maritime Industrial) zoning that is intended to be protected from encroachment by incompatible land uses (such as residential) by a buffer of general industrial zoning (M-1 and M-2). However, this basic planning and zoning structure is complicated by the fact that PMI zoning allows for an exceptionally wide variety of heavy industries, such as smelters, hazardous chemical manufacturing and shipping terminals of all kinds (not just container terminals), as well as light industry and warehousing. The PMI zoning also allows for "uses not prohibited by City Charter and not prohibited herein," which essentially means that uses this community has potentially never contemplated and/or evaluated are automatically an allowed use in this area. In general, the current zoning allows for high-impact, high-hazard, and high-resource uses that deserve more scrutiny, and which in some cases may no longer be appropriate or consistent with the community's policies and vision for the area.

The existing zoning within the Tideflats also allows for a number of non-industrial uses, such as farming, day care centers, golf courses, religious assembly, and others, which need to be evaluated to ensure that they are not creating incompatibilities with the long-term viability of the Tideflats as a heavy industrial and container shipping area, as called for by the CPE.



**CITY OF TACOMA, WASHINGTON  
OFFICE OF THE CITY COUNCIL  
COUNCIL CONSIDERATION REQUEST (CCR)**

Finally, existing core area buffers need to be reviewed against Policy CP-1.4, which states “Reduce the potential for land use conflicts between industrial development and surrounding non-industrial uses by providing for adequate Industrial/Commercial buffer areas...” Given recent development activity, the CPE observation that “... to the east, the steep bluff rising above Marine View Drive provides a clear transition from the industrial area to the residential development at the top of the bluff...” and the CPE conclusion that “...the existing geography provides a very effective buffer and no additional transition area is necessary...” needs to be reviewed against current best practices and the changing development landscape. This review will complement the citywide Open Space Corridors regulatory review that is currently underway.

The City, Port and others are discussing the potential for subarea planning to comprehensively address long-term land use, transportation and environmental planning issues. However, in the meantime it is appropriate for the City to consider initial measures regarding, zoning, subdivision, and development regulations and buffers.

**SUBMITTED FOR COUNCIL CONSIDERATION BY:** \_\_\_\_\_ *Ryan W. Melb*

**SUPPORTING COUNCILMEMBERS SIGNATURES (2 SIGNATURES ONLY)**

(Signatures demonstrate support to initiate discussion and consideration of the subject matter by City Council for potential policy development and staff guidance/direction.)

1. \_\_\_\_\_ POS # \_\_\_\_\_

2. \_\_\_\_\_ POS # \_\_\_\_\_

**D1 Attachment 8: NE Tacoma Application**



## Application

### To Amend

### The Comprehensive Plan or Land Use Regulatory Code

Application No.:

**#2017-18 -**

Date Received:

Year of Amendment	2017-2018	
Application Deadline	Friday, March 31, 2017, 5:00 p.m.	
Application Fee	\$1,400 Waived - submitted by NE Tacoma Neighborhood Council	
Type of Amendment (Check all that apply)	<input type="checkbox"/> Comprehensive Plan Text Change <input type="checkbox"/> Regulatory Code Text Change <input checked="" type="checkbox"/> Land Use Designation Change <input checked="" type="checkbox"/> Area-wide Rezone <input type="checkbox"/> Interim Zoning or Moratorium	
Summary of Proposed Amendment (Limit to 100 words)	The purpose of this amendment is to provide a true buffer zone between residential areas of Northeast Tacoma and the industrial tide flats along Marine View Drive between Taylor Way and 11th Street.	
Applicant	Name	Yvonne McCarty
	Affiliation / Title	NE Tacoma Neighborhood Council / Co-Chair
	Address City, State & Zip Code	6716 E Side Dr NE, Suite 1, PMB 222 Tacoma, WA 98422-1169
	E-mail	netnc@comcast.net
	Phone / Fax	Phone 253-219-4127                      Fax
Contact (if not Applicant)	Name	Ann Locsin
	Affiliation / Title	NE Tacoma Resident
	Address City, State & Zip Code	1843 Pointe Woodworth Dr NE Tacoma, WA 98422
	E-mail	locsinann@gmail.com
	Phone / Fax	Phone 206-249-3474                      Fax
	Relationship to Applicant	Neighbor/Fellow Resident of NE Tacoma

I hereby state that I am the applicant listed above and the foregoing statements and answers made, and all the information and evidence submitted are, in all respects and to the best of my knowledge and belief, true and complete. I understand that submitting this application does not result in automatic acceptance of this application or guarantee its final approval.

Signature: Yvonne McCarty

Date: 3/31/17

1. Describe the proposed amendment. If submitting text changes to the One Tacoma Comprehensive Plan or Regulatory Code, provide the existing and the proposed language. If submitting changes to the Comprehensive Plan land use designation(s) or the zoning classification(s), provide the current and the proposed land use designations and/or zoning classifications for the affected/proposed area.

The proposed amendment creates a true buffer zone between residential areas in the Northeast Tacoma (NET) neighborhood and the industrial tide flats. The *One Tacoma Comprehensive Plan* defines the Container Port Core and Industrial/Buffer Areas in its Container Port Element. It also provides a map for these areas in Figure 41. While the map lacks detail on how to “provide for a compatible transition for the Port of Tacoma maritime industrial area to [residential] development in the larger surrounding area,” which is one of the main intents of this Element, it clearly identifies the need for a buffer along Marine View Drive. Through changes to the existing zoning, the proposed amendment will allow meeting the objectives of the policies contained in the Container Port Element and will facilitate a compatible transition.

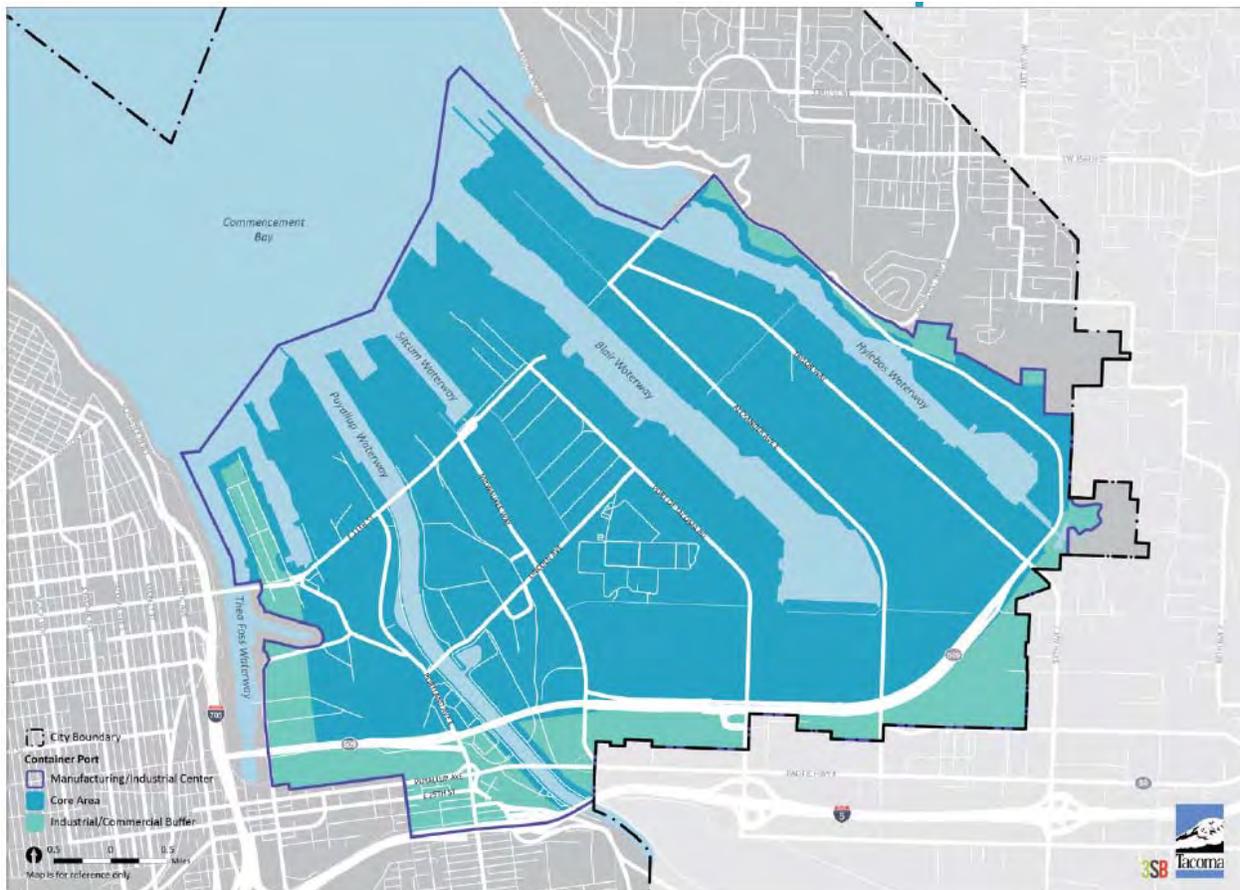


Figure 1: Container Port Core and Industrial/Buffer Areas [source: Figure 41 in Container Port Element of Tacoma One Plan]

The amendment proposes a few changes that intend to achieve three objectives:

- (1) To implement aspects of the Container Port Element by creating a buffer between parcels already zoned as commercial or residential and the Container Port Core Areas;

## D1 Attachment 8: NE Tacoma Application

The amendment proposes changes to the zoning that would create the Industrial/Commercial buffer areas as depicted in Figure 41 of the Container Port Element. Changes include downzoning some of the existing M-2 and PMI parcels to M-1 or PDB.

Currently zoned as M-2, all parcels located between East 11<sup>th</sup> Street and including Parcel 032126406 (Address: 2224 MARINE VIEW DR, TACOMA, WA) do not comply with Figure 41. Therefore, the amendment proposes to change their zoning to PDB, which would be compatible with the objectives of the policies contained in the Container Port Element while creating a graceful transition between differing densities, intensities and activities (Goal DD-9 of the Tacoma One Plan). Additionally, all M-2 parcels located along Marine View Drive southeast of Parcel 032126406 (Address: 2224 MARINE VIEW DR, TACOMA, WA) do not comply with Figure 41. Therefore, the amendment proposes to change their zoning to M-1, which would be compatible with the objectives of the policies contained in the Container Port Element while creating a graceful transition between differing densities, intensities and activities (Goal DD-9).

*(2) To implement aspects of the Container Port and Design Development Elements by creating a compatible and graceful transition between differing densities, intensities and activities*

The amendment proposes some additional downzoning from PMI to M-1 for parcels located east of the lower Hylebos waterway. These changes would not affect the boundaries of the Core Area or Manufacturing/Industrial center, but identify parcels where only light industrial/manufacturing activities can occur so that a sufficient transition area is created. Currently zoned as PMI, parcels along Marine View Drive and east of the Hylebos waterway and creek do not provide a sufficient transition area that would allow the long-term viability of the industrial areas while protecting the surrounding residential areas from unreasonable impacts. The current zoning only rely on a limited change in topography as a means to buffer and separate incompatible heavy industrial and residential uses, which has resulted in continuous complaints by residents. Therefore, the amendment proposes to change the zoning of the PMI parcels Northeast of the Hylebos Waterway and Creek to M-1, which would provide a sufficient and long-term transition through a mix of natural and land use buffers, including a change in topography, vegetated areas and the Hylebos water body.

*(3) To improve consistency between parcels maps and zone maps by making few additional changes.*

This objective is achieved through zoning changes along parcel boundaries. To this end, the amendment proposes some changes that would create a better alignment between zone and parcels boundaries, so that potential land uses would be clearly aligned to ownership rights.

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2. *Why is the amendment needed and being proposed?*

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While this question was already addressed from our response to Question 1, this section provides further information on why this amendment is proposed and is needed.

Over the years, the Northeast Tacoma (NET) neighborhood have graduated into a suburban area that hosts about 10% of Tacoma residents – without including residents in unincorporated Pierce County at Browns Point and Dash Point. Due to its prevalently residential zoning, the neighborhood is highly dependent upon the existing transportation infrastructure to and from the surrounding employment and business/retail centers for retails, professional services, and even public services. The projected demographic growth for the Puget Sound region suggests we cannot expect the residential use to decrease. The current zoning has created a sudden transition from residential to heavy industrial uses, which only insufficiently relies on topography buffers. Industrial activities in New Tacoma’s tideflats and along the Hylebos in NET have increased complaints by residents while adding pressure on an already strained transportation system, which relies on Marine View Drive.

While limited in its scope, the proposed amendment is expected to help address some of these issues by creating an effective and sufficient transition area between the growing port and industrial activities in Tacoma and the mainly residential Northeast Tacoma neighborhood. In specifics, the proposed amendment is needed to address an inconsistency between the current zoning and the Container Port and Design Development Elements of the One Tacoma Comprehensive Plan and to provide a sufficient transition area that would allow the long-term viability of the industrial areas while protecting the surrounding residential areas from unreasonable impacts.

The *One Tacoma Comprehensive Plan* defines the Container Port Core and Industrial/Buffer Areas in its Container Port Element. It also provides a map for these areas in Figure 41. While the map lacks detail on how to “provide for a compatible transition for the Port of Tacoma maritime industrial area to [residential] development in the larger surrounding area,” which is one the main intents of this Element, it clearly identify the need for a buffer along Marine View Drive. The City of Tacoma’s *Land Use Regulatory Code* (i.e. Title 13 of *Tacoma Municipal Code*) identifies M-1 light industrial zoning as the natural buffer between heavy industrial uses and commercial/residential uses.

1. M-1 Light Industrial District. This district is intended as a buffer between heavy industrial uses and less intensive commercial and/or residential uses. M-1 districts may be established in new areas of the City. However, this classification is only appropriate inside Comprehensive Plan areas designated for medium and high intensity uses.

*Figure 2: M-1 Zoning Description [Source: Title 13 of Tacoma Municipal Code, page 13-143]*

Still, the existing zoning along the Hylebos does not take advantage of the availability for this zoning tool or provides a basis for meeting the objectives of the policies contained in the Container Port Element. At a time the intensity of heavy industrial operations is again increasing in the tide flats, it is paramount to adopt a pro-active approach to planning by incorporating all zoning tools that can help the City of Tacoma achieve the vision outlined in the *One Tacoma Comprehensive Plan’s* elements and meet the objectives of the policies outlined in the *Container Port and Design Development* elements. Currently zoned as M-2 or PMI, parcels along Marine View Drive and east of the Hylebos waterway and creek do not provide a sufficient transition area that would allow the long-term viability of the industrial areas while protecting the surrounding residential areas from unreasonable impacts. Zoning changes proposed as part of this amendment are proposed and would be needed to overcome these issues.

- 
3. *Please demonstrate how the proposal is consistent with the applicable policies of the One Tacoma Comprehensive Plan, and consistent with the criteria for amending the Comprehensive Plan or development regulations.*
- 

While this question was partially addressed in our responses to Questions 1 and 3, this section provides further information on how the proposed changes are consistent with elements of the *One Tacoma Comprehensive Plan*. Moreover, we address the criteria for analyzing the amendment that are listed in Title 13 of the Tacoma Municipal Code as follows:

1. Whether the proposed amendment will benefit the City as a whole, will not adversely affect the City's public facilities and services, and bears a reasonable relationship to the public health, safety, and welfare; and
2. Whether the proposed amendment conforms to applicable provisions of State statutes, case law, regional policies, and the Comprehensive Plan.

[Source: Tacoma Municipal Code, Title 13, Section 13.02.045.F]

*Consistency with the applicable policies of the One Tacoma Comprehensive Plan*

We can group changes into (a) changes from M-2 to PDB; (b) changes from M-2 to M-1; and (c) changes from PMI to M-1.

*(a) Change parcel zoning from M-2 to PDB*

The current M-2 zoning for all parcels located between East 11<sup>th</sup> Street and Parcel 032126406 (Address: 2224 MARINE VIEW DR, TACOMA, WA) creates an impediment to achieving some of the goals of the *Container Port* element of the *One Tacoma Comprehensive Plan*.

Figure 41 of the *Container Port* element allocates to these parcels the important role for achieving Goal CP-2 (i.e. "Establish an Industrial/Commercial Buffer Area around the Core Area that will protect the continued viability of the Core Area while providing for a compatible Industrial/Commercial Buffer to development in the larger surrounding area;" Source: Goal CP-2 in Container Port element) and implementing Policies CP-2.1 and CP-2.2.

However, these parcels are currently zoned for heavy industrial uses. To improve consistency between zoning maps and the *One Tacoma Comprehensive Plan*, the proposed amendment would change their zoning from M-2 to PDB. This change is compatible with the cited objectives of the policies contained in the *Container Port* element while also creating a graceful transition between differing densities, intensities and activities, which is consistent with Goal DD-9 – and its policies – of the *Design and Development* element. This change would also coincide with Policy 6.4 of the *Transportation* element (i.e. Support Mixed-Use Centers) creating a mixed-use district where Port and Maritime offices and vocational education can occur alongside with light industrial in a part of the City where this zoning is not available or pursuing it lacks economic attractiveness for developers due to the colocation with heavy industry. Moreover, the proposed change will also facilitate the implementation of the vision represented at Page 73 of the *Transportation* element by creating conditions for future creation of bicycle and shared use paths and trails alongside the Freight corridor shown in page 104.

## D1 Attachment 8: NE Tacoma Application

### *(b) Change parcel zoning from M-2 to M-1*

Additionally, all M-2 parcels located along Marine View Drive southeast of Parcel 032126406 (Address: 2224 MARINE VIEW DR, TACOMA, WA) creates another impediment to achieving some of the goals of the *Container Port* element of the *One Tacoma Comprehensive Plan*.

Figure 41 of the *Container Port* element allocates to these parcels the important role for achieving Goal CP-2 (i.e. “Establish an Industrial/Commercial Buffer Area around the Core Area that will protect the continued viability of the Core Area while providing for a compatible Industrial/Commercial Buffer to development in the larger surrounding area;” Source: Goal CP-2 in Container Port element) and implementing Policies CP-2.1 and CP-2.2.

However, these parcels are currently zoned for heavy industrial uses, which is inconsistent with Figure 41. Therefore, the amendment proposes to change their zoning to M-1. This change is also compatible with the cited objectives of the policies contained in the *Container Port* element while also creating a graceful transition between differing densities, intensities and activities, which is consistent with Goal DD-9 – and its policies – of the *Design and Development* element. Moreover, the proposed change will also facilitate the implementation of the vision represented at Page 73 of the *Transportation* element by creating conditions for future creation of bicycle and shared use paths and trails alongside the Freight corridor shown in page 104.

### *(c) Change parcel zoning from PMI to M-1*

Currently zoned as PMI, most of the parcels along Marine View Drive and east of the Hylebos waterway (and creek) are listed as part of the Port Core Area. The current zoning has created a sudden transition from residential to heavy industrial uses, which insufficiently relies on limited changes in topography as buffers. The amendment also proposes additional downzoning from PMI to M-1 for parcels located east of the lower Hylebos waterway (and creek). These changes would not affect the boundaries of the Core Area or Manufacturing/Industrial center, but identify parcels of this portion of the Core Area where only light industrial/manufacturing activities can occur so that a sufficient transition area is created.

This portion of the proposed amendment would create a transition between differing industrial uses, but it does not create an industrial/commercial buffer as allowed uses would be limited to light industrial/manufacturing. This change is compatible with some of the Goals/Policies already cited, including CP-2 and DD-9 because it would provide a sufficient transition through a mix of natural and land use buffers, including a change in topography, vegetated areas and the Hylebos water body. This transition is also compatible with goal CP-1 and its policies because it “protect the long-term function and viability of this area” while also protecting the surrounding residential areas from unreasonable impacts from port activities. Moreover, the proposed change will also facilitate the implementation of the vision represented at Page 73 of the *Transportation* element by creating conditions for future creation of bicycle and shared use paths and trails alongside the Freight corridor shown in page 104.

### *Consistency with the with the criteria for amending the Comprehensive Plan or development regulations*

Regarding the criterion No.1 (i.e. “Whether the proposed amendment will benefit the City as a whole, will not adversely affect the City’s public facilities and services, and bears a reasonable relationship to the public health, safety, and welfare”), the changes are not expected to affect the City’s public facilities and services. Instead, the proposed changes are expected to reduce traffic congestion on Marine View

## D1 Attachment 8: NE Tacoma Application

Drive because they will controlling growth of freight traffic while also facilitating the implementation of the vision represented at Page 73 of the *Transportation* element.

Moreover, the proposed changes are expected to benefit the city as a whole because they will help meeting the objectives of the policies contained in the *Container Port* and *Design and Development* elements as extensively explained in other portions of this proposal. Last, the proposed changes are expected to improve relationship to public health and safety because they will: (a) have fewer off-site impacts than would be associated with industrial or community commercial areas; (b) diversify employment opportunities in the tide flats; (c) reduce heavy truck traffic on a constrained roadway that is the main connection between the Northeast Tacoma neighborhood and the City; and (d) support City of Tacoma's effort to improve air quality by controlling growth of freight traffic and facilitating the implementation of the multimodal vision represented at Page 73 of the *Transportation* element.

Regarding the criterion No.2, to the best of our knowledge, the proposed amendment conforms to applicable provisions of State statutes, case law, regional policies, and the Comprehensive Plan. We rely on the City of Tacoma to analyze the proposed amendment as described in the Tacoma Municipal Code, Title 13, Section 13.02.045.F and to evaluate "whether or not the application is complete, and if not, what information is needed to make it complete."

## D1 Attachment 8: NE Tacoma Application

4. If the proposed amendment is associated with a geographic area, please provide a more detailed description, along with maps, if applicable, of the affected area and the surrounding areas, showing all parcels (with parcel numbers), ownership of each parcel, current land uses, site characteristics, and natural features.

The proposed amendment applies to 64 parcels on both sides of Marine View Drive in Northeast Tacoma between 11th Street and Taylor Way. Figure 3 shows a map of the area impacted by the proposed changes in zoning. Table 1 provides a list of all affected parcels (with parcel numbers), ownership of each parcel, and current land uses. This information was obtained from the Pierce County Assessor website. This table includes information on the parcels in the impacted area. Whereas the proposed changes will affect all parcels in the areas colored as red and blue in Figure 3, parcels highlighted in yellow in the table are those that currently host activities that maybe not conform with the zoning change. Specific site characteristics and natural features of each parcel are unknown, although generally speaking: 1) parcels are accessed from Marine View Drive, 2) parcels range from undeveloped to developed as heavy industrial, 3) parcels on the west side of Marine View Drive have access to the Hylebos Waterway, and 3) parcels on the east side of Marine View Drive border the various neighborhoods of Northeast Tacoma.

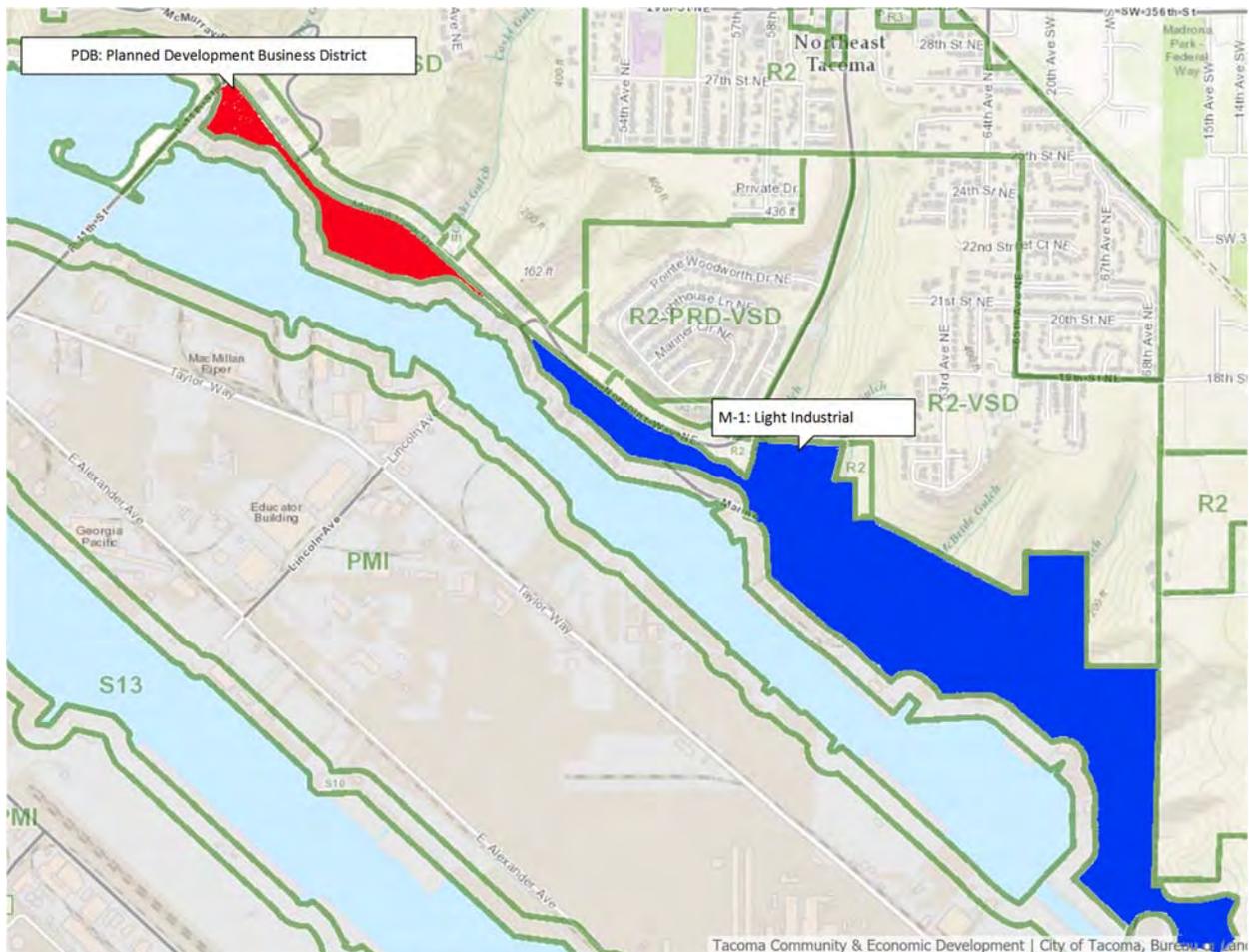


Figure 3: Map of the Impacted Area

## D1 Attachment 8: NE Tacoma Application

Table 1A: List of Parcels in the Impacted Area

Taxpayer	Taxpayer Mailing Address	Business Name	Current Zoning	Uses	Future Zoning
JOHNSON JUDY D & OLINE RONALD S	1940 MARINE VIEW DR TACOMA WA 98422-4108	HYLEBOS MARINA - "B" & "C" DOCKS - SHOPS	S13, S10, M2	MARINAS	S13, S10, M1
CITY OF TACOMA - GG	REAL PROPERTY SERVICES 747 MARKET ST RM 737 TACOMA WA 98402-3701	N/A	C2, R2	VACANT LAND UNDEVELOPED	No Change
WHIRLWIND PROPERTIES LLC	6801 216TH ST SW MOUNTLAKE TER WA 98043-2033	N/A	M2	GEN WAREHOUSING STORAGE	M1
STORTINI MICHAEL J & CINDY M ETAL	1133 N JACKSON AVE TACOMA WA 98406-1124	N/A	C2	COMM VACANT LAND	No Change
KACHMAN CHRISTOFER J	C/O SOUND ROCK PRODUCTS 2244 MARINE VIEW DR TACOMA WA 98422-4111	N/A	C2, R2	VACANT LAND UNDEVELOPED	No Change
CITY OF TACOMA - GG	REAL PROPERTY SERVICES 747 MARKET ST RM 737 TACOMA WA 98402-3701	N/A	C2, R2	VACANT LAND UNDEVELOPED	No Change
WHIRLWIND PROPERTIES LLC	6801 216TH ST SW MOUNTLAKE TER WA 98043-2033	WHIRLWIND SERVICES	M2	GEN WAREHOUSING STORAGE	M1
WHIRLWIND PROPERTIES LLC	6801 216TH ST SW MOUNTLAKE TER WA 98043-2033	WHIRLWIND SERVICES	M2	GEN WAREHOUSING STORAGE	M1
MARINE VIEW 55 LLC	8655 S 208TH ST KENT WA 98031	N/A	C2, R2	COMM VACANT LAND	No Change
JDAC PROPERTIES LLC	8431 PACIFIC AVE TACOMA WA 98444	N/A	M2	IND LND WITH IMPROV LAND VAL ONLY	M1
TARGA SOUND TERMINAL LLC	KE ANDREWS & COMPANY 1900 DALROCK RD ROWLETT TX 75088-5526	TARGA SOUND TERMINAL TI#57	S10, M2	PETRO INDUSTRIES	S10, M1
GALER KARL	3604 S 356TH ST AUBURN WA 98001-9328	N/A	M2	MISC OFFICE SPACE	M1
WHIRLWIND PROPERTIES LLC	6801 216TH ST SW MOUNTLAKE TER WA 98043-2033	N/A	M2	GEN WAREHOUSING STORAGE	M1

## D1 Attachment 8: NE Tacoma Application

Table 2A: List of Parcels in the Impacted Area (continued)

Taxpayer	Taxpayer Mailing Address	Business Name	Current Zoning	Uses	Future Zoning
STELLFOX BARBARA J TTEE	35451 1ST AV S APT F 202 FEDERAL WAY WA 98003	N/A	C2, R2	REPAIR SERVICES	No Change
TARGA SOUND TERMINAL LLC	KE ANDREWS & COMPANY 1900 DALROCK RD ROWLETT TX 75088-5526	TARGA SOUND TERMINAL TI#57	S10, M2	PETRO INDUSTRIES	S10, M1
EX LAND LLC	PO BOX 1553 TACOMA WA 98401-1553	JASPER ENGINES AND TRANSMISSIONS	S10	REPAIR SERVICES	No Change
PRIGGE JEFFREY A	3001 MARINE VIEW DR TACOMA WA 98422-3508	BOAT TOP SHOP	C2, R2	REPAIR SERVICES	No Change
TARGA SOUND TERMINAL LLC	KE ANDREWS & COMPANY 1900 DALROCK RD ROWLETT TX 75088-5526	TARGA SOUND TERMINAL TI#57	S13, S10, M2	PETRO INDUSTRIES	S13, S10, M1
PORT OF TACOMA	PO BOX 1837 TACOMA WA 98401-1837	N/A	M1, C1, R2	COMM VACANT LAND	No Change
TERRAS COMPANY LLC	PO BOX 68697 SEATTLE WA 98168-0697	N/A	C2, R2	COMM VACANT LAND	No Change
POSTON ROBERT N ETAL	20195 NAGLEE RD TRACY CA 95304-9447	SOUND ROCK PRODUCTS	S10, M2	CONTRACTOR SERVICES	S10, M1
#NAME?	PO BOX 1837 TACOMA WA 98401-1837	N/A	M1, C1, R2	VAC INDUSTRIAL LAND	No Change
TERRAS COMPANY LLC	PO BOX 68697 SEATTLE WA 98168-0697	N/A	C2, R2	COMM VACANT LAND	No Change
TERRAS COMPANY LLC	PO BOX 68697 SEATTLE WA 98168-0697	N/A	C2, R2	COMM VACANT LAND	No Change
TARGA SOUND TERMINAL LLC	KE ANDREWS & COMPANY 1900 DALROCK RD ROWLETT TX 75088-5526	TARGA SOUND TERMINAL TI#57	S13, S10, M2	PETRO INDUSTRIES	S13, S10, M1
TARGA SOUND TERMINAL LLC	KE ANDREWS & COMPANY 1900 DALROCK RD ROWLETT TX 75088-5526	TARGA SOUND TERMINAL TI#57	S13, S10, M2	PETRO INDUSTRIES	S13, S10, M1
TERRAS COMPANY LLC	PO BOX 68697 SEATTLE WA 98168-0697	N/A	M1, C2, R2	COMM VACANT LAND	No Change
SWINDAHL PROPERTIES LLC	2218 MARINE VIEW DR TACOMA WA 98422-4111	MODUTECH MARINE INC	S13, S10, M2	MARINAS	S13, S10, M1
JOHNSON JUDY D & OLINE RONALD S	1940 MARINE VIEW DR TACOMA WA 98422-4108	HYLEBOS MARINA -- "D" DOCK	S13, S10, M2	MARINAS	S13, S10, M1

## D1 Attachment 8: NE Tacoma Application

Table 3A: List of Parcels in the Impacted Area (continued)

Taxpayer	Taxpayer Mailing Address	Business Name	Current Zoning	Uses	Future Zoning
WALRATH THOMAS E JR & TERI L & JAY LARRY	11405 24TH AVE E TACOMA WA 98445-5140	WALRATH TRUCKING	S13, S10, M2	CONTRACTOR SERVICES	S13, S10, M1
STOREY DOUGLAS M	7940 EAST SIDE DR NE TACOMA WA 98422-1167	N/A	C1, R2	AUTO REPAIR SERVICES	No Change
WALRATH THOMAS E JR & TERI L & JAY LARRY	11405 24TH AVE E TACOMA WA 98445-5140	WALRATH TRUCKING	S10, M2	CONTRACTOR SERVICES	S10, M1
WALRATH THOMAS E JR & TERI L & JAY LARRY	11405 24TH AVE E TACOMA WA 98445-5140	WALRATH TRUCKING	S10	CONTRACTOR SERVICES	No Change
PORT OF TACOMA	PO BOX 1837 TACOMA WA 98401-1837	N/A	C2, R2	COMM VACANT LAND	No Change
TARGA SOUND TERMINAL LLC	KE ANDREWS & COMPANY 1900 DALROCK RD ROWLETT TX 75088-5526	TARGA SOUND TERMINAL TI#57	S13, S10, M2	PETRO INDUSTRIES	S13, S10, M1
RAMSEY RICHARD A JR	227 BELLEVUE WAY NE # UNIT-166 BELLEVUE WA 98004- 5721	N/A	S10, M2	AG RELATED ACTIVITIES	S10, M1
EDMAN HOLDINGS LLC	EDMAN CO 2502 MARINE VIEW DR TACOMA WA 98422-3509	EDMAN COMPANY	S13, S10, M2	LUMBER & WOOD MFG	S13, S10, M1
MANKE TIMBER COMPANY INC	1717 MARINE VIEW DR TACOMA WA 98422-4104	MANKE LUMBER TI #35	M2, PMI, R2	VACANT LAND UNDEVELOPED	M1, R2
MANKE TIMBER COMPANY INC	1717 MARINE VIEW DR TACOMA WA 98422-4104	MANKE LUMBER TI #35	PMI	VAC INDUSTRIAL LAND	M1
MANKE TIMBER COMPANY INC	1717 MARINE VIEW DR TACOMA WA 98422-4104	MANKE LUMBER TI #35	S13, S10, PMI	LUMBER & WOOD MFG	S13, S10, M1
MANKE TIMBER COMPANY INC	1717 MARINE VIEW DR TACOMA WA 98422-4104	MANKE LUMBER TI #35	S13, S10, PMI	LUMBER & WOOD MFG	S13, S10, M1
PACIFIC NORTHWEST TERMINALS INC	1749 MARINE VIEW DR TACOMA WA 98422-4104	PACIFIC NW TERMINALS TALLOW TANK FARM	PMI	PETRO INDUSTRIES	M1
MANKE TIMBER COMPANY INC	1717 MARINE VIEW DR TACOMA WA 98422-4104	MANKE LUMBER TI #35	PMI	VAC INDUSTRIAL LAND	M1

## D1 Attachment 8: NE Tacoma Application

Table 4A: List of Parcels in the Impacted Area (continued)

Taxpayer	Taxpayer Mailing Address	Business Name	Current Zoning	Uses	Future Zoning
MANKE TIMBER COMPANY INC	1717 MARINE VIEW DR TACOMA WA 98422-4104	MANKE LUMBER TI #35	PMI, R2	LUMBER & WOOD MFG	M1, R2
GENERAL METALS OF TACOMA INC	PO BOX 847 CARLSBAD CA 92018-0847	GENERAL METALS TI #20	S13, S10, PMI	PRIM METAL INDUSTRIES	S13, S10, M1
JESSE INVESTMENTS LLC	1840 MARINE VIEW DR TACOMA WA 98422-4106	JESSE ENGINEERING	S13, S10, PMI	FAB METAL PRODUCTS	S13, S10, M1
GENERAL METALS OF TACOMA INC	PO BOX 847 CARLSBAD CA 92018-0847	GENERAL METALS TI #20	S13, S10, PMI	PRIM METAL INDUSTRIES	S13, S10, M1
MANKE TIMBER COMPANY INC	1717 MARINE VIEW DR TACOMA WA 98422-4104	N/A	S10, PMI, M2	VAC INDUSTRIAL LAND	S10, M1
GENERAL METALS OF TACOMA INC	PO BOX 847 CARLSBAD CA 92018-0847	GENERAL METALS TI #20	S13, S10, PMI	PRIM METAL INDUSTRIES	S13, S10, M1
1941 MARINE LLC	1941 MARINE VIEW DR TACOMA WA 98422-4107	N/A	S10, M2	VAC INDUSTRIAL LAND	S10, M1
JONES CHEMICALS INC	1765 RINGLING BLVD STE 200 SARASOTA FL 34236-6873	JONES CHEMICAL	S10, M2	CHEMICAL MFG	S10, M1
SUSSMAN LESLIE P ETAL	PO BOX 82464 KENMORE WA 98028-0464	N/A	PMI, R2, M2	VAC LND MAJOR PROBLEM	M1, R2
OLINE RONALD S	1940 MARINE VIEW DR TACOMA WA 98422-4108	N/A	M2	VAC INDUSTRIAL LAND	M1
1941 MARINE LLC	1941 MARINE VIEW DR TACOMA WA 98422-4107	EARTH TECH	S10, M2	CONTRACTOR SERVICES	S10, M1
GENERAL METALS OF TACOMA INC	PO BOX 847 CARLSBAD CA 92018-0847	GENERAL METALS TI #20	S13, S10, PMI	PRIM METAL INDUSTRIES	S13, S10, M1
DAS VIER LLC	1650 MARINE VIEW DR TACOMA WA 98422-4117	STREICH BROS	S13, S10, PMI	FAB METAL PRODUCTS	S13, S10, M1
ALEUTIAN PROPERTIES LLC	2157 N NORTHLAKE WAY STE 210 SEATTLE WA 98103-9186	J&G MARINE SUPPY/MASON MARINE SERVICES INC	S13, S10, PMI	FAB METAL PRODUCTS	S13, S10, M1
PORT OF TACOMA	PO BOX 1837 TACOMA WA 98401-1837	N/A	PMI	QUARRY SAND ROCK	M1
DAS VIER LLC	1650 MARINE VIEW DR TACOMA WA 98422-4117	STREICH BROS	S13, S10, PMI	FAB METAL PRODUCTS	S13, S10, M1
Taxpayer	Taxpayer Mailing Address	Business Name	Current Zoning	Uses	Future Zoning
NORDLUNDS PROPERTIES INC	1626 MARINE VIEW DR TACOMA WA 98422-4103	NORDLUND	S13, S10, PMI	MISC MFG	S13, S10, M1
PORT OF TACOMA	PO BOX 1837 TACOMA WA 98401-1837	CALBAG METALS CO/HERBERT CONSTRUCTION	S13, S10, PMI	GEN WAREHOUSING STORAGE	S13, S10, M1
USA IN TRUST	PUYALLUP TRIBE OF INDIANS 3009 E PORTLAND AVE TACOMA WA 98404-4926	N/A	S13, S10, PMI	IND INDIAN RESERVATION LAND	S13, S10, M1

## D1 Attachment 8: NE Tacoma Application

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5. *If the proposed amendment is associated with a geographic area, please describe how it is compatible with the existing and planned land uses and development patterns of the adjacent neighborhood and explain how it may further enhance the adjacent neighborhood.*

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The purpose of the proposed amendment is to provide a true buffer zone between the M-2 and PMI industrialized port zone and the adjacent residential areas. Currently there is no buffer zone along most of the Marine View Drive corridor between heavy industry and the residential areas. This lack of a buffer zone is a source of constant complaints and NET community dissatisfaction.

This proposed amendment will keep residential spread from reaching closer to the Port while providing an area for future development that will not adversely impact the existing M-2 and PMI in their current configurations or the growth of remaining M-2 or PMI areas.

The reclassification of the affected areas to M-1 and/or PDB will still allow medium to high intensity uses that would ultimately provide sources of income and jobs for the NE community as well as additional tax revenue for the City of Tacoma. The M-1 zone classification is designed and intended as a buffer zone according to Tacoma Municipal Code 13.06.400. The PDB zone classification is designed and intended to provide limited areas for a mix of land uses that includes warehousing, distribution, light assembly, media, education, research, and limited commercial, which are lacking in the Northeast Tacoma neighborhood. This use is compatible adjacently with residential uses because is intended to have fewer off-site impacts than would be associated with purely industrial or community commercial areas.

## D1 Attachment 8: NE Tacoma Application

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5. *If the proposed amendment is associated with a geographic area, please describe the applicant's interest in the affected property. Describe any plans for future activity related to or connected with this site. If you are not the owners, submit proof that the property owners have been notified and are aware of the application.*
- 

The applicant's interest in the geographic area is only as residents who live in NE Tacoma. None of the parties has any ownership or financial interest in the affected properties. A parcel search was conducted (attached) and all property owners were mailed a letter on March 7, 2017. Copies of all the letters that were mailed to impacted businesses are attached in Appendix A.

## D1 Attachment 8: NE Tacoma Application

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6. *Describe any community outreach you have conducted (i.e., when and how you contacted affected and abutting property owners and neighbors), and any community response received to the proposed amendment. Attach any letter(s) of support or written community response, if applicable.*

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The following outreach activities have occurred:

- Presentation to NE Tacoma Neighborhood Council on 3/2/17
- Letter mailed to all parcels in proposed area on 3/7/17
- Request for feedback via email to NE Tacoma Neighborhood Council
- Invitation to Open House for all impacted businesses on 3/23/17 at residential home in NE Tacoma
- Meeting with Pointe Woodworth HOA 3/18/17
- Presentation to Port of Tacoma Commissioner Don Meyer, Staff, and Robert Thoms on 3/22/17

To date, we have received one email from Troy Goodman with Targa inquiring about the amendment. We forwarded him a copy of the letter that was mailed and invited him to attend the open house on 3/23/17.

Additionally, John Thurlow, former Chair of the NE Tacoma Neighborhood Council has expressed his concerns related to any rezoning and impact to heavy industrial interests on Marine View Drive.

**Several letters of support regarding the proposed amendment are included in Appendix B.**

The Open House on 3/23/17 was attended by the following companies:

- Mark Miller, Macmillan-Piper, Inc
- Evette Mason, Port of Tacoma
- Mike Weinman, Schnitzer
- Rick Brown, Trident Seafoods
- Paul Watson, Fastco
- Jenn Adnen, EDB Tacoma-Pierce Co
- Tol Edman, Edman Company
- Bruce Martin, Westrock Tacoma
- Gary Cox, Sperry
- Jackie White, Westrock
- James Marshall, Vigor
- Nick Nicholas, Calbag Metals
- Bett Lucas, Targa
- Lawson Bronson, Youth Marine Foundation
- Darrin Swindahl, Modutech Marine
- Carl Swindahl, Modutech Marine
- Ron Oline, Hylebos Marina
- Gary Nordlund, Nordlund Properties

## D1 Attachment 8: NE Tacoma Application

Through this meeting, we learned that various dynamic relationships exist among businesses in the tide flats that may extend the impact of the zoning beyond its boundaries. Since these relationships are dependent on the supply chain of different economic actors and their other business and personal relationships, we feel it would be best if future public outreach would be guided by the City of Tacoma and its staff, and designed to involve selected individuals by all parties equally represented (i.e. businesses and citizens) in the scheduling and organization of these outreach events. Since this amendment is intended to begin a civic conversation on the need to establish a buffer, traditional public outreach sessions should be designed to allow for dialogue and limit adversarial conversations.

## D1 Attachment 8: NE Tacoma Application

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8. *Please provide any supplemental information, which may include, but is not limited to, completion of an environmental checklist, wetland delineation study, visual analysis, or other studies.*

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Attached to this report is the following supplemental information:

- Appendix C: Noise complaints related to Schnitzer Steel Operations
- Appendix D: Odor complaints related to heavy industries
- Appendix E: Lab analysis from Dust Sample in NE Tacoma Neighborhood
- Appendix F: Presentation used for outreach to affected businesses, neighborhood council, and other stakeholders.



City of Tacoma  
Planning and Development Services

**Agenda Item  
D-2**

**To:** Planning Commission  
**From:** Lauren Flemister, Planning Services Division  
**Subject:** **Emergency Temporary Shelters Interim Regulations**  
**Meeting Date:** June 21, 2017  
**Memo Date:** June 15, 2017

The City Council adopted Ordinance No. 28432 on June 6, 2017, enacting interim zoning and land use controls as an emergency measure to permit the City to site temporary emergency shelters in response to a declared public emergency. By the ordinance, the Council also set a public hearing date for July 25, 2017, and referred the interim regulations to the Planning Commission for review and recommendation. The adoption of this ordinance was a follow-up action of the Council's declaration of a state of public health emergency relating to the conditions of homeless encampments, as per Ordinance No. 28430, adopted on May 9, 2017.

At the meeting on June 21, 2017, the Commission will review the interim regulations and associated background information and determine the path forward. Attached to facilitate the Commission's review and discussion are Ordinance No. 28432, Ordinance No. 28430, as well as a tentative project schedule that represents a viable option for the path forward.

If you have any questions, please contact me at (253) 905-4146 or [lflemister@cityoftacoma.org](mailto:lflemister@cityoftacoma.org).

Attachments (3)

c. Peter Huffman, Director





## ORDINANCE NO. 28432

1 AN ORDINANCE relating to zoning and land use controls; adopting interim zoning  
2 and land use controls as an emergency measure to permit the City to site  
3 temporary emergency shelters in response to a declared public  
4 emergency; to be effective for a period of six months; setting a public  
5 hearing date for July 25, 2017; referring the interim regulations to the  
6 Planning Commission for review and recommendation; and establishing an  
7 effective date

8 WHEREAS, on May 2, 2017, the City Council adopted Resolution  
9 No. 39716, directing the City Manager to promptly prepare and present to the City  
10 Council an Emergency Temporary Aid and Shelter Program to respond to the  
11 homelessness crisis and to prepare and present an ordinance declaring a state of  
12 emergency, and

13 WHEREAS, on May 9, 2017, the City Council passed Ordinance No. 28430,  
14 declaring a state of public health emergency relating to the conditions of homeless  
15 encampments located in the City, and

16 WHEREAS the City Council concluded therein, inter alia, that the ongoing  
17 suffering of individuals, families, and unaccompanied youth occupying homeless  
18 encampments, and the threat to the public health and safety, will continue in the  
19 absence of the immediate implementation of interim measures designed to meet  
20 the survival and safety needs of those persons, such as the provision of hygiene  
21 facilities; trash collection; sanitary facilities; temporary shelters; outreach and  
22 gateway services; safe and stable shelter; linkage to tailored services to meet each  
23 individual's unique needs; a connection to housing, social, public and mental  
24 health services; storage of property and safety; potable drinking water; solid waste  
25 disposal; and human waste disposal, and  
26



1 WHEREAS the City Manager has proposed and presented to the Mayor and  
2 City Council a three-phase Emergency Temporary Aid and Shelter Program to  
3 respond to the homeless crisis and the emergent conditions endangering the  
4 public health, safety, and welfare, and

5 WHEREAS the three-phase plan consists of mitigation of the conditions in  
6 homeless encampments in the first phase, providing emergency sheltering and  
7 transition services in the second phase, and providing long-term housing in the  
8 third phase, and

9 WHEREAS the second phase will include the City's establishment of  
10 temporary emergency shelter sites on public property, or private property made  
11 available by the owners to the City, to be managed and operated by the City, and  
12

13 WHEREAS such temporary emergency shelter sites provide needed  
14 community services in response to the declared public health emergency, and  
15

16 WHEREAS the provisioning of basic emergency shelter, temporary  
17 transitional shelters, and related supportive services for persons experiencing  
18 homelessness is consistent with Policies H-4.7 and H-4.8 of Goal H-4 of the Housing  
19 Element of the City's Comprehensive Plan, Policy PFS-6.9 of Goal PFS-6 of the  
20 Public Facilities and Services element of the Comprehensive Plan, and is  
21 consistent with the human and social needs community priorities identified in  
22 Tacoma 2025, to increase housing security so that everyone has shelter, and  
23

24 WHEREAS the current zoning and land use controls governing emergency  
25 housing do not address the need for establishment and operation of temporary  
26 emergency shelters by the City under the circumstances of a public emergency,



and require additional review and public hearings to develop suitable land use controls applicable during a declared state of emergency, and

WHEREAS while such amendments to the land use code are under consideration, and in response to the current state of emergency as declared by the City Council pursuant to Ordinance No. 28430, it is necessary to establish interim land use controls for a six month period to permit the establishment and operation of temporary emergency shelter sites, and

WHEREAS RCW 36.70A.390 and TMC 13.02.055 authorize the establishment of interim zoning controls when an emergency exists; provided that, a public hearing must be held within 60 days of passage of an ordinance adopting interim zoning controls, and

WHEREAS based upon the foregoing and the findings, conclusions and declaration of a public health emergency pursuant to Ordinance No. 28430, the City Council finds that it is in the best interest of the public health, safety, and welfare to adopt the interim zoning and land use controls as set forth in Exhibit "A," attached hereto, and

WHEREAS the City Council further desires to fix a time and date for public hearing for the purpose of considering the proposed interim zoning and land use controls; Now, Therefore,

**BE IT ORDAINED BY THE CITY OF TACOMA:**

Section 1. That the interim zoning and land use controls as set forth in Exhibit "A," attached hereto and incorporated by this reference as though fully set forth herein, are hereby adopted.



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Section 2. That the interim zoning and land use controls adopted hereby shall be in force and effect from the time of passage until 11:59 p.m. on November 14, 2017, unless sooner terminated or extended as provided by law.

Section 3. That Tuesday, July 25, at approximately 5:15 p.m., is hereby fixed as the time, and the City Council Chambers on the First Floor of the Tacoma Municipal Building, 747 Market Street, Tacoma, Washington, as the place when and where a public hearing shall be held on the interim zoning and land use controls adopted pursuant to this ordinance.

Section 4. That the City Clerk shall give proper notice of the time and place of said hearing.

Section 5. That, pursuant to Section 13.02.055 of the Tacoma Municipal Code, the City Council hereby refers these interim regulations to the Planning Commission for its review and to develop findings and a recommendation regarding the interim regulations prior to the City's Council's hearing on July 25, 2017.

Section 6. That, based upon the declaration of a public health emergency set forth at Ordinance No. 28430 and the findings of the City Council herein, a



1 public emergency exists, making this ordinance effective upon passage by an  
2 affirmative vote of a least six members of the City Council.

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4 Passed JUN 06 2017

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6 \_\_\_\_\_  
Mayor

7 Attest:

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City Clerk

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11 Approved as to form:

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14 Chief Deputy City Attorney

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## EXHIBIT "A"

### INTERIM LAND USE PROVISIONS EMERGENCY TEMPORARY SHELTERS

#### SECTION 1 – Purpose and Intent

The purpose of this ordinance is to provide regulatory guidance regarding the provision of emergency temporary shelters and associated support services to distressed persons requiring basic assistance after an emergency has been declared. This ordinance establishes an expedited process for approval of the nature, scope, form, design, and location of emergency temporary shelters established by the City in response to a declared public emergency.

#### SECTION 2 – Authority and Specific Responsibilities

The roles and responsibilities of key elected and appointed officials in times of emergency are set forth in the City Charter, the Tacoma Municipal Code ("TMC"), the City's Comprehensive Emergency Management Plan, and state law. The Director shall be vested with authority to give approvals, to make orders and rules, and to make or issue notices, licenses, permits, certificates, or other documents for the purposes set forth herein.

In carrying out the responsibilities of this ordinance, the Director shall coordinate with and may delegate, as appropriate, to the Administrator of Emergency Management (see TMC 1.10.040), the City's Emergency Management Team, individual City Departments, and/or outside agencies and humanitarian aid organizations. For example, per the City's Emergency Management Plan, the Neighborhood and Community Services Department is generally the lead implementing agency for temporary sheltering programs, with support from other departments and agencies, such as Tacoma Public Utilities, Environmental Services, Public Works, Police, Fire, Health, and Planning and Development Services.

#### SECTION 3 – Definitions

**Declared Public Emergency.** For purposes of this ordinance, a declared public emergency shall mean an emergency that has been declared or proclaimed to exist within the corporate limits of the City, by a governmental official, governing body or governmental agency vested with authority to declare or proclaim a public emergency within the corporate limits of the City.

**Director.** For purposes of this ordinance, director shall mean and refer to the Director of Emergency Management for the City of Tacoma, the director's successors and designees, and the administrator of Emergency Management



when acting on behalf of the director when the director is unable to carry out the director's duties.

Emergency. For purposes of this ordinance, emergency shall mean an event or set of circumstances: (a) which demands immediate action to preserve public health, protect life, protect public property, or to provide relief to any stricken neighborhood overtaken by such occurrences, or (b) which reaches such a dimension or degree of destructiveness as to warrant the City Council proclaiming the existence of a disaster or the Governor declaring a state of emergency in accordance with appropriate local and state statute, or (c) in which human health or safety is jeopardized and/or public or private property is imminently endangered, or (d) which has been declared an emergency by the Governor pursuant to Chapter 43.06 RCW

Emergency Temporary Shelter. For purposes of this ordinance, Emergency Temporary Shelter is defined as temporary living quarters and sites, along with related temporary support services, equipment, and facilities, provided by, or on behalf of, the City or other governmental entity in response to a declared public emergency. The emergency temporary shelter may include, but is not limited to, facilities such as tents, temporary structures, mobile structures, recreational vehicles, use of existing structures, etc.

#### **SECTION 4 – Approval of Emergency Temporary Shelters; Permitted Use**

In the event of a declared public emergency and when the Director has determined that there is a need for emergency temporary shelter, the Director shall have the authority, upon consultation with the appropriate public officials when and where practicable, to approve the nature, form, scope, design, and location, and provide oversight over, the erection, installation, implementation, management, and operation of emergency temporary shelters. Such approval and oversight shall be based upon the circumstances attendant to the declared public emergency and the need to protect public health, safety, or welfare through the provisioning and operation of emergency temporary shelter.

Notwithstanding any provision to the contrary in the City's land use codes or regulations, such emergency temporary shelters shall be a permitted use in any zone in the City and shall be exempt from land use regulations and standards, except to the extent that federal or state law mandates compliance with a particular land use regulation or standard and compliance has not been excepted pursuant to operation of state or federal law or a declaration of emergency by the Governor or federal official or agency vested with authority to declare a public emergency. The Director when exercising the authority set forth in this ordinance, and to the extent practicable given the limitations associated with the circumstances of the declared emergency, shall take into consideration the general intent and purpose of the City's land use and other regulations and the factors set forth below.



1 The implementation and management of emergency temporary shelters shall be  
2 consistent with the City's Comprehensive Emergency Management Plan, and  
3 shall, when and where practicable, given the limitations associated with the  
4 circumstances of the declared emergency, include consideration of factors such  
5 as:

- 6 • Access to basic health and sanitation services, such as food, solid and sanitary  
7 waste collection, and temporary water, power and other utility services;
  - 8 • Access to support services, such as healthcare, social services, counseling,  
9 legal services, and skill training;
  - 10 • Access to arterials, public transit, and other transportation services and  
11 facilities;
  - 12 • Minimizing impacts on businesses and residential neighborhoods;
  - 13 • Minimizing impacts on environmentally sensitive areas and features;
  - 14 • Site and facility designs and operations that ensure safety and security of the  
15 occupants and the surrounding community;
  - 16 • Reasonable accommodation for those with access and functional needs; and
  - 17 • Where feasible and appropriate, public outreach and engagement to gain the  
18 community's assistance in this effort.
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## ORDINANCE NO. 28430

1 AN ORDINANCE relating to public health and safety; declaring a state of public  
2 health emergency relating to the conditions of homeless encampments;  
3 authorizing such actions as are reasonable and necessary in light of such  
4 emergency to mitigate the conditions giving rise to such public health  
5 emergency; authorizing the Mayor to terminate the state of the public health  
6 emergency; establishing an effective date; and providing for sunset of the  
7 force and effect of this ordinance.

8 WHEREAS, in Tacoma and Pierce County and in communities throughout  
9 the nation, large numbers of individuals, families, and unaccompanied youth are  
10 experiencing homelessness due to such factors as job loss, stagnant and declining  
11 wages, family crisis, trauma, substance abuse, economic reasons, mental health  
12 issues, and loss of housing, and

13 WHEREAS communities like Seattle, Washington; Portland, Oregon; and  
14 Los Angeles, California, have declared states of emergency in order to provide  
15 emergency services and shelters for unsheltered individuals, families and  
16 unaccompanied youth, and

17 WHEREAS point in time counts conducted in the greater Tacoma and  
18 Pierce County area have identified 1,997 homeless persons in year 2012; 1,303 in  
19 year 2013; 1,474 in year 2014; 1,283 in year 2015; 1,762 in year 2016; and  
20 1,321 in year 2017, and

21 WHEREAS, despite the improving economy, on any given night in Tacoma  
22 approximately 500 people, including families and unaccompanied youth, can be  
23 found sleeping in parks, cars, and abandoned buildings, on streets and wooded  
24 areas, under highway overpasses, and in other places not meant for human  
25 habitation, and  
26



1 WHEREAS, of the 1,321 homeless persons counted in the point in time  
2 count for 2017, 21 percent were identified as chronically homeless, 14 percent  
3 were households with children, 39 percent were female, 14 percent were victims of  
4 domestic violence, 6 percent were unaccompanied youth and young adults,  
5 10 percent were veterans, and 41 percent were people of color, and

6 WHEREAS, in years 2015-2016, the unsheltered population in the greater  
7 Tacoma area increased by 46 percent and since 2010, the unsheltered homeless  
8 population had increased by 192 percent, with more individuals, families and  
9 unaccompanied youth living in places not fit for human habitation, and  
10

11 WHEREAS the supply of available temporary and permanent support  
12 housing for unsheltered persons residing in Tacoma is inadequate to meet  
13 demand, resulting in long lines for emergency shelters (the wait list for some  
14 shelters is as high as 100 people per night), a lack of other housing interventions,  
15 and long waits for temporary, permanent or supportive housing, leading to an  
16 increased number of unsheltered households, and  
17

18 WHEREAS, on any given night, over 50 homeless encampments can be  
19 found in Tacoma, some of which may be occupied by 100 or more persons, and  
20

21 WHEREAS conditions in homeless encampments endanger public health,  
22 are traumatic and expose occupants to communicable diseases like tuberculosis  
23 and respiratory illnesses, violence, malnutrition, and harmful weather exposures  
24 and exacerbate common conditions such as high blood pressure, diabetes, and  
25 asthma because there is no safe place to properly store medications or syringes,  
26 and



1 WHEREAS behavioral health issues such as depression or alcoholism often  
2 develop or are made worse for people living in homeless encampments, and these  
3 conditions frequently co-occur with a complex mix of severe physical, psychiatric,  
4 substance use, and social problems, and

5 WHEREAS, according to the National Health Care for the Homeless  
6 Council, persons “. . . experiencing homelessness are three to four times more  
7 likely to die prematurely than their housed counterparts, and experience an  
8 average life expectancy as low as 41 years . . . ,” and

9 WHEREAS health care services are not effective when a patient’s health is  
10 continually compromised by street and shelter conditions, and inpatient  
11 hospitalization or residential drug treatment and mental health care do not have  
12 lasting impacts when the patient is returned to a homeless environment, and

13 WHEREAS conditions in homeless encampments that result in occupants  
14 facing serious health and sanitation issues and which are dangerous to human  
15 health include: accumulation of uncontained garbage that becomes a food source  
16 for vermin, vectors (organisms that transmit diseases or parasites), and related  
17 pathogens; lack of proper food storage and clean dishes that can facilitate the  
18 spread of food-borne disease; lack of sanitary facilities to dispose of human and  
19 animal fecal waste; improper disposal of discarded medical and sharps waste;  
20 accumulation of combustible materials that can ignite; lack of access to  
21 handwashing and personal hygiene; lack of clean water; lack of access to healthy  
22 food (resulting in homeless individuals digging in garbage for food, increasing  
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health risks); and the victimization of homeless persons by both sheltered and non-sheltered persons, and

WHEREAS the potential for disease transmission within and external to a homeless encampment increases with the increasing number of homeless encampments and higher concentration of occupants, and

WHEREAS the increases in homeless encampments and higher concentrations of occupants, together with the lack of available services or facilities nearby, have a significant role in the scope and severity of public health issues and the urgency to take action to mitigate the conditions giving rise to this threat to public health and safety, and

WHEREAS the homeless encampments in the Tacoma area do not have on-site facilities for proper disposal of human waste, resulting in such waste being disposed of through use of makeshift latrines, buckets, or direct urination or defecation on the ground, and

WHEREAS improper disposal of sewage generated within homeless encampments, especially when there are high concentrations of occupants, has a high potential for community health impacts and significantly increases the exposure to pathogens, endangering the public health of the occupants and the surrounding community, and

WHEREAS handwashing is minimal and piles of solid waste often contain significant amounts of uncovered containers with human waste exposed to the environment, and



1 WHEREAS, in addition to the potential for an epidemic with diseases like  
2 Cholera, a much more pervasive threat to the public health is increased exposure  
3 to endemic illness that are already present in the community, including illness such  
4 as Hepatitis A, Rotaviruses, and a host of other parasitic, bacterial and viral  
5 pathogens, and

6 WHEREAS, based on the documented poor health conditions of individuals  
7 experiencing homeless and the sheer numbers of occupants of homeless  
8 encampments, it is very likely that the endemic illness is present in the  
9 encampment populations at this time and that such persons are suffering from  
10 such illnesses and will continue to suffer in the absence of action to mitigate the  
11 impacts to public health, and

12 WHEREAS poor handwashing, poor food handling, and the lack of proper  
13 food storage exacerbate public health impacts and increase the risk of foodborne  
14 illness, many forms of which are easily transmitted through sewage, and

15 WHEREAS homeless encampments observed in the City do not have  
16 on-site systems for proper collection, storage, or disposal of solid waste, resulting  
17 in significant piles of solid waste found at the homeless encampments, and

18 WHEREAS solid waste that is not properly stored and disposed of is a  
19 serious health hazard, leading to the spread of infectious diseases by, among  
20 other things, attracting vectors such as flies, rats, and other creatures that in turn  
21 spread disease, and  
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WHEREAS solid waste found in homeless encampments can pose a higher health risk because of the presence of semi-contained human waste that can be found in higher quantities than in residential solid waste, and

WHEREAS, for some homeless encampments, the Solid Waste Division of the Environmental Services Department (the "Solid Waste Utility") has provided large containers on the border of homeless encampments for occupants to place solid waste, and

WHEREAS, despite the fact that these solid waste containers are heavily used, a large percentage of solid waste remains at most of the larger homeless encampment sites, exemplifying the need to provide additional services to mitigate the risk to public health presented by homeless encampments, and

WHEREAS other environmental degradation can occur, such as surface water contamination due to runoff from garbage that can find its way into groundwater, rivers, and other waterbodies causing harm to people, fish, and wildlife, and litter blown away from homeless encampments that can lead to secondary issues such as blocking storm drains or harming wildlife, and

WHEREAS, the number and size of the homeless encampments found in the City of Tacoma have grown significantly over the last two years, and

WHEREAS the multiple encampments that the City is experiencing, together with the higher concentrations of occupants, is causing harm to the occupants and has a significant potential to affect public health in the community, and



1 WHEREAS, when an encampment is removed by the City or private parties,  
2 the occupants will generally move to or create another uncontrolled homeless  
3 encampment which spreads to a wider area the potential for community exposure  
4 to the negative health impacts associated with homeless encampments, and

5 WHEREAS the necessity for Solid Waste Utility services, including the  
6 collection and removal of solid and other waste (cleanups), being provided at  
7 homeless encampments in the City has been increasing because of the increase in  
8 the number of homeless encampment sites and the higher concentrations of  
9 occupants, and

10 WHEREAS, in 2016, the Solid Waste Utility's cleanup contractor cleaned up  
11 homeless encampments 40 times and so far in 2017, the pace for cleanups has  
12 been nearly 50 percent higher, based on the first four months of the year, which  
13 could result in double the number of cleanups performed in 2016, and

14 WHEREAS the conditions found in homeless encampments in City create  
15 significant health hazards related to sewage and solid waste associated with the  
16 larger encampments and the risk to both the inhabitants and the community is  
17 growing as more and larger homeless encampments are created and spread  
18 across the City, and

19 WHEREAS the foregoing conditions, including the continuing and increasing  
20 presence of homeless encampments in the City of Tacoma together with the large  
21 concentrations of occupants in some of those homeless encampments, the lack of  
22 adequate and proper on-site health and sanitation services and practices that will  
23 prevent the spread of disease and the contamination of the environment, and the  
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1 lack of available services to address the public health and safety needs of the  
2 occupants, pose a significant, direct and immediate threat to the health of the  
3 inhabitants and a real and emergent threat to the health of the surrounding  
4 community, and warrant a dramatically larger, extraordinary and urgent effort to  
5 provide services as described below that will reduce the number of homeless  
6 encampments, the high concentration of occupants, and mitigate the conditions of  
7 the homeless encampments that harm public health and safety, and

8           WHEREAS many of these conditions can be mitigated through interim  
9 measures designed to meet the immediate survival and safety needs of those  
10 persons occupying homeless encampments, such as the provision of hygiene  
11 facilities, trash collection, sanitary facilities, potable drinking water, temporary  
12 shelters, and outreach and gateway services within the encampments; providing a  
13 safe and stable place to live; linkage to tailored services to meet each individuals  
14 unique needs; a connection to housing, social, public and mental health services;  
15 storage of personal belongings and safety; solid waste disposal; and human waste  
16 disposal, and  
17 disposal, and

18           WHEREAS these conditions arise from human-made events and present an  
19 existing and ongoing threat of significant harm to human health and life, requiring  
20 that the City take immediate action, and  
21 that the City take immediate action, and  
22 that the City take immediate action, and

23           WHEREAS the existing scope, intensity, and impact of the conditions of  
24 homeless encampments upon the public health, safety and welfare and the  
25 essential governments functions related to sanitation, could not reasonably have  
26 been foreseen, and  
27 been foreseen, and



1 WHEREAS, the City Council, having considered the records on file with the  
2 City Clerk, including the declaration of the Environmental Services Solid Waste  
3 Division Manager, and other publicly available information regarding homelessness  
4 in general and in the region, and having been in all matters fully advised, finds that  
5 it is in the best interest of the public health, safety, and welfare for the City Council  
6 to declare a state of public health emergency and authorize such actions as are  
7 reasonable and necessary to mitigate the conditions giving rise to such  
8 emergency; Now, Therefore,

9 BE IT ORDAINED BY THE CITY OF TACOMA:

10 Section 1. That the above-stated recitals are adopted as findings of the City  
11 Council and are incorporated by this reference as though fully set forth herein.

12 Section 2. That the City Council hereby makes the following conclusions:

13 A. The risk to the health and safety of the occupants of homeless  
14 encampments located in Tacoma, including families and unaccompanied youth,  
15 and to the community at large is growing as more homeless encampments are  
16 created in the City and as concentrations of occupants within individual homeless  
17 encampments increase.

18 B. The lack of adequate and proper on-site health and sanitation  
19 services and practices found in homeless encampments in the City creates an  
20 intolerable and imminent risk of the spread of disease and contamination of the  
21 environment and compounds the human suffering of those persons occupying  
22 homeless encampments.

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1 C. The ongoing suffering of individuals, families, and  
2 unaccompanied youth occupying homeless encampments, and the threat to the  
3 public health and safety, will continue in the absence of the immediate  
4 implementation of interim measures designed to meet the immediate survival and  
5 safety needs of those persons, such as the provision of hygiene facilities, trash  
6 collection, sanitary facilities, temporary shelters, outreach and gateway services,  
7 safe and stable shelter, linkage to tailored services to meet each individual's  
8 unique needs, a connection to housing, social, public and mental health services,  
9 storage of property and safety, potable drinking water, solid waste disposal, and  
10 human waste disposal.  
11

12 D. The humane-made conditions in homeless encampments are  
13 ongoing and have resulted in injury to persons, destruction of property,  
14 environmental degradation, and threat to the health and safety of the inhabitants  
15 and the public in general of such a degree and proportion that, in the absence of  
16 taking extraordinary measures to protect the public health, safety and welfare,  
17 such injuries, human suffering, environmental degradation, public harm and threat  
18 to the public health will continue and will intensify.  
19

20 E. These conditions create an unforeseen imminent, genuine, and  
21 substantial threat to the public health, welfare, and safety and constitute a public  
22 health emergency, warranting the need for urgent action to preserve public health,  
23 protect life, and protect public property, and  
24

25 F. Such conditions warrant the exercise of the City's power to  
26 declare a public health emergency under authority of Article XI, Section 11, of the



1 State Constitution, Chapter 38.52 RCW, Chapter 39.04 RCW, RCW 35.33.081,  
2 WAC 197-11-880 and other applicable laws and regulations, and pursuant to  
3 Section 2.4 of the Tacoma City Charter, Chapters 1.06, 1.10, and 8.96 of the  
4 Tacoma Municipal Code, and pursuant thereto, and the authorization of such  
5 extraordinary measures as are reasonable and necessary in light of such public  
6 health emergency to mitigate the conditions giving rise the public emergency.

7 Section 3. That, based upon the foregoing findings and conclusions, the  
8 City Council does hereby proclaim and declare a state of public health emergency  
9 in the City of Tacoma; Therefore,  
10

11 A. The City Manager, as Director of Emergency Management for the  
12 City of Tacoma (the "Emergency Management Director"), is authorized and  
13 empowered to carry out those powers and duties given to the Emergency  
14 Management Director pursuant to Chapter 1.10 TMC as are reasonably necessary  
15 in light of the public health emergency as declared herein.  
16

17 B. The Mayor is authorized and empowered to carry out those  
18 powers and duties given to the Mayor pursuant to Chapters 1.10 and 8.96 TMC as  
19 are reasonably necessary in light of the public health emergency as declared  
20 herein.  
21

22 C. The Chief of the Tacoma Fire Department, as Administrator of  
23 Emergency Management of the City of Tacoma (the "Administrator"), is authorized  
24 and empowered to carry out those powers and duties given to the Administrator  
25 pursuant to Chapter 1.10 TMC as are reasonably necessary in light of the public  
26 health emergency as declared herein.



1 D. Those departments, officers, and employees of the City  
2 designated under the City's Emergency Management Plan are authorized and  
3 empowered to carry out those powers and duties given to such departments,  
4 officers, and employees as are reasonably necessary in light of the public health  
5 emergency as declared herein.

6 E. In carrying out the powers and duties as described above, the  
7 Emergency Management Director, the Administrator, and departments, officers,  
8 and employees of the City designated under the City's Emergency Management  
9 Plan, are authorized, among other things, to do the following:

10 (1) enter into contracts and incur obligations necessary to combat  
11 such emergency situations to protect the health and safety of persons and  
12 property;

13 (2) provide appropriate emergency assistance to those persons  
14 occupying homeless encampments; and

15 (3) take other actions, as appropriate, in response to such  
16 emergency.

17 The powers and authority vested under this declaration and  
18 proclamation shall be exercised in the light of the exigencies of such emergency  
19 situation without regard to time consuming procedures and formalities prescribed  
20 by law (excepting mandatory constitutional requirements and such other  
21 requirements of law that are not superseded under authority of this emergency  
22 declaration).



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Section 4. That the City Council shall, no later than 120 days after the effective date of this ordinance, review the conditions that have given rise to this public health emergency to determine if such conditions warrant keeping in place the extraordinary measures authorized herein to response to this public health emergency.

Section 5. That Mayor shall have authority to terminate the state of the public health emergency declared and proclaimed pursuant to this ordinance.

Section 6. That this ordinance shall sunset and no longer be in force or effect at 11:59 p.m. on October 9, 2017.

Section 7. That, based upon the facts and conclusions as specified herein, a public emergency exists, making this ordinance effective upon passage by an affirmative vote of a least six members of the City Council.

Passed           MAY 09 2017          

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Clerk

Approved as to form:

  
\_\_\_\_\_  
Chief Deputy City Attorney





# Emergency Temporary Shelters Interim Regulations

## (Proposed Revisions to the Land Use regulatory Code)

### Schedule (as of June 6, 2017)

Color Keys:

City Council
Planning Commission

Date	Event
June 6, 2017	<b>City Council</b> – Enact emergency interim regulations concerning emergency temporary shelters, effective for 6 months; set July 25 for a public hearing; request the Planning Commission to formulate findings of fact and recommendation to justify the adoption of the interim regulations. (Ordinance No. 28432)
June 21	<b>Planning Commission</b> – Review Council’s request.
July 19	<b>Planning Commission</b> – Develop and forward to the Council the findings of fact and recommendation justifying the need for the interim regulations, along with the work plan for permanent regulations.
July 25	<b>City Council</b> – Study Session on the draft interim regulations, the Commission’s findings of fact and recommendation, and the work plan.
July 25	<b>City Council</b> – Public Hearing on the draft interim regulations and the findings of fact and recommendation on the need for the measure.
August 2	<b>Planning Commission</b> – Review comments received at Council’s hearing and begin developing draft permanent regulations.
August 16	<b>Planning Commission</b> – Develop draft permanent regulations.
September 20	<b>Planning Commission</b> – Release draft permanent regulations for public review and set October 18 for a public hearing.
October 18	<b>Planning Commission</b> – Public Hearing on the draft permanent regulations, leaving hearing record open through October 25.
November 1	<b>Planning Commission</b> – Review public hearing comments, modify the draft permanent regulations accordingly, and forward the recommended permanent regulations to the Council.
November 7	<b>City Council</b> – Resolution to set public hearing date for November 21.
November 21	<b>City Council</b> – Study Session to review the recommended permanent regulations.
November 21	<b>City Council</b> – Public Hearing on the recommended permanent regulations.
November 28	<b>City Council</b> – First reading of ordinance adopting permanent regulations.
December 5	<b>City Council</b> – Final reading of ordinance adopting permanent regulations, effective immediately.





City of Tacoma  
Planning and Development Services

**Agenda Item  
D-3**

**To:** Planning Commission  
**From:** Lihuang Wung, Planning Services Division  
**Subject:** **Marijuana Use Buffer Interim Regulations**  
**Meeting Date:** June 21, 2017  
**Memo Date:** June 15, 2017

The City Council adopted Resolution No. 39742 on June 6, 2017, requesting the Planning Commission to consider amending the Tacoma Municipal Code, relating to the zoning of marijuana uses, on an interim basis, by adding local definitions of “Playground” and “Recreation center or facility”, in order to protect Metro Parks Tacoma-owned playgrounds and recreation centers and facilities to the level intended by the state, but currently not covered by state definitions.

At the meeting on June 21, 2017, the Commission will review the Council’s request and associated background information and determine the path forward. Specifically, the Commission will review the following materials, as attached herein:

1. Resolution No. 39742, June 6, 2017, initiating the interim regulations process;
2. Council Consideration Request (CCR), Deputy Mayor Robert Thoms, May 4, 2017, requesting the Council to consider marijuana code amendment;
3. Memo from the City Attorney’s Office to the City Manager, May 1, 2017, calling out the issue and the need for amending the code; and
4. Project Schedule, June 15, 2017, representing a viable option for the path forward.

If you have any questions, please contact me at (253) 591-5682 or [lwung@cityoftacoma.org](mailto:lwung@cityoftacoma.org).

Attachments (4)

c. Peter Huffman, Director





## RESOLUTION NO. 39742

1 BY REQUEST OF DEPUTY MAYOR THOMS

2 A RESOLUTION relating to interim zoning; requesting that the Planning  
3 Commission consider amending Chapter 13.06 of the Tacoma Municipal  
4 Code, relating to the zoning of marijuana uses, on an interim basis, by  
5 adding local definitions of "Playground" and "Recreation center or facility,"  
6 in order to protect Metro Parks Tacoma-owned playgrounds and  
7 recreation centers and facilities to the level intended by the state, but  
8 currently not covered by state definitions.

9 WHEREAS the City's marijuana land use regulations, as set forth in  
10 Amended Ordinance No. 28361, adopted on May 24, 2016, and found at  
11 Section 13.06.565 of the Tacoma Municipal Code, are barely a year old, and

12 WHEREAS Washington State's regulatory framework for licensing and  
13 regulating the production, processing and retail sale of marijuana is also relatively  
14 new, and

15 WHEREAS City staff has discovered a gap between the state's intent to  
16 require greater setback buffers for public playgrounds and recreational centers and  
17 facilities and the state's definitions for these sites, found at Washington  
18 Administrative Code ("WAC") 314-55-010(24)-(27), and

19 WHEREAS this gap arises from the state's unintended omission of  
20 "metropolitan parks districts" from the ownership paradigm in the WAC definitions  
21 of "Playground" and "Recreation center or facility," and

22 WHEREAS the City understands that the state intends to correct this  
23 omission in its definitions, but it may take some time to do so; in the meantime, the  
24 City can prevent conflicts from arising in local permitting, as has already happened,  
25 by adding these two definitions in the TMC on an interim basis, and  
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WHEREAS adding local definitions into the City's marijuana regulations for  
“Playground” and “Recreation center or facility” that include ownership by a  
metropolitan parks district will alleviate the problems that have arisen in permitting  
marijuana uses that appear to conform with the state definitions, but not with the  
state’s intent, until such time as the state corrects its own definitions; Now,  
Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the City Council hereby requests that the Planning Commission  
consider amending Chapter 13.06 of the Tacoma Municipal Code, relating to  
Zoning, on an interim basis, by adding local definitions of “Playground” and  
“Recreation center or facility” as shown in Exhibit “A” hereto, in order to protect  
Metro Parks Tacoma-owned playgrounds and recreation centers and facilities to  
the level intended by the state, but currently not covered by state definitions.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney



EXHIBIT "A"

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**13.06.565 Marijuana Uses.**

A. Intent. In November 2012, Washington voters passed Initiative 502, which establishes precedent for the production, processing and retail sale of marijuana for recreational purposes. In April 2015, the state Legislature enacted two laws, 2SSB 5052 and 2E2SHB 2136. The new laws establish regulations for the formerly unregulated aspects of the marijuana system, establish a "medical marijuana endorsement" that allows licensed marijuana retailers to sell medicinal marijuana to qualifying patients and designated providers, and attempt to align these changes with the existing recreational system.

Pursuant to RCW 69.50, the State has adopted rules establishing a state-wide regulatory and licensing program for marijuana uses (WAC 314-55). It is therefore necessary for the City to establish local regulations to address such uses.

It is the intent of these regulations to ensure that such state-licensed uses are located and developed in a manner that is consistent with the desired character and standards of this community and its neighborhoods, minimizes potential incompatibilities and impacts, and protects the public health, safety and general welfare of the citizens of Tacoma.

Recognizing the voter-approved right to establish certain types of marijuana businesses, it is also the intent of these regulations to provide reasonable access to mitigate the illicit marijuana market and the legal and personal risks and community impacts associated with it.

B. Applicability. The provisions of this Section shall apply city-wide. The specific development standards provided in this Section shall be in addition to the zoning and development standards generally applicable to the proposed use and the relevant zoning district. All licensed marijuana uses are required to fully comply with the provisions of this Section.

1. No Marijuana use as regulated herein and in WAC 314-55, that existed prior to the enactment of Ordinance No. 28182 on November 5, 2013, shall be deemed to have been a legally established use or entitled to claim legal non-conforming status.

2. As of July 1, 2016, in accordance with state law, collective gardens are prohibited.

3. For purposes of this Section and the standards applicable to state-licensed marijuana uses, the terms and definitions provided in WAC 314-55 shall ~~generally~~ apply ~~unless the context clearly indicates otherwise~~ except for the following definitions:

(a) "Playground" means a public outdoor recreation area for children, usually equipped with swings, slides, and other playground equipment, owned and/or managed by a city, county, state, or federal government, or a metropolitan parks district.

(b) "Recreation center or facility" means a supervised center that provides a broad range of activities and events intended primarily for use by persons under twenty-one years of age, owned and/or managed by a charitable nonprofit organization, city, county, state, or federal government, or a metropolitan parks district.



**CITY OF TACOMA, WASHINGTON  
OFFICE OF THE CITY COUNCIL  
COUNCIL CONSIDERATION REQUEST (CCR)**

**TO:** Mayor & City Council  
**FROM:** Deputy Mayor Thoms and Council Assistant Brad Forbes  
**COPIES TO:** Elizabeth Pauli, Acting City Manager; Mark Lauzier, Assistant City Manager;  
Bill Fosbre, Acting City Attorney; Executive Leadership Team; File  
**SUBJECT:** Marijuana uses buffer  
**DATE:** May 4, 2017

---

**ITEM/ISSUE PROPOSED FOR COUNCIL CONSIDERATION:**

**I ask for your support for the inclusion of the following item on the agenda at the earliest available meeting of the Study Session:**

I respectfully ask the City Council to amend the City of Tacoma's marijuana regulation ordinance to include Metropolitan Park District parks, recreation centers, facilities, and playgrounds in the 1,000 foot buffer zone for marijuana uses.

**BRIEF BACKGROUND:**

It is clear from the relevant statutes and regulations (RCW 69.50.331(8) (a) and (b) and WAC 314-55-050(10)-(11)) that the State Legislature and the Washington State Liquor and Cannabis Board intended public playgrounds to be in a class of uses having the highest level buffer from marijuana uses. The buffer for parks, recreation centers, and facilities can be reduced, but the City's ordinance is presently unclear about any such reduction. The gap for playgrounds arises from the State's failure to include playgrounds (and recreation centers and facilities) owned by a metropolitan parks district in its definitions.

**FUNDING REQUESTED:**

This action does not require any funding.

**If you have any questions related to the Council Consideration Request, please contact Brad Forbes at 253-591-5166 or [bforbes@cityoftacoma.org](mailto:bforbes@cityoftacoma.org).**

**SUBMITTED FOR COUNCIL CONSIDERATION BY:** \_\_\_\_\_  
Deputy Mayor Thoms

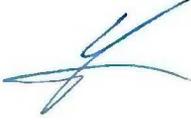
**SUPPORTING COUNCILMEMBERS SIGNATURES (2 SIGNATURES ONLY)**

*(Signatures demonstrate support to initiate discussion and consideration of the subject matter by City Council for potential policy development and staff guidance/direction.)*



1. \_\_\_\_\_

**Mayor**



2. \_\_\_\_\_

**POS# 7**



**TO:** Interim City Manager, Elizabeth A. Pauli  
PDS Director, Peter Huffman

**FROM:** Jeff Capell, Deputy City Attorney *JAC*  
Bill Fosbre, Acting City Attorney *BF*

**SUBJECT:** Marijuana Regulation; "Playground" Definition

**DATE:** May 1, 2017

Given the relative newness of the State's marijuana regulations, there was bound to be some glitches and gaps in their implementation. The City has become well acquainted with one of these in the form of the Washington Administrative Code ("WAC") definition of "playground." By way of background, it is clear from applicable statutes and regulations<sup>1</sup> that the State Legislature and the Washington State Liquor and Cannabis Board (the "Board") intended public playgrounds to be in a class of uses having the highest level of buffer protection from marijuana uses. By comparison, the buffer for other uses, such as a public transit center or library, can be reduced by local ordinance anywhere from 999 feet down to a minimum of 100 feet potentially. It should also be noted that the State has very clear preemptive authority when it comes to marijuana regulation.<sup>2</sup>

The gap presently at issue arises from the State's failure to include playgrounds owned by a metropolitan park district in its definition of "playground" at WAC 314-55-010 (25). In contrast, the State's definition of "park" does account for ownership by a metropolitan park district ("MPD").<sup>3</sup> The State does not consider parks and playgrounds to be mutually exclusive. In other words, a given facility could be both a park and a playground depending on whether facilities indicative of both are present.

In discussions with the Board and its legal counsel, the Board represented that its omission of MPDs from ownership in the "playground" definition was unintentional and that the Board will most likely correct that omission in its next round of rulemaking. This correction will likely not happen until sometime after the current legislative session is complete. In the meantime, by letter dated February 22, 2017, the Board has suggested that the City may want to submit a petition for amendment of the playground definition

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<sup>1</sup> e.g. RCW 69.50.331(8) (a) and (b) and WAC 314-55-050(10)-(11).

<sup>2</sup> RCW 69.50.608, titled "State preemption."

<sup>3</sup> WAC 314-55-010(24).

more formally under RCW 34.05.330 titled "Petition for adoption, amendment, repeal—Agency action—Appeal."

On a more immediate stage, the City has had one variance application for a marijuana production facility within 1,000 feet of a MDS owned playground that was (1) first denied by the PDS Director for lack of authority, (2) then reversed by the Hearing Examiner, (3) thereafter granted by the PDS Director, only to (4) be denied for licensing by the State (all referred to as the "Gosselin App"). According to the variance applicant, Tim Gosselin, the State's denial stated that the City has no authority to grant a variance for the subject location for marijuana production,<sup>4</sup> which brought the Gosselin App full circle.<sup>5</sup> The City now has another, similar variance application pending for a location within 1,000 feet of a MPD playground/park combo. It is unlikely that the State will grant a license for this location given the result in the Gosselin App, regardless of how the City handles the variance application.

In the Hearing Examiner decision on the Gosselin App, the Hearing Examiner recognized the Board's admission that it inadvertently omitted MPDs from the playground definition, and the incongruity that omission created with the stated intent to provide greater protection to playgrounds. That notwithstanding, she concluded that she had to follow the language of the "playground" definition as written and reversed the PDS Director's denial of the variance. She did suggest in her decision that the City could amend its own ordinance to include MPD playgrounds in the 1,000 foot buffer zone in advance of any amendment by the State. Given that the State has refused to license the marijuana use at Gosselin's property, it would make sense to amend the TMC in this manner in order to not perpetuate the disconnect between the City and the Board's approach that exists at present.

At the suggestion of the Board, the City has, by letter, already requested that the Board fix the definition of playground to include expressly those owned by Metro Parks Tacoma, our local MPD. Unless there is a valid reason to differentiate, the same fix should be requested for the definition of "Recreation center or facilities," which also does not account for ownership by a MPD. Examples of "Recreation center or facilities" in Tacoma owned by Metro Parks Tacoma would include the Star Center, the Center at Norpoint, and the Portland Ave. Community Center.

Please feel free to call me with any questions or concerns.

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<sup>4</sup> The subject location is within 1,000 feet of MPD owned Irving Park, which according to the State, is both a park and a playground.

<sup>5</sup> It is fairly apparent that the State does not believe a variance to be an appropriate vehicle for reducing buffers, as opposed to having an across-the-board reduction written into the local code.



# MARIJUANA INTERIM REGULATIONS

## PROPOSED AMENDMENTS TO THE LAND USE REGULATORY CODE

### SCHEDULE

(As of June 15, 2017)

**Color Keys:**

City Council
Planning Commission
Staff

Date	Actions
June 6, 2017	<b>City Council</b> – Resolution No. 39742 requesting the Planning Commission to consider amending TMC 13.06.565.B.3 on an interim basis.
June 21	<b>Planning Commission</b> – Review Council’s request and the scope of work for developing the interim regulations
June 27	<b>Stakeholder Notification</b> – Send letters to all existing and potential marijuana businesses on record, notifying them of the Planning Commission’s meeting on July 19 when a recommendation is expected.
July 19	<b>Planning Commission</b> – Develop findings and recommendations, recommending enacting interim regulations for one year, with the work plan being to follow up on the State’s plan to revise the definition.
July 25	<b>City Council</b> – Resolution to set a public hearing on August 8
July 26	<b>Stakeholder Notification</b> – Send notice and letters to all existing and potential marijuana businesses on record, notifying them of the City Council’s public hearing
August 8	<b>City Council</b> – Public Hearing on the Interim Regulations and the Planning Commission’s findings of fact and recommendations
August 15	<b>City Council</b> – First reading of ordinance adopting Commission’s findings and recommendations and interim regulations.
August 22, 2017	<b>City Council</b> – Final reading of ordinance (effective immediately, for one year, through August 21, 2018)



City of Tacoma  
Planning and Development Services

**Agenda Item  
D-4**

**To:** Planning Commission  
**From:** Lihuang Wung, Planning Services Division  
**Subject:** **Planning Commission Annual Report for 2016-2017**  
**Date of Meeting:** June 21, 2017  
**Date of Memo:** June 15, 2017

At the next meeting on June 21, 2017, the Planning Commission will review and consider approving the draft annual report for 2016-2017 (attached) that highlights the Commission's accomplishments between July 2016 and June 2017 and outlines the planning work program for 2017-2019.

This annual report is prepared pursuant to Section 13.02.040.L of the Tacoma Municipal Code that requires the Commission to "develop the work program for the coming year in consultation with the City Council and provide an annual report to the City Council regarding accomplishments and the status of planning efforts undertaken in the previous year."

The Commission has completed the development of the Planning Work Program for 2017-2019 (approved at the last meeting on June 7) and forwarded it the City Council's Infrastructure, Planning and Sustainability Committee for its review. At its meeting on June 14, the Committee provided some comments on the scope of work of certain items, and voiced its concurrence with the work program.

The work program is included in the draft annual report as Part II. Note that what is included is only the summary portion, while the full text (with the description of each project) is on file with the department and available upon request.

If you have any questions, please contact me at 591-5682 or [lwung@cityoftacoma.org](mailto:lwung@cityoftacoma.org).

Attachment

c: Peter Huffman, Director





## Planning Commission Annual Report 2016-2017

June 21, 2017

This report, prepared pursuant to the Tacoma Municipal Code, Section 13.02.040.L, highlights the Planning Commission's accomplishments between July 2016 and June 2017 and outlines the planning work program for the general timeline of July 2017 through December 2019.

### Part I. Accomplishments 2016-2017

#### A. Projects Reviewed:

- **Assessment of Applications for the 2017-2018 Amendment**

For the 2017-2018 Amendment to the *One Tacoma* Comprehensive Plan and Land Use Regulatory Code, the Planning Commission received 6 private applications by the deadline of March 31, 2017. The Commission also reviewed numerous projects proposed by City departments ("public applications"). The following is a list of proposals that the Commission had reviewed and considered:

- **Future Land Use Implementation Phase 2** – To evaluate and rectify inconsistencies between the Future Land Use Map and the existing zoning throughout the City (Reviewed on August 17, 2016)
- **2018 Amendment Outreach Plan** – This plan was developed to comply with the goals and policies of the Engagement, Administration + Implementation Chapter of the *One Tacoma Plan* (Reviewed on October 5, 2016)
- **Commercial Zoning Update** – Seeking to better align the City's T, C-1, C-2, and PDB districts with both the existing and planned use and development patterns within the City's commercial districts. (Reviewed on October 5, 2016)
- **Institutional Campus Zoning** – Assessing methods to ensure that new and/or expansion of existing major campus institutions successfully implement the goals and policies of the *One Tacoma Plan*. (Reviewed on November 2, 2016)
- **Downtown Plan Integration** – To ensure consistency between the Downtown Element of the *One Tacoma Plan* and the more recently adopted subarea plans for the Downtown Tacoma Regional Growth Center. (Reviewed on February 1, 2017)
- **Open Space Corridors Project** – to implement the Parks and Open Space designation of the *One Tacoma Plan* and address critical areas and geologic hazard areas (Reviewed on March 1, 2017)
- **Code Cleanups** – Minor code revisions to address inconsistencies, correct errors, clarify code language, and improve administrative efficiency (Reviewed on April 5, 2017)
- **Car Wash Use Allowance** – Rezone two parcels on 6<sup>th</sup> Ave. from NCX to UCX to allow car washing facilities as a permitted use (Reviewed on April 19, 2017)
- **PDB Rezone** – Rezone the property at 2615 S. 80<sup>th</sup> Street from PDB to M-1 and change its Comprehensive Plan land use designation from General Commercial to Light Industrial, to better align its warehouse distribution use with existing commercial and light industrial uses on adjacent parcels (Reviewed on April 19, 2017)
- **Northeast Tacoma Buffer Zone** – Rezone parcels on the northeast side of the Hylebos Waterway from M-2 and PMI to M-1 and PDB, to provide an improved buffer/transition area between the industrial uses of the Port/Tideflats and the residential neighborhoods along the top of the slope in Northeast Tacoma (Reviewed on May 3, 2017)
- **VSD Height Measurement** – Amend how building heights are measured in the Old Town C-2 with View Sensitive Overlay District, particularly along either side of N. 30<sup>th</sup> Street. (Reviewed on May 3, 2017)
- **Outdoor Tire Storage** – Code amendment to allow for outdoor tire storage (and resolve the code violation situation) for discount and used tire shops in C-2 with appropriate development standards (Reviewed on May 3, 2017)

- **Design Review in MUCs** – To engage the community and enact a formal design review for buildings in the Mixed-Use Centers within the North End Neighborhood Council boundaries (Reviewed on May 17, 2017)
- **Transportation Master Plan Amendment** – Amend the transportation element of the Comprehensive Plan, addressing the priority networks, the performance measures, the project list, and the Mobility Master Plan complement (Reviewed on May 17, 2017)

The Commission completed the assessment process on June 7, 2017, and made a determination on each application/proposal whether to move it forward for technical analysis. The result was the Assessment Report for 2017-2018 Amendment that was incorporated into the Planning Work Program for 2017-2019 (see Part II of this report).

- **Interim Regulations**

Per the City Council’s request, the Planning Commission has been working on the following interim regulations:

- **Correctional Facilities** – The Council enacted emergency interim zoning regulations pertaining to public and private correctional facilities on March 7, 2017, per Ordinance No. 28417. Due to the complex, controversial and politically-charged nature of the issue, the Commission was unable to find a clear consensus on finalizing its findings of fact and recommendation report. The Commission did provide the Council a report reflecting the work-to-date and some preliminary recommendations. The Council subsequently adopted some modifications to the regulations on May 9, per Ordinance No. 28429. The Commission is in the process of developing permanent regulations for the Council's consideration prior to the expiration of the interim regulations in March 2018.
- **Tideflats Area Land Use** – The Council adopted Amended Resolution No. 39723 on May 9, 2017, initiating the planning process for a Tideflats Subarea Plan. The resolution also requested the Commission begin discussion regarding, and consideration of the need for interim regulations related to the Container Port Element in the Tideflats Subarea while the Subarea planning process is underway and prior to the Subarea Plan’s finalization. Potential interim regulations could include use restrictions, modified permit procedures and enhancements to public notice, and limits on development in adjacent slopes and transition areas.
- **Marijuana Regulations** – The Council adopted Resolution No. 39742 on June 6, 2017, requesting that the Planning Commission consider amending Chapter 13.06 of the Tacoma Municipal Code, relating to the zoning of marijuana uses, on an interim basis, by adding local definitions of “Playground” and “Recreation center or facility,” in order to protect Metro Parks Tacoma-owned playgrounds and recreation centers and facilities to the level intended by the state, but currently not covered by state definitions.
- **Emergency Temporary Shelters** – The Council adopted Ordinance No. 28430 on May 9, 2017, declaring a public health emergency relating to the conditions of homeless encampments. As part of the follow-up actions, the Council adopted Ordinance No. 28432 on June 6, 2017, enacting interim regulations that establish an expedited process for approval of the nature, scope, form, design, and location of emergency temporary shelters established by the City in response to a declared public emergency. After the Council's public hearing on July 25, 2017, the Commission is expected to begin developing permanent regulations for the Council's consideration prior to the expiration of the interim regulations on November 14, 2017.

- **Tacoma Mall Neighborhood Subarea Plan and EIS**

The City received a \$250,000 National Estuaries Program Watershed Protection Grant to develop a subarea plan and EIS for the 485-acre Tacoma Mall Regional Growth Center that includes Tacoma Mall and the surrounding neighborhoods. This effort seeks to develop an aspirational vision, promote sustainable growth, accommodate multimodal transportation, facilitate development, and leverage public and private partnerships and investments. Project timeline is August 2014 to December 2017. During this reporting period (July 2016 through June 2017), the Commission reviewed the project on September 21, November 16, December 7, January 4, January 18, February 15, and June 7. Individual Commissioners also participated in three small group sessions organized by staff on May 2 and 3, 2017, to have targeted conversations and provide specific suggestions about the project. The Commission is tentatively scheduled to conduct a public hearing on the draft subarea plan document in August 2017.

- **Planning and Implementation Issues:**

The Commission reviewed and provided feedback on the following projects:

- **2017-2022 Capital Facilities Program (CFP)** – The Commission reviewed the draft CFP during December 2015 and May 2016, conducted a public hearing on June 15, 2016, and made a recommendation to the City Council on July 6, 2016. After the Council's adoption on November 22, 2016, the Commission conducted a follow-up review on January 4, 2017, setting the stage for the next update in 2018.
- **Transfer of Development Rights (TDR)** – The Commission received a briefing on the status of TDR implementation in the Tacoma-Pierce County region on July 6, 2016, the week before the July 11th celebration of the first TDR transaction in Tacoma. This transaction represented the preservation of 20 of the 120-acre prime farmland preserved in perpetuity in Pierce County (Reise Farm) and the increase of 21 units added to the Carino's Stadium Apartments project in Tacoma.
- **Unified Development Code (UDC)** – The Commission reviewed on August 17, 2016 the City's progress in streamlining development regulations by consolidating existing permitting regulations into a single document to make them easier to use, amend, and interpret.
- **Residential Infill Pilot Program** – The Commission reviewed the status of the program implementation on September 21, 2016 and March 1, 2017. The program was adopted in December 2015 as part of the 2015 Annual Amendment to the One Tacoma Plan. The program solicited applications for detached accessory dwelling units in single-family zoning districts, two-family development on corner lots in the R-2, small-scale multifamily development in the R-3, and cottage housing in most residential districts. Through an open review and selection process, as of June 2017, four projects have been selected to move forward into the permitting process.
- **Lincoln District Revitalization Project** – The Commission received a briefing on October 5, 2016, of the plan to turn the business district of the Lincoln Neighborhood into a more vibrant mixed use center.
- **Urban Design Studio** – The Commission received a briefing on October 19, 2016 of this proposed long-term program with a focus on delivering urban design services to customers in the Planning and Development Services Department, to other City departments, and through external public and private partnerships. The initial phase of this project will include extensive public engagement, development of design guidelines, administrative procedures, and municipal code amendments.
- **Pierce Transit Update** – The Commission received a briefing on November 2, 2016 of Perce Transit's long-range plan, Destination 2040, as well as the 2016 Comprehensive Route Network Analysis effort.
- **Joint Land Use Study (JLUS)** – The Commission received a briefing on February 1, 2017 of the City's effort to evaluate the findings and recommendations of the Joint Land Use Study (JLUS) for Joint-Base Lewis-McChord and evaluate strategies for addressing compatibility with the base, with specific focus on the Accident Potential Zone (APZ).
- **Hilltop Links to Opportunity** – The Commission received a briefing on February 15, 2017 of the Hilltop Links to Opportunity Program, aimed to improve social and economic opportunity through planning for multimodal mobility and economic development in communities along the Tacoma LINK Light Rail Expansion corridor.
- **Historic Preservation Program Update** – The Commission receive information on May 3, 2017, regarding the Historic Preservation Month (May 2017) – Tacoma's Maritime History.

## **B. Meetings Conducted / Attended:**

- **Regular Meetings**

The Planning Commission meets every first and third Wednesdays of the month. Between July 2016 and June 2017, the Commission held 20 regular meetings, canceled 4 meetings, and did not conduct any public hearing.

- **Special Meetings and Community Meetings**

- a) **Open Government Training** – The Commission received the training from Legal staff on August 17, 2016, concerning open meetings, open records, and ethics. Pursuant to the Open Government Trainings Act of 2014, all City Committees, Boards, and Commission members are required to be trained in Open Government once every four years. The Act is designed to foster open government by making training a recognized obligation of public service.

- b) **Dialogue with Citizens' Groups** – When developing the Planning Work Program for 2016-2018 in July 2016, the Commission expressed the desire to have more opportunities to meet with various citizens' groups and exchange ideas and collaboration. During this reporting period, the Commission conducted dialogues with the following groups:
- South Tacoma Neighborhood Council, October 19, 2016
  - North End Neighborhood Council, November 16, 2016
  - Northeast Tacoma Neighborhood Council, December 7, 2016
  - Sustainable Tacoma Commission, February 15, 2017
  - New Tacoma Neighborhood Council, May 17, 2017
- c) **PDS Forums** – The Planning and Development Services (PDS) Department held a series of monthly public forums in early 2017 to provide an orientation about how the planning and development process works, what information is used, how decisions are made, what opportunities the public has to comment and participate, and how the City assesses and manages the ongoing impacts from growth and development. Individual Commissioners participated in the following forums:
- Forum #1: February 13, 2017, 6-8 PM, Downing Elementary School
  - Forum #2: March 13, 2017, 6-8 PM, Gray Middle School
  - Forum #3: April 10, 2017, 6-8 PM, Meeker Middle School
  - Forum #4: May 8, 2017, 6-8 PM, First Creek Middle School
- d) **Small Group Sessions** – Individual Commissioners participated in three small group sessions organized by staff on May 2 and 3, 2017, to have targeted conversations and provide specific suggestions about the Tacoma Mall Neighborhood Subarea Plan and EIS project.

• **Meetings with Planning Staff**

Brian Boudet, Planning Manager and senior staff held informal meetings/dialogues with individual Commissioners during October-December 2016 to discuss major planning projects, what additional issues the City should address, and how to further improve the Commission's operations.

**C. Special Note:**

• **2016 Healthy Communities Award**

The Tacoma-Pierce County Health Department announced on July 5, 2016 that the City of Tacoma is a recipient of the Platinum-level Healthy Communities Award for the excellent work in our new *One Tacoma* Comprehensive Plan and our great progress in promoting the physical, social and mental health and well-being of our community.

**D. Membership Status:**

<b>Council District / Expertise Area</b>	<b>Commissioner</b>	<b>Appointment</b>
District No. 1	Scott Winship	Reappointed in September 2014
District No. 2	Dorian Waller	Appointed in July 2015
District No. 3	Brett Santhuff	Appointed in July 2015
District No. 4	Stephen Wamback	Reappointed in June 2016 (Elected Vice-Chair since July 2015)
District No. 5	Chris Beale	Reappointed in July 2015 (Elected Chair since July 2015)
Development Community	Jeff McInnis	Appointed in January 2016
Environmental Community	Anna Petersen	Reappointed in June 2016
Public Transportation	Meredith Neal	Appointed in December 2014
Architecture, Historic Preservation, and/or Urban Design	Jeremy Woolley	Appointed in August 2016

## **Part II. Planning Work Program for 2017-2019**

The Planning Work Program for 2017-2019 contains projects and planning activities that are slated for completion or in substantial progress during the general timeframe of July 2017 through June 2019. These projects and activities are primarily mandated by legislation or initiated by the City Council and are within the Planning Commission's review and recommendation authority.

The Planning Work Program is developed in concert with the Planning Commission and the City Council's Infrastructure, Planning and Sustainability Committee (IPS). The Commission reviewed it on April 5 and June 7 and the IPS on June 21, 2017. The Planning Work Program may change in response to legislative requirements, community requests, Council priorities, budget and staffing constraints, or other emerging situations.

The summary below is provided as a basic outline of the proposed timing of various projects. Further explanation of each project is provided substantially in the form of the document on file in the office of the Planning and Development Services Department.

### **Track 1: Interim Regulations (off-cycle)**

- Correctional Facilities Regulations – Interim and Permanent Regulations
- Tidelands Uses and Standards – Interim Regulations
- Marijuana Uses and Playground Buffers – Interim and Permanent Regulations
- Emergency Temporary Shelters – Interim and Permanent Regulations

### **Track 2: Subarea Plans (off-cycle)**

- Tacoma Mall Neighborhood Subarea Plan
- Tidelands Subarea Plan

### **Track 3: 2018 Amendment Cycle**

- Car Wash Use Allowance – Private Application #2018-01
- Outdoor Tire Storage Code Amendment – Private Application #2018-02
- South 80th Street PDB Rezone – Private Application #2018-03
- View Sensitive District (VSD) Height Measurement – Private Application #2018-06
- Future Land Use Map Implementation: Area-wide Rezones – Phase 4
- Commercial Zoning Update – Phase 1
- Open Space Corridors Implementation
- Transportation Master Plan – Limited Update
- Code Clean-ups

### **Track 4: 2019 Amendment Cycle (tentative)**

- Future Land Use Map Implementation: Area-wide Rezones – Phase 5
- Commercial Zoning Update – Phase 2
- Urban Design Studio – Establishment
- Residential Infill Pilot Program – Phase 2
- JBLM Joint Land Use Study Implementation
- Shoreline Master Program – 2019 Periodic Update
- Critical Areas Amendments – Geologic Hazards
- Code Clean-ups

### **On-going Planning Issues**

- Historic Demolition Review (*may be coordinated with 2018 Amendment Cycle*)
- Capital Facilities Program for 2018-2023 (*off-cycle*)
- Six-Year Comprehensive Transportation Program for 2017-2022 (*off-cycle*)
- Joint Meetings of the Planning Commission with appropriate groups (e.g., the Landmarks Preservation Commission, the Transportation Commission, and the Neighborhood Councils)

- Transportation Master Plan Implementation, in coordination with the Transportation Commission (e.g. impact fees study, transportation network planning, streetscape design guidance, signature trails development, etc.)
- Link Expansion Streetscape project (including the Links to Opportunity Program and the SGA Technical Assistance Program)
- Historic Preservation, in coordination with the Landmarks Preservation Commission (e.g. TDR, integration of Historic Preservation Plan with *One Tacoma* Plan, educational programs, etc.)
- Residential Infill Pilot Program (implementation)
- Citizen Participation and Public Outreach Enhancements (with specific engagement efforts focusing on the Proctor District)

### **Regional and Cross-Jurisdictional Issues**

- Metro Parks Tacoma and Tacoma School District strategic plans updates
- Pierce County Parkland/Spanaway/Midland (PSM) Community Plan
- Regional Transportation Issues, in coordination with the Transportation Commission (e.g. Tacoma LINK and Central LINK Light Rail Expansions, Pacific Avenue BRT Study)
- PSRC Regional Centers Framework Update
- PCRC Centers of Local Importance/County-level Centers Update

### **Emerging and Deferred Issues**

- 20-minute Neighborhood Baseline Analysis
- Urban Growth Baseline Analysis
- Mixed-Use Centers Implementation Programming
- Mixed-Use Centers Height Bonus Program Review
- Institutional Campus Zoning Update
- Urban Forestry Implementation (including landscaping, tree-preservation, open space, etc.)
- Watershed-level Environmental Planning
- Parking Update (including RPA, refinements along light rail, design, etc.)
- Downtown Plan Integration with Subarea Plans
- Street Typology and Designation System Review
- Unified Development Code
- Transfer of Development Rights (TDR) and Tax-Increment Financing (TIF) Program Review
- Sign Code Update
- Annexation Planning