

## Members

Jeremy C. Doty, Chair  
Donald Erickson, Vice-Chair  
Chris Beale  
Sean Gaffney  
Tina Lee  
Ian Morrison  
Matthew Nutsch  
Erle Thompson  
Scott Winship



# Minutes

## Tacoma Planning Commission

### Community and Economic Development Department

Ryan Petty, Director  
Peter Huffman, Assistant Director  
Charles Solverson, P.E., Building Official

### Public Works and Utilities Representatives

Kurtis Kingsolver, Interim Assistant Director/City Engineer, Public Works Department  
Heather Pennington, Water Distribution Engineering Manager, Tacoma Water  
Diane Lachel, Community and Government Relations Manager, Click! Network, Tacoma Power

747 Market Street, Room 1036  
Tacoma, WA 98402-3793  
253-591-5365 (phone) / 253-591-2002 (fax)  
[www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning)

### (Approved on 2-15-12)

MEETING: Regular Meeting

TIME: Wednesday, February 1, 2012, 4:00 p.m.

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

Members Present: Jeremy Doty (Chair), Donald Erickson (Vice-Chair), Chris Beale, Tina Lee, Ian Morrison, Matthew Nutsch, Erle Thompson, Scott Winship

Members Excused: Sean Gaffney

Staff Present: Brian Boudet, Sheri Gibbons, Philip Kao, Jana Magoon, Ian Munce, Lucas Shaddock, Lihuang Wung, Noah Yacker (CED); Josh Diekmann (Public Works); Jeff Boers, William Osborne (Consultants)

Chair Doty called the meeting to order at 4:05 p.m. The minutes of the regular meeting on December 21, 2011 were approved as submitted. The minutes of the regular meeting on January 4, 2012 were approved with the amendment that corrected the last sentence under the discussion item of "2. Large Scale Retail Moratorium" to read as: "The motion passed unanimously, with Commissioners Winship and Morrison recusing and Commissioners Beale and Thompson absent."

## GENERAL BUSINESS

### 1. Medical Cannabis Moratorium

William Osborne, a planning consultant assisting the City in researching and developing medical cannabis land use regulations, facilitated the Planning Commission's continued discussion of issues concerning the Medical Cannabis Moratorium. He presented information about what medical use of cannabis means, the legal footing of medical use regulations in Washington vis-a-vis Federal law, what are Collective Gardens, medical cannabis regulations in benchmarking cities of Washington and other states, the initial recommendations of the Medical Cannabis Task Force Subcommittee on Siting & Land Use, key issues for regulating land use impacts of medical cannabis facilities, medical cannabis business locations citywide (as of August 2011), as well as the next steps and the tight schedule to meet the moratorium.



Discussion ensued. The Commissioners expressed various concerns, comments, opinions and suggestions, such as the following:

- Regulating medical cannabis facilities is similar to regulating pharmacies or liquor stores.
- Collective gardens should not be located near sensitive uses, such as daycare, school, parks, and juvenile detention; separation distance such as 1,000 feet is necessary.
- The production/processing of medical cannabis should be regulated separate from the distribution/dispensary of medical cannabis, except for “small” (size to be defined) collective gardens.
- Consider exempting collective gardens that include between one and three or up to 10 members (numbers varied between Commissioners).
- Only one collective garden should be allowed on a parcel.
- Consider allowing co-op type of operation of multiple numbers of collective gardens in one place, with security for easy monitoring.
- Consider allowing co-location of collective gardens in Industrial and/or Commercial zones to take advantage of economies of scale. Would threats of federal government prosecution stifle such larger collective garden operations?
- Regulating the number of collective gardens per site is outside of the Commission’s purview.
- Consideration should be given to requiring CPTED consultation as part of permitting.

The Commissioners requested that staff relay their comments to the Medical Cannabis Task Force on February 8, 2012 and keep the Commissioners abreast of the feedback from the Task Force.

## **2. 2012 Annual Amendment: #2012-03 Housing Element**

Jeff Boers, planning consultant, presented the proposed amendments to the Housing Element of the Comprehensive Plan. The amendments included incorporation of the eight policy principles concerning affordable housing as recommended by the City Council appointed Affordable Housing Policy Advisory Group; and an update of the housing assessment data ranging from population growth, household composition, household income to housing costs and housing affordability. Mr. Boers also mentioned that one of the components of the amendments pertaining to ensuring consistency with the Countywide Planning Policies (CWPP) is not being carried out at this time (and has been deferred to the next annual amendment cycle), because the recent amendments to CWPP have not been ratified by enough jurisdictions to take effect.

The Commissioners raised some points for clarification, such as the typo in “female householder (no wife present)” in the table of Household by Type for 2009, the discrepancy between 92% and 140% representing the median gross rent increase, and that the table of Housing Costs/Income should be updated according to latest (2012) data available from HUD. The Commission approved the proposed amendments, as amended, and authorized the public distribution of the amendments for public review.

### **3. 2012 Annual Amendment: #2012-07 Technical Amendments**

Jana Magoon, Land Use Administrator, presented the proposed amendments to various sections of the Tacoma Municipal Code; she focused on the changes made to the proposal in accordance with the Commission's suggestions when the proposal was first reviewed in December 2011.

The Commissioners expressed some concerns regarding the proposed minimum parking requirement of 8 spaces per 1,000 square feet of floor area for the eating and drinking establishments, as specified in Table 1 of Section 13.06.510 pertaining to "off-street parking and storage areas." Discussion ensued and Commissioners voted unanimously to lower the requirement from 8 to 6.

Vice-Chair Erickson, referring to Section 13.06.640, indicated concern about treating existing nonconforming conditional uses as if they had been permitted as a conditional use. Staff responded that the revised regulations would actually reduce the ability of the nonconforming use from using existing regulations to switch from one nonconforming use to another, perhaps more impactful, nonconforming use. The revised conditional use regulation would codify a policy process that staff has been using to determine minor/major modifications for a site and whether additional permits are required. Vice-Chair Erickson requested additional clarification in the staff report or updated code regulation.

The Commission approved the proposed amendments, as amended, and authorized the public distribution of the amendments for public review.

### **4. 2012 Annual Amendment Package**

The 2012 Annual Amendment Package originally included seven applications, i.e., #2012-01 Container Port Element, #2012-02 Hosing Element, #2012-03 Transportation Element, #2012-04 Sign Code Revisions, #2012-05 Platting and Subdivision Code Revisions, #2012-06 Urban Forestry Code, and #2012-07 Technical Amendments. Lihuang Wung provided a brief status of the applications, in that Applications #2012-02, -03, and -07 have been approved for public review purposes, and Applications #2012-01, -04, -05 and -06 are being deferred to subsequent amendment cycles, for various reasons.

The Commissioners expressed concerns about delaying #2012-04 Sign Code Revisions and potentially the resulting proliferation of undesired on-premise digital signs. The Commissioners suggested that a moratorium may be warranted to allow sufficient time to develop adequate regulations to address such concerns. Mr. Wung replied that staff will assess the situation and the Commission's suggestion and report back at a later date. The Commissioners were also concerned about the delay of #2012-06 Urban Forestry Code. Mr. Wung replied that the project team needs additional time to work on such issues as the canopy coverage methodology, including required percentages, credits, and fee-in-lieu, and is scheduled to return to the Commission on March 21, 2012.

The Commission approved the proposed 2012 Annual Amendment Package (containing three applications), authorized the public distribution of the amendments for public review, and set March 7, 2012 as the date for the public hearing.

## **COMMUNICATION ITEMS**

Chair Doty acknowledged receipt of the following announcements:

1. MLK Subarea Plan & EIS Scoping Meeting, Thursday, February 9, 2012, 5:00-7:00 p.m. Evergreen State College Tacoma, Campus, 1210 Sixth Avenue
2. Planning Commission Tentative Agendas for February 15 and March 7, 2012

## **COMMENTS BY LONG-RANGE PLANNING DIVISION**

Mr. Wung reported on the following matters:

1. The Commissioners are encouraged to attend the MLK Subarea Plan & EIS Scoping Meeting on February 9, 2012.
2. The Planning Commission's Tentative Agendas are being provided as a Communication Item, per the suggestion of Vice-Chair Erickson, and are subject to change.
3. The City Council conducted a study session at noon of January 31, 2012, and a public hearing in the same evening, concerning the Commission's recommendations on the Large Scale Retail Moratorium, and has set the first and final readings of adopting ordinance for February 7 and 14, respectively.
4. The terms of Commissioners Gaffney and Beale and Chair Doty, representing Districts 2, 3, and 5, respectively, will expire in June 2012.
5. Mr. Ian Munce has been appointed the new manager of the Long-Range Planning Division and will be meeting with individual Commissioners to learn from each of them what some of the important issues are that should be addressed by the City.

## **COMMENTS BY PLANNING COMMISSION**

The Commissioners expressed their congratulations to Mr. Munce.

The Commissioners encouraged staff to strive to reduce the amount of paper produced for the agenda packets.

Commissioner Winship encouraged fellow Commissioners to attend the Urban Studies Forum 2012, sponsored by the Urban Studies Program of the University of Washington Tacoma, scheduled for February 9, 2012, 8:00 a.m. to 3:00 p.m.

Commissioner Thompson encouraged fellow Commissioners to attend the 2012 MBA Housing Forum, sponsored by the Master Builders Association of Pierce County, scheduled for February 15, 2012, 8:00 to 11:00 a.m.

## **ADJOURNMENT**

The meeting adjourned at 7:25 p.m.