

Members

Donald Erickson, Chair
Sean Gaffney, Vice-Chair
Tina Lee
Matthew Nutsch
Erle Thompson
Scott Winship
(vacant)
(vacant)
(vacant)



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, Resource Planning Manager, Tacoma Water
Diane Lachel, Community and Government Relations Manager, Click! Network, Tacoma Power

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(Approved on 4-4-12)

MEETING: Regular Meeting and Public Hearing

TIME: Wednesday, March 7, 2012, 4:00 p.m.

PLACE: Council Chambers, Tacoma Municipal Building, 1st Floor
747 Market Street, Tacoma, WA 98402

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

Members Absent: Ian Morrison

Staff & Others Present: Brian Boudet, Jana Magoon, Ian Munce, Lucas Shadduck, Diane Wiatr, Lihuang Wung, Noah Yacker (BLUS); Josh Diekmann (Public Works); Jeff Boers, William Osborne (planning consultants)

Chair Doty called the meeting to order at 4:03 p.m. Minutes of the meeting of February 15, 2012 were approved as submitted.

GENERAL BUSINESS

1. Subarea Plans Update

Brian Boudet, Long-Range Planning, provided a status report on the MLK Subarea Plan and EIS Project. He described the schedule, the outreach efforts, and the opportunities for the public to provide feedback. He highlighted the comments received through the scoping process, and noted that some of the key issues were density, transportation, urban design, housing, public amenities, open space, gathering places, and jobs and economic revitalization. He also pointed out that the "Medical Mile" was one of the more controversial topics in that some neighborhood groups were concerned that the hospitals could displace housing with office buildings.

The Commissioners provided a number of comments and suggestions, such as: place more emphasis on public spaces and infrastructure that are required to support higher densities; work



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with the Health Department to conduct a Health Impact Assessment of land use and transportation plans; be thoughtful about the zoning boundaries for institutions, residential areas, retail, etc.; refine regulations for Mixed-Use Centers as appropriate; work with the residents to address their discomfort about the “Medical Mile”; and continue to plan for greater transit service throughout the neighborhood and connectivity to other areas.

Ian Munce, Manager of the Long-Range Planning Division, provided a status report on the South Downtown Subarea Plan and EIS Project. He clarified that while the MLK Subarea Plan is a \$100,000 project funded by the State and EPA and is scheduled for completion in early 2013, the South Downtown Subarea Plan is funded with \$500,000 from the PSRC’s Growing Transit Communities Program, is part of a regional program, and is scheduled for completion by the end of 2013. Mr. Munce described the scope of work of the South Downtown Subarea Plan as well as the outreach efforts and the stakeholders and government entities involved. He also highlighted some of major issues and concerns that are being addressed, including smart growth and transit friendly communities, utilities and infrastructure improvements, capital facilities planning, parks and open space, “Neighborhood LEED”, Brown Fields, the regulatory bonus palette for Mixed-Use Centers, and Transfer of Development Rights (TDR).

The Commissioners suggested that more effective strategies should be implemented to address the shortage of parking in the Tacoma Dome/LeMay Museum area, such as facilitating the development of multi-level parking structures and coordinating with Sound Transit and Pierce Transit to provide special transportation arrangements accompanied by advertising the availability of parking in the greater downtown area for large Dome/LeMay events. The Commissioners also brought up an issue of whether preference and priority should be given to limiting the TDR sending areas to properties within the City limits where historic preservation and affordable housing would benefit, but decided to continue the discussion at a later date.

2. Medical Cannabis Moratorium

Lucas Shadduck, Long-Range Planning, provided a brief report on the progress that has been made in working up a land use plan for Medical Cannabis components in term of zoning, regulations of size, buffering from sensitive uses, and regulating medical cannabis functions by type and zoning.

Mr. William Osborne, of Osborne Planning & Design, presented the current thinking on the development of proposed regulations on Medical Cannabis Land Uses. He was seeking feedback from Commissioners on whether the separation of medical cannabis gardens by function is something that the City of Tacoma would like to see done and how should size of collective gardens be limited. There are several aspects that need to be looked at when working on regulations for governing the use of medical marijuana: cultivation, processing and distribution. Zoning, size of operations, location of operations are all very valid and compelling components that need to be looked at in working on developing medical cannabis use and gardening. Mr. Osborne went over many aspects that need to be taken in to consideration when working up this regulation.

(At 5:00 p.m., the Commission tabled the discussion and proceeded with the public hearing.)

PUBLIC HEARING

1. 2012 Annual Amendment Package

Chair Doty called to order the public hearing on the Proposed Amendments to the Comprehensive Plan and Land Use Regulatory Code for 2012 (“2012 Annual Amendment”), which included three applications concerning “Housing Element”, “Transportation Element”, and “Minor Amendments and Refinements”. Lihuang Wung, Long-Range Planning, provided an overview of the legislative requirements and process for the drafting of the annual amendments and a summary of the three applications being considered. He also summarized the technical analysis, environmental evaluation and public review process for these proposed revisions, as well as the notification efforts for the public hearing.

Chair Doty called for oral testimony. The following comments were received:

- (1) **Bliss Moore** (Sustainable Tacoma Commission; Sierra Club) – Concerned about the proposed revision to the Land Use Regulatory Code to permit drive-throughs in the “HMX” District. One of the strategies in the City’s Climate Action Plan to reduce greenhouse gases and fuel use is to consider adopting an anti-idling ordinance. Drive-throughs enable idling, and should not be allowed.
- (2) **Jori Adkins** (Dome District) – Allowing drive-throughs for any use in the hospital district, except for emergency vehicles, is going in the wrong direction in any urban situation, and is against the principles of developing Complete Streets and pedestrian-friendly environment. It is also contrary to the proposed Dome District Plan which proposes prohibiting drive-throughs. Say no to the inconsistency and consider taking it out of the code in the next annual amendment cycle.
- (3) **Kristina Walker** (Downtown On the Go) – Supported the proposed amendments to the Transportation Element. Completing projects as laid out in the award-winning Mobility Master Plan will help promote active transportation, achieve a healthy community, and improve our economy.
- (4) **Sherri Woolworth** (citizen) – Would like to establish a doggy daycare and boarding facility at 4802 S. Washington, which is currently in CIX where indoor doggy daycares are allowed but not outdoor kennel runs.
- (5) **Scott Hansen** (Puget Creek Restoration Society) – The trail system in the Puget Gardens area, which is the lower park area of the Puget Gulch, is not incorporated in the Transportation Element. The trail system provides connection between Ruston Way and the Proctor District, serves habitat and educational functions, and is used by a considerable number of people, and should be incorporated in all trail maps in the City’s documents.
- (6) **Michael Mirra** (Affordable Housing Policy Advisory Group or AHPAG) – Supported and appreciated the proposed incorporation of the eight Affordable Housing Policy Principles and Acknowledgments recommended by AHPAG into the Housing Element, which fulfills the City Council’s direction. Concerned about the deletion of the language pertaining to special needs housing, which is an important part of the City’s housing continuum; the paragraphs should be retained. (Mr. Mirra also submitted a letter, dated February 29, 2012, and a copy of the AHPAG Policy Recommendations to the City Council, dated December 3, 2010.)

- (7) **Janet Higbee** (Bicycle and Pedestrian Action Committee or BAPC) – Agreed with Kristina Walker’s comments. Strongly hoped that the City could retain the capable staff for the smoothest implementation of the Mobility Master Plan. Replying (as a bicycle commuter) on the roads to be on the optimal condition.
- (8) **Ken Peachey** (as the Chair of BPAC) – Proud of being part of the process enabling the Mobility Master Plan (“MoMaP”) to be a dynamic document. The MoMaP in its own language calls out the need for periodic updates to reflect the changing conditions and incorporate the latest information. The proposed reprioritization of projects provides a sense of what we’ve accomplished and where we’re going, and reflects the next logical steps the City should implement to achieve an active transportation system that is an important part of the quality of life for the City of Tacoma. Also, the guidance BAPC has received from City staff and the extensive community outreach facilitated by the City staff during the MoMaP amendment process are incomparable.
- (9) **Kris Symer** (BPAC) – Regarding the proposed reprioritization of the Mobility Master Plan projects, this is an opportunity to celebrate. Remember when Tacoma didn’t have bike boulevards and adequate infrastructure. Kudos to dedicated City staff for working diligently with BPAC on every change that is being proposed.
- (10) **Ken Peachey** (as a resident) – Concerned about the drive-throughs; the Planning Commission should consider the anti-idling issue.

Chair Doty closed the public meeting at 5:37 p.m. and stated that written comments may be submitted until March 16, 2012.

GENERAL BUSINESS *(continued)*

2. Medical Cannabis Moratorium *(continued)*

Mr. Osborne highlighted that staff would like clarification from Planning Commission regarding the three main questions on this issue – cultivation, processing and distribution, and what part should the City play in regulating the usage.

Some of the comments that were given by Commissioners were that draft code addressing medical cannabis use, in general, should (a.) consider which sensitive uses are most appropriate and perhaps religious facilities are too broad and maybe of lower priority than parks and community centers; (b.) zoning cannabis uses should be similar to other like uses such as retail, light or heavy industrial, and perhaps agricultural; (c.) incentivize off-street/upper-story medical cannabis distribution; (d.) consider prohibition of the cannabis use in downtown zoning districts; (e.) limit the size of facilities to 500 square feet; (f.) cannabis use should be restricted in residential zones; (g.) desire to know what the basis of requiring buffering from sensitive uses is; (h.) consider reducing the buffering distance to be less than 1,000 feet from any sensitive uses that may be identified; (i.) be careful not to restrict cannabis cultivation and distribution to the point where safe and accessible facilities are no longer viable resulting in the cannabis black-market status quo.

As the conversation turned to questioning the degree of legality of cannabis use, as defined by the State, Commissioners added the following comments (a.) limited in scope; (b.) there are already State Law in place governing this issue; (c.) the term “collective garden” as defined by

the State seems to indicate the growing of cannabis for personal use and perhaps not the commercial processing and distribution so local regulations should perhaps not address these functions; (d.) some Commissioners committed to the strict interpretation of the State regulations and proposed that “collective gardens” include no more than 10 individuals and thus there would be no need for provisions for commercial cannabis use; and (e.) as a final point many of the Commissioners said in essence there is little or no need to have additional regulations when the State already has formalized and legalized the usage of medical marijuana and that the City can use those regulations as guideline rather than doing new laws that would only be redundant and unnecessary work.

COMMUNICATION ITEMS

Chair Doty acknowledged receipt of the following announcement:

1. Planning Commission Tentative Agendas for March 21 and April 4 meetings.

COMMENTS BY LONG-RANGE PLANNING DIVISION

Mr. Wung indicated that at the next meeting on March 21 staff plans to provide an update of the Port of Tacoma Public Access Plan as it relates to the implementation of the City’s Shoreline Master Program.

Mr. Wung stated that Mr. Munce, Mr. Boudet and himself have been meeting with individual Commissioners and received great feedback concerning important planning issues as well as how the Commission’s operation and process could be further improved. Staff plans to schedule a follow-up retreat in April-May to facilitate a more structured discussion among the Commissioners, he indicated.

COMMENTS BY PLANNING COMMISSION

Chair Doty indicated that he is moving out of District No. 5 and will not be eligible to serve on the Commission. Vice-Chair Erickson referred to the same situation for Commissioner Beale (District No. 3) as brought up at the previous meeting and suggested that Chair Doty and Commissioner Beale should be allowed to continue to serve until their current terms expire in June 2012. He made a motion to that effect and was asked to preside over the meeting for calling the vote; the motion was seconded and passed.

Vice-Chair Erickson expressed a concern over the recent City Council amendments to the Downtown Off-street Parking Regulations (in reference to Amended Ordinance No. 28051, adopted on February 21, 2012). He indicated that the Council’s action to remove parking maximums was contrary to a number of related adopted city policies in the Comprehensive Plan, was in conflict with the Commission’s recommendations which had been developed based on best available data and benchmarking research, and would result in the implications of proliferation of parking. He pointed out that the adoption of Amended Ordinance No. 28051 was incorrectly portrayed as having been recommended by the Planning Commission. Chair Doty suggested forwarding a letter to the City Council to express the concerns and reiterate the recommendations of the Commission. A motion was made to that effect and seconded.

Commissioner Thompson indicated that he strongly supports the City Council's decision to remove the parking maximum. Commissioner Nutsch indicated that he feels that there should be some nonrestrictive parking maximum with respect to special circumstances such as the Tacoma Dome and the LeMay Museum, so he would dissent unless the letter indicates that the comments are from the majority of the Commission, not the full Commission. A vote was called and the motion passed with a vote of 6 Ayes, 2 Nays (Commissioners Thompson and Nutsch), and one absent (Commissioner Morrison).

ADJOURNMENT

The meeting adjourned at 6:45 p.m.