

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, 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 as Amended on 5-2-12)

MEETING: Regular Meeting

TIME: Wednesday, April 18, 2012, 4:00 p.m.

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

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

Staff & Others Present: Councilman David Boe; Ian Munce, Lucas Shadduck, Lihuang Wung (BLUS); Jon Walker (Deputy City Attorney); William Osborne (Planning Consultant)

Chair Erickson called the meeting to order at 4:03 p.m., and suspended the rules to accommodate a special presentation by Councilman David Boe.

Special Presentation

Councilman Boe addressed the Planning Commission in response to the letter the Commission had forwarded to the City Council on March 21, 2012, concerning the Council's amendments to the Commission's recommendations on the Downtown Off-street Parking Regulations. The Commission was concerned that the Council's action to remove parking maximums (per Amended Ordinance No. 28051, adopted on February 21, 2012) was contrary to a number of relevant policies in the Comprehensive Plan and was incorrectly portrayed as having been recommended by the Commission.

Councilman Boe referred to his own experiences when he served on the Planning Commission and elaborated on the difference in perspectives acquired by Council Members versus Commissioners. He explained some of the areas of concerns that the Council took into consideration when making decisions; he mentioned some past land use cases such as the Eastside of Foss Waterway and the Wedge Historic District. For the elimination of parking maximums, this would provide an added incentive to attract business in downtown area and make Tacoma a more competitive market place among the neighboring communities, Councilman Boe indicated.



The Commissioners appreciated Councilman Boe's remarks, and provided some comments and suggestions, such as the need for minimum parking standards for the Tacoma Dome & LeMay Car Museum area, the impacts of the shortage of City staff to the progress of some important projects, and the lack of liaison or ex officio from the Council to the Commission.

GENERAL BUSINESS

1. Medical Cannabis Moratorium

Ian Munce, Acting Manager of the Long-Range Planning Division, indicated that staff has developed four alternatives to regulating medical cannabis within the land use code, based on the Commission's direction and suggestions at the last meeting. He suggested that, upon completing the review of the draft regulations, the Commission broaden the scope of public review by releasing all four alternatives, so that the Commission has the maximum number of public comments to go by when deliberating a final recommendation to the City Council.

Lucas Shadduck, Associate Planner, provided a summary of the four alternatives:

- (a) Alternative #1 primarily reflects the recommendations of the Medical Cannabis Task Force. It equates cultivation and processing to an industrial use and distribution to a commercial use, and allows them in respectively appropriate zoning districts; requires 1,000-ft sensitive use buffers for schools, daycares and religious facilities; allows for up to six (6) "collective gardens" (industrial use) on a given site; allows for 500-3,000 square foot distribution facilities (commercial use); and includes specific review and submittal criteria to be placed into the land use code.
- (b) Alternative #2 is similar to and a modified version of Alternative #1, based on staff recommendations. It equates cultivation and processing to an industrial use and distribution to a commercial use, and allows them in respectively appropriate zoning districts; requires 1,000-ft sensitive use buffers for schools only; requires a dispersion buffer of 500-1,000 feet from other cannabis facilities; imposes no additional size requirements; and imposes no additional site plan, floor plan and security plan requirements (which are rather recommended as licensing criteria).
- (c) Alternative #3 introduces the Conditional Use Permit (CUP) approach. It allows distribution in Commercial and Downtown zones with a CUP; allows cultivation and processing in Industrial districts; allows distribution outright in the Hospital Medical districts; and requires 1,000-ft sensitive use buffers for schools, daycares, parks and community centers.
- (d) Alternative #4 allows one collective garden (as defined by the State law) per site in Industrial zones; does not allow commercial medical cannabis uses such as distribution; and requires 1,000-ft sensitive use buffers for schools, daycares and religious facilities.

Mr. Shadduck noted that Alternative #2 represents the least restrictive zoning scheme, Alternative #3 is slightly more restrictive, and Alternative #4 is the most restrictive, with a very narrowly defined scope. Discussion ensued. Mr. Shadduck, Mr. Munce, and Mr. Jon Walker, Deputy City Attorney, facilitated the Commissioners' review of the alternatives and provided clarifications as needed. A variety of issues, concerns and points of clarification were raised and addressed, such as the difference between Alternatives #1 and #2 and how #2 would be more streamlined; the legal ramifications of considering those alternatives that allow distribution which is outside of what the Federal and State laws permit; and the concern over City staff exercising discretion in permitting distribution facilities as described in Alternative #3.

Upon completing the discussion, Chair Erickson suggested that the proposal be divided so each alternative could be considered independently. Vice-chair Gaffney indicated that he had made a motion already to forward all four alternatives out for public review. Chair Erickson asked if there was a second to the Vice-chair's motion. It was seconded by Commissioner Winship. Chair Erickson, who was instrumental in promulgating Alternative #3, acknowledged the concern voiced by staff over the CUP approach because it would require greater staff involvement and therefore potential staff liability; he proposed that the alternative be withdrawn. The proposal was accepted by Vice-Chair Gaffney as a friendly amendment. Commissioner Thompson introduced another amendment by adding Alternative #5 that would allow collective gardens citywide; he stated that the intent was to provide the broadest scope of public review. The amendment, seconded by Commissioner Nutsch, was denied by a vote of 2 to 4 (Ayes by Nutsch and Thompson). The motion, as friendly amended, to authorize the distribution of Alternatives #1, #2 and #4 for public review was passed by a vote of 4 to 2 (Nays by Nutsch and Thompson). It was clarified and acknowledged that the motion effectually includes setting May 16, 2012 as the date for a public hearing.

2. 2012 Annual Amendment

Lihuang Wung, Long-Range Planning, presented the draft Letter of Recommendation and the draft Findings and Recommendations Report concerning the Proposed Amendments to the Comprehensive Plan and Land Use Regulatory Code for 2012. The documents were approved unanimously. Mr. Wung indicated that the documents will be compiled with the complete text of the proposed amendments and pertinent background information and forwarded to the City Council for consideration and possible action in May-June.

COMMUNICATION ITEMS

Chair Erickson acknowledged receipt of the following items:

1. Announcement on the Planning Commission's vacant "Environmental Community" position.
2. Planning Commission Tentative Agendas for May 2 and May 16.

COMMENTS BY LONG-RANGE PLANNING DIVISION

Mr. Wung reported that applications for the "Environmental Community" position are due April 25 and the Mayor's Office has received 5 applications. The appointment is expected to occur in early May. The recruitment effort for the Districts 2, 3, and 5 positions will begin in late May.

Mr. Munce suggested that the Commission hold a retreat in June 2012 to discuss issues of interest and operation of the Commission. The Commissioners concurred.

COMMENTS BY PLANNING COMMISSION

The Commissioners suggested the color schemes for the maps associated with the Medical Cannabis alternatives, as presented today, be modified to improve the readability of the maps.

Chair Erickson requested that staff keep the Commissioners informed of the "Short Course on Local Planning" training opportunities offered by the Department of Commerce's Growth Management Services.

ADJOURNMENT

The meeting adjourned at 5:36 p.m.