



City of Tacoma
Planning Commission

Chris Beale, Chair
Stephen Wamback, Vice-Chair
Donald Erickson
Jeff McInnis
Meredith Neal
Anna Petersen
Brett Santhuff
Dorian Waller
Scott Winship

AGENDA

MEETING: Regular Meeting and Public Hearing

TIME: Wednesday, March 2, 2016

- Meeting begins at 4:00 p.m.
- Public Hearing begins at 5:00 p.m.

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

Note Change in
Meeting Location
(not in Room 16)

A. Call to Order and Quorum Call

B. Approval of Agenda and Minutes of February 17, 2016

C. Public Comments

Comments must be pertaining to items on the agenda and limited to up to three minutes per speaker.

D. Discussion Items

1. Multifamily District Design Standards (an application for the 2016 Annual Amendment)

Review key issues and the proposed approach to code amendments concerning the design and development standards for the multifamily residential zoning districts.
(See "Agenda Item D-1"; Stephen Atkinson, 591-5531, satkinson@cityoftacoma.org)

2. Future Land Use Implementation (an application for the 2016 Annual Amendment)

Review key issues and the proposed approach to area-wide rezones in identified study areas in order to rectify inconsistencies between the Comprehensive Plan and the Zoning Map.
(See "Agenda Item D-2"; Stephen Atkinson, 591-5531, satkinson@cityoftacoma.org)

3. (5:00 p.m.) Public Hearing – Marijuana Code Amendments

Conduct a public hearing to receive oral testimony on the proposed amendments to the Tacoma Municipal Code concerning marijuana uses, and keep the record open through March 7, 2016 to accept written comments.

(See "Agenda Item D-3"; Molly Harris, 591-5383, mharris@cityoftacoma.org)

E. Communication Items & Other Business

- (1) Infrastructure, Planning and Sustainability Committee meeting, March 9, 2016, 4:30 p.m., Room 16; agenda includes: Safe Route to School; PSRC Household Travel Survey; and License Plate Recognition System.
- (2) Planning Commission meeting, March 16, 2016, 4:00 p.m., Room 16; agenda includes: Marijuana Code Amendments; Short-Term Rentals; Code Clean-ups; and Wireless Communication Facilities.

F. Adjournment



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MINUTES (Draft)

TIME: Wednesday, February 17, 2016, 4:00 p.m.

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

PRESENT: Chris Beale (Chair), Donald Erickson, Jeff McInnis, Meredith Neal, Dorian Waller, Scott Winship

ABSENT: Stephen Wamback (Vice-Chair), Anna Petersen, Brett Santhuff

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 FEBRUARY 3, 2016

The agenda was amended to move item D-2 ahead of item D-1. The agenda was approved as amended. The minutes of the regular meeting on February 3, 2016 were reviewed and approved as submitted.

C. PUBLIC COMMENTS

Chair Beale opened the floor for public comments. The following citizens provided comments:

1) **Duane:**

Duane commented that he was the owner of Emerald Leaves which was about 600 feet from Mary Mart, another recreational store. He reported that he has invested hundreds of thousands of dollars in the industry and complied with all rules and regulation. He commented that since the City does not have any rules regarding dispersion between stores, there are currently two stores on 6th Avenue between Fife and Proctor with an additional two proposed. He advocated the City taking steps to not allow more than two stores to cluster on 6th Avenue. He suggested that the City consider that if two stores are already within 600 feet of each other, a third store should be allowed with a 2500 foot buffer from the other two.

2) **Brian Caldwell:**

Mr. Caldwell, as the managing member of Triple C Collective on 6th Avenue, suggested the Commission consider adopting an ordinance that drops the buffer to 100 feet for sensitive uses not including schools and daycares. He asked the Commission to share with the public what dispersion would look like if implemented. Mr. Caldwell requested that there be no cap on the total number of stores and that the market should be allowed to decide the number of stores. He asked that they require new stores to be medically endorsed, actively operate their medical endorsement, and only carry pesticide free products. For cooperatives, Mr. Caldwell requested that they follow the State law. He also requested that the City adopt rules to allow production and processing with a 100 or 1000 foot buffer.

3) **Anthony Valenzuela:**

Mr. Valenzuela commented on being the owner of a building on 6th Avenue that has a marijuana retailer as a tenant. He reported on a number of associated issues including underage customers, numerous break-ins, vandalism, people smoking marijuana on premises, loitering, and customers with children in strollers. He commented that the tenant had only complied with the law when he had been forced to. Mr. Valenzuela commented that he felt that there should be some buffers; that having 5, 10, or 15 stores on 6th Avenue was a bad idea; and that the vibrancy of 6th Avenue was diversity.

4) Damien McDivitt:

Mr. McDivitt commented that he was the owner of Mary Mart, which was within 1000 feet of another store. He commented that he supported the current moratorium because they do not know what the future impact of new regulations could be. He supported limiting the number of additional stores in Tacoma and commented that he did not want 6th Avenue to become clustered with only one type of business. He supported the recommended dispersion of 1000 feet noting that with the current amount of competition, many businesses were struggling to make money.

D. DISCUSSION ITEMS**1. Permitting and Development Activity Report**

Lisa Spadoni, Development Services Division, provided a review of information on building and land use permits, projects of interest, and development trends based on year 2015 data. Ms. Spadoni discussed the attachments included with the agenda item, first noting a table that summarized permit activity for the last five years and a chart that illustrated the data in the table. The data included in the table showed a number of trends including that the number of permits had increased, but the overall value of the permits in 2015 was lower. Ms. Spadoni discussed a table that broke down the permit types for 2015, noting that the total number of new residential units was 380 and that 9 permits had been issued for accessory dwelling units.

The Planning and Development Services Monthly Project Update was discussed. Ms. Spadoni reviewed that it forecasted the projects that were coming up including a number of large projects. Projects highlighted included the Goldfish Tavern; the Haub Superblock which would include two high rise office towers; McMenamins which had been permitted for an interior remodel; an adaptive reuse project at the old Titus Will building; the Simpson Lumber Mill site which was looking at developing one million square feet warehouse space; the UW Tacoma Town Center which was hoping to begin construction by the end of the year; the Convention Center Hotel which was hoping to break ground before the end of the year; the Seven Seas Brewery project; a new cold storage facility; and a mixed-use building with 200-300 residential units on MLK Jr. Way. Ms. Spadoni reported that they had also done some permitting for a LNG plant at the Port of Tacoma and had held a number of community meetings regarding a proposed methanol plant. Commissioner Neal requested that the Monthly Project Update be included as a regular communication item.

Chair Beale asked if there had been any issues with the Shoreline Master Program (SMP) since it had been passed. Ms. Spadoni responded that only several Shoreline permits had been submitted since the SMP was approved, adding that applicants had found the buffer restoration requirement challenging. She commented that some tenants of the port might have been surprised by the public access requirement and the fee in lieu option. Chair Beale asked how the in lieu fee was being determined. Ms. Spadoni confirmed that they were using a percentage of the project valuation.

Chair Beale noted that on a lot of their planned action SEPAAs they no longer have a project level SEPA review. He asked if there had been things they had wanted to mitigate that were not covered by EIS. Ms. Spadoni responded that so far, few projects had come through with some of those planned action SEPAAs.

2. Marijuana Code Amendments

Molly Harris, Planning Services Division, facilitated a discussion to consider releasing potential code amendments concerning marijuana uses and setting March 2, 2016 as the date for a hearing to receive public comment. The key options for potential code amendments included buffers for retail marijuana stores, dispersion of retail marijuana stores, a cap on the total number of retail marijuana stores, whether to require a medical endorsement for new retail marijuana stores, and whether to allow cooperatives. Ms. Harris reviewed questions from the previous meeting, reporting that the State enforces State Laws, unless permission is given to the City to enforce that law and that most of the State sensitive use buffers could be reduced to 100 feet.

Buffer options were discussed. Ms. Harris noted that buffers of 1000 feet for elementary schools, secondary schools, and playgrounds were required by State Law and could not be reduced. Buffers for

correctional facilities, court houses, drug rehabilitation centers, and detoxification centers could be reduced or eliminated. Buffers established by the State for child care centers, game arcades, libraries, public parks, public transit centers, and recreational facilities could be reduced to as little as 100 feet. Chair Beale asked if the Washington State Liquor and Cannabis Board buffered any kinds of uses for liquor stores. It was noted that the liquor stores were buffered from schools. Discussion ensued. Commissioners concurred with requiring, for retail stores, a buffer of 100 feet from sensitive uses and 300 feet from the City's added sensitive uses for public review.

Dispersion was discussed. Ms. Harris reviewed the options including no dispersion, 500 feet, and 1000 feet. A map showing existing and proposed stores was reviewed. It was noted that currently only two stores were within 1000 feet of each other. Chair Beale commented that he could not support dispersion as a final recommendation because the City does not disperse other uses like alcohol, but that he would support putting it out for public review. Commissioners concurred with requiring a dispersion, for retail stores, of 300 feet within the downtown area and 500 feet everywhere else for public review.

The cap on the total number of stores was discussed. Ms. Harris reviewed the options including no cap, matching the State cap of 16 stores, or capping at another number. Commissioners concurred with not setting a cap on the total number of stores for public review.

Requiring medical endorsements for retail marijuana stores was discussed. Commissioner McInnis asked how difficult the process of getting a medical endorsement was. Ms. Harris responded that it was not a difficult process and between 70% and 80% of existing stores had applied for medical endorsements. Commissioners agreed to require that new stores obtain a medical endorsement.

Cooperatives were discussed. Ms. Harris reviewed that options included allowing Cooperatives as per State Law, not allowing Cooperatives, and allowing with reduced buffers. Ms. Harris noted that the City's added sensitive use buffers only apply to retail uses. Commissioners concurred with allowing Cooperatives and reducing buffers to 100 feet. Chair Beale reported that Vice-Chair Wamback had suggested adding language for Cooperatives that would take into consideration crimes or public nuisances attributed to a residential address with a possible waiting period requirement before a cooperative would be allowed. Ms. Harris responded that she would investigate if that was possible.

Lihuang Wung, Planning Services Division, reviewed that the Commission had agreed to the following:

- For buffers for retail marijuana stores, a citywide buffer of 100 feet, with an exception for City's added sensitive use buffers which would be reduced to 300 feet. State required buffers for elementary schools, secondary schools, and playgrounds would remain at 1000 feet.
- For retail store dispersion, 300 feet in the Downtown area and 500 feet everywhere else.
- No cap on the total number of retail marijuana stores.
- New stores would be required to obtain a medical endorsement.
- Cooperatives would be allowed with sensitive use buffers reduced to 100 feet.
- The Commission entrusted staff with additional modifications to reflect conformance with recent State laws, to draft language for public review, to set the public hearing for March 2nd, and allow the record to be open through March 7th.

Commissioner Neal motioned to release the review for public comment and set the public hearing date for March 2nd. Commissioner Erickson seconded. The motion was approved unanimously.

3. Wireless Communication Facilities (an application for the 2016 Annual Amendment)

Mr. Wung provided a review of background information, key issues, and the proposed approach for code amendments concerning wireless communication facilities. He reviewed that Federal legislation had included language stating that State or local governments may not deny any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station. In response, the Federal Communications Commission had created rules to implement the language with Report and Order FCC 14-153 which had also included definitions and guidelines for the review of applications. The FCC definition for "substantial changes" had included, in general, tower height increases of greater than 10% or 20 feet; appurtenance protruding 20 feet or the width of the tower; more than 4 cabinets; and excavation outside of the site. Anything within

those parameters would be considered “not substantial” and must be approved by local government. Commissioner Erickson asked if the law would allow incremental increases over time. Commissioner McInnis asked if there was a definition for what constituted excavation. Mr. Wung reported that the new FCC rules stated that there was a 60 day shot clock that began when the application was filed and allowed the local jurisdiction 30 days to notify the applicant if the application was incomplete, which would stop the clock. Once the applicant submitted supplemental information the clock would continue. After 60 days, failure to act would be considered approval of the application.

Mr. Wung reviewed the current Tacoma Municipal Code TMC 13.06.545 concerning Wireless Communications Facilities. He commented that if no changes were made, they would not likely be in violation of Federal law, but they wanted to take the opportunity to incorporate the rules where appropriate. Substantial changes to the code would include incorporation of FCC rules, specifically the section on minor modifications. For the 60 day shot clock, the recommended options were to either formally incorporate the FCC rules or to establish an administrative policy recognizing the Federal 60 day requirements and the current 42 day level of service. Mr. Wung commented that staff also wanted to take the opportunity to consider enhancing the code to address visual impacts of transmission equipment by establishing requirements for location or camouflage. Mr. Wung indicated that staff will present the text for the proposed code amendments based on the discussion today at a future meeting tentatively set for March 16, 2016.

E. COMMUNICATION ITEMS & OTHER BUSINESS

None.

F. ADJOURNMENT

At 6:06 p.m., the meeting of the Planning Commission was concluded.



City of Tacoma
Planning and Development Services

To: Planning Commission
From: Stephen Atkinson, Planning Services Division
Subject: **Multifamily Residential Design Standards**
Date of Meeting: March 2, 2016
Date of Memo: February 24, 2016

At the next meeting on March 2, 2016, the Planning Commission will review key issues and the proposed approach to code amendments concerning the design and development standards for the multifamily residential zoning districts. Attached to facilitate the Commission's review are:

- A. Designated Corridors in the Comprehensive Plan
- B. Summary of Potential Design Standards Updates
- C. Residential and Corridor Design and Development Policies

While multifamily residential uses are permitted in commercial zoning districts and mixed-use zoning districts, the scope of this update for 2016 is to focus on the residential zoning districts, specifically R-3, R-4L, R-4, and R-5, while updates to the commercial zoning districts are scheduled to occur in 2017 or later. The mixed-use center districts have already been updated to ensure enhanced site and building design standards. Further improvements to the mixed-use center standards may occur in the next year or two as the City considers the development of a design review program.

In evaluating potential modifications to the residential zoning districts, the emphasis has been to use existing standards for development in the Commercial Districts and Mixed-use Centers as a starting point for improving the design standards in the residential zones, while still maintaining some differences in character between the districts.

Given the City's current market, which has typically yielded lower density residential projects with surface parking outside the mixed-use centers, staff proposes an incremental approach to enhanced design, by focusing the proposed standards on streets designated in the Comprehensive Plan for greater pedestrian and transit orientation. These street classifications were developed consistent with adopted pedestrian street classifications in the Mixed-use Centers zoning code and the streets identified in the Complete Streets Design Manual.

The proposed standards are intended to improve the spatial definition of the right-of-way and public realm, promote pedestrian orientation and access, integrate nature and open space into new developments, and to improve compatibility of scale with adjacent single family areas as well as a more continuous 'urban feel' along designated corridors. Taken together, these standards would improve the quality of development within the City's residential zoning districts.

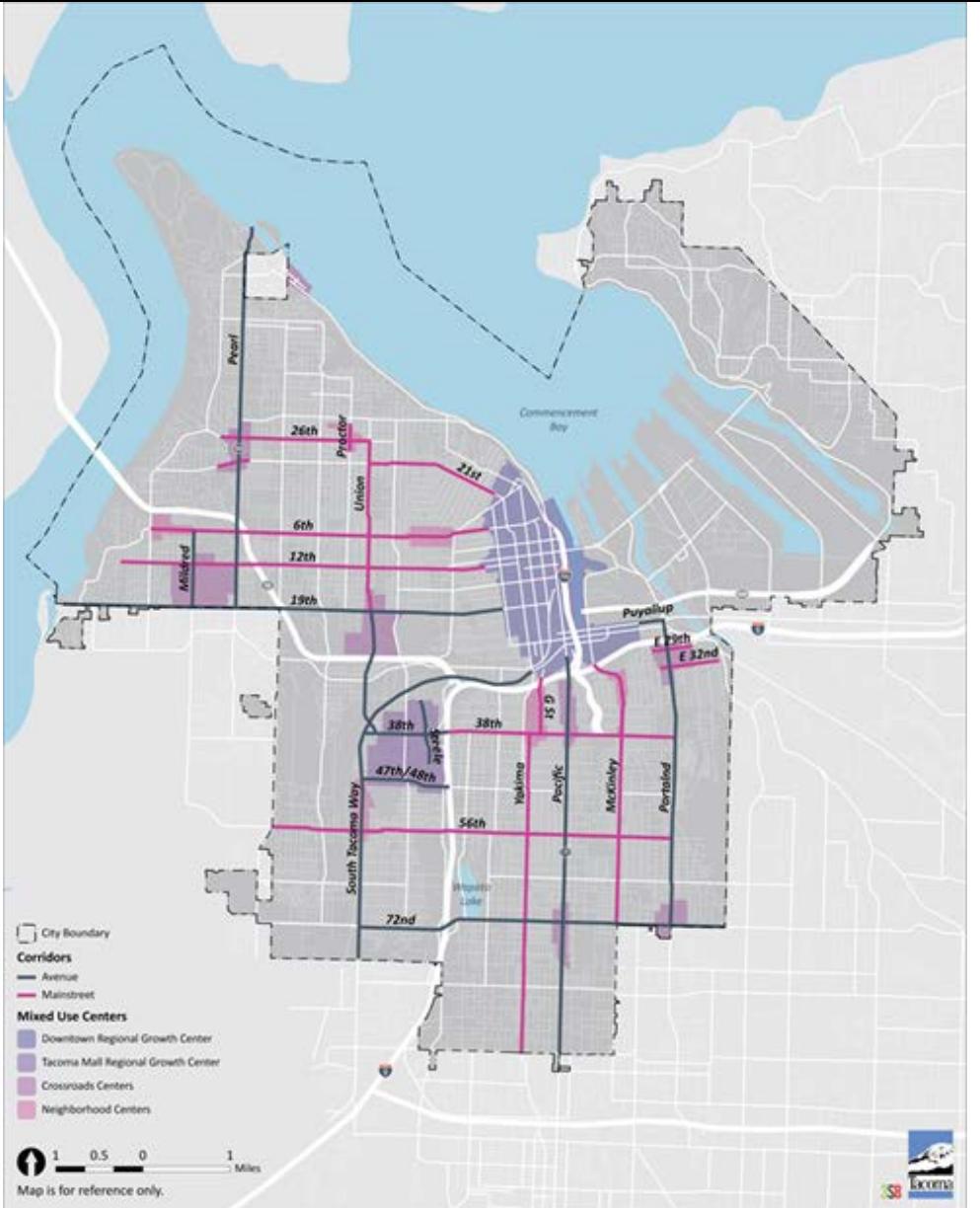
If you have any questions, please contact me at 591-5531 or satkinson@cityoftacoma.org.

Attachments

c: Peter Huffman, Director

Attachment A: Designated Corridors in the Comprehensive Plan:

Street	Corridor Type
Pearl	Avenue
N 26th	Main Street
N 21st	Main Street
Mildred	Avenue
6 th Ave	Main Street
12 th	Main Street
19 th	Avenue
Union	Avenue Main Street
S 38 th Street	Main Street
South Tacoma Way	Avenue
56 th	Main Street
72nd	Avenue
Yakima Ave	Main Street
Pacific Ave	Avenue
McKinley Ave	Main Street
Portland Ave	Avenue
Puyallup Ave	Avenue



The map illustrates the city of Tacoma's street grid and key infrastructure. Designated corridors are highlighted in pink, while mixed-use centers are indicated by shaded purple and grey areas. Key features include Commencement Bay to the west, Puyallup River to the east, and Rainier Lake to the south. Major roads like 26th, 21st, 6th, 12th, 19th, Union, Pacific, and McKinley Aves are labeled. The map also shows the location of the Tacoma Mall Regional Growth Center and other mixed-use centers.

Legend:

- City Boundary
- Corridors
 - Avenue
 - Mainstreet
- Mixed Use Centers
 - Downtown Regional Growth Center
 - Tacoma Mall Regional Growth Center
 - Crossroads Centers
 - Neighborhood Centers

Map is for reference only.

Attachment B: Summary of potential design standard updates.

<h2 style="text-align: center;">Residential Zoning District Update</h2> <h3 style="text-align: center;">Design and Development Standards</h3>			
Spatial Definition of the Street	Pedestrian Orientation	Natural Qualities/Open Space	Compatibility/Scale/Transitions
<p>Maximum Setback</p> <p><u>Applicability:</u> All development in the R-3, R-4L, R-4 and R-5 Districts with frontage on a designated Corridor. Maximum setback only applies to frontages on the designated corridor.</p> <p><u>Purpose:</u> To create an environment that is inviting to pedestrians and transit users and creates a legible, defined public realm.</p> <p><u>Proposed Standards:</u> Maximum Setback from property line, in feet: 20</p> <p><u>Current Code:</u> No Maximum setback in R-Districts. Maximum setbacks are only defined in X-Districts within designated Centers and currently exempt single use residential buildings.</p> <p>Current minimum setbacks in feet: 20: R-3, R-4L 15: R-4 10: R-5</p>	<p>General Roofline Standards</p> <p><u>Applicability:</u> Multifamily projects in the R-3, R-4L, R-4 and R-5 districts.</p> <p><u>Purpose:</u> These requirements are intended to ensure that roofline is addressed as an integral part of building design to avoid flat, unadorned rooflines that can result in an industrial appearing, monotonous skyline. Roofline features are also intended to further reduce apparent building volume and further enhance features associated with residential and human scale development.</p> <p><u>Proposed Standards:</u> Roofline Choices (All buildings shall use one or more of the roofline options)</p> <ol style="list-style-type: none"> 1. Sloped roof. 2. Modulated roof. 3. Corniced roof. <p><u>Current Code:</u> These standards are derived from the existing standards in TMC 13.06 for Commercial Districts. The Residential District zoning does not address this topic.</p>	<p>Usable Yard Space</p> <p><u>Applicability:</u> All developments in the R-3, R-4L, R-4 and R-5 Districts.</p> <p><u>Purpose:</u> The usable yard space standards assure opportunities for outdoor relaxation or recreation. The standards work with the building coverage and tree canopy standards to assure that some of the land not covered by buildings is of adequate size, shape, and location to be usable for outdoor recreation or relaxation. Usable yard spaces are an important aspect in addressing the livability of a residential property by providing outdoor living opportunities, some options for outdoor privacy, and a healthy environment.</p> <p><u>Proposed Standards:</u> Single family residential: <ul style="list-style-type: none"> • 10% of lot size; Duplex, Triplex, Townhouse: <ul style="list-style-type: none"> • 250 sq. ft. of yard space; Multifamily: <ul style="list-style-type: none"> • 50 sq. ft. per dwelling unit. </p> <p><u>Current Code:</u> 10% of the lot size for all districts.</p>	<p>Building Coverage, percent of lot</p> <p><u>Applicability:</u> All developments in the R-3, R-4L, R-4 and R-5 Districts.</p> <p><u>Purpose:</u> In conjunction with height and setback standards, building coverage limits the overall bulk of structures, ensuring that larger buildings will not have a footprint that overwhelms adjacent development.</p> <p><u>Proposed Standards:</u> 50: R-3, R-4L 65: R-4 85: R-5</p> <p><u>Current code:</u> No lot coverage limitations except in the R-4L District, which is currently 35% of the lot.</p>

<p>Maximum Building Length</p> <p><u>Applicability:</u> All projects in the R-3, R-4L, R-4 and R-5 Districts with frontage on a designated Corridor.</p> <p><u>Purpose:</u> To limit the amount of bulk that can be placed close to the street. The standard assures that long building walls will be broken up into separate buildings, providing a feeling of transition.</p> <p><u>Proposed Standards:</u> Maximum building length in feet: 100: R-3, R-4L 130: R-4, R-5</p> <p><u>Current Code:</u> None. Building articulation standards in the MUCs addresses this issue in a different way.</p> <p>Parking Design</p> <p><u>Applicability:</u> All projects in the R-3, R-4L, R-4 and R-5 Districts.</p> <p><u>Purpose:</u> The size and placement of vehicle parking areas are regulated in order to enhance the appearance of neighborhoods and to break up monotonous street frontages with</p>	<p>General Pedestrian Standards</p> <p><u>Applicability:</u> Multifamily developments in the R-3, R-4L, R-4 and R-5 Districts that are meeting the maximum setback requirements.</p> <p><u>Purpose:</u> These requirements are intended to enhance pedestrian mobility and safety by providing increased circulation, decreasing walking distances required to enter large developments, and providing walkways partially shielded from rain and/or snow.</p> <p><u>Proposed Standards:</u> At least one main entrance for each structure must:</p> <ol style="list-style-type: none"> 1. Be within 8 feet of the longest street-facing wall of the dwelling unit; and 2. Either: <ul style="list-style-type: none"> • Face the street • Be at an angle of up to 45 degrees from the street, or • Open onto a porch. <p>The porch must:</p> <p>Be at least 25 square feet in area;</p> <p>(2) Have at least one entrance facing the street; and</p> <p>(3) Have a roof that is:</p> <ul style="list-style-type: none"> • No more than 12 feet above the floor of the porch; and • At least 30 percent solid. This standard may be met by having 30 percent of the porch area covered with a solid roof, or by having the entire area covered 	<p>Tree Canopy Area, percent of lot</p> <p><u>Applicability:</u> All developments within R-3, R-4L, R-4, and R-5 Districts.</p> <p><u>Purpose:</u> The standards for tree canopy areas are intended to enhance the overall appearance of residential developments. The tree canopy improves the residential character of the area, breaks up large expanses of paved areas and structures, provides privacy to the residents, and provides separation from streets. Tree canopy helps cool the air temperature, intercept rainfall and reduce stormwater run-off.</p> <p><u>Proposed Standards, percent of site:</u> 30: R-3, R-4L 20: R-4 15: R-5</p> <p><u>Current Code:</u> Landscaping requirements by district: 5% for all Residential Districts 10% for Commercial Districts 15% for X-Districts (single purpose projects) Additional landscaping standards for parking lots and buffer areas/transitions.</p>	<p>Allowed Height, in feet</p> <p><u>Applicability:</u> All developments in the R-3, R-4L, R-4 and R-5 Districts.</p> <p><u>Purpose:</u> To promote a reasonable building scale and relationship of one residence to another and to promote options for privacy for neighboring residences.</p> <p><u>Proposed Standard:</u> 35: R-3, R-4L 45: R-4L multifamily on designated corridor, meeting maximum setback 65: R-4 85: R-5</p> <p><u>Current code:</u> 35' – R-3, R-4L 60' – R-4 150' – R-5</p> <p>Mass Reduction</p> <p><u>Applicability:</u> Buildings under 7,000 square feet of floor area are not required to provide mass reduction.</p> <p>b. Buildings from 7,000 square feet of floor area to 30,000 square feet of floor area shall provide at least one mass reduction feature.</p> <p>c. Buildings over 30,000 square feet of floor area shall provide at least two mass</p>
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<p>active uses and to create a defined public realm.</p> <p>Proposed Standards:</p> <ul style="list-style-type: none"> a. No more than 50% of any street frontage b. No more than 150' continuous street frontage c. Surface parking beside structure meeting the required setback shall not exceed 60' d. Driveway access at least 150' apart and 50' from a pedestrian street intersection. <p>Current Code: The code prefers parking and parking access to the rear of the buildings, but allows exceptions. Parking is not to exceed 50 percent of the front or corner street side yard.</p>	<p>with a trellis or other open material if no more than 70 percent of the area of the material is open.</p> <p>Weather protection:</p> <ul style="list-style-type: none"> • 25% of the length of walkway along street frontage • May be awnings, canopies, arcades, overhangs or marquees. • Cover 5' of the sidewalk width (hard surfaces only) <p>Current Code: These standards are derived from the existing standards in TMC 13.06 for Commercial Districts. The Residential District zoning does not address this topic.</p> <p>Windows and Openings</p> <p>Applicability: All multifamily projects in the R-3, R-4L, R-4 and R-5 Districts.</p> <p>Purpose: These requirements are intended to increase public visibility for public safety, to provide visual interest to pedestrians that helps encourage pedestrian mobility and to provide a visual connection between the living area of the residence and the street.</p>		<p>reduction features.</p> <p>Purpose: The design choices of this item are intended to help reduce the apparent mass of structures and achieve a more human scale environment by providing physical breaks in the building volume that reduce large, flat, geometrical planes on any given building elevation.</p> <p>Proposed Standards:</p> <p>Mass reduction choices</p> <ul style="list-style-type: none"> a. Upper story. Buildings with a maximum footprint of 7,000 square feet of floor area, that do not exceed 14,000 square feet of floor area, may count use of a second story as a mass reduction feature. b. Upper story setback. An 8 feet minimum setback for stories above the second story for elevations facing the street or parking lots over 20 stalls. This requirement applies to a maximum of 2 elevations. c. Wall modulation. Maximum 100 feet of wall without modulation, then a minimum 2 feet deep and 15 feet wide offset of the wall and foundation line on each elevation facing the street, parking lots over 20 stalls, or residential uses. d. Public plaza. A public plaza of at least 800 square feet or 5 percent of building floor area, whichever is greater.
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	<p><u>Proposed Standards:</u> At least 50 percent of the ground level wall area on designated pedestrian streets.</p> <p>At least 15 percent of all street facing facades transparent.</p> <p><u>Current Code:</u> These standards are derived from the existing standards in TMC 13.06 for Commercial Districts. The Residential District zoning does not address this topic except for duplex, triplex and townhouses.</p> <p>Fencing and Utility Screening</p> <p><u>Applicability:</u> All developments in the R-3, R-4L, R-4 and R-5 Districts.</p> <p><u>Purpose</u> The fencing and screening standards address specific unsightly features which detract from the appearance of residential areas.</p> <p><u>Proposed Code would address:</u></p> <ul style="list-style-type: none"> • Rooftop • Groundlevel • Fencing type limitations • Break up long fences 		<p><u>Current Code:</u> These standards are derived from the existing standards in TMC 13.06 for Commercial Districts. The Residential District zoning does not address this topic.</p> <p>Minimum Density</p> <p><u>Applicability:</u> R-3, R-4L, R-4 and R-5 Districts.</p> <p><u>Purpose:</u> To ensure that service capacity is used efficiently and the City's housing goals are met.</p> <p><u>Proposed Standards, units per acre:</u> R-3: 10 R-4L: 14 R-4 and R-5: 18</p> <p><u>Current Code:</u> Single family, duplex, and triplex are allowed in R-3, R-4L, R-4 and R-5 Districts</p>
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<p><u>Current Code:</u> These standards are derived from the existing multifamily standards in TMC 13.06 for Commercial Districts. The Residential District zoning does not address this topic.</p> <p>Large Site Pedestrian and Bicycle Connectivity</p> <p><u>Applicability:</u> Sites greater than 10,000 square feet in lot size</p> <p><u>Purpose:</u> The pedestrian and bicycle standards encourage a safe, attractive, and usable pedestrian circulation system in all developments. They ensure a direct pedestrian connection between abutting streets and buildings on the site, and between buildings and other activities within the site. In addition, they provide for connections between adjacent sites, where feasible.</p> <p><u>Proposed Standards:</u></p> <ul style="list-style-type: none">a. Direct connection from main entrance of each building to nearest street (not more than 120% of direct line distance)b. Connections to all streets, coordinated to connect to transit, bikes facilities, trailsc. 150' entrance frequency along streetsd. Internal connections to all sites and amenitiese. Size and materials for paths		
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- f. Bike facilities – shared path or sharrows from entrance to bike parking facilities
- g. Barriers which limit future pedestrian access between the subject property and adjacent properties are not permitted;
- h. Easements to provide rights of access between adjacent properties.
- i. Weather protection at building entrances.

Current Code:

These standards are based on existing code but take additional steps to addressing route directness, connections to specific transportation facilities, and connections to adjacent lots.

Attachment C: Residential and Corridor Design and Development Policies

Residential Infill which Supports the Surrounding Neighborhood



Cottage housing



Duplex



Courtyard apartments

RESIDENTIAL AREAS

There will be development and change, even in relatively stable lower density residential areas. These policies encourage designs and development that continue the existing development pattern. They also address design and development in lower density residential areas outside of centers and corridors, and call for new residential infill to be designed and located to support the overall health and vitality of the City's neighborhoods.

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GOAL DD-4 Enhance human and environmental health in neighborhood design and development. Seek to protect safety and livability, support local access to healthy food, limit negative impacts on water and air quality, reduce carbon emissions, encourage active and sustainable design, and integrate nature and the built environment.

Policy DD-4.1 Preserve and enhance the quality, character and function of Tacoma's residential neighborhoods.

Policy DD-4.2 Encourage more housing choices to accommodate a wider diversity of family sizes, incomes, and ages. Allow adaptive reuse of existing buildings and the creation of accessory dwelling units to serve the changing needs of a household over time.

Policy DD-4.3 Encourage residential infill development that complements the general scale, character, and natural landscape features of neighborhoods. Consider building forms, scale, street frontage relationships, setbacks, open space patterns, and landscaping. Allow a range of architectural styles and expression, and respect existing entitlements.

Policy DD-4.4 Support resource efficient and healthy residential design and development (see also Goal DD-7 and supporting policies).

Policy DD-4.5 Provide sufficient rights-of-way, street improvements, access control, circulation routes, off-street parking and safe bicycle paths and pedestrian walkways for residential developments.

Policy DD-4.6 Promote the site layout of residential development where residential buildings face the street and parking and vehicular access is provided to the rear or side of buildings. Where multifamily developments are allowed in established neighborhoods, the layout of such

developments should respect the established pattern of development, except where a change in context is desired per the goals and policies of the Comprehensive Plan.

Policy DD-4.7 Emphasize the natural physical qualities of the neighborhood (for example, trees, marine view, and natural features) and the site in locating and developing residential areas, provided such development can be built without adversely impacting the natural areas. Where possible, development should be configured to utilize existing natural features as an amenity to the development.

Policy DD-4.8 Provide on-site open space for all types of residential uses. Specifically:

- For single family uses and duplexes, this includes private rear yard areas and landscaped front yards.
- For triplexes and townhouses, this includes landscaped yard space, patios, balconies, rooftop decks, porches, and/or common open spaces.
- For multifamily uses, this includes balconies, patios, rooftop decks, and/or shared common open space.

Policy DD-4.9 Promote multifamily residential building design that is compatible with the existing patterns of the area. Building design should incorporate:

- Façade articulation that reduces the perceived scale of the building and adds visual interest.
- For infill residential in established neighborhoods, encourage the use of similar façade articulation and detailing as existing structures.
- Covered entries visible from the street and/or common open space.
- Utilize building materials that are durable and provide visual interest.

Policy DD-4.10 Utilize landscaping elements to improve the livability of residential developments, block unwanted views, enhance environmental conditions, provide compatibility with existing and/or desired character of the area, and upgrade the overall visual appearance of the development.

Policy DD-4.11 Encourage the diversity of design in multi-unit residential developments. Examples include provisions for a diversity of façade treatments and architectural styles that can add visual interest and diversity to the neighborhood.



On-site open spaces for residential uses, including landscaped front yards and porches, common courtyards, balconies, and common play areas



Artist Elizabeth Conner installing colorful spheres on Pacific Avenue and in rain gardens

Policy DD-4.12 Encourage the inclusion of affordable spaces for artists and creative entrepreneurs such as artist live-work and/or work-live units, studio work spaces, or assembly/performance spaces in multifamily projects through incentives.

DESIGN + DEVELOPMENT OF CENTERS + CORRIDORS

Centers and corridors are places where large numbers of people live, work, and visit. Careful attention to the design of centers and corridors is necessary to ensure that they become places where people want to live and gather, and where getting around by walking, biking, or wheelchair is an attractive choice. These policies also encourage the development of centers as places that reflect the character and cultures of the surrounding neighborhoods.

GOAL DD-5 Ensure long-term resilience in the design of buildings, streets and open spaces, including the ability to adjust to changing demographics, climate, and economy, and withstand and recover from natural disasters.

Policy DD-5.1 Focus services and higher-density housing in the core of centers to support a critical mass of demand for commercial services and more walkable access for customers.

Policy DD-5.2 Encourage development in centers and corridors to include amenities that create a pedestrian-oriented environment and provide places for people to sit, spend time, and gather.

Policy DD-5.3 Promote building and site designs that enhance the pedestrian experience in centers and corridors, with windows, entrances, pathways, and other features that provide connections to the street environment.

Policy DD-5.4 Encourage development in centers and corridors that is responsive to street space width, allowing taller buildings on wider streets.

Policy DD-5.5 Provide frequent street connections and crossings in and within walking distance of centers and corridors.

Policy DD-5.6 Site and design new developments with safe, convenient, connected and attractive pedestrian access. Specifically:

- a. Locate and orient buildings towards the street for pedestrian convenience and enhance the spatial definition of the street.
- b. Provide safe walkways and pedestrian areas that are visible, well-lit, accessible, conveniently located, and buffered from vehicular traffic.
- c. Provide attractive and well-maintained landscaping with amenities, including street furniture and public art, along pedestrian routes.
- d. Design pedestrian routes with sufficient widths to accommodate the anticipated long term pedestrian activity.
- e. Design buildings along pedestrian routes with attractive and interesting façades including plenty of transparent window areas, weather protection elements, and ground level detailing.
- f. Design large developments with an internal pedestrian circulation system that provides attractive connections between buildings, through large parking areas, connections to the street, and linkages to surrounding properties and neighborhoods, where possible.
- g. Encourage the development of gathering spaces such as pedestrian malls and plazas in commercial areas to enhance the pedestrian experience and sense of community.
- h. Encourage developments to provide spaces for creative activity, such as artist studios, creative retail, performance and more.
- i. Designated pedestrian streets warrant the greatest attention to pedestrian needs and interest in terms of sidewalk widths, adjacent building transparency, weather protection, and adjacent façade detailing.

Policy DD-5.7 Encourage developments to provide bicycle facilities, including paths, parking, employee showers, and changing areas.

Policy DD-5.8 Improve the livability of places and streets with high motor vehicle volumes. Encourage landscaped front setbacks, street trees, and other design approaches to buffer residents from street traffic.



Provide a diverse array of public spaces in mixed-use centers, including indoor and outdoor space, active and passive spaces, and plazas and garden spaces

Policy DD-5.9 Integrate natural and green infrastructure, such as street trees, native landscaping, green spaces, green roofs, gardens, and vegetated stormwater management systems, into centers and corridors.

Policy DD-5.10 Locate public squares, plazas, and other gathering places in centers and corridors to provide places for community activity and social connections. Encourage location of businesses and services adjacent to these spaces that relate to and promote the use of the space.

Policy DD-5.11 Protect and enhance defining places and features of centers and corridors, including landmarks, natural features, and historic and cultural resources.

Policy DD-5.12 Protect, restore, and improve historic buildings in centers and corridors on adopted inventories.

Policy DD-5.13 Encourage new development and public places to include design elements and public art that contribute to the distinct identities of centers and corridors, and that highlight the history and diverse cultures of neighborhoods.

Policy DD-5.14 Promote building design that is compatible with the existing and/or desired character of the area. Building design standards and/or guidelines should incorporate the following elements:

- a. Façade articulation options that reduce the perceived scale of buildings and add visual interest.
- b. For infill development in established areas, encourage the use of similar façade articulation and detailing as existing structures, where consistent with specific center policies or guidelines.
- c. Covered building entries visible from the street and/or common open spaces.
- d. Utilize building materials that are durable and provide visual interest.

Policy DD-5.15 Strengthen the continuity of development and streetscape by using architectural features, street furniture, and other elements that unify and connect individual areas.

Policy DD-5.16 Within core commercial areas, encourage uses at street level that generate pedestrian activity and support transit ridership.

Policy DD-5.17 Centers must remain compact enough to increase densities, facilitate economical and efficient provision of utilities, public facilities and services, and support more walking, bicycling, and transit use

Policy DD-5.18 Provide incentives to encourage a variety of development within designated mixed-use centers:

- a. Mixed-use centers are appropriate “receiving areas” for the transfer of development rights from other locations in the City, county and region.
- b. Provide the multifamily tax incentive only within designated mixed-use centers that are found to lack sufficient housing opportunities.
- c. Incentives may include reduced parking requirements, fee waivers, height increases, density bonuses, property tax exemptions, capital improvements and other techniques.



Desirable examples of building articulation and massing



Dome to Defiance Promenade



City of Tacoma
Planning and Development Services

To: Planning Commission
From: Stephen Atkinson, Planning Services Division
Subject: Future Land Use Implementation – Phase 1
Date of Meeting: March 2, 2016
Date of Memo: February 24, 2016

At the next meeting on March 2, 2016, the Planning Commission will review key issues and the proposed approach to area-wide rezones in identified study areas in order to rectify inconsistencies between the Comprehensive Plan and the Zoning Map.

Eight (8) study areas have been identified, as shown in the attached packet, which includes a description of each study area and the potential zoning district(s) for consideration. The packet also includes excerpts from the Urban Form Element of the *One Tacoma* Comprehensive Plan that describes the purpose of the Future Land Use Map and the relationship between the Land Use Designations and the zoning districts.

The Future Land Use Map in the *One Tacoma Plan* illustrates the City's intended future land use pattern through the geographic distribution of residential and commercial areas, the designation of mixed-use and manufacturing/industrial centers, as well as shoreline and single-family detached designations. This land use distribution was a result of analysis of the urban form policies, existing land use and zoning, development trends, anticipated land use needs and desirable growth and development goals. Various types of zoning and land use may be permitted within each of the designations.

Previous studies have identified significant areas throughout the City where current *One Tacoma Plan* policies and current zoning districts do not align. Rectifying these inconsistencies will be a multi-year effort in evaluating changes to either the Land Use Designations or the Zoning Districts, as appropriate. One of the purposes to this effort is to put in place the zoning districts that serve to implement the policies of the *One Tacoma Plan*, rather than devolving the responsibility for implementing appropriate zoning to property owners or developers through site-specific or area-wide rezone applications that add time, uncertainty and cost to development.

Advance notification for this effort was provided to all affected tax-payers and those within 400' of a study area.

If you have any questions, please contact me at 591-5531 or satkinson@cityoftacoma.org.

Attachment

c: Peter Huffman, Director



A Comprehensive Plan for a Vibrant, Connected, + Sustainable City

Planning Commission Agenda Item D2
Future Land Use Implementation: Phase 1
March 2, 2016

What is the One Tacoma Plan?

One Tacoma is a comprehensive plan that guides our community's development over the long-term and describes how our community's vision for the future is to be achieved. It guides decisions on land use, transportation, housing, capital facilities, parks, and the environment.

The One Tacoma Plan was adopted on December 1, 2015. To learn more about the Plan and Plan Implementation visit www.cityoftacoma.org/onetacoma.

Plan Implementation

The Land Use Regulatory Code is one of the primary tools the City uses to implement the goals and policies of the One Tacoma Plan. It governs what can be built, where it can be built, and what processes must be followed to obtain approval to build.

The following includes excerpts from the Urban Form Element and a description of the Zoning District Study Areas.



GOALS + POLICIES

CITYWIDE DESIGN + DEVELOPMENT

.....
GOAL UF-1 Guide development, growth, and infrastructure investment to support positive outcomes for all Tacomans.

Policy UF-1.1 Ensure that the Comprehensive Plan Land Use Map establishes and maintains land use designations that can accommodate planned population and employment growth. See Figure 2, Comprehensive Plan Future Land Use Map.

Tacoma's growth target is for 127,000 NEW RESIDENTS and 97,000 NEW JOBS by 2040.

LAND USE DESIGNATIONS

The Future Land Use Map illustrates the City's intended future land use pattern through the geographic distribution of residential and commercial areas, the designation of mixed-use and manufacturing/industrial centers, as well as shoreline and single-family detached designations. This land use distribution was a result of analysis of the urban form policies, existing land use and zoning, development trends, anticipated land use needs and desirable growth and development goals. Various types of zoning and land use may be permitted within each of the designations. The map is to be used in conjunction with the adopted policies of the Comprehensive Plan for any land use decision.

The land use designations are established by adoption of the Comprehensive Plan and amendments thereof. The Future Land Use Map is the official land use map of the City, and is maintained by the Planning and Development Services Department in an electronic format to facilitate its accurate use and implementation.

The Future Land Use Map and the designations in Table 3 on page 2-7 provide a basis for applying zoning districts and for making land use decisions. Policies should be considered and interpreted in accordance with the geographic characteristics of the mapped areas. Table 3 depicts the relationship between the land use designations and zoning classifications.

Policy UF-1.2 Implement Comprehensive Plan land use designations through zoning designations and target densities shown in Table 3, Comprehensive Plan Land Use Designations and Corresponding Zoning.

Policy UF-1.3 Promote the development of compact, complete and connected neighborhoods where residents have easy, convenient access to many of the places and services they use daily including grocery stores, restaurants, schools and parks, that support a variety of transportation options, and which are characterized by a vibrant mix of commercial and residential uses within an easy walk of home.

ONE TACOMA
Urban Form

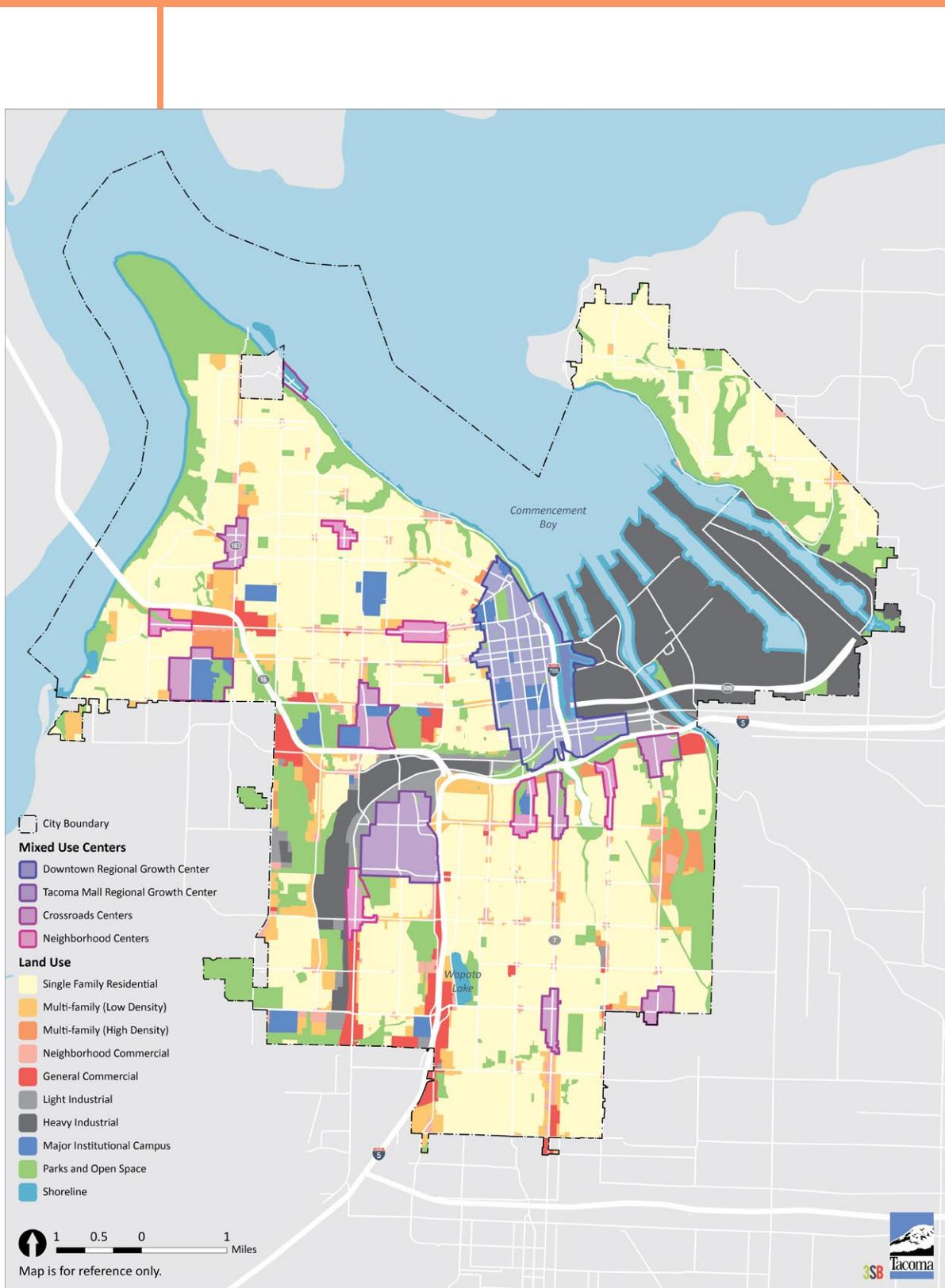


FIGURE 2. Comprehensive Plan Future Land Use Map

TABLE 3. Comprehensive Plan Future Land Use Designations and Corresponding Zoning

COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATIONS	CORRESPONDING ZONING
<p>Single Family Residential</p> <p>Qualities associated with single-family residential designations that are desirable include: low noise levels, limited traffic, large setbacks, private yards, small scale buildings, and low-density development. Community facilities, such as parks, schools, day cares, and religious facilities are also desirable components of residential neighborhoods. Limited allowances for other types of residential development are also provided for in the single family designation with additional review to ensure compatibility with the desired, overarching single-family character. In some instances, such as the HMR-SRD, areas designated for single family residential development have an historic mix of residential densities and housing types which should be maintained while allowing for continued expansion of housing options consistent with the single family designation.</p>	<p>R-1 Single-Family Dwelling District</p> <p>R-2 Single-Family Dwelling District</p> <p>R-2SRD Residential Special Review District</p> <p>HMR-SRD Historic Mixed Residential Special Review District</p>
<p><i>Target Development Density: 6–12 dwelling units/net acre</i></p>	
<p>Multi-Family (low-density)</p> <p>This district enjoys many of the same qualities as single-family neighborhoods such as low traffic volumes and noise, larger setbacks, and small-scale development, while allowing for multi-family uses and increased density along with community facilities and institutions. The Multi-Family (low-density) district can often act as a transition between the single-family designation and the greater density and higher intensity uses that can be found in the Multi-Family (high density designation) or commercial or mixed-use designations. This designation is more transit-supportive than the Single Family Residential areas and is appropriate along transit routes and within walking distance of transit station areas.</p>	<p>R-3 Two-Family Dwelling District</p> <p>R-4L Low-Density Multiple-Family Dwelling District</p>
<p><i>Target Development Density: 14–36 dwelling units/net acre</i></p>	
<p>Multi-Family (high-density)</p> <p>This designation allows for a wide range of residential housing types at medium and higher density levels, along with community facilities and institutions, and some limited commercial uses and mixed-use buildings. It is characterized by taller buildings, higher traffic volumes, reduced setbacks, limited private yard space, and greater noise levels. These areas are generally found in the central city and along major transportation corridors where there is increased access to public transportation and to employment centers.</p>	<p>R-4 Multiple-Family Dwelling District</p> <p>R-5 Multiple-Family Dwelling District</p>
<p><i>Target Development Density: 45–75 dwelling units/net acre</i></p>	

CORRESPONDING ZONING

C-1	General Neighborhood Commercial District
T	Transitional District

COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATIONS

Neighborhood Commercial

This designation is characterized primarily by small-scale neighborhood businesses with some residential and institutional uses. Uses within these areas have low to moderate traffic generation, shorter operating hours, smaller buildings and sites, and less signage than general commercial or mixed-use areas. There is a greater emphasis on small businesses and development that is compatible with nearby, lower intensity residential areas.

Target Development Density: 14–36 dwelling units/net acre

General Commercial

This designation encompasses areas for medium to high intensity commercial uses which serves a large community base with a broad range of larger scale uses. These areas also allow for a wide variety of residential development, community facilities, institutional uses, and some limited production and storage uses. These areas are generally located along major transportation corridors, often with reasonably direct access to a highway. This designation is characterized by larger-scale buildings, longer operating hours, and moderate to high traffic generation.

Target Development Density: 45–75 dwelling units/net acre

PDB	Planned Development Business District
HM	Hospital Medical District

C-2	General Community Commercial District
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DR	Downtown Residential District
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DMU	Downtown Mixed-Use District
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WR	Warehouse/Residential District
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DCC	Downtown Commercial Core District
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UCX-TD	Downtown Mixed-Use District
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UCX	Urban Center Mixed-Use District
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RCX	Residential Commercial Mixed-Use District
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URX	Urban Residential Mixed-Use District
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Tacoma Mall Regional Growth Center

The urban center is a highly dense self-sufficient concentration of urban development. Buildings can range from one to twelve stories and activity is greater than in most areas of the city. It is an area of regional attraction and a focus for both the local and regional transit systems. Many major city arterials connect to the urban center and nearby freeway access is present. Parking is provided both in surface lots and within structures. Internal streets and pathways provide connections among the developments within the center.

Minimum Allowable Site Density: 25 dwelling units/net acre

COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATIONS

Crossroads Center

The crossroads center is a concentration of commercial and/or institutional development that serves many nearby neighborhoods and generally includes a unique attraction that draws people from throughout the city. Some residential development may already be present, and there is a goal to have more residential development. It is directly accessible by arterials and local transit. Pedestrian accessibility is important within the center, but because of its focus on larger scale commercial development, the crossroads center continues to provide for automobile parking, preferably within structures.

Minimum Allowable Development Density: 25 dwelling units/net acre

Neighborhood Center

The neighborhood center is a concentrated mix of small- to medium-scale development that serves the daily needs of center residents, the immediate neighborhood, and areas beyond. Development contains a mix of residential and commercial uses, and the majority of parking is provided within structures. Buildings are generally up to six stories along the commercial corridors, up to three stories at the periphery of the centers near single-family districts, and up to four stories in areas between the core and the periphery. They are designed with a compatible character to adjacent residential neighborhoods. The design of the neighborhood center encourages pedestrians and bicyclists and its location on a major arterial makes it a convenient and frequent stop for local transit. The regional transit network also may directly serve some neighborhood centers.

Minimum Allowable Development Density: 25 dwelling units/net acre

Light Industrial

This designation allows for a variety of industrial uses that are moderate in scale and impact, with lower noise, odors and traffic generation than heavy industrial uses. This designation may include various types of light manufacturing and warehousing and newer, clean and high-tech industries, along with commercial and some limited residential uses. These areas are often utilized as a buffer or transition between heavy industrial areas and less intensive commercial and/or residential areas.

Heavy Industrial

This designation is characterized by higher levels of noise and odors, large-scale production, large buildings and sites, extended operating hours, and heavy truck traffic. This designation requires access to major transportation corridors, often including heavy-haul truck routes and rail facilities. Commercial and institutional uses are limited and residential uses are generally prohibited.

CORRESPONDING ZONING

CCX	Community Commercial Mixed-Use District
RCX	Residential Commercial Mixed-Use District
HMX	Hospital Medical Mixed-Use District
URX	Urban Residential Mixed-Use District

NCX	Neighborhood Commercial Mixed-Use District
RCX	Residential Commercial Mixed-Use District
CIX	Commercial Industrial Mixed-Use District
HMX	Hospital Medical Mixed-Use District
URX	Urban Residential Mixed-Use District
NRX	Neighborhood Residential Mixed-Use District

M-1 Light Industrial District

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

COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATIONS

CORRESPONDING ZONING

Parks and Open Space

This designation is intended to conserve and enhance open, natural and improved areas valuable for their environmental, recreational, green infrastructure and scenic character and the benefits they provide. The designation encompasses public and private parks and open space lands, with lands set aside for these purposes by the City of Tacoma and the Metropolitan Parks District forming the core of the designation. As more land is placed in conservation status by these agencies as well as other public and private entities, the extent of the designation will be expanded to include them.

The designation supports Tacoma's vision of an integrated parks and open space system that defines and enhances the built and natural environment, supports and nurtures plant and wildlife habitat, enhances and protects trees and the urban forest, preserves the capacity and water quality of the stormwater drainage system, offers recreational opportunities, and provides pedestrian and bicycle connections. Lands within this designation include both natural open space areas and active use parks and recreational areas. Natural open space is intended to be conserved and enhanced through habitat restoration and vegetation management to maximize its environmental and stormwater benefits, along with low-impact public access such as natural area trails and viewpoints, when appropriate. Parks and recreation lands are intended to provide opportunities for active recreation such as playfields and sports facilities, and urban amenities such as plazas, pocket parks and community gardens.

Additional, more specific policy direction regarding these types of areas is contained within the Open Space Habitat and Recreation Element.

This designation is appropriate in all zoning classifications.

Major Institutional Campus

This designation is intended for large institutional campuses that are centers of employment and that service a broader population than that of the neighborhood in which it is located. This designation includes hospitals, medical centers, colleges, universities, and high schools typically greater than 10 acres in size. The designation recognizes the unique characteristics of these institutions and is intended to accommodate the changing needs of the institution while enhancing the livability of surrounding residential neighborhoods and the viability of nearby business areas.

This designation is appropriate in all zoning classifications.

COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATIONS

CORRESPONDING ZONING

Shoreline

The city's shoreline areas provide great social, ecological, recreational, cultural, economic and aesthetic value, both at the local and regional level. It is the community's intent to use the full potential of these areas in a manner that is both ordered and diversified, supports the community's ability to enjoy the water and the unique setting it creates, and which integrates water and shoreline uses while achieving a net gain of ecological functions. In addition, these areas are intended to balance the overarching goals outlined in the State Shoreline Management Act:

- To ensure an adequate land supply for water-dependent uses;
- To promote and enhance the public's opportunities to access and enjoy the water; and
- To protect and preserve natural resources.

This designation includes areas that support deepwater port and industrial sites, habitat for a variety of fish and wildlife, archaeological and historical sites, open space, recreation and community activities, and some commercial and residential development. Recognizing the limited nature of this important resource, use and development of the shoreline areas must be carefully planned and regulated to ensure that these values are maintained over time.

The Shoreline Master Program has been developed to provide additional and more detailed policy direction regarding the city's shoreline areas, along with specific zoning and development standards. The Shoreline Master Program utilizes a system of "environment designations" which further guide the character, intensity and use of individual shoreline segments. These classifications include Natural, Shoreline Residential, Urban Conservancy, High Intensity, Aquatic, and Downtown Waterfront and are based on the existing development patterns, natural capabilities and goals and aspirations of the community for its shoreline areas.

Policy UF-1.4 Direct the majority of growth and change to centers, corridors, and transit station areas, allowing the continuation of the general scale and characteristics of Tacoma's residential areas.

Policy UF-1.5 Strive for a built environment designed to provide a safe, healthful, and attractive environment for people of all ages and abilities.

Policy UF-1.6 Support energy-efficient, resource-efficient, and sustainable development and transportation patterns through land use and transportation planning.

Policy UF-1.7 Integrate nature and use appropriate green infrastructure throughout Tacoma.

S1-S14 Shoreline Zoning Districts

Study Area 1: Nob Hill, South Downtown

Location: Generally bounded by Pacific Ave to the east and S Yakima to the west; I-5 to the south and South Tacoma Way to the north.

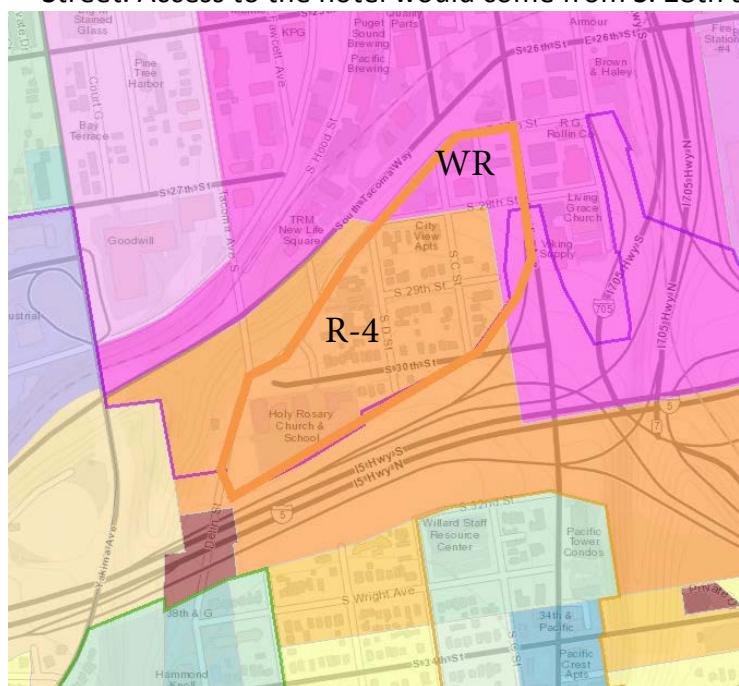
Current Uses: The area is predominantly residential but also includes Holy Rosary Church and some vacant land and commercial uses along Pacific Ave.

Future Land Use Designation: Downtown Regional Growth Center

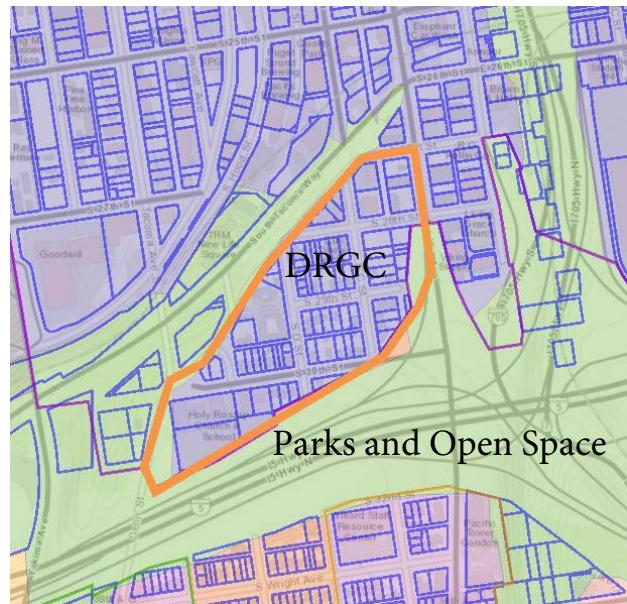
Current Zoning: The area is currently zoned R-4 Multiple-Family Dwelling District and Warehouse Residential.

Potential Zoning: Warehouse Residential/Downtown Residential.

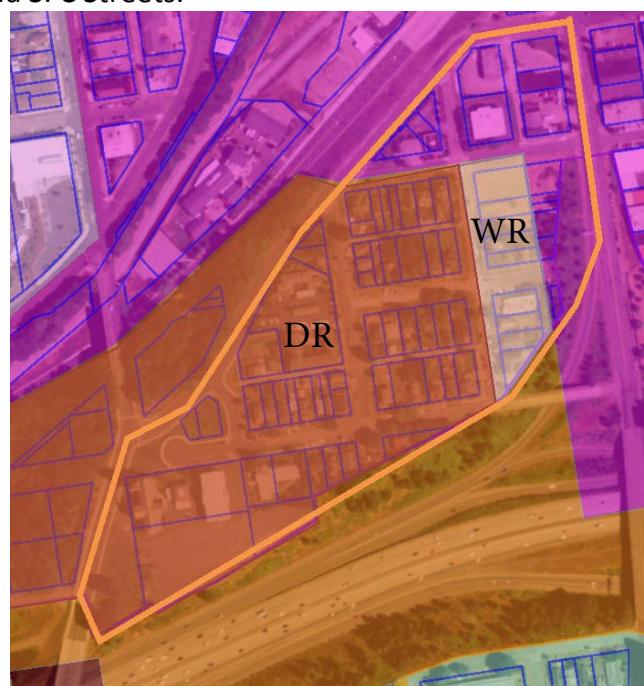
Other Considerations: Nob Hill is currently the only remaining area within the Downtown Regional Growth Center that is not classified as a Downtown zoning district. The area is within the South Downtown Subarea Plan. The topography, rising up off Pacific Ave, limits the direct relationship to street. There is ongoing interest in developing a hotel on the vacant sites between Pacific Ave and S. C Street. Access to the hotel would come from S. 28th and S. C Streets.



Map 2: Current Zoning



Map 1: Current Land Use Designations



Map 3: Proposed Zoning

Study Area 2: McKinley Police Substation

Location: 705 E Morton St at the intersection of McKinley Ave and E Morton St. in the McKinley Neighborhood Center.

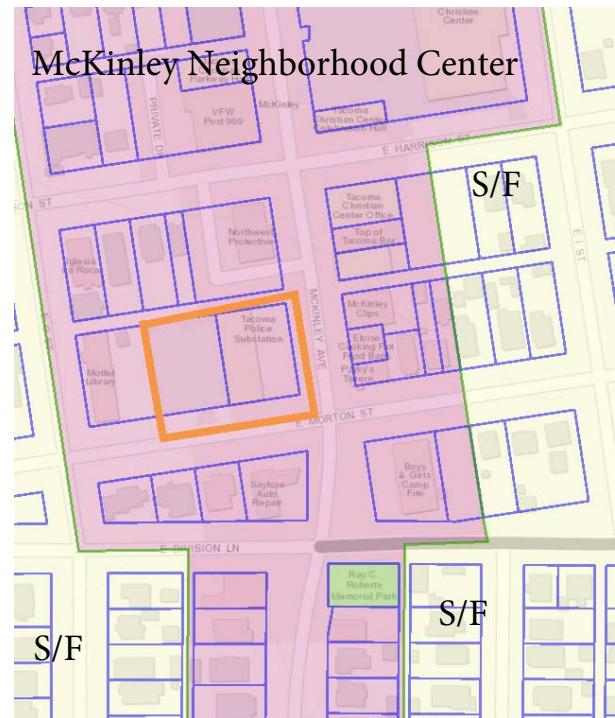
Current Uses: The site is comprised of a single use, a surplus Tacoma Police Substation.

Future Land Use Designation: Neighborhood Center

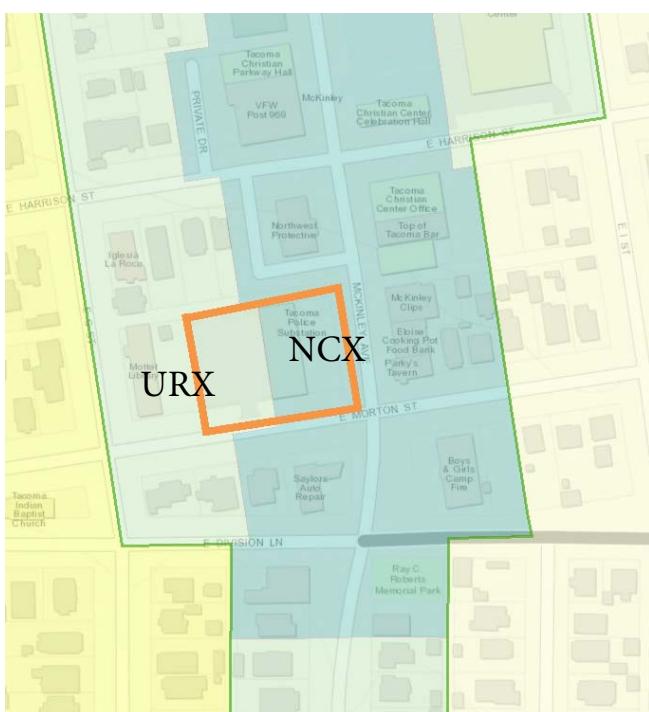
Current Zoning: The site is comprised of two parcels that are split zoned. The building is zoned NCX and the parking lot behind the structure is zoned URX.

Potential Zoning: NCX – Neighborhood Commercial Mixed-use District

Other Considerations: The former police substation is currently a surplus property and being repurposed as a work/live artist studio.



Map 1: Current Land Use Designations



Map 2: Current Zoning



Map 3: Proposed Zoning

Study Area 3: Franke Tobey Jones

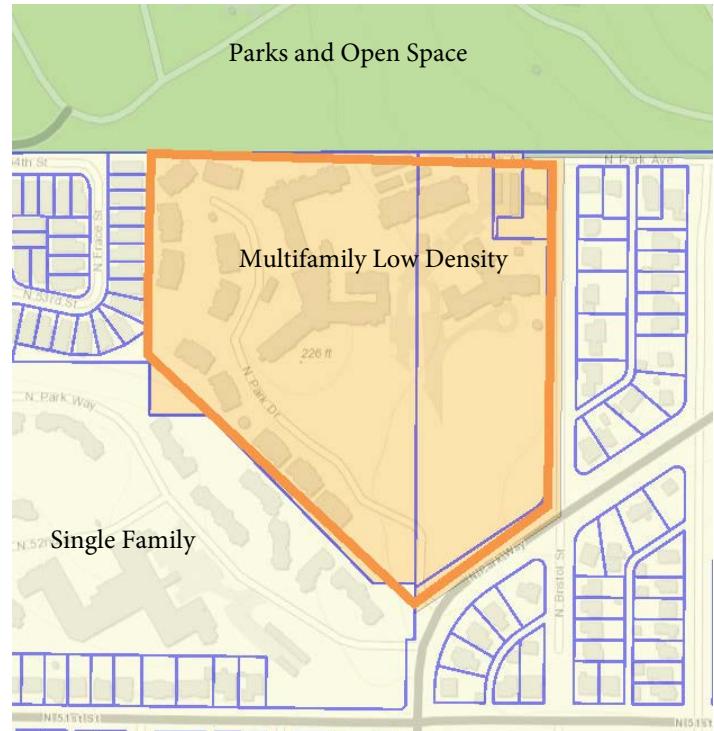
Location: 5335 N. Vassault St.

Current Uses: Franke Tobey Jones is a not-for-profit retirement community.

Future Land Use Designation: Multi-family (low-density)

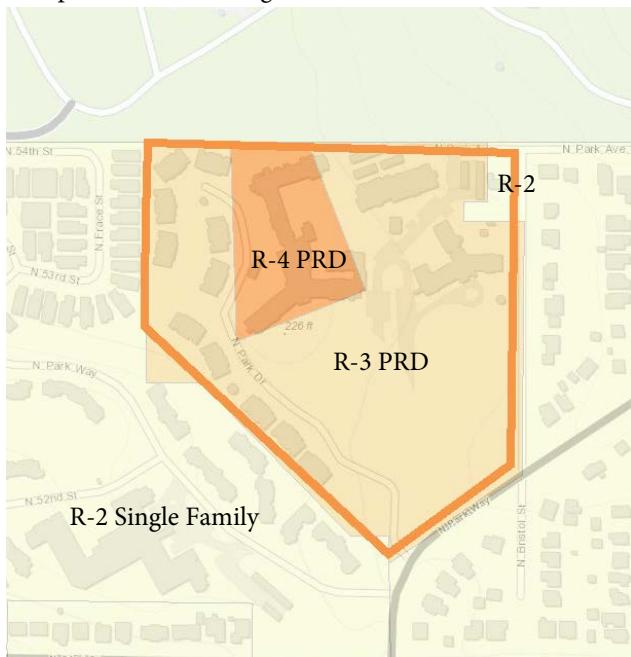
Current Zoning: Combination of R-3 PRD and R-4 PRD

Requested Future Land Use Designation: Multi-family (high density) core with Multi-family (low-density) periphery.

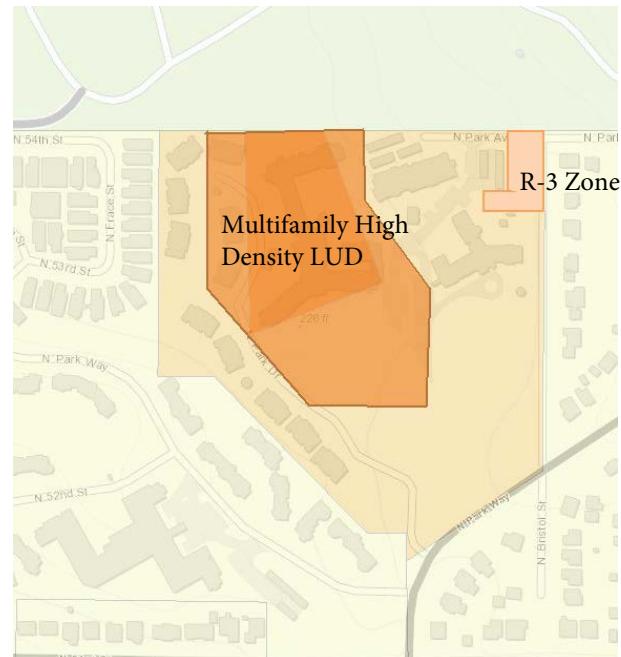


Map 1: Current Land Use Designations

Map 2: Current Zoning



Map 3: Proposed



Study Area 4: N 33rd and Pearl

Location: The parcels are located east of Pearl Street and north of N 33rd Street.

Current Uses: Uses include a Bates Technical College communications facility and True Vine Community Church. Three parcels are vacant.

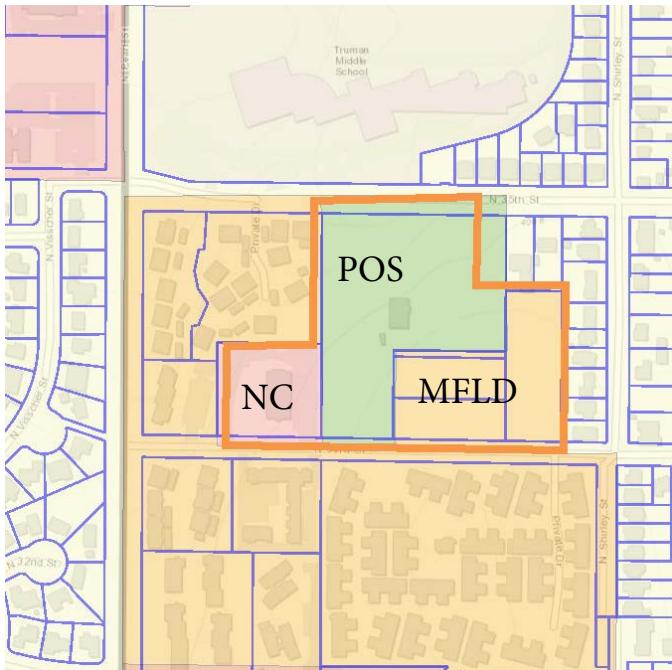
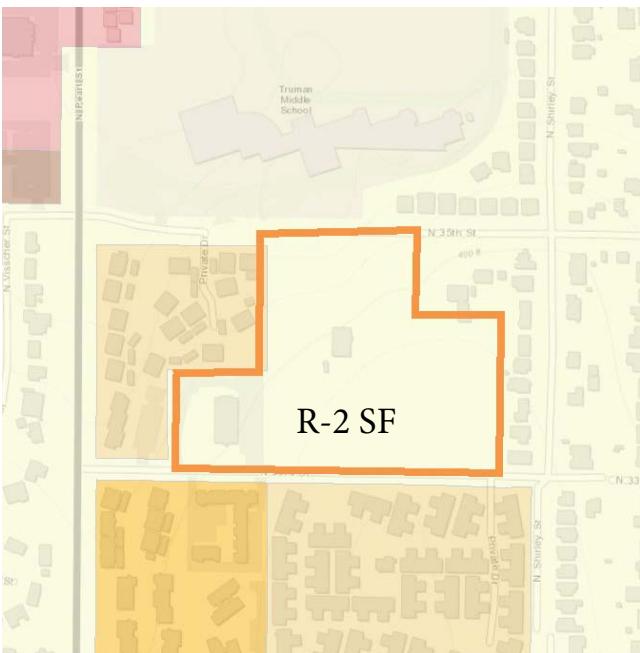
Future Land Use Designation: The area includes a combination of Neighborhood Commercial, Parks and Open Space and Multi-family (low density) designations.

Current Zoning: The area is currently zoned R-2 Single-Family Dwelling District.

Potential Zoning: C-1 Neighborhood Commercial, R-3 Two-family Dwelling District, and R-4-L Low Density Multiple-Family Dwelling District.

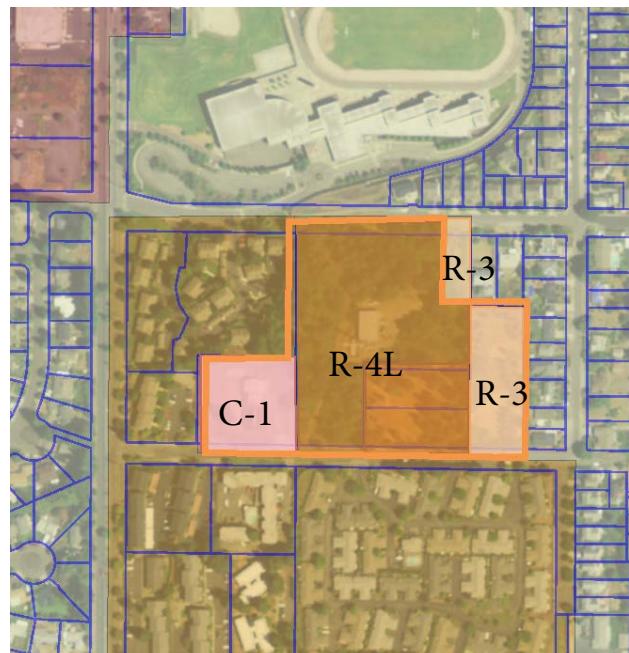
Other Considerations: Generally, the area to the west, north, and south of these properties has already transitioned into multifamily with a mix of R-3, R-4L and R-4 Planned Residential Developments. The area to the east of N. Shirley Street remains predominantly single family. This proposal would create a similar land use pattern and zoning transition as the other multifamily areas, with an R-4L core and R-3 transition. The C-1 Neighborhood Commercial would give True Vine Community Church flexibility in the future to transition to residential or commercial use.

Map 2: Current Zoning



Map 1: Current Land Use Designations

Map 3: Proposed Zoning



Study Area 5: North of TCC to 6th Ave

Location: Generally that area between S 12th St and 6th Ave, between S Mildred and S Pearl.

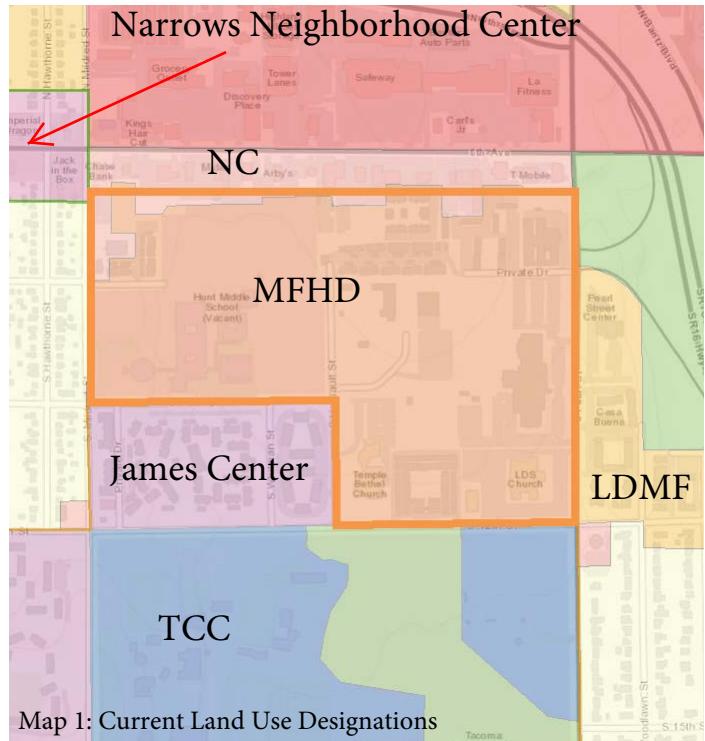
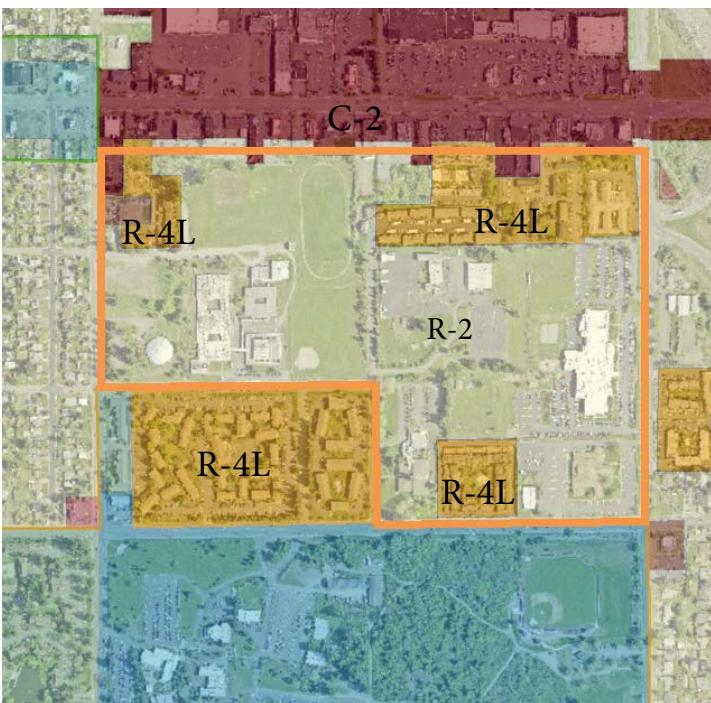
Current Uses: 6th Ave is predominantly commercial with residential uses clustered behind and along S 12th. Other significant uses include two churches, the YMCA, Hunt Middle School and the Afifi Shrine.

Future Land Use Designation: The area is designated for Neighborhood Commercial uses along 6th Ave and Multi-family (high density) Residential development over the rest of the study area. This study will not include the area currently zoned for mixed-use within James Center.

Current Zoning: C-2 General Commercial along 6th Ave. The interior residential lots, schools, and civic uses are R-2 single family with R-4L residential areas that were permitted through a site specific rezone.

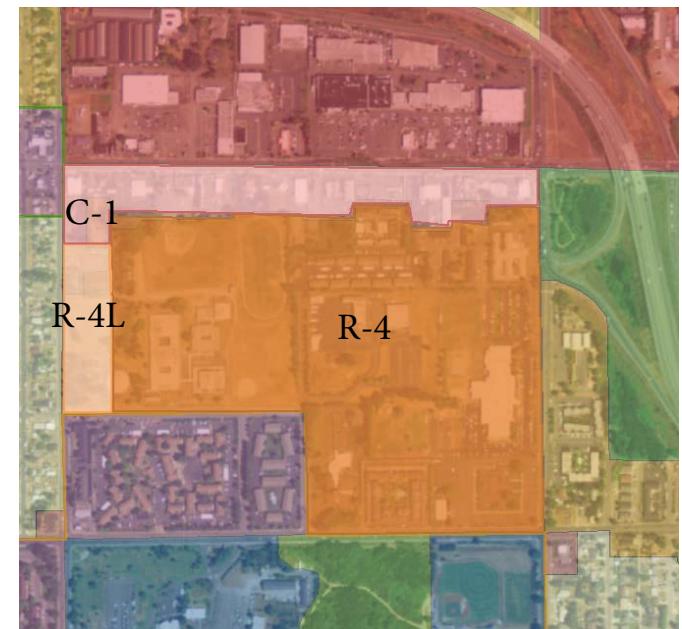
Potential Zoning: R-4L and R-4 Multiple-family Dwelling Districts.

Map 2: Current Zoning



Other Considerations: The property lines are irregular along 6th Ave and many of the commercial sites are split zoned with R-2 single family. The area is in close proximity to two mixed use centers and has approximately 10 acres of redevelopable land. Connectivity is a concern due to the lack of through streets and grid pattern, making walkable access to 6th Avenue a challenge.

Map 3: Proposed Zoning



Study Area 6: S Alaska and 72nd

Location: Generally located at the intersection of S Alaska St. and S 72nd, and north along S. Alaska St. to the Winco parking lot access.

Current Uses: The south side of the intersection is commercial, but north of the intersection remains single family. Freeway oriented commercial uses are to the west and single family residential uses to the east. Wapato Lake and Park is to the east of Alaska St.

Future Land Use Designation: The intersection is proposed for commercial land use, with a Neighborhood Commercial designation transitioning to Multi-family (low density) Residential across from Wapato Lake.

Current Zoning: The study area is generally R-2 Single Family Dwelling District.

Potential Zoning: C-1 Neighborhood Commercial District, R-3 Two-family Dwelling District, and R-4-L Low Density Multiple-Family Dwelling District.



Map 2: Current Zoning



Map 3: Proposed Zoning



Study Area 7: South Tacoma MIC

Location: Generally an area bounded by S 58th to the north, Mountain View Cemetery to the south, S Adams St. to the east and S Tyler St. to the west.

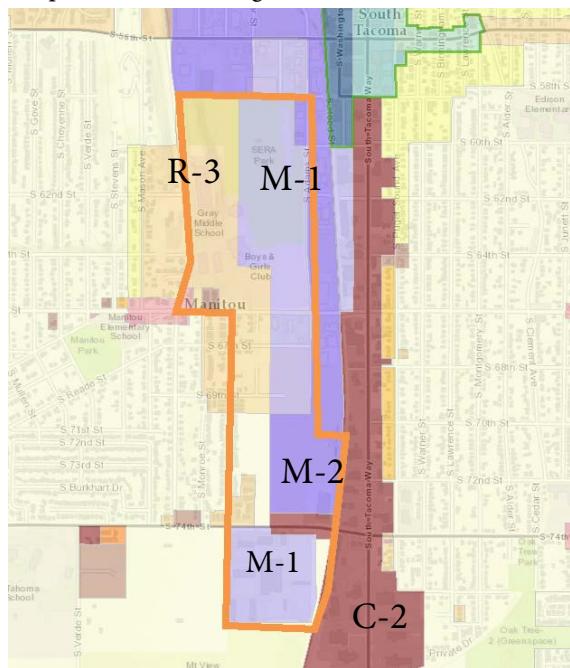
Current Uses: The area is generally split between light and heavy industrial uses, a large regional recreational complex (STAR Center and SERA), Gray Middle School, and vacant lands.

Future Land Use Designation: The area consists of three primary designations, Parks and Open Space, Light and Heavy Industrial, and Multi-family (low-density).

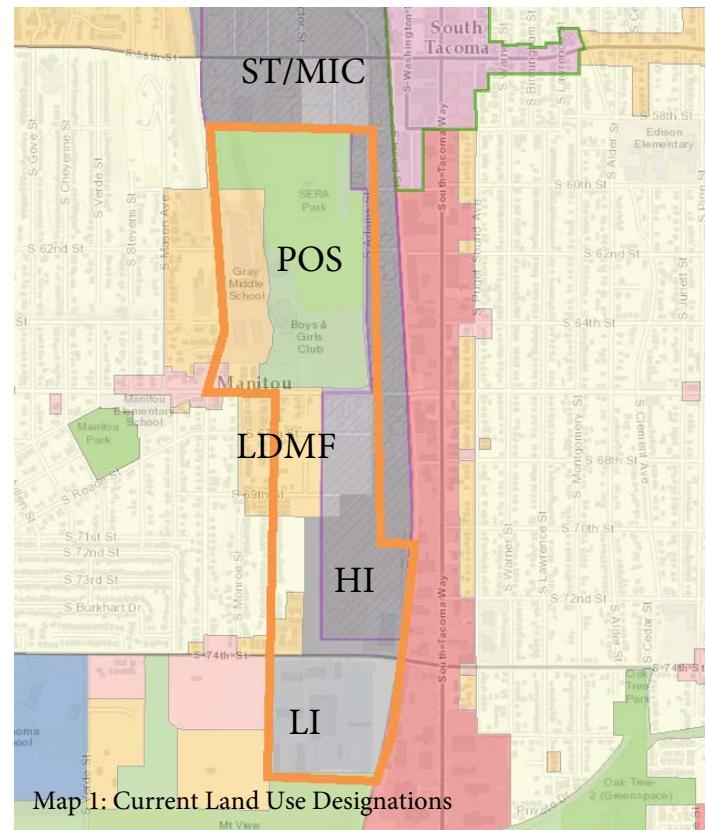
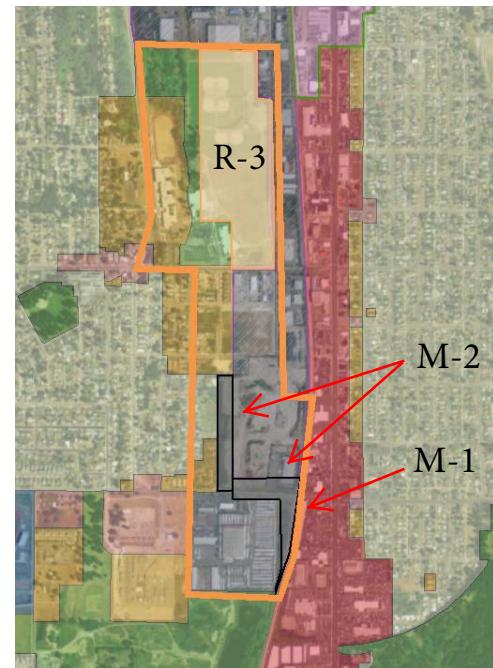
Potential Zoning: R-3 Two-family Dwelling District, and R-4-L Low Density Multiple-Family Dwelling District, M-1 Light Industrial District and M-2 Heavy Industrial District.

Other Considerations: The STAR Center and SERA are major park, recreation and civic destinations and are currently zoned for industrial development. The proposed area rezones would not affect the operations of these facilities or reduce the available land supply within the South Tacoma Manufacturing and Industrial Center. The M-1 and M-2 areas outside the STMIC are not proposed for inclusion within the center at this time. One consideration is the transition from the existing industrial sites to the residential areas nearby.

Map 2: Current Zoning



Map 3: Proposed Zoning



Study Area 8: Cheney Stadium and Foss High School

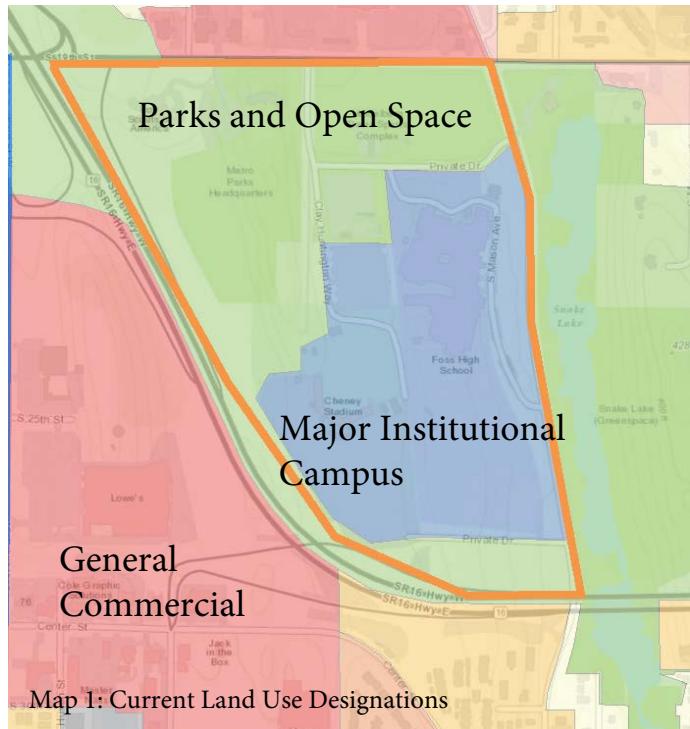
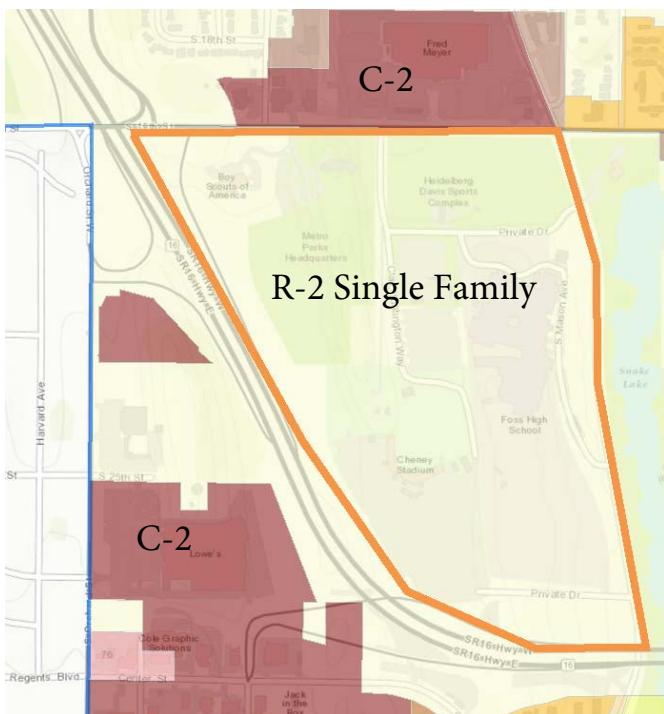
Location: Generally that area bounded by S Tyler St. to the east, HWY 16 to the south and west, and S 19th to the north.

Current Uses: Current uses include the Metro Parks Tacoma headquarters, Cheney Stadium, Foss High School and Heidelberg Park. The area is publicly owned by the Tacoma School District, City of Tacoma, and Metro Parks Tacoma. The area also includes significant open spaces and critical areas.

Future Land Use Designation: The area is a combination of Parks and Open Space and Major Institutional Campus designations.

Potential Zoning: C-2 General Commercial District; R-2 Single Family Dwelling District

Other Considerations: Unlike other major institutions, this site is not located within a residential neighborhood. Instead it is bounded by the highway and open space. The single family zoning requires conditional use permits to expand recreational and educational facilities. Conditional Use Master Plans are an option, but uses are still restricted due to the R-2 base zoning, limiting potential commercial expansion on 19th or in association with Cheney Stadium. The current uses are auto-oriented and expected to remain as such for the foreseeable future, so surface parking is a likely ongoing need. C-2 General Commercial would allow some additional facility expansion as an allowed use.





City of Tacoma
Planning and Development Services

To: Planning Commission
From: Molly Harris, Planning Services Division
Subject: **Public Hearing on Potential Marijuana Regulations**
Date of Hearing: March 2, 2016
Date of Memo: February 24, 2016

Action

The Planning Commission will conduct a public hearing on March 2, 2016, to receive testimony on Potential Amendments to the Land Use Regulatory Code on the production, processing, and retail uses of medical and recreational marijuana, and keep the record open through March 7, 2016 to accept written comments.

Moratorium

The Council adopted Substitute Ordinance No. 28343 on January 12, enacting a temporary, 6-month moratorium on new retail marijuana stores and marijuana cooperatives as an emergency measure. The moratorium was intended to allow adequate time for local policy discussion in response to the State raising the cap for retail stores in Tacoma to 16 and issuing a license to a ninth store, before the Council had the opportunity to establish new regulations in concert with the community's desires.

Timing of Action

The potential regulations are on an expedited timeline in order to ensure that Tacoma has amended regulations in place before the expiration of the moratorium and the effective date of the State's rules designed to implement 2SSB 5052 and 2E2SHB 2136. These laws along with State adopted rules establish significant changes to medical marijuana regulations – including the prohibition of collective gardens, allowance for cooperatives and the establishment of retail recreational stores with State granted medical marijuana endorsements. These changes will be effective no later than July 1, 2016.

Intent of Action

The public hearing and potential amendments are intended to create regulations aligned with community needs and interests in mind, balancing the public health, access, safety and welfare interests in having sufficient areas within which these activities may locate. These regulations are also intended to implement provisions of two State laws passed in April 2015, 2SSB 5052 and 2E2SHB 2136. The laws establish regulations for the formerly unregulated medical aspects of the marijuana system, align these with the existing recreational system, and establish a "medical marijuana endorsement" that allows licensed marijuana retailers to sell medicinal marijuana to qualifying patients and designated providers. The statutes regarding "collective gardens" were repealed, effective July 1, 2016 and instead provides for Washington State Liquor and Cannabis Board (LCB)-certified "cooperatives" with a maximum of four patients or designated providers.

Public Hearing Subject

The Potential Regulations would amend Tacoma Municipal Code, Chapters 13.06 – Zoning and 13.06A – Downtown Tacoma, with the following provisions:

- Sets a 100-foot minimum buffer between retail marijuana stores and child care centers, game arcades, libraries, public parks, public transit centers, or recreation centers or facilities.

- Sets a 300-foot minimum buffer between retail marijuana stores and correctional facilities, court houses, drug rehabilitation centers, or detoxification centers.
- Maintains a 1,000-foot minimum buffer between retail marijuana stores and properties containing elementary schools, secondary schools, or playgrounds.
- Requires all retail stores to have a State medical endorsement.
- Requires retail marijuana stores to be located no closer than 300-feet in the downtown area and 500-feet for the rest of the City (measured by property lines).
- Allows cooperatives as per State law but with sensitive buffers reduced from 1000-feet to 100-feet from child care centers, game arcades, libraries, public parks, public transit centers, recreation centers or facilities, correctional facilities, court houses, drug rehabilitation centers, or detoxification centers.

The State cap on retail marijuana stores for Tacoma is sixteen. Tacoma currently has nine retail marijuana locations and anticipates that seven more will open after they have completed the state and local licensing process.

Public Review Document

The complete text of the potential amendments, the associated environmental evaluation, as well as relevant background information were compiled into a Public Review Document, which is attached and posted on the Planning Services Division's website at www.cityoftacoma.org/Planning for public review.

Environmental Evaluation

Pursuant to Washington Administrative Code (WAC) 197-11 and Tacoma's SEPA procedures, a Preliminary Determination of Environmental Nonsignificance was issued on February 18, 2016 (SEPA File Number LU16-0028), based upon a review of an environmental checklist. The City will reconsider the preliminary determination based on timely public comments regarding the checklist and determination that are received by March 7, 2016 and unless modified, the preliminary determination will become final on March 14, 2016.

Notification

Notification for the public hearing has been conducted to reach a broad-based audience, through the following efforts that occurred in February 2016:

1. **Public Hearing Notice** – A notice announcing the public hearing on March 2nd was distributed to the City Council, Neighborhood Councils, business district associations, civic organizations, environmental groups, the development community, the Puyallup Tribal Nation, adjacent jurisdictions, major employers and institutions, City and State departments, the Tacoma Public Library, and other known stakeholders and interested entities.
2. **Library** – A request was made to the Tacoma Public Library to make the public hearing notice and the Public Review Document available for patrons' review at all eight branches.
3. **News Media** – An advertisement was placed on The News Tribune on February 22, 2016; a legal notice regarding the environmental determination was placed on the Tacoma Dailey Index on February 22, 2016; a public announcement was placed on TV Tacoma and will run from February 22 to March 7, 2016; and an e-mail news release, "Tacoma News", was issued through the City's Media and Communications Office on February 23, 2016.

4. **60-Day Notices** – A “Notice of Intent to Adopt Amendment 60 Days Prior to Adoption” was sent to the State Department of Commerce (per RCW 36.70A.106), and Joint Base Lewis-McChord (per RCW 36.70A.530(4)). A similar notice was also sent to the City of Tacoma Attorney’s Office, requesting for legal opinions on whether the City Council’s adoption of the proposed amendments might result in an unconstitutional taking of private property (per RCW 36.70A.370). These notices were sent to these entities on February 22, 2016, more than 60 days prior to the Council’s scheduled action on April 26, 2016, so that their comments, if any, can be addressed in a timely manner during the review process.
5. **Update to Community Council of Tacoma and Cross District Business Association** – Planning staff will conduct an overview of the potential regulations to the Community Council of Tacoma on February 25, 2016 and to the Cross District Business Association on March 15, 2016 to provide an opportunity for interested citizens and business persons to learn more about the potential amendments.
6. **Website** – The public hearing notice and all information associated with the Potential Marijuana Regulations are posted on the Planning Services Division’s website at www.cityoftacoma.org/Planning, and linked to “Marijuana Regulations.”

Next Steps

The Planning Commission will conduct a public hearing on March 2, 2016 and keep the record open through March 7, 2016 to accept written comments. The Commission will review public comments received, consider appropriate modifications to the potential regulations and make a recommendation to the City Council at the meeting on March 16, 2016.

If you have any questions, please contact me at 591-5383 or mharris@cityoftacoma.org.

Attachment

c: Peter Huffman, Director

Marijuana Regulations

Potential Amendments to the Tacoma Municipal Code



Public Review Document

Prepared for
Planning Commission Public Hearing
March 2, 2016

City of Tacoma
Planning & Development Services Department
Planning Services Division
747 Market Street, Room 345
Tacoma, WA 98402-3793
(253) 591-5030
www.cityoftacoma.org/planning



The City of Tacoma does not discriminate on the basis of disability in any of its programs, activities, or services. To request this information in an alternative format or to request a reasonable accommodation, please contact the Planning and Development Services Department at (253) 591-5030 (voice) or (253) 591-5820 (TTY).

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II.	Public Hearing Notice (March 2, 2016) -----	3
III.	Text of Potential Amendments -----	5
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INTRODUCTION AND SUMMARY

This Public Review Document is compiled for the purpose of public review in preparation for the Tacoma Planning Commission's public hearing on March 2, 2016, concerning the potential amendments to Tacoma's land use regulations on the production, processing, and retail and other uses of marijuana.

This document includes the notice for the Planning Commission's public hearing (which informs citizens how to provide comments), the complete text of the potential amendments, as well as the Determination of Nonsignificance and the Environmental Checklist associated with the proposal.

The proposed regulations would amend the Tacoma Municipal Code, Chapters 13.06 – Zoning and 13.06A – Downtown Tacoma, with the following provisions:

- Setting a 100-foot minimum buffer between retail marijuana stores and child care centers, game arcades, libraries, public parks, public transit centers, or recreation centers or facilities;
- Setting a 300-foot minimum buffer between retail marijuana stores and correctional facilities, court houses, drug rehabilitation centers, or detoxification centers;
- Maintaining a 1,000-foot minimum buffer between marijuana businesses and properties containing elementary schools, secondary schools, or playgrounds;
- Requiring all retail stores to have a State medical endorsement;
- Requiring retail marijuana stores to be located no closer than 300-feet in the downtown area and 500-feet for the rest of the City (measured by property lines); and
- Allowing cooperatives as per State law but with sensitive buffers reduced from 1,000-feet to 100-feet from child care centers, game arcades, libraries, public parks, public transit centers, recreation centers or facilities, correctional facilities, court houses, drug rehabilitation centers, or detoxification centers.

The proposal is intended to provide regulatory guidance to facilitate the City's review of marijuana license applications from the Washington State Liquor Control Board (WSLCB). 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 new laws that seek to align the medical marijuana system with the existing recreational system. The proposed code amendments would make the regulations consistent with State law and address issues raised through community discussions.

More information about this subject can be viewed at the Planning and Development Services Department's website at www.cityoftacoma.org/planning (click on "Marijuana Regulations").



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NOTICE OF PUBLIC HEARING MARIJUANA CODE AMENDMENTS

PLANNING COMMISSION PUBLIC HEARING

Wednesday, March 2, 2016 5:00 p.m. City Council Chambers
Tacoma Municipal Building, 747 Market Street, 1st Floor

WHAT IS BEING CONSIDERED?

The Planning Commission is seeking public comment on proposed amendments to Tacoma's land use regulations on the production, processing, and retail uses of recreational marijuana. The proposed amendments to Tacoma Municipal Code, Chapter 13.06 – Zoning, **Section 13.06.565 Marijuana Businesses** (and potentially other sections for consistency) would amend the existing code.

WHAT IS THE PROPOSAL INTENDED TO ACHIEVE?

The proposal is intended to provide regulatory guidance to facilitate the City's review of marijuana license applications from the Washington State Liquor Control Board (WSLCB). 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 new laws that seek to align the medical marijuana system with the existing recreational system. The proposed code amendments would make the regulations consistent with State law and address issues raised through community discussions.

HOW TO PROVIDE COMMENTS?

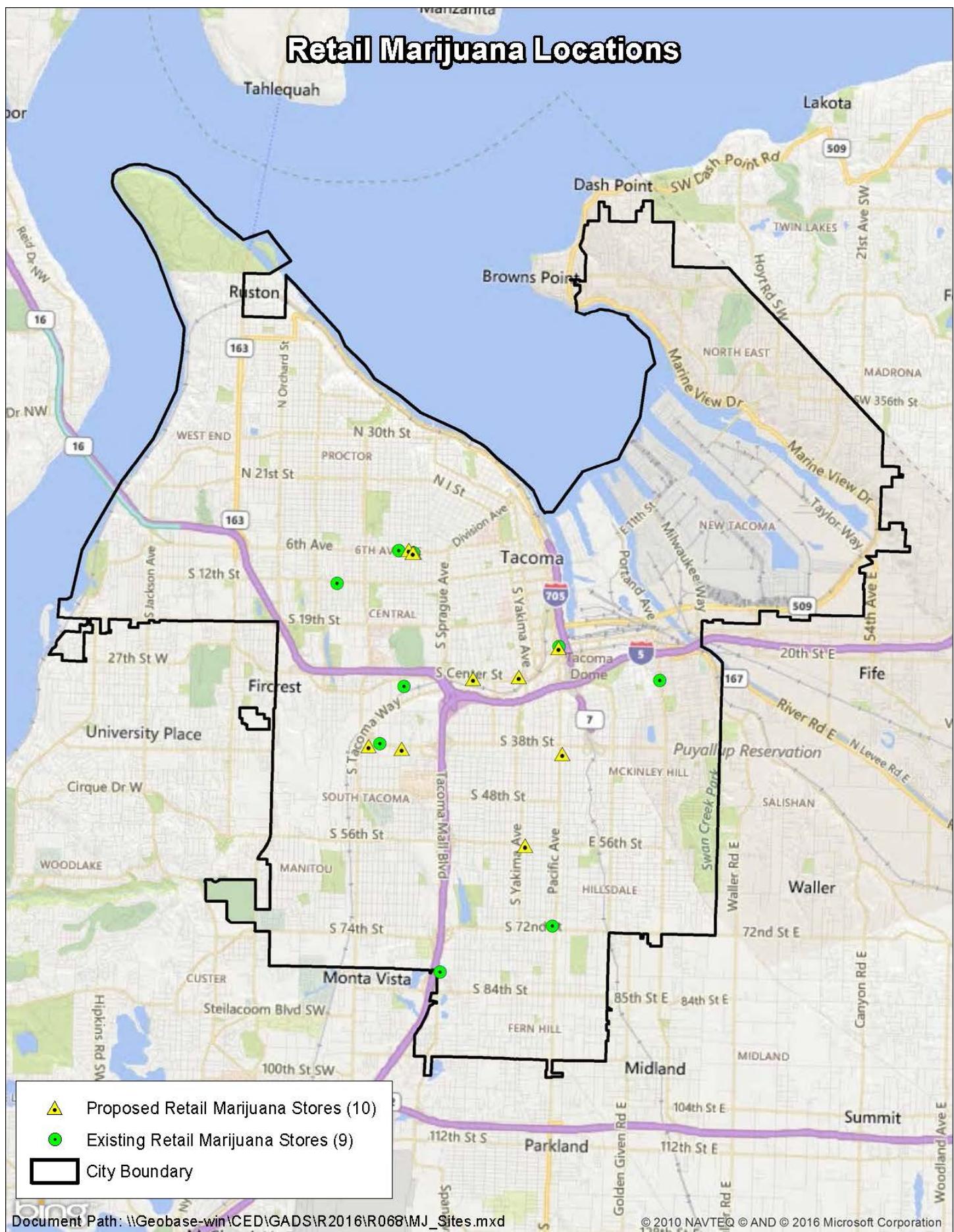
Provide oral testimony at the public hearing on March 2, 2016 or provide written comments using the return address on this notice no later than 5:00 p.m. on March 7, 2016, by facsimile at (253) 591-5433 or via e-mail to planning@cityoftacoma.org

STAFF CONTACT

Molly Harris at (253) 591-5383 or mharris@cityoftacoma.org

The City of Tacoma does not discriminate on the basis of disabilities in any of its programs or services. Special accommodations can be provided upon request within five (5) business days prior to the hearing. To arrange for these accommodations please contact the Planning and Development Services Department at (253) 591-5030 (voice) or (253) 591-5153 (TDD).

MAP DEPICTS PROPOSED AND EXISTING RETAIL MARIJUANA LOCATIONS



ADDITIONAL INFORMATION

A Preliminary Determination of Nonsignificance (DNS) has been issued based on the completion of an environmental checklist. Comments on the DNS must be submitted by March 7, 2016 at 5:00 pm. Unless modified by the City, the DNS will become final on March 14, 2016. The DNS, the environmental checklist, and additional information associated with the proposal are available at the Planning and Development Services Department, 747 Market Street, Room 345; and on the following website:

www.cityoftacoma.org/Planning
(and click on "Marijuana Regulations")

Tacoma Municipal Code Chapter 13.06, Zoning

13.06.565 Marijuana Uses Businesses

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 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 state licensed Marijuana use ~~that purports to be a marijuana producer, processor or retailer~~, as defined and regulated herein and in WAC 314-55, that ~~was engaged in that activity~~existed prior to the enactment of Ord. 28182 on Nov. 5, 2013 ~~this ordinance~~ shall be deemed to have been a legally established use or entitled to claim legal non-conforming status. No unlicensed marijuana use, including but not limited to collective gardens and dispensaries, shall be deemed to have been legally established or entitled to claim legal non-conforming status.

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

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

C. Standards.

1. Marijuana uses (marijuana producer, marijuana processor, and marijuana retailer) shall only be permitted as allowed under RCW 69.50 and WAC 314-55.

Note: These amendments show potential changes to existing Land Use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that has been deleted is shown as ~~strikethrough~~.

PRELIMINARY DRAFT POTENTIAL Regulations—Marijuana Uses

2. Marijuana uses shall only be allowed within the City of Tacoma if licensed by the State of Washington and the City of Tacoma, and operated consistent with the requirements of the State and all applicable City ordinances, rules, requirements and standards.
3. Marijuana uses shall only be allowed in those zoning districts where it is specifically identified as an allowed use (see the zoning district use tables, Sections 13.06.100, -.200, -.300, and -.400 and Chapter 13.06A).
4. Marijuana uses shall be designed to include controls and features to prevent odors from travelling off-site and being detected from a public place, the public right-of-way, or properties owned or leased by another person or entity.
5. Marijuana retail uses shall not include drive-throughs, exterior, or off-site sales.
6. In accordance with WAC 314-55-147, marijuana retail uses shall not be open to the public between the hours of 12 a.m. and 8 a.m.
7. Signage and advertising shall be allowed only in accordance with the standards set forth in TMC Sections 13.06.520 - .522, the additional standards set forth in WAC 314-55, and any other applicable standards or requirements.
8. Displays against or adjacent to exterior windows shall not include marijuana or marijuana paraphernalia.
9. Location requirements.

a. As provided in RCW 69.50.331 and WAC 314-55-050, marijuana uses shall not be allowed to locate within 1,000 feet of elementary schools, secondary schools, or playgrounds. Uses subject to this standard are as defined in WAC 314-55.

~~a.b. As provided in RCW 69.50.331 and WAC 314-55-050, m~~ Marijuana uses shall not be allowed to locate within 1,000 feet of public parks, ~~playgrounds~~, recreation ~~centers or facilities~~/~~community centers~~, libraries, child care centers, schools, game arcades, and public transit centers. ~~For purposes of~~ Uses subject to this standard, ~~these uses~~ are as defined in WAC 314-55.

b. Marijuana retail uses shall not be allowed to locate within ~~1,000~~ 300 feet of correctional facilities, court houses, drug rehabilitation facilities, substance abuse facilities, and detoxification centers.

c. The methodology for measuring the buffers outlined above in subsections 9.a._and_9.b. and 9.c. shall be as provided in WAC 314-55.

d. It shall be the responsibility of the owner or operator of the proposed state-licensed marijuana use to demonstrate and ensure that a proposed location is not within one of the buffers outlined above in subsections 9.a._and_9.b. and 9.c.

e. An existing nonconforming use located within a zoning district that would otherwise not permit marijuana uses, such as an old convenience store in a residential district, shall not be allowed to convert to a marijuana use.

Note: These amendments show potential changes to existing Land Use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that has been deleted is shown as ~~strikethrough~~.

f. Marijuana retail uses shall be dispersed a minimum of 500 feet from each other; except in all downtown districts, a dispersal separation of 300 feet is required.

f. All Marijuana retail uses must have a State license and medical endorsement in accordance with RCW 69.50 and WAC 314-55 in order to obtain a City business license.

g. Marijuana cooperatives, as defined in RCW 69.51A.250 and WAC 314-55-410, are allowed per State law; except that sensitive buffers are reduced from 1000-feet to 100 -feet from child care centers, game arcades, libraries, public parks, public transit centers, and recreation centers or facilities.

* * *

13.06.700 Definitions and illustrations.

* * *

Marijuana. As defined in RCW 69.50.101 and provided herein for reference. All parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable or germination.

Marijuana processor. As defined in RCW 69.50.101 and provided here for reference. A person licensed by the state liquor control board to process marijuana into useable marijuana and marijuana-infused products, package and label useable marijuana and marijuana-infused products for sale in retail outlets, and sell useable marijuana and marijuana-infused products at wholesale to marijuana retailers.

Marijuana producer. As defined in RCW 69.50.101 and provided here for reference. A person licensed by the state liquor control board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers

Marijuana-infused products. As defined in RCW 69.50.101 and provided here for reference. Products that contain marijuana or marijuana extracts and are intended for human use. The term “marijuana-infused products” does not include useable marijuana.

Note: These amendments show potential changes to existing Land Use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that has been deleted is shown as ~~strikethrough~~.

PRELIMINARY DRAFT POTENTIAL Regulations—Marijuana Uses

Marijuana retailer. As defined in RCW 69.50.101 and provided here for reference. A person licensed by the state liquor and cannabis control board to sell ~~useable~~-marijuana concentrates, -and-useable marijuana, and-marijuana-infused products in a retail outlet.

* * *

Note: These amendments show potential changes to existing Land Use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that has been deleted is shown as ~~strikethrough~~.

* * *

13.06.200 Commercial Districts.

* * *

3. Use table abbreviations.

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

4. District use table.

Uses	T	C-1	C-2	PDB	Additional Regulations ^{2,3} (also see footnotes)
Marijuana processor	N	N	N	N	
Marijuana producer	N	N	N	N	
Marijuana retailer	N	P	P	P*	<p>*Limited to 7,000 square feet of floor area, per business, in the HM and PDB Districts. See additional requirements contained in Section 13.06.565</p>

* * *

Note: These amendments show potential changes to existing Land Use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that has been deleted is shown as ~~strikethrough~~.

13.06.300 Mixed-Use Center Districts.

* * *

3. District use table.

Uses	NCX	CCX	UCX	RCX	CIX	HMX	URX	NRX	Additional Regulations ^{2,3} (also see footnotes)
Marijuana processor	N	N	N	N	P	N	N	N	See additional requirements contained in Section 13.06.565
Marijuana producer	N	N	N	N	P	N	N	N	See additional requirements contained in Section 13.06.565
Marijuana retailer	P	P	P	N	P	P*	N	N	*Limited to 7,000 square feet of floor area, per business, in the HMX District. See additional requirements contained in Section 13.06.565

* * *

Note: These amendments show potential changes to existing Land Use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that has been deleted is shown as ~~strikethrough~~.

13.06.400 Industrial Districts.

* * *

4. District use table.

Uses	M-1	M-2	PMI	Additional Regulations ¹
Marijuana processor	P	P	P	See additional requirements contained in Section 13.06.565
Marijuana producer	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

* * *

Note: These amendments show potential changes to existing Land Use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that has been deleted is shown as ~~strikethrough~~.

13.06A Downtown Tacoma

* * *

13.06A.050 Additional use regulations.

A. Use Categories.

1. Preferred. Preferred uses are expected to be the predominant use in each district.
2. Allowable. Named uses and any other uses, except those expressly prohibited, are allowed.
3. Prohibited. Prohibited uses are disallowed uses (no administrative variances).

B. The following uses are prohibited in all of the above districts, unless otherwise specifically allowed:

1. Adult retail and entertainment.
 2. Heliports.
 3. Work release facilities.
 4. Jails and correctional facilities.
 5. Billboards
 6. Drive-throughs not located entirely within a building.
- C. Special needs housing shall be allowed in all downtown districts in accordance with the provisions of Section 13.06.535.
- D. Live/work and work/live uses shall be allowed in all downtown districts, subject to the requirements contained in Section 13.06.570.
- E. Marijuana uses (marijuana producer, marijuana processor, and marijuana retailer). Marijuana retailers shall be allowed in all downtown districts, subject to the additional requirements contained in Section 13.06.565. Marijuana producers and marijuana processors shall be prohibited in all downtown districts.

Note: These amendments show potential changes to existing Land Use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that has been deleted is shown as ~~strikethrough~~.



Preliminary Determination of Environmental Nonsignificance

City of Tacoma Marijuana Regulations Proposed Amendments to the Tacoma Municipal Code

SEPA File Number: LU16-0028

TO: All Departments and Agencies with Jurisdiction

SUBJECT: Preliminary Determination of Environmental Nonsignificance

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

Applicant: City of Tacoma
Planning and Development Services Department
747 Market Street, Room 345
Tacoma, WA 98402

Proposal:

The Proposed Regulations would amend Tacoma Municipal Code, Chapters 13.06 – Zoning and 13.06A – Downtown Tacoma, with the following provisions:

- Sets a 100-foot minimum buffer between retail marijuana stores and child care centers, game arcades, libraries, public parks, public transit centers, or recreation centers or facilities
- Sets a 300-foot minimum buffer between retail marijuana stores and correctional facilities, court houses, drug rehabilitation centers, or detoxification centers
- Maintains a 1,000-foot minimum buffer between retail marijuana stores and properties containing elementary schools, secondary schools, or playgrounds
- Requires all retail stores to have a State medical endorsement
- Requires retail marijuana stores to be located no closer than 300-feet in the downtown area and 500-feet for the rest of the City (measured by property lines)
- Allows cooperatives as per State law but with sensitive buffers reduced from 1000-feet to 100-feet from child care centers, game arcades, libraries, public parks, public transit centers, recreation centers or facilities, correctional facilities, court houses, drug rehabilitation centers, or detoxification centers

Copies of the complete text of the proposed Regulations are available from the Planning and Development Services Department at the below address and may also be viewed and downloaded at www.cityoftacoma.org/planning (click on “Marijuana Regulations”).

Location: City of Tacoma

Lead Agency: City of Tacoma

City Contact: Molly Harris
Planning and Development Services Department
747 Market Street, Room 345
Tacoma, WA 98402
(253) 591-5383 or mharris@cityoftacoma.org

The lead agency for this proposal has made a preliminary determination that this project does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) (c). This decision was made after review of an environmental checklist and other information on file with the lead agency. This information is available to the public upon request. This Preliminary Determination of Nonsignificance (DNS) is issued under WAC 197-11-340(2). **Comments must be submitted by 5:00 p.m. on March 7, 2016.** The Responsible Official will reconsider the DNS based on timely comments and may retain, modify, or, if significant adverse impacts are likely, withdraw the DNS. **Unless modified by the City, this determination will become final on March 14, 2016.** There is no administrative appeal for this determination. Appeals must be filed in conjunction with appeals of the adopted amendments to the Growth Management Hearings Board; appeals shall be taken in accordance with procedures and limitations set forth in RCW 43.21C.075 and WAC 242-02. In addition to Growth Management Hearings Board requirements, a copy of the appeal shall be filed with the Planning and Development Services Department, 747 Market Street, Room 345, Tacoma, Washington 98402.

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

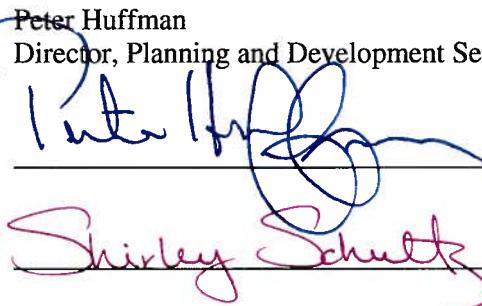
Responsible Official:

Position/Title:

Peter Huffman

Director, Planning and Development Services Department

Signature:



SEPA Officer Signature:



Issue Date:

February 19, 2016

Comment Deadline:

March 7, 2016, 5:00 p.m.

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

c: via U.S. Mail:

Tacoma Public School District #10, Steve Murikami, 3223 South Union Ave., Tacoma, WA 98409
Puyallup Tribe of Indians, Bill Sullivan, Natural Resources Director, 3009 E. Portland Ave., Tacoma, WA 98404
Puyallup Tribe of Indians, David Duenas, Building Official, 3009 E. Portland Ave., Tacoma, WA 98404
Puyallup Tribe of Indians, Brandon Reynon, Tribal Historian, 3009 E. Portland Ave., Tacoma, WA 98404
Puyallup Tribe of Indians, Jeffrey Thomas, TFW Program Director, 3009 E. Portland Ave., Tacoma, WA 98404
Puyallup Tribe of Indians, Peter Mill, Planning Director, 3009 E. Portland Ave., Tacoma, WA 98404
Puyallup Tribe of Indians, Lisa A. Brautigam, Environmental Attorney, 3009 E. Portland Ave., Tacoma, WA 98404
Puyallup Tribe of Indians, Russ Ladley, Tribal Attorney, 3009 E. Portland Ave., Tacoma, WA 98404
Puyallup Tribe of Indians, Shawn Villegas, 3009 E. Portland Ave., Tacoma, WA 98404
Puyallup Tribe of Indians, Andrew Stroebel, Land Use Manager, 3009 E. Portland Ave., Tacoma, WA 98404

c: via E-mail:

Tacoma Planning and Development Services Department, Shirley Schultz, Shirley.schultz@cityoftacoma.org
Tacoma Planning and Development Services Department, Reuben McKnight, reuben.mcknight@cityoftacoma.org
Tacoma Pierce County Health Department, SEPA Review Team, sepa@tpchd.org
Port of Tacoma, Jason Jordan, jordan@portoftacoma.com
Metro Parks, Doug Fraser, dougf@tacomaparks.com
Metro Parks, Joe Brady, joeb@tacomaparks.com
Puget Sound Clean Air Agency, Steve Van Slyke, stevev@pscleanair.org
Department of Ecology, separegister@ecy.wa.gov
Department of Natural Resources, SEPA Center, PO Box 47015, Olympia, WA 98504-7015, sepacenter@dnr.wa.gov
Department of Transportation, Olympia Region Development Services Team, OR-SEPA-REVIEW@wsdot.wa.gov

File: Planning and Development Services

SEPA ENVIRONMENTAL CHECKLIST

***City of Tacoma
Marijuana Regulations
Potential Amendments to the Tacoma Municipal Code***

**SEPA File Number:
LU16-0028**

February 18, 2016

City of Tacoma
Planning and Development Services Department
747 Market Street, Room 345
Tacoma, WA 98402-3701
253-591-5030



A. BACKGROUND

1. Name of proposed project, if applicable:

Marijuana Regulations – Potential Amendments to the Tacoma Municipal Code

2. Proponent/applicant:

City of Tacoma – Planning and Development Services Department

3. Contact:

Molly Harris
City of Tacoma
Planning and Development Services Department
747 Market Street, Room 345
Tacoma, WA 98402-3701
Phone: (253) 591-5383
E-mail: mharris@cityoftacoma.org

4. Date checklist prepared:

February 18, 2016

5. Agency requesting checklist:

City of Tacoma – Planning and Development Services Department

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

July 2015	City Council directs Planning Commission to revise Marijuana regulations
January 12, 2016	City Council Moratorium on New Retail Marijuana Stores
March 2, 2016	Planning Commission public hearing on potential regulations
April 19, 2016	City Council first reading of ordinance
April 26, 2016	City Council final reading of ordinance adopting the revised regulations
May 8, 2016	Regulations become effective

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

The City may consider additional regulations concerning recreational and medical marijuana if new State laws are passed.

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

The following environmental documents are posted on the website of the Washington State Liquor Control Board (WSLCB) at <http://lcb.wa.gov/marijuana/I-502>:

Environmental Risks and Opportunities in Cannabis Cultivation, a white paper prepared for the WSLCB by Michael O'Hare, BOTEC Analysis, UC Berkeley, Daniel L. Sanchez, UC Berkeley, and Peter Alstone, UC Berkeley, dated June 28, 2013.

SEPA Environmental Checklist for the Proposed Rulemaking for WAC 314-55 Marijuana Licenses, Application Process, Requirements, and Reporting, prepared by the WSLCB on July 1, 2013.

Determination of Nonsignificance (DNS) concerning the Proposed Rulemaking for WAC 314-55 Marijuana Licenses, Application Process, Requirements, and Reporting, issued on July 12, 2013.

Revised DNS and Addendum to Environmental Checklist concerning the Proposed Rulemaking for WAC 314-55 Marijuana Licenses, Application Process, Requirements, and Reporting, issued on September 26, 2013

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

No.

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

The Revised Regulations – potential amendments to the Tacoma Municipal Code – will be adopted by the City Council by ordinance, i.e. through the legislative process.

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

The Potential Regulations would amend Tacoma Municipal Code, Chapters 13.06 – Zoning and 13.06A – Downtown Tacoma (and potentially other TMC sections for consistency including TMC Chapter 6B – License Code and TMC 8.30 – Nuisance Code), with the following provisions:

- Sets a 100-foot minimum buffer between retail marijuana stores and child care centers, game arcades, libraries, public parks, public transit centers, or recreation centers or facilities
- Sets a 300-foot minimum buffer between retail marijuana stores and correctional facilities, court houses, drug rehabilitation centers, or detoxification centers
- Maintains a 1,000-foot minimum buffer between retail marijuana stores and properties containing elementary schools, secondary schools, or playgrounds
- Requires all retail stores to have a State medical endorsement
- Requires retail marijuana stores to be located no closer than 300-feet in the downtown area and 500-feet for the rest of the City (measured by property lines)
- Allows cooperatives as per State law but with sensitive buffers reduced from 1000-feet to 100-feet from child care centers, game arcades, libraries, public parks, public transit centers, recreation centers or facilities

These regulations are intended to implement provisions of two State laws passed in April 2015, 2SSB 5052 and 2E2SHB 2136. The laws establish regulations for the formerly unregulated medical aspects of the marijuana system, align these with the existing recreational system, and establish a “medical marijuana endorsement” that allows licensed marijuana retailers to sell medicinal marijuana to qualifying patients and designated providers. The statutes regarding “collective gardens” were repealed, effective July 1, 2016 and instead provides for Washington State Liquor and Cannabis Board (LCB)-certified “cooperatives” with a maximum of four patients or designated providers.

The State cap on retail marijuana stores for Tacoma is sixteen. Tacoma currently has nine retail marijuana locations and anticipates that seven more will open after they have completed the state and local licensing process.

The City Council enacted a moratorium on new retail marijuana stores in January 2016 after the State issued a license to a ninth retail store in Tacoma, before the Council had the opportunity to establish new regulations in concert with the community's desires.

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

The potential Revised Regulations will apply citywide.

13. Assessor Parcel Number:

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

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Name of signee: Molly Harris

Position and Agency/Organization: Senior Planner, City of Tacoma

Date Submitted: February 18, 2016

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

The responses to the questions below were compiled based on the information contained in the *SEPA Environmental Checklist for the Proposed Rulemaking for WAC 314-55 Marijuana Licenses, Applications Process, Requirements and Reporting*, prepared by the WSLCB on July 1, 2013. The WSLCB's checklist was compiled based on *Environmental Risks and Opportunities in Cannabis Cultivation*, a white paper prepared for the WSLCB by BOTEC Analysis Company. It is anticipated that the potential impacts identified in the WSLCB's checklist would be experienced in Tacoma, but at a much less extensive level.

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

These regulations limit marijuana uses that include the production, processing, selling, and delivery of marijuana in the City at levels that require a state license. The amendments are intended to prohibit and shift these activities away from residential zones to zoning designations that, given their land use patterns and permissible use allowances, are better suited to accommodate these activities.

Examples are those zones with land use patterns and buildings accommodating industrial facilities or commercial spaces. This would tend to limit the potential for adverse effects upon the most sensitive classes of neighboring users, such as residents, in relation to a worst-case potential for discharges of pollutants to air or water, and increases in incidents of unpleasant odors, and/or noise.

The likelihood of worst-case pollutant releases to air or water is judged to be low, but in the worst case, it is possible that intentional or unintentional releases of substances (such as fertilizers, pesticides, planting soils, and volatile organic solvents like butane or similar liquids) to storm drains could occur, as well as odors released through exhaust systems or open doors. This might occur at production or processing facilities. At retail facilities, marijuana products are more likely to be already packaged or handled in ways that reduce or minimize the potential for releases to air and water.

The proposal would not likely cause significant or adverse increases in noise generation. However, the proposal does not entirely eliminate the potential for spillover odor or noise effects on residential uses, because Tacoma has many mixed use areas where residential land uses are sometimes relatively close to commercial districts. In addition, cooperatives are required by State law to be in the

domicile of one of the cooperative patients. If noise and odor incidents occur, they would be enforced through existing City codes for noise and odor control, on a complaint basis.

Listed below are some of the specific issues that are of concern and need to be managed appropriately:

Water Quality – Current indoor cultivation often employs pesticides and herbicides. Water quality impacts can be associated with application drift and water (runoff and groundwater) pollution by these agricultural chemicals. Hydroponic pollution is also a concern for indoor cultivation. In addition to higher water demand, hydroponic systems produce more nutrient pollution than other growing methods.

Water Quantity – Indoor cultivation of cannabis is water-intensive, particularly when it is hydroponic. Mills estimates that one cultivation room (22 m^2) requires 151 L/day (Mills 2012). This is equivalent to 2.5 m of water per year (98 in./yr.) of application.

Toxic Waste – Lighting materials used in indoor cannabis cultivation have environmental risks if not properly managed for disposal. High-intensity discharge (HID) bulbs are not recyclable; each bulb contains approximately 30 mg of mercury and other toxins. Mercury is a neurotoxin, and is recognized as extremely toxic, particularly in gaseous form. The Okanogan Cannabis Association estimates that indoor cultivation of cannabis could produce 46,000 HID bulbs each year in Washington (Moberg and Mazzetti 2013). According to the productivity assumptions in Mills, it is estimated that there is the potential for 30 mg of mercury pollution per kg of cannabis product if proper disposal is not practiced.

Solvent Use and Management – Solvents are used in the production of marijuana. These should be handled and disposed of in accordance with applicable laws.

Chemical Use and Management – Chemicals used in marijuana production include, but are not limited to, high intensity discharge mercury vapor lamps, hydroponic media such as rock wool, coco fiber, clay marbles or other inert media, carbon dioxide gas, fertilizers, sanitizers, pesticides, herbicides, traditional or oil-based solvents, contaminated ice water, glycerin, fats, oils and greases, ethanol, and butane. Other wastes include off-specification product, marijuana waste, and air scrubber wastewater.

Solid Waste Handling for Indoor Growing Operations – The marijuana licensing rules require that marijuana wastes from indoor growing operations be rendered unusable by mixing with 50% other materials and ground before disposal or composting. These ground and mixed materials are considered “solid waste” by state regulations and must be handled according to the state Solid Waste Handling Standards (WAC 173-350) and the requirements of the marijuana licensing rules.

Solid Waste Handling for Marijuana Processor Operations – If the wastes from extraction activities do not designate as dangerous wastes, they are considered “solid waste” by the state and must be handled according to the state Solid Waste Handling Standards (WAC 173-350) and the requirements of the marijuana licensing rules. The marijuana licensing rules require that these wastes be rendered unusable by mixing with 50% other ground materials before disposal or composting. Waste with 10% THC or greater could be designated as a toxic Dangerous Waste (DW) and should be disposed of and handled according to applicable laws.

Proposed measures to avoid or reduce such increases are:

Under the WSLCB rules, all usable cannabis for sale must carry a warning that discloses all pesticides, herbicides, fungicides or other compounds used for pest control or plant disease in production or processing. In the future the WSLCB could require proper bulb recycling/disposal system for indoor cultivation.

Tacoma Municipal Code Chapter 12.08 requires businesses that use solvents in their manufacturing processes to prepare an Accidental Spill Prevention Plan for potential discharges to the sanitary

sewer, a Surface Water Pollution Prevention Plan for potential discharges to the municipal stormwater system, or both. Tacoma's Source Control Inspectors conduct periodic business inspections to ensure the spill plan is implemented. Businesses will have to characterize their waste solvents according to the state dangerous waste regulations to determine where and how those wastes will be disposed of.

Businesses generating waste with 10% THC or greater will have to characterize those wastes according to WAC 173-303 in order to determine proper disposal options.

Proper management and disposal of hazardous waste containing these chemicals are handled in accordance with the Dangerous Waste Regulation (Chapter 173-303 WAC).

Solid waste regulatory oversight rests with local health departments. Producers and processors should work with the Tacoma-Pierce County Health Department to determine proper disposal of solid waste from their specific operation. The Tacoma-Pierce County Health Department's Waste Management Program can be reached at (253)798-6047 or www.tpchd.org.

Washington State Liquor Control Board has published guidance that covers land use and environmental regulations for marijuana growers and processors.

Aesthetics – Cultivation of marijuana can also result in private or public nuisances. Whether grown indoors or outdoors, marijuana plants, particularly as they mature, produce a distinctive odor that is often detectable far beyond property boundaries. This strong, distinctive odor can interfere with neighboring owners' use and enjoyment of their property. In addition, this odor of growing or "green" marijuana may alert malefactors to the location where marijuana is grown and creating the risk of burglary and robbery at that location.

Proposed measures to reduce or control aesthetic impacts, if any:

Marijuana production may take place within a fully enclosed secure indoor facility or greenhouse with rigid walls, a roof and doors. Outdoor production may take place in non-rigid green house, other structures, or an expanse of open or cleared ground enclosed by a physical barrier. To obscure public view of the premises, outdoor production must be enclosed by a sight obscure wall or fence at least eight feet high.

Proposed measures to reduce or control odor/emissions impacts, if any:

The potential regulations include specific requirements to ensure that new marijuana uses include controls and features to prevent odors from travelling off-site.

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

The potential regulations are not likely to result in significant adverse impacts to plants, animals, fish, and marine life as there is only a low potential for worst-case increases in discharges to the urban built environment or disturbance to plant, animal or fish/marine habitats in Tacoma. The proposal's effects are also not anticipated to result in substantial amounts of additional construction or demolition, as they primarily limit the scope of certain activities, and such uses are somewhat likely to typically occur within existing buildings rather than induce entirely new buildings.

Even if new construction does occur as a result of the proposal for production, processing or retail activities, the character and patterns of the eligible areas within commercial and industrial zoning tend to be already substantially developed with buildings, impervious surfaces or previously altered grounds that typically provide relatively low quality habitat for plants and animals. As well, there is not a substantial potential that future uses would be located in ways that substantially adversely affect marine habitats, even indirectly (such uses are prohibited in shoreline zones). Current City regulations relating to land use controls, development standards, utility improvements, and shorelines, would tend to minimize the potential for substantial adverse impacts upon these elements of the environment.

The following pests are commonly associated with hemp cultivation and could be an indication of the types of crop pests that could be introduced into the area:

- a. *Pseudomonas syringae* pv. *cannabina* (bacteriosis of hemp)
- b. *Xanthomonas campestris* pv. *cannabis* (leaf spot of hemp)
- c. *Fusarium oxysporum* f.sp. *cannabis*
- d. *Pseudoperonospora cannabina* (downy mildew of hemp)
- e. *Orobanche* spp. (broomrape)

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

Proper use of pesticides, herbicides and chemicals

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

The BOTEC white paper reports an estimate that the indoor production of 186 thousand pounds of cannabis, one estimate of state production, would release about 0.4 million metric tons of CO₂. For comparison, Washington State's overall carbon emissions were 101 million metric tons CO₂-eq in 2008. The table below illustrates energy and climate intensity of different cultivation methods in kWh/kg product based on greenhouse gas emissions from electricity use in Washington State:

	Energy kWh/kg		GHG kgCO ₂ -eq/kg	
	Low	High	Low	High
Outdoor	(minimal)	(minimal)	(minimal)	(minimal)
Greenhouse	6	580	1	282
Indoor	4400	6100	590	3000

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

Outdoor cultivation would be allowed in addition to greenhouse and indoor growing of marijuana.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The City's sensitive areas include shorelines, wetlands, steep slopes, flood plains, urban parks, fish and wildlife habitat areas and others. The marijuana uses are unlikely to impact these areas as they include prohibitions on locating in certain sensitive use areas as well as requiring buffers away from these sensitive use areas.

The potential regulations would restrict a business from locating within 100 feet of child care centers, game arcades, libraries, public parks, public transit centers, or recreation centers or facilities. The potential regulations would also restrict businesses from locating within 1,000 feet of elementary and secondary schools and playgrounds, as required by the WSLCB Rules. The potential regulations would also apply a 300-foot buffer to additional sensitive uses, including correctional facilities, court houses, drug rehabilitation centers, and detoxification centers.

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

The buffering requirement is intended to reduce the impacts to sensitive uses or areas. In addition, the potential regulations restrict commercial and industrial marijuana uses to commercial, mixed-use and industrial areas and prohibit them from shoreline and residential areas. This will reduce potential impacts as commercial, mixed-use and industrial areas within Tacoma generally contain fewer environmentally sensitive areas.

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

This proposal would tend to limit and reduce the overall potential for worst-case land use incompatibility impacts on surrounding uses from major marijuana activity. This would be due in part to the discontinuation of a great number of marijuana-related uses that would not have proper State licensing. This would reduce the total number of instances where uses involving marijuana would be

present and thus the potential for local incompatibilities or spillover impacts. It would also relate to the details of the proposal that would establish dispersal of a smaller number of licensed uses, buffers from certain kinds of potentially sensitive uses (schools, as one example), and the probable location of the relevant uses into commercial and industrial zoned areas that are interpreted as settings that are more compatible and less sensitive, in terms of land use mixes and adjacencies, to marijuana-related activities. The proposal would be consistent with City land use policies. Despite such findings, it is also accurate to conclude that in the worst-case there would remain potential for adverse spillover effects relating to use compatibility (such as related to noise, or odor or releases as described in the response to question D.1 above). This would include situations where, given new licensing of marijuana uses and/or cooperatives, new instances of major marijuana activity could occur in a variety of locations around Tacoma. If such effects occurred, they would be able to be adequately resolved through State and City enforcement actions that would pinpoint and address the particular issues that arise.

The Potential Regulations have taken into account the concern of land use compatibility by allowing marijuana production and processing only in intensive industrial zones and allowing marijuana retail only in commercial, mixed-use and industrial zones. Marijuana related uses are not allowed in shoreline districts.

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

Marijuana related uses are not allowed in shoreline districts and will be significantly buffered from certain sensitive uses. Additional regulations related to land use, nuisance inspection and enforcement may be imposed as necessary pending the public comment period and implementation of the potential regulations.

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

The potential regulations are not likely to adversely increase demands on transportation as it would primarily limit the scope of certain activities. This effect of limiting presence of certain uses would tend to avoid causing systematically increased demands upon public utilities, road systems, and public services. It might even reduce the potential for demands upon police and fire protection, because the number of existing businesses engaged in such activities within the city will diminish if and when factors such as State licensing and local code enforcement leads to the closing of businesses with licenses for such activities.

However, to the extent that new locations engaged in production, processing or selling of marijuana would likely emerge over time through expansion of licenses available from the State, there could be increases in demand for public services and utilities at such locations over time. This is based on a reasonable assumption that more intensive activity levels at given properties may add to the possibility of additional police service or emergency/fire calls, and that more water, sewer, electricity services would be consumed. Indoor agricultural activities relevant to the proposal would involve use of lights that would consume energy to maintain good growing conditions. Given the low volume of such additional demands in comparison to citywide service demands, the proposal is not likely to noticeably impact the ability of police, fire or utility providers in their ability to provide effective services to future licensed locations.

The licensed cultivation, processing and selling of marijuana will not have a probable adverse impact on transportation or utility services. Due to the high monetary value placed upon marijuana, areas may experience increased crime related to marijuana cultivation which would impact law enforcement/services.

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

Marijuana related businesses would not be allowed in residential areas or shoreline districts where law enforcement access, without notice or cause, may be limited.

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

The potential regulations should not conflict with local, state, or federal laws, concerning the protection of the environment.