



City of Tacoma
**Preliminary Determination of
Environmental Nonsignificance**

**Correctional Facilities Permanent Regulations
Proposed Amendment to the Tacoma Municipal Code**

SEPA File Number: LU17-0262

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:

Correctional Facilities Permanent Regulations – proposed amendments to the Tacoma Municipal Code, Sections 13.05.020 – Notice Process, 13.06.100 – Residential Districts, 13.06.400 – Industrial Districts, 13.06.640 – Conditional Use Permit, and 13.06.700 – Definitions and Illustrations, that would prohibit correctional facilities in multi-family and light industrial zoning districts; require a Conditional Use Permit, public notices of 1,000-foot distance, and a pre-application community meeting in zones where they are allowed; and modify the definition of “correctional facility.”

Currently, there are interim regulations in effect concerning correctional facilities that were originally enacted by the City Council on March 7, 2017, per Ordinance No. 28417, and subsequently modified on May 9, 2017, per Ordinance No. 28429. The proposed permanent regulations, i.e., the subject of this Determination of Environmental Nonsignificance, are generally the same as the interim regulations as set forth in Ordinance No. 298429 and are being considered by the Planning Commission for forwarding to the City Council for adoption before the 12-month interim regulations expire on March 6, 2018.

The complete text of the proposed amendment is available from the Planning and Development Services Department at the address below and posted online at www.cityoftacoma.org/planning (and linked to “Current Initiatives and Projects” and then “Correctional Facilities Interim Regulations”).

Location: City of Tacoma

Lead Agency: City of Tacoma

City Contact: Lihuang Wung
Planning and Development Services Department
747 Market Street, Room 345
Tacoma, WA 98402
(253) 591-5682 or lwung@cityoftacoma.org

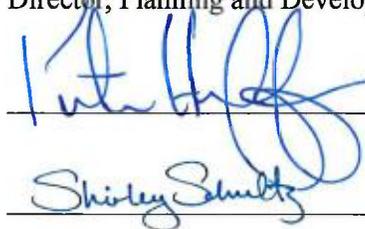
The lead agency for this proposal has made a preliminary determination that this project does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) (c). This decision was made after review of an environmental

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 January 5, 2018.** 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 January 12, 2018.** 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: Peter Huffman
Position/Title: Director, Planning and Development Services Department

Signature:



SEPA Officer Signature:



Issue Date: December 14, 2017
Comment Deadline: January 5, 2018, 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: Puyallup Tribe of Indians, Planning and Land Use Department, 3009 E. Portland Ave., Tacoma, WA 98404 (U.S. mail only)
- Puyallup Tribe of Indians, David Duenas, Building Official, David.Duenas@PuyallupTribe.com
- Puyallup Tribe of Indians, Brandon Reynon, Tribal Archeologist, Brandon.Reynon@PuyallupTribe.com
- Puyallup Tribe of Indians, Jeffrey Thomas, TFW Program Director, Jeffrey.Thomas@puyalluptribe.com
- Puyallup Tribe of Indians, Russ Ladley, Fisheries Program Director, Russ.Ladley@PuyallupTribe.com
- Puyallup Tribe of Indians, Andrew Strobel, Planning and Land Use Director, Andrew.Strobel@PuyallupTribe.com
- Puyallup Tribe of Indians, Jennifer Messenger, Land Use Planner, Jennifer.Messenger@PuyallupTribe.com
- Puyallup Tribe of Indians, Robert Barandon, Land Use Planner, Robert.B.Barandon@PuyallupTribe.com
- Puyallup Tribe of Indians, Carol Ann Hawks, Historic Preservation Director, CarolAnne.Hawks@PuyallupTribe.com
- Puyallup Tribe of Indians, Charlene Matheson, Special Project Planner, Charlene.Matheson@Puyalluptribe.com
- Puyallup Tribe of Indians, Char Naylor, Assistant Director Fisheries/Water Quality, Char.Naylor@puyalluptribe.com
- Puyallup Tribe of Indians, Lisa A. Anderson, Environmental Attorney, Lisa.Anderson@PuyallupTribe.com
- Tacoma Public School District 10, Robert Sawatzky, Planning & Construction Director, planning@tacoma.k12.wa.us
- 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, jjordan@portoftacoma.com
- Metro Parks Tacoma, Matthew F. Keough, matthewke@tacomaparks.com
- Metro Parks Tacoma, Joe Brady, joeb@tacomaparks.com
- Pierce Transit, Bus Stop Program, Tina Vaslet, tvaset@piercettransit.org
- Puget Sound Clean Air Agency, Steve Van Slyke, stevev@pscleanair.org
- Department of Ecology, separegister@ecy.wa.gov
- Department of Natural Resources, SEPA Center, sepacenter@dnr.wa.gov
- Department of Transportation, Olympia Region Development Services Team, OR-SEPA-REVIEW@wsdot.wa.gov

File: Planning and Development Services

City of Tacoma

SEPA ENVIRONMENTAL CHECKLIST

Correctional Facilities Permanent Regulations

Proposed Amendment to the Tacoma Municipal Code

SEPA File Number:

LU17-0262

December 14, 2017

**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:

Correctional Facilities Permanent Regulations

2. Proponent/applicant:

City of Tacoma – Planning and Development Services Department

3. Contact:

Lihuang Wung
Planning and Development Services Department
747 Market Street, Room 345
Tacoma, WA 98402-3701
Phone: (253) 591-5682
E-mail: lwung@cityoftacoma.org

4. Date checklist prepared:

December 14, 2017

5. Agency requesting checklist:

City of Tacoma – Planning and Development Services Department

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

March 7, 2017	City Council enacted correctional facilities interim regulations
May 9, 2017	City Council modified interim regulations
November-December 2017	Planning Commission development of permanent regulations
January-February 2018	Planning Commission public hearing and recommendation
February-March 2018	City Council review, public hearing and adoption

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

Currently, there is no specific plan to further amend the correctional facilities regulations after the scheduled adoption by the City Council in March 2018. However, it has been noted that future planning projects, such as the upcoming Tideflats Subarea Plan, may involve future modifications to codes that affect correctional facilities.

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

N/A.

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.

N/A.

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

The proposal is a code amendment, which requires the City Council's adoption by ordinance.

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

Correctional Facilities Permanent Regulations – proposed amendments to the Tacoma Municipal Code, Sections 13.05.020 – Notice Process, 13.06.100 – Residential Districts, 13.06.400 – Industrial Districts, 13.06.640 – Conditional Use Permit, and 13.06.700 – Definitions and Illustrations, that would prohibit correctional facilities in multi-family and light industrial zoning districts; require a Conditional Use Permit, public notices of 1,000-foot distance, and a pre-application community meeting in zones where they are allowed; and modify the definition of “correctional facility.”

Currently, there are interim regulations in effect concerning correctional facilities that were originally enacted by the City Council on March 7, 2017, per Ordinance No. 28417, and subsequently modified on May 9, 2017, per Ordinance No. 28429. The proposed permanent regulations, i.e., the subject of this environmental review, are generally the same as the interim regulations as set forth in Ordinance No. 28429 and are being considered by the Planning Commission for forwarding to the City Council for adoption before the 12-month interim regulations expire on March 6, 2018.

The complete text of the proposed amendment is available from the Planning and Development Services Department at the address below and posted online at www.cityoftacoma.org/planning (and linked to “Current Initiatives and Projects” and then “Correctional Facilities Interim Regulations”).

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).)

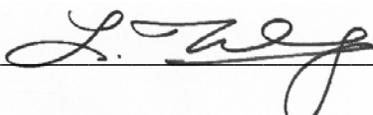
The proposal applies citywide. Note that if the proposal is adopted as is, correctional facilities would only be allowed in the zoning districts of M-2 Heavy Industrial and PMI Port Maritime Industrial. Any such facility currently located outside of M-2 or PMI would be nonconforming.

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: Lihuang Wung
Position and Agency/Organization: Senior Planner, City of Tacoma
Date Submitted: December 14, 2017

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent the proposal or the types of activities likely to result from the proposal that would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

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?

Impacts of correctional facilities to the listed elements of the environment are, generally speaking, minimal. The proposed code amendment would prohibit correctional facilities in multi-family and light industrial zoning districts and require a Conditional Use Permit in zones where they are allowed. The proposal is expected to help further reduce the overall impacts of correctional facilities and better ensure appropriate consideration of site-specific environmental and other issues as part of any future permitting of new or significant modifications to existing correctional facilities.

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

The proposal is expected to help further reduce the overall impacts of correctional facilities to the listed elements of the environment and better ensure appropriate consideration of site-specific environmental and others issues as part of any future permitting of new or significant modifications to existing correctional facilities.

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

Similar to the responses to Questions #1 and #2 above, the proposal is expected to help reduce the overall consumption of energy or natural resources by correctional facilities, recognizing that such level of consumption by individual facilities may vary, and better ensure appropriate consideration of relevant site-specific issues at the project level in the future.

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 proposal does not affect environmentally sensitive areas or areas designated for governmental protection, but the expanded permitting proposed would better ensure appropriate consideration of relevant site-specific issues at the project level in the future.

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?

Correctional facilities are not allowed in shoreline districts, and the proposal does not change such regulatory requirements.

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

Similar to the response to Question #3 above, while individual correctional facilities' demands on transportation or public services and utilities may vary, the proposal is expected to help reduce the overall demands and better ensure appropriate consideration of relevant site-specific issues at the project level in the future.

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

The proposal does not change any regulatory requirements concerning the protection of the environment and should not conflict with any relevant local, state, or federal laws.