



**City of Tacoma
Planning Commission**

October 19, 2011

Honorable Mayor and Members of the City Council:

On August 30, 2011, the Council adopted Ordinance No. 28014, enacting an emergency, city-wide, six-month moratorium on the acceptance or processing of applications for development permits for large scale retail establishments. The purpose of the moratorium is to prevent vesting of permits under the current regulations while they are reviewed and updated to better implement the policies and goals of the Comprehensive Plan and sufficiently address the potential economic, social and environmental impacts associated with these types of uses.

As required by the Tacoma Municipal Code, the Commission conducted a public hearing on October 5, 2011 concerning the moratorium. Thirty people testified at the hearing. They all expressed their strong support for the moratorium and most called for extending it. The Commission also received 15 written comments which, while including some opposition to and concern about the impact of the moratorium, still largely favored continuing the moratorium. The overwhelming message from the public testimony was that the community has significant and wide-ranging concerns about large retail uses, particularly within the City's Mixed-Use Centers, and feels that a temporary hold on the permitting of such uses is warranted while the City reviews and considers whether changes to the existing regulations and associated requirements are needed.

The Commission's preliminary review of the Comprehensive Plan and associated regulations found that there are numerous areas where the existing land use regulations do not sufficiently implement the Plan's policies and goals. These discrepancies are particularly problematic within the City's Urban and Community Mixed-Use Centers because center development is a key part of the City's vision for accommodating future population and employment growth. The center vision expresses how we, as a community, will shift from the auto-centric pattern that has dominated development over the past few decades to a more compact, mixed, sustainable, vibrant and dense urban pattern that promotes pedestrian activity and multi-modal transportation options. Ensuring that these areas develop in a manner that is consistent with the community's vision is critical to achieving our long-term land use and economic goals.

The existing language of the moratorium is very broad, applying to all types of permits associated with large retail establishments in all portions of the city. While the concerns expressed have also been broad, a common message has been that development of new large retail establishments is of particular concern within in the Mixed-Use Centers. The Commission shares this sentiment and has found that the differences between the regulations and Plan policies are also most significant in the Community and Urban Mixed-Use Centers. Therefore, the Planning Commission supports the continuation of the moratorium but is recommending that its geographic scope be reduced to focus on the Community and Urban Mixed-Use Centers, where it is most clearly needed and appropriate. As noted in our findings and recommendation report, the moratorium should affect only substantial alterations to existing large retailers, additions to large retail buildings that exceed 10% of the existing building size, and not affect minor alterations, tenant improvements or the re-use of an existing large retail building.

Mayor and Members of the City Council

Large Scale Retail Moratorium

October 19, 2011

Page 2

Although imposition of moratoria should be used infrequently and with caution, in this instance, the moratorium provides an opportunity to conduct needed analysis of the impacts of these kinds of uses and an evaluation of where and how they can be accommodated in a manner that is consistent with the Comprehensive Plan. Continuing to permit development that is inconsistent with the community's vision will only hamper our ability to achieve it.

While the Commission supports having a moratorium within the Community and Urban Mixed-Use Centers, we are also concerned that the six-month duration originally adopted would require that draft code be ready for public review in less than a month from now. Considering the scope outlined in the moratorium ordinance, the findings of our initial analysis and the numerous and wide-ranging concerns expressed by the public it is apparent that this effort will require significant resources and attention and should include multiple opportunities for general public and stakeholder input and coordination between the Council, Commission and staff.

The Commission is also very concerned about the impact that this project will have on other planning work items. In addition to the two other existing moratoria, the Commission is working on numerous other planning program items, many of which are in response to City Council requests and/or grant funding, such as the proposed amendments to downtown parking requirements, the critical areas regulatory update project, and the two sub-area plans being developed. These projects are in addition to our regular work on the 2012 Annual Amendment, which includes review of seven proposed amendments. The Commission and staff's ability to manage existing responsibilities in addition to this new task will be severely constrained within a six-month schedule. In order to minimize such impacts and ensure that this project receives the level of review, outreach and coordination it deserves, a one-year timeline is needed. I am providing a one-year work plan for the development of regulations that provides a reasonable schedule for the necessary review by the Commission, Council, staff and community.

Therefore, on behalf of the Planning Commission, I am forwarding our findings and recommendations in response to the emergency moratorium. Enclosed you will find a copy of our Findings of Fact and Recommendations report that summarizes the public review process and the Commission's actions. We believe the enclosed document addresses the review requested by the Council and required by City Code. We look forward to our continued work in addressing large scale retail uses within the City, with a particular emphasis on the Community and Urban Mixed-Use Centers.

Sincerely,



DONALD K. ERICKSON
Vice-Chair, Planning Commission

Enclosure