



MINUTES (Approved as Amended on 12-3-14)

TIME: Wednesday, November 19, 2014, 4:00 p.m.
PLACE: Room 16, Tacoma Municipal Building North
733 Market Street, Tacoma, WA 98402
PRESENT: Scott Winship (Vice-Chair), Chris Beale, Donald Erickson, Benjamin Fields, Tina Lee,
Erle Thompson
ABSENT: Sean Gaffney (Chair), Stephen Wamback

A. CALL TO ORDER

Vice-Chair Winship called the meeting to order at 4:02 p.m.

B. QUORUM CALL

A quorum was declared.

C. APPROVAL OF MINUTES

The minutes of the regular meeting and public hearing on November 5, 2014 were reviewed and approved as submitted.

D. DISCUSSION ITEMS

1. Mixed-Use Centers Review (Annual Amendment Application #2015-02)

Stephen Atkinson, Planning Services Division, introduced John Owen, of Makers Architecture and Urban Design, who gave an overview of a planned mixed-use center (MUC) study. The goal of the study is to make MUCs more viable and livable according to the Comprehensive Plan vision. Citing a preliminary field trip to the existing MUCs, Mr. Owen reported the following: all designated MUCs have opportunities and assets; individual MUCs are different and deserve individual redevelopment strategies; some MUCs will redevelop faster than others; and the Comprehensive Plan's vision for MUCs is still valid and a growth management strategy based on MUCs is achievable.

Mr. Owen discussed the characteristics of the following three kinds of centers and provided examples of how existing MUCs would fit in each type, i.e., Neighborhood Centers (e.g., Proctor), Crossroads (e.g., 72nd & Portland), and Employment Centers (e.g., 34th & Pacific). He also noted that the MUCs will be evaluated against the following Comprehensive Plan principles: mix of uses, housing choices, transportation choices, quality of life and active living, and thriving economy. Outcomes of the study will include individual redevelopment strategies for each MUC, prioritization of centers for specific management approaches, and a comprehensive citywide strategy including performance measures and targets. Mr. Owen ended his presentation by asking whether the Commissioners are comfortable with not making vertically mixed-use buildings a priority, differentiating centers along form and function rather than service area, and not focusing on eliminating centers but developing individual redevelopment strategies and realistic time frames.

Commissioners had the following comments and questions:

- [The Commission commented that they appreciated the approach of classifying and differentiating the centers without proposing to delete any MUCs.](#)
- Will this alter any allocations of employment and housing? Will there be any future implications for zoning changes? (Mr. Atkinson: There may be changes that come as a result.)
- We shouldn't move away from vertically mixed-use, since it provides an incentive to develop in the mixed-use center.
- We have too many mixed-use centers currently, but differentiating the centers could change that. (Mr. Owen: If the centers were in competition that might be an issue, but they each seem to have a niche.)
- Having mixes of uses that allow people to be [there in the centers](#) at different times of the day is [very more](#) important [than a strict adherence to the concept of vertically mixed use buildings](#).
- What is the scope of the economic study? (Mr. Owen: It will be a comprehensive look at all areas in terms of development potential, market demand, and feasibility analysis.)
- Bonus features should also be examined to see if they are achieving their intent [and if they fit in the new typology for the MUCs that is being created \(i.e., "Neighborhood", "Crossroads", and "Employment Center"\)](#).
- Would focusing investments in certain MUCs as a result this study become a new approach to allocating public infrastructure investments or has the City Council already taken MUCs into account when prioritizing capital improvement projects? (Mr. Atkinson: That is something we'll be looking at. There are some opportunities with both this process and the Comprehensive Plan Update to examine how well our infrastructure investments are aligning with the Comprehensive Plan.)

Mr. Atkinson provided a briefing on the Comprehensive Plan update and a design vision for the City, noting that the discussion of the MUCs review has raised the question of what the City's core urban design vision is. He called out the principles adopted by the Council in 2006 that provide reasons for having MUCs, i.e., to protect critical and sensitive areas; to protect port, industrial and manufacturing uses; to protect neighborhoods; and to increase densities where appropriate. He observed that there is an opportunity to tie the MUCs review to the work with the Land Use Designation - Phase 2 that could result in a clear concept of how we want to grow as a city and fill some gaps like an omission of any discussion of open space.

Mr. Atkinson argued that urban design is a matter of scales, from region, to watershed, to city, to neighborhood. He elaborated on the components of urban form, including centers, corridors, employment areas, open space corridors, signature trails, and neighborhoods. Speaking as to why design matters, he enumerated the different ideal benefits of the plan such as reduction in emissions, improved diversity, healthier lifestyles, vibrant places, job creation and wise use of urban land.

Mr. Atkinson commented that there are currently many projects in motion: the Tacoma 2025 Strategic Plan, the 2015 GMA Update, the MUCs Review, and the Transportation Master Plan. There is an opportunity to connect these ideas and facilitate the discussion of the kind of land use patterns we want to create in the city. He concluded his remarks with the suggestions to build the design vision off of existing land use patterns, maintain differentiation of land use patterns along corridors, and operate and apply the vision at multiple scales.

Commissioners had the following comments and questions:

- From the urban design standpoint, there are other things that are also critical, such as topography and views that need to be protected for future generations.

- Does staff feel that the current Comprehensive Plan does not synthesize the vision and the design principles? (Mr. Atkinson: There are some gaps in the Comprehensive Plan and the policy.)
- Is an Urban Design element of the Comprehensive Plan required/desired? (Mr. Atkinson: That's one of the things under consideration.)
- Does the initiative for strategic planning overlap with this at any point? (Brian Boudet: The Strategic Plan does recognize that growth needs to happen and incorporates how we plan for it.)

2. Recreational Marijuana Regulations

Elliott Barnett, Planning Services Division, facilitated the Commission's review and discussion of the proposed recreational marijuana permanent regulations being considered for the public review phase. He mentioned that the Council has a strong desire to set permanent regulations in place for recreational marijuana businesses before any potential action that the State might take in the next legislative session concerning the medical marijuana facilities that have been an issue for the community. Mr. Barnett reviewed the following proposed changes to the existing marijuana interim regulations:

- 1) Add language to further clarify that all new marijuana uses must comply with City requirements.
- 2) Further limit retail hours of operation to those of former state-run liquor stores
- 3) Add a distribution requirement such that no new retail marijuana establishment would be allowed within 1,000 feet of an existing retail marijuana business.
- 4) Create a new City administrative review process designed to coordinate the City's review of marijuana businesses and to clearly grant the City authority to regulate based on local standards.
- 5) Require a 400-foot public notification of proposed retail marijuana businesses, allowing for public input on consistency with administrative standards.
- 6) Add language clarifying City authority to deny a marijuana business application based on a pattern of noncompliance with City code.

Discussion ensued. The Commissioners raised some comments and questions, such as the following:

- Requiring stores to remain closed until 10am makes little sense, considering that surrounding businesses would be open at 9am.
- [Concern about the 1,000-foot buffer between retail stores was expressed. Buffering retail marijuana shops from each other is inconsistent with the way bars and other uses that sell and dispense alcohol.](#)
- Would the 1,000-foot distance requirement have implications for the two businesses on 6th Avenue? (Mr. Barnett: They will essentially be grandfathered in, but they are just less than 1,000 feet from each other.)
- There is nothing to prevent the new regulations from being used to make preexisting retailers nonconforming. (Mr. Barnett: We could clarify that the code changes affect only new business subsequent to the adoption date of the rules.)
- Would the review process be like a conditional use permit? (Mr. Barnett: There are other things could be appropriate models like regulatory businesses licenses. We also have things within the land use code that are administrative rather than a discretionary permit.)
- We had discussed not using the compliance history component due to lack of precedent. Have you consulted with legal and researched other jurisdictions? (Mr. Barnett: We've discussed with legal and they were comfortable with it but we haven't looked at other jurisdictions.)

- I would like to see more on how it is relevant to the land use code. (Mr. Barnett: There are some examples like administrative permits to determine exceptions to the code on things like detached ADUs.)
- Is the license process best housed in the land use code or should it be handled somewhere else? (Brian Boudet: That is still an outstanding question. The city can do it either way. Whether you call it a license or a special permit, the function is the same.)
- Is there public involvement in the review process? (Mr. Boudet: Not currently. There has been some question about how we balance normalization with public concern about new locations coming in without notification. I-502 is "controlled implementation", so we normalize at some levels but at the same time we still have things like buffers for sensitive uses.)
- Would the administrative review process affect the medicinal locations, making them noncompliant? (Mr. Boudet: If the city has been having enforcement issues with a location it could affect them in the future.)
- How does staff feel about requiring existing businesses to go through the same process? (Mr. Barnett: We think it's worth discussion. It makes sense if we aren't talking about the full review including buffering requirements.)
- Consider showing maps of various buffering distances and clarifying that buffering requirements would not be retroactively applied.
- Consider adding an amortization period for any changes to operating hours to allow adequate time for the employers to make adjustments to employees' work schedules accordingly.

Upon concluding the discussion, Mr. Barnett commented that regulations could be changed, despite being worded as "permanent". Commissioner Erickson made a motion that the Planning Commission authorizes the distribution of the draft land use regulations, as modified per discussion, for public review; sets December 3, 2014 as the date for a public hearing to receive oral testimony; keeps the hearing record open through December 5, 2014 to receive written comments; and deliberates its recommendations to the City Council after the public hearing based on the public comments received. Commissioner Thompson seconded the motion. The motion passed with a vote of 5 to 1, where the "nay" vote was casted by Commissioner Beale who was concerned with a number of the proposed provisions such as the hours of operation and the dispersion requirement.

Mr. Barnett mentioned that the Spinning Heads is offering a tour of its production/processing facility on December 4, 2014 for the Governor's Office and has extended the invitation to the Planning Commission and the City Council. Several Commissioners were interested.

E. COMMUNICATION ITEMS & OTHER BUSINESS

Lihuang Wung, Planning Services Division, provided that the Infrastructure, Planning and Sustainability Committee's meeting on November 26, 2014 had been canceled; that Planning Commission's meeting on December 3, 2014 would include the discussion on Land Use Designations Phase 2 and a public hearing on the Recreational Marijuana Regulations; that the City Council held a study session and a public hearing on November 18, 2014 regarding the Capital Facilities Program (CFP) as recommended by the Planning Commission, and acknowledged the Commission's concerns over the review process for the CFP; and that the Council is scheduled to appoint two new Planning Commissioners on December 2, 2014.

Brian Boudet, Planning Division Manager, reported that the Commission's discussion on the Transportation Master Plan has been rescheduled to the December 17th meeting. He also noted that at its meeting on November 18, 2014, the City Council's Committee of the Whole discussed issues relating to short term rentals in single family home and accessory dwelling units. Lastly he commented that there had been a community meeting regarding the proposed West Slope Conservation District and the matter

is scheduled to be sent from the Landmarks Preservation Commission to the Planning Commission in early 2015.

Mr. Wung noted that given that the City Council is scheduled to appoint two new Commissioners in December, this is probably the last meeting for Commissioner Tina Lee. The Commissioners and staff expressed their appreciation for Commissioner Lee's services and dedication over the past three years.

F. ADJOURNMENT:

At 6:05 p.m., the meeting of the Planning Commission was concluded.