



City of Tacoma
Planning and Development Services

Agenda Item
D-2

To: Planning Commission
From: Stephen Atkinson, Planning Services Division
Subject: **Tideflats Interim Regulations**
Meeting Date: September 20, 2017
Memo Date: September 14, 2017

On September 13, 2017 the Planning Commission held a public hearing on the proposed Tideflats Interim Regulations. At the hearing, approximately 81 people provided testimony. While the majority of testimony was focused on the proposed heavy industrial use restrictions, the Commission received comments and testimony on each of the proposed elements for the Interim Regulations. An additional 17 comment cards were submitted to staff and as of the close of business on Thursday, September 14, 2017 approximately 110 written comments had been submitted (attached). Comments are accepted through Friday September 15, 2017. These additional comments will be provided to the Commission as an addendum to this agenda packet.

Staff is requesting Planning Commission guidance on potential modifications to the proposed interim regulations in response to testimony received during the public comment period. Staff will facilitate a discussion regarding the submitted comments and the options the Commission can consider in response to testimony. The intent of the meeting is to provide staff with a basis for returning on October 4, 2017 with an updated draft Findings and Recommendations report such that the Commission may make a recommendation to the City Council at that time.

To support the Commission's discussion, Steve Victor, Deputy City Attorney, will be present to advise the Commission on legal issues raised in the public testimony as well as on questions the Commission may have relating to potential modifications to the Proposed Interim Regulations.

*Additional Note: The Planning Commission has suspended public comments on this item during the regular meeting. Written and oral comments provided to the Commission during the public comment period will be considered in the Commission's deliberations and recommendation to the City Council.

If you have any questions, please contact me at (253) 591-5531 or satkinson@cityoftacoma.org.

Attachments:

1. Summary of Public Comments
2. Public Comments received by 5:00 pm on Thursday, September 14, 2017.

c. Peter Huffman, Director



Tideflats Interim Regulations

Summary of Public Testimony

Planning Commission Review – September 20, 2017

The comments received reflect broad and diverse viewpoints and interests among residents, businesses, labor interests, property owners, environmental representatives, adjacent jurisdictions, and Puyallup Tribal members.

At the time of this summary, comments are still being received. This summary is intended to help facilitate discussion at the Planning Commission's meeting on September 20, 2017, not as a full documentation of comments and public testimony.

Category 1: Expanded Notification for Heavy Industrial Uses

- Overall, comments have been supportive of expanding notification.
- Some concerns expressed that the notification does not go far enough, that certain uses are of a city-wide import and notification should reflect that.

Category 2: Non-industrial Uses in the Port of Tacoma M/IC

- Some confusion over why these uses are included.
- Concern expressed that these uses cannot expand, but industrial uses can.
- Concern over the scope of uses identified.

Category 3: Marine View Drive Residential Development Restrictions

- Concerns over the immediate and long term impacts of heavy industry on nearby residential areas.
- Some acknowledgement that recent residential developments in this area may not have been appropriate.
- General recognition that a transition area is appropriate.
- Some concern was expressed that these restrictions put greater focus on residences and not on impacts from heavy industry.

Category 4: Heavy Industrial Special Use Restrictions

- The scope of uses identified (should be broader/should be more narrowly focused)
- Expansion of existing uses
- Economic impact of the restrictions
- Environment and health impacts from heavy industry (existing and new)
- Risks and vulnerability to environmental hazard and natural disaster
- Opposition to any restrictions
- General support for the restrictions

Continued on next page...

Summary of Public Testimony

Planning Commission Review – September 20, 2017

Other Themes:

- Support for the Subarea Planning Process
- Timeline for adoption
- Concern over potential impacts to Joint-Base Lewis-McChord and other communities
- Job creation and retention
- Existing regulations are adequate and effective to address community concerns
- Concerns and questions regarding consultation with the Puyallup Tribe of Indians
- Basis for interim regulations:
 - No emergency basis identified
 - Fossil fuel facilities are an emergency issue
 - Existing uses are already impacting residents and workers and causing health impacts
- Legal concerns:
 - Recent cases pertaining to fossil fuel bans and Interstate Commerce;
 - Reasonable use of residential lots along Marine View Drive
 - State Environmental Policy Act (SEPA) review
 - Port Container Element and Growth Management Act requirements
 - Correctional facilities and essential public facilities