

# TIDEFLATS INTERIM REGULATIONS

Planning  
Commission  
Review  
9.20.17

# BACKGROUND

- Council initiated a Tideflats Subarea Plan as required under PSRC Vision 2040
- Requested the Commission consider need for interim regulations
- Planning Commission Review:
  - June 21: Discussed initial findings and approach
  - August 2: Discussed staff concepts
  - August 16: Authorized a public review draft and set a public hearing
  - September 13: Conducted a public hearing
- Public Review:
  - 14,000 notices
  - 81 people testified
  - Over 200 comments received

# NEXT STEPS

- September 20 - Planning Commission discusses testimony
- October – Planning Commission recommendation to Council
- October/November – City Council Review and Adoption
  - Study Session
  - Public Hearing
  - 1<sup>st</sup> Reading of Ordinance
  - Final Reading of Ordinance
  - Effective

Follow the process at:

[www.cityoftacoma.org/tideflatsinterim](http://www.cityoftacoma.org/tideflatsinterim)

# THE PROPOSALS

1. Expanded notification for heavy industrial uses;
2. Prohibition of certain non-industrial uses;
3. Prohibition on new residential development along Marine View Drive;
4. Prohibition on establishing certain new heavy industrial uses.

# 1. EXPANDED NOTIFICATION

- Applies to:
  - Heavy Industrial Uses
  - Where a discretionary permit application or SEPA determination is required
  - Citywide
- What it would do:
  - Expand permit notification to 2500' from Manufacturing and Industrial Center boundary, where applicable, or from individual tax parcel
  - Includes a public meeting

The Most Common* SEPA Triggers
Work occurring within critical areas and/or on lands wholly or partly covered by water
Construction of residential structures – more than 20 dwelling units
Construction or demolition of a building – greater than 12,000 square feet
Construction of a parking lot – more than 40 vehicles
Fill or excavation – more than 500 cubic yards
Installation or removal of impervious tanks – capacity of more than 10,000 gallons
Stormwater, water, & sewer utilities – 12 inches or more in diameter
Installation of wireless facilities – on a residence or school or within a residentially zoned area
Construction of a wireless tower – 60 feet or taller or within a residential zone
Certain land use decisions – Rezone, Plats greater than 9 lots

\*For a comprehensive list, see WAC 197-11-800.



# 1. EXPANDED NOTIFICATION *OPTIONS TO CONSIDER*

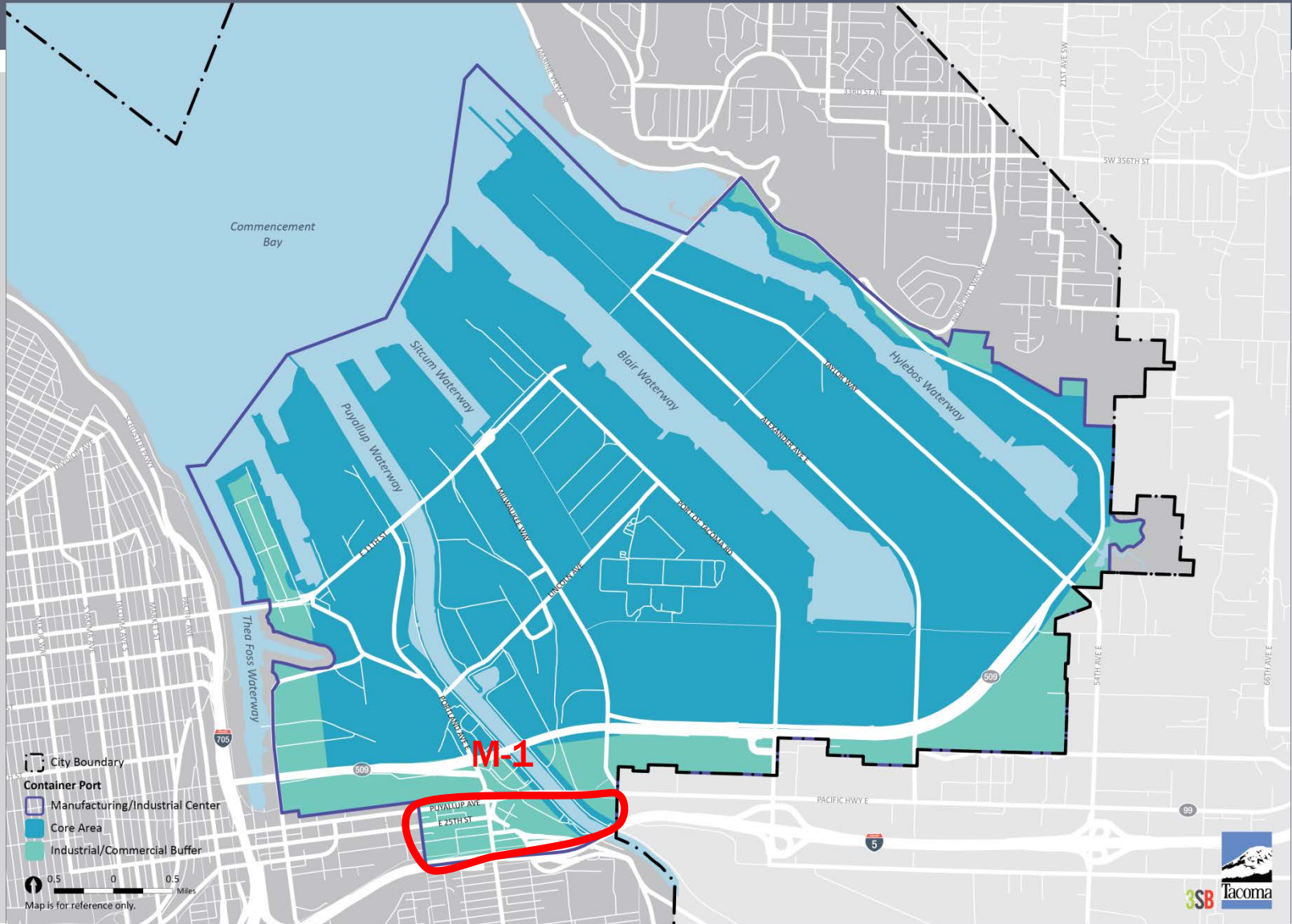
- A. Expand notification to all taxpayers city-wide
- B. Distances/thresholds
- Staff Recommendation: Maintain current approach

## 2. NON-INDUSTRIAL USES IN PORT MIC

- Applies to:
  - Certain Non-industrial uses in TMC 13.06.400
  - Within the Port of Tacoma MIC
- What it would do:
  - Prohibit new, specified non-industrial uses
  - Prohibit expansion of existing uses
- What uses?
  - All residential uses (group homes, adult family homes, retirement homes, work release, etc.)
  - Care facilities
  - Destination/High intensity parks and recreation
  - Cultural Institutions
  - Agriculture
  - Airports
  - Hospitals
  - Schools (K-12)
  - Correctional Facilities



# 2. NON-INDUSTRIAL USES IN PORT MIC



## 2. NON-INDUSTRIAL USES IN PORT MIC

	<b>M-1</b>	<b>M-2</b>	<b>PMI</b>
<b>Adult family home</b>	P/N*	N	N
<b>Confidential shelter</b>	P/N*	N	N
<b>Continuing care retirement community</b>	P/N*	N	N
<b>Day care, family</b>	P/N*	N	N
<b>Emergency and transitional housing</b>	P/N*	N	N
<b>Extended care facility</b>	P/N*	N	N
<b>Foster home</b>	P/N*	N	N
<b>Group housing</b>	P/N*	N	N
<b>Hotel/motel</b>	P/N*	N	N
<b>Intermediate care facility</b>	P/N*	N	N
<b>Live/Work</b>	P	N	N
<b>Residential care facility for youth</b>	P/N*	N	N
<b>Residential chemical dependency treatment facility</b>	P/N*	N	N
<b>Retirement home</b>	P/N*	N	N
<b>Staffed residential home</b>	P/N*	N	N
<b>Student housing</b>	P/N*	N	N
<b>Theater</b>	P/N*	N	N
<b>Work/Live</b>	P	N	N

## 2. NON-INDUSTRIAL USES IN PORT MIC *OPTIONS TO CONSIDER*

- A. Allow limited expansion, per non-conforming use provisions
  - B. Could narrow the list of uses in the M-1
  - C. Could exclude all of the M-1
- Staff recommendation: A and B

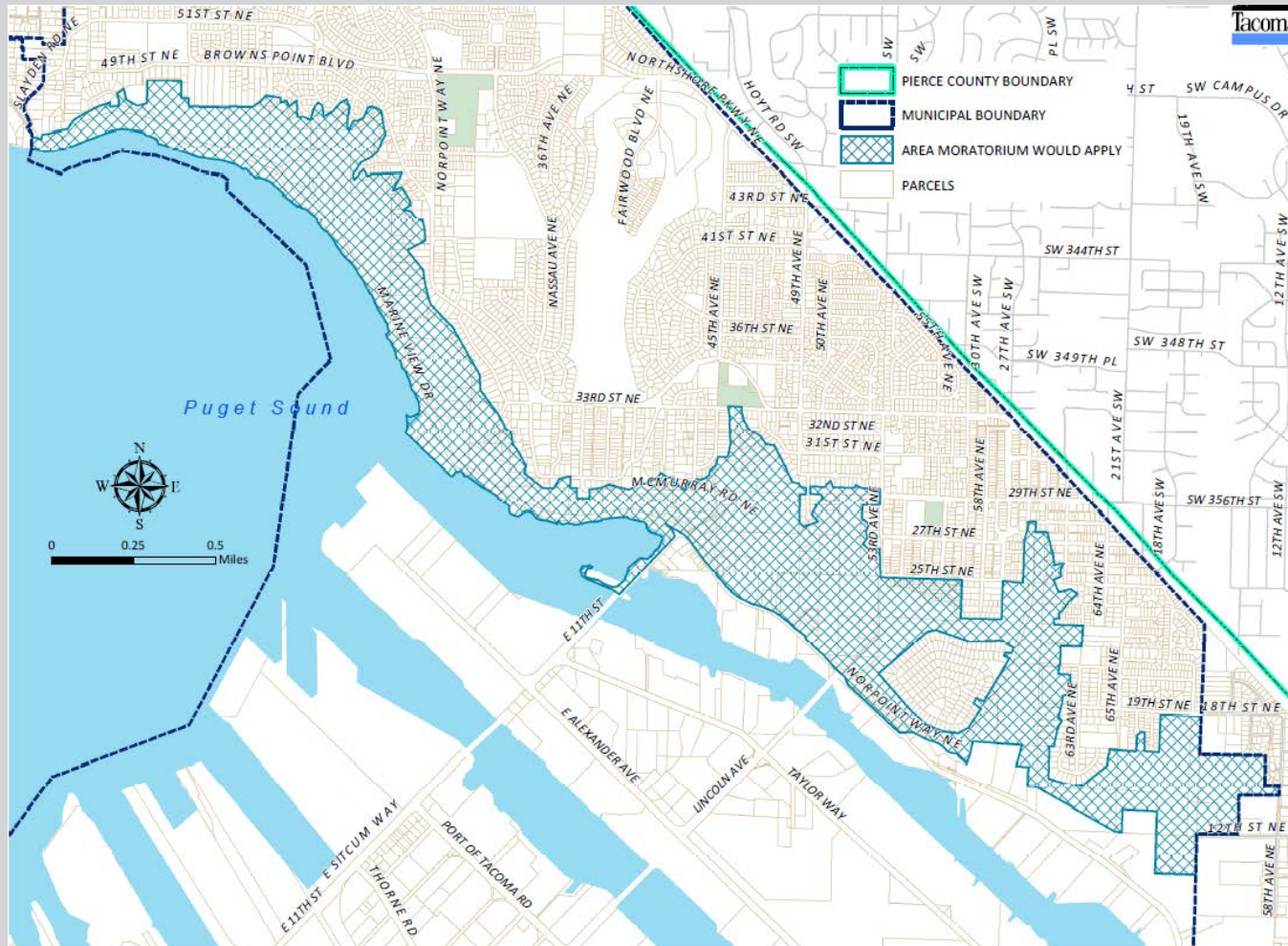
## 2. NON-INDUSTRIAL USES IN PORT MIC *OPTIONS TO CONSIDER*

### Correctional Facilities

- Ordinance No. 28429
  - Regulates public and private in the same manner, as a conditional use
  - Expansion that increases inmate capacity requires CUP major modification, public meeting.
  - Scheduled to return to Commission later this year
- Staff recommendation: Maintain interim regulations as adopted by City Council in Ordinance No. 28429 and continue to address this issue as part of the development of permanent regulations relating to that ordinance

# 3. RESIDENTIAL PROHIBITION ALONG MARINE VIEW DRIVE

- Prohibits all new plats and residential development



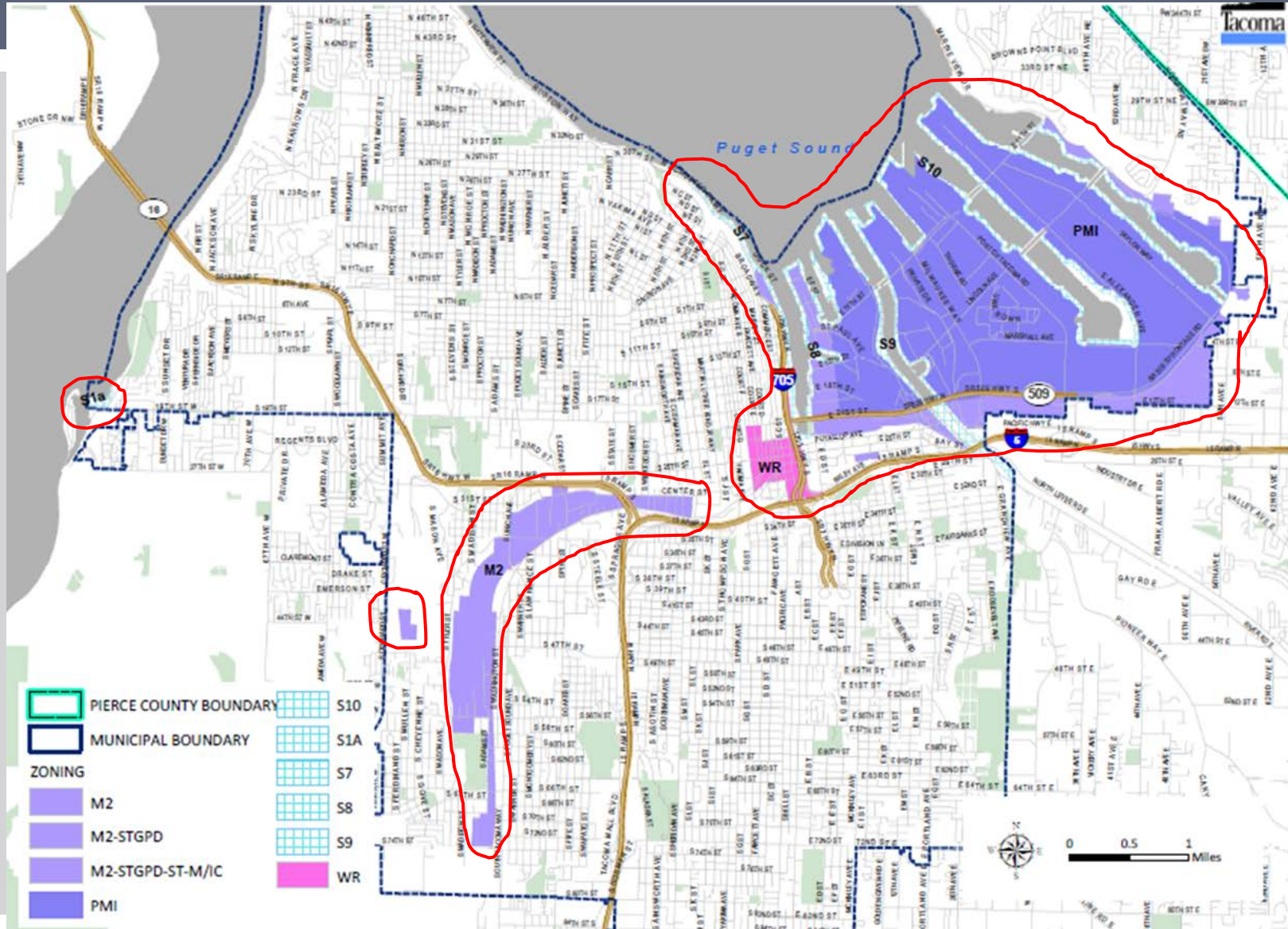
# 3. RESIDENTIAL PROHIBITION *OPTIONS TO CONSIDER*

- A. No restrictions
- B. Modify boundary
- C. Continue to prohibit new platting but allow building of legal lots
  - Staff recommendation – would allow reasonable use, focus on the primary area of concern

# 4. HEAVY INDUSTRIAL USE RESTRICTIONS

- **Applicability:**
  - Citywide where heavy industry is allowed
  - New uses
- **What it would do:**
  - Prohibit the establishment of new uses.
  - Would not limit the expansion or operations of existing uses.
- **What uses would be subject to the restrictions?**
  - Coal terminals and bulk storage;
  - Oil, or other liquid or gaseous fossil fuel terminals, bulk storage, manufacturing, production, processing or refining;
  - Chemical production, processing, and bulk storage
  - Smelting;
  - Mining and quarrying.

# 4. HEAVY INDUSTRIAL USE RESTRICTIONS





# 4. HEAVY INDUSTRIAL USE RESTRICTIONS

## *OPTIONS TO CONSIDER*

- A. No restrictions
  - B. Modify the list of uses:
    - Narrow
    - Expand
  - C. Expansion of existing use
    - Permit process
    - Amount of expansion
- Staff recommendation: Expanded list + CUP

# FINDINGS AND RECOMMENDATIONS

- MIC/Industrial Lands
- Critical Areas
- Encroachment
- Transportation
- Climate
- Off-site Impacts
- Emergency Response
- Emergency Ordinances
  
- Public process
- Modifications to public review draft
  
- Other?

# OTHER TOPICS

- Legal questions
- Timing
- SEPA
- Economic impacts
- Consultation
- Support for Subarea Plan
- JBLM
- Basis for regulations