

TIDEFLATS INTERIM REGULATIONS

Planning Commission Presentation

August 16, 2017

Today's Agenda

- Confirm Process
- Background – Why we are considering these regulations
- Review Draft Interim Regulations
 - Expanded Notice
 - Non-industrial Uses
 - Residential Encroachment
 - Probable High Risk/High Impact Uses
- Request to set a public hearing and release draft

Alternative Timelines

With PC Hearing (Staff Recommendation)

- Public hearing Sept. 13
- Recommendation Sept. 20 or Oct. 4
- Council – Set Hearing, Hold Hearing, 1st Reading
- Final Reading – mid November

No PC Hearing

- Recommendation Sept. 6 or 20
- Council – Set Hearing, Hold Hearing, 1st Reading
- Final Reading – Mid October

Background

Resolution No. 39723

“(T)he Planning Commission is hereby requested to immediately begin discussion regarding, and consideration of the need for interim regulations related to the Container Port Element in the Tideflats Subarea while the subarea planning process is underway, and prior to the subarea Plan’s finalization.”

Background

Council Consideration Request

“... this basic planning and zoning structure is complicated by the fact that PMI zoning allows for an exceptionally wide variety of heavy industries, such as smelters, hazardous chemical manufacturing and shipping terminals of all kinds (not just container terminals), as well as light industry and warehousing. The PMI zoning also allows for "uses not prohibited by City Charter and not prohibited herein," which essentially means that uses this community has potentially never contemplated and/or evaluated are automatically an allowed use in this area. In general, the current zoning allows for high-impact, high-hazard, and high-resource uses that deserve more scrutiny, and which in some cases may no longer be appropriate or consistent with the community's policies and vision for the area.”

Background

Council Consideration Request

“The existing zoning within the Tideflats also allows for a number of non-industrial uses, such as farming, day care centers, golf courses, religious assembly, and others, which need to be evaluated to ensure that they are not creating incompatibilities with the long-term viability of the Tideflats as a heavy industrial and container shipping area, as called for by the CPE.”

Background

NE Tacoma Buffer Zone Application

- Implement an effective transition along Marine View Drive consistent with policies in Container Port Element;
- Downzone PMI and heavy industrial districts to light industrial/commercial zones along Marine View Drive.
- Concern regarding the off-site impacts of heavy industry, including noise, odor, air quality and particulate matter

Background

Director's Rule on Notification

“...the permitting process, when it requires notification... generally requires notification only to properties within 400 or 1000 feet of the project site, which because of the large size of properties and lower residential density in these areas often does not ensure broad notification or outreach even to nearby residential areas.”

Background

Recent applications...

- Methanol
- LNG
- Surface mine
- Residential plats

Background

The basis for staff's initial concepts:

- Prohibition on unlisted uses
- High Risk/High Intensity Uses
- Non-industrial uses
- Expanded Notification
- Residential Encroachment

1. Expanded Notice

Applicability:

- Heavy industrial uses citywide
- Discretionary permit or SEPA determination

What would it do?

- Expand notification distance
- Expand e-mail notice
- Early community meeting

2. Non-industrial Uses

Applicability:

- Non-industrial uses in the Port of Tacoma M/IC
- List of uses is consistent with South Tacoma M/IC
- Some area of impact is minor (very little M-1 zoning in the Port MIC)

2. Non-industrial Uses

What would it do?

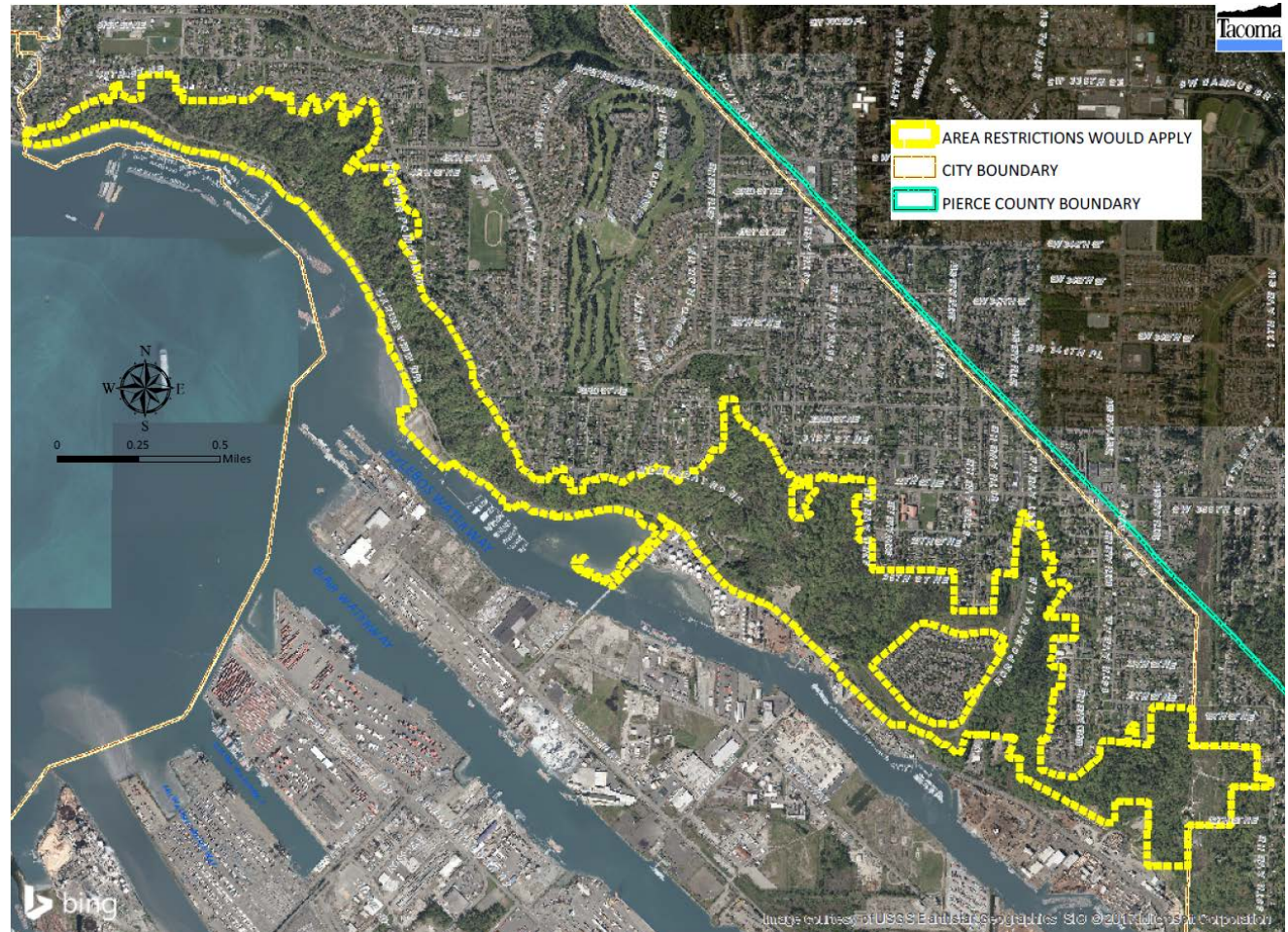
- New uses prohibited
- Existing uses allowed with limited expansion

Other option?

- Refine the list of uses – many are only allowed in M-1
- Allow expansion via CUP with no limitations

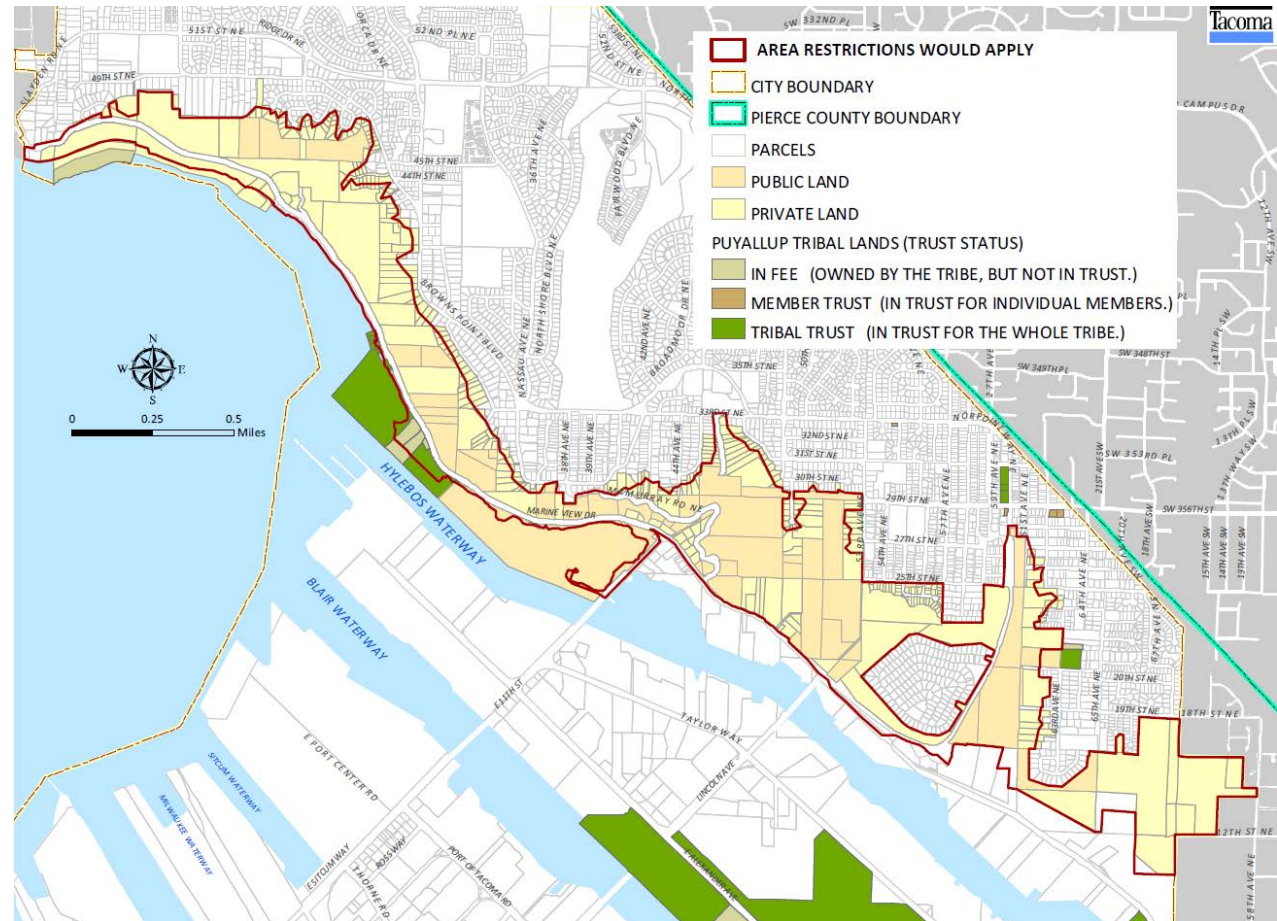
3. Residential Encroachment

Applicability:



3. Residential Encroachment

Development
Capacity:



3. Residential Encroachment

Rough Development Capacity Estimate:

270 acres of private land (unimproved) *

Assume some limitation on development capacity due to critical areas (45%)

=150 acres

Different lot sizes

= 150 units @ 1 acre lot

= 300 units @ .5 acre lot

= 450 units @ .3 acre lot

3. Residential Encroachment

What would it do?

- Limit development to 1 unit per parcel (79 parcels)
- No platting and subdivision
- No impact to existing residences or platted lots

Other option?

- No new units allowed.
- Amend the area of applicability.

4. High Risk/High Impact Uses

Applicability:

- *All industrial zoning districts city-wide*
- Coal terminals and bulk storage facilities
- Oil, liquefied or gaseous fossil fuel storage, terminals, etc.
- Chemical storage and manufacture
- Animal slaughter
- Rendering
- Smelting
- Iron and Steel Works
- Metal Recycling
- Mining and quarrying
- Pulp, paper and paperboard mills*
- Grain terminals and bulk storage*

4. High Risk/High Impact Uses

What would it do?

- Prohibit new potential high risk/high impact uses
- Existing uses are allowed and can expand 10% capacity
- Expansion subject to CUP
- Specifies certain activities excepted from “expansion”
- Includes descriptions for each use + NAICS citations
- Unlisted uses are prohibited

Other options:

- Refine the list
- Greater expansion subject to CUP

Request to Set Public Hearing

- Release draft
- Set hearing for September 13, 2017 (off-date)
 - 6:00 PM
 - Convention Center
- Accept comments through September 15th at 5:00 PM